

BOARD MEMBERS

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Danny England, Vice-Chairman
Al Gilbert
Brian Haren
Arnold L. Martin, III

STAFF

Peter A. Frisina, Director of Community Services
Chanelle N. Blaine, Zoning Administrator
Howard Johnson, Planning & Zoning Coordinator

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
January 2, 2020
7:00 pm

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

1. Consideration of Minutes of the Planning Commission meeting held on December 5, 2019.

PUBLIC HEARINGS

2. Consideration of Petition No. 1289-90, 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 7th District and fronts on State Route 54 and Ebenezer Road.
3. Consideration of Petition No. 1290-90, 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 4th District and fronts on Antioch Road and Rosemont Trace.
4. 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 4th District and fronts on Stable Creek Road.
5. 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 4th District and fronts on Brooks Woolsey Road.

OLD BUSINESS

6. Discussion of the Zoning Ordinance.

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 <u>prior</u> 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:

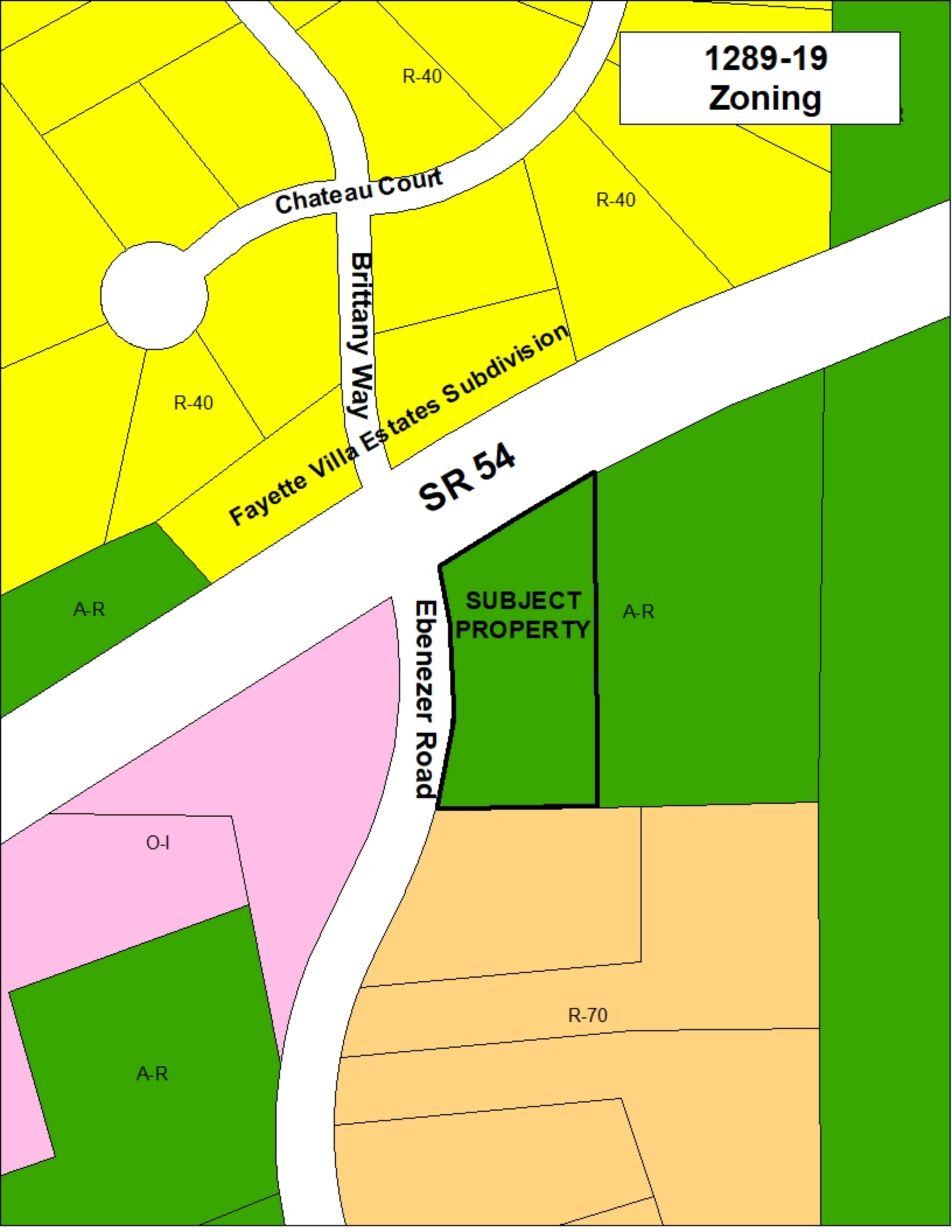
The nonresidential intent of the SR 54 West Overlay District is to allow office and low intensity business uses. Outside of the commercial designation at Tyrone Road consideration for the Office-Institutional Zoning District may be given.

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**.

**1289-19
Zoning**



**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

**1289-19
Aerials**

Chateau Court

Brittany Way

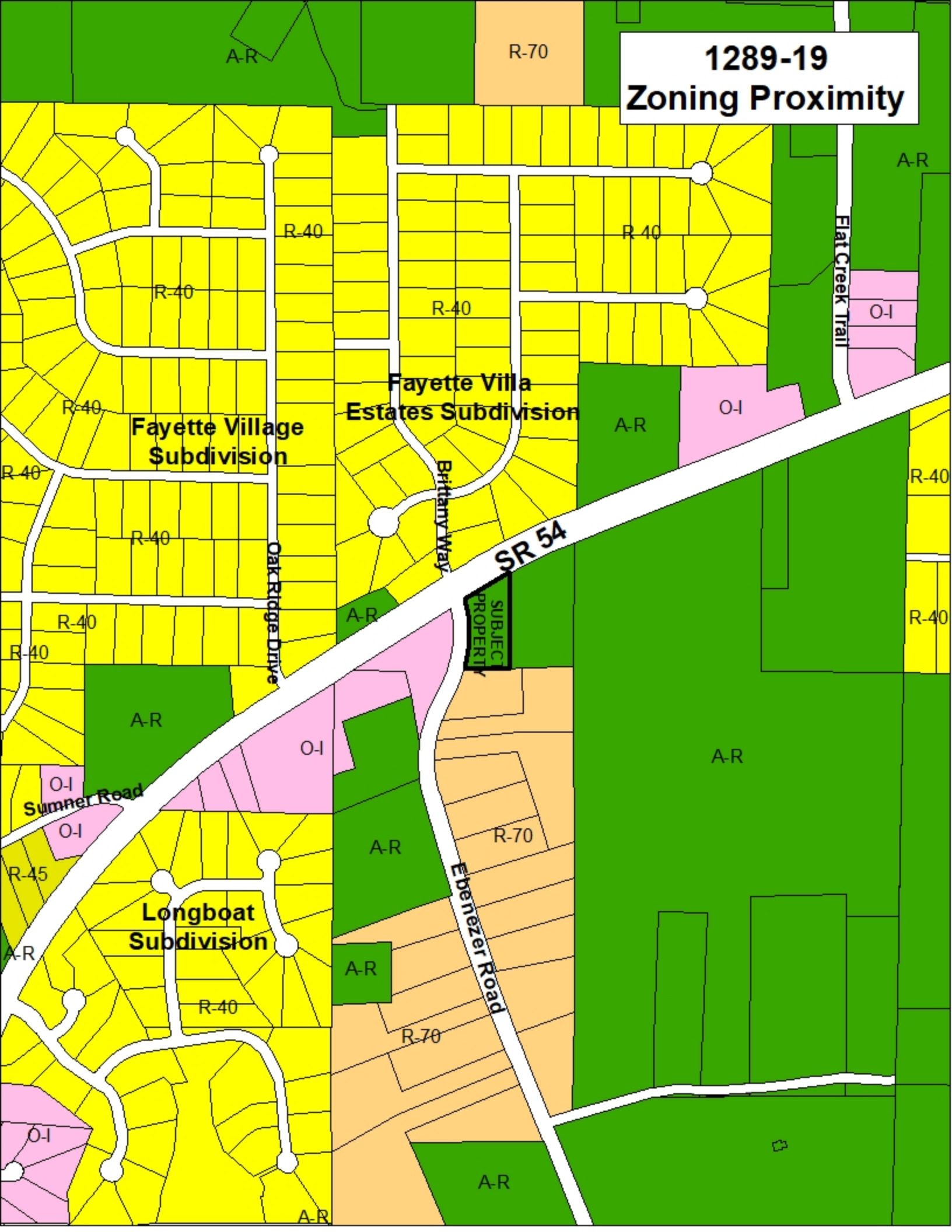
SR 54

Ebenezer Road

**SUBJECT
PROPERTY**



1289-19
Zoning Proximity





Commercial Real Estate | Development | Construction | Property Management

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

1289-15

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

SECONDARY
DRAINFIELD

PRIMARY
DRAINFIELD

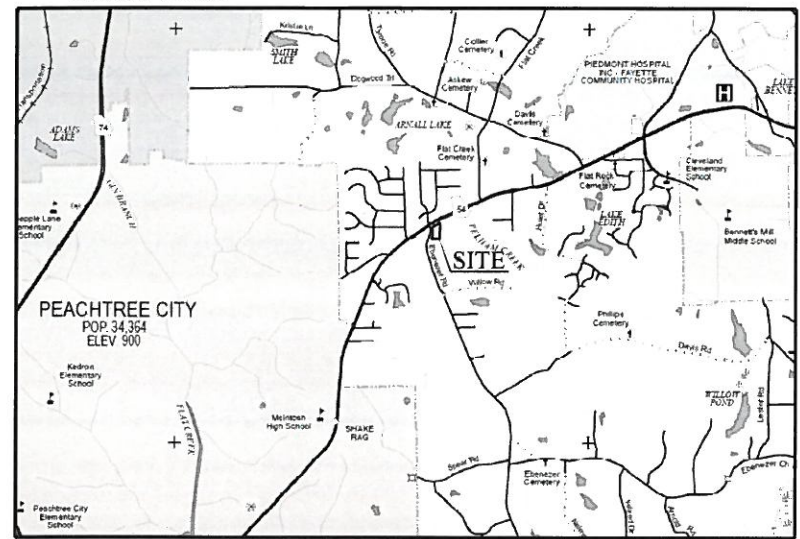
NEW 2 STORY
OFFICE/MEDICAL 15,000
S.F. BUILDING
7,500 S.F. (FOOTPRINT)
(60'X125')
FFE 988.50

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.)

0 15 30 60 90
GRAPHIC SCALE: 1"=30'

VICINITY MAP



SYMBOL LEGEND

●	IRON PIN FOUND
○	1/2" REBAR SLT
⊕	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
▩	CONCRETE AREA

GENERAL NOTES

- 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@wrcr.net
- 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
- BOUNDARY INFORMATION FROM SURVEY BY SCANLON ENGINEERING SERVICES, INC. DATED NOV. 2019.
- 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%
- THERE ARE NO EXISTING STRUCTURES ON THIS SITE.
- AS PER FIRM PANEL MAP NUMBER 1311300036, DATED SEPT. 26, 2008, THIS SITE DOES NOT LIE IN A FLOOD HAZARD AREA.
- THERE ARE NO EXISTING STATE WATERS ON THIS SITE OR ON ADJACENT PROPERTY.
- THERE ARE NO WETLANDS ON THIS SITE PER THE NATIONAL WETLANDS INVENTORY MAP.
- THIS SITE IS NOT IN A GROUNDWATER RECHARGE AREA.
- 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 UTILITIES, WHETHER SHOWN OR NOT. DIFFERENCES IN HORIZONTAL OR VERTICAL LOCATIONS OF EXISTING UTILITIES SHALL NOT BE BASIS FOR ADDITIONAL COMPENSATION TO THE CONTRACTOR.
- WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
- SEWER SERVICE PROVIDED BY ON SITE SEWER DISPOSAL SYSTEM.
- PARKING SPACES PROVIDED: 52 SPACES (INCD 2 H/C)
- IMPERVIOUS AREA = 33,360 S.F. (31.51%)
SITE AREA = 105,865 S.F.

Soils Data

SOIL TYPE	DRAINAGE AND PERMEABILITY
Ceb	Cecl 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 Point(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 developed peak 25-year, 24-hour discharge rate at or below pre-developed discharge rate at Study Point(s).

Extreme Flood Protection (Op): According to Section 2.2.4.4 of Volume 2 of the Georgia Stormwater Management Manual Op 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.

SES

ENGINEERING
PLANNING
SURVEYING

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

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

NO.	DATE	REVISION
1	12/2/19	ISSUED FOR PERMIT



CONCEPT PLAN

Design by: RIS	Drawn by: RIS
Project #: C19239016	Date: 10/29/2019

SHEET TITLE
C-01
SHEET # 01 OF 01



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 CONDITONS

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 CONDITONS.**

RECOMMENDED CONDITIONS

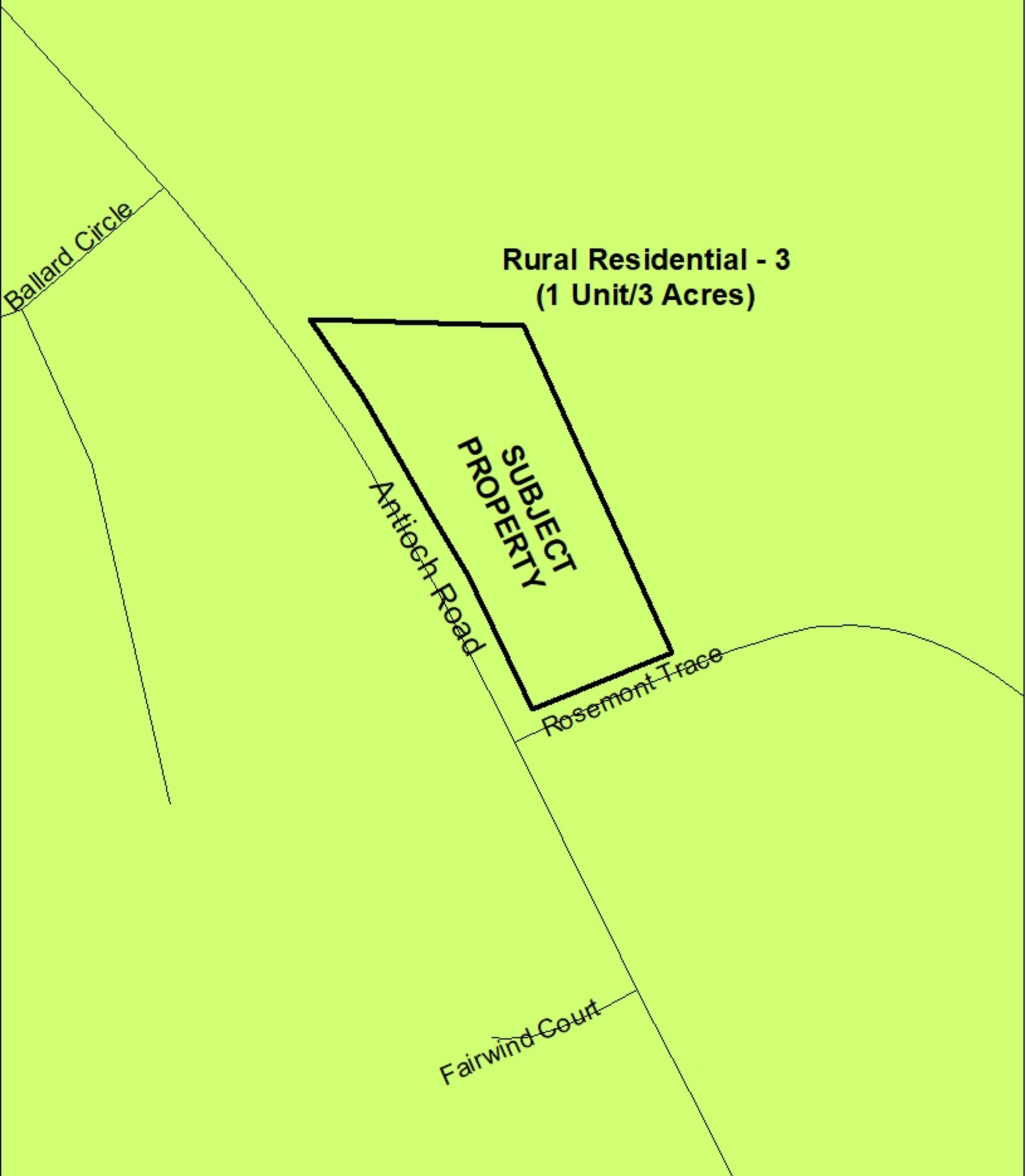
If this petition is approved by the Board of Commissioners, it should be approved **R-70 CONDITIONAL** for Lot 1 of Stubbs Plantation Subdivision only subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede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

**1290-19
Zoning**



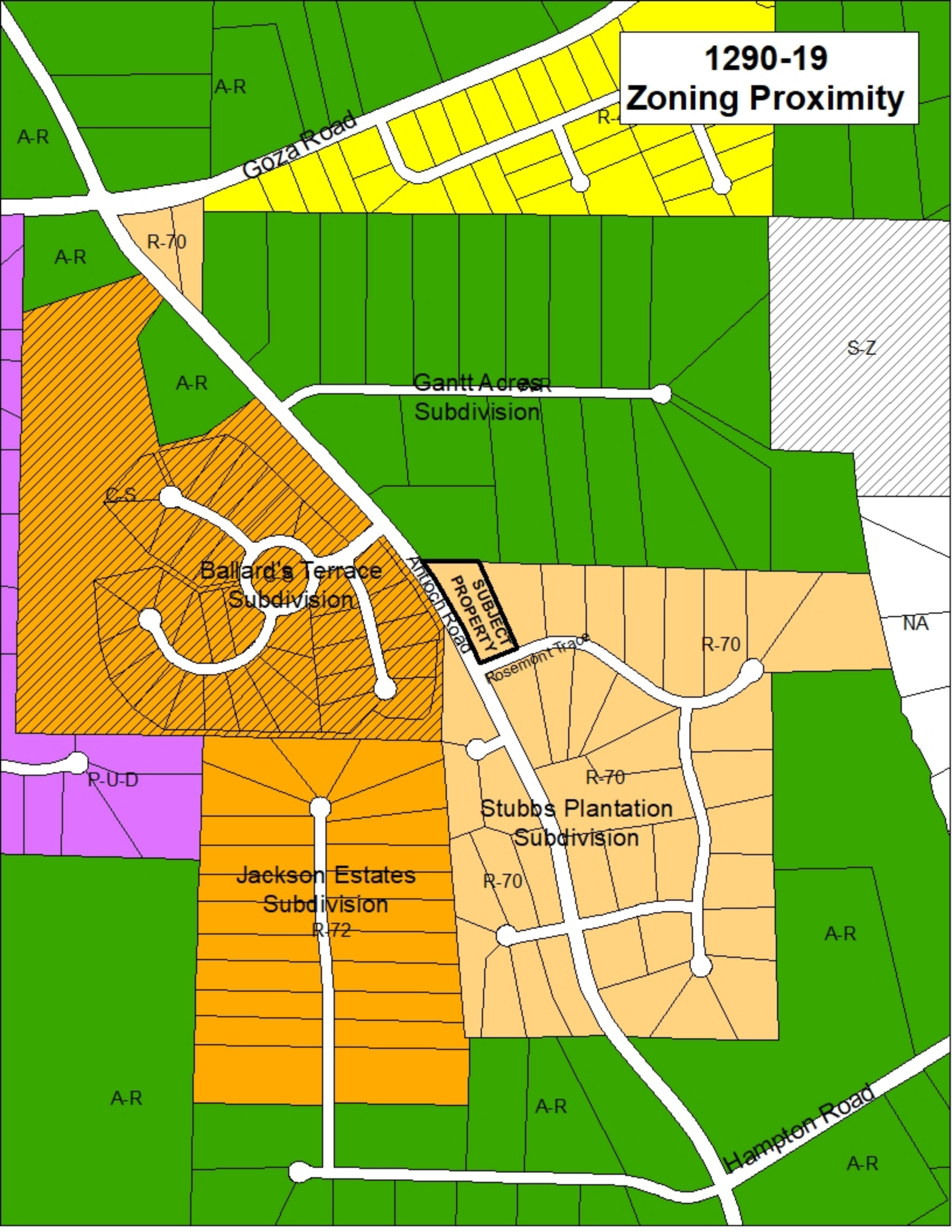
1290-19
Land Use Plan



**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

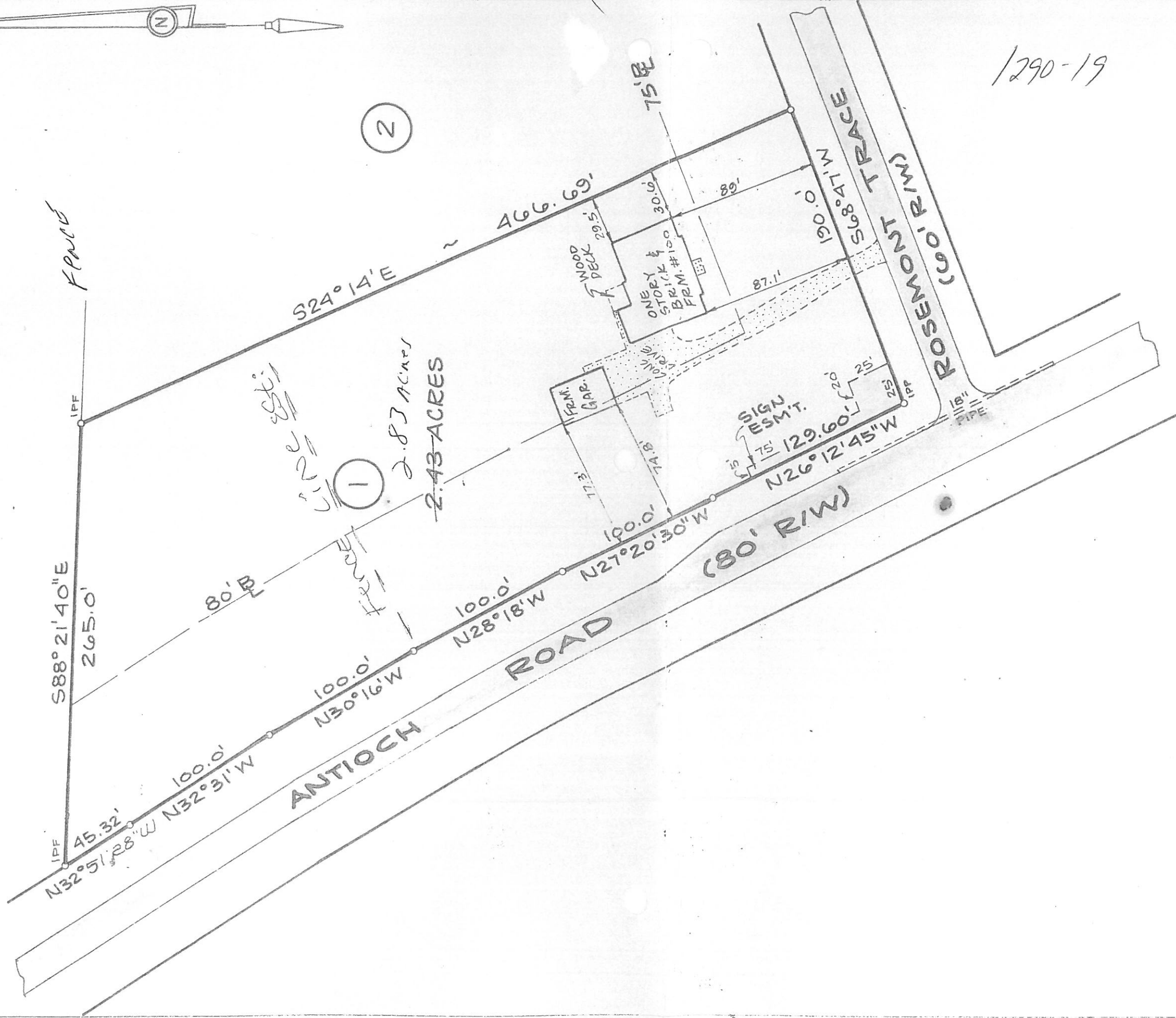
ATTEST:

Margaret Malone
MARGARET MALONE, CLERK

Dennis Berkelbaugh
DENNIS BERKELBAUGH, CHAIRMAN

DO NOT TAKE

THIS PROPERTY IS NOT LOCATED INSIDE
AN IDENTIFIED FLOOD HAZARD AREA.



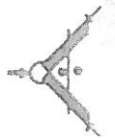
SURVEY FOR B. L. HARBISON

LAND LOT 216 DISTRICT 4TH. COUNTY FAYETTE
SUBDIVISION STUBBS PLANTATION PHASE _____
LOT 1 BLOCK _____ UNIT _____ SECTION _____

DATE 12-29-89 SCALE 1" = 60'

IN MY OPINION, THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED AND
HAS BEEN PREPARED IN CONFORMITY WITH
THE MINIMUM STANDARDS AND REQUIREMENTS
OF THE LAW

ROBERT M. KIRKLEY
LAND SURVEYORS
STOCKBRIDGE, GA. 474-1062



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.



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 or 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;

RP-074-19
Zoning

Stable Creek Road

R-72

**SUBJECT
PROPERTY**

A-R

R-72

R-85

RP-074-19
Land Use Plan

Stable Creek Road

AGRICULTURAL
RESIDENTIAL

**SUBJECT
PROPERTY**

RP-074-19
Aerials

Stable Creek Road

**SUBJECT
PROPERTY**



RP-074-19

Zoning Proximity

R-40

R-40

R-20

R-20

R-20

**Broom Hall
Subdivision**

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;

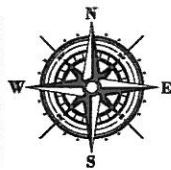
14. by virtue of the close proximity of family, chances for building stronger ties and increased family memories would be substantially enhanced.

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

NOTHING REPRESENTED HEREIN IS TO BE CONSIDERED A SURVEY REFERENCE



- CHISELED POINT OF MONUMENTATION
- IRON PIPES SET 1/2" AREA
- IRON PIPES FOUND & DISCARDED
- CONCRETE MONUMENT FOUND & DISCARDED
- APPROX. ADJACENT PROPERTY LINE
- LP LUMBER POLE
- PP POWER POLE
- OW OIL WELL
- FW FIRE WELL

LEGEND

- 1.) Quitclaim Deed between "Richard E. Carne" and "John H. Carne" dated July 26, 2008. Recorded in Fayette County Records Book 3148, Page 256.
- 2.) Plat titled "Final Plat of RAYCHAPELL PATRIM PHASE ONE" dated August 1, 1949 and prepared by Benjamin R. Rudolph and Corporation & Walter V. Fawcett, On Behalf of Surveyors PL 177. Recorded in Fayette County Records Book 45, Page 145, and later in Plat Book 43, Page 48.

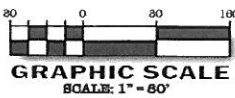
REFERENCES

- Survey done without benefit of a current Title Search or Commitment. As such, Land Use Restrictions, Easements, Zoning, Easements and other Title Facts may exist that are not shown.
- Utilities such as Electric Lines, Water Lines, Gas Lines, Sewer Lines, and other may or may not exist on site and may or may not be shown herein.
- Special Flood Hazard Map 16100C1003, Effective Date September 26, 2008.

SURVEY NOTES

- The field data upon which this plat is based has a closure precision of one part in 40,000 feet and an angular error of 7.5 seconds per angle point and was not adjusted. The lowest computer accuracy is 0.015.
- This plat has been calculated for closure and found to be accurate within one foot in 100,000 feet.
- This survey was made using a LEICA TRITIP Remote Total Station, which reads distances to 0.0005 feet and with direct reading 2 second angular measurement.

CLOSURE STATEMENT



SURVEYOR: Robert S. Lewis
Georgia R.L.S. No. 2769



This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia and set forth in chapter 180-7 of 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. 18-6-67, Authority O.C.G.A. Sections 18-6-67, 48-18-4, 48-18-6, 48-18-10, 48-18-22. That all monuments shown herein actually exist or are marked as "Future", and their location, class, type, and materials are correctly shown.

By _____ G.S. R.L.S. No. 2769
Date _____

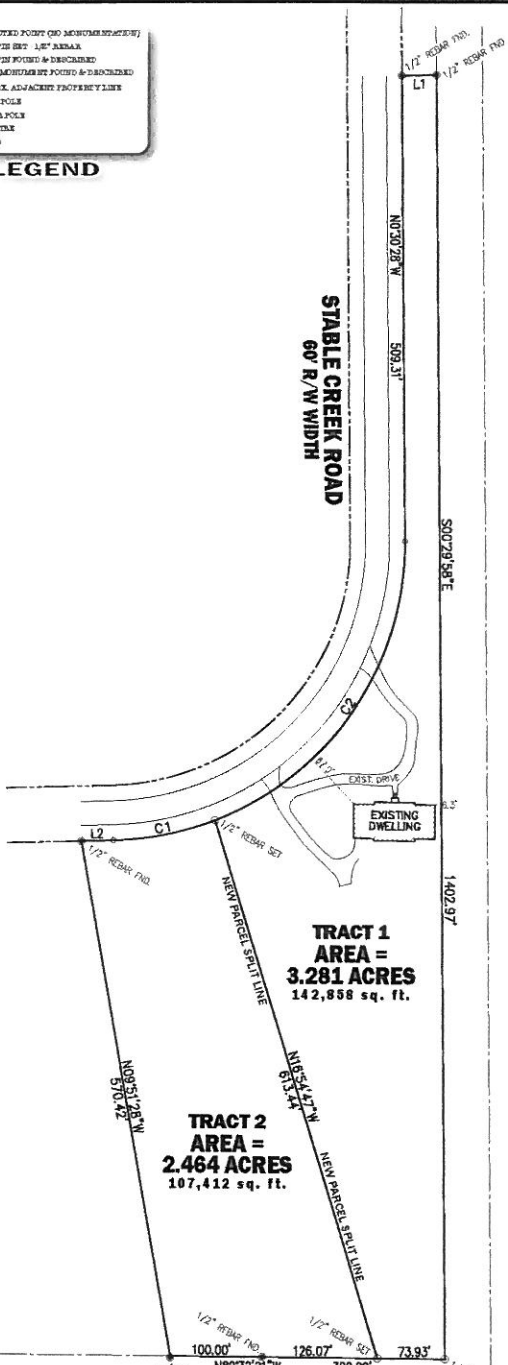
SURVEYOR'S CERTIFICATION

TOTAL AREA = 5.745 ACRES
250.2 sq. ft.

TRACT 1
AREA =
3.281 ACRES
142,858 sq. ft.

TRACT 2
AREA =
2.464 ACRES
107,412 sq. ft.

STABLE CREEK ROAD
60' R/W WIDTH



NUM	ARC	RADIUS	BEARING	DISTANCE
C1	113.16'	325.00'	N78°36'47"E	112.59'
C2	392.22'	325.00'	N34°03'54"E	368.85'

NUM	BEARING	DISTANCE
L1	N89°07'32"E	38.08'
L2	N88°35'16"E	34.89'

- PER PLAT BOOK 20, PAGE 145 AND PLAT BOOK 43, PAGE 48, A 100' WATER GLED PROTECTION ZONE IS SHOWN ON BOTH SIDES OF STABLE CREEK ROAD THAT RUNS THROUGH TRACT 1. ALSO, A 50' BUILDING SETBACK LINE IS ADDED TO THE 100' WATER GLED PROTECTION AREA ON THE EAST SIDE.
- THE ORIGINAL EAST BOUNDARY LINE WAS REJECTED AND SHOWN IN PLAT BOOK 20, PAGE 48. THE ORIGINAL LOT LINE IS NOT SHOWN HEREIN.

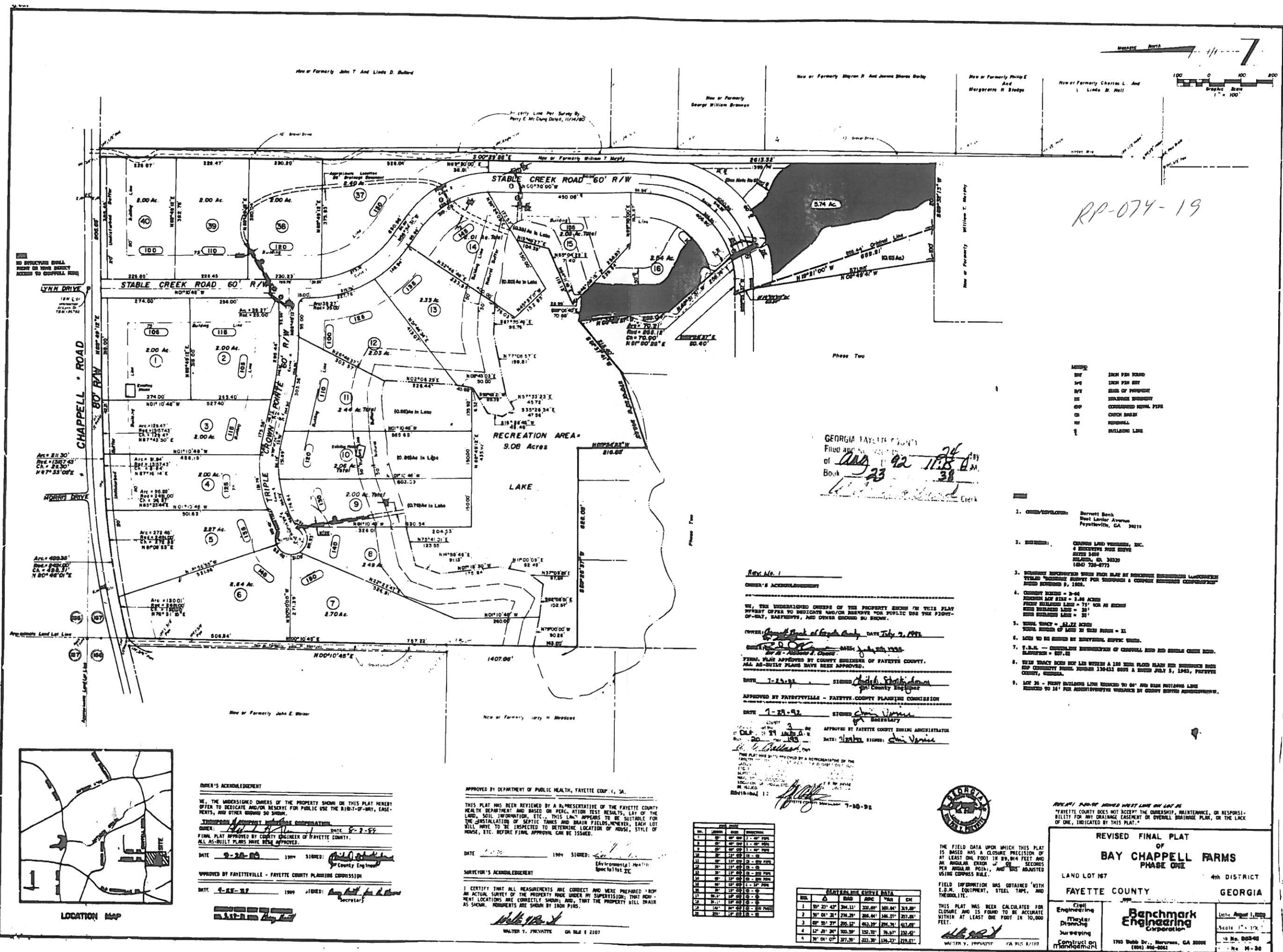
LOT 36 NOTES

SURVEY FOR:
Richard E Carne
LOCATED IN LAND LOT 167 - 4th DISTRICT
FAYETTE COUNTY - GEORGIA
ORIGINAL DATE OF SURVEY: JUNE 16, 2015

Field: L.G., T.S.
Drawn: R.S. Lewis
R.L.S.: R.S. Lewis

Revisions
1
4

Merritt Paul Land Surveying, LLC
265 Tom Reave Drive, Carrollton, GA 30117
Phone: 770-650-5755 merrittpaul.com



- (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.

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.

Rising Star Road

A-R

RP-075-19
Zoning

Proposed New Lot
17 Acres

Property to be added
to Subject Property

A-R

**SUBJECT
PROPERTY**

Property to be added
to Subject Property

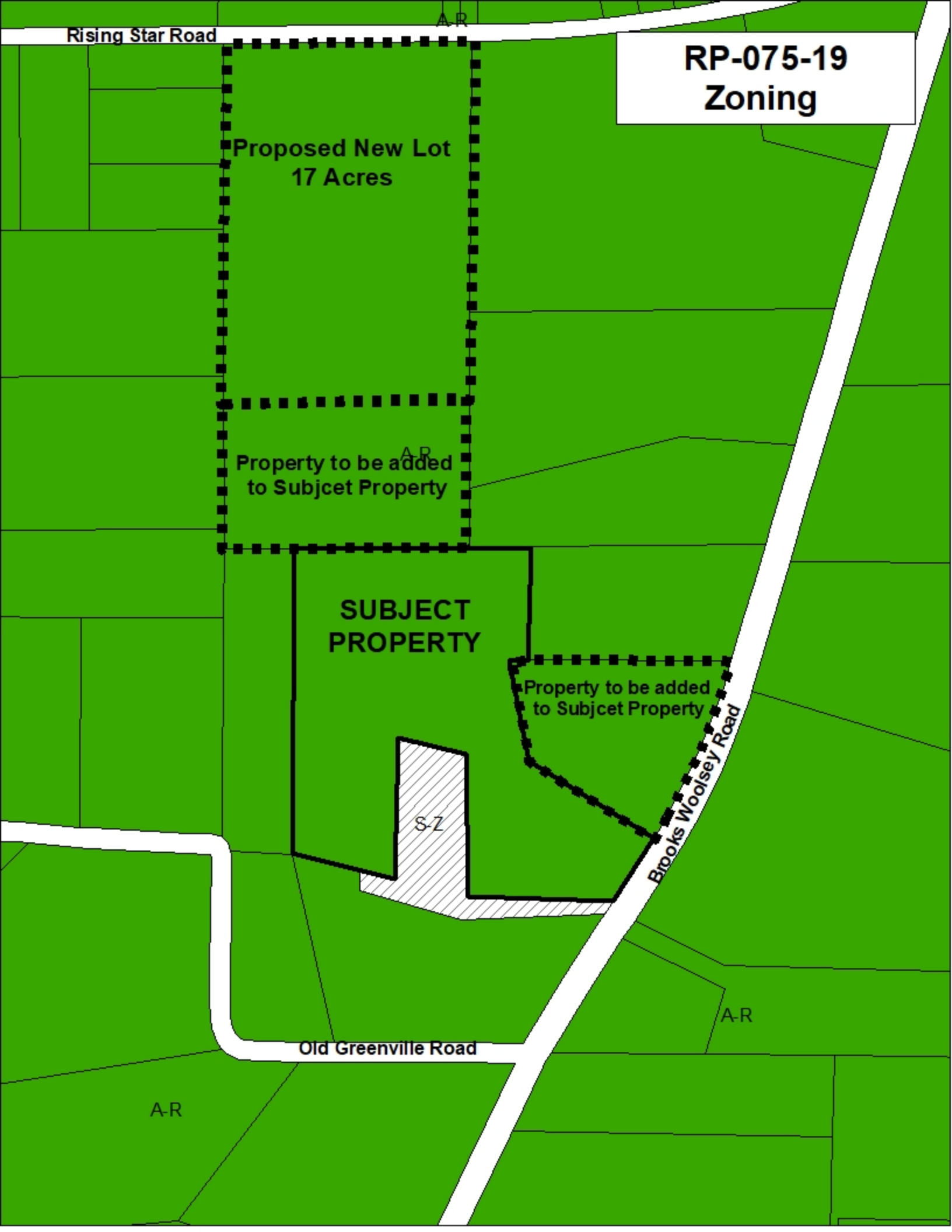
S-L

Brooks Woolsey Road

A-R

Old Greenville Road

A-R



Rising Star Road

RP-075-19
Land Use Plan

Proposed New Lot
17 Acres

Agricultural-Residential
(1 Unit/5 Acres)

Property to be added
to Subject Property

**SUBJECT
PROPERTY**

Property to be added
to Subject Property

Brooks Woolsey Road

Old Greenville Road

Rising Star Road

**RP-075-19
Aerials**

Proposed New Lot
17 Acres

Property to be added
to Subjct Property

**SUBJECT
PROPERTY**

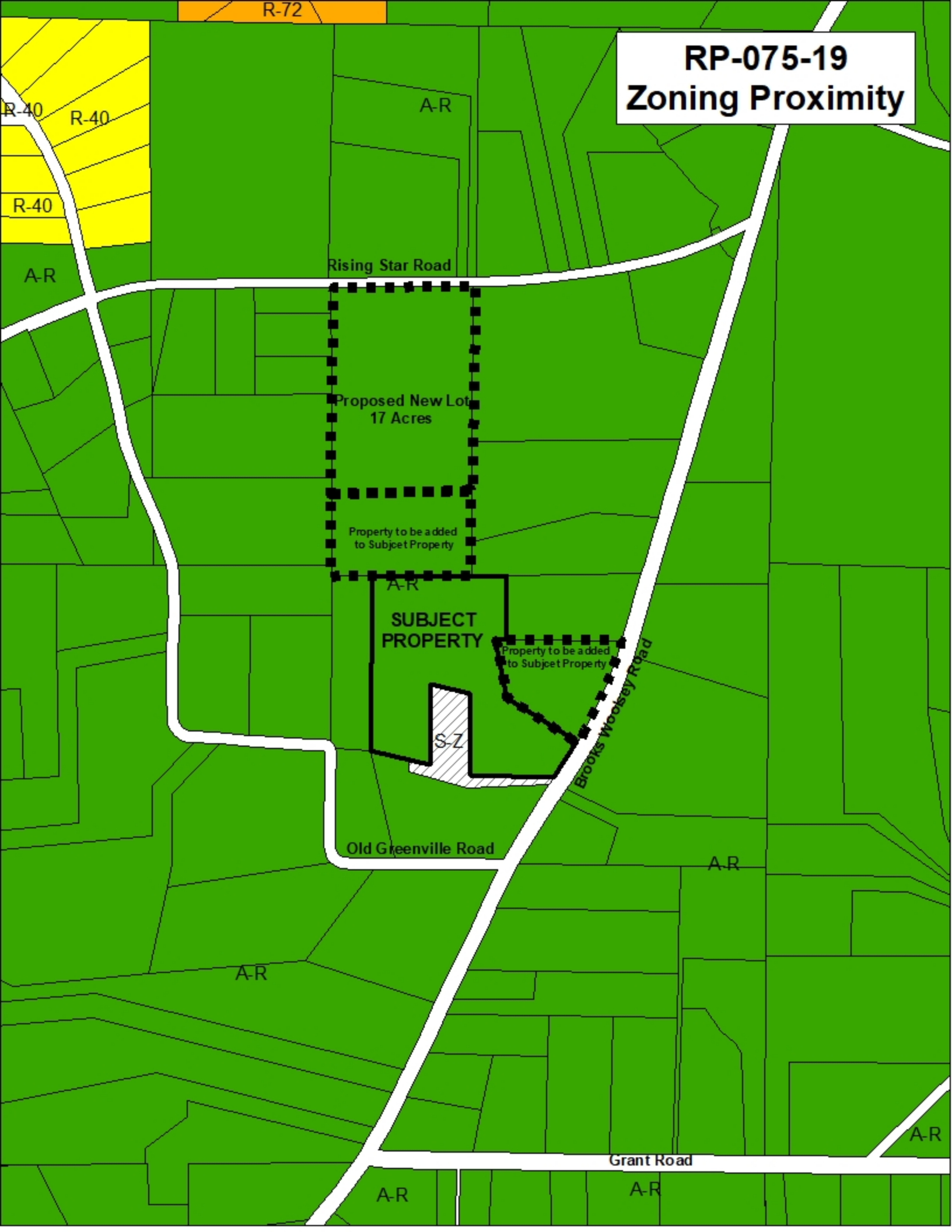
Property to be added
to Subjct Property

Brooks Woolsey Road

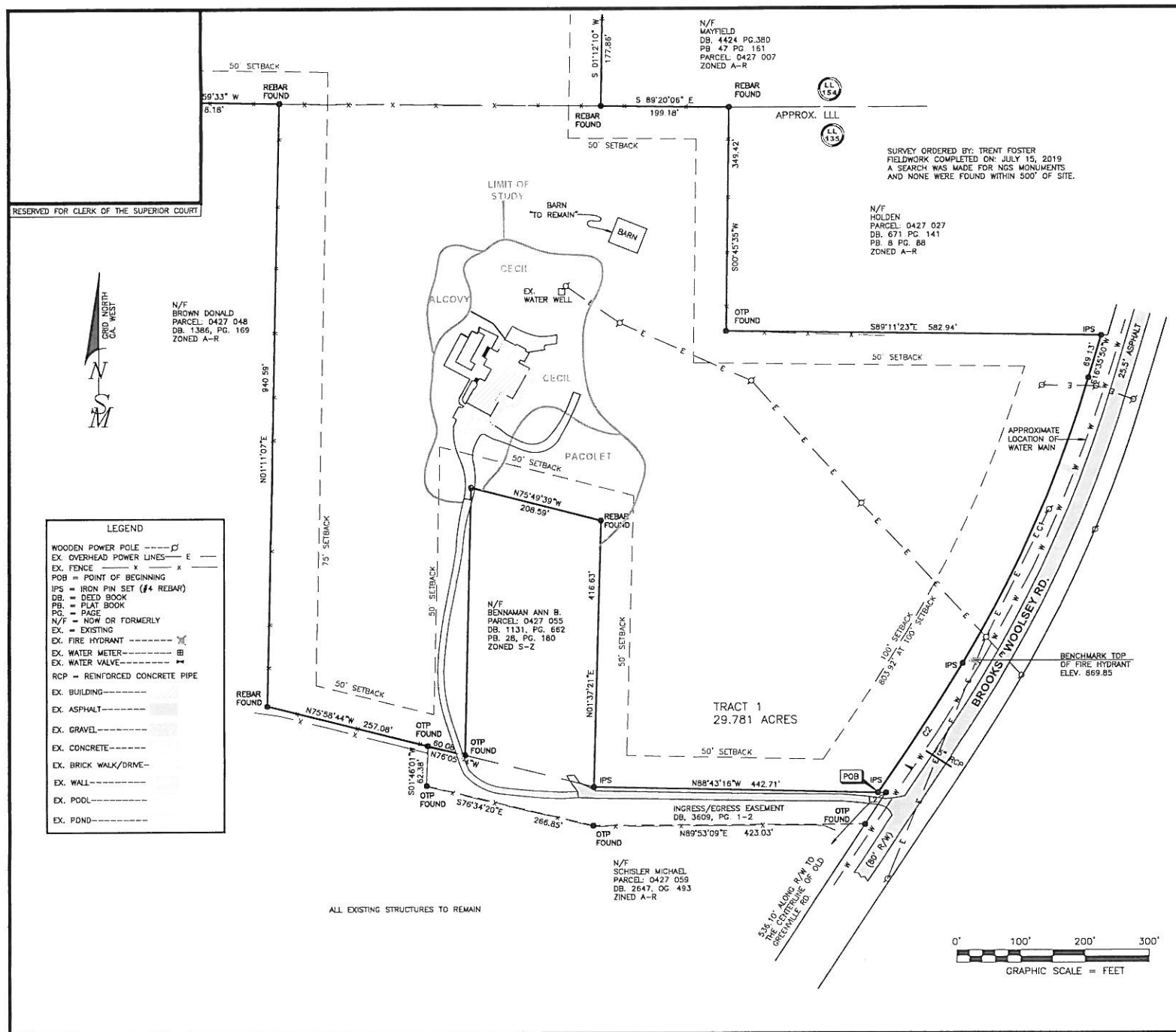
Old Greenville Road



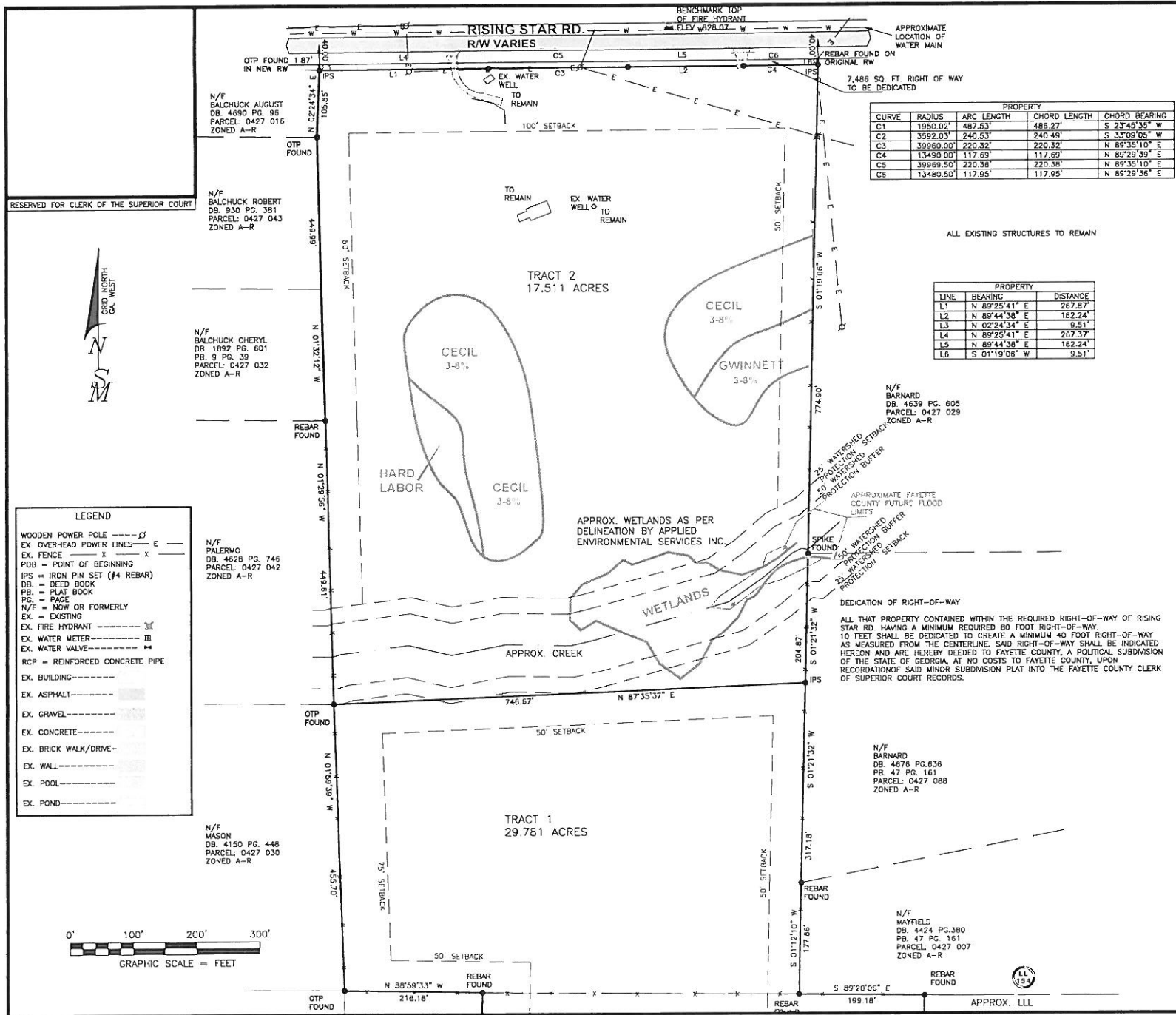
RP-075-19
Zoning Proximity



RP 075-19 Concept Plan



KP 075-19 Concept Plan



SIBLEY-MILLER
SURVEYING & PLANNING INC.
 2062 HWY. 42 NORTH
 MCDONOUGH, GA. 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleysurveying.com

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

REGISTERED
 PROFESSIONAL
 NO. 3150
 7-19
 T.M. L. MILLER

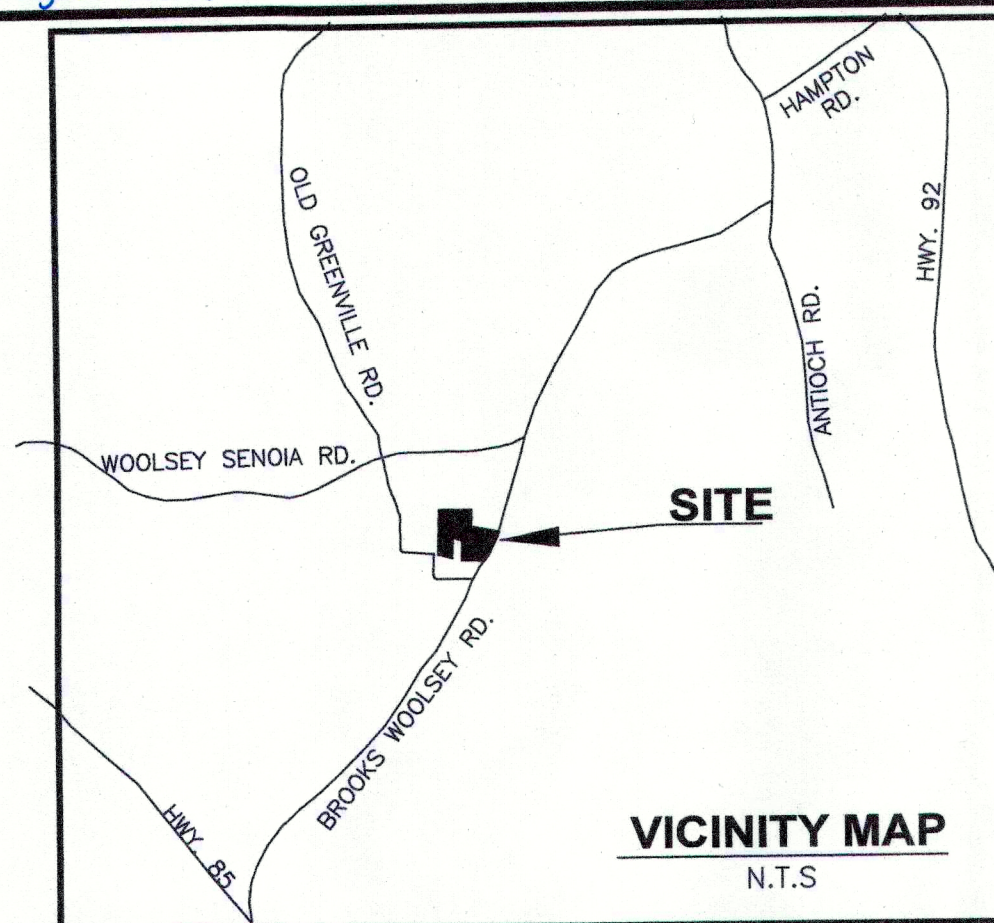
PROJECT NO.: B17012
 BROOKS-WOOLSEY
 RISING STAR MSD PLAT
 DRAWN BY: TLM
 DATE: 8-7-2019
 SHEET 2 OF 3

Environmental management

Doc ID: 010286480002 Type: PLAT
Recorded: 12/27/2017 at 04:10:00 PM
Fee Amt: \$16.00 Page 1 of 2
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 50 PG 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 as evidenced by approval certificates, signatures, stamps, or statements
hereon. Such approvals or affirmations should be confirmed with the appropriate
governmental bodies by any purchaser or user of this plat as to intended use of any
parcel. Furthermore, the undersigned land surveyor certifies that this plat complies
with the minimum technical standards for property surveys in Georgia as set forth in
the rules and regulations of the Georgia Board of Registration for Professional
Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



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 ABS, 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 [Signature]

COMPANY ADDRESS & TELEPHONE NEWNAN, GA 30245 678-262-4420

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

REGISTRATION NUMBERS/LICENSE NUMBERS #224

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 [Signature]

DATE 12-27-2017

OWNER [Signature]

DATE 12-27-2017

APPROVALS:

APPROVED BY THE FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT For Recording
DATE 12/18/17 SIGNED [Signature]
ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY THE FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT
DATE 12/15/17 SIGNED [Signature]
ENVIRONMENTAL MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER
DATE 12/18/17 SIGNED [Signature]
COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION ON: 12/21/2017
DATE 12/24/2017 SIGNED [Signature]
SECRETARY

APPROVED BY THE FAYETTE COUNTY ZONING ADMINISTRATOR
DATE 12/14/2017 SIGNED [Signature]
ZONING ADMINISTRATOR

APPROVED BY FAYETTE COUNTY FIRE MARSHAL. ALL FIRE HYDRANT(S) LOCATED AS SHOWN.
DATE 12/15/17 SIGNED [Signature]
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) 320-7555
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
(NOT TO SCALE)

DATE: 11-29-2017
SHEET 1 OF 2

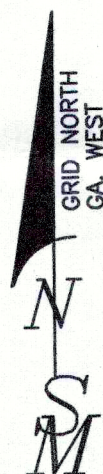
Doc ID: 010286480002 Type: PLAT
Recorded: 12/27/2017 at 04:10:00 PM
Fee Amt: \$16.00 Page 1 of 2
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

BK 50 PG 110-111

COPY

RESERVED FOR CLERK OF THE SUPERIOR COURT

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



N/F
SANDERS EMMETT JR.
PARCEL: 0427 006
(NO DEED FOUND)
ZONED A-R

N/F
CASTILLA MARK & PATRICIA
PARCEL: 0427 007
(NO DEED FOUND)
ZONED A-R

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 FORTHIN THE
GEORGIA PLAT ACT O.C.G.A. 16-6-67, 43-15-4, 43-15-6,
43-15-19, 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.

SIBLEY-MILLER

SURVEYING & PLANNING INC.

*TOPOGRAPHICAL SURVEYS
*LAND SURVEYING
*LAND PLANNING
*CONSTRUCTION LAYOUT
*LAND DEVELOPMENT DESIGN
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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

- LEGEND
- WOODEN POWER POLE ---○---
 - EX. OVERHEAD POWER LINES ---E---
 - EX. FENCE ---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 ---H---
 - EX. WATER METER ---M---
 - EX. WATER VALVE ---V---
 - RCP = REINFORCED CONCRETE PIPE
 - EX. BUILDING ---[Hatched Box]---
 - EX. ASPHALT ---[Dark Grey Box]---
 - EX. GRAVEL ---[Light Grey Box]---

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 RECORDATION
OF SAID MINOR SUBDIVISION PLAT INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS.

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

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

N/F
BRAZALE
PARCEL: 0427 004
DB. 3609, PG. 1
PB. 46, PG. 183
ZONED A-R

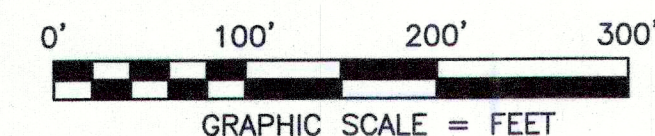
N/F
BENNAMAN ANN B.
PARCEL: 0427 055
DB. 1131, PG. 662
PB. 28, PG. 180
ZONED R-40, & A-R

LINE CALL CHART

LINE	BEARING	DISTANCE
L1	N76°05'24"W	60.08'
L2	S01°46'01"W	62.38'
L3	N33°28'26"E	58.74'
L4	S58°33'45"E	10.00'
L5	N88°43'16"W	12.03'

CURVE DATA CHART

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	3602.03'	234.48'	234.44'	S33°05'54"W
C2	3592.03'	240.53'	240.49'	S33°09'05"W



Sec. 110-106. Mail Cluster Box Units (CBUs)

CBUs and associated shelter structures shall be prohibited within the public right-of-way and shall not be placed on private property within a subdivision. CBUs shall be placed on a lot (see Sec. 110-170., (c)) under the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision. Any shelter structure shall fit within the aforementioned lot. Mail CBUs do not have to meet setbacks.

Sec. 110-170. - Nonconformances.

- (c) *Creation of a legal nonconforming lot for enhancements to a development.* Said lot shall not be utilized for the permitted or conditional uses of the zoning district in which the lot is located and the lot is not required to meet the applicable minimum lot size, lot width, or road frontage requirements. Said enhancements shall include stormwater facilities, ~~tot lots~~, **pocket parks**, decorative features (such as landscaping, arbors, fences/walls, fountains, sculptures, benches, arches, etc.), signs, **mail Cluster Box Units (CBUs)** and the preservation of historic and agricultural structures for ornamentation (see nonconforming structures). A ~~tot lot~~ **pocket park** shall ~~not exceed 10,890 square feet (1/4 acre) in size and shall only be equipped with~~ **may contain** playground equipment (swing set, slide, teeter totter, monkey bars, sandbox, etc.) intended for small children, ~~benches and picnic facilities including one (1) covered picnic pavilion not to exceed 400 square feet.~~ A minimum 15-foot setback shall be maintained ~~for any playground equipment within a pocket park or for~~ any historic or agricultural structures utilized for ornamentation. The lot must be labeled "Not a Building Lot" on the preliminary plat and/or the final plat or minor subdivision plat, as applicable. The lot shall be under the ownership of the homeowners' association, property owners' association, or developer/property management entity, as applicable.

t. *Developed residential recreational/amenity areas, including, but not limited to: club house, pool, tennis/sports courts, sports fields, playground, mail CBUs and picnic area.* Allowed in subdivisions in the A-R, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20. DR-15, and C-S zoning districts, with final plat or minor subdivision plat approval.

1. Lot area: Per zoning district.
2. Said area shall be shown on the preliminary plat and final plat or minor subdivision plat and labeled as follows: "Not a residential building lot, for recreational purposes only."
3. Landscape areas shall be required and planted in accordance with chapter 104.
4. In addition to the required landscape areas, a six-foot landscape area shall be required along the rear property line where adjacent to an A-R or residential zoning district and planted in accordance with side yard requirements in chapter 104.
5. Paved parking area is required per chapter 104.
6. ~~No activity and lighting permitted after 10:00 p.m.~~
7. The construction of one open air pavilion up to 900 square feet utilized for picnics and social gatherings shall be allowed.

rr. *Self-storage facility*. Allowed in M-1 and C-H zoning districts.

1. The maximum size of a storage bay shall be 550 square feet. **The facility may contain one (1) on-site single-family dwelling unit.**
2. All buildings shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, or similar building materials compatible with the area. The transportation corridor overlay zone shall apply when applicable.
3. Aisleways adjacent to storage bays shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aisleways shall be 25 feet as measured from the closest part of the structure including any overhang.
4. Storage of vehicles, boats, and trailers, shall be located in the rear yard only and be screened from view from adjacent residential areas and public roads with any combination of privacy fence and/or berm, and vegetation. Covered vehicle storage up to 850 square feet per parking space, shall be allowed provided it does not exceed 25 percent of the overall gross square footage of all buildings. All covered storage shall have a peaked roof, be closed on any side that is visible from a residential or A-R zoning district or from any street, and shall be built of materials consistent with the main structure. Aisles adjacent to boat and RV parking shall be a minimum of 50 feet wide unless it is angled parking.
5. All outdoor lighting shall be shielded away from adjacent residential uses.
6. No exterior loudspeakers or paging equipment shall be permitted on the site.

(h) State Route 54 West Special Development District

(2) On parcels zoned O-I with a minimum of five (5) acres the following expanded business uses are allowed:

i Internal access self-storage facility

- (i) No direct exterior access to individual storage units shall be allowed, all individual storage unit access shall be internal - the maximum size of an individual storage unit shall be 600 square feet. **The facility may contain one (1) on-site single-family dwelling unit.**
- (ii) Vehicle loading/unloading bays shall only be located on the side or rear, and not facing SR 54. Vehicle loading/unloading bays on the side of the self-storage facility shall require a canopy. Vehicle loading/unloading bays may also be internal to the structure or between two (2) structures

and a shed roof meeting the overlay pitch requirements may also be used in these instances.

- (iii) Office, business and building contractor space with inside storage shall constitute a minimum of 20 percent of the total building footprint area proposed for the site excluding the footprint of a vehicle, boat, and/or trailer storage structure. This building contractor use shall only be allowed in conjunction with an internal access self-storage facility.
- (iv) No outside storage of materials or equipment shall be allowed.
- (v) A vehicle, boat, and/or trailer storage structure shall be fully enclosed. This use shall only be allowed in conjunction with an internal access self-storage facility.

Sec. 110-91. - Recreational vehicles and boats.

Camping trailers, travel trailers, camper pick-up coaches, motorized homes, boat trailers and boats shall not be parked on any residential or A-R lot that has not been improved with a dwelling nor any nonresidential lot that has not been improved with a dwelling nor any nonresidential lot that has not been improved with a principal building except in conjunction with the construction **or major renovation** of a principal building for which a building permit has been issued. Application for a permit for the parking of such recreational vehicles shall be made to the zoning administrator. Such a permit shall be issued for a period not to exceed six months and shall not be renewable when associated with the construction of a dwelling. This provision shall not be interpreted as precluding the parking of such recreational vehicles for a period not to exceed 14 days. One recreational vehicle, when utilized for temporary occupancy, shall be allowed to be parked in any zoning district on a lot which contains a single-family dwelling or in A-R or any residential zoning district. The duration shall not exceed 14 days and said duration shall be allowed two times per year. Recreational vehicles shall include camping trailers and travel trailers in addition to self-propelled vehicles which do not exceed 8½ feet in width, when in travel mode, and 45 feet in length, not including the towing vehicle.