

## BOARD OF COUNTY COMMISSIONERS

Randy Ognio, Chairman  
Charles W. Oddo, Vice Chairman  
Edward Gibbons  
Eric K. Maxwell  
Charles D. Rousseau

## FAYETTE COUNTY, GEORGIA

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



140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## AGENDA

January 23, 2020  
6:30 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 6:30 p.m.

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

### PROCLAMATION/RECOGNITION:

1. Recognition of winners of the 2019 Model Water Tower Competition and Water System Staff. (page3-21)

### PUBLIC HEARING:

2. Consideration of Petition No. RP-074-19, Richard E Carne, Owner, request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots. (pages 22-51)
3. Consideration of Petition No. RP-075-19, Cicely Foster, Owner, request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional 17 acre lot. (pages 52-72)
4. Consideration of Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road. (pages 73-91)
5. Consideration of Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and Rosemont Trace. (pages 92-111)

### PUBLIC COMMENT:

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

### CONSENT AGENDA:

6. Approval to award ITB #1743-B to West Georgia Lighting, Inc. in the amount of \$142,500 for lighting at McCurry Park Soccer Field #21. (pages 112-115)

7. Approval of the Water Committee's recommendation to close Lake McIntosh Park on May 15, 16 and 17, 2020 for the Greater Atlanta Air Show. (pages 116-117)
8. Approval of the January 9, 2020 Board of Commissioners Meeting Minutes. (pages 118-122)

**OLD BUSINESS:**

**NEW BUSINESS:**

9. Consideration of a staff's recommendation to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023. (pages 123-129)
10. Consideration of staff's recommendation to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the amount of \$383,154.00. (pages 130-135)
11. Consideration to increase existing Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance. (pages 136-137)
12. Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019. (pages 138-142)
13. Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019. (pages 143-146)

**ADMINISTRATOR'S REPORTS:**

**ATTORNEY'S REPORTS:**

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Recognition of winners of the 2019 Model Water Tower Competition and Water System Staff.

**Background/History/Details:**

The fourth Fayette County Model Water Tower Competition was held at JC Booth Middle School in Peachtree City. Fayette County Water System sponsored the 2019 competition. Students from JC Booth Middle School and Whitewater Middle school participated. In this competition middle school students learn about the water profession through a fun-filled, hands-on science project. The students construct a functioning water tower and learn that a water tower has three main components: an elevated tank, a riser pipe, and a structure to elevate the tank. Towers are judged based on three criteria: structural efficiency, hydraulic efficiency, and design ingenuity/interview presentation.

In addition, students experience what it is like to be an Engineer for a day by solving issues with their towers and trying to come up with the best design based on provided, limited specifications such as specific size and height requirements. The towers are tested to make sure they meet the specifications for both materials and dimensions.

**What action are you seeking from the Board of Commissioners?**

Recognition of winners of the 2019 Model Water Tower Competition and Water System Staff.

**If this item requires funding, please describe:**

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

# 2019 MODEL WATER TOWER COMPETITION

HOSTED BY:

Fayette County  
 **Water** System



# FAYETTE COUNTY WATER SYSTEM EDUCATES

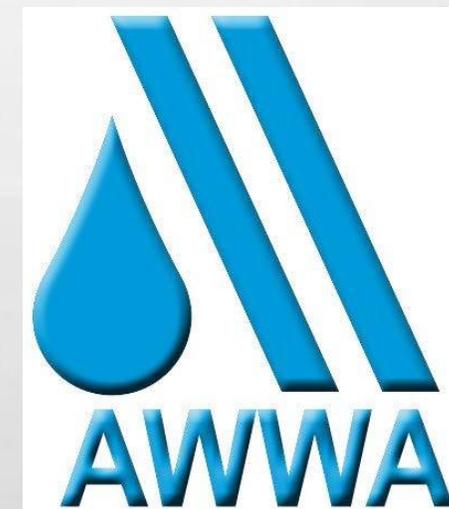
**EVERY YEAR, SINCE 2015, THE WATER SYSTEM HOSTS THE MODEL WATER TOWER COMPETITION, FOR MIDDLE SCHOOL STUDENTS OF FAYETTE COUNTY.**



# THE COMPETITION IS IN COLLABORATION WITH THE AMERICAN WATER WORKS ASSOCIATION AND GEORGIA ASSOCIATION OF WATER PROFESSIONALS.



Georgia  
Association of  
Water  
Professionals



- **THE STUDENTS BUILD FUNCTIONAL MODEL WATER TOWERS THAT ARE TESTED IN A VARIETY OF SCIENTIFIC CATEGORIES TO DETERMINE WINNERS.**
- **THE OBJECT OF THE COMPETITION IS FOR STUDENTS TO LEARN SPECIFIC CONCEPTS IN ENGINEERING AND THE WATER PROFESSION, HOW TO WORK AS A TEAM, HOW TO CONSERVE, AND HOW THE TREATMENT PLANTS AND DISTRIBUTION SYSTEM FUNCTION.**

# DIMENSIONS



# DIMENSIONS



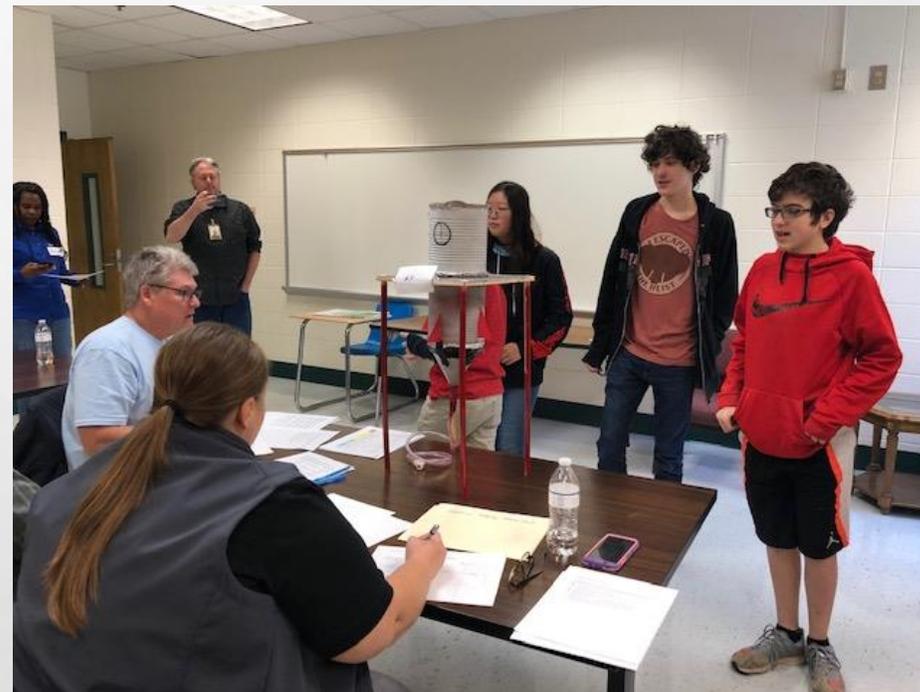
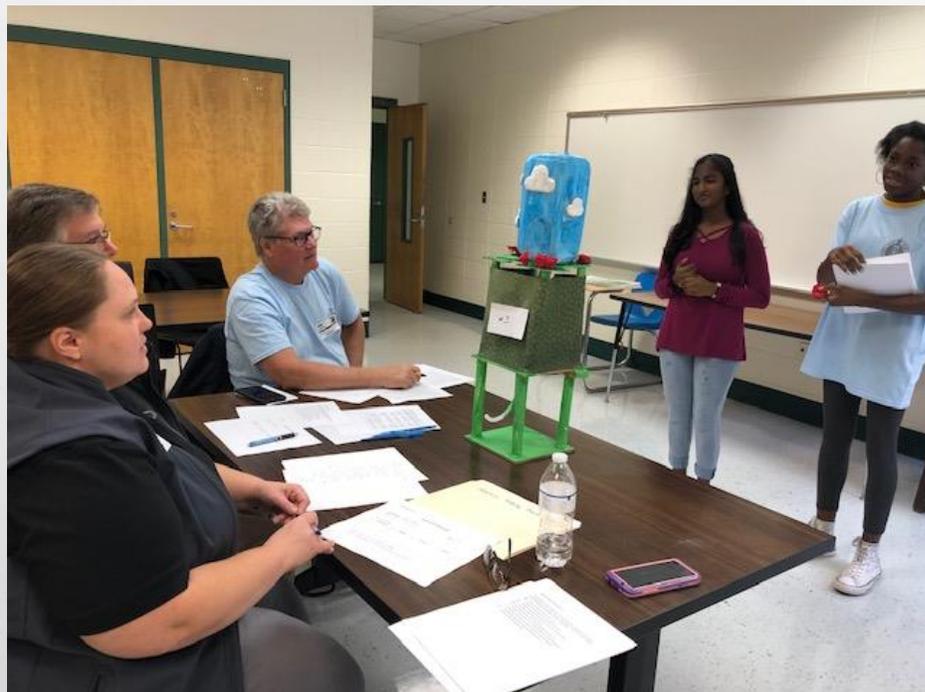
# HYDRAULICS



# HYDRAULICS



# JUDGING



# ACTIVITIES

- **TASTE TEST**



# ACTIVITIES

- **DROPS ON A PENNY**



# ACTIVITIES

- **MATCH THAT WATER TANK TO IT'S CITY**



# WINNERS

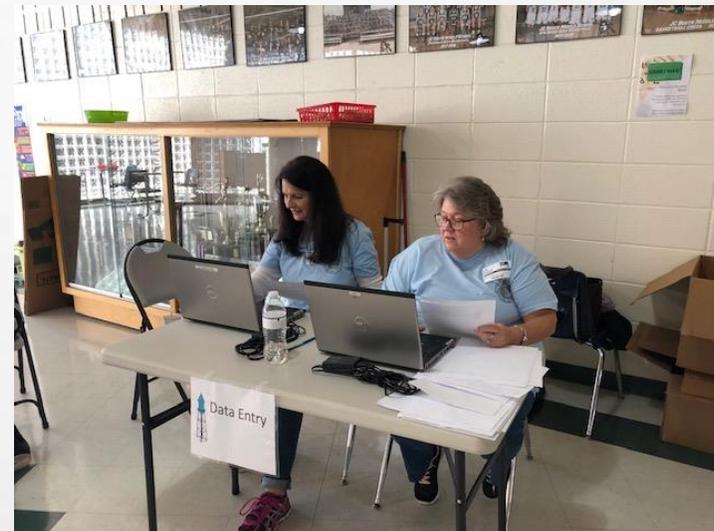
**1<sup>ST</sup> PLACE \$300**

**2<sup>ND</sup> PLACE \$200**

**3<sup>RD</sup> PLACE \$100**



# VOLUNTEERS









# SPECIAL THANKS TO OUR SPONSORS



# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of Petition No. RP-074-19, Richard E Carne, Owner, request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots.

**Background/History/Details:**

Staff recommends approval.

The Planning Commission recommended approval.

Arnold Martin made a motion to recommend approval of Petition No. RP-074-19 to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots. Al Gilbert seconded the motion. The motion passed 5-0.

**What action are you seeking from the Board of Commissioners?**

Approval of Petition No. RP-074-19 to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

**PLANNING COMMISSION RECOMMENDATION**

**DATE:** January 2, 2020

**TO:** Fayette County Commissioners

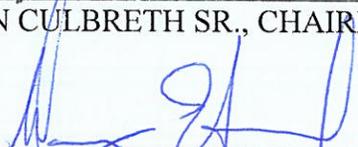
The Fayette County Planning Commission recommends that Petition RP-074-19, a Revision to the

Final Plat of Richard E. Carne be:

Approved       Withdrawn       Disapproved  
 Tabled until \_\_\_\_\_

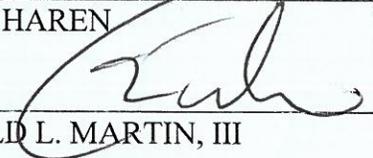
This is forwarded to you for final action.

  
\_\_\_\_\_  
JOHN CULBRETH SR., CHAIRMAN

  
\_\_\_\_\_  
DANNY ENGLAND, VICE-CHAIRMAN

  
\_\_\_\_\_  
AL GILBERT

  
\_\_\_\_\_  
BRIAN HAREN

  
\_\_\_\_\_  
ARNOLD L. MARTIN, III

**Remarks:**

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**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**RESOLUTION**

**NO. RP-074-19**

**WHEREAS**, Richard E. Carne, Owner, having come before the Fayette County Planning Commission for Petition RP-074-19, requesting a revision to the Final Plat of Bay Chappell Farms by dividing Lot 36 consisting of 5.745 acres in to two (2) lots, as per Section 8-503(b)(7) of the Fayette County Subdivision Regulations; and

**WHEREAS**, said request being as follows: Request to divide Lot 36 consisting of 5.745 acres in to two (2) lots in the area of Stable Creek Rd, Land Lot(s) 167 of the 4th District..

**WHEREAS**, the Fayette County Planning Commission having duly convened, and considered said request;

**BE IT RESOLVED** that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the County's regulations and requirements, including availability of County water service.

Compatible with the surrounding area.

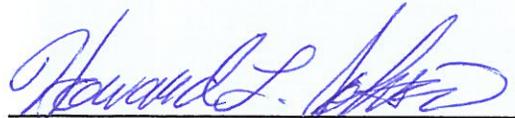
In compliance with the Land Use Plan.

**PLANNING COMMISSION**

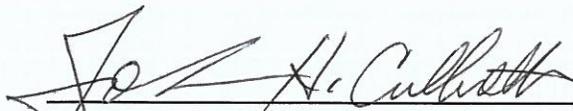
**OF**

**FAYETTE COUNTY**

**ATTEST:**



**HOWARD L. JOHNSON  
ZBA SECRETARY**

  
**JOHN H. CULBRETH, SR.  
CHAIRMAN**

**THE FAYETTE COUNTY PLANNING COMMISSION** met on January 2, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** John H. Culbreth, Chairman  
Danny England, Vice-Chairman  
Al Gilbert  
Brian Haren  
Arnold L. Martin, III

**STAFF PRESENT:** Pete A. Frisina, Director of Community Services  
Howard Johnson, Planning and Zoning Coordinator

**STAFF ABSENT:** Chanelle Blaine, Zoning Administrator

**8. Consideration of Revised Plat No. RP-074-19, Richard E. Carne, Owner, request to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots. This property is located in Land Lot 167 of the 4<sup>th</sup> District and fronts on Stable Creek Road.**

Chairman Culbreth asked is the petitioner present, please sign in please.

Richard Carne (170 Stable Creek Road) began with good evening, sorry that you guys are out on such a miserable night. He said essentially what I am asking for here is the authority to proceed to subdivide my current lot, which is the largest lot in the subdivision. He explained that after the proposed division of the lot, each lot still will be larger than all but three of the lots in the subdivision. He said there is a two (2) acre minimum and the smaller of two (2) new lots will be something like 2.468 and there are only three (3) lots in the subdivision that are slightly larger than that, one of them only by 1/3 of an acre, so this split would conform in all respects to the existing subdivision. He added the reason for this lot split is that my oldest daughter wanted to move back into the County and they have two (2) small children ages four (4) and six (6) and they would like them to attend school here in Fayette County. He explained she was a teacher here before she had children, and my late wife was a teacher as well. He then noted we are all the products of the schools here in Fayette County. He said this would be an opportunity, if approved, to allow them to construct a home, and be adjacent to my home, which now that I am older has a lot of appeal to me.

Richard Carne said I wanted to explain what purpose the sign was in my yard to my neighbors, so I sent out a brief three (3) to four (4) paragraph notice with an attachment advising them of what I was going to do. He added I got two (2) or three (3) emails back who said they really don't have a problem with this and I will be glad to share copies of

**Page 2**  
**January 2, 2020**  
**PC Meeting**

the emails that I received. He concluded I also have, if you would like, a listing of all of the folks in the subdivision.

Chairman Culbreth stated okay, we will enter that into the record.

Chairman Culbreth asked if there any opposition to the revised plat RP-074-19, being none I will bring it back to the Planning Commission for questions and comments.

Arnold Martin said that I just have a question of clarification, on the agenda we have one spelling of your last name and on the application we have another.

Richard Carne replied it should be C-A-R-N-E.

Arnold Martin replied on the application there is an S, I don't know if it makes a difference, I just wanted to point that out.

Chairman Culbreth asked if there are any further comments, if not, is there a motion.

Arnold Martin made a motion to recommend approval of the Revised Plat of the RP-074-19 to subdivide Lot 36 into two (2) separate lots. Al Gilbert seconded the motion. The motion passed 5-0.

**From:** James Fox <[REDACTED]>  
**Subject:** Re: Bay Chappell Farms - Pending Lot Division Request  
**Date:** December 15, 2019 at 4:03:04 PM EST  
**To:** Dick Carne <[REDACTED]>

Page 27 of 146

Dick, I do not have a problem with you doing that, just don't get my nephew to help. I still remember when you got him when you were building your house

The Good Looking Pat Fox.

Sent from my iPad

On Dec 15, 2019, at 3:29 PM, Dick Carne <[REDACTED]> wrote:

**Christmas Greetings to all of my Bay Chappell Farms Friends & Neighbors!**

First off, I would like to wish each and everyone a blessed and Christ-filled Christmas Season.

Secondly, I wanted to take a minute to advise everyone of a request that I recently filed with the Fayette County Planning and Zoning Department, and to hopefully allay any concerns that any of my neighbors might have with respect to this request. Please note that this is ***NOT*** in any way related to the memo that was sent out earlier this past Summer in which reference was made to the possibility of a proposal to annex additional property to this subdivision. My request is only to divide my current 5.74 acre lot into two lots (3.28 and 2.46 acres respectively) to hopefully allow my daughter the ability to construct a new home here in Bay Chappell Farms for her and her family. No additional property is proposed to be annexed.

Many of you will remember my oldest daughter, Cynthia, who in late October asked if I might consider allowing her and her family to build a new home on that portion of the property that was previously approved for a garage structure a couple of years ago. Some of you may also be aware that I was approved to build up to a 3600 square foot garage on the rearmost western section of my property, and it was my intention to build a structure that closely resembles the Dr. Barraud House in Williamsburg, Virginia, but having a garage access from the rear (this would create the impression from the road of a home instead of a garage). To my surprise, Cynthia indicated that she and her husband, Eric, liked the design and if we were able to obtain approval, would hope to build their new house using this same design and proposed site location.

To better inform everyone of my intentions and the full extent of my pending request with the County, I am attaching a copy of the addendum that I attached to my petition with the County. Hopefully this will serve to allay any fears or concerns that might otherwise exist. I hope that you will support my request, but regardless, I think that it is important that everyone understand my request and the motivation behind it. If anyone has any questions or concerns after reading this, please reach out to me at 770-719-1188.

Thanks to everyone in advance for their concern and hopeful support. A very Merry Christmas to all regardless.

Dick

<170 Stable Creek Lot Division 12-15-19 copy.pdf>

From: Chuck [REDACTED] >

Subject: Re: Bay Chappell Farms - Pending Lot Division Request

Page 28 of 146

Date: December 15, 2019 at 7:17:48 PM EST

To: Dick Carne [REDACTED] >

Hi Dick! Merry Christmas to and yours also! Thanks for sharing the info on the project. I am excited for you for this project bringing family close into you and your wife. I look forward to seeing this move forward.

See you soon,

Chuck

Sent from my iPhone

On Dec 15, 2019, at 3:29 PM, Dick Carne [REDACTED] > wrote:

Christmas Greetings to all of my Bay Chappell Farms Friends & Neighbors!

First off, I would like to wish each and everyone a blessed and Christ-filled Christmas Season.

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Thanks to everyone in advance for their concern and hopeful support. A very Merry Christmas to all regardless.

Dick

<170 Stable Creek Lot Division 12-15-19 copy.pdf>

## BAY CHAPPELL FARMS

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**100 Stable Creek Road**  
Beverly and Bobby Mobley  
Home: 770-461-8416  
[REDACTED]

**105 Stable Creek Road**  
Ron and Brenda Woodruff  
Home: 770-460-6463  
[REDACTED]

**110 Stable Creek Road**  
Robert and Roberta Hannagan  
Home: 770-460-1047  
Roberta cell: [REDACTED]

**115 Stable Creek Road**  
Ann Marie Whitney  
Home: 770-629-2880  
Cell: [REDACTED]  
[REDACTED]

**120 Stable Creek Road**  
Jeffery and Linda Hoste  
Home:

**125 Stable Creek Road**  
Michael and Peggy Minor  
Home:

**130 Stable Creek Road**  
Chris and Carrie Collins  
Max and Luke  
Home: 770-461-3280  
Cell: [REDACTED]  
[chris@collinsimages.com](mailto:chris@collinsimages.com)

**135 Stable Creek Road**  
Pat and Martha Ann Fox  
Home: 770-461-7903  
Cell: [REDACTED]  
[REDACTED]

**155 Stable Creek Road**  
Pat and Barbara Fox  
Home: 770-719-9142  
Cell: [REDACTED]  
[REDACTED]

**165 Stable Creek Road**  
Phillip and Carrie Key  
Phil 702-496-1571  
Carrie 702-524-4486  
[REDACTED]

**170 Stable Creek Road**  
Dick and Pam Carne  
Home: 770-719-1188  
[REDACTED]

**205 Stable Creek Road**  
Juli and Josh Hall  
Ella and Owen  
Home: 770-716-5935  
Juli cell: [REDACTED]  
[REDACTED]

**215 Stable Creek Road**  
Kerry and Mattie Cochran  
Home: 770-461-8786  
Kerry cell: [REDACTED]  
Mattie cell: [REDACTED]

## BAY CHAPPELL FARMS

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**220 Stable Creek Road**  
Debbie and Steve Blackstone  
Home: 770-719-9555  
Steve cell: [REDACTED]  
Debbie cell: [REDACTED]  
[REDACTED]



**130 Triple Crown Pointe**  
Kevin and Christine Hannani  
Kevin Cell: [REDACTED]  
Christine Cell: [REDACTED]

**225 Stable Creek Road**  
Djonne and Boone Stevens  
Home: 321-266-5312

**135 Triple Crown Pointe**  
John Dixon and Cynthia Ford  
Roxie Ford  
Cynthia Cell: [REDACTED]

**110 Triple Crown Pointe**  
Rhonda McCreary  
Home: 770-460-5961

**140 Triple Crown Pointe**  
Michael and Melissa Lennon  
Home:

**115 Triple Crown Pointe**  
Adam and Amanda Underwood  
Abigail  
Adam Cell: [REDACTED]

**145 Triple Crown Point**  
Steve Vogel  
Home: 770-719-8040  
Cell: [REDACTED]

**120 Triple Crown Pointe**  
Edward (Chip) and M'Liss Sanford  
Home: 678-834-5814

**150 Triple Crown Point**  
Keith and Kelly Mansulich  
Home: 770-460-9204  
[REDACTED]

**125 Triple Crown Pointe**  
Bill and Jeanie McNally  
Home: 770-716-2348  
Office: 770-461-2223  
Bill cell: [REDACTED]  
[REDACTED]

**100 Handshaker Court**  
Ronald and Shareka Black  
Ron Cell: [REDACTED]  
Shareka Cell: [REDACTED]  
[REDACTED]  
[REDACTED]

## BAY CHAPPELL FARMS

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### 105 Handshaker Court

Joey and Serena Gable

Home: 770-460-8721

Serena cell: [REDACTED]

Joey cell: [REDACTED]  
[REDACTED]

### 110 Handshaker Court

Buzz and Leigh Anne Hanie

Home: 770-719-2379

### 115 Handshaker Court

Paul and Linda Elliott

Home: 770-461-4323

Paul cell: [REDACTED]  
[REDACTED]

### 120 Handshaker Court

John and Linda Webster

Home: 770-461-7553

Cell: [REDACTED]  
[REDACTED]

### 125 Handshaker Court

Danny and Ellen Kirkes

Home: 678-817-5590  
[REDACTED]

### 130 Handshaker Court

Chuck and Carol Martin

Home: 770-719-0173

Chuck cell: [REDACTED]

Carol cell: [REDACTED]  
[REDACTED]

### 135 Handshaker Court

Mark Robiinson II

Home:

### 140 Handshaker Court

Rob and Christina Buckner

Home: 770-851-3978

Cell: [REDACTED]  
[REDACTED]

### 145 Handshaker Court

Ralph and Rhonda Emerson

Home: 770-461-1044

Ralph cell: [REDACTED]

Rhonda cell: [REDACTED]  
[REDACTED]

### 155 Handshaker Court

MSG/Ret. Arlee and Martha Robinson

Home:

### 160 Handshaker Court

Kelly and Cynthia Curtis

Home: 678-519-4959  
[REDACTED]

**PETITION NUMBER:** RP-074-19

**REQUESTED ACTION:** Request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots.

**EXISTING USE:** Single-Family Residential

**ZONING DISTRICT:** R-72

**LOCATION:** 170 Stable Creek Road

**LAND LOT/DISTRICT:** Land Lot 167 of the 4th District

**APPLICANT:** Richard E. Carnes

### **INVESTIGATION**

The Final Plat for Bay Chappell Farms was recorded on October 3, 1989. The revised Final Plat for Bay Chappell Farms, adding additional acreage to the subject property, was recorded on August 24, 1992.

#### **Subdivision Regulations**

##### **Sec. 104-595. - Approval of subdivisions.**

##### **(2) Final plat or minor subdivision plat**

##### **j. Revision to a recorded final plat.**

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

**Final Plat**

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

**Department Comments**

**Planning and Zoning:** The R-72 Zoning District requires a two (2) acre minimum lot size. The subject property was previously zoned R-60, but when the R-60 Zoning District was eliminated from the Zoning Ordinance in 1998, all R-60 property became R-72. The Concept Plan indicates that the proposed lots will be 3.281 acres and 2.464 acres in size which appear to be in character with other similar sized lots in the subdivision.

A variance request (A-416-96) for the subject property was approved by the ZBA on July 23, 1996. The variances are as follows:

Variance from Article V. General Provisions, Section 5-47. Watershed Protection Areas. B. 5.

a. as follows:

1. To decrease the size of the minimum setback from the natural buffer from 50 feet to 20 feet, a 30 foot variance, to construct an attached garage; and
2. To allow construction of a driveway in the setback area.

Variance from Article VI-3. R-60 Single-family Residential District. E. 6. as follows:

1. To decrease the size of the minimum side yard setback from 20 feet to 13 feet to allow an existing structure to come into compliance with the ordinance. The building encroaches due to a surveying error.

A variance request (A-659-17) for the subject property was approved by the ZBA on November 27, 2017. The variance was to allow the construction of a 3,600 square foot detached garage on a lot with less than two (2) acres of contiguous area. Staff and Planning Commission have been reviewing the Subdivision Regulations and will recommend a reduction in the Contiguous Area requirements in the near future among other amendment to the regulations. Regardless of the aforementioned amendments, if Contiguous Area cannot met on the subject property, a variance from the Planning Commission will be required prior to the revised Final Plat approval.

**Water System:**

Water available.

**Fire:**

Approved

**Engineering/Public Works:**

No Engineering Dept. issues with the proposed split of Lot 36 into two lots

**Environmental Management Dept.:** See attached Memo

**Environmental Health Dept.:**

This Dept. is unable to approve proposal at this time. Request submission of a red stamped to scale level 4 Soil report to determine if there is sufficient area for a septic system.

**STAFF ANALYSIS**

Staff recommends **APPROVAL** of this request so the revision to the Final Plat procedure can begin.



**Environmental Management Department**

140 Stonewall Avenue West, Ste 203

Fayetteville, Georgia 30214

Phone: 770-305-5410

[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

To: Pete Frisina, AICP Community Services Division, Director  
From: Bryan Keller, CFM Environmental Management, Director  
Date: December 26, 2019  
Subject: Bay Chappell Farms, RP-074-19 Lot 36

Based on the conceptual lots provided by the applicant and the available GIS data, the new lot would contain a significant amount of regulated floodplain and the stream would require an undisturbed buffer of 100 feet with a 50 foot impervious area setback if the stream is perennial or a 50 foot buffer with an additional 25 foot impervious area setback if the stream is intermittent.

If the applicant must be 3 feet above the floodplain and meet the general requirements below and all of the requirements of section 104-87 of the Floodplain Management Ordinance (attached)

(c) *General standards.*

- (1) No development shall be allowed within an area of special flood hazard or an area of future-conditions flood hazard that could result in any of the following:
  - a. Raising the base flood elevation or future-conditions flood elevation equal to or more than one 0.01 foot;
  - b. Reducing the base-flood or future-conditions flood storage capacity;
  - c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or
  - d. Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.

Sec. 104-87. - Provisions for flood damage reduction.

In all areas of special flood hazard and all areas of future-conditions flood hazard, the following provisions apply:

(a) *General standards.*

- (1) New construction and substantial improvement of structures (residential or nonresidential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of subsection (g) of this section and sections 104-86(a) and 104-88(e) have been met;
- (2) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (5) Elevated buildings. All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed as an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
  - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
    1. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    2. The bottom of all openings shall be no higher than one foot above grade; and
    3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
  - b. So as not to violate the "lowest floor" criteria of this article, the unfinished and flood resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and
  - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- (6) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (7) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
- (8) New and replacement water supply systems shall be designed to minimize to eliminate infiltration of floodwaters into the system;
- (9) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

- (10) On-site waste disposal systems shall be located and constructed to avoid impairment to or contamination from such systems during flooding;
  - (11) Any alteration, repair, reconstruction or improvement to a structure that is not compliant with the provisions of this article, shall be undertaken only if the nonconformity is not furthered, extended or replaced;
  - (12) If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence;
  - (13) All proposed development shall include adequate drainage and stormwater management facilities per the requirements of article XIV, Fayette County Development Regulation to reduce exposure to flood hazards;
  - (14) Public utilities, such as gas and electric systems, shall be located and constructed to minimize or eliminate flood damage or public safety hazards; and
  - (15) When only a portion of a proposed structure is located within a flood zone or the future-conditions floodplain, the entire structure shall meet the requirements of this article.
- (b) *Building standards for structures and buildings within the future-conditions floodplain.* The following provisions, in addition to those in subsection (a) of this section, shall apply:
- (1) *Residential and nonresidential building structures.*
    - a. New construction of any structure shall not be allowed within the limits of the future-conditions floodplain unless all requirements of subsection (g) of this section and sections 104-86(c) and 104-88(e) have been met. If all of the requirements of subsection (g) of this section, and sections 104-86(c) and 104-88(e) have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection (a)(5) of this section. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the environmental management department.
    - b. Substantial improvement of any structure shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of subsection (a)(5) of this section. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Environmental Management Department.
    - c. Accessory structures and facilities. Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar nonhabitable structures and facilities) which meet the requirements of sections 104-86(c), 104-88(e) and 104-87(g) and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood-resistant materials and designed to provide adequate flood openings in accordance with subsection (a)(5)(a) of this section and be anchored to prevent flotation, collapse and lateral movement of the structure.
  - (2) [Reserved.]
  - (3) *Standards for recreational vehicles.* All recreational vehicles placed on sites must either:

- a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
- b. Meet all the requirements in subsection (b)(1) of this section, including the anchoring and elevation requirements.

(4) *Standards for manufactured homes.*

- a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of subsection (g) of this section and sections 104-86(e) and 104-88(e) have been met. If all the requirements of these sections have been met, all new construction and substantial improvement shall have the lowest floor, including basement, elevated no lower than three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with section 104-87(5)a.
- b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
  - 1. The lowest floor of the manufactured home is elevated no lower than three feet above the level of the base flood elevation, or one foot above the future-conditions flood elevation, whichever is higher; or
  - 2. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
- c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of subsection (a)(7) of this section.

(c) *Building standards for structures and buildings authorized adjacent to the future-conditions floodplain.* For purposes of this article, the term "adjacent to the future-conditions floodplain" includes: all buildings and structures on a property that contains (partially or entirely) an area of special flood hazard; or all buildings and structures on a property that shares a common property line with another parcel that contains an area of special flood hazard. Residential and nonresidential buildings and structures adjacent to the future-conditions floodplain shall meet the following:

- (1) For new and substantial improvement construction, the elevation of the lowest floor, including basement and access to the building, shall be at least three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. Compliance with the above requirement shall be submittal of an as-built elevation certificate and submitted immediately upon completion of floodproofing or survey work. The elevation certificate shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same.
  - a. Buildings and structures authorized adjacent to the future-conditions floodplain may be exempt from the requirements of this section if the following conditions apply:
    - 1. The building or structure is not within the same sub-basin as the area of special flood hazard and the drainage divide between the area of special flood hazard and the building or structure of concern is at least three feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher; or
    - 2. The area of special flood hazard is a manmade hazard associated with a storm sewer system (e.g., a yard drain) and the grading within the sub-basin provides unconstrained, positive drainage away from the building or structure at a minimum slope of two percent.

- b. The environmental management department shall determine if either of these conditions is applicable to a structure. Alternatively, the owner/developer may provide a letter justifying applicability of the exemptions. The letter shall be prepared by a licensed professional engineer and shall be reviewed and approved by the environmental management department in order for the exemption to be valid. In either case, the owner/applicant shall be solely responsible for providing any as-built elevation data necessary to determine applicability of the exemptions. The elevation data shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by the same.
- (d) *Building standards for residential single-lot developments on streams without an established base flood elevations and floodway (A-zones).* For a residential single-lot development not part of a subdivision that contains an area of special flood hazard, where streams exist but no base flood data have been provided (A-zones), the environmental management department shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of this article. If data are not available from any of these sources, the following provisions shall apply:
- (1) No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or 50 feet from the top of the bank of the stream, whichever is greater.
  - (2) In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the ground immediately around the building and positive drainage must be provided at a minimum two percent slope away from the building. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood prone enclosures in accordance with subsection (a)(5) of this section.
- (e) *Standards for subdivisions.*
- (1) All subdivision proposals shall identify the areas of special flood hazards and provide base flood elevation data and future-conditions flood elevation data;
  - (2) All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required; and
  - (3) All subdivision plans will provide the elevations of proposed structures in accordance with section 104-88(b).
- (f) *Floodway encroachments.* Located within areas of special flood hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to the velocity of floodwaters, and debris or erosion potential. Floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:
- (1) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in subsection (g)(2) of this section;
  - (2) Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and
  - (3) If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the environmental

management department until an affirmative conditional letter of map revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the environmental management department.

- (g) *Maintenance requirements.* The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The environmental management department may direct the property owner (at no cost to the county) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the environmental management department.

Page 1 of 46  
**RP-074-19**  
**Zoning**

R-72

Stable Creek Road

A-R

**SUBJECT  
PROPERTY**

R-72

R-85

Page 2 of 40  
**RP-074-19**  
**Land Use Plan**

A map showing a portion of a land use plan. A road, labeled 'Stable Creek Road', runs vertically through the center. To the left of the road, there is a curved boundary line. Below this line, a large area is outlined in black and labeled 'SUBJECT PROPERTY'. Above the curved line, the text 'AGRICULTURAL RESIDENTIAL' is written. The background is a light tan color.

Stable Creek Road

AGRICULTURAL  
RESIDENTIAL

**SUBJECT  
PROPERTY**

Page 3 of 46  
**RP-074-19**  
**Aerials**

Stable Creek Road

**SUBJECT  
PROPERTY**



Aerials

R-40  
R-40  
**Broom Hall  
Subdivision**

R-20

R-20

R-20

**Chappell Road**

Stable Creek Road

R-72  
**Bay Chappell Farms  
Subdivision**

SUBJECT  
PROPERTY

R-85

A-R

R-40  
R-40  
R-40  
A-R

**Brooks Woolsey Road**  
A-R  
A-R  
A-R

**Lot 36**  
**170 Stable Creek Road**  
**Fayetteville, Georgia 30215**

**Background:**

The subject property is situated in the Bay Chappell Farms subdivision in the southern portion of the county off Chappell Road. This subdivision was originally developed by Alex Thompson, who in 1989 submitted a combined subdivision plat showing forty (40) building lots, each having a minimum of at least two (2) acres. The subdivision was originally developed in two (2) phases, the property referred to as Lot 36, or 170 Stable Creek Road, being the last in Phase One of this project. Most of the lots in this subdivision have just over two (2) acres in their total lot size; Lot 36 is by far the largest with some 5.74 total acres.

Lot 36 has an approximate road frontage in excess of 1,000 feet, and at its deepest depth goes back from the road to a rear property line of just over 570 feet from the street. The total lot size was originally comprised of some 5.4 acres, a portion of which lies in an existing flood plain surrounding the creek which traverses through the rear-most portion of this property.

Regrettably, Mr. Thompson was unable to maintain servicing of the overall subdivision property loan, and in early 1991, transferred his ownership interest in remaining unsold properties back to Barnett Bank (the originating lender) via a "deed in lieu of foreclosure", thereby relieving himself of any further financial liability in exchange for a conveyance of unsold properties back to the bank. Shortly thereafter, the Petitioner arranged for the purchase of an additional tract of land from Barnett Bank which at that time, held title to those remaining unsold properties as well as the common area designated between Phase I and Phase II of the subdivision properties. The property purchased at that time by Petitioner was from that parcel that was previously stipulated as a common-area "golf driving range", which transaction resulted in the property's current configuration and a revised total land acreage of some 5.74 acres. The front property line was unaffected by this transaction, but the rear property line was extended westward by another one hundred (100) feet.

Since the original subdivision plat was first envisioned, the originally contemplated number of building lots has been reduced from forty (40) to thirty-seven (37), and the requisite minimum square footage building requirements have likewise been amended and reduced down to 2,500 square feet for a one-story property, and 3,000 square feet for a two-story property. The adjoining property to the west of Lot 36 is still designated as a community common area, despite its sale to an unrelated property owner for back taxes in 2008.

When the Petitioner constructed the home situated at 170 Stable Creek Road, it was his and his late-wife's intention to construct as close to a Georgian styled home as possible, drawing heavily upon the exterior designs of the George Wythe House (located in historic Williamsburg) and Carter's Grove Plantation (circa 1732) that is situated just outside of the Williamsburg historic area. In mid-2016, the Petitioner obtained a new mortgage on the subject Lot 36 property, but prior to executing a Deed to Secure Debt on the subject realty, was able to exempt some 2.464 acres on the rear-most western exposure of this property. Later, in December of 2017, the Petitioner applied for and was granted a variance to construct up to a 3,600 square foot garage on the western side of this property, on that same portion of the property that was exempted from the property deed that otherwise secures the house on the the original platted property. Up to 800 square feet of this proposed structure was authorized for use as finished living space, i.e. a guest house. It has been the Petitioner's intention to construct a garage structure that from the street would resemble that of the Dr. Barraud House (also situated in the town of historic Williamsburg, Virginia), thereby keeping all improvements to the property in line with that of a mid-1700's Georgian architectural theme. However, because of the distant location of the proposed garage structure to the existing home site, it was suggested by county officials that any resulting garage structure be assigned a separate street number so as not to potentially confuse emergency personnel in the event of any prospective emergency situation that might arise once this structure might be completed.

#### **Reasons for Proposed Modification at Issue:**

In early October of 2019, the Petitioner's oldest daughter inquired of him as to the possibility of converting the proposed garage structure into a single family residence, having the identical proposed footprint, and mirroring the same external appearance resembling that of the noted Dr. Barraud House originally contemplated by the Petitioner as the exterior design for his originally proposed garage structure. Although the Petitioner's daughter and her family have entertained the notion of purchasing other property in the southern regions of Fayette County, the substantial increased pricing of similar acreage tracts, coupled with the much sought after close proximity to the Petitioner, make this proposal a much preferred alternative.

Petitioner's daughter began her education in Fayette County as a second-grader at Brooks Elementary School, and later graduated in 2003 from Fayette County High School. Both she and her mother were school teachers in Fayette County, she having taught at Spring Hill Elementary from 2008 until 2015, and her late mother at Tyrone Elementary until its closing, and then at Spring Hill Elementary as well until her untimely death in the Fall of 2015. My eldest daughter is now the proud mother of two children, ages 6 and 4, whom she

would like to see receive their pre-college educations in Fayette County Schools (her husband is also a life-time resident of Fayette County (having transferred out-of-state pursuant to a work assignment that took them out-of-state from 2015 until their return to this same general area in 2017). They presently reside in Henry County, but would very much like to return to the Fayetteville area to be close to both sets of parents, to allow their children the privilege of acquiring an education in the Fayette County School System, and finally the blessing of building a closer relationship with both sets of grandparents.

**Effect of a Validation of This Request:**

If approved:

1. this proposed request would not include the addition of any “new” adjoining real property not originally situated within the original platted subdivision;
2. the division of the currently platted Lot 36 into two separate building lots would still result in a total number of approved subdivision lots that is less than that originally contemplated by the Developer and approved at that time by County officials;
3. by retaining the same sized footprint and structural exterior design as was originally reviewed and approved by the Planning and Zoning Committee in 2017 for a proposed garage structure, the resulting overall appearance would be essentially the same as when the initial garage variance was first approved;
4. at the proposed construction site, there would still be an existing 100-foot plus “buffer” between this proposed Lot addition and the (loosely) adjoining Lot 35 by virtue of the still existing “common area” property that separates these two lots (Lot 35 to the west remains undeveloped);
5. a survey of the proposed building site reveals that an approval of this request would not encroach upon any current setbacks or other related building restrictions;
6. approval of this request would generate far more in county tax revenues than would otherwise be recognized by the construction of a mere garage structure;
7. approval of this request would allow for added oversight of the Petitioner as he ages, and an added oversight of Petitioner’s minor grandchildren during the interim;

8. even with the division of the currently platted Lot 36 into two separate parcels, each parcel would still have at a minimum an almost one-half acre more than the minimum two acres/lot originally required and contemplated when the original subdivision was first platted [based upon the county plats of record for Phases One and Two of the Bay Chappell Farms subdivision, there are only three other lots - not counting the proposed remainder of Lot 36 at 3.281 acres - in the entire subdivision that would have a larger lot size than the smaller of the two proposed revisions of Lot 36 into two parcels, the first of these at 3.281 acres - the second at 2.464 acres (one of the three larger lots mentioned is only .03 acres larger than the proposed smaller lot contemplated by the division of the existing Lot 36, that being Lot 8, while the two other larger lots in the subdivision (Lots 6 and 7) measure 2.64 and 2.70 acres respectively].

9. effectively, no residents of the existing Bay Chappell Farms subdivision would be adversely affected;

10. in previous conversations with various Fayette County staff personnel, there has already been a recognition that a separate street number should be assigned to this portion of the overall property (already approved and slated as a future garage site), thus constituting a practical recognition of the independence of these two building sites/structures;

11. preliminary discussions of this proposal with a random sampling of neighbors and residents of the Bay Chappell Farms subdivision have been met with welcomed support for this proposal;

12. by allowing the Petitioner to "sell" this portion of his lot to his daughter, and using the remainder of Petitioner's savings, approval of this request would allow the Petitioner to pay off his current Reverse Mortgage, thereby allowing the Petitioner to be able to retain and pass title to his heirs on the original homesite as a part of his Estate upon his future demise;

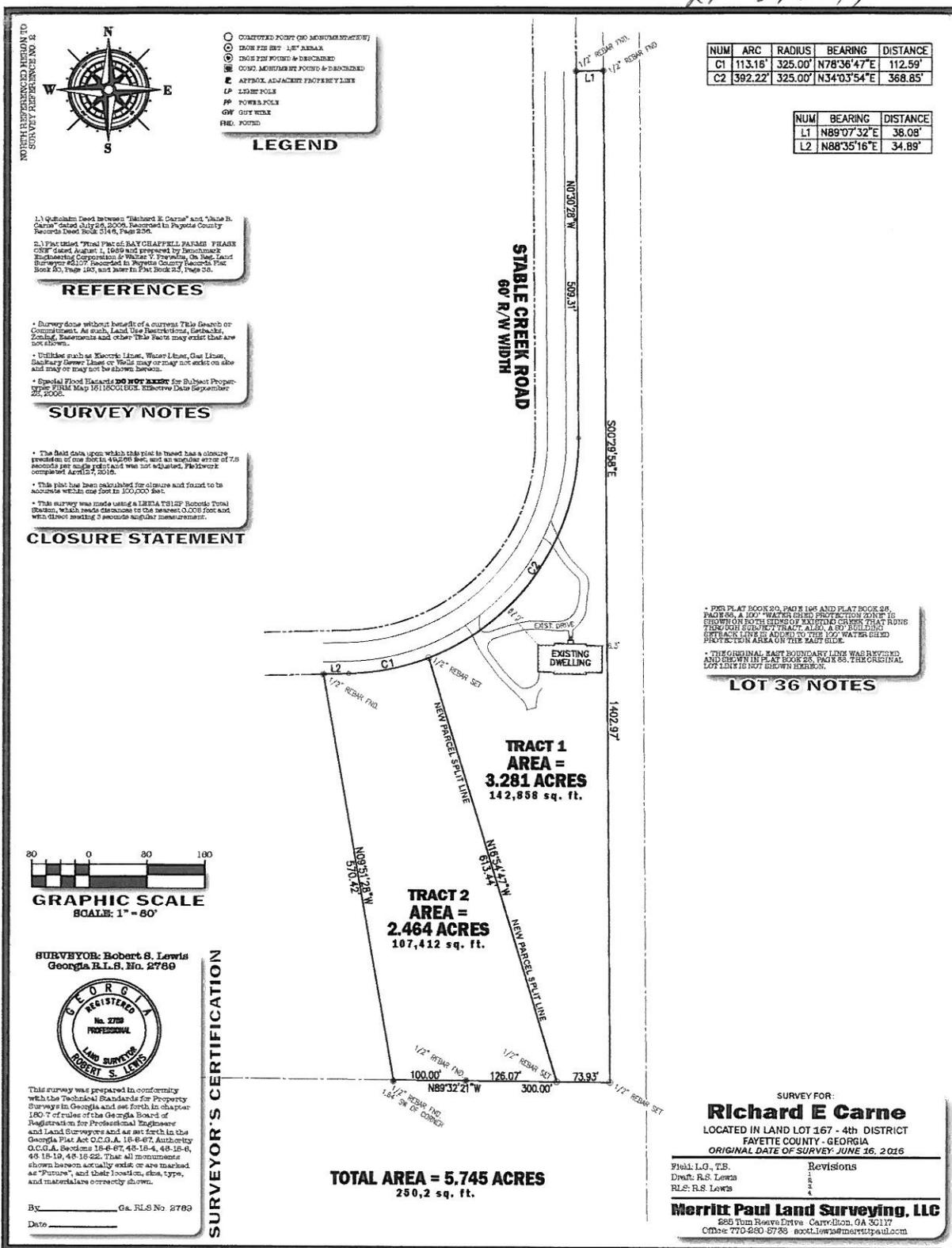
13. approval of this request would not result in any diminution of any existing sanctioned subdivision building standards and would otherwise conform in all respects to those existing building criteria currently in place;

14. by virtue of the close proximity of family, chances for building stronger ties and increased family memories would be substantially enhanced.

**In Summary:**

Approval of this request would neither adversely affect other current subdivision residents, nor would any further variances be required in order to proceed with the construction of the proposed residence proffered in this petition. The proposed structure, completed now as a residence, would in fact have a positive effect on surrounding property values, since it would represent new home construction in an almost 30-year-old subdivision. And given the almost 400 foot setback of the proposed building site (which is largely concealed by hardwoods), the proposed residential structure would likely be innocuous altogether to a majority of passers-by. The obvious benefits to the Petitioner and his daughter would be the ability to allow Petitioner's grandchildren the opportunity to attend Fayette County Schools, the ability of the Petitioner to payoff his his existing Reverse Mortgage and retain his family's homeplace, and the promise of even closer family ties and relationships.

RP-074-19





# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of Petition No. RP-075-19, Cicely Foster, Owner, request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional 17 acre lot.

**Background/History/Details:**

Staff recommends approval.

The Planning Commission recommended approval.

Brian Haren made a motion to recommend approval of Petition No. RP-075-19 to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots. Arnold martin seconded the motion. The motion passed 5-0.

**What action are you seeking from the Board of Commissioners?**

Approval of Petition No. RP-074-19 to revise the Minor Subdivision Plat for Brooks Farm by adding 30.718 acres to enlarge the existing lot and create an additional lot.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

**PLANNING COMMISSION RECOMMENDATION**

**DATE:** January 2, 2020

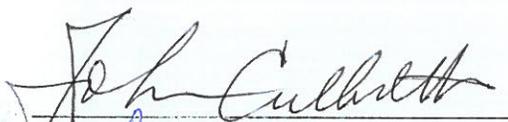
**TO:** Fayette County Commissioners

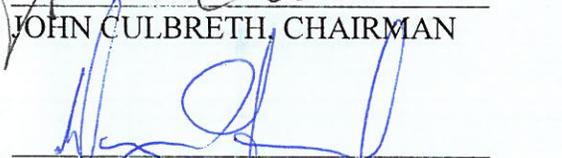
The Fayette County Planning Commission recommends that Petition RP-075-19, a Revision to the Minor Subdivision Plat of Cicely Foster be:

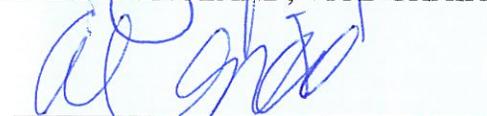
Approved       Withdrawn       Disapproved

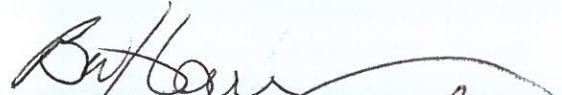
Tabled until \_\_\_\_\_

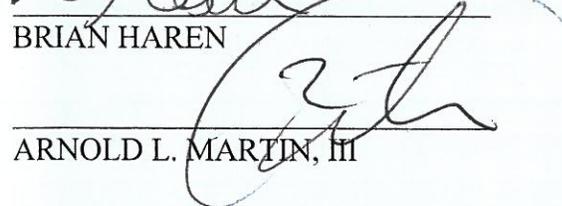
This is forwarded to you for final action.

  
\_\_\_\_\_  
JOHN CULBRETH, CHAIRMAN

  
\_\_\_\_\_  
DANNY ENGLAND, VICE-CHAIRMAN

  
\_\_\_\_\_  
AL GILBERT

  
\_\_\_\_\_  
BRIAN HAREN

  
\_\_\_\_\_  
ARNOLD L. MARTIN, III

**Remarks:**

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**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**RESOLUTION**

**NO. RP-075-19**

**WHEREAS**, Cicely Foster, Owner, having come before the Fayette County Planning Commission for Petition RP-075-19, requesting a revision to the Minor Subdivision Plat of Brent Payne by adding seven (7) acres of property from an adjacent tract to an existing five (5) acre lot, as per Section 8-503(b)(7) of the Fayette County Subdivision Regulations; and

**WHEREAS**, said request being as follows: Request to in the area of Brooks Woolsey Road, Land Lot(s) 135, 154 of the 4th District, for the purpose of adding a barn for equipment storage.

**WHEREAS**, the Fayette County Planning Commission having duly convened, and considered said request;

**BE IT RESOLVED** that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

- In compliance with the County's regulations and requirements, including availability of County water service.
- Compatible with the surrounding area.
- In compliance with the Land Use Plan.

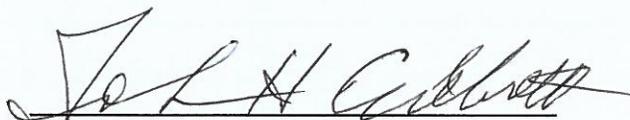
**PLANNING COMMISSION**

**OF**

**FAYETTE COUNTY**

**ATTEST:**

  
 \_\_\_\_\_  
**HOWARD L. JOHNSON**  
**ZBA SECRETARY**

  
 \_\_\_\_\_  
**JOHN H. CULBRETH, SR.**  
**CHAIRMAN**

**THE FAYETTE COUNTY PLANNING COMMISSION** met on January 2, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** John H. Culbreth, Chairman  
Danny England, Vice-Chairman  
Al Gilbert  
Brian Haren  
Arnold L. Martin, III

**STAFF PRESENT:** Pete A. Frisina, Director of Community Services  
Howard Johnson, Planning and Zoning Coordinator

**STAFF ABSENT:** Chanelle Blaine, Zoning Administrator

- 9. Consideration of Revised Plat No. RP-075-19, Cicely Foster, Owner, request to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional lot. This property is located in Land Lots 135 and 154 of the 4<sup>th</sup> District and fronts on Brooks Woolsey Road.**

Marc Gallacher (1327 Glen Cedars Drive, Mableton 30126) began by stating there are actually three (3) lots. He added two (2) of the lots front on Brooks Woosley Road and the other one (1) fronts on Rising Star Road, it does not include the corner but they kind of connect at the back end. He explained the Fosters are my in-laws, my wife's sister's family and we are the Gallacher's. He also explained we are essentially taking a lot that goes back on Rising Star that would go back to the piece of property that is described here that previously called Brooks Farms, which is a revision to a minor subdivision plat, so we are taking three (2) lots and making it two (2) lots. He concluded it is pretty straight forward in the documents that you have there. I don't know if you need any other clarification from me on how that's going to work.

Chairman Culbreth replied seeing no opposition in the audience, we will bring the item back to Planning Commission for discussion. He asked are there any questions for Mr. Gallacher.

Danny England asked did we see this before on a smaller scale.

Marc Gallacher replied I believe what you saw before was just the Rising Star Road parcel and it being split directly down in half. He added I could go into a very long family story about this if you want to hear it.

**Page 2**  
**January 2, 2020**  
**PC Meeting**

Danny England asked did you make that presentation.

Marc Gallacher replied no I did not, Trent Foster did.

Danny England replied he noted that he would be back, I thought this sounded familiar. He added he said he would be adding property in the future.

Brian Haren responded if I may ask what your intent is, you are piecing together a lot of land.

Marc Gallacher replied I will give you a short story. He explained the Brooks Woolsey side is where the Fosters currently live and they are adding a five (5) acre lot that was previously split off of that. He noted I believe there is a County ordinance that states that you need 25 acre to shoot a rifle, so they want to make sure that they have at least that much land. He added then we are taking the remaining 17 or 18 acres lot on Rising Star and I am putting a house on that.

Brian Haren replied okay.

Chairman Culbreth asked if there are any further comments, if not, is there a motion.

Brian Haren made a motion to recommend approval of a RP-075-19 to revise the Minor Subdivision Plat for Brooks Farm to enlarge the existing lot and create an addition lot. Arnold Martin seconded the motion. The motion passed 5-0.

Marc Gallacher replied thank you and have a good night. He added I do want to say, that everyone that I have dealt with at the Planning and Zoning Department has been nothing but professional and very nice throughout this process.

Chairman Culbreth replied thank you.

**PETITION NUMBER:** RP-075-19

**REQUESTED ACTION:** Request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional lot.

**EXISTING USE:** Single-Family Residential

**ZONING DISTRICT:** A-R

**LOCATION:** Brooks Woolsey Road

**LAND LOT/DISTRICT:** Land Lot 135 of the 4th District

**APPLICANT:** Cicely Foster

**INVESTIGATION**

The Minor Subdivision Plat for Brooks Farms was recorded on December 27, 2017.

**Subdivision Regulations**

**Sec. 104-595. - Approval of subdivisions.**

(2) **Final plat or minor subdivision plat**

j. **Revision to a recorded final plat.**

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

**Final Plat**

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

**Department Comments**

**Planning and Zoning:** The applicant is proposing to add 30.718 acres to enlarge the existing 16.778 acre lot and create an additional lot in the Brooks Farm Minor Subdivision. The additional lot is proposed to be 17 acres in size. The 30.718 acres consists of two (2) separate tracts of land as follows:

Tract 1 – Tract 1 is an existing five (5) acre lot created through a Minor Subdivision Plat for the O’Donnel’s recorded on November 14, 2011. Tract 1 is located to the east of the subject property. The applicant has confirmed that the existing single-family residence have been removed from this lot.

Tract 2 – Tract 2 is an undeveloped 25.718 acre A-R lot. Tract 2 is located to the north of the subject property.

**Water System:** No conflict

**Fire:** Approved

**Engineering/Public Works:** Request to revise MSP for Brooks Farm approved by Engineering.

**Environmental Management Dept.:**

**Floodplain** The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C015E dated Sept 26, 2008. The property **DOES** contain floodplain delineated in the FC 2013 Future Conditions Flood Study. Per Fayette County Floodplain Management Ordinance the elevation of the lowest floor, including basement and building access of any development shall be a least 3 feet above the base flood elevation or one foot above the future–conditions flood elevation, whichever is higher. A Floodplain Management Plan is required if any development activities are totally or partially within an Area of Special Flood Hazard as defined by the Floodplain Management Ordinance.

**Wetlands** The property **DOES** contain wetlands per the recorded minor subdivision plat. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.

**Watershed** Whitewater Creek **IS** subject to a Watershed Protection Ordinance.

**Groundwater**            The property **IS NOT** within a groundwater recharge area.  
**Stormwater**            This development **IS NOT** subject to the Post-Development Stormwater  
Management Ordinance.

**Environmental Health Dept.:** No objections to requested plat revision.

**STAFF ANALYSIS**

Staff recommends **APPROVAL** of this request so the revision to the Minor Subdivision Plat procedure can begin.

# RP-075-19 Zoning

Rising Star Road

Proposed New Lot  
17 Acres

Property to be added  
to Subject Property

SUBJECT  
PROPERTY

Property to be added  
to Subject Property

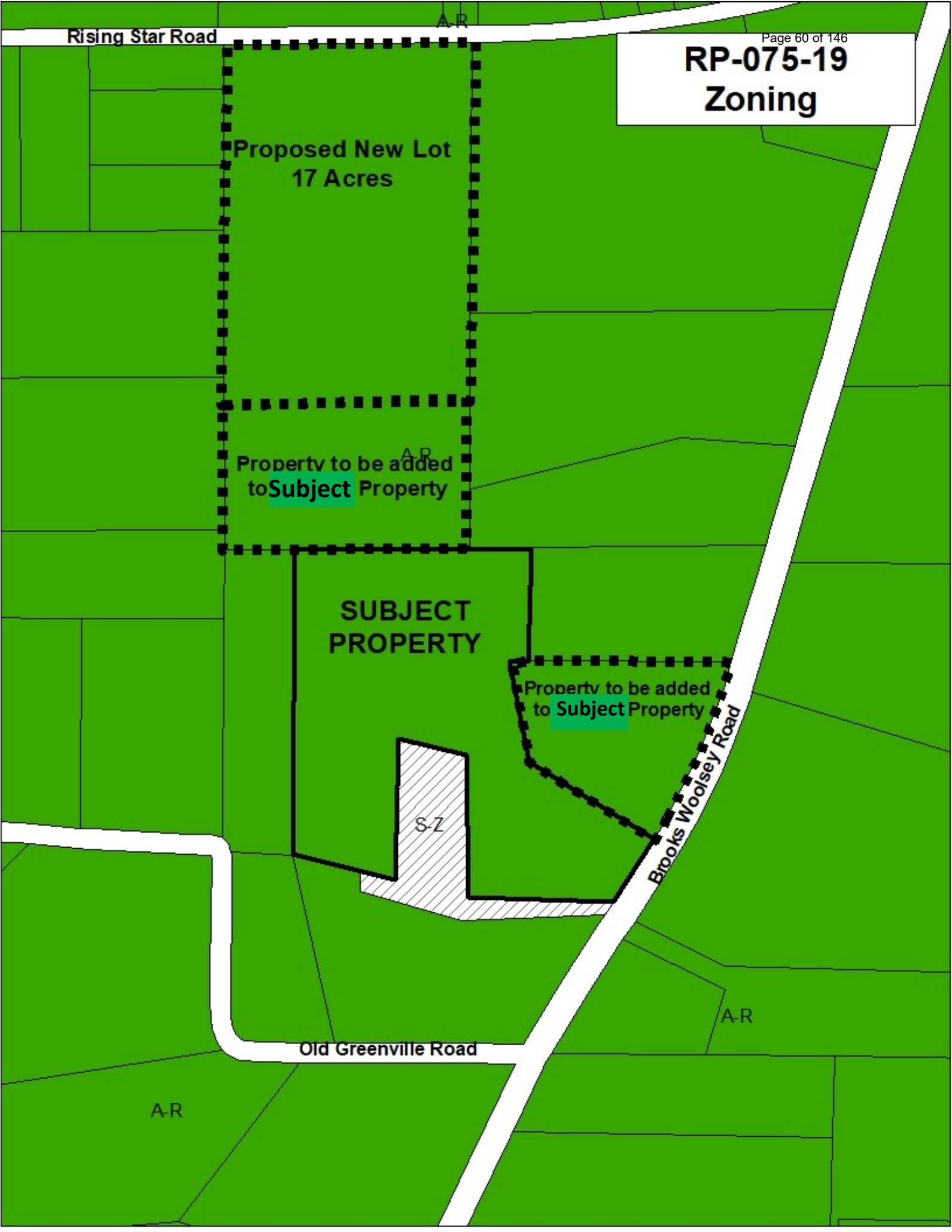
S-Z

Brooks Woolsey Road

Old Greenville Road

A-R

A-R



**RP-075-19  
Land Use Plan**

Rising Star Road



Proposed New Lot  
17 Acres

Property to be added  
to Subject Property

Argricultural-Residential  
(1 Unit/5 Acres)

**SUBJECT  
PROPERTY**

Property to be added  
to Subject Property

Brooks Wealsey Road

Old Greenville Road

# RP-075-19 Aerials

Rising Star Road

Proposed New Lot  
17 Acres

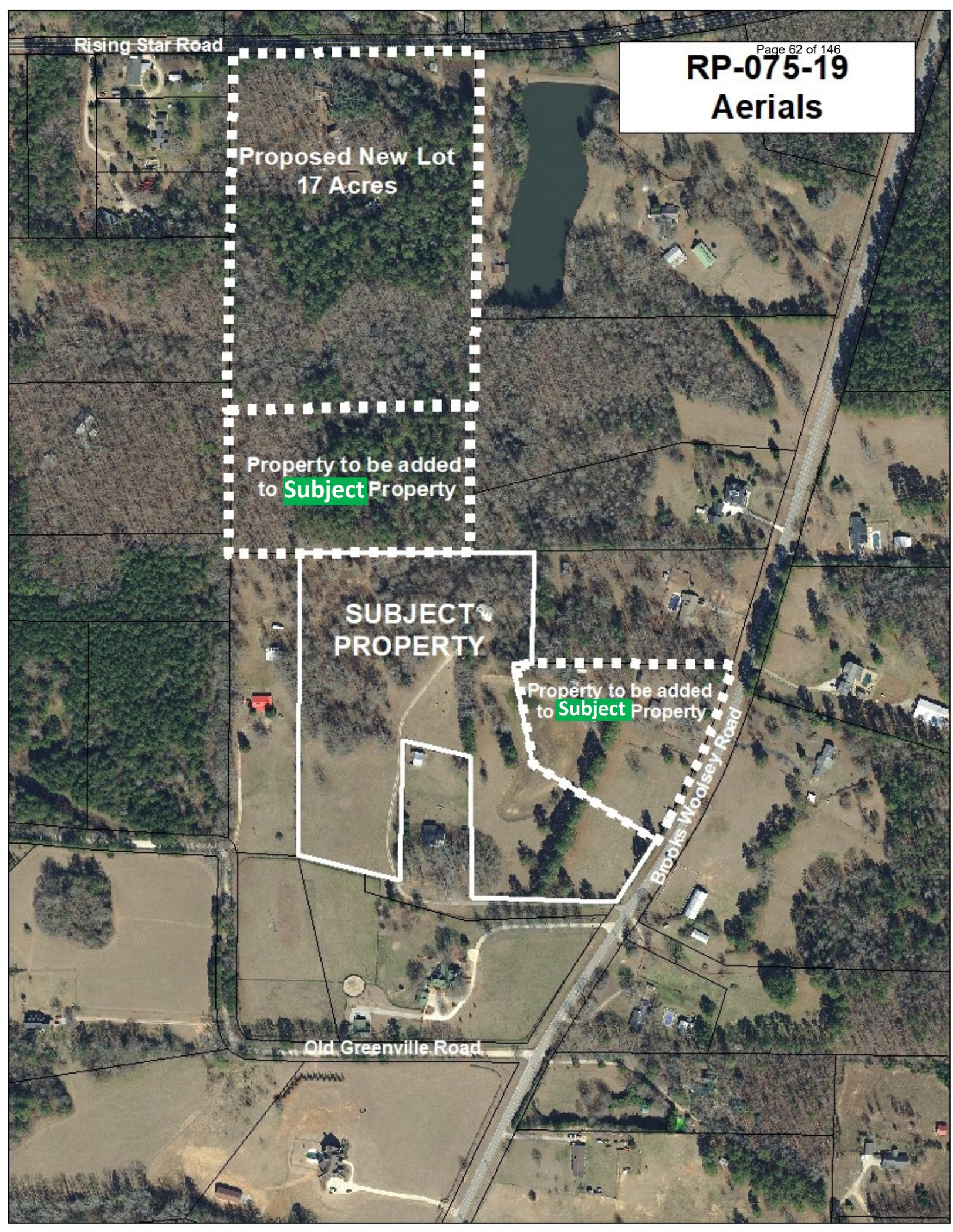
Property to be added  
to **Subject** Property

SUBJECT  
PROPERTY

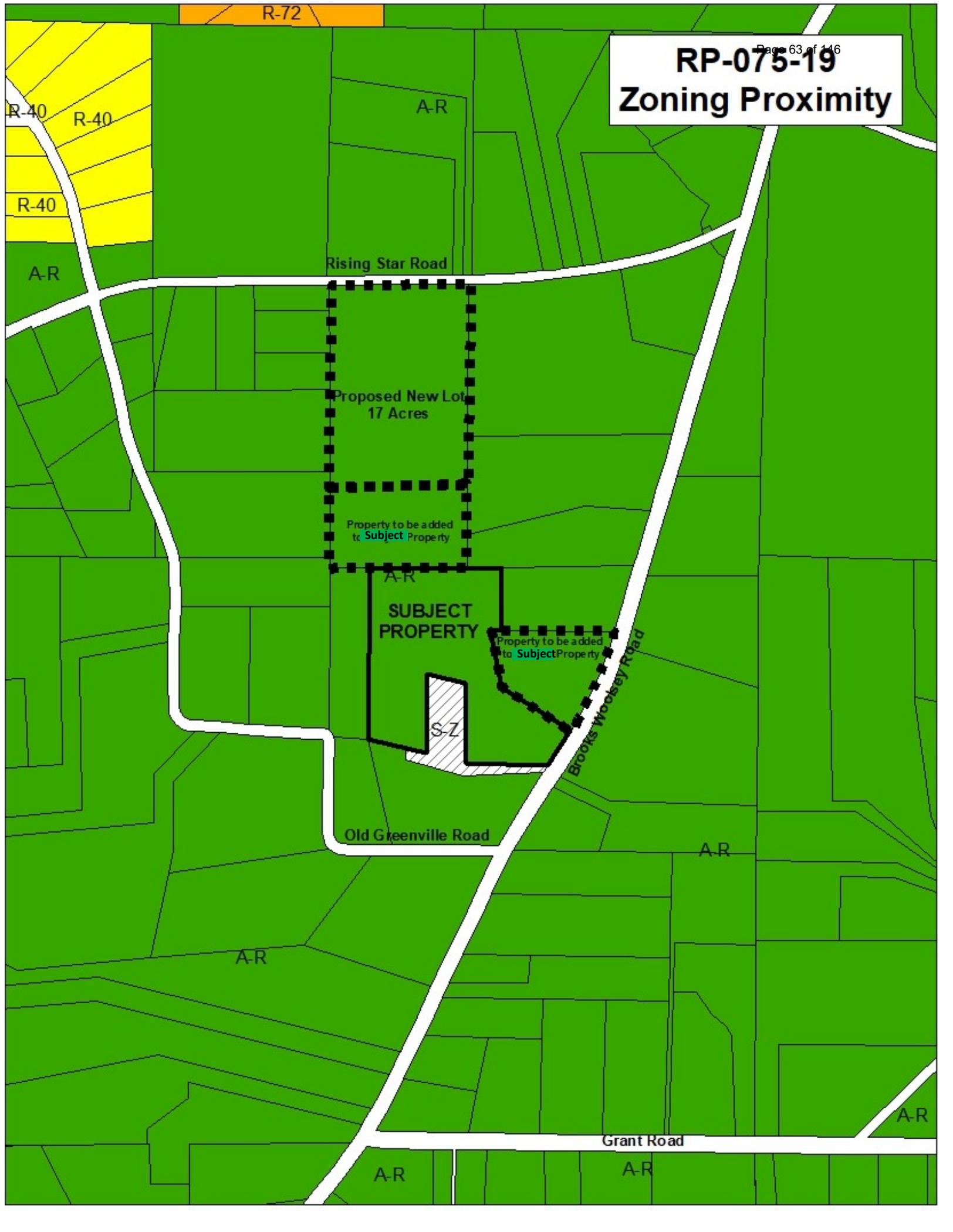
Property to be added  
to **Subject** Property

Brooks Woolsey Road

Old Greenville Road



# RP-075-19 Zoning Proximity



Rising Star Road

Proposed New Lot  
17 Acres

Property to be added  
to Subject Property

A-R  
**SUBJECT  
PROPERTY**

S-Z

Property to be added  
to Subject Property

Brooks Woobey Road

Old Greenville Road

Grant Road

APPLICATION TO REVISE A RECORDED PLAT  
(PUBLIC HEARING)

PETITION NO: RP- 075 - 14

NAME OF RECORDED PLAT: Brooks Farm

OWNER OF PROPERTY: Cicely Foster

MAILING ADDRESS: 551 Brooks - Woodsey Rd Fayetteville, GA 30215

PHONE: 678-633-9928

E-MAIL: [REDACTED]

AGENT FOR OWNER: N/A

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

PHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

LOCATION: LAND LOT(S) 135 DISTRICT 4<sup>th</sup> ROAD Brooks, Woodsey

LEGAL DESCRIPTION ATTACHED: Yes ZONING: A-R

FIFTEEN COPIES OF CONCEPT PLAN ATTACHED: \_\_\_\_\_

TOTAL NUMBER OF LOTS: 2 TOTAL NUMBER OF ACRES: 29 acres

DATE OF PLANNING COMMISSION HEARING: Jan 2, 2020

DATE OF COUNTY COMMISSIONERS HEARING: Jan 24, 2020

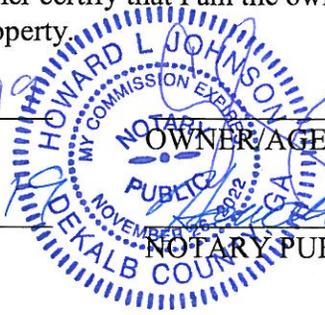
REASON FOR REVISION: Adding 13.207 acres to the existing  
Minor Subdivision Plat of Brooks Farm (16.779) acres.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

12/5, 2019 \_\_\_\_\_  
12/5, 20 \_\_\_\_\_

OWNER/AGENT'S SIGNATURE  
NOTARY PUBLIC



**SIGN FEE**

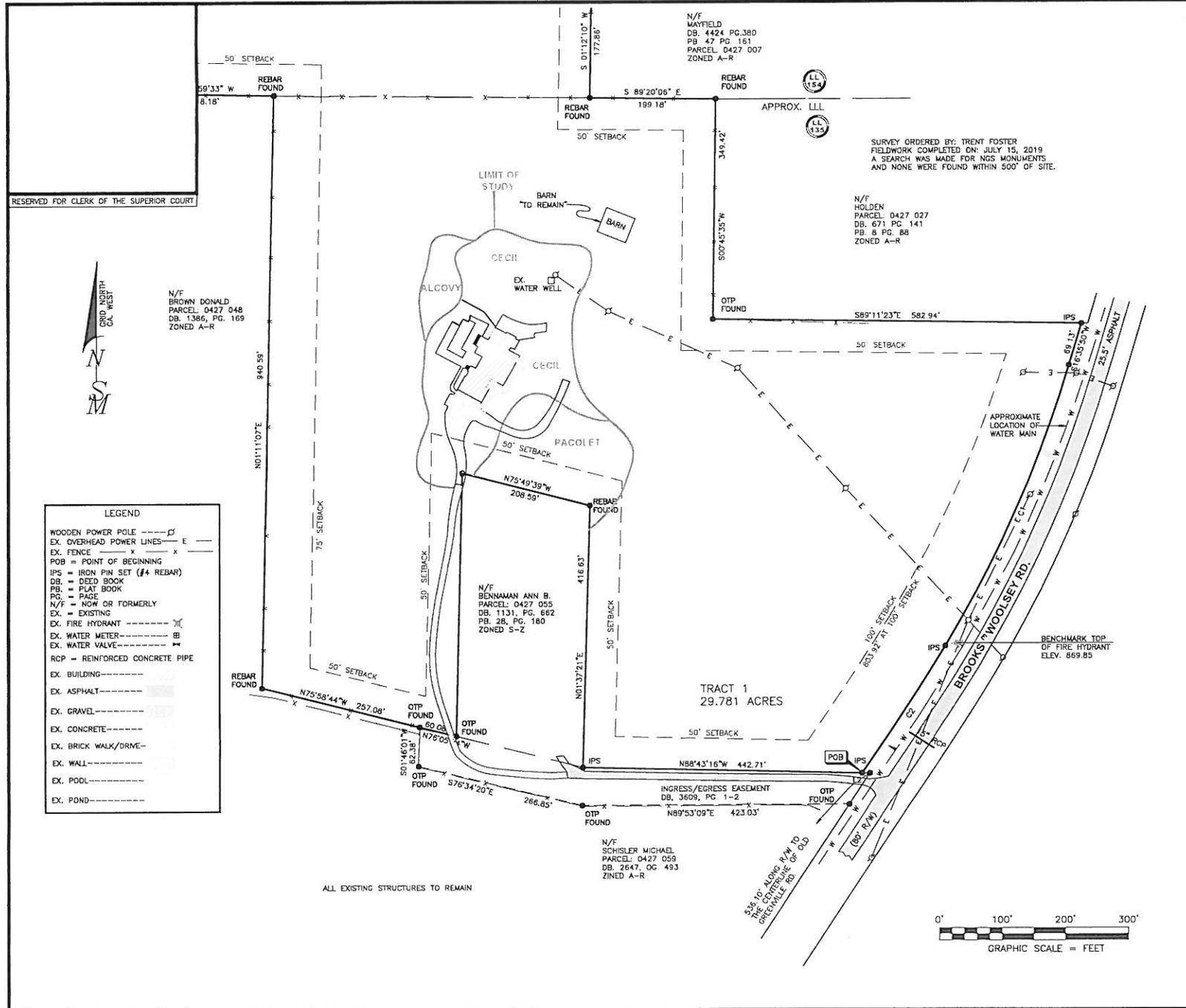
Received from \_\_\_\_\_ the amount of \$ \_\_\_\_\_ to cover the cost of the sign deposit. Applicant will be billed later for the cost of advertising.

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

Receipt No. \_\_\_\_\_

Cash: \_\_\_\_\_

Check No. \_\_\_\_\_



LEGEND

- WOODEN POWER POLE --- O ---
- EX. OVERHEAD POWER LINES --- E ---
- EX. FENCE --- X --- X ---
- POB = POINT OF BEGINNING
- IPS = IRON PIN SET (#4 REBAR)
- DB. = DEED BOOK
- PB. = PLAT BOOK
- PG. = PAGE
- N/F = NOW OR FORMERLY
- EX. = EXISTING
- EX. FIRE HYDRANT --- X ---
- EX. WATER METER --- M ---
- EX. WATER VALVE --- V ---
- RCP = REINFORCED CONCRETE PIPE
- EX. BUILDING ---
- EX. ASPHALT ---
- EX. GRAVEL ---
- EX. CONCRETE ---
- EX. BRICK WALK/DRIVE ---
- EX. WALL ---
- EX. POOL ---
- EX. PDND ---



N/F BROWN DONALD  
PARCEL: 0427 048  
DB. 1366, PG. 169  
ZONED A-R

N/F MAYFIELD  
DB. 4424 PG. 380  
PB. 47 PG. 161  
PARCEL: 0427 007  
ZONED A-R

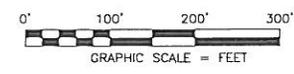
N/F HOLDEN  
PARCEL: 0427 027  
DB. 671 PG. 141  
PB. 6 PG. B6  
ZONED A-R

N/F BENNAMAN ANN B.  
PARCEL: 0427 055  
DB. 1131, PG. 692  
PB. 28, PG. 180  
ZONED S-2

N/F SCHISLER MICHAEL  
PARCEL: 0427 059  
DB. 2647, PG. 493  
ZONED A-R

SURVEY ORDERED BY: TRENT FOSTER  
FIELDWORK COMPLETED ON: JULY 15, 2019  
A SEARCH WAS MADE FOR NGS MONUMENTS  
AND NONE WERE FOUND WITHIN 500' OF SITE.

ALL EXISTING STRUCTURES TO REMAIN



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

\*TOPOGRAPHICAL SURVEYS  
\*LAND SURVEYING  
\*LAND PLANNING  
\*CONSTRUCTION LAYOUT  
\*CONSTRUCTION DESIGN  
\*CIVIL ENGINEERING

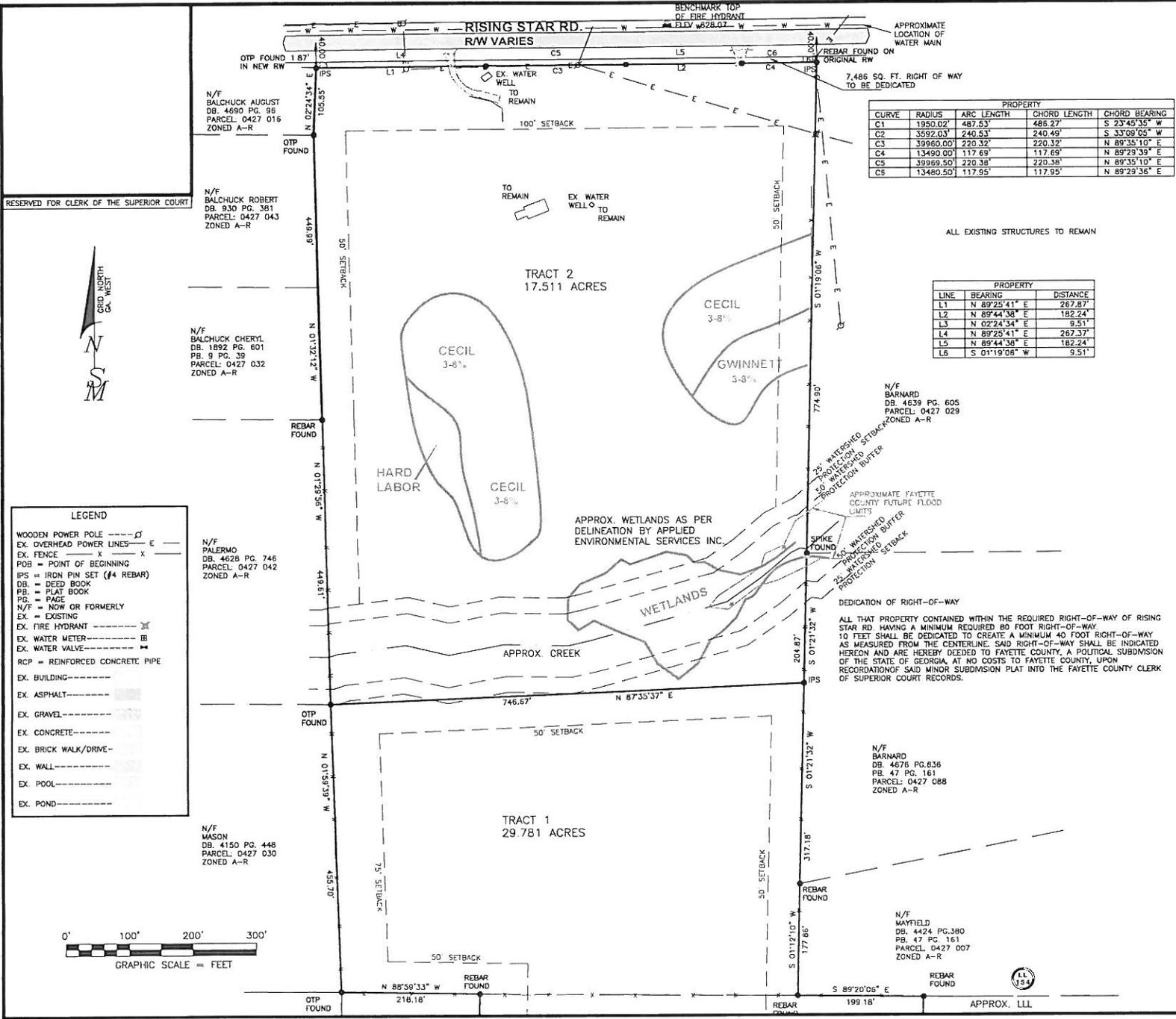
2060 HWY. 42 NORTH  
MCDONOUGH, GA. 30253  
PHONE: (770) 320-7553  
FAX: (770) 320-7333  
www.sibleysurveying.com

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**MINOR SUBDIVISION PLAT OF**  
**BROOKS FARM II**  
**TWO PARCELS**  
**LAND LOT 135 & 154, 4th. DISTRICT**  
**FAYETTE COUNTY, GEORGIA**

---

PROJECT NO.: B17012  
BROOKS-WOOLSEY  
RISING STAR MSD PLAT  
DRAWN BY: TLM  
DATE: 8-7-2019  
SHEET 2 OF 3



**SIBLEY-MILLER SURVEYING & PLANNING INC.**  
 2062 HWY. 42 NORTH  
 MCDONOUGH, GA. 30253  
 PHONE: (770) 320-7553  
 FAX: (770) 320-7333  
 www.sibleysurveying.com

\* TOPOGRAPHICAL SURVEYS  
 \* LAND SURVEYING  
 \* LAND PLANNING  
 \* CONSTRUCTION LAYOUT  
 \* LAND DEVELOPMENT DESIGN  
 \* CIVIL ENGINEERING

**MINOR SUBDIVISION PLAT OF BROOKS FARM II TWO PARCELS LAND LOT 135 & 154, 4th. DISTRICT FAYETTE COUNTY, GEORGIA**



PROJECT NO.: B17012  
 BROOKS-WOOLSEY RISING STAR MSD PLAT  
 DRAWN BY: TLM  
 DATE: 8-7-2019  
 SHEET 2 OF 3

**DEDICATION OF RIGHT-OF-WAY**  
 ALL THAT PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF RISING STAR RD. HAVING A MINIMUM REQUIRED 80 FOOT RIGHT-OF-WAY 10 FEET SHALL BE DEDICATED TO CREATE A MINIMUM 40 FOOT RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE. SAID RIGHT-OF-WAY SHALL BE INDICATED HEREON AND ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COSTS TO FAYETTE COUNTY, UPON RECORDATION OF SAID MINOR SUBDIVISION PLAT INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS.

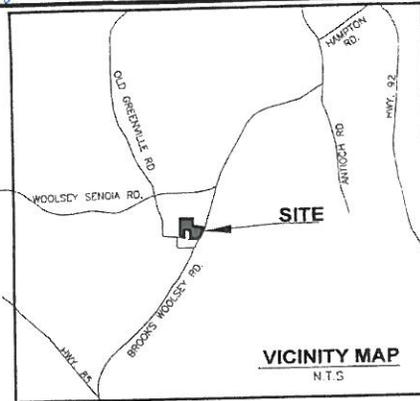
*Current land line RP 075-15*

*Environmental management*

Doc ID: 010288480002 Type: PLAT  
 Recorded: 12/27/2017 at 04:10:00 PM  
 Fee Amt: \$18.00 Page 1 of 2  
 Fayette, Ga. Civil Superior Court  
 Shelia Stuedeman Clerk of Court  
 #50 ps 110-111

**COPY**

RESERVED FOR CLERK OF THE SUPERIOR COURT



**VICINITY MAP**  
N.T.S.

**NOTES:**

OWNER: TRINITY & CICELY FOSTER,  
 343 BROOKS WOOLSEY ROAD  
 FAYETTEVILLE, GA. 30215  
 PHONE: (678) 662-1922  
 FAX: 404-768-8576  
 PARCEL: 0427 087  
 ZONED: A-R

MINIMUM LOT SIZE = 5.00 ACRES  
 MINIMUM LOT WIDTH = 250' (AT BUILDING LINE)  
 FRONT SETBACK = 100'  
 SIDE SETBACK = 50'  
 REAR SETBACK = 75'  
 MINIMUM FLOOR AREA = 1,200 SQ. FT.  
 LOT AREA = 16,778 ACRES

SEWER SERVICE AS PER SEPTIC SYSTEM  
 WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.

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

THERE ARE NO WETLANDS ON THIS PROPERTY AS PER NATIONAL WETLANDS INVENTORY

THIS PROPERTY DOES NOT HAVE ANY STATE WATERS.

THERE ARE NO NEW ROADS OR COMMON AREAS TO BE DEDICATED ON THIS PROPERTY.

THERE ARE NO GROUNDWATER RECHARGE AREAS ON THE PROPERTY.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE  
 FOOT IN 57,895 FEET AND AN ANGULAR ERROR OF 0.01" PER ANGLE POINT  
 AND WAS ADJUSTED USING THE COMPASS RULE THIS PLAT HAS BEEN CALCULATED FOR  
 CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.

EQUIPMENT USED: TOPCON GTS-313.

**FLOOD NOTE:**

AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A. THIS PROPERTY IS NOT  
 LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA AS PER COMMUNITY FIRM PANEL  
 NUMBER: 13113C0155E ----- DATED: SEPTEMBER 26, 2008.

**SURVEYORS CERTIFICATION:**

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



*Tim L. Miller*  
 Tim L. Miller GA. RLS # 3150

11-29-17

Date:

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

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

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

REVISION BLOCK			
NO.	DATE	DESCRIPTION	
1	4/25/17	ADDRESSED COUNTY MARK-UPS	JWS
2	10/26/17	ADDED 5 ACRE TRACT. UPDATED STATE SURVEY PLAT REQUIREMENTS.	JWS
2	11/29/17	REMOVED 5 ACRE TRACT	TLM

**LEVEL III SOIL SURVEY:**

I, (NAME) DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED  
 ON THE SOIL MAP WAS PERFORMED BY ASS. INC. IN ACCORDANCE WITH THE  
 PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF HUMAN RESOURCES'  
 CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

SIGNATURE OF SOIL CLASSIFIER *Christina*  
 COMPANY ADDRESS & TELEPHONE NEWNAN, GA 30265 678-262-4422

GEORGIA DHR SOIL CLASSIFIER, PROFESSIONAL GEOLOGIST, OR PROFESSIONAL ENGINEER  
 REGISTRATION NO. 224  
 REGISTRATION NUMBERS/LICENSE NUMBERS

**CONTIGUOUS AREAS:**

EACH BUILDABLE LOT  
 HAS A MINIMUM CONTIGUOUS AREA OF 10.78 ACRES, THAT IS FREE AND CLEAR  
 OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND  
 SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

**OWNERS CERTIFICATE**

WE THE UNDERSIGNED OWNER(S) UNDERSTAND THIS MINOR SUBDIVISION PLAT  
 AND ANY MAINTENANCE BOND AND/OR IRREVOCABLE LETTER-OF-CREDIT SHALL  
 EXPIRE AND THUS BECOME VOID IF THE MINOR SUBDIVISION PLAT IS NOT  
 RECORDED INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS  
 WITHIN 90 CALENDAR DAYS ( / / ) OF THE DATE OF APPROVAL BY THE  
 PLANNING COMMISSION

OWNER *Trinity Foster* DATE 11-27-2017  
 OWNER \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVALS:**

APPROVED BY THE FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT *for recording*  
 DATE 12/18/17 SIGNED *Robert Miller*  
 ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY THE FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT  
 DATE 12/15/17 SIGNED *Vincent*  
 ENVIRONMENTAL MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER  
 DATE 12/18/17 SIGNED *P. Mallon*  
 COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION ON: 12/21/2017  
 DATE 12/21/2017 SIGNED *Christina T. Jones*  
 SECRETARY

APPROVED BY THE FAYETTE COUNTY ZONING ADMINISTRATOR  
 DATE 12/14/2017 SIGNED *C. Jones*  
 ZONING ADMINISTRATOR

APPROVED BY FAYETTE COUNTY FIRE MARSHAL ALL FIRE HYDRANT(S) LOCATED AS SHOWN.  
 DATE 12/15/17 SIGNED *Miller*  
 FIRE MARSHAL

**SIBLEY-MILLER  
 SURVEYING & PLANNING INC.**  
 \*TOPOGRAPHICAL SURVEYS  
 \*LAND SURVEYING  
 \*LAND PLANNING  
 \*CONSTRUCTION LAYOUT  
 \*LAND DEVELOPMENT DESIGN  
 \*CIVIL ENGINEERING  
 2062 HWY. 42, NORTH  
 MCDONOUGH, GA 30253  
 PHONE: (770) 920-3555  
 FAX: (770) 320-7335  
 www.sibleysurveying.com

**MINOR SUBDIVISION PLAT**  
**BROOKS FARM**  
**16.778 ACRES**  
**LAND LOT 135, 4th. DISTRICT**  
**FAYETTE COUNTY, GEORGIA**



PROJECT NO.: B17012  
 MINOR/FINAL PLAT  
 DRAWN BY: TLM/LGS  
 (NOT TO SCALE)  
 DATE: 11-29-2017  
 SHEET 1 OF 2

*Current Conditions RP 075-19*

Doc ID: 010288480002 Type: PLAT  
 Recorded: 12/27/2017 at 04:10:00 PM  
 Fee Amt: \$18.00 Page 1 of 2  
 Fayette, Ga. Clerk Superior Court  
 Shelia Studdard Clerk of Court  
**50** **110-111**

**COPY**

RESERVED FOR CLERK OF THE SUPERIOR COURT

N/F BROWN DONALD  
 PARCEL 0427 048  
 DB: 1396, PG 169  
 ZONED A-R

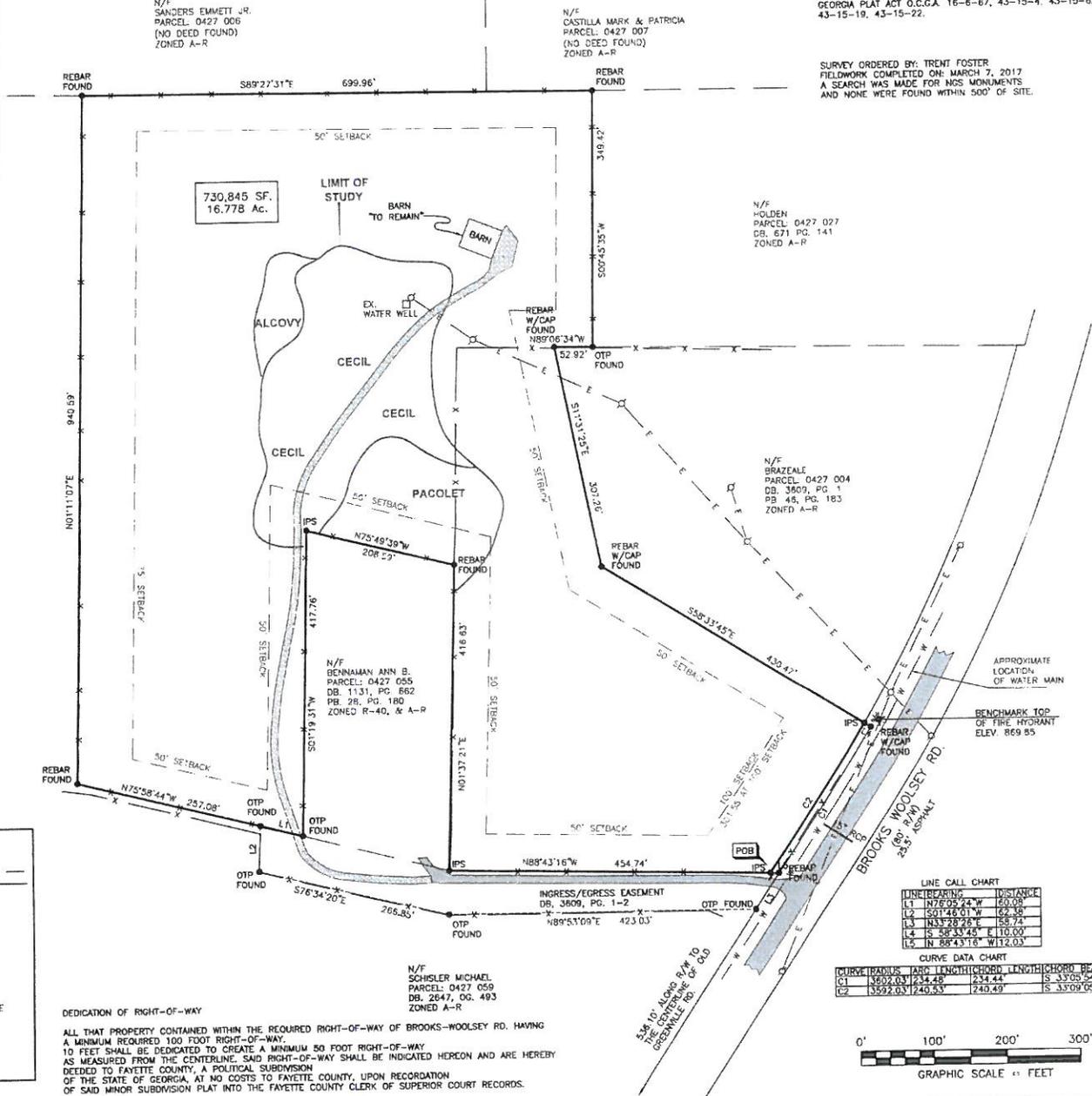


**LEGEND**

- WOODEN POWER POLE --- ○ ---
- EX OVERHEAD POWER LINES --- E ---
- EX. FENCE --- X --- X ---
- POB = POINT OF BEGINNING
- IPS = IRON PIN SET (#4 REBAR)
- DB = DEED BOOK
- PR = PLAT BOOK
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- N/F = NOW OR FORMERLY
- EX = EXISTING
- EX FIRE HYDRANT --- X ---
- EX WATER METER --- M ---
- EX WATER VALVE --- V ---
- RCP = REINFORCED CONCRETE PIPE
- EX. BUILDING --- [shaded area] ---
- EX ASPHALT --- [hatched area] ---
- EX GRAVEL --- [stippled area] ---

**DEDICATION OF RIGHT-OF-WAY**

ALL THAT PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF BROOKS-WOOLSEY RD, HAVING A MINIMUM REQUIRED 100 FOOT RIGHT-OF-WAY, 10 FEET SHALL BE DEDICATED TO CREATE A MINIMUM 50 FOOT RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE. SAID RIGHT-OF-WAY SHALL BE INDICATED HERON AND ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COSTS TO FAYETTE COUNTY, UPON RECORDECTION OF SAID MINOR SUBDIVISION PLAT INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS.



I CERTIFY THAT THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 16-6-67, 43-15-4, 43-15-6, 43-15-10, 43-15-22.

SURVEY ORDERED BY: TRENT FOSTER  
 FIELDWORK COMPLETED ON: MARCH 7, 2017  
 A SEARCH WAS MADE FOR NGS MONUMENTS AND NONE WERE FOUND WITHIN 500' OF SITE.

N/F HOLDEN  
 PARCEL 0427 027  
 DB: 671 PG. 141  
 ZONED A-R

N/F BRAZEALE  
 PARCEL 0427 004  
 DB: 3609, PG. 89  
 PG. 48, PG. 183  
 ZONED A-R

N/F SCHISLER MICHAEL  
 PARCEL 0427 059  
 DB: 2647, DG. 493  
 ZONED A-R

**LINE CALL CHART**

LINE	BEARING	DISTANCE
1	N75°05'24"W	69.00'
2	S01°46'01"W	62.30'
3	N33°28'26"E	58.74'
4	S58°43'18"W	410.00'
5	N88°43'18"W	412.03'

**CURVE DATA CHART**

CURVE	CHORD BEARING	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	S60°03'23.48"	234.48'	234.44'	S 33°05'54" W
C2	S59°03'12.40"	240.53'	240.49'	S 33°09'59" W



**SIBLEY-MILLER**

**SURVEYING & PLANNING INC.**  
 \*TOPOGRAPHICAL SURVEYS  
 \*LAND SURVEYING  
 \*LAND PLANNING  
 \*CONSTRUCTION LAYOUT  
 \*CONSTRUCTION DESIGN  
 \*CIVIL ENGINEERING  
 2082 HWY. 42 NORTH  
 McDONOUGH, GA. 30253  
 PHONE: (770) 320-7335  
 FAX: (770) 320-7333  
 www.sibleysurveying.com

**MINOR SUBDIVISION PLAT**

**BROOKS FARM**  
 16.778 ACRES  
 LAND LOT 135, 4th. DISTRICT  
 FAYETTE COUNTY, GEORGIA



PROJECT NO.: B17012  
 MINOR/FINAL PLAT  
 DRAWN BY: TLM/LGS  
 SCALE: 1" = 100'  
 DATE: 11-29-2017  
 SHEET 2 OF 2



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

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

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

NOTES: OWNER: JIM BRAZEALE 250 FRIENDSHIP RD. BROOKS GA FAX: 404-768-8576 ZONED: A-R MINIMUM LOT SIZE = 5.00 ACRES MINIMUM LOT WIDTH = 250' (AT BUILDING LINE) FRONT SETBACK = 100' SIDE SETBACK = 50' REAR SETBACK = 75' MINIMUM FLOOR AREA = 1,200 SQ. FT. LOT AREA = 5,000 ACRES CONTIGUOUS AREA = 2,425 ACRES SEWER SERVICE AS PER SEPTIC SYSTEM (EXISTING) WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM NO RECORDED EASEMENTS FOUND ASSOCIATED WITH THIS PROPERTY ANY WETLANDS NOT INDICATED ON THIS PLAT ARE UNDER THE JURISDICTION OF THE U.S ARMY CORP'S OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION. FAYETTE COUNTY DOES NOT ACCEPT RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT. THERE ARE NO WETLANDS ON THIS PROPERTY AS PER NATIONAL WETLANDS INVENTORY THIS PROPERTY DOES NOT HAVE ANY STATE WATERS THERE ARE NO NEW ROADS OR COMMON AREAS TO BE DEDICATED ON THIS PROPERTY AREA OF RIGHT-OF-WAY ON BROOKS-WOOLSEY ROAD TO BE DEDICATED = 0.128 ACRES (10' ADDITIONAL RIGHT-OF-WAY)

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,655 FEET AND AN ANGULAR ERROR OF 0.01 PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

EQUIPMENT USED: TOPCON GTS-313. AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A. THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA AS PER COMMUNITY - PANEL NUMBER 13113C0155E DATED: SEPTEMBER 26, 2008

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE MONUMENTS REFERENCED HEREON, EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

BY: [Signature] GA. REGISTERED LAND SURVEYOR DATE: 10-26-11

DEDICATION OF RIGHT-OF-WAY

ALL THAT PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF BROOKS-WOOLSEY RD. HAVING A MINIMUM REQUIRED 100 FOOT RIGHT-OF-WAY 10 FEET SHALL BE DEDICATED TO CREATE A MINIMUM 50 FOOT RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE. SAID RIGHT-OF-WAY SHALL BE INDICATED HEREON AND ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COSTS TO FAYETTE COUNTY, UPON RECORDDATION OF SAID MINOR SUBDIVISION PLAT INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS.

OWNERS CERTIFICATE

WE, THE UNDERSIGNED OWNER(S) OF THE O'DONNELL'S SUBDIVISION, HEREBY DEDICATE THE RIGHT-OF-WAY FOR PUBLIC USE, AND/OR RESERVE FOR PUBLIC USE THE EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT

WE THE UNDERSIGNED OWNER(S) UNDERSTAND THIS MINOR SUBDIVISION PLAT AND ANY MAINTENANCE BOND AND/OR IRREVOCABLE LETTER-OF-CREDIT SHALL EXPIRE AND THUS BECOME VOID IF THE MINOR SUBDIVISION PLAT IS NOT RECORDED INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS WITHIN 90 CALANDER DAYS ( / / ) OF THE DATE OF APPROVAL BY THE PLANNING COMMISSION

OWNER: [Signature] DATE: 13 Nov 2011 OWNER: [Signature] DATE: 13 Nov 2011

APPROVED BY THE FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT DATE 10/27/11 SIGNED [Signature] ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY THE FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT DATE 10/27/2011 SIGNED [Signature] STORMWATER MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER DATE 10/27/2011 SIGNED [Signature] COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION ON: 11, 03, 11 DATE 11-03-11 SIGNED [Signature] SECRETARY

APPROVED BY THE FAYETTE COUNTY ZONING ADMINISTRATOR DATE October 27, 2011 SIGNED [Signature] ZONING ADMINISTRATOR

Doc ID: 00985830002 Type: PLAT Recorded: 11/14/2011 at 08:44:00 AM Fee Amt: \$16.00 Page 1 of 2 Fayette Co. Clerk Superior Court Sheila Studdard Clerk of Court 46 PG 183-184

SIBLEY-MILLER SURVEYING & PLANNING INC. TOPOGRAPHICAL SURVEYS LAND SURVEYING LAND PLANNING LAND DEVELOPMENT DESIGN CIVIL ENGINEERING 2082 HWY. 42 NORTH McDONOUGH, GA 30253 PHONE: (770) 320-7555 FAX: (770) 320-7333 www.sibleysurveying.com

MINOR SUBDIVISION PLAT FOR 5.000 ACRES THE O'DONNELL'S LAND LOT 135, 4th. DISTRICT FAYETTE COUNTY, GEORGIA



PROJECT NO.: B11058 DRAWN BY: TLM SCALE: 1" = 50' DATE: 6-28-2011 SHEET 2 OF 2



# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road.

**Background/History/Details:**

The petitioner proposes to build a two story 15,000 square foot Professional/Medical Office building.

Staff recommends approval.

The Planning Commission recommended approval.

Brian Haren made a motion to recommend approval of Petition No. 1289-19 to rezone 2.409 acres from A-R to O-I. Danny England seconded the motion. The motion passed 4-0-1. Al Gilbert abstained.

**What action are you seeking from the Board of Commissioners?**

Approval of Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

**PLANNING COMMISSION RECOMMENDATION**

**DATE:** January 2, 2020

**TO:** Fayette County Commissioners

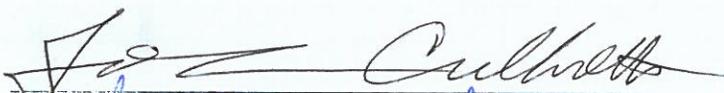
The Fayette County Planning Commission recommends that Petition No. 1289-19, the application of Jan A. Hutto and Timothy E. Trammell to rezone 2.409 acres from A-R to

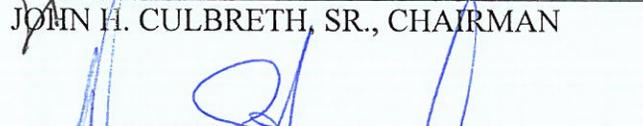
O-I, be:

Approved       Withdrawn       Denied

Tabled until \_\_\_\_\_

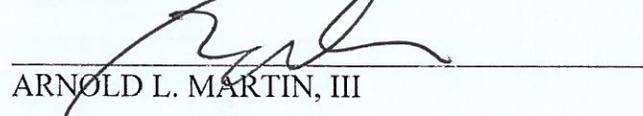
This is forwarded to you for final action.

  
\_\_\_\_\_  
JOHN H. CULBRETH, SR., CHAIRMAN

  
\_\_\_\_\_  
DANNY ENGLAND, VICE-CHAIRMAN

  
\_\_\_\_\_  
AL GILBERT

  
\_\_\_\_\_  
BRIAN HAREN

  
\_\_\_\_\_  
ARNOLD L. MARTIN, III

*ABG/AM*

**Remarks:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1

**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**RESOLUTION**

**NO. 1289-19**

**WHEREAS**, Jan A. Hutto and Timothy E. Trammell, Owners, and Darrell Baker, Agent, having come before the Fayette County Planning Commission on January 2, 2020, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

**WHEREAS**, said request being as follows: Request to rezone 2.409 acres from A-R to O-I, in the area of State Route 54 West and Ebenezer Rd, Land Lot 58 of the 7th District, for the purpose of developing a Professional/Medical Office; and

**WHEREAS**, the Fayette County Planning Commission having duly convened, and considered said request;

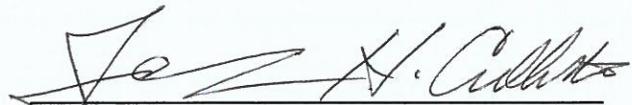
**BE IT RESOLVED** that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.  
Compatible with the surrounding area.

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**ATTEST:**

  
\_\_\_\_\_  
**JOHN H. CULBRETH, SR, CHAIRMAN**

  
\_\_\_\_\_  
**HOWARD L. JOHNSON  
PLANNING COMMISSION SECRETARY**

**THE FAYETTE COUNTY PLANNING COMMISSION** met on January 2, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** John H. Culbreth, Chairman  
Danny England, Vice-Chairman  
Al Gilbert  
Brian Haren  
Arnold L. Martin, III

**STAFF PRESENT:** Pete A. Frisina, Director of Community Services  
Howard Johnson, Planning and Zoning Coordinator

**STAFF ABSENT:** Chanelle Blaine, Zoning Administrator

- 6. Consideration of Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners, and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I for the purpose of developing a Professional/Medical Office. This property is located in Land Lot 58 of the 7<sup>th</sup> District and fronts on State Route 54 and Ebenezer Road.**

Al Gilbert interjected Mr. Chairman before you get started, I just wanted to let you know I will be abstaining on this item. He explained that Mr. Trammell was a customer of mine for several years and I don't need to be participating, so I am going to sit here and quietly observe.

Chairman Culbreth said to let the record show and noted that Mr. Al Gilbert is abstaining.

Chairman Culbreth asked is the petitioner present.

Darrell Baker stated I have already signed in and I am with Randolph Williamson (900 Westpark Drive, Suite 300, Peachtree City). He added even though I am the agent, we are going to be one of the owners of the building with Tim Trammell. He said that Tim and his mother bought this piece of property back in 1991, I believe, based on the warranty deed they have owned it since then. He also said he met with Tim and talked with him about coming in as a partner, which he is going to do. He explained this site is 2.049 acres, and sits on the southeast corner of Ebenezer Road. He said I believe Rod Wright is building some new houses right behind this and this is directly across Ebenezer Road from an O-I property where there is a State Farm office and a chiropractor. He noted the zoning is consistent with O-I, we are asking to rezone from A-R to O-I which is consistent with the Comp Plan for Fayette County. He explained we are going to be using it as a 15,000 square foot office building. He added in your packet you have an engineered site plan that may need a little more work, it has a 7,500 square footprint on two (2) stories. He concluded we have been negotiating with one medical user and we have sized the septic

**Page 2**  
**January 2, 2020**  
**PC Meeting**

fields accordingly, the rest will be professional office.

Darrell Baker noted that we at Randolph Williamson we are talking about moving from a building that we own on Westpark into that building on about 6,000 square feet. He said Ed Parks, of 2 Code, will be designing the building in conjunction with the Highway 54 West Corridor overlay and we understand that it needs to be more residential in nature and our architect will be designing accordingly. He explained it probably will have the same architecture as the church right behind the residential area, it will be a combination of stone, hardi-plank, board and batten, so it will have a residential nature to it. He concluded I am here to answer any questions that you have for me.

Chairman Culbreth asked if there any opposition to Petition 1289-90, being none I will bring it back to the Planning Commission for questions and comments.

Arnold Martin said you mentioned that you are setting up your septic based upon a particular tenant, do you see any challenges if that tenant changed and you went to different type of tenant, would you have make any modifications based on that?

Darrell Baker responded the reason that we had to consider the medical uses is because they are more water-dependent than a normal professional office or general use, so even if that tenant decided to leave we have covered ourselves with excess capacity. He noted we would not do any more medical office than probably 3,500 square foot in that building which is exactly what the future tenant has negotiated. He noted they are not a heavy lab user, they are primarily seeing patients and they will not generate a lot of water because each room in a doctor's office normally has a sink in each room. He added they have a small lab and they will have restrooms in the space and will also have common area restrooms for the staff and the office visitors. He concluded we have covered a preliminary septic area and a backup septic area that would be sufficient in case the first area failed.

Chairman Culbreth asked if there are any further questions.

Danny England said I don't have a question, but this is more of a comment. He added I know that this somewhat of a preliminary site plan, I always hate to see a corner lot where the parking is the most prevalent thing in the plan, see if that is something you guys could take a look at. He explained it seems that you can keep the building in the same area but slide it closer to Highway 54. He noted up and down Highway 54 the more O-I, medical office types uses, we always have the road, a sea of parking, then the building, it would be nice to have less of that. He concluded if you could try to bring the building closer to both roads but at least closer to Highway 54, which would help with visibility on your end as a tenant and as an owner the building is more front and center and the possibility for signage and other things is better.

Darrell Baker replied we will do everything we can. He said the purpose of where we have the parking in the front now is that parking can be put in certain setbacks that we can't put a building in and so laying it out and trying to get the right number. He added we will be

**Page 3**  
**January 2, 2020**  
**PC Meeting**

glad to look at it, with that I have no problem.

Danny England responded that if you drive up Highway 85, what you see is mostly asphalt, so if we have the opportunity to correct that as we develop, that would be great. He added I think the church that you referenced on Ebenezer Road is probably one of the better buildings in the County, just the way it sits there along with the materials that covers it. He said if you thinking along those lines that would be a home run.

Darrell Baker replied I think you are going to see a lot in common, the only difference that I think you will see between this building and the church is on this building is you will see a little more brick and stone on it. He added it doesn't have a lot of primary materials on it, it is mostly board and batten but we are going to incorporate, especially along the bottoms of that building, some brick and stone.

Chairman Culbreth asked are there any further questions, if none a motion is in order.

Brian Haren made a motion to recommend approval of Petition No. 1289-90 to rezone 2.409 acres from A-R to O-I to develop a Professional / Medical Office. Danny England seconded the motion. The motion passed 4-0. Al Gilbert abstained.

**PETITION NO: 1289-19**

**REQUESTED ACTION:** A-R to O-I

**PROPOSED USE:** Professional/Medical Office

**EXISTING USE:** Undeveloped

**LOCATION:** SR 54 West & Ebenezer Rd

**DISTRICT/LAND LOT(S):** 7th District, Land Lot 58

**OWNER:** Jan A. Hutto and Timothy E. Trammell

**AGENT:** Darrell Baker

**PLANNING COMMISSION PUBLIC HEARING:** January 2, 2020

**BOARD OF COMMISSIONERS PUBLIC HEARING:** January 23, 2020

---

**APPLICANT'S INTENT**

Applicant proposes to develop a Professional/Medical Office building on 2.409 acres.

**STAFF RECOMMENDATION**

**APPROVAL**

1.

1289-19

## INVESTIGATION

### A. PROPERTY SITE

The subject property is a 2.409 acre tract fronting on SR 54 West and Ebenezer Road in Land Lot 58 of the 7th District. SR 54 West is classified as a Major Arterial road and Ebenezer Road is classified as a Minor Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

### B. SURROUNDING ZONING AND USES

The general situation is a 2.409 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned R-40, R-70, O-I and A-R. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across SR 54)	1.0	R-40	Single-family Residential	Low Density Residential (1 Unit/1 Acre) & SR 54 West Overlay District and Overlay Zone
South	2.0	R-70	Undeveloped	Rural Residential – 3 (1 Unit/1 Acre)
East	4.1	A-R	Single-family Residential	Rural Residential – 3 (1 Unit/1 Acre) & SR 54 West Overlay District and Overlay Zone
West	2.6 (across Ebenezer Road)	O-I	Office Building	Rural Residential – 3 (1 Unit/1 Acre) & SR 54 West Overlay District and Overlay Zone

### C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential - 3 (1 Unit/3 Acres) and the SR 54 West Overlay District. The SR 54 West Overlay District states the following:

The nonresidential intent of the SR 54 West Overlay District is to allow office and low intensity business uses. Outside of the commercial designation at Tyrone Road consideration for the Office-Institutional Zoning District may be given.

This request conforms to the Fayette County Comprehensive Plan in relation to the SR 54 West Overlay District.

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

The applicant seeks to rezone from A-R to O-I for the purpose of developing a Professional/Medical Office. Due to the frontage on State Route 54, development of the property is subject to the requirements of the State Route 54 Overlay Zone. The Overlay Zone requirements are in addition to the O-I zoning district requirements. Overlay Zone requirements including, but not limited to, the following: a 100 foot setback from the right-of-way of SR 54, a 50 foot setback for impervious surfaces from right-of-way of SR 54, and architectural standards for buildings which require a residential character including a pitched peaked roof, a residential façade, and doors and windows of a residential character.

### **Access**

The Concept Plan submitted indicates one (1) access from Ebenezer Road.

### **Site Plan**

Should this petition be approved, the owner/developer must submit a site plan as required by Article II. - Nonresidential Construction Permit and Compliance Procedures of the Development Regulations

### **Review of Concept Plan**

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable. Buffer depth is labeled 35. Buffer requirement is 30 feet. Dumpster location will have to be moved to the side of the principal structure.

## **E. DEPARTMENTAL COMMENTS**

### **Water System**

No water on this section of Ebenezer road. Water from SR 54 only.

### **Public Works/Engineering**

1. If rezoned, the commercial driveway should be located no closer to SR 54 than shown on the concept plan.
2. Ebenezer Road is an Arterial per Fayette County's Thoroughfare Plan. The applicant shall donate to Fayette County all land required to provide a minimum of 50 feet of right-of-way as measured from the center of existing pavement.

3. Development of the property as O-I will result in greater traffic volume entering and leaving the property as compared to a single A-R development. Trip generation volumes are not known at this time. Improvements to Ebenezer Road (e.g. the addition of right turn and/or left turn lanes) may be required.

### **Environmental Management**

- Floodplain** The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0113E and 13113C0083E dated Sept 26, 2008. The property **DOES NOT** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.
- Wetlands** The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.
- Watershed** The watershed protection ordinance would **NOT** apply to this property.
- Groundwater** The property **IS NOT** within a groundwater recharge area.
- Stormwater** This development **IS** subject to the Post-Development Stormwater Management Ordinance.

### **Environmental Health Department**

This department has no objections to requested rezoning.

### **Fire**

Approved

### **Georgia Department of Transportation**

Since there is no work within the GDOT right of way there are no comments from GDOT; however if there are existing trees/underbrush within the GDOT right of way the trees cannot be removed to “daylight” this new facility, the applicant should be made aware of this GDOT policy.

### STAFF ANALYSIS

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

1. The subject property lies within an area designated for Rural Residential - 3 (1 Unit/3 Acres) and the SR 54 West Overlay District. The SR 54 West Overlay District states the following:

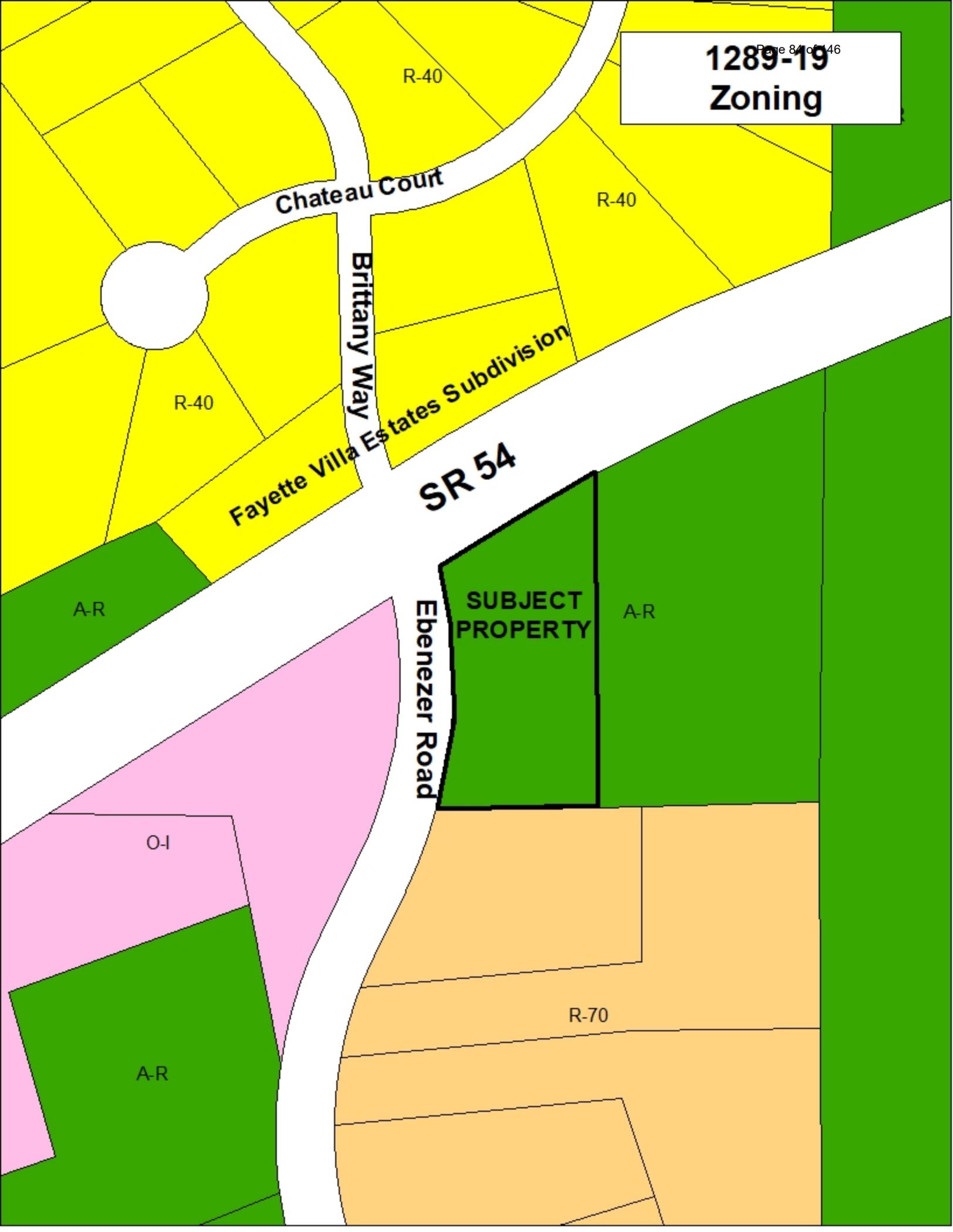
The nonresidential intent of the SR 54 West Overlay District is to allow office and low intensity business uses. Outside of the commercial designation at Tyrone Road consideration for the Office-Institutional Zoning District may be given.

This request conforms to the Fayette County Comprehensive Plan in relation to the SR 54 West Overlay District.

2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development with a mix of single-family residential and office-institutional development support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.

Page 81 of 146  
**1289-19  
Zoning**



R-40

R-40

R-40

Fayette Villa Estates Subdivision

SR 54

A-R

**SUBJECT  
PROPERTY**

A-R

Ebenezer Road

O-I

A-R

R-70

Page 85 of 146  
**1289-19**  
**Land Use Plan**

Chateau Court  
LOW DENSITY  
RESIDENTIAL

Brittany Way

SR 54

SR 54 West Overlay District

Ebenezer Road

SUBJECT  
PROPERTY

RURAL  
RESIDENTIAL

Page 89 of 146

# 1289-19 Aerials

Chateau Court

Brittany Way

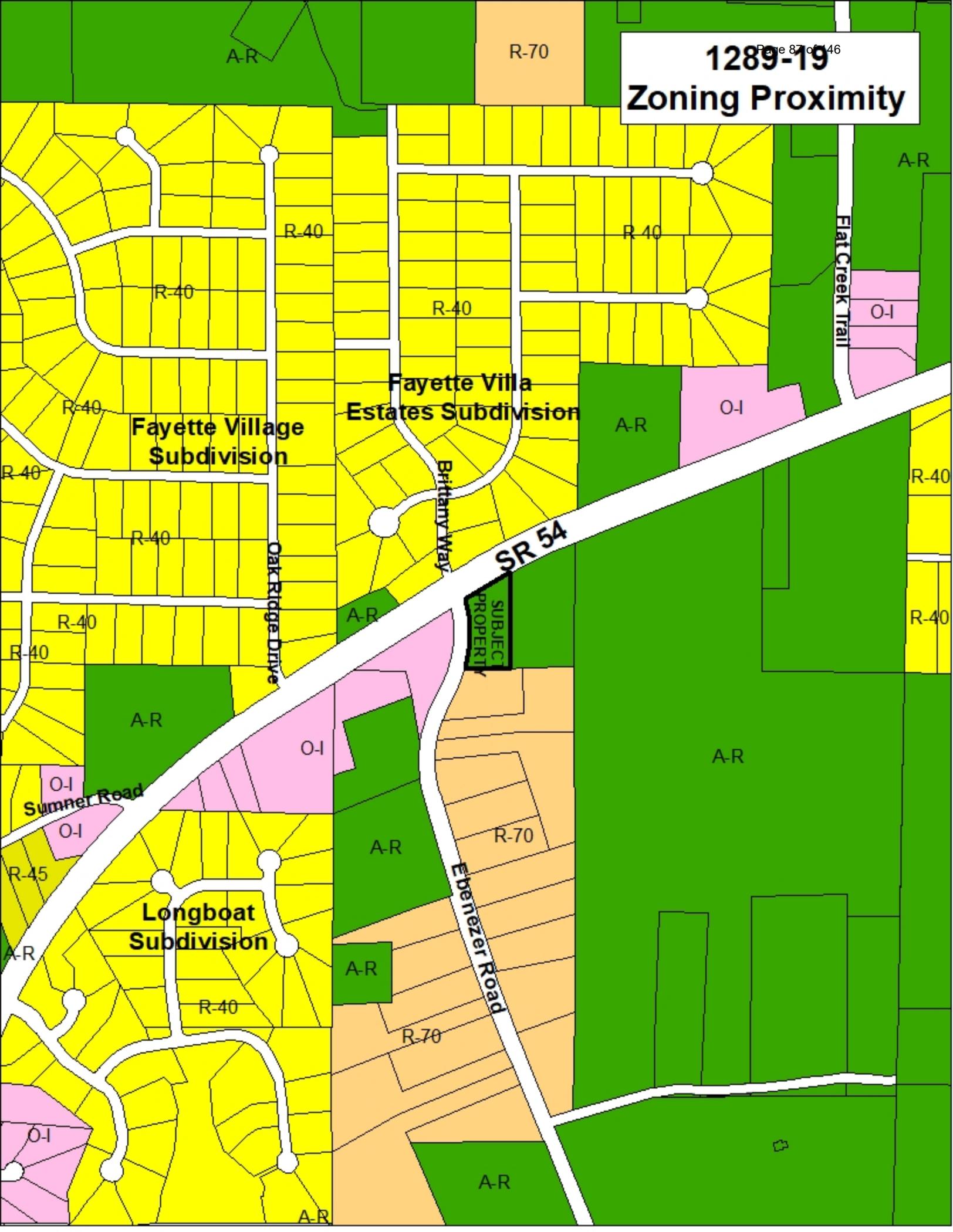
SR 54

SUBJECT  
PROPERTY

Ebenezer Road



# 1289-19 Zoning Proximity



***Sent Via Hand Delivery***

December 2, 2019

Fayette County Planning and Zoning  
140 Stonewall Avenue West  
Suite 202  
Fayetteville, Georgia 30214

**RE: Rezoning Letter of Intent**

To Whom It May Concern:

With regards to Parcel ID 0713 077 in Fayette County, we are requesting rezoning from AR to O/I for the development of a 2 story 15,000 sf professional / medical office building per the attached site plan. The development does / will conform to the Hwy 54 West Overlay requirements. Please feel free to contact me for any additional information as needed.

Sincerely,



Darrell Baker  
Vice President / Development

1289-19



ENGINEERING  
PLANNING  
SURVEYING

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

SCANLON ENGINEERING SERVICES, INC.  
221 EAST BANK STREET  
GRIFFIN, GEORGIA 30223  
PHONE: (678) 967-2051 WWW.SCANLONENG.COM

CONCEPTUAL SITE PLAN FOR  
EBENEZER ROAD  
15,000 S.F. OFFICE BUILDING  
LOCATED IN LAND LOT 58 OF THE  
7th DISTRICT OF FAYETTE COUNTY, GEORGIA

Table with 4 columns: No., Description, Date, Status. Contains a list of revision entries.

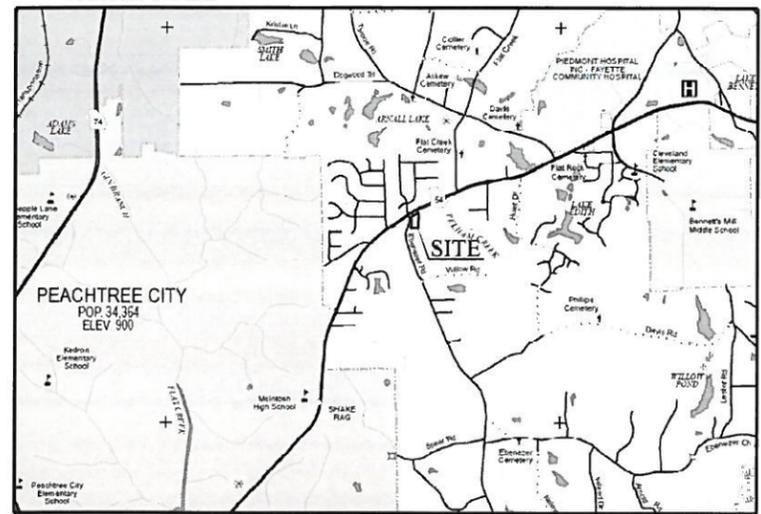


CONCEPT PLAN

Table with 4 columns: Design by, Drawn by, Project #, Date. Values: RIS, RIS, 180236016, 10/29/2019.

SHEET TITLE  
C-01  
SHEET # 01 OF 01

VICINITY MAP



SYMBOL LEGEND table listing symbols for Iron Pin Found, 1/2" Rebar S/LT, Utility Pole, Existing Sewer Manhole, Property Line, Adjacent Lot Line, Existing Retaining Wall, Storm Drain Line, Overhead Power Line, Existing Sewer Line, Existing Water Line, Asphalt Area, and Concrete Area.

GENERAL NOTES

- 1. DEVELOPER: RANDOLPH WILLIAMSON, 900 WESTPARK DR., SUITE 300, PEACHTREE CITY, GA 30269. PHONE: (770) 632-4000. 24 HR. CONTACT: DARRELL BAKER. PHONE: (404) 977-2470. EMAIL: dbaker@wcre.net.
2. ENGINEER: SCANLON ENGINEERING SERVICES, INC. 221 E. BANK STREET, GRIFFIN, GA 30223. CONTACT: MICHAEL J. SCANLON, P.E. (ENGINEER OF RECORD). PHONE: 678-967-2051.
3. BOUNDARY INFORMATION FROM SURVEY BY SCANLON ENGINEERING SERVICES, INC. DATED NOV. 2019.
4. SITE DATA: SITE AREA: 2.43 ACRES. PARCEL ID# 0713077. CURRENT ZONING: A-R. PROPOSED ZONING: O-1. SETBACKS: MIN. FRONT YARD: 75' MAJOR, MIN. FRONT YARD: 75' ARTERIAL, MIN. SIDE YARD: 15', MIN. REAR YARD: 15'. MAXIMUM BUILDING HEIGHT: 40'. MAXIMUM IMPERVIOUS AREA: 60%.
5. THERE ARE NO EXISTING STRUCTURES ON THIS SITE.
6. AS PER FIRM PANEL MAP NUMBER 131130003E, DATED SEPT. 26, 2008, THIS SITE DOES NOT LIE IN A FLOOD HAZARD AREA.
7. THERE ARE NO EXISTING STATE WATERS ON THIS SITE OR ON ADJACENT PROPERTY.
8. THERE ARE NO WETLANDS ON THIS SITE PER THE NATIONAL WETLANDS INVENTORY MAP. THIS SITE IS NOT IN A GROUNDWATER RECHARGE AREA.
9. CONTRACTOR SHALL VERIFY LOCATION, SIZE, MATERIAL, ETC. OF EXISTING UTILITIES. EXISTING UTILITY LOCATIONS SHOWN ARE GENERALLY SCHEMATIC IN NATURE AND MAY NOT ACCURATELY REFLECT THE SIZE AND LOCATION OF EACH PARTICULAR UTILITY. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ACTUAL FIELD LOCATION AND PROTECTION AND REPAIRS OF EXISTING FACILITIES, WHETHER SHOWN OR NOT. DIFFERENCES IN HORIZONTAL OR VERTICAL LOCATIONS OF EXISTING UTILITIES SHALL NOT BE BASIS FOR ADDITIONAL COMPENSATION TO THE CONTRACTOR.
7. WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
8. SEWER SERVICE PROVIDED BY ON SITE SEWER DISPOSAL SYSTEM.
9. PARKING SPACES PROVIDED: 52 SPACES (INCD 2 H/C)
10. IMPERVIOUS AREA = 33,360 S.F. (31.51%) SITE AREA = 105,865 S.F.

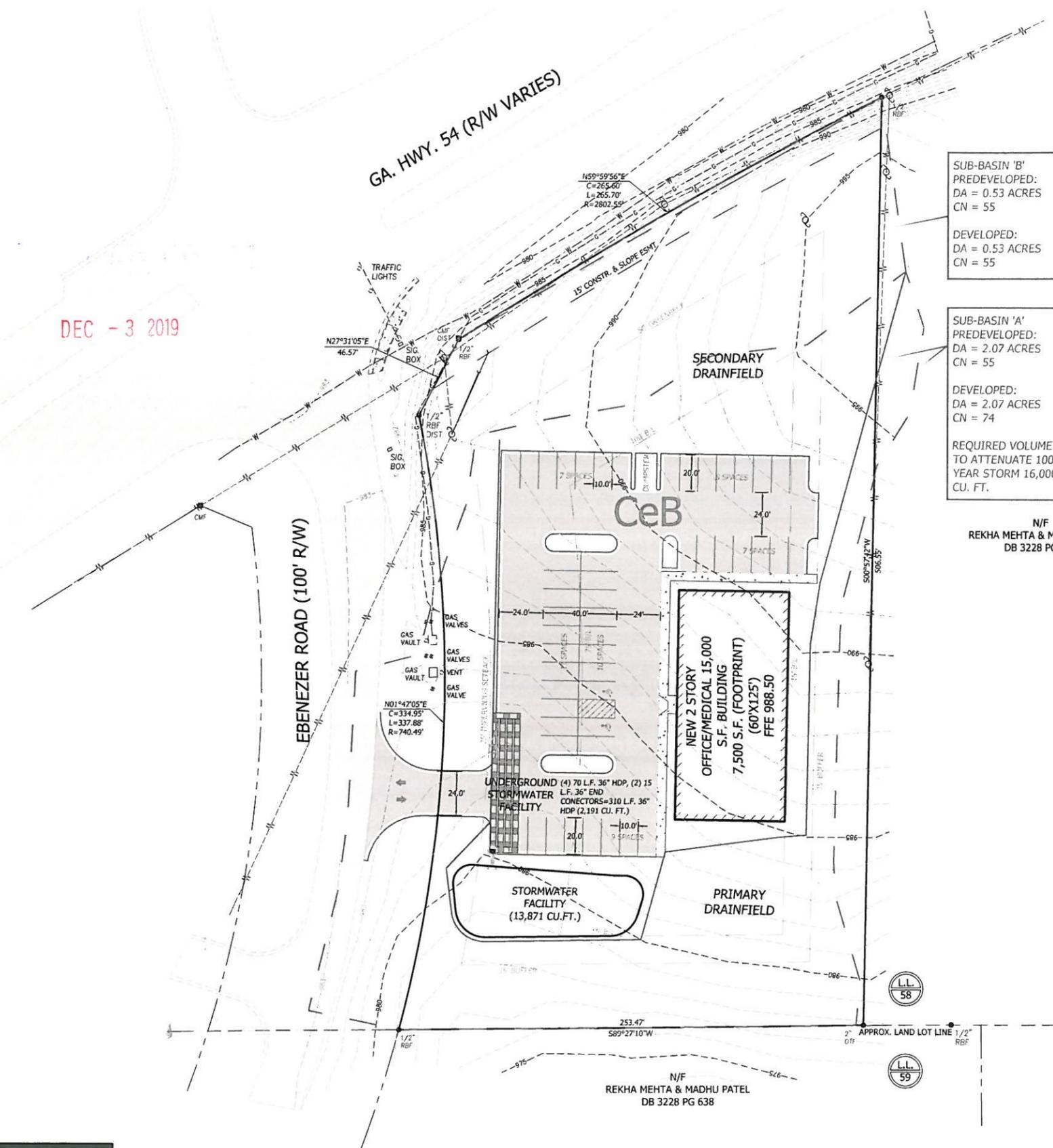
Soils Data table with columns: SOIL TYPE, DRAINAGE AND PERMEABILITY. Value: CeB, Cecil sandy loam, 2 to 6 percent slopes.

Stormwater Narrative: Water Quality (WQ) - A stormwater treatment facility will be incorporated in the design to meet the Site requirements of the Georgia Stormwater Management Manual for Water Quality. The required Water Quality Volume (WQV) (without Site Design Credits) for the 2.43 acre will be handled as Runoff Retention Volume (RRV). A forebay and infiltration trench will be incorporated in the design of the Site to provide runoff reduction for the first 1.0 inch of rainfall. According to Georgia Stormwater Management Manual Volume 2, 2016 Ed., Table 4.1.3-2 an infiltration trench provides 100% runoff reduction and 100% pollutant removal including TSS.
Channel Protection (CP) - According to Section 2.2.4.2 of Volume 2 of the Georgia Stormwater Management Manual by maintaining the developed peak discharge of the 5 & 10 year storm below the pre-developed peak discharge of the 5 & 10 year storm, CP is provided. The hydrology study will show the developed stormwater discharge from the Site Basin(s) at the Study Point(s) are less than the pre-developed flows for the 5 year and 10 year storm events.
Overbank Flood Protection (Op25) - According to Section 2.2.4.3 of Volume 2 of the Georgia Stormwater Management Manual Op25 is provided for by reducing the 25-year, 24-hour peak discharge below the pre-developed discharge rate for the same storm event. This will be accomplished at Study Point(s) by detouring stormwater from the developed Site in the stormwater management facility. Site grading combined with a stormwater management facility will maintain the over-peak peak 25-year, 24-hour discharge rate at or below pre-developed discharge rate at Study Point(s).
Extreme Flood Protection (EFP) - According to Section 2.2.4.4 of Volume 2 of the Georgia Stormwater Management Manual EFP is provided for by safely passing the 100-year 24-hour storm event through stormwater management facility. The pond routing data will show the stormwater management facility is designed to maintain the 100-year, 24-hour peak flow below the pre-developed peak flow for the same storm event at the Study Point.

DEC - 3 2019

GA. HWY. 54 (R/W VARIES)

EBENEZER ROAD (100' R/W)



SUB-BASIN 'B' PREDEVELOPED: DA = 0.53 ACRES CN = 55. DEVELOPED: DA = 0.53 ACRES CN = 55.

SUB-BASIN 'A' PREDEVELOPED: DA = 2.07 ACRES CN = 55. DEVELOPED: DA = 2.07 ACRES CN = 74.

REQUIRED VOLUME TO ATTENUATE 100 YEAR STORM 16,000 CU. FT.

N/F REKHA MEHTA & MADHU PATEL DB 3228 PG 638

NEW 2 STORY OFFICE/MEDICAL 15,000 S.F. BUILDING 7,500 S.F. (FOOTPRINT) (60'X125') FFE 988.50

UNDERGROUND STORMWATER FACILITY (4) 70 L.F. 36" HDP, (2) 15 L.F. 36" END CONNECTORS=310 L.F. 36" HDP (2,191 CU. FT.)

STORMWATER FACILITY (13,871 CU.FT.)

PRIMARY DRAINFIELD

N/F REKHA MEHTA & MADHU PATEL DB 3228 PG 638



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

PROPERTY OWNERS: Hutto Jan A & Timothy E. Trammell

MAILING ADDRESS: 385 N Jeff Davis Dr., Suite A, Fayetteville, GA 30214

PHONE: [REDACTED] cell E-MAIL: tim@trammellhanton.com

AGENT FOR OWNERS: Darrell Baker (Randolph Williamson)

MAILING ADDRESS: 900 Westpark Dr., Suite 300, Peachtree City, GA 30269

PHONE: 404.977.2470 E-MAIL: dbaker@rvcre.net

PROPERTY LOCATION: LAND LOT 58 LAND DISTRICT 7 PARCEL 0713 077  
LAND LOT \_\_\_\_\_ LAND DISTRICT \_\_\_\_\_ PARCEL \_\_\_\_\_

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 2.409

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: O/I

ZONING OF SURROUNDING PROPERTIES: S-R70, W-O/I, E-R70,

PRESENT USE OF SUBJECT PROPERTY: undeveloped

PROPOSED USE OF SUBJECT PROPERTY: O/I - 15,000 SF professional/medical office

LAND USE PLAN DESIGNATION:  Rural Residential -3 and SR 54 West Overlay

NAME AND TYPE OF ACCESS ROAD: SR 54 and Ebenezer Road - paved

LOCATION OF NEAREST WATER LINE: on parcel to the rear of this parcel

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1289-19

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

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

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 12/2/2019

DATE OF PLANNING COMMISSION HEARING: January 2, 2020

DATE OF COUNTY COMMISSIONERS HEARING: January 23, 2020

Received from Randolph Williamson a check in the amount of \$ 290.00 for application filing fee, and \$ 950.00 for deposit on frame for public hearing sign(s). 40.00

Date Paid: 12/18/19 Receipt Number: 7062592 = 250.00  
7062593 - 40 sign

NAME: Darrell Baker, Agent PETITION NUMBER: \_\_\_\_\_ Page 91 of 146

ADDRESS: 900 Westpark Dr., Suite 300, Peachtree City, GA 30269

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

Darrell Baker affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 290.- to cover all expenses of public hearing. He/She petitions the above named to change its classification to 0/1.

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:

All that tract or parcel of land lying and being in Land Lot 58 of the 7th District, Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar found at the intersection of the southerly right-of-way of Georgia Highway 54 (R/W Varies) and the easterly mitered right-of-way of Ebenezer Road; thence along the southerly right-of-way of Georgia Highway 54 265.70 feet along a curve to the right, said curve having a chord of North 59°59'56" East 265.60 feet and a radius of 2802.55 feet to a 1/2 inch rebar found; thence leaving said right-of-way South 00°57'42" West, a distance of 506.55 feet to a 2 inch open top pipe found on the Land Lot Line common to Land Lots 58 & 59; thence along said Land Lot Line South 89°27'10" West, a distance of 253.47 feet to a 1/2 inch rebar found on the easterly right-of-way of Ebenezer Road (100' R/W); thence along said right-of-way 337.88 feet along a curve to the left, said curve having a chord of North 01°47'05" East 334.95 feet and a radius of 740.49 feet to a 1/2 inch rebar found at the mitered intersection of Ebenezer Road and Georgia Highway 54; thence along said mitered right-of-way North 27°31'05" East, a distance of 46.57 feet to a 1/2 inch rebar found, being the POINT OF BEGINNING.

Said tract contains 2.409 acres of land.

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 2nd day of January, 20 20 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 24th day of January, 20 20 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 2nd DAY OF December, 20 19.

Clark Johnson  
NOTARY PUBLIC



[Signature]  
APPLICANT'S SIGNATURE

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and **Rosemont Trace**.

**Background/History/Details:**

The petitioner proposes to delete a condition of rezoning to reduce an 80 foot front yard setback along Antioch Road to 75 feet (current R-70 requirement) to bring an existing detached garage into compliance. This request pertains only to Lot 1 of Stubbs Plantation Subdivision.

Staff recommends approval.

The Planning Commission recommended approval.

Al Gilbert made a motion to recommend approval of Petition No. 1290-19 to rezone 2.83 acres from R-70 Cond. to R-70 Cond. Arnold Martin seconded the motion. The motion passed 5-0.

**What action are you seeking from the Board of Commissioners?**

Approval of Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and **Rosemont Trace**.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

**PLANNING COMMISSION RECOMMENDATION**

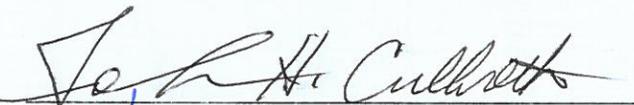
**DATE:** January 2, 2020

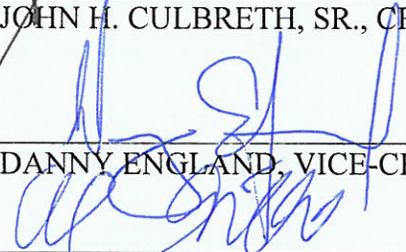
**TO:** Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1290-19, the application of Scott and Wendy Marlow to change the condition of R-70 zoning from 80 feet for the front yard setback to 75 feet for 1 lot on 2.83 acres., be:

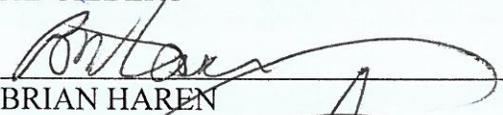
Approved       Withdrawn       Denied  
 Tabled until \_\_\_\_\_

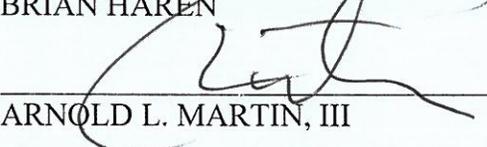
This is forwarded to you for final action.

  
\_\_\_\_\_  
JOHN H. CULBRETH, SR., CHAIRMAN

  
\_\_\_\_\_  
DANNY ENGLAND, VICE-CHAIRMAN

AL GILBERT  
\_\_\_\_\_

  
\_\_\_\_\_  
BRIAN HAREN

  
\_\_\_\_\_  
ARNOLD L. MARTIN, III

**Remarks:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**RESOLUTION**

**NO. 1290-19**

**WHEREAS**, Scott and Wendy Marlow, Owner, and , Agent, having come before the Fayette County Planning Commission on January 2, 2020, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

**WHEREAS**, said request being as follows: Request to rezone 2.83 from R-70 to R-70, in the area of Antioch Road & Rosemont Trace, located in Land Lot 216 of the 4th District, for the purpose of changing the condition of R-70 zoning from 80 feet for the front yard setback to 75 feet for one (1) lot on 2.83 acres.; and

**WHEREAS**, the Fayette County Planning Commission having duly convened, and considered said request;

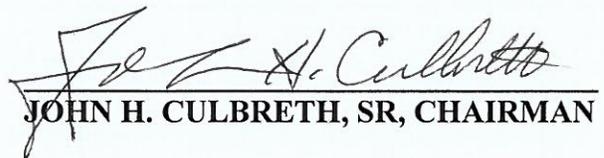
**BE IT RESOLVED** that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.  
Compatible with the surrounding area.

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**ATTEST:**

  
**JOHN H. CULBRETH, SR, CHAIRMAN**

  
**HOWARD L. JOHNSON  
PLANNING COMMISSION SECRETARY**

**THE FAYETTE COUNTY PLANNING COMMISSION** met on January 2, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** John H. Culbreth, Chairman  
Danny England, Vice-Chairman  
Al Gilbert  
Brian Haren  
Arnold L. Martin, III

**STAFF PRESENT:** Pete A. Frisina, Director of Community Services  
Howard Johnson, Planning and Zoning Coordinator

**STAFF ABSENT:** Chanelle Blaine, Zoning Administrator

- 7. Consideration of Petition No. 1290-19, Scott and Wendy Marlow, Owners, request to rezone R-70 Cond. to R-70 Cond. to delete a rezoning condition on Lot 1 of the Stubbs Plantation Subdivision. This property is located in Land Lot 216 of the 4<sup>th</sup> District and fronts on Antioch Road and Rosemont Trace.**

Chairman Culbreth asked is the petitioner present, please come forward.

Wendy Marlow (100 Rosemont Trace) stated that they bought their house in 2011 and there was an existing detached garage at the end of the driveway. She explained the property has an 80 foot front yard setback off Antioch Road, according to the plat but the building sits closer to Antioch than that and we want to alter the interior structure of the building into what we refer as the “nana cottage” for my mom. She added we have looked up all of the ADA requirements for the widths of the doors and things like that and how it would all have to be laid out. She concluded we have gotten a quote from a plumbing contractor to tap into our water and he has referred us to somebody for a separate septic tank.

Chairman Culbreth asked is there any opposition to the Petition 1290-19, if not we will bring the item to the members for discussion.

Pete Frisina interjected I just want to be clear, all we are doing is changing the one (1) condition for this one (1) lot, which is the condition of zoning that is an 80 foot front setback, so we will be reducing it down to 75 feet, which is what is required for this zoning district, which is what they are asking. He added they still will have to go get a 2.4 inch variance after that.

Wendy Marlow replied the builder apparently had a permit to put the building where it is, it on a concrete slab and since our septic lines run right through that area, so we can't

**Page 2**  
**January 2, 2020**  
**PC Meeting**

move it. She noted it had been there since 1987.

Al Gilbert replied for several years we used to staff have a ten (10) percent leeway and that got taken away and what would have been an absolute perfect situation. He asked the fact that we are restating the remaining condition is that necessary?

Pete Frisina replied, the conditions were put on the whole development, so the request is to delete the one front yard setback condition. I don't want to create any more confusion than we are already doing. He added that we are going to delete the increased setback condition only on this particular lot which is Lot 1.

Brian Haren asked who set that 80 foot condition.

Pete Frisina replied the Board of Commissioners approved the rezoning with the condition in 1986. He explained that it was standard to increase the front setbacks back then but that's something we don't do anymore. He added if you are going to increase it why increase it by only five (5) feet, that doesn't make that big of a difference, but that's what they did.

Chairman Culbreth asked are there any more comments or questions, if not a motion is in order.

Al Gilbert made a motion to recommend approval of Petition No. 1290-19, Scott and Wendy Marlow, Owners taking away the one (1) 80 foot condition leaving all of the other conditions in place on Lot 1 of the Stubbs Plantation. Arnold Martin seconded the motion. The motion passed 5-0.

**PETITION NO: 1290-19**

**REQUESTED ACTION:** R-70 Cond. to R-70 Cond. to delete a rezoning condition on Lot 1 of the Stubbs Plantation Subdivision

**PROPOSED USE:** Single-family Residential

**EXISTING USE:** Single-family Residential

**LOCATION:** Antioch Rd & Rosemont Trace

**DISTRICT/LAND LOT(S):** 4 District, Land Lot 216

**OWNER:** Scott and Wendy Marlow

**PLANNING COMMISSION PUBLIC HEARING:** January 2, 2020

**BOARD OF COMMISSIONERS PUBLIC HEARING:** January 23, 2020

---

**APPLICANT'S INTENT**

Applicant proposes to delete a condition of rezoning to reduce an 80 foot front yard setback along Antioch Road to 75 feet to bring an existing detached garage into compliance. This request pertains only to Lot 1 of Stubbs Plantation Subdivision.

**STAFF RECOMMENDATION**

**APPROVAL WITH CONDTIONS**

1.

1290-19

## INVESTIGATION

### A. PROPERTY SITE

The subject property is Lot 1 of the Stubbs Plantation Subdivision. Lot 1 is 2.43 acres in size.

**History:** On January 23, 1986, the Board of Commissioners approved rezoning request (557-86) to rezone 95.02 acres from A-R to R-70 for a residential subdivision (Stubbs Plantation). The application was approved with three (3) recommended conditions as follows:

1. To the owner's agreement to the following site development considerations:
  - a. To limit the design speed of all subdivision streets to 25 miles per hour.
  - b. To provide a minimum sight-distance of 400 feet along Antioch Road.
  - c. To provide a 150-foot long deceleration lane with an additional 50-foot taper at any street exit /entrance along Antioch Road, and to provide acceleration lanes if so recommended by the County Engineer.
  - d. That lot 41 shall be the only lot on the east side of Antioch Road which shall have direct access to Antioch Road, and that no more than one lot on the west side of Antioch Road shall have direct access to Antioch Road.
  - e. That no more than two (2) cul-de-sacs combined with no more than one (1) driveway curb cut provide access to lots along the west side of Antioch Road.
  - f. That all structures shall be set back a minimum of 80 feet from the right-of-way of Antioch Road.**
2. That in accordance with the owner's proposal, the minimum house size shall be 1,500 square feet of heated floor area.
3. That the County Engineer shall monitor development and enforce sediment and erosion control ordinances to aid in the protection of the adjacent property of John Sorrow.

The Final Plat for Stubbs Plantation Phase One was recorded on November 6, 1986.

### B. ZONING

The subject property contains an existing detached garage that is within the 80 foot front yard setback along Antioch Road. The 80 foot front yard setback is a condition of rezoning (see f. above). The R-70 zoning district requires a 75 foot front yard setback. This encroachment was discovered through a building permit application to convert the detached garage into a guest house. The applicants are pursuing this amendment to bring the detached garage into compliance. A four (4) inch variance from the Zoning Board of Appeals will also be necessary if this request is approved as the detached garage encroaches into the 75 foot R-70 front yard setback. The applicants purchased the property in 2011 and the garage was existing at that time.

### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from R-70 Cond. to R-70 Cond. for the purpose of deleting a condition of the rezoning. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Rural Residential – 3 (1 Unit/3 Acres). This zoning district does not conform to the Fayette County Comprehensive Plan per se. However, the purpose of this rezoning request is amend the rezoning conditions on an existing R-70 subdivision lot.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH CONDITIONS.**

### **RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved **R-70 CONDITIONAL** for Lot 1 of Stubbs Plantation Subdivision only subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to the following site development considerations:
  - a. To limit the design speed of all subdivision streets to 25 miles per hour.
  - b. To provide a minimum sight-distance of 400 feet along Antioch Road.
  - c. To provide a 150-foot long deceleration lane with an additional 50-foot taper at any street exit /entrance along Antioch Road, and to provide acceleration lanes if so recommended by the County Engineer.
  - d. That lot 41 shall be the only lot on the east side of Antioch Road which shall have direct access to Antioch Road, and that no more than one lot on the west side of Antioch Road shall have direct access to Antioch Road.
  - e. That no more than two (2) cul-de-sacs combined with no more than one (1) driveway curb cut provide access to lots along the west side of Antioch Road.
2. That in accordance with the owner's proposal, the minimum house size shall be 1,500 square feet of heated floor area.
3. That the County Engineer shall monitor development and enforce sediment and erosion control ordinances to aid in the protection of the adjacent property of John Sorrow.

Page 101 of 146  
**1290-19  
Zoning**



A-R

Cs

Ballard Circle

**SUBJECT  
PROPERTY**

R-70

Antioch Road

Rosemont Trace

Cs

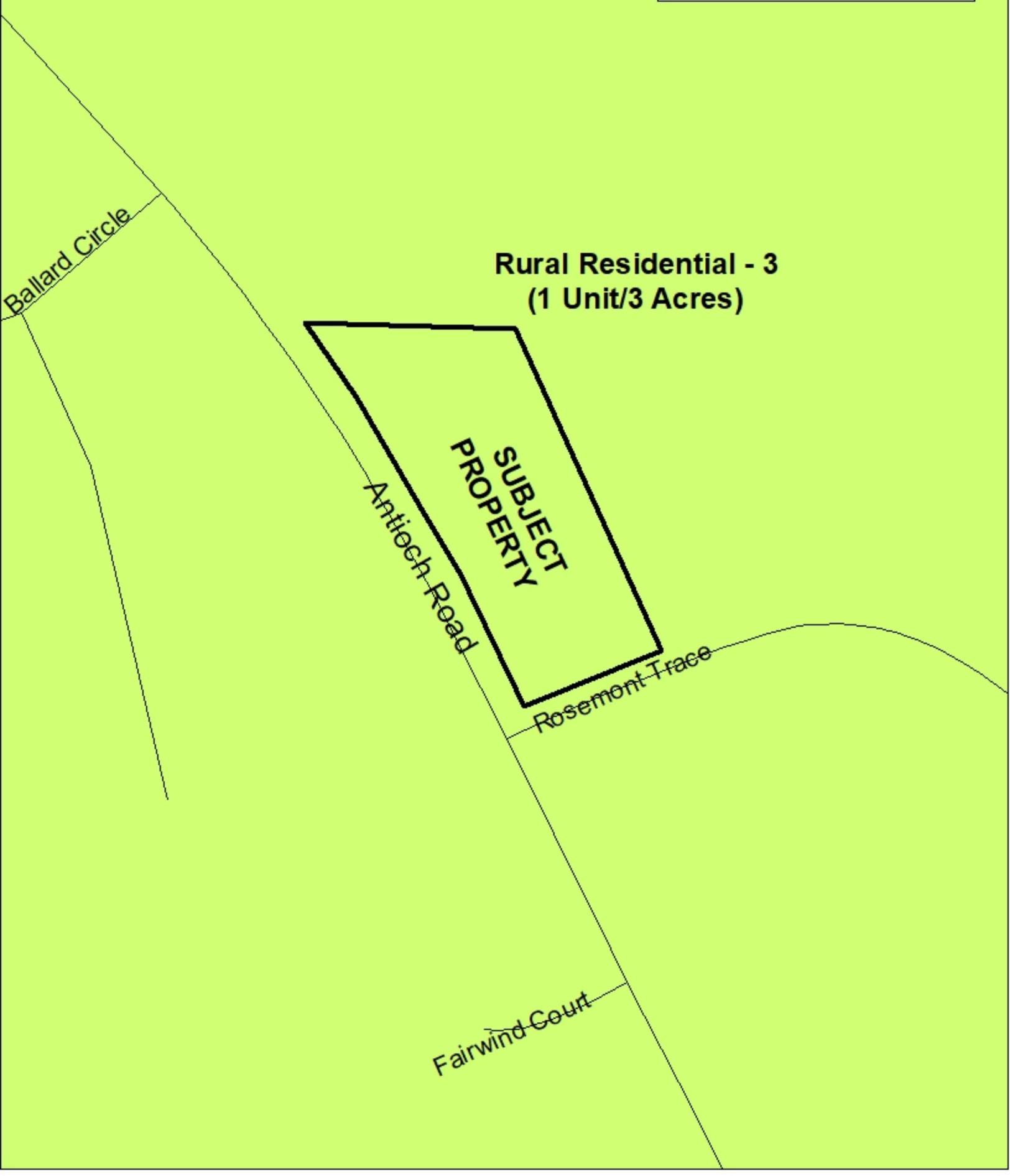
R-70

R-70

Fairwind Court

R-72

Page 102 of 146  
**1290-19**  
**Land Use Plan**



**Rural Residential - 3**  
**(1 Unit/3 Acres)**

**SUBJECT  
PROPERTY**

Ballard Circle

Antioch Road

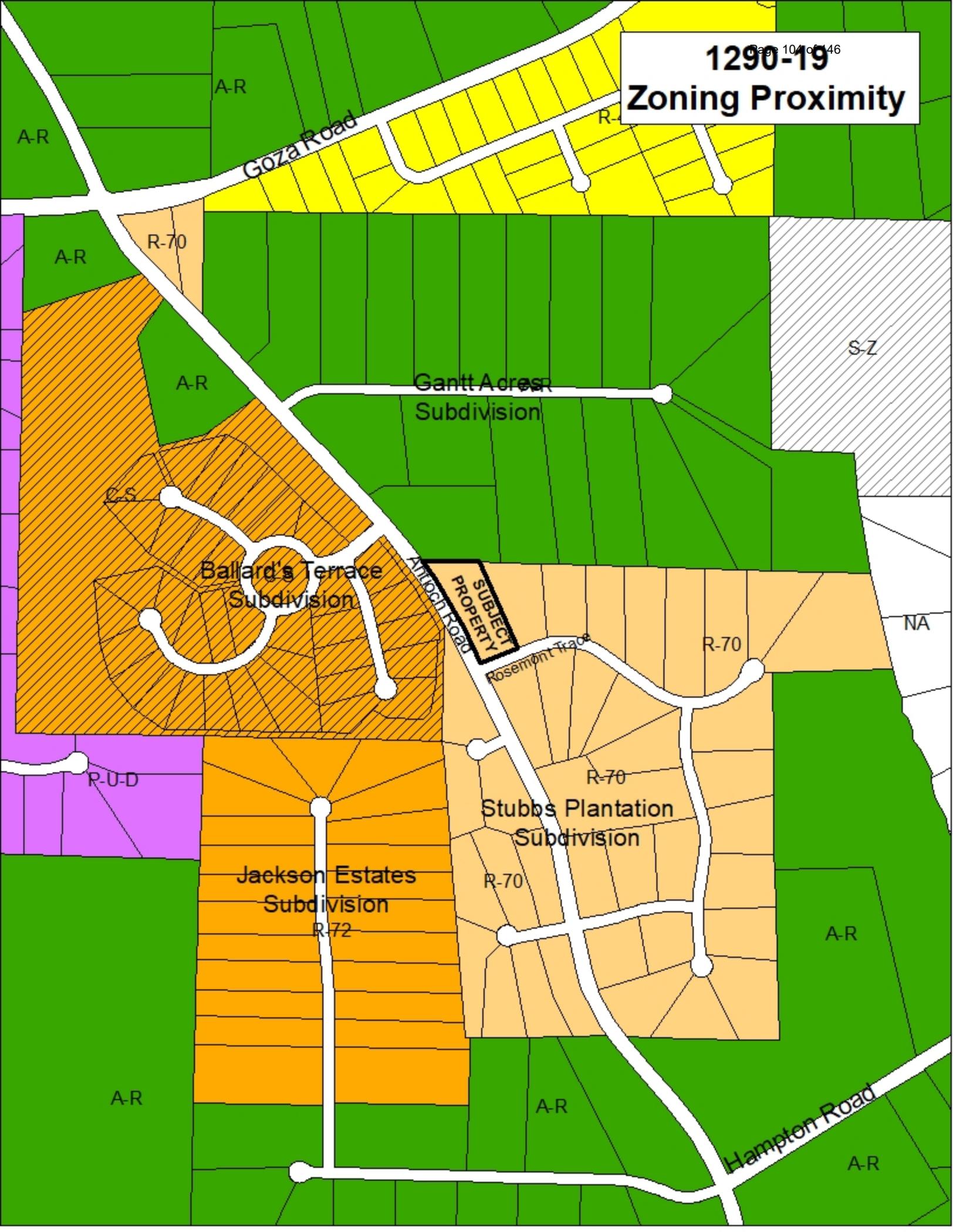
Rosemont Trace

Fairwind Court

Page 102 of 146  
**1290-19  
Aerials**



# 1290-19 Zoning Proximity



STATE OF GEORGIA  
 COUNTY OF FAYETTE

R E S O L U T I O N

NO. 86 - 557

WHEREAS, Mr. Jerry Ballard, agent, for Jerry Ballard Homes, Inc., owner, having come before the Fayette County Board of Commissioners on the 23rd day of January, 1986, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 95.02 acres on Antioch Road, in Land Lots 201, 215, and 216 of the 4th District, Fayette County, Georgia, from A-R to R-70 for the purpose of developing a single-family residential subdivision; and

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

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved R-70 CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede.

1. To the owner's agreement to the following site development considerations:
  - a. To limit the design speed of all subdivision streets to 25 miles per hour.
  - b. To provide a minimum sight-distance of 400 feet along Antioch Road.
  - c. To provide a 150-foot long deceleration lane with an additional 50-foot taper at any street exit/entrance along Antioch Road, and to provide acceleration lanes if so recommended by the County Engineer.
  - d. That lot 41 shall be the only lot on the east side of Antioch Road which shall have direct access to Antioch Road, and that no more than one lot on the west side of Antioch Road shall have direct access to Antioch Road.
  - e. That no more than two (2) cul-de-sacs combined with no more than one (1) driveway curb cut provide access to lots along the west side of Antioch Road.
  - f. That all structures shall be set back a minimum of 80 feet from the right-of-way of Antioch Road.
2. That in accordance with the owner's proposal, the minimum house size shall be 1500 square feet of heated floor area.
3. That the County Engineer shall monitor development and enforce sediment and erosion control ordinances to aid in the protection of the adjacent property of John Sorrow.

This decision is based on the recommendation of the

Fayette County Planner.

SO RESOLVED, this 23rd day of January, 1986.

BOARD OF COMMISSIONERS  
OF  
FAYETTE COUNTY

ATTEST:

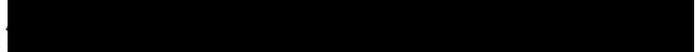
  
DENNIS BERKELBAUGH, CHAIRMAN

  
MARGARET MALONE, CLERK

TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: Scott & Wendy Marlow

MAILING ADDRESS: 100 Rosemont Trace, Fayetteville, 30215

PHONE: 404.663.7309 E-MAIL: 

678.715.9729 AGENT FOR OWNERS: N/A 

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

PHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

PROPERTY LOCATION: LAND LOT 216 LAND DISTRICT 4 PARCEL 04420  
LAND LOT \_\_\_\_\_ LAND DISTRICT \_\_\_\_\_ PARCEL 4001

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 2.83

EXISTING ZONING DISTRICT: R-70 cond. PROPOSED ZONING DISTRICT: R-70 cond.

ZONING OF SURROUNDING PROPERTIES: R-70

PRESENT USE OF SUBJECT PROPERTY: Residence

PROPOSED USE OF SUBJECT PROPERTY: Residence (In-law suite)

LAND USE PLAN DESIGNATION: Duval Residential (1 unit / 3 acres)

NAME AND TYPE OF ACCESS ROAD: Antioch Rd (Collector) Rosemont Trace (Local)

LOCATION OF NEAREST WATER LINE: Rosemont Trace

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1290-19

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

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

Application and all required supporting documentation is Sufficient and Complete

by Staff:  Date: 12/2/2019

DATE OF PLANNING COMMISSION HEARING: January 2, 2020

DATE OF COUNTY COMMISSIONERS HEARING: January 23, 2020

Received from Wendy & Scott Marlow a check in the amount of \$ 290.00 for application filing fee, and \$ 250.00 for deposit on frame for public hearing sign(s) \$40.00

Date Paid: 12/2/2019 Receipt Number: 7066895 sign

7066874 app

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:

Scott & Wendy Markew

Please Print Names

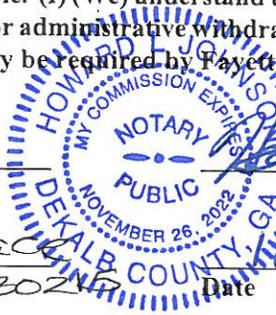
Property Tax Identification Number(s) of Subject Property:

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 216 of the 4th District, and (if applicable to more than one land district) Land Lot(s) of the District, and said property consists of a total of 2.83 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

W. Markew
Signature of Property Owner 1



Howard L. Jones
Signature of Notary Public

100 Rosewood Trace
Address Fayetteville, 30215

1/13/2019
Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

NAME: Scott & Wendy Markow PETITION NUMBER Page 109 of 146

ADDRESS: 100 Rosemont Trace, Fayetteville 30215

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

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

This property includes: (check one of the following)

See attached legal description on recorded deed for subject property or

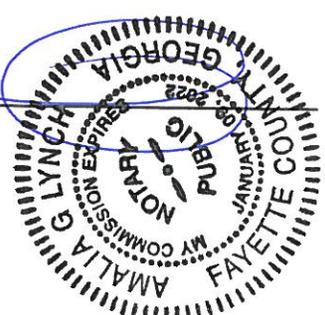
Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 2nd day of Jan, 20 20 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 23rd day of Jan, 20 20 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3rd DAY OF DECEMBER, 20 19.

[Signature]  
NOTARY PUBLIC

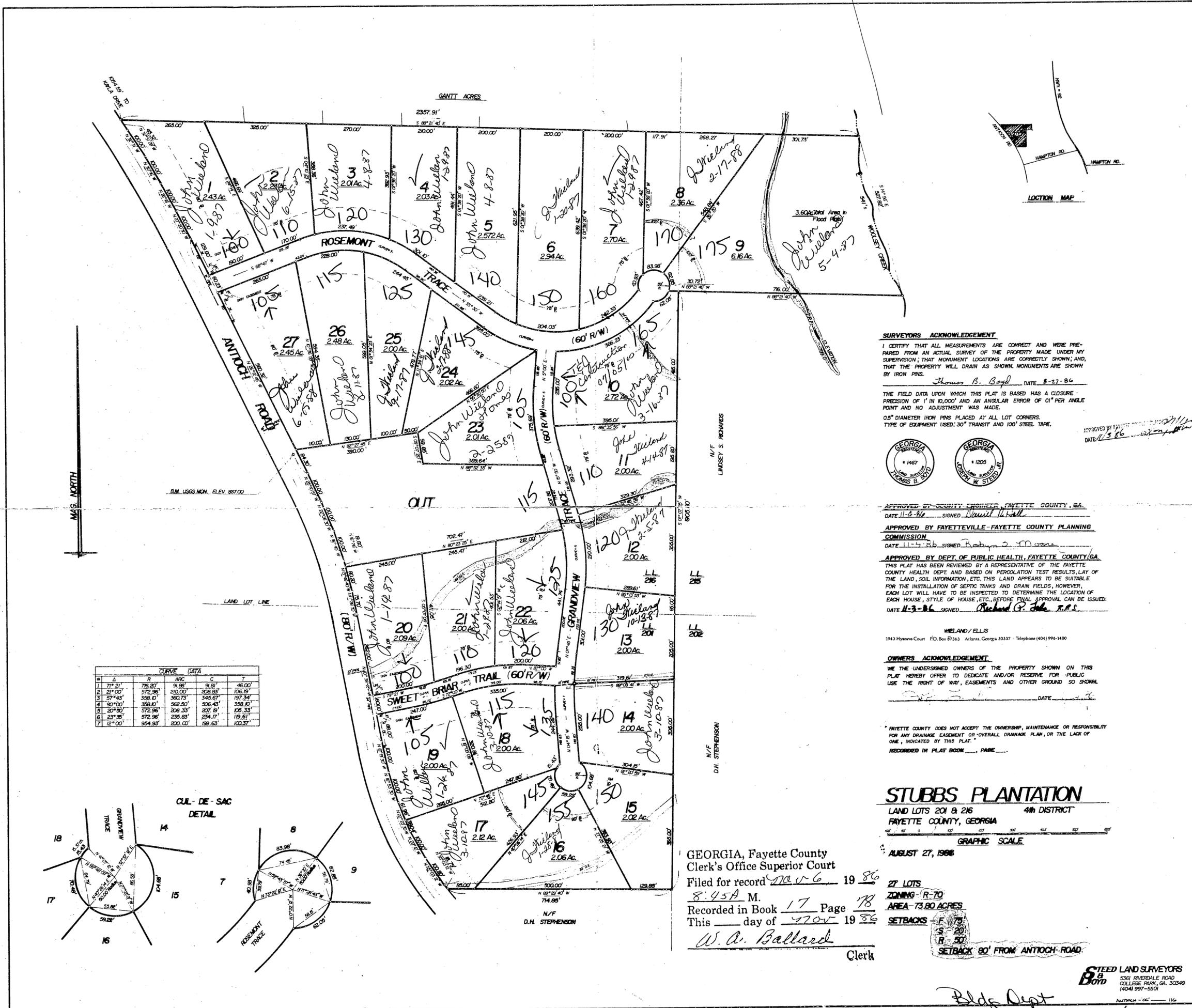


[Signature]  
APPLICANT'S SIGNATURE



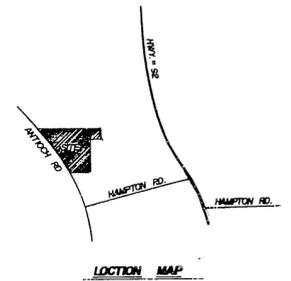
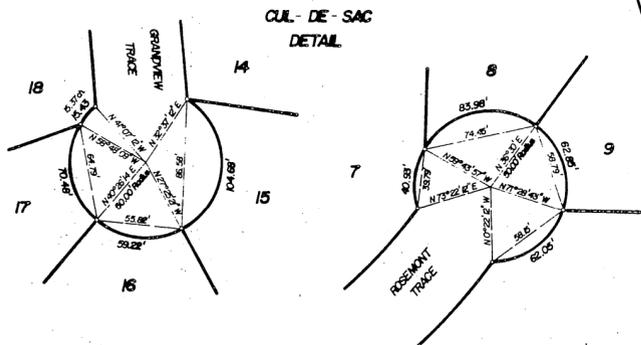
21 loc.

63.46



MAG. NORTH

#	Δ	R	ARC	C	T
1	71° 21'	786.20'	91.88'	91.81'	46.00'
2	214° 00'	572.96'	210.00'	208.85'	106.49'
3	57° 43'	358.10'	362.73'	345.67'	197.34'
4	50° 00'	358.10'	562.50'	506.43'	358.10'
5	20° 30'	572.96'	208.33'	207.81'	106.33'
6	23° 30'	572.96'	235.83'	234.71'	119.61'
7	12° 00'	954.83'	200.00'	199.63'	100.37'



**SURVEYORS ACKNOWLEDGEMENT**

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION THAT MONUMENT LOCATIONS ARE CORRECTLY SHOWN; AND, THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS ARE SHOWN BY IRON PINS.

Thomas B. Boyd DATE 8-27-86

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE PRECISION OF 1" IN 10,000' AND AN ANGULAR ERROR OF 01" PER ANGLE POINT AND NO ADJUSTMENT WAS MADE.

0.5" DIAMETER IRON PINS PLACED AT ALL LOT CORNERS.  
TYPE OF EQUIPMENT USED: 30" TRANSIT AND 100' STEEL TAPE.



APPROVED BY COUNTY ENGINEER, FAYETTE COUNTY, GA.  
DATE 11-2-86 SIGNED *David H. Hall*

APPROVED BY FAYETTEVILLE-FAYETTE COUNTY PLANNING COMMISSION  
DATE 11-4-86 SIGNED *Robert W. Steed, Jr.*

APPROVED BY DEPT. OF PUBLIC HEALTH, FAYETTE COUNTY, GA.  
THIS PLAN HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPT. AND BASED ON PERCOLATION TEST RESULTS, LAY OF THE LAND, SOIL INFORMATION, ETC. THIS LAND APPEARS TO BE SUITABLE FOR THE INSTALLATION OF SEPTIC TANKS AND DRAIN FIELDS, HOWEVER, EACH LOT WILL HAVE TO BE INSPECTED TO DETERMINE THE LOCATION OF EACH HOUSE, STYLE OF HOUSE, ETC., BEFORE FINAL APPROVAL CAN BE ISSUED.  
DATE 11-3-86 SIGNED *Richard P. John, R.P.S.*

WELAND / ELLIS  
1943 Hywona Court P.O. Box 87363 Atlanta, Georgia 30337 Telephone (404) 998-1400

**OWNERS ACKNOWLEDGEMENT**  
WE THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS PLAN HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHT OF WAY, EASEMENTS AND OTHER GROUND SO SHOWN.  
DATE \_\_\_\_\_

\* FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAN.  
RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

**STUBBS PLANTATION**

LAND LOTS 201 & 216 4th DISTRICT  
FAYETTE COUNTY, GEORGIA

GRAPHIC SCALE

AUGUST 27, 1986

GEORGIA, Fayette County  
Clerk's Office Superior Court  
Filed for record *201 & 216* 19 *86*  
*8:45 A.M.*  
Recorded in Book *17* Page *18*  
This \_\_\_ day of *Nov* 19 *86*  
*W. A. Ballard*  
Clerk

27 LOTS  
ZONING R-70  
AREA 73.80 ACRES  
SETBACKS F 75'  
S 20'  
R 50'  
SETBACK 80' FROM ANTIOCH ROAD

**STEED LAND SURVEYORS**  
3561 RIVERDALE ROAD  
COLLEGE PARK, GA. 30349  
(404) 997-5501

*Bldg Dept*  
*13113CΦ160E*  
*9/26/08*

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Approval to award ITB #1743-B to West Georgia Lighting, Inc. in the amount of \$142,500 for lighting at McCurry Park Soccer Field #21.

**Background/History/Details:**

In 2003, the Parks and Recreation Department began a process of refurbishing the sports lighting at all Fayette County parks due to safety concerns and overall operational cost. A study was conducted to determine which fields would need immediate attention and, beginning in 2004, Fayette County has refurbished lighting needs for twenty-seven different fields at Kiwanis, McCurry, and Brooks Parks.

This request is a continuation of Fayette County's plan to refurbish lighting at its various parks.

Invitation for Bid #1743-B was released to obtain bids for Soccer Field #21 at McCurry Park.

Six companies submitted bids. The one with the lowest overall bid was West Georgia Lighting, Inc. in the amount of \$142,500.00

**What action are you seeking from the Board of Commissioners?**

Approval to award ITB #1743-B to West Georgia Lighting, Inc. in the amount of \$142,500 for lighting at McCurry Park Soccer Field #21.

**If this item requires funding, please describe:**

The budget includes funding for Soccer Field Lighting Refurbishment at McCurry Park in account 37560110 541210 206AD.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**



**Purchasing Department**  
 140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

To: Steve Rapson  
 Through: Ted L. Burgess  
 Date: January 23, 2020  
**Subject: Bid #1743-B: Sports Lighting**

The approved Fiscal Year 2020 budget includes a Capital Improvement Project of \$150,000.00 for McCurry Park soccer field lighting refurbishment.

The Purchasing Department issued an Invitation to Bid for a vendor to provide and install lighting on Soccer Fields Number 21, 24, and 25 at McCurry Park. Notices of the opportunity to bid were emailed to 27 contractors. Another 442 were contacted through the Georgia Procurement Registry. Notice was sent to the Georgia Local Government Access website ([www.glga.org](http://www.glga.org)) and was advertised in the Fayette News and Channel 23.

The Purchasing Department received six bids (Attachment #1). Recreation recommends field #21 be awarded to the low bidder, West Georgia Lighting, Inc. A contractor performance evaluation for West Georgia Lighting is attached (Attachment #2).

Specifics of the proposed contract are as follows:

<b>Contract Name</b>	1743-B: Sports Lighting	
<b>Vendor</b>	West Georgia Lighting, Inc.	
<b>Contract Amount</b>	\$142,500.00	
<b>Budget:</b>		
Organization Code	37560110	Recreation CIP
Object Code	541210	Other Improvements
Project Code	206AD	McCurry Park Soccer Lighting Refurbishment
Available Budget	\$150,000.00	As of 1/9/2020

## ATTACHMENT #1

## Invitation to Bid #1743-B: Sports Lighting

McCURRY PARK SOCCER FIELD #	COMPANY					
	TECHLINE SPORTS LIGHTING	MIDDLE GEORGIA OUTDOOR LIGHTING	D&D ELECTRIC*	CORNATZER & ASSOCIATES, INC.	J.M. CLAYTON COMPANY	WEST GEORGIA LIGHTING, INC
SOCCER FIELD #21	\$189,210.00	\$169,000.00		\$152,960.00	\$148,880.00	\$142,500.00
SOCCER FIELD #24	189,210.00	169,000.00		154,149.00	150,125.00	142,500.00
SOCCER FIELD #25	189,210.00	169,000.00		154,149.00	150,125.00	142,500.00
TOTAL BEFORE DISCOUNTS	\$567,630.00	\$507,000.00		\$461,258.00	\$449,130.00	\$427,500.00
DISCOUNT IF AWARDED ALL FIELDS	14,070.00	20,000.00		15,000.00	0.00	0.00
<b>TOTAL NET OF DISCOUNT</b>	<b>\$553,560.00</b>	<b>\$487,000.00</b>	<b>\$485,000.00</b>	<b>\$446,258.00</b>	<b>\$449,130.00</b>	<b>\$427,500.00</b>

\*D&D Electric did not submit bids for individual fields. They bid only the one amount for all three fields.

## FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: West Ga. Lighting, Inc.	Contract Number: 1553-B
Mailing Address: 1035 Harlan Lane Road	Contract Description or Title: Parks Sports Lighting with Poles
City, St, Zip Code: Villa Rica, Ga. 30180	Contract Term (Dates) From: 11/9/18 To: 6/30/19
Phone Number: 770-630-4013	Task Order Number:
Cell Number:	Other Reference:
E-Mail Address: wglightng@msn.com	

### DEFINITIONS

**OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

**EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

**SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.

**UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

### EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work			X		
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing		X			
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time		X			
9. Adherence to contract budget and schedule		X			
10. Other (specify):					
11. Overall evaluation of contractor performance		X			

### EVALUATED BY

Signature: Anita Godbee	Date of Evaluation: January 7, 2020
Print Name: Anita Godbee	Department/Division: Parks and Recreation
Title: Director	Telephone No: 770-716-4321

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Approval of the Water Committee's recommendation to close Lake McIntosh Park on May 15, 16 and 17, 2020 for the Greater Atlanta Air Show.

**Background/History/Details:**

The Greater Atlanta Air Show, LLC has requested Lake McIntosh Park be closed to the public May 15, 16, and 17, 2020. Practice will be on May 15. Lake McIntosh Park will be part of the safe fly zone and for safety reasons, they are requesting the park be closed to the public all three days.

A sign will be placed at the park prior to the event to notify the public of the park being closed during this time.

**What action are you seeking from the Board of Commissioners?**

Approval of the Water Committee's recommendation to close Lake McIntosh Park on May 15, 16 and 17, 2020 for the Greater Atlanta Air Show.

**If this item requires funding, please describe:**

N/A

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**



# SPECIAL EVENTS APPLICATION

PARKS AND RECREATION DEPARTMENT  
 140 W. STONEWALL AVE., FAYETTEVILLE, GA. 30214  
 770-716-4320

Fee: \_\_\_\_\_

Check/Cash: \_\_\_\_\_

Office Use Only

APPLICATION FEE: \$10.00

The application permit fee *partially* offsets the cost of reviewing your permit application and coordinating the event review process. Payment of the application fee does not guarantee that your special event permit application is complete nor does it guarantee that any or all aspects of the application will be approved.

NAME OF EVENT: Atlanta Air Show

APPLICANT TYPE	APPLICANT INFORMATION
<input type="checkbox"/> Regular <input type="checkbox"/> Non-Profit (501c) Must provide copy of IRS letter <input type="checkbox"/> County Sponsored Event <input type="checkbox"/> Other	Host Organization: <u>Greater Atlanta Air Show LLC</u> Chief Officer of Host Organization: _____ Applicant Name: <u>Bryan Lilley</u> Address: Street <u>478 N Babcock st Suite 701</u> City <u>Melbourne</u> State <u>FL</u> Zip <u>32935</u> Telephone: Home _____ Cell <u>(321) 586-6607</u> Email: <u>bryan@air.show</u>

DATES REQUESTED      FIRST CHOICE: 05 / 16-17 / 2020      SECOND CHOICE: \_\_\_\_\_

EVENT TYPE	ACTIVITY DESCRIPTION	CHECK ALL THAT APPLY TO THIS ACTIVITY
<input type="checkbox"/> Athletic/Tournament <input type="checkbox"/> Exhibit/Special Attraction <input checked="" type="checkbox"/> Festival/Wedding <input type="checkbox"/> Parade/Procession/March <input type="checkbox"/> Concert/Performance <input type="checkbox"/> Farmer/Outdoor Market <input type="checkbox"/> Run/Walk/Bike <input type="checkbox"/> Fundraiser <input type="checkbox"/> Other	<u>Outdoor aviation and spectator event.</u> _____ _____ _____ _____ _____ _____ _____ _____ _____	<input checked="" type="checkbox"/> Alcohol <input checked="" type="checkbox"/> Require Fire/EMS <input checked="" type="checkbox"/> Signage/Banners <input checked="" type="checkbox"/> Require Police <input checked="" type="checkbox"/> Amplified Sound/Music      _____ Require Public Work Staff <input checked="" type="checkbox"/> Tents/Canopies <input checked="" type="checkbox"/> Cones/Barrels/Barricades _____ Fireworks/Lasers <input checked="" type="checkbox"/> Transportation Shuttle <input checked="" type="checkbox"/> Generators/Electricity <input checked="" type="checkbox"/> Vendors/Concessions <input checked="" type="checkbox"/> Portable Restrooms <input checked="" type="checkbox"/> Require Hotel Rooms <input checked="" type="checkbox"/> Trash & Recycling <input checked="" type="checkbox"/> Media Coverage/Press <input checked="" type="checkbox"/> Crossing/Closing Roads <input checked="" type="checkbox"/> Other (describe) _____ Lake/Pond Use <u>Static Aircraft</u> <input checked="" type="checkbox"/> Carnival/Rides/Inflatable Recreation

ADMISSION	LOCATION DESCRIPTION
<input type="checkbox"/> Public Event (no cost) <input checked="" type="checkbox"/> Tickets/Entry Fees <input type="checkbox"/> Pre-Registration Only <input type="checkbox"/> Registration at Event <input type="checkbox"/> Private Event <input type="checkbox"/> Other	<u>Atlanta Regional Airport - Falcon Field 7 Falcon Dr, Peachtree City, Ga 30269</u> _____ _____ _____ _____ _____ FIELD #s (circle all that apply): 1 2 3 4 5 6 7 8 9 10 11 21 22 23 24 25

ATTENDANCE	ANTICIPATED SPECTATORS	ANTICIPATED PARTICIPANTS	EVENT DATE/TIME DATE
Estimated Total	16,000 <i>NO ONE IN THE PARK</i>	100 <i>PERFORMERS</i>	<i>CLOSED 5/15 - 5/17</i> SET UP DATE: <u>May 12, 2020</u> SET UP TIME: <u>8:00 am</u>
Estimated at Peak Time	9,000	100	EVENT START DATE: <u>May 16, 2020</u> EVENT START TIME: <u>9:00 am</u>
Total Attendance	16,000	100	EVENT END DATE: <u>May 17, 2020</u> EVENT END TIME: <u>5:00pm</u>
			DISMANTLE DATE: <u>May 17-19, 2020</u>

ADDITIONAL INFORMATION AND FEES SHALL BE REQUIRED BASED ON ADDITIONAL SERVICES REQUESTED. THESE INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING: RENTAL FEES, CLEAN UP PLAN, SANITATION PLAN, SECURITY PLAN, LIFE SAFETY PLAN, EQUIPMENT DELIVERY/PICKUP/SETUP, DIRECTING TRAFFIC, UTILITIES, INSURANCE, FIELD/LANDSCAPING PREPARATION, INSPECTIONS, ETC.

SIGNATURE OF APPLICANT OR *Bryan Lilley*      DATE: 12/17/19

**BOARD OF COUNTY COMMISSIONERS**

Edward Gibbons  
 Eric K. Maxwell  
 Charles W. Oddo  
 Randy Ognio  
 Charles D. Rousseau

**FAYETTE COUNTY, GEORGIA**

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

140 Stonewall Avenue West  
 Public Meeting Room  
 Fayetteville, GA 30214

**MINUTES**

January 12, 2020

6:30 p.m.

---

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 6:30 p.m.

**Call to Order by County Attorney Dennis A. Davenport**

County Attorney Dennis Davenport called the January 12, 2020 Organizational Meeting of the Board of Commissioners to order at 6:30 p.m.

**ORGANIZATIONAL SESSION:****Election of Board Chairman for the year 2020.**

County Attorney Dennis Davenport opened the floor for nominations for Chairman of the Board of Commissioners.

Commissioner Oddo nominated Commissioner Randy Ognio as Chairman.

Commissioner Maxwell moved to close nominations for Chairman. No discussion followed. The motion passed 5-0.

Commissioner Charles Oddo moved to elect Commissioner Randy Ognio as Chairman. Commissioner Edward Gibbons seconded. The motion passed 5-0.

**Election of Board Vice Chairman for the year 2020.**

Commissioner Gibbons nominated Commissioner Charles Oddo as Vice-Chairman.

Commissioner Maxwell moved to close nominations for Vice Chairman. No discussion followed. The motion passed 5-0.

Commissioner Rousseau moved to elect Charles Oddo as Vice Chairman. Commissioner Gibbons seconded. The motion passed 5-0.

**OFFICIAL SESSION:****Invocation and Pledge of Allegiance by Commissioner Randy Ognio**

Chairman Randy Ognio offered the Invocation and led the Pledge of Allegiance.

**Acceptance of Agenda**

Commissioner Gibbons moved to approve the agenda as written. Vice-Chairman Oddo seconded. The motion passed 5-0.

**PROCLAMATION/RECOGNITION:**

**1. Recognition of the Fayette County 7<sup>th</sup> Annual Merry Door Decorating Contest winners.**

County Administrator Steve Rapson, on behalf of the Board, thanked all County departments who participated in the County's Merry Door Decoration contest in honor of the Christmas holiday season. Mr. Rapson recognized the 1<sup>st</sup> Place winners which were the Administration Office and the Fayette County Library, 2<sup>nd</sup> place which was the Fayette County Court Services & Sheriff's Office, and 3<sup>rd</sup> place which was the Fayette County Tax Assessors Office.

**PUBLIC HEARING:**

**PUBLIC COMMENT:** Roy Bishop expressed his concerns regarding accidents at State Road 92, Westbridge Road, and Veterans Parkway. He continued providing a suggestion that he felt could help expedite road construction.

**CONSENT AGENDA:**

Vice Chairman Oddo moved to accept the Consent Agenda as written. Commissioner Gibbons seconded. The motion passed 5-0.

- 2. Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.**
- 3. Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.**
- 4. Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.**
- 5. Approval of a request from the County Clerk for authorization to file the required Certificate of Appointment indicating that the Fayette County Republican Party has re-appointed Aaron Wright to the Board of Elections for a four-year term commencing February 1, 2020 and expiring January 31, 2024.**

Chairman Ognio stated as public disclosure that the letter received from the Fayette County Republican Party re-appointing Aaron Wright was signed by his wife, who was acting in her official duties as Interim Chairwomen of the Fayette County Republican Party.

- 6. Approval of a request from the County Clerk for authorization to file the required Certificate of Appointment indicating that the Fayette County Democratic Party has re-appointed Darryl Hicks to the Board of Elections for a four-year term commencing February 1, 2020 and expiring January 31, 2024.**
- 7. Adoption of Resolution 2020-01; Establishing the Qualifying Fees for the 2020 elections in Fayette County.**
- 8. Approval of a Resolution from Association of County Commission of Georgia (ACCG) to approve the re-appointment of County Administrator Steve Rapson as the Fayette County Legislative Coordinator (CLC).**
- 9. Approval of the Water Committee recommendation to approve the Leap Into Spring - Community 5K and Fun Run on February 29, 2020 and to close Lake Horton Park during the event from 6:00 a.m. until 12:00 noon.**
- 10. Approval of revised speed zone permit list of State approved roadways; List # 1119-113.**
- 11. Approval of the December 12, 2019 Board of Commissioners Meeting Minutes.**

## **OLD BUSINESS:**

## **NEW BUSINESS:**

## **ADMINISTRATOR'S REPORTS:**

### A. Contract #1431-P: Transportation Engineer of Record Task Order #33: Starr's Mill School Tunnel Design

County Administrator Steve Rapson presented the Hot Project Updates stating that:

#### **Dogwood Trail (1/3/2020)**

Dogwood Trail is currently CLOSED to ALL THROUGH TRAFFIC between Farr Road and Tyrone Road for the demolition of the two existing and failing 120-inch corrugated metal pipes and the construction of a 48-ft by 14-ft concrete bottomless arch culvert, which will be the largest culvert in the unincorporated County. Utility relocation continues to be the key task in moving forward with this project. Safety concerns with the gas company's original design for the 6-inch steel gas main relocation were discovered in September 2019, causing a delay in the construction progress. The new design for a temporary modular bridge system for the 6-inch gas main is nearing completion, however the gas company has been unable to provide a timeline for relocation completion until all the equipment and supplies required for the modular bridge are secured and delivered to the site.

Fayette County has little control over utility companies, but the contractor has been working diligently to get as much work accomplished as possible during the relocation delay. An estimated completion date of late Spring 2020 / early Summer 2020 is being provided until utility relocation is complete and a more accurate date can be announced.

#### **Starr's Mill Tunnel (1/9/20)**

This project is for the construction of a multi-use path tunnel under Redwine Road, immediately south of the Robinson Road intersection. The project includes new path construction along the west side of Redwine Road and Robinson Road to connect with existing paths.

A Notice to Proceed for design was issued December 2nd but work was halted at the request of Peachtree due to possible impacts of a proposed development in the area. The conflict has since been resolved and work has resumed on the project. Early design milestones include development of a survey database and a conceptual layout.

#### **Old Senoia Road Culvert Replacement (11/14/2019)**

Old Senoia Road is complete and open for business.

#### **Intersection of SR 92, Veterans Parkway and Westbridge Road (1/9/20)**

This project is to install a traffic signal and turn lanes at the intersection, which currently operates as a two-way stop.

Design and right-of-way acquisition are complete and a Notice-to-Proceed was issued to the Contractor on 12/19/20. In parallel with the construction contract, Fayette County has ordered strain poles for the signal and the shop drawings (prepared by the vendor) have been submitted to GDOT for structural review. The Contractor is mobilizing equipment and supplies, and a project meeting is set for January 10.

#### **East Fayetteville Bypass (1/9/20)**

This is a large, new road construction project that will connect County Line Road with Corinth Road in the east side of the County.

The critical path for delivery runs through the 700-ft bridge design for the crossing of Morning Creek. The project team met with GDOT and the U.S. Army Corps of Engineers on 12/19/19 regarding permissions needed from both agencies to access the GDOT wetland mitigation bank and perform the necessary geotechnical work for preparation of the Bridge Foundation Investigation. The issue is being considered by the Corps legal counsel. Intersection and roadway design and development of Right-of-Way plans continues in the meantime.

View of Morning Creek, the GDOT Wetland Mitigation Bank and one of three large utility conflicts in the area of the proposed bridge.

### **Morning Dove Drive Culvert Replacement (1/3/2020)**

This is a culvert replacement project under a road that provides exclusive access to several homes in the Quail Hollow Subdivision. As such, at least one lane of traffic is always being kept open.

The construction phase of the project kicked off on October 21, 2019. The contractor, Piedmont Paving, has completed all clearing activities, waterline relocation, and installation of the double 8-ft by 8-ft culvert. The culvert aprons have been poured and the contractor is completing installation of the final upstream wingwall and retaining wall. According to the contractor's most recent schedule update, this project should be complete in February 2020.

Installation of retaining wall for the Morning Dove Culvert project.

### **Notice of Open House for SR 54 / SR 74 Intersection in Peachtree City**

GDOT is hosting a Location and Design Public Information Open House for the proposed Displaced Left Turn (DLT) intersection at SR 54 and SR 74 in Peachtree City.

Thursday, January 23, 2020  
Peachtree City Library  
201 Willowbend Road  
Peachtree City, GA 30269  
5:00 to 7:00 PM – open house format

The purpose of the meeting is to provide the public with an opportunity to view the project, ask questions and comment on the project. (GDOT PI 0013726)

**ATTORNEY'S REPORTS:** County Attorney Dennis Davenport stated that there were no items for executive session.

### **COMMISSIONERS' REPORTS:**

#### **Commissioner Maxwell**

Commissioner Maxwell congratulated both Chairman Ognio and Vice Chairman Oddo on their elections and stated he looked forward to the coming year and working with the Board. Commissioner Maxwell stated that he would like to continue having the Board make the Pledge to the citizens of Fayette County and would like to see the Pledge from the Board as an upcoming agenda item. Commissioner Maxwell stated that he would also be presenting an item on an upcoming agenda regarding the Easter Holiday, where he would ask to add the Friday prior to Easter as an eleventh County Holiday.

#### **Commissioner Gibbons**

Commissioner Gibbons expressed his appreciation for the camaraderie of the Board. He stated that he enjoyed his first year serving and felt it contributed to the effectiveness and efficiency of services provided by the County. Commissioner Gibbons congratulated Chairman Ognio and Vice Chairman Oddo on their elections as well.

#### **Vice Chairman Oddo**

Vice Chairman Oddo asked for an analysis in reference to the upcoming agenda item requesting an Easter Holiday. Vice Chairman Oddo thanked his fellow Commissioners for the election of Vice Chairman. He continued that he felt that the Board had worked well together over the past year and expressed his appreciation for his fellow Board members and stated that he looked forward to working with the Board in the coming year. Vice Chairman stated that it was Law Enforcement Appreciation Day and encouraged all to express their appreciation and extend a "Thank you" for a job well done for all who serve as Law Enforcement

officers. Vice Chairman Oddo stated that the Merry Decoration participants did an outstanding job. He extended a congratulations to Mr. Darryl Hicks and Mr. Aaron Wright for their appointments on the Board of Elections. He concluded expressing his love for his wife who, 17 years prior on January 9, immigrated to the United States, which he stated was one of the happiest days of his life.

#### **Commissioner Rousseau**

Commissioner Rousseau expressed his congratulations to Chairman Ognio and Vice Chairman Oddo, stating that he looked forward to serving with them along with the rest of the Board and County staff. Commissioner Rousseau encouraged the Elections and Registration Office to continue with training opportunities to help residents get familiar with the new election machines for the upcoming elections. He also congratulated Mr. Darryl Hicks and Mr. Aaron Wright for their appointments on the Board of Elections. Commissioner Rousseau extended his congratulations to the newly elected Council members with the City of Fayetteville and to the re-election of Mayor Johnson.

#### **Chairman Ognio**

Chairman Ognio thanked his colleagues for the election as Chairman and acknowledged that last year did go smoothly but only because of the team effort of the Board. Chairman Ognio recognized Law Enforcement Appreciation Day and thanked all those who served for what they do to keep us safe. Chairman Ognio also thanked Mr. Darryl Hicks and Mr. Aaron Wright for their efforts on the Board of Elections and encouraged citizens who have questions regarding the new voting equipment to go to [www.securevotega.com](http://www.securevotega.com).

#### **EXECUTIVE SESSION:**

#### **ADJOURNMENT:**

Commissioner Gibbons moved to adjourn the January 12, 2020 Board of Commissioners meeting. Vice Chairman Oddo seconded. The motion passed 5-0.

The January 12, 2020 Board of Commissioners meeting adjourned at 7:05 p.m.

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Marlena Edwards, Deputy County Clerk

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Randy C. Ognio, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23<sup>rd</sup> day of January 2020. Referenced attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Deputy County Clerk

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of a staff's recommendation to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023.

**Background/History/Details:**

The Fayette County Library Board is an advisory board to the Board of Commissioners but has some decision-making authority in its relationship to the Regional Library Board. The Library Board is composed of seven members who serve four-year terms each. Four of the seven members are appointed by jurisdictions within Fayette County, namely, the cities of Fayetteville and Peachtree City and the towns of Tyrone and Brooks. The Fayette County Board of Commissioners then, essentially, ratifies the nominations made by the jurisdictions to the Library Board.

Page McDonald has been a top notch professional board member. She has a great working relationship with the staff and other board members. She attends state library meetings, and is always in attendance at library programs and serves as the representative at the regional library board meetings in Griffin, Georgia. If re-appointed, this will be her second term.

The Selection Committee was comprised of Library Director Chris Snell, Library-Administrative Assistant Sharon Campbell and Children's Librarian Ada Demlow.

**What action are you seeking from the Board of Commissioners?**

Approval to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023.

**If this item requires funding, please describe:**

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**



RECEIVED  
NOV 20 2019  
BY: *W*

APPLICATION FOR APPOINTMENT  
Fayette County Library Board

Thank you for your interest in being considered for appointment to the Fayette County Library Board.

The Fayette County Library Board consists of seven volunteer members appointed to four-year terms. Meetings are held no less than four times per year, and are held at the Fayette County Library, 1821 Heritage Park Way, Fayetteville, Georgia 30214. Applicant must reside in Fayette County. There is no compensation provided with appointments to the Library Board. Applicants are encouraged to attend as many Library Board meetings as possible in an effort to become familiar with the responsibilities of the post.

Please take a few minutes to complete the form and answer the questions below and return with a resume, if available, to Tameca White, County Clerk, via email at [twhite@fayettecountyga.gov](mailto:twhite@fayettecountyga.gov) or 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on Friday, December 13, 2019.

If you have any questions, please call (770) 305-5103.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Page McDonald

ADDRESS 121 Deerfield Ln  
Fayetteville GA 30214

TELEPHONE (cell) none (home) 770 461 1721

(email address) 

*Page McDonald*  
Signature

11/22/19  
Date



APPLICATION FOR APPOINTMENT  
Fayette County Library Board

1. How long have you been a resident of Fayette County?

44 years

2. Why are you interested in serving on the Library Board?

I have served for the past 4 years on the Board.

3. What qualifications and experience do you possess that should be considered for appointment to the Library Board?

Avid reader, Book Club member for 33 years

4. List your recent employment experiences to include name of company and position.

N/A Retired from AIS Computers (20 yrs)

5. Do you have any past experience related to this position? If so, please describe.

Last 4 years on the Board - Currently Vice Chair

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?

NO except Library Bd

7. Have you attended any Library Board meetings in the past two years and, if so, how many?

All but 2 in 4 yrs

8. Are you willing to attend seminars or continuing education classes at county expense?

yes

9. What is your vision of the county's future related to the duties of the Fayette County Library Board?

Our library provides numerous opportunities for its patrons: language learning, computer access, blood drives, book sales, Face & Face

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Library Board?

NO

11. Are you in any way related to a County Elected Official or County employee? If so, please describe.

NO

12. Describe your current community involvement.

Voter, Board member of Southern Crescent Church

13. Have you been given a copy of the county's Ethics Ordinance? Is there any reason you would not be able to comply with the ordinance?

No reason

# OTHER APPLICANT



APPLICATION FOR APPOINTMENT  
Fayette County Library Board

RECEIVED  
DEC 13 2019  
BY: VO

Thank you for your interest in being considered for appointment to the Fayette County Library Board.

The Fayette County Library Board consists of seven volunteer members appointed to four-year terms. Meetings are held no less than four times per year, and are held at the Fayette County Library, 1821 Heritage Park Way, Fayetteville, Georgia 30214. Applicant must reside in Fayette County. There is no compensation provided with appointments to the Library Board. **Applicants are encouraged to attend as many Library Board meetings as possible in an effort to become familiar with the responsibilities of the post.**

Please take a few minutes to complete the form and answer the questions below and return with a resume, if available, to Tameca White, County Clerk, via email at [twhite@fayettecountyga.gov](mailto:twhite@fayettecountyga.gov) or 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 **no later than 5:00 p.m. on Friday, December 13, 2019.**

If you have any questions, please call (770) 305-5103.

*NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.*

NAME Oyin J. Mitchell

ADDRESS 145 Blackjack Ct  
Fayetteville GA 30215

TELEPHONE (cell) [REDACTED] (home) \_\_\_\_\_

(email address) [REDACTED]

Oyin J. Mitchell  
Signature

11/13/2019  
Date

## Oyin J. Mitchell application for consideration Fayette County Library Board

1. How long have you been a resident of Fayette County? 2.5 years
2. Why are you interested in serving on the Library Board? The library is the central point of our thriving community. It brings people, ideas, and generations together while promoting health and safety for the citizens of Fayette County. The library supports the intellectual health of the community of Fayette County by serving as a resource for parents, job seekers, business owners, and as a source for professional development.
3. What qualifications and experience do you possess that should be considered for appointment to the Library Board? I am a mom of two elementary school children in the Fayette County schools, I am a business owner, I have an undergraduate in Human Resources Development, a graduate degree in Conflict Management, and a green belt in Lean Six Sigma and more than 15 years of professional experience. I've served on committees responsible for shaping policy and making decisions to positively impact the greater community. As an experienced leader, planner, project/program manager and leader in learning, my experience will allow me to bring an immediate contribution to the committee. As a lifelong learner, I would like to bring a generational perspective to the greatest segment of people servicing the library, millennials.
4. List your recent employment experiences to include name of company and position. Licensed Life & Health Agency Owner-2014- Current | Ga LEND Fellow 2019- Current | Author 2019 |co-Author 2019 Georgia Department of Community Health- Associate Director of Learning & Development 2016-2018 | 2007-2014 Georgia State University - Organizational Development-Employee Engagement Officer| 2005-2007 Walgreen's- Assistant Manager | 1996-2005 Delta Airlines- Corporate Customer Care.
5. Do you have any past experience related to this position? I have experience working with state organizations implementing their strategic plan. I've served with groups to make informed decisions in support of the greater good, however, serving in this capacity for Fayette County would be a new opportunity for me.If so, please describe.
6. Are you currently serving on a commission/board/authority or in and elected capacity with any government? No.
7. Have you attended any Library Board meetings in the past two years and, if so, how many? No.
8. Are you willing to attend seminars or continuing education classes at county expense? Yes.

Oyin J. Mitchell application for consideration Fayette County Library Board

9. What is your vision of the county's future related to the duties of the Fayette County Library Board? I would like the library to make intentional decisions to focus on creating experiences to keep people engaged in the services offered. I think it's important to focus on who actively uses the library and how can those services be improved or expanded to reach more.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Library Board? None.

11. Are you in any way related to a County Elected Official or County employee? If so, please describe. No.

12. Describe your current community involvement. I am the fundraising chair for the local PTO, I was a candidate in Fayetteville's City Council municipal election. During the campaign, I met several Fayette County residents and municipal candidates running in Fayette County. I partnered with a small Fayette County business for my digital campaign strategy which resulted in a run-off and earning more than 70 votes less than 8 year incumbent and 80% of a segmented voting population. I was able to connect with a variety of county residents in the area. Many not knowing if they were city or county residents so I had an opportunity to meet and engage including those with young children who use library services. In addition to being a panelist in the voters forum for the election, held in the library, I also attend workshops, use the digital services and bring my children to some of the programs offered in the children's library. I think it is the central point of the community.

13. Have you been given a copy of the county's Ethics Ordinance? Yes, I have a copy. Is there any reason you would not be able to comply with the ordinance? No.

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of staff's recommendation to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the amount of \$383,154.00.

**Background/History/Details:**

Water System staff solicited responses for RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to construct a hydraulic model of the system's distribution network and perform a safe yield analysis of the county's reservoirs in order to determine the County's long-term water supply demand and a sustainable service delivery rate for wholesale water sales. Results from this calibrated hydraulic water model will allow master planning, asset management, operational improvement and energy-use improvement.

This analysis is necessary to be prepared for an emergency situation where the Water System would need to share water with an adjacent water provider as required under the Georgia Water System Interconnection, Redundancy and Reliability Act.

A six-person evaluation team reviewed four proposals under established county procurement procedures. Based on these procedures, Integrated Science and Engineering was selected. Attached backup information provides detail on the procurement and proposal evaluation process and results.

**What action are you seeking from the Board of Commissioners?**

Approval of staff's recommendation to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the not-to-exceed amount of \$383,154.00.

**If this item requires funding, please describe:**

Funding in the amount of \$384,516 is available in FY 2020 Engineering Services 50541010-52121.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**



**Purchasing Department**  
140 Stonewall Avenue West, Ste 204  
Fayetteville, GA 30214  
Phone: 770-305-5420  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

To: Steve Rapson

From: Ted L. Burgess

Date: January 23, 2020

**Subject: RFP #1670-P: Engineer of Record for Water System Interconnectivity Initiative**

On May 20, 2010 the Georgia Governor signed into law the *Water System Interconnection, Redundancy and Reliability Act* (SB 380). The Act added Sections § 12-5-200 through § 12-5-204 to state law to effect “proactive measures to reduce the risk of catastrophic interruptions of water service during emergencies.” It required the Georgia Environmental Finance Authority (GEFA) to develop an emergency plan for this purpose.

The initiative will require a variety of engineering services, including:

- Hydraulic water model of the Fayette County Water System’s distribution network
- Safe yield analysis of the county’s reservoirs
- Long-term water supply demand planning
- Rate study for wholesale water sales and sustainable service delivery
- Other tasks as may be identified during the course of the initiative

It is proposed to enter into a contract for an Engineer of Record specifically for the initiative. For this purpose, the Purchasing Department issued Request for Proposals (RFP) #1670-P. The Department emailed notices of the opportunity to submit proposals to 38 qualified companies. An additional 552 vendors were notified through the Internet-based Georgia Procurement Registry, using Commodity Codes 92536 (Engineering Services – Not Otherwise Classified), 92597 (Municipal Engineering), and 92597 (Water Supply, Treatment, and Distribution Engineering). Invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace ([www.glga.org](http://www.glga.org)), and Channel 23. Four firms submitted proposals (Attachment 1).

The Evaluation Committee was composed of six members, representing the Water System, Environmental Management, and a professional from an engineering firm that did not compete for the contract. They scored the proposals using the evaluation criteria documented in the RFP. The criteria included (1) Understanding and Approach, (2) Project Team, (3) Firm’s Expertise and Experience, and (4) Office Location. Proposal scoring was based 70% on technical merit and 30% on the proposed price of the four task orders specifically identified as part of the RFP.

The Evaluation Committee recommends award of the contract to Integrated Science and Engineering, Inc. Work performed under this Engineer of Record contract will include both the specific tasks

identified above, and to-be-identified tasks that will be authorized through Task Orders at the appropriate time. Timing of Task Orders – for both identified tasks and upcoming tasks – is expected to go beyond the current fiscal year.

A Contractor’s Performance Evaluation for Integrated Science & Engineering’s previous work with the county is attached (Attachment 2).

Specifics of the proposed contract are as follows:

<b>Contract Name</b>	1670-P: Engineer of Record for Water System Interconnectivity Initiative	
<b>Type of Contract</b>	On-demand engineering services	
<b>Vendor</b>	Integrated Science & Engineering, Inc.	
<b>Not-to-Exceed Amount</b>	\$383,154.00 for the four specified task orders	

<b>Budget:</b>		
Org. Code	50541010	Water System
Object	521211	Administration
Available	\$384,516.60	

**RFP #1670-P: Engineer of Record for Water System Interconnectivity Initiative  
 Evaluation Scores**

**Summary**

Technical Merit:		MAX POINTS	Arcadis U.S., Inc.	Freese and Nichols, Inc.	Integrated Science & Engineering, Inc.	Stantec Consulting Services, Inc.
1	Understanding & Approach	40	35.8	28.3	31.5	30.0
2	Project Team	30	26.2	19.5	22.0	20.3
3	Firm's Expertise & Experience	20	17.0	15.5	16.2	16.0
4	Office Location	10	7.7	8.0	9.5	7.7
Total Points - Technical Merit		100	86.7	71.3	79.2	74.0

Proposed Price	\$557,000	\$428,043	\$383,154	\$638,663
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Technical Score	70%	60.7	49.9	55.4	51.8
Price Score	30%	16.4	26.5	30.0	10.0
Total Score		77.1	76.4	85.4	61.8

FAYETTE COUNTY, GEORGIA  
CONTRACTOR PERFORMANCE EVALUATION

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: ISE	Contract Number:
Mailing Address: 1039 Sullivan Rd	Contract Description or Title: Stormwater Utility
City, St, Zip Code: Newnan, GA 30245	Contract Term (Dates) From: Jan 2010 - Jan 2012
Phone Number: 678-552-2106	Task Order Number: Fayette Co Stormwater Utility Task 2
Cell Number: n/a	Other Reference:
E-Mail Address: DDAVIS@INTSE.COM	

DEFINITIONS

**OUTSTANDING** - Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

**EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

**SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.

**UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		✓			
2. Condition of delivered products			✓		
3. Quality of work			✓		
4. Adherence to specifications or scope of work			✓		
5. Timely, appropriate, & satisfactory problem or complaint resolution		✗			NA
6. Timeliness and accuracy of invoicing	✓				
7. Working relationship / interfacing with county staff and citizens		✓			
8. Service Call (On-Call) response time					NA
9. Adherence to contract budget and schedule		✓			
10. Other (specify):					
11. Overall evaluation of contractor performance			✓		

EVALUATED BY

Signature: Vanessa Tigert	Date of Evaluation: 12/17/19
Print Name: Vanessa Tigert	Department/Division: Env Management
Title: Director	Telephone No:



# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration to increase existing Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance.

**Background/History/Details:**

This contract is for painting and general maintenance of existing elevated water storage tanks. During tank repair, additional corrosion and coating failure was encountered after pressure washing of the interior tank side walls at both the Highway 92 and Ellis Road tanks.

Staff is requesting to increase the Southeastern Tank and Tower, Inc. contract by the amount of \$275,350.00.

If approved, the total amended contract would be \$1,083,250.00.

**What action are you seeking from the Board of Commissioners?**

Approval of staff's recommendation to increase existing Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance.

**If this item requires funding, please describe:**

Funding is available in the FY20 Tank Maintenance 50544020-522267.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**



**Purchasing Department**  
 140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
 www.fayettecountyga.gov

To: Steve Rapson

Through: Ted L. Burgess *TLB*

From: Natasha M. Duggan *NMD*

Date: January 23, 2020

Subject: Contract #1522-B: Water Tank Repair  
 Amendment 1: Repair Corrosion & Coating, Replace Logos

The Water System uses five above-ground water tanks in its distribution operations. They are:

- Crabapple Tank – 459 Crabapple Lane, Peachtree City
- Twin Tank #1 – 285 Clover Reach, Peachtree City
- Twin Tank #2 – 285 Clover Reach, Peachtree City
- Highway 92 Tank – 107 Lees Mill Road, Fayetteville
- Ellis Road Tank – 134 Ellis Road, Fayetteville

In July 2018, the Purchasing Department issued Invitation to Bid #1522-B to secure a contractor for repair and maintenance of the Tanks. The contract was awarded on October 25, 2018 to Southeastern Tank and Tower, Inc.

During tank repair additional corrosion and coating failure was encountered after pressure washing of the interior tank side walls at both the Highway 92 and Ellis Road tanks. As part of the original contract, Twin Tank #1 was removed. The remaining four tanks required a total of seven new logos.

Specifics of the proposed contract amendment are as follows:

<b>Contract Name</b>	#1522-B: Water Tank Repair
<b>Contractor</b>	Southeastern Tank and Tower, Inc.
<b>Contract Amount:</b>	\$ 807,900.00
<b>This Amendment</b>	<u>275,350.00</u>
<b>New Contract Amount</b>	\$1,083,250.00

**Budget:**

Org Code	50544020	Water Distribution
Object	522267	Tank Maintenance
Project	N/A	Maintenance & Operations Budget
Available	\$325,062.14	In Fiscal Year 2020

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019.

**Background/History/Details:**

When a taxpayer feels that an error has occurred with respect to taxes paid to Fayette County on Real Estate and Personal Property tax bills, they have the right to request a Refund under O.C.G.A. 48-5-380. This request is given to the Tax Assessors' Office in order to be reviewed in detail by the County Attorney. Appropriate recommendation(s) are then forwarded to the Board of Commissioner's for their final approval of said requests.

A memo from the County Attorney is provided as backup with an explanation to deny.

**What action are you seeking from the Board of Commissioners?**

Deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019.

**If this item requires funding, please describe:**

The funding required will be for those refund requests where the overpayment of taxes (voluntarily or involuntarily) was a direct result of property that had previously been erroneously assessed and taxes have already been collected from the taxpayer(s).

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**



CAC

770-731-1286 Home



TAX ASSESSOR'S OFFICE

FAYETTE COUNTY, GA.

TO: BOARD OF ASSESSORS

21 Oct 2019

J. Sam Burch / Chairman

Therese Ocheltree

Walter Ponder

SUBJECT: REQUEST REFUND OF ADDITIONAL 50% F.C. SENIOR EXEMPTIONS

Dale E. Becker and Angela M. Becker are property/residence owners at 245 Derby Drive, Fayetteville, Ga. (Property ID 051103024, Property Desc. LOT 4B KINGSWOOD II). We request the additional 50% Fayette County Senior exemptions be refunded due to our oversight on qualifying with the Ga 500 line 15. It is our responsibility to research this information and request the additional exemptions, but failed to do, due diligence.

We started our retirement in January 2016, and started receiving Social Security Benefits. I, Dale Becker, decided to work part time to supplement the families' income by working at Collins Bros Produce Co. This yearly income was thought of as exceeding the \$15,000 Line 15 requirement for the additional Senior Exemption, and we did not carefully look at the Ga 500 return. The 2016 Ga. Tax return line 15 reveals -5,958 dollar amount. Attached to this request are the other two years 2017 Line 15, -4,250, and 2018 Line 15, -6,169. At this time, we have applied for the Fayette County Senior 100 percent School Tax Exemption on 10/15/2019, for the next tax year.

This request for the previous three years' worth of additional tax exemptions is helpful for financial and hardship considerations.

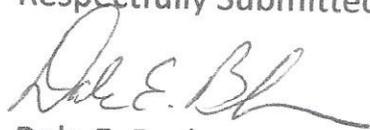
Our son, Philip E. Becker is an incapacitated, mentally handicapped adult who resides with us, his parents, at this residence and cannot manage his own affairs. Philip is 33 years of age and is diagnosed with autism and epilepsy. We are also his legal guardians awarded by the Honorable Judge Ann Jackson. Philip requires constant adult supervision due to his low functioning abilities. His personal hygiene needs, bathing, shaving, brushing teeth, are conducted daily with me. His mother helps him dress and prepares his meals. Currently, we are dealing with some behavioral issues that are burdensome. We are homebound, with me having to stop working.

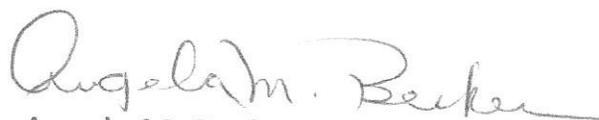
With the loss of supplemental income by working part time, this is making it difficult to maintain our standard of living. Finding a group home or assisted living facility to support young adults like Philip, Fayette County does not have an appropriate facility to care for him properly. If Philip were higher functioning, he might qualify to live in an assisted living setting but the cost is very prohibitive. There is also the problem of "Warehousing" these adults that we consider inhumane. This is why we reside in this home.

We moved to Fayette County from Miami, Fla. in 2004. Our purpose was to seek improved school support for Philip and prepare for retirement. Philip attended Fayette County High School until he was 21 years old. We enjoy living here in this community and want to stay.

With the approval of a refund from the additional Senior Tax exemptions that we failed to apply for since 2016, this would ease our financial hardship, and help us support our son. Thank you for your consideration.

Respectfully Submitted,

  
Dale E. Becker

  
Angela M. Becker

LAW OFFICES  
**McNALLY, FOX, GRANT & DAVENPORT**

A PROFESSIONAL CORPORATION

100 HABERSHAM DRIVE

FAYETTEVILLE, GEORGIA 30214-1381

TELEPHONE: (770) 461-2223

FACSIMILE: (770) 719-4832  
 (770) 461-5863

WILLIAM R. McNALLY  
 PATRICK J. FOX  
 PHILIP P. GRANT  
 DENNIS A. DAVENPORT  
 PATRICK A. STOUGH  
 MEREDITH F. McCLURE  
 E. ALLISON IVEY COX

MEMORANDUM

To: Fayette County Board of Commissioners  
 From: McNally, Fox, Grant & Davenport, P.C. *E. Allison Ivey Cox*  
 Date: January 9, 2020  
 Re: Tax Refund Request – Dale and Angela Becker

On October 15, 2019 Mr. Dale Becker entered the tax commissioner's office and made an application for 100% school tax exemption based upon his residency at 245 Derby Drive in Fayetteville, his age and his income. The exemption was granted for 2020 and all tax years to come. Following this submission, Mr. Becker drafted a request for the refund of taxes paid in the 2017, 2018 and 2019. This letter dated October 21, 2019 was received by the Board of Commissioners on October 21, 2019. He did not timely file the application for previous years.

In order to qualify for a 100% Homestead Exemption, an applicant must meet four (4) requirements. The applicant must show that the property is the applicant's homestead, show that the applicant meets the required age or disability requirements, show that his or her annual income is less than \$15,000 and timely file an application requesting the exemption. There is no dispute as to Mr. Becker's ability to fulfill the age/disability, income or residency requirements of the exemption. He is 69 years old, is supporting a profoundly disabled 33-year-old son, has provided an affidavit as to his income and has occupied the home at 245 Derby Drive in Fayetteville since October 2004. However, Mr. Becker did not apply for this exemption in a timely fashion for the tax years at issue. He filed October 21 of 2019.

The Tax Commissioner provides notice of available tax exemptions annually. It is incumbent upon the taxpayer to apply for those exemptions by April 1 of the calendar year in which his/her circumstances change to qualify him/her. No taxpayer (aside from disabled veterans) can qualify for a homestead exemption until he/she submits an application therefor. Mr. Becker does not qualify for the exemption in any previous year because he failed to meet the application deadline for any previous tax year.

No error or illegal action in the assessment or collection of Mr. Becker's tax liability has occurred. No refund is due to Mr. Becker. He was not qualified for the exemption in any previous tax year.

The requested refund is recommended for full denial.

Year	Recommendation	Reason
2017 – 2019	Deny	Failure to timely apply
<b>TOTAL RECOMMENDED REFUND</b>	<b>\$0</b>	



**ADMINISTRATION**  
140 Stonewall Avenue West, Ste. 100  
Fayetteville, Georgia 30214  
770-305-5400  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

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January 17, 2020

Dale E. Becker and Angela M. Becker  
245 Derby Drive  
Fayetteville, GA 30215

RE: Tax Refund Request

Dear Sir and Madam:

This letter is to notify you that your request for tax refund has been slated to appear on the Thursday, January 23, 2020 Agenda of the regularly scheduled meeting of the Fayette County Board of Commissioners, at 6:30 P.M.

That meeting will take place in the Public Meeting Room of the Board of Commissioners located at 140 Stonewall Avenue West, Fayetteville 30214.

Your request will be discussed and a decision to grant or deny your request will be made at that meeting.

Should you desire to be heard on the matter, please be present and prepared to address the commissioners at the appropriate time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tameca P. White", is written over a faint, larger version of the same signature.

Tameca P. White, MBA, CMC  
County Clerk

Cc: Joel Benton, Chief Tax Assessor  
Kristie King, Tax Commissioner  
Ali Cox, Assistant County Attorney

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019.

**Background/History/Details:**

When a taxpayer feels that an error has occurred with respect to taxes paid to Fayette County on Real Estate and Personal Property tax bills, they have the right to request a Refund under O.C.G.A. 48-5-380. This request is given to the Tax Assessors' Office in order to be reviewed in detail by the County Attorney. Appropriate recommendation(s) are then forwarded to the Board of Commissioner's for their final approval of said requests.

A memo from the County Attorney is provided as backup with an explanation to deny.

**What action are you seeking from the Board of Commissioners?**

Deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019.

**If this item requires funding, please describe:**

The funding required will be for those refund requests where the overpayment of taxes (voluntarily or involuntarily) was a direct result of property that had previously been erroneously assessed and taxes have already been collected from the taxpayer(s).

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

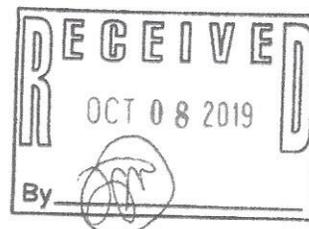
County Clerk's Approval

Administrator's Approval

**Staff Notes:**

October 2, 2019

Board of Commissioners  
140 Stonewall Avenue West  
Suite 101  
Fayetteville, GA 30214



Dear Commissioners:

I request a refund on my property taxes for the last three years (2016-2018). I am ninety-six years old and have lived in my home in Peachtree City for over thirty years. My late husband and I moved here in 1985. I am disabled and require a wheelchair and help with my daily living activities.

I have apparently been billed for county school taxes. I do not believe that should have occurred. I think I qualified for an exemption.

My home is old and maintenance costs are high. Among other things I have replaced the roof and gutters, patched the stucco, painted the outside, and repaired the popcorn ceilings. I also had to buy a new furnace and water heater.

Please do refund any and all money which I mistakenly paid. I would deeply appreciate it.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth D. Hill".

Elizabeth D. Hill

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 (770) 461-5863

MEMORANDUM

To: Fayette County Board of Commissioners

From: McNally, Fox, Grant & Davenport, P.C. *E. Allison Ivey Cox*

Date: January 9, 2020

Re: Tax Refund Request – Ms. Elizabeth Hill

On October 1, 2019 Ms. Elizabeth Hill entered the tax commissioner's office and made an application for 100% school tax exemption based upon her residency at 119 Stonington Drive in Peachtree City, her age and her income. The exemption was granted for 2019 and all tax years to come. Following her submission, Ms. Hill drafted a request for the refund of taxes paid in previous tax years. This letter dated October 2, 2019 was received by the Board of Commissioners on October 8, 2019. Ms. Hill is ineligible for the exemption. She did not timely file the application for previous years.

In order to qualify for a 100% Homestead Exemption, an applicant must meet four (4) requirements. The applicant must, show that the property is the applicant's homestead, show that the applicant meets the required age or disability requirements, show that his or her annual income is less than \$15,000 and timely file an application requesting the exemption. There is no dispute as to Ms. Hill's ability to fulfill the age/disability, income or residency requirements of the exemption. She is 96 years old, has provided an affidavit as to her income and has occupied the home at 119 Stonington Drive since September of 1984. However, Ms. Hill did not apply for the exemption in a timely fashion for the tax years at issue. She applied on October 8 of 2019.

The Tax Commissioner provides notice of available tax exemptions annually. It is incumbent upon the taxpayer to apply for those exemptions by April 1 of the calendar year in which his/her circumstances change to qualify him/her. No taxpayer (aside from disabled veterans) can qualify for any homestead exemption until he/she submits an application therefor. Ms. Hill does not qualify for the exemption in any previous tax year because she failed to meet the application deadline for any previous year.

No error or illegal action in the assessment or collection of Ms. Hill's tax liability has occurred. No refund is due to Ms. Hill. She was not qualified for the exemption in any previous year.

The requested refund is recommended for denial.

Year	Recommendation	Reason
1984 – 2019	Deny	Failure to timely apply
<b>TOTAL RECOMMENDED REFUND</b>	<b>\$0</b>	



**ADMINISTRATION**  
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[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

---

January 17, 2020

Elizabeth Hill  
119 Stonington Dr.  
Peachtree City, GA 30269

RE: Tax Refund Request

Dear Madam:

This letter is to notify you that your request for tax refund has been slated to appear on the Thursday, January 23, 2020 Agenda of the regularly scheduled meeting of the Fayette County Board of Commissioners, at 6:30 P.M.

That meeting will take place in the Public Meeting Room of the Board of Commissioners located at 140 Stonewall Avenue West, Fayetteville 30214.

Your request will be discussed and a decision to grant or deny your request will be made at that meeting.

Should you desire to be heard on the matter, please be present and prepared to address the commissioners at the appropriate time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tameca P. White", is written over a faint, larger version of the same signature.

Tameca P. White, MBA, CMC  
County Clerk

Cc: Joel Benton, Chief Tax Assessor  
Kristie King, Tax Commissioner  
Ali Cox, Assistant County Attorney