

BOARD MEMBERS

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

STAFF

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

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

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

1. Consideration of the Minutes of the meeting held on October 6, 2022.

NEW BUSINESS

2. Consideration of a Preliminary Plat for Huntcliff Manor.
3. Consideration of a Minor Final Plat for Iris Williams 1019 South Jeff Davis Drive.

PUBLIC HEARING

4. Consideration of Petition No. 1326-22, Amina, Omar, Saed and Hassan Zakaria, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 13.035 acres from O-I to C-H to create Truck Parking Facility. This property is located in Land Lot 233 of the 5th District and fronts on Highway 85 North.
5. Consideration of Petition No. 1327-22, 130 Carnes Drive, LLC, Owner, and David Weinstein, Agent, request to rezone 1 acre from C-H to M-1 to create paint and body work. This property is located in Land Lot 217 of the 5th District and fronts on Carnes Drive and Walter Way.
6. Consideration of Petition No. 1328-22, Golden Development Company, LLC, Owner, and CK SPACEMAX, LLC (c/o Ellen W. Smith) Parker Poe Adams and Bernstein LLP, Agent, request to rezone 9.022 acres from A-R to C-H to create Self-Storage Facility. This property is located in Land Lot 137 of the 5th District and fronts on Highway 54 E.

Meeting Minutes 10/6/22

THE FAYETTE COUNTY PLANNING COMMISSION met on October 6th, 2022 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Arnold Martin, Chairman
Brian Haren, Vice-Chairman
John H. Culbreth
Jim Oliver
Danny England

STAFF PRESENT: Deborah Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Chelsie Boynton, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Consideration of the Minutes of the meeting held on September 1, 2022.

John Culbreth Sr. made a motion to approve the minutes of the meeting held on September 1st, 2022. Danny England seconded the motion. The motion passed 5-0.

2. Consideration of 2023 Planning Commission meeting dates.

Brian Haren made a motion to approve the 2023 Planning Commission meeting dates. John Culbreth Sr. seconded the motion. The motion passed 5-0.

3. Consideration of a Minor Revision to a Major Final Plat of Kenwood Business Park, Phase Five (Lots 114 – 118).

Planning and Zoning Director Deborah Bell stated this was a request to combine lots that were individual lots under the original development plan for the Business Park.

John Culbreth Sr. asked if this was the same plat of land discussed in the last meeting?

Deborah Bell stated the plat is in Kenwood Business Park. She added there was a rezoning that came up that was adjacent to Kenwood Business Park previously, but this is a separate group of parcels.

Jim Oliver made a motion to approve the Minor Revision to a Major Final Plat of Kenwood Business Park, Phase Five (Lots 114-118). Brian Haren seconded the motion. The motion passed 5-0.

4. Consideration of a Minor Final Plat for Williams Farm.

Ms. Bell stated this is a subdivision of approximately 16 acres into three (3) five (5) plus acre lots on Snead Road near the corner of Snead and Old Greenville.

Chairman Martin asked if the petitioner was present?

Deborah Bell stated they requested not to attend because they were an older couple and concerned about being out in public.

Brian Haren made a motion to approve the Minor Final Plat for Williams Farm. Jim Oliver seconded the motion. The motion passed 5-0.

PUBLIC HEARING

- 5. Consideration of Petition No. 1323-22 Johnnie K. Holland, Owner, and Randy M. Boyd, Agent, request to rezone 8.056 acres from A-R to R-45 to create four (4) residential lots. This property is located in Land Lot 254 of the 5th District and fronts on Kenwood Road and South Kite Lake Road.**

Randy Boyd, Agent, stated the property is owned by Johnnie Holland. He added he has performed a boundary survey of the property and has created a lot for Ms. Holland and her guesthouse along with three (3) additional lots. He continued it is currently zoned A-R and are requesting it be rezoned to R-45. Mr. Boyd stated the rezoning request is in compliance with the Comprehensive Land Use Plan. He added he has been in conversation with the Planning and Zoning Department and has addressed the comments on the staff report. He requested an amendment to the condition concerning the guesthouse. He stated the guesthouse has 768 square feet of living area which is a violation of the County ordinance. He continued staff has recommended he applies for a variance with the Zoning Board of Appeals and if the request is denied the guesthouse is removed. Mr. Boyd requested if the variance is denied that he instead be given the opportunity to bring the guesthouse into compliance.

Rosalyn Daniel spoke in opposition to the petition. She asked if a road would be added for the additional lots?

Mr. Boyd stated the lots have road frontage on Kenwood Road.

Chairman Martin stated there will not be a road added because all the parcels will have driveway entrances from Kenwood.

Brian Haren made a motion to recommend approval of Petition No. 1323-22, request to rezone 8.056 acres from A-R to R-45 to create four (4) residential lots with conditions. John Culbreth Sr. seconded the motion. The motion passed 5-0.

- 6. Consideration of Petition No. 1324-22A Tyrone 54, LLC and BBWJ, LLC Owner, and DG Development Partners, LLC, Agent, request to rezone 5.615 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through. This property is located in Land Lot 26 of the 7th District and fronts on S.R. 54 and Tyrone Road.**

Ms. Bell stated items six (6), seven (7), eight (8), and nine (9) are four (4) separate parcels of a related project. She stated the project can be presented as a whole with individual hearings for each parcel. She added the conditions differ slightly because the conditions are parcel specific.

Chairman Martin asked if the petitioner was present?

Rick Lindsey introduced himself and Joey Petras. He stated these are four (4) smaller tracts that will combine to one (1) larger tract and then subdivide. He stated, combined all together the four tracts are just shy of ten (10) acres. Currently the four (4) tracks are vacant, there are two (2) abandoned homes on the site, there is a fairly large area that is on a flood plain on the west side of the property that fronts Highway 54 and that area cannot be developed. He stated across Tyrone Road there is a small gas station and large property that now will become the data center in Fayetteville. He stated his client wants to build a small commercial node there for a convenience store, a quick serve restaurant, a high-end automated car wash, and an interior self-storage facility. He stated under the current zoning, C-C, the convenience store and restaurant can be developed, the requested rezoning to C-H is to allow the self-storage facility and the automated car wash. He added the property lies in the Highway 54 West Overlay district and all the requirements of the overlay will be met. He stated staff has recommended the following conditions for 1324-22A:

1. Tyrone Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Tyrone Road.
2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture.
3. A 100' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the west of the project. No encroachment of stormwater detention or other uses shall be allowed in the buffer.
4. All parcels that are a subject of this rezoning shall be combined by a recorded plat into a single parcel within 30 days of the approval of the rezoning.
5. The required right-of-way donation shall be provided to the County within 30 days of the approval of the rezoning request.

Mr. Lindsey stated his client is willing to dedicate right of way and adhere to the lighting conditions. He asked if the third condition of a 100-foot buffer be amended to 50 feet which is the standard in the County ordinance. He added a 100-foot buffer will push the self-storage facility closer to Tyrone Road. He continued there are no issues with conditions four (4) and five (5) except for the timing. Mr. Lindsey stated his client is under contract and not scheduled to close until January 2023. He added they would not be able to dedicate right of way or combine parcels. He asked that the timing be amended from 30 days to 12 months from the date of rezoning.

Bill Bonner spoke in favor of the petition. He stated he is one of the owners of the property. He stated he's looked at several plans over the years and none of them are really the quality of this one and it's an appropriate use.

Chairman Martin asked if anyone else wishes to speak in favor of the petition? There were none. He asked if there was anyone to speak in opposition, there were none. He brought the discussion back to the Planning Commission.

Jim Oliver asked what is staff's position about the 30 days?

Ms. Bell stated staff concern is trying to wrap up the plat and, not on this parcel but on other parcels, have structures demolished and have the right of way dedication handled before anything else. She added there are road improvements that will be made on Tyrone Road. She continued she understood they needed to close before anything can be done.

Jim Oliver asked Mr. Lindsey if the closing isn't until January?

Richard Lindsey stated yes. He added if the Planning Commission is uncomfortable with the time frame, they can shorten it to 90 days past the issuance of the Land Disturbance Permit (LDP).

Danny England stated the platting would have to be done prior to applying for the Land Disturbance Permit.

Brian Haren asked for the conceptual site plan to be shown on the presentation screen? He asked if there would be two curb cuts on to Tyrone Road? He added there is a lot of traffic at that intersection.

Ms. Bell stated site plans for rezonings are conceptual and they are not approving strictly the site plan. She added when the site plan comes before them in the Land Disturbance package, they will take a much closer look at the curb cuts, sight distances, and the distances from the intersection. She continued that there will also be requirements from Georgia Department of Transportation (GDOT) for the distance of the curb cuts from Highway 54 on Tyrone Road. She added even though Tyrone Road is a County road, GDOT will have some requirements of the distance from the intersection.

John Culbreth Sr. asked if any consideration has been given to traffic impact in that area?

Mr. Lindsey stated the parcels are already zoned C-C so the restaurant and convenience store could be developed today. He added the self-storage and automated car wash wouldn't generate a lot of traffic, but he doesn't have a traffic study.

Chairman Martin asked if the entrance to the carwash will be off Tyrone?

Mr. Lindsey stated that is the plan.

Danny England asked if the 100-foot buffer was above and beyond what would normally be asked for?

Ms. Bell answered it is.

Danny England asked where did the condition come from?

Ms. Bell answered since the applicant was creating a more intense commercial use, they wanted to make sure they provided some additional protection to the residentially zoned property to the west.

Jim Oliver asked if the project would not work with a 100-foot buffer?

Mr. Lindsey stated it will push it closer to Tyrone Road.

Jim Oliver asked if it could work with a 75-foot buffer.

Joey Petras stated it would be squeezing the building on both sides with a 75-foot buffer and a 50 foot dedication of right of way. He added if the buffer is 100 feet, it squeezes it down where the self-storage facility won't fit. He continued 75 feet would serve a problem as well. He stated the site plan doesn't show the 50 feet dedication of right of way. He added with the dedication of right of way, without a variance, they would have to change the configuration. Mr. Petras stated they would be losing 20 to 25 feet which is the variance they'd be requesting. He added it wouldn't work with a 100 foot buffer.

Danny England asked what level of plan and design is Mr. Petras at with the self-storage, car wash, and gas station structures?

Mr. Petras stated they used the footprint from the self-storage facility they did on Highway 74, behind the quick trip for the site plan. He continued they haven't gotten into the details of the architectural standpoint.

Danny England stated it may be possible to modify the footprint of the self-storage and flip the orientation of the car wash to meet the conditions.

Mr. Petras stated the adjacent land is undeveloped and the County ordinance only requires a 50 foot buffer for C-C and C-H.

Jim Oliver made a motion to recommend approval of Petition No. 1324-22A, request to rezone 5.615 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through with amended conditions; 1. Tyrone Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Tyrone Road. 2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. 3. A 75' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the west of the project. No encroachment of stormwater detention or other uses shall be allowed in the buffer. 4. All parcels that are a subject of this rezoning shall be combined by a recorded plat into a single parcel in 365 days or before the LDP, whichever comes first. 5. The required right-of-way donation shall be provided to the County in 365 days of approval of the final plat or before the LDP, whichever come first. John Culbreth Sr. seconded the motion. The motion passed 5-0.

7. **Consideration of Petition No. 1324-22B Tyrone 54, LLC and BBWJ, LLC Owner, and DG Development Partners, LLC, Agent, request to rezone 0.331 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through. This property is located in Land Lot 26 of the 7th District and fronts on Tyrone Road.**

Mr. Lindsey stated they are fine with conditions one (1) and two (2) but asked that conditions three (3), four (4), and five (5) be tied to twelve months or applying for the LDP.

Danny England asked if a building can be demolished prior to an LDP being issued?

Ms. Bell stated that is a separate permit so they can do that in preparation for the Land Disturbance Permit. She added she could see that happening concurrently because the equipment will be on site.

Jim Oliver made a motion to recommend approval of Petition No. 1324-22B, request to rezone 0.331 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through with amended conditions; 1. Tyrone Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Tyrone Road. 2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture.

3. All parcels that are a subject of this rezoning shall be removed within 365 days of the approval of the rezoning or before the LDP, whichever comes first. 4. All existing structures on the parcels that are a subject of this rezoning shall be removed in 365 days of approval of the rezoning or before the LDP, whichever comes first. 5. The required right-of-way donation shall be provided to the County in 365 days of approval of the final plat or before the LDP, whichever comes first. John Culbreth Sr. seconded the motion. The motion passed 5-0.

8. **Consideration of Petition No. 1324-22C Tyrone 54, LLC and BBWJ, LLC Owner, and DG Development Partners, LLC, Agent, request to rezone 1.993 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through. This property is located in Land Lot 25 of the 7th District and fronts on Tyrone Road.**

Mr. Lindsey stated he is fine with the amended conditions.

Mary Kaszonye of Fayette County expressed concerns about the lake near the parcel, the traffic, and changes to the road.

Bill Bonner spoke in support of the project. He stated it would benefit the residents and businesses in the area.

John Culbreth Sr. made a motion to recommend approval of Petition No. 1324-22C, request to rezone 1.993 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through with amended conditions; 1. Tyrone Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Tyrone Road. 2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. 3. All parcels that are a subject of this rezoning shall be combined by a recorded plat into a single parcel within 365 days of the approval of the rezoning or before the LDP, whichever comes first. 4. All existing structures on the parcels that are a subject of this rezoning shall be removed in 365 days of approval of the rezoning or before the LDP, whichever comes first. 5. The required right-of-way donation shall be provided to the County in 365 days of approval of the final plat or before the LDP, whichever comes first. Danny England seconded the motion. The motion passed 5-0.

9. **Consideration of Petition No. 1324-22D Tyrone 54, LLC and BBWJ, LLC Owner, and DG Development Partners, LLC, Agent, request to rezone 1.948 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through. This property is located in Land Lot 25 of the 7th District and fronts on Tyrone Road.**

Mr. Lindsey stated the conditions are fine except for number two (2). They ask for a 50 foot buffer instead of 75.

John Culbreth Sr. made a motion to recommend approval of Petition No. 1324-22D, request to rezone 1.948 acres from C-C to C-H to build a convenience store, car wash, interior access self-storage, quick serve restaurant with drive through with amended conditions; 1. Tyrone Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Tyrone Road. 2. A 75' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the west of the project. No encroachment of stormwater detention or other uses shall be allowed in the buffer. 3. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. 4. All parcels that are a subject of this rezoning shall be combined by a recorded plat into a single parcel in 365 days of the approval of the rezoning or before the LDP, whichever comes first. 5. All existing structures on the parcels that are a subject of this rezoning shall be removed in 365 days of approval of the rezoning or before the LDP, whichever comes first. 6. The required right-of-way donation shall be provided to the County in 365 days of approval of the final plat or before the LDP, whichever comes first. Danny England seconded the motion. The motion passed 5-0.

10. Consideration of Petition No. 1325-22, Eric K. Maxwell, Owner, and Randy M. Boyd, Agent, request to rezone 8.49 acres from A-R to R-75 to create three (3) residential lots. This property is located in Land Lot 2 of the 5th District and fronts on Redwine Road.

Mr. Boyd stated he is representing Mr. Eric Maxwell. He continued Mr. Maxwell purchased the property in September 2002 and it is currently vacant, zoned A-R and he is requesting R-75. He added that the recommended conditions be eliminated. He stated getting the subdivision plat in 30 days would be impossible due to the surveying, soil analysis, sight distances check etc. He stated this is conflict with section 104-595 that gives 90 days.

David Hopkins of Fayetteville asked what will be placed on the lots?

Chairman Martin asked if the expectation was putting homes there?

Mr. Boyd stated R-75 has a minimum of two acres with a minimum house size of 2500 square feet. He added there would not be anything out of compliance.

Jim Oliver asked what was staff's position on the 30 days for the plat.

County Attorney, Allison Cox, stated the idea was to get it out there to be subdivided. She stated she's not sure why a time frame would be problematic, the 30 days may be too abbreviated but possibly six months.

Mr. Boyd stated he's never been given a time frame. He added if it applies, why was it not brought up in his previous case? He continued that he sometimes has clients who will get the property rezoned and won't develop but will sell it. He stated tons of properties were rezoned and then developed much later.

John Culbreth Sr. asked Ms. Bell for clarification on the 30 day staff recommendation?

Ms. Bell stated when something gets rezoned, it's expressed that it's going to be a particular use and that it not sit out there where sales can happen with a further subdivision or different layout.

John Culbreth Sr. asked if this is something that has been changed?

Ms. Bell stated it is not a change in the regulations. She added that it was something they could apply across the board. She continued it did get missed on the first one. Ms. Bell stated it was meant to wrap up the request so that it meets the intent of the request.

Jim Oliver asked if it would present a hardship to Mr. Boyd?

Mr. Boyd stated yes.

Jim Oliver made a motion to recommend approval of Petition No. 1325-22, request to rezone 8.49 acres from A-R to R-75 to create three (3) residential lots without conditions. John Culbreth Sr. seconded the motion. The motion passed 5-0.

- 11. Consideration of Petition No. 1326-22, Amina, Omar, Saed and Hassan Zakaria, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 13.035 acres from O-I to C-H to create Truck Parking Facility. This property is located in Land Lot 233 of the 5th District and fronts on Highway 85 North. (This petition cannot be heard due to issues with the survey and legal description. Rescheduled for November 3, 2022)***

There was no action taken on this item.

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John Culbreth Sr. made a motion to adjourn. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:17pm.


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October 6th, 2022
PC Meeting

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ARNOLD MARTIN, CHAIRMAN

ATTEST:

CHELSIE BOYNTON
PLANNING COMMISSION SECRETARY

To: Fayette County Planning Commission
From: Deborah Bell, Planning and Zoning Director 
Date: October 17, 2022
Subject: Preliminary Plat to be considered on November 3, 2022

PRELIMINARY PLAT

Preliminary Plat for Huntcliff Manor

OWNER/APPLICANT

Fayette Huntcliff Developers, LLC

Recommend **APPROVAL** for the Preliminary Plat.

PRELIMINARY, NOT
FOR CONSTRUCTION

PRELIMINARY, NOT
FOR CONSTRUCTION

[illegible]

THE 24 HOUR LEFT TURN VOLUME AT THE ACCESS TO EBENEZER CHURCH ROAD IS PROJECTED AS 154 LTV PER DAY, BASED ON THE CURRENT DRIVEWAY MANUAL FOR TWO LANE ROADS WITH SPEED LIMITS BETWEEN 40 AND 50 MPH AND A DAILY VOLUME LESS THAN 6,000 VEHICLES PER DAY, THE THRESHOLD AT WHICH A LEFT TURN LANE WOULD BE REQUIRED IS 250 LEFT TURN VEHICLES PER DAY.

PROPOSED 24 HOUR LEFT TURN VOLUME = 1541/UT PER DAY
THE THRESHOLD AT WHICH A LEFT TURN LANE WOULD BE REQUIRED AT THIS ACCESS IS 250 LEFT
TURN VEHICLES PER DAY.
PROPOSED VOLUME < THRESHOLD
THEREFORE, LEFT TURN LANE IS NOT REQUIRED

PLEASE REFER TO THE TRAFFIC STUDY PERFORMED BY MARC R. CAMPOREALE, P.E., LLC TRAFFIC
ENGINEERING DATED MAY 10, 2016.

FAYETTE HUNTCLIFF DEVELOPERS, LLC
270 N. JEFF DAVIS ROAD
FAYETTEVILLE, GA 30214
PHONE: (770) 461-0478

SEAN D. SHANKS P.E.
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PHONE: (770) 914-9394

ROB DEBIEN, R.L.S.
DRE BASS CONSULTING, INC.
1350 KEYS FERRY COURT
MCDONOUGH, GA 30253
E-MAIL: rdebien@moorebass.com
PHONE: (770) 914-9394

ERIC HAMILL
OF APPLIED ENVIRONMENTAL SCIENCES INC. DO HEREBY CERTIFY THAT I HAVE

FIELD INSPECTED THE PROPERTY KNOWN AS BRENEVEYER CHURCH ON _____ AND DETERMINED THAT _____

THE PROPERTY CONTAINS JURISDICTIONAL WETLANDS AS DEFINED BY THE U.S. ARMY

AF
CORP OF ENGINEERS.

Chris Frank

73 ELLINGTON CT BEACHIDE CITY CA 90650 (078 000 4000

COMPANY ADDRESS & TELEPHONE

COVER SHEET	1.0
EXISTING CONDITIONS MAP	2.1
OVERALL LAYOUT SHEET	2.2
PRELIMINARY PLAT SHEETS	3.1+3.3
TREE PROTECTION / IMPACT PLAN	4.0
WATER SERVICE AND STRIPING PLANS	5.1+5.3
CONCEPTUAL STORMWATER PLAN	6.0
LEVEL III SOILS OVERLAY MAP SHEETS	7.1+7.3

ERIC HAMILL TON DO HEREBY CERTIFY THAT THE DATA III SOIL SURVEY INFORMATION PROVIDED

ON THIS PLAT WAS PERFORMED BY ERIC HAMILTON IN APPLIED ENVIRONMENTAL SCIENCES, INC.

472#

SIGNATURE OF SOL CLASSIFIER

173 ELLIOTTON CT DECATUR GA 30030 1278 300 4000

COMPANY ADDRESS & TELEPHONE

AS SHOWN ON FLOOD INSURANCE RATE MAPS OF FAYETTE COUNTY, GEORGIA COMMUNITY

NOTES

1. SOIL BOUNDARIES AND STATE WATER LOCATIONS PROVIDED BY APPLIED ENVIRONMENTAL SCIENCES
2. WELL LOCATIONS AND STATE WATER LOCATIONS PROVIDED BY APPLIED ENVIRONMENTAL SCIENCES
3. ALL STRUCTURES ON THE SUBJECT PROPERTY ARE TO BE REMOVED.
4. THERE ARE NO KNOWN EASEMENTS ASSOCIATED WITH THIS PROPERTY
5. WATER TO BE PROMCED BY FAYETTE COUNTY WATER DEPT.
6. PER FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT, THERE ARE NO GROUNDWATER RECHARGE AREAS ON THIS SITE.
7. NO CEMENTERES WERE FOUND ON THE PROPERTY.

PETITION NO. 1257-16 APPROVED 8/8/19 CONDITION: THE OWNER/DEVELOPER SHALL PROVIDE, AT NO COST TO EAVETTE COUNTY, A CUT-CUT-CLIMB DECK FOR 40 FEET OF RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE OF

PRELIMINARY PLAT AND FINAL PLAT.

THIS PRELIMINARY PI AT HAS BEEN REVIEWED AND APPROVED BY THE DINING COMMISSION ON:

APPROVAL OF THIS PRELIMINARY PLAT SHALL EXPIRE 24 MONTHS FROM THE DATE OF APPROVAL BY THE PLANNING COMMISSION UNLESS A FINAL PLAT FOR AT LEAST ONE (1) PHASE HAS BEEN APPROVED. OR STREET BASE CONSTRUCTION FOR AT LEAST 50 PERCENT OF THE TOTAL LINEAR FOOTAGE OF ALL STREET(S) APPROVED ON THE PRELIMINARY PLAT

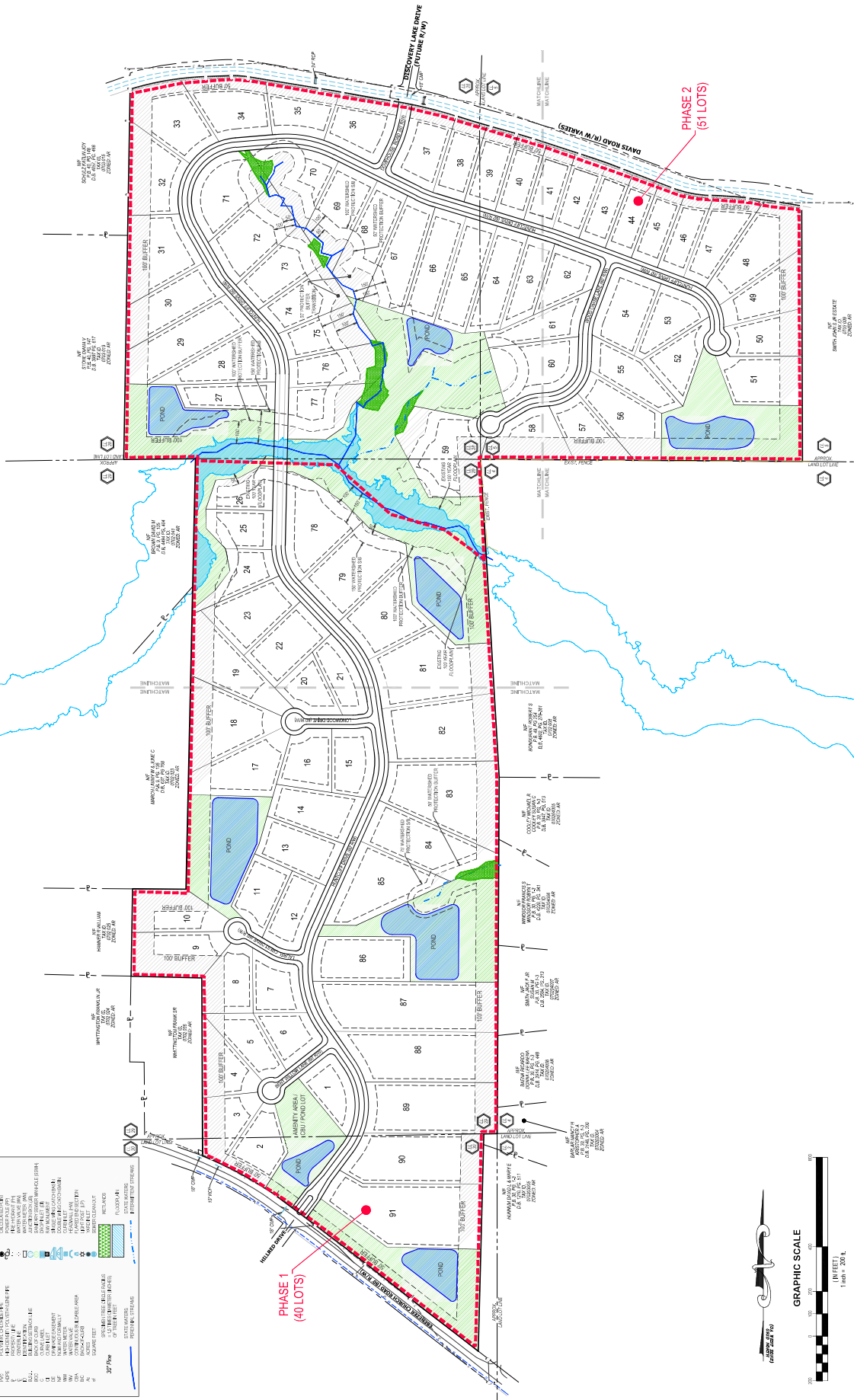
EACH RESIDENTIAL BUILDING LOT HAS A MINIMUM CONTIGUOUS AREA THAT IS FREE AND CLEAR OF ZONING SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

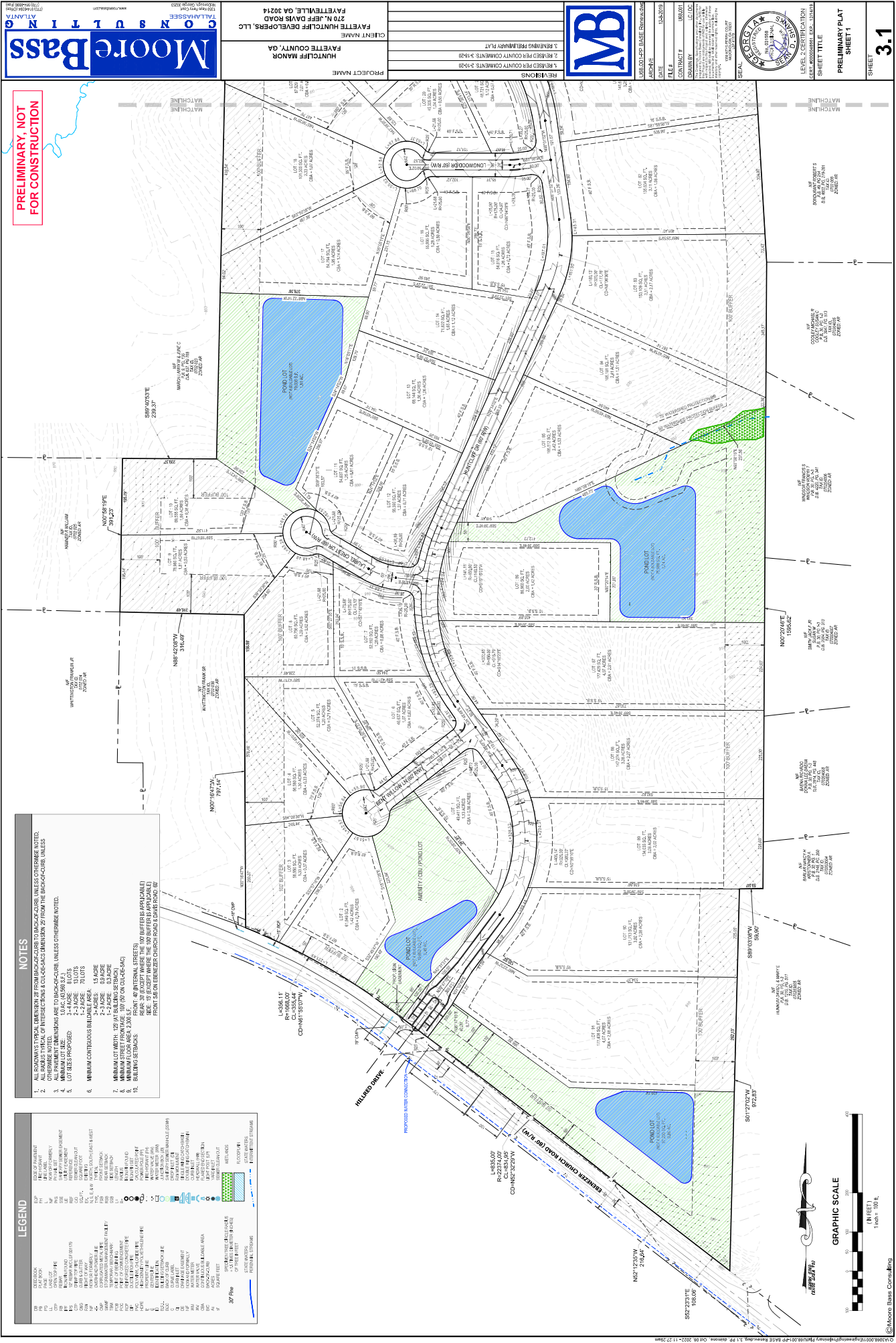


LEGEND

Symbol	Description
1/4" = 1' Scale	1/4" = 1' Scale
2" = 1' Scale	2" = 1' Scale
4" = 1' Scale	4" = 1' Scale
8" = 1' Scale	8" = 1' Scale
16" = 1' Scale	16" = 1' Scale
32" = 1' Scale	32" = 1' Scale
64" = 1' Scale	64" = 1' Scale
128" = 1' Scale	128" = 1' Scale
256" = 1' Scale	256" = 1' Scale
512" = 1' Scale	512" = 1' Scale
1024" = 1' Scale	1024" = 1' Scale
2048" = 1' Scale	2048" = 1' Scale
4096" = 1' Scale	4096" = 1' Scale
8192" = 1' Scale	8192" = 1' Scale
16384" = 1' Scale	16384" = 1' Scale
32768" = 1' Scale	32768" = 1' Scale
65536" = 1' Scale	65536" = 1' Scale
131072" = 1' Scale	131072" = 1' Scale
262144" = 1' Scale	262144" = 1' Scale
524288" = 1' Scale	524288" = 1' Scale
1048576" = 1' Scale	1048576" = 1' Scale
2097152" = 1' Scale	2097152" = 1' Scale
4194304" = 1' Scale	4194304" = 1' Scale
8388608" = 1' Scale	8388608" = 1' Scale
16777216" = 1' Scale	16777216" = 1' Scale
33554432" = 1' Scale	33554432" = 1' Scale
67108864" = 1' Scale	67108864" = 1' Scale
134217728" = 1' Scale	134217728" = 1' Scale
268435456" = 1' Scale	268435456" = 1' Scale
536870912" = 1' Scale	536870912" = 1' Scale
1073741824" = 1' Scale	1073741824" = 1' Scale
2147483648" = 1' Scale	2147483648" = 1' Scale
4294967296" = 1' Scale	4294967296" = 1' Scale
8589934592" = 1' Scale	8589934592" = 1' Scale
17179869184" = 1' Scale	17179869184" = 1' Scale
34359738368" = 1' Scale	34359738368" = 1' Scale
68719476736" = 1' Scale	68719476736" = 1' Scale
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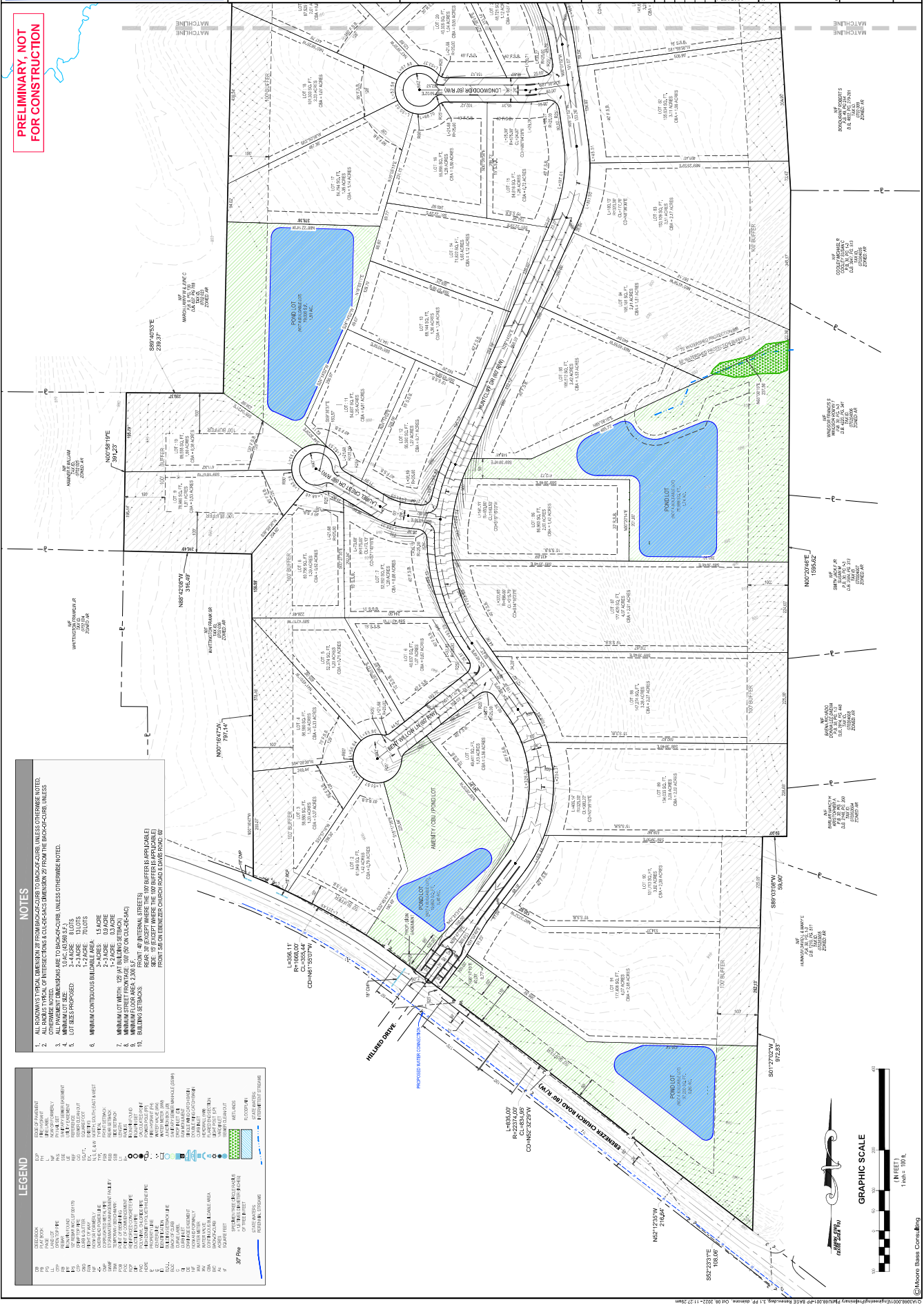
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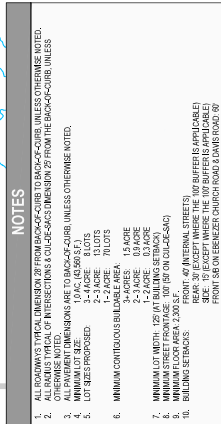
CLIENT NAME
FAVETTE HUNTLOFF DEVELOPERS, LLC
PROJECT NAME
HUNTLOFF MANOR
270 N. JEFF DAVIS ROAD
FAVETTE COUNTY, GA 30214

REVISIONS
1. REVISED PER COUNTY COMMENTS, 3/14/20
2. REVISED PER COUNTY COMMENTS, 3/14/20
3. REVISED PER COUNTY COMMENTS, 3/14/20

DATE
1/24/2020
DRAWN BY
IMMUT
CHECKED BY
1/24/2020

SEAL
REGISTERED PROFESSIONAL ENGINEER
STATE OF GEORGIA
NO. 12345
EXPIRATION DATE
12/31/2025










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TREE LEGEND

	SPECIMEN TREE CIRCLE RADIUS = 1.5 TIMES DIAMETER (INCHES) OF TREE IN FEET
	TREE PROTECTION FENCING
	SPECIMEN TREE TO BE REMOVED

[illegible]

LEGEND

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	
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PROJECT NAME	FAVETTE HUNTOUFF MANOR
CLIENT NAME	FAVETTE HUNTOUFF DEVELOPERS, LLC
LOCATION	FAVETTE COUNTY, GA 30214

REVISIONS	1. REVIEWED PER COUNTY COMMENTS, 2-20-20
2. REVIEWED PER COUNTY COMMENTS, 2-20-20	
3. REVIEWED PER FINAL PLAN	

MB

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SEAL
STATE OF GEORGIA
REGISTERED PROFESSIONAL ENGINEER
NO. 27339
DATE: 12/26/19

CONTRACT NO. 16-0000000000000000

DATE: 12/26/19

PROJECT NO. 16-0000000000000000

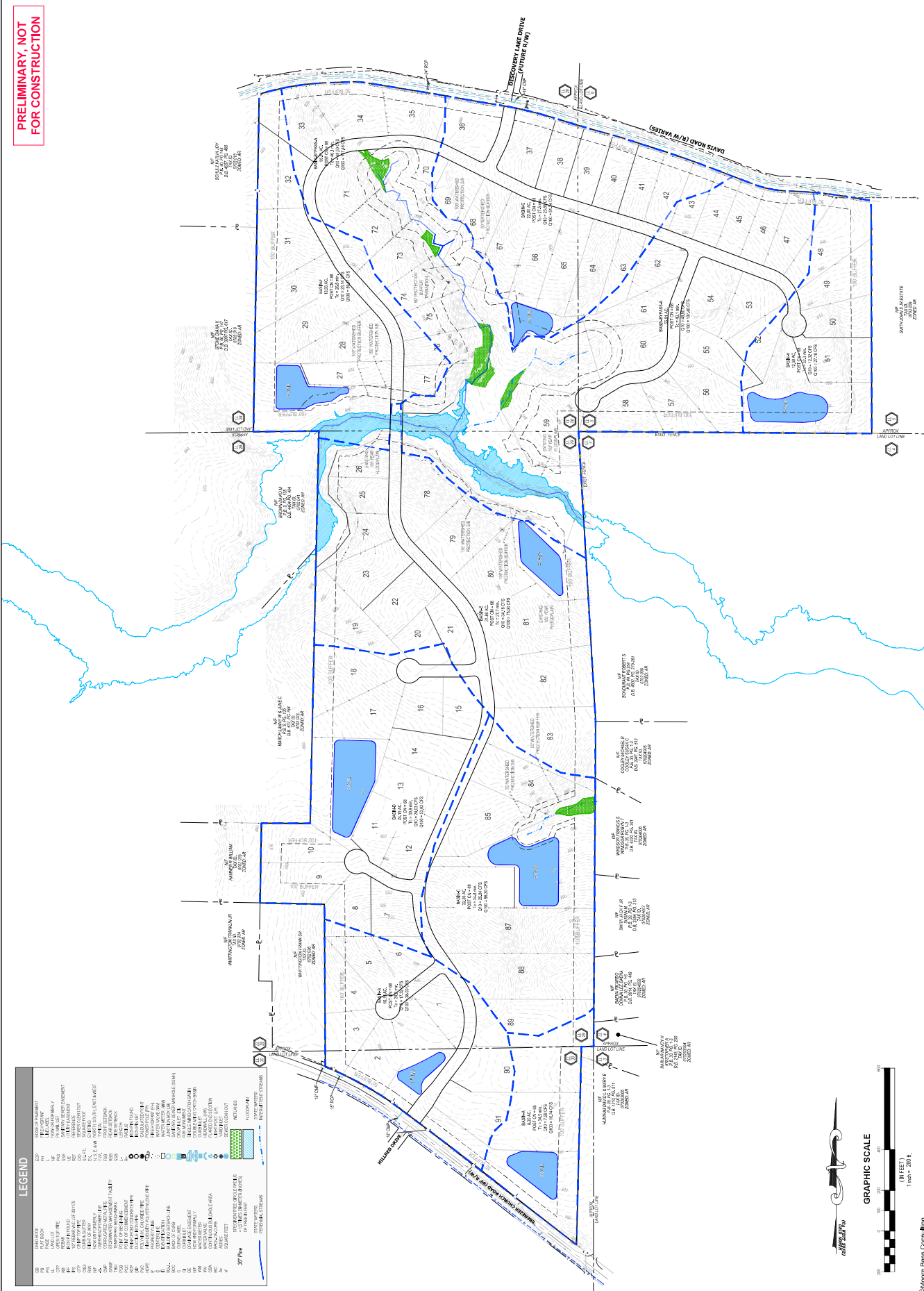
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PROJECT LOCATION: FAVETTE COUNTY, GA

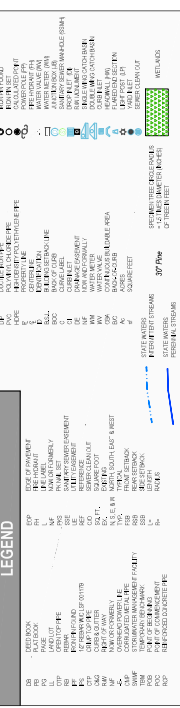
PROJECT SHEET: 6.0

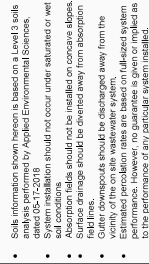
PROJECT TITLE: CONCEPTUAL STORMWATER PLAN

PROJECT SHEET: 6.0



SOIL INTERPRETIVE DATA						
Soil Units	Depth to Seasonal High Water Table (in)	Reaches to Ground Surface	Estimated Depth (in)	Estimated Perc Rate (mm) (g capex (in)	Estimated Velocity (m/yr)	Soil Suf. Code
Aeol	>72	18-40	2-4	---	---	F4
Burburn	54-72	>72	6-13	30-36	45	N3
Catalpa II	>72	24-30 (PMT)	2-10	12	---	C1
Catalpa III	>72	24-30 (PMT)	2-10	60	60	A3
Cecil	>72	>72	2-13	36-48	60	A1
Cecil/Vet Variant	>72	54-60	3-6	30	75	P1
Conestoga	54-72	>72	3-6	24-30	60	---
Collet Land	>72	>72	6-18	SEE SUITABILITY CORES		G2
Hard Labor	>72	24-30	2-10	8-12	85	C3





SOIL INTERPRETIVE DATA							Soil Sut. Code	Estimated Hydraulic Loading Rate gallons/sq.ft.
Depth to Seasonal Beneath Water Table (in)	Soil Units	Soil Parent Material	Recommended Trench Depth (in)	Estimated Run-Off Rate (in/hr @ 2 in)	Soil Sut. Code			
>72	Abial	54-72	15-40	2-8	---	---	F4	
>72	Barkelm	54-72	>72	6-13	35-36	45	N3	
>72	Cassia II	>72	24-38 24-40 24-42 (PWT)	>10	12	---	C1	
>72	Cassia III	>72	>72	>10	60	60	A3	
>72	Cecil	>72	>72	>13	35-48	60	A1	
>72	Cecil Wet Variant	>72	54-60	2-8	30	75	P1	
>72	Cherokee	54-72	>72	>18	24-50	80	N3	
>72	Chickadee	>72	>72	>18	SEE SUITABILITY CODES			
>72	Cold Land	>72	>72	>10	8-12	85	C2	
>72	Hard Labor	>72	24-30	>10	35-48	45	A1	
>72	Pocket	>72	>72	>18	30-48	45	A1	
>72	Ron	>72	>72	>18	30-48	---	F2	
>72	Selma	>72	18-24	2-6	---	---	I1	
24-42	Saw	>42	>42	>13	12-24	75	F4	
>72	Star	>72	>72	>8	---	---	P10	
>72	Tonoco	>72	48-72	0-4	---	---	I2	
10-18	Wade	>18	>18	>18	---	---	I2	
>72	Wash Over Pond	>72	>72	>8	40-48	60	A2	

PWT = Perched Water Table

To: Fayette County Planning Commission
From: Deborah Bell, Planning and Zoning Director *DLB*
Date: October 26, 2022
Subject: Minor Final Plat to be considered on November 3, 2022

MINOR FINAL PLAT

Minor Final Plat for Iris Williams
1019 South Jeff Davis Drive

OWNER/APPLICANT

Iris Williams

Recommend **APPROVAL** for the Minor Final Plat.

PETITION NO: 1326-22

REQUESTED ACTION: O-I to C-H

PROPOSED USE: Truck Parking Facility

EXISTING USE: Vacant, undeveloped land

LOCATION: S.R. 85 north of Carnes Drive

DISTRICT/LAND LOT(S): 5th District, Land Lot 233

OWNERS: Amina Zakaria, Omar Zakaria, Saed Zakaria and Hassan Zakaria

AGENT: Steven L. Jones, representing Nazim Khan

PLANNING COMMISSION PUBLIC HEARING: November 3, 2022

BOARD OF COMMISSIONERS PUBLIC HEARING: December 8, 2022

APPLICANT'S INTENT

Applicant proposes to rezone 13.035 acres from O-I to C-H to develop a truck parking facility.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, the C-H – Highway Commercial District - is designated for this area. Should this petition be approved, the owner/developer must submit a site development plan as required by Chapter 104, Development Regulations. Approval of this zoning petition does not constitute approval of the conceptual site plan.

Based on the Investigation and Staff Analysis, Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of C-H – Highway Commercial District.

RECOMMENDED CONDITIONS

1. A 100' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the west of the project.
2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. Fixtures shall be designed or shielded to prevent light trespass on other properties or roads.
3. The existing shared detention pond will require hydrological study to demonstrate it has sufficient design capacity to serve the addition of the proposed project.
4. The new development must continue to allow this pond to serve the stormwater detention requirements of the original commercial development to the north, with a site plan approved January 26, 1990.
5. The owner of the new project must provide a stormwater maintenance agreement since the detention pond is contained within that parcel. This agreement shall conform to the county's standard agreement for stormwater facility maintenance.
6. Omit tree island requirements for southernmost end of parking lot to accommodate the future County road project.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is a 13.035-acre tract. The tract fronts on S.R. 85 in Land Lot 233 of the 5th District. S.R. 85 is classified as a Major Arterial on the Fayette County Thoroughfare Plan. The property is vacant, undeveloped land.

The parcel is currently zoned *O-I, Office-Institutional*.

This property is located in the SR 85 North Overlay Zone, which has specific development standards that are applied in addition to the underlying zoning district requirements and development regulations (*Sec. 110-173.-Transportation Corridor Overlay Zone. (3) SR 85 North Overlay Zone*).

Rezoning History: On September 14, 1989, the Board of Commissioners adopted a new zoning district called L-B (Limited Business). The intent was to provide planned, large-scale, mixed-use development along the major thoroughfares where sewer was planned, and particularly along SR 85 North.

On September 13, 1990, the Board of Commissioners amended the L-B zoning district and blanket zoned approximately 830 acres (including the subject property) in the SR 85 North corridor from A-R (Agricultural-Residential) to L-B. From 1991 through 1997 no one had ever developed under the L-B zoning district, because sewer was not forthcoming in the corridor. The L-B zoning district was deleted from the Fayette County Zoning Ordinance on January 14, 1998. Therefore, all properties that were zoned L-B were rezoned to a valid zoning district.

The rezoning Petition #974-98 for O-I zoning was approved by the Board of Commissioners on April 9, 1998.

B. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	6.9	C-H	Commercial	Commercial; SR 85 North Overlay Zone
South	4.85	M-1	Light Industrial (3 parcels)	Commercial; SR 85 North Overlay Zone
East	5.1	A-R	Single-Family Residential (3 parcels)	Light Industrial
West (across S.R. 85)	55.8	C-H	Vacant, undeveloped land	Commercial; SR 85 North Overlay Zone

C. COMPREHENSIVE PLAN

Future Land Use Plan: The S.R. 85 North Corridor is designated for Commercial on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan in terms of the SR 85 North of Fayetteville commercial area description which states:

SR 85 North of Fayetteville: A nonresidential corridor, this area extends from the city limits of Fayetteville north to the county line. **It provides an area where a variety of nonresidential uses including commercial, office, and light industrial are appropriate.** The area contains opportunity for infill, redevelopment and new development.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way

The Concept Plan submitted indicates access from S.R. 85, which is managed by Georgia Department of Transportation.

Site Plan – The proposed site plan indicates parking for tractor-trailer trucks. The concept plan does not meet all the County’s Development Regulations, including but not limited to stormwater, overlay buffer requirements, zoning buffer requirements and screening standards. Approval of this rezoning request does not constitute approval of the conceptual site plan. Plans will be reviewed for compliance when they are presented for a site development permit.

Should this petition be approved, the owner/developer must submit a Site Plan as required by Section 104-28 of the Development Regulations. Access must comply with the provisions of Section 104-55. of the Development Regulations and the Georgia D.O.T., as appropriate. The subject property must comply with all applicable Fayette County Code regulations.

F. DEPARTMENTAL COMMENTS

- ☐ **Water System** - FCWS has no objection to this rezoning. Water is available in a 10" PVC water main along west side of Hwy 85 and in a 20" DIP water main along east side of Hwy 85. Connection to Fayette County Water System will be required within the county right-of-way or in a developer provided deeded easement as necessary.
- ☐ **Public Works/Environmental Management**
 - **Transportation** – This property is adjacent to a future transportation project that is in the planning & design phase, with a proposed road on the south side of the parcel.
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0038E dated September 26, 2008, or 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.
 - **Watershed Protection** - There **ARE NO** known state waters located on the subject property.
 - **Groundwater** – The property **IS** within a groundwater recharge area.
 - **Stormwater Management** – The detention pond located on the northwest corner of the subject property also serves the commercial development to the north. The new development must continue to allow this pond to serve the stormwater detention requirements of the parcel to the north. The owner of this project must provide a maintenance agreement for the entire stormwater detention system that is located on the subject parcel.
- ☐ **Environmental Health Department** – Based on current records, the change in property lines should have no interference with the installed septic system. However, a permit for a repair to the system was issued in May of 2021. There is no record of an inspection for that permit. If a repair has been done, then the repairs are not approved by this office and this office can not guarantee that

the new property lines do not interfere with the drain lines. Each lot must apply for an individual onsite sewage management system. In addition, these items must be submitted with the initial application for a new septic system: the applicable residential fee, a properly scaled Level 3 soil report that bears the original soil scientist's stamp and signature, a copy of the soil scientist's Certificate of Liability Insurance, a floor plan, a site plan sketch, and an approved plat of the property. Additional documents may be required and determined on a case by case basis. Furthermore, this office does not guarantee these lots will have suitable soils for the installation of an on-site sewage septic system. To determine the suitability, all required documents must be submitted and an on-site visit will be performed.

- ☐ **Fire** – No concerns with this development at this time. There are no fire code requirements for open parking lots. Access shouldn't be an issue as the lot should be designed for tractor trailers to easily navigate.
- ☐ **GDOT** – all access to SR 85 will be reviewed and approved by GDOT.

STANDARDS

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

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

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

STAFF ANALYSIS

1. The subject property lies within an area designated for Commercial and Light Industrial Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various commercial, light industrial and single-family zoning and uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities or schools.
4. The proposal is consistent in character and use with the surrounding uses as highway commercial. Staff is not aware of other changes that would have an adverse impact on this type of development in the general area. An enhanced buffer is recommended adjacent to existing residential to the east.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, the C-H – Highway Commercial District - is designated for this area. Should this petition be approved, the owner/developer must submit a site development plan as required by Chapter 104, Development Regulations. Approval of this zoning petition does not constitute approval of the conceptual site plan.

Based on the Investigation and Staff Analysis, Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of C-H – Highway Commercial District.

RECOMMENDED CONDITIONS

1. A 100' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the west of the project.
2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. Fixtures shall be designed or shielded to prevent light trespass on other properties or roads.
3. The existing shared detention pond will require hydrological study to demonstrate it has sufficient design capacity to serve the addition of the proposed project.
4. The new development must continue to allow this pond to serve the stormwater detention requirements of the original commercial development to the north, with a site plan approved January 26, 1990.
5. The owner of the new project must provide a stormwater maintenance agreement since the detention pond is contained within that parcel. This agreement shall conform to the county's standard agreement for stormwater facility maintenance.
6. Omit tree island requirements for southernmost end of parking lot to accommodate the future County road project.

ZONING DISTRICT STANDARDS

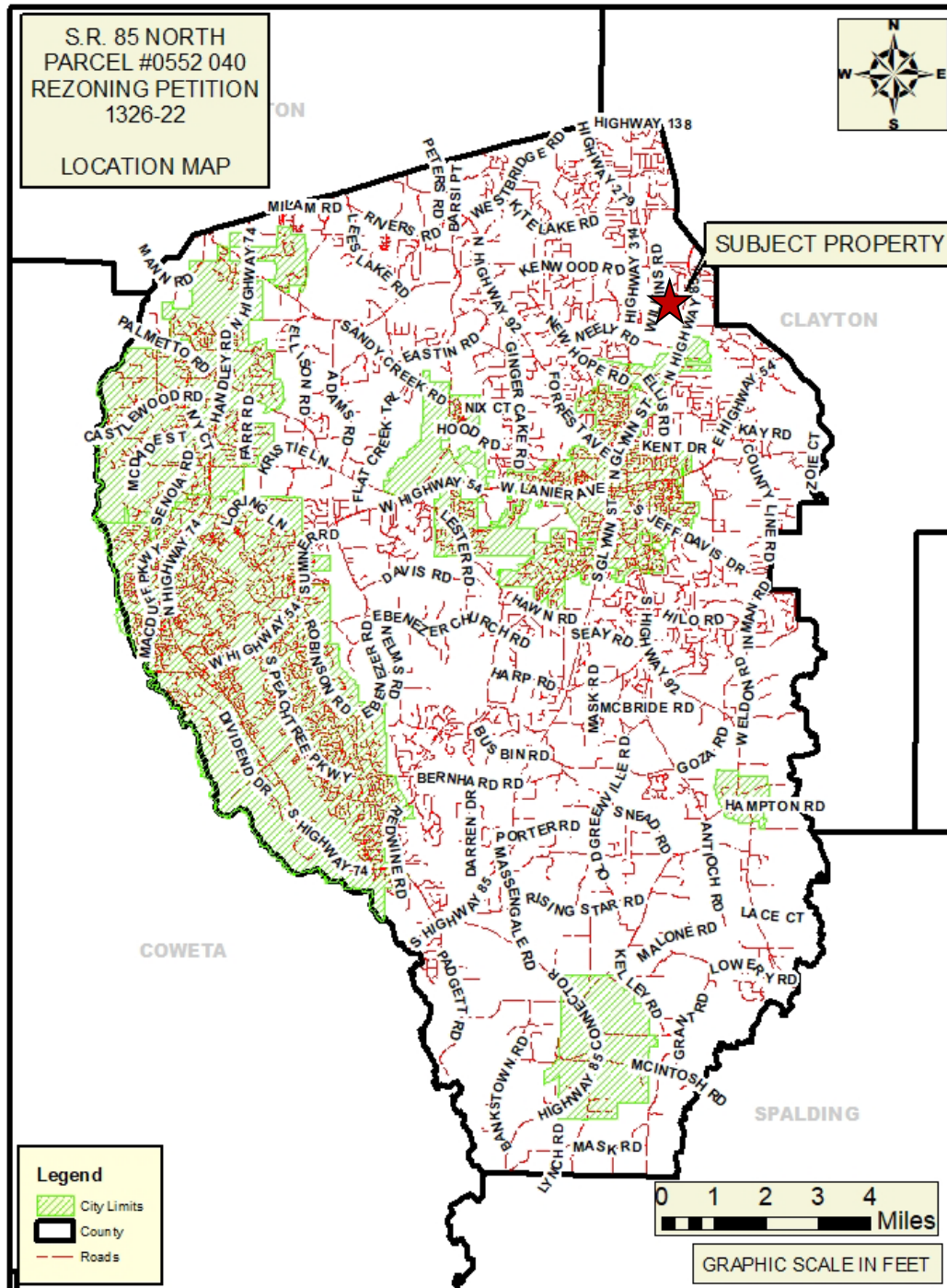
Sec. 110-144. C-H, Highway Commercial District.

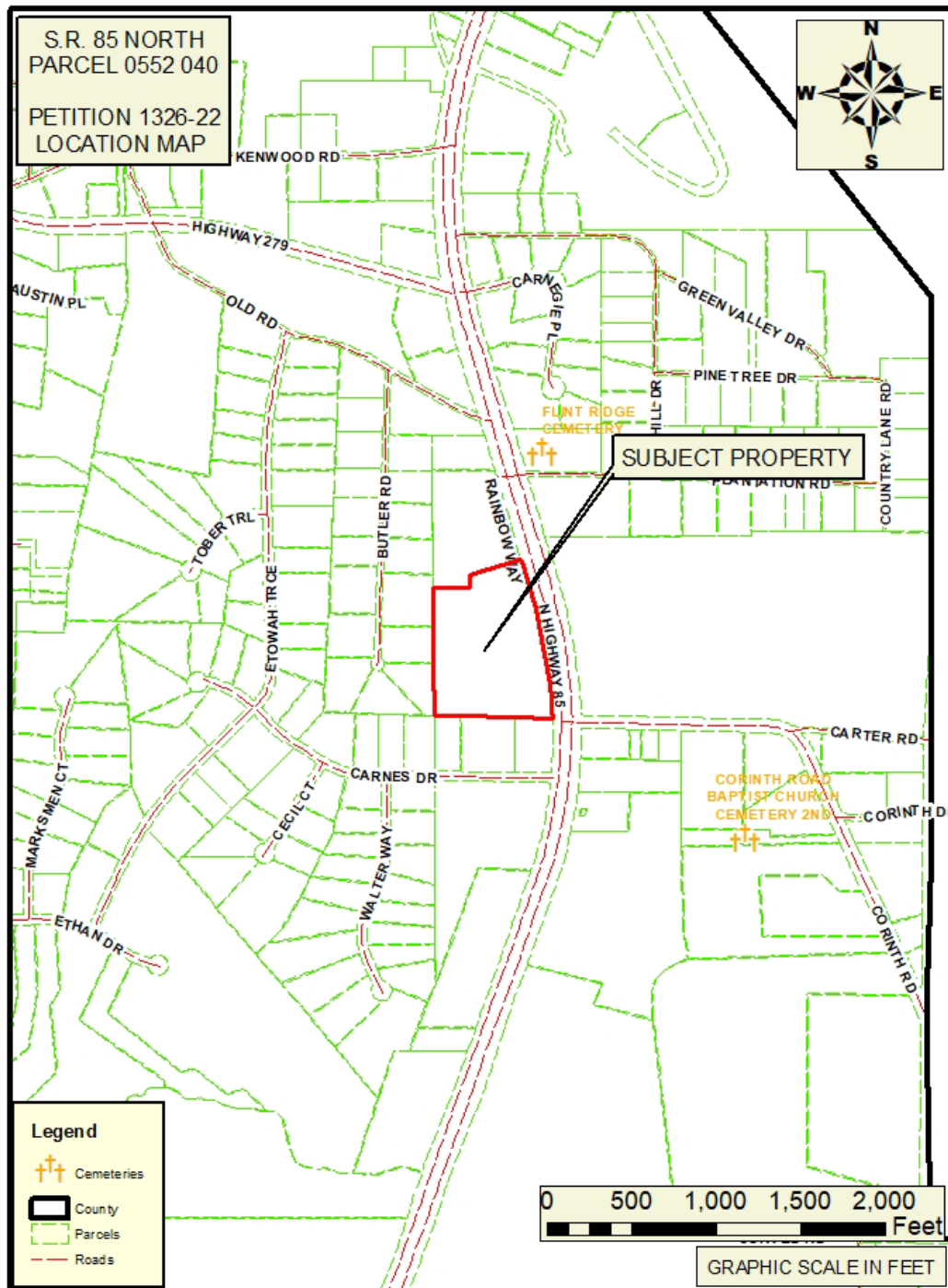
- (a) *Description of district.* This district is composed of certain lands and structures to provide and encourage proper grouping and development of roadside uses, which include a wide variety of sales and services that will best accommodate the needs of the county and the traveling public, reducing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

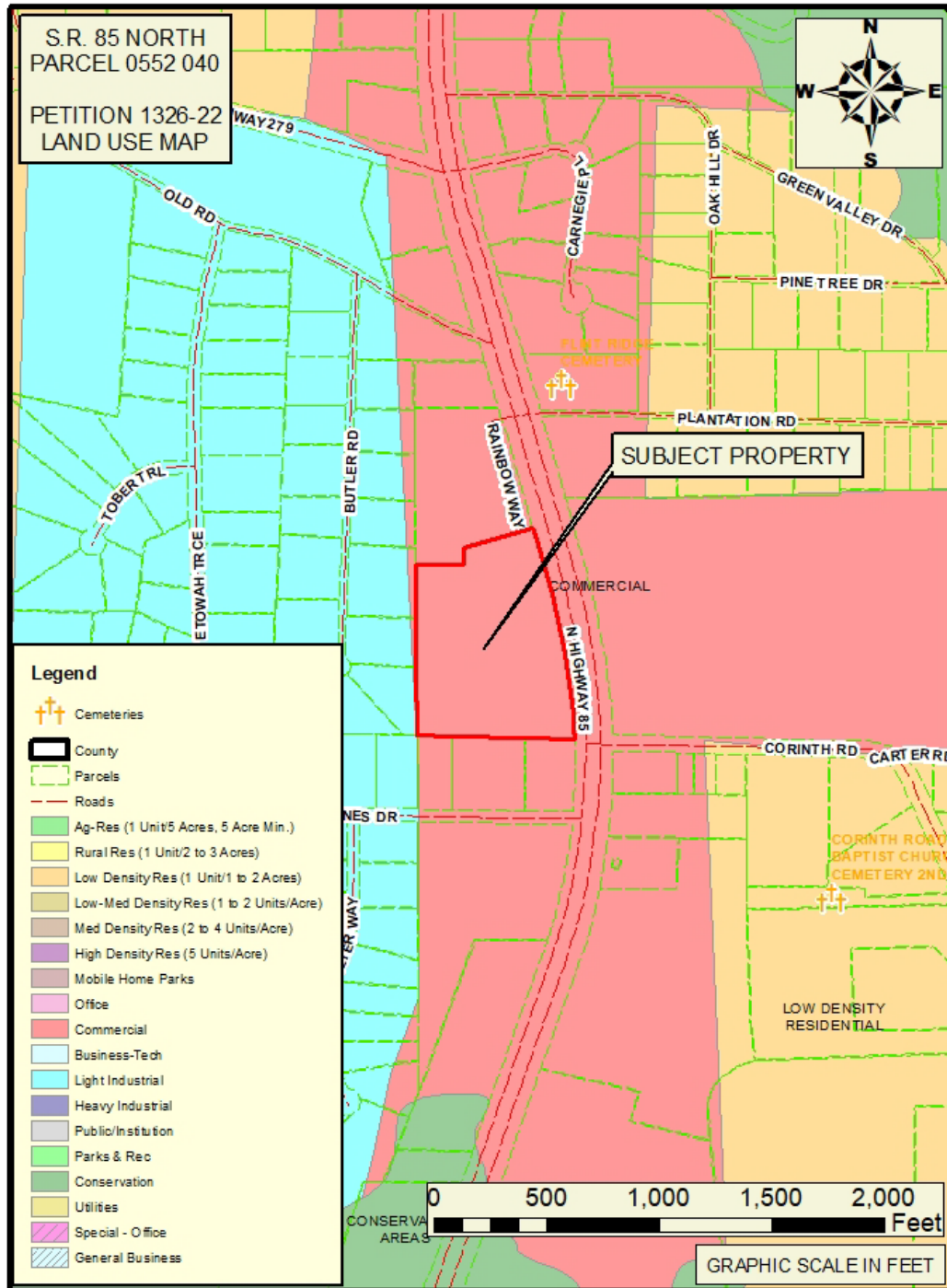
- (29) Flea market, indoor;
- (30) Florist shop;
- (31) Freezer locker service, ice storage;
- (32) Freight express office;
- (33) Funeral establishment (where funeral services, excluding a crematorium, may be provided);
- (34) Gift shop;
- (35) Glass sales;
- (36) Grocery store;
- (37) Hardware store;
- (38) Health club and/or fitness center;
- (39) Hotel;
- (40) Jewelry shop;
- (41) Laboratory serving professional requirements, (e.g., medical, dental, etc.);
- (42) Library;
- (43) Magazine publication and/or distribution;
- (44) Manufactured home and/or building sales;
- (45) Medical/dental office (human treatment);
- (46) Messenger/courier service;
- (47) Military recruiting office;
- (48) Movie theatre and/or drive-in;
- (49) Museum;
- (50) Music teaching studio;
- (51) Newspaper publication and/or distribution;
- (52) Office;
- (53) Office equipment sales and/or service;
- (54) Parking garage/lot;
- (55) Pawn shops;
- (56) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon;
- (57) Pest control;
- (58) Plant nursery, growing crops/garden, and/or related sales;
- (59) Printing, graphics, and/or reproductions;
- (60) Private clubs and/or lodges;
- (61) Private school, including classrooms and/or administration only;
- (62) Recording studio (audio and video);
- (63) Radio studio;
- (64) Railroad station;
- (65) Rent-alls;
- (66) Restaurant, including drive-in and/or drive-through;
- (67) Retail establishment;
- (68) Smoking lounge (subject to state and local tobacco sales and smoking laws);
- (69) Tattoo parlor;
- (70) Taxidermist;
- (71) Taxi service/limousine service/shuttle service (no on-site maintenance and/or repair);
- (72) Television/movie studio;

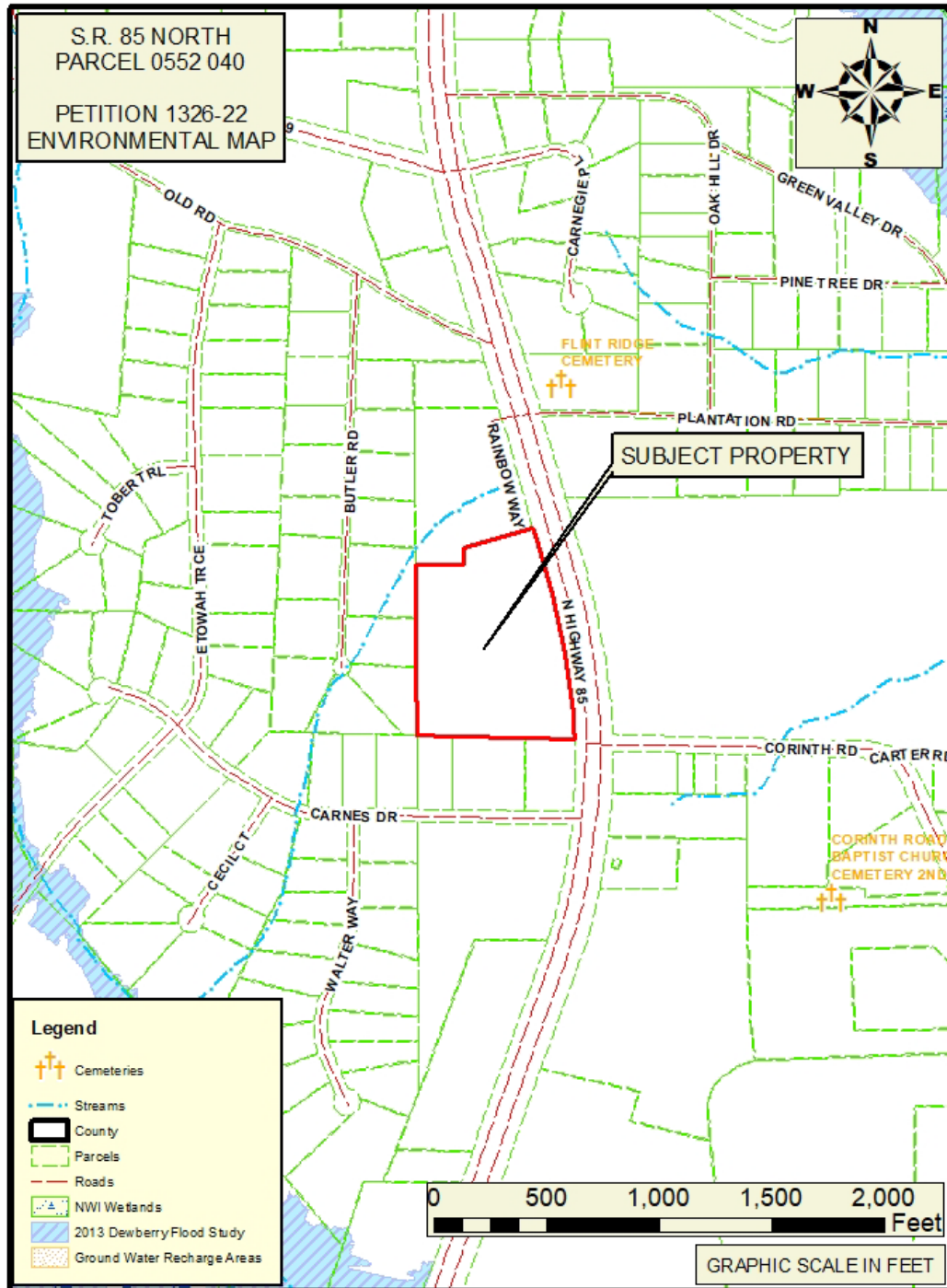
- (73) Upholstery shop; and
- (74) Utility trailers sales and/or rental.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the C-H zoning district provided that all conditions specified in article V of this chapter are met:
 - (1) Adult day care facility;
 - (2) Amphitheater;
 - (3) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
 - (4) Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store;
 - (5) Campground facilities;
 - (6) Care home, convalescent center, and/or nursing home;
 - (7) Cemetery;
 - (8) Charter motor coach service;
 - (9) Church and/or other place of worship;
 - (10) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (11) Commercial driving range and related accessories;
 - (12) Child care facility;
 - (13) Dry cleaning plant;
 - (14) Experimental laboratory;
 - (15) Golf course (minimum 18-hole regulation) and related accessories;
 - (16) Home occupation;
 - (17) Horse show, rodeo, carnival, and/or community fair;
 - (18) Hospital;
 - (19) Laundromat, self-service or otherwise;
 - (20) Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to bungee and parachute jumping;
 - (21) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium;
 - (22) Religious tent meeting;
 - (23) Seasonal sales, outdoor;
 - (24) Self-storage facility (external and/or internal access);
 - (25) Single-family residence and residential accessory structures and/or uses (see article III of this chapter);
 - (26) Shooting range, indoor;
 - (27) Stadium, athletic; and
 - (28) Temporary tent sales.
 - (29) Vehicle/boat sales.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the C-H zoning district shall be as follows:
 - (1) Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one acre).
 - b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half acre).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:

1. Arterial: 75 feet.
2. Collector: 70 feet.
- b. Minor thoroughfare: 65 feet.
- (4) Rear yard setback: 15 feet.
- (5) Side yard setback: 15 feet.
- (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.
- (7) Height limit: 35 feet.
- (8) Screening dimensions for parking and service areas as provided in article III of this chapter and chapter 104.
- (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

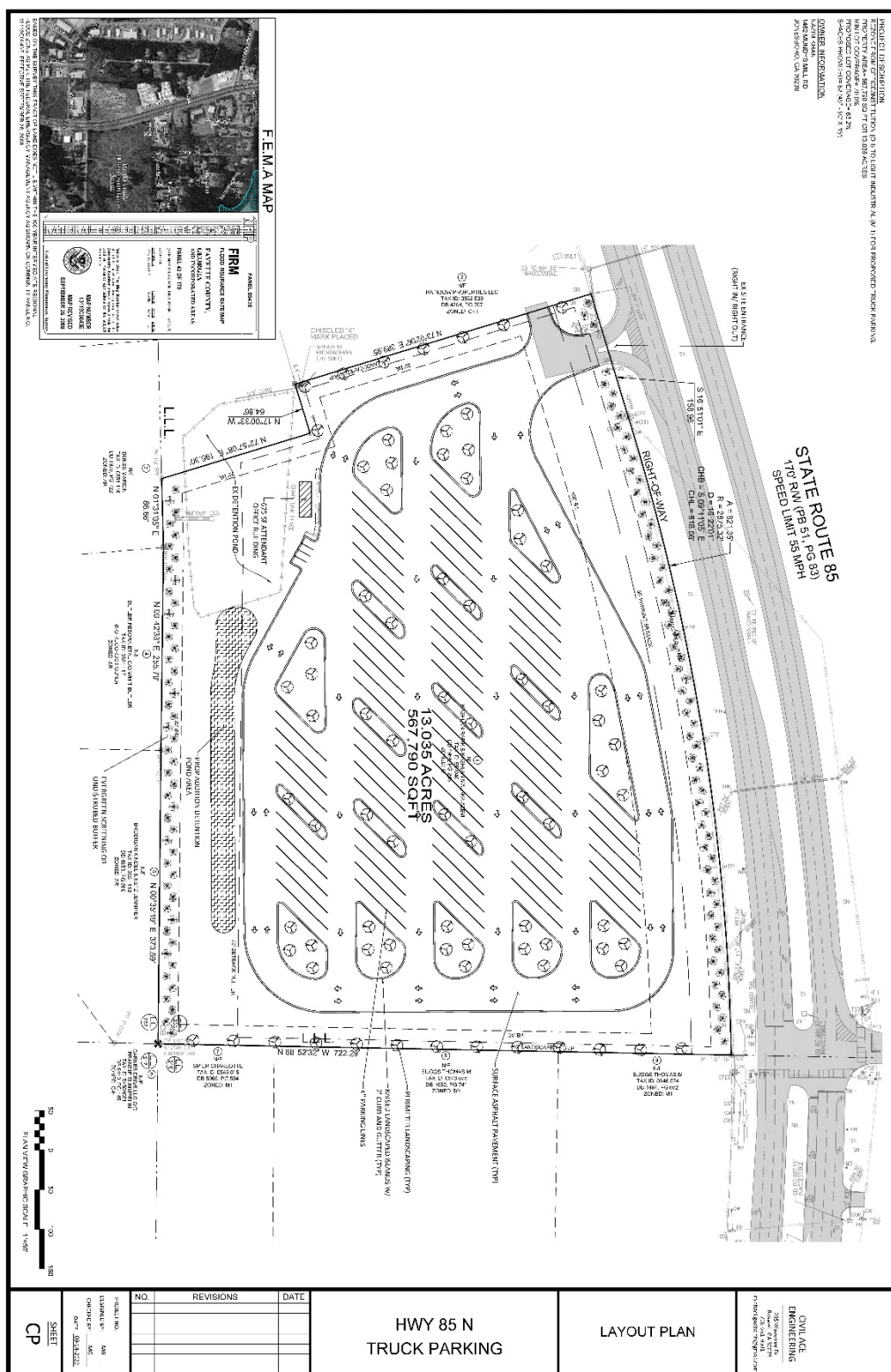














1326-22 Highway 85 North



1326-22 Highway 85 North

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

PROPERTY OWNERS: Amina Zakaria, Omar Zakaria, Saed Zakaria, and Hassan Zakaria

MAILING ADDRESS: 0 Highway 85 N.

PHONE: _____ **E-MAIL:** _____

AGENT FOR OWNERS: Nazim Khan c/o Steven L. Jones, Taylor English Duma LLP

MAILING ADDRESS: 1600 Parkwood Circle, Suite 200, Atlanta, Georgia 30338

PHONE: 404-218-2756 **E-MAIL:** sjones@taylorenghish.com

PROPERTY LOCATION: LAND LOT 233 LAND DISTRICT 5th PARCEL 0552 040
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 13.035

EXISTING ZONING DISTRICT: O-I **PROPOSED ZONING DISTRICT:** ~~M-1~~ C-H

ZONING OF SURROUNDING PROPERTIES: C-H, C-H, M-1, A-R

PRESENT USE OF SUBJECT PROPERTY: Vacant

PROPOSED USE OF SUBJECT PROPERTY: Truck Parking Facility

LAND USE PLAN DESIGNATION: Commercial

NAME AND TYPE OF ACCESS ROAD: Highway 85 N.

LOCATION OF NEAREST WATER LINE: Highway 85 N.

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1326-22

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: SEP 1, 2022

DATE OF PLANNING COMMISSION HEARING: OCT 6, 2022

DATE OF COUNTY COMMISSIONERS HEARING: OCT 27, 2022

Received from TAYLOR ENGLISH Duma LLP a check in the amount of \$ 370.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: SEP 6, 2022 Receipt Number: 015816

TOTAL PAID \$370.00

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:

Amina Zakaria, Omar Zakaria, Saed Zakaria, and Hassan Zakaria


Please Print Names

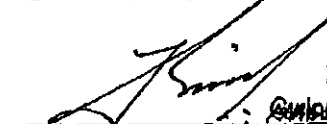
Property Tax Identification Number(s) of Subject Property: 0552 040

(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 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 16.928+/- acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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


Signature of Property Owner 1
1275 VINTAGE CLUB DR DUBLIN GA 30977
Address


Signature of Notary Public
Hassan Sheikh
NOTARY PUBLIC
Fayette County, GEORGIA
My Commission Expires 04/30/2023
8/31/2022
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

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

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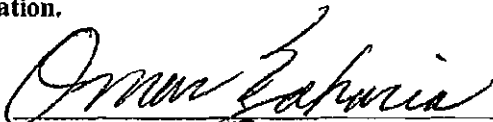
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Signature of Property Owner 1

1275 VINTAGE CLUB DR

Address

n/a
Signature of Property Owner 2

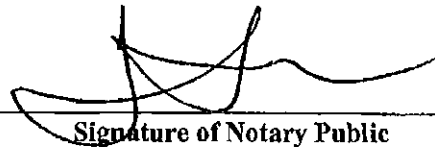
Address

n/a
Signature of Property Owner 3

Address

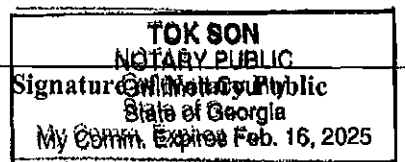
n/a
Signature of Authorized Agent

Address



Signature of Notary Public

Aug 31, 2022
Date



Date

Signature of Notary Public

Date

Signature of Notary Public

Date

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Please Print Names

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[Signature]
Signature of Property Owner 1

10665 Branham Fields Rd, Johns Creek, GA
Address

N/A
Signature of Property Owner 2

Address

N/A
Signature of Property Owner 3

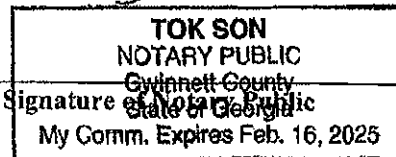
Address

N/A
Signature of Authorized Agent

Address

[Signature]
Signature of Notary Public

Aug 31, 2022
Date



Date

Signature of Notary Public

Date

Signature of Notary Public

Date

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[Signature]
Signature of Property Owner 1

Address 3101 Winterfield Rd.
Midlothian VA 23113

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

[Signature]
Signature of Notary Public

Date 8/31/2022

Signature of Notary Public

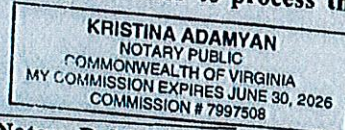
Date

Signature of Notary Public

Date

Signature of Notary Public

Date



Amina Zakaria, Omar Zakaria,
NAME: Saed Zakaria, and Hassan Zakaria

PETITION NUMBER: 1326-22

ADDRESS: 0 N. Highway 85 / TPN 0552 040

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

Nazim Khan affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) O-I Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 370.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to MsB C-H.

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 6th day of October, 2022 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 27 day of October, 2022 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____,

NOTARY PUBLIC

APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Amina Zakaria, Omar Zakaria, Saed Zakaria, and Hassan Zakaria, said property owner(s) of subject property requested to be rezoned hereby agree to dedicate, at no cost to Fayette County, 50' feet of right-of-way along Highway 85 N. as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

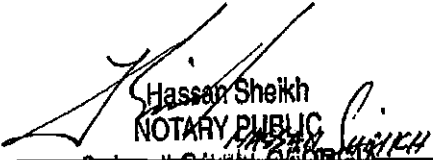
Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 31st day of August, 2022


SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER


Hassan Sheikh
NOTARY PUBLIC
Gwinnett County, Georgia
My Commission Expires 04/30/2023

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

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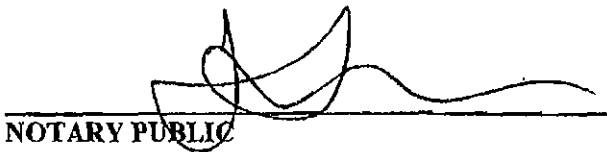
Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 31 day of AUGUST, 2022.



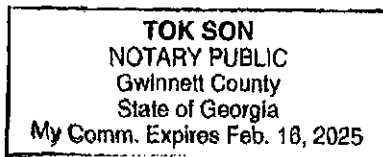
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER



NOTARY PUBLIC

SIGNATURE OF PROPERTY OWNER



SIGNATURE OF PROPERTY OWNER

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

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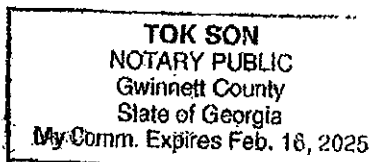
Sworn to and subscribed before me this 31 day of August, 2022.


SIGNATURE OF PROPERTY OWNER

n/A
SIGNATURE OF PROPERTY OWNER


NOTARY PUBLIC

n/A
SIGNATURE OF PROPERTY OWNER



n/A
SIGNATURE OF PROPERTY OWNER

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Amina Zakaria, Omar Zakaria, Saed Zakaria, and Hassan Zakaria, said property owner(s) of subject property requested to be rezoned
hereby agree to dedicate, at no cost to Fayette County, 50' feet of right-of-way to
Highway 85 N. as measured from the centerline of the

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County
Development Regulations require a minimum street width as specified below:

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Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 31st day of August, 2022


SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER


NOTARY PUBLIC

SIGNATURE OF PROPERTY OWNER

KRISTINA ADAMYAN
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JUNE 30, 2026
COMMISSION # 7997508

SIGNATURE OF PROPERTY OWNER

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

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

Signed this _____ day of _____, 20_____.

APPLICANT'S SIGNATURE

Developments of Regional Impact

Tiers and Development Thresholds

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

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DISCLOSURE STATEMENT

Please check one:

Campaign contributions - X No Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

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

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

CHECKLIST OF ITEMS REQUIRED TO BE SUBMITTED FOR REZONING REQUEST

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

- ☒ 1. Application form and all required attachments completed, signed, and notarized, as applicable.
- ☒ 2. Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☒ 3. Boundary Survey (1 copy if separate from Conceptual Plan), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor. The Boundary Survey and Concept Plan may be combined.
- ☒ 4. Conceptual Plan (20 copies if larger than 11" x 17"). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey, however it is required to be drawn to scale, and include all applicable items below:
 - ☒ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - ☒ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - ☒ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - ☒ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - ☒ e. Minimum zoning setbacks and buffers, as applicable.
 - ☒ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - ☒ g. Location and dimensions of exits/entrances to the subject property.
 - ☒ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - ☒ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☒ 5. A letter of intent for a non-residential rezoning request, including the proposed use(s).

YIELD PLAN CHECKLIST

Project: _____ Not applicable

Applicant: _____

(Items marked with * are missing or deficient)

Planning & Zoning

- _____ 1. Show name of subdivision, scale of plat (not to exceed 1" = 100'), north arrow, date, and vicinity map.
- _____ 2. Show name, address, and telephone number of owner and/or developer.
- _____ 3. Show name, address, and telephone number of the design professional.
- _____ 4. Provide registration number, seal, and signature of an engineer, surveyor, or architect license in the State of Georgia.
- _____ 5. Show property lines with bearings and distances of subject property. Provide a matching legal description of property (this will be used to advertise the property during the rezoning process).
- _____ 6. Provide total acreage of tract, acreage in lots, acreage in right-of-way and acreage used for stormwater management. Calculate net density (units/acre) using the total area less the area for R/W and stormwater.
- _____ 7. Indicate current zoning and proposed zoning of property. Provide zoning of all adjacent properties.
- _____ 8. Identify all existing structures and label as A to remain or A to be removed. Structures to remain must be shown on individual lots and meet all applicable zoning requirements. Provide a note if there are no existing structures on the property.
- _____ 9. Show location, purpose, and width of any easements of record. Provide a note if there are no existing easements associated with the property.
- _____ 10. Provide the area of each lot and contiguous area (see Sub Regs, Section 104-597) to the 1/100th acre; label the lot numbers; and show the dimensions of all lot lines.
- _____ 11. Show front, side, and rear setback lines as dashed lines. Show minimum lot width at the building line.

Comments:

Planning & Zoning Department Resubmit

Planning & Zoning Department Approval

YIELD PLAN CHECKLIST

Project: Not applicable

Applicant: _____

(Items marked with * are missing or deficient)

Environmental Management

- _____ 1. Show existing land contour lines at ten (10) foot intervals. Label the contours. Indicate source of topographic data.
- _____ 2. Delineate soil type boundaries per Soil Conservation Service Maps. Include a soil legend. For clarity, this information may be provided on a separate sheet.
- _____ 3. Delineate and label all state waters requiring watershed protection buffers and setbacks on the property and adjacent to the property where any watershed buffers and/or setbacks extend onto the property. Provide a note if there are no state waters requiring a watershed buffer. Label as "Watershed Protection Buffer," and "Watershed Protection Setback."
- _____ 4. Delineate FEMA 100-year floodplain, the Future Conditions Floodplain (available through Stormwater Management) and the 100-year flood elevation for any ponds, lakes or other man-made flood hazards on the property. Provide a note if there is no floodplain on the property. Reference the FIRM panel number.
- _____ 5. Identify all wetlands per the latest U.S. Department of the Interior, Fish and Wildlife Service National Wetland Inventory Map. Field delineation in accordance with Army Corps of Engineers guidance may be required in select areas. Provide a note if there are no wetlands on the property.
- _____ 6. Indicate if the property is in a Groundwater Recharge Area
- _____ 7. Clearly delineate drainage basins across the project area.
- _____ 8. For each basin, provide the drainage area, existing and proposed CN values, and required storage to attenuate the 100-yr storm. Detailed studies are not required; reasonable approximations are sufficient.
- _____ 9. Show offsite area and peak flow (Q_{10} and Q_{100}) for drainage areas passing through site.
- _____ 10. Delineate and label areas to be used for stormwater management B areas should be consistent with the hydrologic data provided above.
- _____ 11. Provide a narrative describing how water quality, stream channel protection, overbank and extreme flood protection criteria would be satisfied.
- _____ 12. All stormwater management control structures shall be on common property.

Comments:

Environmental Management Department Resubmit

Environmental Management Department Approval

YIELD PLAN CHECKLIST

Project: Not applicable

Applicant: _____

(Items marked with * are missing or deficient)

Public Works/Engineering

- ____ 1. Corner Lots – Fillet (20 foot radius) or chamfer corner property lines at street intersections.
- ____ 2. Street Length – Indicate the length of each street in the subdivision.
- ____ 3. Entrances – Subdivision entrances shall meet sight distance requirements and minimum distance between intersection requirements (both sides of street.) Provide appropriate data on the yield plan.
- ____ 4. Show all existing and proposed streets on and adjacent to property. Label R/W widths; provide R/W dedication, as needed.

Comments:

Public Works/Engineering Department Resubmit

Public Works/Engineering Department Approval



Doc ID: 010817620002 Type: QCD
 Recorded: 01/27/2020 at 09:00:00 AM
 Fee Amt: \$25.00 Page 1 of 2
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court
 BK 4984 PG 541-542



Doc ID: 010790210001 Type: QCD
 Recorded: 12/11/2019 at 10:30:00 AM
 Fee Amt: \$10.00 Page 1 of 1
 Transfer Tax: \$0.00
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court
 BK 4964 PG 266

Return Recorded Document to:
 WESSELS & GERBER, P.C.
 5491 ROSWELL ROAD 2ND FLOOR
 ATLANTA, GEORGIA 30342

QUITCLAIM DEED

** This Deed is being re-recorded
 for the purpose of adding the
 Exhibit "A"*

STATE OF GEORGIA
 COUNTY OF FULTON

THIS INDENTURE, Made the 6th day of **December, 2019**, between **PALMYRA CORPORATION**, of the State of **Georgia**, as party or parties of the first part, hereinafter called Grantor, and **AMINA ZAKARIA**, as to an undivided **55% interest**, **OMAR ZAKARIA**, as to an undivided **15% interest**, **SAED ZAKARIA**, as to an undivided **15% interest**, and **HASSAN ZAKARIA**, as to an undivided **15% interest**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever **QUITCLAIM** unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 216 OF THE 5TH DISTRICT, FAYETTE COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, SAID PROPERTY BEING THE SAME AS PER THAT CERTAIN DEED RECORDED IN DEED BOOK 815, PAGE 679, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF FAYETTE COUNTY, GEORGIA, WHICH PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

Tax Parcel # 0552 040

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

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

Signed, sealed and delivered in the presence of:

Witness _____

PALMYRA CORPORATION

 (SEAL)
AMINA ZAKARIA, PRESIDENT

Notary Public

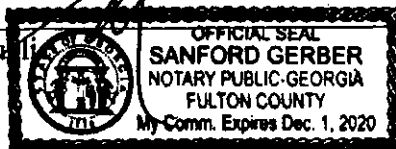


EXHIBIT "A"

All that tract or parcel of land lying and being in Land lot 233 of the 5th District of Fayette County, Georgia, being 16.928 acres, more or less, and being more particularly described as follows: BEGINNING at a point located at the Southwesterly original corner of Land Lot 233, and running thence North 01 degrees 39' 10" West a distance of 626.09 feet to a point; running thence North 03 degrees 47' 50" West a distance of 247.37 feet to a point; running thence North 00 degrees 30' 43" West a distance of 200.01 feet to a point; running thence North 00 degrees 31' 09" West a distance of 63.35 feet to a point, which point is located on the Southerly line of the property now or formerly owned by Grover P. and Betty D. Kneece, running thence North 79 degrees 58' 49" East, and following along the said Southerly boundary of said Kneece property, a distance of 463.99 feet to a point, which point is located on the Southwesterly right-of-way of State Route 85 (175' right-of-way); running thence South 19 degrees 13' 52" East, and following along said right-of-way, for a distance of 424.03 feet to a point; continuing thence in a Southeasterly direction, and following along the Southwesterly right-of-way of State Route 85, along the arc of a curve to the right, an arc distance of 821.47 feet (chord bearing South 11 degrees 24' 23" East in a chord length of 818.68 feet) to a point, which point is located at the Intersection of the Southwesterly right-of-way of State Route 85 with the Southerly land lot line of Land Lot 233; running thence South 88 degrees 54' 01" West a distance of 721.82 feet to a point and the POINT OF BEGINNING.

QUITCLAIM DEED

RECORDED
FAYETTE COUNTY, GA.

STATE OF GEORGIA

'83 JUN 3 PM 2 16

COUNTY OF

CLERK OF SUPERIOR COURT

THIS INDENTURE, made the day of May in the year one thousand nine hundred and ~~sixty~~ ninety three, between

DON LANGLEY AKA DONALD A. LANGLEY

of the County of Cobb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

PALMYRA CORPORATION, KAFIK B. KASHLAN and MALAKA AZEM KASHLAN

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

WITNESSETH that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said grantee

All that tract or parcel of land lying and being in Land Lot 233 of the 5th District of Fayette County, Georgia, being 16.928 acres, more or less, and being more particularly described as follows:

BEGINNING at a point located at the Southwesterly original corner of Land Lot 233 and running thence North 01° 39' 10" West a distance of 626.09 feet to a point; running thence North 03° 47' 50" West a distance of 247.37 feet to a point; running thence North 00° 30' 43" West a distance of 200.01 feet to a point; running thence North 00° 31' 09" West a distance of 63.35 feet to a point, which point is located on the Southerly line of the property now or formerly owned by Grover P. and Betty D. Kneese, running thence North 79° 58' 49" East; and following along the said Southerly boundary of said Kneese property, a distance of 463.99 feet to a point, which point is located on the Southwesterly right-of-way of State Route 85 (175' right-of-way); running thence South 19° 13' 52" East, and following along said right-of-way, for a distance of 424.03 feet to a point; continuing thence in a Southeasterly direction, and following along the Southwesterly right-of-way of State Route 85, along the arc of a curve to the right, an arc distance of 821.47 feet (chord bearing South 11° 24' 23" East in a chord length of 818.68 feet) to a point, which point is located at the intersection of the Southwesterly right-of-way of State Route 85 with the Southerly land lot line of Land Lot 233; running thence South 88° 01' 11" West a distance of 721.82 feet to a point and the POINT OF BEGINNING.

The purpose of this instrument is to evidence all payments of principal and interest due the grantor have been paid in full, and said grantor hereby releases all his individual interest in the Security Deed dated 5/6/87, recorded in Deed Book 445 page 454, Fayette County Records, and Note of even date therewith. Said Note and Security Deed remains in full force and effect as to the outstanding principal balance and interest secured thereunder, owing to the remaining parties.

BOOK 815 PAGE 679

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

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

Signed, sealed and delivered in the presence of:

Donald A. Langley (Seal)
Don Langley
also known as Donald A. Langley (Seal)

Betty M. Cole
(Notary Public)
G. Wood
(Notary Public) JWP-2496

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 233 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" REBAR AT THE INTERSECTION OF LAND LOTS 216, 217, 232, & 233 OF SAID DISTRICT AND COUNTY;

THENCE ALONG THE WESTERN LINE OF LAND LOT 233 N00°35'19"E A DISTANCE OF 370.59 FEET TO A FOUND 1" OPEN-TOP PIPE;

THENCE N00°42'33"E A DISTANCE OF 255.79 FEET TO A SET 1/2" REBAR;

THENCE N01°31'05"W A DISTANCE OF 86.66 FEET TO A FOUND 1/2" REBAR;

THENCE N72°57'08"E A DISTANCE OF 195.30 FEET TO A FOUND 1/2" REBAR;

THENCE N17°00'33"W A DISTANCE OF 64.86 FEET TO A SCRIBED "X" MARK SET IN CONCRETE PARKING LOT;

THENCE N73°02'06"E A DISTANCE OF 389.95 FEET TO A FOUND 1" OPEN-TOP PIPE ALONG THE WESTERLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE 85;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY S16°51'01"E A DISTANCE OF 158.96 FEET TO A FOUND CONCRETE RIGHT-OF-WAY MONUMENT;

THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 821.35 FEET, WITH A RADIUS OF 2,875.32 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF S09°11'05"E WITH A CHORD LENGTH OF 818.56 FEET) TO A FOUND 1/2" REBAR AT THE INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY OF GEORGIA STATE ROUTE 85 AND THE SOUTHERN LINE OF LAND LOT 233;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY AND ALONG THE SOUTHERN LINE OF LAND LOT 233 N88°52'32"W A DISTANCE OF 722.29 FEET TO A FOUND 1/2" REBAR WHICH IS THE POINT OF BEGINNING.

SAID LAND CONTAINING 567,790 SQUARE FEET OR 13.035 ACRES, MORE OR LESS.

PETITION NO: 1327-22

REQUESTED ACTION: C-H to M-1

PARCEL NUMBER: 0545 01021

PROPOSED USE: Vehicle Repair with Paint & Body Work

EXISTING USE: Vacant commercial building

LOCATION: 130 Carnes Drive

DISTRICT/LAND LOT(S): 5th District, Land Lot 217

OWNERS: 130 Carnes Drive, LLC

AGENT: David Weinstein

PLANNING COMMISSION PUBLIC HEARING: November 3, 2022

BOARD OF COMMISSIONERS PUBLIC HEARING: December 8, 2022

APPLICANT'S INTENT

Applicant proposes to rezone 1.0 acres from C-H to M-1 to establish a vehicle repair/paint & body shop.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, the M-1 (Light Industrial) District is designated for this area. Based on the Investigation and Staff Analysis, Staff recommends **APPROVAL** of the request for a zoning of M-1 (Light Industrial) District.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is a 1.0-acre tract. The tract fronts on Carnes Drive and Walter Way in Land Lot 217 of the 5th District. Both roads are classified as Internal Local on the Fayette County Thoroughfare Plan. The property is vacant commercial building. It is identified as Lot 35 in the Phase II plat of Kenwood Business Park, recorded June 18, 1990.

The parcel is currently zoned *C-H, Highway Commercial*. This property is not located in an Overlay Zone.

Rezoning History:

On August 24, 1989, the Board of Commissioners approved Petition No. 722-89 to rezone 47.594 acres from A-R to C-H. The subject property is located within Kenwood Business Park, Phase II, consisting of 21 lots, which was recorded on June 18, 1990.

The following lots within Kenwood Business Park, Phase II were rezoned from C-H and M-1 for industrial uses:

In 1991, Lots 23, 31, 32, and 33 (Petition No. 775-91)

In 1992, Lot 34 (Petition No. 808-92)

In 1993, Lot 22 (Petition No. 830-93)

The entire Kenwood Business Park Subdivision consists of approximately 258 acres with approximately 117 total lots. There are approximately 15 lots zoned C-H and 102 lots zoned M-1.

B. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	2.0	C-H	Commercial (vacant)	Light Industrial
South	4.0	M-1	Light Industrial	Light Industrial
East	10.65	M-1	Undeveloped	Light Industrial
West (across Walter Way)	55.8	C-H	Commercial	Light Industrial

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Light Industrial on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Carnes Drive.

Site Plan: The applicant plans to use the existing driveway and building(s).

F. DEPARTMENTAL COMMENTS

- ☐ **Water System** - FCWS has no objection the proposed rezoning. The property is currently served off a 8" PVC water main along west side of Walter Way
- ☐ **Public Works/Environmental Management**
 - **Transportation** – The appropriate right-of-way dedication is provided in the proposed site plan. Existing access is acceptable.
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0043E dated September 26, 2008, or 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.
 - **Watershed Protection** - There **ARE NO** known state waters located on the subject property.
 - **Groundwater** – The property **IS NOT** within a groundwater recharge area.
 - **Stormwater Management** – The Kenwood Business Park development is served by stormwater infrastructure installed at time of development.
- ☐ **Environmental Health Department** – This office has no objection to the proposed Rezoning. It is highly recommended to seek information about connection to public sewer based on the proposed use. Industrial wastes will be discharged. Otherwise, space and sizing of proposed facility may be limited by the soil conditions and sizing for an on-site septic system.
- ☐ **Fire** – No objections to the requested rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

STANDARDS

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

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

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

STAFF ANALYSIS

1. The subject property lies within an area designated for Commercial and Light Industrial Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various commercial and light industrial uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as commercial and light industrial. Staff is not aware of other changes that would have an adverse impact on this type of development in the general area.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, the M-1, Light Industrial District - is designated for this area.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL** of the request for a zoning of M-1, Light Industrial District.

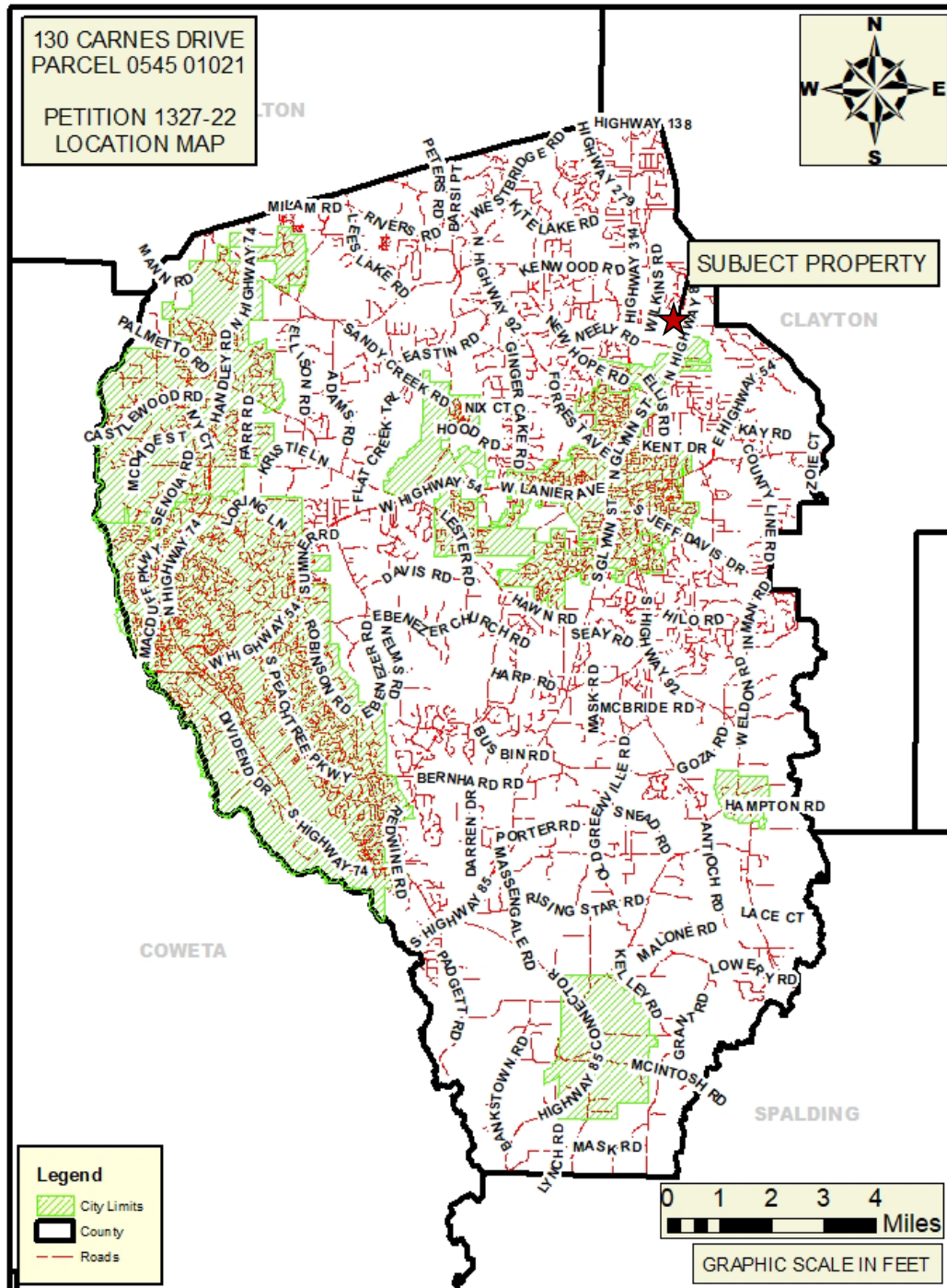
ZONING DISTRICT STANDARDS

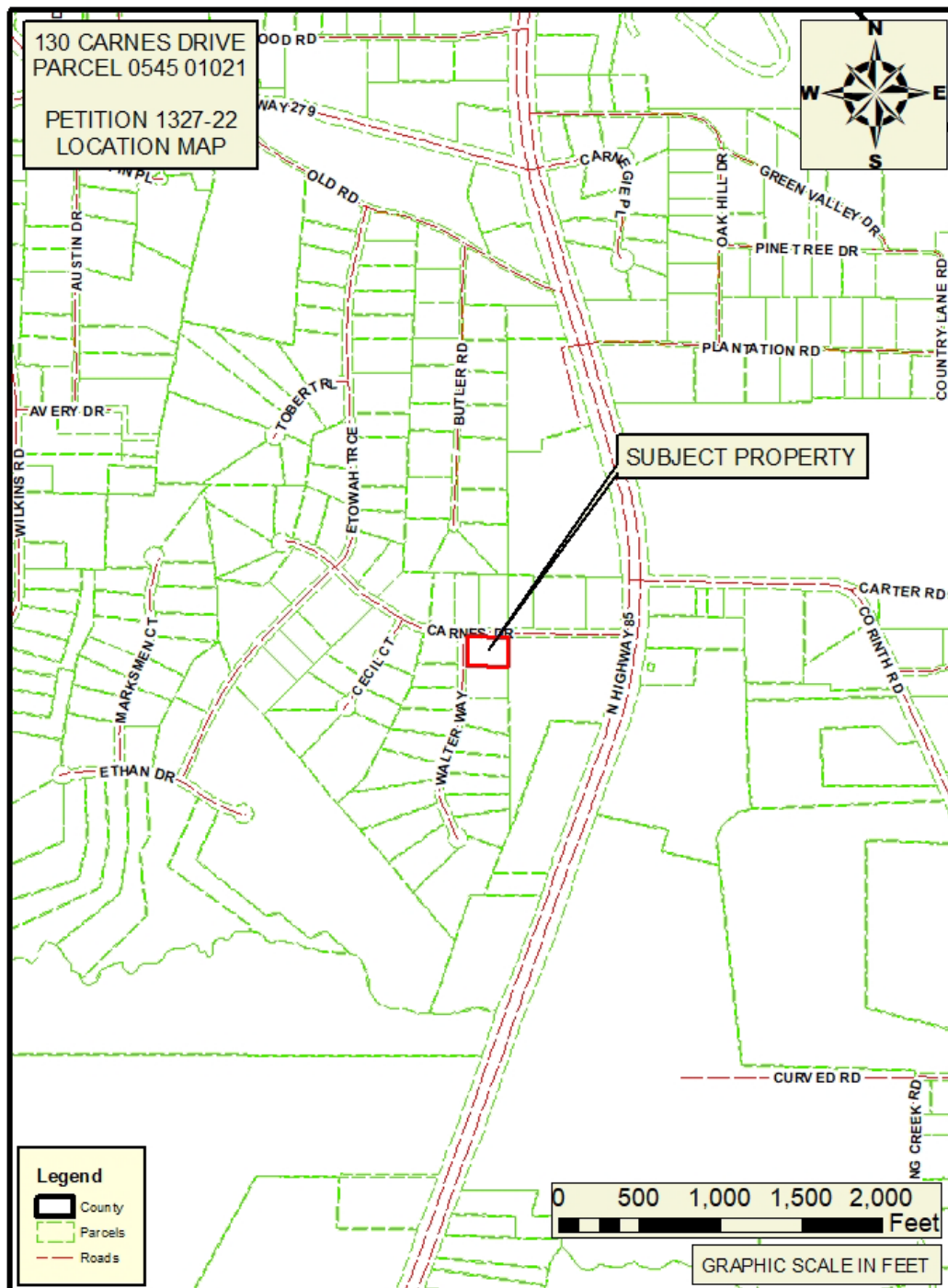
Sec. 110-146. M-1, Light Industrial District.

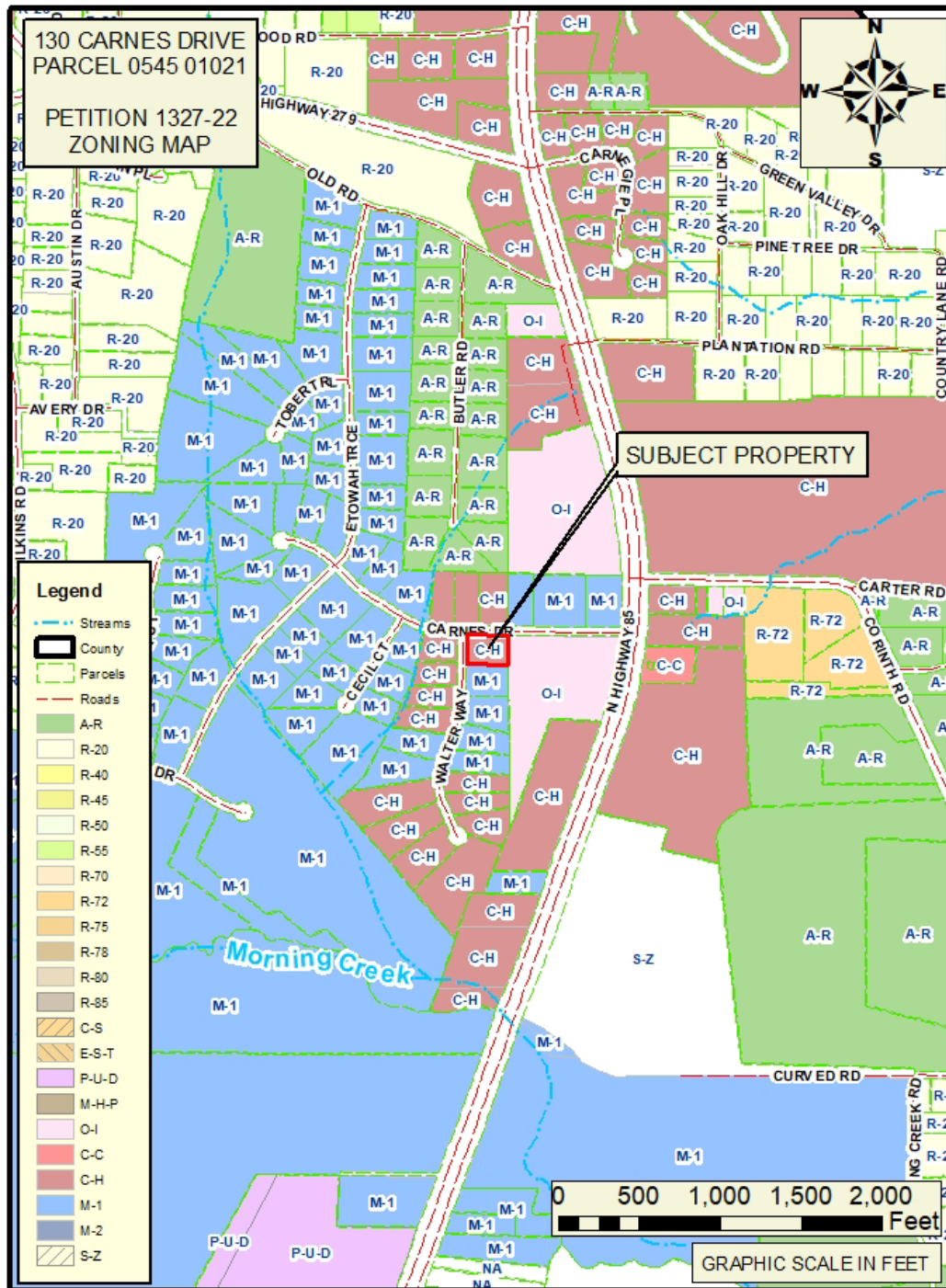
- (a) *Description of district.* This district is composed of certain lands and structures which are suitable for light industrial development, but where proximity to existing or proposed residential or commercial districts make it desirable to limit the manner and extent of industrial operations and thereby protect the nearby residential or commercial land.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the M-1 zoning district:
- (1) Ambulance service, including non-emergency medical transport service;
 - (2) Amusement and recreational facilities, indoor or outdoor (athletic/sports instruction facilities and recreation and athletic fields and facilities);
 - (3) Appliance sales and/or repair;
 - (4) Architectural and/or design firms;
 - (5) Armories, for meeting and training of military organizations;
 - (6) Blueprinting and/or graphics service;
 - (7) Bookbinding;
 - (8) Building construction/contracting and related activities;
 - (9) Building supply sales;
 - (10) Bus passenger station;
 - (11) Cabinet manufacturing, sales, repair, and/or installation;
 - (12) Carwash and/or detailing facility;
 - (13) Charter motor coach service;
 - (14) Copy shop;
 - (15) Dental laboratory;
 - (16) Delivery and/or courier service;
 - (17) Electronic sales and/or repair;
 - (18) Emission testing facility (inside only);
 - (19) Engineering firms;
 - (20) Engraving;
 - (21) Farmer's market;
 - (22) Feed and/or fertilizer sales;
 - (23) Firearm sales and/or gunsmith;
 - (24) Flooring sales and/or installation;
 - (25) Freezer locker service;
 - (26) Freight express office;
 - (27) Furniture store;
 - (28) Glass sales;
 - (29) Grading service;
 - (30) Greenhouse;
 - (31) Home furnishings and accessories;
 - (32) Horse show and equine activity facilities;
 - (33) Ice storage;
 - (34) Insecticide sales and/or storage;
 - (35) Janitorial service and/or supply;
 - (36) Land development firms;
 - (37) Land surveying service;
 - (38) Landscaping service;
 - (39) Light manufacturing, including the following:
 - a. Appliance and/or electronic device assembly plant, including the manufacturing of parts for appliances and/or electronic devices;

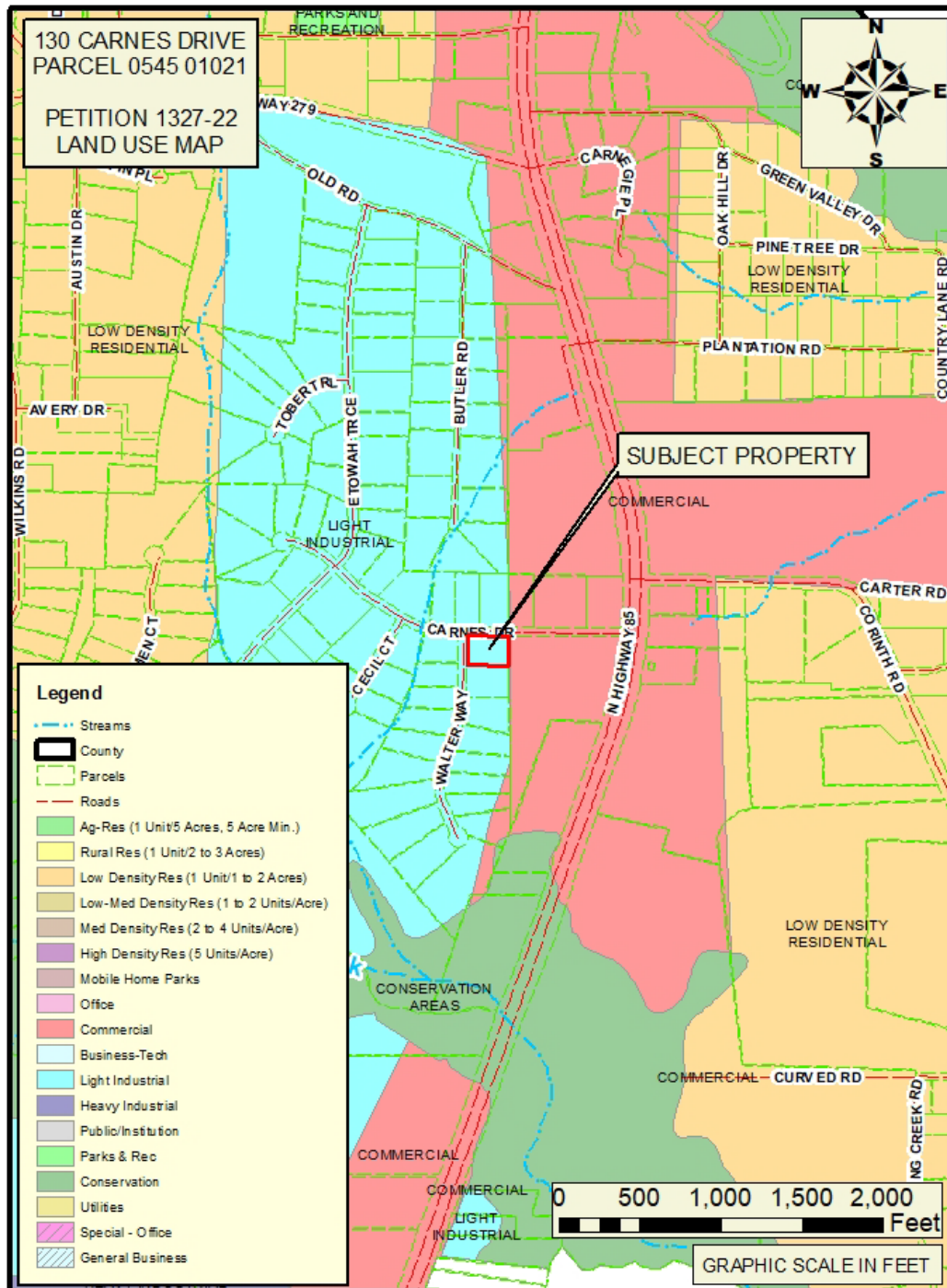
- b. Assembly of products from previously prepared materials;
 - c. Bottling and/or canning plant;
 - d. Ceramic products, provided that kilns shall only be by gas and/or electricity;
 - e. Construction of signs, including painted signs;
 - f. Cooperage;
 - g. Ice manufacturing;
 - h. Laundry, cleaning and/or dying plants;
 - i. Light sheet metal products such as ventilating ducts and eaves;
 - j. Manufacturing of food, cosmetic and pharmaceutical products, but not including fish and meat products, sauerkraut, vinegar, yeast and rendering plants;
 - k. Machine/welding shop and related activities;
 - l. Other manufacturing, processing, packaging, or handling of a similar nature which shall not emit or produce more smoke, noise, odor, dust, vibration, or fumes than the uses listed herein;
 - m. Production and/or sales of commercial/industrial hardware, such as tools, fasteners, fittings, machine parts, etc.;
 - n. Tinsmith and/or roofing service;
 - o. Concrete, gravel and/or mulch production and/or distribution;
- (40) Locksmith;
 - (41) Magazine publication and/or distribution;
 - (42) Medical laboratory;
 - (43) Manufactured home and/or building assembly and/or sales;
 - (44) Newspaper publication and/or distribution;
 - (45) Office equipment service and repair;
 - (46) Parking garage/lot;
 - (47) Pest control;
 - (48) Petroleum bulk plant (storage);
 - (49) Photostating;
 - (50) Planing and/or saw mill;
 - (51) Plant nursery, growing crops/garden and related sales;
 - (52) Printing plant;
 - (53) Radio studio;
 - (54) Railroad freight station;
 - (55) Railroad passenger station;
 - (56) Rent-alls;
 - (57) Restaurants (drive-in/drive-through prohibited);
 - (58) Restaurant supply;
 - (59) Rodeo/rodeo facilities;
 - (60) Seed sales and/or storage;
 - (61) Security system service;
 - (62) Shell home display;
 - (63) Solar farm;
 - (64) Taxidermist;
 - (65) Taxi service/limousine service/shuttle service/charter motor coach service;
 - (66) Television/movie studio/media productions;
 - (67) Tire sales;
 - (68) Trade school;
 - (69) Uniform services;
 - (70) Utility trailer sales and/or rentals;
 - (71) Warehousing and/or distribution;
 - (72) Wholesaling;

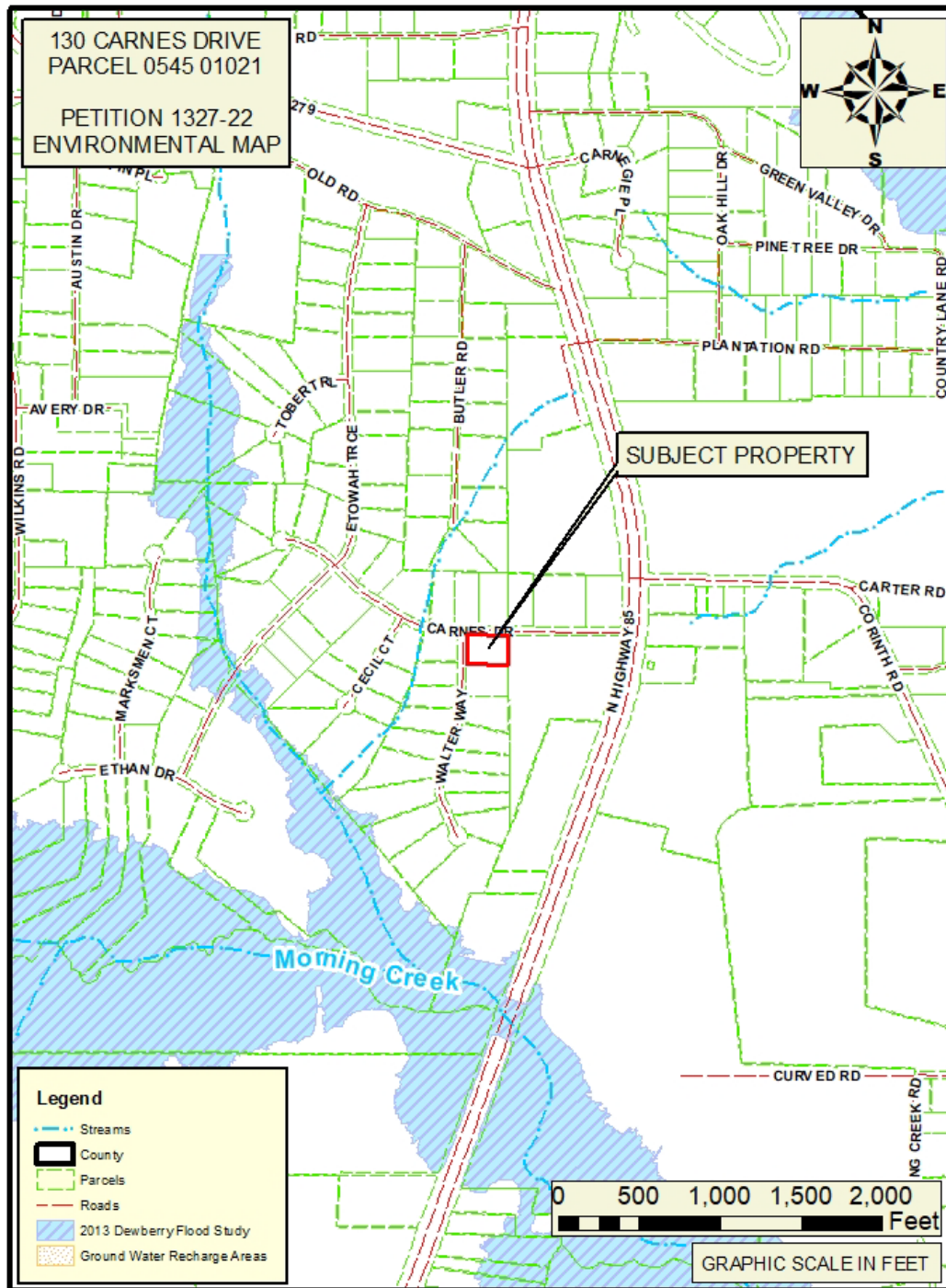
- (73) Wrecker, towing, impoundment, and/or automotive recovery/transport; and
 - (74) Vehicle/boat sales and repairs, paint and/or body shop, parts store including rebuilding of parts, parking lot or garage, upholstery shop.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the M-1 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Aircraft landing area;
 - (2) Amphitheatre;
 - (3) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
 - (4) Experimental labs;
 - (5) Feed lot and/or commercial barn;
 - (6) Home occupation;
 - (7) Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to, bungee and parachute jumping;
 - (8) Recycling facility;
 - (9) Self-storage facility (external and/or internal access);
 - (10) Shooting range, indoor;
 - (11) Shooting range, outdoor;
 - (12) Single-family residence and residential accessory structures and uses (see article III of this chapter);
 - (13) Stadium, athletic; and
 - (14) Wind farm.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the M-1 zoning district shall be as follows:
- (1) Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one acre).
 - b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half acre).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 80 feet.
 - b. Minor thoroughfare: 65 feet.
 - (4) Rear yard setback: 25 feet.
 - (5) Side yard setback: 25 feet.
 - (6) Buffer: If the rear or side yard abuts a residential or A-R zoning district a minimum buffer of 75 feet shall be provided adjacent to the lot line in addition to the required setback. The setback shall be measured from the buffer.
 - (7) Height limit: 50 feet.
 - (8) Lot coverage limit, including structure and parking area: 70 percent of total lot area.
 - (9) Screening dimensions for storage areas, loading docks and parking (see article III of this chapter and chapter 104).

















Walter Way Corner Lot View



Carnes Drive Corner Lot View

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

PROPERTY OWNERS: 130 Carnes Drive, LLC

MAILING ADDRESS: 3211 Windsor Lake Drive, Atlanta, GA 30319

PHONE: 404-218-1677 E-MAIL: dweinstein@dweinsteinpc.com

AGENT FOR OWNERS: David Weinstein

MAILING ADDRESS: 3211 Windsor Lake Drive, Atlanta, GA 30319

PHONE: 404-218-1677 E-MAIL: dweinstein@dweinsteinpc.com

PROPERTY LOCATION: LAND LOT 217 LAND DISTRICT S PARCEL 054501021
LAND LOT _____ LAND DISTRICT _____ PARCEL 05450121

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 1 acre

EXISTING ZONING DISTRICT: CH PROPOSED ZONING DISTRICT: M1

ZONING OF SURROUNDING PROPERTIES: M1

PRESENT USE OF SUBJECT PROPERTY: Vehicle repair

PROPOSED USE OF SUBJECT PROPERTY: Paint and body work

LAND USE PLAN DESIGNATION: Light Industrial

NAME AND TYPE OF ACCESS ROAD: ~~Light Industrial~~ Carnes Dr. internal local

LOCATION OF NEAREST WATER LINE: Carnes Drive

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1327-22

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: AD Bell Date: 09/30/2022

DATE OF PLANNING COMMISSION HEARING: Nov 3, 2022

DATE OF COUNTY COMMISSIONERS HEARING: Dec. 8, 2022

Received from Susan Weinstein a check in the amount of \$ 270.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: Sep. 30, 2022 Receipt Number: 016100

CHECK 2845
CHARGED ONLY 62
1 SIGN. \$20.00

needs 2 signs - CHARGED for 1 SIGN \$20.00

NAME: 130 Carnes Drive, LLC PETITION NUMBER: 1327-22

ADDRESS: 130 Carnes Drive

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

David Weinstein affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) CH 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 M-2.

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 3rd day of November, 2022 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 7th day of December, 2022 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 30th DAY OF September, 2022

NOTARY PUBLIC



APPLICANT'S SIGNATURE

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

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

130 Carnes Drive, LLC

Please Print Names

Property Tax Identification Number(s) of Subject Property: 05450121

(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) 217 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 1 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

[Signature]
Signature of Property Owner 1

3211 Windsor Lake Dr.
Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

[Signature]
Signature of Notary Public

9-30-2022
Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date



DISCLOSURE STATEMENT

Please check one:

Campaign contributions - ☒ No ☐ Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

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

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

Please return to:
Lawson, Beck & Sandlin, LLC
1125 Commerce Drive, Suite 300
Peachtree City, GA 30269
File # 21-LAW-2994

Type: WD
Recorded: 12/9/2021 12:31:00 PM
Fee Amt: \$554.00 Page 1 of 2
Transfer Tax: \$529.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

STATE OF GEORGIA
COUNTY OF FAYETTE

Participant ID: 1138094925

BK 5417 PG 456 - 457

LIMITED WARRANTY DEED

THIS INDENTURE made this 8th day of December, 2021 between

Marksmen Real Estate, LLC

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

130 Carnes Drive, LLC

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

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

ALL THAT TRACT or parcel of land lying and being in Land Lot 217 of the 5th District of Fayette County, Georgia, being Lot 35 of Kenwood Business Park Subdivision, Phase II, as shown on that certain plat of said subdivision recorded in Plat Book 21, Page 66, Fayette County, Georgia records, said plat being incorporated herein and made a part hereof by reference.

Subject to restrictive covenants and easements of record as shown on Exhibit "B"

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

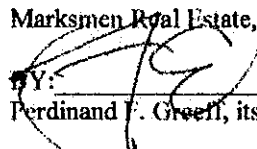
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by through or under Grantor.

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

Signed, Sealed and delivered in the presence of:

Marksmen Real Estate, LLC

Unofficial Witness

BY: 
Ferdinand F. Green, its President

Notary Public

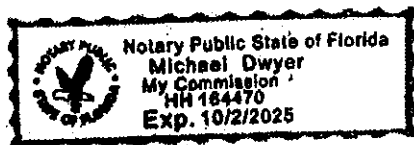


EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Protective Covenants for Kenwood Business Park recorded in Deed Book 663, Page 158, Fayette County, Georgia records.
2. Easement from Mrs. Charlotte C. McClure to Georgia Power Company dated April ___, 1976 and recorded in Deed Book 149, Page 152, Fayette County, Georgia records.
3. All matters as reflected on a survey of said property recorded in Plat Book 21, Page 66, Fayette County, Georgia records.

PETITION NO: 1328-22

REQUESTED ACTION: A-R to C-H

PARCEL NUMBER: 0532 007

PROPOSED USE: Self-Storage Facility

EXISTING USE: Residential Structure

LOCATION: 1222 Hwy 54 E

DISTRICT/LAND LOT(S): 5th District, Land Lot 137

OWNERS: Golden Development Company, LLC

AGENT: CK Spacemax, LLC c/o Ellen W. Smith, Parker Poe Adams & Bernstein, LLP

PLANNING COMMISSION PUBLIC HEARING: November 3, 2022

BOARD OF COMMISSIONERS PUBLIC HEARING: December 8, 2022

APPLICANT'S INTENT

Applicant proposes to rezone 9.022 acres from A-R to C-H to establish a self-storage facility.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, the C-H (Highway Commercial) District - is not designated for this area. Based on the Investigation and Staff Analysis, Staff recommends **DENIAL** of the request for a zoning of C-H, Highway Commercial District.

RECOMMENDED CONDITIONS, IF APPROVED

If this petition is approved by the Board of Commissioners, it should be approved **C-H** 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. A 100' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the north and west of the project. No encroachment of stormwater detention or other uses shall be allowed in this buffer.
2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. Fixtures shall be designed or shielded to prevent light trespass on other properties or roads.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is a 9.022-acre tract. The tract fronts on State Route 54 E. in Land Lot 137 of the 5th District. S.R. 54 is a major thoroughfare on the Fayette County Thoroughfare Plan and access is regulated by Georgia DOT. The property is currently a residential use.

The parcel is currently zoned *A-R, Agriculture-Residential*. This property is located in the General State Route Overlay Zone, which provides specific standards for nonresidential development.

B. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	20	A-R	Residential	Low Density Residential & Office
South	4.48 10.10	C-C M-1	Commercial Light Industrial	Commercial Conservation Area/Commercial
East (across SR 54)	199.40	A-R	County Park	Parks and Recreation
West	20	A-R	Residential	Low Density Residential

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density residential and Office uses on the Future Land Use Plan. This request does not conform to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Site Plan: The applicant proposes to build a self-storage facility consisting of both interior-access, climate-controlled storage and exterior access units, with a collective total of 147,050 Square Feet. Approval of the rezoning does not constitute approval of the site plan, which is conceptual in nature.

Access & Right-of Way: The property has an existing residential access on Hwy 54E. Location and construction of new access points is under the jurisdiction of GDOT.

Environmental: The property is adjacent to Nash Creek. The watershed protection buffer in this area is a 200' undisturbed buffer + a 50' Setback **OR**, measured from Base Flood Elevation a 100' buffer + a 50' setback, whichever is greater. The site plan provided does not account for this requirement.

F. DEPARTMENTAL COMMENTS

- ☐ **Water System** - FCWS has no objection to the proposed rezoning. Water is available in a 10" DIP water main at the location.
- ☐ **Public Works/Environmental Management**
 - **Transportation** – The access is on a State Route and requires GDOT review and approval.
 - **Floodplain Management** - The subject property **DOES** contain floodplain per FEMA FIRM panel 13113C0108E dated September 26, 2008, and on 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 but does contain streams and a small pond.
 - **Watershed Protection** - There **ARE** known state waters located on the subject property.
 - **Groundwater** – The property **IS NOT** within a groundwater recharge area.
 - **Stormwater Management** – There is no stormwater management facility on the property at present. Appropriate facilities will be required of any new development.
- ☐ **Environmental Health Department** – This office has no objection to the proposed rezoning. No information on septic system for current home. Documentation for this system will be required prior to construction.
- ☐ **Fire** – No objections to the requested rezoning.
- ☐ **GDOT** – The proposed access would be granted by GDOT; however since this property is located within an ongoing GDOT project the GDOT permitting process may take longer than normal, also the applicant should be made aware that GDOT will require a decel lane for the proposed development.

STANDARDS

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

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

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

STAFF ANALYSIS

1. The subject property lies within an area designated for Low Density Residential and Office Uses. This request does not conform to the Fayette County Comprehensive Plan in terms of the use.
2. The area around the subject property already has recreational and low-density residential uses, with a commercial use to the south. It is staff's opinion that the zoning proposal would adversely affect the existing or future uses of nearby residential properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is not consistent in character and use with the surrounding uses as low-density residential development.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, the C-H, Highway Commercial District - is not designated for this area. Based on the Investigation and Staff Analysis, Staff recommends **DENIAL** of the request for a zoning of C-H, Highway Commercial District.

RECOMMENDED CONDITIONS, IF APPROVED

If this petition is approved by the Board of Commissioners, it should be approved **C-H** 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. A 100' vegetated buffer shall be provided adjacent to residentially zoned parcel(s) in unincorporated Fayette County to the north and west of the project. No encroachment of stormwater detention or other uses shall be allowed in this buffer.
2. All exterior site lighting, including building mounted lighting, shall be full-cutoff type fixtures that allow no light above the horizontal plane of the fixture. Fixtures shall be designed or shielded to prevent light trespass on other properties or roads.

ZONING DISTRICT STANDARDS

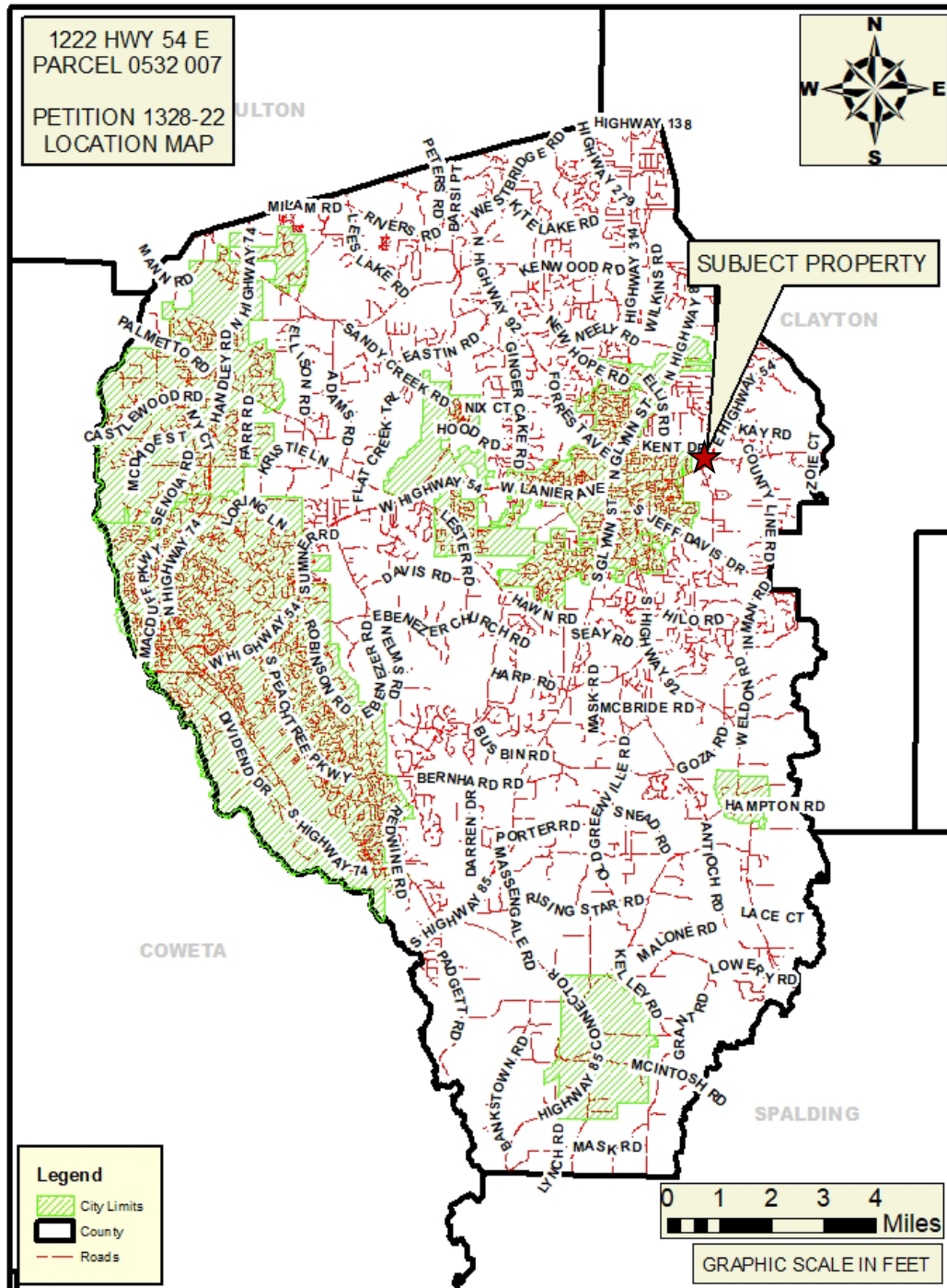
Sec. 110-144. C-H, Highway Commercial District.

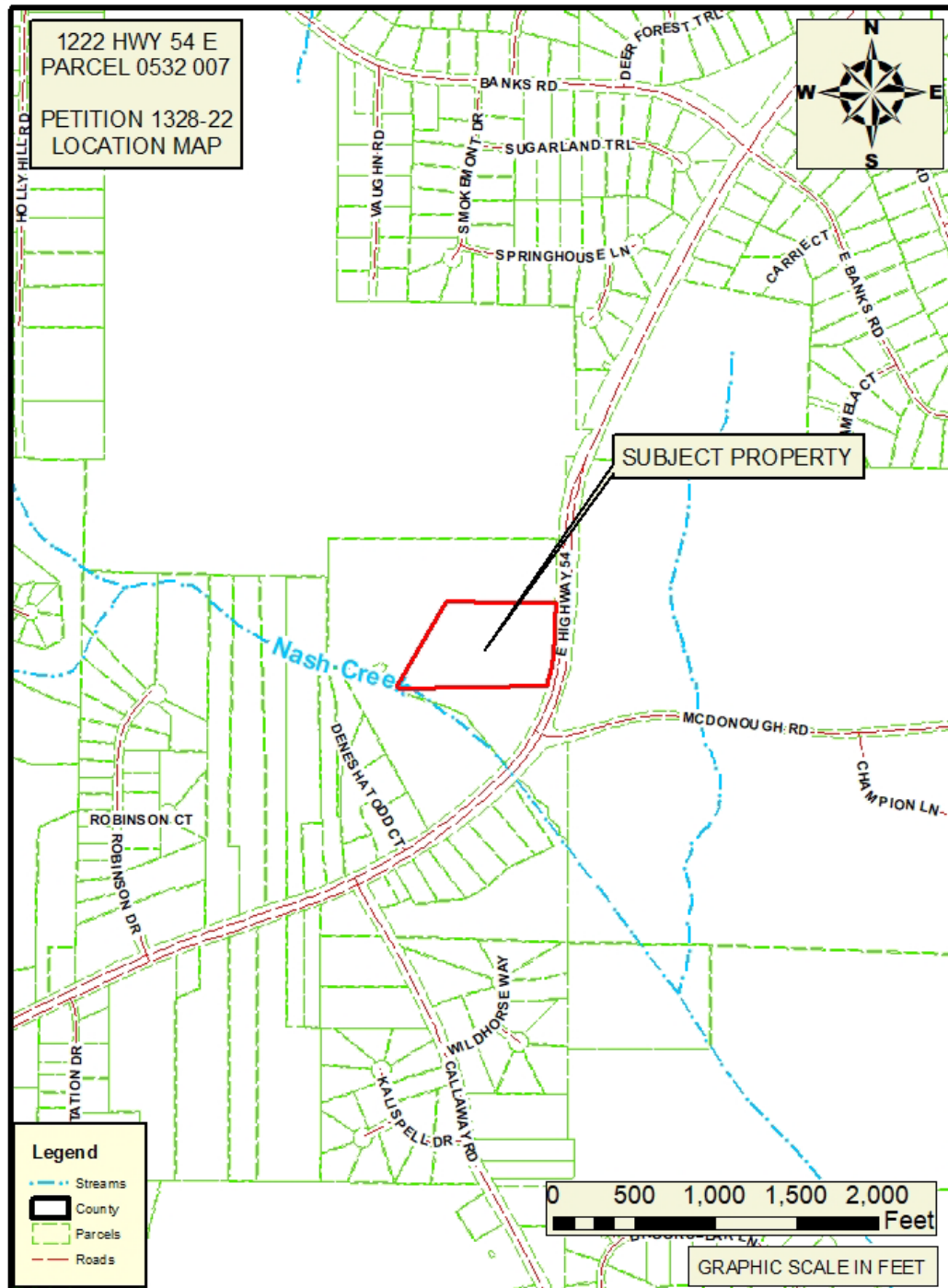
- (a) *Description of district.* This district is composed of certain lands and structures to provide and encourage proper grouping and development of roadside uses, which include a wide variety of sales and services that will best accommodate the needs of the county and the traveling public, reducing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

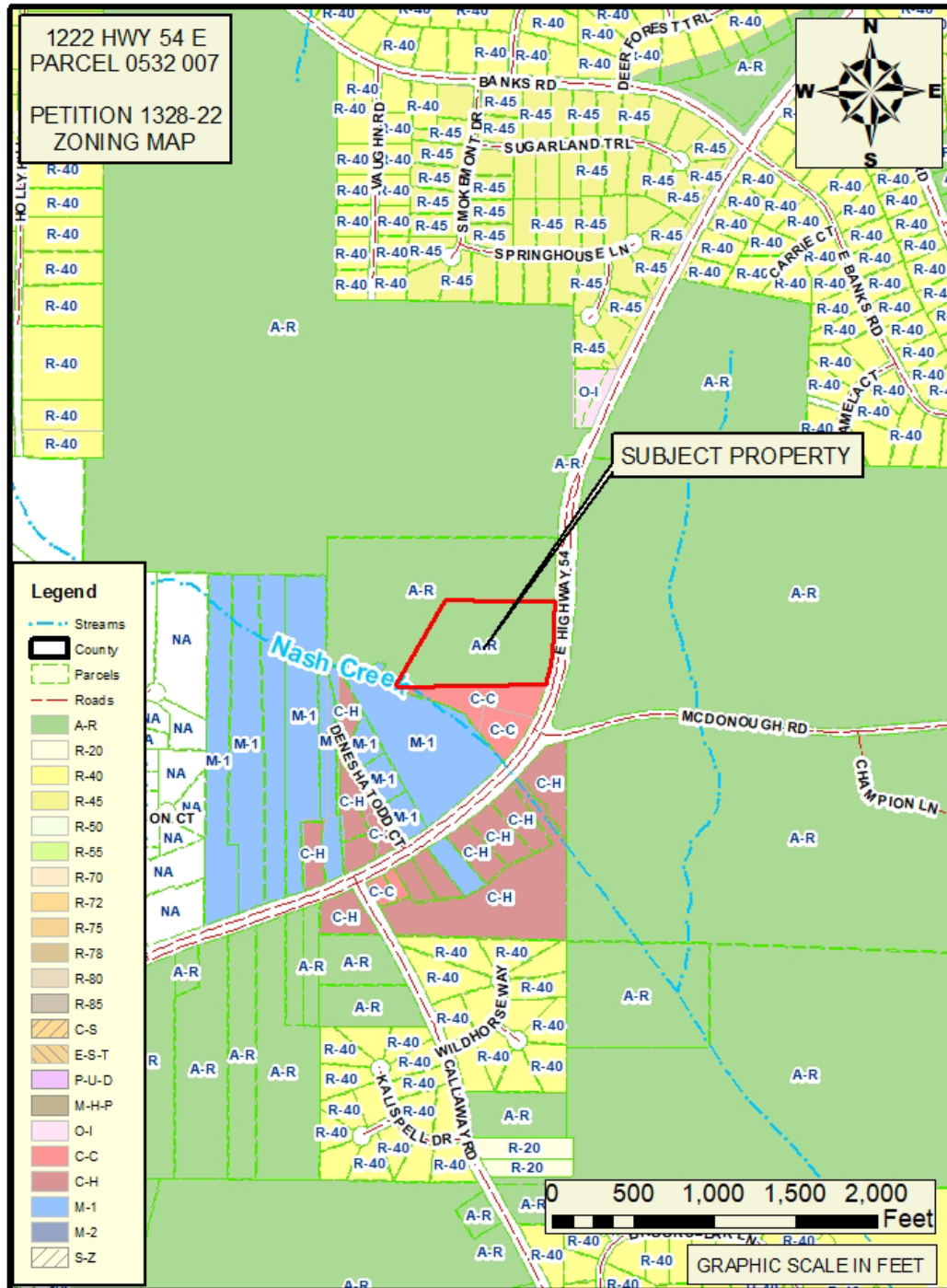
- (28) Firearm sales and/or gunsmith;
- (29) Flea market, indoor;
- (30) Florist shop;
- (31) Freezer locker service, ice storage;
- (32) Freight express office;
- (33) Funeral establishment (where funeral services, excluding a crematorium, may be provided);
- (34) Gift shop;
- (35) Glass sales;
- (36)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

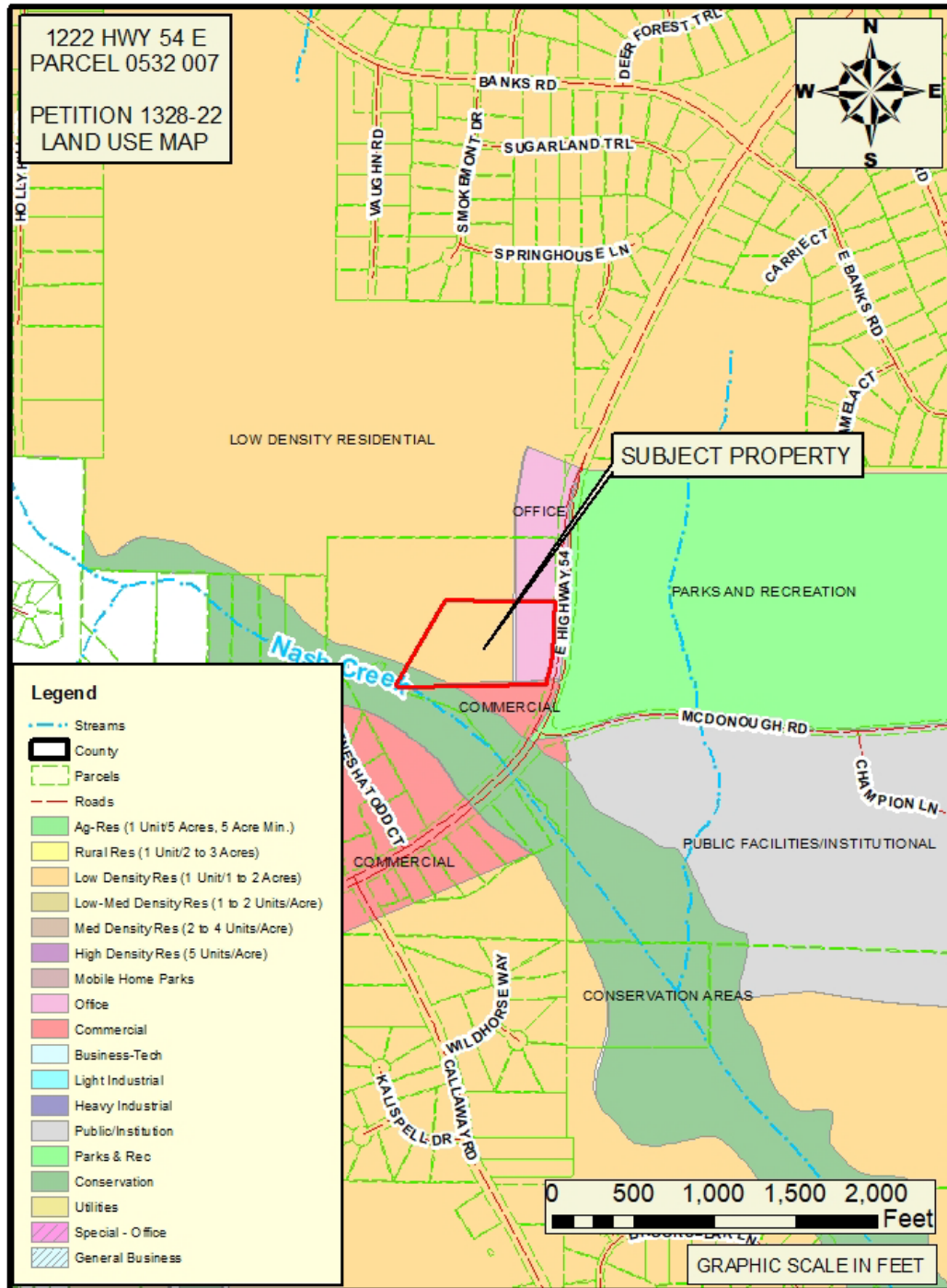
- (71) Taxi service/limousine service/shuttle service (no on-site maintenance and/or repair);
 - (72) Television/movie studio;
 - (73) Upholstery shop; and
 - (74) Utility trailers sales and/or rental.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the C-H zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Adult day care facility;
 - (2) Amphitheater;
 - (3) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
 - (4) Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store;
 - (5) Campground facilities;
 - (6) Care home, convalescent center, and/or nursing home;
 - (7) Cemetery;
 - (8) Charter motor coach service;
 - (9) Church and/or other place of worship;
 - (10) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (11) Commercial driving range and related accessories;
 - (12) Child care facility;
 - (13) Dry cleaning plant;
 - (14) Experimental laboratory;
 - (15) Golf course (minimum 18-hole regulation) and related accessories;
 - (16) Home occupation;
 - (17) Horse show, rodeo, carnival, and/or community fair;
 - (18) Hospital;
 - (19) Laundromat, self-service or otherwise;
 - (20) Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to bungee and parachute jumping;
 - (21) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium;
 - (22) Religious tent meeting;
 - (23) Seasonal sales, outdoor;
 - (24) Self-storage facility (external and/or internal access);
 - (25) Single-family residence and residential accessory structures and/or uses (see article III of this chapter);
 - (26) Shooting range, indoor;
 - (27) Stadium, athletic; and
 - (28) Temporary tent sales.
 - (29) Vehicle/boat sales.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the C-H zoning district shall be as follows:
- (1) Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one acre).
 - b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half acre).

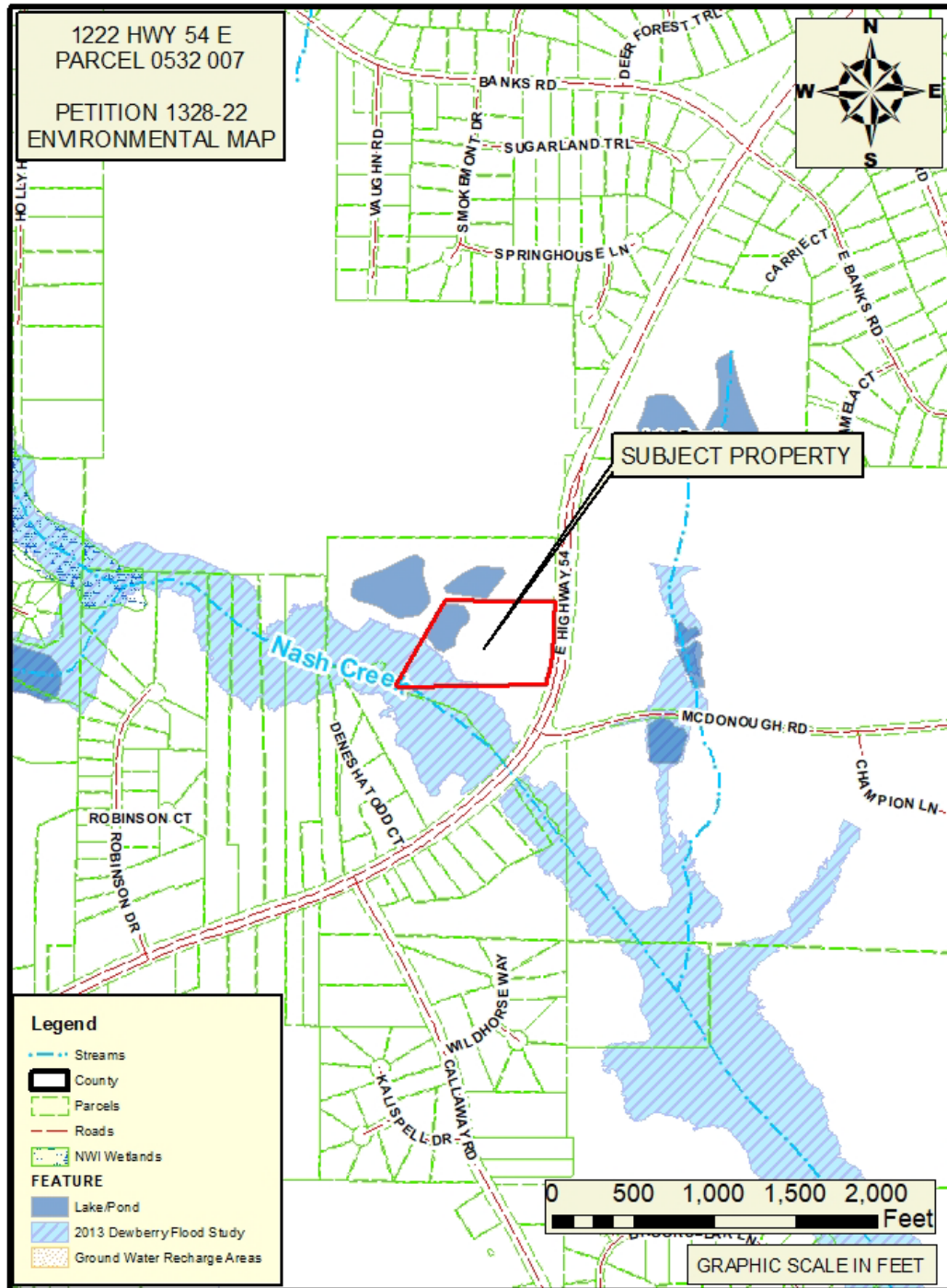
- (2) Lot width: 125 feet.
- (3) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 75 feet.
 - 2. Collector: 70 feet.
 - b. Minor thoroughfare: 65 feet.
- (4) Rear yard setback: 15 feet.
- (5) Side yard setback: 15 feet.
- (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.
- (7) Height limit: 35 feet.
- (8) Screening dimensions for parking and service areas as provided in article III of this chapter and chapter 104.
- (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

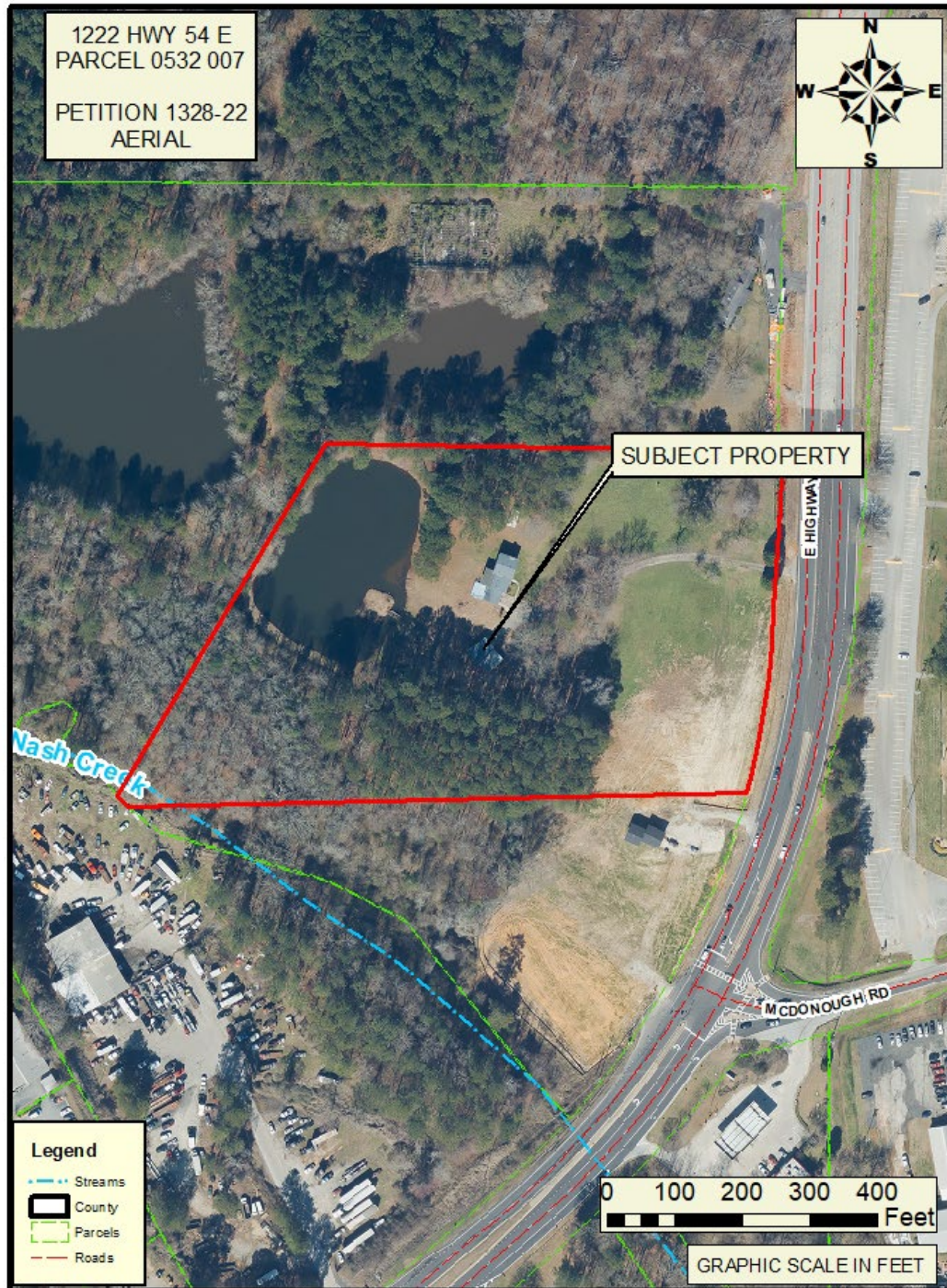












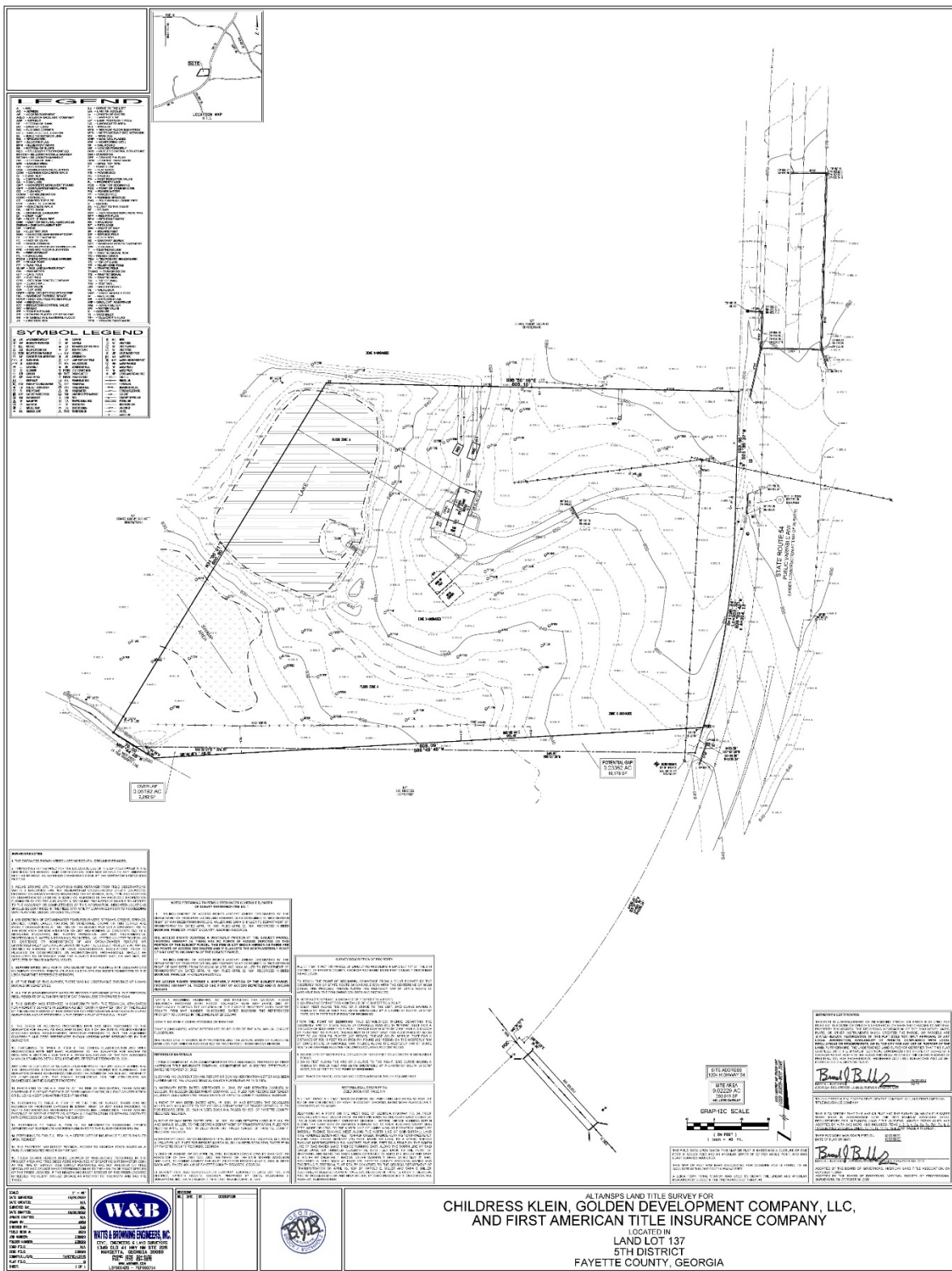


Rev 8-8-22

CONCEPTUAL SITE PLAN



RENDERING





1222 Highway 54 E



1222 Highway 54 E

1222 HWY 54 E
30214

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

PROPERTY OWNERS: GOLDEN DEVELOPMENT COMPANY, LLC

MAILING ADDRESS: 606 RIDGECLIFF DRIVE, FLORENCE, AL 35634

PHONE: _____ E-MAIL: _____

AGENT FOR OWNERS: CK SPACEMAX, LLC c/o Ellen W. Smith, Parker Poe Adams & Bernstein LLP

MAILING ADDRESS: 1075 PEACHTREE STREET NE, SUITE 1500, ATLANTA, GEORGIA 30309

PHONE: (678) 690-5720 E-MAIL: ELLENSMITH@PARKERPOE.COM

PROPERTY LOCATION: LAND LOT 137 LAND DISTRICT 5TH PARCEL 0532-007
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 9.022 ACRES

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: C-H WITH CUP

ZONING OF SURROUNDING PROPERTIES: M-1 to west and south; C-C to south; A-R to north and east

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: SELF-STORAGE FACILITY

LAND USE PLAN DESIGNATION: General State Route Overlay / Low Density Residential (adjacent to Planned Small Business Center Special Development District)

NAME AND TYPE OF ACCESS ROAD: SR 54 MAJOR ARTERIAL

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1328 - 22

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

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

by Staff: Wendy A. / G Date: OCT. 3, 2022

DATE OF PLANNING COMMISSION HEARING: NOV. 3, 2022

DATE OF COUNTY COMMISSIONERS HEARING: DEC. 8, 2022

Received from Parker Poe Adams & Bernstein LLP a check in the amount of \$ 390.00 for application filing fee, and \$ 40.00 for deposit on frame for public hearing sign(s).

Date Paid: check paid Sep 30, 22 Receipt Number: 016118
Rec'd Date Oct 4, 22

Total Rec'd 390.00

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:

GOLDEN

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0532 007

(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) 137 of the 5TH District, and (if applicable to more than one land district) Land Lot(s) of the District, and said property consists of a total of 9.02 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to ELLEN W. SMITH (COUNSEL FOR CK SPACEMAX, LLC to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

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


Signature of Property Owner 1

606 RIDGECREEK DR
Address

FLORENCE AL 35634
Signature of Property Owner 2


Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address


Signature of Notary Public

10-1-22
Date

Signature of Notary Public

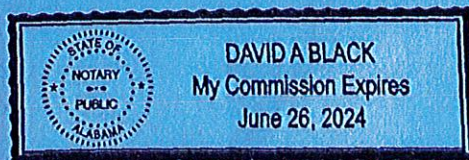
Date

Signature of Notary Public

Date

Signature of Notary Public

Date



NAME: CK SPACEMAX, LLC

PETITION NUMBER: 1328-22

ADDRESS: C/O ELLEN W. SMITH, PARKER POE, 1075 PEACHTREE ST. NE, SUITE 1500, ATLANTA, GA

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

_____ affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) ~~XX~~ A-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 C-H WITH CUP

This property includes: (check one of the following)

[☒] See attached legal description on recorded deed for subject property or

[☐] Legal description for subject property is as follows:

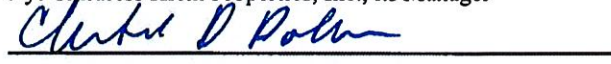
PUBLIC HEARING to be held by the Planning Commission of Fayette County on the _____ day of _____, 20_____ at 7:00 P.M.

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 30 DAY OF September, 2022


NOTARY PUBLIC

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


APPLICANT'S SIGNATURE
Christopher D. Poholek, Vice President



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, GOLDEN DEVELOPMENT COMPANY, LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, FUTURE RIGHT OF WAY IF REQUIRED AS A CONDITION OF ZONING AND WITH THE COUNTY'S ACKNOWLEDGEMENT THAT HWY 54 IS A GEORGIA DEPARTMENT OF TRANSPORTATION-MAINTAINED RIGHT OF WAY.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

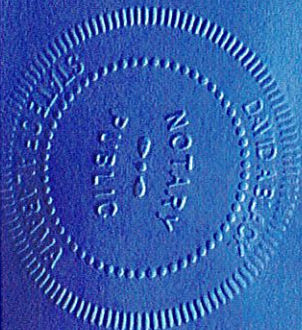
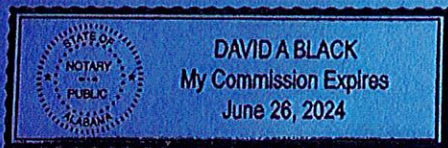
Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 1st day of October, 2027.

[Signature]
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

[Signature]
NOTARY PUBLIC



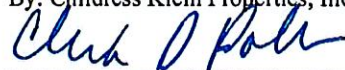
DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

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

Signed this 30th day of September, 2022.

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



APPLICANT'S SIGNATURE

Christopher D. Poholek, Vice President

DISCLOSURE STATEMENT

Please check one:

Campaign contributions - X No Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

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

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

Please return to:
Lawson & Beck, LLC
1125 Commerce Drive, Suite 300
Peachtree City, GA 30269
File # 18-LAW-1975

Doc ID: 010487540002 Type: WD
Recorded: 09/24/2018 at 09:35:00 AM
Fee Amt: \$12.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 4793 PG 514-515

STATE OF GEORGIA
COUNTY OF FAYETTE

WARRANTY DEED

THIS INDENTURE made this 11th day of September, 2018 between

Charles W. Golden a/k/a Chuck Golden

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

Golden Development Company, LLC

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

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

ALL THAT TRACT or parcel of land lying and being in Land Lot 137 of the 5th District of Fayette County, Georgia, being more particularly described as follows:

BEGINNING at a point on the west side of Georgia Highway No. 54, four hundred (401) feet south from an iron pin marking the northeast corner of lands now or formerly owned by George L. Raven; thence running south along the west side of Georgia Highway No. 54 four hundred ninety (490) feet, more or less, to the north line of lands now or formerly owned by Burrall; thence running west along the north line of said Burrall land nine hundred seven (907) feet to Nash Creek; thence running northwesterly along Nash Creek seventy (70) feet, more or less, to a stake; thence running northeasterly six hundred five (605) feet to a stake on the south line of said Raven land; thence running east, along the south line of said Raven land, six hundred seventy-five (675) feet back to the point of beginning, and being the same lands conveyed to Harold E. Miller and Sara S. Miller by Charles T. Brown under Warranty Deed dated May 22, 1961, recorded in Deed Book 47, Page 129, Fayette County records; SAVING AND EXCEPTING therefrom, that realty conveyed to the Georgia Department of Transportation on April 18, 1991 by Harold E. Miller and Sara S. Miller recorded in Deed Book 649 at Page 521, records of Fayette County, Georgia, and by Douglas Miller and Nina Miller, by deed recorded in Deed Book 649, Page 524, said records.

Subject to that certain loan deed of even date herewith, in favor of Heritage Bank, in the original principal amount of \$150,000.00, as recorded in Fayette County, Georgia Records.

Subject to restrictive covenants and easements of record.

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

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

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

Witness

Notary Public



Charles W. Golden
Charles W. Golden

Chuck Golden