

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
Eric K. Maxwell
Charles D. Rousseau
Charles W. Oddo



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214



AGENDA

January 22, 2026
5:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 5:00 p.m.

OFFICIAL SESSION:

Call to Order
Invocation and Pledge of Allegiance by Commissioner Charles Oddo
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of Mr. William A. Beckwith as an outgoing board member for the Zoning Board of Appeals and the Planning Commission. (page 4)
2. Recognition of Mr. John H. Culbreth, Sr., as an outgoing board member for the Planning Commission. (page 5)
3. Accountability Court updates and strategic planning efforts for FY26 and FY27. (page 6)
4. Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2025 annual audit. (page 7)

PUBLIC HEARING:

5. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Article VII. - Zoning Board of Appeals. Sec. 110-241. - Public Hearing. (pages 8-25)
6. Consideration of Petition No. 1368-25, Parcel 0722 023; Stuart Reagan and Laura K. Reagan, owners, request to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 75 of the 7th District and fronts on Sun Road. (pages 26-64)
7. Consideration of Petition No. 1370-25, Parcel 0448 013; Jean Allen Living Trust, Jerome Allen P.O.A., owner, requests to rezone 6.00 acres from A-R (Agricultural-Residential) to R-80 (Single-Family Residential); property located in Land Lot(s) 249 & 250 of the 4th District and fronts on Antioch Road. (pages 65-112)

8. Consideration of Petition No. 1371-25, Parcel 1306 023, CK 138 LLC, owner, requests to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot(s) 198 of the 13th District and fronts on State Route 138. (pages 113--170)
9. Consideration of a Petition 1372-25-A, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts on Highway 314. (page 171)
10. Consideration of a Petition 1372-25-B, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 4.738 acres from R-40 (Single-Family Res) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts on Highway 314. (pages 172-222)
11. Consideration of Petition No. 1373-25, Parcel 0504 049; Kyle D. Wieshaar and Laura S. Weishaar, owners, request to rezone 7.745 acres from A-R (Agricultural-Residential) to R-78 (Single-Family Residential); property located in Land Lot(s) 26 of the 5th District and fronts on Harp Road. (pages 223-263)

PUBLIC COMMENT:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

CONSENT AGENDA:

12. Approval of Resolution 2026-01, establishing qualifying fees for the 2026 elections in Fayette County. (pages 264- 265)
13. Approval to adopt Resolution 2026-02; Updated 2025 Fayette County Hazard Mitigation Plan as required by the Federal Emergency Management Agency's Disaster Mitigation Act of 2000. (pages 266-459)
14. Approval to add Windsor Court (FKA Nash Oaks) subdivision to Fayette County's Street Light Program. (pages 460-463)
15. Approval of an amendment to the existing lease at Huddleston Road tower site to correct Exhibit "A" of the lease. (pages 464- 503)
16. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Lacy Curry in the amount of \$2,318.65 for tax year(s) 2022, 2023, and 2024. (pages 504-505)
17. Approval of Bid #26081-B to Holbrook Asphalt, Inc. for HA 5 High Density Mineral Bond in the amount of \$237,146.91 (pages 506-511)
18. Approval of Resolution 2026-03; FA-01 Kenwood Road Path Project in response to the Atlanta Regional Commission (ARC) 2026 Transportation Improvement Program (TIP) solicitation. (pages 512-514)
19. Approval of Resolution 2026-04; FA-02 Sandy Creek Road Path Project in response to the Atlanta Regional Commission (ARC) 2026 Transportation Improvement Program (TIP) solicitation. (pages 515-517)
20. Approval of Resolution 2026-05; FA-03 SR 54 Coweta-Fayette Connectivity Study in response to the Atlanta Regional Commission (ARC) 2026 Transportation Improvement Program (TIP) solicitation. (pages 518-520)
21. Approval of Resolution 2026-06; FA-04 Redwine Road Path Gap Closure Scoping Study in response to the Atlanta Regional Commission (ARC) 2026 Transportation Improvement Program (TIP) solicitation. (pages 521-523)

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on YouTube at <https://www.youtube.com/@FayetteCountyBOC>.

22. Approval of Resolution 2026-07; FA-279 SR 279 realignment project (PI0017813) in response to the Atlanta Regional Commission (ARC) 2026 Transportation Improvement Program (TIP) solicitation. (pages 524-526)
23. Approval of Resolution 2026-08; FA-280 Sandy Creek Road, Eastin Road, Sams Drive/Trustin Lake Drive Intersection Improvement Project (PI 0021206) in response to the Atlanta Regional Commission (ARC) 2026 Transportation Improvement Program (TIP) solicitation. (pages 527- 529)
24. Approval to authorize the Fayette County Solicitor's Office to accept a continuing grant award from the Criminal Justice Coordinating Council in the amount of \$57,752.00 with the continuing grant award period beginning October 1, 2025 and expiring September 30, 2026. (pages 530-608)
25. Approval to proceed with implementation of the top priority tasks outlined in the Starr's Mill Educational Facility Master Concept Plan related to 2023 SPLOST R23AE. (pages 609-617)
26. Approval of January 8, 2026, Board of Commissioners Meeting Minutes. (pages 618-625)

OLD BUSINESS:

NEW BUSINESS:

27. Consideration of an Annexation Notification from the City of Fayetteville regarding a request to annex three (3) parcels, Parcels #0545 025; 0545 003; 0546 011 - located at Hwy 85 N and between Hwy 85 and Hwy 314, Fayetteville, GA; a total of 242+/- acres located in Land Lots 198, 199, 200, 201 and 216 of the 5th District, fronting on SR 85 N and SR 314. (pages 626-681)
28. Request to appoint MEJA Construction as Construction Managers at Risk for the Animal Shelter Phase II project in the sum of \$292,500.00. (pages 682-689)
29. Request to award Bid #26074-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAJ Cross Creek Trail Culvert Replacement to the lowest responsive, responsible bidder, Helix Grading & Utility, LLC, in the amount of \$734,625.85 and to transfer \$35,066.00 from 17SAS Stormwater Improvement Plans CAT IV. (pages 690-695)
30. Request for award of Bid #26029-B - Alum System Improvements to Bar Environmental Supply Inc. in the amount of \$229,850. (pages 696--739)
31. Request to approve Change Order #1 to Contract #2563-B-On-Call Annual Contract for Water Distribution and Stormwater Infrastructure, Task Order #2-10" Main – Kenwood Road at Morning Creek Bridge, in the amount of \$362,775.00 to repair the water distribution line on Kenwood Road at Morning Creek. (pages 740-749)

ADMINISTRATOR'S REPORTS:

A: Contract 1477-S: Carbyne Public Safety Ecosystem; Renewal 4; Five-Month Extension (pages 750-755)

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Mr. William A. Beckwith as an outgoing board member for the Zoning Board of Appeals and the Planning Commission.

Background/History/Details:

Tonight, we are honored to recognize and thank Mr. William Beckwith for 30 years of dedicated service on both the Planning Commission and Zoning Board of Appeals. Mr. Beckwith has played a vital role in shaping thoughtful growth, protecting community values, and making fair and responsible land-use decisions. His willingness to serve has made a lasting impact on the County and its residents. We are deeply grateful his knowledge, professionalism and dedication to the community. On behalf of Fayette County, we extend our sincere gratitude and appreciation for your decades of service to our county. Your dedication has truly made a difference!

What action are you seeking from the Board of Commissioners?

Recognition of Mr. William Beckwith's service to Fayette County as a member of the Zoning Board of Appeals and the Planning Commission.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 5 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Mr. John H. Culbreth, Sr., as an outgoing board member for the Planning Commission.

Background/History/Details:

Tonight, we are honored to recognize and thank Mr. John H. Culbreth, Sr., for 12 years of service on the Planning Commission. Mr. Culbreth's commitment to the County is reflected in his leadership and dedication to the community. Serving on the Planning Commission requires a commitment of time to review and carefully consider each case and his contributions have made a lasting impact on the community. On behalf of Fayette County, thank you for 12 years of commitment, leadership and public service!

What action are you seeking from the Board of Commissioners?

Recognition of Mr. John Culbreth's service to Fayette County as a member of the Planning Commission.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 6 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Accountability Court updates and strategic planning efforts for FY26 and FY27.

Background/History/Details:

This presentation will consist of an overview and update of DUI/Drug and Veteran's Treatment Court growth and planning efforts for FY26 and FY27.

What action are you seeking from the Board of Commissioners?

Accountability Court updates and strategic planning efforts for FY26 and FY27.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 7 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request: #4

Wording for the Agenda:

Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2025 annual audit.

Background/History/Details:

Nichols, Cauley & Associates, LLC has completed the independent audit of the County's accounting records for the 2025 fiscal year. The firm will be presenting the results of the audit to the Board of Commissioners.

The firm will present their findings, via PowerPoint, during the meeting.

What action are you seeking from the Board of Commissioners?

No action is requested from the Board. This presentation is for informational purposes.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request: #5

Wording for the Agenda:

Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Article VII. - Zoning Board of Appeals. Sec. 110-241. - Public Hearing.

Background/History/Details:

In accordance with amendments to the State Zoning Procedure Laws, staff is presenting a recommendation to amend Sec. 110-241.(d). as follows.

To delete in its entirety:

(d) Public notice in newspaper. The zoning board of appeals shall cause public notice of the hearing to be published in the legal organ of the county, at least 30 calendar days prior to the date of the public hearing. The notice shall state the time, place, and purpose of the hearing.

To be replaced by:

(d) Public notice in newspaper. The zoning board of appeals shall cause public notice of the hearing to be published in the legal organ of the county, at least 15 but not more than 45 calendar days prior to the date of the public hearing. The notice shall state the time, place, and purpose of the hearing.

Staff recommends approval of this amendment. On December 4, 2025, the Planning Commission heard this proposed amendment and voted 5-0 to recommend APPROVAL of the amendment as presented.

What action are you seeking from the Board of Commissioners?

Approval of amendments to Chapter 110. Zoning Ordinance, regarding Article VII. - Zoning Board of Appeals. Sec. 110-241. - Public Hearing.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No: TA-0009-25

REQUESTED ACTION: Amend Sec. 110-242. Powers and Duties.

Staff is presenting a recommendation to amend Sec. 110-241. Public hearing. This amendment addresses the public notice requirements for the Zoning Board of Appeals. It aligns our ordinance with recent amendments by the State of Georgia for zoning procedure laws.

Please refer to the subsequent pages for details of the proposed amended language.

STAFF RECOMMENDATION: Staff recommends approval of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On December 4, 2025, the Planning Commission held a public hearing for the Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-241.- Public Hearing.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

BOARD OF COMMISSIONERS PUBLIC HEARING: January 22, 2026

Sec. 110-241. Public hearing.

(a) *Place, time, and date.* The public hearings shall be conducted as follows:

- (1) Place: the county administrative complex.
- (2) Time and Date: Fourth Monday, at the time designated for its regular meetings.

Any changes from the standard schedule for public hearings will be published in the newspaper which carries legal advertisements for the county in compliance with the requirements for public notification as provided herein.

- (b) *Conduct of hearing.* Public hearings shall be conducted with 20 minutes provided for the appellant/petitioner and proponents and 20 minutes provided for the opponents of an appeal/petition. An appellant/petitioner may reserve part of the allotted time for rebuttal.
- (c) *Notice of hearing shall be given.* Before making its decision on an appeal, a request for a variance, or any other matter within the zoning board of appeals' purview, the zoning board of appeals shall hold a public hearing thereon. A notice of the date, time and place of such hearing shall be sent to the appellant/petitioner by certified U.S. mail to the appellant/petitioner's last known address.
- (d) *Public notice in newspaper.* The zoning board of appeals shall cause public notice of the hearing to be published in the legal organ of the county, at least ~~30-15~~ but not more than 45 calendar days prior to the date of the public hearing. The notice shall state the time, place, and purpose of the hearing.
- (e) *Posting of signs.*
 - (1) A sign shall be posted on property. One sign is required for each street frontage of said property. The sign shall be posted consistent with the requirements for newspaper notification.
 - (2) Signs used for posting property shall be a minimum of 18 inches by 18 inches and shall indicate the appeal/petition number, the time, date, and place of the hearing.
 - (3) A refundable sign deposit shall be required for each sign at the time of filing the appeal/petition.
- (f) *Who may appear.* Any party may appear at the public hearing in person or by agent or attorney.
- (g) *Zoning board of appeals' decision.* The zoning board of appeals shall approve, deny, or table each appeal/petition by a public vote. An action to table shall include justification of such action and a specific meeting date at which the appeal/petition is to be reconsidered. If there is not a full zoning board of appeals board present at the public hearing, the appellant/petitioner may request to table the appeal/petition to the next zoning board of appeals public hearing, provided the appellant/petitioner requests to table the agenda item prior to the presentation. A new legal advertisement will be required with an announcement to a specific meeting date if an appeal/petition is tabled. The property shall be reposted with new signage indicating the new public hearing dates.
- (h) *Time limit on zoning board of appeals decision.* The zoning board of appeals shall reach a decision following a public hearing within 45 calendar days or the appeal/petition shall be deemed approved.
- (i) *Appellate review.* Decisions of the zoning board of appeals made pursuant to this article shall be subject to appellate review by the superior court pursuant to its appellate jurisdiction from a lower judicatory body and shall be brought by way of a petition for such review as provided in Title 5 of the Official Code of Georgia Annotated. Such matters shall be reviewed on the record which shall be brought to the superior court as provided in said Title 5. Such appeals shall be brought within 30 days of the written decision of the appealed action. The zoning administrator shall have authority, without additional action of the zoning board of appeals, to approve or issue any form or certificate necessary to perfect any petition required by Title 5 of the Official Code of Georgia Annotated for review of lower judicatory bodies. Service of any such petition may be effected on or accepted by the zoning administrator on behalf of the zoning board of appeals, during

normal business hours, at the offices of the planning and zoning department. Service of any such petition on the board of commissioners may be effected on or accepted by the chairman of the board of commissioners, or his or her designee, at the offices of the board of commissioners during normal business hours.

(Ord. No. 2015-06, § 1, 3-26-2015; Ord. No. 2017-11, § 1, 6-22-2017; Ord. No. 2023-05, § 1, 6-22-2023)

BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
December 04, 2025
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items number 7 and 8 (Petitions No. 1372-25-A and B) to number 1 and 2. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. *Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.*

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. ***John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.***
3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. ***Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.***
4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road. ***Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0***
5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.***
6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.***
7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road. ***John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.***
8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138. ***Danny England made the motion to recommend APPROVAL of***

Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.***

10. Consideration of the Fayette County Planning Commission 2026 Calendar. ***John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.***

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110.*** Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny Englan asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

Wednesday, December 17, 2025

Fayette County News **B5**

NOTICE OF PUBLIC HEARING
FOR AN AMENDMENT OF THE
FAYETTE COUNTY CODE OF
ORDINANCES, CHAPTER 110.
ZONING ORDINANCE.

PUBLIC HEARING to be held
before the Fayette County Board
of Commissioners on Thursday,
January 22, 2026, at 5:00 P.M., in
the Fayette County Administrative
Complex, 140 Stonewall Avenue
West, Public Meeting Room, First
Floor, Fayetteville, Georgia.

CONSIDERATION OF AMEND-
MENTS TO CHAPTER 110. ZON-
ING ORDINANCE, REGARDING
ARTICLE VII. - ZONING BOARD
OF APPEALS. - SEC. 110-241. -
PUBLIC HEARING.

A copy of the above is available
in the office of the Fayette County
Planning and Zoning Department,
140 Stonewall Avenue West, Suite
202, Fayetteville, Georgia.

This 9th day of December 2025.

Deborah Bell, Director
Planning and Zoning

Ad to run: 12/17/2025

12/17

B6 Fayette County News

Continued from page B5

Wednesday, November 12, 2025

**NOTICE OF PUBLIC HEARING
FOR AN AMENDMENT OF THE
FAYETTE COUNTY CODE OF
ORDINANCES, CHAPTER 110.
ZONING ORDINANCE.**

PUBLIC HEARING to be held before the Fayette County Planning Commission on December 4, 2025, at 7:00 P.M. and before the Fayette County Board of Commissioners on January 22, 2025, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.
CONSIDERATION OF AMENDMENTS TO CHAPTER 110. ZONING ORDINANCE, REGARDING

Legals continued page B7

Wednesday, November 12, 2025

Continued from page B6

**ARTICLE VII. – ZONING BOARD
OF APPEALS. – SEC. 110-241. –
PUBLIC HEARING.**

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

This 5th day of November 2025.

Deborah Bell, Director
Planning and Zoning

Ad to run: 11/12/2025

COUNTY AGENDA REQUEST

Page 26 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1368-25, Parcel 0722 023; Stuart Reagan and Laura K. Reagan, owners, request to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 75 of the 7th District and fronts on Sun Road.

Background/History/Details:

The lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends APPROVAL of the request to rezone to A-R.

On December 4, 2025, the Planning Commission voted unanimously to recommend APPROVAL of the request to rezone from R-70 to A-R. Jim Oliver made a motion to recommend approval of Petition 1368-25. Danny England seconded the motion. The motion carried 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of Petition No. 1368-25, Parcel 0722 023; Stuart Reagan and Laura K. Reagan, owners, request to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 75 of the 7th District and fronts on Sun Road.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No. 1368-25

REQUESTED ACTION: Rezone 8.053 acres from R-70 to A-R

PARCEL NUMBER: 0722 023

EXISTING ZONING: R-70

PROPOSED ZONING: A-R

EXISTING USE: Single-Family Residential

PROPOSED USE: Agriculture- Residential

LOCATION: 183 Sun Road

LOT SIZE: 8.053 Acres

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 75

OWNER(S): Stuart Reagan and Laura K. Reagan

APPLICANT(S): Stuart Reagan and Laura K. Reagan

AGENT(S): N/A

PLANNING COMMISSION PUBLIC HEARING: *December 4, 20205, at 7:00 PM, Tabled from the Planning Commission Hearing on November 6, 2025.*

BOARD OF COMMISSIONERS PUBLIC HEARING: *January 22, 2026, at 5:00 PM*

REQUEST

The applicant is requesting to rezone the property from R-70 to A-R.

STAFF ASSESSMENT & RECOMMENDATION

The lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends **APPROVAL** of the request to rezone to A-R.

PLANNING COMMISSION RECOMMENDATION: On December 4, 2025, the Planning Commission voted unanimously to recommend **APPROVAL** of the request to rezone from R-70 to A-R. Jim Oliver made a motion to recommend approval of Petition 1368-25. Danny England seconded the motion. The motion carried 5-0.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned R-70. It was rezoned from A-R to R-70 as part of a blanket rezoning initiated by the County in 1973. The property is currently developed with a single-family residence.

B. ADJACENT ZONING AND FUTURE LAND USE

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. Many other parcels in the general area are zoned A-R. The Future Land Use Map for this property and all the surrounding properties is Rural Residential-2, 1 Unit/2 Acres. See the attached Zoning Map and Future Land Use Map.

Direction	Acreage	Zoning	Use	Future Land Use Plan
North	25+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
East	25+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
South (across Sun Road)	25+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
West	10	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)

C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections.
- ☐ **Fire** – No comments.
- ☐ **Environmental Health** - This office has no objection to the proposed rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

STANDARDS**Sec. 110-300. - Standards for map amendment (rezoning) evaluation.**

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for Rural Residential-2 Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and rural residential.

ZONING DISTRICT STANDARDS

Sec. 110-125. A-R, Agricultural-Residential District.

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:

- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter);
- (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
- (4) Plant nurseries and greenhouses (no sales of related garden supplies);
- (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
- (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.

(c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:

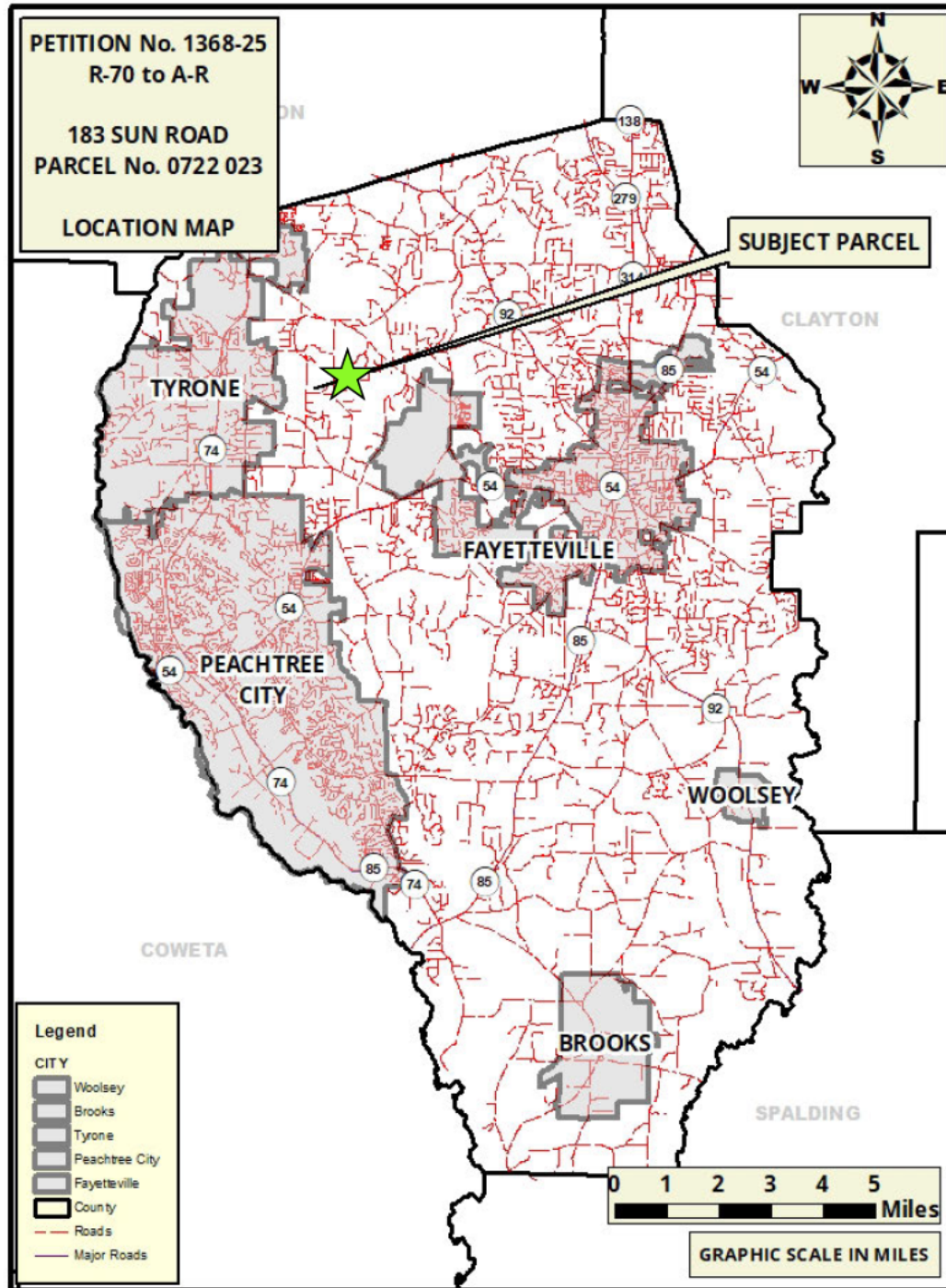
- (1) Aircraft landing area;
- (2) Animal hospital, kennel or veterinary clinic;
- (3) A-R bed and breakfast inn;
- (4) A-R wedding/event facility;
- (5) Cemetery;
- (6) Church and/or other place of worship;
- (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
- (8) Commercial driving range and related accessories;
- (9) Child care facility;
- (10) Deer processing facility.
- (11) Developed residential recreational/amenity areas;
- (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
- (13) Golf course (minimum 18-hole regulation) and related accessories;
- (14) Home occupation;
- (15) Horse show, rodeo, carnival, and/or community fair;
- (16) Hospital;
- (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
- (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
- (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;

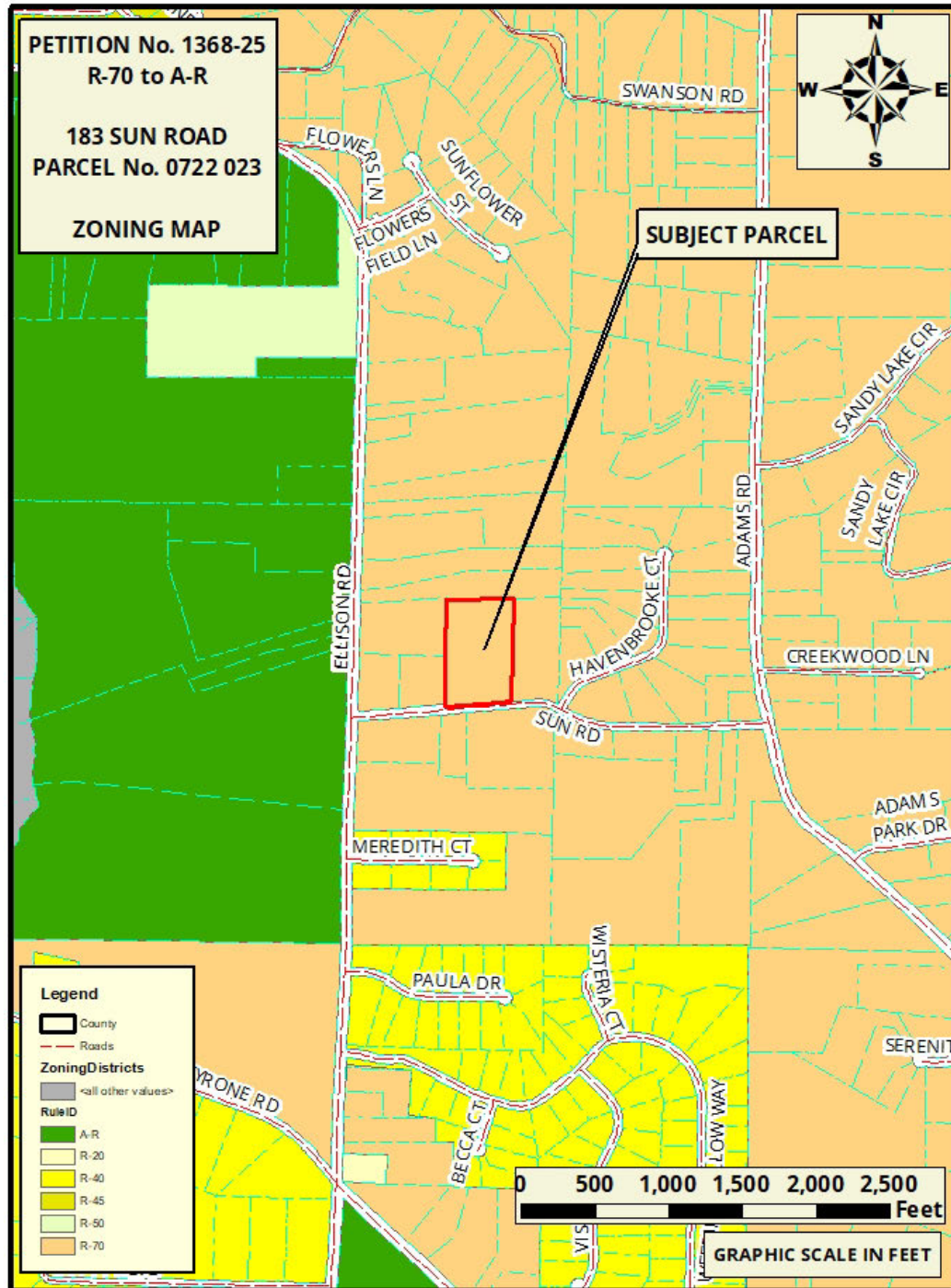
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
- (21) Religious tent meeting; and
- (22) Shooting range, outdoor.

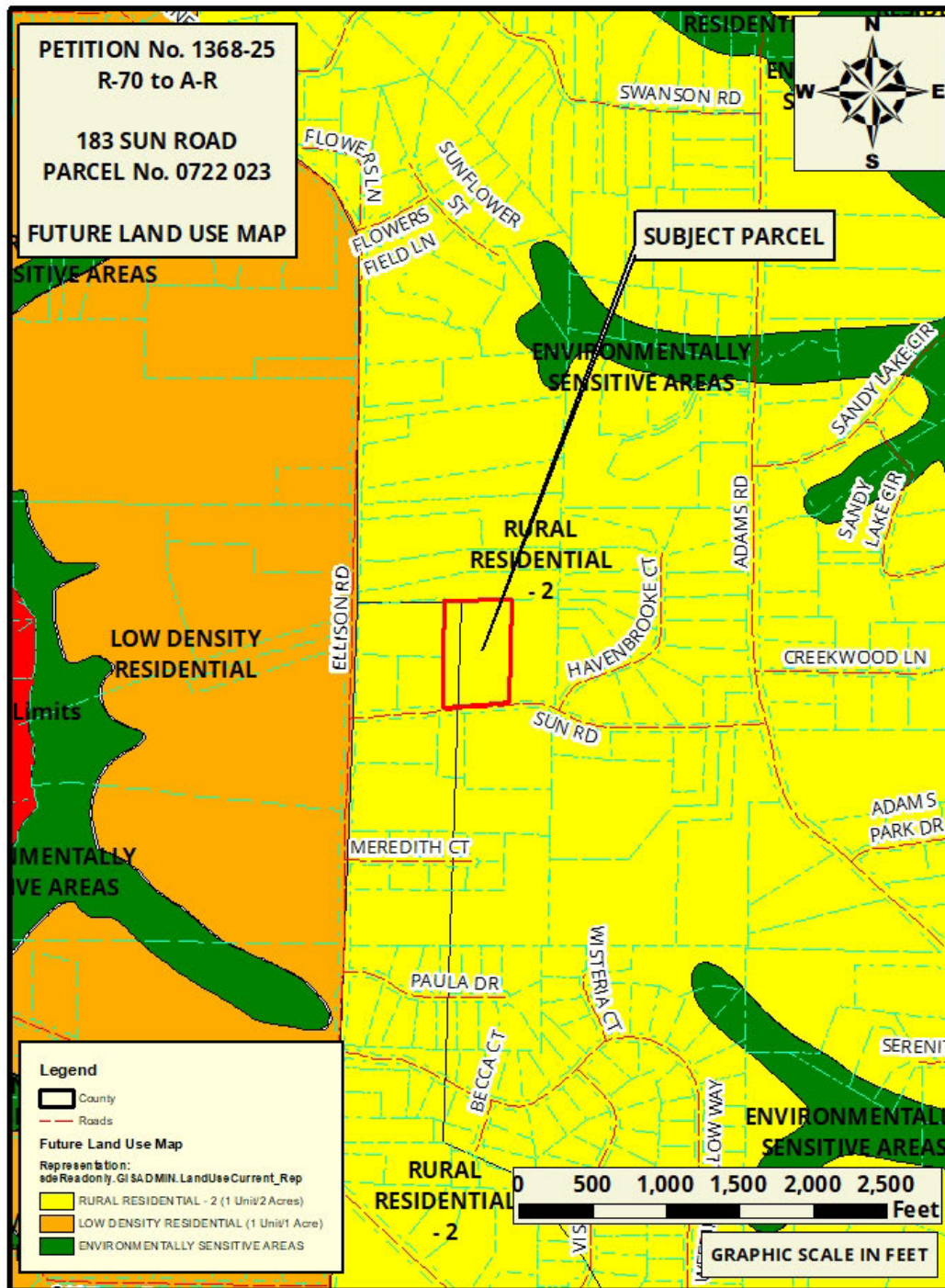
(d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:

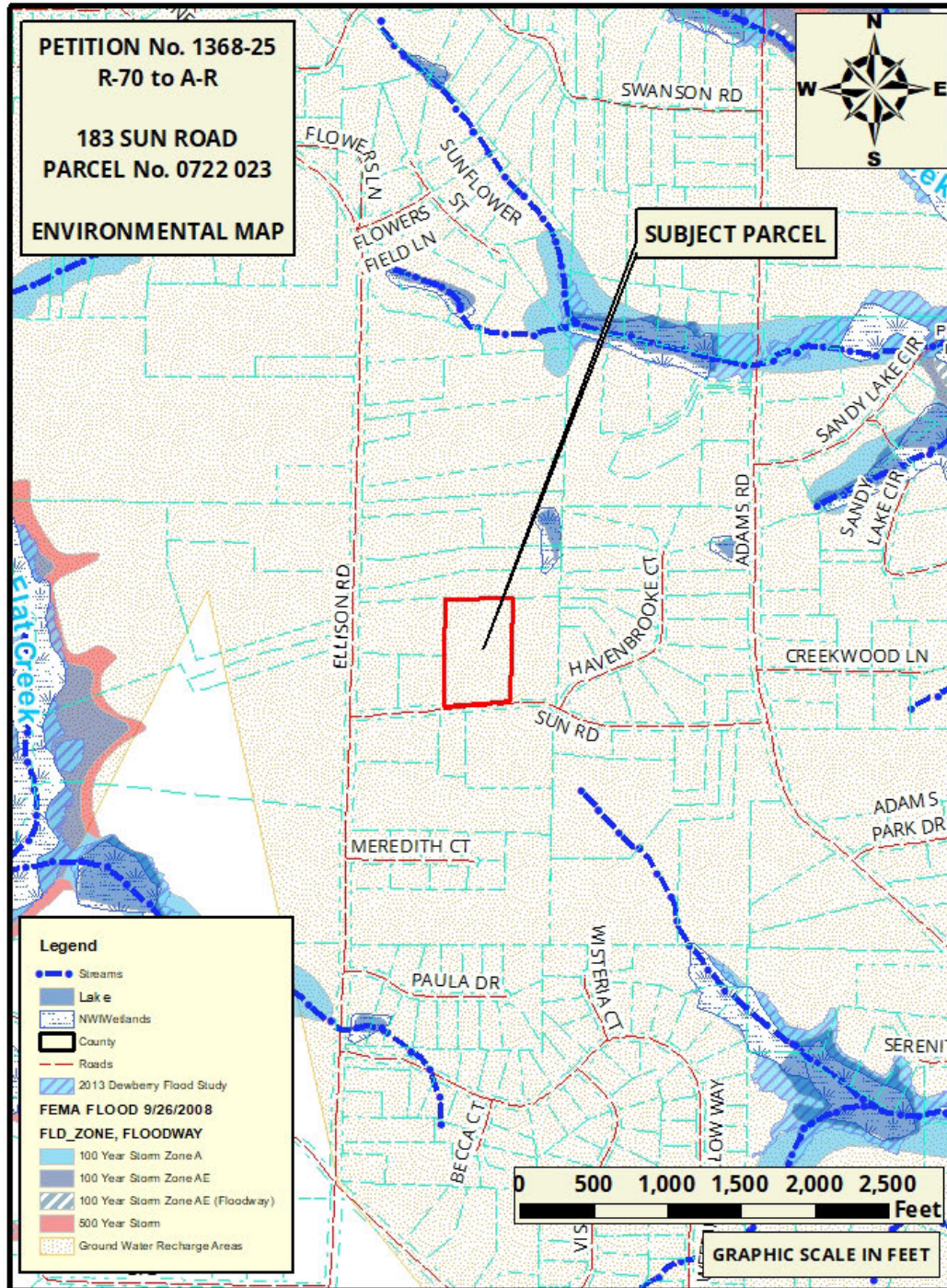
- (1) Lot area: 217,800 square feet (five acres).
- (2) Lot width: 250 feet.
- (3) Floor area: 1,200 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
- (5) Rear yard setback: 75 feet.
- (6) Side yard setback: 50 feet.
- (7) Building height.
 - a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.

(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

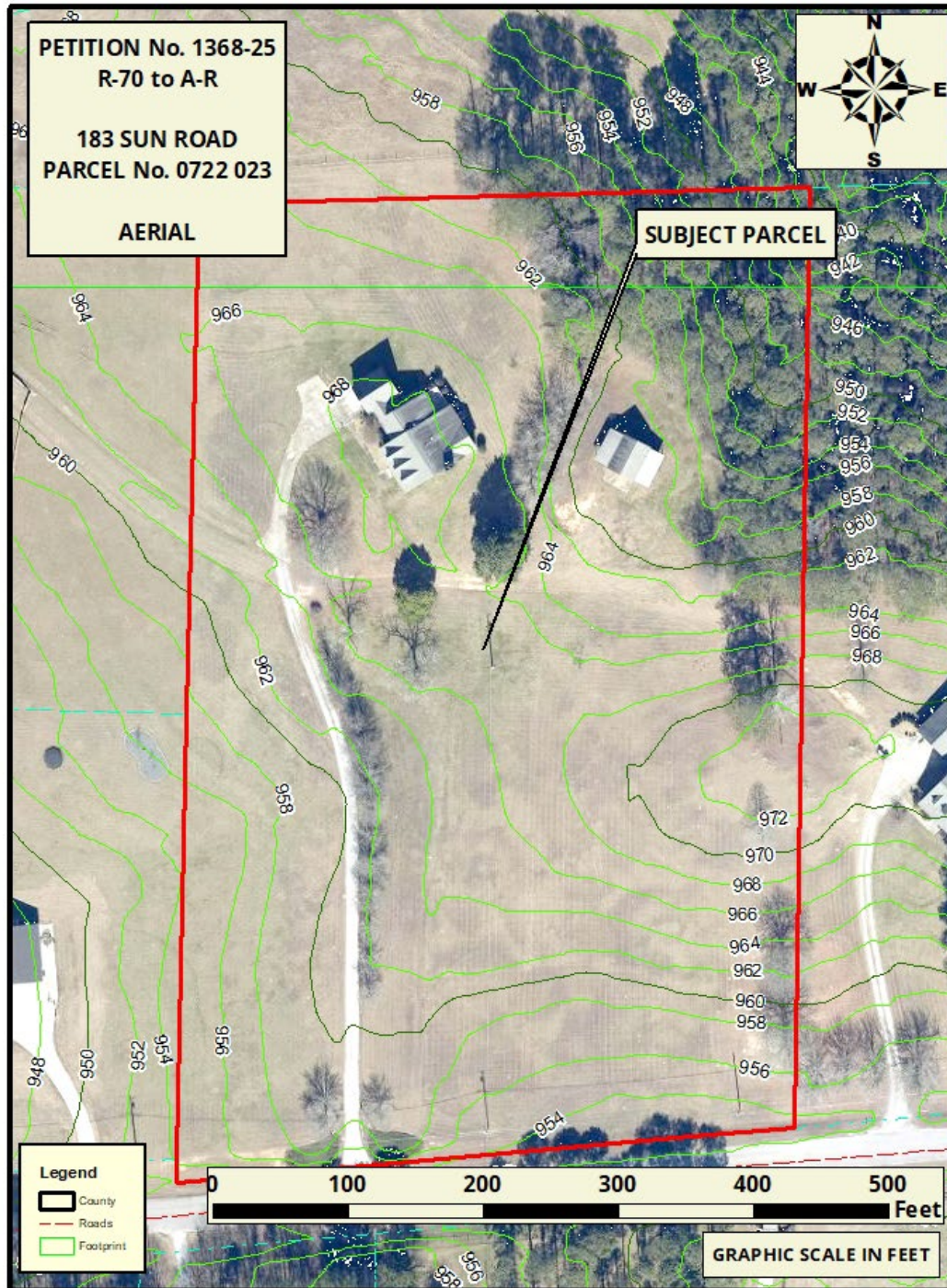












BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
December 04, 2025
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items number 7 and 8 (Petitions No. 1372-25-A and B) to number 1 and 2. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. *Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.*

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. ***John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.***
3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. ***Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.***
4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road. ***Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0***
5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.***
6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.***
7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road. ***John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.***
8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138. ***Danny England made the motion to recommend APPROVAL of***

Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.***

10. Consideration of the Fayette County Planning Commission 2026 Calendar. ***John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.***

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny England asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

1368-25

PETITION No (s): 1371-25

STAFF USE ONLY

SAGES REFERENCE No.: _____

APPLICANT INFORMATION

Name STUART REAGAN
 Address 183 SUN ROAD
 City FAYETTEVILLE
 State GA Zip 30214
 Email [REDACTED]
 Phone 678-997-7634

PROPERTY OWNER INFORMATION

Name STUART & LAURA REAGAN
 Address 183 SUN ROAD
 City FAYETTEVILLE
 State GA Zip 30214
 Email [REDACTED]
 Phone 678-997-7634

AGENT(S) (if applicable)

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: Maria Binns Date: 09/10/2025DATE OF PLANNING COMMISSION HEARING: November 6, 2025DATE OF COUNTY COMMISSIONERS HEARING: December 11, 2025

Received from Stuart Reagan a check in the amount of \$ 350.00 for
 application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 09/10/25

Receipt Number: #025153
#025083

1368-25

Paid

PETITION No.: 1371-25 Fees Due: 350.00 Sign Deposit Due: 20.00

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 0722 023 Acreage: 8.05
 Land District(s): 01 (uninc) Land Lot(s): _____
 Road Name/Frontage L.F.: SUN ROAD Road Classification: _____
 Existing Use: RESIDENTIAL Proposed Use: AGRICULTURE
 Structure(s): _____ Type: _____ Size in SF: 3400
 Existing Zoning: R-70 Proposed Zoning: A-R
 Existing Land Use: RESIDENTIAL Proposed Land Use: AGRICULTURE
 Water Availability: Y Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

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:

STUART & LAURA REAGAN

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0722 023

(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) W.N.C. of the 01 District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 8.05 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A 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.

(II) [Signature]
 Signature of Property Owner 1
183 SUN ROAD FAYETTEVILLE GA
 Address

[Signature]
 Signature of Property Owner 2
183 SUN ROAD FAYETTEVILLE GA
 Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

[Signature]
 Signature of Notary Public

9/10/25
 Date

[Signature]
 Signature of Notary Public

9/10/25
 Date

Signature of Notary Public

Date

Signature of Notary Public

Date



1368-25

PETITION No.:

1371-25**OWNER'S AFFIDAVIT**

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: STUART & LAURA REAGANADDRESS: 183 SUN ROAD FAYETTEVILLE GA 30214

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

STUART & LAURA REAGAN 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 November 6, 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 2025 at ~~7:00~~ 2:00 PM P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 10 DAY OF September, 2025

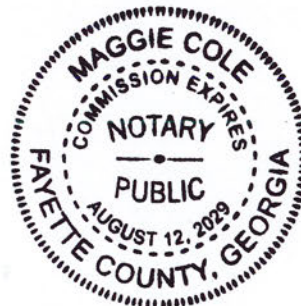
SIGNATURE OF PROPERTY OWNER

Laura Reagan

SIGNATURE OF PROPERTY OWNER

Maggie Cole

NOTARY PUBLIC



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, STUART & LARA REAGAN, 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:

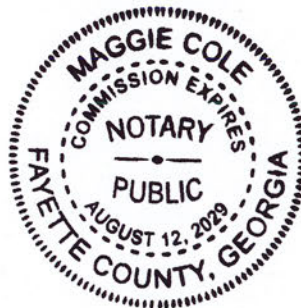
- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each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

Sworn to and subscribed before me this 10 day of September, 2025.


SIGNATURE OF PROPERTY OWNER


SIGNATURE OF PROPERTY OWNER


NOTARY PUBLIC



DEVELOPMENTS OF REGIONAL IMPACT (DRI)**Rezoning Applicant:**

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- [☒] 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 10TH day of SEPTEMBER, 2025.


APPLICANT'S SIGNATURE

Developments of Regional Impact - Tiers and Development Thresholds

Type of Development	Metropolitan Regions	Non-metropolitan Regions
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300 000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500 000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt &, Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels
(16) Water Supply, Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or spaces.	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces	1000 parking spaces

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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.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

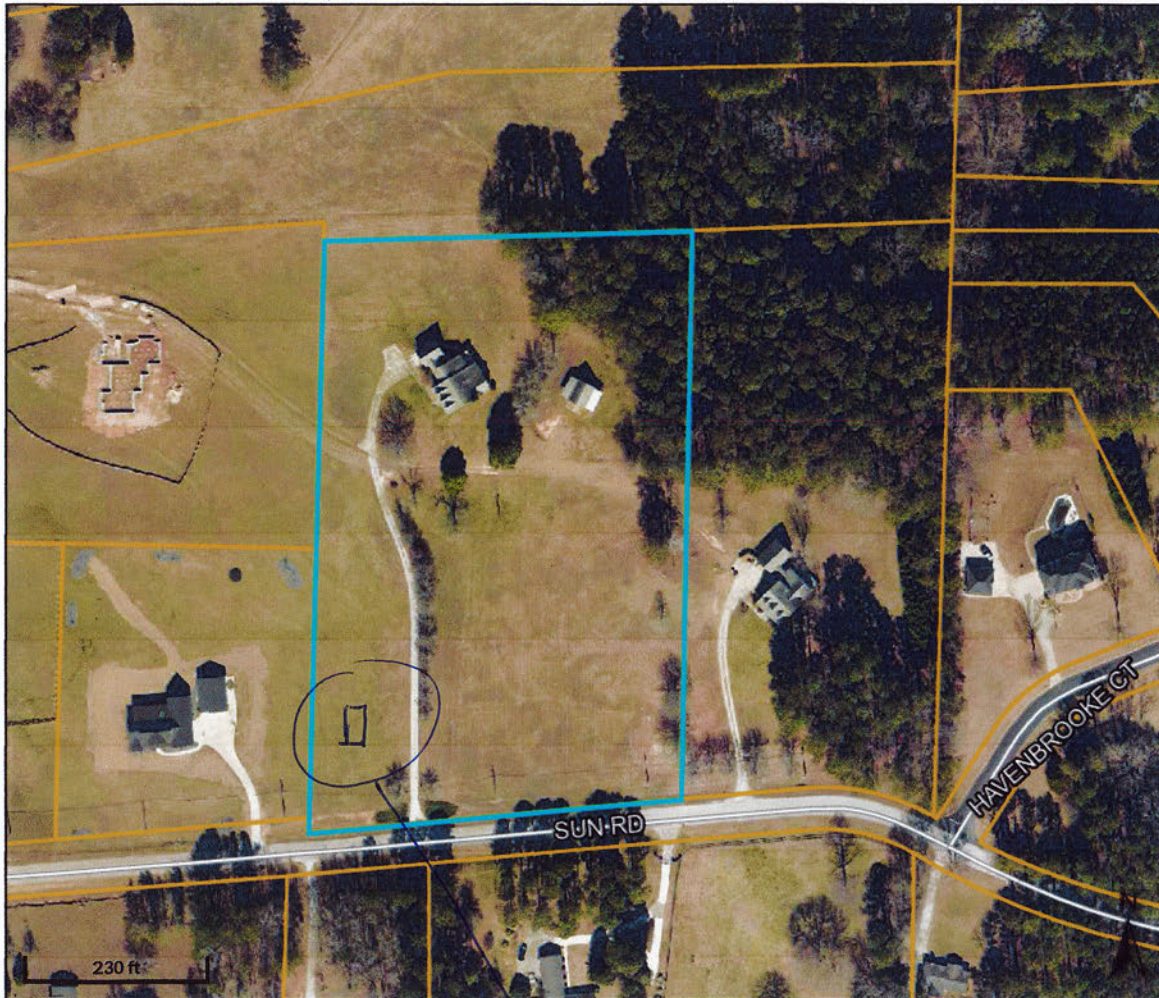
CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- ☒ Application form and all required attachments completed, signed, and notarized, as applicable.
- ☒ Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☒ Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- ☐ Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- ☐ Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
 - _____ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - _____ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - _____ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - _____ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - _____ e. Minimum zoning setbacks and buffers, as applicable.
 - _____ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - _____ g. Location and dimensions of exits/entrances to the subject property.
 - _____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - _____ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☐ A letter of intent for a non-residential rezoning request, including the proposed use(s).



Fayette County, GA



Overview



Legend

- Parcels
- Roads
- City Limits**
 - BROOKS
 - FAYETTEVILLE
 - PEACHTREE CITY
 - TYRONE
 - WOOLSEY



Parcel ID 0722 023
 Sec/Twp/Rng n/a
 Property Address 183 SUN RD

Alternate ID 33134
 Class Agricultural
 Acreage 8.05

Owner Address STUART REGAN
 STUART LAURA K
 183 SUN ROAD
 FAYETTEVILLE, GA 30214

District
 Brief Tax Description

County Uninc
 TRACT 2
 (Note: Not to be used on legal documents)

Date created: 9/3/2025
 Last Data Uploaded: 9/3/2025 5:09:21 AM

Developed by  SCHNEIDER
 GEOSPATIAL

10' X 14' EQUINE SHELTER
 WOOD CONSTRUCTION WITH METAL
 ROOF. STRUCTURE WILL BE 50'+
 FROM WESTERN EDGE OF PROPERTY
 AND APPROXIMATELY 100' FROM SUN ROAD
 RIGHT OF WAY.

NOT DRAWN TO SCALE



Type: ESTD
 Recorded: 10/4/2024 9:37:00 AM
 Fee Amt: \$750.00 Page 1 of 1
 Transfer Tax: \$725.00
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court

Participant ID(s): 1138094925,
 7067927936

BK 5766 PG 498

Please return to:
 Lawson, Beck & Sandlin, LLC
 560 Newnan Crossing Bypass, Suite 100
 Newnan, GA 30263
 File # 24-NWN-1006
 Att: Lexi Clarke
 Parcel Number: 0722 023

STATE OF GEORGIA
 COUNTY OF COWETA

EXECUTOR'S DEED

THIS INDENTURE made this 3rd day of October, 2024 between

Pamela Jean Dunn, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams and William Randall Adams, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

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

Stuart Reagan and Laura K. Reagan as Joint Tenants With Right of Survivorship

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 75 of the 7th District, Fayette County, Georgia, being Tract 2, containing 8.053 Acres of Prepared for Betty J. Adams, as per plat thereof recorded in Plat Book 48, Page 160, Fayette County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description.

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; 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 said deceased.

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:

Unofficial Witness

Notary Public



Pamela Jean Dunn, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

Pamela Jean Dunn, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

William Randall Adams, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

William Randall Adams, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

of Betty Joyce Adams aka Joyce Adams

PETITION FOR REZONING
CERTAIN PROPERTIES
IN UNINCORPORATED AREAS
OF

FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held be-
fore the Fayette County Planning
Commission on Thursday, De-
cember 4, 2025, at 7:00 P.M., and
before the Fayette County Board
of Commissioners on Thursday,
January 22, 2026, at 5:00 P.M., in
the Fayette County Administrative
Complex, 140 Stonewall Avenue
West, Public Meeting Room, First
Floor, Fayetteville, Georgia.

Petition No: 1368-25

Parcel No: 0722 023

Owner: Stuart Reagan and Laura
K. Reagan

Zoning District: R-70

Area of Property: 8.053 acres

Land Lot(s)/District: Land Lot 75
of the 7th District

Fronts on: Sims Road

Proposed: Applicant proposes the
following: Applicant is requesting
to rezone

8.053 acres from R-70 (Sin-
gle-Family Residential) to A-R
(Agricultural-
Residential).

A copy of the above is available
in the office of the Fayette County
Planning and Zoning Department,
140 Stonewall Avenue West, Suite
202, Fayetteville, Georgia.

Legal Description

All that tract or parcel of land lying
and being in Land Lot 75 of the 7th
District, Fayette County, Georgia,
being Tract 2, containing 8.053
Acres of Prepared for Betty J. Ad-
ams, as per plat thereof recorded
in Plat Book 48, Page 160, Fayette
County, Georgia Records, which
recorded plat is incorporated here-
in by reference and made a part of
this description.

PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA

PUBLIC HEARING to be held
before the Fayette County Board
of Commissioners on Thursday,
January 22, 2026, at 5:00 P.M., in
the Fayette County Administrative
Complex, 140 Stonewall Avenue
West, Public Meeting Room, First
Floor, Fayetteville, Georgia.

Petition No: 1368-25

Parcel No: 0722 023

Owner: Stuart Reagan and Laura
K. Reagan

Zoning District: R-70

Area of Property: 8.053 acres

Land Lot(s)/District: Land Lot 75
of the 7th District

Fronts on: Sun Road

Proposed: Applicant proposes the
following: Applicant is requesting
to rezone

8.053 acres from R-70 (Sin-
gle-Family Residential) to A-R
(Agricultural-
Residential).

A copy of the above is available
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in Plat Book 48, Page 160, Fayette
County, Georgia Records, which
recorded plat is incorporated here-
in by reference and made a part of
this description

COUNTY AGENDA REQUEST

Page 65 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1370-25, Parcel 0448 013; Jean Allen Living Trust, Jerome Allen P.O.A., owner, requests to rezone 6.00 acres from A-R (Agricultural-Residential) to R-80 (Single-Family Residential); property located in Land Lot(s) 249 & 250 of the 4th District and fronts on Antioch Road.

Background/History/Details:

The lot is a legal lot of record and meets or exceeds all the requirements of the R-80 zoning district. The Future Land Use Map designates this area as Rural Res-3, which has a 3-acre min. lot size. The request to rezone to R-80 is consistent with the FLUM and the Comp Plan. The existing house is a legal, nonconforming structure but does not meet the dimensional requirements for R-80 for building setbacks nor for minimum floor area. Therefore, staff recommends CONDITIONAL APPROVAL of the request to rezone to R-80. On December 4, 2025, the Planning Commission voted unanimously to recommend CONDITIONAL APPROVAL of the request to rezone from A-R to R-80. John Culbreth, Sr., made a motion to recommend conditional approval of Petition 1370-25. Danny England seconded the motion. The motion carried 5-0.

1. The applicant shall obtain a variance to the minimum floor area requirement in R-80, or make appropriate modifications to the house, within 180 calendar days or before applying for any final plats or permits, whichever comes first.
2. The applicant shall obtain a variance to the side yard setback requirement in R-80, or make appropriate modifications to the house, within 180 calendar days or before applying for any final plats or permits, whichever comes first.

What action are you seeking from the Board of Commissioners?

Consideration of Petition No. 1370-25, Parcel 0448 013; Jean Allen Living Trust, Jerome Allen P.O.A., owner, requests to rezone 6.00 acres from A-R (Agricultural-Residential) to R-80 (Single-Family Residential); property located in Land Lot(s) 249 & 250 of the 4th District and fronts on Antioch Road.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No. 1370-25

REQUESTED ACTION: Rezone 6.00 acres from A-R to R-80

PARCEL NUMBER: 0448 013

EXISTING ZONING: A-R

PROPOSED ZONING: R-80

EXISTING USE: Single-Family Residential

PROPOSED USE: Single-Family Residential

LOCATION: 366 Antioch Road

LOT SIZE: 6.00 Acres

DISTRICT/LAND LOT(S): 4th District, Land Lot(s) 249 & 250

OWNER(S): Jean Allen Living Trust, Jerome Allen, P.O.A.

APPLICANT(S): Jean Allen Living Trust, Jerome Allen, P.O.A.

AGENT(S): N/A

PLANNING COMMISSION PUBLIC HEARING: *December 4, 2025, at 7:00 PM, Tabled from the Planning Commission Hearing on November 6, 2025.*

BOARD OF COMMISSIONERS PUBLIC HEARING: *January 22, 2026, at 5:00 PM*

REQUEST

The applicant is requesting to rezone the property from A-R to R-80.

STAFF ASSESSMENT & RECOMMENDATION

The lot is a legal lot of record and meets or exceeds all the requirements of the R-80 zoning district. The Future Land Use Map designates this area as Rural Residential-3, which has a 3-acre minimum parcel size. The request to rezone to R-80 is consistent with the Future Land Use Map and the Comprehensive Plan.

The existing house on the parcel DOES NOT meet the dimensional requirements for R-80 for building setbacks nor for minimum floor area. The minimum side yard setback in the R-80 zoning district is 30 feet; the house is 21.88 feet from the side property line on the north side. The minimum floor area requirement in the R-80 zoning district is 2500 square feet; the house is 1724 square feet in area.

However, the existing house is a legal, nonconforming structure. Sec. 110-170. – Nonconformances. (q)(3)

states that "A property that is improved with a legally existing residential structure, which would become nonconforming in terms of the minimum square footage requirements within the zoning district for which a rezoning is being sought, may be considered for rezoning. Any actions necessary to achieve compliance will be handled through conditions of rezoning approval."

Staff recommends **CONDITIONAL APPROVAL** of the request to rezone from A-R to R-80, subject to the following conditions:

1. The applicant shall obtain a variance to the minimum floor area requirement in R-80, or make appropriate modifications to the house, within 180 calendar days or before applying for any final plats or permits, whichever comes first.
2. The applicant shall obtain a variance to the side yard setback requirement in R-80, or make appropriate modifications to the house, within 180 calendar days or before applying for any final plats or permits, whichever comes first.

PLANNING COMMISSION RECOMMENDATION

On December 4, 2025, the Planning Commission voted unanimously to recommend **CONDITIONAL APPROVAL** of the request to rezone from A-R to R-80, subject to conditions as presented by staff. John Culbreth, Sr., made a motion to recommend conditional approval of Petition 1370-25. Danny England seconded the motion. The motion carried 5-0.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned A-R, Agricultural-Residential. The property is currently developed with a single-family residence.

B. ADJACENT ZONING AND FUTURE LAND USE

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. Many other parcels in the general area are zoned A-R. The Future Land Use Map for this property and all the surrounding properties is Rural Residential-2, 1 Unit/2 Acres. See the attached Zoning Map and Future Land Use Map.

Direction	Acreage	Zoning	Use	Future Land Use Plan
North	25+	R-40	Single Family Residential	Rural Residential-3 (1 unit /3 acres)
East	100+	R-80	Single Family Residential	Rural Residential-3 (1 unit /3 acres)
South	100+	R-80	Single Family Residential	Rural Residential-3 (1 unit /3 acres)
West	3 3	A-R R-72	Single Family Residential	Rural Residential-3 (1 unit /3 acres)

C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections.
 - **Road Frontage Right of Way Dedication** – Antioch Road is a deeded 80 foot right of way in Fayette County. No dedication of right of way is needed.
 - **Traffic Data** – Antioch Road has an Annual Average Daily Volume of approximately 2,330 Vehicles Per Day as estimated by GDOT at a location 0.5 miles north of this site.
 - **Sight Distance and access** – Antioch Road is a collector road with a 45mp speed limit. Sight Distance of 500 feet would be required for any additional driveway access requested.
 - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0114E dated September 26, 2008.
 - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** -- There **ARE NOT** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance.
 - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
 - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned

and developed with more than 5,000 square feet of impervious surface for a Major Final Plat.

- ☐ **Fire** – No comments.
- ☐ **Environmental Health** - This office has no objection to the proposed rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for Rural Residential-3 Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as rural residential.

ZONING DISTRICT STANDARDS**Sec. 110-129. - R-80, Single-Family Residential District.**

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the R-80 zoning district:

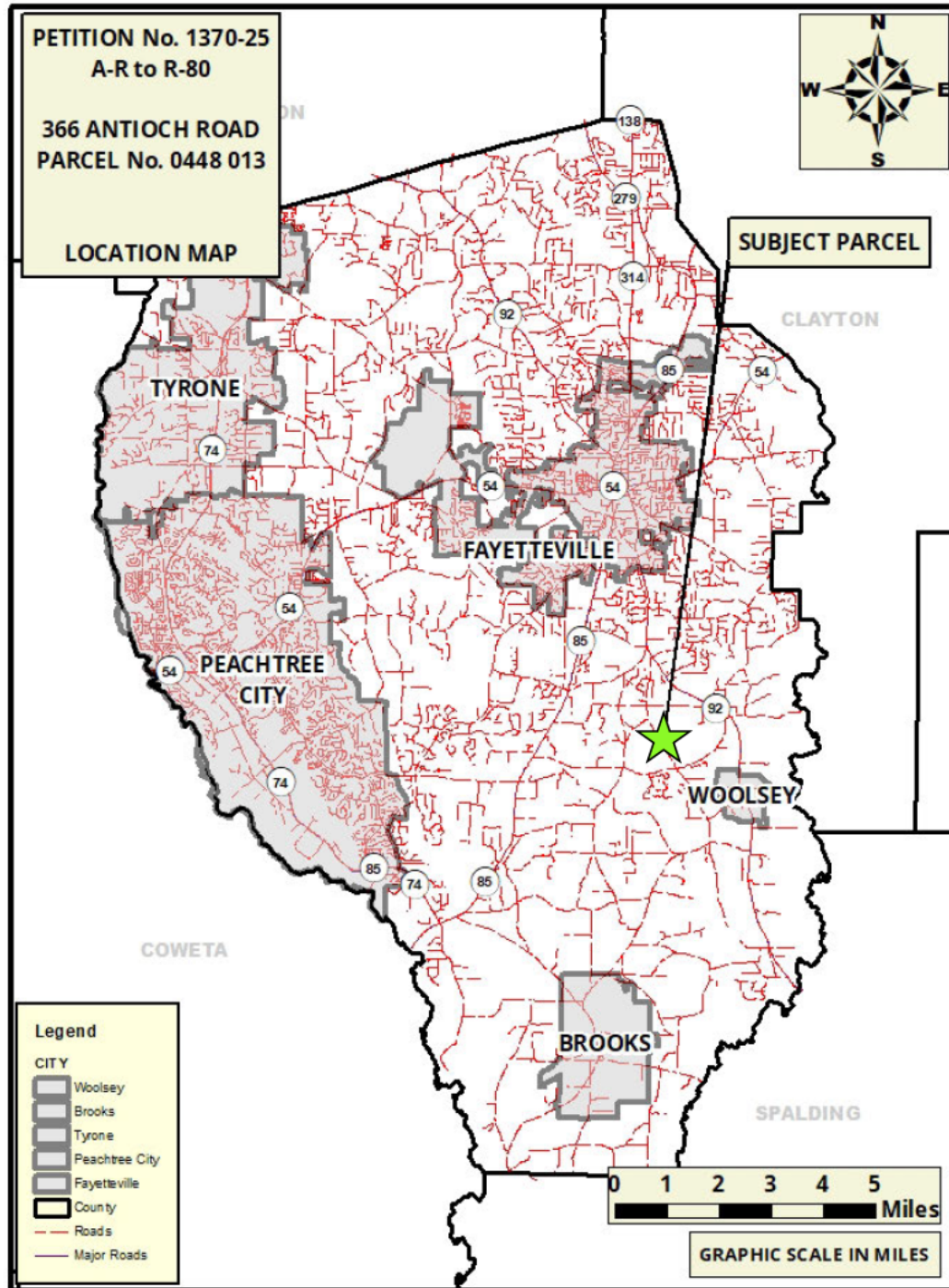
- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter); and
- (3) Growing crops, gardens.

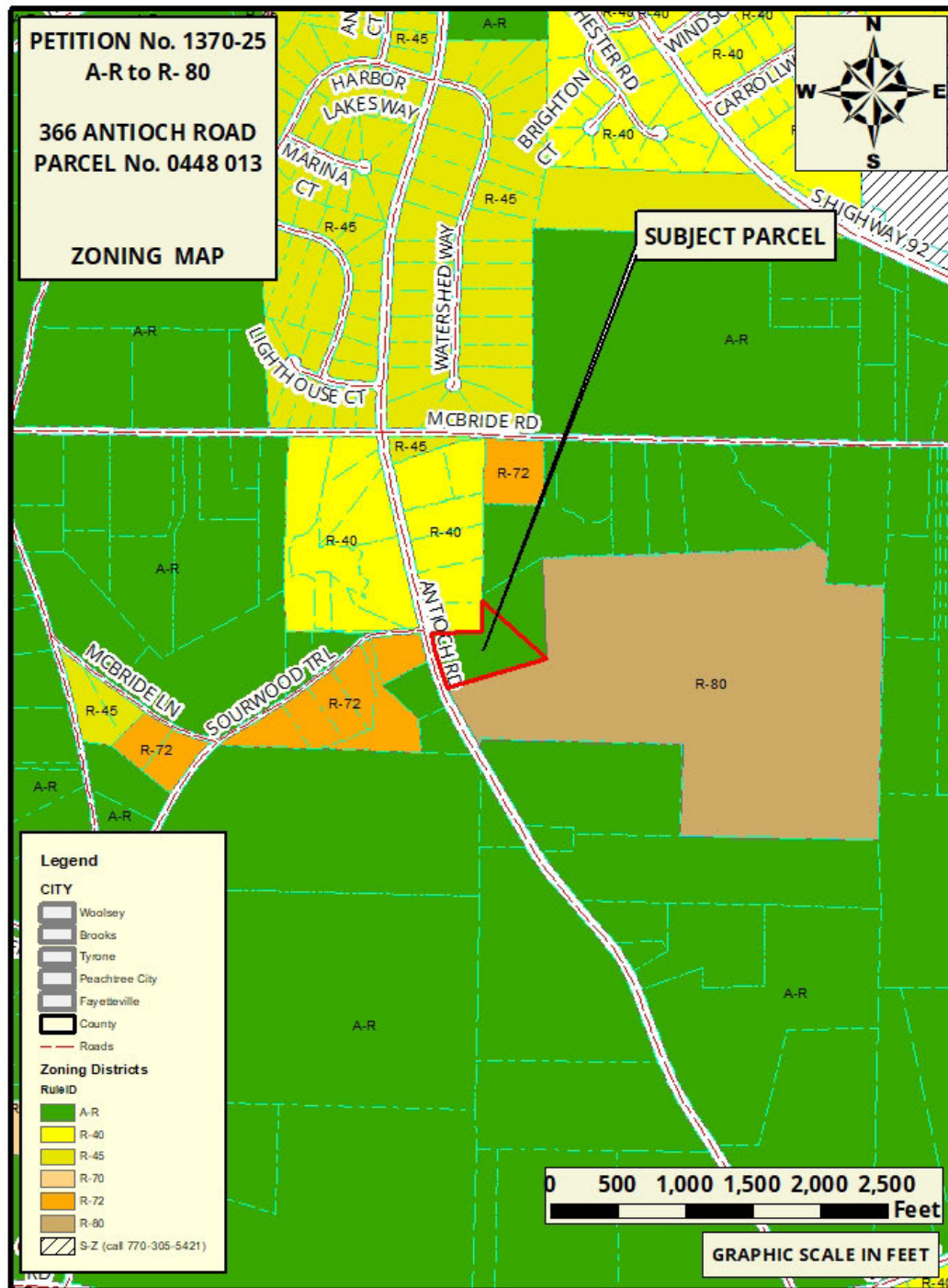
(c) *Conditional uses.* The following conditional uses shall be allowed in the R-80 zoning district provided that all conditions specified in article V of this chapter are met:

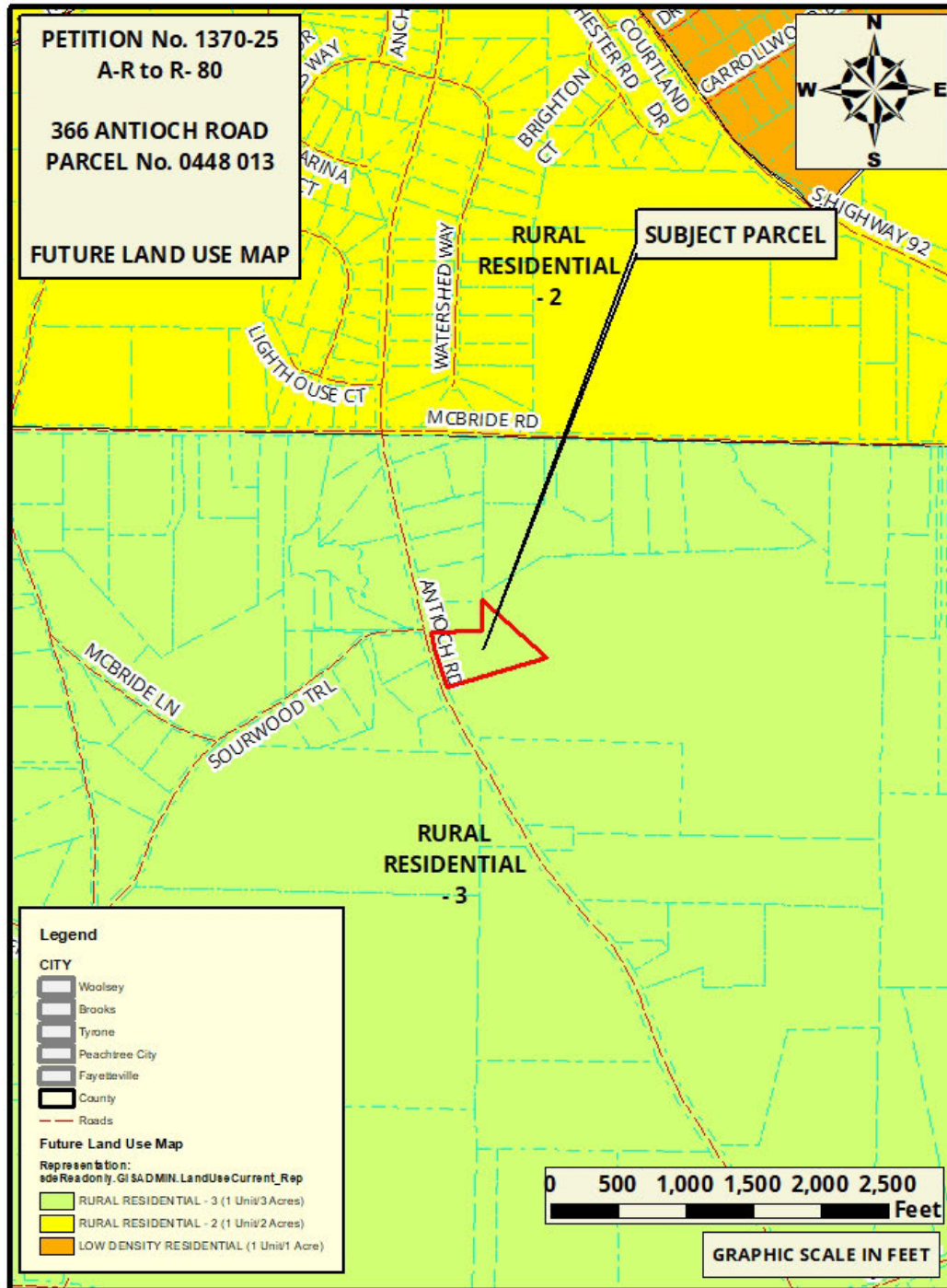
- (1) Church and/or other place of worship;
- (2) Developed residential recreational/amenity areas;
- (3) Home occupation;
- (4) Horse quarters; and
- (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

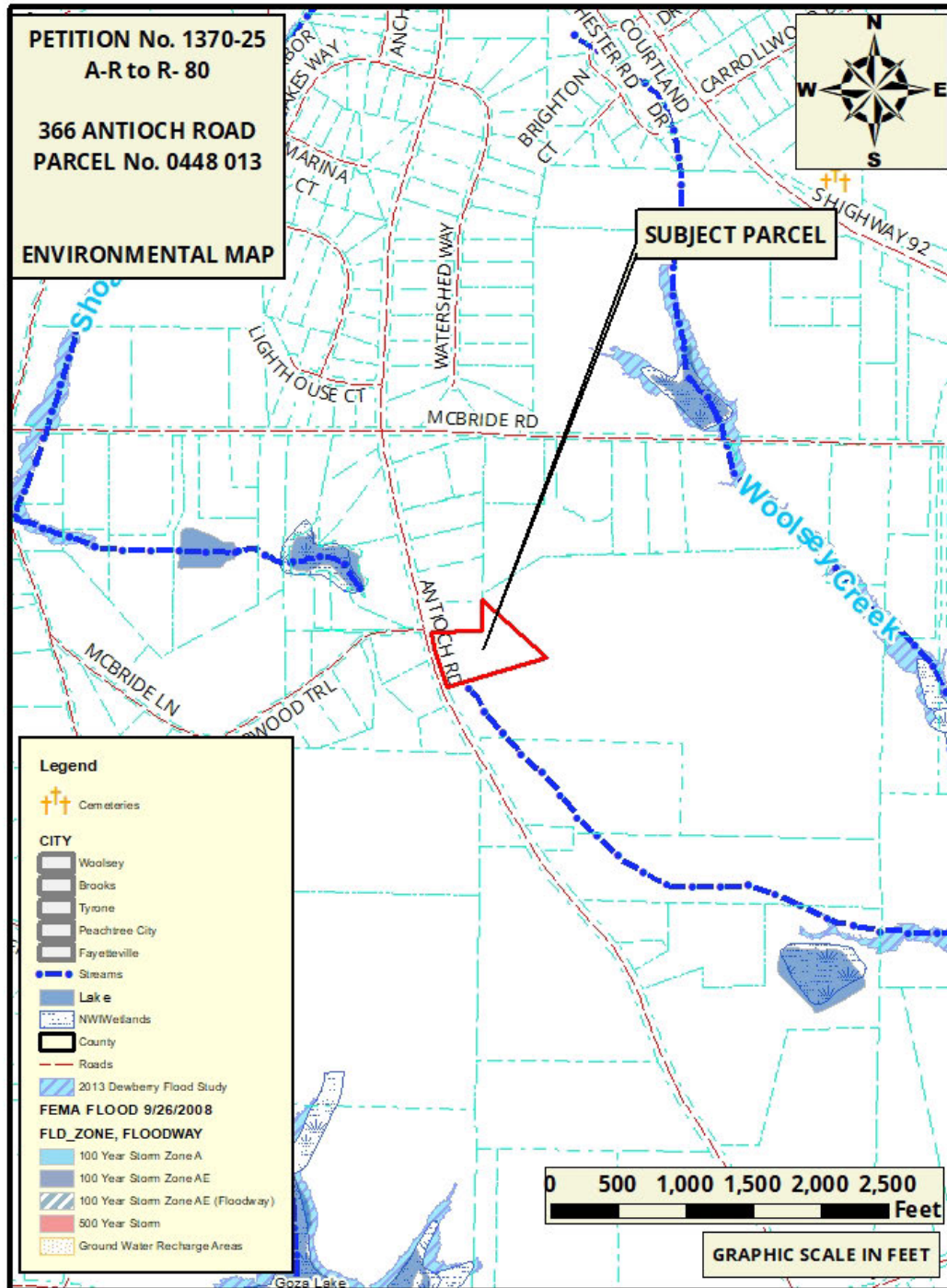
(d) *Dimensional requirements.* The minimum dimensional requirements in the R-80 zoning district shall be as follows:

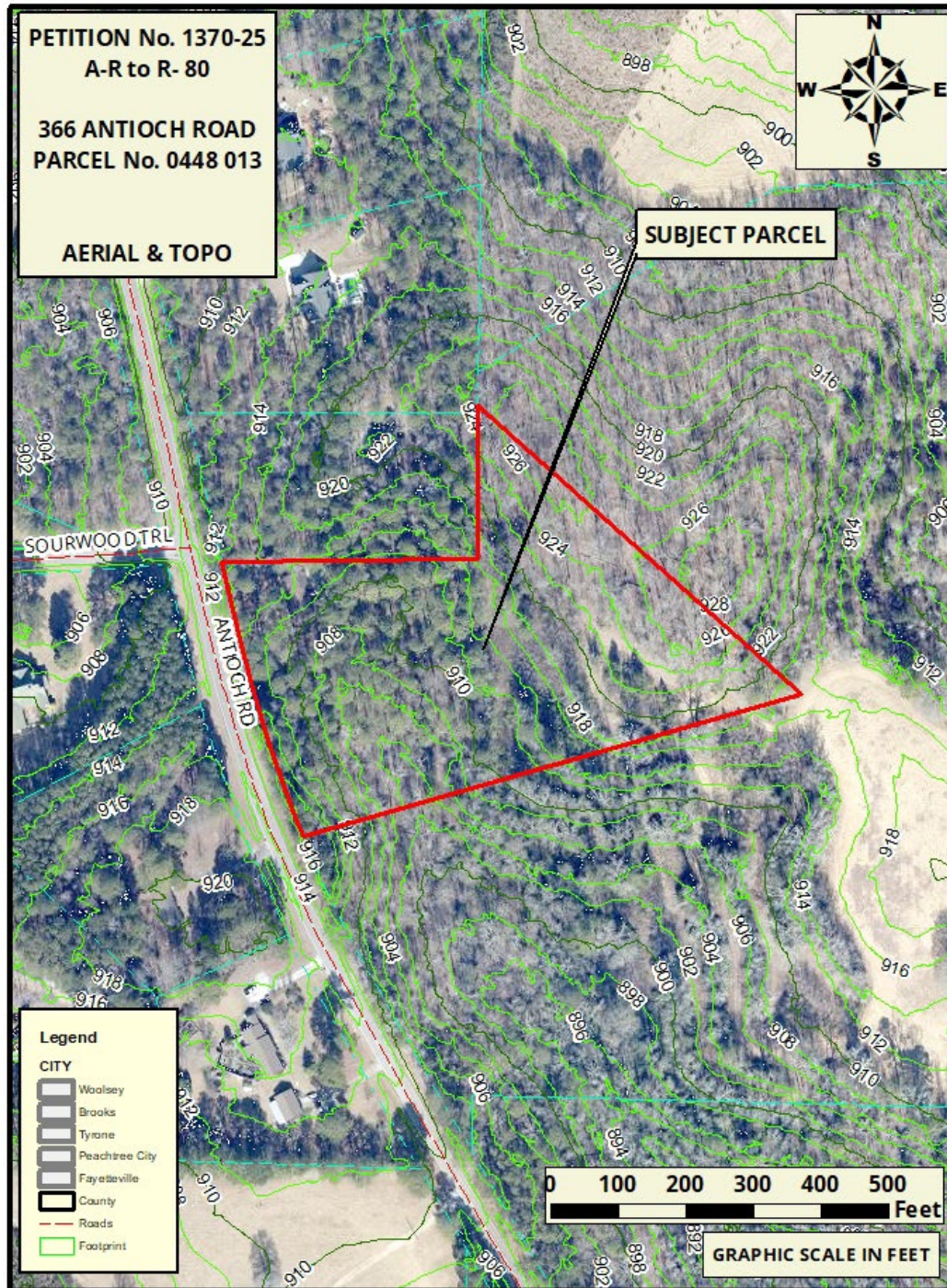
- (1) Lot area per dwelling: 130,680 square feet (three acres).
- (2) Lot width: 175 feet.
- (3) Floor area: 2,500 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 75 feet.
 - 2. Collector: 75 feet.
 - b. Minor thoroughfare: 50 feet.
- (5) Rear yard setback: 50 feet.
- (6) Side yard setback: 30 feet.
- (7) Height limit: 35 feet.

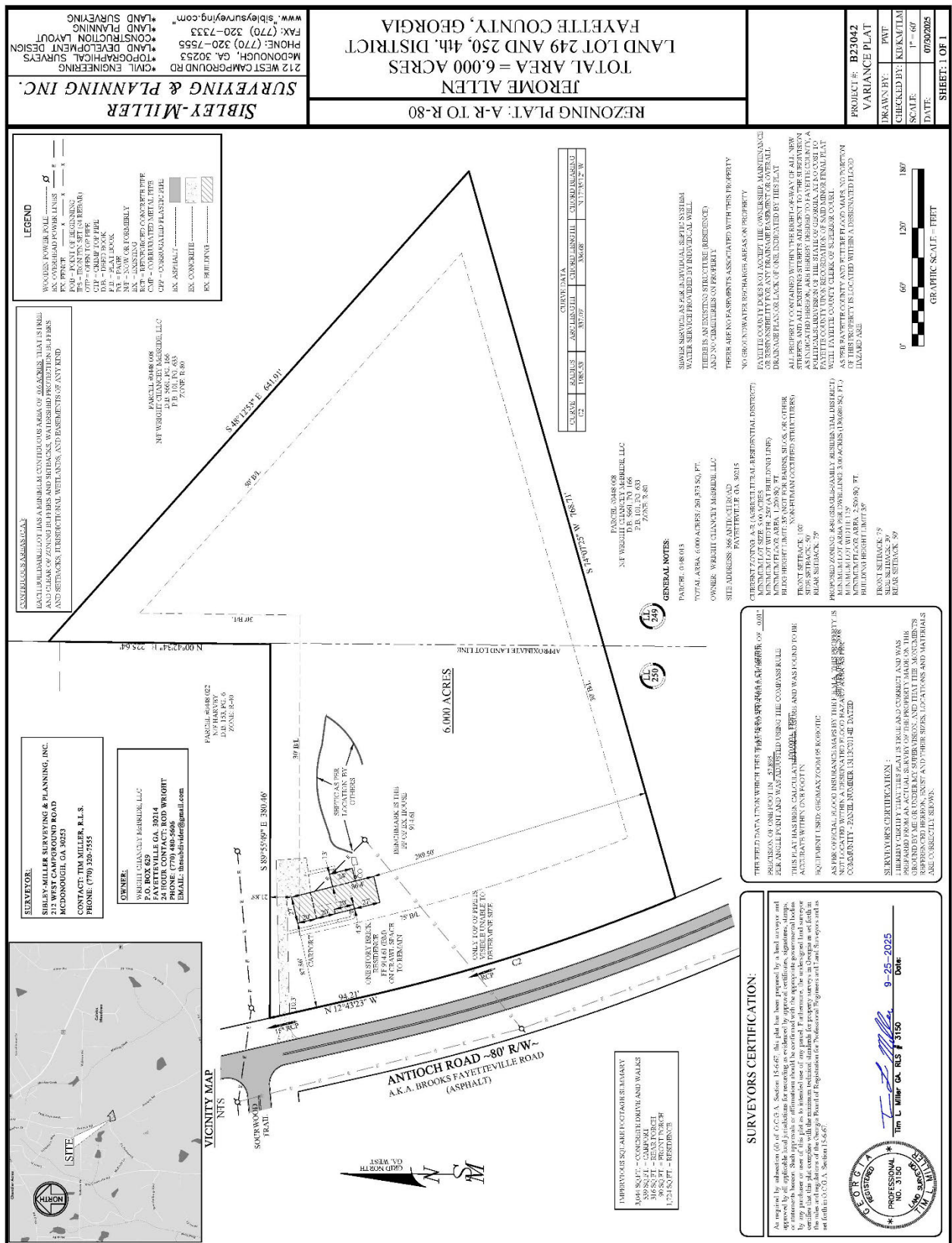


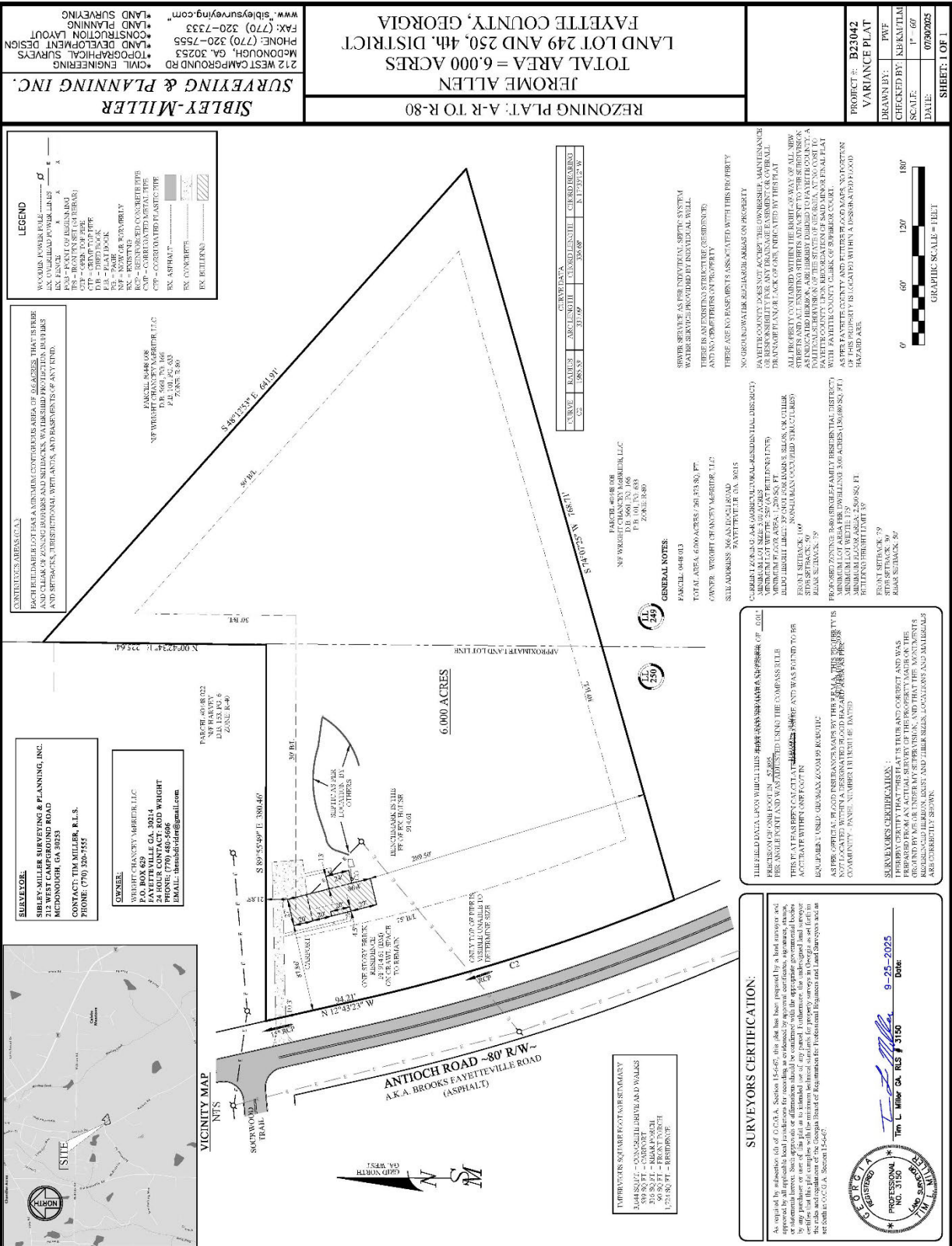












SETBACKS IF REZONED TO R-80

BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
December 04, 2025
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items number 7 and 8 (Petitions No. 1372-25-A and B) to number 1 and 2. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. *Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.*

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. ***John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.***
3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. ***Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.***
4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road. ***Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0***
5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.***
6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.***
7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road. ***John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.***
8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138. ***Danny England made the motion to recommend APPROVAL of***

Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.***
10. Consideration of the Fayette County Planning Commission 2026 Calendar. ***John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.***

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110.*** Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny England asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

PETITION No (s): 1370-25

SAGES REFERENCE No.: _____

STAFF USE ONLY

APPLICANT INFORMATION

Name Jerome Allen
 Address 317 Old Greenville Rd
 City Fayetteville
 State Ark Zip 30215
 Email Allegierone 2809 [REDACTED]
 Phone 678-416-2809

PROPERTY OWNER INFORMATION

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

AGENT(S) (if applicable)

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: Deborah L Bell Date: 09/22/2025 (Rolled over from variance)DATE OF PLANNING COMMISSION HEARING: Nov. 6, 2025 7:00 PMDATE OF COUNTY COMMISSIONERS HEARING: Dec. 11, 2025 2:00 PMReceived from Jerome Allen a CC check in the amount of \$ 175 forapplication filing fee, and \$ see variance for deposit on frame for public hearing sign(s).Date Paid: 9/22/2025Receipt Number: MISP2-09-2025-090385

PETITION No.: 1370-25 Fees Due: 350-175 = 175 Sign Deposit Due: see variance
 STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 0448 013 Acreage: 6.0
 Land District(s): 4th Land Lot(s): 249 + 250
 Road Name/Frontage L.F.: 337.09 Road Classification: Collector
 Existing Use: single family Proposed Use: single family
 Structure(s): ☒ Type: house Size in SF: 1,730
 Existing Zoning: A-R Proposed Zoning: B-BD
 Existing Land Use: single family Proposed Land Use: single family
 Water Availability: well Distance to Water Line: _____ Distance to Hydrant: 1,256

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____
 STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____
 STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

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:

Jerome Allen

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0448 013

(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) 249 + 250 of the 4th District, and (if applicable to more than one land district) Land Lot(s) NA 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 _____ 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.

(II) _____

Signature of Property Owner 1

Jerome Allen

Address

317 Old Greenville Rd Fayetteville Ga 30215

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

Deborah M Sims

Signature of Notary Public

Date

Deborah M Sims

NOTARY PUBLIC

Coweta County, GEORGIA

My Commission Expires 01/05/2027

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

PETITION No.: 1370-25

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: Jerome AllenADDRESS: 317 Old Greenville Rd., Fayetteville, GA 30215

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

Jerome Allen 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 \$ 350.175 ^{variance apphs} to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-80.

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: see flrPUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of November 6, 20 25 at 7:00 P.M.PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 20 25 at ~~5:00~~ 2:00 PM P.M.SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF September, 20 25

SIGNATURE OF PROPERTY OWNER

Jerome Allen

SIGNATURE OF PROPERTY OWNER

Deborah M Sims

NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

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.

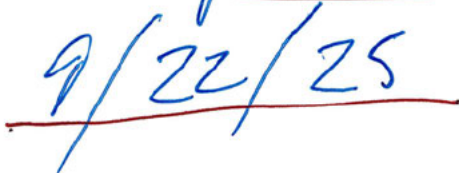
(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

Signature:



Date:

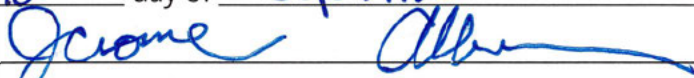


DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address:
www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
☒ 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 22nd day of September, 2023.



APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Jerome Allen, 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 366 Antioch Rd 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 22 day of September, 2025.

Jerome Allen
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Deborah M Sims
NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

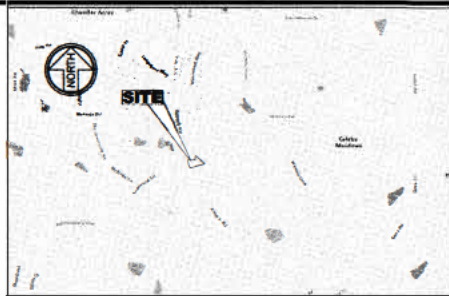
CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- ☐ Application form and all required attachments completed, signed, and notarized, as applicable.
- ☐ Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☐ Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- ☐ Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- ☐ A letter from the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision, granting this application
- ☐ Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
 - _____ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - _____ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - _____ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - _____ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - _____ e. Minimum zoning setbacks and buffers, as applicable.
 - _____ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - _____ g. Location and dimensions of exits/entrances to the subject property.
 - _____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - _____ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☐ A letter of intent for a non-residential rezoning request, including the proposed use(s).

Type: PLAT FILED
 Recorded: 8/22/2024 9:36:00 AM
 Fee Amt: \$20.00 Page 1 of 2
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court
 Participant ID: 0802928423
BK 101 PG 697 - 698

RESERVED FOR CLERK OF THE SUPERIOR COURT



**MINOR SUBDIVISION PLAT OF:
 BARBARA JEAN ALLEN
 ESTATE
 1 LOT AS SHOWN
 TOTAL AREA = 6.000 ACRES
 LAND LOT 249 AND 250, 4th. DISTRICT
 FAYETTE COUNTY, GEORGIA**

DRAWING INDEX	
SHEET #	DESCRIPTION:
1	COVER SHEET
2	MINOR FINAL PLAT

GENERAL NOTES:

OWNER: BARBARA JEAN ALLEN
 478-416-2809
 346 ANTIOCH ROAD
 FAYETTEVILLE GA. 30215

PART OF PARCELS 0448 013 AND 0448 008

ZONED: A-8
 MINIMUM LOT SIZE - 5.00 ACRES
 MINIMUM LOT WIDTH - 120' (AT BUILDING LINE)
 FRONT SETBACK - 100'
 SIDE SETBACK - 50'
 REAR SETBACK - 75'
 MINIMUM FLOOR AREA - 1,200 SQ. FT.
 BLDG HEIGHT LIMIT 35 (NOT FOR BARN, SILOS, OR OTHER
 NON-HUMAN OCCUPIED STRUCTURES)

SEWER SERVICE AS PER SEPTIC SYSTEM
 WATER SERVICE PROVIDED BY INDIVIDUAL WELL.

THERE IS AN EXISTING STRUCTURE (RESIDENCE)
 AND ARE NO CEMETERY OR PROPERTY

THERE ARE NO EASEMENTS ASSOCIATED WITH THIS PROPERTY

NO GROUNDWATER RECHARGE AREAS ON PROPERTY

FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE
 OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL
 DRAINAGE PLAN OR LACK OF ONE, INDICATED BY THIS PLAT

ALL PROPERTY CONTAINED WITHIN THE RIGHT-OF-WAY OF ALL NEW
 STREETS AND ALL EXISTING STREETS ADJACENT TO THE SUBDIVISION
 AS INDICATED HEREON, ARE HEREBY DEEDED TO FAYETTE COUNTY, A
 POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COST TO
 FAYETTE COUNTY UPON RECORDATION OF SAID MINOR FINAL PLAT
 WITH FAYETTE COUNTY CLERK OF SUPERIOR COURT.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND
 EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE
 REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN

UTILITIES SHOWN ARE LOCATION VISIBLE AT TIME OF SURVEY.
 ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE
 SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS
 OF THIS DATA.

FLOOD STATEMENT

AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A. THIS PROPERTY IS
 NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA AS PER
 COMMUNITY - PANEL NUMBER 13113C0114E DATED SEPTEMBER 26, 2008

AS PER FAYETTE COUNTY CURRENT AND FUTURE FLOOD MAPS A PORTION OF
 THIS PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA

SURVEYORS CERTIFICATION:

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by 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 or 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.



Tim L. Miller GA. RLS # 3150 6-18-24
 Date:

FAYETTE COUNTY SURVEYORS CERTIFICATE

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

Tim L. Miller GA. RLS #3150 06-18-2024
 DATE:

SURVEYOR'S CERTIFICATION

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATIVE OF THE LAND
 PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM
 STANDARDS AND REQUIREMENTS OF LAW AND HAS BEEN CALCULATED FOR
 CLOSURE BY LATITUDES AND DEPARTURES AND WAS FOUND TO BE ACCURATE
 WITHIN ONE FOOT IN 100,000+ FEET;

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION
 OF ONE FOOT IN 57,895 FEET AND AN ANGULAR ERROR OF 0.01" PER ANGLE
 POINT AND WAS ADJUSTED USING THE COMPASS RULE.

EQUIPMENT USED: GEOMAX ZOOM 95 ROBOTIC.

OWNER'S CERTIFICATE

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

Barbara Jean Allen 8-6-2024
 BARBARA JEAN ALLEN DATE

PER NATIONAL WETLANDS INVENTORY THE SITE DOES NOT CONTAIN ANY JURISDICTIONAL WETLANDS.
 ANY JURISDICTIONAL WETLANDS ON THE 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 AREA WITHOUT PROPER AUTHORIZATION.

NO STATE WATER ON SITE

CONTIGUOUS AREAS (C.A.):

EACH BUILDABLE LOT HAS A MINIMUM CONTIGUOUS AREA OF 0.6 ACRES, THAT IS FREE
 AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS
 AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

FAYETTE COUNTY APPROVALS:

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

Environmental Health 8/19/24
 DATE:

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT

Environmental Management 8/14/24
 DATE:

APPROVED BY THE FAYETTE COUNTY ZONING ADMINISTRATOR

Zoning Administrator Designee 8/14/24
 DATE:

SURVEYOR:

SIBLEY MILLER SURVEYING &
 PLANNING, INC.
 212 WEST CAMPGROUND ROAD
 MCDONOUGH, GA 30253

CONTACT: TIM MILLER, R.L.S.
 PHONE - (770) 320-7555

**SIBLEY-MILLER
 SURVEYING & PLANNING INC.**

*CIVIL ENGINEERING
 *TOPOGRAPHICAL SURVEYS
 *LAND DEVELOPMENT DESIGN
 *CONSTRUCTION LAYOUT
 *LAND PLANNING
 *LAND SURVEYING
 212 WEST CAMPGROUND RD
 MCDONOUGH, GA. 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleysurveying.com

MINOR FINAL PLAT OF:

**BARBARA JEAN ALLEN
 TOTAL AREA = 6.000 ACRES
 LAND LOT 249 AND 250, 4th. DISTRICT
 FAYETTE COUNTY, GEORGIA**

PROJECT #: B23042
 MINOR FINAL PLAT

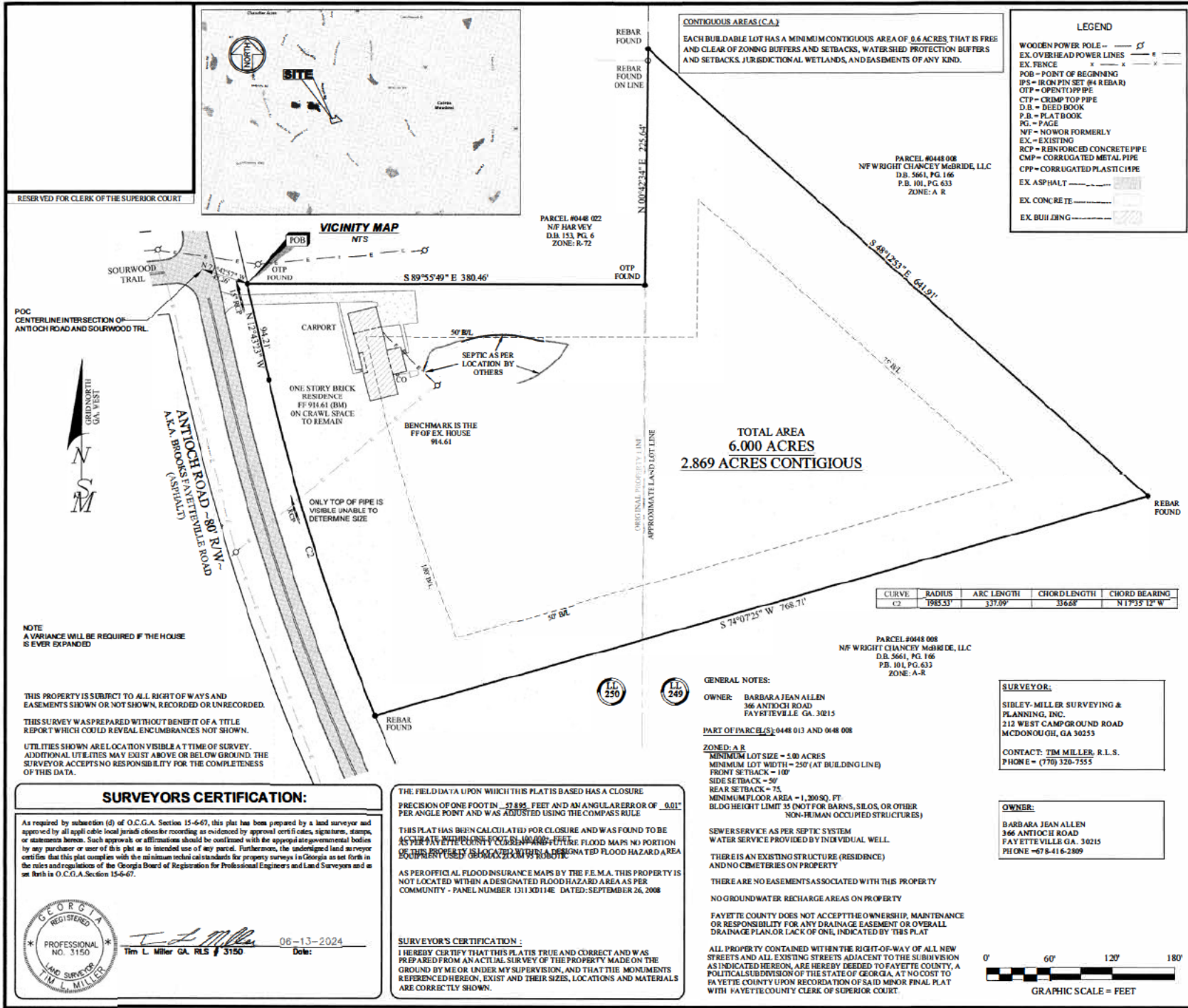
DRAWN BY: PWF

CHECKED BY: KBT/ML

SCALE: 1" = 60'

DATE: 06/3/2024

SHEET: 1 OF 2



SIBLEY-MILLER SURVEYING & PLANNING INC.
212 WEST CAMPGROUND RD
MCDONOUGH, GA 30253
PHONE: (770) 320-7555
FAX: (770) 320-7333
www.sibleysurveying.com

MINOR FINAL PLAT OF:
BARBARA JEAN ALLEN
TOTAL AREA = 6.000 ACRES
LAND LOT 249 AND 250, 4th. DISTRICT
FAYETTE COUNTY, GEORGIA

PROJECT #: B23042
MINOR FINAL PLAT

DRAWN BY: PWF

CHECKED BY: KB/TLM

SCALE: 1" = 60'

DATE: 06/13/2024

SHEET: 2 OF 2

Type: QCD

Recorded: 12/1/2023 5:46:00 PM

Fee Amt: \$25.00 Page 1 of 9

Transfer Tax: \$0.00

Fayette, Ga. Clerk Superior Court

Sheila Studdard Clerk of Court

Participant ID: 7163106115

BK 5675 PG 49 - 57

Record and Return to:
 Daniel J. Campen, Esq.
 Campen Estate Planning, LLC
 PO Box 74
 Senoia, GA 30276

QUIT CLAIM DEED

STATE OF GEORGIA
 COUNTY OF FAYETTE

THIS INDENTURE, made the 28th day of November, 2023 between **JEAN R. ALLEN** by Jerome Allen as Agent under Power of Attorney dated September 21, 2022 (attached hereto as Exhibit "B") as party or parties of the first part, hereinafter called Grantor, and **BARBARA JEAN ALLEN**, as Trustee, or her successors in Trust, under the **Jean Allen Living Trust**, dated September 21, 2022, and any amendments thereto, 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 dollar (\$10.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said grantee,

All that tract or parcel of land situate, lying and being in Land Lot 250 and 251 of the 4th Land District of Fayette County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

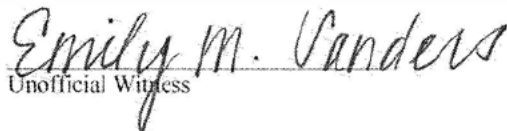
TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in
 the presence of:



Jean R. Allen, by Jerome Allen as Agent under Power of Attorney dated September 21, 2022


 Unofficial Witness


 Notary Public



Exhibit "A"

366 ANTIOCH ROAD

All that Tract or parcel of land lying and being in Land Lot No. 250 of the 4th Land District of Fayette County, Georgia, and more particularly described as follows:

BEGINNING at a point on the East Line of Land Lot No. 250 aforesaid, which point is located a distance of 1147 ½ feet northerly, as measured along the East line of Land Lot No. 250, from the Southeast corner thereof; running thence due West a distance of 376 feet to the easterly side of the right-of-way for the Fayetteville-Brooks Road; thence northwesterly, as measured along said right-of-way, a distance of 150 feet; thence North, 89 ½ degrees East, a distance of 418 feet to the East line of said Land Lot No. 250; thence southerly, as measured along said land lot line, a distance of 150 feet, back to the POINT OF BEGINNING, said tract containing 1.37 acres, more or less, and being described as per plat of J. O. Lee dated August 30, 1963, and recorded in Plat Book No. 2 at Page 88, Fayette County, records.

TOGETHER WITH

All that tract or parcel of land lying and being in Land Lot 250 of the 4th District of Fayette County, Georgia and by plat of C.E. Lee entitled "Survey for Jim Allen," dated April 13, 1972 and recorded in Plat Book 6 at Page 188, records of Fayette County, Georgia, being more particularly described as follows:

BEGINNING at a point located 1,084 feet northerly, as measured along the East line of Land Lot 250 aforesaid, from the Southeast corner of said Land Lot 250 (which point is on the northeasterly side of the right-of-way 80 feet in width for an improved public road known as Brooks-Fayetteville Road); running thence North, 0 degrees and 10 minutes East, continuing along the East line of Land Lot 250 aforesaid, 731.6 feet to a corner; thence South, 89 degrees and 59 minutes West, 343 feet to a point on the north-easterly side of the right-of-way for the improved public road aforesaid (which road is known as the Brooks-Fayetteville Road); thence southeasterly, as measured along the northeasterly side of the right-of-way for said public road, 812.2 feet back to the POINT OF BEGINNING; said tract containing 3.2 acres and being triangularly shaped.

Tax Parcel ID # 0448 013

251 OLD GREENVILLE ROAD

All that tract or parcel of land lying and being in Land Lot 251 of the 4th District of Fayette County, Georgia, and being 5.08 acres, more or less, as per plat of survey dated July 23, 1997, prepared by Delta surveyors, Inc., R.L.S., and being more particularly described as follows:

BEGINNING at a point located on the centerline of Old Greenville Road, said point being a distance of 965.03 feet southeasterly as measured along said centerline from the intersection of said centerline with the centerline of McBride road; From said point of beginning, running thence south 28 degrees 19 minutes 20 seconds east, and continuing along said centerline, a distance of 51.48 feet to a point; running thence south 21 degrees, 30 minutes 52 seconds east, and continuing along said right-of-way, a distance of 221.55 feet to a point; running thence north 89 degrees 13 minutes 59 second west, and departing from said centerline, a distance of 937.28 feet to a point; running thence north 01 degrees 05 minutes 28 seconds east a distance of 250.00 feet to a point; running thence south 89 degrees 13 minutes 59 seconds east a distance of 826.84 feet to a point and the point of beginning, with all rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

Tax Parcel ID # 0049 078

Exhibit B

State of Georgia

County of Fayette

Statutory Form Power of Attorney of Barbara Jean Allen

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in O.C.G.A. Chapter 6B of Title 10.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise in the Special Instructions, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your power of attorney.

This form provides for designation of one agent. If you wish to name more than one agent, you may name a successor agent or name a coagent in the Special Instructions. Coagents will not be required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney shall be durable unless you state otherwise in the Special Instructions.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

Statutory Form Power of Attorney of Barbara Jean Allen

Page 1

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

DESIGNATION OF AGENT

I Barbara Jean Allen (Name of principal) name the following person as my agent:

Name of agent: Jerome Allen

Agent's address: 317 Old Greenville Rd. Fayetteville, GA 30215

Agent's telephone number: (678) 416-2809

DESIGNATION OF SUCCESSOR AGENT (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of successor agent: Jeffery D. Allen

Successor agent's address: 287 Old Greenville Rd. Fayetteville, GA 30215

Successor agent's telephone number: (404) 967-5854

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in O.C.G.A. Chapter 6B of Title 10:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "all preceding subjects" instead of initialing each subject.)

(ja) Real property

(ja) Tangible personal property

(ja) Stocks and bonds

(ja) Commodities and options

(ja) Banks and other financial institutions

(ja) Operation of entity or business

(ja) Insurance and annuities

(ja) Estates, trusts, and other beneficial interests

(ja) Claims and litigation

(ja) Personal and family maintenance

(ja) Benefits from governmental programs or civil or military service

(ja) Retirement plans

(ja) Taxes

() All preceding subjects

Statutory Form Power of Attorney of Barbara Jean Allen

Page 2

Campan Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

- ☒ (ja) Create, fund, amend, revoke, or terminate an inter vivos trust
- ☒ (ja) Make a gift, subject to the limitations of O.C.G.A. § 10-6B-56 and any Special Instructions in this power of attorney
- ☐ Create or change rights of survivorship
- ☐ Create or change a beneficiary designation
- ☒ (ja) Authorize another person to exercise the authority granted under this power of attorney
- ☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- ☐ Exercise authority over the content of electronic communications sent or received by the principal
- ☐ Exercise fiduciary powers that the principal has authority to delegate and that are expressly and clearly identified (including the persons for which the principal acts as a fiduciary) in the Special Instructions
- ☐ Renounce an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant SHALL NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the power of attorney):

Statutory Form Power of Attorney of Barbara Jean Allen

Page 3

Campan Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

NOMINATION OF CONSERVATOR (OPTIONAL)

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person(s) for appointment:

Name of nominee for conservator of my estate: Jerome Allen

Nominee's address: 317 Old Greenville Rd, Fayetteville, GA 30215

Nominee's telephone number: (678) 416-2809

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

SIGNATURE


Your signature

September 21, 2022

Date

Barbara Jean Allen

Your name printed

287 Old Greenville Rd

Fayetteville, GA 30215

Your address

(404) 403-7645

Your telephone number

Statutory Form Power of Attorney of Barbara Jean Allen

Page 4

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

Book: 5675 Page: 49 Seq: 6

This document was signed in my presence on September 21, 2022, by Barbara Jean Allen.

Emily M. Sanders
 Witness's signature

Emily Sanders

Witness's name printed

PO Box 74

Senoia, Georgia 30276

Witness's address

(678) 340-3223

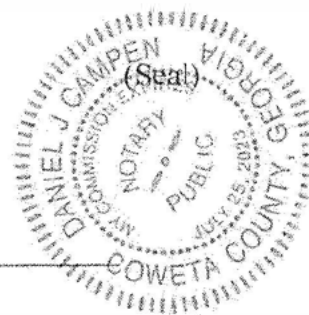
Witness's telephone number

State of Georgia

County of Fayette

This document was signed in my presence on September 21, 2022, by Barbara Jean Allen.

(Signature)
 Signature of notary



My commission expires: _____

This document prepared by: Daniel Campen, Campen Estate Planning, PO Box 74, Senoia, GA 30276

Statutory Form Power of Attorney of Barbara Jean Allen

Page 5

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

Book: 5675 Page: 49 Seq: 7

IMPORTANT INFORMATION FOR AGENT

Agent's duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked.

You must:

- (1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
- (2) Act in good faith;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

(Principal's name) by (Your signature) as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal's benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) Act with care, competence, and diligence;
- (4) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
- (5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
- (6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) Death of the principal;
- (2) The principal's revocation of your authority or the power of attorney;
- (3) The occurrence of a termination event stated in the power of attorney;
- (4) The purpose of the power of attorney is fully accomplished; or
- (5) If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

Statutory Form Power of Attorney of Barbara Jean Allen

Page 6

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

Liability of agent

The meaning of the authority granted to you is defined in O.C.G.A. Chapter 6B of Title 10. If you violate O.C.G.A. Chapter 6B of Title 10 or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.

Statutory Form Power of Attorney of Barbara Jean Allen

Page 7

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

Book: 5675 Page: 49 Seq: 9

Type: WD

Recorded: 8/19/2024 11:24:00 AM

Fee Amt: \$25.00 Page 1 of 1

Transfer Tax: \$0.00

Fayette, Ga. Clerk Superior Court

Sheila Studdard Clerk of Court

Please return to:

Lawson, Beck & Sandlin, LLC

1125 Commerce Drive, Suite 300

Peachtree City, GA 30269

File # 24-LAW-0881

Att: Lexi Clarke

Parcel Number: 0448036

Participant ID(s): 1138094925,
7067927936

BK 5752 PG 194

STATE OF GEORGIA
COUNTY OF FAYETTE**LIMITED WARRANTY DEED**

THIS INDENTURE made this 19th day of July, 2024 between

Wright Chancey McBride, LLC

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

Barbara Jean Allen, Trustee of the Jean Allen Living Trust dated 9/21/2022

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 Lots 249 and 250 of the 4th District of Fayette County, Georgia, containing approximately 3.135 acres, being Tract 2 as shown on Land Swap Survey for Allen prepared by Sibley-Miller Surveying & Planning Inc. GRLS#3150, dated 4/30/2024 and recorded in Plat Book 101, Page 691, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

* 5/2

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:

Unofficial Witness

Notary Public

Wright Chancey McBride, LLC, a Georgia limited liability company

By: RODWRIGHT CORP, a Member

BY:

Roderick Allen Wright, President/CEO



All that tract or parcel of land lying and being in land lots 249, and 250, of the 4th. District, Fayette County, Georgia. And being more particularly described as follows

Commencing at the centerline intersection of the centerline of Sourwood Trail. (if extended) and the centerline of Antioch Rd. Thence S $71^{\circ}42'57''$ E A Distance Of 45.26' to a open top pipe on the Easterly right of way of Antioch Rd (80' R/W0, which is the point of beginning

Thence S $89^{\circ}55'49''$ E leaving said right of way A Distance Of 380.46' to a open top pipe found od the land lot line dividing land lots 249, & 250

Thence N $00^{\circ}42'34''$ E along said land lot line A Distance Of 225.64' to a rebar found

Thence S $48^{\circ}12'53''$ E leaving said land lot line A Distance Of 641.91' to a rebar found

Thence S $74^{\circ}07'25''$ W A Distance Of 768.71' to a rebar found on the Easterly right of way of Antioch Rd

Thence With A Curve Turning To The Right along said right of way, With An Arc Length Of 337.09', With A Radius Of 1985.53', With A Chord Bearing Of N $17^{\circ}35'12''$ W, With A Chord Length Of 336.68',Thence With A Curve to a point;

Thence N $12^{\circ}43'23''$ W along said right of way A Distance Of 94.21' to a open top pipe found

Which Is The Point Of Beginning, Having an area of 6.000 acres

B6 Fayette County News

Continued from page B5

Wednesday, November 12, 2025

PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held be-
fore the Fayette County Planning
Commission on Thursday, De-
cember 4, 2025, at 7:00 P.M., and
before the Fayette County Board
of Commissioners on Thursday,
January 22, 2025, at 5:00 P.M., in
the Fayette County Administrative
Complex, 140 Stonewall Avenue
West, Public Meeting Room, First
Floor, Fayetteville, Georgia.

Petition No: 1370-25
Parcel No: 0448 013
Owner: Jerome Allen
Zoning District: A-R

Area of Property: 6.00 acres
Land Lot(s)/District: Land Lot 249
and 250 of the 4th District
Fronts on: Antioch Road
Proposed: Applicant proposes the
following: To rezone 6.00 acres
from A-R (Agricultural -Residen-
tial) Single-Family to R-80 (Sin-
gle-Family).

A copy of the above is available
in the office of the Fayette County
Planning and Zoning Department,
140 Stonewall Avenue West, Suite
202, Fayetteville, Georgia.

Legal Description

All that tract or parcel of land ly-
ing and being in land lots 249, and
250, of the 4th. District, Fayette
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Of 768.71' to a rebar found on the
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The Right along said right of way,
With An Arc Length Of 337.09',
With A Radius Of 1985.53', With
A Chord Bearing Of N 17°35'12"
W, With A Chord Length Of
336.68', Thence With A Curve to
a point; Thence N 12°43'23" W
along said right of way A Distance
Of 94.21' to a open top pipe found
Which Is The Point Of Beginning,
Having an area of 6.000 acres

11/12

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CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held
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Of 94.21' to a open top pipe found
Which Is The Point Of Beginning.
Having an area of 6.000 acre

12/17

COUNTY AGENDA REQUEST

Page 113 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request: #8

Wording for the Agenda:

Consideration of Petition No. 1371-25, Parcel 1306 023, CK 138 LLC, owner, requests to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot(s) 198 of the 13th District and fronts on State Route 138.

Background/History/Details:

The property is a legal lot of record. An approved plat was recorded in Plat Book 101 Page 168 on November 22, 2021. A portion of the parent parcel was the subject of Rezoning Petition No. 1305-21. That part of the property was rezoned to C-H, Conditional on May 27, 2021. The balance of parcel remained R-40 & is subject of this petition. This parcel is subject to requirements of Sec. 110-173. – (5) SR 138 and North SR 314 overlay zone. – The overlay zone provides additional setbacks, architectural and lighting standards, and access standards.

As defined in the Fayette County Comp Plan, General Business Use is designated for this area. However, because the property is immediately adjacent to C-H zoned properties and uses, staff recommends APPROVAL of the request for a zoning of C-H, Highway Commercial. On December 4, 2025, the Planning Commission voted unanimously to recommend APPROVAL of the request to rezone from A-R to C-H. Danny England made a motion to recommend approval of Petition 1371-25. John Culbreth seconded the motion. The motion carried 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of Petition No. 1371-25, Parcel 1306 023, CK 138 LLC, owner, requests to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot(s) 198 of the 13th District and fronts on State Route 138.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION NO: 1371-25

REQUESTED ACTION: Rezone from R-40 to C-H, Highway Commercial District

PARCEL NUMBER: 1306 023

PROPOSED USE: Commercial Uses

EXISTING USE: Undeveloped

LOCATION: 2290 Hwy 138

DISTRICT/LAND LOT(S): 13th District, Land Lot 198

ACREAGE: 15.733 acres

OWNER(S): CK 138 LLC

APPLICANT(S): CK 138 LLC

AGENT: Dakota Carruthers, Parker Poe Adams and Bernstein LLP

PLANNING COMMISSION PUBLIC HEARING: *December 4, 2025, Tabled from the Planning Commission Hearing on November 6, 2025.*

BOARD OF COMMISSIONERS PUBLIC HEARING: *January 22, 2026, 5:00 PM*

APPLICANT'S INTENT

Applicant proposes to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial) for the purposes of future office development.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, General Business Use is designated for this area. However, because the property is immediately adjacent to C-H zoned properties and uses, staff recommends **APPROVAL** of the request for a zoning of C-H, Highway Commercial.

PLANNING COMMISSION RECOMMENDATION

On December 4, 2025, the Planning Commission voted unanimously to recommend **APPROVAL** of the request to rezone from A-R to R-80. Danny England made a motion to recommend conditional approval of Petition 1370-25. John Culbreth seconded the motion. The motion carried 5-0.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION: The property is a legal lot of record based on the ordinance criteria. An approved minor final plat was recorded in Plat Book 101 Page 168 on November 22, 2021.

B. REZONING HISTORY: A portion of the original parent parcel of this property was the subject of Rezoning Petition No. 1305-21. That part of the property was rezoned to C-H, Conditional on May 27, 2021. The balance of the property remained R-40 and is the subject of this petition.

This parcel is also subject to the requirements of Sec. 110-173. – (5) SR 138 and North SR 314 overlay zone. – The overlay zone provides additional setbacks, architectural and lighting standards, and access standards.

C. CURRENT DEVELOPMENT HISTORY: The property is currently undeveloped.

B. SURROUNDING ZONING AND USES: The subject property is bounded by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across SR)	100+	N/A	Clayton County	Clayton County
East	7.5 6.7	R-40 C-H	Single Family Residential Commercial	Office Commercial
South	33 20	R-40 G-B	Single Family Residential General Business, undeveloped	Low Density Residential (1 Unit /1 acre) and Office
West	4.5 85	R-40 G-B	Single Family Residential General Business, undeveloped	Low Density Residential (1 Unit /1 acre) and General Business

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for General Business. The list of uses allowed in both G-B and C-H are included in this report.

This request **DOES CONFORM** to the Fayette County Comprehensive Plan by virtue of the fact that it is adjacent to other C-H zoning, and by the similarities in C-H and G-B districts.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on SR 138; access will be under the jurisdiction of Georgia Department of Transportation (GDOT) and will be addressed when site development plans are submitted.

Site Plan: The applicant submitted a survey and a concept plan for the property.

E. DEPARTMENTAL COMMENTS

- ☐ **Water System** – Area not currently served by the Fayette County Water System. Water line terminates at property line to the east. Extension of water line shall be responsible for extension of
- ☐ **Public Works**
 - **Road Frontage Right of Way Dedication** – The parcel is limited to only GDOT access on SR 54 East.
 - **Traffic Data** -- The parcel fronts SR 54 which has an Annual Average Daily Volume of approximately 25,300 VPD as estimated by GDOT in February 2024 at a location 0.1 miles west of the site near the Ebenezer Road redlight. The use of the site as O-I should not have a significant increase in traffic volume on SR 54 or any local side streets.
 - **Sight Distance and access** -- GDOT will provide access/permits to SR 54 and sight distance requirements.
 - **GDOT Comments** – Planning and zoning has not received comments from Stanford Taylor at GDOT as of this report.
- ☐ **Environmental Management**
 - **Floodplain Management** -- The site **DOES NOT** contain floodplain per FEMA FIRM panel 13113CO083EE dated September 26, 2008. The parcel **DOES NOT** contain additional floodplain delineated in the Fayette County 2013 Dewberry Limited Flood study.
 - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** -- There **ARE NO** state waters located on the subject property per Fayette County GIS.
 - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
 - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance.
 - **Tree Protection and Landscaping**
This parcel **WILL BE** subject to the tree protection and Landscaping ordinances.
- ☐ **Environmental Health Department** – This office has no objection to the rezoning.
- ☐ **Fire** – No objections to the requested rezoning.
 - **GDOT** – The developer shall obtain access to the property from State Route 138. A permit from GDOT is required.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for General Business Uses. This request does not conform strictly to the Fayette County Comprehensive Plan but may be given consideration for a C-H zoning because of the immediate adjacency to other C-H zoned parcels.
2. The area around the subject property is an area that already has various commercial and office uses. There are some residential uses to the south and east, but staff does not anticipate that the C-H uses within this area will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as Office-Institutional.

ZONING DISTRICT STANDARDS**Sec. 110-144. C-H, Highway Commercial District.**

- (a) *Description of district.* This district is composed of certain lands and structures to provide and encourage proper grouping and development of roadside uses, which include a wide variety of sales and services that will best accommodate the needs of the county and the traveling public, reducing traffic congestion, hazards and blight along the public streets.
- (b) *Permitted uses.* The following uses shall be permitted in the C-H zoning district:
- (1) Ambulance service, including non-emergency medical transport service;
 - (2) Amusement or recreational facility, indoor or outdoor;
 - (3) Appliance sales, installation and/or repair;
 - (4) Armories, for meetings and training military organizations;
 - (5) Art studio;
 - (6) Auto/vehicle repair. All service, repairs and diagnostics, with the exception of emissions testing, shall be conducted within an enclosed building;
 - (7) Bakery;
 - (8) Bank and/or financial institution;
 - (9) Banquet hall/event facility;
 - (10) Bookbinding;
 - (11) Building/development, contracting, and related activities (including, but not limited to: door and window sales and/or installation, electrical, flooring sales and/or installation, entertainment system sales and/or installation, general contractor, grading, gutter sales and/or installation, insulation sales and/or installation, landscaping, lighting sales and/or installation, painting, pressure washing, plumbing, remodeling, roofing sales and/or installation, siding sales and/or installation, sales and storage of building supplies and materials, security system sales, installation and service, solar and wind equipment sales and/or installation, and incidental contractor equipment maintenance);
 - (12) Bus passenger station (pick-up and drop-off only);
 - (13) Cabinet manufacturing, sales, repair and/or installation;
 - (14) Car wash and/or detailing facility;
 - (15) Catering service;
 - (16) Church and/or other place of worship excluding outdoor recreation, parsonage, and cemetery or mausoleum;
 - (17) Clothing store and/or variety store;
 - (18) College and/or university, including classrooms and/or administration only;
 - (19) Copy shop;
 - (20) Cultural facility;
 - (21) Day spa;
 - (22) Department store;
 - (23) Drug store;
 - (24) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - (25) Electronic sales and/or repair;

- (26) Emission testing facility (inside only);
- (27) Engraving;
- (28) Firearm sales and/or gunsmith;
- (29) Flea market, indoor;
- (30) Florist shop;
- (31) Freezer locker service, ice storage;
- (32) Freight express office;
- (33) Funeral establishment (where funeral services, excluding a crematorium, may be provided);
- (34) Gift shop;
- (35) Glass sales;
- (36) Grocery store;
- (37) Hardware store;
- (38) Health club and/or fitness center;
- (39) Hotel;
- (40) Jewelry shop;
- (41) Laboratory serving professional requirements, (e.g., medical, dental, etc.);
- (42) Library;
- (43) Magazine publication and/or distribution;
- (44) Manufactured home and/or building sales;
- (45) Medical/dental office (human treatment);
- (46) Messenger/courier service;
- (47) Military recruiting office;
- (48) Movie theatre and/or drive-in;
- (49) Museum;
- (50) Music teaching studio;
- (51) Newspaper publication and/or distribution;
- (52) Office;
- (53) Office equipment sales and/or service;
- (54) Parking garage/lot;
- (55) Pawn shops;
- (56) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon;
- (57) Pest control;
- (58) Plant nursery, growing crops/garden, and/or related sales;
- (59) Printing, graphics, and/or reproductions;
- (60) Private clubs and/or lodges;
- (61) Private school, including classrooms and/or administration only;
- (62) Recording studio (audio and video);
- (63) Radio studio;
- (64) Railroad station;
- (65) Rent-alls;

- (66) Restaurant, including drive-in and/or drive-through;
 - (67) Retail establishment;
 - (68) Smoking lounge (subject to state and local tobacco sales and smoking laws);
 - (69) Tattoo parlor;
 - (70) Taxidermist;
 - (71) Taxi service/limousine service/shuttle service (no on-site maintenance and/or repair);
 - (72) Television/movie studio;
 - (73) Upholstery shop; and
 - (74) Utility trailers sales and/or rental.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the C-H zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Adult day care facility;
 - (2) Amphitheater;
 - (3) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
 - (4) Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store;
 - (5) Campground facilities;
 - (6) Care home, convalescent center, and/or nursing home;
 - (7) Cemetery;
 - (8) Charter motor coach service;
 - (9) Church and/or other place of worship;
 - (10) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (11) Commercial driving range and related accessories;
 - (12) Child care facility;
 - (13) Dry cleaning plant;
 - (14) Experimental laboratory;
 - (15) Golf course (minimum 18-hole regulation) and related accessories;
 - (16) Home occupation;
 - (17) Horse show, rodeo, carnival, and/or community fair;
 - (18) Hospital;
 - (19) Laundromat, self-service or otherwise;
 - (20) Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to bungee and parachute jumping;
 - (21) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium;
 - (22) Religious tent meeting;
 - (23) Seasonal sales, outdoor;
 - (24) Self-storage facility (external and/or internal access);
 - (25) Single-family residence and residential accessory structures and/or uses (see article III of this chapter);
 - (26) Shooting range, indoor;
 - (27) Stadium, athletic; and
 - (28) Temporary tent sales.

- (29) Vehicle/boat sales.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the C-H zoning district shall be as follows:
- (1) Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one acre).
 - b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half acre).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 70 feet.
 - b. Minor thoroughfare: 65 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.
 - (7) Height limit: 35 feet.
 - (8) Screening dimensions for parking and service areas as provided in article III of this chapter and chapter 104.
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

Sec. 110-150. - G-B, General-Business District.

(a) *Purpose.* The purpose of the General Business District (G-B) is to provide for business development that contains uses which are free from such nuisances as noise, vibration, smoke, gas, fume, odor, dust, radiation or other injurious or noxious conditions related to those uses. The G-B zoning district limits the development of retail commercial uses and reduces the resulting traffic generation and noise associated with this type of development. The uses allowed in this zoning district could lend to a business park development pattern.

(b) *Permitted uses.* The following permitted uses shall be allowed in the G-B zoning district:

- (1) Auction house (indoor only);
- (2) Banquet hall and/or catering service;
- (3) Business, professional, and/or government offices;
- (4) Business support centers and/or call centers;
- (5) College and/or university, classrooms and/or administration only;
- (6) Computer data services and/or information technology;
- (7) Educational/instructional/tutoring facilities, including, but not limited to: art; computer; dance; driving and/or DUI; martial arts; music; professional/business/trade; and similar facilities;
- (8) Financial, credit, real estate, and/or insurance establishments (excluding retail banking facilities or pawn establishments);
- (9) Health club, fitness center, and/or indoor athletic facility (excluding bowling alleys, pool rooms and skating rinks);
- (10) Medical supply and equipment sales;
- (11) Printing, graphic, blue printing, photography lab, and/or reproduction service;

- (12) Private school, including, classrooms and/or administration only;
- (13) Publishing and distribution;
- (14) Restaurant supply;
- (15) Scientific, medical/dental, and/or research laboratories;
- (16) Television/radio broadcasting studio, recording studio, telecommunication, and/or movie/media productions (including on-site with movie/media productions, ancillary businesses that supply support services, equipment and resources to the movie/media industry); and
- (17) Training center, trade school, and/or vocational centers.

(c) *Conditional uses.* The following conditional uses shall be allowed in the G-B zoning district provided that all conditions specified in article V of this chapter are met:

- (1) Single-family residence and residential accessory structures and uses (see article III of this chapter);
- (2) Home occupation;
- (3) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and stadium;
- (4) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium; and
- (5) Self-storage facility (external and/or internal access).

(d) *Dimensional requirements.* The minimum dimensional requirements in the G-B shall be as follows:

- (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1.5 acres).
- (2) Lot width: 125 feet.
- (3) Front yard setback:
 - a. Major thoroughfare:
 - 1. Major arterial: 100 feet.
 - 2. Arterial: 100 feet.
 - 3. Collector: 80 feet.
 - b. Minor thoroughfare: 65 feet.
- (4) Rear yard setback: 25 feet.
- (5) Side yard setback: 25 feet.
- (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet shall be provided adjacent to the lot line, in addition to the required setback. The setback shall be measured from the buffer.
- (7) Height limit:
 - a. 40 feet.
 - b. Only soundstages associated with movie/media productions in this zoning district may exceed 40 feet in height. The front setback shall be increased eight feet for every one foot of building height over 40 feet. If the side and/or rear yards abut a residential or A-R zoning district, the setbacks shall be increased five feet for every one foot of building height over 40 feet.
 - c. The required minimum acreage shall be increased based on building height per the table below:

Height Limit	Required Acreage
50 feet	20 – 50

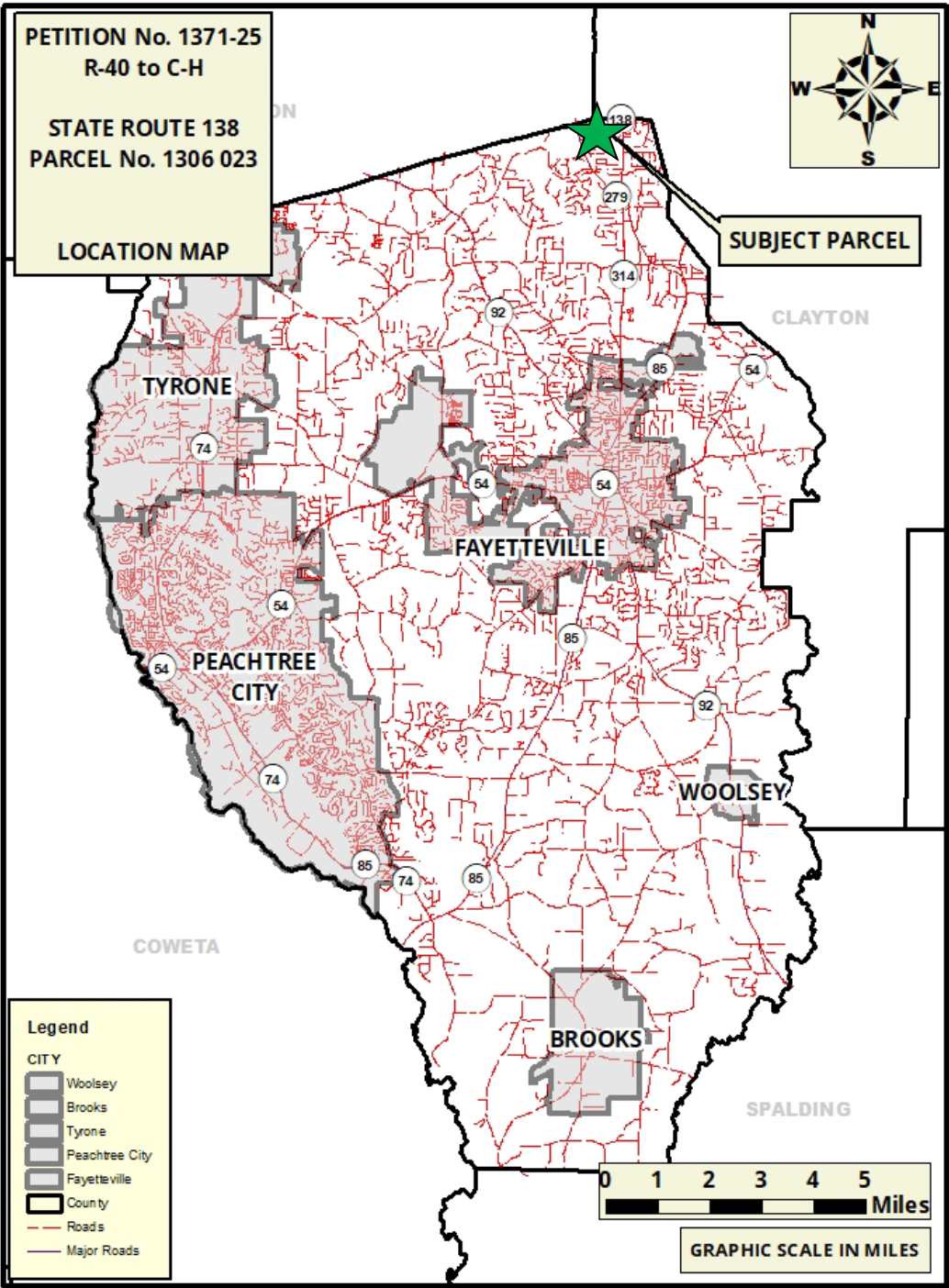
Height Limit	Required Acreage
55 feet	>50 - 75
60 feet	>75 - 100
65 feet	>100

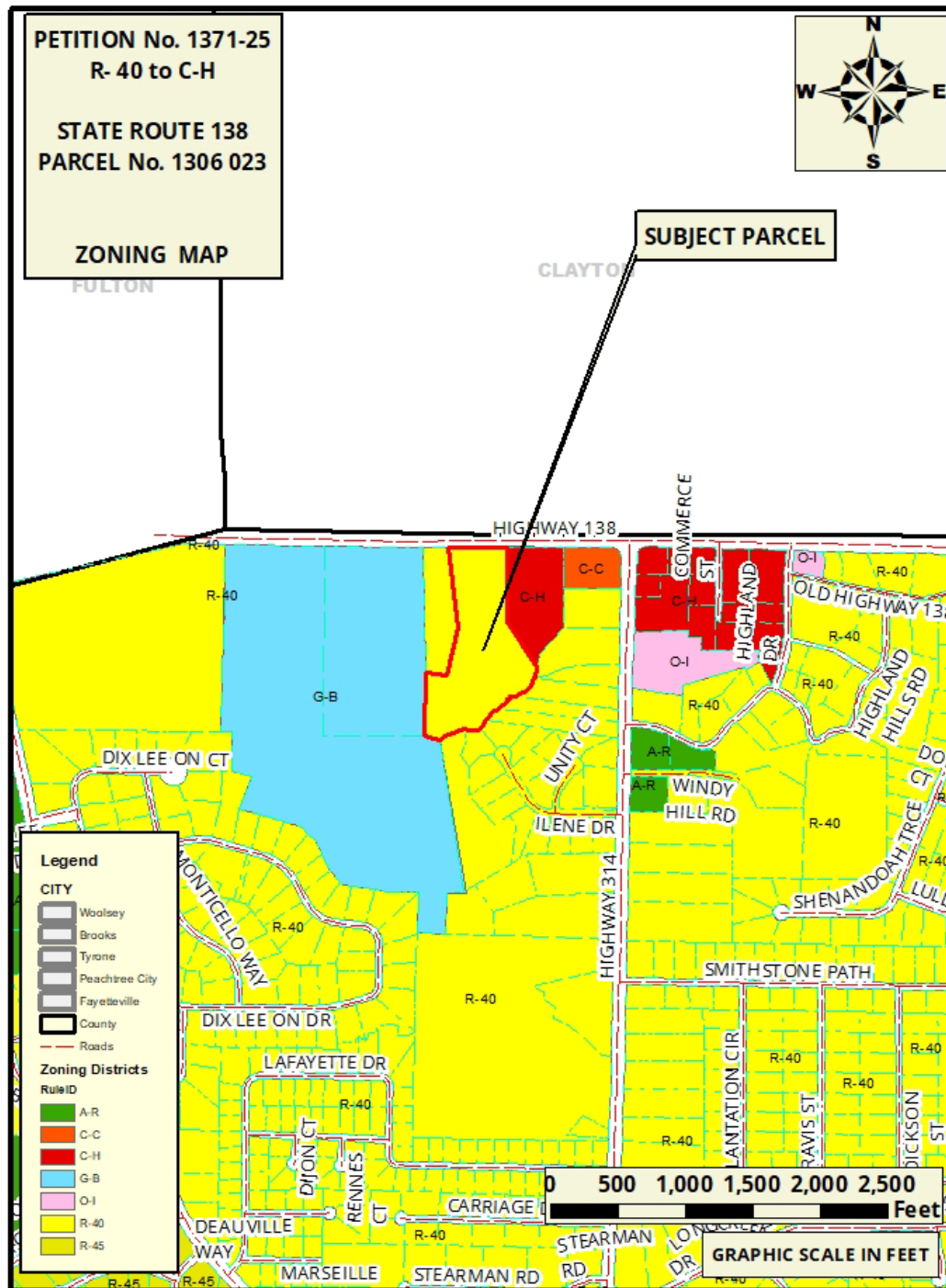
(8) Lot coverage limit, including structures and parking area: 70 percent of total lot area.

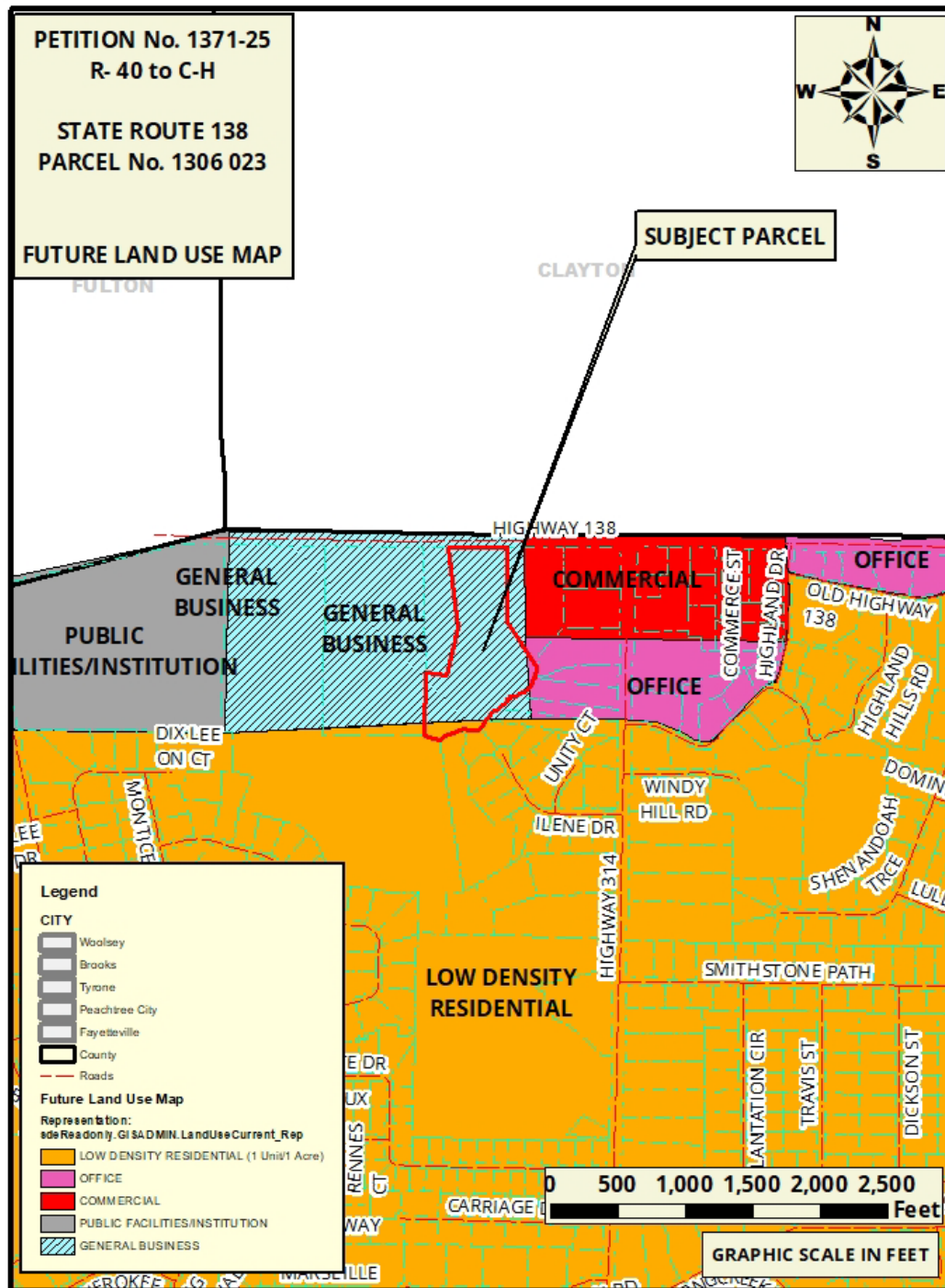
(9) Outside storage and refuse area requirements. The following requirements shall apply to outside storage and refuse areas. Where this section contradicts any other requirement, the most restrictive shall apply.

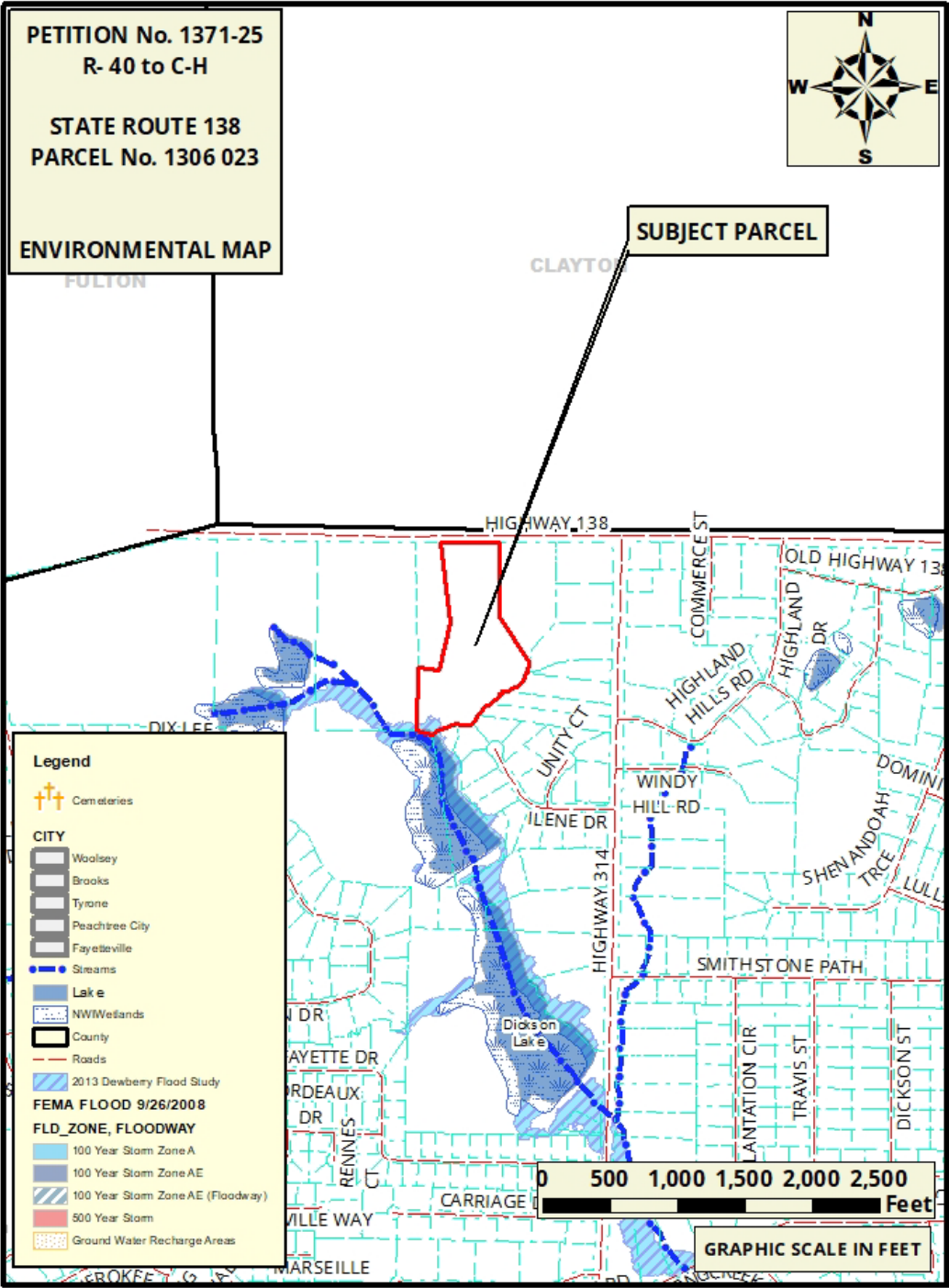
a. Outside storage of merchandise, equipment, parts, and business vehicles shall be allowed in side or rear yards only, subject to screening, setback and buffer requirements.

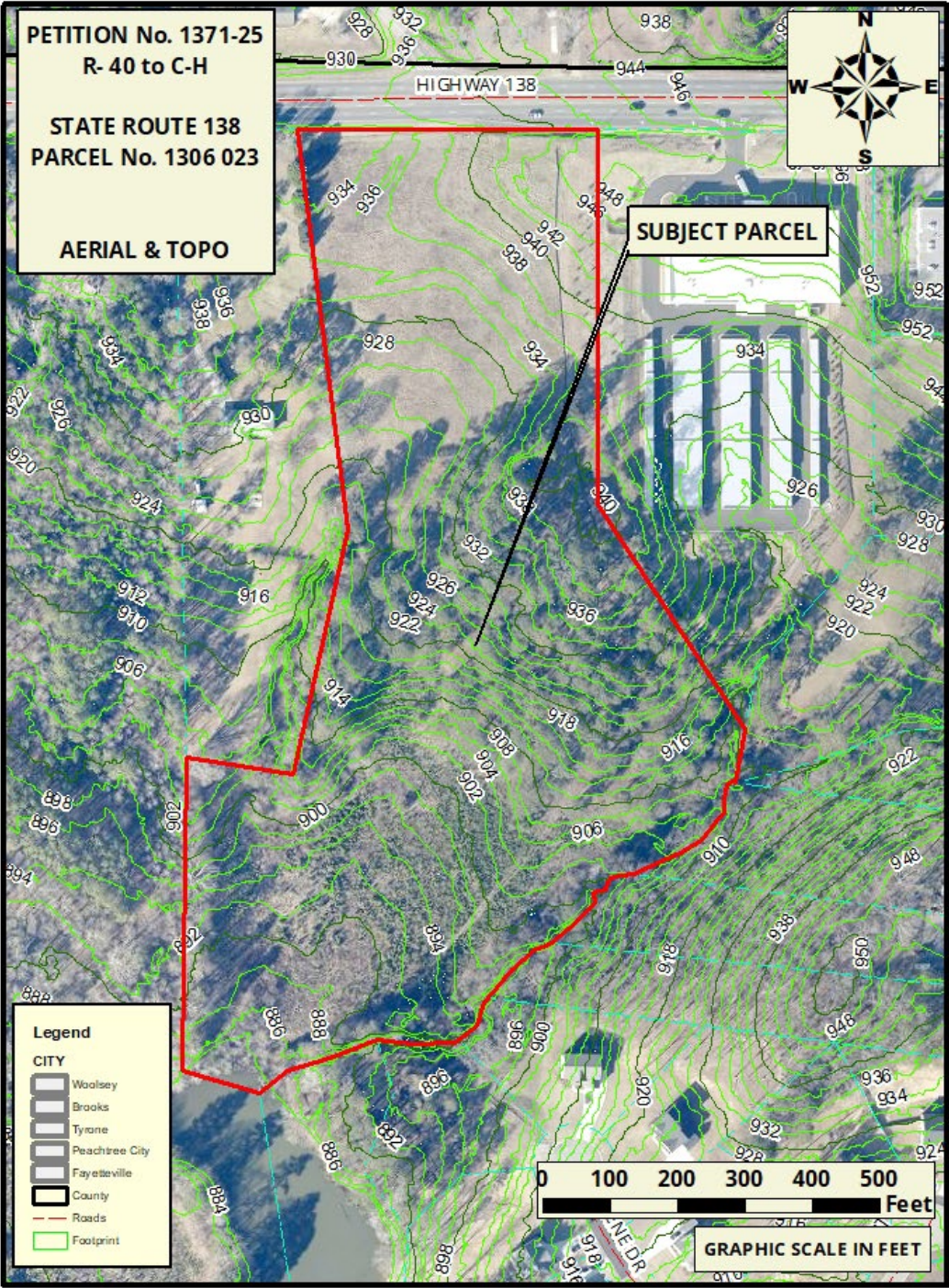
b. All refuse areas shall be allowed in side or rear yards only, shall be screened, and comply with the required buffers and setbacks.



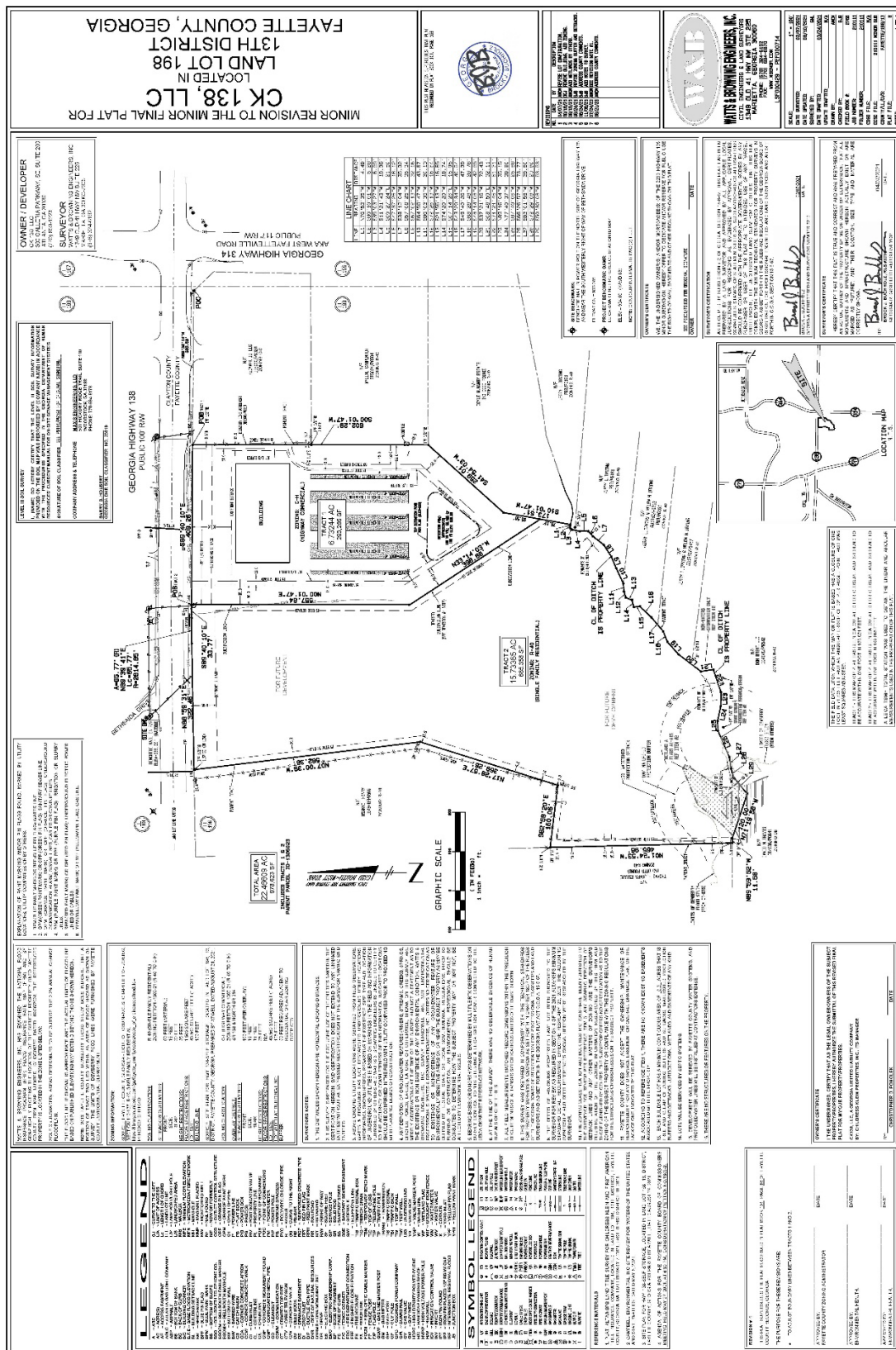


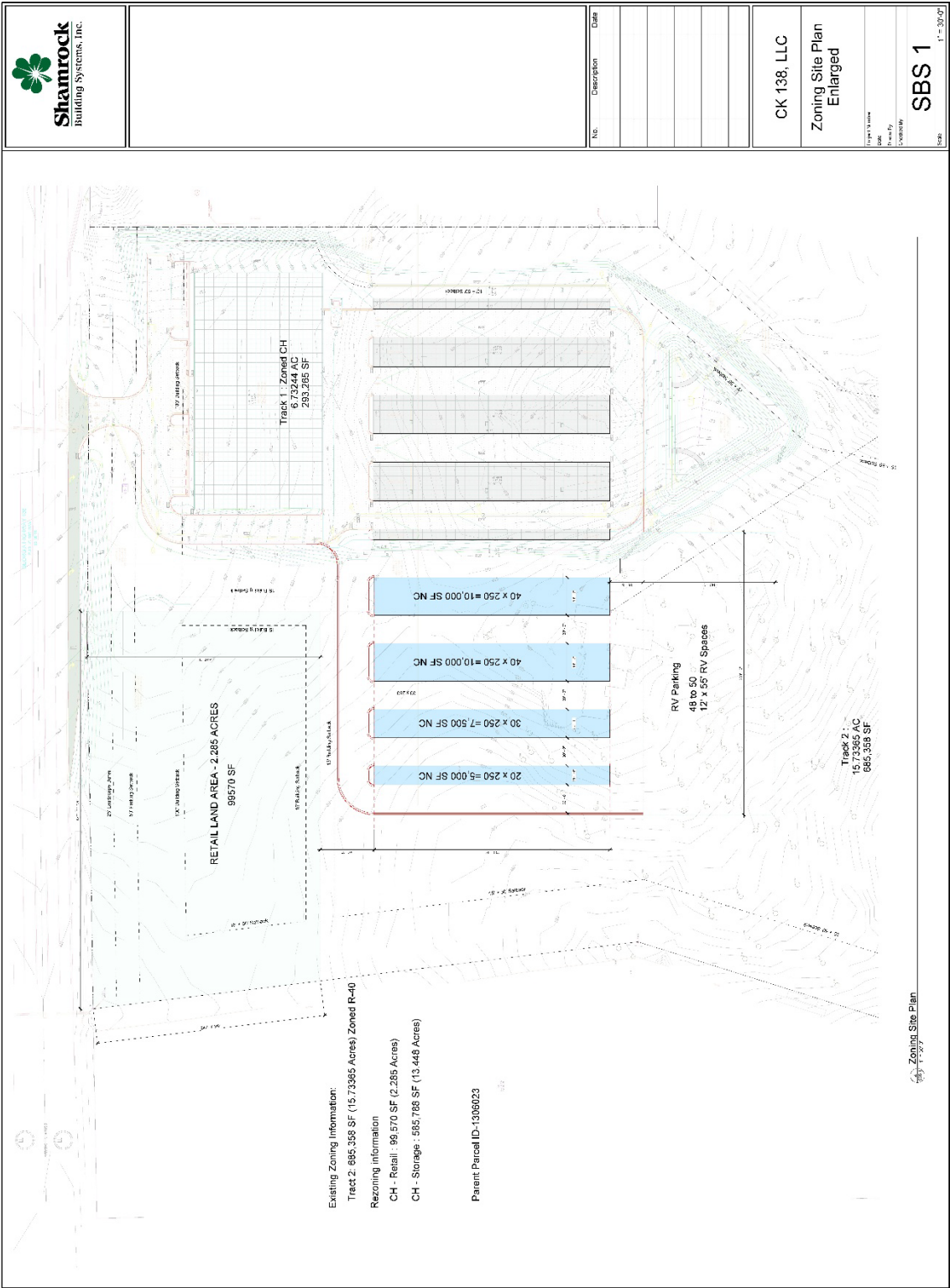






SURVEY





CONCEPT PLAN

BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
December 04, 2025
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items number 7 and 8 (Petitions No. 1372-25-A and B) to number 1 and 2. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. *Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.*

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. ***John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.***
3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. ***Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.***
4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road. ***Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0***
5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.***
6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.***
7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road. ***John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.***
8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138. ***Danny England made the motion to recommend APPROVAL of***

Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.***

10. Consideration of the Fayette County Planning Commission 2026 Calendar. ***John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.***

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny Englan asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

JOHN KRUZAN, CHAIRMAN

PETITION No (s): 1371-25
STAFF USE ONLY

SAGES REFERENCE No.: Rezone -09-25-090263

APPLICANT INFORMATION

Name CK 138 LLC
 Address 300 Galleria Parkway, SE, suite 200
 City Atlanta
 State Georgia Zip 30339
 Email Chris.Poholek@childressklein.com
 Phone 404.386.1215

PROPERTY OWNER INFORMATION

Name CK 138 LLC
 Address 300 Galleria Parkway SE, Suite 200
 City Atlanta
 State GA Zip 30339
 Email Chris.Poholek@childressklein.com
 Phone 404.386.1215

AGENT(S) (if applicable)

Name Dakota Carruthers
Parker Poe Adams and Bernstein, LLP
 Address 1075 Peachtree Street NE, Suite 1500
 City Atlanta
 State GA Zip 30309
 Email dakotacarruthers@parkerpoe.com
 Phone 678.690.5710

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: Maria Binns Date: 09/09/25

DATE OF PLANNING COMMISSION HEARING: November 6, 2025

DATE OF COUNTY COMMISSIONERS HEARING: December 11, 2025

Received from Parker Poe Adams & Bernstein LLP a check in the amount of \$ 350.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 09/10/25 Receipt Number: 025/52

PETITION No.: 1371-25 **Fees Due:** _____ **Sign Deposit Due:** _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 1306 023 Acreage: 15.733
 Land District(s): 13 Land Lot(s): 198
 Road Name/Frontage L.F.: SR 138 Road Classification: Arterial
 Existing Use: Vacant Proposed Use: Retail / Self-Storage
 Structure(s): _____ Type: Outdoor Access Self-Storage Size in SF: 32,500sf (4 structures)
 Existing Zoning: R-40 Proposed Zoning: CH
 Existing Land Use: Land Use Plan GB Proposed Land Use: Land Use Plan GB
 Water Availability: _____ Distance to Water Line: Parcel 1306 128 Distance to Hydrant: _____

PETITION No.: _____ **Fees Due:** _____ **Sign Deposit Due:** _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ **Fees Due:** _____ **Sign Deposit Due:** _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

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:
CK 138 LLC

(Please Print)

Property Tax Identification Number(s) of Subject Property: 1306 023

(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) 198 of the 13 District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 15.733 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

Dakota Carruthers and Ellen W. Smith,

(I) (We) hereby delegate authority to Parker Poe Adams and Bernstein, LLP 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.

CK 138 LLC, a Georgia limited liability company

By: Childress Klein Properties, Inc., its Manager

(I) By: Christopher D. Poholek

Christopher D. Poholek, Vice President

300 Galleria Parkway, Suite 200

Atlanta, GA 30339

Address

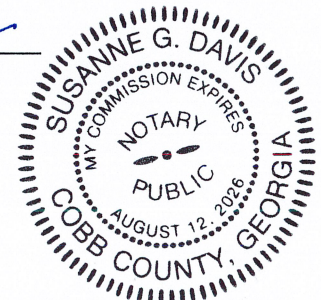
Susanne A. Davis

Signature of Notary Public

Susanne G. Davis

Date

August 26, 2025



PETITION No.: 1371-25**OWNER'S AFFIDAVIT***(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)*NAME: CK 138 LLCADDRESS: 300 Galleria Parkway SE, Atlanta, GA 30339

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

Chris Poholek 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 \$ 400 to cover all expenses of public hearing. He/She petitions the above named to change its classification to Commercial Highway

This property includes: (check one of the following)

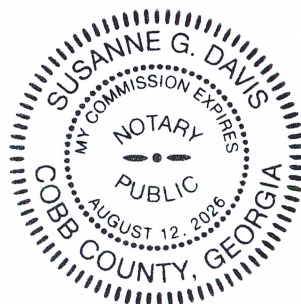
☒ See attached legal description on recorded deed for subject property or☐ Legal description for subject property is as follows:PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of November 6, 2025 at 7:00 P.M.PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 2025 at 2:00 P.M.SWORN TO AND SUBSCRIBED BEFORE ME THIS 26th DAY OF August, 2025

CK 138 LLC, a Georgia limited liability company

By: Childress Klein Properties, Inc., its Manager

By: Christopher D. Poholek

Christopher D. Poholek, Vice President

Susanne G. Davis
NOTARY PUBLIC

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, CK 138 LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, feet of right-of-way along SR 138 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)

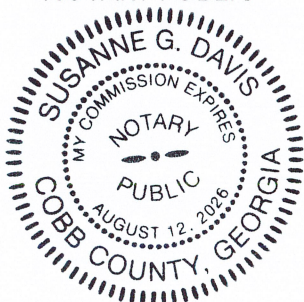
Sworn to and subscribed before me this 26th day of August, 2025.

CK 138 LLC, a Georgia limited liability company
By: Childress Klein Properties, Inc., its Manager

By: Christopher D. Poholek

Christopher D. Poholek, Vice President

Susanne G. Davis
NOTARY PUBLIC



DEVELOPMENTS OF REGIONAL IMPACT (DRI)**Rezoning Applicant:**

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

Signed this 26th day of August, 20 25.

CK 138 LLC, a Georgia limited liability company, By: Childress Klein Properties, Inc., its Manager

By: Christopher D. Poholek

Christopher D. Poholek, Vice President

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.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.



Dakota Carruthers

t: 678.690.5710

f: 404.869.6972

dakotacarruthers@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

September 9, 2025

Via Hand Delivery

Via Email [dbell@fayettecountyga.gov]

Deborah Bell
Director, Planning and Zoning
Fayette County, GA
140 Stonewall Avenue West, Suite 202
Fayetteville, Georgia 30214

Re: Rezoning Application ("**Application**") by CK 138, LLC ("**Applicant**") with respect to approximately 15.73 acres commonly known as 2290 Highway 138, Fayette County, Georgia, Fayette County Tax Parcel Number 1306 023 (the "**Property**")

Letter of Intent

Dear Debbie:

This law firm has the pleasure of representing Applicant with respect to the Application. Applicant respectfully submits for consideration the Application, seeking a rezoning of the Property from the R-40 single-family residential district to the C-H Highway Commercial district¹ to allow for the development of the Property with a self-storage facility and future retail.

Background and Existing Zoning

The Property is an approximately 15.73 acre currently unimproved parcel. Applicant acquired the Property in 2021, along with the neighboring parcel (tax parcel 1306 128), previously one 22 acre parent parcel (the "**Parent Parcel**"). Applicant first identified the Parent Parcel as a prime location for a self-storage facility, and worked with the County to obtain text amendments to The Zoning Ordinance of Fayette County, Georgia, as amended from time to time (the "**Ordinance**"), which were passed by the Fayette County Board of Commissioners on March 25, 2021, to allow for a mix of type of self-storage facility to be located within certain zoning districts and with varying architectural and design controls. Following the ordinance amendment, Applicant rezoned the neighboring parcel and subsequently developed it as a multi-building self-storage facility with internal and external access.

¹ If the Application is approved, Applicant will still need to apply for and obtain administrative approval from the County for the self-storage facility conditional use of the Property.

Fayette County
 September 9, 2025
 Page 2

Applicant intends to develop the Property for an expansion of the single-level external access units and RV parking at the rear of the property, as shown on the concept plan submitted with this Application. 2.285 acres of the property, against Highway 138 will be left undisturbed and marketed for retail use. The existing zoning of the Property is R-40, and is located within the SR138 and North SR314 Overlay Zone of the County's Transportation Corridor Overlay Zone. The Property is designated as General Commercial designation on the County's comprehensive plan future land use map. Parcels immediately to the west and south of the Property is zoned R-40 and several of the parcels to the east of the Property across Highway 314 are zoned CC and C-H. Directly across Highway 138 to the north are properties in Clayton County, all of which are zoned General Business.

Proposed Rezoning

As the County has seen in the past couple of years, this is a rapidly growing sector and Applicant has strategically positioned themselves as a leader in the rapidly expanding self-storage sector across the Southeast. Applicant has developed a multitude of properties and now manages 7 self-storage facilities totaling just under 1 million square feet.

The proposed self-storage facility, as more particularly shown on the concept plan included with the Application, will meet all of the Ordinance requirements for self-storage facilities without variance. Specifically, the development will include expansion of the existing external access storage buildings with four new buildings totaling roughly 34,000 square feet and approximately 50 RV storage spaces to accommodate demand. Approval of the application would activate a now vacant property, allow for a future retail serving use along a highway corridor while screening the low intensity self-storage use at the rear yard. Exterior elevations for the proposed self-storage will match those of the existing buildings at the neighboring developed property and Applicant will meet all of the other design criteria specified in the Ordinance as applicable to self-storage facilities, including those architectural standards included in the Transportation Corridor Overlay Zone.

The Application meets the standards for rezoning as set forth in Ordinance Section 110-300, and an analysis of the four (4) factors that Planning and Zoning Department, the Planning Commission and the Board of Commissioners shall consider when evaluating the Application reveals that the Application should be granted. Specifically, as outlined above, the Application is in conformity with the Comprehensive Plan Future Land Use Map and policies contained therein. Additionally, the self-storage facility use of the Property is a relatively low intense use of Property, placing minimal demands on parking, hours of operation, and infrastructure needs (for example, the Property does not have access to public sewer; instead, low occupancy levels mean septic service is sufficient). Moreover, there is no impact on neighboring schools.

Application Requirements

Pursuant to Article IX of the Ordinance, Applicant seeks to rezone the Property² as described above and, in support of the Application, Applicant submits the following (one of each unless otherwise indicated):

² Applicant notifies Fayette County of its constitutional concerns with respect to its Application. If the Fayette County Board of Commissioners (the "**Board**") denies the Application in whole or in part, then the Property does not have a

Fayette County
September 9, 2025
Page 3

1. Signed Application form with applicable and required attachments.
2. A metes and bounds legal description of the Property.
3. Survey.
4. Deed.
5. Concept plan.
6. This Letter of Intent.
7. Application fee in the amount of \$350.00.

The Application, including this Letter of Intent, support Applicant's request for rezoning. Applicant respectfully requests that the Planning and Zoning Department (the "**Department**") recommend approval of the Application to the Planning Commission and the Board of Commissioners. Applicant is happy to answer questions or provide any additional information that the Department and the County may have with regard to this Application.

Sincerely,

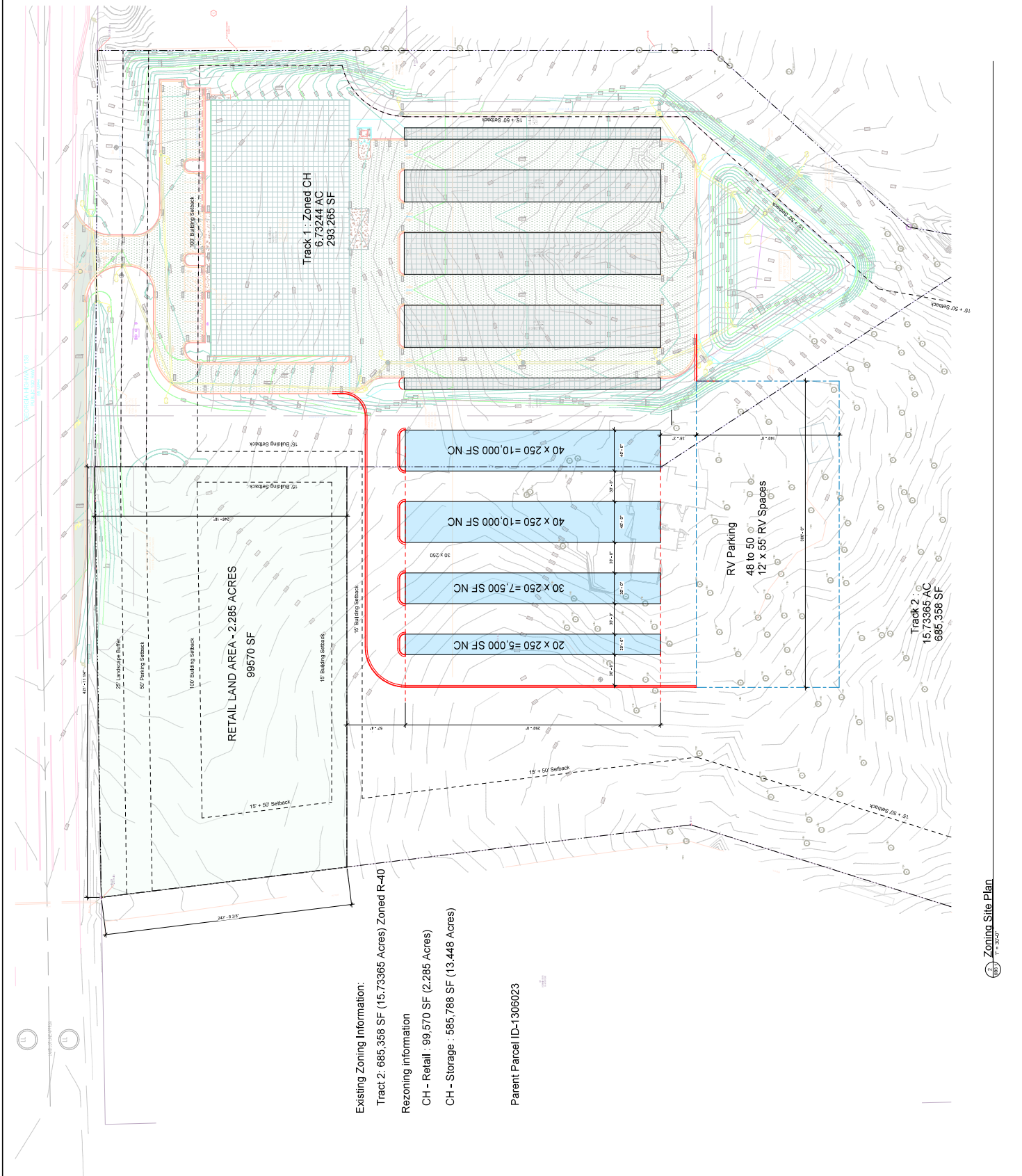


Dakota Carruthers
Entitlements Manager

DC/dc/ews

cc: Chris Poholek
Ellen W. Smith, Esq.

reasonable economic use under the Fayette County Zoning Ordinance. Moreover, the Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. *See Guhl vs. Holcomb Bridge Road*, 238 Ga. 322 (1977). If the Board denies the Application in whole or in part, such an action will deprive Applicant and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the Board rezones the Property to some classification other than GB or with conditions not requested by Applicant, and either without Applicant's consent, then such approval would deprive Applicant and Owner of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (*see Ga. Const. 1983, Art. I, § 3, para. 1(a)*), and the just compensation clause of the Fifth Amendment to the United States Constitution (*see U.S. Const. Amend. 5*). To the extent that the Fayette County Zoning Ordinance allows such an action by the Board, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between Applicant and Owner and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Also, a failure to grant the Application or a conditional approval of the Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and would constitute an unconstitutional violation of Applicant's and Owner's rights to substantive and procedural due process as guaranteed by the Georgia Constitution (*see Ga. Const. 1983, Art. I, § 1, para. 1*) and the Fifth and Fourteenth Amendments of the United States Constitution (*see U.S. Const. Amend. 5 and 14*). Nevertheless, Applicant remains optimistic that Fayette County's consideration of the Application will be conducted in a constitutional manner.



<div style="display: flex; justify-content: space-between;"> <div> <p>CK 138, LLC</p> <p>Zoning Site Plan Enlarged</p> </div> <div> <p>Page 153 of 755</p> <p>Project Number</p> <p>Date</p> <p>Drawn By</p> <p>Checked By</p> </div> <div> <p>SBS 1</p> <p>1" = 30'-0"</p> </div> </div>
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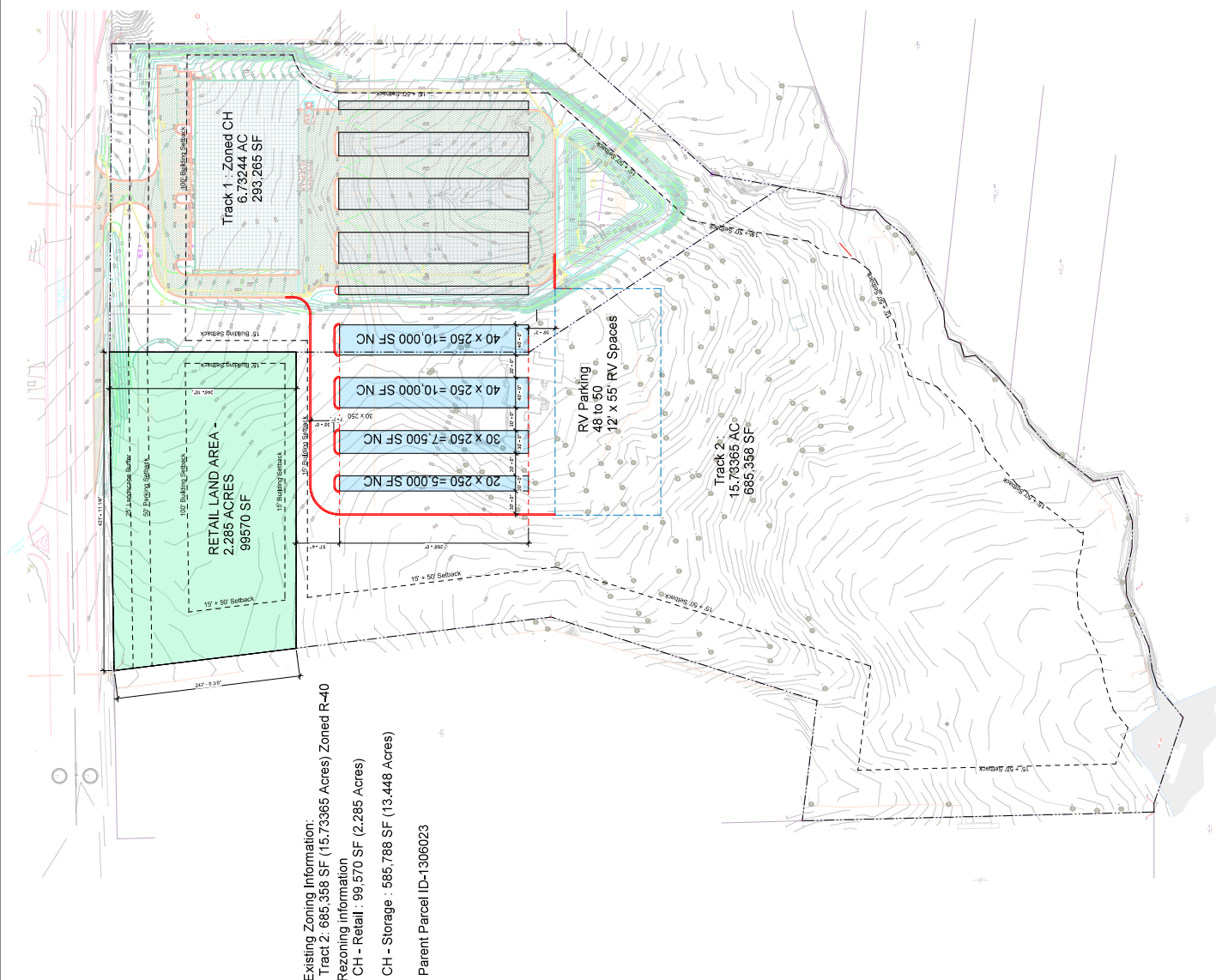
Shamrock
Building Systems, Inc.

[illegible]

Page 154 of 755

Project Number	755
State	
Revised By	
Checked By	

SBS 2



Existing Zoning Information:
 Tract 2: 685,358 SF (15,73365 Acres) Zoned R-40
 Rezoning Information
 CH - Retail : 99,570 SF (2.285 Acres)
 CH - Storage : 585,788 SF (13,448 Acres)
 Parent Parcel ID: 1306023



Print #231014905
Date: 10/14/23
Lat/Lon: 33.549843 -84.451700
Order No. 77312
 Aerial Photography, Inc. 954-568-0484

CK Hwy 138

 **Shamrock**
Building Systems, Inc.



Print #231014906
Date: 10/14/23
Lat/Lon: 33.549843 -84.451700
Order No. 77312
 Aerial Photography, Inc. 954-568-0484

CK Hwy 138

 **Shamrock**
Building Systems, Inc.

PPAB 12783513v1



Print #231014907
Date: 10/14/23
Lat/Lon: 33.549843 -84.451700
Order No. 77312
 Aerial Photography, Inc. 954-568-0484

CK Hwy 138

 **Shamrock**
Building Systems, Inc.

MINOR REVISION TO THE MINOR FINAL PLAT FOR
CK 138, LLC
 LOCATED IN
 LAND LOT 198
 13TH DISTRICT
 FAYETTE COUNTY, GEORGIA

THIS PLAT REVISION SUPERSEDES THAT PLAT
RECORDED IN PLAT BOOK 101, PAGE 108



REV. NO.	DATE	BY	DESCRIPTION
1	04/07/02	AMC	REVISE LOT CONFIGURATION.
2	08/16/02	AMC	REMOVE BUILDING AND ZONING.
3	08/19/02	AMC	ADD METAMAS BY OTHERS.
4	08/24/02	BAB	REVISE ZONING BUFFER AND SETBACKS.
5	08/24/02	BAB	ADDRESS COUNTY COMMENTS.
6	11/06/02	BAB	ADD NOTES TO SURVEY.
7	07/24/03	AMC	SEE REVISION NOTE #1.
8	09/24/03	AMC	SEE REVISION COUNTY COMMENTS.



WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1349 OLD 41 HWY NW STE 225
MARIETTA, GEORGIA 30060
PHONE: (678) 324-6192
FAX: (678) 324-6876

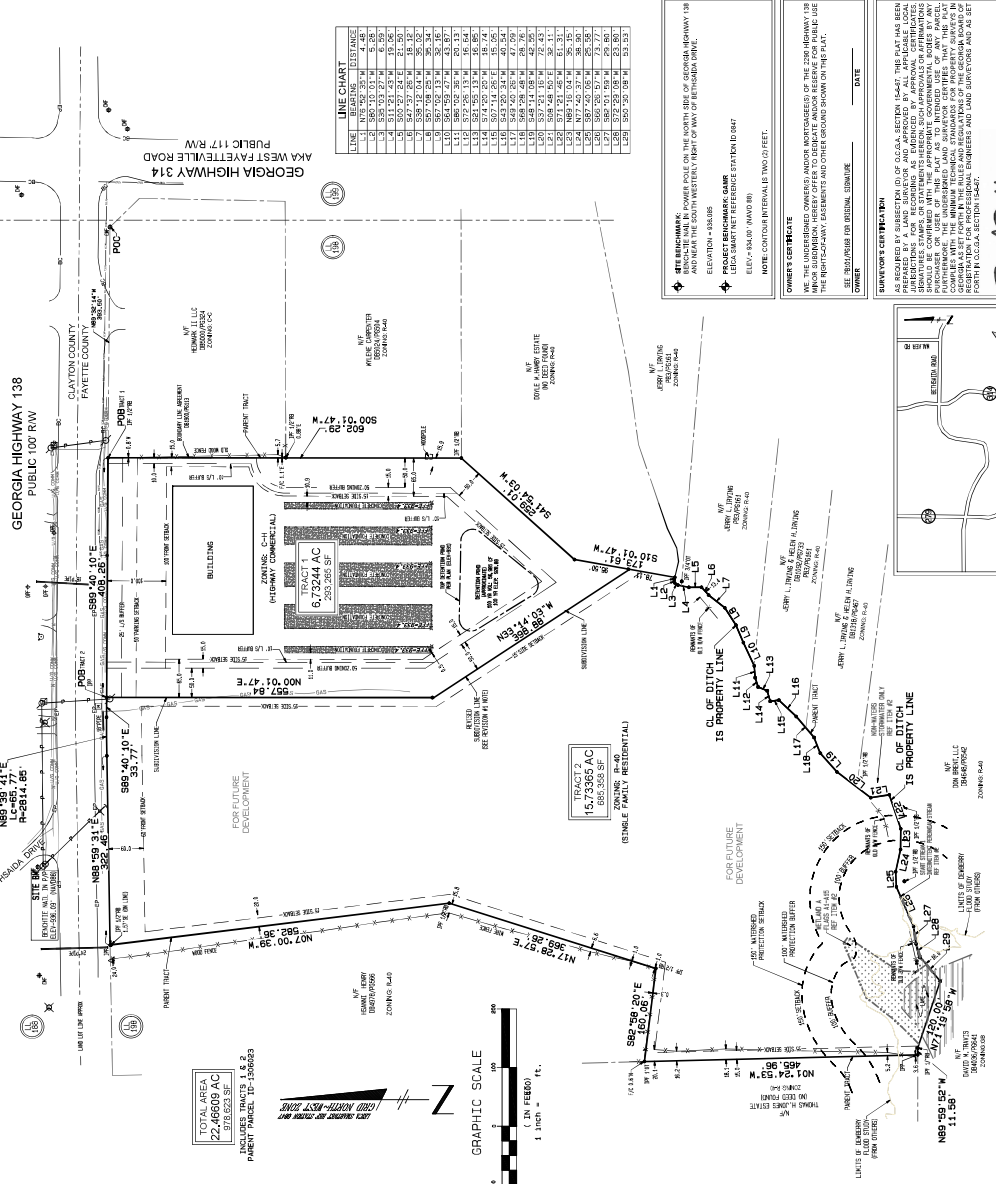
[illegible][illegible][illegible]

STEWART & BOWEN ENGINEERS, INC., HAS EXAMINED THE ACTUAL FLOOD ELEVATIONS FOR THE FLOOD INSURANCE RATE MAP (FIRM) AND THE FLOOD INSURANCE RATE MAP NUMBER ONE (FIRM NO. 1) OF THE REFERENCED COUNTY. FIRM NO. 1 WAS DATED 06/08/90. THE REFERENCED PROPERTY IS LOCATED IN THE ZONE LISTED BELOW.

UNSHADED AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN.

THE FLOOD LINE IF SHOWN IS APPROXIMATE AND THE ACTUAL LINES OF FLOOD BASED ON PLOTTED ELEVATIONS MAY EXTEND BEYOND THESE SHOWN HEREON.

NOTE: THIS FACTORY COUNTY DEEMBERLY FLOOD STUDY DOES INDICATE THAT A PORTION OF THIS TWO LIES WITHIN AN AREA OF FLOOD HAZARD AS SHOWN ON THE FIRM NO. 1. HOWEVER, THIS AREA WERE TRANSFERRED BY PRIVATE COUNTY ENVIRONMENTAL DEPARTMENT.

[illegible][illegible][illegible][illegible][illegible]

1000

OWNER'S CERTIFICATE

I, THE UNDERSIGNED, CERTIFY THAT AS THE LEGAL OWNER/OWNERS OF THE SUBJECT PROPERTY, I/WE HEREBY AUTHORIZE THE SUBMITTAL OF THIS REQUEST FOR A PLAT FOR AN OUPOR PROPERTY INTEREST.

BY: CHESSMAN, KYLE DATE: _____

BY: CHRISTOPHER D. CHOKLER DATE: _____

BY: CEKYS, LLC, A GEORGIA LIMITED LIABILITY COMPANY DATE: _____

BY: CHENDESS KALEN PROPERTIES, INC. ITS MANAGER DATE: _____

[illegible][illegible][illegible]

RETURN # 1

THIS PLAT SUPERSEDES THE PLAT RECORDED IN PLAT BOOK 111, PAGE 50 OF HARTT COUNTY RECORDS, GEORGIA.

THE PURPOSE FOR THESE REVISIONS ARE:

- TO ADJUST BOUNDARY LINES BETWEEN TRACTS 1 AND 2.

APPROVED BY: FAYETTE COUNTY ZONING ADMINISTRATOR	DATE
APPROVED BY: ENVIRONMENTAL HEALTH	DATE
APPROVED BY: ENVIRONMENTAL HEALTH	DATE

Type: WD
Recorded: 7/1/2021 8:06:00 AM
Fee Amt: \$850.00 Page 1 of 9
Transfer Tax: \$825.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 3646931975

BK 5314 PG 538 - 546

After recording please return to:

Ryan C. Pulley, Esq.
Holt Ney Zatcoff & Wasserman, LLP
100 Galleria Parkway, Suite 1800
Atlanta, Georgia 30339

Parcel ID: 1306 023

GENERAL WARRANTY DEED

THIS INDENTURE is made as of the 30th day of June, 2021, among **JOSEPH SCOTT WOOD, ERNEST R. WOOD, YANCEY LEE WOOD, GAYLA EVONNE BLIZZARD aka GAYLA YVONNE BLIZZARD**, and **WAYNE H. WOOD**, each an individual resident of the State of Georgia (collectively, "**Grantor**") and **CK 138, LLC**, a Georgia limited liability company ("**Grantee**") (the words "**Grantor**" and "**Grantee**" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee, all that tract of land in Fayette County, Georgia, described on **Exhibit A** attached hereto and made a part hereof (the "**Property**").

TO HAVE AND TO HOLD the said Property, 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 absolute forever. Grantor will warrant and forever defend the right and title to the Property unto the said Grantee against the lawful claims of all persons whomsoever, except for those matters set forth in **Exhibit "B"** attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has caused this General Warranty Deed to be signed, sealed and delivered as of the day and year first above written.

[Signature]
Unofficial Witness

Joseph Scott Wood (SEAL)
Joseph Scott Wood

[Signature]
GAIL M. BROWN
Notary Public
EXPIRES Commission Expires: 5-7-2024
GEORGIA (NOTARY SEAL)
MAY 7, 2024
COBB COUNTY, GA
[Signature]
Unofficial Witness

Wayne H. Wood (SEAL)
Wayne H. Wood, as Attorney in Fact for Ernest R. Wood pursuant to that certain Georgia General Durable Power of Attorney dated December 3, 2020 and attached hereto as **Exhibit C**

[Signature]
GAIL M. BROWN
Notary Public
EXPIRES Commission Expires: 5/7/24
GEORGIA (NOTARY SEAL)
MAY 7, 2024
COBB COUNTY, GA
[Signature]
Unofficial Witness

Yancy Lee Wood (SEAL)
Yancy Lee Wood

[Signature]
GAIL M. BROWN
Notary Public
EXPIRES Commission Expires: 5/7/24
GEORGIA (NOTARY SEAL)
MAY 7, 2024
COBB COUNTY, GA
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Unofficial Witness

Gayla Yvonne Blizzard (SEAL)
Gayla Yvonne Blizzard aka Gayla Yvonne Blizzard

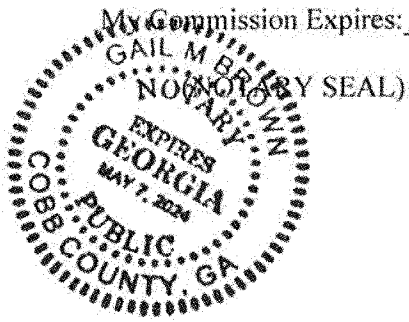
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COBB COUNTY, GA
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Unofficial Witness

[Signature]
Unofficial Witness

Wayne H. Wood (SEAL)
Wayne H. Wood

Gail M. Berry
Notary Public

My Commission Expires: 5-7-24



**DESCRIPTION OF PROPERTY
TRACT 2**

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 198 OF THE 13TH DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING, **COMMENCE** FROM THE NORTHWESTERLY MOST POINT OF A MITERED RIGHT OF WAY INTERSECTION, FORMED BY THE WESTERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 314, ALSO KNOWN AS FAYETTEVILLE ROAD, (A 117 FOOT RIGHT OF WAY) WITH THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY), THENCE PROCEED ALONG THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES:

- 1) NORTH 89°32'14" WEST, A DISTANCE OF 393.50 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR);
- 2) THENCE NORTH 89°40'10" WEST FOR A DISTANCE OF 368.41 FEET TO THE **TRUE POINT OF BEGINNING**.

FROM THE **POINT OF BEGINNING** THUS ESTABLISHED, THENCE DEPART THE AFORESAID SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138, AND PROCEED SOUTH 00°19'50" WEST, A DISTANCE OF 540.90 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE SOUTH 27°35'34" EAST FOR A DISTANCE OF 392.89 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE SOUTH 10°01'47" WEST FOR A DISTANCE OF 80.29 FEET TO A POINT ON THE CENTERLINE OF A DITCH; THENCE PROCEED ALONG THE CENTERLINE OF A DITCH, SAID CENTERLINE OF DITCH BEING THE TRUE PROPERTY LINE, THE FOLLOWING COURSES AND DISTANCES:

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 29) THENCE SOUTH 50°30'08" WEST FOR A DISTANCE OF 53.53 FEET TO A POINT IN A LAKE;

THENCE NORTH 71°19'58" WEST FOR A DISTANCE OF 120.00 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); THENCE NORTH 89°59'52" WEST FOR A DISTANCE OF 11.58 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE NORTH 01°24'53" WEST FOR A DISTANCE OF 465.96 FEET TO AN IRON PIN FOUND (1 INCH OPEN TOP PIPE); THENCE SOUTH 82°58'20" EAST FOR A DISTANCE OF 160.06 FEET TO A POINT AN IRON PIN FOUND (1/2 INCH REBAR); THENCE NORTH 17°28'57" EAST FOR A DISTANCE OF 369.26 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); THENCE NORTH 07°00'39" WEST FOR A DISTANCE OF 582.36 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP) AT THE AFORESAID SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138; THENCE PROCEED ALONG THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES:

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 3) THENCE SOUTH 89°40'10" EAST FOR A DISTANCE OF 73.61 FEET TO THE **TRUE POINT OF BEGINNING.**

SAID TRACT OR PARCEL CONTAINING 15.73365 ACRES, OR 685,358 SQUARE FEET.

B6 Fayette County News

Continued from page B5

PETITION FOR REZONING CERTAIN PROPERTIES IN UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA PUBLIC HEARING to be held before the Fayette County Planning Commission on Thursday, December 4, 2025, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, January 22, 2025, at 5:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1371-25

Parcel No: 1306 023

Owner: CK 138, LLC

Agent(s): Dakota Carruthers

Zoning District: R-40

Area of Property: 15.73365 acres

Land Lot(s)/District: Land Lot 198 of the 13th District

Fronts on: Highway 138

Proposed: Applicant proposes the following: To rezone Parcel No. 1306 023, consisting of 15.73365 acres, from R-40 (Single-Family Residential) to C-H (Highway Commercial).

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

DESCRIPTION OF PROPERTY TRACT 2

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 198 OF THE 13TH DISTRICT OF FAYETTE COUNTY, GEORGIA. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO REACH THE POINT OF BEGINNING, COMMENCE FROM THE NORTHWESTERLY MOST POINT OF A MITERED RIGHT OF WAY INTERSECTION, FORMED BY THE WESTERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 314, ALSO KNOWN AS FAYETTEVILLE ROAD, (A 117 FOOT RIGHT OF WAY) WITH THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY), THENCE PROCEED ALONG THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES: (1) NORTH 89°32'14" WEST, A DISTANCE OF 393.50 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); (2) THENCE NORTH 89°40'10" WEST FOR A DISTANCE OF 368.41 FEET TO THE TRUE POINT OF BEGINNING. FROM THE POINT OF BEGINNING

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Wednesday, November 12, 2025

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- SAID TRACT OR PARCEL CON-

PETITION FOR REZONING CERTAIN PROPERTIES
IN UNINCORPORATED AREAS
OF FAYETTE COUNTY, GEORGIA

PUBLIC HEARING to be held before the Fayette County Board of Commissioners on Thursday, January 22, 2026, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1371-25

Parcel No: 1306 023

Owner: CK 138, LLC

Agent(s): Dakota Carruthers

Zoning District: R-40

Area of Property: 15.73365 acres

Land Lot(s)/District: Land Lot 198 of the 13th District

Fronts on: Highway 138

Proposed: Applicant proposes the following: To rezone Parcel No. 1306 023, consisting of 15.73365 acres, from R-40 (Single-Family Residential) to C-H (Highway Commercial).

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

DESCRIPTION OF PROPERTY
TRACT 2

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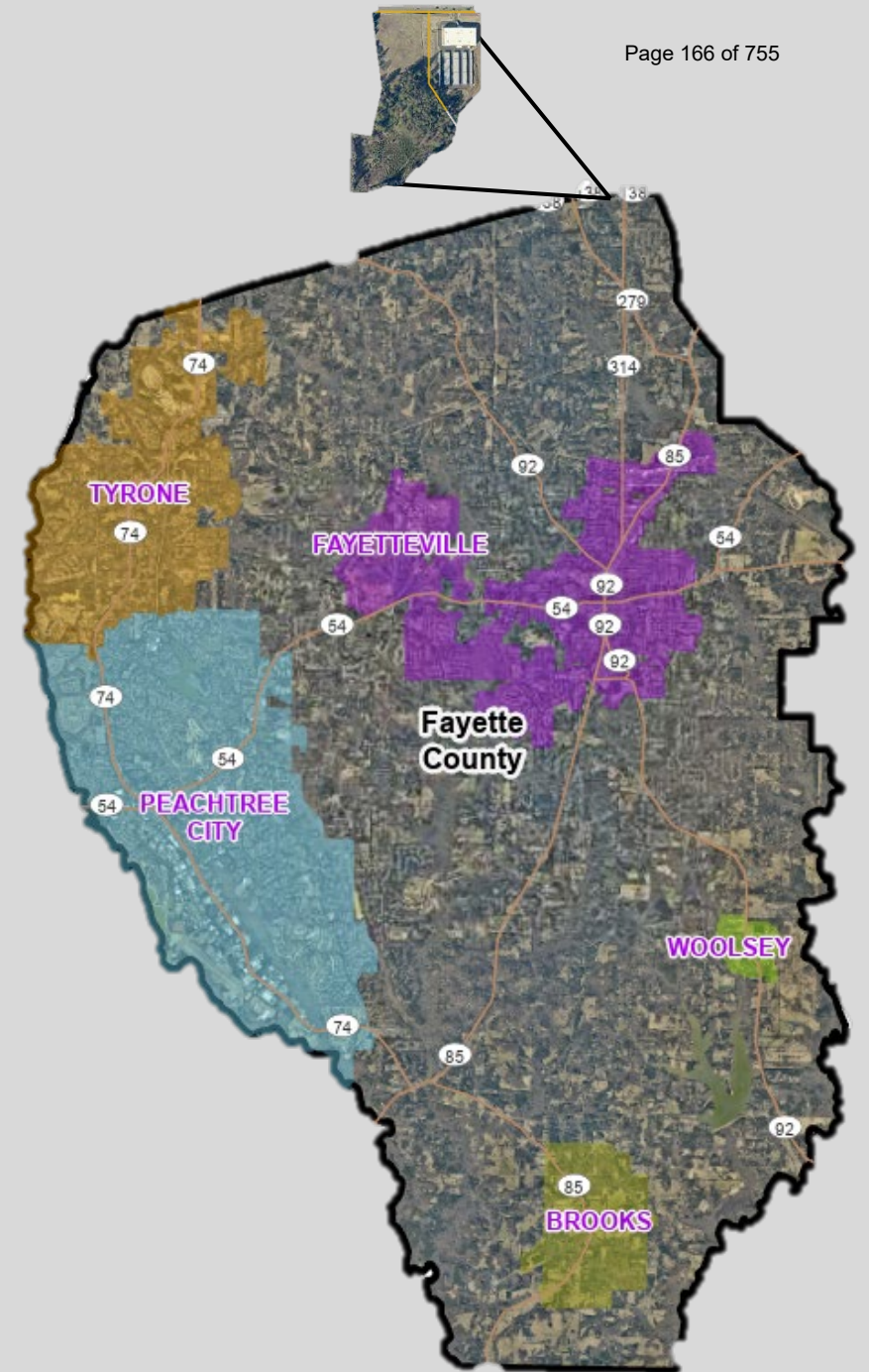
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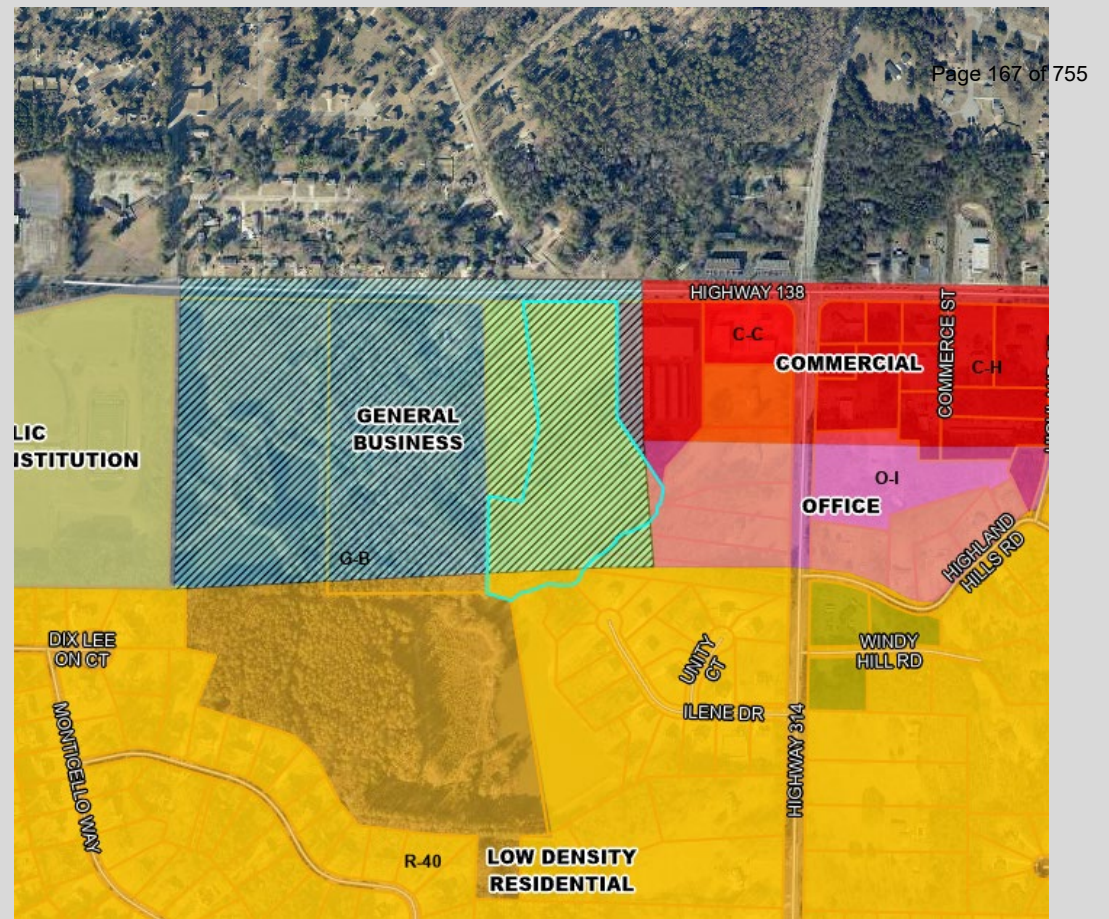
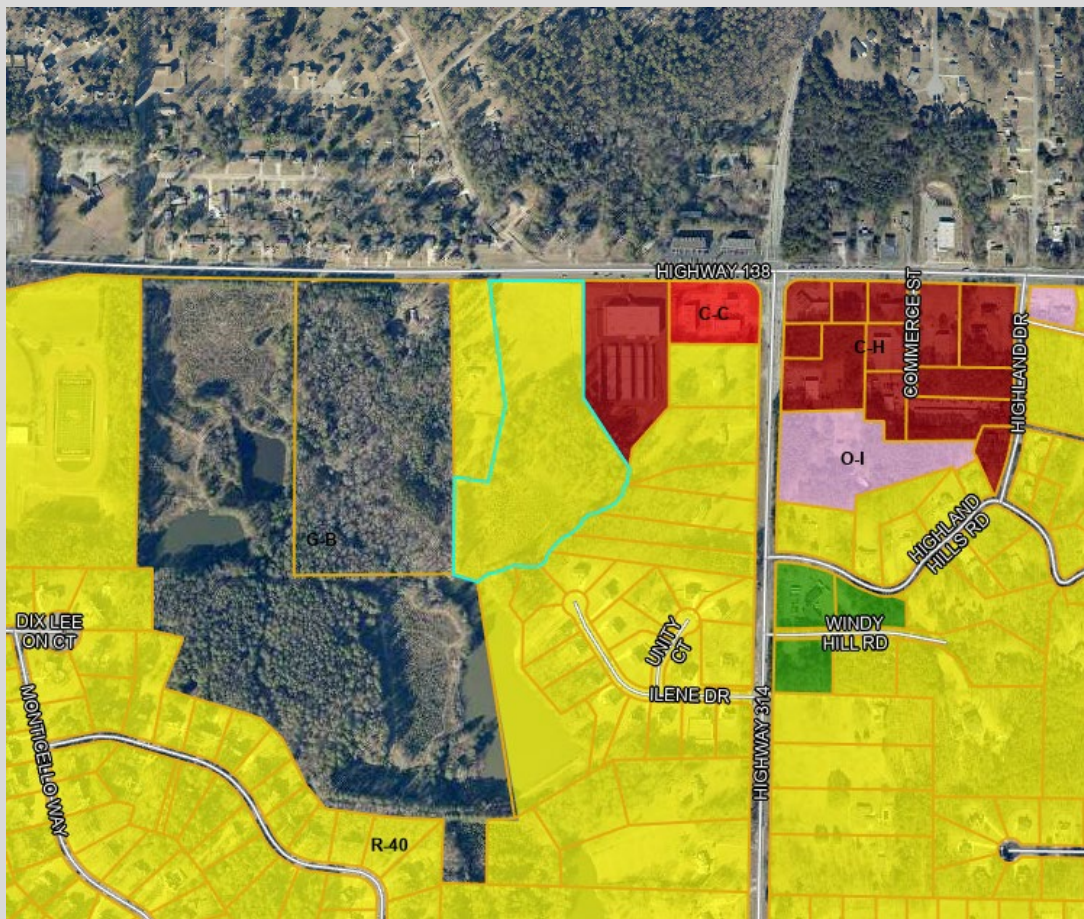
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CK 138

2290 Highway 138

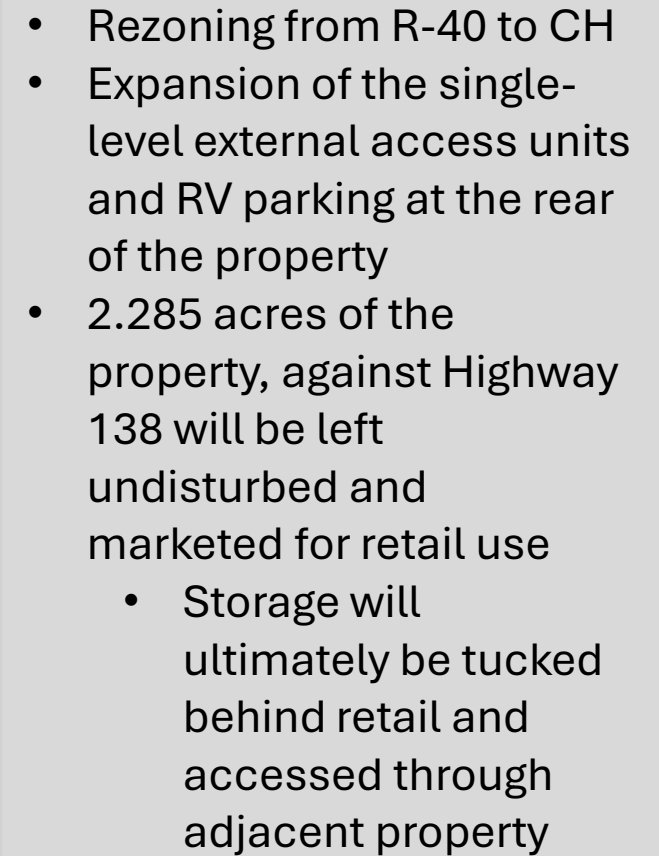
Fayette County Planning Commission
November 6, 2025





- Property is 15.73 acres, acquired in 2021 as part of neighboring parcel
- Zoned CH (Commercial Highway), General Commercial Future Land Use Map designation.
- Neighboring parcel was rezoned in 2021. Constructed as a multi-building self storage building with internal and external access.







- No Variances Requested- Expansion will meet all design criteria including those in the Transportation Corridor Overlay Zone
- Exterior elevations will match the existing buildings at the neighboring developed property
- Low intensity use placing minimal demands on parking, hours of operation, and infrastructure needs



COUNTY AGENDA REQUEST

Page 171 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request: #9

Wording for the Agenda:

Consideration of a Petition 1372-25-A, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts on Highway 314.

Background/History/Details:

The lot is a legal lot and will meet or exceed the requirements of the A-R zoning district. The Future Land Use Map designates this area as Low Density Residential, which has a 1-acre minimum parcel size. Since A-R is less dense, requiring a 5-acre minimum lot, the request to rezone to A-R is appropriate & consistent with the Future Land Use Map & Comprehensive Plan as a less intense use. The companion parcel in this rezoning does not meet the min. lot size for A-R, so staff recommends CONDITIONAL APPROVAL of the request to rezone to A-R, subject to the following: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

On December 4, 2025, the Planning Commission voted 5-0 to recommend DENIAL of the request to rezone to A-R, Agricultural-Residential. John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of a Petition 1372-25-A, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts on Highway 314.

If this item requires funding, please describe:

No funding is required for this request.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 172 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request: #10

Wording for the Agenda:

Consideration of a Petition 1372-25-B, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 4.738 acres from R-40 (Single-Family Res) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts on Highway 314.

Background/History/Details:

The lot is a legal lot but does not meet the minimum lot size for the A-R zoning district. Therefore, a condition is recommended to resolve this issue. The Future Land Use Map designates this area as Low Density Residential, which has a 1-acre minimum parcel size. Since A-R is less dense, requiring a 5-acre minimum lot, the request to rezone to A-R is appropriate & consistent with the Future Land Use Map & Comprehensive Plan as a less intense use. Staff recommends CONDITIONAL APPROVAL of the request to rezone to A-R, subject to the following: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

On December 4, 2025, the Planning Commission voted 5-0 to recommend DENIAL of the request to rezone to A-R, Agricultural-Residential. John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of a Petition 1372-25-B, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 4.738 acres from R-40 (Single-Family Res) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts on Highway 314.

If this item requires funding, please describe:

No funding is required for this request.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION NO: 1372-25-A

REQUESTED ACTION: A. Rezone Parcel No.1306-011 (45.412 acres) from R-40 (Single-Family Residential) to A-R (Agriculture-Residential); this parcel is labelled as Tract I in the attached survey.

PROPOSED USE: Single-Family Residential and A-R Wedding/Event Facility

EXISTING USE: Single-Family Residential and Agricultural

LOCATION: Hwy 314 N

DISTRICT/LAND LOT(S): 13th District, Land Lot 219

ACREAGE: 45.412 acres

OWNER(S): 1246 Hwy 314 Fayette Co LLC

APPLICANT(S): 1246 Hwy 314 Fayette Co LLC

AGENT(S): Randy Boyd

PLANNING COMMISSION PUBLIC HEARING: December 4, 2025, 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: January 22, 2026, 5:00 PM

APPLICANT'S INTENT

The applicant proposes to rezone two parcels, with a total of 50.15 acres, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue.

Petition 1372-25-A is a request to rezone Parcel No. 1306-011, 45.412 acres, from R-40 to A-R.

STAFF RECOMMENDATION

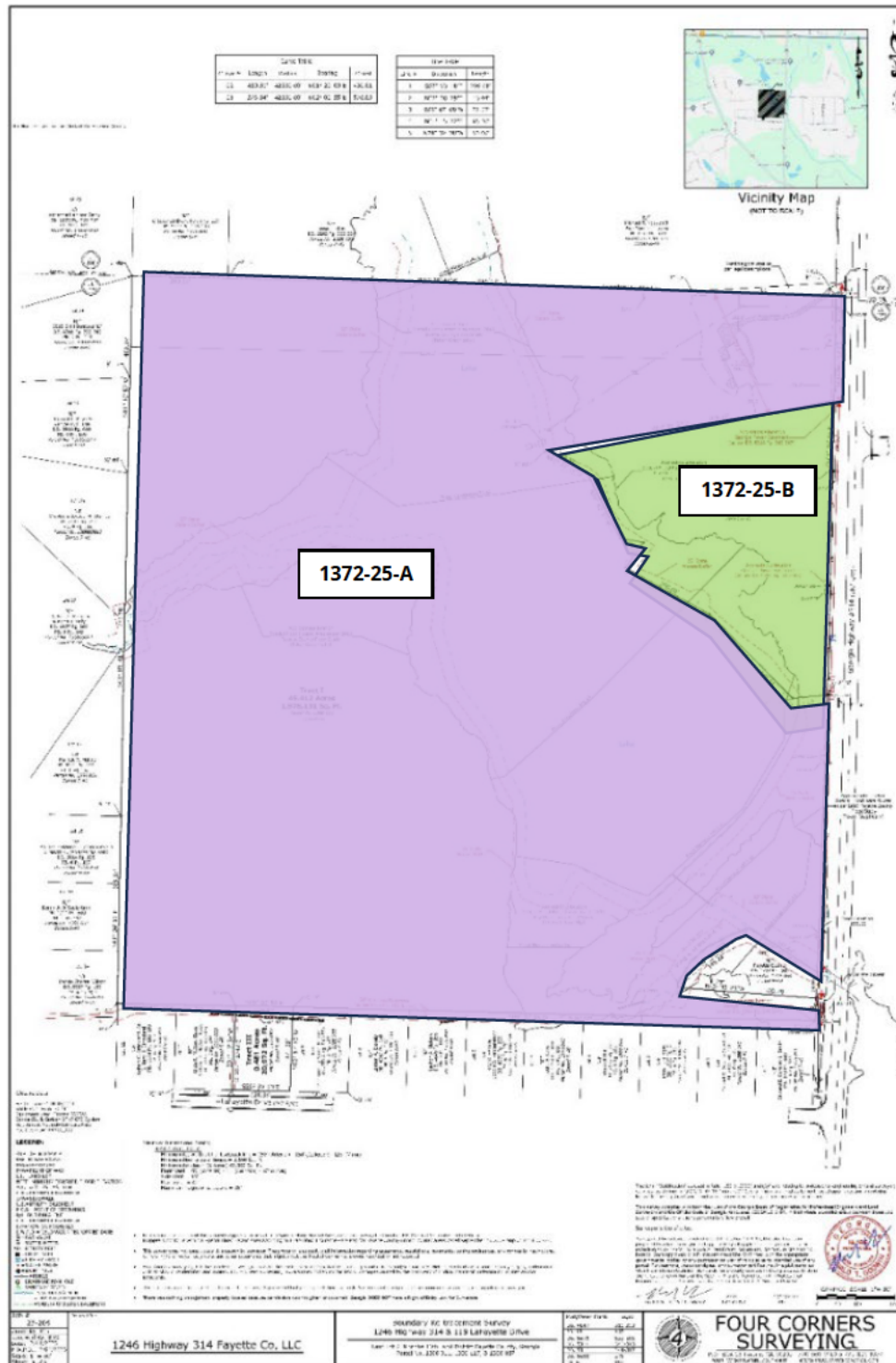
As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agricultural-Residential, subject to the following:

1372-25-A:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

PLANNING COMMISSION RECOMMENDATION

On December 4, 2025, the Planning Commission voted unanimously to recommend **DENIAL** of the request. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.



INVESTIGATION

A. GENERAL PROPERTY INFORMATION

Petition No. 1372-25-A - Parcel 1306 011 is a legal lot. The parcel and the existing house meet or exceed the requirements of the A-R zoning district.

Petition No. 1372-25-B - Parcel 1306 117 is a legal lot in the R-40 zoning district. It does not contain the required minimum acreage for the A-R zoning district (5.0 acres). Therefore, staff has added the condition that it be combined with Parcel 1306 011, which will make the project fully compliant with A-R zoning criteria. Staff has reviewed this condition with the applicant, and they agree to it.

The property has 1 single-family home and is otherwise used for agricultural purposes.

GDOT will review and approve access engineering & construction plans within their jurisdiction if the site is developed further. GDOT is in charge of all driveways on the State Route.

B. ZONING & DEVELOPMENT HISTORY:

The R-40 zoning was part of a blanket zoning approved in 1971.

This property is located in the General State Route Overlay Zone. All developments are required to meet the Overlay criteria. One requirement under this Overlay is that all access points for a development shall be on the State Route. The Overlay Zone also provides architectural, parking, enhanced landscaping requirements and increased building setbacks.

C. SURROUNDING ZONING AND USES

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

Direction	Acreage	Zoning	Use	Comprehensive Plan/Future Land Use Map
North	85; 60	G-B; R-40	Undeveloped; Single-Family Residential	General Business; Low Density residential
East (across Hwy 314)	100+	R-40	Single-Family Residential	Low Density Residential
West	100+	R-40	Single-Family Residential	Low Density Residential
South	100+	R-40	Single-Family Residential	Low Density Residential

D. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density Residential uses on the Future Land Use Plan map. This request **DOES** conform to the Fayette County Future Land Use Plan, in that the proposed zoning is a less intense use.

E. DEPARTMENTAL COMMENTS

- ☐ **Water System** – FCWS has no objections to the rezoning.
- ☐ **Public Works**
 - **Road Frontage Right of Way Dedication** – State Route 314 right of way governed by GDOT.
 - **Traffic Data** -- In 2023 GDOT reports State Route 314 had 10,400 vehicles per day north the intersection of Hwy 279.
 - **Sight Distance and access** -- GDOT will issue all driveway permits.
- ☐ **Environmental Management**
 - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0019E dated September 26, 2008. The property **DOES** contain additional floodplain delineated in the Fayette County 2013 Limited Dewberry Flood Study.
 - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** -- There **ARE** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance. The owner should reference the various sections of the document prior to any development within buffered areas.
 - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
 - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface, or as applicable if developed as an A-R Wedding/Event venue.
 - **Dams and Impoundment** -- Dickson Lake Dam located on the property requesting to be rezoned has been assessed by Georgia Department of Natural Resources EPD Safe Dams Program to be a Class 1, high hazard dam. Property owner(s) are required to meet all safe dam requirements by EPD Safe Dams Program.
 - **Landscape and Tree Replacement Plan** -- This development **WILL BE** subject to the landscaping requirements of the conditional use permit if developed as an A-R Wedding/Event Venue.
- ☐ **Environmental Health Department** – This office has no objection to the proposed rezoning. This does not constitute approval of any future use or proposals for these properties.
- ☐ **Fire** – The Fire Marshals Office approves of this rezoning under the condition that the proposed Bed and Breakfast meets the requirements of Fayette Count Ordinances Chapter 12, Article VI stating that such occupancies shall be protected by an automatic fire sprinkler system that provides coverage as per NFPA 13R throughout the entire structure.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the Land Use Plan as A-R is a less intense use than the Low Density Residential defined on the Future Land Use Plan.
2. The area around the subject property is an area that already has various residential uses. It is staff's opinion that the zoning proposal is not likely to have an adverse impact on nearby residential uses.
3. It is staff's opinion that an agricultural-residential use would not generate a greater number of daily vehicle trips than would a single-family residential use situated on this same parcel. Staff does not think this development will have an adverse impact on utilities or schools.
4. The proposal is consistent in character and use with the immediate surrounding uses, as these are medium to large lot residential uses, with a trend toward rural character.

ZONING DISTRICT STANDARDS

Sec. 110-125. A-R, Agricultural-Residential District.

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:

- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter);
- (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
- (4) Plant nurseries and greenhouses (no sales of related garden supplies);
- (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
- (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.

(c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:

- (1) Aircraft landing area;
- (2) Animal hospital, kennel or veterinary clinic;
- (3) A-R bed and breakfast inn;
- (4) A-R wedding/event facility;
- (5) Cemetery;
- (6) Church and/or other place of worship;
- (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
- (8) Commercial driving range and related accessories;
- (9) Child care facility;
- (10) Deer processing facility.
- (11) Developed residential recreational/amenity areas;
- (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
- (13) Golf course (minimum 18-hole regulation) and related accessories;
- (14) Home occupation;
- (15) Horse show, rodeo, carnival, and/or community fair;
- (16) Hospital;
- (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
- (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;

- (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
- (21) Religious tent meeting; and
- (22) Shooting range, outdoor.

(d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:

- (1) Lot area: 217,800 square feet (five acres).
- (2) Lot width: 250 feet.
- (3) Floor area: 1,200 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
- (5) Rear yard setback: 75 feet.
- (6) Side yard setback: 50 feet.
- (7) Building height.
 - a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.

(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6, 7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)

Sec. 110-169. - Conditional use approval.

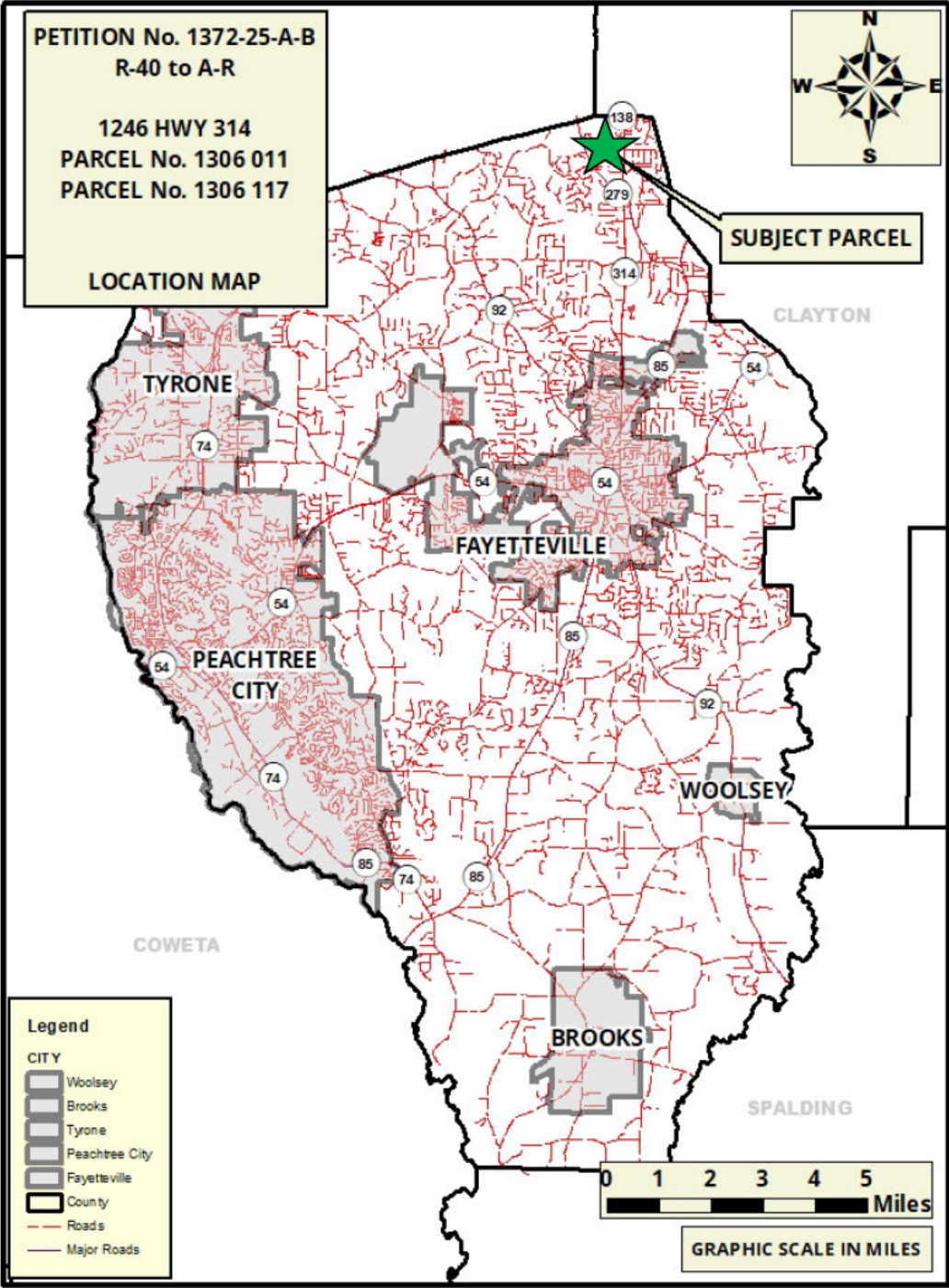
(2) Conditional uses allowed.

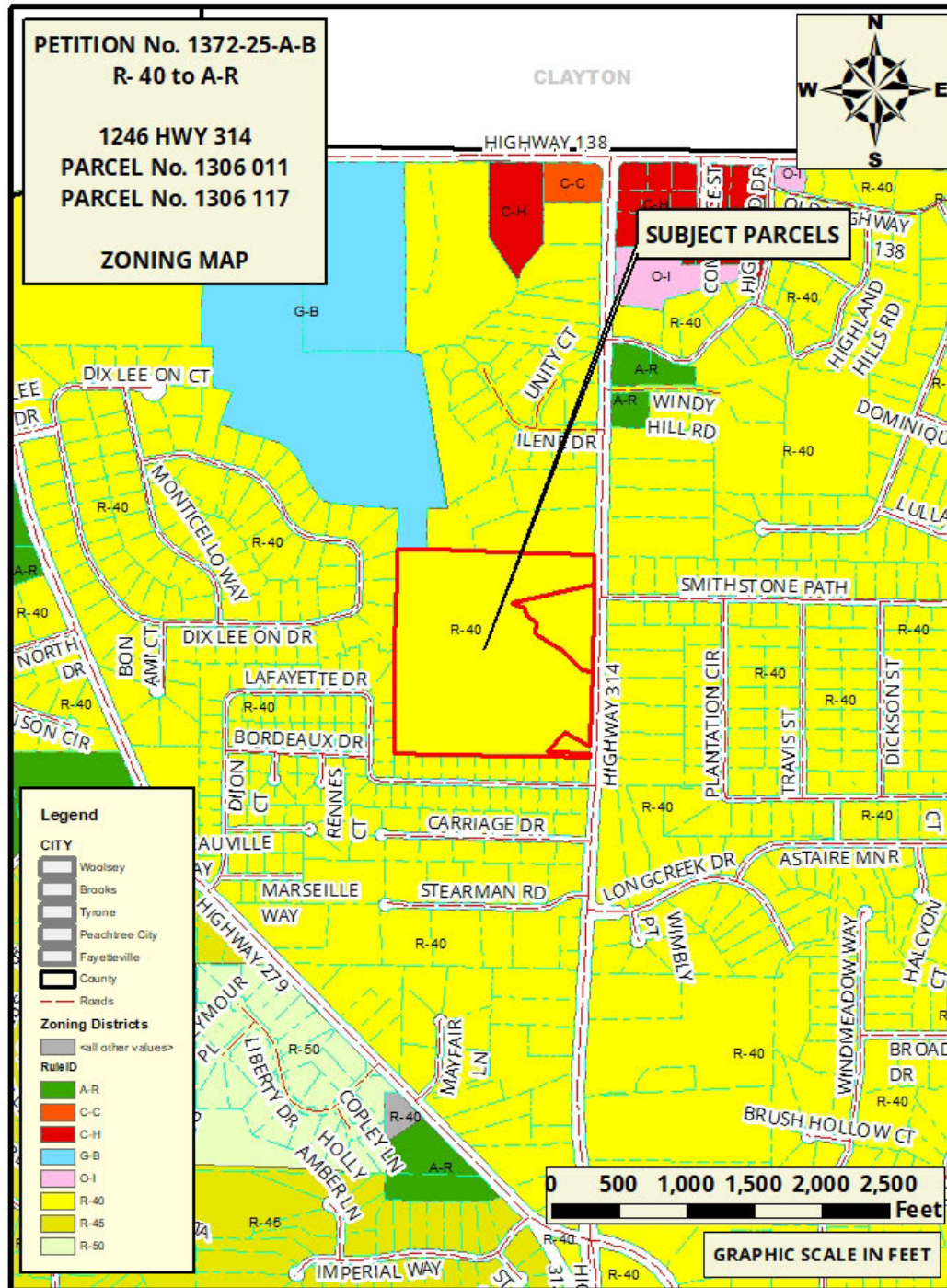
g. *A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as

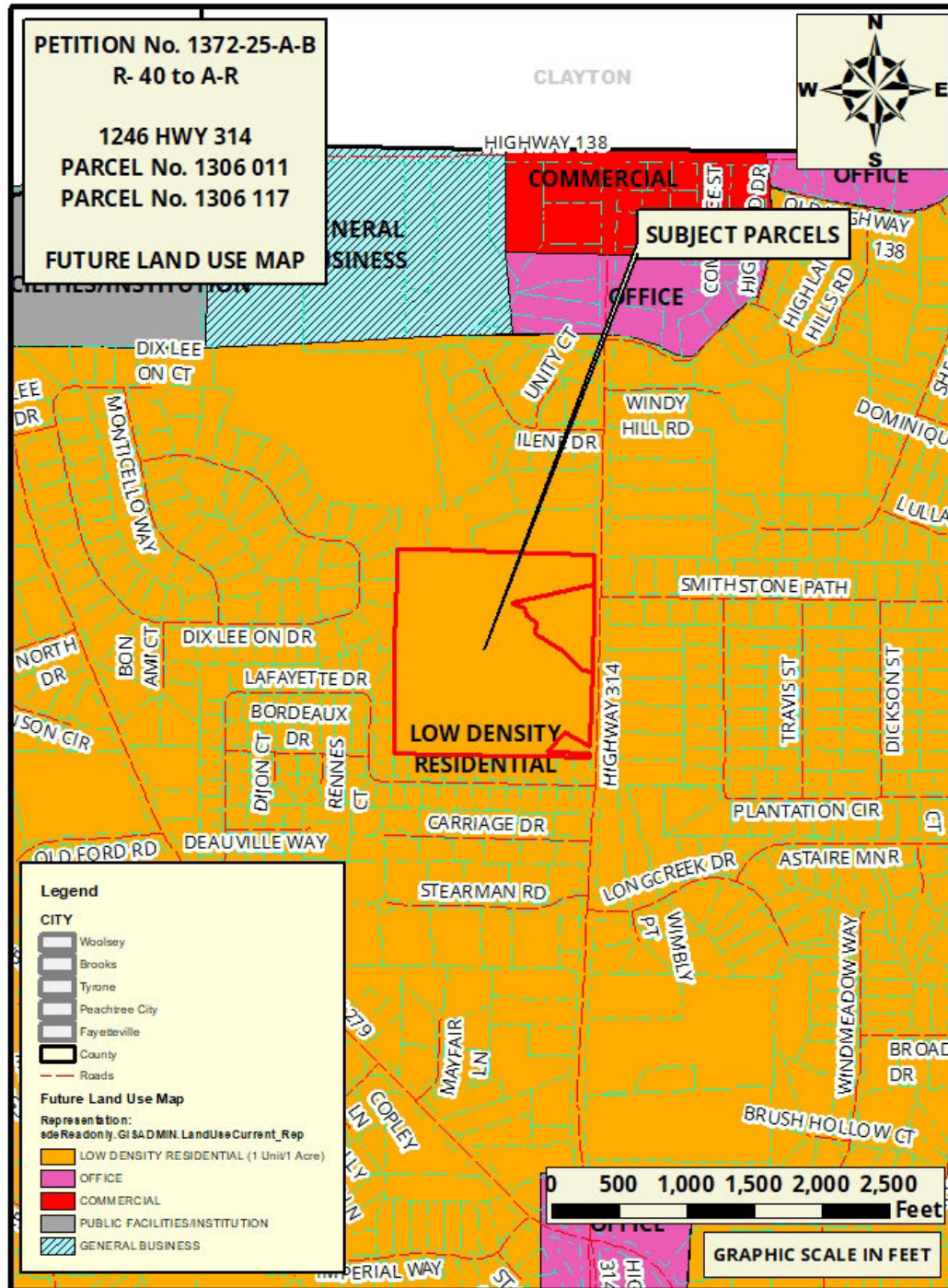
regulated in this article and this section and the most restrictive conditions shall apply. A business office and/or structures utilized for event preparation and sanitation shall be allowed in conjunction with the A-R wedding and event facility. Allowed in the A-R zoning district.

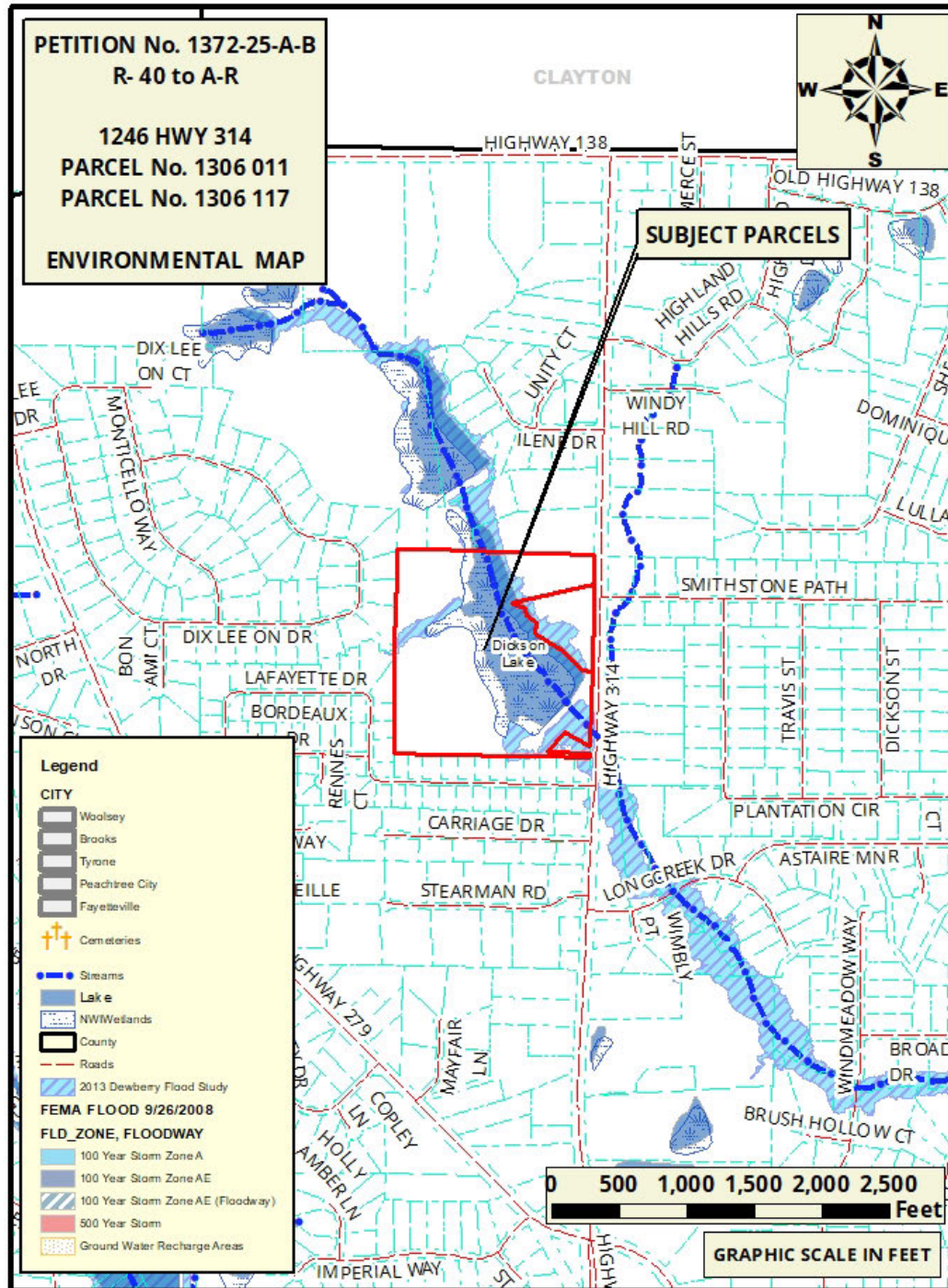
1. Minimum lot size: fifteen acres.
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. A prepared surface is not required for the parking areas. However, any parking area with a prepared surface shall comply with article VIII. Off-street parking and service requirements of the development regulations and must be depicted on a sketch, drawn to scale on a survey of the lot. Grassed and gravel parking areas shall be exempt from nonresidential development landscape requirements of the county development regulations. The following is required for gravel parking areas:
 - (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
 - (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
 - (iii) One canopy tree, six feet high at planting, is required per landscape island.
 Paved parking areas shall meet Article V, pertaining to "Non-residential development landscape requirements," of the county development regulations.
6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.
7. All structures utilized in association with weddings and events shall meet all applicable building and fire codes.
8. Sanitation facilities shall be approved by the environmental health department.
9. Food service shall meet all state and local requirements.
10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility with exception of an A-R Bed and Breakfast Inn that is compliant with [section 110-169](#) and Article VI, pertaining to "Tourist Accommodations," of [Chapter 8](#) of the County Code.
11. Tents shall require county fire marshal approval, as applicable.

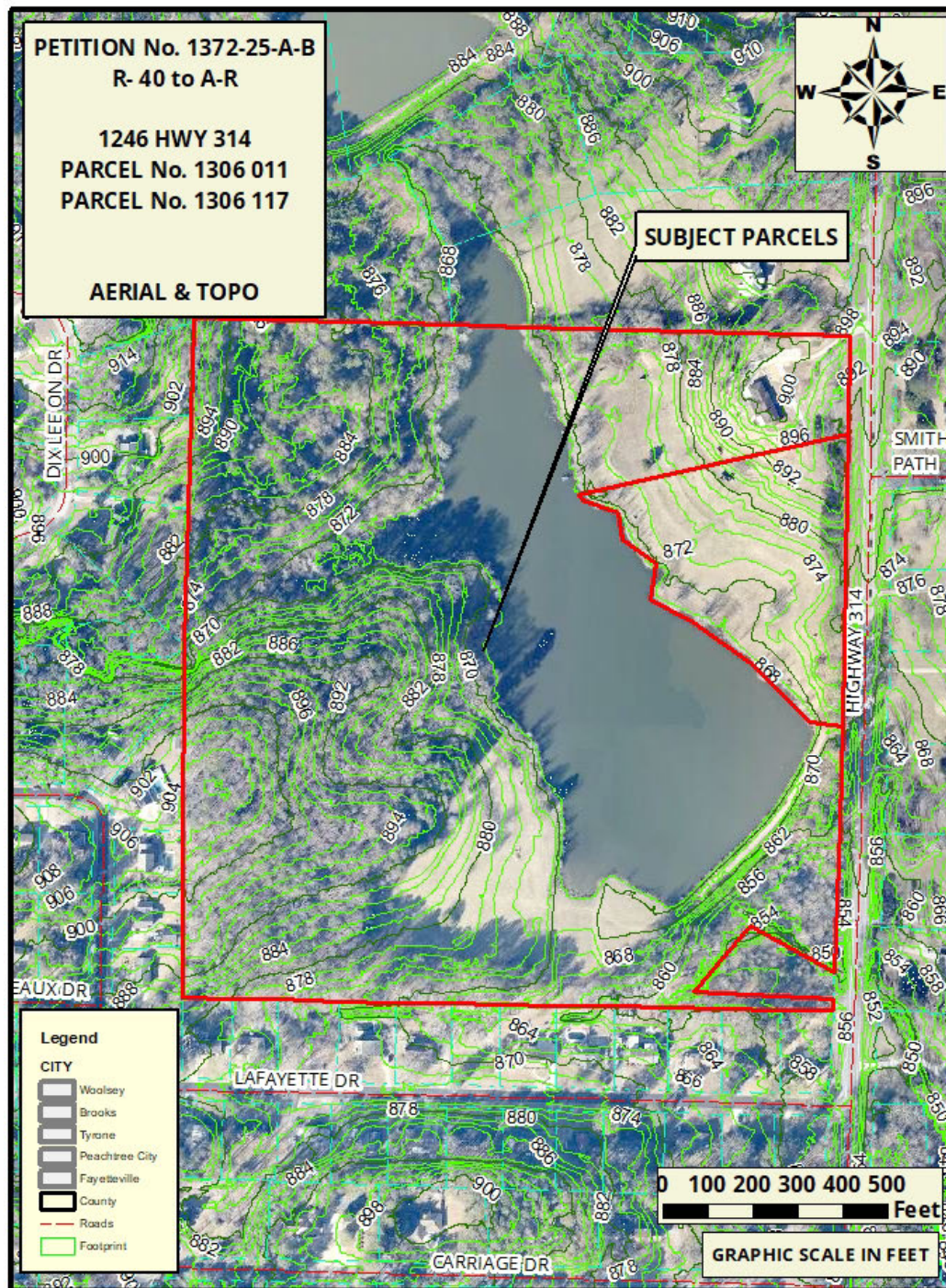
12. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone ([Sec. 110-173](#)) with the exception of the architectural standards.











NOTE: Tract III is NOT part of this petition.

BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
December 04, 2025
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items number 7 and 8 (Petitions No. 1372-25-A and B) to number 1 and 2. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. *Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.*

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. ***John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.***
3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. ***Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.***
4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road. ***Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0***
5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.***
6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.***
7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road. ***John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.***
8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138. ***Danny England made the motion to recommend APPROVAL of***

Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.***

10. Consideration of the Fayette County Planning Commission 2026 Calendar. ***John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.***

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny England asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

1372-25-A-B

PETITION No (s): ~~1368-25-A-B~~

STAFF USE ONLY

SAGES REFERENCE No.: _____

APPLICANT INFORMATION

Name Xavier Hill
 Address 1246 Hwy 314
 City Fayetteville
 State GA Zip 30214
 Email Xavier.hill@gmail.com
 Phone 678 637 9790

PROPERTY OWNER INFORMATION

Name 1246 Hwy 314 Fayette Co, LLC
 Address 1246 Hwy 314
 City Fayetteville
 State GA Zip 30214
 Email Xavier.hill@gmail.com
 Phone 678 637 9790

AGENT(S) (if applicable)

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: Maria Binns Date: 09/08/2025DATE OF PLANNING COMMISSION HEARING: November 6th, 2025DATE OF COUNTY COMMISSIONERS HEARING: December 11, 2025

Received from Xavier Hill a check in the amount of \$ 700.00 for
 application filing fee, and \$ 40.00 for deposit on frame for public hearing sign(s).

Date Paid: 09/08/25 Receipt Number: MISCp2-09-2025-09024

1372-25-A

PETITION No.: ~~1368-25-A-B~~ Fees Due: \$450.00 Sign Deposit Due: \$20.00
STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 1306-011 Acreage: 45.3
Land District(s): 13 Land Lot(s): 219
Road Name/Frontage L.F.: Hwy 314 Road Classification: arterial
Existing Use: Single family residence Proposed Use: A-R
Structure(s): SPD Type: Size in SF: ~3,400 1941
Existing Zoning: R40 Proposed Zoning: A-R
Existing Land Use: vacant land Proposed Land Use:
Water Availability: YES Distance to Water Line: Distance to Hydrant:

PETITION No.: ~~1368-25-B~~ Fees Due: \$250.00 Sign Deposit Due: \$20.00
1372-25-B STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 1306-117 Acreage: 4.7
Land District(s): 13 Land Lot(s): 219
Road Name/Frontage L.F.: HWY 314/1231.51 Road Classification: ARTERIAL
Existing Use: VACANT/RES. Proposed Use:
Structure(s): NONE Type: Size in SF:
Existing Zoning: R40 Proposed Zoning: A-R
Existing Land Use: Proposed Land Use:
Water Availability: YES Distance to Water Line: Distance to Hydrant:

PETITION No.: Fees Due: Sign Deposit Due:
STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): Acreage:
Land District(s): Land Lot(s):
Road Name/Frontage L.F.: Road Classification:
Existing Use: Proposed Use:
Structure(s): Type: Size in SF:
Existing Zoning: Proposed Zoning:
Existing Land Use: Proposed Land Use:
Water Availability: Distance to Water Line: Distance to Hydrant:

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:

1246 Hwy 314 Fayetteville Co LLC

(Please Print)

Property Tax Identification Number(s) of Subject Property: 1246 Hwy 314 Fayetteville, GA

(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) 219 of the 13 District, and (if applicable to more than one land district) Land Lot(s) 289 of the 13 District, and said property consists of a total of 50 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Xavier Hill 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.

(II) Xavier Hill
 Signature of Property Owner 1
1246 Hwy 314 Fayetteville, GA
 Address

Maria T. B.
 Signature of Notary Public
09/08/2025
 Date



Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

1372-25-A-B

PETITION No.: 1368-25-A-B

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: 1246 Hwy 314 Fayette Co, LLCADDRESS: 1246 Hwy 314 Fayetteville, GA 30214

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

1246 Hwy 314 Fayette Co, LLC / Xavier Hill 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 November 6, 2025 at 7:00 P.M.PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 2025 at 2:00 PM P.M.SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF September, 2025
Xavier Hill

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC Maria T. Binns
May 05, 2026

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, 1246 Hwy 314 Fayette Co, LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, feet of right-of-way along _____ as measured from the centerline of the road.

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

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

Sworn to and subscribed before me this 8 day of September, 2025.

Xinxi Lian

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Maria T. Binns
NOTARY PUBLIC May 05, 2026



DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- ☐ 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 5th day of Sept, 20 25.

James L. L...

APPLICANT'S SIGNATURE

Developments of Regional Impact - Tiers and Development Thresholds

Type of Development	Metropolitan Regions	Non-metropolitan Regions
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300 000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500 000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt &, Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels
(16) Water Supply, Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or spaces.	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces	1000 parking spaces

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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.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- ☒ Application form and all required attachments completed, signed, and notarized, as applicable.
- ☒ Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☒ Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- ☒ Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- ☒ Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
 - _____ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - _____ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - _____ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - _____ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - _____ e. Minimum zoning setbacks and buffers, as applicable.
 - _____ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - _____ g. Location and dimensions of exits/entrances to the subject property.
 - _____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - _____ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☐ A letter of intent for a non-residential rezoning request, including the proposed use(s).

HEARING SCHEDULE FOR 2025 REZONING APPLICATIONS

(Dates are subject to change with notice. If a hearing falls on a holiday, a different hearing date will be scheduled.)

Deadline for application is the tenth (10th) of the 2nd month before the meeting, by noon (12:00 PM). If the tenth day of the month is on a weekend or holiday, the application filing deadline is extended to the next business day. Rezoning applications require a total of two (2) public hearings: one by the Planning Commission (first Thursday of the month) and another public hearing by the Board of Commissioners (fourth Thursday of the month). The Meeting Schedule reflects adjustments for holidays.

Both public hearings are held at the Fayette County Administrative Complex at Stonewall (located at the southwest corner of SR 54 and SR 85 in downtown Fayetteville) on the first floor in the Public Meeting Room (near the fountain). Planning Commission hearings begin at 7:00 p.m., and Board of Commissioners hearings begin at 5:00 p.m., unless otherwise noted.

APPLICATION FILING DEADLINE – 12:00 PM	PLANNING COMMISSION HEARING DATE – 7:00 PM	BOARD OF COMMISSIONERS HEARING DATE – 5:00 PM*
November 12, 2024	January 16, 2025*	February 27, 2025*
December 10, 2024	February 6, 2025	February 27, 2025
January 10, 2025	March 6, 2025	March 27, 2025
February 10, 2025	April 3, 2025	April 22, 2025++
March 10, 2025	May 1, 2025	May 22, 2025
April 10, 2025	June 5, 2025	June 26, 2025
May 12, 2025	July 17, 2025*	August 28, 2025
June 10, 2025	August 7, 2025	August 28, 2025
July 10, 2025	September 4, 2025	September 25, 2025
August 11, 2025	October 2, 2025	October 23, 2025
September 10, 2025	November 6, 2025	December 11, 2025, 2:00 PM*
October 10, 2025	December 4, 2025	January 22, 2026*
November 10, 2025	January 2, 2026	January 22, 2026
December 10, 2025	February 5, 2026	February 26, 2026

++ BOC meeting is on Tuesday, April 22 due to the ACCG Conference.

*Holiday Schedule

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:

1246 Hwy 314 Fayetteville Co LLC

(Please Print)

Property Tax Identification Number(s) of Subject Property: 1246 Hwy 314 Fayetteville, GA

(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) 219 of the 13 District, and (if applicable to more than one land district) Land Lot(s) 289 of the 13 District, and said property consists of a total of 50 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Xavier Hill 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.

(II)

Xavier Hill
Signature of Property Owner 1

1246 Hwy 314 Fayetteville, GA
Address

Signature of Property Owner 2

Address

Paul M. Byrd
Signature of Property Owner 3

Paul M. Byrd
Address

Paul M. Byrd
Signature of Authorized Agent

P.O. Box 64
Address

2800 W. GA
30295

Maria T. Binns
Signature of Notary Public

09/08/2025
Date

Date

Signature of Notary Public

Date

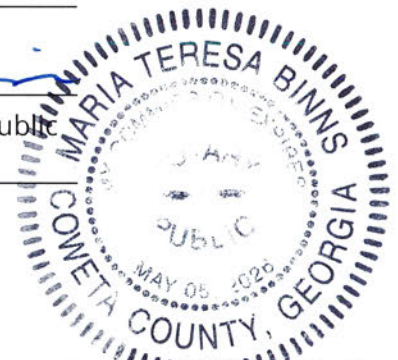
Signature of Notary Public

Date

Maria T. Binns
Signature of Notary Public

11/24/2025
Date

Date



STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

1246 HIGHWAY 314 FAYETTE CO LLC

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **09/15/2023** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **09/25/2023**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed

Secretary of State

Filing Date: 9/15/2023 5:45:20 PM

BUSINESS INFORMATION

CONTROL NUMBER	23202425
BUSINESS NAME	1246 HIGHWAY 314 FAYETTE CO LLC
BUSINESS TYPE	Domestic Limited Liability Company
EFFECTIVE DATE	09/15/2023

PRINCIPAL OFFICE ADDRESS

ADDRESS	4584 MORELAND AVE, CONLEY, GA, 30288, USA
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REGISTERED AGENT

NAME	ADDRESS	COUNTY
XAVIER HILL	4584 MORELAND AVE, CONLEY, GA, 30288, USA	Clayton

ORGANIZER(S)

NAME	TITLE	ADDRESS
XAVIER HILL	ORGANIZER	4584 MORELAND AVE, CONLEY, GA, 30288, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	XAVIER HILL
AUTHORIZER TITLE	Member

Return to:

John R. Grimes, Esq
Lefkoff, Duncan, Grimes, McSwain, Hass & Hanley, P.C.
3715 Northside Parkway NW Bldg 300, Ste 600
Atlanta, GA 30327

Tax Parcel Nos 1306 011 and 1306 117

WARRANTY DEED

THIS INDENTURE, made this 1st day of November, 2023 between **WILLIAM F. JOHNSTON, III** ("Grantor"), and **1246 HIGHWAY 314 FAYETTE CO, LLC** ("Grantee") (the terms Grantor and Grantee to include their respective heirs, successors and assigns where the context hereof requires or permits).

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, in hand paid at the delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, the following described real property, to-wit:

ALL THAT TRACT OR PARCEL OF LAND laying and being in Land Lot 219 of Fayette Co, GA being the tax parcels noted above and being known as 1246 Highway 314, Fayetteville, Fayette Co, GA according to the present system of number properties in said count and being more particularly and fully described in **Exhibit "A"** attached hereto and incorporated herein by reference.

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 Grantee, in FEE SIMPLE.


AND, SUBJECT TO the title matters expressly set forth in **Exhibit "B"** attached hereto, Grantor will warrant and forever defend the right and title to the above-described property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered
in the presence of:


Unofficial Witness


WILLIAM F. JOHNSTON, III (SEAL)


Notary Public

(NOTARY SEAL)

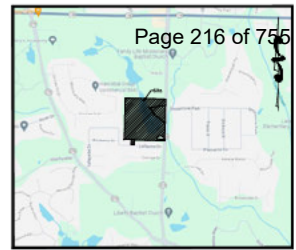


EXHIBIT "A"

All that tract or parcel of land containing fifty (50) acres, more or less, in the northeast corner of Land Lot 219, and bounded as follows: On the North by lands of J. B. Travis; on the East by a public road leading from near Friendship Church to Riverdale; on the South by lands of S. B. Lewis; and on the West by lands of S. B. Lewis and the Eliza Scott place; being the same property described in the Executor's Deed from Trust Company Bank, as Executor under the Will of William Chester Dickson, to Louise Dickson (also known as Louise Edna Dickson), recorded at Deed Book 144, Page 210, Fayette County, Georgia, Records; and being the same property described in the Warranty Deed from: Louise Dickson (a/k/a Louise Edna Dickson) to Trust Company Bank, Trustee under agreement dated April 24, 1972 as amended, recorded at Deed, Book 152, Page 177, Fayette County, Georgia;

LESS AND EXCEPT:

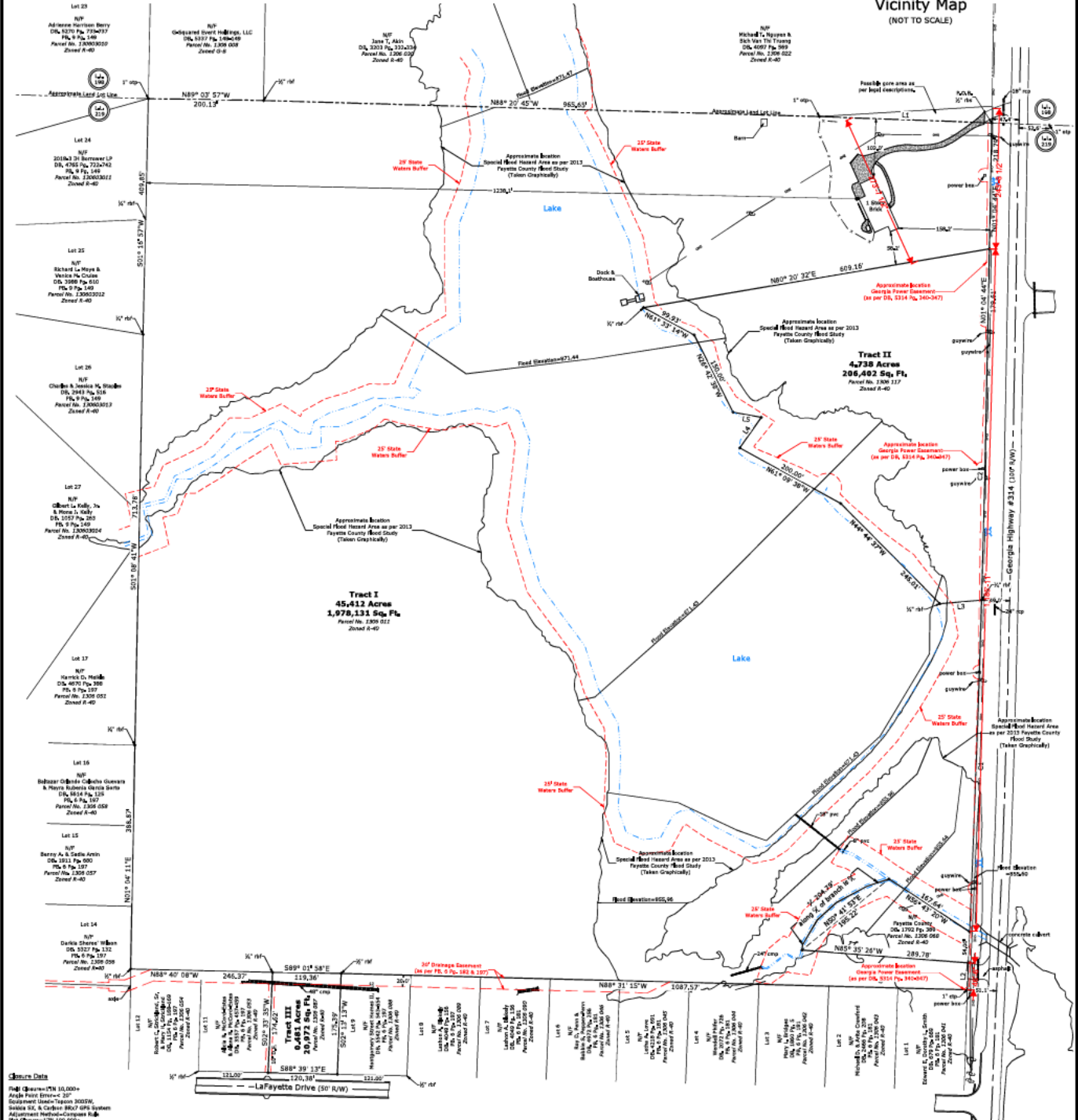
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 219 of the 13th District of Fayette County, Georgia and being more particularly described as follows:
 BEGINNING at an Iron pin on the West right-of-way of Georgia State Highway No. 314 (said highway having a right-of-way 100 feet in width) 1,406 feet South, as measured along the West right-of-way line of said highway from the intersection formed by the West right-of-way line of said highway with the North line of Land Lot 219; running thence South, along the West right-of-way line of said highway, 54 feet to an Iron pin; running thence in a westerly direction 306 feet to an Iron pin located in a branch as shown on the hereinafter described plat of survey; running thence in a northeasterly direction, along said branch, 204.3 feet to an iron pin located in another branch which runs in a northwesterly-southeasterly direction; running thence in a southeasterly direction, along the latter mentioned branch 182 feet to the West right-of-way line of Georgia State Highway No. 314 at the POINT OF BEGINNING, all as shown on a plat of survey dated April 11, 1970 as prepared by Lee Engineering Company.



Vicinity Map
(NOT TO SCALE)

Curve Table			
Curve #	Length	Radius	Bearing
C2	430.81'	42330.60'	N01° 22' 00" E
C1	576.84'	42330.60'	N02° 02' 55" E

Line Table		
Line #	Direction	Length
L1	S87° 53' 18" E	299.68'
L2	N02° 24' 28" E	46.44'
L3	S85° 07' 08" W	72.52'
L4	N35° 15' 22" E	65.00'
L5	N79° 32' 38" W	50.00'



Legend

OTF=OPEN TOP PIPE
RIP=REINFORCED IRON PIPE
RIB=REINFORCED IRON BOLLARD
RWB=REINFORCED IRON WALL
RWD=REINFORCED IRON DRAINAGE
RWS=REINFORCED IRON SLOPE
RWT=REINFORCED IRON TIE
RWW=REINFORCED IRON WEDGE
RWS=REINFORCED IRON SLOPE
RWT=REINFORCED IRON TIE
RWW=REINFORCED IRON WEDGE

Minimum Dimensional Zoning

Minimum lot width at front setback = 150' (Arterial) = 150' (Collector) = 125' (Minor)

Minimum lot area of lot = 1,200 Sq. Ft.

Minimum lot area of lot = 1,200 Sq. Ft.

Minimum lot area of lot = 1,200 Sq. Ft.

Notes

1. In my opinion, a portion of this property appears to be within a Special Flood Hazard Area, according to the National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Fayette County, Georgia, dated September 28, 2009, Map # 13112000375.

2. This survey does not constitute a title search by the surveyor. The property is subject to all information regarding easements, encroachments, covenants, zoning ordinances, environmental restrictions, buffers, right-of-ways, and other documents that might affect the tract shown or not shown, recorded or not recorded.

3. For Current Surveying, LLC has made no investigation as to the existence or non-existence of underground utility and/or structures. Before any land disturbance activity begins, underground utility should be identified and located. For Current Surveying, LLC assumes no liability for loss or damage caused by the discovery of or disturbance of underground utility and/or structures.

4. Declaration is made to original purchaser of the survey. Any use by third parties is at their own risk. Survey is valid only if printed with original seal and original signature of surveyor.

5. There was nothing on adjacent property located because permission was not given or obtained. Georgia DOES NOT have a Right of Entry Law for Surveyors.

Surveyor's Certificate

As required by subsection (6) of O.C.G.A. Section 15-6-67, this plat has been prepared by a professional engineer and approved by all applicable jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or otherwise. Each approval or certification should be confirmed with the appropriate governing authority by the purchaser or user of this plat as to its intended use of any part. Furthermore, the undersigned professional engineer 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.

By: *[Signature]*
Date: 11/11/2023
Surveyor: David L. Giddens, License #14, 3066

Georgia Board of Registration for Professional Engineers and Land Surveyors

Seal of the Georgia Board of Registration for Professional Engineers and Land Surveyors, License #14, 3066.

**PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA**

PUBLIC HEARING to be held before the Fayette County Board of Commissioners on Thursday, January 22, 2026, at 5:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1372-25-A-B

Parcel No: 1306 011 & 1306 117

Owner: 1246 Highway 314 Fayette Co, LLC

Agent(s): Xavier Hill

Zoning District: R-40

Area of Property: 50.15 +/- acres

Land Lot(s)/District: Land Lot 219 of the 13th District

Fronts on: Highway 314

Proposed: Applicant proposes the following:

A) Parcel No. 1306 011; to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential).

B) Parcel No. 1306 117; to rezone 4.738 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential).

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

Legal Description

EXHIBIT "A"

All that tract or parcel of land containing fifty (50) acres, more or less, in the northeast corner of Land Lot 219, and bounded as follows: On the North by lands of J. B. Travis; on the East by a public road leading from near Friendship Church to Riverdale; on the South by lands of S. B. Lewis; and on the West by lands of S. B. Lewis and the Eliza Scott place; being the

same property described in the Executor's Deed from Trust Company Bank, as Executor under the Will of William Chester Dickson, to Louise Dickson (also known as Louise Edna Dickson), recorded at Deed Book 144, Page 210, Fayette County, Georgia, Records; and being the same property described in the warranty Deed from: Louise Dickson (a/k/a Louise Edna Dickson) to Trust Company Bank, Trustee under agreement dated April 24, 1972 as amended, recorded at Deed, Book 152, Page 177, Fayette County, Georgia.,

LESS AND EXCEPT.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 219 of the 13th District of Fayette County, Georgia and being more particularly described as follows: BEGINNING at an Iron pin on the West right-of-way of Georgia State Highway No. 314 (said highway having a right-of-way 100 feet in width) 1,406 feet South, as measured along the West right-of-way line of said highway from the Intersection formed by the West right-of-way line of said highway with the North line of Land Lot 219; running thence South, along the West right-of-way line of said highway, 54 feet to an Iron pin; running thence in a westerly direction 306 feet to an Iron pin located in a branch as shown on the hereinafter described plat of survey; running thence in a northeasterly direction, along said branch, 204.3 feet to an Iron pin located in another branch which runs in a northerly-southeasterly direction; running thence in a southeasterly direction, along the latter mentioned branch 182 feet to the West right-of-way line of Georgia State Highway No. 314 at the POINT OF BEGINNING, all as shown on a plat of survey dated April 11, 1970 as prepared by Lee Engineering Company.

From: [Woodrow E. McNair](#)
To: [Planning & Zoning](#)
Subject: Fw: Objection to Rezoning Hwy 314 -- Petitions 1364-25-A and 1364-25-B
Date: Thursday, December 4, 2025 4:05:00 PM

***External Email* Be cautious of sender, content, and links**

Dear Zoning Board Members:

I am a resident of Lafayette Estates, which adjoins the property being considered for rezoning. This is a follow-up to my previous opposition to the rezoning request, as well as those of my neighbors.

The initial email, below this and sent August 7th, explains our concerns. The first four are summarized, and numbers five and six are added with more explanation.

1. Event Center and "Glamping" planned – Noise, traffic, and crime.
2. No communication with neighbors about intent, and disregard for planning regulations and neighbors by initially cutting illegal access for a connecting street.
3. Property zoning was carefully planned for a subdivision, and the tracts were recently purchased with that knowledge and should not be altered.
4. The LLC that owns the property, according to the Georgia Secretary of State's filing, is only authorized to develop a subdivision.
5. Another event center is not needed in the area. A search for event centers within a fifteen to twenty minute drive reveals that there are at least twenty of them. There are sufficient numbers to serve the area's needs. A concern would be that an added event center would compromise noise and traffic restrictions for competitive reasons by allowing loud music and groups.
6. We do not know the partners, shareholders, or silent investors of the LLC, and have concerns about those who are rumored to be in that group. We need to know who they are so to ascertain if they have the reputations to adhere to the legal use of that property. For instance, it is rumored (pending verification) that former Clayton County Sheriff Victor Hill is connected. He has been convicted of federal offenses and has been involved in multiple controversies. He is prohibited from working in law enforcement ever again. Another name mentioned is that of William Roberts II, aka rapper Rick Ross, or one of his companies. He was forced to conform to strict regulations for his annual event, which creates noise and traffic problems. The planned use of the 314 properties being considered would be weekly, and that would be unacceptable. It's important to know all the names of those involved and their reputations for obeying the law and respecting the rights and concerns of neighbors. Doubts about their histories and reputations should be

reason to reject the rezoning.

As previously stated, the best use of the land and best use for the area is to keep it low-density residential. Problems with the planned use would create disturbances and reduce the values of existing homes.

Thank you for rejecting the rezoning of the GA 314 properties.

Sincerely,

Woodrow E. McNair
167 Lafayette Drive
Fayetteville, GA 30214-5322

From: Woodrow E. McNair <[REDACTED]>
Sent: Thursday, August 7, 2025 4:43 PM
To: zoning@fayettecountyga.gov <zoning@fayettecountyga.gov>
Subject: Objection to Rezoning Hwy 314 -- Petitions 1364-25-A and 1364-25-B

Dear Zoning Board Members,

I cannot attend tonight's meeting because of work but wanted to express my objection to the requested rezoning of the property along GA 314 and referenced in the subject.

I am a long-time Fayette resident living on Lafayette Drive, which borders the property being considered.

My objections are summarized as follows:

1. The disclosed use of the property for commercial purposes, specifically an event center and "glamping" facility opens up possibilities for many undisclosed disruptive purposes to the enjoyment of our neighborhood. We already accept the annual noise and traffic problems from a major annual event up on GA 279. The repurposed use of the Hwy 314 land would add to that and could be every week. We also have had previous problems with bands and DJs at a house bordering our neighborhood. Besides the traffic, parking in our neighborhood, and noise, there was a murder at one of those events. We do not want more of that.
2. There has been no communication between the petitioner and neighbors. This was also the case when he previously bulldozed, without a permit, an entry way into our neighborhood, despite our street unable to handle all the construction and added housing traffic. For the current project, the owner placed two unreadable from the highway signs about the rezoning. Without more specifics, we can only worry about what might start that violates the peace of the area and local law.
3. I understand that the land needs to be utilized for some

purpose, but that is what the Comprehensive Plan long-term plan has already addressed – designating that land for low density residential. The petitioner knew the zoning when he purchased the land, yet has failed to honor the plan and has not respected the needs and wishes of his neighbors. His proposal is not a better use, but is a worse use.

4. The petitioner's purpose of existence when created and filed with the Secretary of State was to build a subdivision. This project is not consistent with what the business is authorized to do.

In summary, the best use of the land and for the area is to keep it low-density residential. The noise, traffic, and potential disturbances to the peace for our area would reduce the value of existing properties and would be a nuisance.

Thank you for consideration these objections and voting against rezoning of the GA 314 property.

Woodrow E. McNair
167 Lafayette Drive
Fayetteville, GA 30214-5322

Fayette County Board of Commissioners
140 Stonewall Avenue West
Fayetteville, GA 30214

Subject: Urgent Request to Deny Rezoning Request from R-40 to A-R

Dear Mr. Charles Oddo,

As a resident of Fayette County and a deeply invested member of this community, I am writing to respectfully but strongly urge you to **deny the proposed zoning change from R-40 (Single-Family Residential) to A-R (Agricultural-Residential)** for the property located at **1246 Highway 314, Fayetteville, GA 30214**

This proposed rezoning threatens to disrupt the very fabric of our neighborhood, and I implore you to consider the following concerns:

1. Incompatibility with Established Community Character

The current R-40 zoning reflects the careful planning and vision that have made this area a peaceful, family-centered residential community. Allowing a shift to A-R undermines the uniformity and stability residents rely on—and may open the door for uses wholly inconsistent with the character of our neighborhood.

2. Threat to Property Values and Residential Integrity

Rezoning to A-R allows for broader, less-restrictive land uses that may include non-residential activities such as events or agricultural operations. These uses are not only out of place in our quiet residential environment but have the real potential to reduce the value of surrounding homes. Many of us have invested our life savings into our homes with the expectation that zoning laws would protect our neighborhood from incompatible development.

3. Increased Traffic, Safety Risks, and Infrastructure Burden

Non-residential or agricultural uses typically involve heavier traffic—including service vehicles, delivery trucks, and unfamiliar drivers—on roads not designed to accommodate them. This poses serious safety concerns for children, pedestrians, and drivers. Already narrow or busy roads could become even more hazardous, and residents may find it increasingly difficult to safely access their own homes. There is also a real and growing concern over strangers using residential driveways or lawns to turn around—something that has already been happening in anticipation of potential development.

4. Quality of Life and Environmental Impact

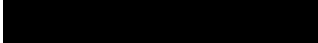
The peace and tranquility of this neighborhood are among its greatest assets. Introducing uses permitted under A-R zoning could bring increased noise, light pollution, and activity levels incompatible with the quiet enjoyment of our homes. For families who moved here seeking a calm and stable environment, this rezoning could irreversibly diminish their quality of life.

We do not oppose thoughtful growth—but we do ask that growth be managed in a way that respects the existing character and expectations of current residents. This proposed rezoning is not in keeping with those values.

On behalf of myself and many neighbors who share these concerns, I respectfully urge you to protect the integrity of our community by **denying the request to rezone from R-40 to A-R**.

Thank you for your time, consideration, and commitment to preserving what makes Fayette County a truly special place to live.

Sincerely,

Rick and Gail Raby
1223 Highway 314
Fayetteville, GA 30217


COUNTY AGENDA REQUEST

Page 223 of 755

Department:

Presenter(s):

Meeting Date:

Type of Request: #11

Wording for the Agenda:

Consideration of Petition No. 1373-25, Parcel 0504 049; Kyle D. Wieshaar and Laura S. Weishaar, owners, request to rezone 7.745 acres from A-R (Agricultural-Residential) to R-78 (Single-Family Residential); property located in Land Lot(s) 26 of the 5th District and fronts on Harp Road.

Background/History/Details:

The lot is a legal nonconforming lot & meets or exceeds all requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre min. parcel size. The request to rezone to R-78 is consistent w/the Future Land Use Map & Comp. Plan. At 4161 SF, the existing house DOES meet/exceed dimensional requirements for R-78 for min. floor area & setbacks. Staff recommends CONDITIONAL APPROVAL of the request to rezone from A-R to R-78, subject to the following condition:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way within 90 days of the approval of rezoning, or prior to the submittal of permit applications, whichever comes first.

On Dec. 4, 2025, Planning Commission voted to recommend CONDITIONAL APPROVAL of the request to rezone from A-R to R-78. Danny England made a motion to recommend conditional approval of 1373-25. John Culbreth seconded the motion. Motion carried 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of Petition No. 1373-25, Parcel 0504 049; Kyle D. Wieshaar and Laura S. Weishaar, owners, request to rezone 7.745 acres from A-R (Agricultural-Residential) to R-78 (Single-Family Residential); property located in Land Lot(s) 26 of the 5th District and fronts on Harp Road.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No. 1373-25

REQUESTED ACTION: Rezone 7.745 acres from A-R to R-78

PARCEL NUMBER: 0504 049

EXISTING ZONING: A-R

PROPOSED ZONING: R-78

EXISTING USE: Single-Family Residential

PROPOSED USE: Single-Family Residential

LOCATION: 211 Harp Road

LOT SIZE: 7.745 Acres

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 26

OWNER(S): Kyle D. Weishaar and Laura S. Weishaar

APPLICANT(S): Kyle D. Weishaar and Laura S. Weishaar

AGENT(S): Mark Wiggins

PLANNING COMMISSION PUBLIC HEARING: *December 4, 2025, Tabled from the Planning Commission Hearing on November 6, 2025.*

BOARD OF COMMISSIONERS PUBLIC HEARING: *January 22, 2026, at 5:00 PM*

REQUEST

The applicant is requesting to rezone the property from A-R to R-78.

STAFF ASSESSMENT & RECOMMENDATION

The lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements.

Staff recommends **CONDITIONAL APPROVAL** of the request to rezone from A-R to R-78, subject to the following condition:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel.

Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first.

PLANNING COMMISSION RECOMMENDATION

On December 4, 2025, the Planning Commission voted unanimously to recommend **CONDITIONAL APPROVAL** of the request to rezone from A-R to R-78, subject to conditions as presented by staff. Danny England made a motion to recommend conditional approval of Petition 1373-25. John Culbreth seconded the motion. The motion carried 5-0.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned A-R, Agricultural-Residential. The property is currently developed with a single-family residence. As determined by staff previously, the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The lot does not meet the minimum lot width for A-R, but it will meet the requirements of the R-78 zoning district so this rezoning will resolve the nonconformity.

The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan.

The existing house on the parcel DOES meet the dimensional requirements for R-78 for building setbacks and minimum floor area.

B. ADJACENT ZONING AND FUTURE LAND USE

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. Many other parcels in the general area are zoned A-R. The Future Land Use Map for this property and all the surrounding properties is Rural Residential-2, 1 Unit/2 Acres. See the attached Zoning Map and Future Land Use Map.

Direction	Acreage	Zoning	Use	Future Land Use Plan
North	25+	A-R	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
East	25+	A-R	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
South	20 100+	A-R R-40	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
West	25+	A-R	Single Family Residential	Rural Residential-2 (1 unit /2 acres)

C. DEPARTMENTAL

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections.
 - **Road Frontage Right of Way Dedication** -- Harp Road is a Minor Arterial, 50 from CL right of way is required per the Fayette County Thorough Fare Plan.
 - **Traffic Data** -- There is no existing traffic data for Harp Road.
 - **Sight Distance and access** -- The speed limit on Harp Road is 40 MPH, requiring 445 ft. of sight distance. If a new driveway permit is required, it must be permitted through EMD.
 - **Floodplain Management** – The property **DOES NOT** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0114E dated September 26, 2008.
 - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. The owner or developer will be responsible for submitting proper documentation during the development process as to the existence or non-existence of wetlands.
 - **Watershed Protection** -- There **ARE NOT** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance.
 - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
 - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface.
- ☐ **Fire** – No comments.
- ☐ **Environmental Health** - This office has no objection to the proposed rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for Rural Residential-2 Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.

3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as rural residential.

ZONING DISTRICT STANDARDS

Sec. 110-130. - R-78, Single-Family Residential District.

(a) *Description of district.* This district is composed of certain lands and structures, having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

(b) *Permitted uses.* The following uses shall be permitted in the R-78 zoning district:

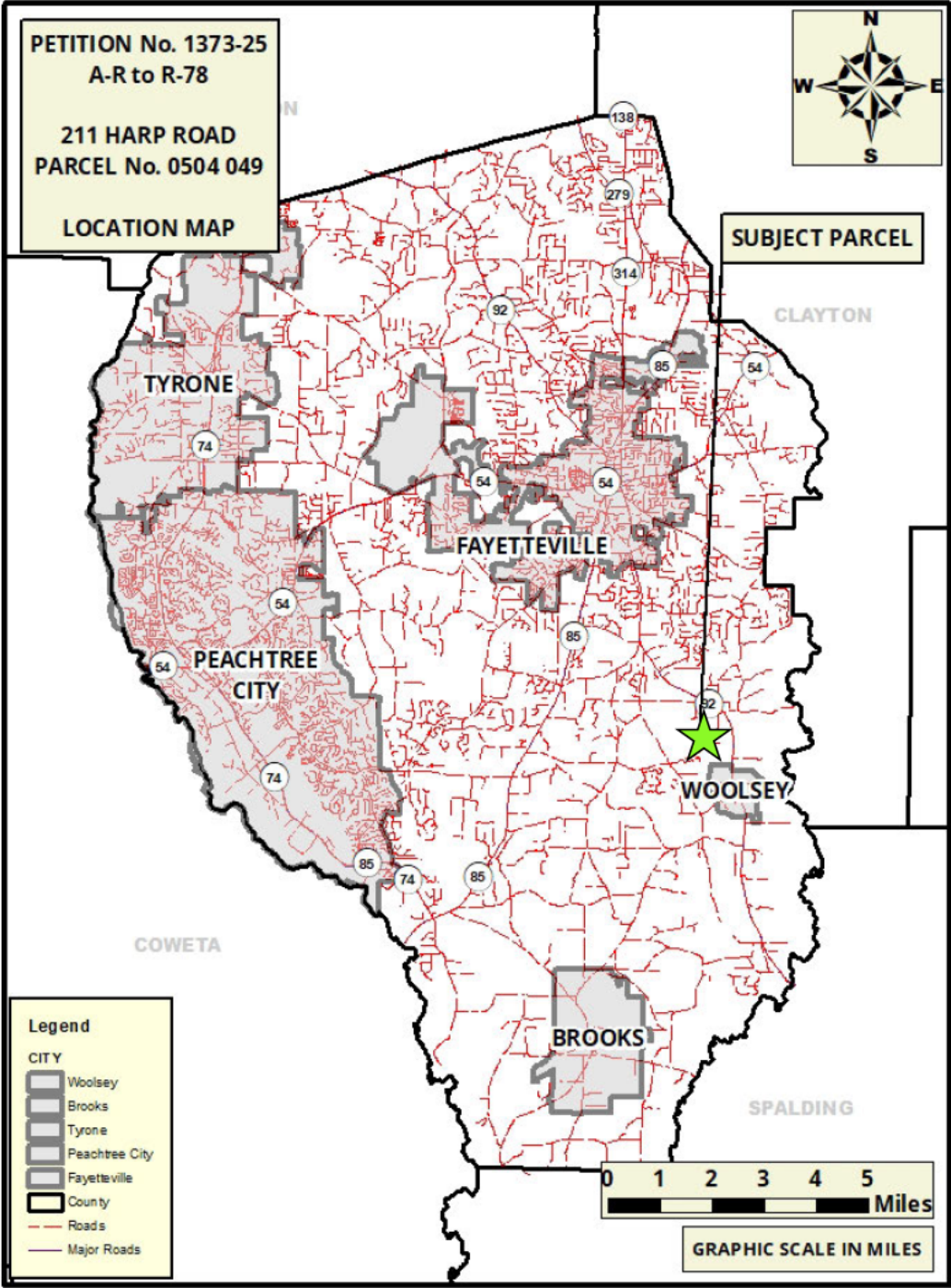
- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter); and
- (3) Growing crops, gardens.

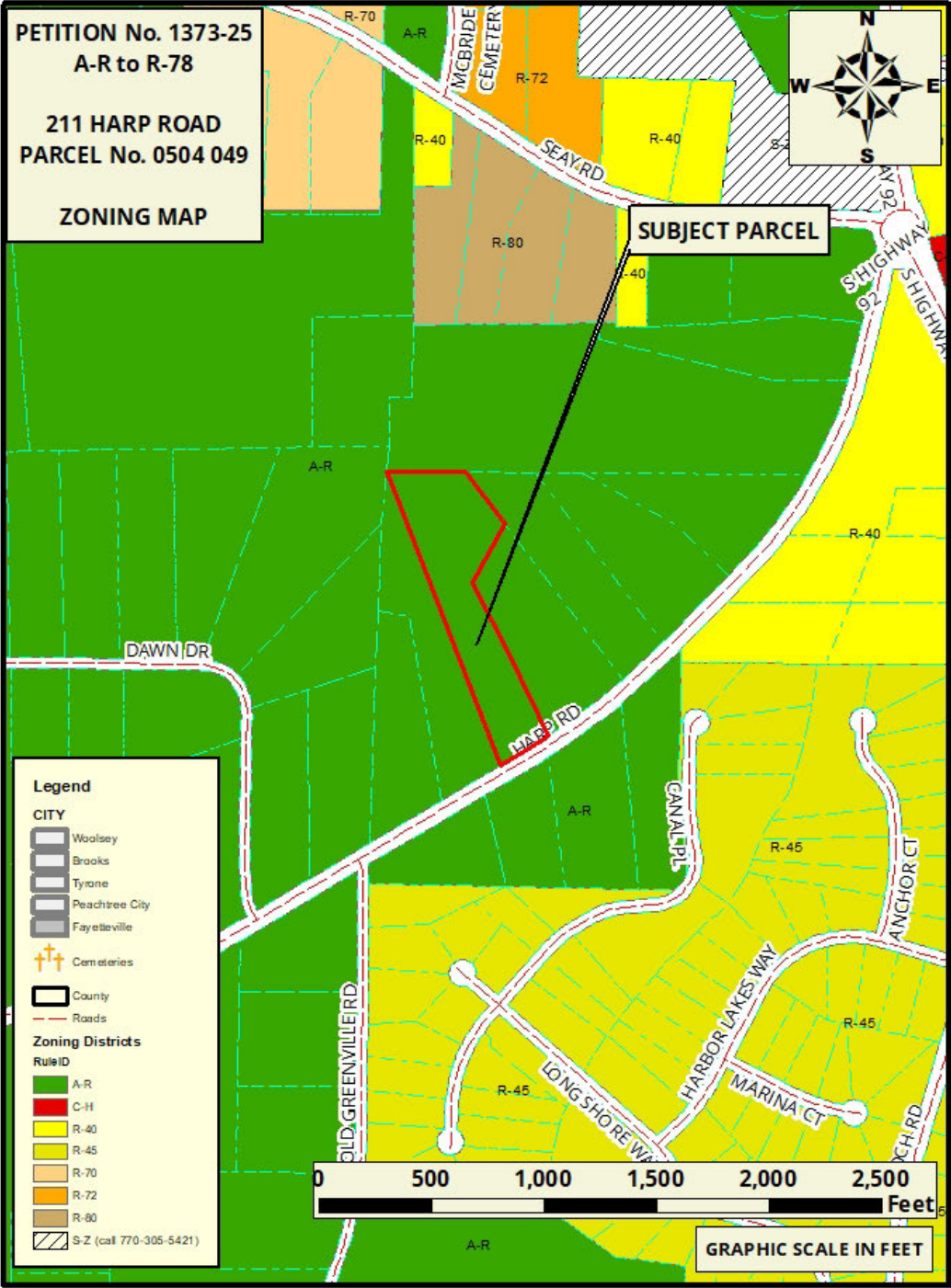
(c) *Conditional uses.* The following conditional uses shall be allowed in the R-78 zoning district provided that all conditions specified in article V of this chapter are met:

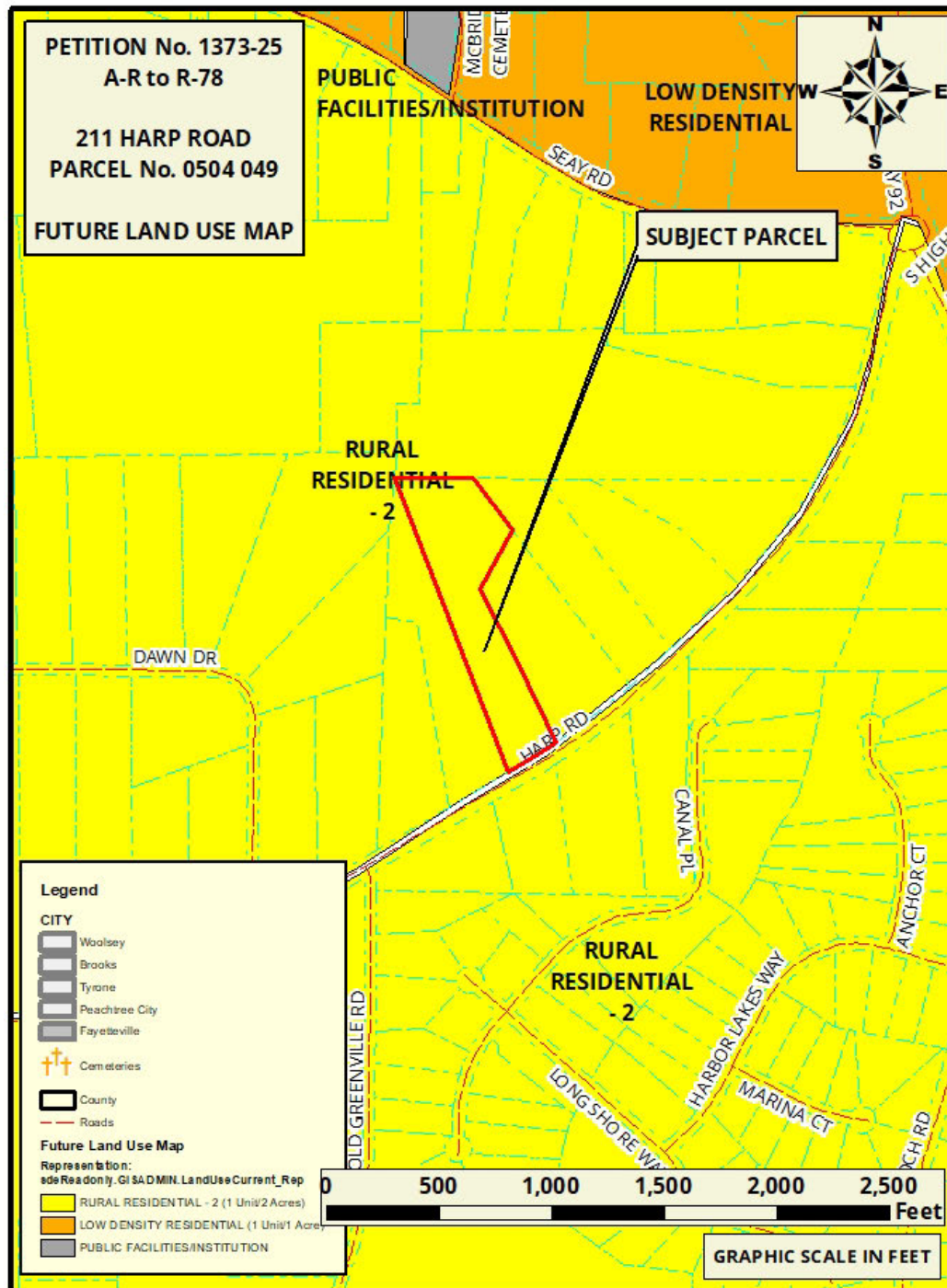
- (1) Church and/or other place of worship;
- (2) Developed residential recreational/amenity areas;
- (3) Home occupation;
- (4) Horse quarters; and
- (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

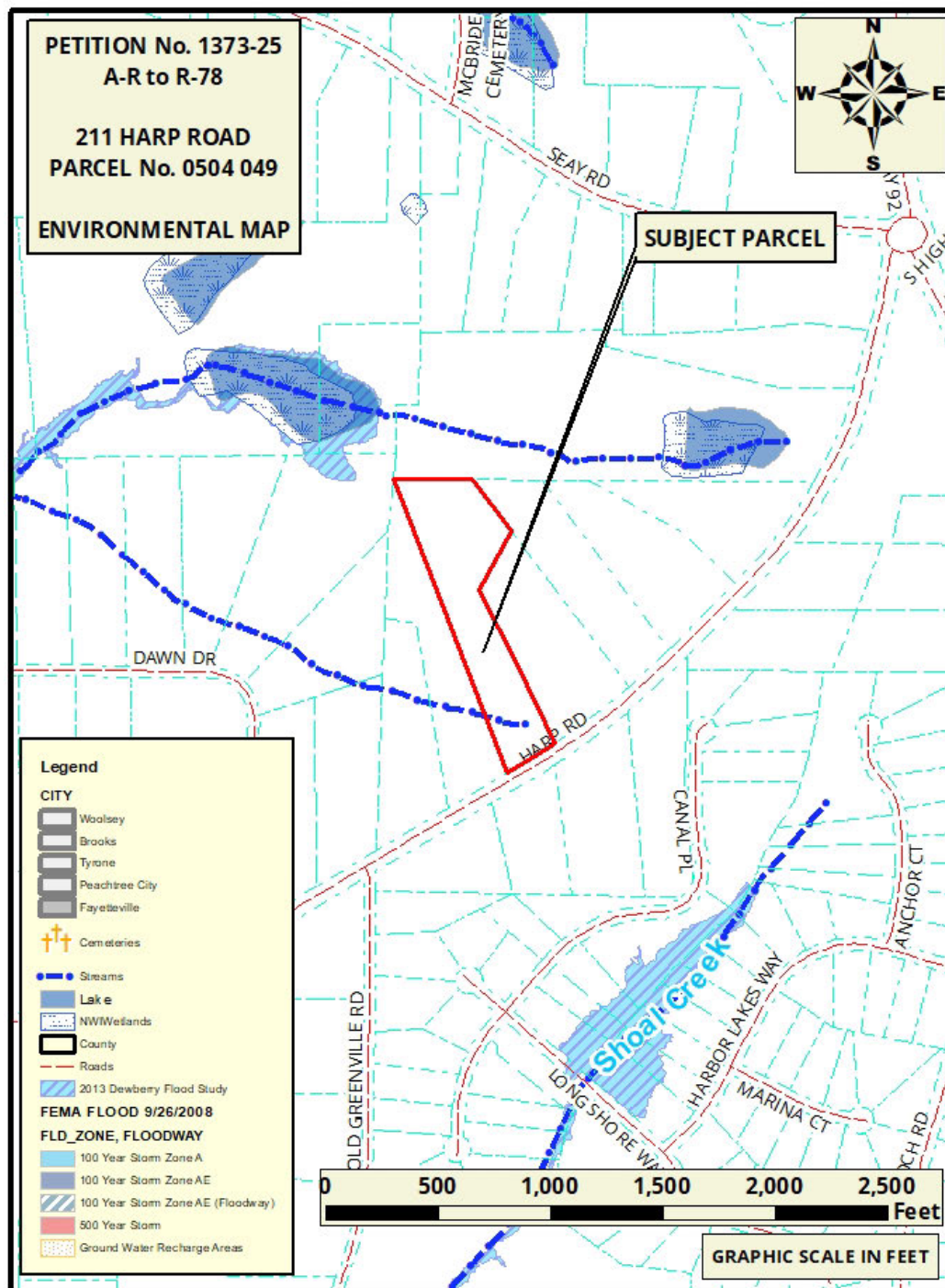
(d) *Dimensional requirements.* The minimum dimensional requirements in the R-78 zoning district shall be as follows:

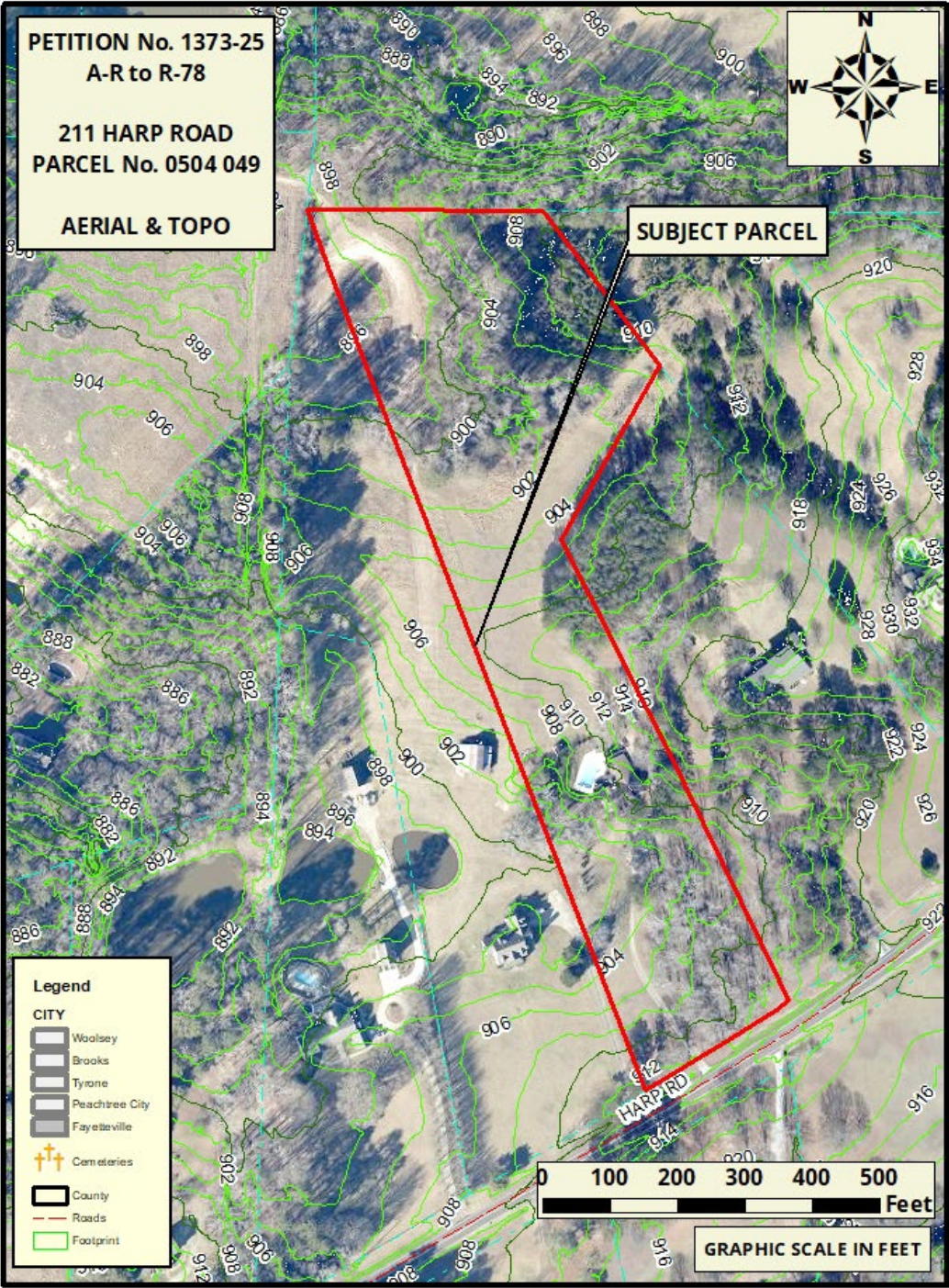
- (1) Lot area per dwelling unit: 87,120 square feet (two acres).
- (2) Lot width: 125 feet.
- (3) Floor area: 3,000 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 100 feet.
 2. Collector: 75 feet.
 - b. Minor thoroughfare: 50 feet.
- (5) Rear yard setback: 50 feet.
- (6) Side yard setback: 25 feet.
- (7) Height limit: 35 feet.















Planning and Zoning
140 Stonewall Avenue West, Ste 202
Fayetteville, GA 30214
Phone: 770-305-5421
www.fayettecountyga.gov

Date: March 16, 2022


To: Fayette County Clerk of Superior Court

From: Channele Blaine, Fayette County Zoning Administrator

Re: Parcel ID #0540-049
211 Harp Road
Kyle & Laura Weishaar
Lot 1: 7.442 acres
Land Lot 26 of the 5th District

Parcel ID #0504-028
207 Harp Road
Johnny & Suzanne Cross
Lot 2: 6.547 acres
Land Lot 26 of the 5th District

The recording of this survey is for two existing tracts of land consisting of a 7.442-acre lot for Lot 1 and 6.547-acre lot for Lot 2. No new streets or roads have been created; therefore, approval by the Planning Commission is not required.

Respectfully,

Channele Blaine, AICP
Zoning Administrator

APPROVAL OF REVISED PLAT OF EXISTING PARCELS

BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
December 04, 2025
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items number 7 and 8 (Petitions No. 1372-25-A and B) to number 1 and 2. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. *Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.*

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North. ***John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0.***
3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. ***Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.***
4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road. ***Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0***
5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.***
6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.***
7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road. ***John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.***
8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138. ***Danny England made the motion to recommend APPROVAL of***

Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.***

10. Consideration of the Fayette County Planning Commission 2026 Calendar. ***John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.***

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny England asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

PETITION No (s): 1373-25
STAFF USE ONLY

SAGES REFERENCE No.: _____

APPLICANT INFORMATION

Name Kyle Weishaar
 Address 211 Harp Rd
 City Fayetteville
 State GA Zip 30215
 Email [REDACTED]
 Phone 270-853-6316

PROPERTY OWNER INFORMATION

Name Kyle and Laura Weishaar
 Address 211 Harp Rd
 City Fayetteville
 State GA Zip 30215
 Email [REDACTED]
 Phone 270-853-6316

AGENT(S) (if applicable)

Name Mark Wiggins
 Address 1850 Brush Creek Rd
 City Colbert
 State GA Zip 30628
 Email [REDACTED]
 Phone 706-319-7985

Name _____
 Address _____
 City _____
 State _____ Zip _____
 Email _____
 Phone _____

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

Received from Kyle Weishaar a check in the amount of \$ 350⁰⁰ for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 10/13/2025

Receipt Number: 25449

MISCPZ-10-25-090544

PETITION No.: 1373-25 Fees Due: \$350⁰⁰ Sign Deposit Due: \$20.00
 STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 0504 049 Acreage: 7.442
 Land District(s): 26th Land Lot(s): 5th
 Road Name/Frontage L.F.: Harp Road Classification: Major Collector
 Existing Use: Residential / Agricultural Proposed Use: Residential/Agricultural
 Structure(s): 1 Type: Residential Size in SF: 4161
 Existing Zoning: A-R Proposed Zoning: R - 78
 Existing Land Use: Residential I Proposed Land Use: Residential
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____
 STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____
 STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
 Land District(s): _____ Land Lot(s): _____
 Road Name/Frontage L.F.: _____ Road Classification: _____
 Existing Use: _____ Proposed Use: _____
 Structure(s): _____ Type: _____ Size in SF: _____
 Existing Zoning: _____ Proposed Zoning: _____
 Existing Land Use: _____ Proposed Land Use: _____
 Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

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:

Kyle and Laura Weishaar

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0504 049

(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) 26th 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 7.442 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Mark Wiggins 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.

(II)

<u>[Signature]</u>	<u>Deborah M. Sims</u>	Deborah M Sims
Signature of Property Owner 1	Signature of Notary Public	NOTARY PUBLIC
<u>211 Harp Rd Fayetteville GA 30215</u>	<u>10/13/2025</u>	Coweta County, GEORGIA
Address	Date	My Commission Expires 01/09/2027

<u>[Signature]</u>	<u>Deborah M. Sims</u>	Deborah M Sims
Signature of Property Owner 2	Signature of Notary Public	NOTARY PUBLIC
<u>211 Harp Rd. Fayetteville, GA 30215</u>	<u>10/13/2025</u>	Coweta County, GEORGIA
Address	Date	My Commission Expires 01/09/2027

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

PETITION No.: 1373-25

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: Kyle Weishaar and Laura Weishaar

ADDRESS: 211 Harp Rd, Fayetteville, GA 30215

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

Kyle Weishaar and Laura Weishaar 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 \$ 350.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R - 78.

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 November 6th, 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11th, 2025 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 13th DAY OF October, 2025.

[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC

[Signature]

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Kyle Weishaar, Laura Weishaar, 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 Harp Rd 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 13th day of October, 2022.



 SIGNATURE OF PROPERTY OWNER



 SIGNATURE OF PROPERTY OWNER

Deborah M Sims
 NOTARY PUBLIC
 Coweta County, GEORGIA
 My Commission Expires 01/05/2027


 NOTARY PUBLIC

DEVELOPMENTS OF REGIONAL IMPACT (DRI)**Rezoning Applicant:**

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- ☒ 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 13th day of October, 2025.



APPLICANT'S SIGNATURE

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.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- ☐ Application form and all required attachments completed, signed, and notarized, as applicable.
- ☐ Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☐ Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- ☐ Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- ☐ Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
 - _____ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - _____ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - _____ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - _____ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - _____ e. Minimum zoning setbacks and buffers, as applicable.
 - _____ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - _____ g. Location and dimensions of exits/entrances to the subject property.
 - _____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - _____ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☐ A letter of intent for a non-residential rezoning request, including the proposed use(s).



Doc ID: 011116800002 Type: WD
 Recorded: 01/26/2021 at 11:15:00 AM
 Fee Amt: \$25.00 Page 1 of 2
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court

BK 5202 PG 556-557

Doc ID: 011077650002 Type: WD
 Recorded: 12/10/2020 at 11:20:00 AM
 Fee Amt: \$640.00 Page 1 of 2
 Transfer Tax: \$615.00
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court

BK 5173 PG 3-4

Return Recorded Document to:
 Wessels & Gerber, P.C.
 500 Northlake Dr., Suite 101
 Peachtree City, GA 30269
 File 20P-0150

JOINT TENANCY WITH SURVIVORSHIP WARRANTY DEED

STATE OF GEORGIA
 COUNTY OF FAYETTE

THIS INDENTURE, made this 1st day of December, 2020, between Charles Wyatt Martin, Jr. and Delton Bruce Payne, County of FAYETTE and State of Georgia, of the first part, hereinafter called Grantors, and Kyle D. Weishaar and Laura S. Weishaar, as joint tenants with survivorship and not as tenants in common, as parties of the second part, hereinafter called Grantees (the words "Grantors" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantors, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING THAT 7.745 ACRES, MORE OR LESS TRACT OF LAND SHOWN ON A PLAT OF SURVEY DATED AUGUST 31, 1987, PREPARED BY LUM C. HALL, REGISTERED LAND SURVEYOR FOR RON AND BRENDA HENSON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD, 660 FEET AS MEASURED NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD FROM THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF HARP ROAD AND THE WEST LINE OF LAND LOT 26; RUNNING THENCE NORTH 19 DEGREES 29 MINUTES 28 SECONDS WEST, 1398.20 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES 19 SECOND EAST 334.32 FEET TO A POINT; RUNNING THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 497.12 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS WEST 444.84 FEET TO A POINT; RUNNING

THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 925 FEET TO AN IRON PIN ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD; RUNNING THENCE SOUTH 58 DEGREES 28 MINUTES 49 SECONDS ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD AND FOLLOWING THE CURVATURE THEREOF 303.67 FEET TO THE POINT OF BEGINNING.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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 behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantors will warrant and forever defend the right and title to the above described property unto the said Grantees against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set Grantors' hand and seal this day and year first above written.

Signed this 1st day of December, 2020,
in the presence of:

Becky Crawford
Unofficial Witness

[Signature]
Notary Public

My commission expires:

8/6/23



Charles W. Martin
Charles W. Martin

Delton Bruce Payne
Delton Bruce Payne

No modification of this Agreement or any waiver of any provision hereof shall be effective unless the same is in writing and signed by both parties.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, successors or assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

Signed, sealed and delivered in the presence of:



Unofficial Witness

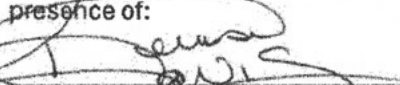
Notary Public

My Commission expires:

[Notary Seal]



Signed, sealed and delivered in the presence of:



Unofficial Witness

Notary Public

My Commission expires:

[Notary Seal]



CROSS:

 (SEAL)

SUZANNE CROSS

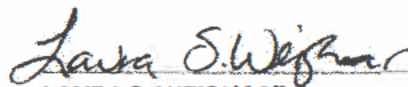
 (SEAL)

JOHNNY CROSS

WEISHAAR:

 (SEAL)

KYLE D. WEISHAAR

 (SEAL)

LAURA S. WEISHAAR

AFTER RECORDING RETURN TO:
Slepian & Schwartz
42 Eastbrook Bend
Peachtree City, Georgia 30269
Kerensa Davis

STATE OF GEORGIA
COUNTY OF FAYETTE

BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made and entered into this 18 day of Dec, 2024, by and between **SUZANNE CROSS and JOHNNY CROSS** (hereinafter, referred to as "**Cross**") and **KYLE D. WEISHAAR and LAURA S. WEISHAAR** (hereinafter, referred to as "**WEISHAAR**") (the "Agreement").

WITNESSETH:

WHEREAS, Cross is the owner of a certain tract or parcel of land lying and being in Land Lot 26, 5th Land District, Fayette County, Georgia and more particularly described in Deed Book 5195, Page 44, Fayette County, Georgia records (the "Cross Property"); and,

WHEREAS, WEISHAAR is the owner of a certain tract or parcel of land lying and being in Land Lot 26, 5th Land District, Fayette County, Georgia and more particularly described in Deed Book 5202, Page 556, Fayette County, Georgia records (the "WEISHAAR Property"); and

WHEREAS, a survey depicting the original property lines between the Cross Property and the WEISHAAR Property and the new property lines between the Cross property and the WEISHAAR property prepared by Ronald T. Goodwin, Ga RLS 2696, of Four Corners Surveying, dated March 16, 2022 and is filed at Plat Book 52, Page 110, Fayette County, Georgia records and attached here as Exhibit "A" (the "Survey"); and

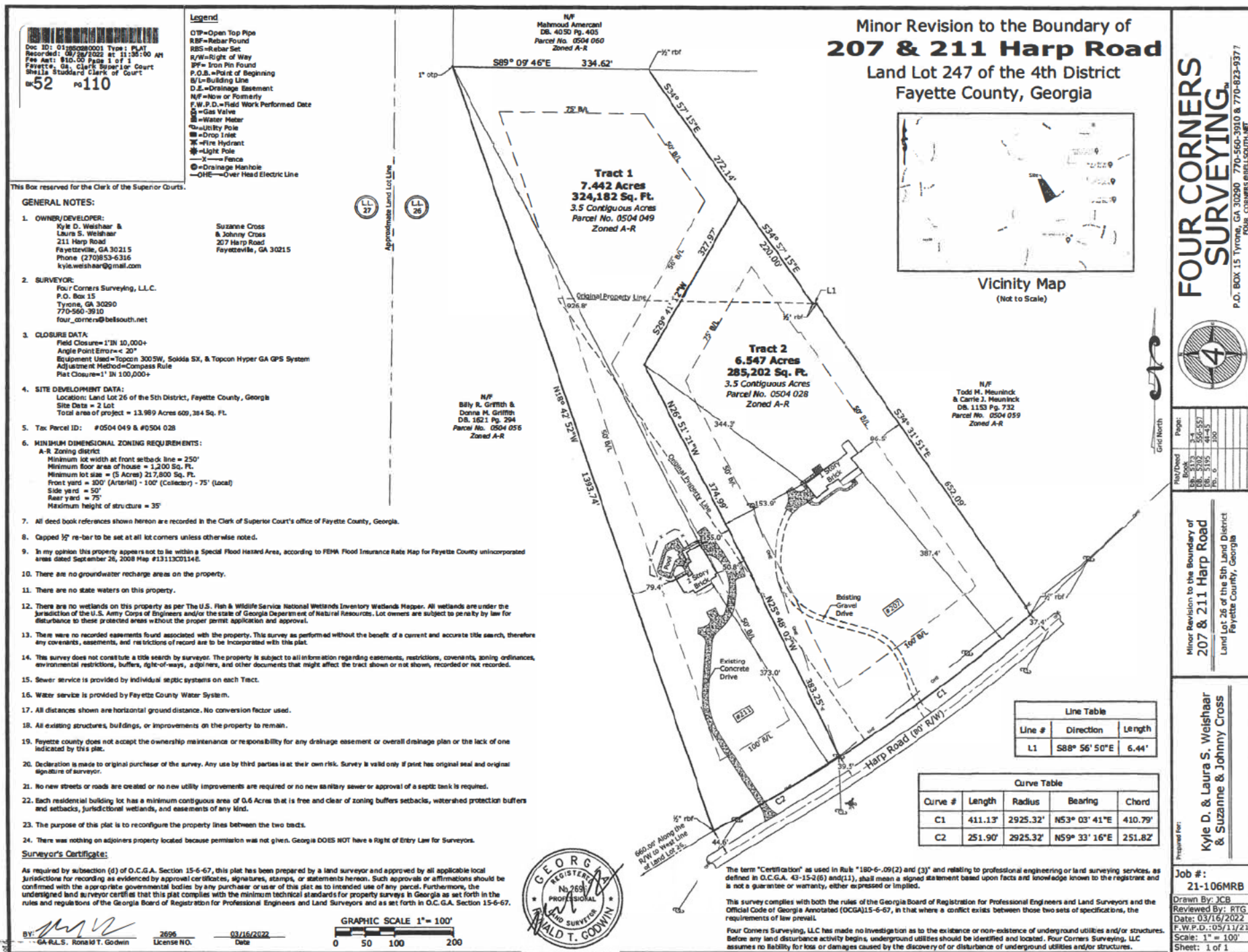
WHEREAS, the parties hereto desire to revise the southwestern property line of the Cross Property and the northwestern property line of the Cross Property as shown on the Survey; and

WHEREAS, on the same date herewith, Cross is transferring a portion of the Cross Property to WEISHAAR and WEISHAAR is transferring a portion of the WEISHAAR Property to Cross; and

NOW, THEREFORE, for and in consideration of the sum of Ten (\$10.00) Dollars, cash in hand paid, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The property lines shown in bold on the Survey are hereby established as the new property lines of the Cross Property (the "Common Boundary Lines").
2. Cross and WEISHAAR each quitclaim, remise and release to the other such areas respectively adjoining said Common Boundary Lines as may be required to establish the Common Boundary Lines.





Mahmoud Amercani
DB. 4050 Pg. 405
Parcel No. 0504 060
Zoned A-R

Land Lot 247 of the 4th District Fayette County, Georgia



Vicinity Map
(Not to Scale)

Tract 1
7.442 Acres
324,182 Sq. Ft.
3.5 Contiguous Acres
Parcel No. 0504 049
Zoned A-R

Tract 2
6.547 Acres
285,202 Sq. Ft.
3.5 Contiguous Acres
Parcel No. 0504 028
Zoned A-R

N/F
Billy R. Griffith &
Donna M. Griffith
DB. 1621 Pg. 294
Parcel No. 0504 056
Zoned A-R

N/F
Todd M. Meuninck
& Carrie J. Meuninck
DB. 1153 Pg. 732
Parcel No. 0504 059
Zoned A-R

GRAPHIC SCALE 1" = 100'
0 50 100 200

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.

Four Corners Surveying, LLC has made no investigation as to the existence or non-existence of underground utilities and/or structures. Before any land disturbance activity begins, underground utilities should be identified and located. Four Corners Surveying, LLC assumes no liability for loss or damages caused by the discovery of or disturbance of underground utilities and/or structures.

Line Table		
Line #	Direction	Length
L1	S88° 56' 50"E	6.44'

Curve Table				
Curve #	Length	Radius	Bearing	Chord
C1	411.13'	2925.32'	N53° 03' 41"E	410.79'
C2	251.90'	2925.32'	N59° 33' 16"E	251.82'

To the members of the Zoning/Planning Commission,

As next-door neighbors, we appreciate Kyle and Laura and support the plans they have for their property. We have no concerns with their proposed zoning change from A-R to R-78 and are happy to see them moving forward.

Ryan Griffith

404-606-0839

PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held
before the Fayette County Board
of Commissioners on Thursday,
January 22, 2026, at 5:00 P.M., in
the Fayette County Administrative
Complex, 140 Stonewall Avenue
West, Public Meeting Room, First
Floor, Fayetteville, Georgia.

Petition No: 1373-25

Parcel No: 0504 049

Owner: Kyle D. and Laura S.
Weishaar

Agent(s): Mark Wiggins

Zoning District: A-R

Area of Property: 7.442 acres

Land Lot(s)/District: Land Lot 26
of the 5th District

Fronts on: Harp Road

Proposed: Applicant proposes the
following: To rezone 7.442 acres
from A-R (Agricultural Residen-
tial Single Family) to R-78 (Single
Family Residential).

A copy of the above is available
in the office of the Fayette County
Planning and Zoning Department,
140 Stonewall Avenue West, Suite
202, Fayetteville, Georgia.

Legal Description

ALL THAT TRACT OR PARCEL
OF LAND LYING AND BEING
IN LAND LOT 26 OF THE 5TH
LAND DISTRICT OF FAYETTE
COUNTY, GEORGIA, AND BEING
THAT 7.745 ACRES, MORE OR
LESS TRACT OF LAND SHOWN
ON A PLAT OF SURVEY DATED
AUGUST 31, 1987, PREPARED
BY LUM C. HALL, REGISTERED
LAND SURVEYOR FOR RON
AND BRENDA HENSON AND
BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS: BE-
GINNING AT A POINT ON THE
NORTHWESTERLY RIGHT-OF-
WAY LINE OF HARP ROAD, 660
FEET AS MEASURED NORTH-
EASTERLY ALONG THE NORTH-
WESTERLY RIGHT-OF-WAY
LINE OF HARP ROAD FROM
THE INTERSECTION OF THE
NORTHWESTERLY RIGHT-OF-
WAY OF HARP ROAD AND THE
WEST LINE OF LAND LOT 26;
RUNNING THENCE NORTH
19 DEGREES 29 MINUTES 28
SECONDS WEST, 1398.20 FEET
TO AN IRON PIN; RUNNING
THENCE SOUTH 89 DEGREES
54 MINUTES 19 SECOND EAST
334.32 FEET TO A POINT; RUN-
NING

THENCE SOUTH 35 DEGREES
45 MINUTES 00 SECONDS EAST
497.12 FEET TO A POINT; RUN-
NING THENCE NORTH 89 DE-
GREES 30 MINUTES 10 SECONDS
WEST 444.84 FEET TO A POINT;
RUNNING THENCE SOUTH
35 DEGREES 45 MINUTES 00
SECONDS EAST 925 FEET TO
AN IRON PIN ON THE NORTH-
WESTERLY RIGHT-OF-WAY
LINE OF HARP ROAD; RUNNING
THENCE SOUTH 58 DEGREES 28
MINUTES 49 SECONDS ALONG
THE NORTHWESTERLY RIGHT-
OF-WAY LINE OF HARP ROAD
AND FOLLOWING THE CURVA-

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of Resolution 2026-01, establishing qualifying fees for the 2026 elections in Fayette County.

Background/History/Details:

In accordance with O.C.G.A. 21-2-131(a)(1)(A-B), the governing authority of all counties in Georgia must establish and publish qualifying fees for upcoming elections.

Each position's qualifying fee is calculated based on applicable Georgia law.

Once this resolution is adopted, the qualifying fees will be formerly advertised and published with the county's legal organ; Fayette News.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2026-01, establishing qualifying fees for the 2026 elections in Fayette County.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

**RESOLUTION 2026-01
ESTABLISHING QUALIFYING FEES
FOR ELECTIONS IN 2026 IN FAYETTE COUNTY**

WHEREAS, the Board of Commissioners of Fayette County is commanded by the Official Code of Georgia, Section 21-2-131(1)(a-b) to establish official qualifying fees for each county office to be filled in each election in Fayette County;

NOW, THEREFORE, it is hereby resolved by said Board of Commissioners that the following qualifying fees are fixed and shall apply to the county offices to be filled during the General Election to be held in 2026 in Fayette County:

Board of Education Districts 2 and 4	\$306.00
County Commission Districts 3 and 4	\$687.00
State Court Judge	\$5,528.15

So Resolved this 22nd day of January 2026 by

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

Chairman

ATTEST:

Tameca P. Smith, County Clerk