

# Planning and Zoning Commission AGENDA

Tuesday, December 6, 2022 ♦ 7:00 p.m.

- Call to Order
- Determination of a Quorum
- Pledge of Allegiance
- Public Comments

Comments to the Planning and Zoning Commission should be limited to no more than two minutes. Groups wishing to address an issue should select one or two spokesperson(s). The time allowed for all issues shall not exceed a total of fifteen minutes. Issues raised at this time are generally referred to the Director of Planning and Zoning for review. Responses will be provided at a later date.

- Approval of the Meeting Agenda
- Approval of Meeting Minutes
  - November 1, 2022 Meeting Minutes
- Public Hearing
- Old Business
- New Business
  - Final Plat 2022146FP Andy Anderson, Jr.

Address: 0 East Campbellton Road (09F100900520316)

Request: To approve the final plat for the Andy Anderson, Jr properties.

Conceptual Plat 2022155CP Oakmont Bohannon

**Address:** 0 Bohannon Road (09F080000300548)

Request: To approve the conceptual plat for Oakmont Bohannon.

Final Plat 2022161FP Habitat for Humanity

Address: 0 Orchard Street (09F170900670056), 0 Orchard Street (09F170900670155), and 0

Orchard Street (09F170900670163)

**Request:** To approve the final plat for the Habitat for Humanity properties.

- Staff Report
- Commissioner Comments
- Adjournment



#### PLANNING AND ZONING COMMISSION MEETING MINUTES

City Hall 56 Malone Street Fairburn, GA 30213 Tuesday, November 1, 2022 7:00 p.m.

Elizabeth Echols, Chair Anthony Stewart, Vice-Chair Tony Smith (*Absent*) Jason Jones LaVone Deavers Michelle James

Interim Senior Planner: Richard Edwards

City Attorney: Valerie Ross

- I. <u>MEETING CALLED TO ORDER</u>: The meeting was called to order at 7:00 p.m. by Chair Echols.
- **II. ROLL CALL:** A quorum was determined, and the meeting proceeded.
- III. PUBLIC COMMENTS: None
- IV. <u>APPROVAL OF AGENDA</u>: Commissioner James made a motion to **APPROVE** the agenda. Commissioner Stewart seconded. **THE MOTION CARRIED.**
- V. <u>APPROVAL OF PREVIOUS MEETING MINUTES</u>: Commissioner James made a motion to **APPROVE** the October 4, 2022, minutes. Commissioner Deaver seconded. **THE MOTION CARRIED.**
- VI. <u>PUBLIC HEARING</u>: None
- VII. OLD BUSINESS: None
- VIII. <u>NEW BUSINESS</u>:
  - Preliminary Plat 2022019PP Evergreen Residential Subdivision
     Address: 294 Elder Street (09F171000670178), 296 Elder Street (09F171000670244), 0
     Strickland Street Rear (09F171000670137), and 246 Strickland Street (09F171000670129)

**Request:** To approve the preliminary plat for the Evergreen Residential Subdivision.

Richard Edwards introduced the case and presented on behalf of staff.

Dan Greene, applicant, explained the proposed development to the commission.

Commissioner Jones asked if there were any changes from the August 2, 2022, Concept Plat approval.

Ms. Penelope Ludlow asked if the project still had no access from Strickland Street.

Ms. Dianne Horkins expressed concerns about the tree removal and traffic.

Commissioner James confirmed with the applicant that sidewalks will be installed along all frontages of this property.

Commissioner Jones motioned for **APPROVAL** of Preliminary Plat 2022019. Commissioner James seconded. **THE MOTION CARRIED.** 

#### Conceptual Plat 2022092CP Mini Storage Depot

**Address:** 156 Jonesboro Road (09F170300661283)

Request: To approve the conceptual plat for the Mini Storage Depot

Richard Edwards introduced the case and presented on behalf of staff.

Clint Patterson, applicant, explained the proposed development to the commission.

Commissioner Jones asked for clarification on the location of the property and the existing Amerigas Propane property.

Commissioner James asked if the building would be visible from Jonesboro Road,

Commissioner Jones asked if this development would interfere with the existing MARTA bus transfer station and if any turn lanes would be installed.

Commissioner Jones asked staff to verify if this project met all distance requirements from self-storage facilities.

Commissioner Deavers motioned for **APPROVAL** of Conceptual Plat 2022092. Commissioner Smith seconded. **THE MOTION CARRIED.** 

#### Conceptual Plat 2022036CP South Park Building C

**Address:** 7760 Spence Road (09F060000340553)

**Request:** To approve the conceptual plat for South Park Building C

Richard Edwards introduced the case and presented on behalf of staff.

Matt Brune, applicant, explained the proposed development to the commission.

Ms. Sinclair expressed concerns about all of the new warehouses in the area.

Commissioner James motioned for **APPROVAL** of Conceptual Plat 2022036. Commissioner Stewart seconded. **THE MOTION CARRIED.** 

#### 2022127U Use Permit - BCW Enterprises, Inc

**Address:** 98 Orchard Street (09F170900670486)

**Request:** To approve a use permit for a group home/shelter.

Richard Edwards introduced the case and presented on behalf of staff.

Dr. Williams and Stacy Piper, applicants, explained the proposed use to the commission.

Commissioner James asked for clarification on the number of residents.

Commissioner Stewart asked where the residents would be coming from and what the requirements were to stay.

Commissioner James asked what happens after the 12 month period expires.

The applicant stated that the residents would be assigned from case managers. They also stated that background checks, compliance with recovery efforts, drug testing, and stay compliant with case manager meetings would be required before and during their stay. Furthermore, the applicant stated that at the end of their stay, their case manager would be responsible for placing the resident.

Commissioner Stewart asked the applicants of their backgrounds and qualifications.

Commissioner Jones asked how they were proposing to finance this project.

Commissioner James asked about drug usage and crime with the residents.

The applicant stated that any drug usage or criminal activity would disqualify the resident from being at the home.

Chairwoman Echols asked what type of offenders would be allowed at this location.

The applicant stated that there is a wide range of charges but clarified that there would be no sex offenders allowed at the home.

Commissioner Jones expressed that homelessness is a big problem in the US.

Commissioner Stewart asked the applicant if there were curfew requirements for the residents.

MINUTES

Commissioner James asked if the applicant had dialogue with the community.

Commissioner Stewart asked what the age range of applicants would be.

Gail Jackson expressed concern over the location within a single-family neighbor but stated this may be a better use in the mixed-use and commercial districts.

Ben Rivers expressed concerns over the transient nature of the use within a single-family neighborhood.

Penelope Ludlow expressed concerns over the transient nature of the use and the existing crime in the neighborhood.

Diane Hopkins spoke on the resiliency of the Lightning community but she was not in favor of this type of use.

Felicia Newman expressed concerns of the transient nature of the use being in a residential neighborhood.

Ms. Carolyn expressed concerns over the transient nature of the use and the family naure of the Lightning neighborhood.

Honey Williams expressed concerns over the proposed use due to her professional experience working with group homes.

Mr. Rayfield expressed support of the proposed use stating that the community needs to come together to help those that are in a bad situation.

Richard Edwards read into the record an email received from Inga Kennedy. Her email stated that she was in support of the proposed use but wanted the City to consider adding a condition that required a 2-mile distance between group home uses.

Commissioner Deavers motioned for **DENIAL** on Use Permit 2022127. Commissioner James seconded. **THE MOTION CARRIED.** 

#### 2022125U Use Permit - Logistics Acquisitions, LLC

**Address:** 8105 Cleckler Road (07290001560699)

**Request:** To approve a use permit for a truck terminal.

Richard Edwards introduced the case and presented on behalf of staff.

Gene Buckley, applicant, explained the proposed use to the commission.

Commissioner James asked the applicant to define what the truck terminal use would be.

Commissioner Jones asked for clarification of all improvements the applicant was proposing.

Penelope Ludow asked for clarification on the location of the proposed truck terminal and access to the site.

Commissioner James motioned for **APPROVAL** of Use Permit 2022125. Commissioner Stewart seconded. **THE MOTION CARRIED.** 

#### X. <u>STAFF REPORT</u>:

Interim Senior Planner, Richard Edwards, informed the commission of upcoming items.

#### XI. <u>COMMISSION COMMENTS</u>:

No commission comments.

XII. <u>ADJOURNMENT</u>: Commissioner James made a motion to **ADJOURN**. Commissioner Stewart seconded. **THE MOTION CARRIED**.

MEETING ADJOURNED: The meeting adjourned at 8:29 p.m.

Approval Signatures		
Date Approved		
Elizabeth Echols, Chairwoman		
Richard Edwards, Recording		
Secretary		



# CITY OF FAIRBURN PLANNING AND ZONING COMMISSION AGENDA ITEM

SUBJECT: FINAL PLAT	2022146FP ANDY ANDERSON,	JR. RESIDETIAL SUBDIVISION
( ) AGREEMENT ( ) ORDINANCE	( ) POLICY / DISCUSSION ( ) RESOLUTION	( ) CONTRACT (X) OTHER
<b>Submitted: 11/01/22</b>	Public Hearing: N/A	City Council: N/A
<b>DEPARTMENT:</b> Planning	g and Zoning Office	
BUDGET IMPACT: N/A		
PUBLIC HEARING: ( )	Yes (X)No	
Anderson, Jr. residential s	ing and Zoning Commission to revolution.  It was a vacant lot that consist of 1.36 acres	
FACTS AND ISSUES: The	e proposed residential developmen	nt consists of 3 detached single-family er Street and lots 2 and 3 have frontage on
_	plat and finds that the plat meets the nimum lot size, setbacks, and buffe	final plat subdivision regulations and code or standards.
RECOMMENDED ACTION Jr. Subdivision Final Plat.	<b><u>ON:</u></b> For the Planning and Zoning O	Commission to approve the Andy Anderson
Attachment: Andy Andersor	a, Jr. Final Plat	

# **PROPERTY DATA**

- PROPERTY AREA: 1.36 ACRES PARCEL ID: 09F100900520035
- & 09F100900520316
- ZONING: R-3 (SINGLE-FAMILY RESIDENTIAL) NUMBER OF LOTS: 3 LOTS
- SETBACKS:

FRONT: 45 FEET SIDE: 35 FEET (ALONG ROAD) SIDE: 10 FEET (INTERIOR LINE) REAR: 30 FEET

- MINIMUM LOT WIDTH: 90 FEET MINIMUM LOT SIZE: 14.520 SQ. FT
- MAXIMUM BLDG. HEIGHT: 48 FEET

THIS BOX IS RESERVED FOR THE CLERK OF SUPERIOR COURT RECORDING INFORMATION FINAL PLAT FOR:

# ANDY ANDERSON, JR

LAND LOT 52, 9F DISTRICT CITY OF FAIRBURN **FULTON COUNTY, GEORGIA** 

## **ENGINEER/SURVEYOR:**

MOORE BASS CONSULTING, INC. 1350 KEYS FERRY COURT McDONOUGH, GA 30253 (770) 914-9394

# **OWNER/DEVELOPER**

ANDY ANDERSON, JR 450 RIVERTOWN ROAD FAIRBURN, GEORGIA 30213 (404) 202-1782

# **CITY OF FAIRBURN APPROVAL**

THIS FINAL PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE APPROVED CONCEPT PLAT, THE APPROVED PRELIMINARY PLAT. THE APPROVED CONSTRUCTION PLANS, AND THE OTHER DEVELOPMENT CODES AND ORDINANCES OF THE CITY, AND HAS BEEN APPROVED BY THE CITY FOR RECORDING IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF FULTON COUNTY.

CITY ENGINEER:	DATE:	
CITY CLERK:	DATE:	
MAYOR/CITY ADMINISTRATOR:	DATE:	

# **MAINTENANCE GUARANTEE**

THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, HEREBY WARRANTS AND GUARANTEES TO THE CITY OF FAIRBURN THE FULL AND COMPLETE MAINTENANCE OF A CERTAIN IMPROVEMENT KNOWN AS \_ \_\_\_, OF THE FULTON COUNTY RECORDS. PARTICULARLY SHOWN IN PLAT BOOK \_\_\_\_\_, PAGE(S) \_\_\_\_

THIS WARRANTY AND GUARANTEE IS MADE IN ACCORDANCE WITH THE CITY OF FAIRBURN LAND SUBDIVISION REGULATIONS AND DEVELOPMENT STANDARD SPECIFICATIONS. THIS GUARANTEE INCLUDES NOT ONLY PAVING BUT ALSO ALL OTHER APPURTENANT STRUCTURES AND AMENITIES LYING WITHIN THE RIGHT-OF-WAY OF SAID ROAD AND IN THE BUFFER AREAS, INCLUDING BUT NOT LIMITED TO ALL CURBING, DRAINAGE PIPES, CULVERTS, CATCHBASINS, DRAINAGE DITCHES, AND PEDESTRIAN WALKS. UTILITIES OWNED AND OPERATED BY A GOVERNMENTAL BODY OR PUBLIC UTILITY COMPANY SHALL BE THE RESPONSIBILITY OF SAID GOVERNMENTAL BODY OR PUBLIC UTILITY COMPANY AND NOT THE DEVELOPER

THE DEVELOPER SHALL CORRECT AND REPAIR OR CAUSE TO BE CORRECTED AND REPAIRED ALL DAMAGES TO SAID IMPROVEMENTS RESULTING FROM ANY CAUSE WHATSOEVER. IN THE EVENT THE DEVELOPER FAILS TO CORRECT ANY DAMAGES WITHIN 30 CALENDAR DAYS AFTER WRITTEN NOTICE THEREOF. THEN SAID DAMAGES MAY BE CORRECTED BY THE CITY AND ALL COSTS AND CHARGES BILLED TO AND PAID BY THE DEVELOPER; BUT THIS REMEDY SHALL NOT LIMIT THE CITY, AND IT SHALL ALSO HAVE ANY REMEDIES AVAILABLE TO IT AS APPROVED BY LAW.

AGREEMENT. THE CITY SHALL BE RESPONSIBLE TO THE CITIZENS OF THE CITY FOR THE MAINTENANCE OF SAID IMPROVEMENTS AS PROVIDED BY LAW. NO ROADWAY AND ASSOCIATED RIGHT-OF-WAY SHALL BE ACCEPTED BY THE CITY FOR MAINTENANCE UNLESS IT SCORES 90 OR ABOVE ON THE CITY'S ASPHALT PAVEMENT RATING FORM; PROVIDED, HOWEVER, THAT ANY DAMAGES THAT OCCURRED PRIOR TO THE END OF THE AGREEMENT AS SPECIFIED IN

ORIZED

( )		JST BE GIVEN PRIOR TO THE TIME OF 1
	PER HAS CAUSED THIS AGREEMENT	TO BE EXECUTED BY ITS DULY AUTHO
OFFICERS THIS DAY OF	,·	
Afrika 1	OWNER	10/12/22
OWNER/DEVELOPER:	TITLE:	DATE:

NOTARY PUBLIC STATE OF GEORGIA

DATE

FILE#

CONTRACT#

**CHECKED BY** 

(C) Moore Bass Consulting

**DRAWN BY** 

#### REVISIONS 7/21/2022 REV. PER COMMENTS: 10/12/22 The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are A3853.0001 instruments of MB for use solely with respe to this Project and, unless otherwise provided, MB shall be deemed the author of **JRW** these documents and shall retain all common law, statutory and other reserved RJD rights, including the copyright.

# **REFERENCES**

- 1. LOT DIVISION SURVEY FOR ANDY ANDERSON JR AND ROBIN ANDERSON, PERFORMED BY POINT TO POINT LAND SURVEYORS, DATED JULY 17, 2010
- 2. BOUNDARY SURVEY FOR ANDY ANDERSON, JR, PERFORMED BY MOORE BASS CONSULTING, INC., DATED JULY 1,

# **FLOOD NOTE**

AS SHOWN ON FLOOD INSURANCE RATE MAPS OF FULTON COUNTY, GEORGIA COMMUNITY PANEL NUMBER: 13121C0462F EFFECTIVE DATE SEPTEMBER 18, 2013, THIS PROPERTY IS NOT LOCATED IN A FEMA FLOOD HAZARD

## **SURVEY NOTES**

- 1. NO N.G.S. MONUMENT FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY
- 2. ALL PROPERTY CORNERS REFERENCED AS I.P.S. INDICATES A ½" REBAR PLACED W/CAP LSF 001179 UNLESS
- 3. MOORE BASS CONSULTING AND/OR ROBERT J. DEBIEN DO NOT GUARANTEE THAT ALL EASEMENTS AND SUB-SURFACE CONDITIONS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
- 4. THIS DRAWING HAS BEEN GENERATED ELECTRONICALLY. THIS MEDIA SHOULD NOT CONSIDERED A CERTIFIED VALID DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED, SIGNED, AND DATED BY ROBERT J. DEBIEN IN CONTRASTING COLOR OF INK PER O.C.G.A. 43-15-22.
- 5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN. ALL MATTERS TO TITLE ARE EXCEPTED.
- 6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR ENTITY NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.
- 7. THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC DISTANCE MEASURING DEVICES AND THE ADVENT OF SURVEY GRADE G.P.S. MEASUREMENT EQUIPMENT.
- 8. THIS SURVEY IS REFERENCED TO THE NORTH AMERICAN DATUM (N.A.D.) OF 1983(1994 ADJUSTMENT) FOR HORIZONTAL DATUM AND THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988 FOR THE VERTICAL DATUM THE USE OF G.P.S. SURVEY MEASURING TECHNIQUES WERE USED FOR THESE DATUMS AND BASED ON THE POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EGPS SOLUTIONS. THE ORTHIMETRIC HEIGHTS WERE DERIVED USING THE GEOID A12.
- 9. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- 10. UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. NO CERTIFICATION OR GUARANTEE IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE UTILITIES OR STRUCTURES SHOWN HEREON. PER GEORGIA LAW THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING
- 11. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 123,637 FEET, AND AN ANGULAR ERROR OF 01" PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS ADJUSTED USING THE
- 12. THE CLOSURE PRECISION OF THE DATA SHOWN ON THE MAP OR PLAT. "THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 202,847 FEET" THE CLOSURE PRECISION PLACED ON THE SURVEY SHALL BE BASED ON AN ACTUAL MAP CLOSURE THAT HAS BEEN INDEPENDENTLY CALCULATED BY THE SURVEYOR BY USING THE BEARINGS AND DISTANCES FROM THE FACE OF THE PLAT, AND SHALL NOT BE A GENERALIZATION.
- 13. ALL LOTS OR PARCELS SHOWN ON LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A TRIMBLE S6 ROBOTIC TOTAL STATION & CHAMPION TKO ROVER GPS UNIT. THE FIELDWORK WAS COMPLETED JUNE 7, 2022

# VICINITY MAP (SCALE: 1"=600") Scharko Contracting

## CERTIFICATE OF DEDICATION

STATE OF GEORGIA

THE OWNER OF THE LAND SHOWN ON THIS PLAT ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND FOR VALUE RECEIVED, THE SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, DOES HEREBY CONVEY IN FEE SIMPLE TO THE CITY OF FAIRBURN, GEORGIA, AND FURTHER DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND RIGHTS-OF-WAY, PEDESTRIAN WALKS, WATERCOURSES, DRAINS, EASEMENTS, GREENBELTS AND PUBLIC PLACES SHOWN HEREON, EXCEPT THOSE EASEMENTS DESIGNATED ON THIS PLAT AS OTHER UTILITY COMPANY EASEMENTS, AND EXCEPT THOSE STREETS SPECIFICALLY DESIGNATED ON THIS PLAT AS

IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT AND OTHER VALUABLE CONSIDERATIONS, THE OWNERS DO HEREBY AGREE TO HOLD THE CITY OF FAIRBURN, GEORGIA, HARMLESS FOR THE PERIOD SPECIFIED IN SECTION 77-158(1) FROM ANY AND ALL MONETARY LIABILITIES WHICH MAY ARISE FROM ANY AND ALL CLAIMS, DAMAGES, OR DEMANDS ARISING ON ACCOUNT OF THE DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS OF THE PROPERTY SHOWN HEREIN, TO INCLUDE BUT NOT LIMITED TO, THE ROADS, STREETS, FILLS, EMBANKMENTS, DITCHES, CROSS DRAINS, CULVERTS AND BRIDGES WITHIN THE PROPOSED RIGHT-OF-WAY SHOWN, RESULTING FROM ANY AND ALL CAUSES OTHER THAN BY AN ACT OF THE CITY OF FAIRBURN, GEORGIA.

AND FURTHER, THE OWNER WARRANTS THAT HE OWNS FEE SIMPLE TITLE TO THE PROPERTY SHOWN HEREON AND AGREES THAT THE CITY OF FAIRBURN SHALL NOT BE LIABLE TO THE UNDERSIGNED OR SUBSEQUENT OWNERS IN TITLE FOR THE PERIOD SPECIFIED IN SECTION 77-158(1) FOR ANY CLAIM OF DAMAGES RESULTING FROM NEGLIGENCE IN EXERCISING ENGINEERING TECHNIQUES AND DUE CAUTION IN THE CONSTRUCTION OF CROSS DRAINS EXTENSION, DRIVES, STRUCTURES OR BUILDINGS, THE CHANGING OF COURSES OF STREAMS AND RIVERS, FLOODING FROM NATURAL CREEKS AND RIVERS AND ANY OTHER MATTER WHATSOEVER ON PRIVATE PROPERTY. ANY AND ALL MONETARY LIABILITY OCCURRING UNDER THIS PARAGRAPH SHALL BE THE LIABILITY OF THE OWNER. I FURTHER WARRANT THAT I HAVE THE RIGHT TO CONVEY SAID LAND ACCORDING TO THIS PLAT AND DO HEREBY BIND MYSELF AND THE OWNERS SUBSEQUENT IN TITLE TO DEFEND THE COVENANTS AND AGREEMENTS SET OUT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET BY HAND AND AFFIXED MY SEAL THIS DAY OF

- Ann	OWNER	10/12/22	
OWNER/DEVELOPER:	TITLE:	DATE:	

NOTARY PUBLIC STATE OF GEORGIA

# **SURVEYOR'S CERTIFICATE**

AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 15-6-67, THIS MAP OR PLAT HAS BEEN PREPARED AND ISSUED FOR SUBMITTAL AND APPROVAL BY THE LOCAL JURISDICTION AS IS EVIDENCED BY THE APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THE SURVEY OR MAP AS TO INTENDED USE OF ANY PARCEL. FURTHER, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

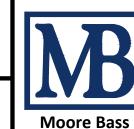
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN: THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT.

10/12/22 **ŔOBERT J. DEBIEN** 

**PROJECT** 

ANDY ANDERSON, JR. FAIRBURN, GEORGIA **CLIENT NAME** 

ANDY ANDERSON, JR. 450 RIVERTOWN ROAD FAIRBURN, GEORGIA 30213



Consulting, Inc.

REGISTERED LAND SURVEYOR #2964 (rdebien@moorebass.com)

 Land Surveying • Landscape Architecture Environmental Permitting

www.moorebass.com TALLAHASSEE • ATLANTA

1350 Keys Ferry Court McDonough, GA 30253 770.914.9394

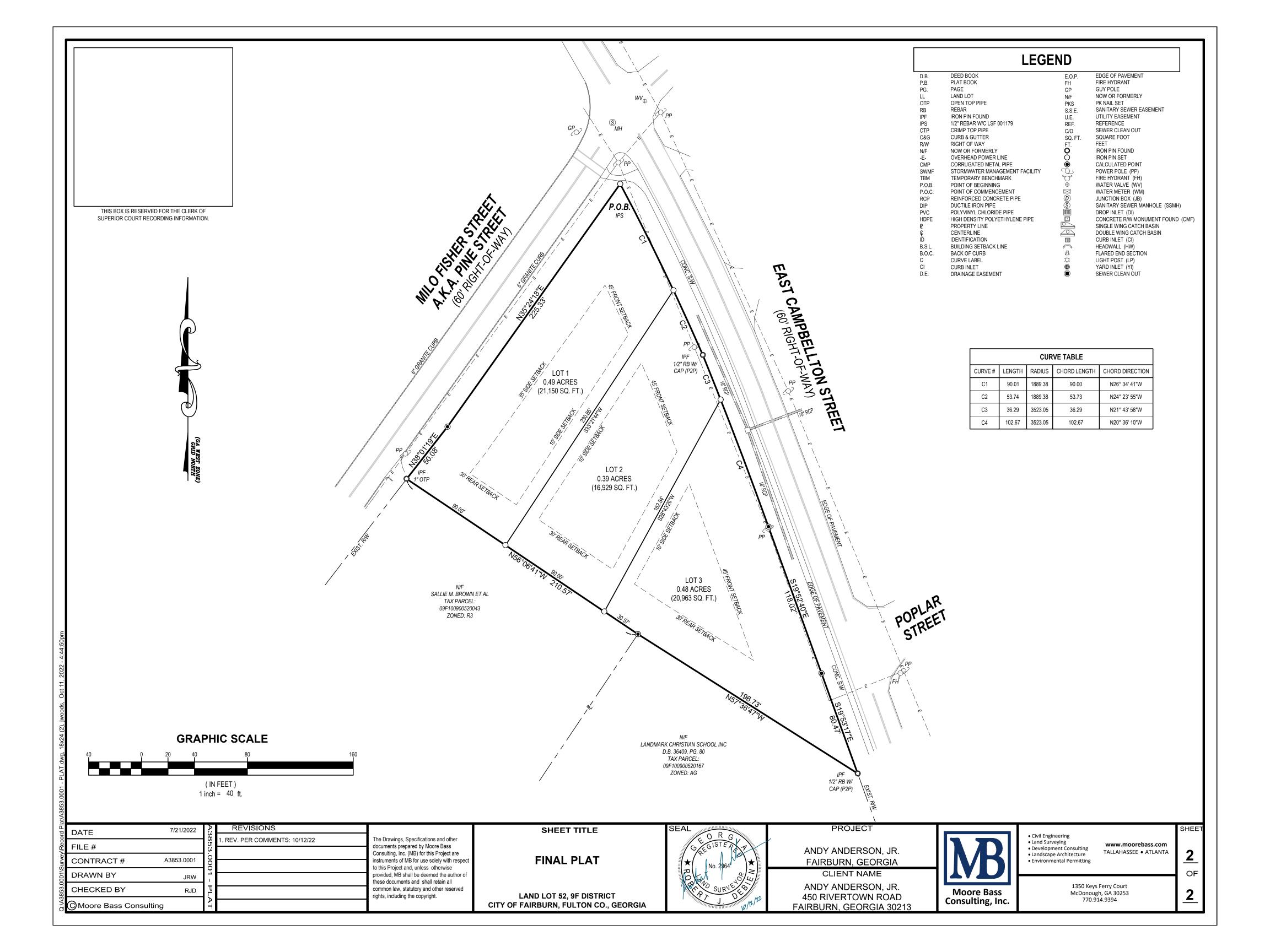
SHEE

OF

SHEET TITLE

FINAL PLAT

LAND LOT 52, 9F DISTRICT CITY OF FAIRBURN, FULTON CO., GEORGIA





# CITY OF FAIRBURN PLANNING AND ZONING COMMISSION AGENDA ITEM

SUBJECT: CONCEPT PLAT	2022155CP OAKMONT BOH	ANNON INDUSTRIAL		
( ) AGREEMENT ( ( ) ORDINANCE (	) POLICY / DISCUSSION ( ) RESOLUTION	( ) CONTRACT (X) OTHER		
<b>Submitted:</b> 11/23/22	Public Hearing: N/A	City Council: N/A		
<b>DEPARTMENT:</b> Planning and Zoning Office				
BUDGET IMPACT: N/A				
PUBLIC HEARING: ( ) Yes ( X)No				

**<u>PURPOSE</u>**: For the Planning and Zoning Commission to review the conceptual plat for the Oakmont Bohannon Industrial.

**HISTORY:** This parcel is a vacant lot that consist of 23.386 acres of land zoned M-2. The applicant obtained a stream buffer variance from the Board of Appeals on October 20, 2022. This approval was to provide relief from Article V. Stream Buffer Protection, Section 65-233 Land Development requirement, to allow an encroachment into the 25' impervious setback, 50' undisturbed buffer, and to fill a portion of an intermittent stream. The applicant also received approvals from the Georgia Environmental Protection Department and the US Army Corp of Engineers.

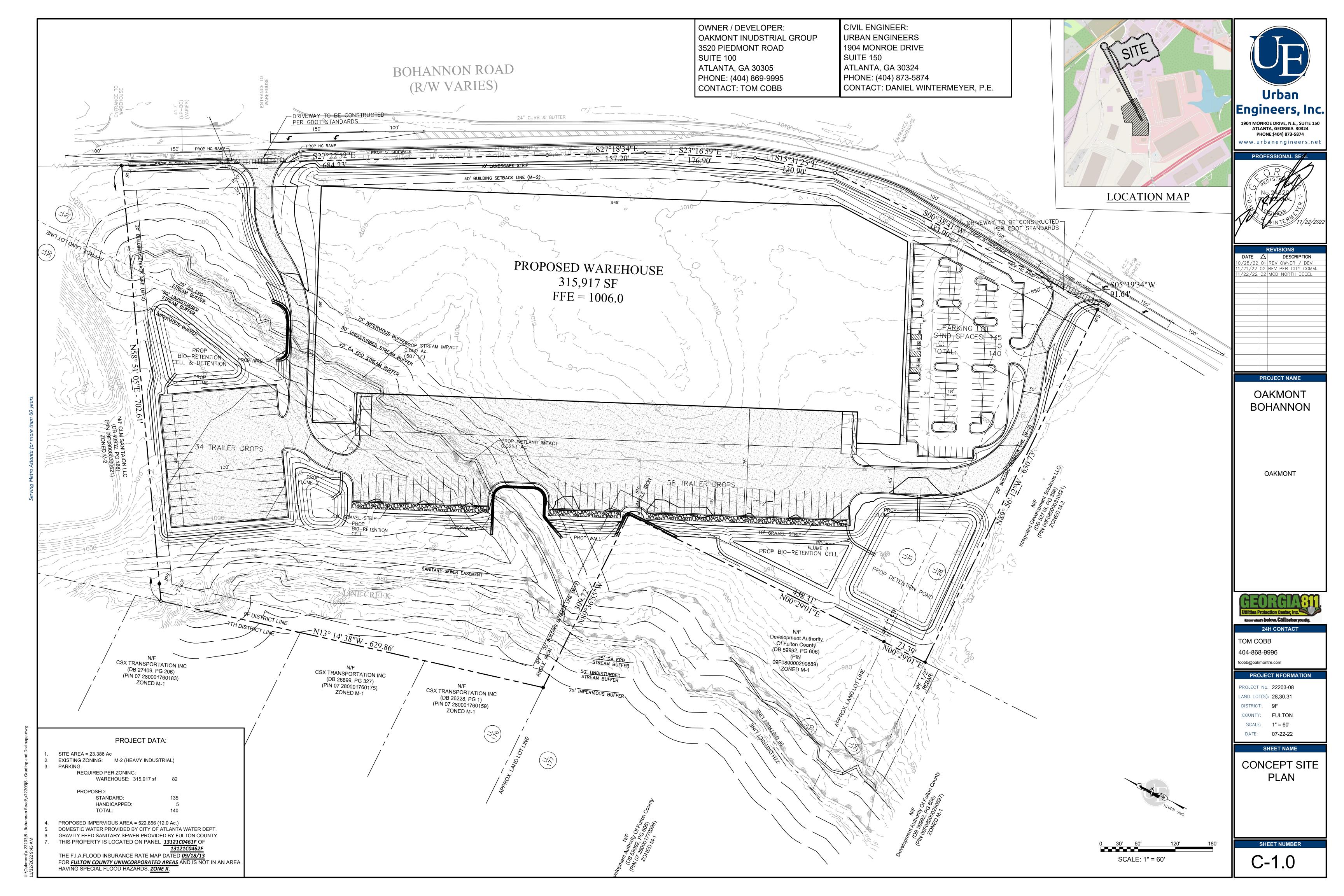
**FACTS AND ISSUES:** The proposed development includes construction of a one-story warehouse consisting of 315, 917 square feet of warehouse space. This includes 92 trailer drop spaces, 1345 standard parking spaces, and 5 handicap spaces. The applicant is proposing two access points along Bohannon Road.

Staff has reviewed the concept plat and finds that the plat meets the concept plat regulations and code of ordinances, such as the minimum lot size, setbacks, and buffer standards.

**RECOMMENDED ACTION:** For the Planning and Zoning Commission to approve the Oakmont Bohannon Industrial Concept Plat.

Attachment: Oakmont Bohannon Industrial Concept Plat

Elevations



PRIMARY CONTACT: CONTACT

PRIMARY CONTACT: CONTACT

PRIMARY CONTACT: CONTACT

PH: (XXX) XXX-XXXX

EMAIL: XXX@XXX.XXX

ALTERNATE CONTACT: PH: (XXX) XXX-XXXX

EMAIL: XXX@XXX.XXX

PH: (XXX) XXX-XXXX

PH: (XXX) XXX-XXXX EMAIL: XXX@XXX.XXX

PH: (XXX) XXX-XXXX

PH: (XXX) XXX-XXXX EMAIL: XXX@XXX.XXX

EMAIL: XXX@XXX.XXX

ALTERNATE CONTACT:

EMAIL: XXX@XXX.XXX

ALTERNATE CONTACT:

ADDRESS LINE 1

ADDRESS LINE 2

(XXX) XXX-XXXX

ADDRESS LINE 1

ADDRESS LINE 2

(XXX) XXX-XXXX

ADDRESS LINE 1

ADDRESS LINE 2

(XXX) XXX-XXXX

CITY, STATE XXXXX

CITY, STATE XXXXX

CITY, STATE XXXXX

**ELECTRICAL ENGINEER** 

LANDSCAPE ARCHITECT

ADDRESS LINE 2

(XXX) XXX-XXXX

CITY, STATE XXXXX

ATLANTA, GA 30305 P 470.426.8777

ARCHITECT

WARE MALCOMB

EMAIL: XXX@XXX.XXX

ALTERNATE CONTACT:

PH: 470.426.8777 x 2815

PH: 470.426.8777 x2809

EMAIL: jdooley@waremalcomb.com

EMAIL: fsanai@waremalcomb.com

ALTERNATE CONTACT: FARAH SANAI

PH: (XXX) XXX-XXXX EMAIL: XXX@XXX.XXX

3520 PIEDMONT ROAD, NE SUITE 290 PRIMARY CONTACT: ANTHONY JASON DOOLEY

Jason Dooley DRAWN BY.: BC/ZT/ES **JOB NO.:** ATL22-0075-00

10. ROOF ACCESS LADDER/PLATFORM DESIGN AND SUPPORT.

11. LADDER SAFETY SYSTEM DESIGN AND SUPPORT.

CAUTION: IF THIS SHEET IS NOT 30"x42" IT IS A REDUCED PRINT



# CITY OF FAIRBURN PLANNING AND ZONING COMMISSION AGENDA ITEM

SUBJECT: FINAL PLAT	2022161FP HABITAT FOR HU	MANITY RESIDETIAL SUBDIVISION		
( ) AGREEMENT ( ) ORDINANCE	( ) POLICY / DISCUSSION ( ) RESOLUTION	( ) CONTRACT (X) OTHER		
Submitted: 11/30/22 Public Hearing: N/A		City Council: N/A		
<b>DEPARTMENT:</b> Planning and Zoning Office				
BUDGET IMPACT: N/A				
PUBLIC HEARING: ( )	Yes (X)No			

**<u>PURPOSE:</u>** For the Planning and Zoning Commission to review the final plat for the Habitat for Humanity residential subdivision.

**HISTORY:** This plat consists of three residentially zoned lots that are being combined into two residential lots. Currently, the lots are 0.48 acres. 0.11 acres, and 0.14 acres. The R-4 zoning district requires a minimum lot area of 0.25 acres (10,890 square feet). The applicant is wishing to combine the three lots and have two lots that conform to the existing code.

**FACTS AND ISSUES:** The proposed residential development consists of 2 detached single-family lots. Lot 1 has frontage on Orchard Street and consists of 0.37 acres (16,103 square feet. Lot 2 has frontage on Orchard Street and Aderhold Street and consists of 0.25 acres (10,974 square feet).

Staff has reviewed the final plat and finds that the plat meets the final plat subdivision regulations and code of ordinances, such as the minimum lot size, setbacks, and buffer standards.

**RECOMMENDED ACTION:** For the Planning and Zoning Commission to approve the Habitat for Humanity Residential Final Plat.

Attachment: Habitat for Humanity Final Plat

#### UTILITIES PROTECTION CENTER



CALL FREE
IN METRO ATLANTA
770-623-4344
THROUGHOUT GEORGIA

THREE WORKING DAYS BEFORE YOU DIG

## CAUTION

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

THE PURPOSE OF THIS PLAT IS TO CREATE TWO LOTS

OWNER/DEVELOPER:

HABITAT FOR HUMANITY IN ATLANTA, INC 824 MEMORIAL DR. SE ATLANTA, GA 30316

### REFERENCE MATERIAL:

1. WARRANTY DEED IN FAVOR OF
HABITAT FOR HUMANITY IN ATLANTA, INC.
DEED BOOK 59424 PAGE 317—318
FULTON COUNTY, GEORGIA RECORDS
(LOTS 3,4, AND 5 ADERHOLD SUBDIVISION)

2. LIMITED WARRANTY DEED IN FAVOR OF AH CAPITAL CAMPAIGN, INC. DEED BOOK 59974 PAGE 13-14 FULTON COUNTY, GEORGIA RECORDS (LOTS 1 AND 2 HUDSON SUBDIVISION)

#### MINIMUM BUILDING SETBACK REQUIREMENTS:

CURRENT ZONING - R-4
FRONT BUILDING LINE - 25'
SIDE BUILDING LINE - 10'
REAR BUILDING LINE - 20'
MINIMUM LOT WIDTH - 75'
MINIMUM LOT SIZE SHALL BE 10,890 SF

NO WATERS OF THE STATE ARE WITHIN 200' OF THE SITE

AREA THIS TRACT:

0.622 ACRES

State of Georgia

County of Fulton

The owner of the land shown on this plat acknowledges that this plat was made from an actual survey, and for value received, the sufficiency of which is hereby acknowledged, does hereby convey in fee simple to the City of Fairburn, Georgia, and further dedicates to the use of the public forever all streets and rights-of-way, pedestrian walks, watercourses, drains, easements, greenbelts and public places shown hereon, except those easements designated on this plat as other utility company easements, and except those streets specifically designated on this plat as private streets.

In consideration of the approval of this final plat and other valuable considerations, the owners do hereby agree to hold the City of Fairburn, Georgia, harmless for the period specified in section 77-158(1) from any and all monetary liabilities which may arise from any and all claims, damages, or demands arising on account of the design and construction of public improvements of the property shown herein, to include but not limited to, the roads, streets, fills, embankments, ditches, cross drains, culverts and bridges within the proposed right-of-way shown, resulting from any and all causes other than by an act of the City of Fairburn, Georgia.

And further, the owner warrants that he owns fee simple title to the property shown hereon and agrees that the City of Fairburn shall not be liable to the undersigned or subsequent owners in title for the period specified in <a href="section 77-158">section 77-158</a>(1) for any claim of damages resulting from negligence in exercising engineering techniques and due caution in the construction of cross drains extension, drives, structures or buildings, the changing of courses of streams and rivers, flooding from natural creeks and rivers and any other matter whatsoever on private property. Any and all monetary liability occurring under this paragraph shall be the liability of the owner. I further warrant that I have the right to convey said land according to this plat and do hereby bind myself and the owners subsequent in title to defend the covenants and agreements set out.

IN WITNESS WHEREOF, I have hereunto set by hand and affixed my seal this day of \_\_\_\_\_

Owner/ Title Date
Developer

Notary Public (Seal) State of

Georgia

City Engineer Date

City Clerk Date

Mayor/
City Administrator Date

the approved construction plans, and the other development codes

and ordinances of the city, and has been approved by the city for

recording in the Office of the Clerk of the Superior Court of Fulton County.

I hereby certify that this subdivision was constructed in accordance with the construction plans and specifications plans and specifications which were approved by the city engineer, as well as any approved revisions thereto, and that all applicable engineering requirements of the land subdivision regulations and zoning ordinance have been fulfilled, except as noted below:

This final plat has been prepared in accordance with

the approved concept plat, the approved preliminary plat,

J. Ch

Signature of Engineer of Record Date

Name (Seal)

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist or are marked as "future" and their location, size, type, and material are correctly shown: This plat conforms to all requirements of the Georgia Plat Act. By:

Registered Georgia Land Surveyor

\_\_\_\_ (Seal)

Name (Printed) Date

#### FLOOD HAZARD STATEMENT

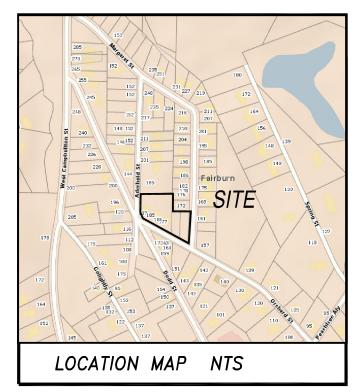
THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. COMMUNITY PANEL No. 13121C0454 F EFFECTIVE DATE: SEPTEMBER 18, 2013. FULTON COUNTY, GEORGIA

\*NOTES

ALL CORNERS ARE MARKED WITH 1/2" REBAR UNLESS OTHERWISE SHOWN.

DISTANCES SHOWN ON THE PLAT SHALL BE HORIZONTAL

WATER SERVICE BY CITY OF ATLANTA SEWER SERVICE BY CITY OF ATLANTA



COPYRIGHT 2013 AERO SURVEYS OF GA., INC.

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

the full and complete		ereby warrants and guarantees to the City of vement known as and more partice County Records.	
Regulations and Dev other appurtenant str including but not limit walks. Utilities owned	elopment Standard Specificatior uctures and amenities lying with ed to all curbing, drainage pipes I and operated by a government	nce with the City of Fairburn Land Subdivisions. This guarantee includes not only paving bein the right-of-way of said road and in the bull, culverts, catchbasins, drainage ditches, and all body or public utility company shall be the try company and not the developer.	ut also all ffer areas,
improvements resulti within 30 calendar da costs and charges bil	ng from any cause whatsoever. I vs after written notice thereof, th	to be corrected and repaired all damages to n the event the developer fails to correct any sen said damages may be corrected by the c ; but this remedy shall not limit the city, and i	damages ity and all
The terms of this agreement shall be as specified in <a href="section-77-158">section 77-158</a> (1). After the termination of the agreement, the city shall be responsible to the citizens of the city for the maintenance of said improvements as provided by law. No roadway and associated right-of-way shall be accepted by the city for maintenance unless it scores 90 or above on the city's asphalt pavement rating form; provided, however, that any damages that occurred prior to the end of the agreement as specified in <a href="section-77-158">section 77-158</a> (1) that still are unrepaired at the termination of the stated period shall remain the responsibility of the developer. Written notice of damages must be given prior to the time of the termination of the agreement.  IN WITNESS WHEREOF, the developer has caused this Agreement to be executed by its duly authorized officers this day of			
	<u> </u>		
Owner/ Developer	Title	Date	
	(Seal)		
Notary Public	(Seal)		

# PRECISION OF SURVEY

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 154,297 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA. A TOPCON GR-5 WAS USED IN THE COLLECTION OF GPS OBSERVATIONS.

REV.	DATE	DESCRIPTION

SUBDIVISION PLAT FOR:

ORCHARD STREET SUBDIVISION

LAND LOT 67 9F TH DISTRICT CITY OF FAIRBURN FULTON COUNTY, GEORGIA

DRAWN LCE
CHECKED LCE
DATE 10/06/22
SCALE

ORCHARD.dwg

State of

Georgia



Tel. 770-998-5763

COVER SHEET

126 HEATHWOOD CIRCLE LAVONIA, GA. 30553

