

**BOARD MEMBERS**

Danny England, Chairman  
Boris Thomas, Vice-Chairman  
John Kruzan  
Jim Oliver  
Virgil Hooper

**STAFF**

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

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**AGENDA  
FAYETTE COUNTY PLANNING COMMISSION MEETING  
140 STONEWALL AVENUE WEST  
May 07, 2026  
7:00 pm**

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

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**NEW BUSINESS**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on April 2, 2026
5. Plats

**PUBLIC HEARING**

6. Consideration of Petition **1380-26**, Mark Wurster, Owner. Applicant is requesting to rezone Parcel No. 0517 115 (2.012 acres) from R-40 (Single-Family Residential) to C-H (Highway Commercial). Property is located in Land Lot 70 of the 5<sup>th</sup> District and fronts Highway 85 South.
7. Consideration of Petition **1381-26**, Wright Chancey McBride, LLC, Owner. Applicant is requesting to rezone Parcel No. 0448 034 (8.227 acres), from A-R (Agriculture-Residential) to R-80 (Single-Family Residential). Property is located in Land Lots 249 of the 4<sup>th</sup> District and fronts McBride Rd.

# Meeting Minutes 4/2/2026

**THE FAYETTE COUNTY PLANNING COMMISSION** met on April 2<sup>nd</sup>, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Danny England, Chairman  
Boris Thomas, Vice-Chairman  
John Kruzan  
Jim Oliver  
Virgil Hooper

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

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1. Call to Order. *Chairman Danny England called the April 2, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *John Kruzan made a motion to approve the agenda as presented. Vice-Chairman Boris Thomas seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on March 5, 2026. *Jim Oliver made a motion to approve the minutes of the meeting held on March 5, 2026. John Kruzan seconded the motion. The motion carried 5-0.*
5. Plats. *No plats were presented at the April 2, 2026, Meeting.*

## **PUBLIC HEARING**

6. Consideration of Petition **1375-26-A**, William Jerry Cleveland, Owner. Applicant is requesting to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to O-I (Office-Institutional). Property is located in Land Lots 26 of the 7<sup>th</sup> District and fronts Highway 54 West.

Ms. Bell stated that items 6,7, and 8 are related and requests to rezone parcel 0704 002 with 10.62 acres, which is unique to this corridor, and to ensure compatibility with surrounding properties. These conditions should address the temporary nature of the parking use, buffering and screening, traffic impacts, and the eventual transition to office development.

Staff found the request consistent with the Future Land Use Plan and recommends conditional approval of the rezoning to O-I with a Special Development District.

Chairman Danny England asked if the applicant was present.

Mr. Rick Lindsey, Applicant's Attorney, stated that the use of the property will be less intense as it will be developed into a mobile home park, and the property will benefit the traffic in that area, which will be eliminated.

Chairman England asked whether anyone in the audience supported or opposed this petition.

Spoke in opposition:

Mr. Ben Loggins commented in opposition and expressed his concern about the runoff and traffic; he suggested adding a traffic light and a traffic study.

Mrs. Andrea Bowman expressed her concerns about traffic, noise, pollution, and lighting.

Mr. Rick Lindsey addressed the opposition comments, explaining that a notice of decision will be issued to decide the access points that would address one of multiple parking spaces that are around the county. Regarding the visual, lighting will come with restrictions that will not be allowed after hours.

Chairman England brought the item back to the board for questions or discussion.

Vice-Chairman Boris Thomas asked the agent for the time frame of completion of construction for QTS, the finished date. Why can QTS use the existing land for its own parking?

Mr. Virgil Hooper asked staff if the commercial development would have a detention pond.

Ms. Bell responded that it would have some quality treatments and detention ponds, for that size might require more than one.

Mr. Jim Oliver asked the agent that the accelerate the time frame didn't respond their question is for a finish date or parking on campus?

Mr. Lindsey responded that as they are building the buildings they are losing asphalt. He stated it will be better to place it on a property that will become O-I once they are finished, instead of spreading it around the county on multiple locations.

Mr. Oliver asked why it came to be gravel parking and to move it as needed.

Mr. Lindsey responded that he would have to meet county standards, and if they could do that. This is a different company they will be contracting with, and the property will become O-I, where they will be developed.

Mr. Oliver responded that he understood that his client is not QTS, and maybe is a question that the agent could not answer.

Chairman England pointed out that what the board is considering is the rezoning of the property to O-I, not to approve the parking lot, and asked the board for a motion.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1375-26-A. Virgil Hooper seconded the motion. The motion passed 4-1. John Kruzan opposed.***

**CONDITIONS:**

1. *A demolition permit from Department of Building Safety be obtained for all existing structures, including the proper abandonment of all wells, on parcel 0704 002 (aka 1486 Highway 54) and be removed from the property within 180 days or prior to the submittal of a minor final plat, whichever comes first.*
2. *Parcels 0704 002, 0704 004, and 0704 052 shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a non-residential site plan, whichever comes first.*
3. *Article VII Watershed Protection shall apply to the property after rezoning. The owner shall construct a 12-foot-wide concrete multi-use path and provide Fayette County with a 20-foot permanent construction, maintenance, and use easement. This easement should parallel the frontage along SR 54 within the Highway 54 overlay setback. The locations shall be established by the owner on the site plan and defined by a written legal description. The easements, with legal description and map from site plan, shall be recorded by Environmental Management Department upon receipt of documents that meet the requirements outlined. All requirements associated with this condition shall be completed as soon as practicable and no later than the removal of the parking lot to return the property to natural conditions.*
7. **Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner.** Applicant is requesting to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to O-I (Office-Institutional). Property is located in Land Lots 26 of the 7<sup>th</sup> District and fronts Highway 54 West.

Ms. Bell read the description above and stated that it does meet the comprehensive plan and land use plan, and staff recommends conditional approval with four conditions.

Chairman England asked if anyone wished to speak in favor or opposition.

Spoke in opposition:

Mr. Ben Loggins asked if they could do a traffic study before parking is approved.

Chairman England clarified that this would happen before the parking lot is constructed, and there are several people involved. After any more comments, he asked for a motion.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1375-26-B. Virgil Hooper seconded the motion. The motion passed 3-2. Vice -Chairman Boris Thomas and John Kruzan opposed.***

**CONDITIONS:**

1. *A demolition permit from Department of Building Safety be obtained for all existing structures, including the proper abandonment of all wells, on parcel 0704 004 (aka 1472 Highway 54) and be removed from the property within 180 days or prior to the submittal of a minor final plat, whichever comes first.*
2. *Parcels 0704 002, 0704 004, and 0704 052 shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a nonresidential site plan, whichever comes first.*
3. *Article VII Watershed Protection shall apply to the property after rezoning.*
4. *The owner shall construct a 12-foot-wide concrete multi-use path and provide Fayette County with a 20-foot permanent construction, maintenance, and use easement. This easement should parallel the frontage along SR 54 within the Highway 54 overlay setback. The locations shall be established by the owner on the site plan and defined by a written legal description. The easements, with legal description and map from site plan, shall be recorded by Environmental Management Department upon receipt of documents that meet the requirements outlined. All requirements associated with this condition shall be completed as soon as practicable and no later than the removal of the parking lot to return the property to natural conditions.*
8. *Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant is requesting to rezone 13.32 acres from M-H-P (Manufactured Home Park) to O-I (Office-Institutional). Property is located in Land Lots 26 of the 7<sup>th</sup> District and fronts Highway 54 West.*

Ms. Bell read the presentation above and stated that the Fayette County Comprehensive Plan designates this area for commercial use, and O-I is also recommended within the Highway 54 Corridor Overlay. This parcel is also within the MHP zoning. The future land use plan supports commercial and office/institutional uses. Environmental Management shows lakes in the southeast portion of the property. Staff recommended conditional approval.

Chairman England asked if anyone wished to speak in favor or opposition.

Mr. Josh Reynolds, Civil Engineer working with the project for QTS, clarified information about stormwater management and clarified that the first inch of rainfall will be retained onsite. Systems will function as retention initially, then detention, and permanent pools will allow sediment to settle before discharge. He clarified that parking on QTS property has been done for the last three years, and there is nothing left on site to use.

No other public comments were addressed.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1376-26. Virgil Hooper seconded the motion. The motion passed 3-2. Vice -Chairman Boris Thomas and John Kruzan opposed.***

**CONDITIONS:**

1. *A demolition permit from Department of Building Safety be obtained for all existing structures, including the proper abandonment of all wells, on parcel 0704 052 (aka 1486 Highway 54) and be removed from the property within 180 days or prior to the submittal of a minor final plat, whichever comes first.*
2. *Parcels 0704 002, 0704 004, and 0704 052 shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a nonresidential site plan, whichever comes first.*
3. *Article VII Watershed Protection shall apply to the property after rezoning.*
4. *The owner shall construct a 12-foot-wide concrete multi-use path and provide Fayette County with a 20-foot permanent construction, maintenance, and use easement. This easement should parallel the frontage along SR 54 within the Highway 54 overlay setback. The locations shall be established by the owner on the site plan and defined by a written legal description. The easements, with legal description and map from site plan, shall be recorded by Environmental Management Department upon receipt of documents that meet the requirements outlined. All requirements associated with this condition shall be completed as soon as practicable and no later than removal of the parking lot and restoration of the property to natural conditions.*
9. *Consideration of Petition 1377-26, Salim V. Popatiya & Shaheen Dhanani and Nadir Tejani & Laila S. Tejani, Owners. Applicants are requesting to rezone Parcel 0716 038 (7.957 acres) from A-R (Agricultural-Residential) to R-85(Single -Family Residential). Property is located in Land Lots 33 of the 7<sup>th</sup> District and fronts Quarters Road and Ebenezer Road.*

Ms. Bell about the consideration of rezoning of approximately 7.957 acres from AR to R-85 (Single-Family Residential), located between Quarters Road and Ebenezer Road, is consistent with the comprehensive land use plan, and staff recommends conditional approval.

Chairman England asked the applicant to proceed with their presentation.

Mr. Randy Boyd, representing the applicants, stated that the property will be split into two lots to build a house on each with the appropriate right-of-way dedications.

No other public comments were addressed. Chairman England brought the item back to the board for questions or a motion.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1377-26. Vice -Chairman Boris Thomas seconded the motion. The motion passed 5-0.***

**CONDITIONS:**

1. *The owner /developer shall dedicate land to Fayette County as needed to provide a minimum of 50-ft of right of way as measured from the existing centerline of Ebenezer Road within 90 days of this rezoning request.*
2. *The owner /developer shall dedicate land to Fayette County as needed to provide a minimum of 30-ft of right of way as measured from the existing centerline of Quarters Road within 90 days of this rezoning request.*

*Environmental Management Department will approve the required warranty/quitclaim deeds prior to Final Plat of the property.*

10. Consideration of Petition **1378-26-A**, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 107 (5.23 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District). Property is located in Land Lots 219 of the 5<sup>th</sup> District and fronts Longview Road.

Ms. Bell explained the following is a four-part request; some of the parcels are A-R and R-20 to be rezoned to M-1 with the intent of operating a truck parking lot and will need separate votes. Ms. Bell showed the location of the property on the maps and recommended denial due to inconsistency with the Future Land Use Map, which designates the area as low-density residential.

Chairman England asked if the petitioner was present.

Matt Gray, Agent, stated that the property has historically been used for industrial purposes, and significant cleanup and compliance work has been completed, and that the intent is to align zoning with existing conditions and uses of the concrete plan. He mentioned that he wanted to clarify with staff that the zoning conditions for a seventy five landscape buffer, if the property gets rezoned and combined to M-1, will be difficult to achieve.

Jimmy Pace asked if rezoning and combining with M-1 would eliminate the business use of the entire parcel based on the setbacks and buffers, and not make it into compliance.

Spoke in opposition:

Mr. John Martin, Resident of Longview.

Ms. Comer Gaskin, Resident of Martha's Vineyard

Opposition speakers cited:

- Incompatibility with residential character
- Increased truck traffic concerns
- Environmental impacts near Phillips Lake
- Noise, lighting, and quality-of-life concerns

Chairman England brought the item back to the board for questions, comments, or a motion.

Mr. Jim Oliver asked Mr. Gray for some clarification on his presentation about the conditions for approval, and asked if he had discussed those concerns with staff.

Mr. Gray responded that he became aware of the conditions early this week, and he did not reach out to staff for clarification, and doesn't know how the new zoning will make changes to the current use on the property. He stated he doesn't know the interpretation of the ordinances; they are not looking to disturb any more portions of the property, and whatever is already M-1 will be impacted by that 75 buffer requirement.

Mr. Oliver stated that certain parts of the property, previously used for parking without proper zoning, have been corrected and are now classified as M-1. He suggested that it would be better to request that the property be rezoned to M-1 to rectify all related issues. He asked the applicant how he sees proceeding forward if he is not comfortable with the conditions.

Mr. Gray responded that he would like more time with the environmental management department before the board of commissioners' meeting, and to discuss those items.

Chairman England asked for any other comments or a motion.

***Vice-Chair Boris Thomas made a motion to DENY Petition 1378-26-A. John Kruzan seconded the motion. The motion passed 5-0.***

11. Consideration of Petition **1378-26-B**, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 129 (7.06 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District). Property is located in Land Lots 219 of the 5<sup>th</sup> District and fronts Longview Road.

Ms. Bell as previously explained on the first petition, added that staff is recommending denial for petition 1378-26-B since it doesn't align with the future land use map, it has no environmental factors for the parcel.

Chairman England asked if the applicant would like to speak for petition 1378-26-B.

Mr. Jimmy Pace explained that the parcel containing the house has been renovated, and he is opposed to the demo of the house and doesn't understand the staff recommendation. Why is the county asking to demolish all of the buildings.

Spoke in opposition:

Mr. John Martin asked for clarification of what they wanted to do with parcels A and B. Are they going to expand the parking lot closer to Longview?

Mr. Pace responded that they will not be accessible from Highway 314, not Longview.

Chairman England brought the item back to the board for comments or motion.

***John Kruzan made a motion to DENY Petition 1378-26-B. Vice-Chairman Boris Thomas seconded the motion. The motion passed 5-0.***

12. Consideration of Petition **1378-26-C**, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 008A (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District). Property is located in Land Lots 219 of the 5<sup>th</sup> District and fronts Longview Road.

Ms. Bell read the information above and according to the land use plan this area is designated for residential use. The staff will recommend five conditions if approved. She stated that it is a nonconforming lot for being less than one acre and if rezoned to an industrial zoning, it will lose the status as nonconforming. She clarified that the buffer requirement was placed for the area that has been disturbed in the current site plan, which is in process.

Chairman England asked the petitioner if they wanted to speak for petition 1378-16-C.

Mr. Pace requests to table this petition to work on the conditions.

The Board talked about all of the petitions being heard together, and it would be better to take all of the recommendations and work on those conditions before getting to the Board of Commissioners' vote or to withdraw at that point.

Chairman England requested a motion.

***Vice-Chair Boris Thomas made a motion to DENY Petition 1378-26-C. John Kruzan seconded the motion. The motion passed 5-0.***

13. Consideration of Petition **1378-26-D**, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 032 (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District). Property is located in Land Lots 219 of the 5<sup>th</sup> District and fronts Longview Road.

Ms. Bell read the description for petition 1378-26-D and stated that staff recommends denial of the request because it doesn't meet the land use plan.

Mr. Pace asked to table this petition.

After no comments in support or opposition, Chairman England brought the item back to the board for discussion or a motion.

Chairman England commented that the petition can't move forward based on the board already made denials for the other parcels that are together on the same property. He asked the board for a motion.

***John Kruzan made a motion to DENY Petition 1378-26-D. Vice-Chairman Boris Thomas seconded the motion. The motion passed 5-0.***

14. Consideration of Petition 1379-26-A, Allegiance Homes, LLC, Owner. Applicant is requesting to rezone 10.234 acres from Parcel No. 0503 053, A-R (Agricultural-Residential) to R-75 (Single-Family). Property is located in Land Lots 6 of the 5<sup>th</sup> District and fronts Harp Road.

Ms. Bell explained the information above and stated the applicant wants to rezone two parcels from A-R to R-75 which aligns with the Future Land Use supports rural residential development (2-acre minimum), is consistent with the Comprehensive Plan and Staff recommended approval with conditions, including right-of-way dedication.

Chairman England asked if the petitioner was present.

Mr. Trent Foster with Allegiance Homes, Agent, showed a concept plan that will subdivide two parcels into five or six lots.

*Spoke in opposition:*

Ms. Laura Deloach

Ms. Alisa Farri

Mr. Conrad Kempinska

Mr. Bernard Caulder

Mr. Walter Ivey

Residents raised concerns regarding:

- o Increased traffic and speeding on local roads
- o Impact on rural character and lifestyle
- o Effects on livestock, wildlife, and noise levels
- o Groundwater and septic system concerns
- o Preference for larger lot sizes (5-acre minimum)

Chairman England called the applicant for rebuttal.

Mr. Trent Foster addressed the concerns by explaining that Six-lot design avoids flag lots and preserves layout quality. Larger lots would require road construction or create undesirable configurations. Utilities are accessible without major roadway disruption and homes will be custom-built, high-value residences.

Chairman England brought the item back to the board for discussion or a motion.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1379-26-A. John Kruzan seconded the motion. The motion passed 4-1. Vice-Chairman Boris Thomas opposed.***

**CONDITIONS:**

1. The owner /developer shall dedicate land to Fayette County as needed to provide a minimum of 50-ft of right of way as measured from the existing centerline of Harp Road within 90 days of this rezoning request.

Environmental Management Department will approve the required warranty/quitclaim deeds prior to Final Plat of the property.

15. Consideration of Petition 1379-26-B, Allegiance Homes, LLC, Owner. Applicant is requesting to rezone 10.143 acres from Parcel No. 0503 051, A-R (Agricultural-Residential) to R-75 (Single-Family). Property is located in Land Lots 6 of the 5<sup>th</sup> District and fronts Harp Road.

Ms. Bell read the description above and staff has recommended conditional approval.

Chairman England asked if the petitioner wanted to add any comments regarding petition 1379-26-B.

Mr. Foster let the public comments continue.

Mr. Conrad Kempinska asked for clarification on whether the board will be approving the rezoning and the concept plan at the same time.

Chairman England responded that the board would only recommend the zoning part, and the plat is irrelevant now.

Mr. Jim Oliver clarified that zoning decisions are based on land use compatibility, not traffic or school impacts.

Chairman England asked for any other comments or to make a motion.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1379-26-B. John Kruzan seconded the motion. The motion passed 4-1. Vice-Chairman Boris Thomas opposed.***

**CONDITIONS:**

1. The owner /developer shall dedicate land to Fayette County as needed to provide a minimum of 50-ft of right of way as measured from the existing centerline of Harp Road within 90 days of this rezoning request.

Environmental Management Department will approve the required warranty/quitclaim deeds prior to Final Plat of the property.

With no further business, a motion was made to adjourn.

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*Jim Oliver moved to adjourn the April 2, 2026, Planning Commission meeting. Vice-Chairman Boris Thomas seconded. The motion passed 5-0.*

*The meeting adjourned at 9:24 pm.*

**ATTEST:**

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

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**DANNY ENGLAND, CHAIRMAN**

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**MARIA BINNS, PC SECRETARY**

**PETITION No. 1380-26**

**REQUESTED ACTION:** Rezone parcel 0517 115 from R-40 to C-H to develop as a commercial property.

**EXISTING ZONING:** R-40

**PROPOSED ZONING:** C-H

**EXISTING USE:** Vacant Land

**PROPOSED USE:** Highway Commercial

**LOCATION:** S Highway 85

**LOT SIZE:** 2.02 Acres, total

**DISTRICT/LAND LOT(S):** 5<sup>th</sup> District, Land Lot(s) 70

**OWNER(S):** Mark Wurster

**APPLICANT(S):** Mark Wurster

**AGENT(S):** Dave Barber

**PLANNING COMMISSION PUBLIC HEARING:** May 7, 2026, at 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** May 28, 2026, at 5:00 PM

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**REQUEST:** The applicant is requesting to rezone to C-H, with the intent of developing the lot for C-H purposes.

**STAFF ASSESSMENT & RECOMMENDATION**

As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Commercial is designated for this area, so the request for C-H zoning district is appropriate.

**1380-26-** Based on Staff Analysis, Planning & Zoning Staff recommends **APPROVAL** of the request for a zoning of C-H, Highway Commercial.

## **INVESTIGATION**

### **A. GENERAL PROPERTY INFORMATION**

The subject property is currently zoned R-40. It was rezoned from A-R to R-40, Conditional, under Petition No. 1132-04, approved October 28, 2004. The condition attached to the R-40 rezoning required any structure on the subject property to meet additional setbacks based upon the proposed widening of S.R. 85 South based on information obtained from GDOT.

### **B. ADJACENT ZONING AND FUTURE LAND USE**

The property in the surrounding area is evolving from single-family residential and agricultural-residential to commercial uses. The Future Land Use Map for this property is commercial and the surrounding properties are commercial or low density residential. See the attached Zoning Map and Future Land Use Map for additional details.

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Future Land Use Plan</b>
North	7.972	C-H	Vacant Land	Commercial
East	3.20	A-R	Agricultural-Residential	Low Density Residential - 2 (1 unit /2 acres)
South	6.14	A-R	Agricultural-Residential	Commercial/Low-Density Residential
West	10.00	C-H	Self-Storage Facility	Commercial/Low-Density Residential

### **C. DEPARTMENTAL COMMENTS**

- Water System** – No objections.
- Public Works/Environmental Management** – No objections.
  - **Road Frontage Right of Way Dedication** – State Route 85 right-of-way governed by GDOT.
  - **Traffic Data** – In 2024, GDOT reports State Route 85 had 13,700 vehicles per day measured one mile south of this site.
  - **Sight Distance and access** – GDOT will issue all driveway permits and any access improvements. (GDOT was informed of the request for rezoning and has not yet responded to Fayette County with comments.)
  - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0112E 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** 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 section 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 Article XIV – Post-Construction Stormwater Management for New Development and Redevelopment.
  - **Landscape and Tree Replacement Plan** -- This development **WILL BE** subject to Article V – Nonresidential Development Landscape Requirements and Article VI – Tree Retention, Protection, & Replacement ordinances.
- Fire** – No comments.
  - Environmental Health** - This office has no objection to the proposed rezoning.
  - GDOT** – No comment.

**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 Commercial 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 commercial and residential 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 commercial.

## **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.

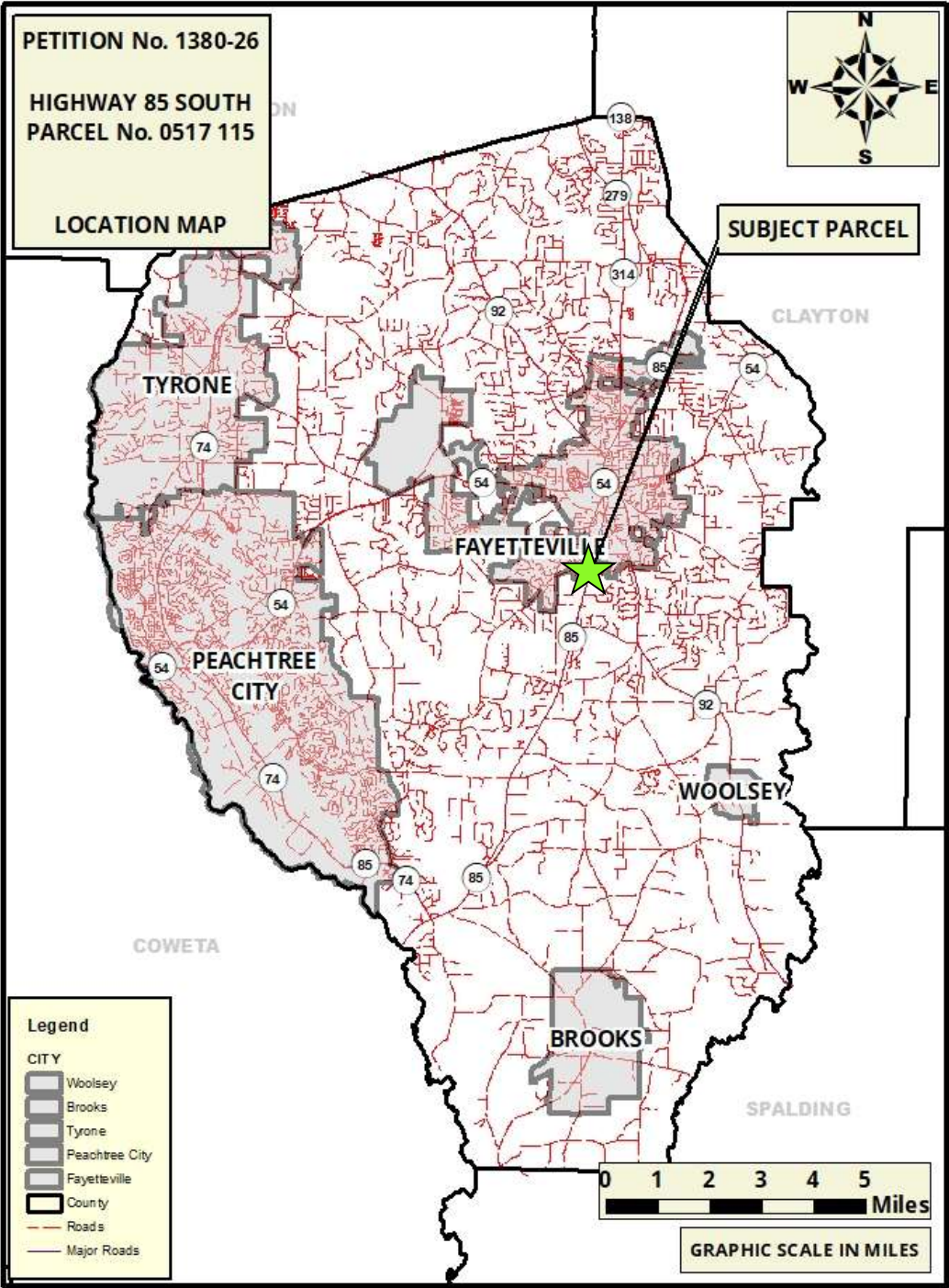
(c) *Conditional uses.* The following conditional uses shall be allowed in the C-H zoning district provided that all conditions specified in article V of this chapter are met:

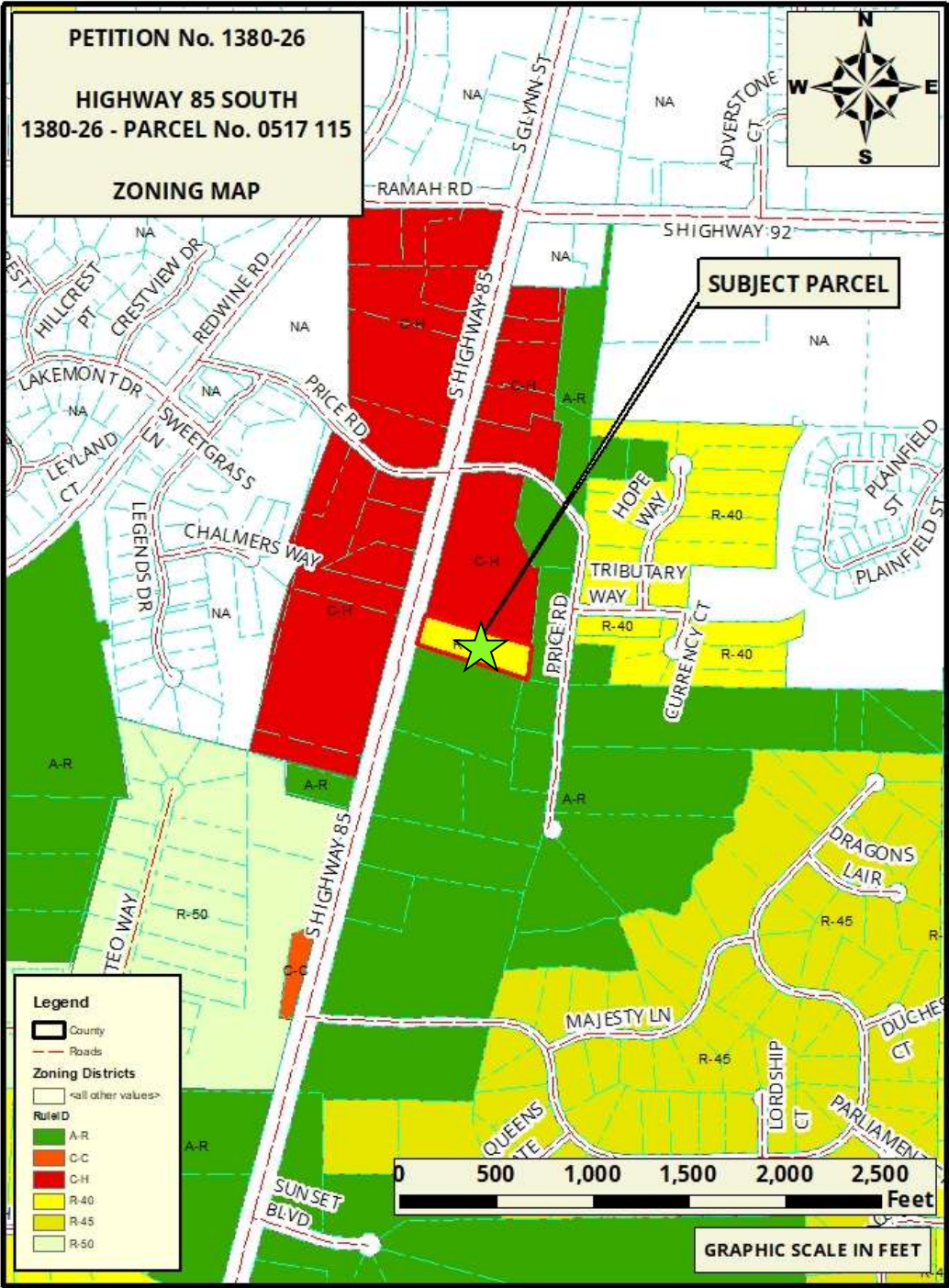
- (1) Adult day care facility;
- (2) Amphitheater;
- (3) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
- (4) Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store;
- (5) Campground facilities;
- (6) Care home, convalescent center, and/or nursing home;
- (7) Cemetery;
- (8) Charter motor coach service;
- (9) Church and/or other place of worship;

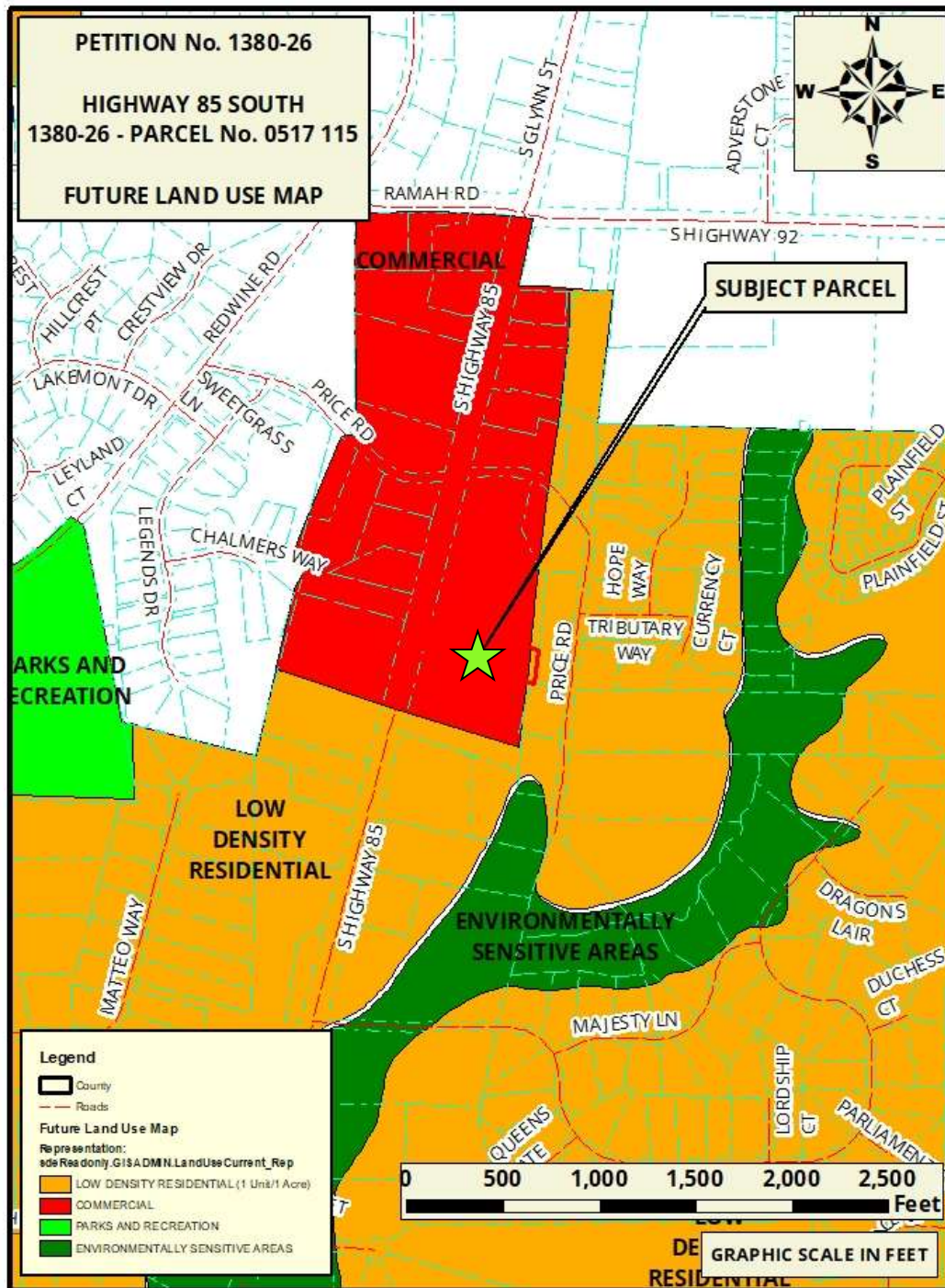
- (10) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
  - (11) Commercial driving range and related accessories;
  - (12) Child care facility;
  - (13) Dry cleaning plant;
  - (14) Experimental laboratory;
  - (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.

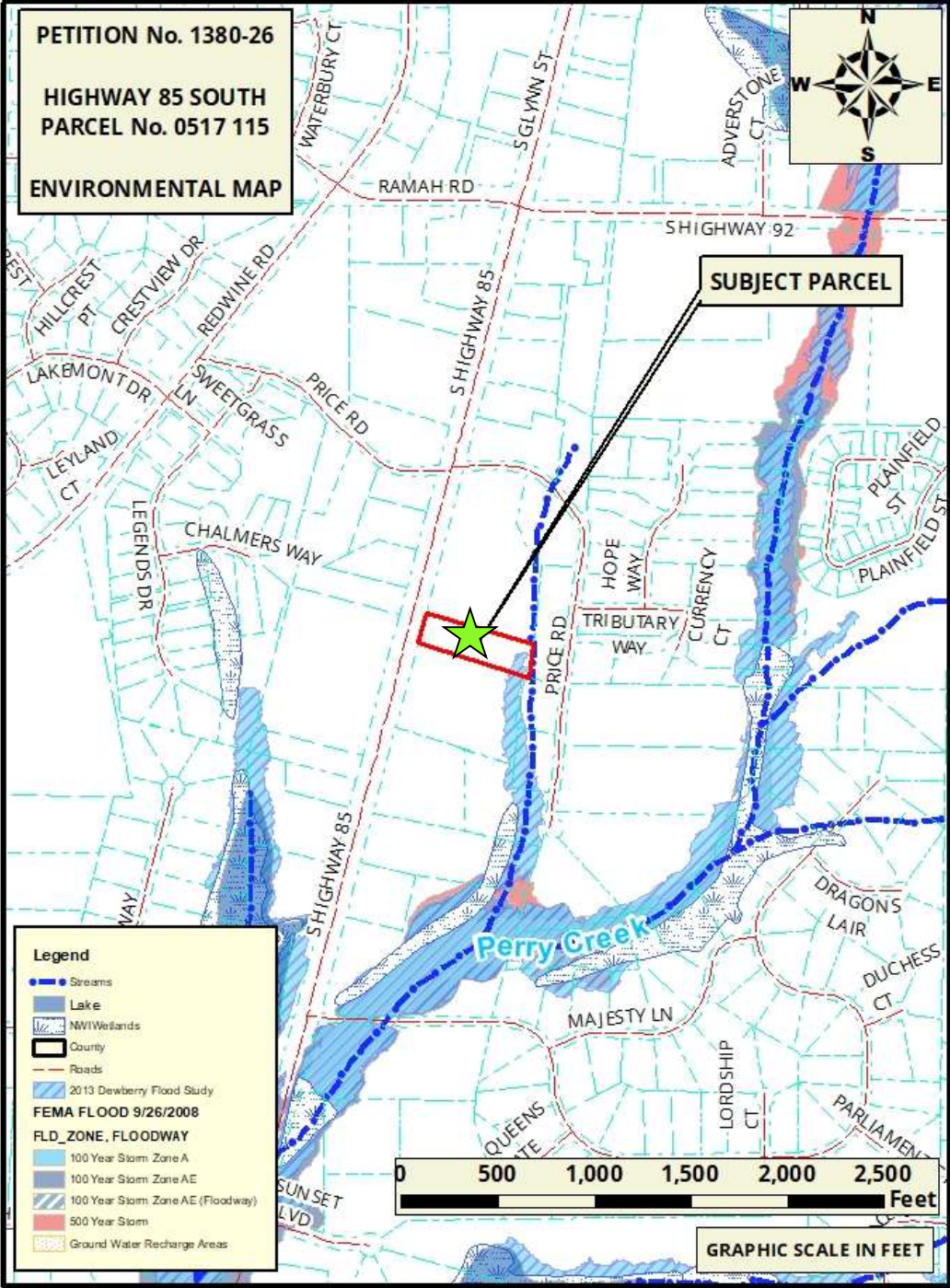
- (5) Side yard setback: 15 feet.
- (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.
- (7) Height limit: 35 feet.
- (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.











THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

GRID NORTH WEST ZONE 1809 93

SURVEYORS CERTIFICATION:

This plat is a subdivision of an existing parcel or parcels of land and does not subdivide or create new parcels of land and does not establish or create new property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION LOCAL AGENCY OR FEDERAL AGENCY. THIS PLAT IS SUBJECT TO FEDERAL, STATE AND LOCAL REGULATIONS AND SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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 19-6-67.



FINAL SURVEYORS CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT IS SUBJECT TO THE PROVISIONS OF THE GEORGIA PLAT ACT (O.C.G.A. SECTION 19-6-67).

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO. 1620 DATE: 11/1/025



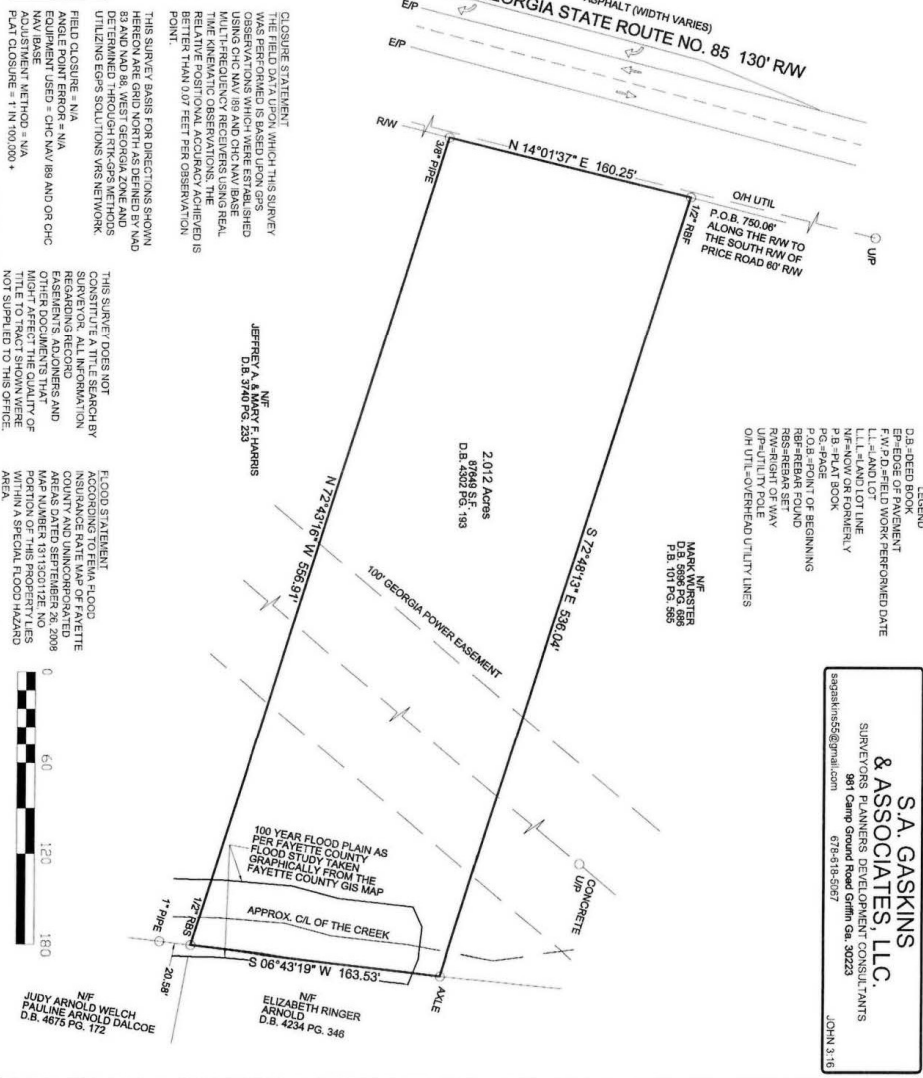
Prepared For  
**MARK WURSTER**

Parcel ID: 0671715 F.W.P.D.: 1106625 Job No. SA242132Adams  
Scale: 1" = 60' Land Lot: 70 District: 5TH

County: FAYETTE, GA

Date: 11/1/025

ASPHALT (WIDTH VARIES)  
**GEORGIA STATE ROUTE NO. 85 130' RW**



- LEGEND
- D.S. = DEED BOOK
  - E.P. = EDGE OF PAVEMENT
  - F.W.P.D. = FIELD WORK PERFORMED DATE
  - L.L. = LAND LOT LINE
  - N.F. = NOW OR FORMERLY
  - P.B. = PLAT BOOK
  - P.C. = PAGE
  - P.O.B. = POINT OF BEGINNING
  - R.B.S. = REBAR SET
  - R.W. = RIGHT OF WAY
  - UTILITY POLE
  - OH UTIL = OVERHEAD UTILITY LINES

**S.A. GASKINS & ASSOCIATES, LLC.**  
SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS  
981 Camp Ground Road Griffin, GA 30223  
678-618-5957  
sagaskins55@gmail.com

JOHN 3.16

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS SURVEY WAS PERFORMED IS BASED UPON GPS OBSERVATIONS WHICH WERE ESTABLISHED USING A SINGLE FREQUENCY RECEIVER USING REAL TIME KINEMATIC OBSERVATIONS. THE RELATIVE POSITIONAL ACCURACY ACHIEVED IS BETTER THAN 9.07 FEET PER OBSERVATION POINT.

THIS SURVEY BASIS FOR DIRECTIONS SHOWN HEREON ARE GRID NORTH AS DETERMINED BY WAD 83. THE FIELD MEASUREMENTS WERE DETERMINED THROUGH RTK-GPS METHODS UTILIZING EPPS SOLUTIONS VRS NETWORK

FIELD CLOSURE = N/A

ANGLE POINT ERROR = N/A

EQUIPMENT USED = CHC NAVI 89 AND CHC NAVI BASE

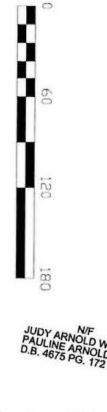
ADJUSTMENT METHOD = N/A

FIELD CLOSURE = 1" IN 90,000 +

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORDS AND EASEMENTS ADVISORS AND RECORDS SHOULD BE OBTAINED FROM THE COUNTY AND UNINCORPORATED AREAS DATED SEPTEMBER 26, 2009 WHICH AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

FLOOD STATEMENT

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY AND UNINCORPORATED AREAS DATED SEPTEMBER 26, 2009 A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.



PETITION No (s): 1380-26

SAGES REFERENCE No.: \_\_\_\_\_

STAFF USE ONLY

**APPLICANT INFORMATION**

Name Mark Winston

Address \_\_\_\_\_

City Fayetteville

State Ga Zip 30214

Email \_\_\_\_\_

Phone \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Name Mark Winston

Address \_\_\_\_\_

City Fayetteville

State Ga Zip 30214

Email \_\_\_\_\_

Phone \_\_\_\_\_

**AGENT(S) (if applicable)**

Name DAVID BARBER

Address \_\_\_\_\_

City Fayetteville

State Ga Zip 30214

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

DATE OF PLANNING COMMISSION HEARING: May 7, 2026

DATE OF COUNTY COMMISSIONERS HEARING: May 28, 2026

Received from Dave Barber a check in the amount of \$ 250.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 2/19/2026 Receipt Number: \_\_\_\_\_

PETITION No.: 1380-26 Fees Due: \_\_\_\_\_ Sign Deposit Due: \_\_\_\_\_

STAFF USE ONLY

**PROPERTY INFORMATION** (please provide information for each parcel)

Parcel # (Tax ID): 0517115 Acreage: 2.012 Ac.  
Land District(s): 5<sup>th</sup> Land Lot(s): 70  
Road Name/Frontage L.F.: CA Hwy 85 Road Classification: Georgia State Route  
Existing Use: R-40 Proposed Use: Allowable uses in C-H Zoning  
Structure(s): None Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Proposed Zoning: C-H  
Existing Land Use: \_\_\_\_\_ Proposed Land Use: C-H  
Water Availability: YES Distance to Water Line: Hwy 85 on Property Distance to Hydrant: Less Than 100'

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: \_\_\_\_\_

**DEVELOPMENTS OF REGIONAL IMPACT (DRI)**

**Rezoning Applicant:**

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

Signed this 19<sup>th</sup> day of February, 2026.

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

**PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM**  
**(Applications require authorization by ALL property owners of subject property).**

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

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0577115

(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) 70 of the 5 District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of 2.012 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to DAVID BARBER 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) Mark Wurster

Signature of Property Owner 1

\_\_\_\_\_

Address

Signature of Property Owner 2

\_\_\_\_\_

Address

Signature of Property Owner 3

\_\_\_\_\_

Address

Signature of Authorized Agent

\_\_\_\_\_

Address

Kim Yarbrough

Signature of Notary Public

2/19/26

Date

Signature of Notary Public

\_\_\_\_\_

Date

Signature of Notary Public

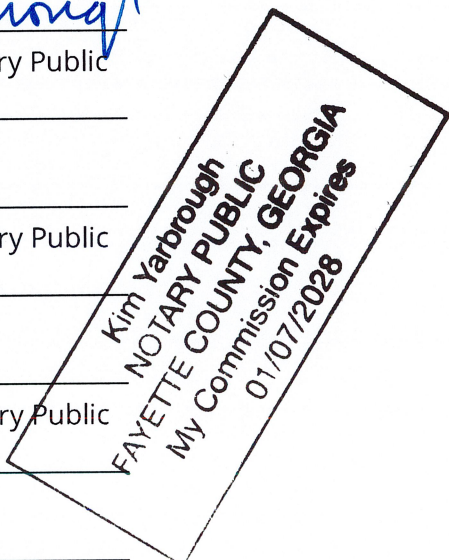
\_\_\_\_\_

Date

Signature of Notary Public

\_\_\_\_\_

Date



**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.

**AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY**

I/We, MARK WURSTER, 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 19<sup>th</sup> day of February, 2026.

Mark Wurster  
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Kim Yarbrough  
NOTARY PUBLIC

**Kim Yarbrough  
NOTARY PUBLIC  
FAYETTE COUNTY, GEORGIA  
My Commission Expires  
01/07/2028**



February 19, 2026

To whom it may concern,

The purpose of this rezoning request is to rezone property from S-Z to C-H to align with Fayette County's land use map.

Thank you.

A handwritten signature in blue ink, appearing to read "D. Barber", is positioned above the printed name.

David Barber  
Marksmen Properties, Inc.

**BK 5893 PG 407**

After recording return to:  
Huddleston Law Group, LLC  
ATTN: Kelly  
225 North Jeff Davis Drive  
Fayetteville, Georgia 30214  
File # 25-141

**WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF FAYETTE

**THIS INDENTURE**, made the **12<sup>TH</sup>** day of **NOVEMBER, 2025**, between **MICHELLE D. FIELDS** of the State of Georgia, as party of the first part, hereinafter called Grantor, and **MARK WURSTER**, as parties of the second part, hereinafter called Grantee (the words "Grantor(s)" and "Grantee(s)" 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 AND 00/100 DOLLARS (\$10.00)** and other good and valuable considerations 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(s), the following described property:

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 70 of the 5<sup>th</sup> Land District of Fayette County, Georgia, containing 2.026 acres and being more particularly described as follows: **BEGINNING** at a point at the southeasterly corner of the intersection of the right-of-way of State Highway 85 and the southern side of Price Road and running thence south along the easterly right-of-way of State Highway 85 a distance of 779.10 feet to a point and an iron pin forming the Point of Beginning; **Running** thence South 71 degrees 48 minutes 18 seconds East a distance of 541.15 feet to a point and an iron pin; **running** thence South 01 degrees 35 minutes 55 seconds West a distance of 163.53 feet to a point and an iron pin; **running** thence North 72 degrees 06 minutes 51 seconds West a distance of 573.30 feet to a point and an iron pin; **running** thence North 12 degrees 59 minutes and 01 seconds East along said right-of-way of State Highway 85, a distance of 160.48 feet to a point and an iron pin and the **POINT OF BEGINNING**.

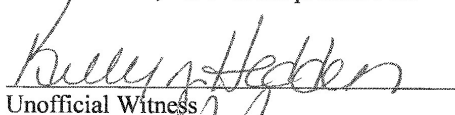
**Parcel # 0517 115**

This deed is given subject to all easements, covenants and restrictions of record, if any.

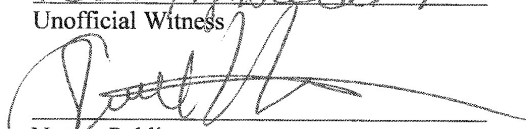
**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees forever in **FEE SIMPLE**.

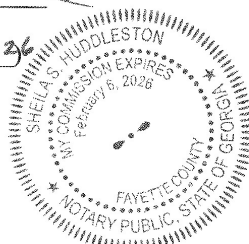
**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantees against the claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has signed and sealed this deed, this **12<sup>TH</sup>** day of **NOVEMBER, 2025** in the presence of:

  
Unofficial Witness

  
**MICHELLE D. FIELDS**

  
Notary Public  
(My commission expires 02-26-2026)



ALL THAT TRACT OR PARCEL OF LAND IN LAND LOT 70 OF THE 5 TH DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" RBF ON THE EASTERLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85 (130' R/W) SAID POINT BEING 750.06' SOUTHERNLY FROM THE INTERSECTION OF THE EASTERNLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85 AND THE SOUTHERNLY RIGHT-OF-WAY OF PRICE ROAD (60' R/W) AND BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING S 72 48 13 E A DISTANCE OF 536.04' TO AN AXLE; THENCE RUNNING S 06 43 19 W A DISTANCE OF 163.53' TO A 1/2" RBS; THENCE RUNNING N 72 43 16 W A DISTANCE OF 556.91' TO A 3/8" PIPE ON THE EASTERNLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85; THENCE RUNNING N 14 01 37 E A DISTANCE OF 160.25' TO A 1/2" RBF ON THE RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85 AND THE TRUE POINT OF BEGINNING;

AREA 2.012 ACRES

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

GRID NORTH  
WEST ZONE  
NAD 83



**SURVEYORS CERTIFICATION:**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

**FINAL SURVEYORS CERTIFICATE**

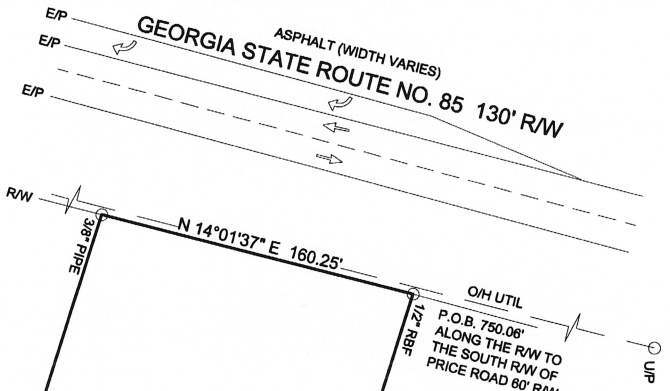
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT (O.C.G.A. SECTION 15-6-67).

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO. 1620  
DATE: 11/10/25



**MARK WURSTER**

Parcel ID: 0517 115 Date: 11/10/25  
Scale: 1" = 80' F.W.P.D.: 11/06/25 Job No: SA24-013A2Acres  
County: FAYETTE, GA Land Lot: 70 District: 5TH



- LEGEND**
- D.B.=DEED BOOK
  - EP=EDGE OF PAVEMENT
  - F.W.P.D.=FIELD WORK PERFORMED DATE
  - L.L.=LAND LOT
  - L.L.L.=LAND LOT LINE
  - N/F=NOW OR FORMERLY
  - P.B.=PLAT BOOK
  - PG.=PAGE
  - P.O.B.=POINT OF BEGINNING
  - RBF=REBAR FOUND
  - RSS=REBAR SET
  - RW=RIGHT OF WAY
  - UP=UTILITY POLE
  - O/H UTIL=OVERHEAD UTILITY LINES

N/F  
MARK WURSTER  
D.B. 5696 PG. 686  
P.B. 101 PG. 965

2,012 Acres  
87649 S.F.  
D.B. 4302 PG. 193

N/F  
JEFFREY A. & MARY F. HARRIS  
D.B. 3140 PG. 293

**CLOSURE STATEMENT**  
THE FIELD DATA UPON WHICH THIS SURVEY WAS PERFORMED IS BASED UPON GPS OBSERVATIONS WHICH WERE ESTABLISHED USING CHC NAV 189 AND CHC NAV/LEASE MULTI-FREQUENCY RECEIVERS USING REAL TIME KINEMATIC OBSERVATIONS. THE RELATIVE POSITIONAL ACCURACY ACHIEVED IS BETTER THAN 0.07 FEET PER OBSERVATION POINT.  
THIS SURVEY BASIS FOR DIRECTIONS SHOWN HEREON ARE GRID NORTH AS DEFINED BY NAD 83 AND NAD 88. WEST GEORGIA ZONE AND DETERMINED THROUGH RTK-GPS METHODS UTILIZING EGPS SOLUTIONS VRS NETWORK.

FIELD CLOSURE = N/A  
ANGLE POINT ERROR = N/A  
EQUIPMENT USED = CHC NAV 189 AND OR CHC NAV/LEASE  
ADJUSTMENT METHOD = N/A  
PLAT CLOSURE = 1 IN 100,000 +

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

**FLOOD STATEMENT**  
ACCORDING TO FEMA FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY AND UNINCORPORATED AREAS DATED SEPTEMBER 26, 2008 MAP NUMBER 13113C0112E, NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.



N/F  
JUDY ARNOLD WELCH  
PAULINE ARNOLD DALCOE  
D.B. 4675 PG. 172

100 YEAR FLOOD PLAIN AS PER FAYETTE COUNTY FLOOD STUDY TAKEN GRAPHICALLY FROM THE FAYETTE COUNTY GIS MAP

APPROX. C/L OF THE CREEK

S 06°43'19" W 163.53'

N/F  
ELIZABETH RINGER  
ARNOLD  
D.B. 4234 PG. 346

**S.A. GASKINS & ASSOCIATES, LLC.**  
SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS  
991 Camp Ground Road Griffin, Ga. 30223  
678-518-5067  
sagaskins55@gmail.com  
JOHN 3:16

**FAYETTE COUNTY**

**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, May 7, 2026, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, May 28, 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: 1380-26\

Parcel No: 0517 115

Owner: Mark Wurster

Agent(s): David Barber

Zoning District: R-40

Area of Property: 2.012 acres

Land Lot(s)/District: Land Lot 70 of the 5th District

Fronts on: Highway 85 South

Proposed: Applicant proposes the following: To rezone the following: 2.012 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial) to develop as a commercial property.

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 IN LAND LOT 70 OF THE 5 TH DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1/2" RBF ON THE EASTERLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85 (130' R/W) SAID POINT BEING 750.06' SOUTHERNLY FROM THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85 AND THE SOUTHERNLY RIGHT-OF-WAY OF PRICE ROAD (60' R/W) AND BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING S 72 48 13 EA DISTANCE OF 536.04' TO AN AXLE; THENCE RUNNING S 06 43 19 WA DISTANCE OF 163.53' TO A 1/2" RBS; THENCE RUNNING N 72 43 16 WA DISTANCE OF 556.91' TO A 3/8" PIPE ON THE EASTERNLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85; THENCE RUNNING N 14 01 37 E A DISTANCE OF 160.25' TO A 1/2" RBF ON THE RIGHT-OF-WAY OF GEORGIA STATE ROUTE NO.85 AND THE TRUE POINT OF BEGINNING;  
AREA 2.012 ACRES.

**PETITION No. 1381-26**

**REQUESTED ACTION:** Rezone 8.227 acres from A-R to R-80

**PARCEL NUMBER:** 0448 034

**EXISTING ZONING:** A-R

**PROPOSED ZONING:** R-80

**EXISTING USE:** Single-Family Residential

**PROPOSED USE:** Single-Family Residential

**LOCATION:** McBride Road

**LOT SIZE:** 8.227 Acres

**DISTRICT/LAND LOT(S):** 4<sup>th</sup> District, Land Lot(s) 249

**OWNER(S):** Wright Chancey McBride, LLC

**APPLICANT(S):** Wright Chancey McBride, LLC

**AGENT(S):** Steven Jones, Attorney

**PLANNING COMMISSION PUBLIC HEARING:** May 7, 2026, at 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** May 28, 2026, at 5:00 PM

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**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, recorded in Plat Book 101 Page 633, on 06/03/2024. It 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, so the request to rezone to R-80 is consistent with the Future Land Use Map and the Comprehensive Plan.

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

1. The owner /developer shall dedicate land to Fayette County as needed to provide a minimum of 40-ft of right of way as measured from the existing centerline of McBride Road within 90 days of this rezoning request, or prior to the submittal of a final plat, whichever comes first.

**INVESTIGATION**

**A. GENERAL PROPERTY INFORMATION**

The subject property is currently zoned A-R, Agricultural-Residential. The property is currently undeveloped.

**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 (across McBride Rd)	71	A-R	Single-Family Residential	Rural Residential-2 (1 unit /2 acres)
East	38+	A-R	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	50+	A-R	Single-Family Residential	Rural Residential-3 (1 unit /3 acres)

**C. DEPARTMENTAL COMMENTS**

- Water System** - No objections.
- Public Works/Environmental Management** - No objections.
  - o **Access Management**
    - McBride Road (Proposed Tract 2) fronts a Collector Road, requiring a right of way of 40-foot from the centerline of McBride Road. No traffic data for this road. Right-of-Way dedication required.
  - o **Site Distance**
    - The speed limit on McBride Road is 35 MPH, requiring 390 ft. of sight distance.
  - o **Floodplain Management**
    - The property **DOES** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0118E dated September 26, 2008.
    - Any improvements on the site must meet all regulations, including but not limited to MFFE (Minimum Finished Floor Elevations).
  - o **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.
  - o **Watershed Protection** - There **ARE** state waters located on the subject property and the site **WILL BE** subject to the Fayette County Watershed Protection Ordinance upon subdivision.

- **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 surfaces for a
- 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:

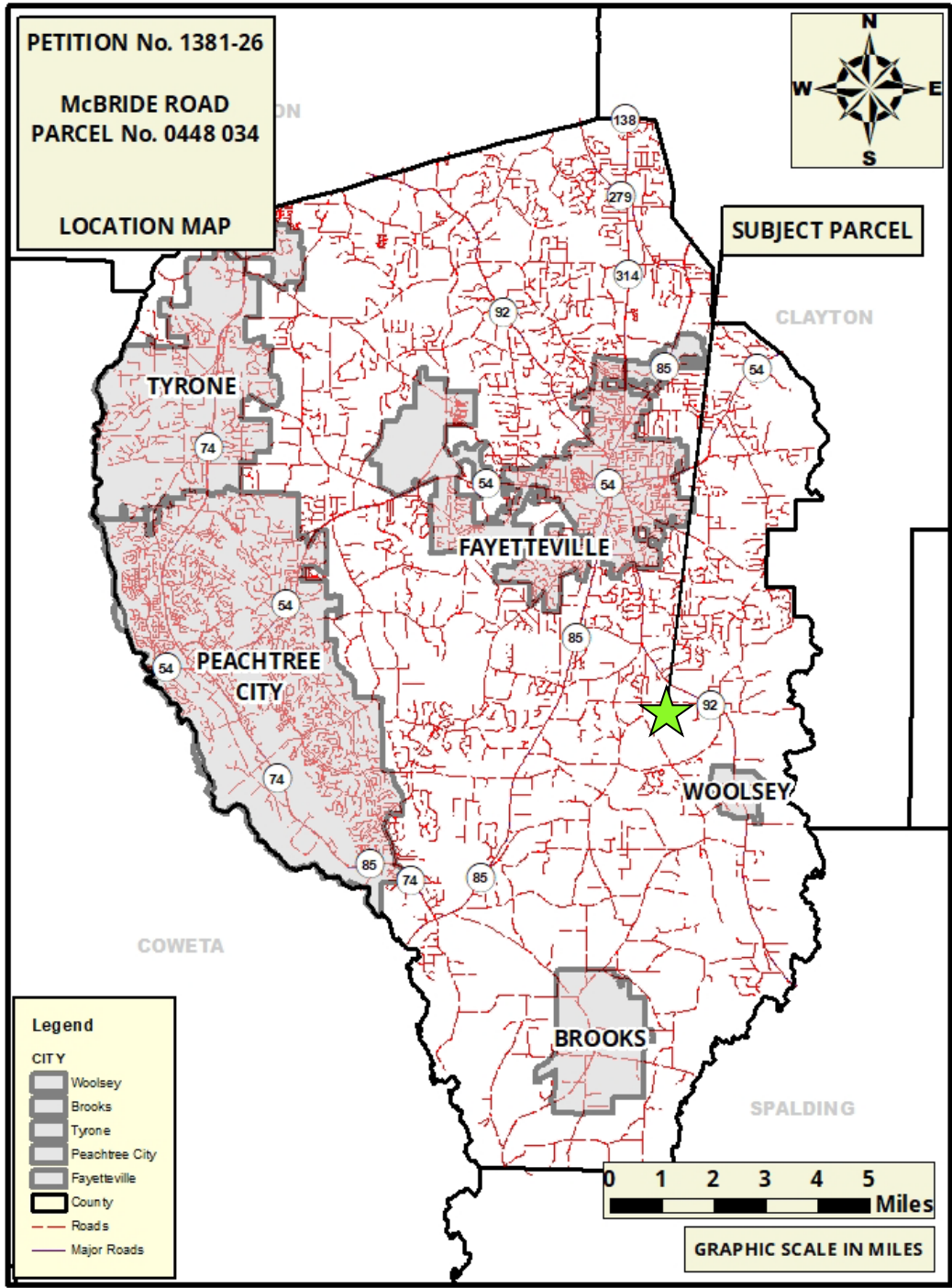
- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter); and
- (3) Growing crops, gardens.

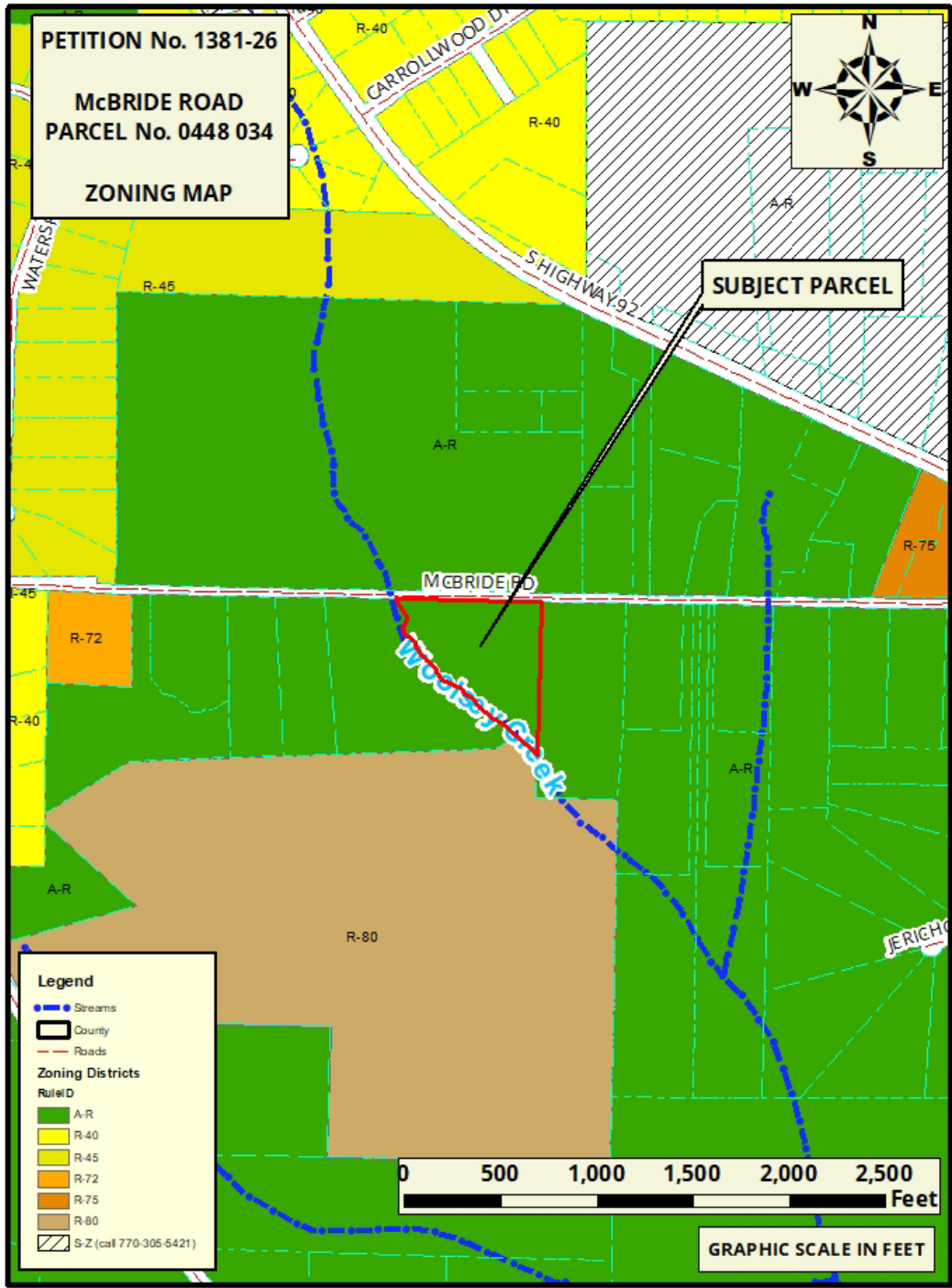
(c) *Conditional uses.* The following conditional uses shall be allowed in the R-80 zoning district provided that all conditions specified in article V of this chapter are met:

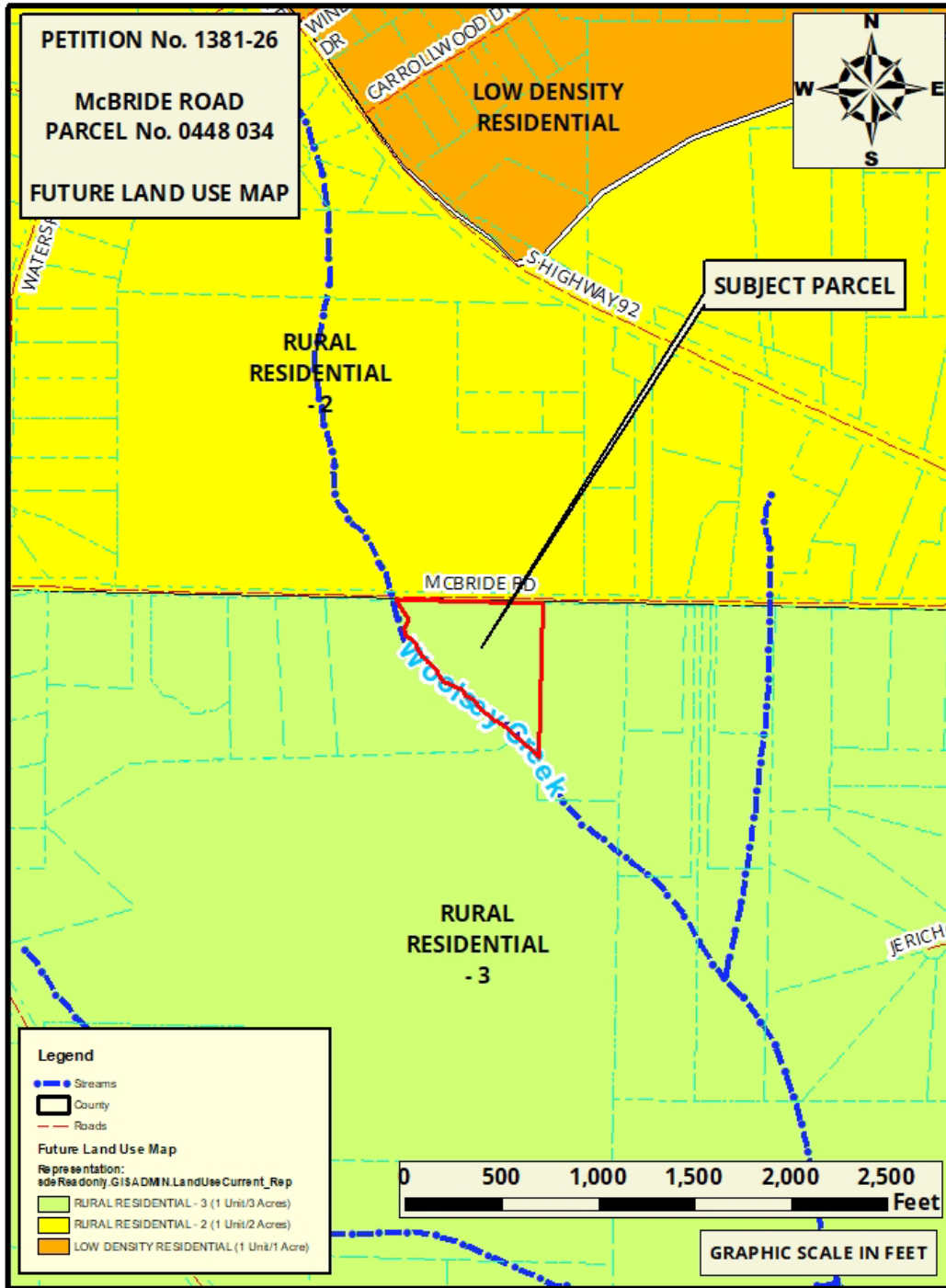
- (1) Church and/or other place of worship;
- (2) Developed residential recreational/amenity areas;
- (3) Home occupation;
- (4) Horse quarters; and
- (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

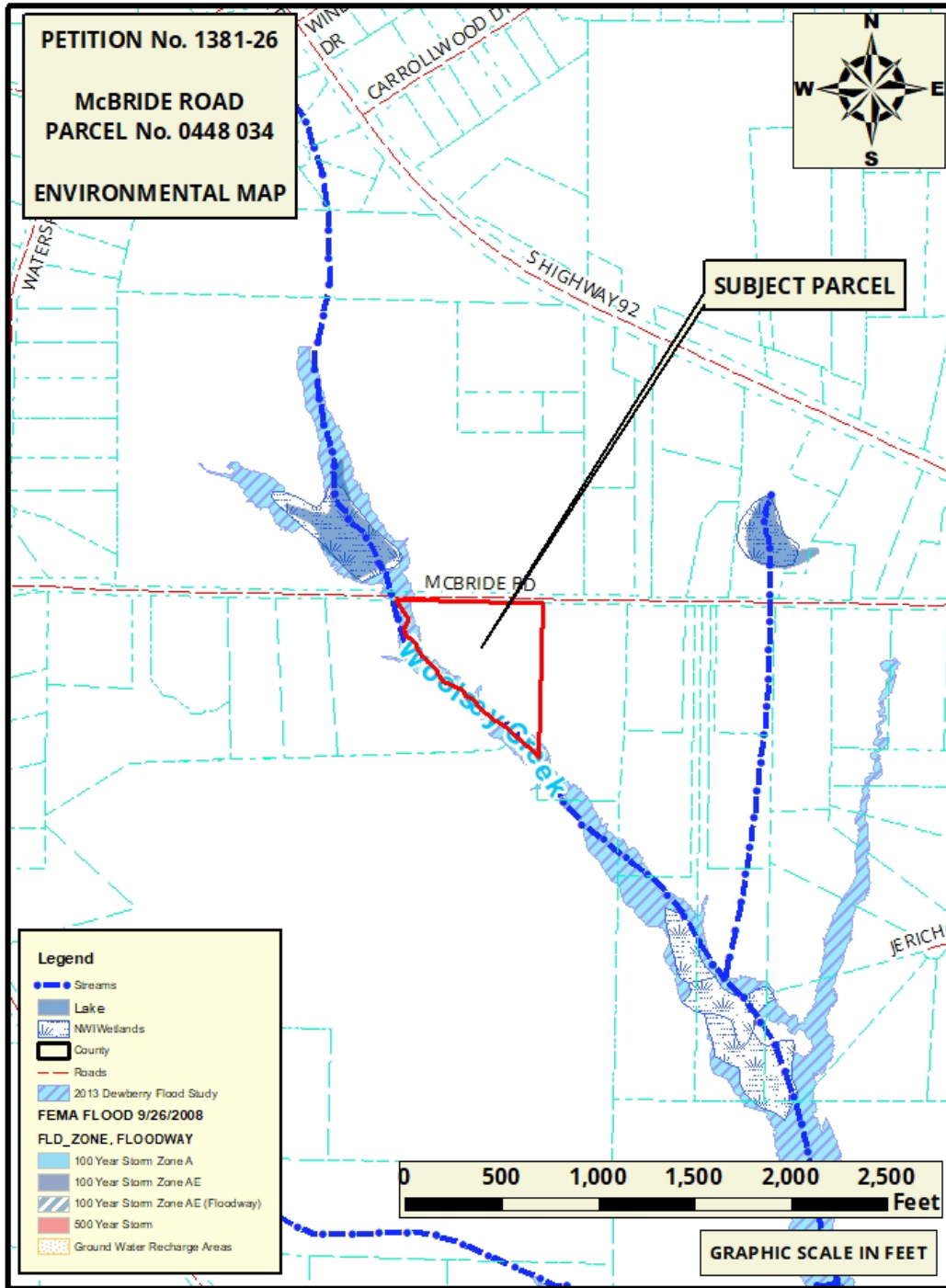
(d) *Dimensional requirements.* The minimum dimensional requirements in the R-80 zoning district shall be as follows:

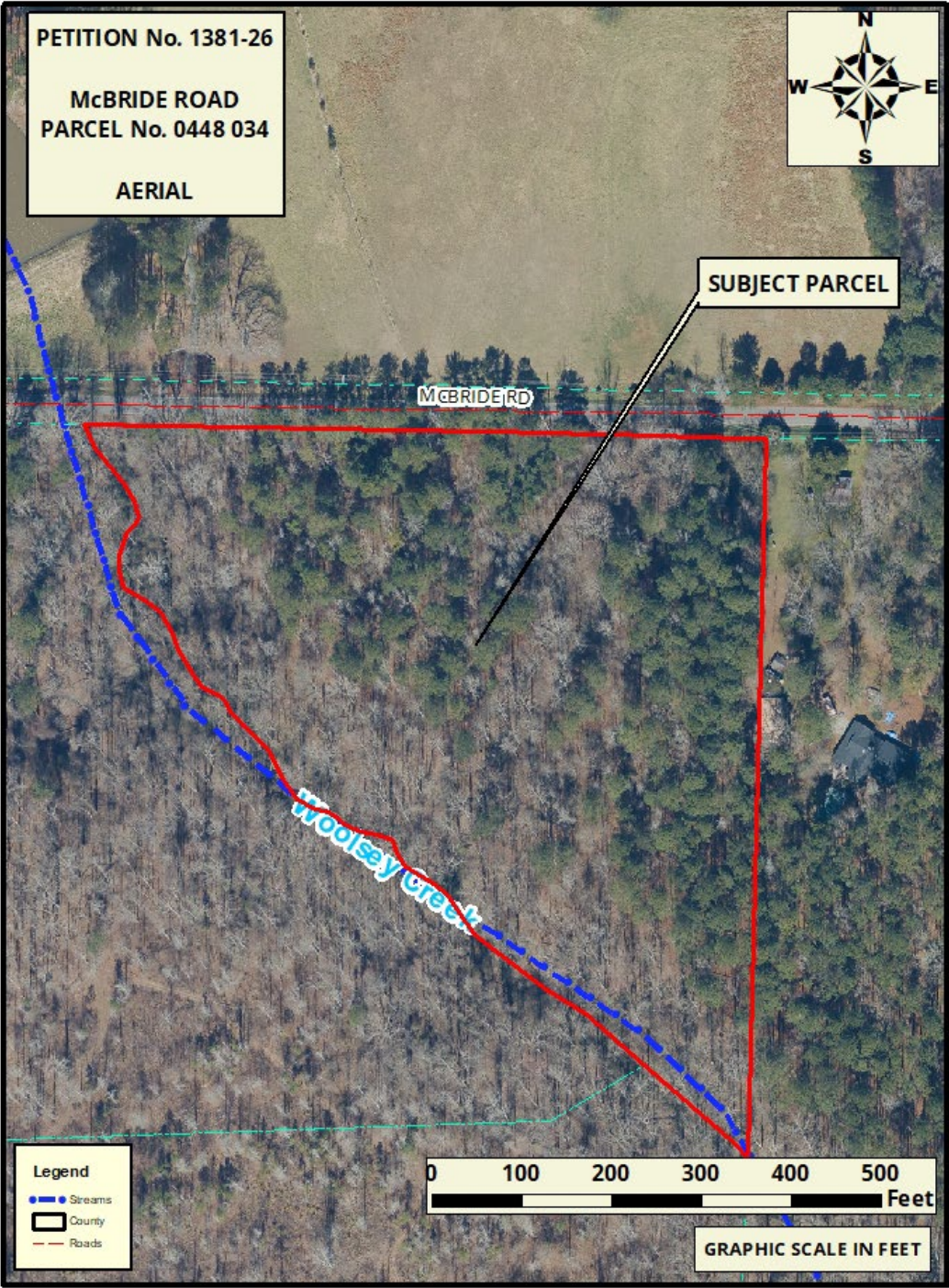
- (1) Lot area per dwelling: 130,680 square feet (three acres).
- (2) Lot width: 175 feet.
- (3) Floor area: 2,500 square feet.
- (4) Front yard setback:
  - a. Major thoroughfare:
    1. Arterial: 75 feet.
    2. Collector: 75 feet.
  - b. Minor thoroughfare: 50 feet.
- (5) Rear yard setback: 50 feet.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

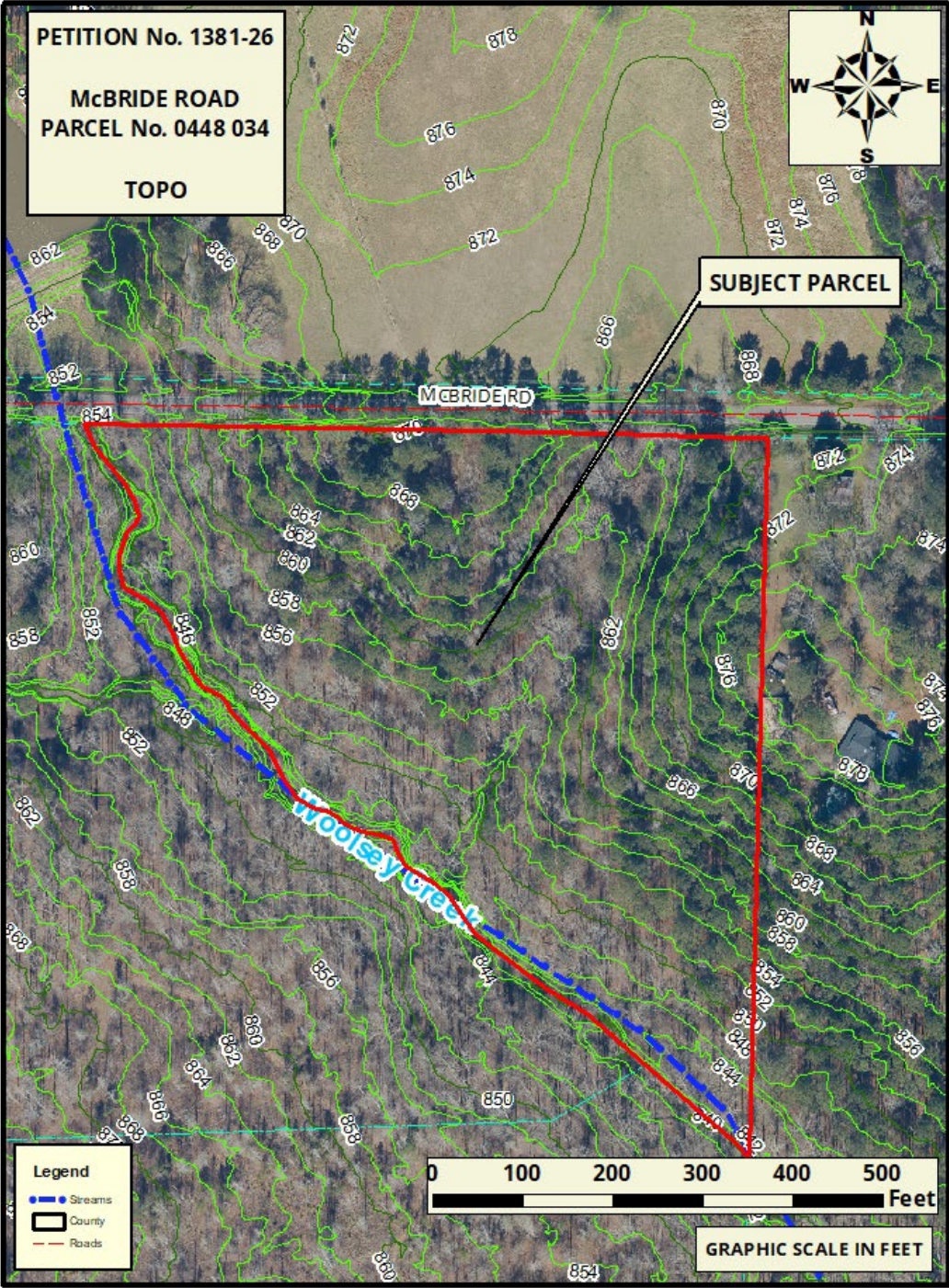










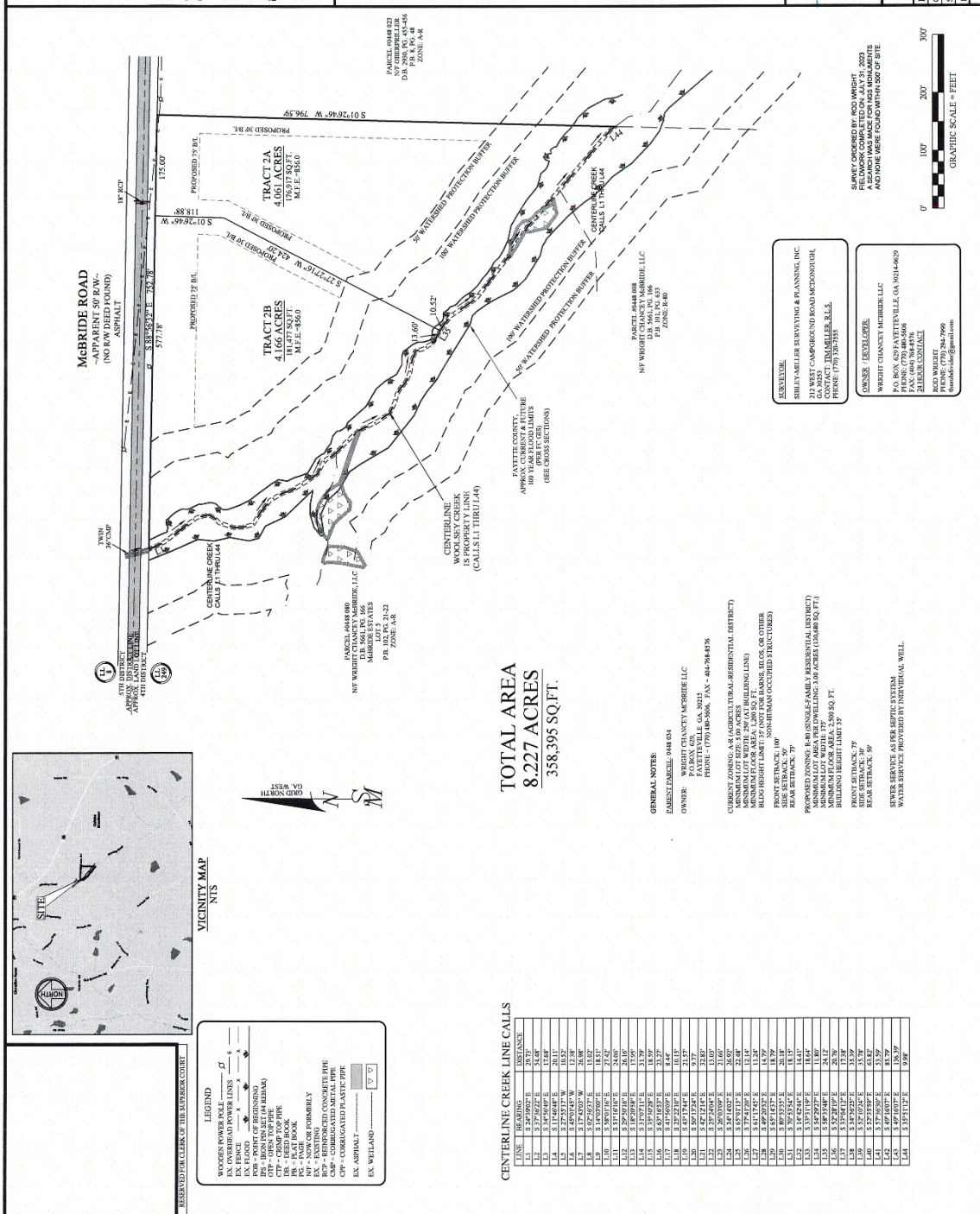


**REZONING PLAT FOR:**  
**WRIGHT CHANCY MCBRIDE, LLC**  
**PARENT PARCEL: 0448 034**  
**TOTAL AREA = 8.227 ACRES**  
**LAND LOT 249, 4th DISTRICT**  
**FAVETTE COUNTY, GEORGIA**

**SIBLEY-MILLER SURVEYING & PLANNING INC.**  
 112 WEST GAMEROUND RD  
 MADENOTON, GA. 30235  
 PHONE: (770) 320-7555  
 FAX: (770) 320-7333  
 WWW.SIBLEYMILLERSURVEYING.COM

**REZONING PLAT**  
 PROJECT # B23042  
 DRAWN BY: PWF  
 CHECKED BY: EM/TLM  
 SCALE: 1" = 100'  
 DATE: 02/18/2025

**SHEET: 1 OF 1**



CONCEPT PLAN for 2 LOTS

PETITION No (s): 1381-26

SAGES REFERENCE No.: \_\_\_\_\_

STAFF USE ONLY

**APPLICANT INFORMATION**

Name Wright Chancey McBride, LLC

Address [REDACTED]

City Fayetteville

State GA Zip 30215

Email [REDACTED]

Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

Name Wright Chancey McBride, LLC

Address [REDACTED]

City Fayetteville

State GA Zip 30215

Email [REDACTED]

Phone [REDACTED]

**AGENT(S) (if applicable)**

*(ALTERNATE)*

Name Steven L. Jones, McKagen Jones

Address [REDACTED]

City Atlanta

State GA Zip 30338

Email [REDACTED]

Phone [REDACTED]

Name Rod Wright

Address [REDACTED]

City Fayetteville, GA

State GA Zip 30215

Email [REDACTED]

Phone [REDACTED]

**(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

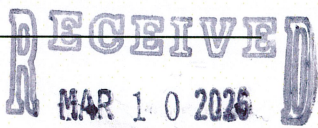
Staff: Maria Binns Date: 03/10/26

DATE OF PLANNING COMMISSION HEARING: \_\_\_\_\_

DATE OF COUNTY COMMISSIONERS HEARING: \_\_\_\_\_

Received from Rod wright 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: 03/10/2026 Receipt Number: 026774



BY: M.B.

**PETITION No.:** 1381-26 **Fees Due:** 350.<sup>00</sup> **Sign Deposit Due:** 20.<sup>00</sup>

STAFF USE ONLY

**PROPERTY INFORMATION** (please provide information for each parcel)

Parcel # (Tax ID): 0448 034 Acreage: 8.227 AC  
Land District(s): 4th Land Lot(s): 249  
Road Name/Frontage L.F.: McBride Rd Road Classification: Collector  
Existing Use: Undeveloped Proposed Use: 2, single-family residential lots  
Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: 358,395 SF  
Existing Zoning: A-R Proposed Zoning: R-80  
Existing Land Use: Rural Residential - 3 Proposed Land Use: Rural Residential - 3  
Water Availability: Private Distance to Water Line: Private - Well Distance to Hydrant: N/A

**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:  
Wright Chancey McBride, LLC

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** 0448 034

(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 of the 4th District, and (if applicable to more than one land district) Land Lot(s) N/A of the N/A District, and said property consists of a total of 8.227 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

*Rod Wright*

(I) (We) hereby delegate authority to Steven L. Jones, McKagen Jones 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  
 [Redacted]

Address  
 [Redacted]

Signature of Property Owner 2

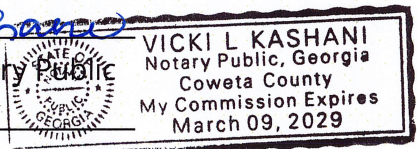
Address

Signature of Property Owner 3

Address

*[Signature]*  
 Signature of Authorized Agent  
 [Redacted]  
 Address

*Vicki L. Kashani*  
 Signature of Notary Public  
3-10-26  
 Date



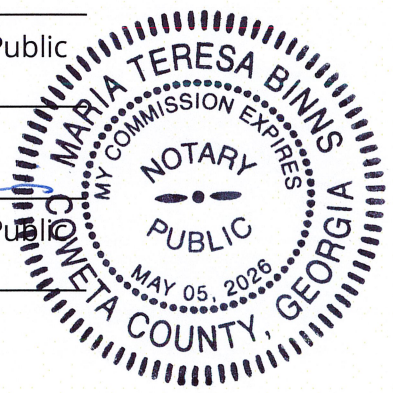
Signature of Notary Public

Date

Signature of Notary Public

Date

*Maria Teresa Binns*  
 Signature of Notary Public  
03/10/2026  
 Date



PETITION No.: 1381-26

**OWNER'S AFFIDAVIT**

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

NAME: Wright Chancey McBride, LLC

ADDRESS: [REDACTED] Fayetteville, Georgia 30214

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

Wright Chancey McBride, LLC 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 \$ 370 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 attached

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of May 7, 2006 at 7:00 P.M.

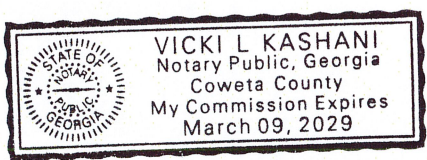
PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of May 28, 2006 at 5:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 10<sup>th</sup> DAY OF March, 2026

[Signature]  
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER  
Vicki L. Kashani

NOTARY PUBLIC



**AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY**

I/We, Wright Chancey McBride, LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 80 feet of right-of-way along McBride Road 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:

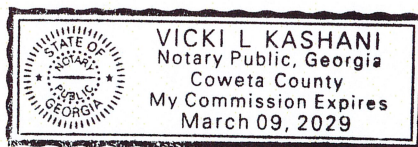
- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each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

Sworn to and subscribed before me this 10<sup>th</sup> day of March, 2026.

[Signature]  
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Vicki L. Kashani  
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/](http://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 10<sup>th</sup> day of March, 2026.

\_\_\_\_\_  
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:**       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
- N/A  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:
  - X   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.
  - N/A 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.
  - X   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.
  - X   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.
  - X   e. Minimum zoning setbacks and buffers, as applicable.
  - X   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.
  - X   g. Location and dimensions of exits/entrances to the subject property.
  - X   h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
  - X   i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- N/A  A letter of intent for a non-residential rezoning request, including the proposed use(s).

Steven L. Jones



MCKAGEN JONES

1441 Dunwoody Village Parkway, Suite 100 | Atlanta, Georgia 30338 | MJlawfirm.com  
Office: (770) 799-6655 | Cell: (404) 218-2756 | slj@mjlawfirm.com

March 10, 2026

Fayette County Board of Commissioners  
c/o, Ms. Tameca Smith, County Clerk  
140 Stonewall Avenue W.  
Suite 100  
Fayetteville, GA. 30214  
[tsmith@fayettecountyga.gov](mailto:tsmith@fayettecountyga.gov)

Fayette County Planning and Zoning Department  
c/o Ms. Deborah Bell, Director of Planning and Zoning  
140 Stonewall Avenue W.  
Suite 202  
Fayetteville, GA. 30214  
[dbell@fayettecountyga.gov](mailto:dbell@fayettecountyga.gov)

**RE: Fayette County Tax Assessor Parcel Identification Number (“TPN”): 0448 034;  
consisting of 8.227 +/- acres (the “Property”);  
Application to Amend the Official Zoning Map of Fayette County, GA regarding the  
Property (the “Rezoning Application”).**

Fayette County Board of Commissioners:

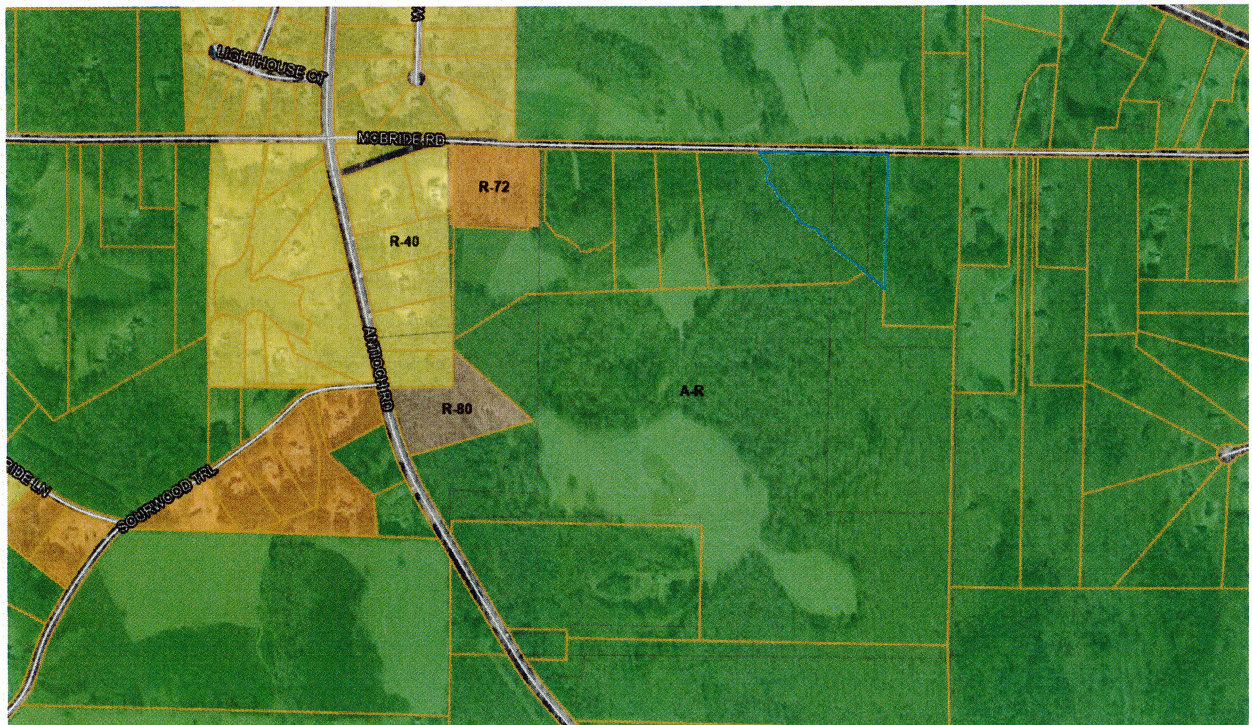
This law firm represents Wright Chancey McBride, LLC (the “**Applicant**”), the proponent of the Application and the owner of the Property. The Applicant respectfully submits this Letter of Intent in support of the Application, which seeks to rezone the Property. The purpose of this letter is to formally outline the Applicant’s intent, establish the basis for the requested zoning action, and provide the supporting narrative required for the Board of Commissioners of Fayette County, Georgia’s (the “**BOC**”) consideration of the Application.

### **The Property**

The Property consists of a single parcel of real property presently within the Agricultural Residential Zoning District (“**A R**”) under The Zoning Ordinance of Fayette County, Georgia (the “**Zoning Ordinance**”) codified as Chapter 110 of The Code of Fayette County, Georgia (the “**Code**”). The Property consists of approximately 8.22 ± acres and fronts on McBride Road in unincorporated Fayette County, Georgia. Through the Application, the Applicant respectfully requests the BOC rezone the Property to the R80 SingleFamily Residential District (“**R80**”). The proposed R80 designation is intended to accommodate the development of two single family lots of 4.166 acres and 4.061 acres, consistent with the purpose and intent of the district and the County’s Comprehensive Plan.

The Property is presently undeveloped and is well suited for large lot single family residential use. Development under the R80 standards will ensure adequate lot sizes, building setbacks, and open space relationships that reinforce the rural residential character envisioned for this area.

Both homes will be served by individual septic systems and private wells, consistent with the infrastructure conditions and service delivery framework applicable to this portion of the County. The Applicant will comply with all applicable environmental health regulations, soil suitability requirements, and state and local permitting laws, rules, and regulations.



*Portion of the QPublic Fayette County Zoning Map*

### **The Application**

The Application seeks to rezone the Property from the A R zoning district to the R 80 zoning district for the purpose of developing two large lot single family residential homes in a manner consistent with the surrounding rural residential development pattern.

Section 110-300 of the Zoning Ordinance sets forth the standards (the “**Rezoning Factors**”) by which the Planning and Zoning Department, the Planning Commission of Fayette County, and the BOC must evaluate the Application. These Rezoning Factors ensure that proposed amendments are reviewed comprehensively and in a manner that aligns with the County’s adopted land use policies and regulatory framework. Below, the Rezoning Factors are restated in bold followed by the Applicant’s analysis of each factor.

**(1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;**

The requested R 80 zoning district is consistent with the County's adopted Land Use Plan, which designates the Property as being within the Rural Residential – 3 (1 unit/acre) character area. The proposed development of two large lot single family homes aligns with the Plan's intent to preserve the area's low intensity residential character, maintain open space, and support development patterns compatible with existing large lot subdivisions. The rezoning therefore conforms to both the land use designation and the broader policy direction for this portion of the County.

**(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The proposed R 80 zoning is compatible with surrounding properties, which are similarly characterized by large lot residential and agricultural residential uses. The introduction of two single family homes on substantial lots will not generate impacts that would diminish the use, enjoyment, or development potential of adjacent parcels. The low density nature of the proposal ensures that existing rural residential character is preserved, and no adverse effects on neighboring properties are anticipated.

**(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;**

The proposed development of only two single family residences will not create any excessive or burdensome demand on public infrastructure. Traffic generation will be minimal and well within the capacity of the existing roadway network. The homes will be served by individual septic systems and private wells, eliminating the need for public water or sewer extensions. Given the extremely low number of units (2), any impact on schools or other public services will be minimal. The rezoning therefore does not create a burdensome demand on existing or planned facilities.

**(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.**

Existing conditions support approval of the rezoning. The Property is currently undeveloped and is well suited for large lot residential use consistent with the surrounding development pattern.

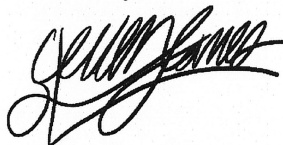
Georgia law and the procedures of Fayette County require us, as counsel for the Applicant, to raise Federal and State constitutional and other objections during the public hearing application process. While the Applicant anticipates a smooth application process, failure to raise such objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, we hereby raise the objections set forth in

Board of Commissioners of Fayette County, Georgia  
March 10, 2026  
Page 4 of 4

Exhibit "A" and Exhibit "B" hereto.

The Applicant and I appreciate the Board of Commissioner's attention to the Application.  
Should you have any questions or require further information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven L. Jones", written in a cursive style.

Steven L. Jones

*[The rest of this page intentionally left blank]*

## EXHIBIT "A"

### CONSTITUTIONAL OBJECTION

As applied to the real property of Wright Chancey McBride, LLC (the "Owner") identified as Fayette County Tax Assessor Parcel Identification Number ("TPN"): 0448 034 and consisting of 8.22 +/- acres (the "Property"), and which is the subject of the Application (as that term is defined in the foregoing letter) filed by Wright Chancey McBride, LLC (the "Applicant") and to which this Constitutional Objection is attached, if the Application is not approved or is approved with condition(s) not consented to by the Applicant/the Owner, The Zoning Ordinance of Fayette County, Georgia (the "Zoning Ordinance") codified as Chapter 110 of The Code of Fayette County, Georgia (the "Code") facially and as applied will be unconstitutional in that the Applicant's/the Owner's property rights in and to the Property will be destroyed without first receiving fair, adequate, and just compensation for such property rights. As applied to the Property, in such case, such action on the Application as well as the Zoning Ordinance, facially and as applied, will deprive the Applicant/the Owner of constitutionally protected rights in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States of America.

If the Application is not approved or is approved with condition(s) not consented to by the Applicant/the Owner, such action on the Application, application of the Zoning Ordinance to the Property and/or the Applicant/the Owner, and the Zoning Ordinance facially will be unconstitutional, illegal, arbitrary, capricious, null, and void, constitute a taking of the Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States of America thereby denying the Applicant/the Owner an economically viable use of the Property while not substantially advancing legitimate state interests.

Inasmuch as it is impossible for the Applicant/the Owner to use the Property and simultaneously comply with the Zoning Ordinance and in the event the Application is not approved or is approved with condition(s) not consented to by the Applicant/the Owner, such action on the Application, application of the Zoning Ordinance to the Property, and the Zoning Ordinance facially will constitute arbitrary, capricious, and unreasonable acts by Fayette County, Georgia (the "County"), by and through the Board of Commissioners of the Fayette County (the "BOC"), without any rational basis therefor and constitute abuses of discretion in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States of America.

**EXHIBIT "A"**

If the Application is not approved or is approved with condition(s) not consented to by the Applicant/the Owner, such action on the Application, application of the Zoning Ordinance to the Property, and the Zoning Ordinance facially will be unconstitutional and discriminate against the Property and/or the Applicant/the Owner in an arbitrary, capricious, and unreasonable manner between the Property, the Applicant/the Owner and others similarly situated in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States of America.

The present zoning applied to the Property imposes a significant detriment on the Property and/or the Owner/the Applicant insubstantially related to the public health, safety, morality, and general welfare.

WHEREFORE, the Applicant/the Owner requests the Board of Commissioners of Fayette County, Georgia approve the Application, as specified and designated therein, with only condition(s) consented to by the Applicant/the Owner.

Respectfully submitted this 10th day of March 2026.

**MCKAGEN JONES**  
Counsel for the Applicant/the Owner

/s/ Steven L. Jones  
Steven L. Jones

1441 Dunwoody Village Parkway  
Suite 100  
Atlanta, Georgia 30338  
(770) 799-6655  
slj@mjlawfirm.com

## EXHIBIT "B"

### OBJECTIONS TO AND FOR ZONING HEARINGS BASED ON YORK V. ATHENS COLLEGE OF MINISTRY, INC.

Regarding the Application (as that term is defined in the foregoing letter) concerning the real property of Wright Chancey McBride, LLC (the "Owner") identified as Fayette County Tax Assessor Parcel Identification Number ("TPN"): 0448 034 (the "Property") and to which this objection is attached and which Application is filed by Wright Chancey McBride, LLC (the "Applicant"), any and every public hearing regarding, and any Board of Commissioners of Fayette County, Georgia (the "BOC") action (including, but not limited, any final action) on, the Application and The Zoning Ordinance of Fayette County, Georgia (the "Zoning Ordinance") codified as Chapter 110 of The Code of Fayette County, Georgia (the "Code"), facially and as applied to the Property, the Applicant/the Owner, and the Application, are objected to by the Applicant/the Owner based on, but not limited to, the reasons set forth herein (collectively the "York Objection" and each an "Objection"), in accordance with *York v. Athens College of Ministry, Inc.*, 348 Ga. App. 58, 821 S.E.2d 120 (Ga. Ct. App. 2018):

Contemporaneous with the filing of this *York* Objection, the Applicant/the Owner is filing a Constitutional Objection, and all Objections set forth therein are incorporated herein by reference as if fully restated.

The Applicant/the Owner objects to any and every public and other hearing(s) and meeting(s) regarding the Application, including, but not limited to, those before the BOC, because the time limitation, if any, imposed on the presentation of evidence and testimony in support of, as well as in rebuttal to opposition evidence, comments, and/or testimony to, the Application deprive the Applicant/the Owner a meaningful opportunity to be heard and preserve issues, in violation of the Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of Georgia of 1983. Likewise, the Applicant/the Owner objects to any and all members of the public (and/or other persons) who appear (or otherwise give testimony and/or opinion) at any and all public hearing(s) and other meetings, including, but not limited to, before the BOC to the extent that (but not limited to) said individuals (a) do not have standing to appeal the BOC's decision on the Application (*i.e.*, do not satisfy the substantial interest-aggrieved citizen test); (b) are not under oath; (c) are not subject to cross-examination; (d) present evidence on and/or make statements that qualify as (or must or should be assessed with the aid of) expert opinion testimony without any or all individuals being qualified as expert witnesses; (e) present evidence on and/or make statements that are not germane to the exclusive factors for consideration of the Application set forth in the Zoning Ordinance; (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, hearsay, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence; (g) fail to disclose any and every campaign (or other) contribution to any member of the BOC; and/or (h) are not residents of the County.

Additionally, the Applicant/the Owner objects to any BOC action that does not approve the Application or approves the Application with conditions not consented to by the Applicant/the Owner and any other action of the County to the extent that (but not limited to) such action is: (a) in violation of Section 50-13-19(h) of the Official Code of Georgia Annotated or otherwise: (1) in violation of any constitutional, statutory, and/or ordinance provisions; (2) in

## EXHIBIT "B"

excess of the constitutional, statutory, and/or ordinance authority of the planning commission of the County and/or BOC; (3) made upon unlawful procedure; (4) affected by other error of law; (5) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and/or (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (b) founded, wholly or in part, upon inadmissible, hearsay, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence; (c) contrary to, or based, in whole or in part, on factors or considerations other than, the exclusive factors or procedure for consideration of the Application set forth in the Zoning Ordinance; (d) based, in whole or in part, on evidence and/or information received by said planning commission and/or the BOC (1) outside of the public hearing(s) on the Application; (2) by *ex parte* or other similar means; and/or (3) otherwise in a manner which does not afford the Applicant/the Owner a right to respond to or otherwise confront all evidence considered by said planning commission and/or the BOC in its evaluation of the Application; (e) otherwise not made pursuant and in conformance with the Code of Ordinances; the Zoning Ordinance; the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*; and/or any other law, including the Constitutions of the State of Georgia or the United States of America; (f) pursuant to an ordinance, resolution, zoning map, and/or the like not adopted in compliance with the Code of Ordinances; the Zoning Ordinance; the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*; and/or any other law, including the Constitutions of the State of Georgia or the United States of America, which the Applicant/the Owner contends is the case for the applicable ordinances, resolutions, and maps, including, but not limited to, the Zoning Ordinance; and/or (g) not sustained by sufficient evidence.

By and through this *York* Objection, the Applicant/the Owner hereby preserves all the above and incorporated Objections, and any and all evidence, arguments, and objections made and/or tendered at any hearing, and/or prior to the BOC's final action, on the Application, and asserts them on and within the record before, and for consideration and resolution (prior to any formal decision) by, the BOC.

WHEREFORE, the Applicant/the Owner requests the Board of Commissioners of Fayette County, Georgia approve the Application, as specified and designated therein, with only condition(s) consented to by the Applicant/the Owner.

Respectfully submitted this 10th day of March 2026.

**MCKAGEN JONES**

Counsel for the Applicant/the Owner

/s/ Steven L. Jones

Steven L. Jones

1441 Dunwoody Village Parkway  
Suite 100  
Atlanta, Georgia 30338  
(770) 799-6655  
slj@mjlawfirm.com

Please return to:  
Lawson, Beck & Sandlin, LLC  
1125 Commerce Drive, Suite 300  
Peachtree City, GA 30269  
File # 23-LAW-0839  
Att: Lexi Clarke  
Parcel Number: 0448008,0448036,0448034



Doc ID: 011885870003 Type: WD  
Recorded: 10/09/2023 at 09:50:00 AM  
Fee Amt: \$25.00 Page 1 of 3  
Transfer Tax: \$0.00  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court

BK **5661** PG **168-170**

STATE OF GEORGIA  
COUNTY OF FAYETTE

(23)

**LIMITED WARRANTY DEED**

THIS INDENTURE made this 28th day of September, 2023 between

**Wright Chancey, LLC**

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

**Wright Chancey McBride, LLC**

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:

**Tract 04-48-008**

All that tract or parcel of land lying and being in Land Lot 249 of the 4th District of Fayette County, Georgia, being Tract 1, containing 125.444 acres more or less, Tract 4, containing 1.250 acres more or less, and Tract 5, containing 1.374 acres more or less, as shown on that boundary survey for Rod Wright Corp, by Sibley-Miller Surveying and Planning Inc., Tim L. Miller, Reg. Land Surveyor No. 3150, dated 9/5/2023, as recorded in Plat Book 101, Page 509, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

**Tract 04-48-036**

All that tract or parcel of land lying and being in Land Lot 249 of the 4th District of Fayette County, Georgia, being Tract 2, containing 15.087 acres more or less, as shown on that boundary survey for Rod Wright Corp, by Sibley-Miller Surveying and Planning Inc., Tim L. Miller, Reg. Land Surveyor No. 3150, dated 9/5/2023, as recorded in Plat Book 101, Page 509, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

**Tract 04-48-034**

All that tract or parcel of land lying and being in Land Lot 249 of the 4th District of Fayette County, Georgia, being Tract 3, containing 19.999 acres more or less, as shown on that boundary survey for Rod Wright Corp, by Sibley-Miller Surveying and Planning Inc., Tim L. Miller, Reg. Land Surveyor No. 3150, dated 9/5/2023, as recorded in Plat Book 101, Page 509, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

**LEGAL DESCRIPTION**  
**Continued**

Tract 04-48-008

All that tract or parcel of land lying and being in Land Lot 249 of the 4th District of Fayette County, Georgia, being Tract 4, containing 1.250 acres more or less, as shown on that boundary survey for Rod Wright Corp, by Sibley-Miller Surveying and Planning Inc., Tim L. Miller, Reg. Land Surveyor No. 3150, dated 9/5/2023, as recorded in Plat Book 101, Page 509, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

All that tract or parcel of land lying and being in Land Lot 249 of the 4th District of Fayette County, Georgia, being Tract 5, containing 1.374 acres more or less, as shown on that boundary survey for Rod Wright Corp, by Sibley-Miller Surveying and Planning Inc., Tim L. Miller, Reg. Land Surveyor No. 3150, dated 9/5/2023, as recorded in Plat Book 101, Page 509, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

**SIGNATURES ON NEXT PAGE**

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.

Cherry L Brown  
Witness  
[Signature]  
Notary Public

Wright Chancey LLC

By: RODWRIGHTCORP, Member

BY: [Signature]  
Roderick A. Wright, President



All that tract or parcel of land lying and being in land lot 249 of the 4<sup>th</sup>. District, Fayette County Georgia.  
And being more particularly as follows

Beginning at the intersection of the centerline of Woolsey creek and the Southerly right of way of  
McBride Rd

Thence S 88°56'32" E along said right of way A Distance Of 752.78' to a point;

Thence S 01°26'46" W A Distance Of 796.59' to a rebar set

Thence N 35°51'12" W A Distance Of 9.98' to the centerline of Woolsey Creek

Thence N 49°16'07" W A Distance Of 136.39' along said creek centerline

Thence N 49°16'07" W A Distance Of 85.79' along said creek centerline

Thence N 57°36'30" W A Distance Of 53.59' along said creek centerline

Thence N 52°35'59" W A Distance Of 63.82' along said creek centerline

Thence N 52°10'24" W A Distance Of 35.78' along said creek centerline

Thence N 34°36'25" W A Distance Of 35.39' along said creek centerline

Thence N 33°04'12" W A Distance Of 17.38' along said creek centerline

Thence N 52°28'19" W A Distance Of 20.76' along said creek centerline

Thence N 58°35'48" W A Distance Of 24.12' along said creek centerline

Thence N 54°29'27" W A Distance Of 11.80' along said creek centerline

Thence N 33°31'19" W A Distance Of 18.64' along said creek centerline

Thence N 14°42'44" W A Distance Of 14.41' along said creek centerline

Thence N 70°53'54" W A Distance Of 18.15' along said creek centerline

Thence N 80°53'35" W A Distance Of 20.18' along said creek centerline

Thence N 65°14'37" W A Distance Of 18.79' along said creek centerline

Thence N 49°20'52" W A Distance Of 14.79' along said creek centerline

Thence N 61°17'45" W A Distance Of 11.24' along said creek centerline

Thence N 77°41'20" W A Distance Of 12.14' along said creek centerline

Thence N 65°01'13" W A Distance Of 22.48' along said creek centerline

Thence N 34°14'02" W A Distance Of 26.92' along said creek centerline

Thence N 26°03'09" W A Distance Of 21.66' along said creek centerline

Thence N 25°24'04" W A Distance Of 13.03' along said creek centerline

Thence N 42°12'14" W A Distance Of 32.83' along said creek centerline

Thence N 50°13'24" W A Distance Of 9.77' along said creek centerline

Thence N 43°17'44" W A Distance Of 21.57' along said creek centerline

Thence N 25°22'10" W A Distance Of 10.15' along said creek centerline

Thence N 41°56'09" W A Distance Of 8.44' along said creek centerline

Thence N 63°16'53" W A Distance Of 23.27' along said creek centerline

Thence N 35°30'28" W A Distance Of 18.59' along said creek centerline

Thence N 31°07'11" W A Distance Of 31.79' along said creek centerline

Thence N 18°20'58" W A Distance Of 17.95' along said creek centerline

Thence N 29°50'16" W A Distance Of 26.16' along said creek centerline

Thence N 51°16'16" W A Distance Of 24.06' along said creek centerline

Thence N 58°01'16" W A Distance Of 27.42' along said creek centerline

Thence N 14°03'00" W A Distance Of 18.51' along said creek centerline

Thence N 02°36'37" W A Distance Of 15.02' along said creek centerline

Thence N 17°43'03" E A Distance Of 26.98' along said creek centerline

Thence N 45°01'45" E A Distance Of 12.38' along said creek centerline

Thence N 27°55'17" E A Distance Of 10.52' along said creek centerline

Thence N 11°46'48" W A Distance Of 20.11' along said creek centerline

Thence N 34°56'49" W A Distance Of 17.68' along said creek centerline

Thence N 37°36'22" W A Distance Of 54.48' along said creek centerline

Thence N 24°39'02" W A Distance Of 29.73' along said creek centerline

Which Is The Point Of Beginning,

Having An Area Of 8.228 Acres



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, May 7, 2026, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, May 28, 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: 1381-26
Parcel No: 0448 034
Owner: Wright Chancey McBride, LLC
Agent(s): Rod Wright and Steven Jones
Zoning District: A-R
Area of Property: 8.227 acres
Land Lot(s)/District: Land Lot 249 of the 7th District

Fronts on: McBride Road
Proposed: Applicant proposes the following: To rezone the following: 8.227 acres from A-R Agricultural Residential (Single-Family) to R-80 (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 249 of the 4th District, Fayette County Georgia.

And being more particularly as follows: Beginning at the intersection of the centerline of Woolsey creek and the Southerly right of way of McBride Rd Thence S 88°56'32" E along said right of way A Distance Of 752.78' to a point; Thence S 01°26'46" WA Distance Of 796.59' to a rebar set

Thence N 35°51'12" WA Distance Of 9.98' to the centerline of Woolsey Creek; Thence N 49°16'07" WA Distance Of 136.39' along said creek centerline; Thence N 49°16'07" WA Distance Of 85.79' along said creek centerline

Thence N 57°36'30" WA Distance Of 53.59' along said creek centerline; Thence N 52°35'59" WA Distance Of 63.82' along said creek

centerline
Thence N 52° 10'24" WA Distance Of 35.78' along said creek centerline; Thence N 34°36'25" WA Distance Of 35.39' along said creek centerline
Thence N 33°04'12" WA Distance Of 17.38' along said creek centerline; Thence N 52°28' 19" WA Distance Of 20. 76' along said creek centerline
Thence N 58°35'48" WA Distance Of 24.12' along said creek centerline; Thence N 54 °29'27" WA Distance Of 11.80' along said creek centerline
Thence N 33°31' 1 9" WA Distance Of 18.64' along said creek centerline; Thence N 14 ° 42'44" WA Distance Of 14.41' along said creek centerline
Thence N 70°53'54" WA Distance Of 18.15' along said creek centerline; Thence N 80°53'35" WA Distance Of 20.18' along said creek centerline
Thence N 65°14'37" WA Distance Of 18.79' along said creek centerline; Thence N 49°20'52" WA Distance Of 14.79' along said creek centerline
Thence N 61 ° 17'45" WA Distance Of 11.24' along said creek centerline; Thence N 77°41 '20" WA Distance Of 12.14' along said creek centerline
Thence N 65°01 '13" WA Distance Of 22.48' along said creek centerline; Thence N 34° 14'02" WA Distance Of 26.92' along said creek centerline
Thence N 26°03'09" WA Distance Of 2 1 .66' along said creek centerline; Thence N 25°24'04" WA Distance Of 13.03' along said creek centerline

Thence N 42°12'14" WA Distance Of 32.83' along said creek centerline; Thence N 50°13'24" WA Distance Of 9.77' along said creek centerline
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Thence N 37°36'22" WA Distance Of 54.48' along said creek centerline; Thence N 24°39'02" WA Distance Of 29.73' along said creek centerline
Which Is The Point Of Beginning, Having An Area Of 8.228 Acres
04/08