



## **Planning and Zoning Commission Agenda**

**Tuesday, August 01, 2023  
7:00 p.m.**

- 
- A. Call to Order**
  - B. Determination of a Quorum**
  - C. Pledge of Allegiance**
  - D. Approval of the Meeting Agenda**
  - E. Approval of the Meeting Minutes**
    - 1. Approval of the July 11, 2023 - Regular Meeting Minutes
  - F. Public Comments**
  - G. Old Business**
  - H. New Business**
    - 1. PZ23009 - Concept Plan and Building Elevations: PVI – (PVI Fairburn Office Building - 5645 Milam Rd Fairburn, GA)
    - 2. PZ23071 - Concept Plat: Cigar Studio South Plat – O Harris Rd
    - 3. PZ23019 - Mobile Food Truck Use Permit: Fairway Foodies/Swing Golf Course - 8480 Senoia Road and O Senoia Rd
    - 4. PZ23011 - Rezoning: from PD (Commercial) to PD (Residential). - Durham Lakes (Development Area 5) - Intersection of John Rivers Rd & Roosevelt Hwy
  - I. Commissioner Comments**
  - J. Adjournment**

**CITY OF FAIRBURN**

56 SW Malone Street. Fairburn, GA 30213-1341 | (770) 964-2244 | Fax (770) 969-3474 | [www.fairburn.com](http://www.fairburn.com)





Planning and Zoning Commission  
Meeting Minutes

City Hall: 56 Malone Street

Fairburn, GA 30213

Tuesday, July 11, 2023

7:00 p.m.

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

Planning Director: Denise Brookins  
Planner: Chancellor Felton  
City Attorney: Valerie Ross

- 
- A. Call to Order:** The meeting was called to order at 7:00 pm by Chairman Jones.
- B. Determination of a Quorum:** A quorum was determined, and the meeting proceeded.
- C. Pledge of Allegiance:** Chairman Jones led the Pledge to the Flag.
- D. Approval of the Meeting Agenda:**
1. Commissioner James made a motion to approve the agenda. Commissioner Deavers seconded.  
**THE MOTION CARRIED.**
- E. Approval of the Meeting Minutes:**
1. Commissioner Deavers made a motion to approve the May 2, 2023, minutes. Commissioner James seconded.  
**THE MOTION CARRIED.**
- F. Public Comments:** Chairman Jones opened the floor to general, public comments. No public comments were made. Chairman Jones closed the floor to general, public comments.
- G. Old Business:** None.
- H. New Business:**
1. **Concept Plat: Living Word Church Ministries Inc**  
Applicant: William O'Neal  
Address: 0 Senoia Road, Parcel ID: 09F100200471368  
Request to review the plat.
    - a. Chairman Jones introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval with conditions. Chairman Jones opened the floor for the Commission to ask Staff questions.
    - b. Commissioner James asked if the applicant, Pastor O'Neal, was going to speak. Pastor O'Neal responded yes.
    - c. Chairman Jones asked if the first two agenda items were related. Mr. Felton responded that the first two agenda items were about the same project and the

applicant, Pastor O'Neal, submitted the subdivision plat and concept plan concurrently.

- d. Chairman Jones closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- e. Pastor O'Neal introduced himself to the Commission and gave the background to the project. Pastor O'Neal said that he is requesting a subdivision of his current parcel to develop debt-free. He would eventually develop both parcels into a campus, but he does not have the funds to do that as it stands now.
- f. Commissioner James commented that ironically, he had answered her question in his introduction and dialogue.
- g. Chairman Jones asked if Pastor O'Neal would he eventually expand and build on both parcels debt-free. Pastor O'Neal responded yes.
- h. Commissioner James asked if they were renting. Pastor O'Neal responded that he was renting 114 West Campbellton, but that building is currently being redeveloped as a school. Pastor O'Neal could not find another church to lease, so he decided to go forward with the new construction of a church. The new church will eventually be used for the youth ministry or another community development project when the campus was fully built.
- i. Commissioner Deavers commented that Pastor O'Neal answered the question that she was going to ask.
- j. Chairman Jones closed the floor to ask the applicant questions.
- k. Chairman Jones asked if the Commission votes once or twice for the first two agenda items since they are the same project. Attorney Ross commented that since there are two, separate agenda items, the Commission must vote separately on each agenda item.
- l.

Commissioner Echols made a motion to recommend **APPROVAL**. Commissioner James seconded.  
**THE MOTION CARRIED.**

## 2. **Concept Plan: Living Word Church Ministries Inc**

Applicant: William O'Neal

Address: 0 Senoia Road, Parcel ID: 09F100200471368

Request to review the concept plan and building elevations.

- a. Chairman Jones introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval with conditions. Chairman Jones opened the floor for the Commission to ask Staff questions.
- b. Commissioner James asked about the number of parking spaces for the new church. Mr. Felton commented that during his review he counted the number of parking spaces, and the applicant met the requirements of the zoning code in regard to the required number of parking spaces.
- c. Chairman Jones asked if a traffic study is needed for this project. Mr. Felton responded that he is not sure if a traffic study is needed, but he can investigate.
- d. Commissioner James asked how soon construction would start. Mr. Felton responded that the applicant would be better suited to answer that question.



- e. Pastor O'Neal answered that as soon as the City approves the removal of trees, he can start construction.

Commissioner Deavers made a motion to recommend **APPROVAL**. Commissioner Echols seconded.  
**THE MOTION CARRIED.**

3. **ZPL Text Amendment**

Text amendments to Chapter 80 for the purposes of reconciling City ordinances with State mandated procedural updates (HB 1405 and HB 916).

- a. Chairman Jones introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Chairman Jones opened the floor for the Commission to ask Staff questions. No one asked questions.

Commissioner James made a motion to recommend **APPROVAL**. Commissioner Deavers seconded.  
**THE MOTION CARRIED.**

I. **Commissioner Comments:**

1. Commissioner James commented that she is pleased to see a new addition to the community that is faith-based. She welcomed the congregation to the Fairburn community.
2. Commissioner Deavers welcomed the congregation and looks to see great things. She hopes that she can visit.
3. Chairman Jones recommended that everyone come out to the Fairburn Third Fridays on Main Street Summer Music Festival series. He also congratulated Creekside High School Football Team who won the 5A Championship.

J. **Adjournment:**

1. Commissioner James motioned to adjourn the public meeting at 7:26 pm. Commissioner Echols seconded.

**THE MOTION CARRIED.**



**CITY OF FAIRBURN**  
**PLANNING AND ZONING COMMISSION**  
**AGENDA ITEM**

To: Planning and Zoning Commission

From: Chancellor Felton, Planner

Date: August 1, 2023, Planning and Zoning Commission

Agenda Item: PZ23009– PVI Fairburn Office Building – 5645 Milam Road [Parcel ID: 09F020400130020] – Request to review the conceptual site plan.

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**Agent/Applicant/Petitioner Information**

Applicant: Bernard Gallager

Property Owner: Old Campbell LLC

**Background**

The site is located at 5645 Milam Road on the southeast corner of the intersection of Milam Road and an unnamed side street. The site is currently zoned C-2 (Highway Commercial) and is located in the Georgia Highway 74 Overlay District. The site is approximately 1.99 acres.

**Discussion**

The applicant is proposing a 3,200-square-foot office and a 5,000-square-foot warehouse (for a total 8,200 square feet of new construction). An accurate, up-to-date, and certified survey is included. The concept plan meets the setback and parking requirements of C-2 and the Highway 74 Overlay District design standards.

The concept plan includes all buildings and structures, driveways, parking facilities, walkways, landscaping, buffer easements, utilities, and other required infrastructure. The site will have ingress/egress along the unnamed side street.

The two buildings will consist of black masonry with a brick band around each building and black metal roofing with cresting on the ridge. There will be an open breezeway connecting the office and warehouse buildings. On the west elevation, the office building will have a glass, single-entry door with sidelights; two windows on each side of the door; a triple-pane window above the door; and a black metal canopy with architectural details. The warehouse will have two grey garage doors and a black, metal, single-entry door in the breezeway. On the north elevation, the office building will have a black metal canopy with architectural details; three windows; and a black, metal, single-entry door. The warehouse will have a black metal canopy, a triple-pane window, and a black metal, single-entry door. On the east elevation, there will be a grey garage door on the warehouse building. On the south elevation, the warehouse building will have a grey garage door and two black metal, single-entry doors. The office building will have a grey garage door and a black metal, single-entry door.



### **Staff Recommendations**

Staff recommends **APPROVAL** of the concept plan with the following conditions:

- Applicant must include a walkway from the right-of-way of the unnamed side street to the entrance walkway and a crosswalk from the parking facility to the entrance walkway.
- Applicant must provide visual relief for the 55-foot canopy.
- Any significant modifications as determined by Staff to the approved concept plan would necessitate a further review by the Planning and Zoning Commission.

### ***Attachments:***

- Site Pictures
- Current Survey
- Proposed Concept Plan
- Proposed Elevations
- Proposed Floor Plan

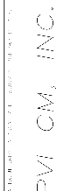
**SITE PICTURES**



The intersection of Milam Road (to the left) and the unnamed side street (to the right)



Heading north on the unnamed side street



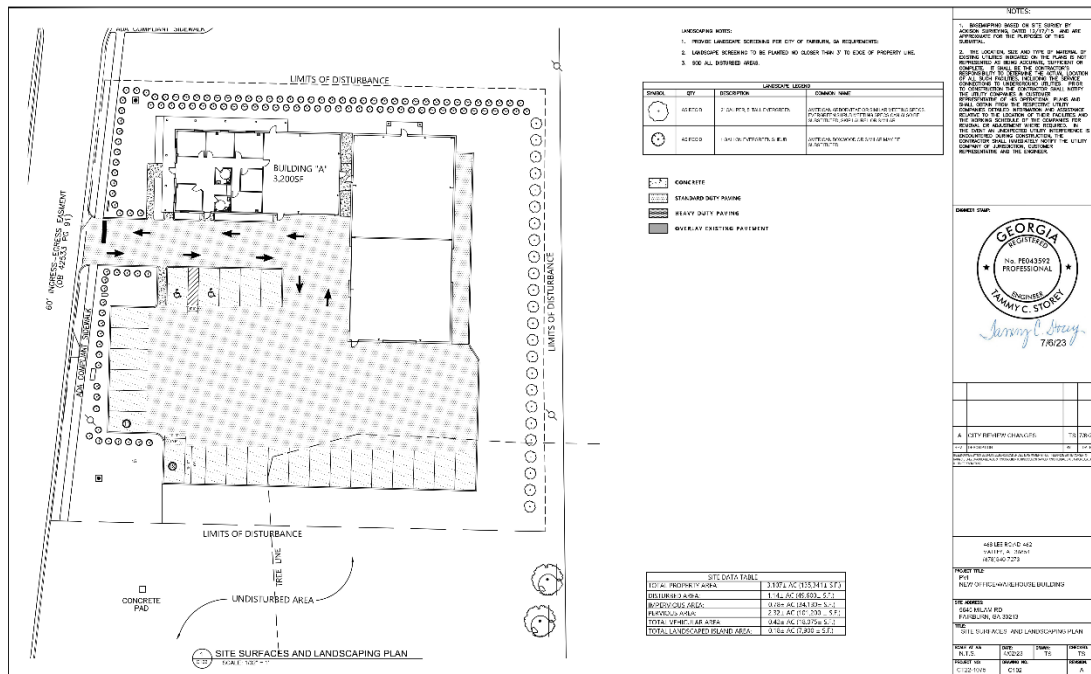
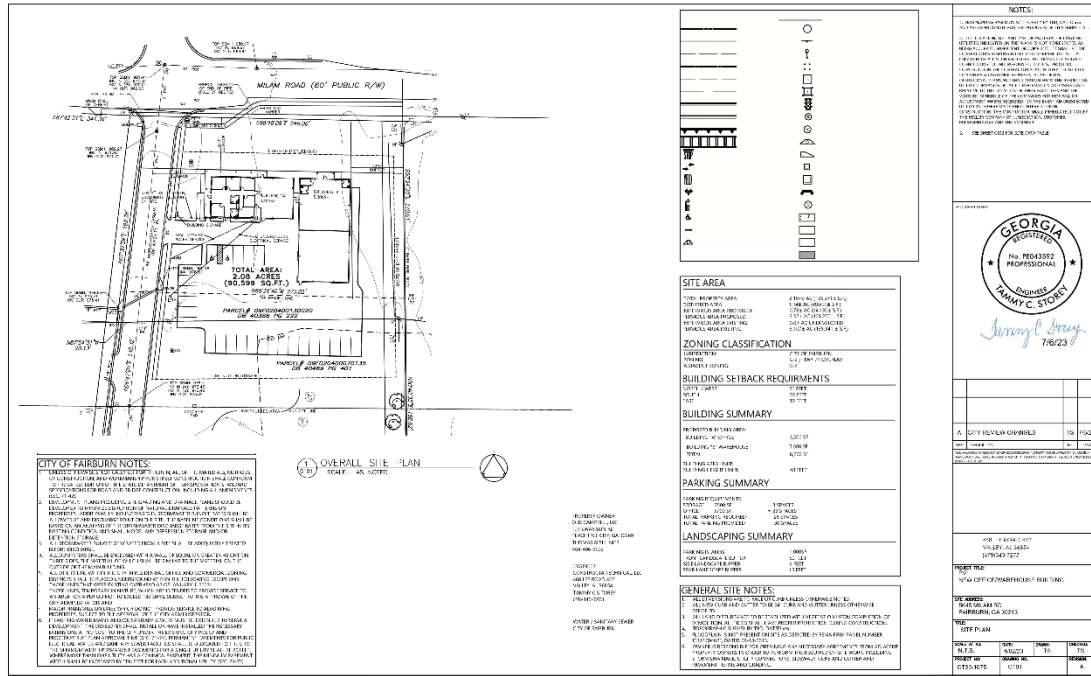
IT TO JOIN  
SURVEYORS



姓名	王
性别	男
年龄	35
职业	教师
单位	XX中学
电话	138XXXXXXX
地址	XX市XX区XX路XX号
邮编	XXXXXX
电子邮箱	XXXX@XX.com
身份证号	XXXXXXXXXX

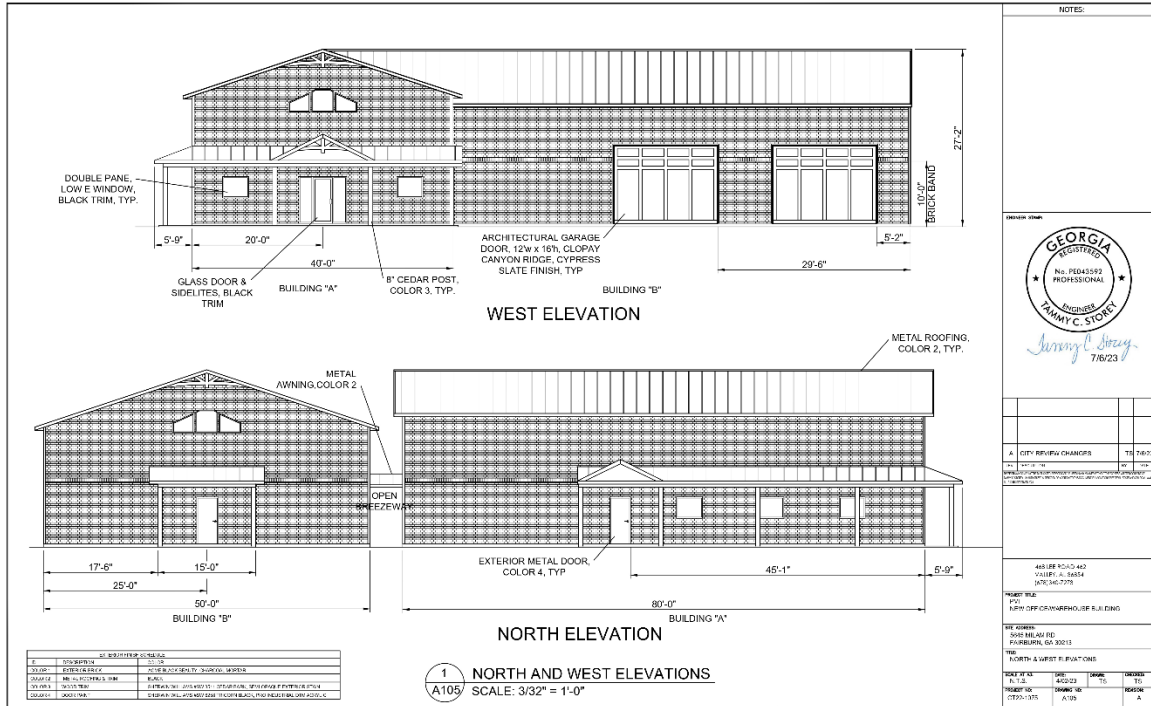
1

## PROPOSED CONCEPT PLAN





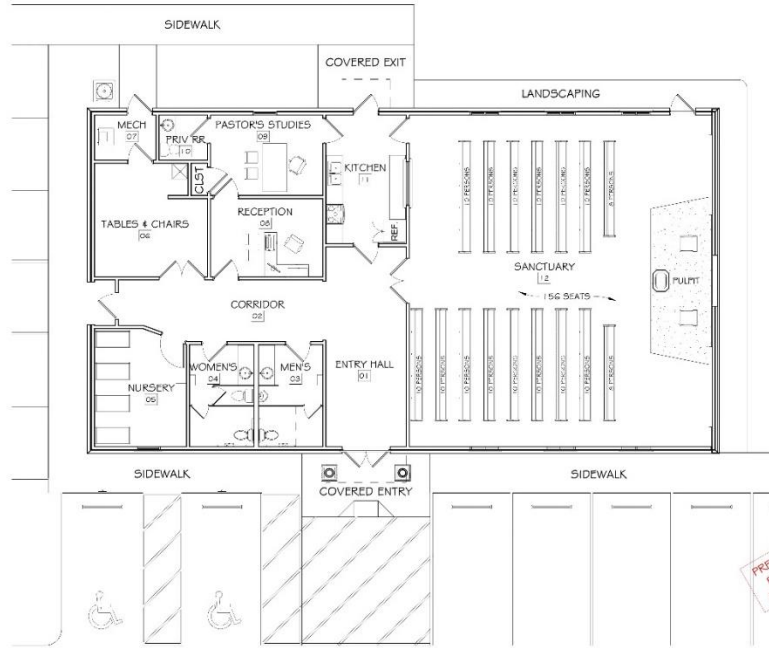
**PROPOSED ELEVATIONS**



**PROPOSED FLOOR PLAN**

THIS DRAWING IS THE PROPERTY OF BELL & ASSOCIATES ARCHITECTS

5/24/2023 1:20:50 PM



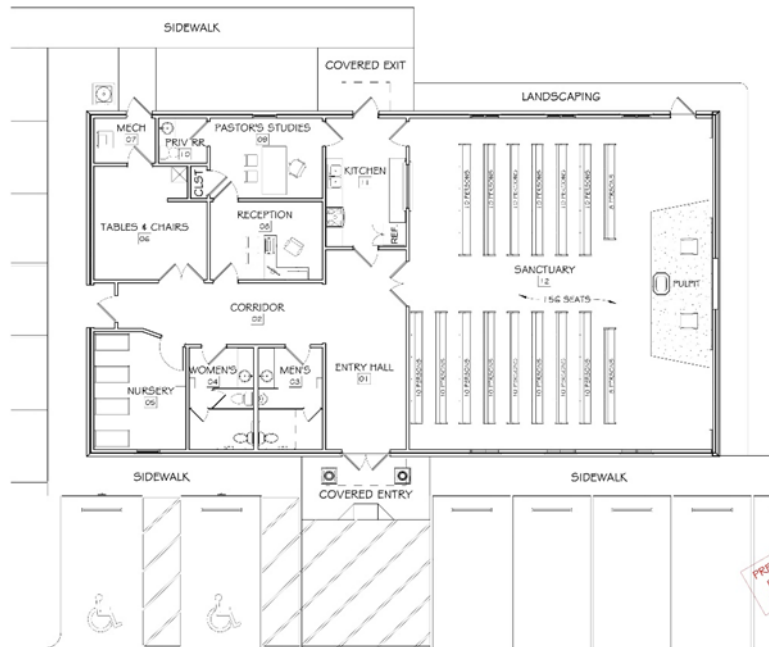
1 | PRELIMINARY FLOOR PLAN  
PFP-1.2 1/8" = 1'-0"

PRELIMINARY -  
FOR CLIENT  
REVIEW ONLY

	
<b>BELL &amp; ASSOCIATES ARCHITECTS, INC.</b> <small>1000 AVENUE SOUTH CANNONVILLE, UT 84001 715.775.0000</small>	
CLIENT	UNITED METHODIST CHURCH
PROJECT	NEW SANCTUARY 114 W CAMPBELLTON ST FAIRBURN, GA 30213
PROJECT NO.	TSD
DRAWN BY	05/23/2023
CHECKED BY	05/24/2023
DATE	
SCALE	
SHEET NO.	PFP-1.2

THIS DRAWING IS THE PROPERTY OF BELL & ASSOCIATES ARCHITECTS

5/24/2023 1:20:50 PM



1 | PRELIMINARY FLOOR PLAN  
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# CITY OF FAIRBURN

## Planning & Zoning Department Site Plan Review- Submittal Form

Submittal Date: ~~3/3/2022~~ **4/3/2023**

Deadline: \_\_\_\_\_  
(Minimum 5 weeks prior to P & Z Commission meeting)

### PROJECT INFORMATION

Project Name: PVI Fairburn Office Build  
Address/Location of Project: 5645 Milam Road, Fairburn, GA  
Access to Property: \_\_\_\_\_  
Tax Parcel ID #: 09F-0204-0013-002 Size of Project: Land + Development - \$900,000 to 1,200,000  
Zoning: C2 - Highway Commercial No. of Lots (if applicable): 1  
Zoning & Use of Adjacent Properties: Firehouse  
Narrative/ Description for use of property/project (attach additional pages as necessary to provide greater detail):  
Build an Architectural and Engineering Design & Build Office with warehouse storage for tools & equipment for training and parts. Daily presence 10 persons. This PVI Office services Comcast Cable in Atlanta area supporting their telecommunication business, training technicians in DC Power, and performs engineering and design work for Comcast, Tesla, EVGo, EA, PACCAR and The Seam Group.

### CONTACT INFORMATION

Company Name: Bernard Gallagher (Individual buyer, owner of PVI CM, Inc.)  
Contact Person: Bernard Gallagher  
Mailing Address: 122 Berwick Drive, West Chester, PA 19382  
Phone: 484-614-5228 Fax: 484-601-7141  
Email Address: bgallagher@pvicm.com

### UTILITY SERVICE PROVIDERS

Water: American Water Services Sewer: Fairburn Sanitation  
Electric: Georgia Power Gas: Georgia Natural Gas  
Cable: Comcast Other: \_\_\_\_\_

<u>Sketch Plan</u>	<u>Conceptual Site Plan</u>	<u>Construction Plans w/Hydro</u>	<u>Landscape Plan</u>
<input checked="" type="checkbox"/> <b>1<sup>st</sup> Submittal- No Fee</b> Submit to P & Z for review	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$150 + \$20/acre</b> <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$500 + \$20/ acre</b> <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$300 + \$20/acre</b> <input type="checkbox"/> Resubmittal*
If necessary, 2 extra copies (If legible, .pdf file is acceptable).  <b>Staff routes to:</b>  _____ Comm. Dev. Director _____ Planning & Zoning	<b>4 Hard Copies- Staff Routes to:</b>  _____ Building/Prop. Manager _____ Comm. Dev. Director _____ Engineer _____ Fire Marshal _____ Landscape Architect _____ Planning & Zoning _____ Water & Sewer	<b>4 Hard Copies- Staff Routes to:</b>  _____ Building / Prop. Manager _____ Comm. Dev. Director _____ Engineer _____ Fire Marshal _____ Landscape Architect _____ Planning & Zoning _____ Water & Sewer	<b>2 Hard Copies- Staff Routes to:</b>  _____ Comm. Dev. Director _____ Landscape Architect

*Resubmittals- Each subsequent resubmittal will incur a fee of \$100.*

CONSTRUCTION OF A NEW 8200SF MIXED USE COMMERCIAL BUILDING AT  
THE PROPERTY LOCATED AT 5645 MILAM RD AND SENOIA RD.

## PVI

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

2018 INTERNATIONAL BUILDING CODE

2018 INTERNATIONAL MECHANICAL CODE

2018 INTERNATIONAL PLUMBING

2020 NFPA-70 NATIONAL ELECTRIC CODE

2015 INTERNATIONAL ENERGY CONSERVATION CODE

2018 INTERNATIONAL FIRE CODE

2010 AMERICANS WITH DISABILITIES ACT

2018 NFPA-101 LIFE SAFETY CODE



TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE  
YOU DIG IN GEORGIA, CALL GEORGIA811 OR [www.georgia811.com](http://www.georgia811.com)

SHEET INDEX			
SHEET	DESCRIPTION	DATE	REV
G001	PROJECT INFORMATION SHEET	4/1/2023	—
G002	GENERAL NOTES & LEGEND	4/1/2023	—
C101	SITE PLAN	4/1/2023	—
C102	SITE SURFACES AND LANDSCAPING PLAN	4/1/2023	—
C103	EROSION CONTROL PLAN		—
A102	LIFE SAFETY PLAN	4/1/2023	—
A103	FLOOR PLAN BUILDING "A"	4/1/2023	—
A103	FLOOR PLAN BUILDING "B"	4/1/2023	—
A104	EXTERIOR ELEVATIONS NORTH & WEST	4/1/2023	—
A105	EXTERIOR ELEVATIONS SOUTH & EAST	4/1/2023	—
A106	ARCHITECTURAL DETAILS		—
A107	WINDOW AND DOOR SCHEDULES		

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A106	ARCHITECTURAL DETAILS		—
A107	WINDOW AND DOOR SCHEDULES		

SITE NAME:	PVI NEW OFFICE/WAREHOUSE
SITE ADDRESS:	5645 MILAM RD FAIRBURN, GA 30213
PARCEL ID:	PARCEL NUMBER 09F020400130020 & 09F020400070135
ZONING JURISDICTION:	FULTON COUNTY
ZONING:	C2
PROPERTY CLASS:	C3- COMMERCIAL LOTS
LOT SIZE:	PARCEL 09F020400130020 - 1.99ac PARCEL 09F020400070135 - 1.117ac
FLOODPLAIN ZONE:	X
GROUND ELEVATION:	980FT
CONSTRUCTION AREA:	+/- 49,600 SF
CONSTRUCTION TYPE:	II-B
USE GROUP:	B BUSINESS

SITE NAME: PVI NEW OFFICE/WAREHOUSE

SITE ADDRESS: 5645 MILAM RD  
FAIRBURN, GA 30213

PARCEL ID: PARCEL NUMBER 09F020400130020 &  
09F020400070135

ZONING JURISDICTION: FULTON COUNTY

ZONING: C2

PROPERTY CLASS: C3- COMMERCIAL LOTS

LOT SIZE: PARCEL 09F020400130020 - 1.99ac

PARCEL 09F020400070135 - 1.117ac

FLOODPLAIN ZONE: X

GROUND ELEVATION: 980FT

CONSTRUCTION AREA:      +/– 49,600 SF

CONSTRUCTION TYPE: II-B

USE GROUP: B BUSINESS

PROPERTY OWNER: OLD CAMPBELL, LLC  
REPRESENTED BY THOMAS G SELLMER  
101 SWANSON RDG  
PEACHTREE CITY, GA 30269

APPLICANT: JOHN POLACHEK  
CONTACT : 3660 HEWATT COURT  
SNELLVILLE, GA 30039  
PHONE: (770) 710-5708

ENGINEER: CONSTRUCTA TECHNICAL  
468 LEE ROAD 462  
VALLEY, AL 36854

CONTACT: TAMMY STOREY  
PHONE: (678) 340-7273

PROPERTY OWNER: OLD CAMPBELL, LLC  
REPRESENTED BY THOMAS G SELLMER  
101 SWANSON RDG  
PEACHTREE CITY, GA 30269

APPLICANT: JOHN POLACHEK  
CONTACT : 3660 HEWATT COURT  
SNELLVILLE, GA 30039  
PHONE: (770) 710-5708

ENGINEER: CONSTRUCTA TECHNICAL  
468 LEE ROAD 462  
VALLEY, AL 36854

CONTACT: TAMMY STOREY

PHONE: (678) 340-7273



VICINITY MAP  
N.T.S.



AERIAL VIEW  
SCALE: AS SHOWN



## A circular professional engineer seal for the state of Georgia. The outer ring contains the text "GEORGIA" at the top and "REGISTERED" at the bottom. Inside this ring, the words "No. PE043592" and "PROFESSIONAL" are centered. Below "PROFESSIONAL" is the word "ENGINEER". At the bottom of the seal, the name "TAMMY C. STOREY" is written. The seal is flanked by two stars. Below the seal, the name "Tammy C. Storey" is written in a cursive script, followed by the date "7/6/23".

A	CITY REVIEW CHANGES	TS	7/6/23
REV:	DESCRIPTION:	BY:	DATE:

REV:	DESCRIPTION:	BY:	DATE:
THESE DRAWINGS MAY NOT BE DUPLICATED, REPRODUCED OR USED IN ANY MANNER WITHOUT THE EXPRESS WRITTEN CONSENT OF TANNY C. STOREY. UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF FEDERAL, STATE AND/OR LOCAL LAWS. ALL RIGHTS RESERVED 2023.			

468 LEE ROAD 462  
VALLEY, AL 36854  
(678)340-7273

PROJECT TITLE:	PVI NEW OFFICE/WAREHOUSE BUILDING
----------------	--------------------------------------

**SITE ADDRESS:**  
5645 MILAM RD  
FAIRBURN, GA 30213

**TITLE:**  
PROJECT INFORMATION SHEET

SCALE AT A3: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: G001		REVISION: A

GENERAL PROJECT NOTES:

1. THE ENGINEER SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD LAYOUT ON A ONE TIME BASIS.
2. THE CONTRACTOR SHALL TOPSOIL AND SEED ALL DISTURBED AREAS.
3. THE PLANS SHOW SOME KNOWN SUBSURFACE STRUCTURES, ABOVE-GROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. THE EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN ADDITION, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPELINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE SHOWN OR MAY NOT BE SHOWN; IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. CALL OHIO811 48 HOURS PRIOR TO ANY DIGGING, DRILLING OR BLASTING.
4. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ENGINEER.
5. THE CONTRACTOR SHALL RESTORE ALL PUBLIC OR PRIVATE PROPERTY DAMAGED OR REMOVED TO AT LEAST AS GOOD OF CONDITION AS BEFORE IT WAS DISTURBED, AS DETERMINED BY THE ENGINEER.
6. THE CONTRACTOR SHALL COMPLY WITH ALL REQUIRED PERMITS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, CERTIFICATES, ETC.
8. THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE ENGINEER OR OWNER SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE UNDER THE SUPERVISION OF A STATE LICENSED LAND SURVEYOR.
9. THE CONTRACTOR IS INSTRUCTED TO COOPERATE WITH ANY AND ALL OTHER CONTRACTORS PERFORMING WORK ON THIS JOB SITE DURING THE PERFORMANCE OF THIS CONTRACT.
10. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS, AND TO COORDINATE WORK WITH ALL CONTRACTS FOR THE SITE.
11. ALL TRENCH EXCAVATION AND ANY REQUIRED SHEETING AND SHORING SHALL BE DONE IN ACCORDANCE WITH THE LATEST REVISIONS OF THE JURISDICTION'S STATE CODE AND OSHA STANDARDS FOR CONSTRUCTION.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF WORK.
13. ALL UTILITY WORK INVOLVING CONNECTIONS TO THE EXISTING SYSTEMS SHALL BE COORDINATED WITH THE ENGINEER AND THE UTILITY OWNER. NOTIFY THE ENGINEER AND UTILITY OWNER 24 HOURS BEFORE EACH AND EVERY CONNECTION TO EXISTING SYSTEMS IS MADE.
14. MAINTAIN FLOW FOR ALL EXISTING UTILITIES.
15. ALL SITE FILL SHALL MEET SELECTED FILL STANDARDS UNLESS OTHERWISE NOTED ON THE DRAWINGS.
16. CONTRACTOR TO GRADE ALL AREAS ON THE SITE TO PROVIDE POSITIVE DRAINAGE AWAY FROM THE COMPOUND AND TOWER.
17. THE CONTRACTOR SHALL TAKE TIES TO ALL UTILITY CONNECTIONS AND PROVIDE MARKED-UP AS-BUILT PLANS. AS-BUILT PLANS SHALL BE REVIEWED BY THE OWNER AND HIS REPRESENTATIVES, AND THE THE CONTRACT SHALL PROVIDE ANY CORRECTION OR ADMISSIONS TO THE SATISFACTION OF THE OWNER AND HIS REPRESENTATIVES BEFORE UTILITIES WILL BE ACCEPTED. AS-BUILTS SHALL INCLUDE ALL POWER, TELEPHONE, GROUNDING, ETC.

GENERAL CONSTRUCTION NOTES:

1. GENERAL NOTES:
- 1.1. THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. SAFE WORKING PRACTICES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
- 1.2. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF EXISTING UTILITIES BEFORE COMMENCING WORK. CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO LOCATE AND PRESERVE UNDERGROUND UTILITIES.
- 1.3. INCORRECTLY FABRICATED, DAMAGED, OR OTHERWISE NON-FITTING OR NONCONFORMING MATERIALS OR CONDITIONS SHALL BE REPORTED THE THE OWNER PRIOR TO REMEDIAL OR CORRECTIVE ACTION. ANY SUCH ACTION SHALL REQUIRE APPROVAL.
- 1.4. EACH CONTRACTOR OR SUBCONTRACTOR SHALL COOPERATE WITH THE OWNER'S REPRESENTATIVE AND COORDINATE HIS WORK WITH THE WORK OF OTHERS.
- 1.5. PAINT ALL ANTENNAS, MOUNTING HARDWARE, CABLES, CABLE TRAY, ETC. TO MATCH EXISTING STRUCTURE PER OWNER REQUIREMENTS. OWNER SHALL APPROVE COLOR.
- 1.6. ALL DAMAGED, MARRED, SCRAPPED, ABRADED, ETC. AREAS OF EXISTING PAINT SHALL BE REPAIRED PER OWNERS REQUIREMENTS. OWNER SHALL APPROVE COLOR.

2. EXCAVATION/FOUNDATION:
- 2.1. FOUNDATION EXCAVATION SHALL BE HAND-TRIMMED TO REMOVE LOOSE MATERIALS.
- 2.2. EXTERIOR FOUNDATION BACKFILL SHALL BE SELECTED GRANULAR FILL.
- 2.3. ALL STRUCTURAL BACKFILL AND SUBBASE UNDER SLAB-ON-GRADE AND FOOTINGS SHALL BE "SW" OR BETTER PER ASTM D-2487 COMPACTED TO A MINIMUM 95% STANDARD PROCTOR DENSITY PER ASTM D 698.
- 2.4. DO NOT PLACE FOOTINGS IN WATER OR ON FROZEN GROUND.
- 2.5. SOIL BEARING SURFACES, PREVIOUSLY ACCEPTED BY GEOTECHNICAL ENGINEER, WHICH ARE ALLOWED TO BECOME SATURATED, FROZEN OR DISTURBED SHALL BE REWORKED TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER.
- 2.6. DO NOT ALLOW GROUND BENEATH FOOTINGS TO FREEZE.
- 2.7. FOOTING EXCAVATIONS SHALL BE CUT NEAT.
3. CONCRETE:
- 3.1. \*\*VERIFY DESIGN AND CONSTRUCTION OF ALL CONCRETE ELEMENTS SHALL CONFORM TO THE LATEST EDITIONS OF THE FOLLOWING APPLICABLE CODES: ACI 301 "SPECIFICATION FOR STRUCTURAL CONCRETE FOR BUILDINGS", ACI 318 "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE".
- 3.2. MIX DESIGN SHALL BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO PLACING CONCRETE.
- 3.3. CONCRETE SHALL BE NORMAL WEIGHT, 6% AIR ENTRAINED (+/-1.5%) WITH A MAXIMUM 4" SLUMP, AND HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3000 PSI UNLESS OTHERWISE NOTED.
- 3.4. MAXIMUM AGGREGATE SIZE SHALL BE 1".
- 3.5. VERIFY \*\* THE FOLLOWING MATERIALS SHALL BE USED:  
PORTLAND CEMENT: ASTM C 150, TYPE I  
REINFORCEMENT: ASTM A 615, GRADE 60  
NORMAL WEIGHT AGGREGATE: ASTM C 33  
WATER: DRINKABLE  
ADMIXTURES: NON-CHLORIDE CONTAINING
- 3.6. VERIFY\*\* REINFORCING SHALL CONFORM TO ASTM A-615 WITH SUPPLEMENT. MINIMUM YIELD STRENGTH Fy= 60 KSI. REINFORCING DETAILS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF ACI 315.
- 3.7. CONCRETE COVER AROUND REINFORCING BARS SHALL BE:  
CONCRETE CAST AGAINST/PERMANENTLY EXPOSED TO EARTH = 3"  
CONCRETE EXPOSED TO EARTH, WEATHER = 2"  
SLABS = 3/4"  
ALL OTHER CONCRETE = 1 1/2"
- 3.8. UNLESS OTHERWISE INDICATED ON THE DRAWINGS, REINFORCEMENT SPLICES SHALL MEET CLASS B, TENSION LAP REQUIREMENTS IN ACCORDANCE WITH ALL PROVISIONS OF ACI 318 LATEST EDITIONS, UNLESS OTHERWISE NOTED.
- 3.9. CURING COMPOUNDS SHALL CONFORM TO ASTM C-309.
- 3.10. ADMIXTURES SHALL CONFORM TO THE APPROPRIATE ASTM STANDARD AS REFERENCED IN ACI-301.
- 3.11. DO NOT WELD OR TACKWELD REINFORCING STEEL.
- 3.12. ALL DOWELS, ANCHOR BOLTS, EMBEDDED STEEL, ELECTRICAL CONDUITS, PIPE SLEEVES, PIPING, WATERSTOPS, INSERTS, GROUNDS AND ANY OTHER EMBEDDED ITEMS AND FORMED DETAILS SHALL BE IN PLACE BEFORE START OF CONCRETE PLACEMENT.
- 3.13. LOCATE ADDITIONAL CONSTRUCTION JOINTS REQUIRED TO FACILITATE CONSTRUCTION AS ACCEPTABLE TO ENGINEER. PLACE REINFORCEMENT CONTINUOUSLY THROUGH JOINT.
- 3.14. REINFORCEMENT SHALL BE COLD BENT WHENEVER BENDING IS REQUIRED.
- 3.15. PLACE CONCRETE IN A UNIFORM MANNER TO PREVENT THE FORMATION OF COLD JOINS AND OTHER PLANES OF WEAKNESS. VIBRATE THE CONCRETE TO FULLY EMBED REINFORCING. DO NOT USE VIBRATORS TO TRANSPORT CONCRETE THROUGH CHUTES OR FORMWORK.
- 3.16. DO NOT PLACE CONCRETE IN WATER, ICE, OR ON FROZEN GROUND.
- 3.17. DO NOT ALLOW CONCRETE SUBBASE TO FREEZE DURING CONCRETE CURING AND SETTING PERIOD, OR FOR A MINIMUM OF 14 DAYS AFTER PLACEMENT.
- 3.18. FOR COLD-WEATHER AND HOT-WEATHER CONCRETE PLACEMENT, , CONFORM TO APPLICABLE ACI CODES AND RECOMMENDATIONS. IN EITHER CASE, MATERIALS CONTAINING CHLORIDE, CALCIUM, SALTS, ETC. SHALL NOT BE PERMITTED. PROTECT FRESH CONCRETE FROM WEATHER FOR A MINIMUM OF 7 DAYS.
- 3.19. PROVIDE A STEEL TROWEL FINISH TO THE SLAB.

CIVIL LEGEND

- x--- FENCE
- f--- UNDERGROUND ELECTRIC
- t--- UNDERGROUND TELEPHONE
- e--- OVERHEAD ELECTRIC
- h--- OVERHEAD TELEPHONE
- p--- PRIMARY PROPERTY LINE OR R.O.W.
- ===== LEASE LINE
- ===== EASEMENT
- g--- LIMITS OF GRAVEL AREA
- ~~~~~ MAJOR CONTOUR LINE
- ~~~~~ MINOR CONTOUR LINE
- 100.0 ON 1"=1'
- SPOT ELEVATION
- UTILITY POLE
- TELEPHONE PEDESTAL
- ===== CURB
- ===== BUILDING
- 2  
S4 SECTION/ELEVATION LETTER OR DETAIL #  
DRAWING # WHERE DETAILED
- ELEVATION MARKER

NOTES:



REV:	DESCRIPTION:	BY:	DATE:

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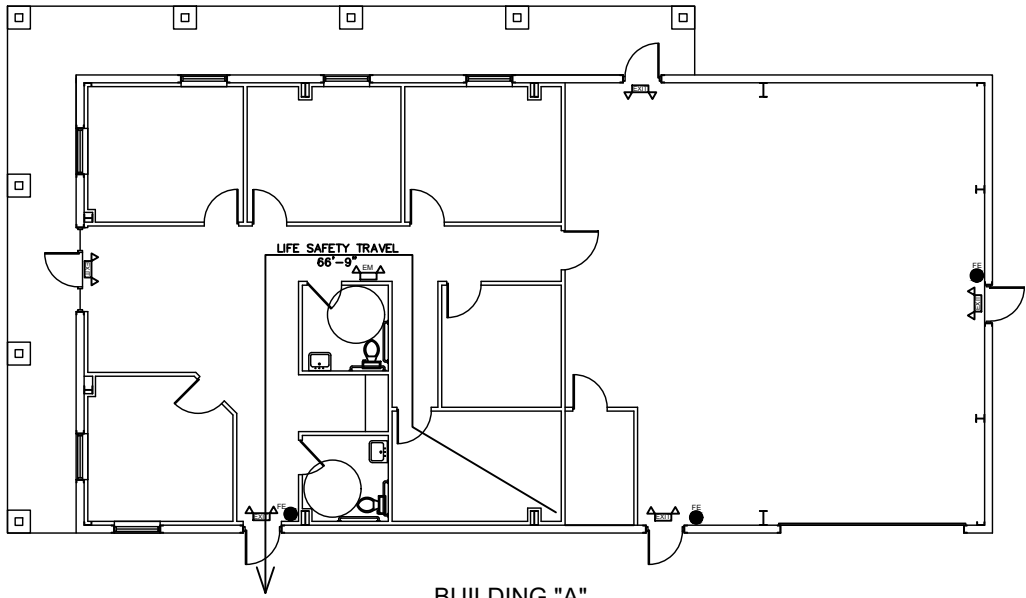
PROJECT TITLE:  
PVI  
NEW OFFICE/WAREHOUSE BUILDING

SITE ADDRESS:  
5645 MILAM RD  
FAIRBURN, GA 30213

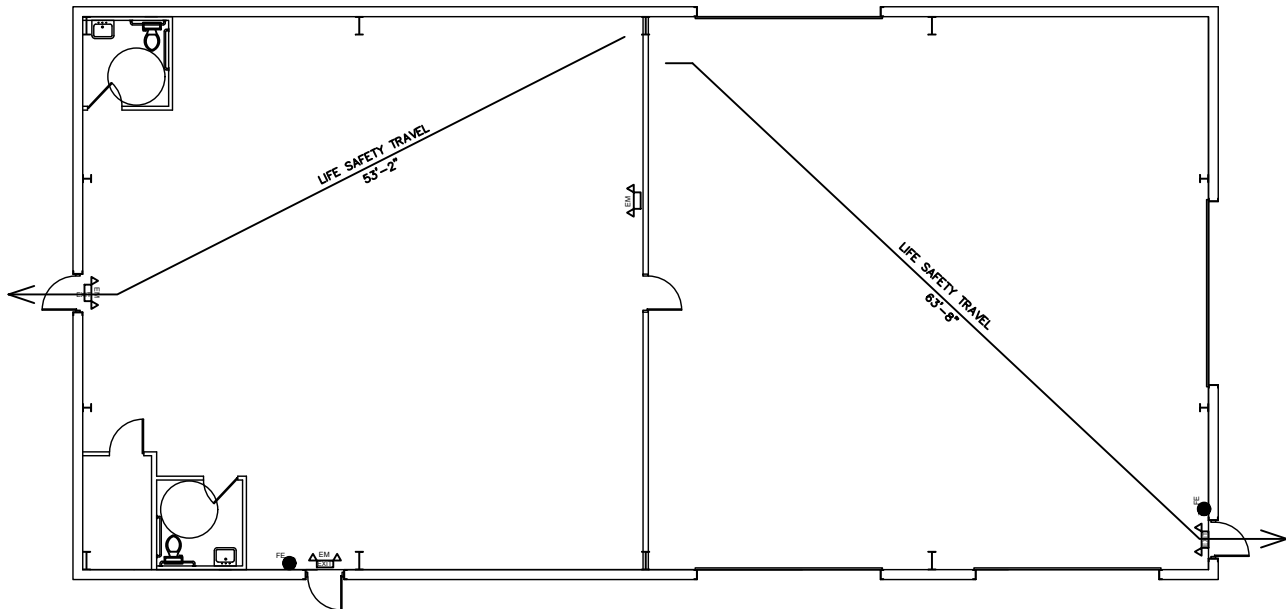
TITLE:  
GENERAL NOTES

SCALE AT AS: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: G002	REVISION:	-





BUILDING "A"

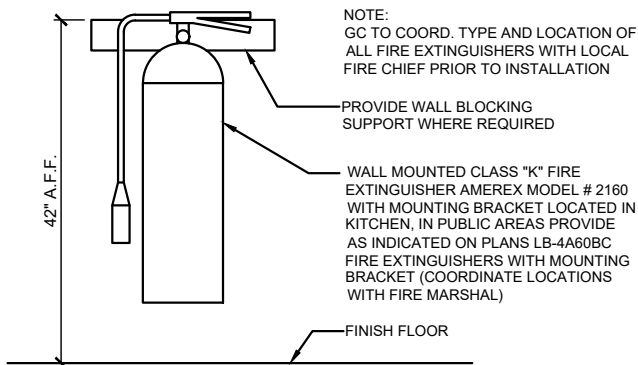


BUILDING "B"

### CODE SUMMARY

- USE AND OCCUPANCY CLASSIFICATION - IBC 2018: SECTION 304.1) GROUP B: BUSINESS, GROUP S-2
- GENERAL BUILDING HEIGHTS AND AREAS - (IBC 2018: CHAPTER 5)  
GROSS BUILDING AREA: BUILDING "A" 3,200 SF,  
BUILDING "B" 5,000 SF  
No. OF STORIES ALLOWED: 3  
No. OF STORIES PLANNED: 1  
MAX. SF ALLOWED: 23,000 SF  
BUILDING ALLOWABLE HEIGHT: 55 FT  
BUILDING PLANNED HEIGHT: 27.2 FT  
MEZZANINE: NO
- TYPES OF CONSTRUCTION  
TYPE IIB - IBC TABLE 601
- ACCESSIBILITY-( IBC: CHAPTER 11)  
ADA COMPLIANT: YES 100%
- INTERIOR FINISHES- (IBC: CHAPTER 8- TABLE 803.13)  
GROUP B: NON-SPRINKLER  
EXIT PASSAGE: A FINISH  
CORRIDORS: B FINISH  
ROOMS ENCLOSED SPACE: C FINISH
- MEANS OF EGRESS - (IBC: CHAPTER 10)
  - BUSINESS AREAS: BLDG "A" 3200 SF @ 150 SF/PERSON = 21
  - BLDG "B" 3200 SF @ 150 SF/PERSON = 21
  - STORAGE AREA BLDG "B": 1800 SF @ 300 SF/PERSON = 6
  - TOTAL OCCUPANT LOAD = 48 (TABLE 1004.5)
- EGRESS WIDTH PER OCCUPANT SERVED: 21\*0.2 PER OCCUPANT= 4.2", 88" TOTAL (SECTION 1005)
  - BLDG "A" TOTAL EGRESS WIDTH PROVIDED = 180" (EXIT DOOR 36" = 5 DOOR)
  - BLDG "B" TOTAL EGRESS WIDTH PROVIDED = 108" (EXIT DOOR 36" = 3 DOOR)
- AUTOMATIC SPRINKLER SYSTEMS - (IBC: CHAPTER 9)  
NOT REQUIRED
- PLUMBING SUMMARY:

PLUMBING FIXTURE - (IPC: CHAPTER 4)  
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES (IPC:TABLE 403.1)  
FIXTURES REQUIRED BASED ON TOTAL OCCUPANCY: 48 PERSONS  
WATER CLOSETS: 1:25 MALE / FEMALE = 2 M / 2 F  
LAVATORIES: 1:40 MALE / FEMALE = 2 M / 2 F (4 PROVIDED)  
DRINKING FOUNTAIN: 1 REQUIRED (1 PROVIDED)  
SERVICE SINK: 1 REQUIRED (1 PROVIDED)



3 FIRE EXTINGUISHER DETAIL  
SCALE: NTS

### KEYNOTES:

- PROVIDE FIRE EXTINGUISHERS WHERE REQUIRED PER CURRENT NFPA 10 AND/OR LOCAL FIRE MARSHALL REQUIREMENTS. INSTALL PER MANUFACTURER'S INSTRUCTIONS, PROVIDE MANUFACTURER'S RECOMMENDED MOUNTING BRACKETS AND HARDWARE
- PROVIDE AN OCCUPANT LOAD SIGN: MAXIMUM CAPACITY - XXX PERSONS, G.C. TO VERIFY THE EXACT LOCATION AND PROPER WORDING W/ THE LOCAL FIRE DEPARTMENT HAVING JURISDICTION, A "NO SMOKING" SIGN SHALL ALSO BE PROVIDED
- COLORS TO THEIR BACKGROUND, SHALL INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY, BRAILLE, AND "MEN" AND/OR "WOMEN" SYMBOLS.

### NOTES:

ENGINEER STAMP:



*Tammy C. Storey*  
7/6/23

LIFE SAFETY LEGEND	
SYMBOL	DISTRIBUTION
	EXIT SIGN/ EMERGENCY COMBO REF: ELECTRICAL
	EMERGENCY LIGHTING CEILING PACK ,REF: ELECTRICAL
	FIRE EXTINGUISHER - SEE KEY NOTES 1 THIS SHEET

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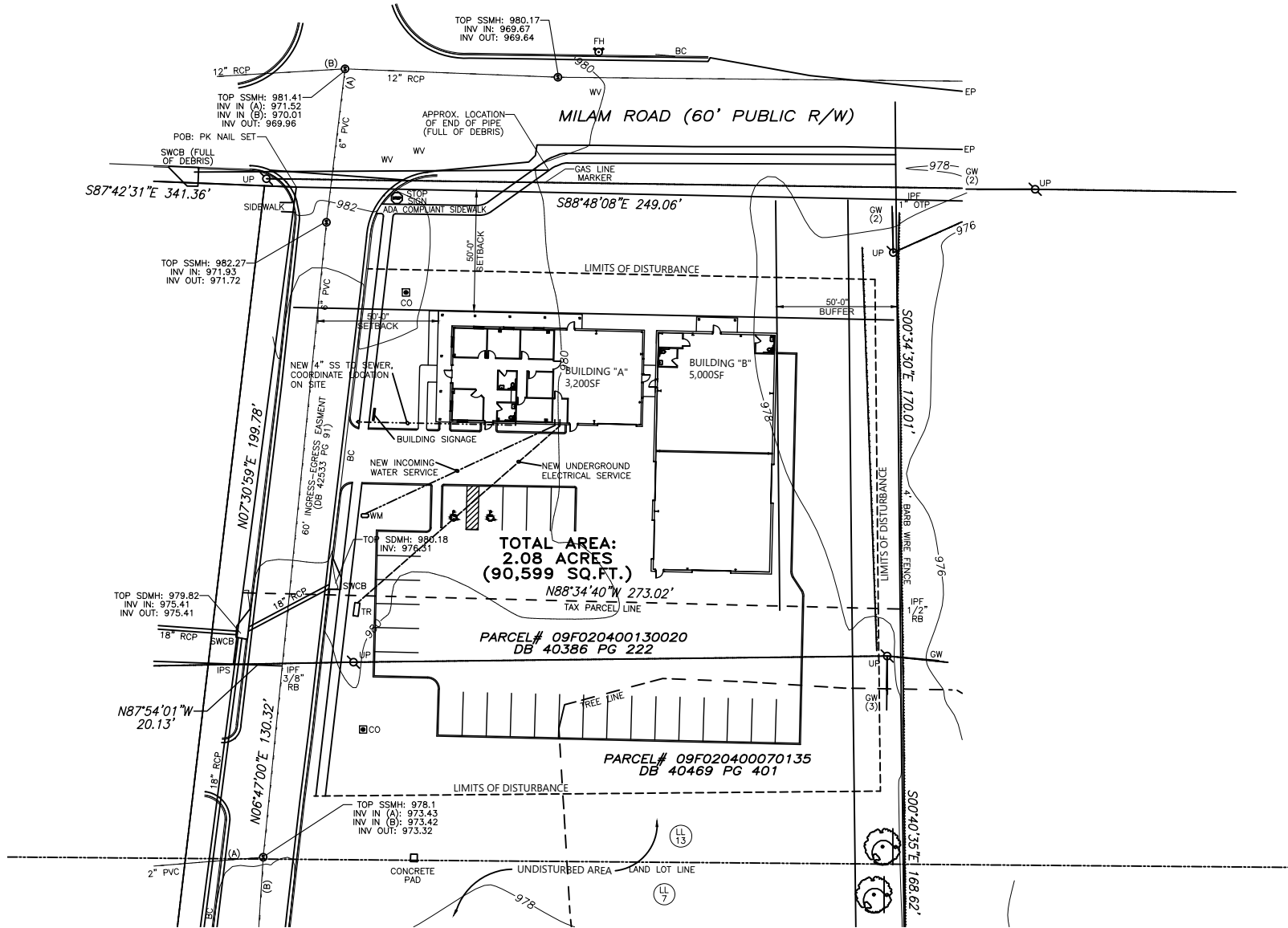
PROJECT TITLE: PVI NEW OFFICE/WAREHOUSE BUILDING
--

SITE ADDRESS: 5645 MILAM RD FAIRBURN, GA 30213
--

TITLE: LIFE SAFETY PLAN
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SCALE AT AS: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: A102	REVISION: -	

1 LIFE SAFETY PLAN  
C102 SCALE: 1/16" = 1'-0"



CITY OF FAIRBURN NOTES:

- UNLESS OTHERWISE SPECIFICALLY SET FORTH HEREIN, ALL OF THE MATERIALS, METHODS OF CONSTRUCTION, AND WORKMANSHIP FOR STREET CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, INCLUDING ALL AMENDMENTS (SEC. 71-42).
- DEVELOPMENT PLANS INCLUDING SITE GRADING AND DRAINAGE PLANS SHOULD BE DEVELOPED TO MINIMIZE DISRUPTION OF NATURAL DRAINAGE PATTERNS ON PROPERTIES. ADDITIONALLY, NO INCREASES IN STORMWATER RUNOFF RATES SHALL BE ALLOWED AT ANY DISCHARGE POINT ON THE SITE. THE BASELINE CONDITIONS SHALL BE BASED ON AN ANALYSIS OF THE STORMWATER DISCHARGE RATES FROM THE SITE IN ITS EXISTING CONDITION AND SHALL MODEL ANY DEPRESSION STORAGE AND/OR DETENTION STORAGE.
- ALL STORMWATER RUNOFF GENERATED FROM A SITE SHALL BE ADEQUATELY TREATED BEFORE DISCHARGE.
- ALL DUMPSTERS SHALL BE ENCLOSED WITH A WALL OF EQUAL OR GREATER HEIGHT ON THREE SIDES, THE MATERIAL OF WHICH SHALL BE SIMILAR TO THE MATERIAL ON THE OUTSIDE OF THE MAIN BUILDING.
- ALL UTILITY LINE WITHIN THE CITY IN RESIDENTIAL, OFFICE AND COMMERCIAL ZONING DISTRICTS SHALL BE PLACED UNDERGROUND WITHIN THE FOLLOWING EXCEPTIONS: THOSE LINES THAT WERE EXISTING OVERHEAD AS OF JANUARY 1, 2003; THOSE LINES, TEMPORARY IN NATURE, WHICH ARE INTENDED TO PROVIDE SERVICE TO AN AREA FOR A PERIOD NOT TO EXCEED 180 DAYS, SUBJECT TO THE APPROVAL OF THE CITY ADMINISTRATOR; AND MAJOR TRANSMISSION LINES WHICH DO NOT PROVIDE SERVICE TO ADJOINING PROPERTIES, SUBJECT TO THE APPROVAL OF THE CITY ADMINISTRATOR.
- IF EXISTING WATER MAINS AND/OR SANITARY SEWERS MUST BE EXTENDED TO SERVE A DEVELOPMENT, THE DEVELOPER SHALL INSTALL OR HAVE INSTALLED THE NECESSARY EXTENSIONS AT NO COST TO THE CITY UNDER THE EXISTING CITY POLICY AND PROCEDURES AT PLAN APPROVAL TIME (SEC. 71-74). PERMANENT EASEMENTS FOR PUBLIC ELECTRICAL, WATER AND SANITARY SEWER FACILITIES SHALL BE DEDICATED TO THE CITY. THE MINIMUM WIDTH PERMANENT EASEMENTS FOR A SINGLE UTILITY SHALL BE 20 FEET. WHERE MORE THAN ONE UTILITY HAS A COMMON EASEMENT, THE MINIMUM EASEMENT WIDTH SHALL BE INCREASED BY TEN FEET FOR EACH ADDITIONAL UTILITY (SEC. 71-73).

1 OVERALL SITE PLAN  
SCALE: AS NOTED



PROPERTY OWNER  
OLD CAMPBELL, LLC  
101 SWANSON RD  
PEACHTREE CITY, GA 30269  
THOMAS G SELLMER  
404-406-9903

ENGINEER  
CONSTRUCTA TECHNICAL, LLC  
468 LEE ROAD 462  
VALLEY, AL 36854  
TAMMY C.S STOREY  
678-340-7273

WATER / SANITARY SEWER  
CITY OF FAIRBURN

SITE AREA

TOTAL PROPERTY AREA:	3.107± AC (135,341± S.F.)
DISTURBED AREA:	1.14± AC (49,600± S.F.)
IMPERVIOUS AREA PROPOSED:	0.78± AC (34,130± S.F.)
PERVIOUS AREA PROPOSED:	2.32± AC (101,200 ± S.F.)
IMPERVIOUS AREA EXISTING:	0.0± AC UNDEVELOPED
PERVIOUS AREA EXISTING:	3.107± AC (135,341 ± S.F.)

ZONING CLASSIFICATION

JURISDICTION:	CITY OF FAIRBURN
ZONING:	C-2 / HWY 74 OVERLAY
ADJACENT ZONING:	C-2

BUILDING SETBACK REQUIRMENTS

NORTH / WEST	50 FEET
SOUTH	20 FEET
EAST	30 FEET

BUILDING SUMMARY

PROPOSED BUILDING AREA:	
BUILDING "A" OFFICE	3,200 SF
BUILDING "B" WAREHOUSE	5,000 SF
TOTAL	8,200 SF

BUILDING AREA LIMIT:	
BUILDING HEIGHT LIMIT:	48 FEET

PARKING SUMMARY

PARKING REQUIREMENTS	
STORAGE 2500 SF	= 3 SPACES
OFFICE 5700 SF	= 23 SPACES
TOTAL PARKING REQUIRED	26 SPACES
TOTAL PARKING PROVIDED	30 SPACES

LANDSCAPING SUMMARY

PARKING ISLANDS	1,000SF
FRONT LANDSCAPE BUFFER	50 FEET
SIDE LANDSCAPE BUFFER	9 FEET
REAR LANDSCAPE BUFFER	15 FEET

GENERAL SITE NOTES:

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL NEW CURB AND GUTTER TO BE 24" CURB AND GUTTER UNLESS OTHERWISE SPECIFIED.
- ALL LAND DISTURBANCE TO BE STABILIZED WITH VEGETATION UPON COMPLETION OF DEMOLITION. ALL TREES SHALL HAVE PROPER PROTECTION DURING CONSTRUCTION.
- TOPOGRAPHIC SURVEY BY TBD, DATED xxx.
- FLOODPLAIN IS NOT PRESENT ON SITE AS DEPICTED BY FEMA FIRM PANEL NUMBER 13121C0462F, DATED 09-18-2013.
- OWNER IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AGREEMENTS FROM ADJACENT PROPERTY OWNERS IN ORDER TO PERFORM THE REQUIRED OFFSITE WORK, INCLUDING STORM DRAINAGE, UTILITY CONNECTIONS, SIDEWALK, CURB AND GUTTER AND PAVEMENT TIE-INS AND GRADING.

NOTES:

- BASEMAPPING BASED ON SITE SURVEY BY TBD, DATED xxx AND ARE APPROXIMATE FOR THE PURPOSES OF THIS SUBMITTAL.
- THE LOCATION, SIZE AND TYPE OF MATERIAL OF EXISTING UTILITIES INDICATED ON THE PLANS IS NOT REPRESENTED AS BEING ACCURATE, SUFFICIENT OR COMPLETE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE ACTUAL LOCATION OF ALL SUCH FACILITIES, INCLUDING THE SERVICE CONNECTIONS TO UNDERGROUND UTILITIES. PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES & CUSTOMER REPRESENTATIVE OF HIS OPERATIONAL PLANS AND SHALL OBTAIN FROM THE RESPECTIVE UTILITY COMPANIES DETAILED INFORMATION AND ASSISTANCE RELATIVE TO THE LOCATION OF THEIR FACILITIES AND THE WORKING SCHEDULE OF THE COMPANIES FOR REMOVAL OR ADJUSTMENT WHERE REQUIRED. IN THE EVENT AN UNEXPECTED UTILITY INTERFERENCE IS ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE UTILITY COMPANY OF JURISDICTION, CUSTOMER REPRESENTATIVE AND THE ENGINEER.
- SEE SHEET C102 FOR SITE DATA TABLE

ENGINEER STAMP:



Tammy C. Storey  
7/6/23


A	CITY REVIEW CHANGES	TS	7/6/23
REV:	DESCRIPTION:	BY:	DATE:

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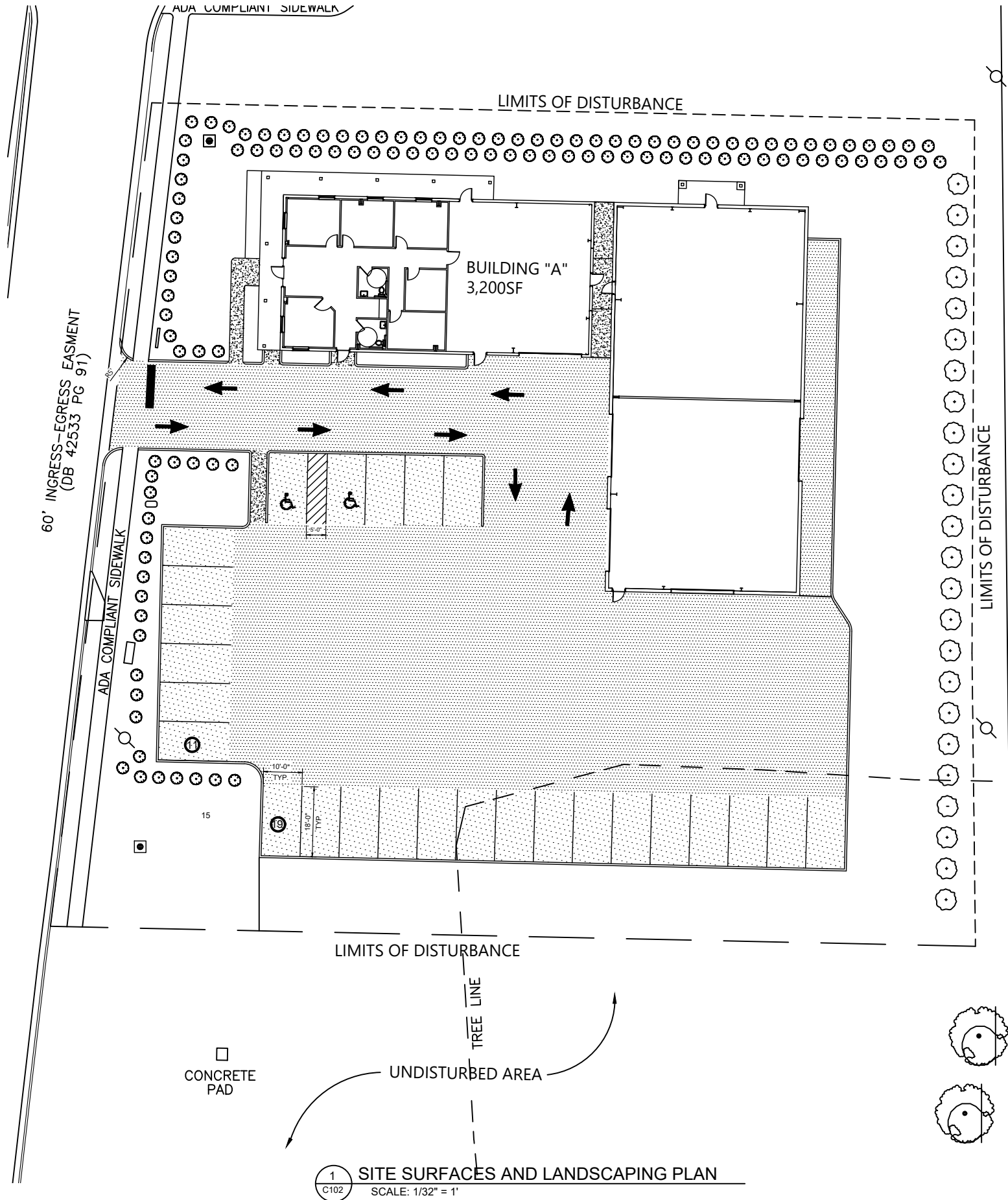

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VALLEY, AL 36854  
(678)340-7273

PROJECT TITLE:  
PVI  
NEW OFFICE/WAREHOUSE BUILDING

SITE ADDRESS:  
5645 MILAM RD  
FAIRBURN, GA 30213

TITLE:  
SITE PLAN

SCALE AT A3: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: C101	REVISION: A	



1 SITE SURFACES AND LANDSCAPING PLAN  
C102 SCALE: 1/32" = 1'

- LANDSCAPING NOTES:
1. PROVIDE LANDSCAPE SCREENING PER CITY OF FAIRBURN, GA REQUIREMENTS:
  2. LANDSCAPE SCREENING TO BE PLANTED NO CLOSER THAN 3' TO EDGE OF PROPERTY LINE.
  3. SOD ALL DISTURBED AREAS.

LANDSCAPE LEGEND			
SYMBOL	QTY	DESCRIPTION	COMMON NAME
	AS REQ'D	2" CALIPER, 5' TALL EVERGREEN	AMERICAN ARBORVITAE OR SIMILAR MEETING SPECS. EVERGREEN SHRUB MEETING SPECS CAN ALSO BE SUBSTITUTED, SKIP LAUREL OR SIMILAR.
	AS REQ'D	1 GALLON EVERGREEN SHRUB	AMERICAN BOXWOOD OR SIMILAR MAY BE SUBSTITUTED.

- CONCRETE
- STANDARD DUTY PAVING
- HEAVY DUTY PAVING
- OVERLAY EXISTING PAVEMENT

SITE DATA TABLE	
TOTAL PROPERTY AREA:	3.107± AC (135,341± S.F.)
DISTURBED AREA:	1.14± AC (49,600± S.F.)
IMPERVIOUS AREA:	0.78± AC (34,130± S.F.)
PERVIOUS AREA:	2.32± AC (101,200 ± S.F.)
TOTAL VEHICULAR AREA:	0.42± AC (18,075± S.F.)
TOTAL LANDSCAPED ISLAND AREA:	0.18± AC (7,900 ± S.F.)

NOTES:

1. BASEMAPPING BASED ON SITE SURVEY BY ACKISON SURVEYING, DATED 12/17/15 AND ARE APPROXIMATE FOR THE PURPOSES OF THIS SUBMITTAL.

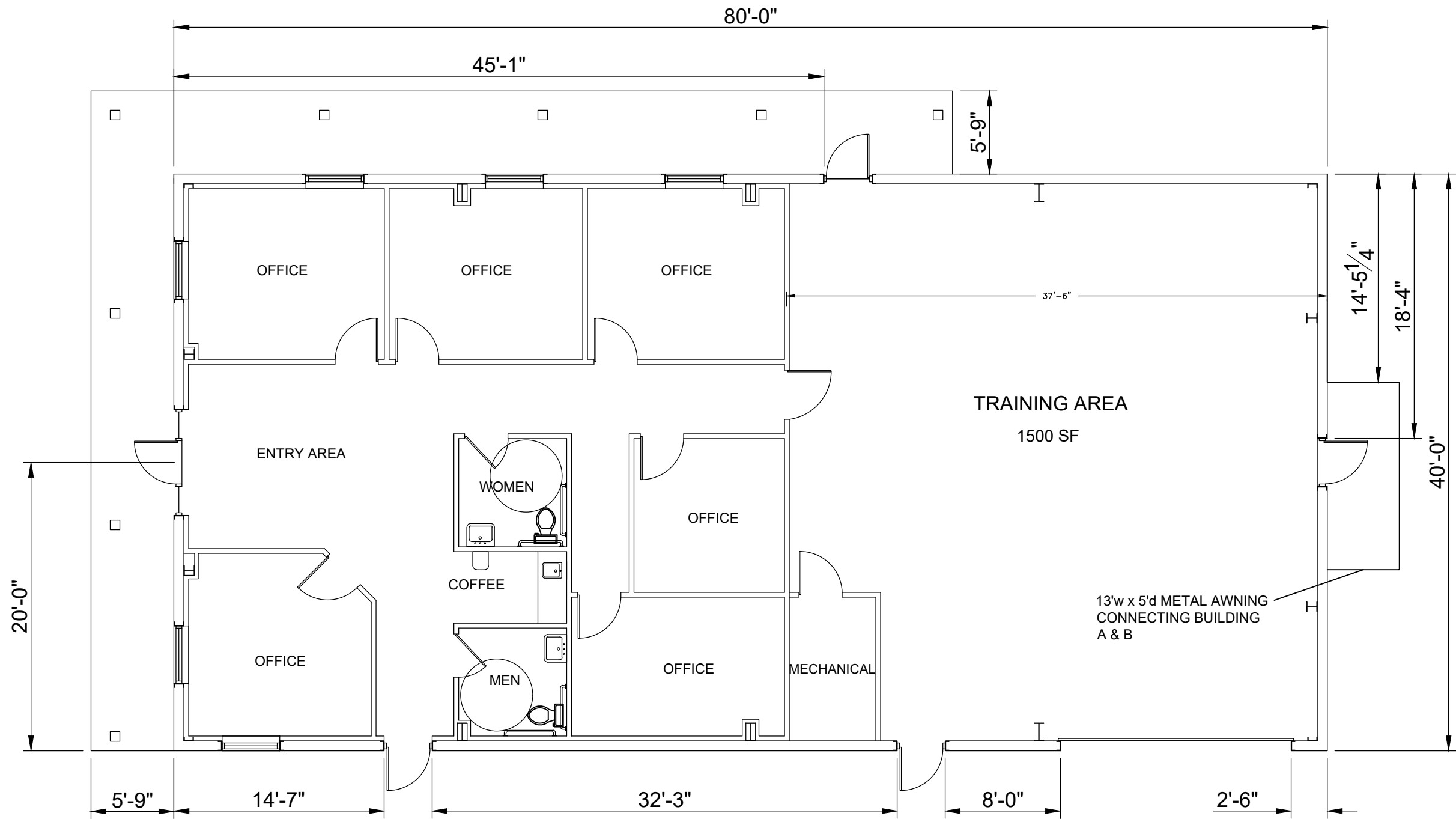
2. THE LOCATION, SIZE AND TYPE OF MATERIAL OF EXISTING UTILITIES INDICATED ON THE PLANS IS NOT REPRESENTED AS BEING ACCURATE, SUFFICIENT OR COMPLETE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE ACTUAL LOCATION OF ALL SUCH FACILITIES, INCLUDING THE SERVICE CONNECTIONS TO UNDERGROUND UTILITIES. PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES & CUSTOMER REPRESENTATIVE OF HIS OPERATIONAL PLANS AND SHALL OBTAIN FROM THE RESPECTIVE UTILITY COMPANIES DETAILED INFORMATION AND ASSISTANCE RELATIVE TO THE LOCATION OF THEIR FACILITIES AND THE WORKING SCHEDULE OF THE COMPANIES FOR REMOVAL OR ADJUSTMENT WHERE REQUIRED. IN THE EVENT AN UNEXPECTED UTILITY INTERFERENCE IS ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE UTILITY COMPANY OF JURISDICTION, CUSTOMER REPRESENTATIVE AND THE ENGINEER.

ENGINEER STAMP:

GEORGIA  
REGISTERED  
No. PE043592  
PROFESSIONAL  
ENGINEER  
TAMMY C. STOREY

Tammy C. Storey  
7/6/23

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PROJECT TITLE: PVI NEW OFFICE/WAREHOUSE BUILDING			
SITE ADDRESS: 5645 MILAM RD FAIRBURN, GA 30213			
TITLE: SITE SURFACES AND LANDSCAPING PLAN			
SCALE AT A3: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: C102	REVISION: A	



1 BUILDING "A" FLOOR PLAN  
A103 SCALE: 1/8" = 1'-0"

NOTES:

ENGINEER STAMP:



Tammy C. Storey  
7/6/23

REV.	DESCRIPTION	BY	DATE
A	CITY REVIEW CHANGES	TS	7/6/23

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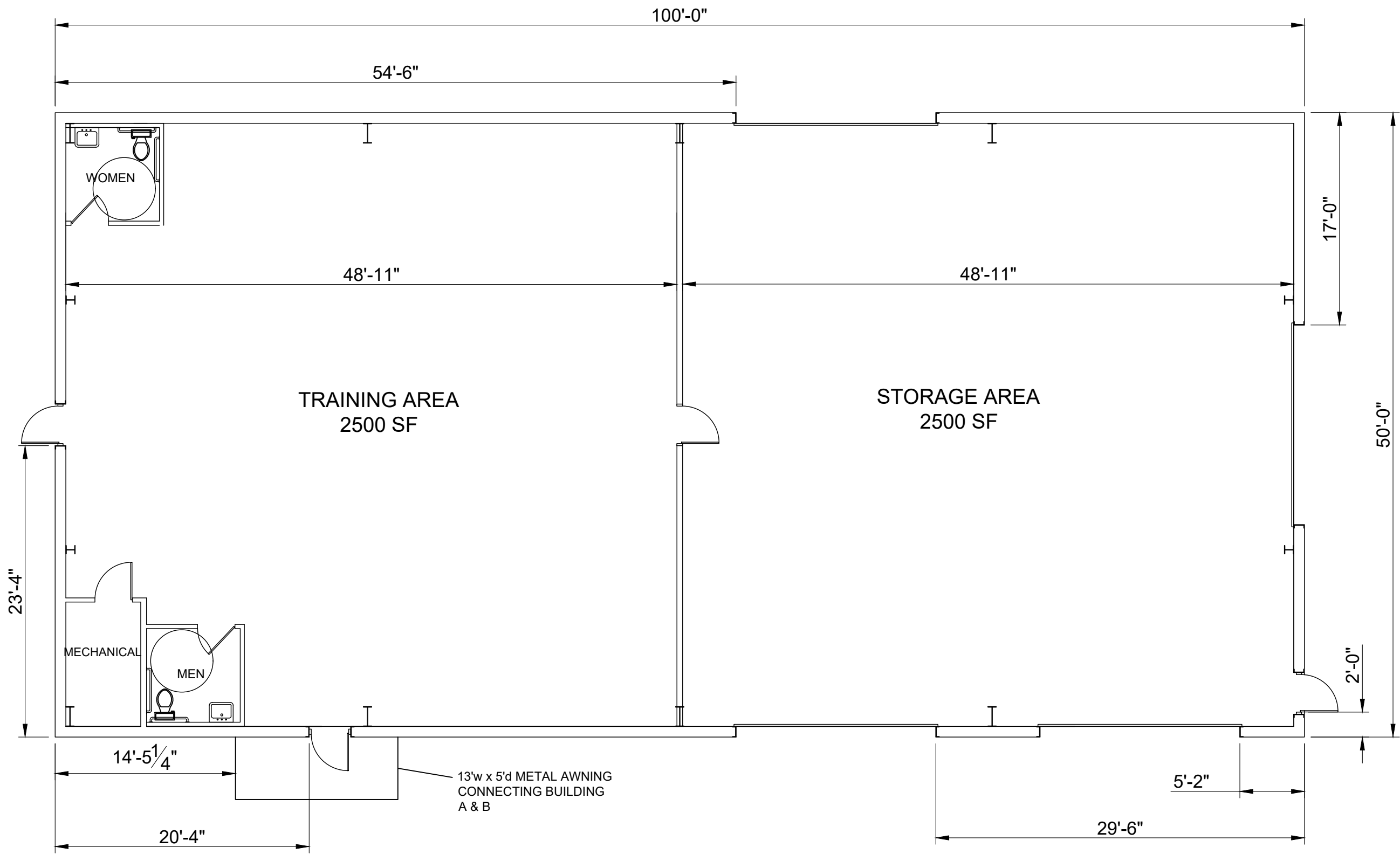
PROJECT TITLE:  
PVI  
NEW OFFICE/WAREHOUSE BUILDING

SITE ADDRESS:  
5645 MILAM RD  
FAIRBURN, GA 30213

TITLE:  
BUILDING "A" FLOOR PLAN

SCALE:	DATE:	DRAWN:	CHECKED:
1/8" = 1'-0"	04/02/23	JS	TS
PROJECT NO:	DRAWING NO:	REVISION:	
CT22-1075	A103	A	





1  
A104

**BUILDING "B" FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

NOTES:

ENGINEER STAMP:



*Tammy C. Storey*  
7/6/23

A	CITY REVIEW CHANGES	TS	7/6/23
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REV:	DESCRIPTION:	BY:	DATE:
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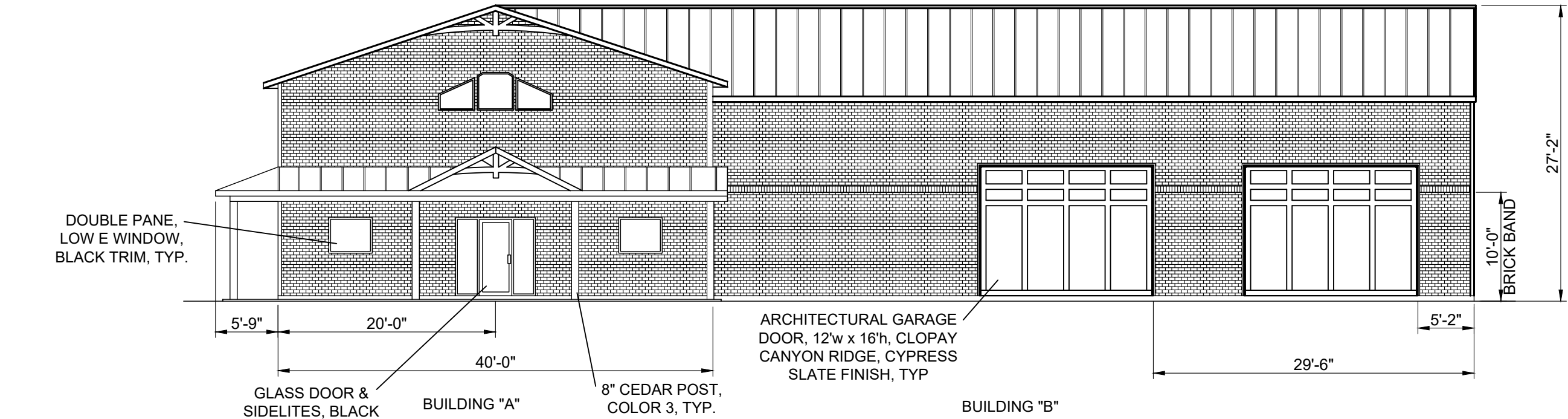
PROJECT TITLE:  
PVI  
NEW OFFICE/WAREHOUSE BUILDING

SITE ADDRESS:  
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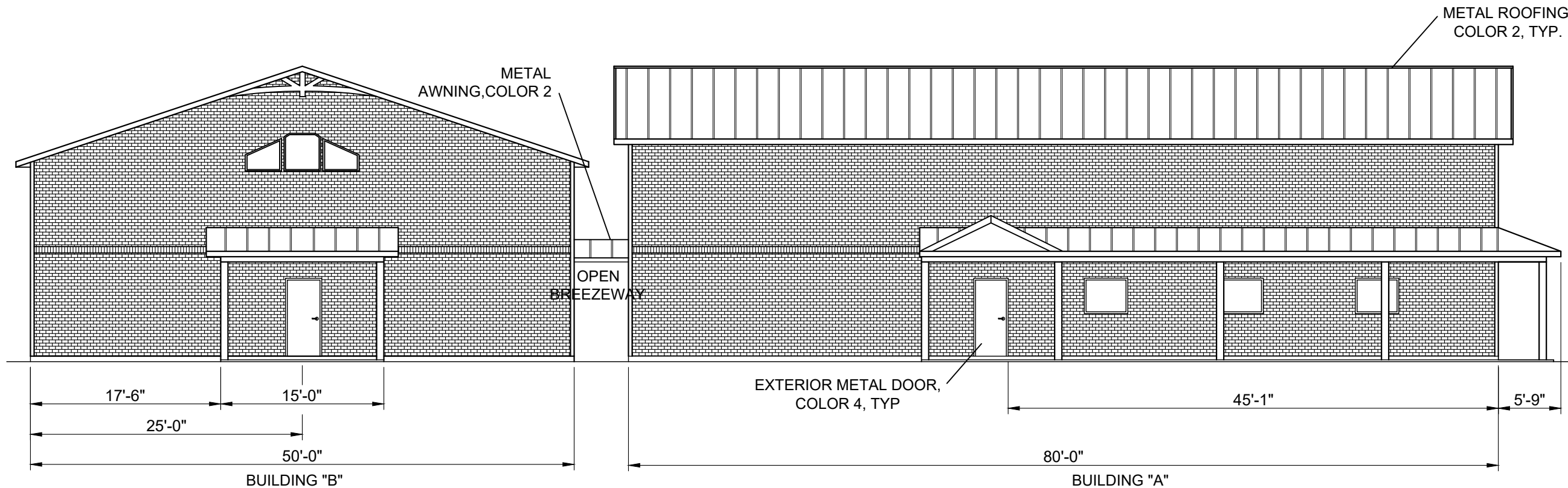
TITLE:  
BUILDING "B" FLOOR PLAN

SCALE AT A3: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: A104	REVISION: A	





WEST ELEVATION



NORTH ELEVATION

EXTERIOR FINISH SCHEDULE		
ID	DESCRIPTION	COLOR
COLOR 1	EXTERIOR BRICK	ACME BLACK BEAUTY, CHARCOAL MORTAR
COLOR 2	METAL ROOFING & TRIM	BLACK
COLOR 3	WOOD TRIM	SHERWIN WILLIAMS #SW 3511 CEDAR BARK, SEMI-OPAQUE EXTERIOR STAIN
COLOR 4	DOOR PAINT	SHERWIN WILLIAMS #SW 6258 TRICORN BLACK, PRO INDUSTRIAL DTM ACRYLIC

1

A105

NORTH AND WEST ELEVATIONS

SCALE: 3/32" = 1'-0"

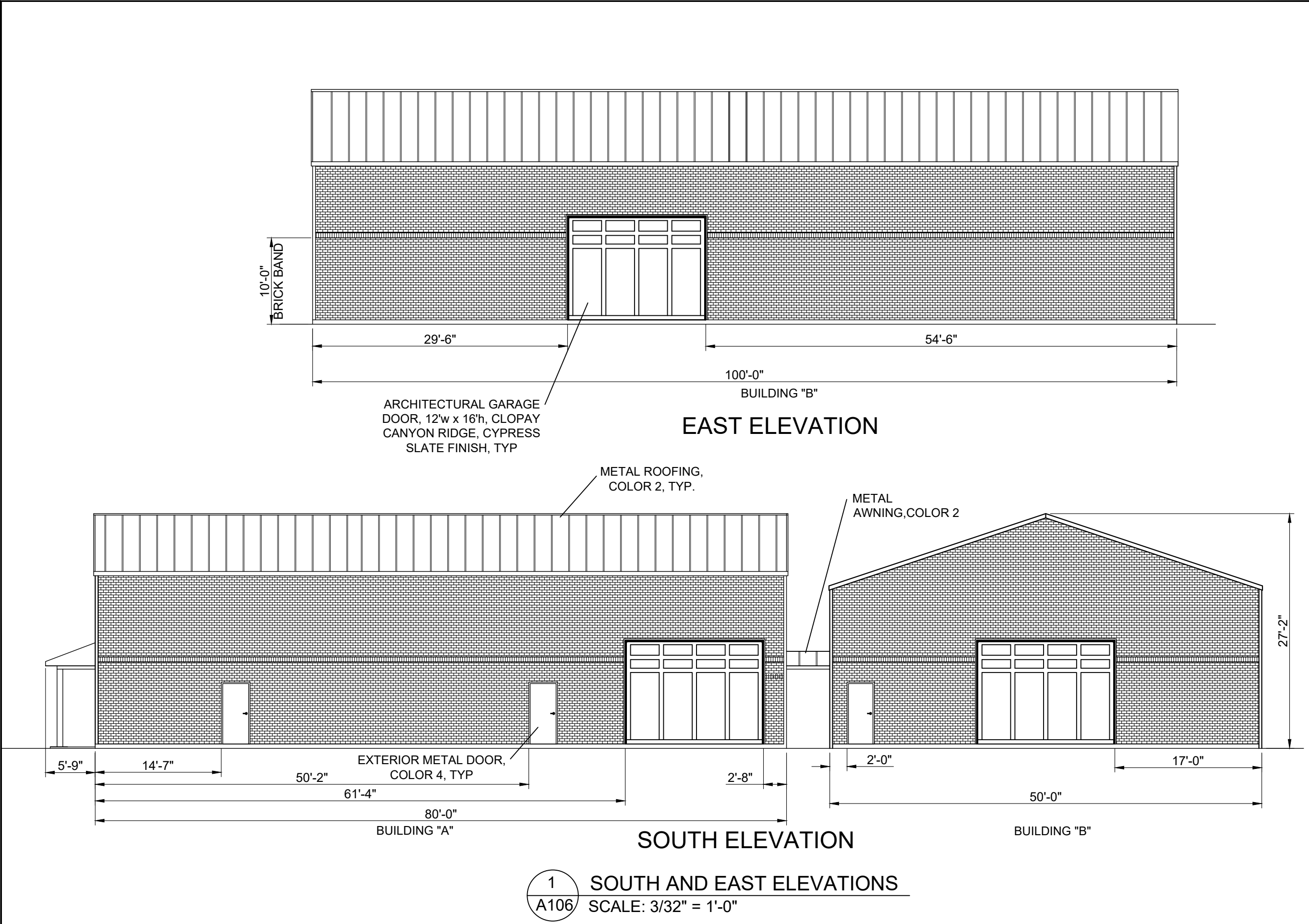
NOTES:

ENGINEER STAMP:

GEORGIA  
REGISTERED  
No. PE043592  
PROFESSIONAL  
ENGINEER  
TAMMY C. STOREY

Tammy C. Storey  
7/6/23

A	CITY REVIEW CHANGES	TS	7/6/23
REV:	DESCRIPTION:	BY:	DATE:
THESE DRAWINGS MAY NOT BE DUPLICATED, REPRODUCED OR USED IN ANY MANNER WITHOUT THE EXPRESS WRITTEN CONSENT OF TAMMY C. STOREY. UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF FEDERAL, STATE AND/OR LOCAL LAWS. ALL RIGHTS RESERVED 2023.			
468 LEE ROAD 462 VALLEY, AL 36854 (678)340-7273			
PROJECT TITLE: PVI NEW OFFICE/WAREHOUSE BUILDING			
SITE ADDRESS: 5645 MILAM RD FAIRBURN, GA 30213			
TITLE: NORTH & WEST ELEVATIONS			
SCALE AT A3: N.T.S.	DATE: 4/02/23	DRAWN: TS	CHECKED: TS
PROJECT NO: CT22-1075	DRAWING NO: A105	REVISION: A	



1 SOUTH AND EAST ELEVATIONS  
A106 SCALE: 3/32" = 1'-0"

NOTES:

ENGINEER STAMP:

**GEORGIA REGISTERED**  
No. PE043592  
PROFESSIONAL  
ENGINEER  
TAMMY C. STOREY  
7/6/23

REV.	DESCRIPTION:	BY:	DATE:
A	CITY REVIEW CHANGES	TS	7/6/23

468 LEE ROAD 462  
VALLEY, AL 36854  
(678)340-7273

PROJECT TITLE:  
PVI  
NEW OFFICE/WAREHOUSE BUILDING

SITE ADDRESS:  
5645 MILAM RD  
FAIRBURN, GA 30213

TITLE:  
SOUTH & EAST ELEVATIONS

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
N.T.S.	4/02/23	TS	TS

PROJECT NO:	DRAWING NO:	REVISION:
CT22-1075	A106	A

**CITY OF FAIRBURN**  
**PLANNING AND ZONING COMMISSION**  
**AGENDA ITEM**

To: Planning and Zoning Commission  
 From: Denise Brookins, Planning and Zoning Director  
 Date: August 1, 2023 Planning and Zoning Commission  
 Agenda Item: PZ23071 - Concept Plat: Cigar Studio South Plat – 0 Harris Rd  
 Request to review the subdivision plat.

**Applicant Information:**

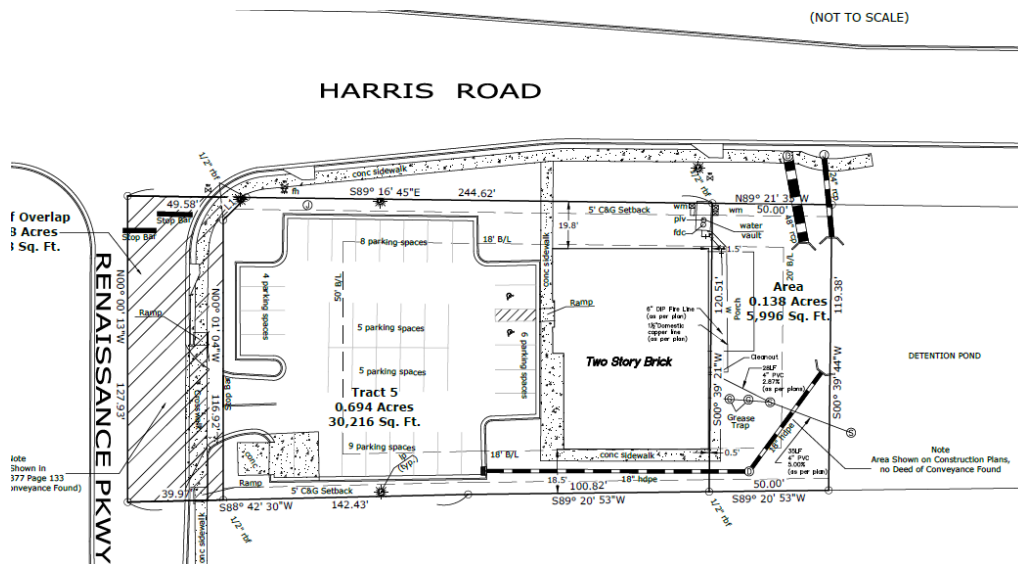
- Applicant: J. David Hughes
- Property Owner: J. David Hughes

**Background**

The subject properties are located along Harris Road. The front parcel is developed with a cigar lounge and restaurant totaling 0.69 acres (Tract 5), the adjacent parcel to the rear totals 0.13 acres.

**Discussion**

The applicant is requesting approval of a plat to combine Tract 5 with a portion of the detention pond easement commercial tract along Harris Road. The request does comply with the C-2 zoning district requirements. The subdivision plat includes buffer easements, utilities, and other required infrastructure.



**Staff Recommendations**

Staff recommends **APPROVAL** of the concept plat.



# CITY OF FAIRBURN

## Planning & Zoning Department

### Subdivision Plat/ Plan Review- Submittal Form

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

Deadline: \_\_\_\_\_  
(Minimum 5 weeks prior to P & Z Commission meeting)

#### PROJECT INFORMATION

Project Name: S & B Group Inc.

Address/Location of Project: 043601014 & 043601013

Access to Property: \_\_\_\_\_

Tax Parcel ID #: 043601014 & 043601013 Size of Project: \_\_\_\_\_

Zoning: c-2 No. of Lots (if applicable): \_\_\_\_\_

Zoning & Use of Adjacent Properties: c-2

Narrative/ Description for use of property/project (attach additional pages as necessary to provide greater detail):

Final Plat to Combine Property Portion of Tract 5 and portion of the 'detention pond easement' Harris Road Commercial Tracts

#### CONTACT INFORMATION

Company Name: S & B Group Inc.

Contact Person: Brian Bouleware

Mailing Address: 165 Berry Hill Lane

Phone: (850)567-1898 Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

#### UTILITY SERVICE PROVIDERS

Water: \_\_\_\_\_ Sewer: \_\_\_\_\_ Electric: \_\_\_\_\_

Gas: \_\_\_\_\_ Cable: \_\_\_\_\_ Other: \_\_\_\_\_

<u>Concept Plat</u>	<u>Preliminary Plat</u>	<u>Construction Plans</u>	<u>Final Plat</u>	<u>If Applicable-Landscape Plan</u>
<input type="checkbox"/> 1 <sup>st</sup> Submittal \$440 + \$3/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$460 + \$4/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$600 + \$8/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$300 + \$3/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$400 + \$5/lot <input type="checkbox"/> Resubmittal*
7 Copies- Staff Routes to:  ___ Building/Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	7 Copies- Staff Routes to:  ___ Building/Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	7 Copies- Staff Routes to:  ___ Building/Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	7 Copies- Staff Routes to:  ___ Building/ Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	2 Copies- Staff Routes to:  ___ Engineer ___ Landscape Architect

\* Resubmittals- Each subsequent resubmittal will incur a fee of \$200.

pend

- 37P=Open Top Pipe  
 43R=Rebar Found  
 43S=Rebar Set  
 47W=Right of Way  
 47V=Iron Pin Found  
 47B=Point of Beginning  
 47A=Building Linc  
 47C=Drainage Easement  
 47F=Now or Formerly  
 47J=Fluid Work Performed Data  
 47G=Gas Valve  
 47W=Water Meter  
 47U=Utility Pole  
 47D=Drop Inlet  
 47F=Fire Hydrant  
 47L=Light Pole  
 47X=Fence  
 47D=Drainage Manhole  
 47E=Over Head Electric Line

**2010**

**THE NEW COUNSEL FOR THE CLERK OF THE SUPERIOR COURT.**

TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF, I HAVE REVIEWED THE AS-BUILT SURVEY FOR THIS PROJECT AND FOUND THE WATER, SANITARY SEWER, AND STORMWATER INFRASTRUCTURE AS SHOWN ON THIS SURVEY TO BE IN GENERAL CONFORMANCE WITH THE APPROVED CIVIL DESIGN DRAWINGS FOR THIS PROJECT IN ACCORDANCE WITH THE LAND DEVELOPMENT REGULATIONS AND STANDARD SPECIFICATIONS OF THE CITY, WITH MINOR DEVIATION.

*Jeffrey Masnick*

1202-71-7

JEFFREY MASISAK PE, CPESC  
A PROFESSIONAL ENGINEER NO.: 31742



Line Table		
Line #	Direction	Length
U1	N45° 27' 35"E	13.53'

Vicinity Map  
(NOT TO SCALE)

HARRIS ROAD

GENERAL NOTES:

1. **OWNER/DEVELOPER:**  
S & B Group Inc.  
165 Betty Hill Lane  
Tyngs, GA 30290  
Contact: Brian Bouliere (ASD) 567-1998
1. **SURVEYOR:**  
Four Corners Surveying, LLC  
P.O. Box 15  
Tyngs, GA 30296  
770-565-3910  
770-823-9277  
four\_corners@bellsouth.net

1. **SITE DEVELOPMENT DATA:**  
 Location: Land Lot 27 of the 9-4 District,  
 City of Fairburn, Fulton County, Georgia  
 Site Data = 1 Lot  
 Total area of project = 19.2110 Acres @26,621 Sq. Ft.  
 The Parcel ID: 043601014 and 043601013
2. **MINIMUM DIMENSIONAL ZONING REQUIREMENTS:**  
 For C-2 General Commercial Zoning districts  
 Minimum width of lot frontage for width at building line  
 Minimum lot area = 1/4 Acre (21,780 Sq. Ft.)  
 Minimum front yard = 35' (Construction Plans)  
 Minimum rear yard = 50' (Construction Plans)  
 Side yard = None (Municipal Code - 19 (Construction Plans)  
 Rear yard = 20' (Municipal Code - 20 (Construction Plans)

1. All deed book worksheets shown herein are recorded in the Clerk of Superior Court's office of Fulton County, Georgia.
2. Capped 3/4" rebar to be set at all lot corners unless otherwise noted.
3. In any portion this property appears not to be within a 100' wet flood plain as shown on CLEA-14, 4-21-22 (CWA) dated 05/09/2023.
4. There are no state waters on this property.
5. There are no wetlands on this site per the U.S. Fish & Wildlife Service National Wetlands Inventory Worksheet. All wetlands are under the jurisdiction of the Army of the United States and are subject to the National Wetlands Permitting process. Any wetlands on this property by law for disturbance in these protected areas without the proper permit application and approval.
6. The survey is subject to all easements right-of-way and restrictions shown or not shown, recorded or not recorded.
7. The survey as performed without the benefit of a current and accurate title search, therefore any covenants, easements, and restrictions of record are to be interpreted with this plan.
8. Sewer service is provided by individual septic systems on each lot.
9. Water service is provided by individual wells.
10. Lot water service is provided by individual wells.
11. Lot water service is provided by individual wells.
12. All distances shown are horizontal ground distance. No conversion factor used.
13. Occupation is made to original purchaser of the survey. Any use by third parties is at their own risk.
14. Survey is valid only if print has original seal and original signature of surveyor.
15. This survey does not constitute a title search by any person. All information regarding record

10/10/2008 10:00:00 AM

field closure = 1 IN 10,000 +  
angle point error = < 20°  
equipment used = Topcon 300SW,  
Topcon SX, & Topcon Hyper GA GPS System  
adjustment method = Compass rule  
last closure = 1 IN 100,000 +

**Improvement Certificate**

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 of a governmental body. Each approval or affirmation 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 Surveyors and Land Surveyors and set forth in O.C.G.A. Section 15-6-67.

BY: [Signature] Date: 04/08/21  
 2696  
 License No.

The term "Certification" as used in Rule "80-6-08(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-161 and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.



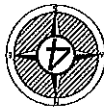
The Hughes Company

**Fact 5**

HATTIS ROAD  
Lot 27 Of the 9<sup>th</sup> Land District  
Fulton County, Georgia

7	133-134
562	119
8	97-98
9	120

**FOUR CORNERS SURVEYING<sup>INC</sup>**  
PO BOX 15 Tyronne, GA 30290 770-560-3910 & 770-823-9377  
 FOUR.CORNERS@BELLSOUTH.NET



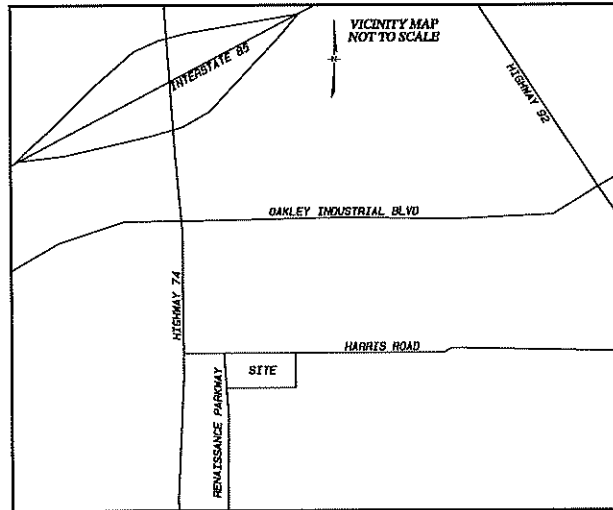
**FINAL PLAT TO COMBINE PROPERTY  
PORTION OF TRACT 5 AND PORTION  
OF "DETENTION POND BASEMENT"  
HARRIS ROAD COMMERCIAL TRACTS**

PLAT BOOK 362, PAGES 97-98  
PLAT BOOK 432, PAGES 42-43  
PROPERTY ADDRESS: 6000 RENAISSANCE PARKWAY, FAIRBURN, GA 30213  
CURRENT OWNER: S&B GROUP, INC. PHR  
DEED BOOK 66833, PAGES 10-13  
DEED BOOK 66864, PAGES 375-377

LEGEND:  
SMB = SINGLE WING CATCH BASIN  
WV = WATER VALVE  
FH = FINE HYDRANT  
L = LIGHT POLE  
CATV = CABLE TELEVISION  
RD = ROAD DRAIN

**NOTES:**

- 1) BUILDING SETBACKS ARE TAKEN FROM AN ASBUILT SURVEY PROVIDED TO THIS OFFICE BY THE CITY OF FAIRBURN. THE ASBUILT IS OF "TRACT 5" AND HAS BEEN PREPARED BY FOUR CORNERS SURVEYING.
  - 2) PROPERTY IS ZONED C2 PER THE CITY OF FAIRBURN GIS.
  - 3) C2 ZONING INFORMATION PER ONLINE CODE OF ORDINANCES - FAIRBURN
- MINIMUM FRONT YARD SETBACK: 35 FEET  
MINIMUM SIDE YARD SETBACK: NONE  
MINIMUM REAR YARD SETBACK: 15 FEET
- NOTE: ALL C-2 USES ADJUTING RESIDENTIAL DISTRICT MUST MAINTAIN A SIDE AND REAR YARD OF 25 FEET WITH A MINIMUM TEN-FOOT LANDSCAPED BUFFER AS SPECIFIED IN ARTICLE X, OR UNDISTURBED NATURAL BUFFER. NO STORAGE OF EQUIPMENT OR VEHICLE PARKING IS PERMITTED IN THE SIDE YARD AND/OR REAR YARD.
- MINIMUM LOT AREA: 1/2 ACRE - (21,780 SQUARE FEET)  
MINIMUM WIDTH OF LOT FRONTAGE OR WIDTH AT BUILDING LINE: 100 FEET  
ALL VEHICLE PARKING AREAS MUST ADJUT A RESIDENTIAL DISTRICT SHALL BE CONCEALED USING TEN-FOOT PLANTED BUFFER OR OPAQUE SCREEN.  
MAXIMUM HEIGHT - 40 FEET  
MAXIMUM LOT COVERAGE - 50 PERCENT



**CERTIFICATE OF DEDICATION  
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 DEDICATED 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 77-150(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 SUBMITTED 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 77-150(1) FOR ANY CLAIM OF DAMAGES RESULTING FROM NEGLIGENCE IN EXERCISING ENGINEERING TECHNIQUES AND DUE CAUTION IN THE CONSTRUCTION OF CROSS DRAINS, EXTENSION, DRAINS, STRUCTURES ON 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 \_\_\_\_\_, 2023

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 \_\_\_\_\_

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.

OWNER/DEVELOPER \_\_\_\_\_ TITLE \_\_\_\_\_ DATE \_\_\_\_\_

NOTARY PUBLIC (SEAL)  
STATE OF GEORGIA

**70' ACCESS EASEMENT NOTE:**

THIS OFFICE HAS NOT BEEN PROVIDED OR RECOVERED A DEED THAT GRANTS RIGHTS TO THE 70' ACCESS EASEMENT TO THE SURVEYED PROPERTY. THE PLAT RECORDED IN PLAT BOOK 377, PAGES 133-134 APPEARS TO SHOW A DETAIL OF WHAT PORTIONS OF HARRIS ROAD COMMERCIAL TRACTS 5 AND 4 WERE TO BE DEDICATED AS PART OF THE 70' ACCESS EASEMENT.

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE, THE UNDERSIGNED SURVEYOR AND W.D. GRAY AND ASSOCIATES, INC. MAKE NO GUARANTEES, REPRESENTATIONS, OR WARRANTIES REGARDING INFORMATION SHOWN HEREON PERTAINING TO RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, RESERVATIONS, AGREEMENTS, SETBACK LINES, BUFFERS, AND OTHER SIMILAR MATTERS. OTHER CONDITIONS OR DOCUMENTS MAY EXIST THAT WOULD AFFECT THIS PROPERTY. NO LIABILITY IS ASSUMED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 180-6-.09 THE TERM CERTIFICATION RELATING TO LAND SURVEYING SERVICES, AS DEFINED IN O.C.G.A. 43-15-2(6) AND (11) SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. NO CERTIFICATION OR LIABILITY IS EXTENDED TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENANTS, ZONING ORDINANCES, ENVIRONMENTAL RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES. BEFORE ANY LAND DISTURBANCE ACTIVITY BEGINS, UNDERGROUND UTILITIES SHOULD BE IDENTIFIED AND LOCATED. W.D. GRAY AND ASSOCIATES, INC. ASSUMES NO LIABILITY FOR LOSS OR DAMAGES CAUSED BY THE DISCOVERY OF OR DISTURBANCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.

ALL BUILDING RESTRICTIONS INCLUDING BUT NOT LIMITED TO BUILDING SETBACKS, WATERSHED BUFFERS, WATERSHED SETBACKS, UNDISTURBED BUFFERS, ETC. SHOULD BE INTERPRETED AND ENFORCED BY THE PROPER GOVERNING AUTHORITY BEFORE ANY LAND PLANNING AND/OR LAND DISTURBANCE ACTIVITY BEGINS.

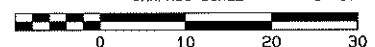
(1) As required by subsection (d) of O.C.G.A. Section 15-6-57, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed 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 15-6-57.

**PRINTED FOR REVIEW ONLY - 06/22/2023**

CLOSURE DATA  
FIELD CLOSURE = 1" = 25.655  
ANGLE POINT ERROR = < 5"  
EQUIPMENT USED: GEOMAX 2004 90  
ADJUSTMENT METHOD: NONE  
PLAT CLOSURE = 3" = 251.674

IN MY OPINION, THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP, 1310100-60P  
DATED: SEPTEMBER 18, 2013

GRAPHIC SCALE 1" = 10'



**W.D. Gray and  
Associates, Inc.**  
land surveyors - planners

P.O. Box 3847 Peachtree City, GA 30269  
(770) 486-7552 Fax (770) 486-0496  
LSF000701

PREPARED FOR:

**S&B GROUP, INC.**  
THIS SURVEY WAS AUTHORIZED  
BY S & B GROUP, INC.

**SHEET 1 OF 4**

LAST DATE OF FIELD WORK:

LAND LOT: 27 06/21/2023

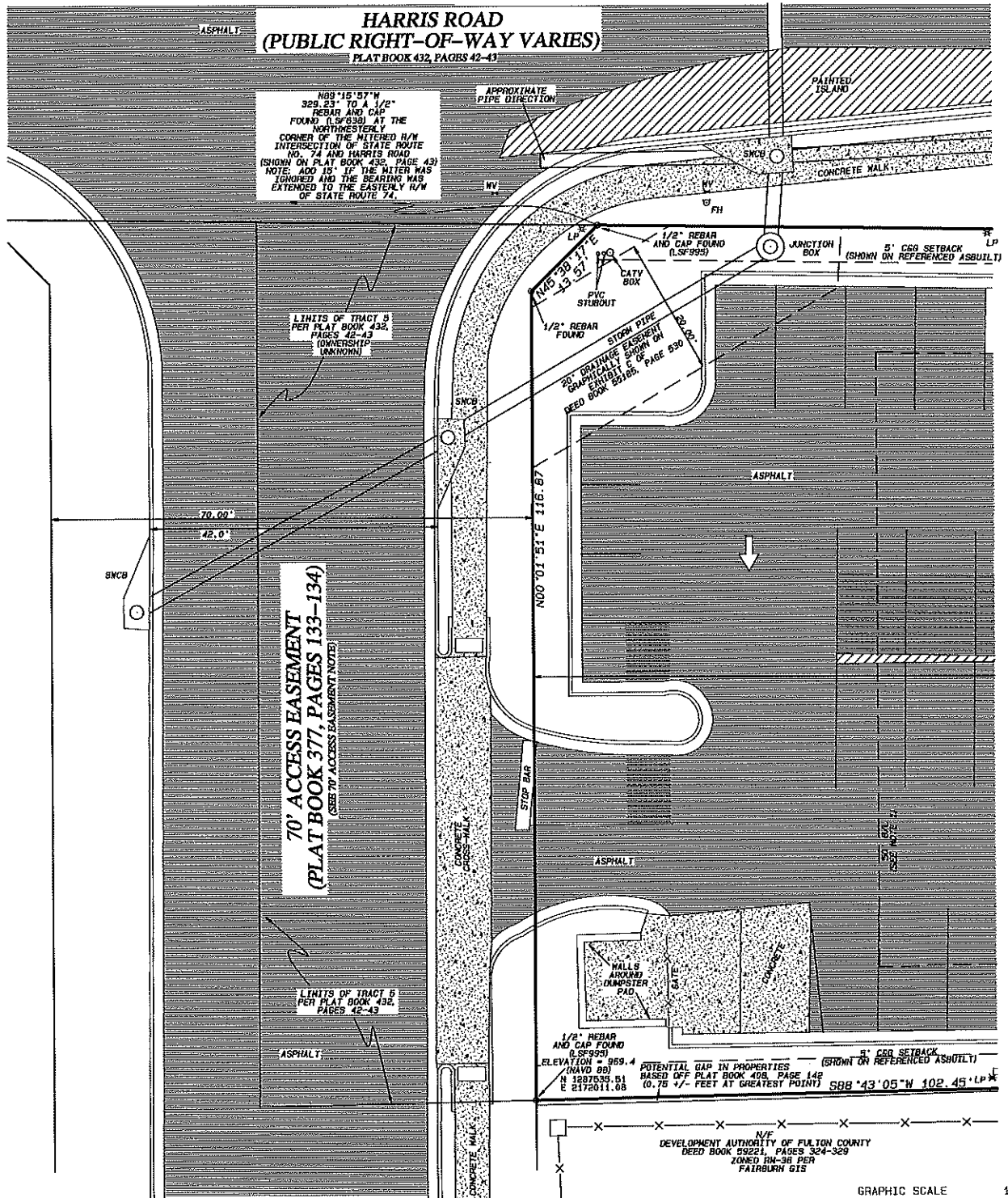
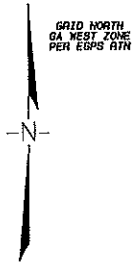
DISTRICT: 9F DATE OF DRAWING: 06/22/2023

FULTON COUNTY, GA CITY OF FAIRBURN REV.

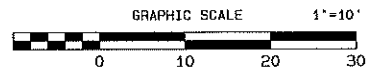
SCALE: 1" = 10' JOB NO: 2305002

**FINAL PLAT TO COMBINE PROPERTY  
PORTION OF TRACT 5 AND PORTION  
OF "DETENTION POND EASEMENT"  
HARRIS ROAD COMMERCIAL TRACTS**

PLAT BOOK 362, PAGES 97-98  
PLAT BOOK 432, PAGES 42-43  
PROPERTY ADDRESS: 6000 RENAISSANCE PARKWAY, FAIRBURN, GA 30213  
CURRENT OWNER: S&B GROUP, INC. PRR:  
DEED BOOK 66833, PAGES 10-13  
DEED BOOK 66864, PAGES 375-377



SEE SHEET 3



**W.D. Gray and  
Associates, Inc.**  
land surveyors - planners

P.O. Box 3847 Peachtree City, GA 30269  
(770) 486-7552 Fax (770) 486-0496  
LSF000701

PREPARED FOR:

**S&B GROUP, INC.**  
THIS SURVEY WAS AUTHORIZED  
BY S & B GROUP, INC.

LAND LOT: 27

DISTRICT: 9F

FULTON COUNTY, GA  
CITY OF FAIRBURN

SCALE: 1" = 10'

LAST DATE OF FIELD WORK:

06/21/2023

DATE OF DRAWING: 06/22/2023

REV.

JOB NO: 2305002

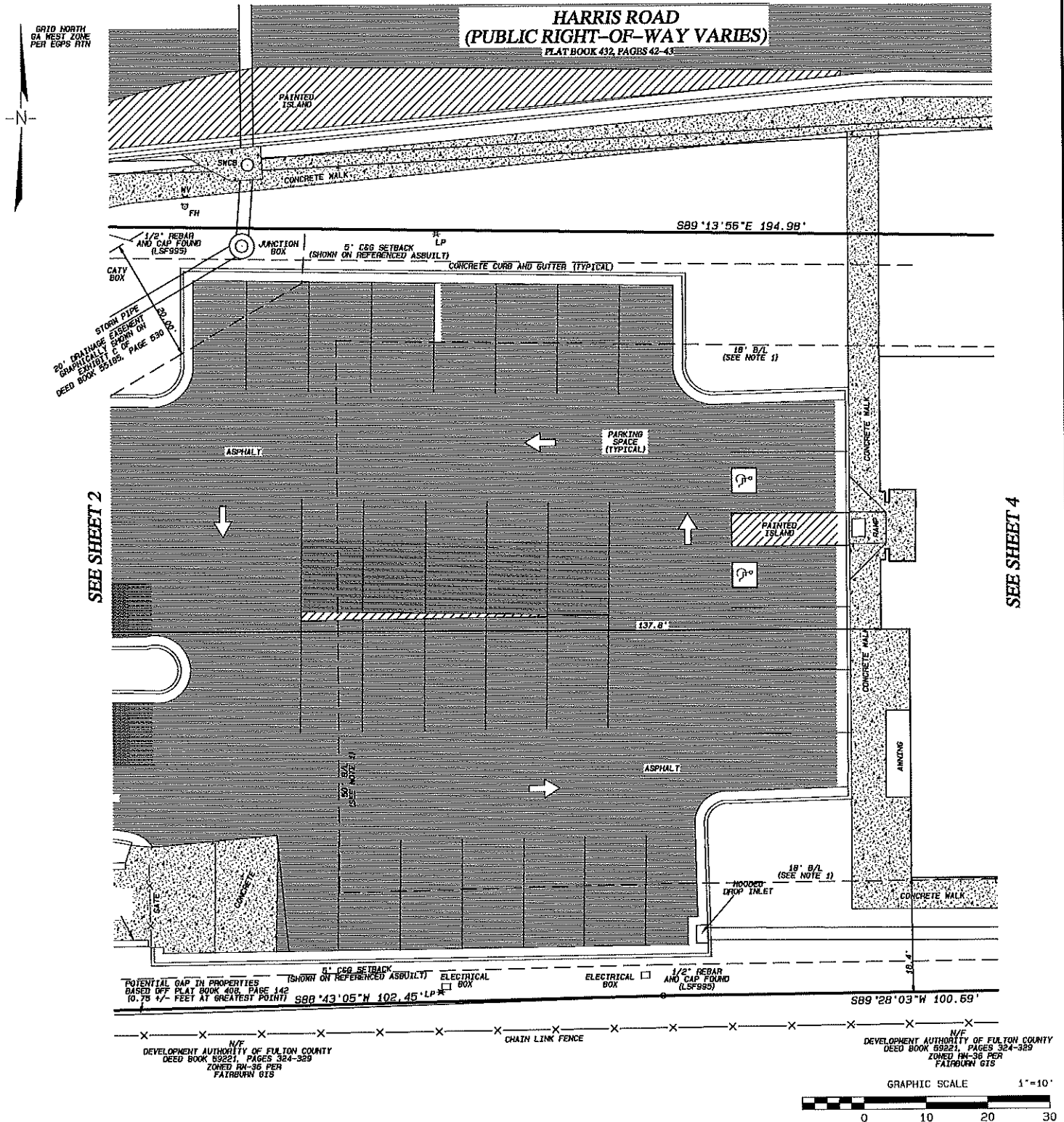
SHEET 2 OF 4



**FINAL PLAT TO COMBINE PROPERTY  
PORTION OF TRACT 5 AND PORTION  
OF "DETENTION POND EASEMENT"  
HARRIS ROAD COMMERCIAL TRACTS**

PLAT BOOK 362, PAGES 97-98  
PLAT BOOK 432, PAGES 42-43  
PROPERTY ADDRESS: 6000 RENAISSANCE PARKWAY, FAIRBURN, GA 30213  
CURRENT OWNER: S&B GROUP, INC. PER:  
DEED BOOK 66833, PAGES 10-13  
DEED BOOK 66854, PAGES 375-377

GRID NORTH  
GA WEST ZONE  
PER EGPS RTH



SEE SHEET 4

SEE SHEET 2

**W.D. Gray and  
Associates, Inc.**  
land surveyors - planners

P.O. Box 3847 Peachtree City, GA 30269  
(770) 486-7552 Fax (770) 486-0496  
LSF000701

PREPARED FOR:

**S&B GROUP, INC.**  
THIS SURVEY WAS AUTHORIZED  
BY S & B GROUP, INC.

LAND LOT: 27

DISTRICT: 9F

FULTON COUNTY, GA

CITY OF FAIRBURN

SCALE: 1" = 10'

LAST DATE OF FIELD WORK:

06/21/2023

DATE OF DRAWING: 06/22/2023

REV.

JOB NO: 2305002

**SHEET 3 OF 4**



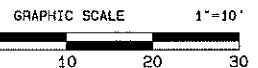
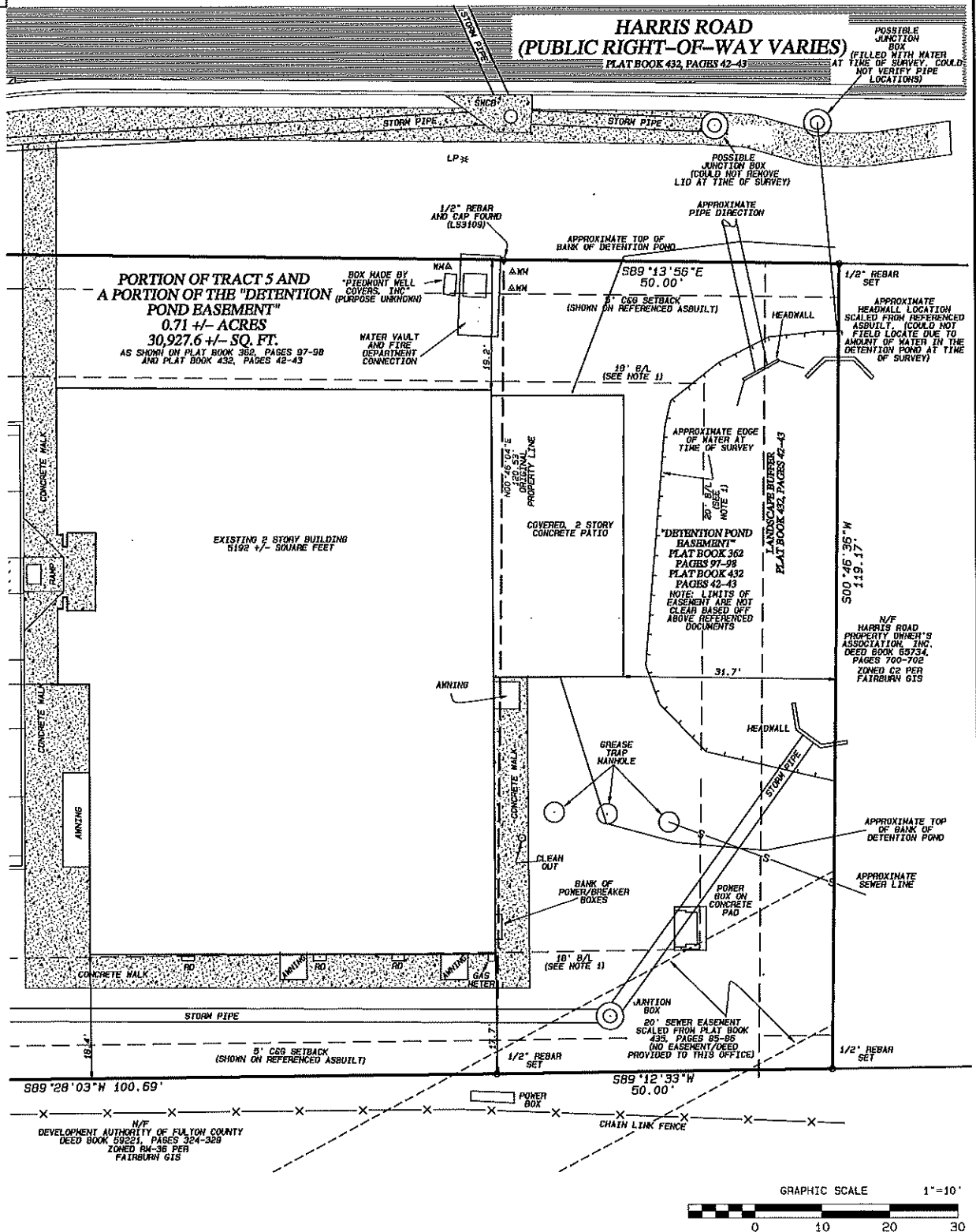
**FINAL PLAT TO COMBINE PROPERTY  
PORTION OF TRACT 5 AND PORTION  
OF "DETENTION POND EASEMENT"  
HARRIS ROAD COMMERCIAL TRACTS**

PLAT BOOK 362, PAGES 97-98  
PLAT BOOK 432, PAGES 42-43  
PROPERTY ADDRESS: 6000 RENAISSANCE PARKWAY, FAIRBURN, GA 30213  
CURRENT OWNER: S&B GROUP, INC. PER:  
DEED BOOK 66833, PAGES 10-13  
DEED BOOK 66864, PAGES 375-377

**HARRIS ROAD  
(PUBLIC RIGHT-OF-WAY VARIES)**  
PLAT BOOK 432, PAGES 42-43

GRID NORTH  
GA WEST ZONE  
PER EOPS RTN

SEE SHEET 3



**W.D. Gray and  
Associates, Inc.**  
land surveyors - planners

P.O. Box 3847 Peachtree City, GA 30269  
(770) 486-7552 Fax (770) 486-0495  
LSF000701

PREPARED FOR:

**S&B GROUP, INC.**  
THIS SURVEY WAS AUTHORIZED  
BY S & B GROUP, INC.

LAND LOT: 27

DISTRICT: 9F

FULTON COUNTY, GA  
CITY OF FAIRBURN

SCALE: 1" = 10'

LAST DATE OF FIELD WORK:

06/21/2023

DATE OF DRAWING: 06/22/2023

REV.

JOB NO: 2305002

**SHEET 4 OF 4**



**CITY OF FAIRBURN**

**PLANNING AND ZONING COMMISSION**

**AGENDA ITEM**

To: Planning and Zoning Commission

From: Chancellor Felton, Planner

Date: August 1, 2023, Planning and Zoning Commission

Agenda Item: PZ23019 – Fairway Foodies (DBA: Swing) – Request to review the allowance of mobile food trucks.

**APPLICANT/PETITIONER INFORMATION**

**Property Owner**

Fairway Foodies LLC (DBA: Swing)

**Petitioner**

Fairway Foodies LLC (DBA: Swing)

**PROPERTY INFORMATION**

**Address, Parcel Number**

8480 Senoia Road, Parcel No. 09F020400070044, Parcel No. 09F020400070127

**Frontage:**

Senoia Road

**Existing Zoning and Use:**

C-2 (Highway Commercial)

**Overlay District:**

Georgia Highway 74 Overlay District

**2035 Comprehensive Future  
Land Use Map Designation:**

Highway Mixed Use- The Commercial Character Area is south of Downtown Fairburn and south of I-85, along Fairburn Industrial Boulevard/Senoia Road. Businesses in the Commercial Character Area rely on and serve a wider population than the commercial businesses in the Town Center Character Area, including the entire city, surrounding counties, and pass-through traffic.

**INTENT**

Request to review the allowance of mobile food trucks.

## Site Pictures:



The area where food trucks will be located



The golf course

## FUTURE LAND USE MAP



7/29/2023, 2:08:25 PM

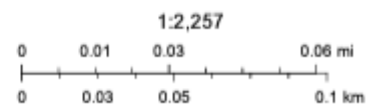
 Tax Parcels 2022 (Fulton County Assessors)

Future Land Use

 Rural Residential

 Highway Mixed Use

 Office



Eri Community Maps Contributors, © OpenStreetMap, Microsoft, Eri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA

ArcGIS Web AppBuilder

Eri Community Maps Contributors, © OpenStreetMap, Microsoft, Eri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA | Eri

## BACKGROUND

The subject parcels are located along Senoia Road between the intersections of Milam Road / Landrum Road to the north and Thompson Road to the south. The site is currently zoned C-2 (Highway Commercial) and is located in the Georgia Highway 74 Overlay District.

The applicant is proposing to be able to have mobile food trucks on their site. An accurate, up-to-date, and certified survey is included. They have also included a site plan that shows where the mobile food trucks will be serving.

## Public Participation:

The applicant formed a public participation plan. The applicant notified the following businesses that were located within 500 feet of the site: A List Emissions, Dr. Paul Kaiser Chiropractor, Auto Zone, Georgia World of Beverage, and the Animal Medical Clinic of Fairburn; with a letter via the United States Postal Service, of their intention to request the allowance of mobile food trucks on their site and to invite the businesses to their public participation meeting.

The applicant produced a public participation report. The applicant held a public participation meeting on July 6, 2023, at 12:00 PM on the site. A total of 10 people were in attendance. No one at the meeting expressed concern about the allowance of mobile food trucks on the site.

## Use Permit Considerations

**1. Whether the proposal use is consistent with the comprehensive land use plan adopted by the city council.**

Staff finds that the proposed use is consistent with the 2040 Comprehensive Plan. The site is in the Highway Mixed Use Area and the appropriate use is Mixed-Use. The appropriate zoning district in the Highway Mixed Use Area includes C-2.

**2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed.**

Staff finds that the proposed use is compatible with the surrounding land uses and zoning. The surrounding land uses consist of C-2, O&I, and AG. Mobile food trucks are a permitted use in C-2 with an approved use permit.

**3. Whether the proposed use may violate local, state, and/or federal statutes, ordinances, or regulations governing land development.**

The proposed use does not violate any local, state, and/or federal statutes, ordinances, or regulations governing land development. The applicant will be required to comply with all City of Fairburn regulations.





4. **The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets.**  
Vehicular and pedestrian traffic flow should not be affected along Senoia Road. A traffic impact study was not required as the use did not pass the threshold (of 175,000 square feet of development).
5. **The location and number of off-street parking spaces.**  
Off-street parking is located on the site and there are 35 parking spaces.
6. **The amount and location of open space.**  
There are open spaces on the south and east sides of the site where the golf course is located which equal ~12,436 square feet of open space. The site is a total of ~40,075 square feet which equals 31% of open space. 30% is required.
7. **Protective screening.**  
Several permitted fences surround the perimeter of the golf course and lounge area.
8. **Hours and manner of operation.**  
Mobile food trucks will operate from 11 AM to 8 PM Sunday through Thursday and 11 AM to 10 PM on Friday and Saturday.
9. **Outdoor lighting.**  
Outdoor lighting is provided by 6 light poles.
10. **Ingress and egress to the property.**  
A single, two-lane access point will provide ingress and egress to the site from Senoia Road.

#### **Staff Recommendations**

Staff recommends **APPROVAL** of the use permit with the following condition:

- Applicant must adhere to the supplemental regulations on mobile food trucks per the Zoning Ordinance (Chapter 80 Zoning, Article IV Administrative Permits and Use Permits, Section 80-237 Mobile Food Truck).

#### ***Attachments:***

- Site Pictures
- Application
- Plans

**SITE PICTURES**



The area where food trucks will be located



The golf course



## APPLICATION FOR USE PERMIT

City of Fairburn  
Community Development Department  
26 W. Campbellton Street  
Fairburn, GA 30213

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

USE PERMIT #: \_\_\_\_\_  
(Office Use Only)

### APPLICANT INFORMATION

Applicant Name: Fairway Foodies LLC (DBA: Swing) Nekeidra Taylor, Richard Taylor, Jonathan Phillips, Masika George			
Address: 8480 Senoia Road, Fairburn, GA 30213			
Phone: 770-703-4655	Cell: 301-526-2989	Fax: _____	
Email Address: info@swingatlanta.com			

### OWNER INFORMATION (If different from Applicant)

Owner Name: _____			
Address: _____			
Phone: _____	Cell: _____	Fax: _____	
Email Address: _____			

### PROPERTY INFORMATION

Address: 8480 Senoia Road, Fairburn, GA 30213			
Parcel ID#: 09F020400070044	Land Lot: 7	District: 9	

### SECTION 1

### USE PERMIT REQUEST

Office use only: USE PERMIT CASE # _____ ROAD FRONTAGE: _____
--

Under the provisions of Chapter 80, Article IV of the Zoning Ordinance, application is hereby made to obtain a Use Permit as follows:

CURRENT ZONING: C-2

USE PERMIT REQUEST: Mobile Food Truck



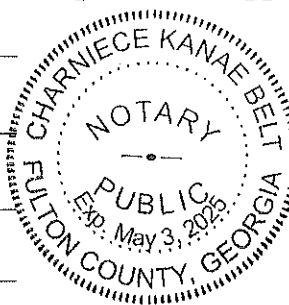
**SECTION II****OWNER/PETITIONER**

**NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:**

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

Nekedra Taylor  
TYPE OR PRINT OWNER'S NAME  
3170 Abbey Place, SW  
ADDRESS  
Atlanta, GA 30331  
CITY & STATE ZIP CODE  
Nekedra Taylor  
OWNER'S SIGNATURE  
Nekedrataylor@gmail.com  
EMAIL ADDRESS



Sworn to and subscribed before me this the

03rd Day of June 20 23

Charniece Kanae Belt  
NOTARY PUBLIC

404-344-3029  
PHONE NUMBER

**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

\_\_\_\_\_  
TYPE OR PRINT PETITIONER'S NAME  
\_\_\_\_\_  
ADDRESS  
\_\_\_\_\_  
CITY & STATE ZIP CODE  
\_\_\_\_\_  
PETITIONER'S SIGNATURE  
\_\_\_\_\_  
EMAIL ADDRESS

Sworn to and subscribed before me this the

\_\_\_\_ Day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
PHONE NUMBER

**SECTION V****ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

\_\_\_\_\_  
TYPE OR PRINT ATTORNEY / AGENT NAME  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AGENT  
\_\_\_\_\_  
ADDRESS  
\_\_\_\_\_  
CITY & STATE ZIP CODE

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EMAIL ADDRESS  
\_\_\_\_\_  
PHONE NUMBER  
\_\_\_\_\_  
PETITIONER'S SIGNATURE

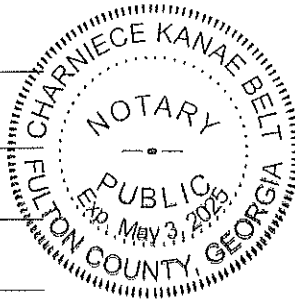
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- c) If you are the sole owner and petitioner complete Part 1.
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**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

Richard A. Taylor  
TYPE OR PRINT OWNER'S NAME  
3170 Abbey Place SW  
ADDRESS  
Atlanta, GA 30331  
CITY & STATE ZIP CODE  
[Signature]  
OWNER'S SIGNATURE  
richayii@aol.com  
EMAIL ADDRESS



Sworn to and subscribed before me this the  
03rd Day of June 2023  
[Signature]  
NOTARY PUBLIC  
404-344-3029  
PHONE NUMBER

**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

\_\_\_\_\_  
TYPE OR PRINT PETITIONER'S NAME  
\_\_\_\_\_  
ADDRESS  
\_\_\_\_\_  
CITY & STATE ZIP CODE  
\_\_\_\_\_  
PETITIONER'S SIGNATURE  
\_\_\_\_\_  
EMAIL ADDRESS

Sworn to and subscribed before me this the  
\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_  
\_\_\_\_\_  
NOTARY PUBLIC  
\_\_\_\_\_  
PHONE NUMBER

**SECTION V****ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

\_\_\_\_\_  
TYPE OR PRINT ATTORNEY / AGENT NAME  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AGENT  
\_\_\_\_\_  
ADDRESS  
\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
EMAIL ADDRESS  
\_\_\_\_\_  
PHONE NUMBER  
\_\_\_\_\_  
PETITIONER'S SIGNATURE

**SECTION II****OWNER/PETITIONER**

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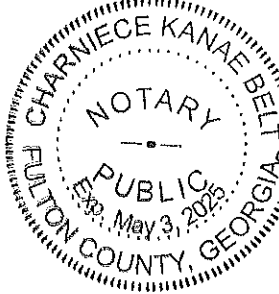
Jonathan Phillip  
TYPE OR PRINT OWNER'S NAME

3175 Abbey Pl SW  
ADDRESS

Atlanta Ga. 30331  
CITY & STATE ZIP CODE

[Signature]  
OWNER'S SIGNATURE

Fairwayfoodies@gmail  
EMAIL ADDRESS



Sworn to and subscribed before me this the  
03rd Day of June 2023  
[Signature]  
NOTARY PUBLIC

404-344-3025  
PHONE NUMBER

**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

\_\_\_\_\_  
TYPE OR PRINT PETITIONER'S NAME

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
PETITIONER'S SIGNATURE

\_\_\_\_\_  
EMAIL ADDRESS

Sworn to and subscribed before me this the  
\_\_\_\_\_  
Day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
PHONE NUMBER

**SECTION V****ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

\_\_\_\_\_  
TYPE OR PRINT ATTORNEY / AGENT NAME

\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AGENT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
PETITIONER'S SIGNATURE

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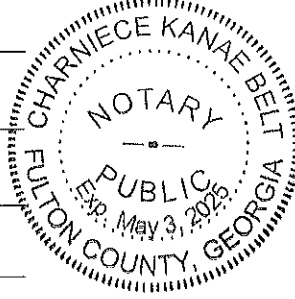
**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

Masika George  
TYPE OR PRINT OWNER'S NAME

3175 Abbey Pl. SW  
ADDRESS

Atlanta GA 30331  
CITY & STATE ZIP CODE

[Signature]  
OWNER'S SIGNATURE  
FAIRWAYFOODIES@GMAIL.COM  
EMAIL ADDRESS



Sworn to and subscribed before me this the

03<sup>rd</sup> Day of June 2023

[Signature]  
NOTARY PUBLIC

404.630.5799  
PHONE NUMBER

**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

\_\_\_\_\_  
TYPE OR PRINT PETITIONER'S NAME

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
PETITIONER'S SIGNATURE

\_\_\_\_\_  
EMAIL ADDRESS

Sworn to and subscribed before me this the

\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
PHONE NUMBER

**SECTION V****ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

\_\_\_\_\_  
TYPE OR PRINT ATTORNEY / AGENT NAME

\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AGENT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
PETITIONER'S SIGNATURE

### **LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING in Land Lot 7 of the 9th Land District, Fulton County, Georgia.

TO FIND THE TRUE POINT OF BEGINNING, begin at the intersection of the southern right of way of Milan Road and the Eastern right of way of Senoia Road (Georgia State Highway 74); thence proceed Southerly 1077 feet along the Eastern right of way of Senoia Road to the POINT OF BEGINNING; FROM SAID TRUE POINT OF BEGINNING, proceed South 87 degrees 49 minutes 32 seconds East 236.10 feet to a point; thence South 83 degrees 27 minutes 30 seconds East 441.98 feet to a point; thence South 00 degrees 38 minutes 48 seconds East 206.13 feet to a point; thence North 78 degrees 56 minutes 57 seconds West 454.99 feet to a point; thence North 87 degrees 56 minutes 47 seconds West 235.99 feet to a point located on the right of way of Senoia Road; thence North 01 degrees 22 minutes 08 seconds East 170.0 feet to the POINT OF BEGINNING.

Recording requested by:  
Magnolia Title Solutions

After Recording Return To:  
Magnolia Title Solutions  
3330 Cumberland Boulevard Southeast, 500  
Atlanta, GA 30339

File Number: 21-546-MTS  
Parcel ID: 09F-0204-0007-004-4  
09F-0204-0007-012-7

## Limited Warranty Deed

State of Georgia  
County of Cobb

This Indenture made the 15 day of February, 2022, between 8480 Senoia Rd, LLC, party of the first part, henceforth referred to as "Grantor", and Fairway Foodies LLC, party of the second part, henceforth referred to as "Grantee."

**WITNESSETH** That: the said party of the first part, for and in consideration of the sum of **TEN AND 00/100 DOLLARS (\$10.00)** and other goods and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns,

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING** in Land Lot 7 of the 9th Land District, Fulton County, Georgia being more particularly described from a plat of survey prepared by Michael R Noles, RLS, dated February 20, 2003, as follows: **TO FIND THE TRUE POINT OF BEGINNING**, begin at the intersection of the southern right of way of Milan Road and the Eastern right of way of Senoia Road (Georgia State Highway 74); thence proceed Southerly 1077 feet along the Eastern right of way of Senoia Road to the **POINT OF BEGINNING**; **FROM SAID TRUE POINT OF BEGINNING**, proceed South 87 degrees 49 minutes 32 seconds East 236.10 feet to a point; thence South 83 degrees 27 minutes 30 seconds East 441.98 feet to a point; thence South 00 degrees 38 minutes 48 seconds East 206.13 feet to a point; thence North 78 degrees 56 minutes 57 seconds West 454.99 feet to a point; thence North 87 degrees 56 minutes 47 seconds West 235.99 feet to a point located on the right of way of Senoia Road; thence North 01 degrees 22 minutes 08 seconds East 170.0 feet to the **POINT OF BEGINNING**.

This is the same property as was conveyed by Quitclaim Deed in favor of Mountain Properties, LLC, recorded in Deed Book 37917, Page 366, Fulton County Records.

**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 party of the second part, his heirs and assigns, forever, in **FEE SIMPLE**.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against claims of all persons owning, holding or claiming by, through or under the said party of the first part.

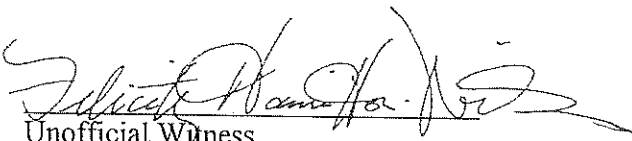
IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.


Signed, sealed and delivered in the presence of:

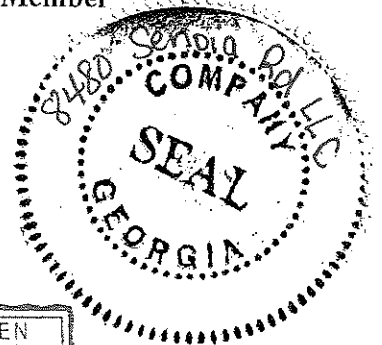
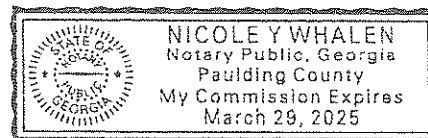
8480 Senoia Rd, LLC, a Georgia Limited  
Liability Company

By: 

Nathan Ellyson, Member

  
Unofficial Witness

  
Notary





**Letter of Intent:**

Fairway Foodies LLC (dba Swing) intends to use the property located at 8480 Senoia Road in Fairburn to host food trucks on a daily basis. The property has one existing 1,280 SF heated building with an attached 506 SF garage. The property contains a total of 35 parking spaces including two handicap spots. The building will be used for office space and storage with the exception of the remodeled ADA bathrooms which will be made available to the public.

The property's zoning classification is C-2 and located in District 9 of Fulton County Lot 7. The parcel number is 09F020400070044.

Food truck hours of operation will be from 11 AM to 8 PM Sunday through Thursday and 11 AM to 10 PM on Friday and Saturday. The miniature golf course will operate from 11 AM to 10 PM Sunday through Thursday and from 11 AM to 11 PM on Friday and Saturday.

**Business Description**

Converted from a used car lot, Swing will be a miniature golf and dining experience nestled in Fairburn. Guests will have the opportunity to enjoy a variety of food trucks and an 18 hole miniature golf course in a fun family-friendly atmosphere.

Challenging enough to keep everyone entertained, the 18 hole miniature golf course, will include a natural rock theme with water features..

**Adjacent Properties are both Zoned C-2**

The project site is bordered to the south by the A List Auto Group (8500 Senoia Road) and to the north by Dr. Paul Kaiser Chiropractic (8470 Senoia Road).

**General Topography**

According to the United States Geological Survey 7.5-Minute Series Fairburn, Georgia, the Topographic Map, dated 2014, the site elevation is 958 feet above mean sea level. Site conditions exhibit a topographic gradient to the general south.

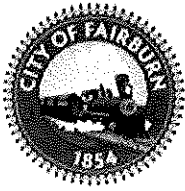
**Flood Plains**

A FEMA Flood Insurance Rate Map for the City of Fairburn, Map Number (13121C0464F), dated September 18, 2013, has been reviewed for the project site. According to this map, and the EDR Radius Map with GeoCheck® report, the project site is located within Zone X, or the Area of Minimal Flood Hazard.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Taylor II", is written over the printed name.

Richard Taylor



## DISCLOSURE REPORT

**Office use only:**

USE PERMIT PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

**CIRCLE ONE:**

YES

**NO**

If the answer is YES, proceed to sections 1 through 4.

If the answer is NO, complete only section 4.

1. **CIRCLE ONE:** Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.

If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: \_\_\_\_\_

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Nekeidra Taylor

Signature: Nekeidra Taylor Date: June 5, 2023

## PUBLIC PARTICIPATION PLAN

Applicant: Fairway Foodies LLC (DBA: Swing) Nekeidra Taylor, Richard Taylor, Jonathan Phillips, Masika George

1. The following individuals (property owners within 500 feet of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified:

The following businesses are located within 500 feet and will be notified:

A List Emissions, Dr. Paul Kaiser Chiropractor, Auto Zone, Georgia World of Beverage, and the Animal Medical Clinic of Fairburn. There are no other entities as listed in the question located within 500 feet of the property.

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

Letters will be presented to owners/management inviting to participate in a meeting.

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

All entities will be invited to the property to participate in a meeting to discuss any concerns.

Meeting Location: 8480 Senoia Road, Fairburn, GA 30213

*Attach additional sheets as needed.*

# PUBLIC PARTICIPATION PLAN REPORT

Applicant: Fairway Foodies LLC (DBA: Swing)  
Nekeidra Taylor, Richard Taylor, Jonathan Phillips, Masika George      Petition No. \_\_\_\_\_

Date: June 5, 2023

1. The following parties were notified of the requested rezoning/use permit:  
\_\_\_\_\_  
TBD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)  
\_\_\_\_\_  
TBD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The following issues and concerns were expressed:  
\_\_\_\_\_  
TBD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. The applicant's response to issues and concerns was as follows:  
\_\_\_\_\_  
TBD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

*Attach additional sheets as needed.*



## USE PERMIT CONSIDERATIONS

Applicant: Fairway Foodies LLC (DBA: Swing) Nekeidra Taylor, Richard Taylor, Jonathan Phillips, Masika George

Analyze the impact of the proposed use permit with the following questions:

1. Whether the proposed use is consistent with the comprehensive land use plan adopted by the City Council? Per meetings with city officials and obtained approvals including construction permits, occupational license #3434 and our certificate of occupancy, we understand that Swing is consistent with the comprehensive land use plan adopted by the city.
2. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed? Per our C-2 zoning classification we believe our requested use is compatible with land and zoning in the vicinity of the property and complies with city ordinances.
3. Whether the proposed use may violate local, state, and/or federal statutes, ordinances or regulations governing land development? The proposed use does not violate any local, state, and/or federal statutes ordinances or regulations governing land development.
4. The effects of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets? Traffic flow, vehicular, and pedestrians will not be affected along adjoining streets per our knowledge.
5. The location and number of off-street parking spaces? We are located along Hwy 74, there are no additional off-street parking spaces available.
6. The amount and location of open spaces? We have 35 parking spaces all located on-site.
7. Protective screening? All plants and trees designated to be saved shall be protected by a fence. We constructed fencing around the perimeter of the property after receiving a fence permit from the city.
8. Hours and manner of operation? Mobile food trucks will operate from 11 AM to 8 PM Sunday through Thursday and 11 AM to 10 PM on Friday and Saturday.  
All other operations will be Sunday-Thursday, 10 AM - 11 PM, Friday & Saturday, 11 AM - 11 PM

9. Outdoor lightning? We improved outdoor lighting by having EMC install 4 additional light poles bringing our total to 6. We now have ample light to provide a safe experience during night hours.
10. Ingress and egress to the property? A single double lane access point will provide ingress and egress to Hwy 74.

*Attach additional sheets as needed.*



RETURNED FOR CLERK OF SUPERIOR COURT

[illegible]

LEGEND

design, inc.

6478 North Rural St.  
Indianapolis, In 46220  
818.768.8083  
mcsophing@bellsouth.com

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© 2001 Blackwell Science Ltd *Journal of Internal Medicine* 250: 361–368

678.768.0003

6478 NORTH AVENUE ST  
TOLSONGPOLE, IN 46220

[illegible]

design

norep



7

2



1

10

1000000

## BOUNDARY AND TOPOGRAPHIC SURVEY FOR FAIRWAY FOODIES

LAND LOT 7  
9TH DISTRICT  
PLA. TON COUNTY, GEORGIA  
CITY OF FAIRBURN

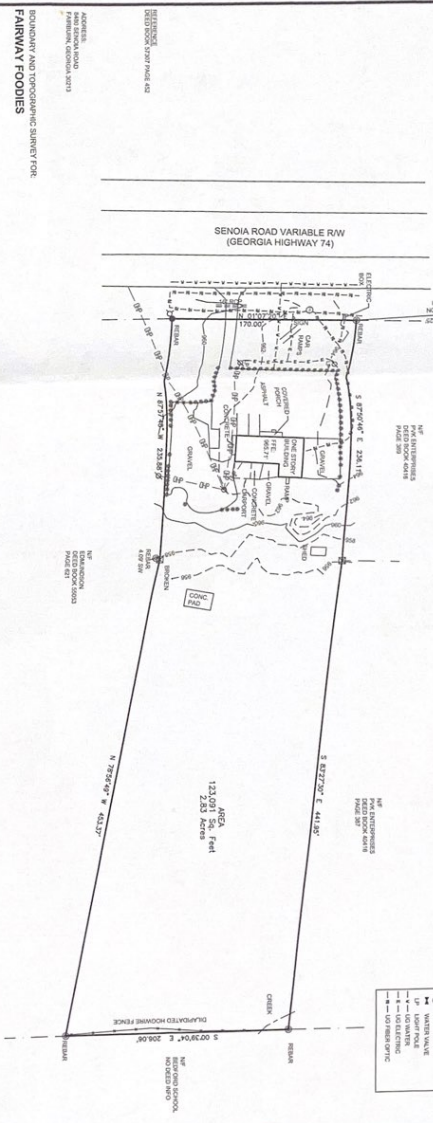
HARBUCK LAND SURVEYORS, INC.

WILLIAM O. HARRISON  
GEORGIA REGISTERED LAND SURVEYOR NO. 300  
53C JEFFERSON STREET  
NEWNAN, GA 30560  
770-253-6565  
HARRISONLANDSURVEYORS@GMAIL.COM  
SCALE: 1" = 50'  
06/13/2021  
FILED WORK: 09/06/2021

THE FIGURE DATA WHICH IS BASED UPON A CLOSURE PERCENT OF ONE FOOT IN 24.25 FEET, AND AN ANGLE OF 30 DEGREES PER ANGLE FOOT, AND WAS NOT ADJUSTED.

THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE, AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 417.5 FEET. THE TYPE OF EQUIPMENT USED TO OBTAIN THE LINEAR ANGLE AND MAGNETIC DEVIATION IN THE PREPARATION OF THIS MAP OR PLAN IS AN ELECTRONIC TOTAL STATION.

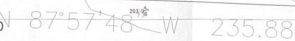
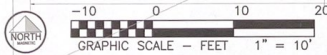
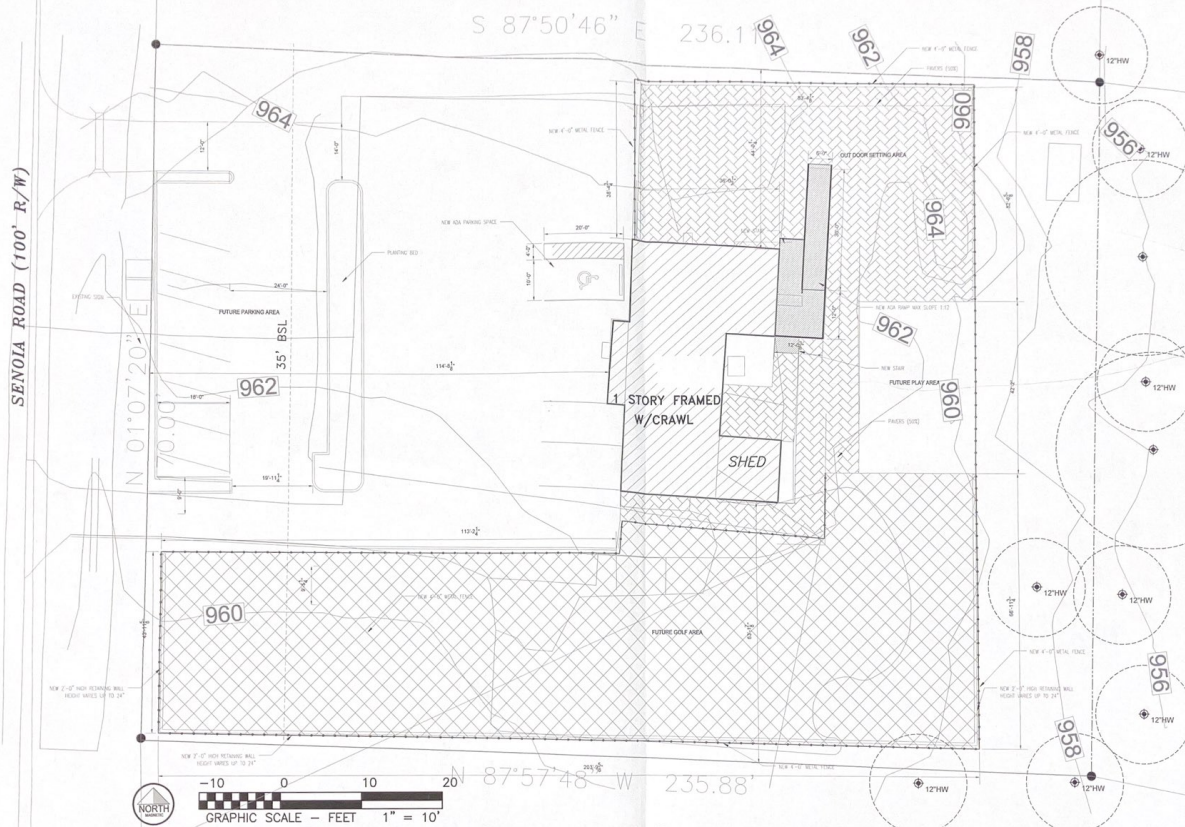
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JOB TITLE:  
**Fairway Foodies**  
8480 Senoia Rd, Fairburn, GA. 30213

DATE: \_\_\_\_\_  
 REVISION : \_\_\_\_\_  
 XREF: 1001-1004  
 DRAWING NAME: \_\_\_\_\_  
 DRAWING BY: KOK  
 PROJECT NO: 16-2009  
 CHECKED BY: KOK  
 SURVEY

SHEET : \_\_\_\_\_  
 C0



1 PROPOSED ARCHITECTURAL SITE PLAN  
1" = 10'



6470 North Rural St  
Indianapolis, IN 46220  
878.768.5263  
corresponding@system...

© COPYRIGHT 2001 AOL

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OB TITLE: Fairway Foodies  
8480 Senoia Rd, Fairburn, GA. 30213

ISSUED FOR CONSTRUCTION
DATE: 03.08.2023

REVISION :

NO.	DATE	DESCRIPTION




PROJECT NO. 22-012
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DRAWN BY	XXX
CHECKED BY	XXX
APPROVED BY	XXX

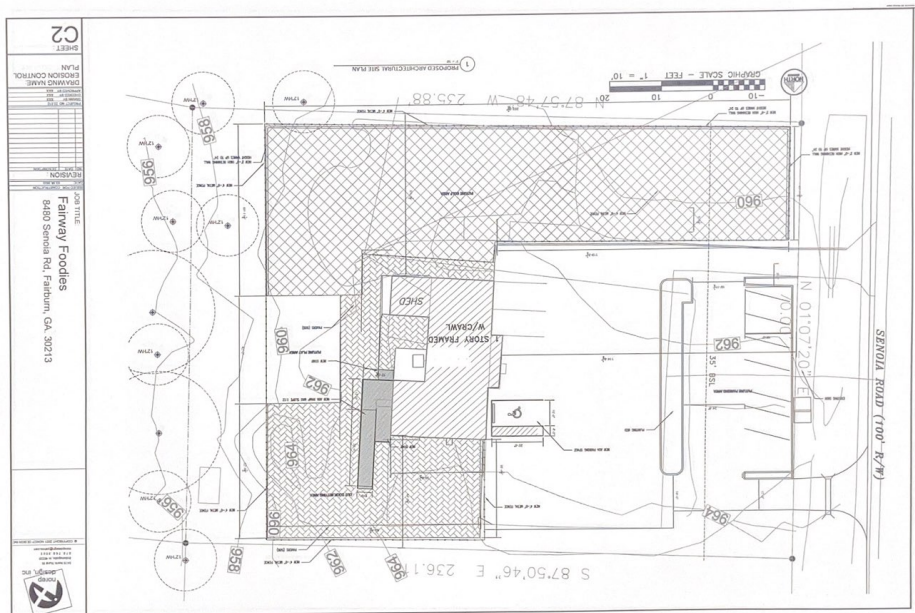
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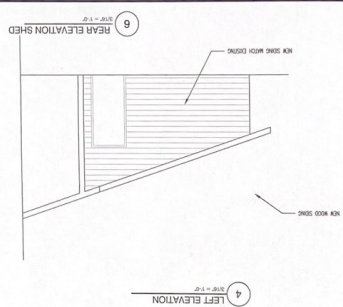
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PLAN

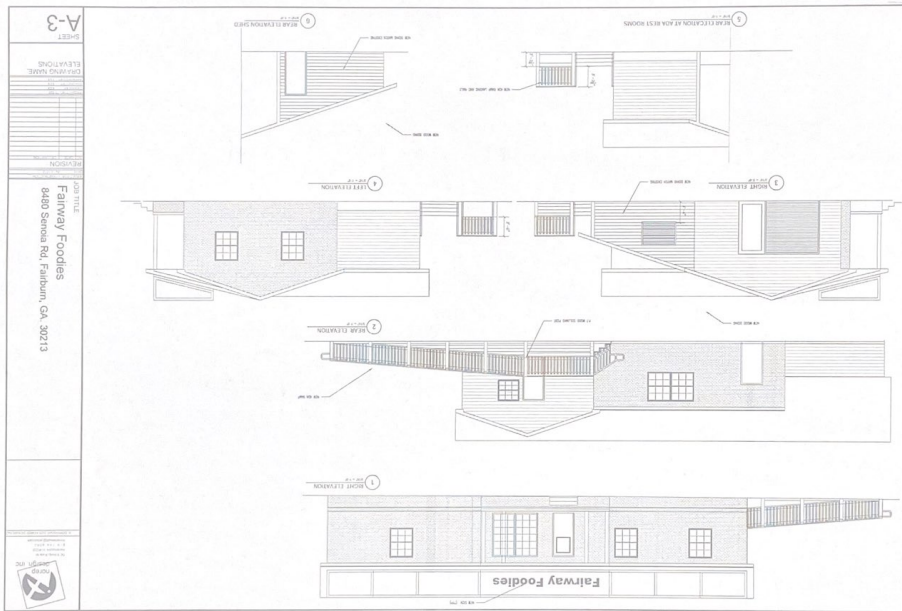
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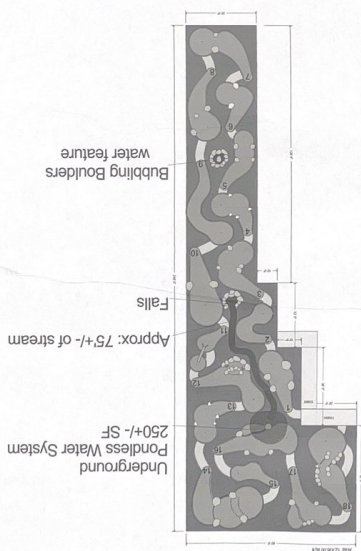
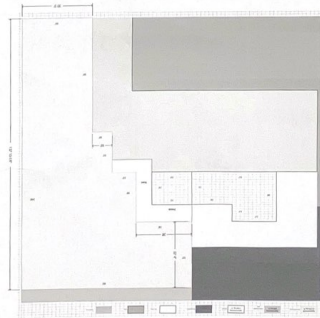
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02











1. <b>NAME OF COMPANY</b> 2. <b>ADDRESS</b> 3. <b>CITY</b> 4. <b>STATE</b> 5. <b>ZIP</b> 6. <b>PHONE</b> 7. <b>FAX</b> 8. <b>E-MAIL</b> 9. <b>WEBSITE</b> 10. <b>INDUSTRY</b> 11. <b>PRODUCTS</b> 12. <b>SERVICES</b> 13. <b>MARKETING STRATEGY</b> 14. <b>MARKETING BUDGET</b> 15. <b>MARKETING RESULTS</b> 16. <b>MARKETING CHALLENGES</b> 17. <b>MARKETING OPPORTUNITIES</b> 18. <b>MARKETING RECOMMENDATIONS</b> 19. <b>MARKETING ACTION PLAN</b> 20. <b>MARKETING EVALUATION</b> 21. <b>MARKETING REPORT</b> 22. <b>MARKETING SUMMARY</b> 23. <b>MARKETING CONCLUSION</b> 24. <b>MARKETING APPENDIX</b> 25. <b>MARKETING GLOSSARY</b> 26. <b>MARKETING REFERENCES</b> 27. <b>MARKETING BIBLIOGRAPHY</b> 28. <b>MARKETING INDEX</b> 29. <b>MARKETING TABLE OF CONTENTS</b> 30. <b>MARKETING EXECUTIVE SUMMARY</b> 31. <b>MARKETING INTRODUCTION</b> 32. <b>MARKETING OBJECTIVES</b> 33. <b>MARKETING STRATEGIES</b> 34. <b>MARKETING TACTICS</b> 35. <b>MARKETING PROGRAM</b> 36. <b>MARKETING BUDGET</b> 37. <b>MARKETING 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--	--

C3  
SHEET :

DRAWING NAME:  
EROSION CONTROL  
PLAN

**JOB TITLE:**  
**Fairway**

**Fairway Foodies**  
8480 Senoia Rd, Fairburn, GA, 30213







## SITE PLAN CHECKLIST

*Site plans for use permit petitions must be folded, drawn to scale, no larger than 30" x 42", and shall, at a minimum, include the following information:*

ITEM #	DESCRIPTION	CHECK
		✓
1	An accurate, up-to-date and certified survey of the property	✓
2	Name, address, phone number, and fax number of the owner, the developer and the designer who prepared the plan.	✓
3	Vicinity map with North arrow showing the property in relation to the general area	✓
4	Acreage of subject property	✓
5	Location of land lot lines and identification of land lots	✓
6	Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property; Proposed streets on the subject site	✓
7	Current zoning of the subject site with required and/or proposed setbacks and adjoining properties	✓
8	Total are of the site, and the areas of the proposed to be devoted to impervious surfaces	✓
9	Proposed off-site layout including buildings, drives, parking, walkways, landscaped-areas, tree save area, buffers, easements, utilities and any other features necessary to properly present the development	✓
10	Layout and minimum lot size of proposed single-family residential lots	n/a
11	Topography on subject site	✓
12	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed	✓
13	Required and proposed parking spaces; Loading and unloading facilities	✓
14	Wetlands, lakes, streams and other waters on the site and associated buffers including the 100 year flood-plain, if appropriate.	✓
15	Proposed stormwater management facilities	✓
16	Architectural elevations to show the intended architectural character of the proposed building and the nature of the materials to be used.	✓

Office use only:

Application reviewed by:

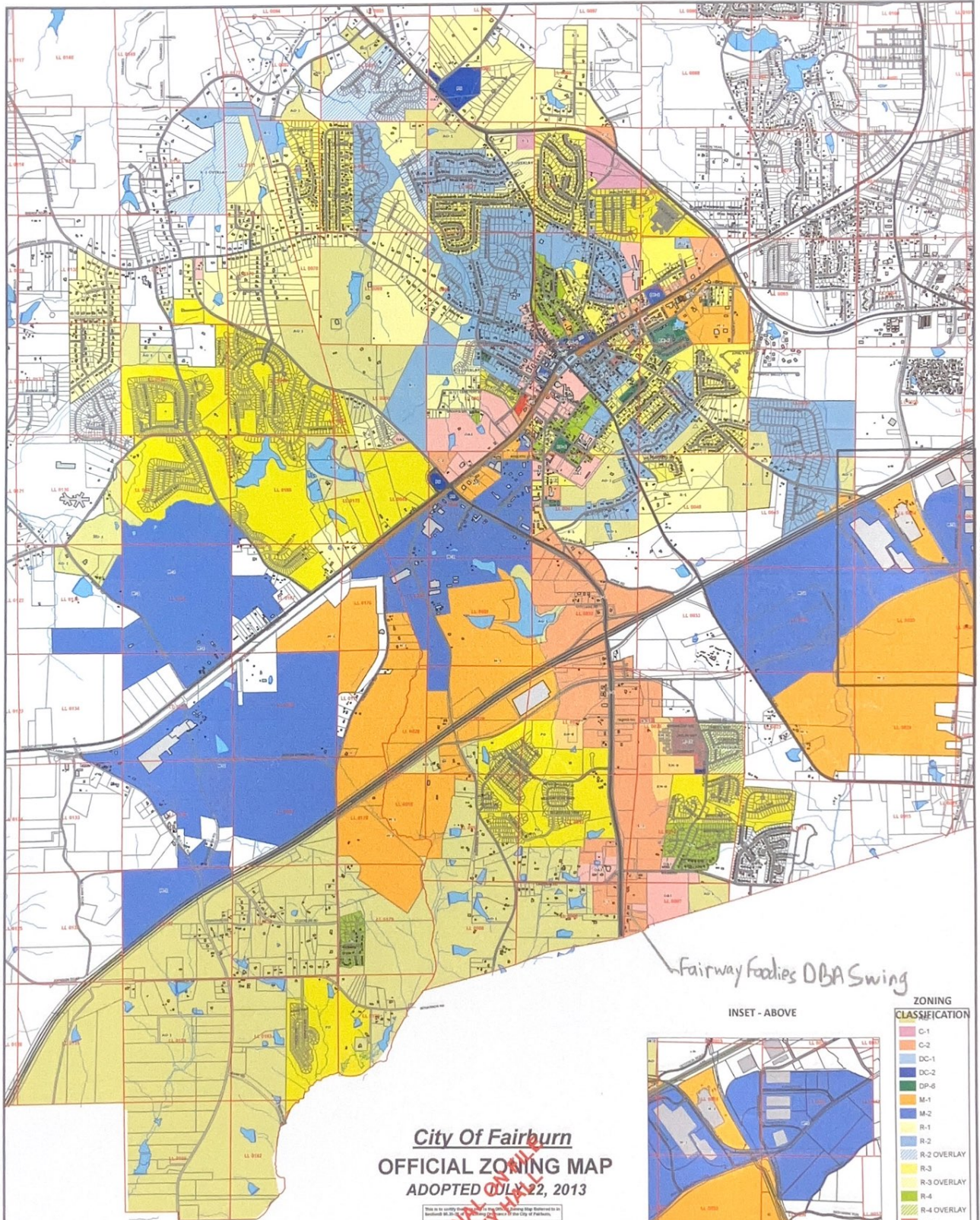
Staff signature: \_\_\_\_\_

Community Development/  
Planning and Zoning

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

Staff printed name: \_\_\_\_\_

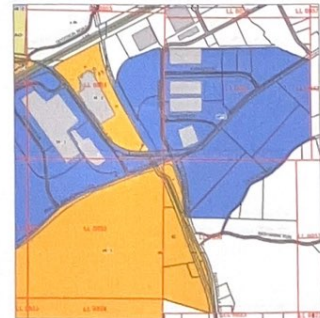




SEE INSET BELOW

Fairway Foodies DBA Swing

INSET - ABOVE



**City Of Fairburn**  
**OFFICIAL ZONING MAP**  
 ADOPTED JULY 22, 2013

Mayor Mario B. Avery  
 ATTEST Brenda James  
 City Clerk SEAL



0 800 1,600 2,400 3,200 4,000 4,800 5,600 Feet  
 0 1 inch = 800 feet 1 Miles

**ZONING CLASSIFICATION**

C-1
C-2
DC-1
DC-2
DP-6
M-1
M-2
R-1
R-2
R-2 OVERLAY
R-3
R-3 OVERLAY
R-4
R-4 OVERLAY
R-CT
RM-4
RM-8
RM-36
RR
OSI
PD
PS

ORIGINAL COPY  
 AT CITY HALL

**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

To: Planning and Zoning Commission

From: Denise Brookins

Date: August 1, 2023, Planning and Zoning Commission

Agenda Item: PZ23011 - Rezoning: from PD (Commercial) to PD (Residential). - Durham Lakes  
(Development Area 5) - Intersection of John Rivers Rd & Roosevelt Hwy

---

**APPLICANT/PETITIONER INFORMATION**

<b>Property Owner</b>	<b>Petitioner</b>
10364 JHJ LLC	John Hardy Jones (10364 JHJ LLC)

**PROPERTY INFORMATION**

<b>Address, Parcel Number</b>	0 John Rivers Rd, Parcel No. 07 270001681935
-------------------------------	--

<b>Frontage:</b>	John Rivers Rd
------------------	----------------

<b>Area of Property:</b>	13.35 acres
--------------------------	-------------

<b>Existing Zoning and Use:</b>	Planned Development (Commercial) and Undeveloped
---------------------------------	--

<b>Overlay District:</b>	N/A
--------------------------	-----

<b>Prior Zoning Cases/History:</b>	Rezoning Approved August 12, 2003, PD-02, Durham Lakes Golf and Country Club
------------------------------------	--

<b>2035 Comprehensive Future Land Use Map Designation:</b>	Medium Density Residential – this residential character area is meant to promote a tight knit, more walkable community with lots that are one fourth of an acre or smaller.
--	---

<b>Proposed Zoning:</b>	Planned Development (Residential) – Single Family Attached Dwelling
-------------------------	---

**INTENT**

Rezoning of 13.356 acres, from PD (Commercial) to PD (Residential). The applicant is requesting approval to amend and rezone the Master Plan Planned Development (PD) zoning district of Durham Lakes Golf and Country Club, Development Area 5 to permit 108 townhomes.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES**

**North:** PD (Planned Development)

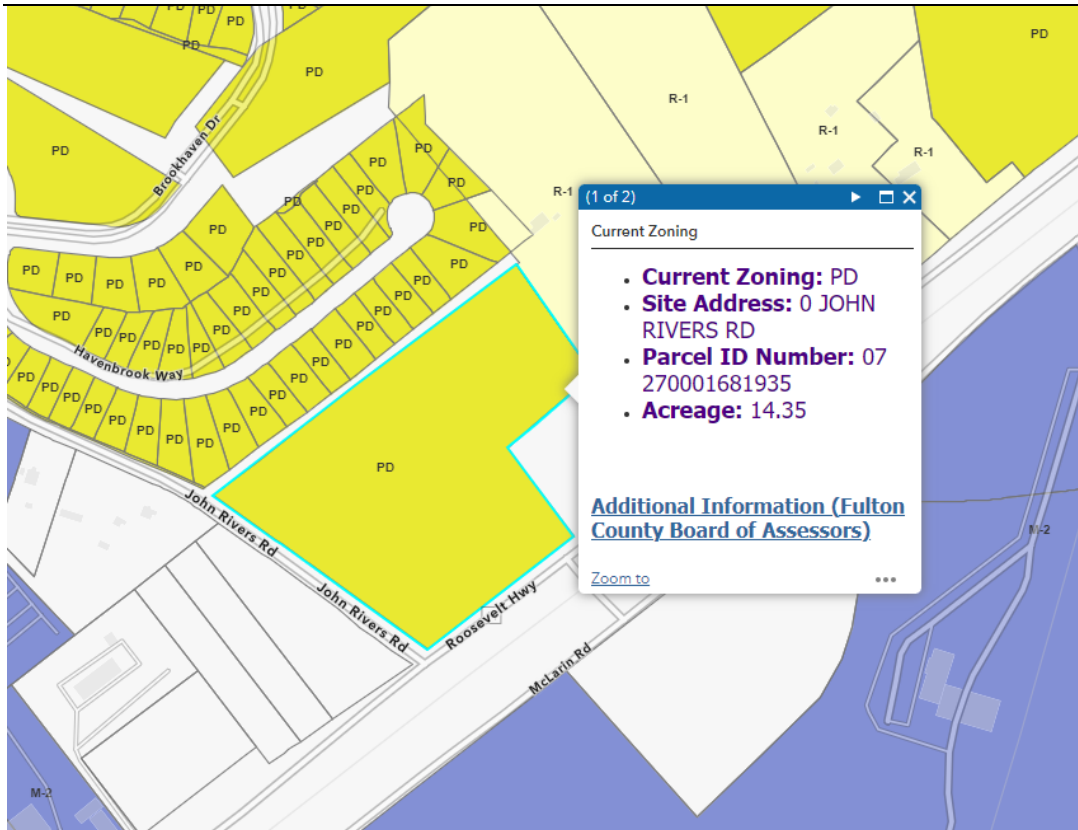
**East:** R-1 (Single-Family Residential District)

**South:** M-2 (Heavy Industrial)

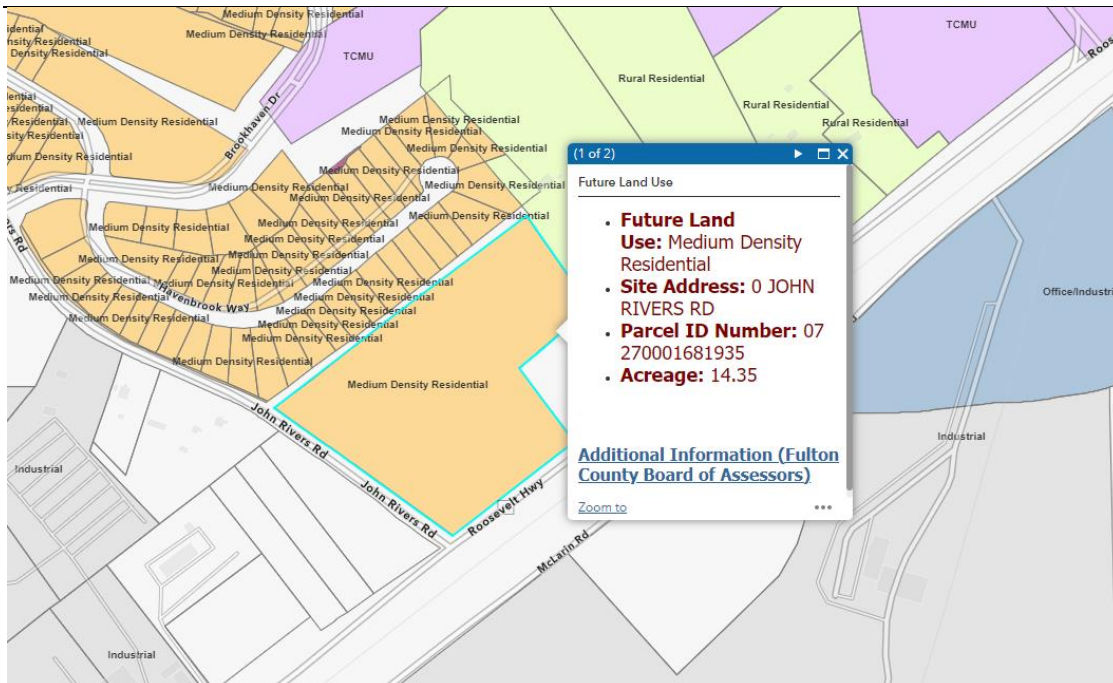
**West:** Outside of the city limits



## Zoning Map:



## Future Land Use Map:



## Site Pictures:



## BACKGROUND

The subject parcel is located in one of the five development areas of the Durham Lake Golf and Country Club master planned community. When this development was originally annexed into the city, it was known as the Bear Claw Golf and Country Club, and it covered about 700 acres. Subsequently two major projects were split off from the original development, the Harbor Lakes Apartment, and the Parks at Durham Lakes Subdivision. The Durham Lake Golf and Country Club rezoning was approved on August 11, 2003, as a planned, mixed-use development consisting of 570.45 acres. The approved uses included single-family detached residential, retail and office commercial and an 18-hole golf course.

### **Summary of the master plan amendment and rezoning request:**

#### **II : Permitted Uses**

- A. Single-Family Detached Residential Dwellings
- B. Retail and Office Commercial
- C. 18-hole Golf Course
- D. Accessory Buildings and Uses Incidental to the Above Use
- E. Home Occupations
- F. Amenity Buildings, Facilities and Lands
- G. Publicly Owned Building, Facility and Lands
- H. **Proposed Single-Family Attached Residential Dwellings**

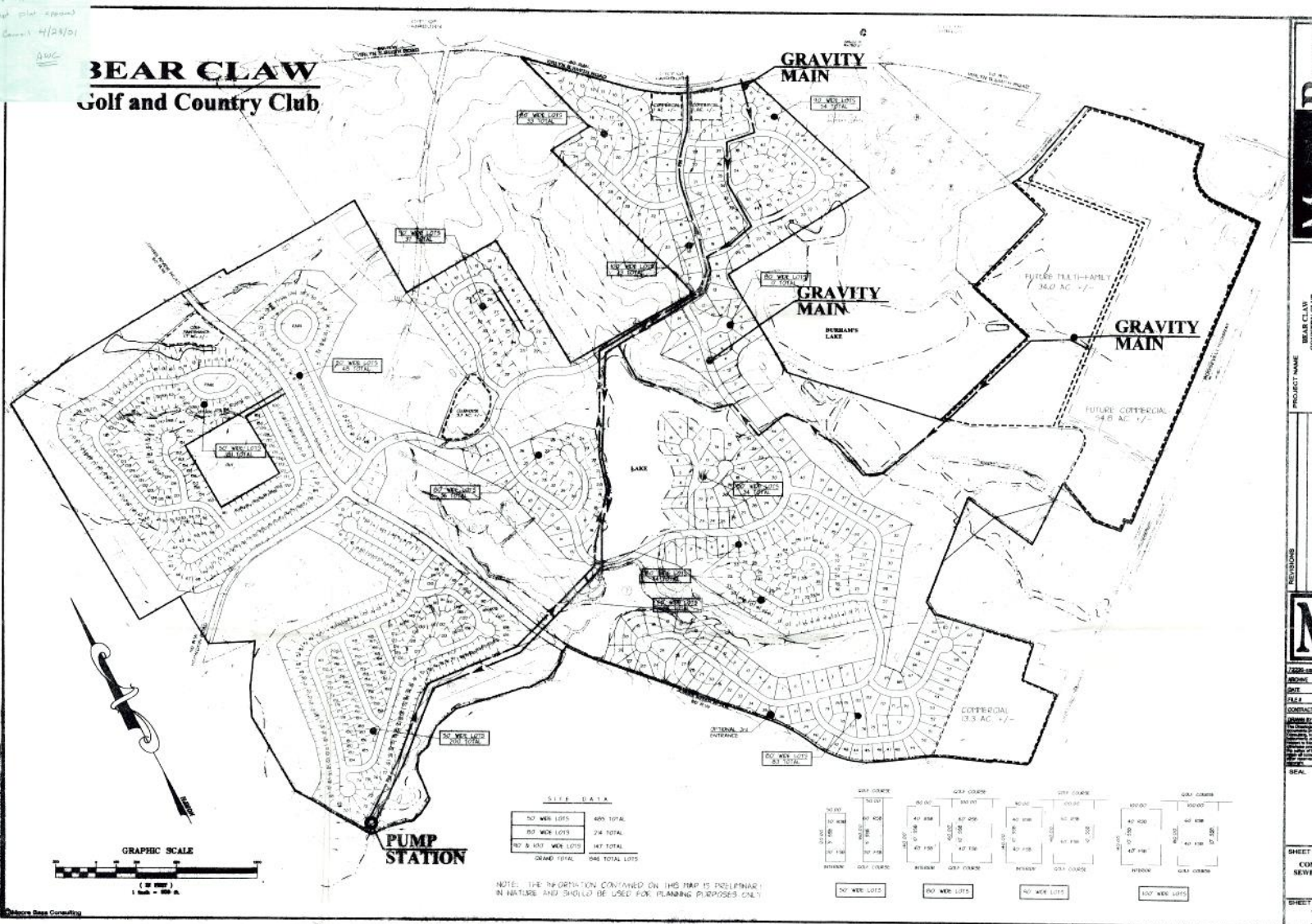
### **Development Standards:**

#### **Area 5:**

- 5-A. Development Area 5 is **primarily** the retail/office commercial component of this mixed-use Development project. It is comprised of 71.4 acres.
- 5-B. The total floor area of commercial space shall not exceed 714,000 square feet.
- 5-C. All **Most of** the developments within this commercial area shall be in accordance with the requirements of Section 4.16 C-2 Highway Commercial District.
- **Proposed 5.D. Single-Family Attached Dwelling Units**
- **Proposed 5-E. Maximum Number of Residential Lots = 108**
- **Proposed 5-F. Minimum Lot Area =1,200 square feet.**
- **Proposed 5-G. Minimum Dwelling Unit Width= 22 feet.**
- **Proposed 5-H. Minimum Heated Floor Area = 1600 square feet**
- **Proposed 5-I. Minimum Front Yard= 15' Local/25' Collector**
- **Proposed 5-J. Minimum Side Yard= 10 feet (20ft Building Separation)**



## Bear Claw Golf and Country Club Plan



## Public Participation:

The applicant held two community meetings. The first meeting was completed on Thursday, May 22, 2023, at 6:00 p.m. at the Durham Lakes Club House [156 Durham Lake Pkwy, Fairburn], and the second meeting was virtual on June 22, 2023. Eleven property owners were at the first meeting, and attendance was significantly higher during the virtual meeting. The meeting attendees expressed concerns about the following issues:

1. Rental Restrictions/Short-Term Rentals
2. Define Medium Density
3. Parking Spaces, Noise, and Traffic Congestion
4. The request might encourage more commercial developments
5. Price point and property values
6. Fencing/Buffers
7. Demographic shift from families
8. HOA Control and Amenities
9. Neighborhood Character/Elevations/Design

## STAFF COMMENTS

### A. Fire Department:

#### THE CODE OF ORDINANCES OF FAIRBURN, GEORGIA

Sec. 29-2. - International Fire Code amendments.

(a) Modify the International Fire Code to include:

- (1) Appendix B, Fire-Flow Requirements for Buildings.
- (2) Appendix C, Fire Hydrant Locations and Distributions.
- (3) Appendix D, Fire Apparatus Access Roads.

#### International Fire Code (IFC)

Appendix D, Fire Apparatus Access Roads.

Section D107 One- or Two-Family Residential Developments

- D107.1 Developments of one- or two-family dwellings where the number of dwelling units exceed 30 shall be provided with two separate and approved fire apparatus access roads.
- Only see one entrance into this section of houses.

### B. Traffic Review:

In accordance with Fairburn Municipal Code Section 71-40, ADT volume along John Rivers Rd, as well as distribution of daily traffic volumes, is needed to demonstrate that the volume along the facility with the generated traffic is lower than 2,000 vehicles per day.

If this cannot be demonstrated, an acceleration lane is required at the site access point in addition to the deceleration lane in the current site plan.

### C. Community Development/Public Works Comments:

1. Every developer of lands within the City of Fairburn shall provide the public improvements included in this chapter 71 of the City of Fairburn Code of Ordinance and other pertinent ordinances, codes, and

regulations of the city. These public improvements, together with associated rights-of-way, easements, and other lands, shall be provided at no cost to the city and shall be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation. [Sec. 71-4]

2. When property fronting on a city street is to be developed or when the property is to be accessed from a city street, the developer shall cause to be constructed roadway improvements (pavement, signing, striping, curb and gutter and drainage) which are required along the existing road across the entire property frontage at no cost to the city. [Sec. 71-37 (a)]

**Show the installation of roadway improvements (curb & gutter, drainage, etc.) along John Rivers Road and Roosevelt Highway/SR 14 on the Concept Plan.**

3. Additional Street right-of-way width may be required to be dedicated at intersections or other locations fronting the property where turning lanes, storage lanes, medians, islands, or realignments are required for traffic safety and minimum right-of-way standards would be inadequate to accommodate the improvements. [Sec. 71-36 (c)]

4. The developer shall be responsible for the cost of relocation and/or modifications of public and/or private utilities as necessitated by the required street improvements. [Sec. 71-37 (c)]

5. Turning lanes may be required by the city to meet projected traffic demand and/or safe operations, as determined by the city engineer.

When provided, turning lanes shall meet the following criteria:

- Provide not less than 150 feet of storage length for arterial roadways.
- Provide not less than 100 feet of storage length for collector roadways.
- Provide taper lengths of not less than 100 feet.

o Longer storage and taper lengths may be required when traffic projections indicate they are justified.

[Sec. 71-38(4)]

**The concept plan should be revised to show a minimum 100-foot taper length.**

6. Acceleration and deceleration lanes shall be provided at proposed driveway connection unless a traffic study demonstrates that the total traffic on the existing roadway is less than 2,000 vehicles per day including traffic projected as a result of the proposed development (count of existing traffic must have been made within one year of the development plan submittal date). [Sec. 71-40]

7. The City of Fairburn defers to the most recent edition of the GDOT Regulations for Driveway and Encroachment Control to determine driveway/entrance spacing & placement requirements, minimum requirements for left turn lanes at proposed entrances, minimum design elements for left turn lanes, and other traffic safety and design elements not specifically captured in the City of Fairburn's Code of Ordinances, rules, regulations, standards, and/or specifications. In instances where there is conflict between the GDOT requirements and City of Fairburn requirements, the most restrictive or that imposing the highest standards shall govern. That said, if it is anticipated that left turn volumes into the proposed development will exceed the GDOT threshold, a left turn lane will be required.

The GDOT threshold is 300 left turning vehicles for a two-lane roadway with a speed limit of 35 MPH and an AADT less than 6,000 VPD.

**Show installation of a left-turn at the proposed entrance unless deemed unwarranted by a traffic study.**

**The Trip Generation/Turn Lane Analysis provided should be updated to demonstrate that the proposed entrance does not exceed this threshold to substantiate a left-turn lane is unwarranted.**

8. John Rivers Road must be overlaid with 1" of 9.5mm A.C in accordance with City of Fairburn Detail No. R012/Roadway Widening Sections. **Show 1" overlay at the widening section across the entire roadway.**

9. In the event that a development has access to a substandard street and if that substandard street provides the primary means of access to the development, the substandard street shall be fully upgraded, and the full width of the roadway overlaid with asphaltic concrete surface course along the entire property frontage and continuing to the nearest standard paved road along the route of primary access. [Sec. 71-39]

10. All of the materials, methods of construction, and workmanship for street construction shall conform to the latest edition of the state department of transportation Standard Specifications for Road and Bridge Construction, including all amendments. [Sec. 71-42]

11. All future driveway connections on Bohannon Road are subject to the GDOT Regulations for Driveway and Encroachment Control.

12. All new streets or street widening sections shall be provided with curb and gutter. [Sec. 71-45]

13. Sidewalks are required along the entire project frontage from property line to property line and on both side of all internal streets. All sidewalks shall have a minimum width of five feet and shall be constructed to comply with the requirements of the Americans with Disabilities Act (ADA) standards, city's development standards. [Sec. 71-46]

*The installation of sidewalk should be shown along Roosevelt Highway/SR 14 unless deemed unwarranted by the Georgia Department of Transportation. This requirement should be reflected on the proposed Concept Plan.*

14. Commercial Driveway are required at all commercial entrances to delineate public from private. Commercial drives need to extend a minimum of 12 feet from the edge of pavement or to the right-of-way.

*Show commercial driveway at the proposed entrance on the Concept Plan if the internal streets are to be private.*

15. All pavement markings installed on asphalt within the public right-of-way shall be thermoplastic material; 1.5-inch black contract tape shall be installed for crosswalks on concrete.

16. Traffic control devices consisting of street name signs, traffic control signs, traffic markings and traffic signals shall be provided by the developer as appropriate to serve each development. All traffic control devices and installation thereof shall conform to the specifications of the Federal Highway Administration publication, Manual on Uniform Traffic Control Devices, current edition and ANSI D6.1e. [Sec. 71-47]

17. The developer shall provide all necessary street lighting in accordance with the standards of the American National Standard Practice for Roadway Lighting, current edition, but in no case less restrictive than one fixture at each street intersection and at an interval not exceeding one fixture for every 400 feet of roadway. The developer shall provide such lighting at no cost to the city. [Sec. 71-48]

18. Site utilities serving the site shall be placed underground.[Sec. 71-72]

19. If existing water mains and/or sanitary sewers must be extended to serve a development, the developer shall install or have installed the necessary extensions at no cost to the city under the existing city policy and procedures at plan approval time. [Sec. 71-74]

20. All stormwater runoff generated from a site shall be adequately treated before discharge. [Sec. 71-1003]

21. Dry detention ponds shall be designed to provide positive drainage on the pond floor to the outlet of the pond. Side slopes shall be designed to have a maximum of three feet horizontal to one-foot vertical (3:1) slopes. If the 100-year maximum water surface depth is equal to or greater than four feet, then a black, vinyl-coated, four-foot chain-link fence with top and bottom rails shall be constructed around the detention pond with a 20-foot gate provided to allow access. [Sec. 71-1021]

#### **D. Zoning Review:**

***A. Does the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?***

The property is located south of the established Brookhaven subdivision. Most of the adjacent residential lot sizes and homes are larger than the proposed development.

***B. Does the proposal adversely affect the existing use or usability of adjacent or nearby property?***

While a single-family development might be a suitable use in this location, the intensity of the development may adversely affect the existing use and usability of the significantly lower-density subdivisions immediately surrounding the subject property.

***C. Does the property have reasonable economic use as currently zoned?***

The property appears to have reasonable economic use as currently zoned.

***D. Will the proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?***

The proposed rezoning and development would increase traffic on existing streets, given the requested density, a traffic impact report will be required. An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, transportation improvements and planning. An increased impact is anticipated on school enrollment.

The developer maybe required to conduct a traffic study before the issuance of the land disturbance permit to determine existing traffic operating conditions in the vicinity of the proposed development, project future traffic volumes, assess the impact of the subject development, and develop recommendations to mitigate the project traffic impacts and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.

***E. Is the proposal in conformity with the policies and intent of the land use plan?***

Most of the surrounding residential developments are primarily low to medium density residential. The applicant is seeking to develop 108 townhomes on the subject property with a walking trail and green space. The applicant has provided elevations for consideration.

The comprehensive plan housing goals include the following details:

1. Ensure housing options for all ages
  - A. Recruit developers to build more senior housing both for rent and for sale
  - B. As the Downtown colleges expand, revisit the need for student housing near the campuses
  - C. Audit the Zoning Ordinance to ensure all needed housing types are allowed in the City of Fairburn
2. Increase the number of housing units in Downtown Fairburn to support the number and types of businesses desired in our vibrant downtown and to support continued and enhanced transit service.
  - A. Update Zoning Ordinance and Map to allow Downtown residential development to be built at transit-supportive densities
  - B. Recruit developers to build loft apartments as a part of mixed-use developments downtown
  - C. Implement the LCI study

The rezoning request to allow townhomes will provide additional housing options, but the development is not targeting seniors and the request is not in the downtown area. The subject property future land use designation is Medium Residential, this residential character area is meant to promote a tight knit, more walkable community with lots that are one-fourth of an acre or smaller. The requested density would be smaller with lot areas totaling 1,200 sq ft.

The comprehensive plan recommends that higher density residential, such as townhouses and apartments, in addition to single-family residential in the Downtown Mixed-Use Character area. This development is not in the Downtown Mixed-Use Character area. Although the applicant is requesting approval to allow for residential use, the proposed density, at approximately 8.2 units per acre, does not align with the housing goals outlined in the comprehensive plan.

**F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the proposal?**

Most of the adjacent properties are developed with single-family homes on larger lots. The scale of the development is substantially denser compared to the surrounding developments.

**G. Does the proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn?**

To the best of staff's knowledge, the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Fairburn. The developer will be required to adhere to the City's stream buffer ordinance and best management practices (BMP).

## Staff Report:

Based on the staff's evaluation of the request, the Department of Planning and Zoning recommends **APPROVAL** of the rezoning request with the following conditions:

1. Prior to any site disturbance or building permits being issued for the project, the staff comments listed in this report must be addressed and approved by each department.
2. A traffic impact analysis may be required if the proposed planned development meets the thresholds determined by the Public Works and Community Development Department.
3. Implement traffic improvement/or traffic control recommendations from the Public Works and Community Development department and suggested by the pending traffic impact analysis to be submitted by the applicant.
4. A mandatory homeowner association shall be created and shall be governed by a declaration of covenants, conditions, and restrictions. The homeowner association shall be responsible for the maintenance of the required buffer, detention ponds, common areas, preserved open space within the property, community amenities, alleys and pedestrian path.
5. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
6. A fence and minimum 30-foot wide vegetative buffer will be required on the rear of any parcel adjacent to existing medium or low density residential developments, all proposed landscaping and fencing materials must be approved by staff.
7. A planted buffer and fencing shall be provided along Roosevelt Highway and John Rivers, all proposed landscaping and fencing materials must be approved by staff.
8. Additional landscaping may be required alongside side elevation facing public roads.
9. The common walking trail shall be constructed of asphalt or some other hard surface material and shall be installed prior to issuance of the final certificate of occupancy for the first residential building.
10. Amenities along with the walking trail should include one of the following: sport court(s), a dog park with equipment, playground, or gazebos.
11. Pedestrian-scale street lighting shall be provided along both sides of internal streets throughout the development.
12. The front and rear yards of the townhouse units shall be sodded.
13. The entrance shall include ornamental plantings, as approved by Staff.
14. Under no circumstances shall any mechanical equipment or related elements such as air conditioning units, meter boxes and utility conduits, HVAC mechanical equipment systems, satellite dishes or any other similar mechanical equipment or related elements be attached or mounted to any exterior building elevation that is visible from pedestrian view from required sidewalks along adjacent private streets or sidewalks abutting a common area or community amenity. Any mechanical equipment or related elements located at finished grade shall be completely screened from view with dense, evergreen landscaping or an opaque wall veneered in brick, indigenous rock or natural stone, with an appearance that is complementary to the architecture of the dwelling unit.
15. All utilities shall be buried underground. The City Manager or designee may approve an exception to this requirement if subsurface rock or other unique hardship makes such installation infeasible.
16. Parking shall be on a paved or concrete surface.
17. The developer shall provide a minimum five-foot sidewalk and landscape strip between the back of curb along both sides of all internal streets and one canopy tree for each 50 feet of street frontage.
18. Development Standards:

Minimum lot size:	3,000 square feet
Minimum heated floor area	1,200 square feet
Minimum lot width:	25 feet
Maximum building height:	48 ft
Yard Requirements:	
<ul style="list-style-type: none"><li>– Front: 20 ft</li><li>– Rear: Five feet minimum</li><li>– Side yard, corner: Five feet minimum, and 15 feet maximum.</li></ul>	



- Side yard, interior: There shall be no minimum distance between attached dwelling units; and a minimum ten-foot setback on end units creating a minimum distance of 20 feet between groups of townhouse dwelling units.

19. A minimum of three and a maximum of eight units shall be allowed in each row of townhouses.
20. The applicant must submit an updated conceptual layout of site plan and building elevations subject to approval of the Planning Commission and in compliance with the enclosed development and design guidelines recommendations.

# Development and Architectural Design

## Recommendations:

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- (1) Provide architectural details to enhance scale and interest on the building facade by breaking it up into distinct planes that are offset from the main building façade. Porches and stoops can be used to orient housing towards the street and promote active and interesting neighborhood streetscapes.
- (2) Alternate different textures, colors, materials, and distinctive architectural treatments to add visual interest while avoiding dull and repetitive façades.
- (3) Integrate varied roof lines through the use of sloping roofs, modulated building heights, gables, dormers, or other architectural solutions.
- (4) Include overhead architectural features such as eaves, awnings, canopies, trellises, or cornice treatments at entrances and windows that provide shade, provide passive cooling, and reduce daytime heat gain.
- (5) Foundations shall be brick or natural stone. Where another type of structural material is used, it shall be faced with brick, cast stone or natural stone no less than six inches in depth.
- (2) No vinyl or EIFS (synthetic stucco) shall be permitted. The exterior materials on all dwelling units shall be no less than 40 percent brick, indigenous rock or natural stone; with the balance of each elevation being brick, cementitious siding, indigenous rock, natural stone, natural wood shake, natural wood shingles or natural wood siding.
  - a. All-natural wood siding shall be painted or stained.
  - b. All natural wood shakes and natural wood shingles shall be smooth-cut and stained.
- (3) Where multiple exterior materials are used on a single dwelling, they shall only be combined on each facade horizontally, with the heavier material below the lighter.
- (4) The rear façade and the side façades shall be of the same construction quality, the same exterior finish and exterior color as the front façade.
- (7) Porches or Stoops, where facing streets or open spaces, shall be between four feet and six feet deep, and constructed of brick, indigenous rock or natural stone material matching the adjacent building façade.
- (8) Doors and windows shall be rectangular in orientation and proportion, with the height of the door or window opening greater than its width where facing streets or open spaces.
- (11) Dwellings shall have pitched roofs meeting the following standards:
  - a. Pitched roofs shall be sloped no less than 6:12, except that pitched roof structures for attached sheds, porches, or stoops may be sheds, with pitches no less than 2:12.
  - b. Pitched roofs shall be clad in asphalt shingles, natural slate or wood shingles, except that standing seam metal may be used provided that it complements an architectural style while minimizing glare.
  - c. The eaves of pitched roofs shall overhang exterior walls a minimum of 12 inches.
- (12) The design of façades fronting streets or open spaces shall be further subject to the requirements as provided in below:
  - a. The principal entrance shall be a porch or stoop and face the street or preserved open space area.
  - b. Exterior stairs shall have enclosed risers of brick, concrete, indigenous rock or natural stone.
  - c. Façades shall be articulated at intervals a maximum length of 40 feet to avoid blank walls.

- d. Façades shall be no less than 15 percent glazed in clear glass.
- f. Doors and windows in upper floors shall align with those below.
- g. Porch or Stoops shall be covered by a pitched roof structure.
- h. Porch or Stoops shall not be enclosed with glass, plastic or screen wire.
- i. Porch or Stoops shall be raised a minimum of two feet from the average sidewalk grade.

**Off-street parking and loading space requirements.**

- (1) Doors of each residential parking garages shall contain decorative, carriage style architectural elements that are complimentary to the architecture of the townhouse. The required enclosed residential parking garage may be integrated into the architectural design of the dwelling unit, or detached. Detached residential parking garages shall be located in the rear yard.
- (2) A minimum of 60 percent of the townhouse dwelling units shall have the residential parking garages located in the rear yard. Access to the required enclosed residential parking garage shall be provided from an alley in the rear. The enclosed residential parking garage shall be setback a minimum of ten linear feet from the alley edge of pavement.
- (3) A maximum of 40 percent of townhouse dwelling units may have residential parking garages located in the front yard. The residential parking garage shall be setback a minimum of 25 feet from the back of the curb of the adjacent street to accommodate for vehicular parking in the driveway without impeded pedestrian access on the adjacent sidewalk. Garage doors shall be recessed at least one foot behind the front wall plane of the dwelling unit or a second-story element over the garage door shall be provided that extends at least one foot beyond the front wall plane. All front-loaded garages would have a decorative garage door with a minimum of two enhance architectural features including windows, raised panels, decorative panels, arches, hinge straps or other architectural features. Flat panel garage doors would be prohibited.



## APPLICATION FOR REZONING

City of Fairburn  
Community Development Department  
26 W. Campbellton Street  
Fairburn, GA 30213

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

REZONING #: \_\_\_\_\_  
(Office Use Only)

### APPLICANT INFORMATION

Applicant Name: John Hardy Jones (10364 JHJ, LLC)  
Address: 252 Smokerise Trace, Peachtree City, GA 30269  
Phone: 678.633.8924 Cell: 678.633.8924 Fax: \_\_\_\_\_  
Email Address: jhjones@johnhardyjones.com

### OWNER INFORMATION (If different from Applicant)

Owner Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

### PROPERTY INFORMATION

Address: Intersection of John Rivers Rd & Roosevelt Hwy  
Parcel ID#: 07 270001681935 Land Lot: 167 District: 7

### REZONING REQUEST

Current Zoning: PD Current Land Use: Commercial  
Proposed Zoning: PD Proposed Land Use: Residential  
Proposed Density (Residential Only): 8.12 Units per Acre

**SECTION I****REZONING REQUEST**

Office use only:

ZONING CASE #: \_\_\_\_\_ ROAD FRONTAGE: \_\_\_\_\_

PROPERTY ADDRESS (if available): \_\_\_\_\_

The undersigned, having an interest in the property herein described, respectfully petitions that said property be rezoned from \_\_\_\_\_ to \_\_\_\_\_

Existing Zoning(s)

Proposed Zoning(s)

**SECTION IV****OWNER/PETITIONER****NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:**

- If you are the sole owner of the property and not the petitioner complete Part 1.
- If you are the petitioner and not the sole owner of the property complete Part 2.
- If you are the sole owner and petitioner complete Part 1.
- If there are multiple owners each must complete a separate Part 1 and include it in the application.

**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

10364 JHJ, LLC

TYPE OR PRINT OWNER'S NAME

252 Smokerise Trace

ADDRESS

Peachtree City GA 30269

CITY &amp; STATE

ZIP CODE

OWNER'S SIGNATURE

jhj@johnhardyjones.com

EMAIL ADDRESS

Sworn to and subscribed before me this the

3<sup>rd</sup> Day of MARCH 2023

NOTARY PUBLIC

770 318 0012  
PHONE NUMBER**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

TYPE OR PRINT PETITIONER'S NAME

ADDRESS

CITY &amp; STATE

ZIP CODE

PETITIONER'S SIGNATURE

EMAIL ADDRESS

Sworn to and subscribed before me this the

\_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

PHONE NUMBER

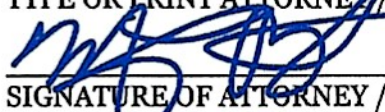
**SECTION V**

**ATTORNEY / AGENT**

Check One:    ☒ Attorney    ☐ Agent

Michele L. Battle

TYPE OR PRINT ATTORNEY / AGENT NAME



SIGNATURE OF ATTORNEY / AGENT

3562 Habersham at Northlake, Building J, Suite 100

ADDRESS

Tucker, GA

30084

CITY & STATE

ZIP CODE



PETITIONER'S SIGNATURE

404-601-7616

PHONE

Legal Description – John Rivers Road

All that tract or parcel of land lying and being in Land Lot 167 of the 7th District, City of Fairburn, Fulton County, Georgia, and being more particularly described as follows:

**TO FIND THE TRUE POINT OF BEGINNING, COMMENCE** at a concrete monument found at the southwest corner of the mitered intersection of the northwesterly right of way of Roosevelt Highway (a.k.a. U.S. Highway 29 & State Route 14)(R/W Varies), and the northeasterly right of way of John Rivers Road (R/W Varies), said point being the **TRUE POINT OF BEGINNING**.

**FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;**

Thence leaving said intersection and along the northeasterly right of way of John Rivers Road (R/W Varies) the following courses and distances:

North 53 Degrees 56 Minutes 58 Seconds West a distance of 263.38 feet to a concrete monument found;

South 36 Degrees 03 Minutes 39 Seconds West a distance of 9.97 feet to a point;

North 54 Degrees 00 Minutes 12 Seconds West a distance of 328.51 feet to a point;

Along a curve to the left, an arc distance of 128.22 feet, said curve having a radius of 880.00 feet and being subtended by a chord of 128.10 feet, at North 58 Degrees 10 Minutes 38 Seconds West to a point;

Thence leaving said right of way North 52 Degrees 24 Minutes 23 Seconds East a distance of 1,038.95 feet to a 1/2" rebar found;

Thence South 43 Degrees 17 Minutes 25 Seconds East a distance of 187.94 feet to a 1" open-top pipe found (bent);

Thence South 43 Degrees 58 Minutes 02 Seconds East a distance of 202.18 feet to a 1/2" rebar found;

Thence South 47 Degrees 06 Minutes 57 Seconds West a distance of 284.83 feet to a 1" open-top pipe found (bent);

Thence South 36 Degrees 54 Minutes 10 Seconds East a distance of 295.72 feet to a point at the northwesterly right of way of Roosevelt Highway (a.k.a. U.S. Highway 29 & State Route 14)(R/W Varies);

Thence along said right of way the following courses and distances:

South 52 Degrees 28 Minutes 21 Seconds West a distance of 199.47 feet to a 1/2" rebar found (bent);

North 35 Degrees 54 Minutes 09 Seconds West a distance of 12.00 feet to a point;

South 52 Degrees 27 Minutes 54 Seconds West a distance of 349.86 feet to a concrete monument found at the northeast corner of the mitered intersection of the northwesterly right of way of Roosevelt Highway (a.k.a. U.S. Highway 29 & State Route 14)(R/W Varies), and the northeasterly right of way of John Rivers Road (R/W Varies);

Thence along said mitered intersection South 81 Degrees 22 Minutes 59 Seconds West a distance of 25.50 feet to a concrete monument found at the southwest corner of said mitered intersection, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 13.365 Acres.





## Battle Law

### **NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

The portions of the City of Fairburn Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Fairburn Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the City of Fairburn Mayor and City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would



## Battle Law

be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Deed Book 53128 Pg 689  
Filed and Recorded Sep-17-2013 11:51am  
2013-0245914  
Real Estate Transfer Tax \$0.00  
Cathelene Robinson  
Clerk of Superior Court  
Fulton County, Georgia

---

Return to:  
LANE & KARLO, LLP  
1827 Powers Ferry Road  
Building Five  
Atlanta, Georgia 30339

File No: LK134279  
LKJDA17 - #1565

**CORRECTIVE QUITCLAIM DEED**

STATE OF GEORGIA

COUNTY OF GLYNN

THIS INDENTURE, entered into this 4<sup>th</sup> day of September, in the year Two Thousand Thirteen, by and between

**AMERIS BANK, as Assignee of FEDERAL DEPOSIT  
INSURANCE CORPORATION, as Receiver for HIGH TRUST BANK**

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

**10364 JHJ, 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 ONE AND NO/100THS (\$1.00) DOLLARS 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 167, 7<sup>th</sup> District, Fulton County, Georgia, comprising 13.24 acres, as shown on plat of survey for John Hardy Jones & Robert C. Baral by Conkle - Lane & Associates (G. Tim Conkle, Registered Land Surveyor), dated April 18, 2013, and being more particularly described as follows:

BEGINNING at a right of way monument found at the mitered intersection of the northeasterly side of John Rivers Road and the northerly side of Roosevelt Highway, also known as U.S. Highway 29 - State Highway 14; running thence North 52 degrees 07 minutes 11 seconds West along the northeasterly right of way of John Rivers Road 263.11 feet to a iron stake placed; thence South 36 degrees 03 minutes 11 seconds West along the northwesterly right of way of John Rivers Road 9.97 feet to a concrete marker found; thence North 54 degrees 40 minutes 27 seconds West along the northeasterly right of way of John Rivers Road 328.41 feet to an iron stake found; thence northwesterly along the northeasterly right of way of John Rivers Road and following the curvature thereof to the left (said curve having a radius of 880.00 feet and being subtended by a chord bearing of North 59 degrees 43 minutes 53 seconds West and a distance of 126.97 feet) 127.08 feet to an iron stake found; thence, leaving said right of way, North 52 degrees 10 minutes 31 seconds East 9.76 feet to an iron stake found; thence North 52 degrees 02 minutes 49 seconds East 89.73 feet to an iron stake found; thence North 52 degrees 04 minutes 59 seconds East 74.31 feet to an iron stake found; thence North 52 degrees 08 minutes 30 seconds East 69.96 feet to an iron stake found; thence North 52 degrees 05 minutes 44 seconds East 58.30 feet to an iron stake found; thence North 52 degrees 01 minutes 40 seconds East 50.01 feet to an iron stake found; thence North 52 degrees 07 minutes 21 seconds East 50.07 feet to an iron stake found; thence North 52 degrees 05 minutes 52 seconds East 49.93 feet to an iron stake found; thence North 52 degrees 08 minutes 45 seconds East 50.56 feet to an iron stake found; thence North 52 degrees 06 minutes 45 seconds East 49.95 feet to an iron stake found; thence North 52 degrees 00 minutes 55 seconds East 53.05 feet to an iron stake found; thence North 52 degrees 07 minutes 32 seconds East 53.01 feet to an iron stake found; thence North 52 degrees 02 minutes 10 seconds East 52.98 feet to an iron stake found; thence North 51 degrees 55 minutes 43 seconds East 111.33 feet to an iron stake found; thence North 52 degrees 10 minutes 32 seconds East 171.24 feet to an iron stake found; thence North 52 degrees 00 minutes 48 seconds East 39.09 feet to an iron stake found; thence South 43 degrees 38 minutes 11 seconds East 187.86 feet to an iron stake found; thence South 44 degrees 18 minutes 38 seconds East 202.24 feet to an iron stake found; thence South 46 degrees 45 minutes 05 seconds West 284.69 feet to an iron stake found; thence South 37 degrees 10 minutes 50 seconds East 284.88 feet to an iron stake placed on the northwesterly right of way of Roosevelt Highway; thence South 52 degrees 30 minutes 42 seconds West along the northwesterly right of way of Roosevelt Highway 199.26 feet to a right of way marker found; thence South 37 degrees 47 minutes 00 seconds East along the southwesterly right of way of Roosevelt Highway 12.01 feet to a right of way marker found; thence South 54 degrees 05 minutes 13 seconds West along the northwesterly right of way of Roosevelt Highway 350.01 feet to a right of way marker found; thence South 81 degrees 54 minutes 04 seconds West along the northerly right of way of Roosevelt Highway 25.79 feet to a right of way monument found on the northeasterly right of way of John Rivers Road and the point of beginning.

THIS DEED is given to correct the description contained in that certain prior Quitclaim Deed

from Ameris Bank, as Assignee of Federal Deposit Insurance Corporation, as Receiver for High Trust Bank, to 10364 JHJ, LLC, dated May 31, 2013, recorded in Deed Book 52733, Page 298, Fulton County records.

GRANTOR HEREIN is successor in interest to High Trust Bank by virtue of and in and by that certain Purchase and Assumption Agreement by and among Federal Deposit Insurance Corporation, Receiver of High Trust Bank, Stockbridge, Georgia, Federal Deposit Insurance Corporation, and Ameris Bank, dated as of July 15, 2011, by reference incorporated herein and made a part hereof.

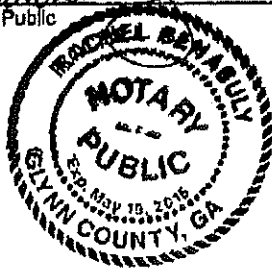
TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

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

Signed, sealed and delivered in the presence of:

Forrie Lewis  
Unofficial Witness

[Signature]  
Notary Public



AMERIS BANK, as Assignee as aforesaid

By: [Signature] (SEAL)  
W. David Aldridge, VP/SAO

By: [Signature] (SEAL)  
Terese Jones, VP/LO

**LETTER OF INTENT FOR THE REZONING APPLICATION OF 10364 JHJ, LLC.**

10364 JHJ, LLC (the "Applicant") submits this Letter of Intent and attached Rezoning Application (the Application) for the purpose of amending the Master Plan PD zoning of Durham Lakes Golf and Country Club to permit townhomes on the 13.3 acres of land (the "Property") situated at the northeast corner of John Rivers Road and Roosevelt Highway. The property is within the limits of Fairburn and is bordered by John Rivers Road to the southwest, Roosevelt Hwy to the southeast, the Durham Lakes community to the northwest and 6623 Roosevelt Hwy to the northeast. The Property is mostly wooded and is currently zoned PD with convenient access to the downtown area of Fairburn and Interstate 85.

The Applicant proposes to develop the Property for a fee-simple residential community for a total of 108 townhomes at a size, quality and price commensurate with or exceeding existing townhomes in the surrounding area. The Property is adjacent to other PD zoned property to the northwest and R-1 zoned property to the northeast.

The proposed townhomes will be 22' in width and a minimum of 1,400 heated SF. The front façade of the proposed homes would be constructed of a mixture of brick, stone, and/or fiber-cement shake/siding (including board and batten). The proposed development would also include an amenity area consisting of a walking trail and open-air pavilion. The proposed land use is in keeping with the City's Comprehensive Land Use Plan, which contemplates a medium density residential use for the 13.64 acres. The comprehensive plan defines medium density residential developments as residential communities developed with ¼ acre lots and smaller.



The proposed development would be a quality development that is compatible with development in the surrounding area. Further, surrounding development and existing homes would not face major negative impacts as a result of the proposed development.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Fairburn to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully request your approval of this Application. Respectfully submitted this 3<sup>rd</sup> day of April 2023.

Thank You,



John Hardy Jones



# MEMORANDUM

**TO:** Daniel Gibbs, Director, Atwell, LLC

**FROM:** Andrew Antweiler, PE, PTOE, KCI Technologies, Inc.

**DATE:** March 31, 2023

**RE:** John Rivers Road Townhome Community – Site Trip Generation

KCI Technologies, Inc. has prepared this memorandum summarizing the expected trip generation and driveway volumes for the proposed residential development. The site is located along the north side of John Rivers Road in the City of Fairburn. Site access is proposed via one driveway onto John Rivers Road. Based on the concept plan, we understand the development will include 108 townhomes.

## Site Access

John Rivers Road is a two-lane roadway with a 35MPH posted speed limit. The development proposes one driveway/access location. The driveway will allow two-way traffic and provide access to the intersection at Roosevelt Highway. Site access is illustrated in **Figure 1**.

## Estimated Site Traffic

Traffic anticipated to be generated by the residential use was based on the Trip Generation Manual, 11th Edition, by the Institute of Transportation Engineers (ITE). This is the nationally recognized database which provides trip generation estimates for a wide variety of land uses. For this development, site traffic was estimated for the typical weekday daily, AM peak hour, and PM peak hour volumes for the most applicable lane use code: Single-Family Attached Homes (Land Use Code 215).

**Table 1** summarizes the expected site trip generation. The total number of vehicles (entering plus exiting) the site on a weekday is estimated to be 768 vehicles. The total number of vehicles during the AM peak hour is 50 vehicles and during the PM peak hour is 61 vehicles.

Table 1: Development Trip Generation								
Land Use (ITE Code)	Units	Daily Trips	AM Peak Hour			PM Peak Hour		
		Two-Way Total	Enter	Exit	Total	Enter	Exit	Total
Single-Family Detached (210)	108	768	16	34	50	19	42	61
Total Driveway Trips		768	16	34	50	19	42	61

**Figure 1** illustrates the proposed trips entering and exiting at the driveway location for the weekday, AM peak hour, and PM peak hour. This memorandum provides an estimate of traffic volumes for the site. The actual traffic volumes may vary.

## PUBLIC PARTICIPATION PLAN REPORT

Applicant: 10364 JHJ, LLC Petition No. PZR23011

Date: May 24, 2023

1. The following parties were notified of the requested rezoning/use permit:

Please see the attached list sent via email  
on May 23, 2023.

2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)

May 22, 2023 @ 6pm at the Durham  
Lakes HOA Clubhouse.

3. The following issues and concerns were expressed:

Traffic, ingress/egress, Buffer, fencing, Price-points,  
demographics. Another meeting was  
requested.

4. The applicant's response to issues and concerns was as follows:

All concerns will be analyzed and discussed  
with our client. We are open to a second  
meeting.

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

*Attach additional sheets as needed.*



## PUBLIC PARTICIPATION PLAN

Applicant: JH I, LLC (Starlight Homes)

1. The following individuals (property owners within 500 feet of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified:

Please see attachment

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

letters were mailed

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

All were permitted to participate in the community meeting.



## Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100  
Tucker, Georgia 30084

### What is a Community Meeting?:

Community meetings are designed to inform the surrounding communities of current rezoning, and special land use permit applications. It's an opportunity for the community to learn about the proposed project, ask questions, present concerns, and make suggestions.

**We encourage you to come out and participate!**

### For More Information Contact

Jordan Battle at:

Phone: 404-601-7616 ext. 8

Fax: 404-745-0045

Email: [jnb@battlelawpc.com](mailto:jnb@battlelawpc.com)

COMMUNITY MEETING TO  
DISCUSS REZONING FROM PD  
COMMERCIAL TO PD  
RESIDENTIAL TO ALLOW FOR  
THE DEVELOPMENT OF SINGLE-  
FAMILY ATTACHED TOWNHOMES

**Project Title:**  
**10364 JHJ, LLC John Hardy Jones**

**When: May 22nd, 2023**

**Time: 6:00 PM**

**Durham Lakes Clubhouse**  
**156 Durham Lakes Parkway**

**Fair-**  
**burn,**  
**30213**

**PROPOSED LOCATION(S):** **GA**

0 John Rivers Road as known as Parcel ID

# 07270001681935



## Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100  
Tucker, Georgia 30084

PLEASE  
PLACE  
STAMP  
HERE

«Name»  
«Address»  
«City», «State» «Zip»



**SECTION V**

**ATTORNEY / AGENT**

Check One: ☒ Attorney ☐ Agent

**Michele Battle**

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

**3562 Habersham at Northlake**

ADDRESS

**Tucker GA 30084**

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

**404.601.7616**

PHONE

# Sign-In Sheet

JHJ, LLC Community Meeting by Battle Law PC  
5/22/23

Name	Address	Email
Mark W. Hill	175 Fawcett	markhillpi@gmail.com
Kandi Smith	230 Fawcett	
Katonya James	220 Fawcett	jameskatonya@bellsouth.net
Tamara Clark	155 Fawcett	
Leslie Ann Powers	190 Fawcett	LEANNATON@GMAIL.COM
Denise Brooks	360 Malone St	sbrooks@fairburr.com
Glazara Tobakhinski	115 Fawcett	glazaratobakhinski@gmail.com
Rachel Atobakhinski	115 Fawcett Drive	rthobakhinski@gmail.com
Kudrey and Meredith Brown	205 Fawcett Dr	kudrey.brown1471@hotmail.com
Janelle McKearie	180 Fawcett	Jmckearie@gmail.com
Michelle James	207 Hester Glen	
Burnie Gaston	200 Fawcett drive	bing34bing@hotmail.com



**LEGEND:**

**XX** AM Peak Hour Traffic Volumes  
**(XX)** PM Peak Hour Traffic Volumes  
**[XX]** Weekday Traffic Volumes



Not to Scale

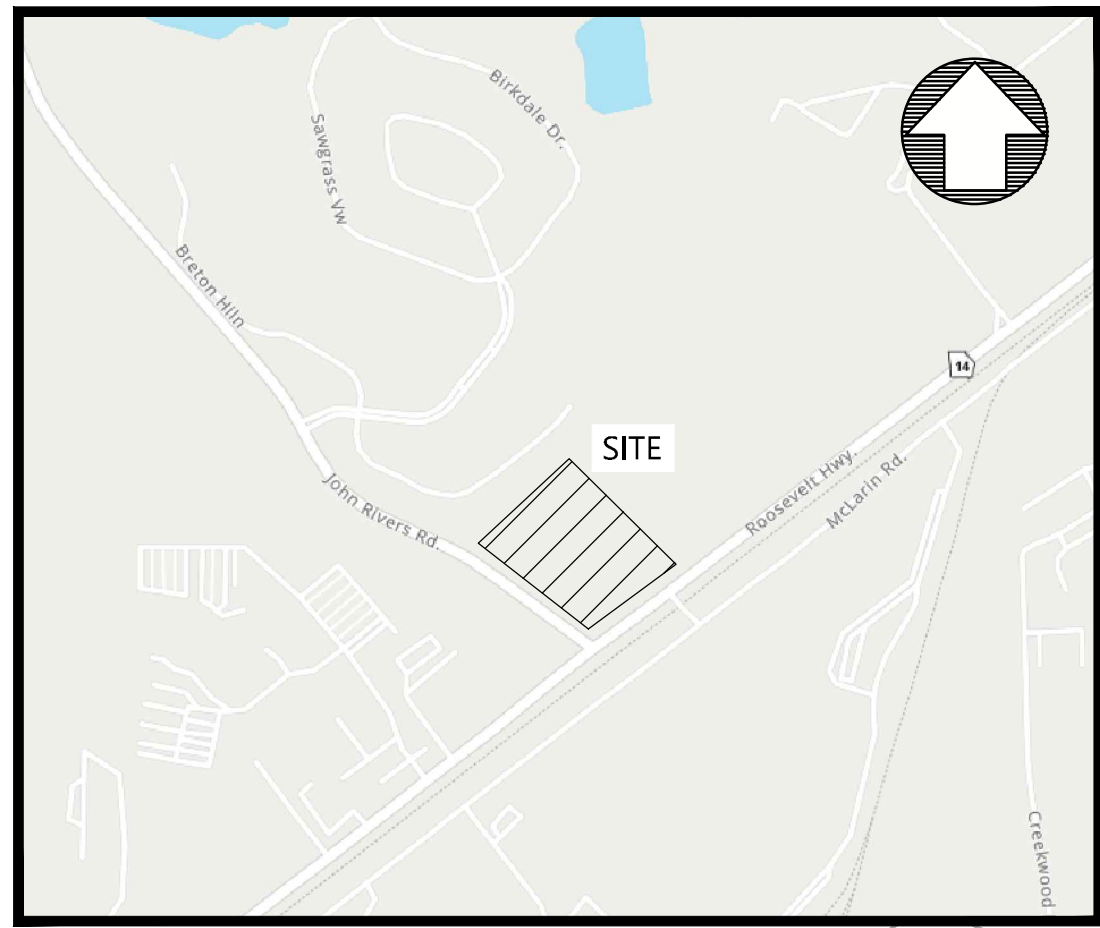


**Site Traffic Memorandum  
John River Road Townhomes  
City of Fairburn, Georgia**

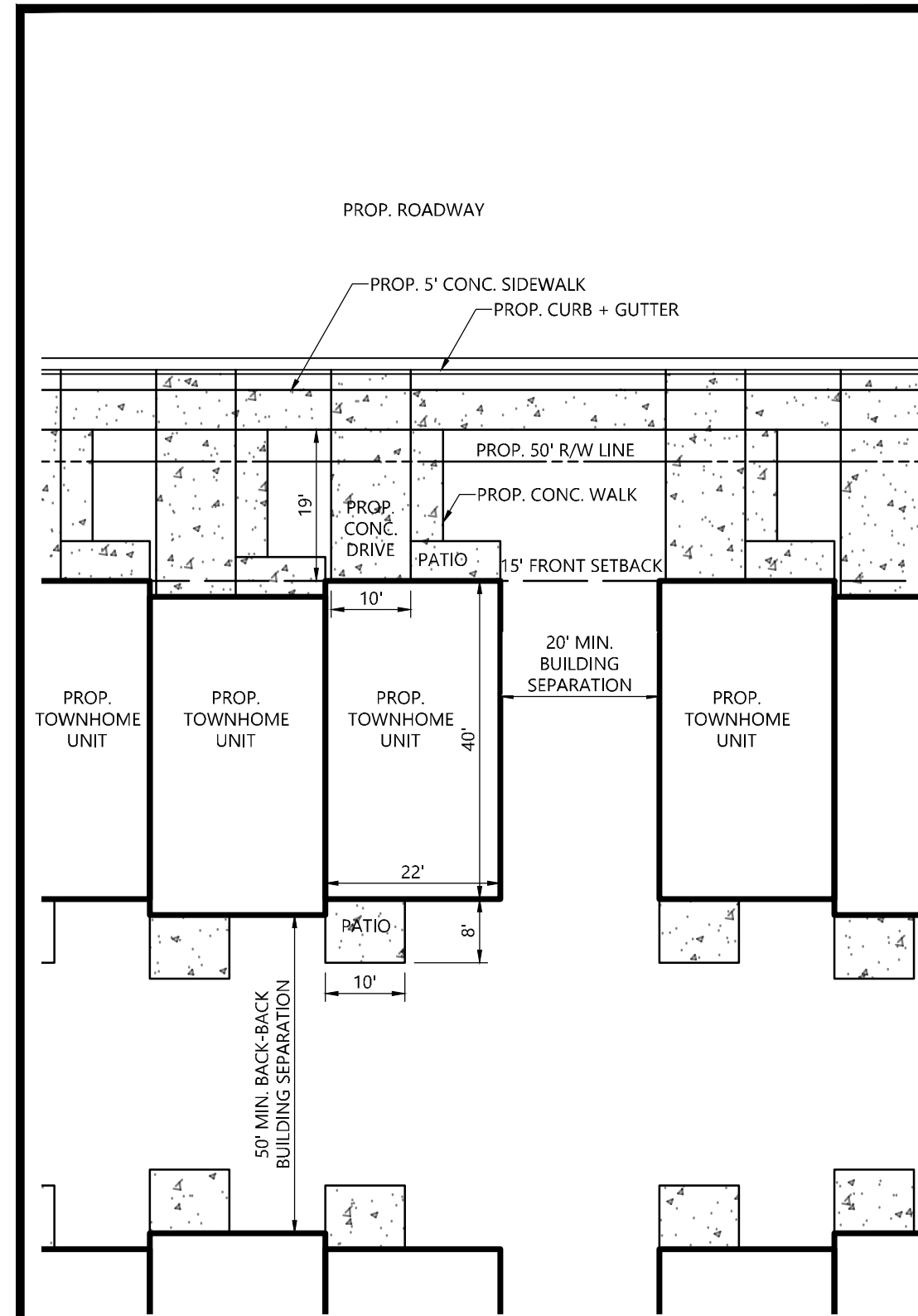
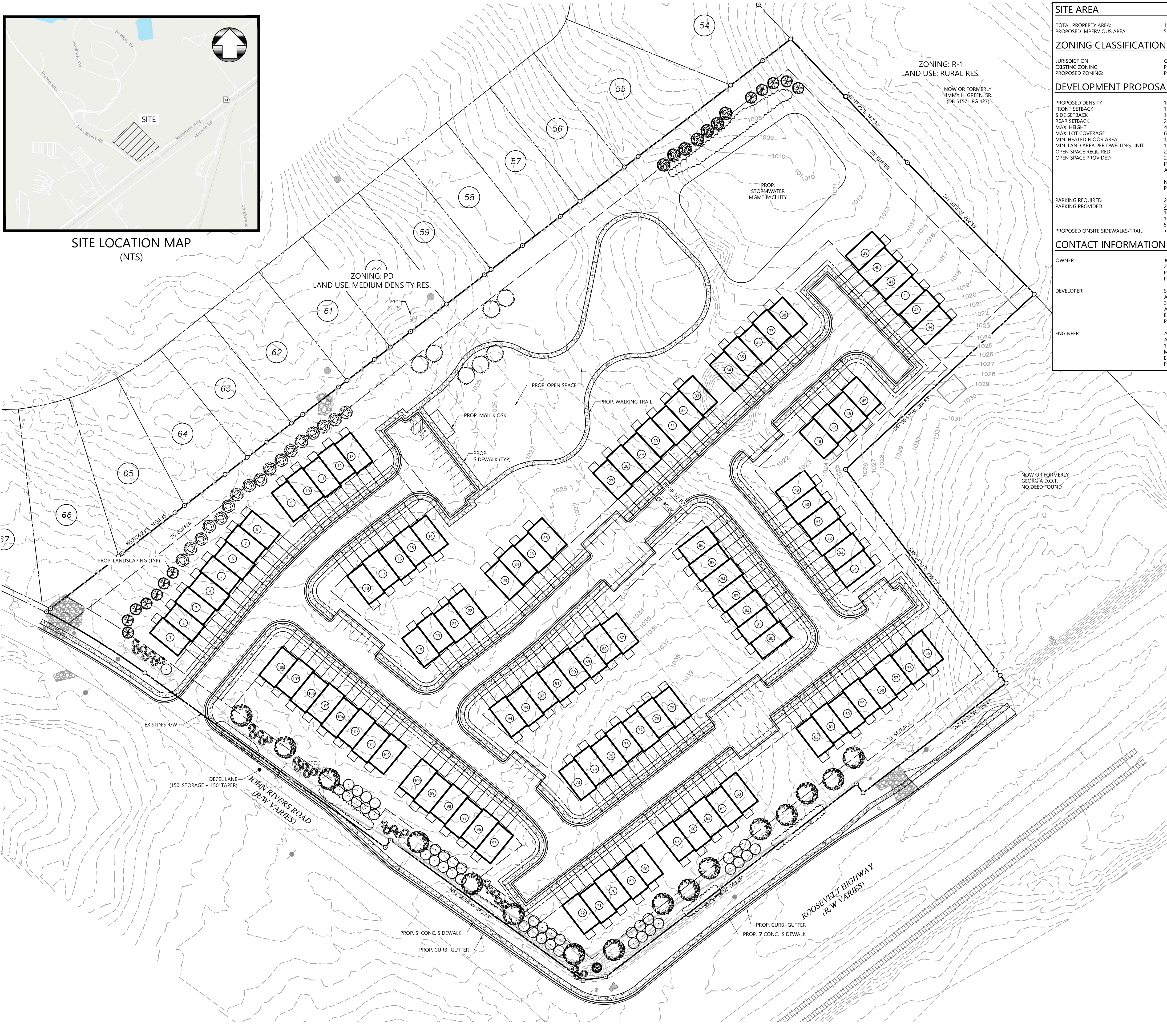
**Access Locations  
& Driveway  
Volumes**

**Figure  
1**





SITE LOCATION MAP  
(NTS)



SCHEMATIC TOWNHOME  
ENLARGEMENT  
N.T.S.

SITE AREA	
TOTAL PROPERTY AREA:	13.3+ AC
PROPOSED IMPERVIOUS AREA:	5.7+ AC (42.8%)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF FAIRBURN
EXISTING ZONING:	PD (PLANNED DEVELOPMENT)
PROPOSED ZONING:	PD (PLANNED DEVELOPMENT)
DEVELOPMENT PROPOSAL	
PROPOSED DENSITY:	108 UNITS (8.12 UNITS/ACRE)
FRONT SETBACK:	15' LOCAL/25' COLLECTOR
SIDE SETBACK:	10' (20' BUILDING SEPARATION)
REAR SETBACK:	25'
MAX. HEIGHT:	48'
MAX. LOT COVERAGE:	65%
MIN. HEATED FLOOR AREA:	1,000 SF
MIN. LAND AREA PER DWELLING UNIT:	1,200 SF
OPEN SPACE REQUIRED:	20% (2.66 ACRES)
OPEN SPACE PROVIDED:	25% (3.4 ACRES)
	INCLUDES NATURE TRAIL AND OPEN PLAY AREA
	NOTE: OPEN SPACE DOES NOT INCLUDE PROPOSED R/W OR STORMWATER FACILITIES
PARKING REQUIRED:	216 SPACES (2 SPACES/UNIT)
PARKING PROVIDED:	275 SPACES (2.54 SPACES/UNIT)
	108 GARAGE SPACES
	108 DRIVEWAY SPACES
	59 GUEST PARKING SPACES
	+/-5,100 LF
PROPOSED ONSITE SIDEWALKS/TRAIL:	
CONTACT INFORMATION	
OWNER:	JOHN HARDY JONES 252 SMOKEHOUSE TRACT PEACHTREE CITY, GA 30028 P: 404-653-9324
DEVELOPER:	STARLIGHT HOMES ATTN: JOE INGRAM 3820 MANSELL ROAD, SUITE 300 ALPHARETTA, GA 30022 E: JOE.INGRAM@ASH-TONWOODS.COM P: 770-652-2512
ENGINEER:	ATWELL, LLC ATTN: DAN GIBBS 1800 PARKWAY PLACE, SUITE 700 MARIETTA, GA 30067 E: DGIBBS@ATWELL-GROUP.COM P: 404-995-9446

SITE LEGEND	
	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	EXISTING SETBACK LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED SETBACK LINE
	24" CURB AND GUTTER
	SIGN
	GRATE INLET
	STORM MANHOLE
	DOUBLE WING CATCH BASIN
	SINGLE WING CATCH BASIN
	OUTLET CONTROL STRUCTURE
	HEADWALL
	SANITARY SEWER MANHOLE
	CONCRETE

**Know what's below.**  
**Call before you dig.**  
THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY BE OCCURRED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

**NOTICE:**  
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR THE SAFETY OF THE WORK OR PERSONS ENGAGED IN THE WORK, OR ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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**24 HOUR  
EMERGENCY CONTACT**  
CHRISTIAN WITTER  
914.338.6034

**ATWELL**  
866.850.4200 [www.atwell-group.com](http://www.atwell-group.com)  
1800 PARKWAY PLACE, SUITE 700  
MARIETTA, GA 30067  
COA# PE0005804

LAND LOT 167, 7TH DIST.

JOHN RIVERS ROAD

CITY OF FAIRBURN

FULTON COUNTY, GEORGIA

JOHN RIVERS ROAD TOWNHOMES

STARLIGHT HOMES

DATE 04-03-23

REVISIONS

0 25' 50'  
SCALE: 1"=50'

DRAWN BY: SSW  
CHECKED BY: SW  
PROJECT MANAGER: DG  
JOB #: 22001155  
FILE CODE: CSP  
SHEET NO.

NOT-ISSUED-FOR-CONSTRUCTION

CAD FILE: 22001155-ZONING PLAN

JP1



SEAL

THESE DRAWINGS PREPARED BY SEARS SMITH AND ASSOCIATES, INC. FOR THIS PROJECT ARE FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND UNLESS OTHERWISE PROVIDED, SEARS SMITH AND ASSOCIATES, INC. SHALL BE DEEMED THE AUTHOR OF THESE DOCUMENTS AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT. THESE DRAWINGS SHALL NOT BE USED BY OTHERS ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, EXCEPT BY AGREEMENT IN WRITING BY SEARS SMITH AND ASSOCIATES, INC.

REVISIONS

#	DATE	REMARKS

PROJECT TITLE

FAIRBURN TOWNHOMES  
JOHN RIVERS ROAD  
CITY OF FAIRBURN  
FULTON COUNTY, GEORGIA  
TAX PARCELS: 07 270001681935

PREPARED FOR

ASHTON WOODS  
3820 MANSELL RD  
SUITE 300  
ALPHARETTA, GA 30022  
770.652.2512

SHEET TITLE

ENHANCED  
LANDSCAPE EXHIBIT

DRAWN: MSD  
CHECKED: CCS

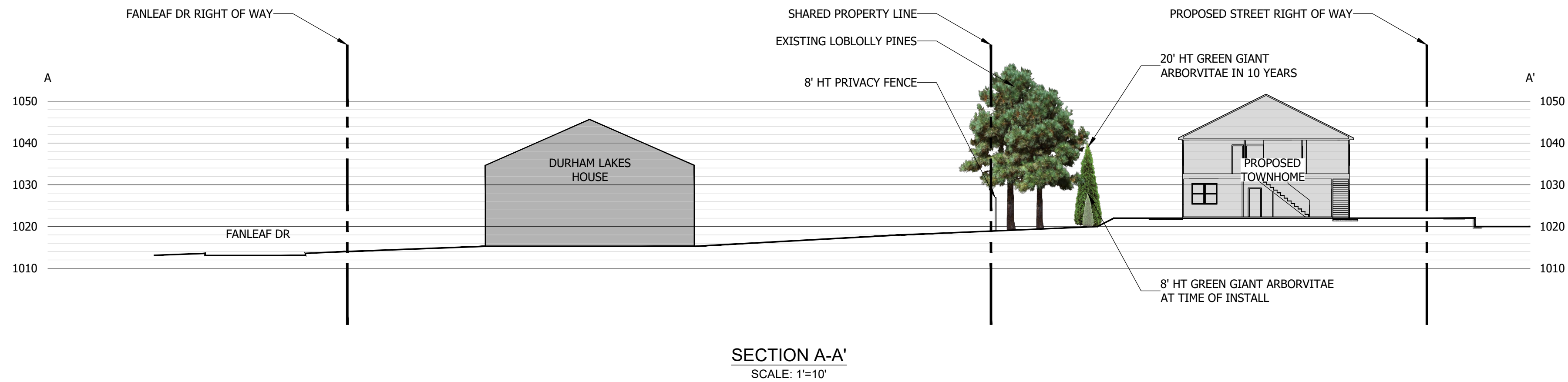
DATE

JUNE 19, 2023

☒ CLIENT REVIEW  
☐ FOR PERMIT / REVIEW  
☐ BID SET  
☐ CONSTRUCTION

SHEET NUMBER

L1.0









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GENERAL NOTES:

1. CONTRACTORS SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE BEFORE CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO TO THE BUILDER FOR JUSTIFICATION AND/OR CORRECTION BEFORE CONTINUING WITH WORK. CONTRACTORS SHALL ASSUME RESPONSIBILITY FOR ERRORS THAT ARE NOT REPORTED TO THE BUILDER.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, REGULATIONS, AND FHA/VA MPS.
3. ALL DIMENSIONS SHOULD BE READ OR CALCULATED AND NEVER SCALED.
4. ALL FOOTINGS TO BE BELOW FROST LINE (SEE LOCAL CODE) AND MUST REST ON UNDISTURBED SOIL CAPABLE OF HANDLING THE BUILDING LOAD. CONSULT LOCAL ENGINEER FOR PROPER FOOTING AND REINFORCING SIZES.
5. CONTRACTOR SHALL INSURE COMPATIBILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
6. IF BACKFILL EXCEEDS 4' AGAINST ANY FOUNDATION WALL, REINFORCE AS PER CODE.
7. ALL WOOD, CONCRETE, AND STEEL STRUCTURAL MEMBERS SHALL BE OF A GOOD GRADE AND QUALITY AND MEET ALL NATIONAL, STATE, AND LOCAL BUILDING CODES WHERE APPLICABLE.
8. ALL FOUNDATION AND STRUCTURAL MEMBERS SHOULD BE VERIFIED AND STAMPED BY AN ENGINEER IN THE STATE WHERE CONSTRUCTION IS OCCURRING DUE TO A WIDE VARIANCE IN LOCAL CODES, SOIL BEARING CONDITIONS, FROST LINE DEPTH, GEOLOGICAL AND WEATHER CONDITIONS, ETC.
9. THE CONTRACTOR IS RESPONSIBLE FOR ADJUSTING AND VERIFYING ALL STRUCTURAL DETAILS AND CONDITIONS TO MEET ALL LOCAL CODES TO INSURE A QUALITY AND SAFE STRUCTURE.

PLAN 1421  
COSMOS - LH

REVISION LOG						
REV.	DESCRIPTION	DRAWN BY	DATE	SHEETS AFFECTED	BROCHURE REQUIRED	ENGINEERING REQUIRED
1.	DIVISION REQUESTED REVISIONS		01-08-19		Y/N	Y/N
2.	DIVISION REQUESTED REVISIONS		05-16-19		Y/N	Y/N
3.	DIVISION REQUESTED REVISIONS		07-23-19		Y/N	Y/N
4.	DIVISION REQUESTED REVISIONS		08-26-19		Y/N	Y/N
5.	DIVISION REQUESTED REVISIONS		11-27-19		Y/N	Y/N
6.	DIVISION REQUESTED REVISIONS		09-17-20		Y/N	Y/N
7.	DIVISION REQUESTED REVISIONS		02-23-21		Y/N	Y/N
8.	DIVISION REQUESTED REVISIONS		05-10-21		Y/N	Y/N
9.	DIVISION REQUESTED REVISIONS		06-24-22		Y/N	Y/N

SQUARE FOOTAGE TABULATIONS							
	HEATED S.F.			UNHEATED S.F.			
	FIRST FLOOR	SECOND FLOOR	TOTAL	GARAGE	PORCH	PATIO/ COV. PATIO	TOTAL
ELEVATION 'A'	603	819	1421	224	40	80	344
ELEVATION 'B'	603	819	1421	224	40	80	344
ELEVATION 'C'	603	819	1421	224	40	80	344
ELEVATION 'D'	603	819	1421	224	40	80	344
ELEVATION 'E'	603	819	1421	224	40	80	344
ELEVATION 'F'	603	819	1421	224	40	80	344
ELEVATION 'G'	603	819	1421	224	40	80	344
ELEVATION 'H'	603	819	1421	224	40	80	344
ELEVATION 'I'	603	819	1421	224	40	80	344
ELEVATION 'J'	603	819	1421	224	40	80	344
ELEVATION 'K'	603	819	1421	224	40	80	344
ELEVATION 'L'	603	819	1421	224	40	80	344
ELEVATION 'M'	603	819	1421	224	40	80	344
ELEVATION 'N'	603	819	1421	224	40	80	344
ELEVATION 'O'	603	819	1421	224	40	80	344

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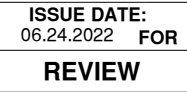
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COVER SHEET

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SHEET NO: T-1
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## ELEVATIONS 'A'

## GA 5.1

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2018 IRC SECTION R312.2. (REFER TO 2018 NCRS SECTION R612.2 FOR NC REQUIREMENTS).

-GRADE CONDITIONS MAY VARY FOR INDIVIDUAL SITE FROM THAT SHOWN.  
BUILDER SHALL VERIFY AND COORDINATE PER ACTUAL SITE CONDITIONS

-WINDOW HEAD HEIGHTS:  
1ST FLOOR = 8'-0" U.N.O. ON ELEVATIONS  
2ND FLOOR = 7'-0" U.N.O. ON ELEVATIONS  
3RD FLOOR = 7'-0" U.N.O. ON ELEVATIONS

-ROOFING: PITCHED SHINGLES PER BUILDER

-WINDOWS: MANUFACTURER PER BUILDER. DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS

-ENTRY DOOR: AS SELECTED BY BUILDER

-CHIMNEY AS OCCURS: TOP OF CHIMNEYS TO BE A MINIMUM OF 24" ABOVE ANY ROOF WITHIN 10'-0" OF CHIMNEY.

-ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

E2	MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED
E4	8" SOLDIER COURSE
E5	ROWLOCK COURSE
E7	FYPON OR EQUIVALENT LOUVERED VENT, SIZE AS NOTED
E9	CORROSION RESISTANT ROOF TO WALL FLASHING, CODE COMPLIANT FLASHING MUST BE INSTALLED AT ALL ROOF/WALL INTERSECTIONS
E12	FIBER CEMENT SHAKE SIDING PER DEVELOPER W/ 5/4x4 CORNER TRIM BOARDS
E13	FIBER CEMENT LAP SIDING PER DEVELOPER W/ 5/4x4 CORNER TRIM BOARDS
E15	FIBER CEMENT PANEL SIDING W/ 1X3 BATTS AT 16" O.C. (VINYL BOARD AND BATTEN SIDING)
E16	1X FIBER CEMENT TRIM OR EQUAL, U.O. SIZE AS NOTED
E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



3  $\frac{1}{4}" = 1'-0"$  AT 22"X34" LAYOUT       $\frac{1}{8}" = 1'-0"$  AT 11" X 17" LAYOUT



1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT



4  $\frac{1}{4}" = 1'-0"$  AT 22"X34" LAYOUT       $\frac{1}{8}" = 1'-0"$  AT 11" X 17" LAYOUT



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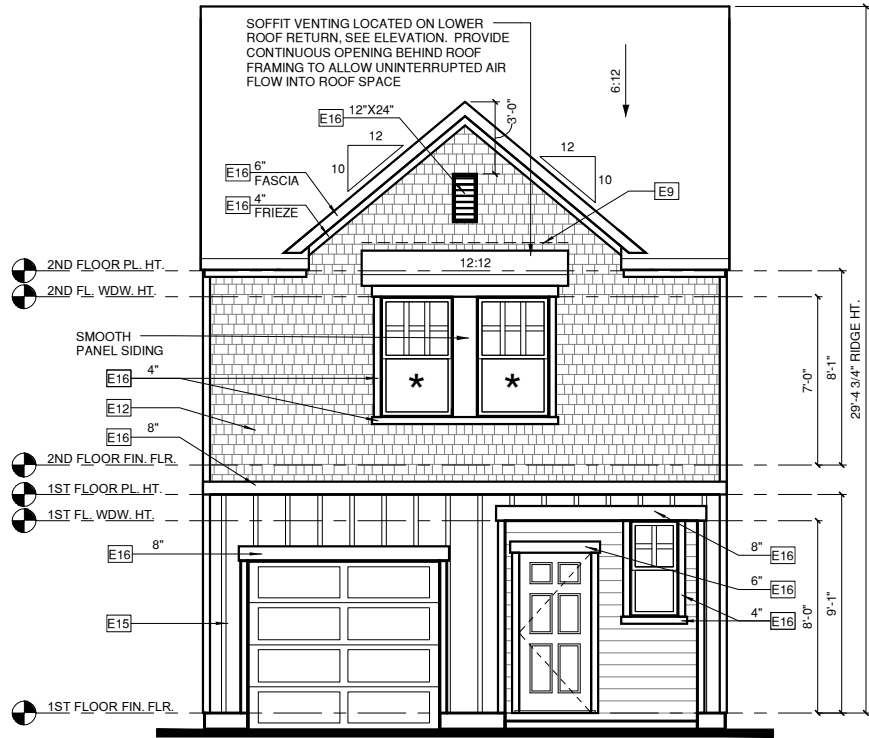
RIGHT ELEVATION 'B' AT END UNIT  
CONDITION

3 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8\" = 1'-0\" AT 11\" X 17\" LAYOUT



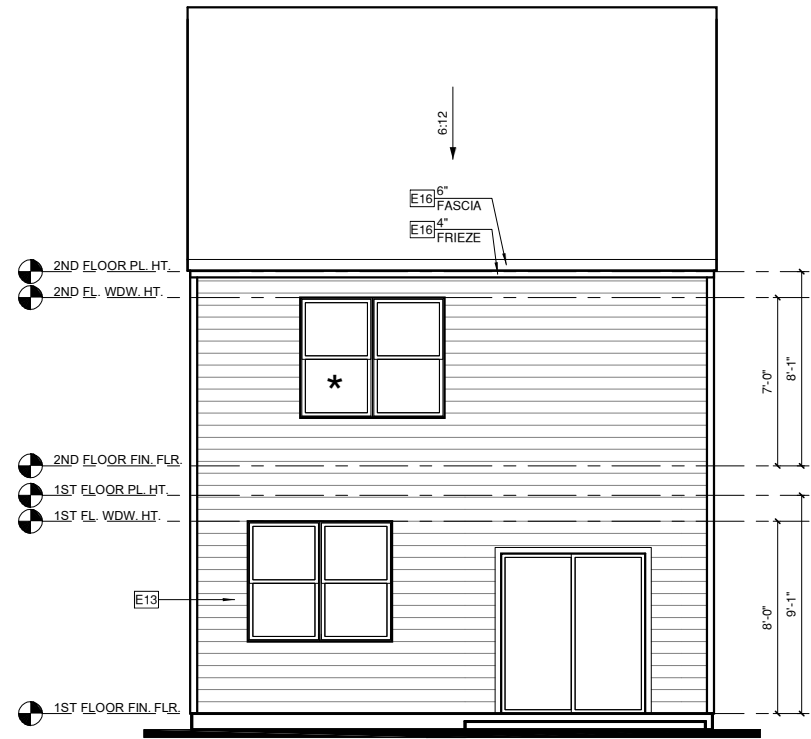
LEFT ELEVATION 'B' AT END UNIT  
CONDITION

4 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8\" = 1'-0\" AT 11\" X 17\" LAYOUT



FRONT ELEVATION 'B'

1 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8\" = 1'-0\" AT 11\" X 17\" LAYOUT



REAR ELEVATION 'B'

2 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8\" = 1'-0\" AT 11\" X 17\" LAYOUT

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ELEVATIONS 'B'

SHEET NO:

GA 5.2

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2018 IRC SECTION R312.2. (REFER TO 2018 NCRS SECTION R612.2 FOR NC REQUIREMENTS).

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3RD FLOOR = 7'-0" U.N.O. ON ELEVATIONS

-ROOFING: PITCHED SHINGLES PER BUILDER.

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E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT



1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT



1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT



1/4" = 1'-0" AT 22" X 34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT

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ELEVATIONS 'C'

SHEET NO:

## GA 5.3

\* = EGRESS

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2018 IRC SECTION R312.2. (REFER TO 2018 NRC SECTION R612.2 FOR NC REQUIREMENTS).

NOTES:

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3RD FLOOR = 7'-0" U.N.O. ON ELEVATIONS.

-ROOFING: PITCHED SHINGLES PER BUILDER.

-WINDOWS: MANUFACTURER PER BUILDER. DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS

-ENTRY DOOR: AS SELECTED BY BUILDER

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ELEVATION KEYNOTE LEGEND

E2	MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED
E4	8" SOLDIER COURSE
E5	ROWLOCK COURSE
E7	FYPON OR EQUIVALENT LOUVERED VENT, SIZE AS NOTED
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E16	1X FIBER CEMENT TRIM OR EQUAL U.N.O. SIZE AS NOTED
E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



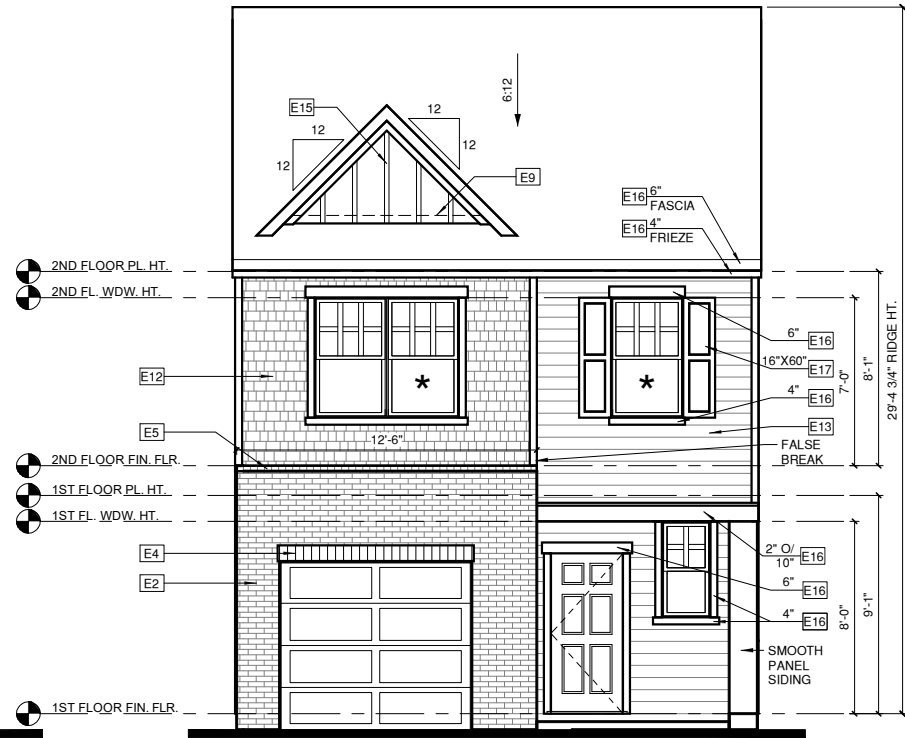
RIGHT ELEVATION 'D' AT END UNIT  
CONDITION

1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\" X 17\" LAYOUT



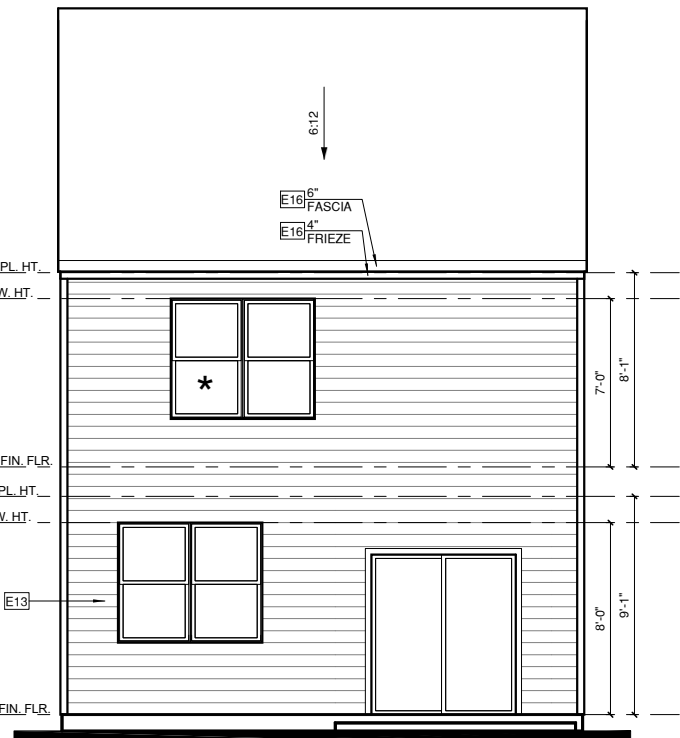
LEFT ELEVATION 'D' AT END UNIT  
CONDITION

1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\" X 17\" LAYOUT



FRONT ELEVATION 'D'

1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\" X 17\" LAYOUT



REAR ELEVATION 'D'

1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\" X 17\" LAYOUT

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ELEVATIONS 'D'

SHEET NO:

GA 5.4

★ = EGRESS

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2018 IRC SECTION R312.2. (REFER TO 2018 NCRS SECTION R612.2 FOR NC REQUIREMENTS).

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-ROOFING: PITCHED SHINGLES PER BUILDER.

-WINDOWS: MANUFACTURER PER BUILDER. DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS

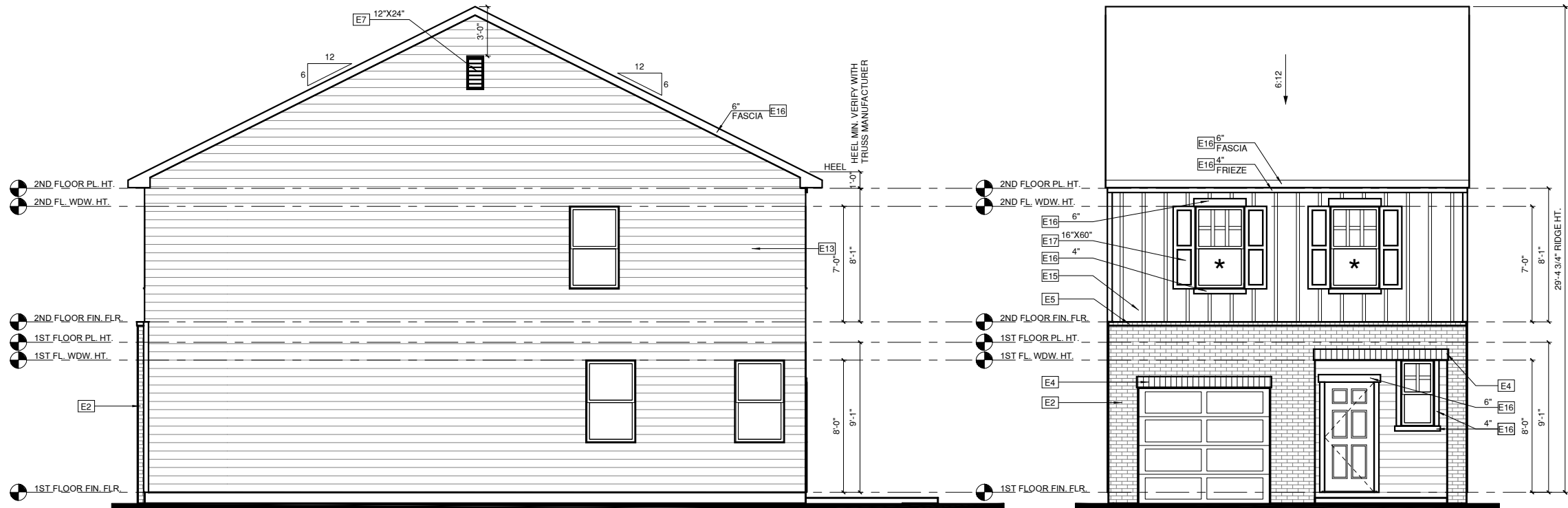
-ENTRY DOOR: AS SELECTED BY BUILDER

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#### ELEVATION KEYNOTE LEGEND

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E16	1X FIBER CEMENT TRIM OR EQUAL U.N.O. SIZE AS NOTED
E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED

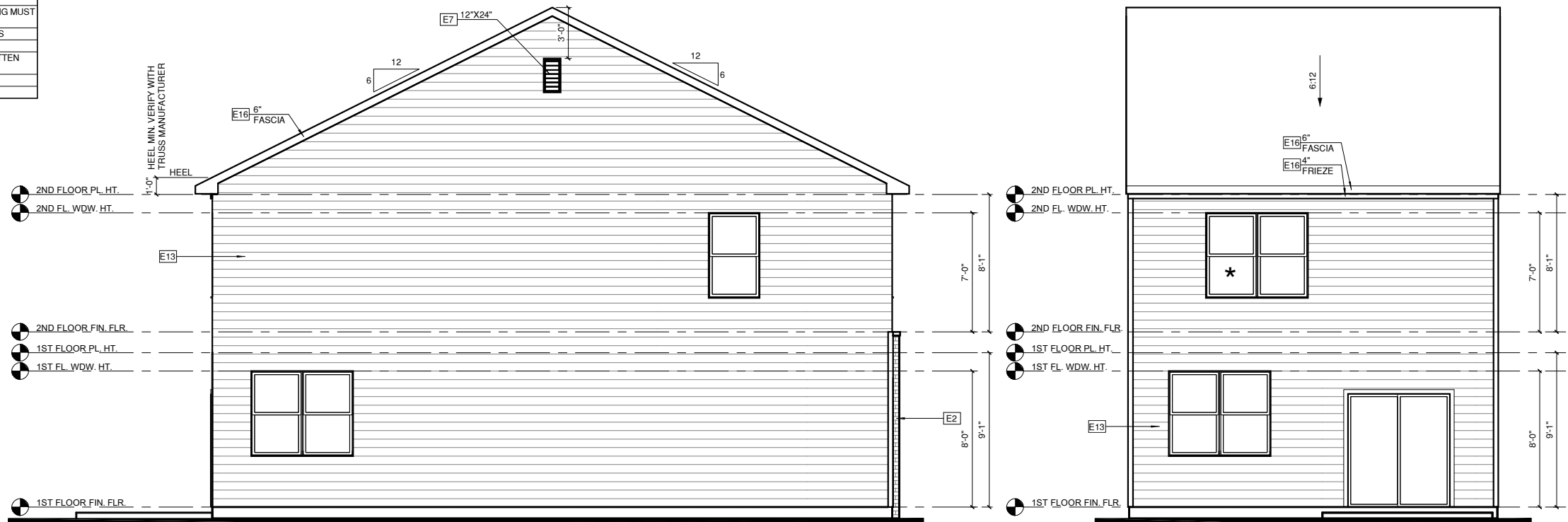


#### FRONT ELEVATION 'E'

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

#### RIGHT ELEVATION 'E' AT END UNIT CONDITION

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



#### LEFT ELEVATION 'E' AT END UNIT CONDITION

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

#### REAR ELEVATION 'E'

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

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PLAN 1421 COSMOS - LH

ELEVATIONS 'E'

SHEET NO:

GA 5.5



\* = EGRESS

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ELEVATION KEYNOTE LEGEND

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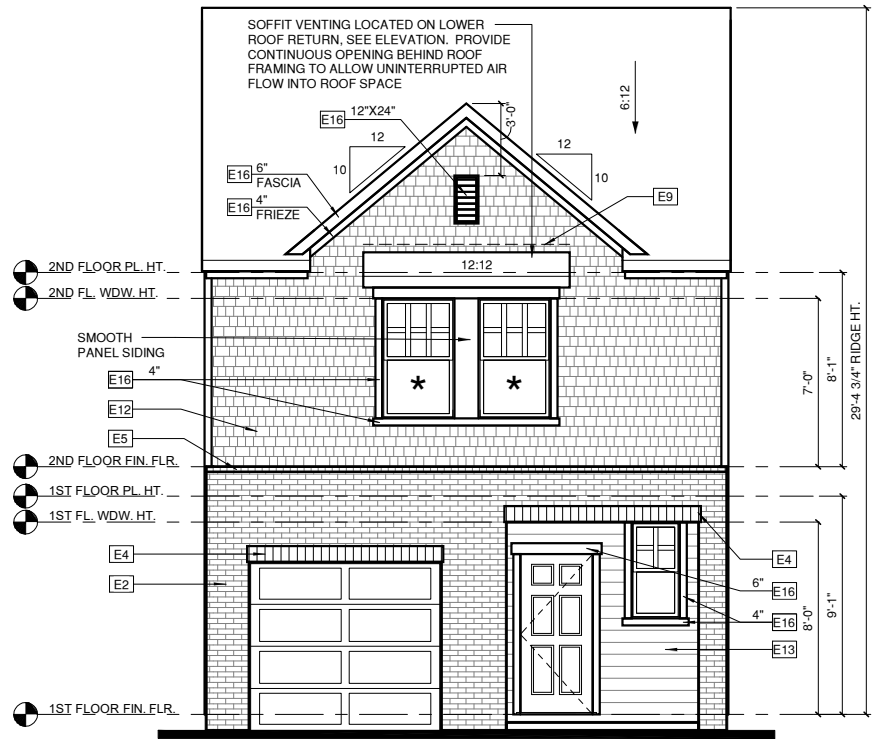
RIGHT ELEVATION 'F' AT END UNIT  
CONDITION

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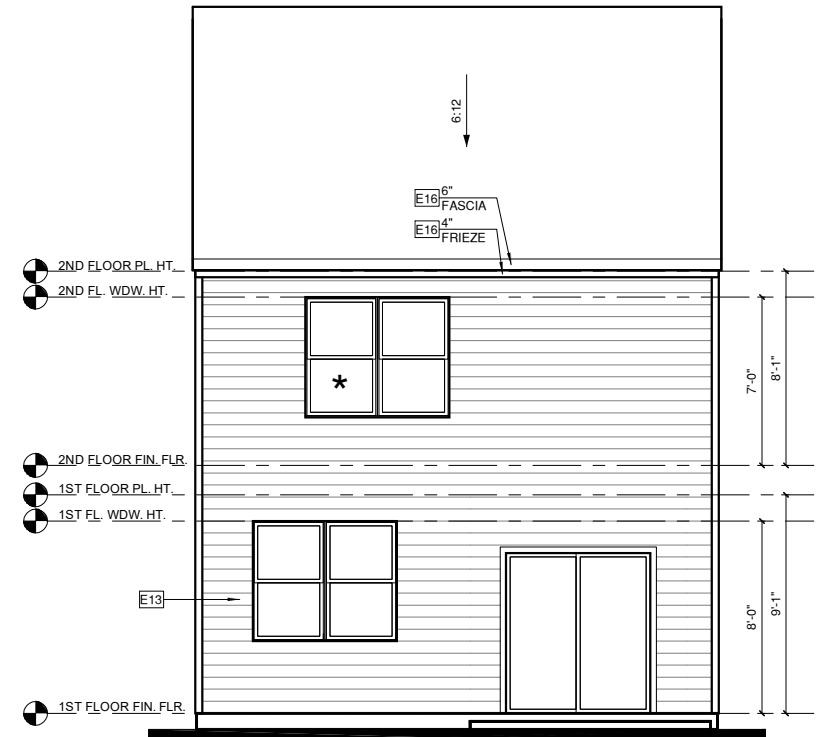
LEFT ELEVATION 'F' AT END UNIT  
CONDITION

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FRONT ELEVATION 'F'

① 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\"X 17\" LAYOUT



REAR ELEVATION 'F'

② 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\"X 17\" LAYOUT

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ELEVATIONS 'F'

SHEET NO:

GA 5.6

★ = EGRESS

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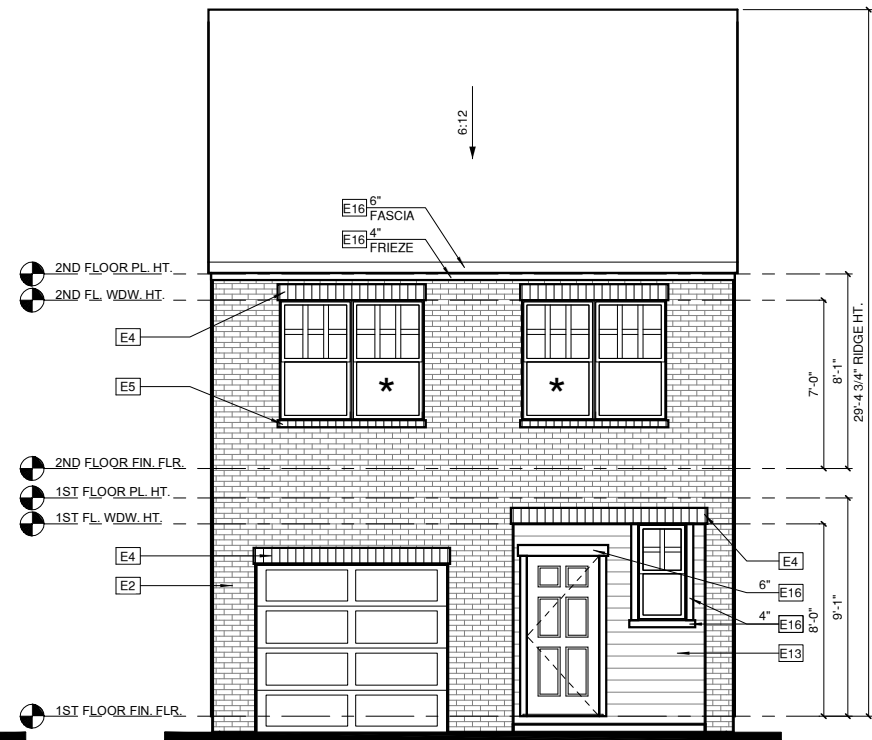
RIGHT ELEVATION 'G' AT END UNIT  
CONDITION

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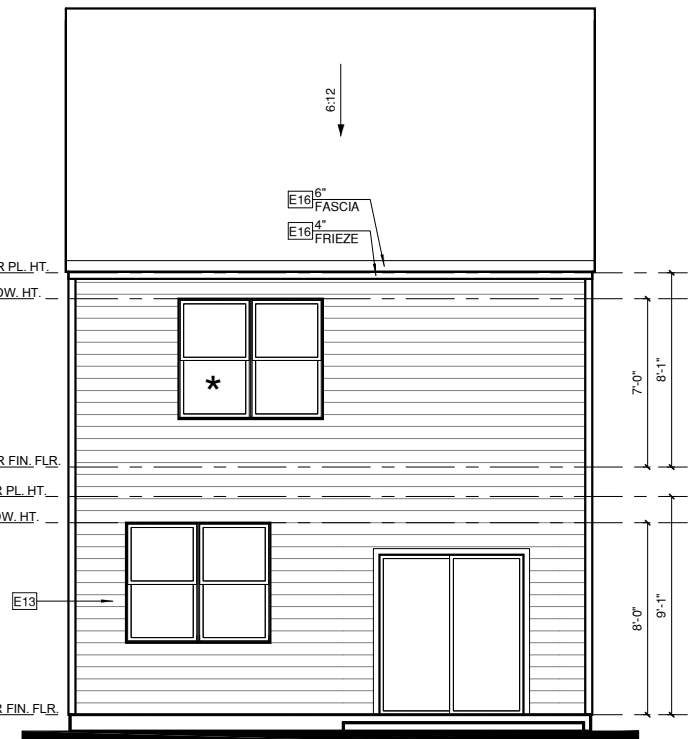
LEFT ELEVATION 'G' AT END UNIT  
CONDITION

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



FRONT ELEVATION 'G'

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REAR ELEVATION 'G'

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

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LAST REVISION

LAST SAVED BY:

PLAN 1421 COSMOS - LH

ELEVATIONS 'G'

SHEET NO:

GA 5.7

\* = EGRESS

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2018 IRC SECTION R312.2. (REFER TO 2018 NCRS SECTION R612.2 FOR NC REQUIREMENTS).

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-WINDOW HEAD HEIGHTS:  
1ST FLOOR = 8'-0" U.N.O. ON ELEVATIONS  
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-ROOFING: PITCHED SHINGLES PER BUILDER.

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-CHIMNEY AS OCCURS: TOP OF CHIMNEYS TO BE A MINIMUM OF 24" ABOVE ANY ROOF WITHIN 10'-0" OF CHIMNEY.

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ELEVATION KEYNOTE LEGEND	
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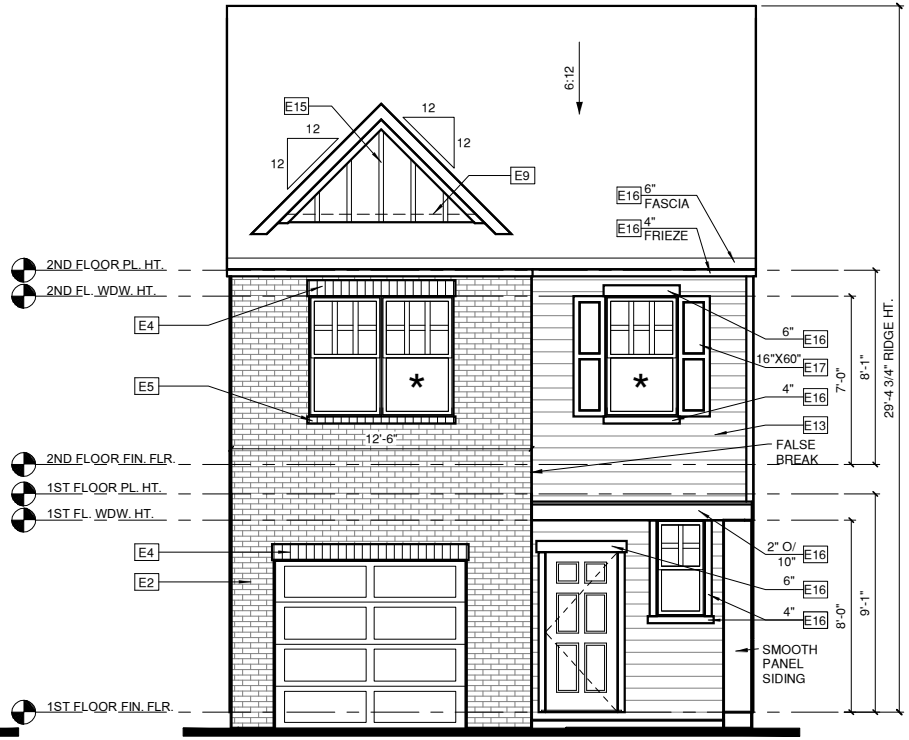
RIGHT ELEVATION 'H' AT END UNIT CONDITION

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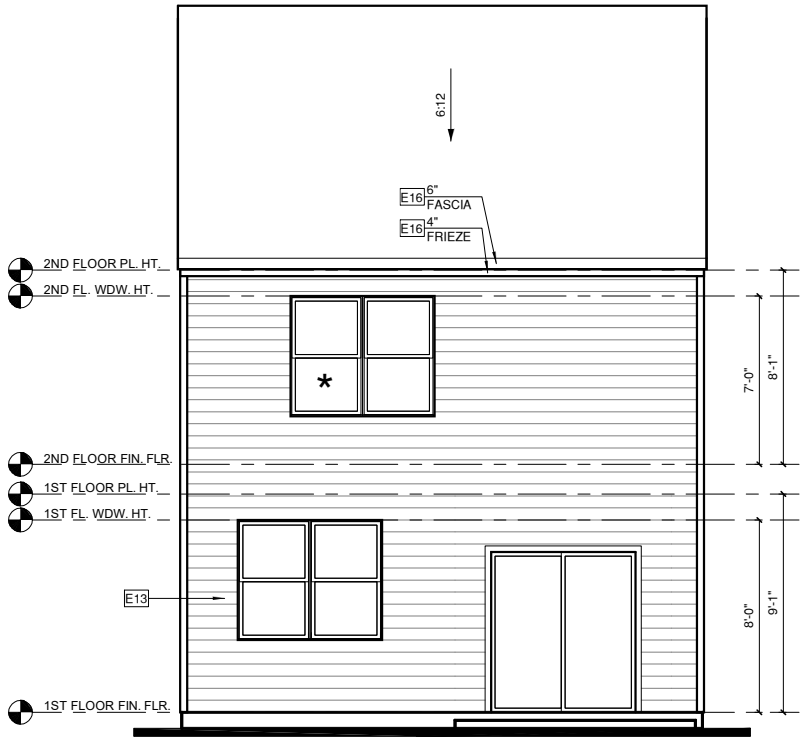
LEFT ELEVATION 'H' AT END UNIT CONDITION

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FRONT ELEVATION 'H'

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REAR ELEVATION 'H'

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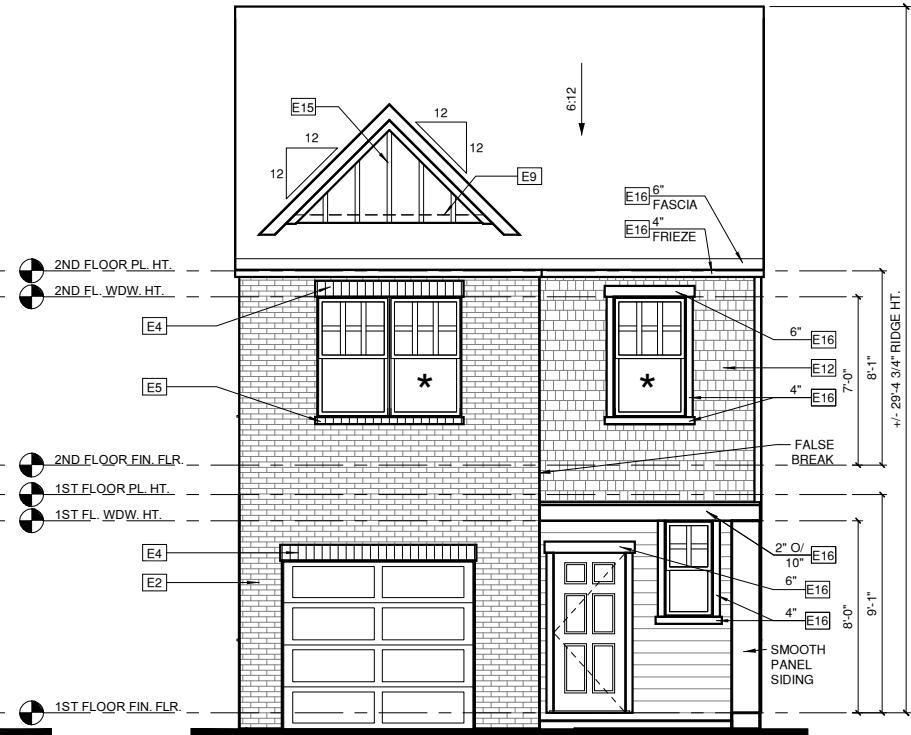
RIGHT ELEVATION 'I' AT END UNIT  
CONDITION

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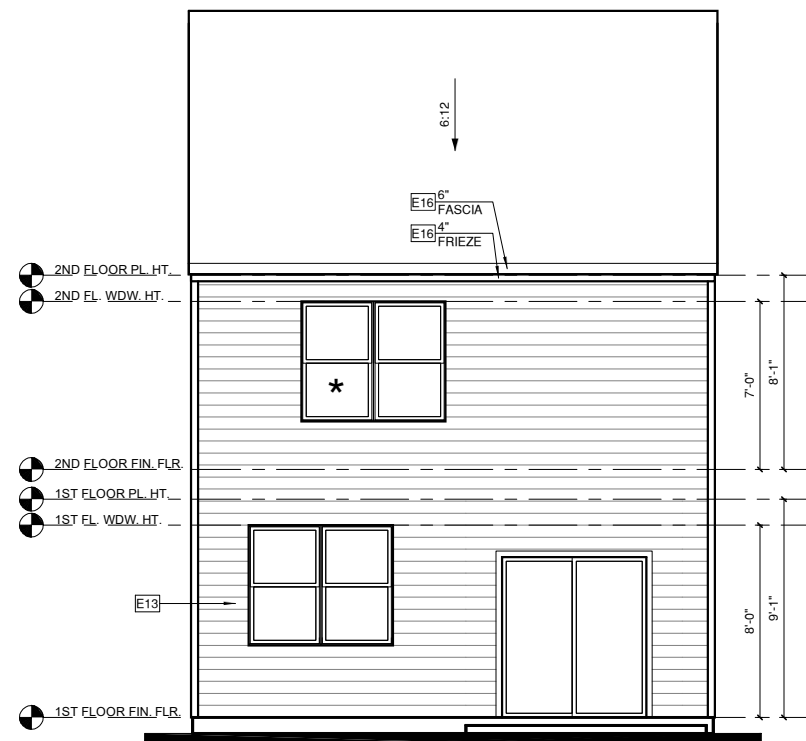
LEFT ELEVATION 'I' AT END UNIT  
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FRONT ELEVATION 'I'

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PLAN 1421 COSMOS - LH

ELEVATIONS 'I'

SHEET NO:

GA 5.9



REVISIONS:	

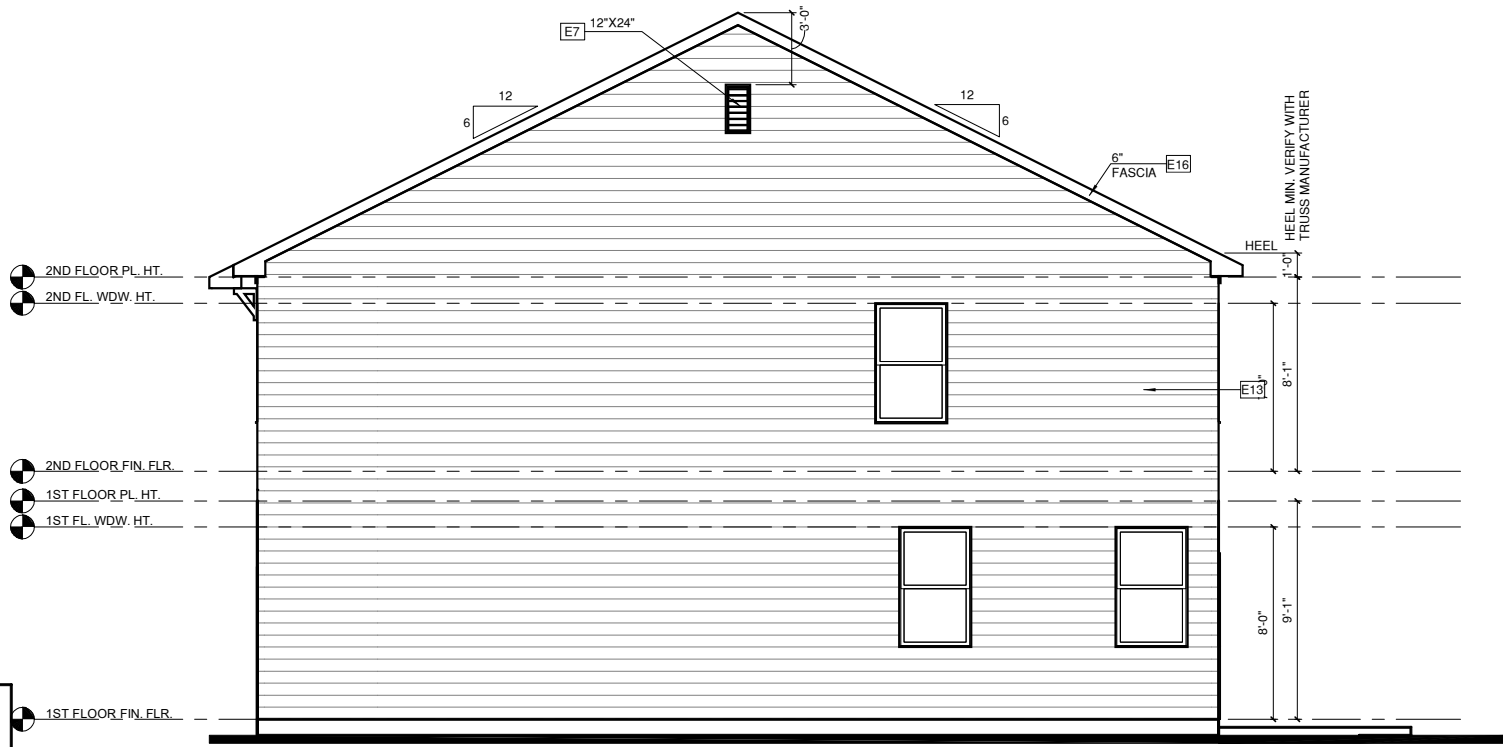
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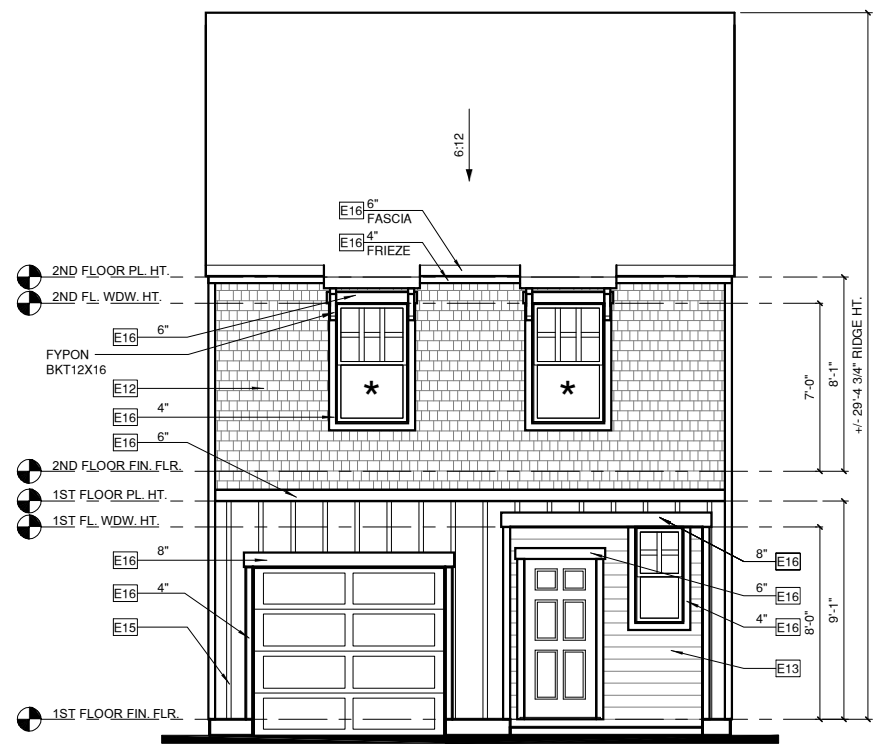
PLAN 1421 COSMOS - LH

ELEVATIONS 'K'



RIGHT ELEVATION 'K' AT END UNIT  
CONDITION

③ 1/4" = 1'-0" AT 22\"X34\" LAYOUT 1/8" = 1'-0" AT 11\"X 17\" LAYOUT



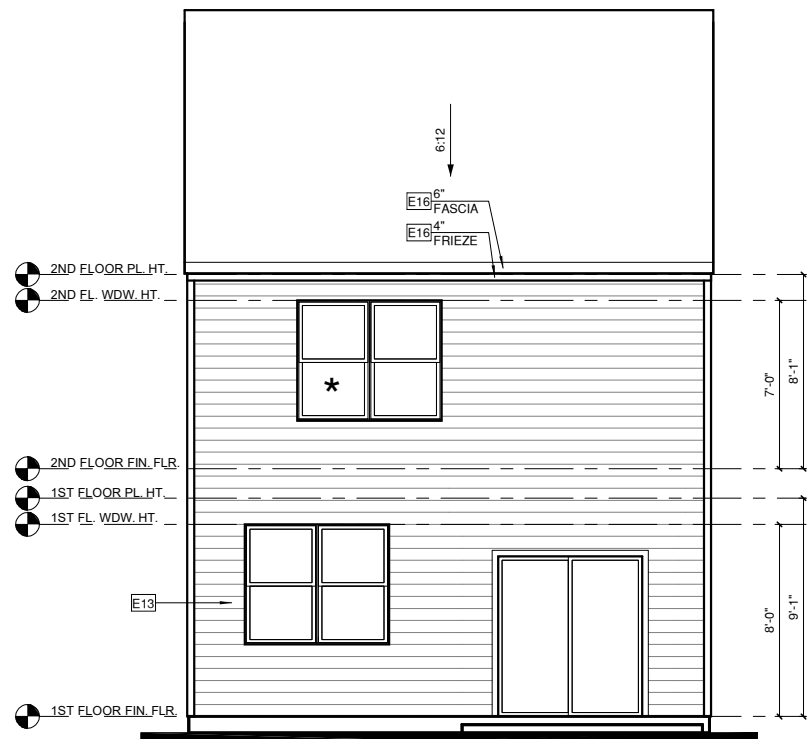
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LEFT ELEVATION 'K' AT END UNIT  
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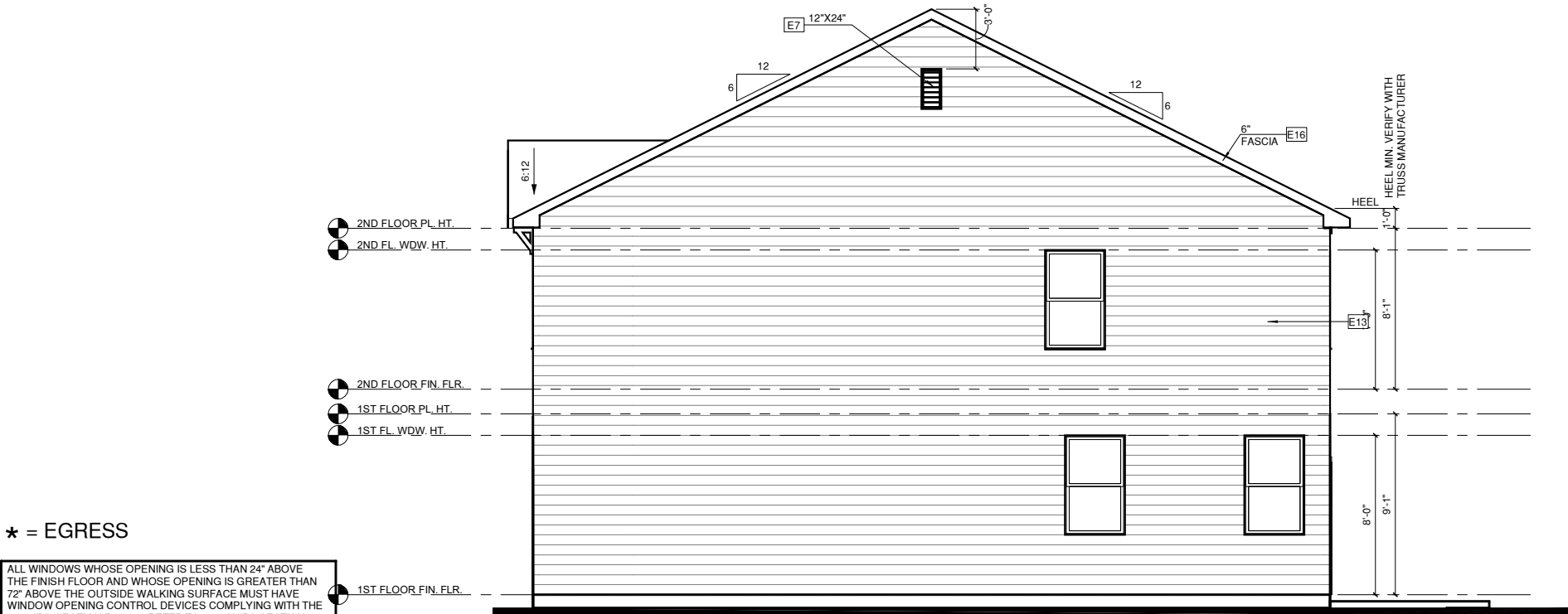
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E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



RIGHT ELEVATION 'L' AT END UNIT  
CONDITION

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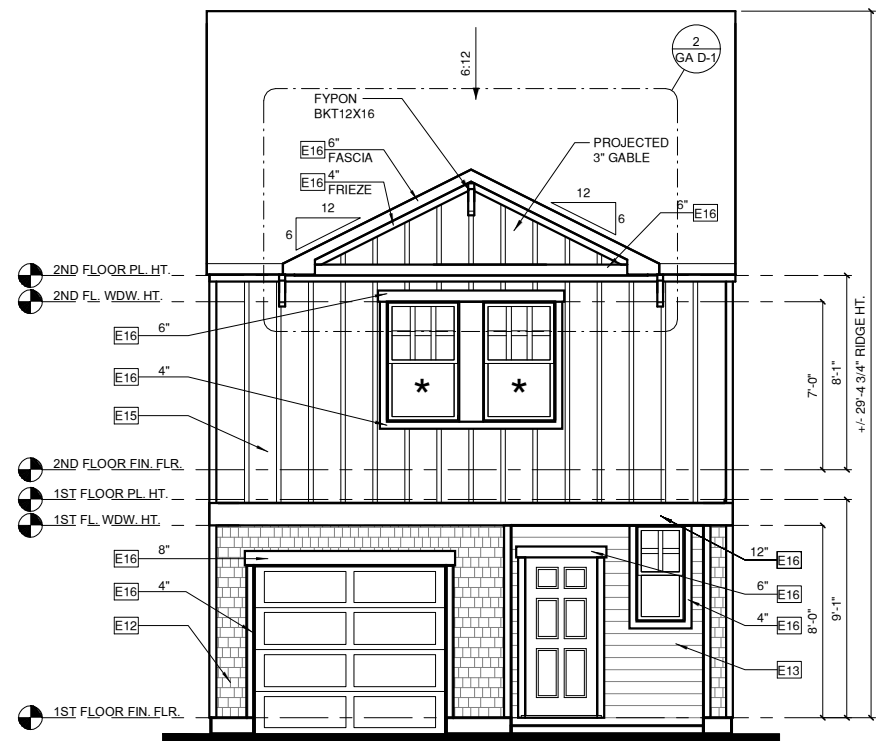
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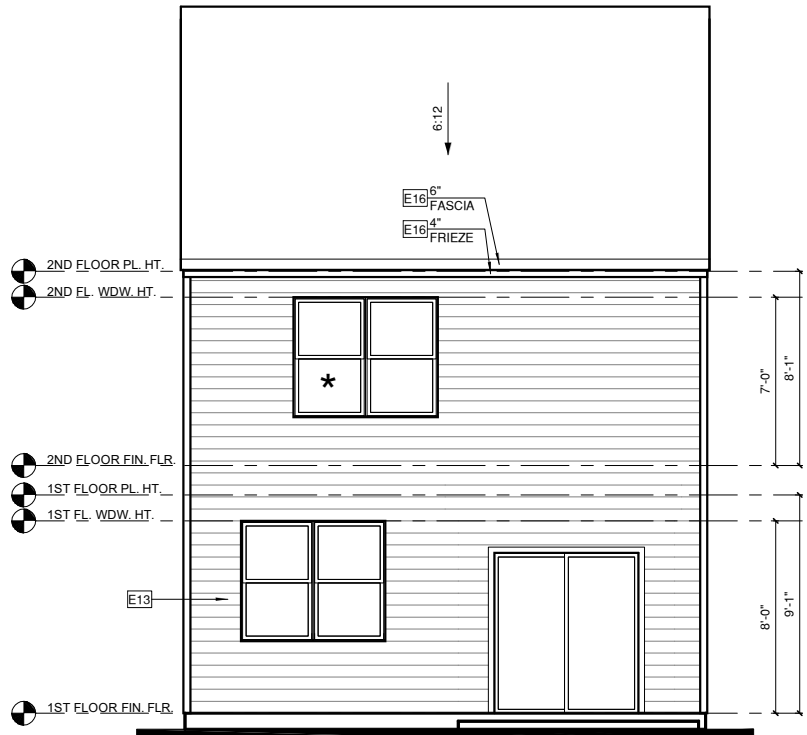
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REAR ELEVATION 'L'

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PLAN 1421 COSMOS - LH

ELEVATIONS 'L'

SHEET NO:

GA 5.12

\* = EGRESS

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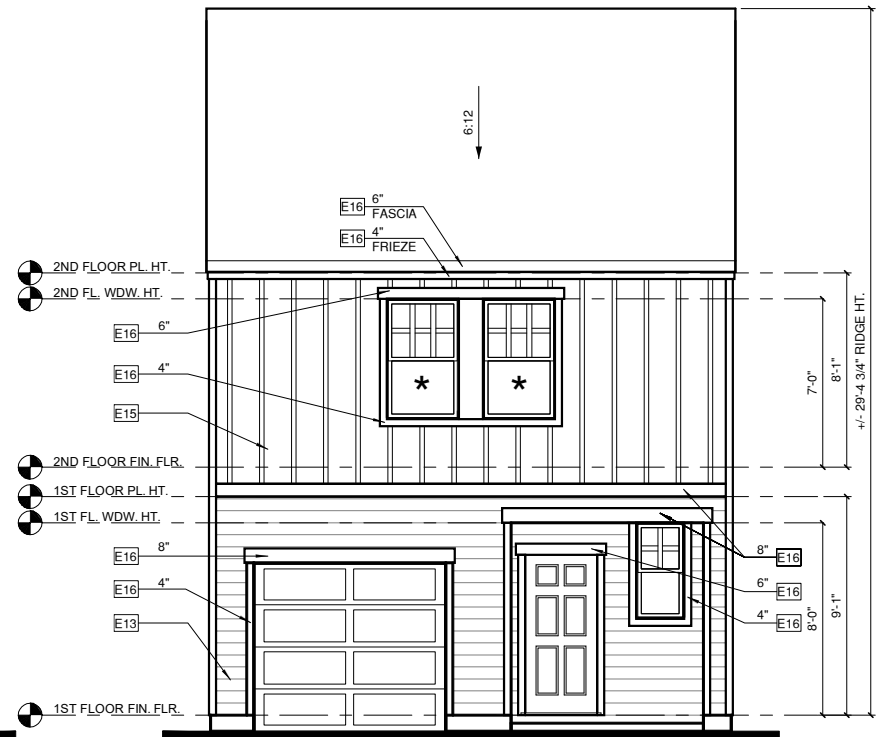
RIGHT ELEVATION 'N' AT END UNIT  
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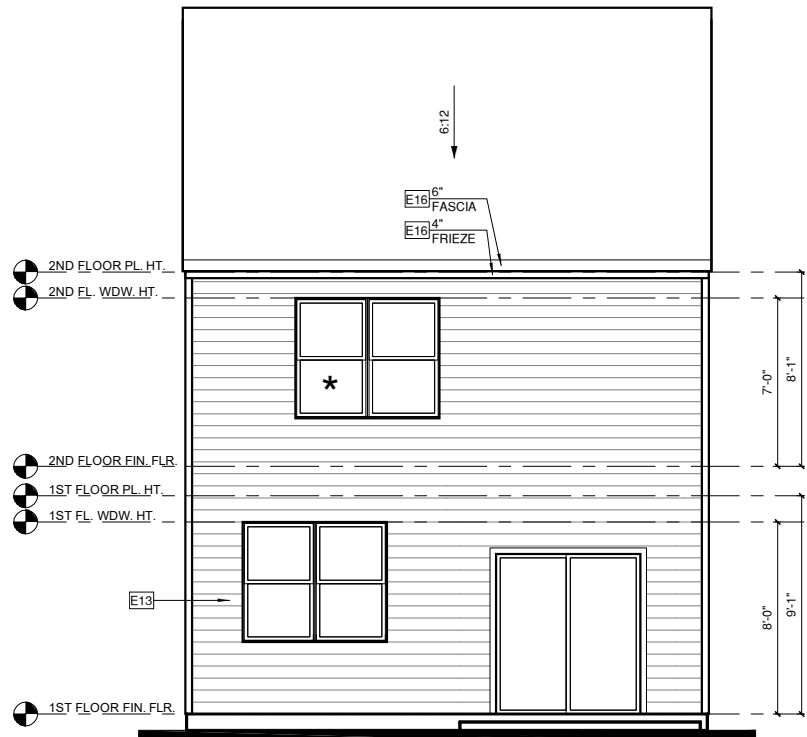
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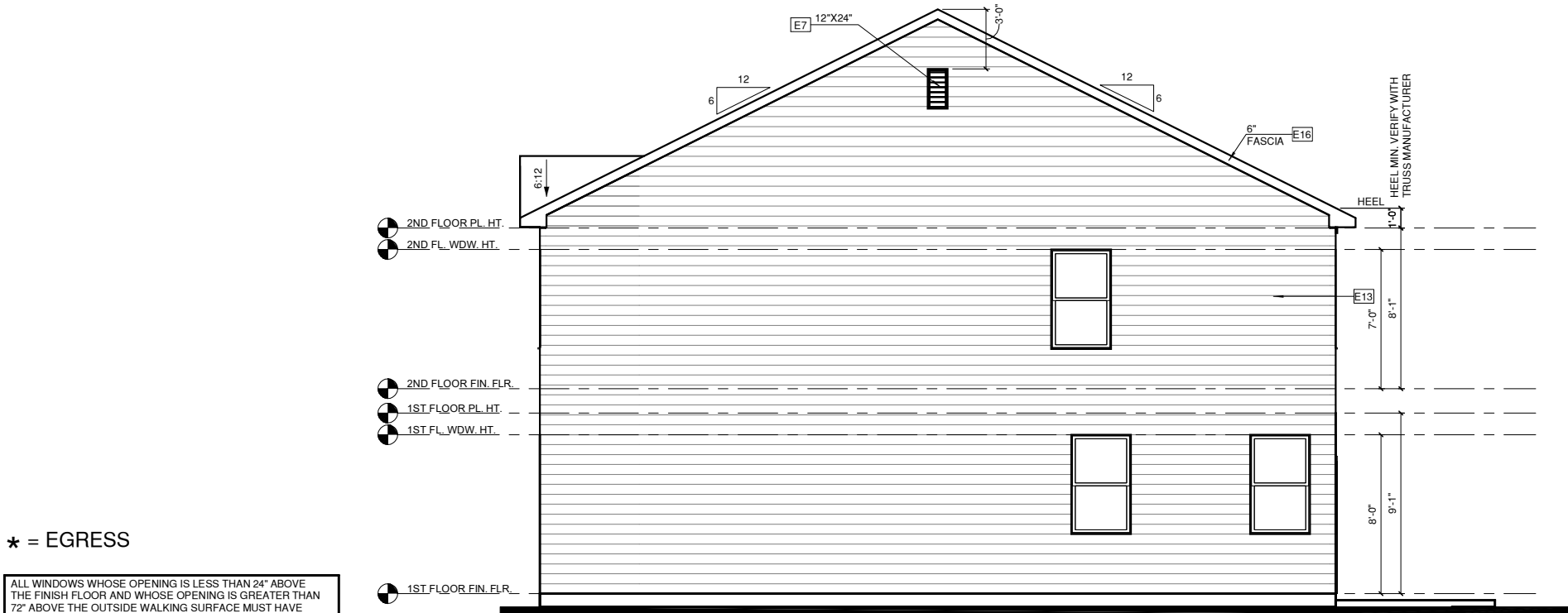
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PLAN 1421 COSMOS - LH

ELEVATIONS 'N'

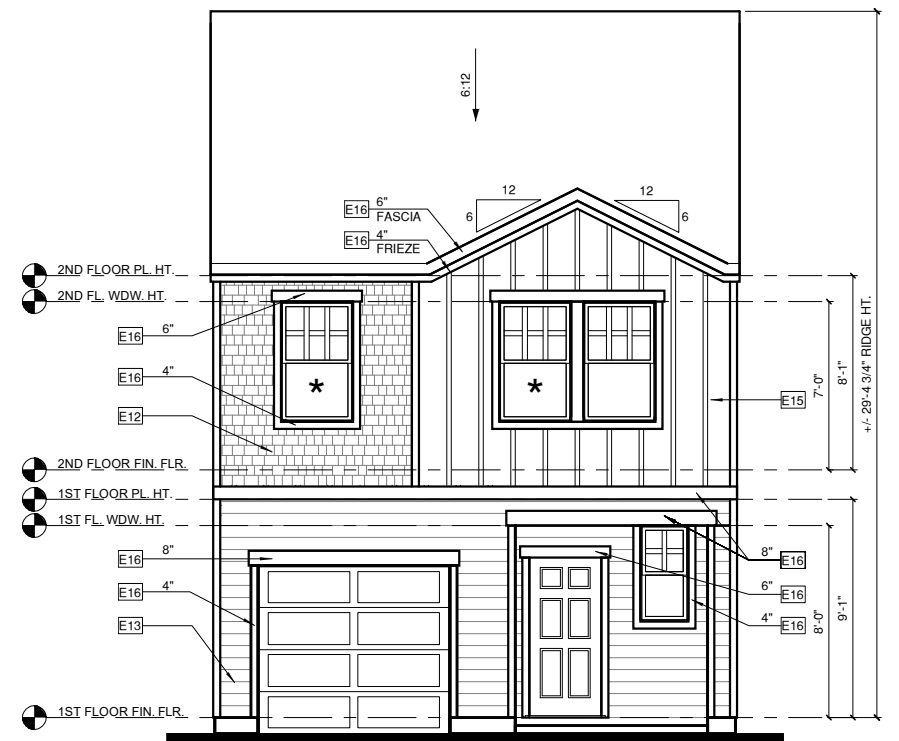
SHEET NO:

GA 5.14



RIGHT ELEVATION 'O' AT END UNIT CONDITION

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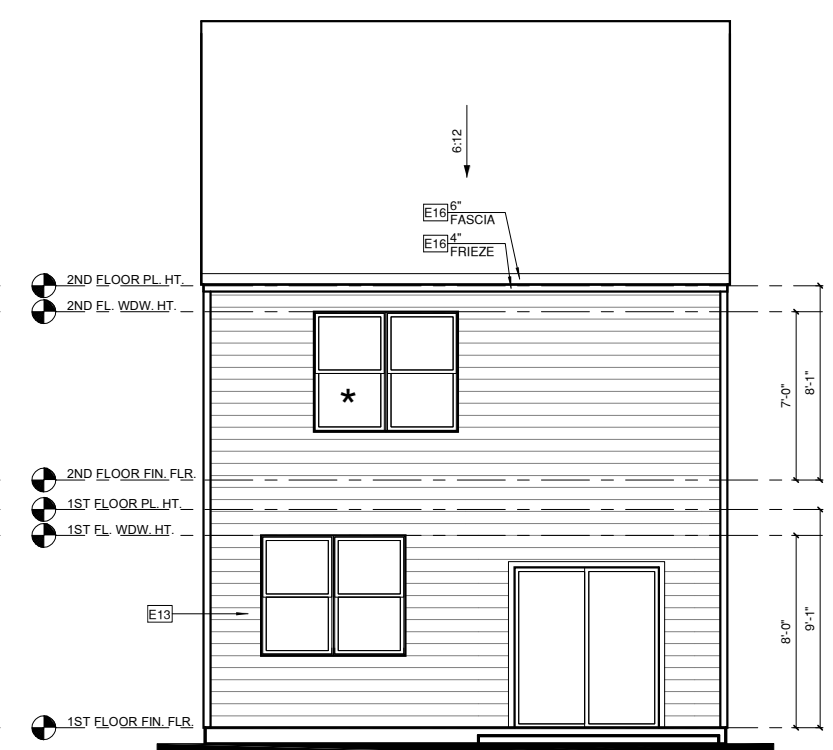
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ELEVATIONS 'O'

SHEET NO:

GA 5.15



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GA 0.5	SLAB PLAN 'E'
GA 0.6	SLAB PLAN 'F'
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GA 5.16.2	ROOF PLAN 'C'
GA 5.16.3	ROOF PLAN 'D'
GA 5.16.4	ROOF PLAN 'E'
GA 5.16.5	ROOF PLAN 'F'
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GA 5.16.7	ROOF PLAN 'H'
GA 5.16.8	ROOF PLAN 'I'
GA 5.16.9	ROOF PLAN 'J'
GA 5.16.10	ROOF PLAN 'K'
GA 5.16.11	ROOF PLAN 'L'
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GA 6.15	UTILITY PLANS 'O'
GA D-1	DETAILS
B-1	BROCHURE SHEET
B-2	BROCHURE SHEET
B-3	BROCHURE SHEET

GENERAL NOTES:

1. CONTRACTORS SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE BEFORE CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO TO THE BUILDER FOR JUSTIFICATION AND/OR CORRECTION BEFORE CONTINUING WITH WORK. CONTRACTORS SHALL ASSUME RESPONSIBILITY FOR ERRORS THAT ARE NOT REPORTED TO THE BUILDER.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, REGULATIONS, AND FHA/VA MPS.
3. ALL DIMENSIONS SHOULD BE READ OR CALCULATED AND NEVER SCALED.
4. ALL FOOTINGS TO BE BELOW FROST LINE (SEE LOCAL CODE) AND MUST REST ON UNDISTURBED SOIL CAPABLE OF HANDLING THE BUILDING LOAD. CONSULT LOCAL ENGINEER FOR PROPER FOOTING AND REINFORCING SIZES.
5. CONTRACTOR SHALL INSURE COMPATIBILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
6. IF BACKFILL EXCEEDS 4' AGAINST ANY FOUNDATION WALL, REINFORCE AS PER CODE.
7. ALL WOOD, CONCRETE, AND STEEL STRUCTURAL MEMBERS SHALL BE OF A GOOD GRADE AND QUALITY AND MEET ALL NATIONAL, STATE, AND LOCAL BUILDING CODES WHERE APPLICABLE.
8. ALL FOUNDATION AND STRUCTURAL MEMBERS SHOULD BE VERIFIED AND STAMPED BY AN ENGINEER IN THE STATE WHERE CONSTRUCTION IS OCCURRING DUE TO A WIDE VARIANCE IN LOCAL CODES, SOIL BEARING CONDITIONS, FROST LINE DEPTH, GEOLOGICAL AND WEATHER CONDITIONS, ETC.
9. THE CONTRACTOR IS RESPONSIBLE FOR ADJUSTING AND VERIFYING ALL STRUCTURAL DETAILS AND CONDITIONS TO MEET ALL LOCAL CODES TO INSURE A QUALITY AND SAFE STRUCTURE.

PLAN 1422  
GALAXY - LH

REVISION LOG						
REV.	DESCRIPTION	DRAWN BY	DATE	SHEETS AFFECTED	BROCHURE REQUIRED	ENGINEERING REQUIRED
1.	DIVISION REQUESTED REVISIONS		01-08-19		Y/N	Y/N
2.	DIVISION REQUESTED REVISIONS		05-16-19		Y/N	Y/N
3.	DIVISION REQUESTED REVISIONS		07-23-19		Y/N	Y/N
4.	DIVISION REQUESTED REVISIONS		08-26-19		Y/N	Y/N
5.	DIVISION REQUESTED REVISIONS		11-27-19		Y/N	Y/N
6.	DIVISION REQUESTED REVISIONS		12-02-19		Y/N	Y/N
7.	DIVISION REQUESTED REVISIONS		09-17-20		Y/N	Y/N
8.	DIVISION REQUESTED REVISIONS		02-23-21		Y/N	Y/N
9.	DIVISION REQUESTED REVISIONS		05-10-21		Y/N	Y/N
10.	DIVISION REQUESTED REVISIONS		06-24-22		Y/N	Y/N

SQUARE FOOTAGE TABULATIONS							
	HEATED S.F.			UNHEATED S.F.			
	FIRST FLOOR	SECOND FLOOR	TOTAL	GARAGE	PORCH	PATIO/ COV. PATIO	TOTAL
ELEVATION 'A'	603	819	1421	224	40	80	344
ELEVATION 'B'	603	819	1421	224	40	80	344
ELEVATION 'C'	603	819	1421	224	40	80	344
ELEVATION 'D'	603	819	1421	224	40	80	344
ELEVATION 'E'	603	819	1421	224	40	80	344
ELEVATION 'F'	603	819	1421	224	40	80	344
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ELEVATION 'L'	603	819	1421	224	40	80	344
ELEVATION 'M'	603	819	1421	224	40	80	344
ELEVATION 'N'	603	819	1421	224	40	80	344
ELEVATION 'O'	603	819	1421	224	40	80	344



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COVER SHEET

--

SHEET NO:  
T-1

★ = EGRESS

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2012 IRC SECTION R312.2. (REFER TO 2012 NCRC SECTION R612.2 FOR NC REQUIREMENTS).

**NOTES:**

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-ROOFING: PITCHED SHINGLES PER BUILDER.

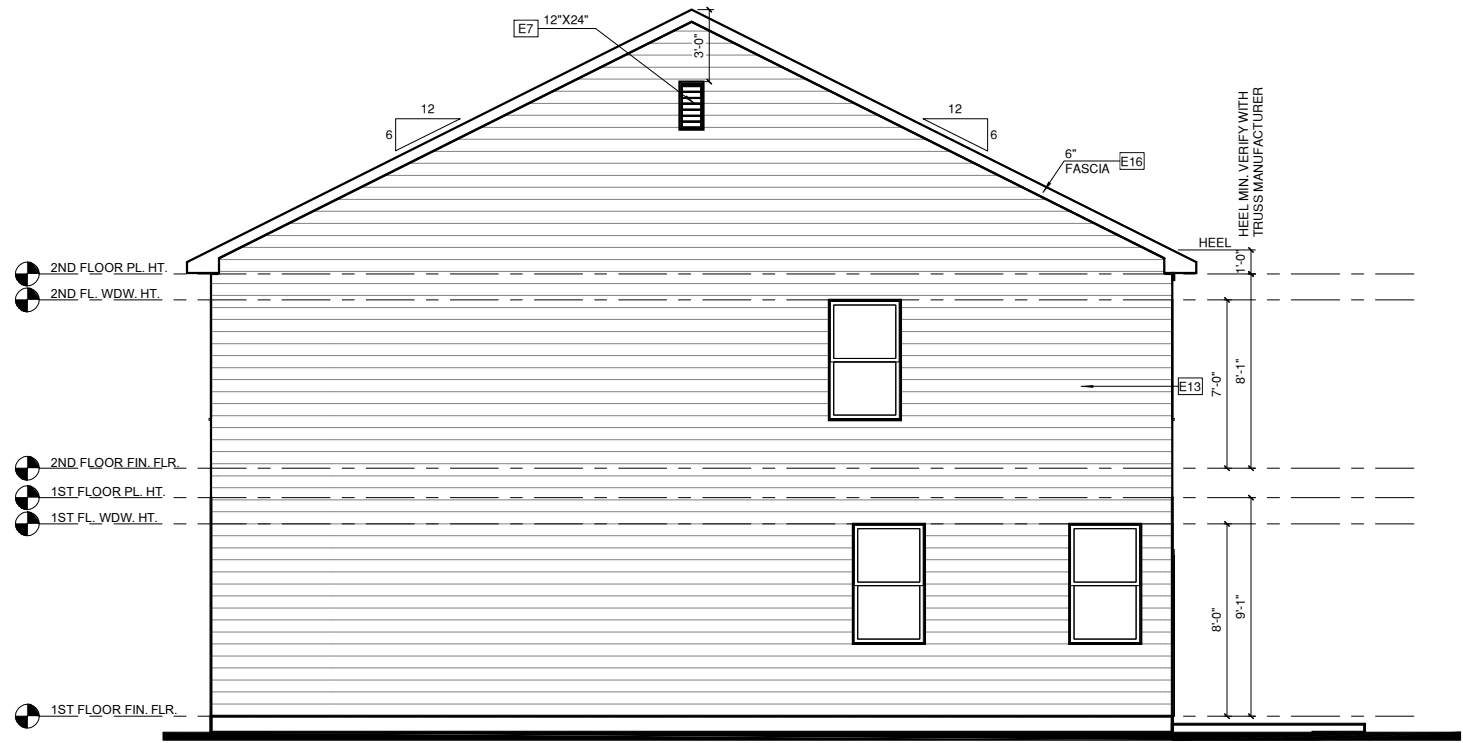
-WINDOWS: MANUFACTURER PER BUILDER. DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS

-ENTRY DOOR: AS SELECTED BY BUILDER

-CHIMNEY AS OCCURS: TOP OF CHIMNEYS TO BE A MINIMUM OF 24" ABOVE ANY ROOF WITHIN 10'-0" OF CHIMNEY.

-ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

ELEVATION KEYNOTE LEGEND	
E2	MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED
E4	8" SOLDIER COURSE
E5	ROWLOCK COURSE
E7	FYPON OR EQUIVALENT LOUVERED VENT, SIZE AS NOTED
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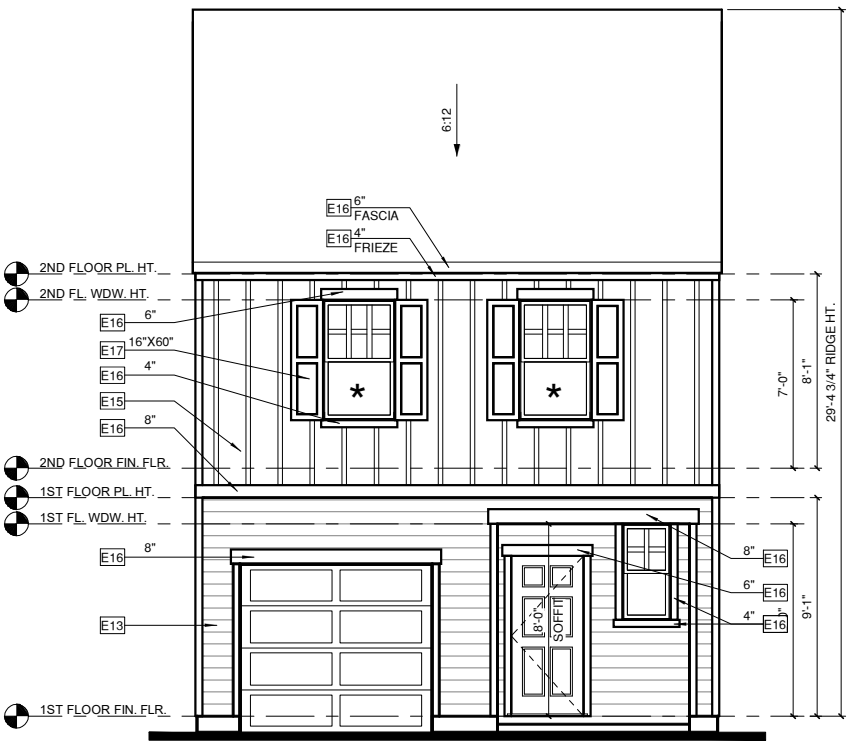
**RIGHT ELEVATION 'A' AT END UNIT CONDITION**

③ 1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



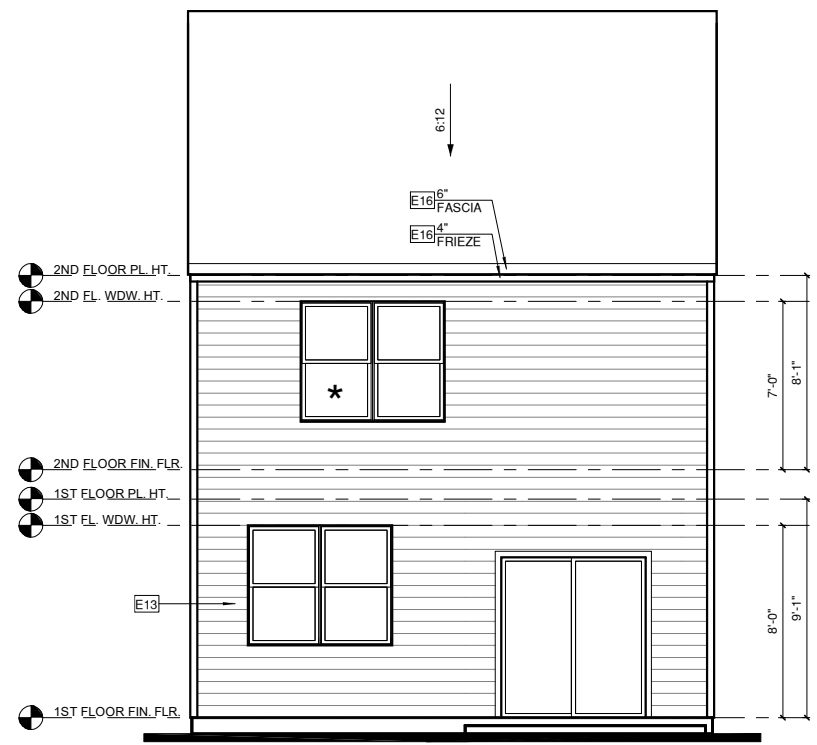
**LEFT ELEVATION 'A' AT END UNIT CONDITION**

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**FRONT ELEVATION 'A'**

① 1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



**REAR ELEVATION 'A'**

② 1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

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ELEVATIONS 'A'

SHEET NO:

GA 5.1

★ = EGRESS

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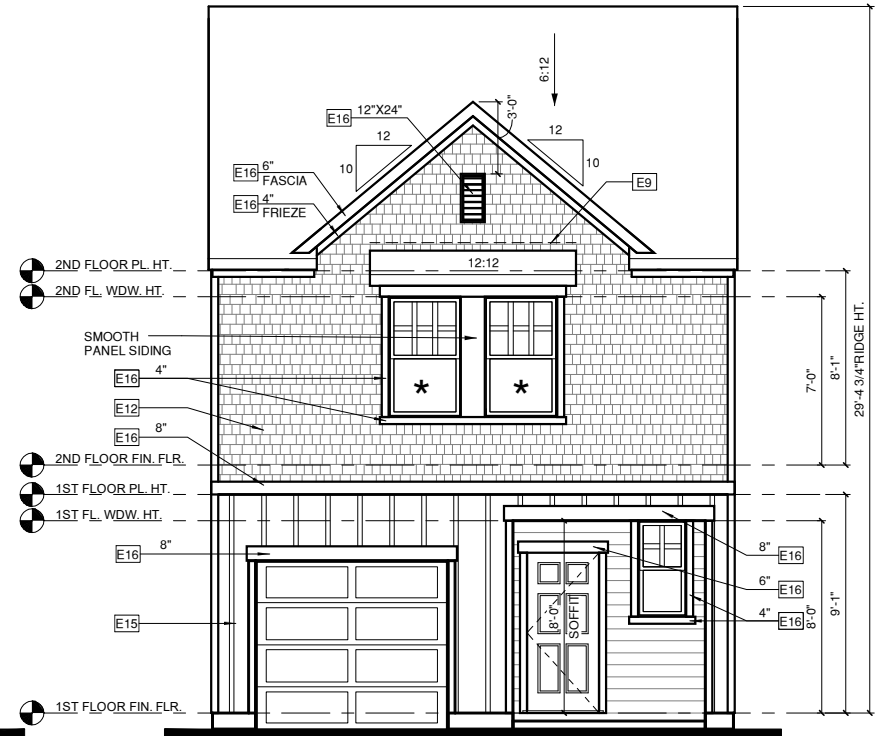
RIGHT ELEVATION 'B' AT END UNIT  
CONDITION

③ 1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



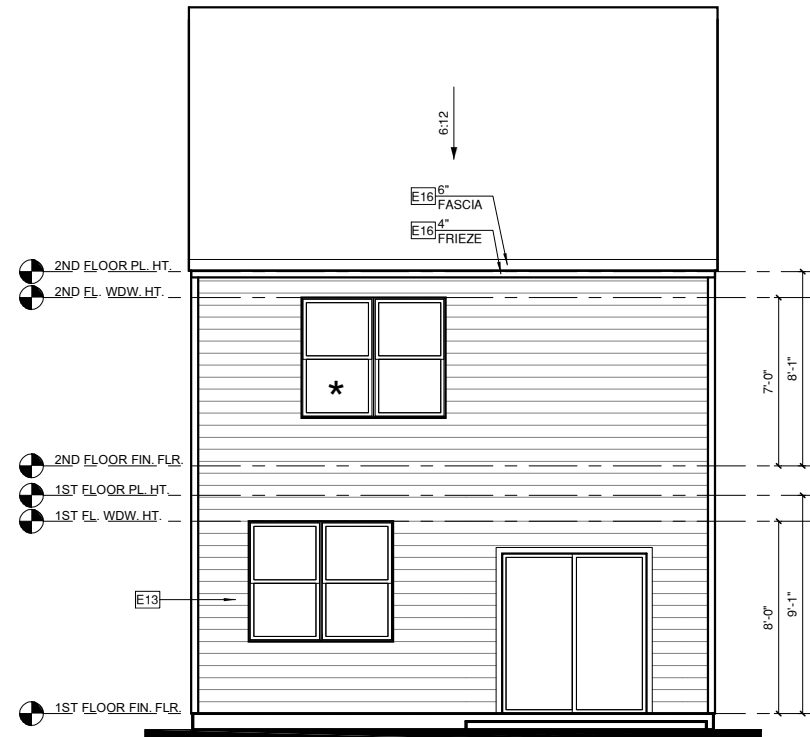
LEFT ELEVATION 'B' AT END UNIT  
CONDITION

④ 1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



FRONT ELEVATION 'B'

① 1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



REAR ELEVATION 'B'

② 1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

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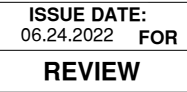
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ELEVATIONS 'B'

SHEET NO:

GA 5.2

[illegible]

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## ELEVATIONS 'C'

## GA 5.3

1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT



\* = EGRESS

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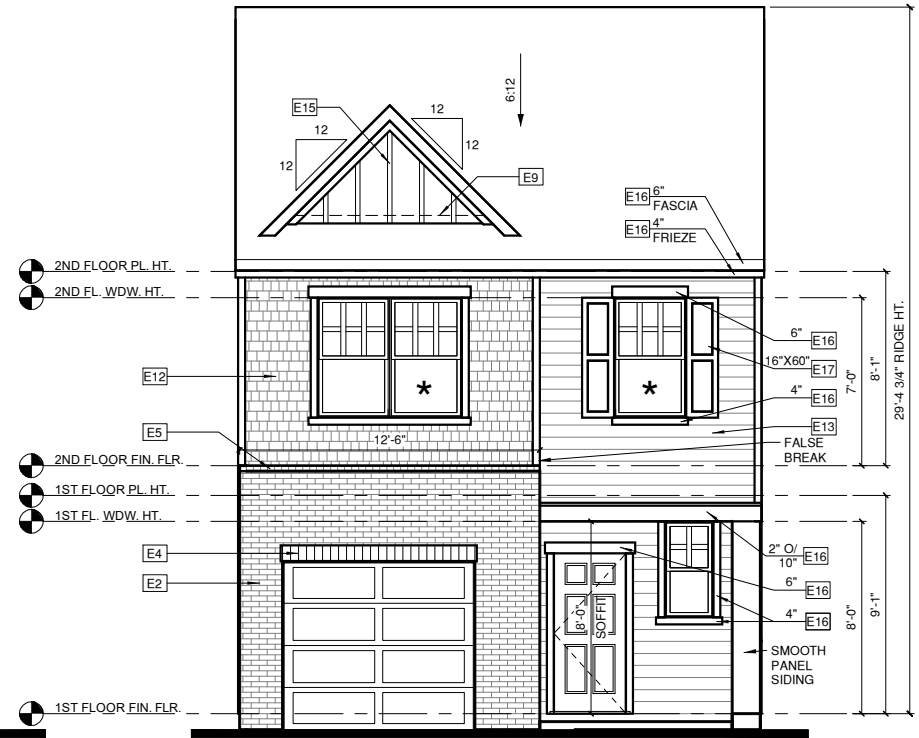
RIGHT ELEVATION 'D' AT END UNIT  
CONDITION

1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



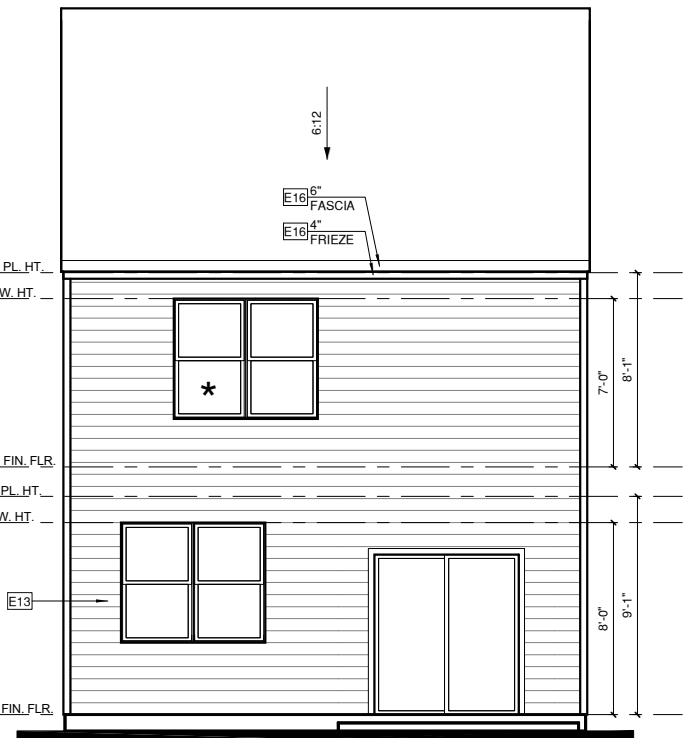
LEFT ELEVATION 'D' AT END UNIT  
CONDITION

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FRONT ELEVATION 'D'

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REAR ELEVATION 'D'

1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

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ELEVATIONS 'D'

SHEET NO:

GA 5.4

★ = EGRESS

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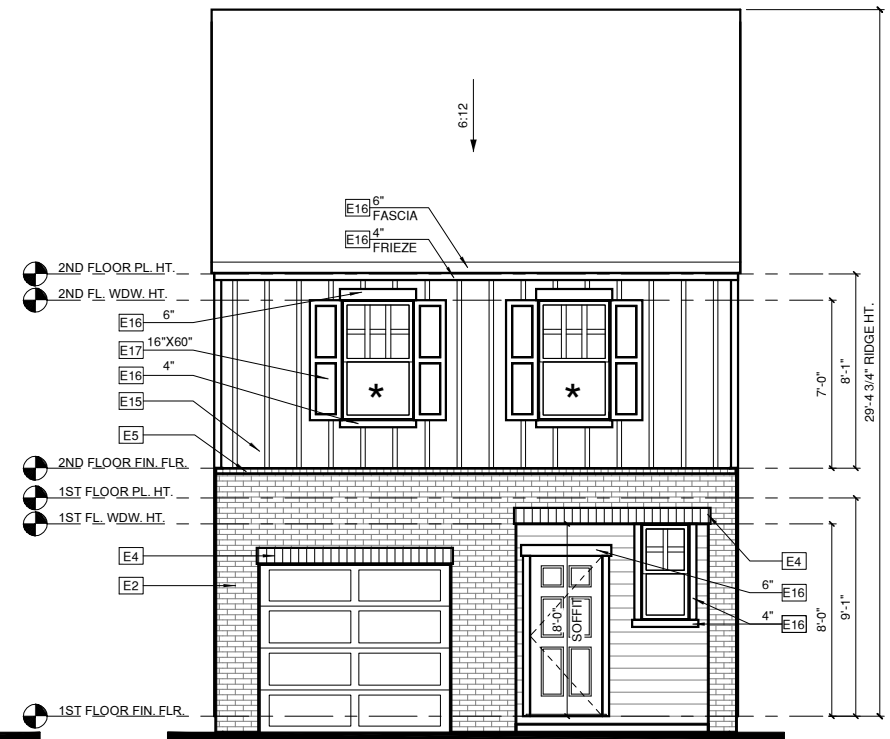
#### RIGHT ELEVATION 'E' AT END UNIT CONDITION

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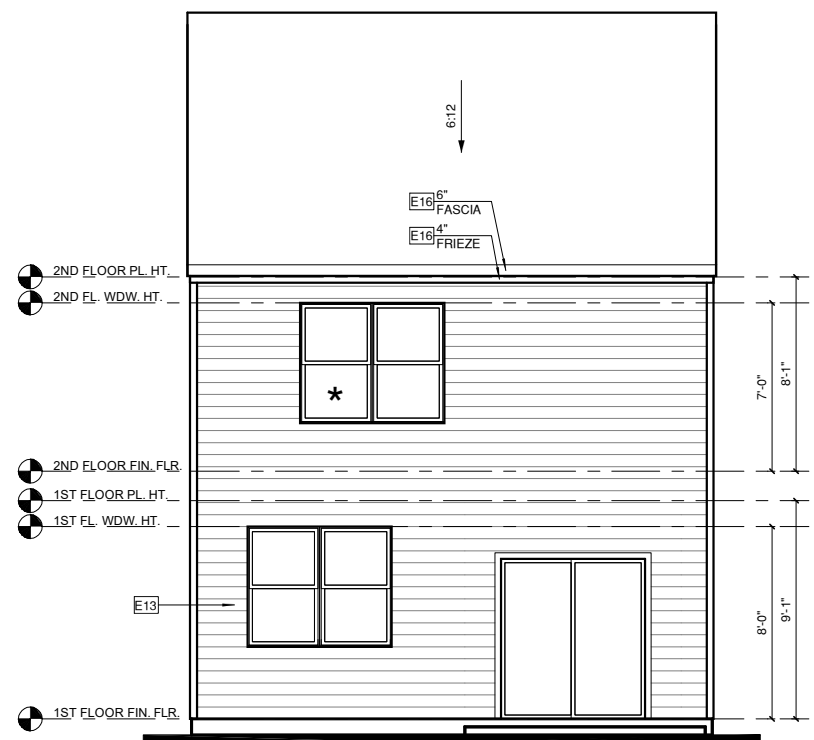
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#### REAR ELEVATION 'E'

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ELEVATIONS 'E'

SHEET NO:

GA 5.5

★ = EGRESS

ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2012 IRC SECTION R312.2. (REFER TO 2012 NCRS SECTION R612.2 FOR NC REQUIREMENTS).

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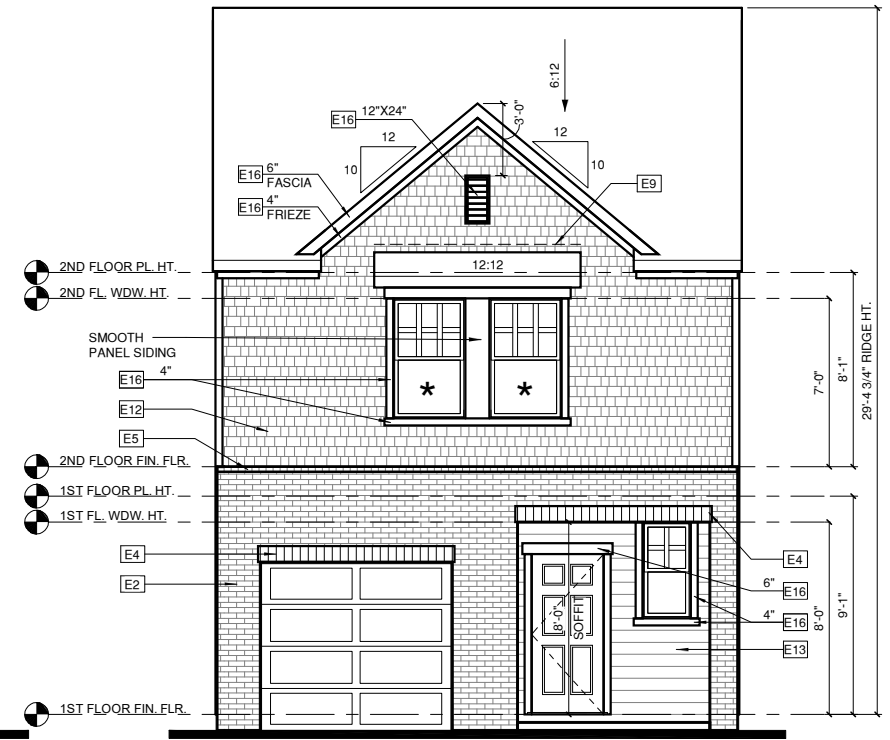
RIGHT ELEVATION 'F' AT END UNIT  
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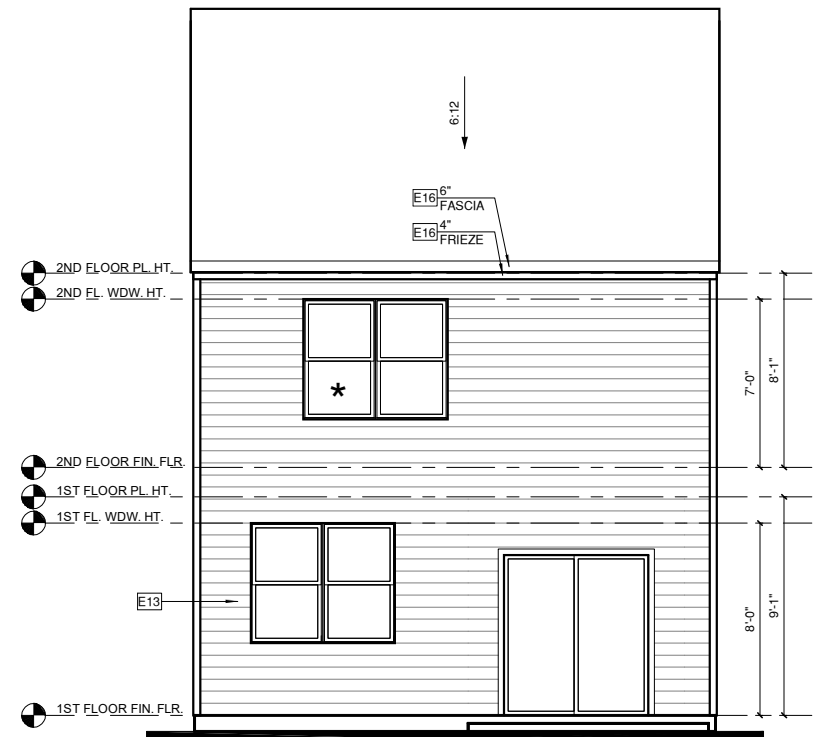
LEFT ELEVATION 'F' AT END UNIT  
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FRONT ELEVATION 'F'

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ELEVATIONS 'F'

SHEET NO:

GA 5.6

★ = EGRESS

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3RD FLOOR = 7'-0" U.N.O. ON ELEVATIONS.

-ROOFING: PITCHED SHINGLES PER BUILDER.

-WINDOWS: MANUFACTURER PER BUILDER. DIVIDED LITES AS SHOWN ON THE EXTERIOR ELEVATIONS

-ENTRY DOOR: AS SELECTED BY BUILDER

-CHIMNEY AS OCCURS: TOP OF CHIMNEYS TO BE A MINIMUM OF 24" ABOVE ANY ROOF WITHIN 10'-0" OF CHIMNEY.

-ALL EXTERIOR MATERIALS TO BE INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

ELEVATION KEYNOTE LEGEND

E2	MASONRY FULL BRICK AS SELECTED BY DEVELOPER, HEIGHT AS NOTED
E4	8" SOLDIER COURSE
E5	ROWLOCK COURSE
E7	FYPON OR EQUIVALENT LOUVERED VENT, SIZE AS NOTED
E9	CORROSION RESISTANT ROOF TO WALL FLASHING, CODE COMPLIANT FLASHING MUST BE INSTALLED AT ALL ROOF/WALL INTERSECTIONS
E12	FIBER CEMENT SHAKE SIDING PER DEVELOPER W/ 5/4x4 CORNER TRIM BOARDS
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E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



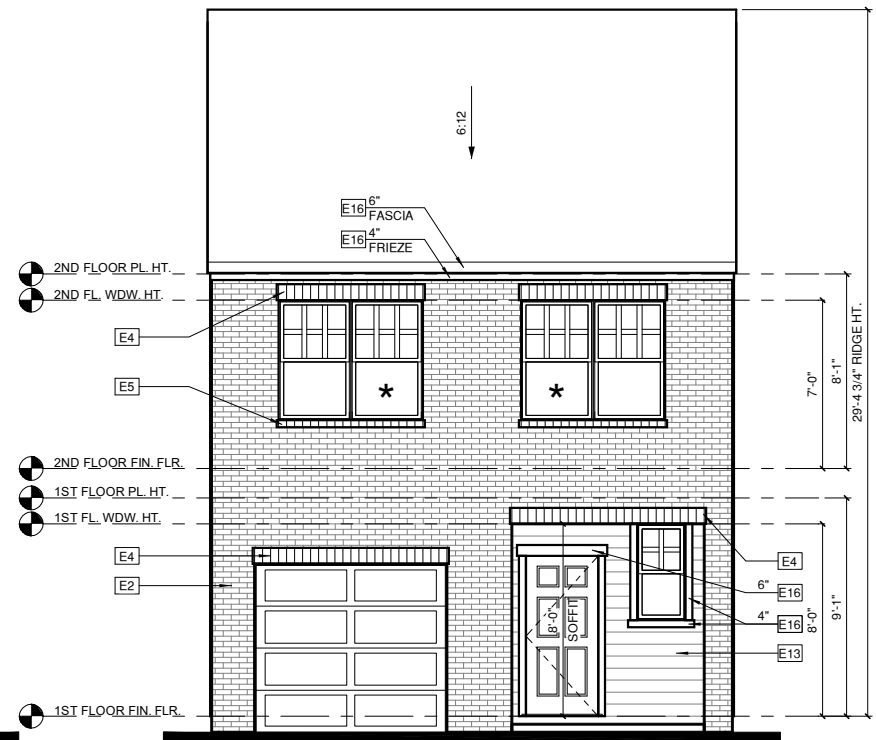
RIGHT ELEVATION 'G' AT END UNIT  
CONDITION

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



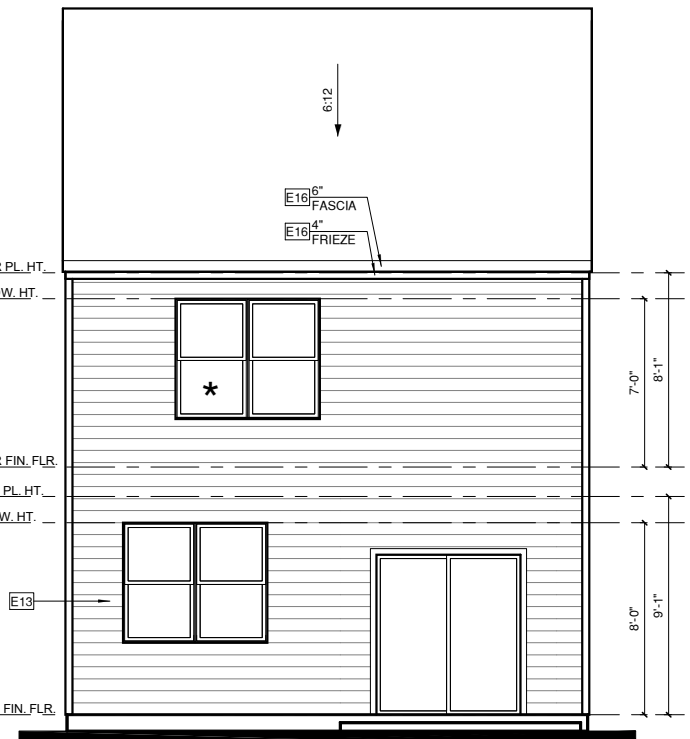
LEFT ELEVATION 'G' AT END UNIT  
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FRONT ELEVATION 'G'

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HOMES

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06.24.2022 FOR

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REVISIONS:

NO.	DESCRIPTION

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PLAN 1422 GALAXY - LH

ELEVATIONS 'G'

SHEET NO:

GA 5.7

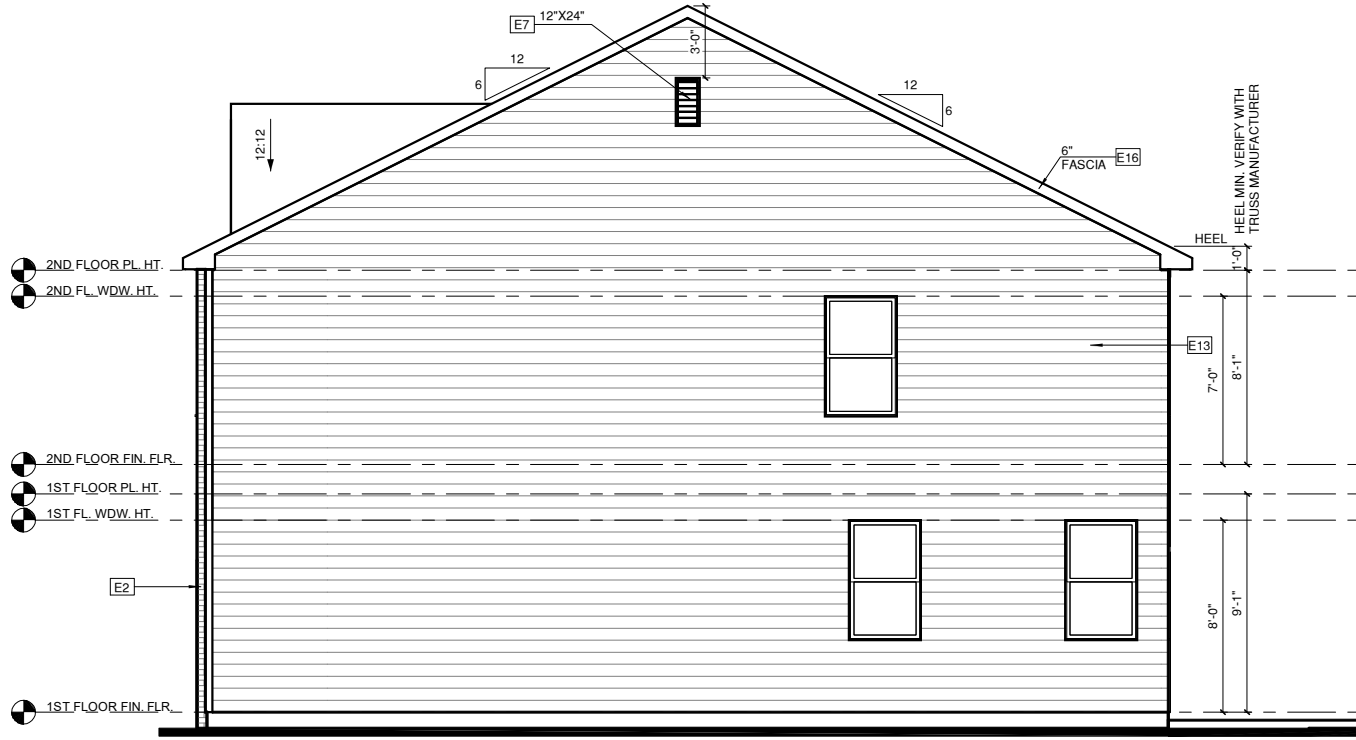


★ = EGRESS

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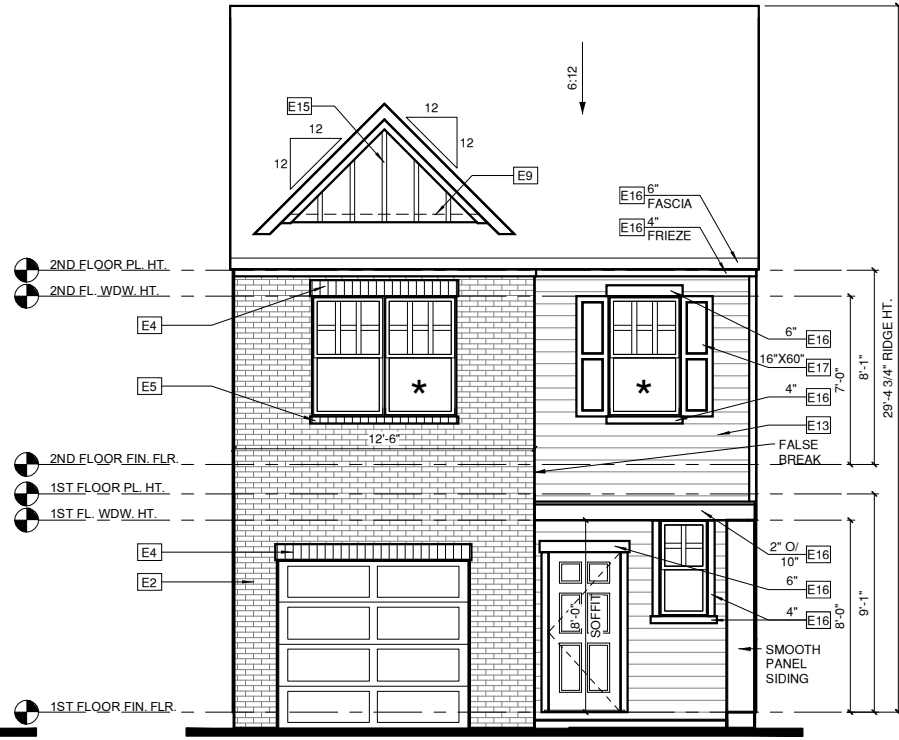
- NOTES:
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  - WINDOW HEAD HEIGHTS:  
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RIGHT ELEVATION 'H' AT END UNIT CONDITION

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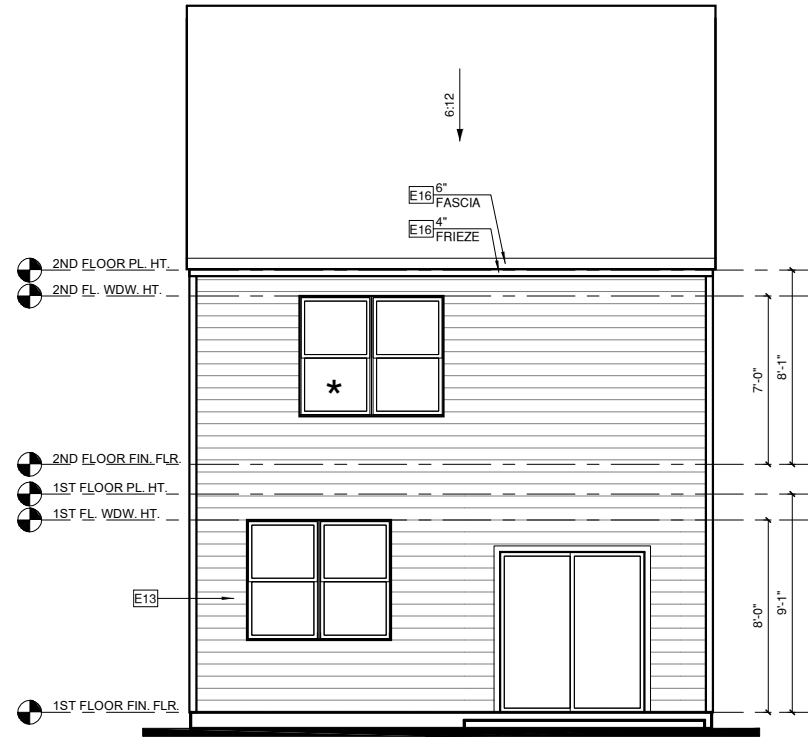
FRONT ELEVATION 'H'

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LEFT ELEVATION 'H' AT END UNIT CONDITION

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REAR ELEVATION 'H'

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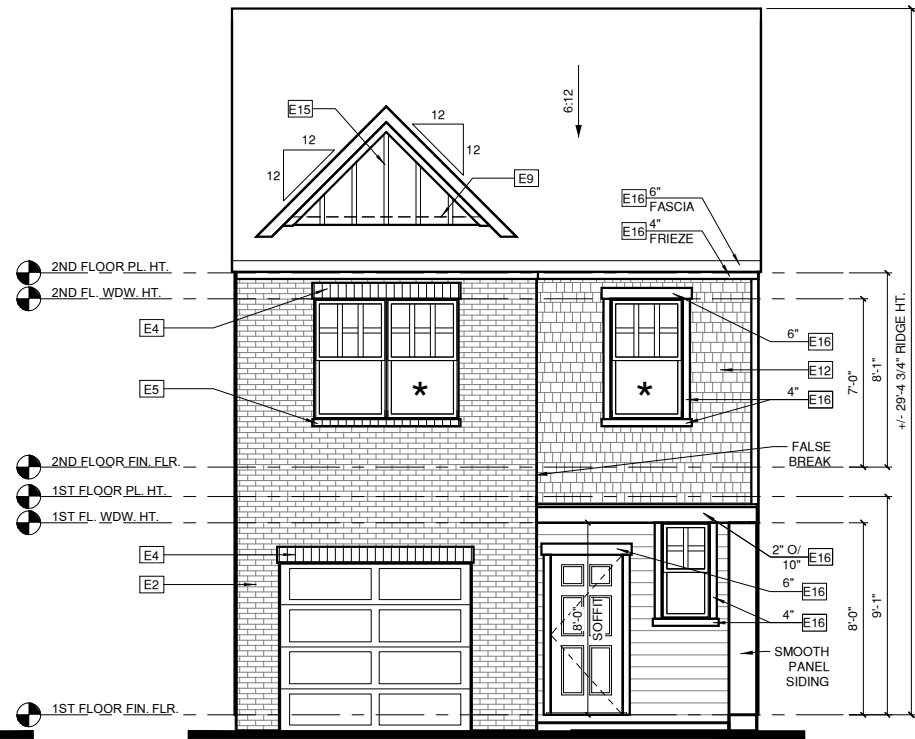
RIGHT ELEVATION 'I' AT END UNIT  
CONDITION

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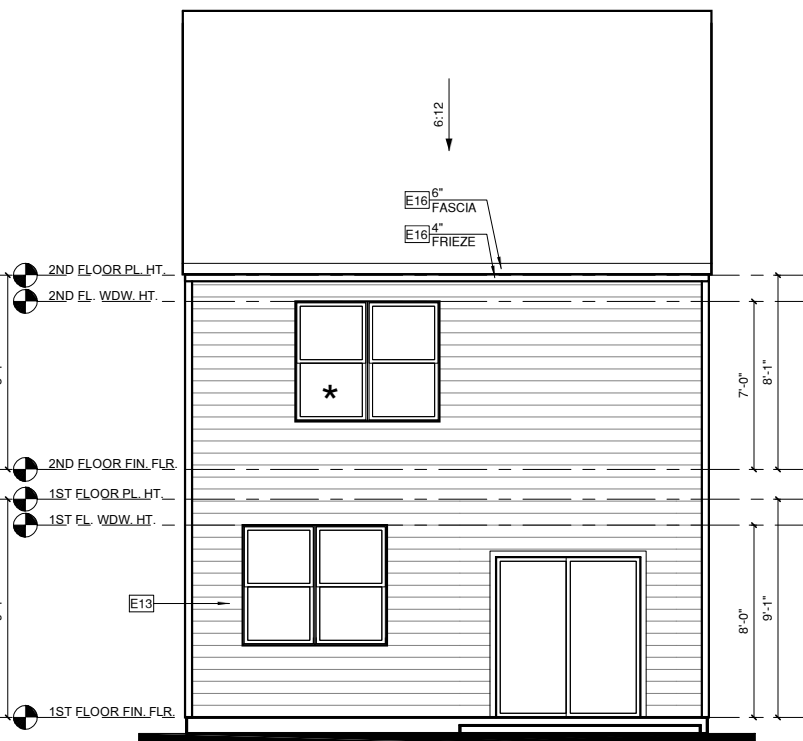
LEFT ELEVATION 'I' AT END UNIT  
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FRONT ELEVATION 'I'

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REAR ELEVATION 'I'

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PLAN 1422 GALAXY - LH

ELEVATIONS 'I'

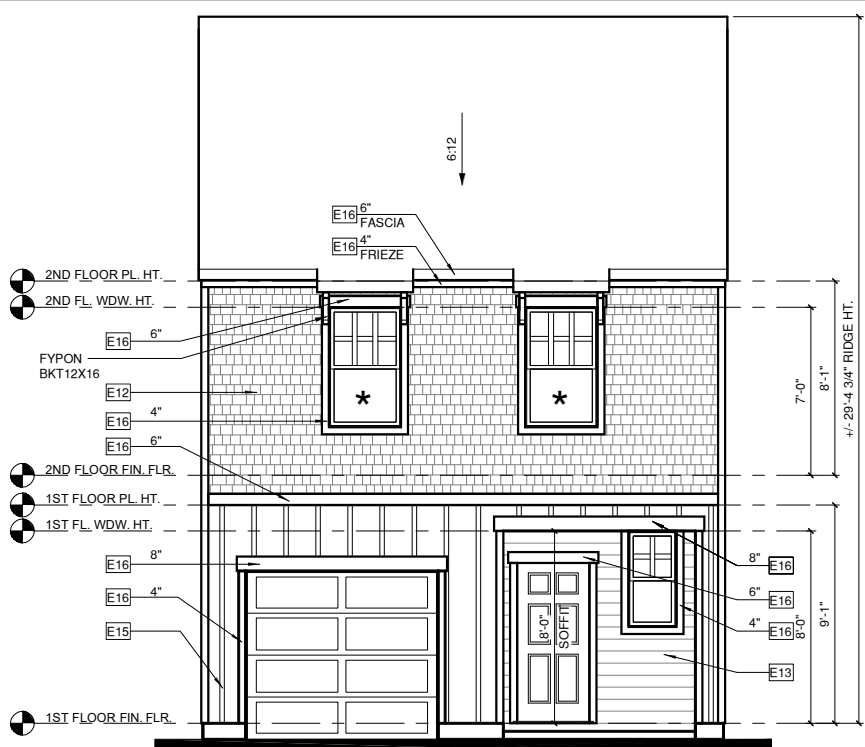
SHEET NO:

GA 5.9



RIGHT ELEVATION 'K' AT END UNIT  
CONDITION

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



FRONT ELEVATION 'K'

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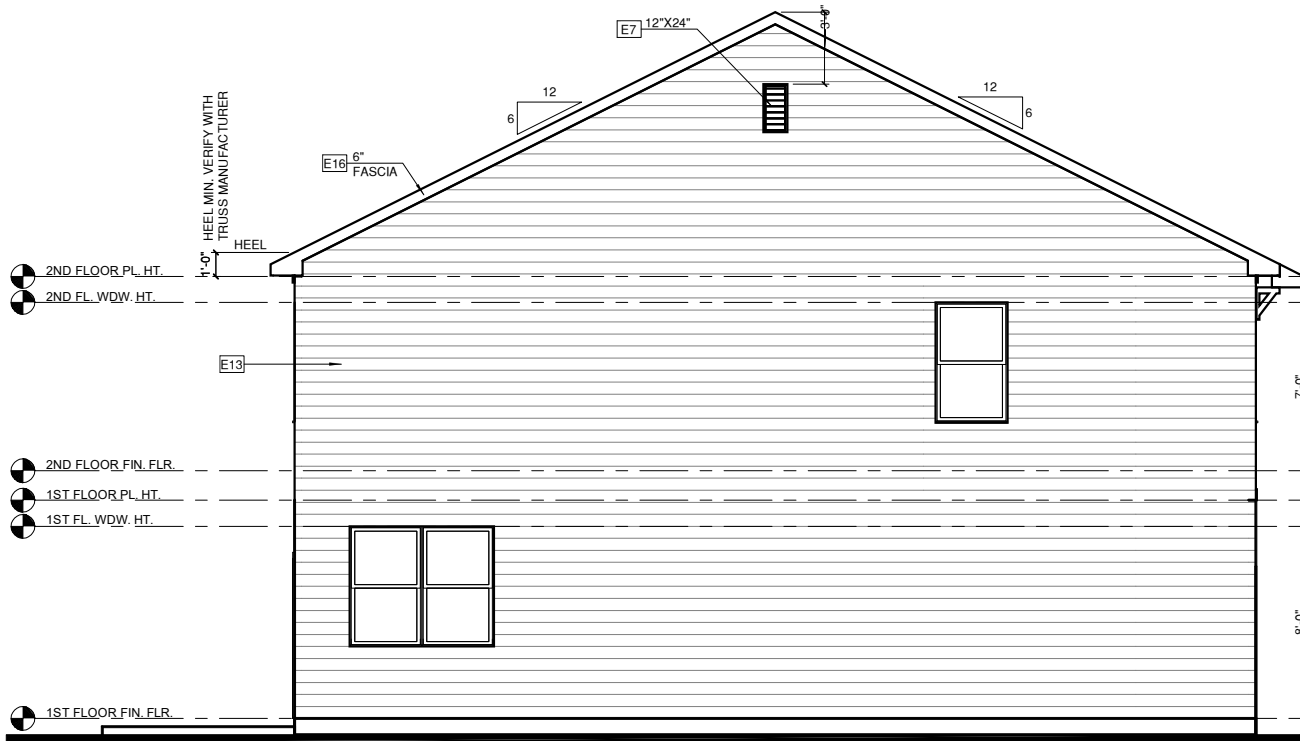
-ENTRY DOOR: AS SELECTED BY BUILDER

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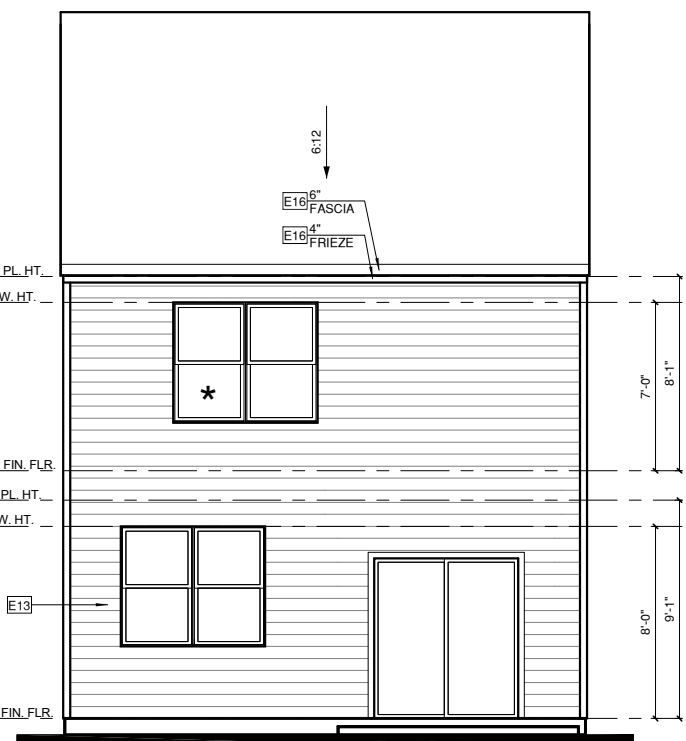
ELEVATION KEYNOTE LEGEND

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LEFT ELEVATION 'K' AT END UNIT  
CONDITION

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REAR ELEVATION 'K'

1/4" = 1'-0" AT 22"X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

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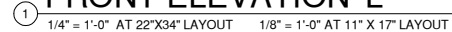
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PLAN 1422 GALAXY - LH

ELEVATIONS 'K'

SHEET NO:

GA 5.11



ALL WINDOWS WHOSE OPENING IS LESS THAN 24" ABOVE THE FINISH FLOOR AND WHOSE OPENING IS GREATER THAN 72" ABOVE THE OUTSIDE WALKING SURFACE MUST HAVE WINDOW OPENING CONTROL DEVICES COMPLYING WITH THE 2012 IRC SECTION R312.2. (REFER TO 2012 NCRS SECTION R612.2 FOR NC REQUIREMENTS).

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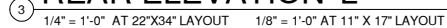
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E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



## GA 5.12



★ = EGRESS

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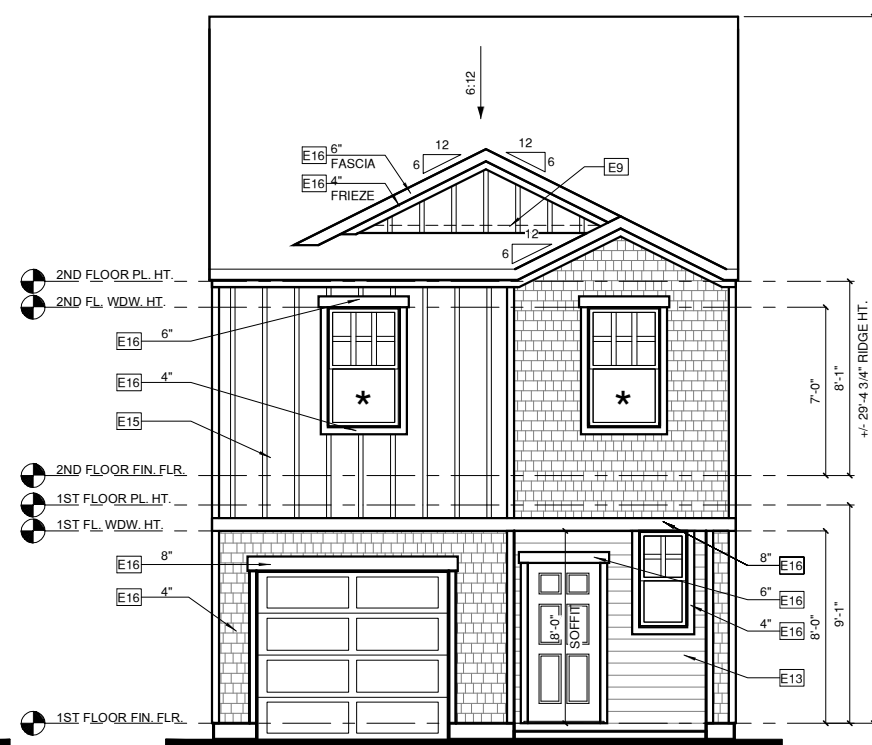
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RIGHT ELEVATION 'M' AT END UNIT  
CONDITION

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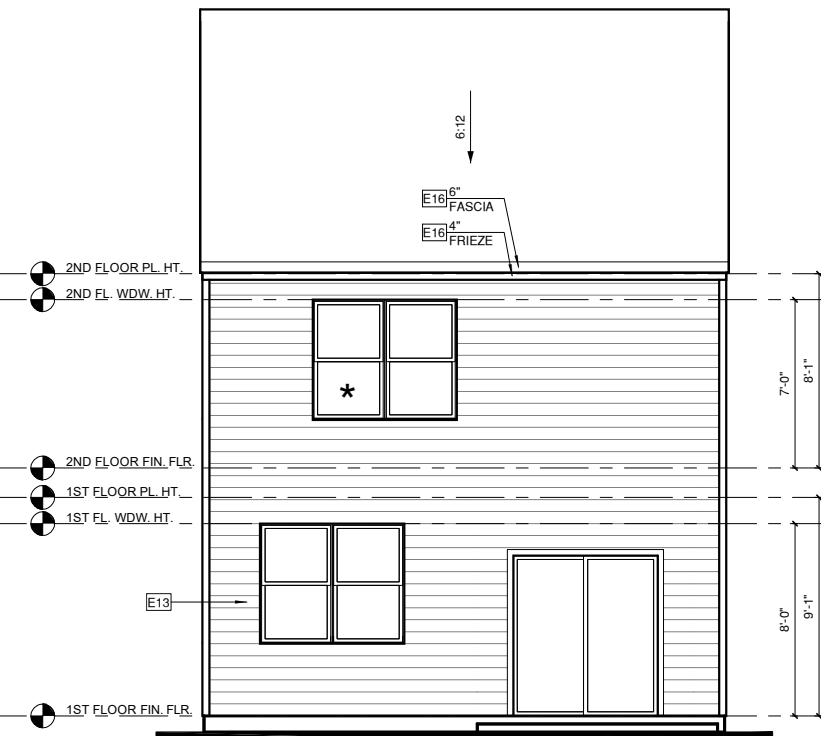
FRONT ELEVATION 'M'

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LEFT ELEVATION 'M' AT END UNIT  
CONDITION

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REAR ELEVATION 'M'

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PLAN 1422 GALAXY - LH

ELEVATIONS 'M'

SHEET NO:

GA 5.13

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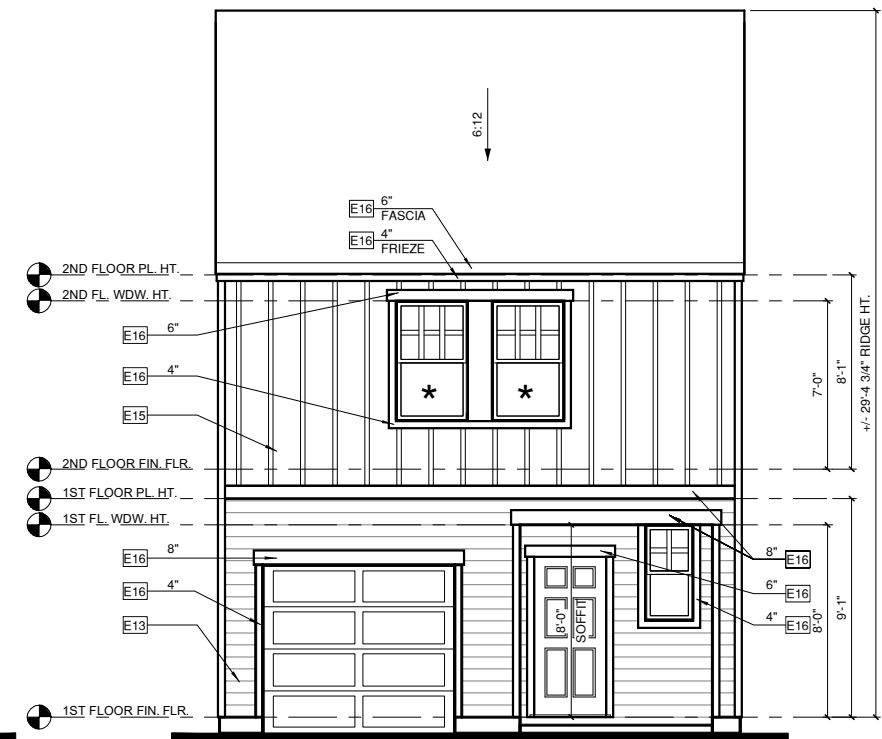
RIGHT ELEVATION 'N' AT END UNIT  
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PLAN 1422 GALAXY - LH

ELEVATIONS 'N'

SHEET NO:

GA 5.14

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E12	FIBER CEMENT SHAKE SIDING PER DEVELOPER W/ 5/4x4 CORNER TRIM BOARDS
E13	FIBER CEMENT LAP SIDING PER DEVELOPER W/ 5/4x4 CORNER TRIM BOARDS
E15	FIBER CEMENT PANEL SIDING W/ 1X3 BATTS AT 16" O.C. (VINYL BOARD AND BATTEN SIDING)
E16	1X FIBER CEMENT TRIM OR EQUAL, U.N.O. SIZE AS NOTED
E17	FALSE WOOD/VINYL SHUTTERS, TYPE AS SHOWN, SIZE AS NOTED



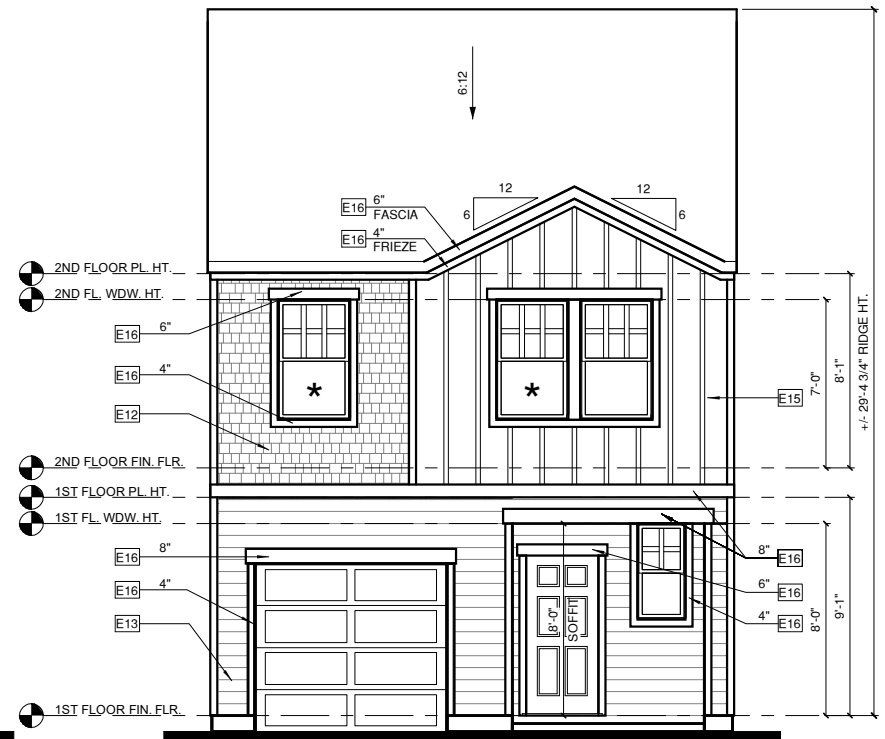
#### RIGHT ELEVATION 'O' AT END UNIT CONDITION

1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



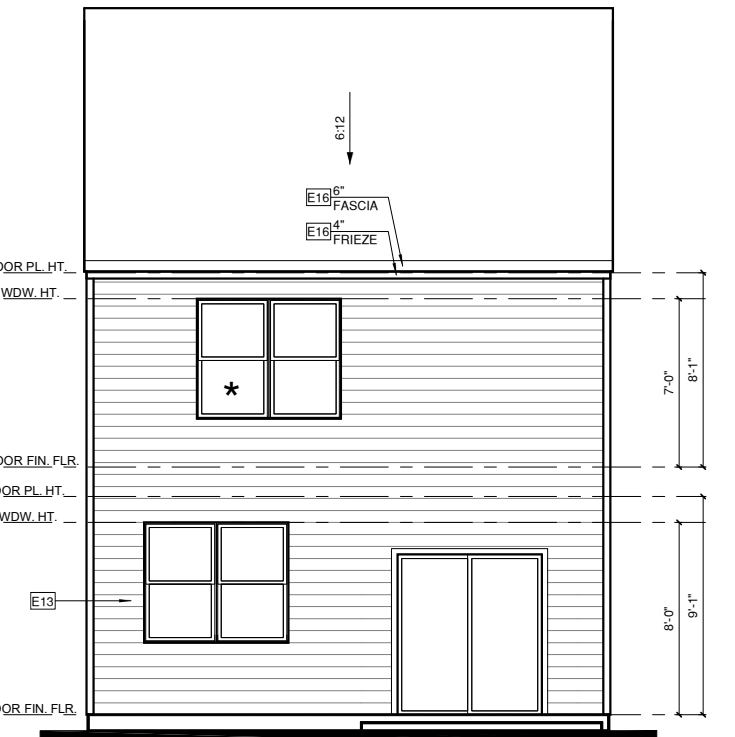
#### LEFT ELEVATION 'O' AT END UNIT CONDITION

1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



#### FRONT ELEVATION 'O'

1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT



#### REAR ELEVATION 'O'

1/4" = 1'-0" AT 22'X34" LAYOUT 1/8" = 1'-0" AT 11" X 17" LAYOUT

STARLIGHT  
HOMES

ISSUE DATE:  
06.24.2022 FOR

REVIEW

REVISIONS:


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LAST REVISION

LAST SAVED BY:

PLAN 1422 GALAXY - LH

ELEVATIONS 'O'

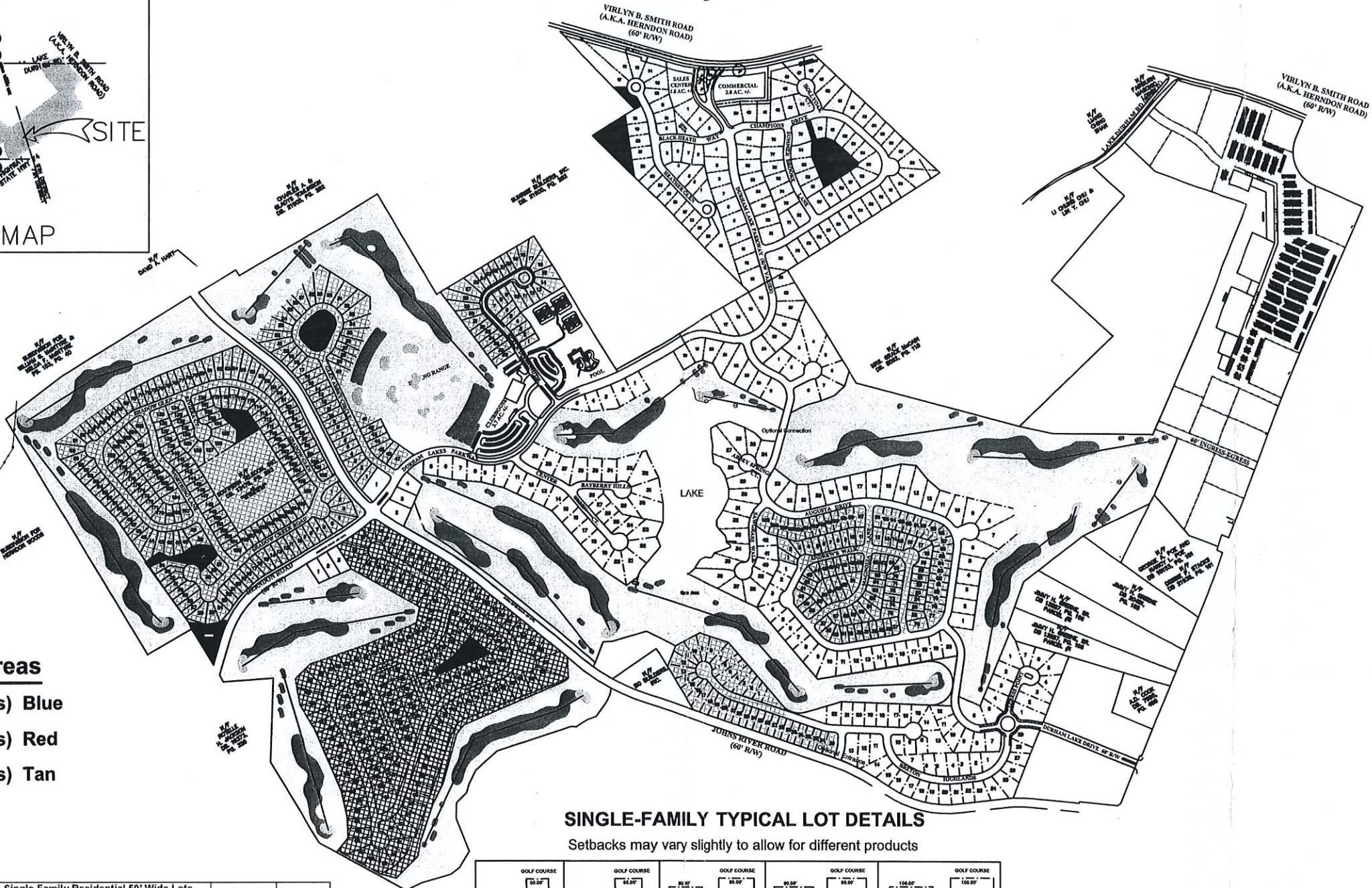
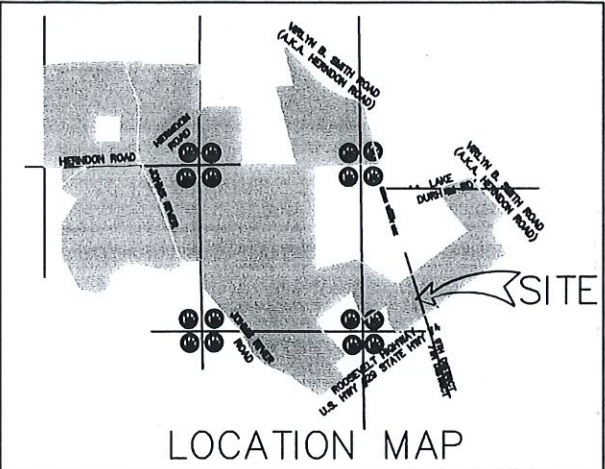
SHEET NO:

GA 5.15



# DURHAM LAKES

## Golf and Country Club

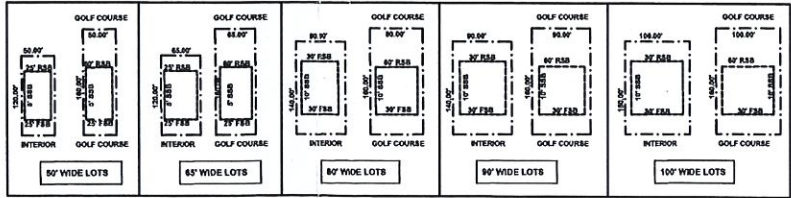


### Residential Areas

- Area 1 (50' wide lots) Blue
- Area 2 (65' wide lots) Red
- Area 3 (80' wide lots) Tan

### SINGLE-FAMILY TYPICAL LOT DETAILS

Setbacks may vary slightly to allow for different products



### SINGLE-FAMILY LOT SUMMARY

50' WIDE LOTS	423 TOTAL
65' WIDE LOTS	157 TOTAL
80'-100' WIDE LOTS	292 TOTAL
GRAND TOTAL	872 TOTAL LOTS



This master plan is subject to change and does not constitute an actual development

The phasing of the development as shown on this master plan is preliminary and may be adjusted.

The total lot numbers are estimated and will be finalized during construction plan preparation for each phase. The development will not exceed the maximum number of lots allowed during the zoning process. (872 total lots)

Development Area 1 Begin construction in 2002 Estimate Additional Phase Every One to Two Years	Single-Family Residential 50' Wide Lots	
Development Area 2 Estimate Begin construction in 2003 Estimate Additional Phase Every One to Two Years	Single-Family Residential 65' Wide Lots	
Development Area 3 Begin construction in 2002 Estimate Additional Phase Every One to Two Years	Single-Family Residential 80'-100' Wide Lots	
Development Area 4 Activity Design and Environmental Permitting Begin Construction Complete Construction Open Golf Course	Golf Course	Schedule 2001-03 2004 2006 2006
Development Area 5 Phase	Commercial	Schedule 2004

**Killeam Properties**  
135 North Park Place Suite 100  
Stockbridge, Georgia 30281

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address  
**Durham Lakes Development**

Project	Sheet
Date	
Scale	



Re: REZONING ORDINANCE 2003 - 192  
Property of Durham Lakes Golf and Country Club  
Community; 570.45 acres; Land Lots 49 and 50,  
9F District; Land Lots 152, 153, 167, 168, 169, 174  
and 175, 7<sup>th</sup> District; Fairburn,  
Fulton County, Georgia

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY  
OF FAIRBURN, GEORGIA, TO REZONE CERTAIN REAL PROPERTY  
WITHIN THE CITY LIMITS OF THE CITY OF FAIRBURN; TO PROVIDE  
FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL  
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
FAIRBURN, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY OF  
THE SAME THAT:

Section 1. The area of the City of Fairburn, known as the *Durham Lakes Golf and Country Club Tract*, as described in Exhibit A and Exhibit B, which are attached to and incorporated as part of this Ordinance, is hereby zoned **PD-02 Planned Development** unless and until changed, revised or amended.

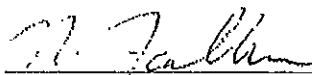
Section 2. In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this Ordinance or retained the previously existing Ordinance if it had known that such part of parts hereof would be declared or adjudicated invalid or unconstitutional.

Section 3. This Ordinance shall become effective on the 12<sup>th</sup> day of August 2003.

Section 4. All Ordinances and parts of Ordinances in conflict with this Ordinance are repealed.

APPROVED this 11th day of August, 2003 by the Mayor and Council of the City of Fairburn, Georgia.

ATTEST:

  
\_\_\_\_\_  
City Clerk  
[SEAL]

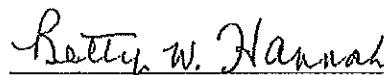
  
\_\_\_\_\_  
Mayor

EXHIBIT B  
THE DURHAM LAKES GOLF AND COUNTRY CLUB COMMUNITY  
PD-02 Planned Development  
Approved August 11, 2003

I. Purpose

This is a planned, mixed-use development consisting of 570.45 acres located on the northwest side of the City, north of US Highway 29 and southwest of Virlyn B. Smith Road. It is more particularly described in Exhibit A. The planned uses are single-family detached residential, retail and office commercial, and an 18-hole golf course.

II. Permitted Uses

- A. Single-Family Detached Residential Dwellings (872)
- B. Retail and Office Commercial (714,000 square feet)
- C. 18-hole Golf Course
- D. Accessory Buildings and Uses Incidental to the Above Use
- E. Home Occupations
- F. Amenity Buildings, Facilities and Lands
- G. Publicly Owned Buildings, Facilities and Lands

III. Development Standards

AREA 1:

- 1-A. Development Area 1 is a residential component of this mixed-use development project. It is comprised of 117.6 acres.
- 1-B. Maximum Number of Residential Lots = 423.
- 1-C. Minimum Lot Area = 6000 square feet.
- 1-D. Minimum Lot Width = 50 feet, at front building setback line.
- 1-E. Minimum Heated Floor Area = 1400 square feet.
- 1-F. Minimum Front Yard = 25 feet.
- 1-G. Minimum Side Yard = 5 feet.
- 1-H. Minimum Rear Yard = 25 feet, 60 feet adjacent to golf course.
- 1-I. Maximum Building Height = 35 feet.

AREA 2:

- 2-A. Development Area 2 is a residential component of this mixed-use development project. It is comprised of 46 acres.
- 2-B. Maximum Number of Residential Lots = 157.
- 2-C. Minimum Lot Area = 6000 square feet.
- 2-D. Minimum Lot Width = 65 feet, at front building setback line.
- 2-E. Minimum Heated Floor Area = 1500 square feet.
- 2-F. Minimum Front Yard = 25 feet.
- 2-G. Minimum Side Yard = 5 feet.
- 2-H. Minimum Rear Yard = 25 feet, 60 feet adjacent to golf course.
- 2-I. Maximum Building Height = 35 feet.

AREA 3:

- 3-A. Development Area 3 is a residential component of this mixed-use development project. It is comprised of 160.45 acres.
- 3-B. Maximum Number of Residential Lots = 292.
- 3-C. Minimum Lot Area = 11,250 square feet.
- 3-D. Minimum Lot Width = 80 feet.
- 3-E. Minimum Heated Floor Area = 1600 square feet.
- 3-F. Minimum Front Yard = 30 feet.
- 3-G. Minimum Side Yard = 10 feet.
- 3-H. Minimum Rear Yard = 30 feet, 60 feet adjacent to golf course.
- 3-I. Maximum Building Height = 35 feet.

AREA 4:

- 4-A. Development Area 4 is the 18-hole golf course component of this mixed-use development project. It is comprised of 175 acres.
- 4-B. No building shall exceed 35 feet in height or be located within 40 feet of an adjacent property line.

AREA 5:

- 5-A. Development Area 5 is the retail/office commercial component of this mixed-use development project. It is comprised of 71.4 acres.
- 5-B. The total floor area of commercial space shall not exceed 714,000 square feet.
- 5-C. All development within this commercial area shall be in accordance with the requirements of Section 4.16 C-2 Highway Commercial District.

IV. Design Standards

- A. Off-street parking shall be provided as specified in Article 13 of the Zoning Ordinance.
- B. Buffers shall be provided as specified in Article 14 of the Zoning Ordinance.
- C. All Utilities shall be installed underground throughout this project area.
- D. Sidewalks shall be provided throughout this project area and shall be designed to interconnect the various mixed-use areas.

The planned development could be more fully described as follows:

***PD Planned Development District, PD-08 (Durham Lakes Commercial)***

This planned development district is located in Land Lots 167 & 175 of the 7<sup>th</sup> Land District and Land Lots 49 & 50 of the 9<sup>th</sup> Land District of Fulton County, Georgia in the City of Fairburn, further described as located northeast of Johns River Road, northwest of Roosevelt Highway (GA Hwy 29), and southwest of Virlyn B. Smith Road. Access to the commercial sites is through Johns River Road, Roosevelt Highway and Virlyn B. Smith Road.

It is comprised of 71.4 acres. Its land use will be highway service business commercial with a minimum lot size of ½ acre.

**Commercial Development – C-2 Highway Service Business:**

1. Permitted Uses:
  - a. Those uses as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.2.
2. Conditional Uses:
  - a. Those uses as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.3.
3. Development Standards:
  - a. Those uses as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.4;
  - b. The total floor area of commercial space shall not exceed 714,000 square feet.
4. Design Standards:
  - a. Those design standards as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.5.



## EXHIBIT "B"

All that tract or parcel of land lying and being in Land Lots 152, 153, 167, 168, 169, 174, 175 and 176 of the Seventh Land District of Fulton County, Georgia and in Land Lots 49 and 50 of the 9F Land District of Fulton County, Georgia as described in that certain plat of survey prepared by McFarland, Dyer & Associates, Inc. dated January 19, 2000. Said property being more particularly described according to said plat as follows:

To find the True Point of Beginning, begin at the point of intersection of the Easterly right of way of Herndon Road (40' R/W) and the Southerly right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence run along the Southerly right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W) S 65°00'03" E a distance of 46.30 feet to a point; thence continue to run along said right of way along the arc of a curve an arc distance of 532.97 feet, said arc being subtended by a chord S 53°22'09" E with a chord distance of 530.03 feet to a point, said point being the True Point of Beginning. From said True Point of Beginning, leaving said right of way thence run S 14°18'00" E a distance of 735.90 feet to a point; thence run S 87°51'00" W a distance of 336.80 feet to a point; thence run S 15°07'30" E a distance of 1512.80 feet to a point; thence run S 88°00'10" E a distance of 1057.10 feet to a point; thence run N 01°34'29" W a distance of 1073.00 feet to a point; thence run S 87°18'10" W a distance of 772.00 feet to a point; thence run N 00°10'29" E a distance of 795.60 feet to a point; thence run S 88°41'10" W a distance of 339.50 feet to a point; thence run N 89°45'05" W a distance of 762.54 feet to a point; thence run N 01°33'36" W a distance of 45.75 feet to a point; thence run S 89°13'40" W a distance of 300.18 feet to a point; thence run N 84°07'47" W a distance of 61.43 feet to a point; thence run S 88°25'43" W a distance 1026.28 feet to a point; thence run S 83°13'09" W a distance of 478.73 feet to a point; thence run S 00°18'14" E a distance of 1,883.11 feet to a point; thence run S 89°50'59" E a distance of 349.84 feet to a point; thence run S 00°17'56" W a distance of 286.67 feet to a point on the Northerly right of way of Herndon Road (60' R/W); thence crossing said right of way run S 03°25'15" E a distance of 76.57 feet to a point along the southerly right of way of Herndon Road (60' R/W); leaving said right of way thence run S 01°57'16" W a distance of 50.86 feet to a point; thence run S 62°28'16" a distance of 348.39 feet to a point; thence run S 35°39'37" W a distance of 343.42 feet to a point; thence run S 27°16'44" W a distance of 229.47 feet to a point; thence run S 00°20'28" E a distance of 638.19 feet to a point; thence run S 31°22'22" E a distance of 676.05 feet to a point; thence run S 84°35'20" E a distance of 10.77 feet to a point; thence run S 84°35'20" E a distance of 113.57 feet to a point; thence run S 75°31'12" E a distance of 204.89 feet to a point; thence run N 81°59'54" E a distance of 72.56 feet to a point, thence run N 62°09'27" E a distance of 130.40 feet to a point, thence run N 08°17'20" E a distance of 240.01 feet to a point thence run N 31°37'53" W a distance of 106.27 feet to a point, thence run N 76°02'54" E a distance of 98.36 feet to a point; thence run N 45°27'02" E a distance of 59.12 feet to a point; thence run N 56°38'22" E a distance of 106.98 feet to a point; thence run N 78°03'01" E a distance of 81.76 feet to a point; thence run N 78°23'43" E a distance of 115.19 feet to a point; thence run S 78°02'15" E a distance of 532.38 feet to a

**Written Report for  
Durham Lakes Golf and Country Club  
PD Zoning Request  
Prepared July 29, 2003**

**1. General Description of Development:**

Durham Lake Development, LLC proposes the rezoning of a tract of land containing 570.45 acres, located on the northwest side of Interstate 85 and on the south side of Virlyn B. Smith Road. The property is located in Land Lots 152, 153, 167, 168, 174, 175, and 176 of the 7<sup>th</sup> District and Land Lots 49 and 50 of the 9<sup>th</sup> District. The zoning request is for PD, Planned Development. The development is proposed as a mixed-use development containing several different single-family residential types, commercial uses and an 18-hole golf course.

**Development Area 1**

Development Area 1 consists of approximately 423 single-family residential lots on 117.6 acres, containing a minimum of 6,000 square feet of area and a minimum lot width of 50 feet. The development proposes curb and gutter streets, underground utilities and central potable water and sanitary sewer service. Houses will contain a minimum of 1,400 square feet of heated space for all lots. House plans will comply with the Durham Lake Development Standards and will be reviewed and approved by the developer prior to construction commencement to ensure quality controls are maintained. Sidewalks will interconnect through the majority of the development areas providing continuous pedestrian access throughout the project.

Setbacks:      Front - 25'   Side - 5'   Rear - 25'

**Development Area 2**

Development Area 2 consists of approximately 157 single-family residential lots on 46 acres, containing a minimum of 6,000 square feet of area and a minimum lot width of 65 feet. The development proposes curb and gutter streets, underground utilities and central potable water and sanitary sewer service. Houses will contain a minimum of 1,500 square feet of heated space for all lots. House plans will comply with the Durham Lake Development Standards and will be reviewed and approved by the developer prior to construction commencement to ensure quality controls are maintained. Sidewalks will interconnect through the majority of the development areas providing continuous pedestrian access throughout the project.

Setbacks:      Front - 25'   Side - 5'   Rear - 25'

**Development Area 3**

Development Area 3 contains approximately 292 single-family residential lots on 160.45 acres, containing a minimum of 11,250 square feet of area and a minimum lot width of 80 feet. The development proposes curb and gutter streets, underground utilities and central potable water and sanitary sewer service. Houses will contain a minimum of 1,600 square feet of heated space for all lots. Architectural plans will be reviewed and approved by the developer prior to construction commencement to ensure quality controls are maintained as outlined in the Durham Lake Development Standards. Sidewalks will interconnect through the majority of the development areas providing continuous pedestrian access throughout the project.

Setbacks:      Front - 30'   Side - 10'   Rear - 30'

#### **Development Area 4**

Development Area 4 consists of the construction of an 18-hole, daily fee golf course, designed by golf course architect Scott Pool. The current golf routing winds golf holes through the development site, working around and with wetlands and other environmental features and contains approximately 175 acres of land. An onsite wetland delineation has been performed over the subject tract to aid in effective master planning and permitting. The developer has also employed Moore Bass Consulting Inc. Environmental Scientists to permit any wetland impacts necessary for the construction of the golf course or any other component of the development with the U.S. Army Corps of Engineers jurisdiction.

#### **Development Area 5**

Development Area 5 is the commercial / retail component of the development and contains approximately 71.4 acres of land located within the subject tract. It is estimated that the proposed commercial density will be approximately 10,000 SF per acre, totaling 714,000 SF of commercial / retail space. A majority of the commercial property within the development is located along U.S. Highway 29 (Roosevelt Highway) providing convenient access to all residents of Durham Lake and the surrounding community. Architectural plans will be reviewed and approved prior to construction commencement to ensure quality controls are maintained as outlined in the Durham Lake Development Guidelines. Setbacks are as required in the zoning ordinance.

#### **2. Water supply and sewage disposal:**

<u>Utility</u>	<u>Utility Provider</u>
Water:	City of Fairburn and/or The City of Atlanta
Sanitary Sewer:	City of Fairburn and/or Fulton County
Electric:	Greystone E.M.C.
CATV:	City of Fairburn

#### Projected Demand

See Attachment "A"

#### **3. Proposed storm water drainage system:**

The development proposes curb and gutter streets with an internal piping system. It is the intent of the development to utilize the existing lakes as detention facilities. Final hydrological calculations will be provided as needed to verify that capacity is available in these areas. If adequate detention capacity is not available in the existing lakes, then additional on-site detention facilities will be constructed as necessary to meet the current City of Fairburn ordinance as of the date of this application. It is anticipated that all proposed detention facilities will be owned and maintained by the Durham Lake Homeowner's Association.

#### **4. Average Daily Traffic and Peak Hour(s) Vehicle Trips Estimates:**

See Attachment "B".

**5. Proposed Development Standards:**

- a. Development use: Single-family Residential, Commercial and Golf Course
- b. Density restrictions: 2.0 Units/ Acre (Gross) (Density is calculated by dividing total number of single-family units by the total site area , less all commercial and multi-family areas)
- c. Yard requirements: See typical lot details on attached site plan.
- d. Parking requirements: The development proposes to provide parking for the commercial areas as required by the current City of Fairburn Zoning Ordinance as of the date of this application for commercial/retail uses. In addition, each single-family residential lot will provide a minimum of two vehicular parking areas.

**6. Plans for the Protection of Adjacent Properties:**

Buffers, setbacks, landscaping and screening requirements will be designed and permitted in accordance with the current City of Fairburn Zoning Ordinance as of the date of this application. Twenty-Foot Buffers have been provided between all commercial properties and single-family residential properties and are shown on the attached master plan.

**7. Land or Infrastructure Proposed for Dedication to the City of Fairburn**

The rights of way of the proposed roads will be dedicated to the City of Fairburn. The proposed roads total approximately 7.5 miles in length and approximately 47 acres in right-of-way dedicated area. In addition, all sanitary sewer and water mains will be dedicated to the City of Fairburn once constructed. Permanent easements will be granted over all utility mains as required by the City of Fairburn.

**8. Architectural Plans:**

Architectural Plans will be submitted to the City of Fairburn as required during the building permit process.

**9. Open Space Uses and Areas:**

The current Fairburn PD Ordinance requires the developer to set aside 25% of the total site area as open space. With the total site area being approximately 570.45 acres, 25% of the site area is approximately 142.5 acres. The development proposes the following mixture of open space areas to fulfill this requirement.

Golf Course (1/2 of total):	87.5 acres
Other Recreational/ Open Space Areas:	<u>55.5 acres</u>
Total	143 acres

These other recreational open space areas will be used for parks, lakes, walking trails, nature sites, picnic areas, ect. to be maintained by the future Homeowners Association.

**10. Outdoor Lighting Plan:**

Outdoor Lighting Plans showing location, height, fixture type and wattage will be provided during the final permitting stage of each phase of the development. Typical lighting standards are anticipated to be as follows:

Light Pole Height: 16-25 feet



Light Pole Spacing: 200-400 feet  
Street Light Wattage: 150-165 watts

**11. Project Completion Schedule:**

The overall development is intended to be completed by the year 2021. For detailed scheduling, refer to the attached "Phasing Plan".

**12. Proposed variations from Fairburn Zoning Ordinance:**

- The development may have islands in the cul-de-sacs or traffic circles.
- Lot sizes and setbacks may differ from the requirements in the zoning ordinance as shown on the master plan.
- The developer is not responsible for bonding the Planned Development.
- The developer is not responsible for the upgrading of any adjacent roads with the exception of the existing gravel road Durham Lakes Road. Durham Lakes Road will be paved to the entrance of the Multi-family development.
- Acceleration lanes shall not be required.

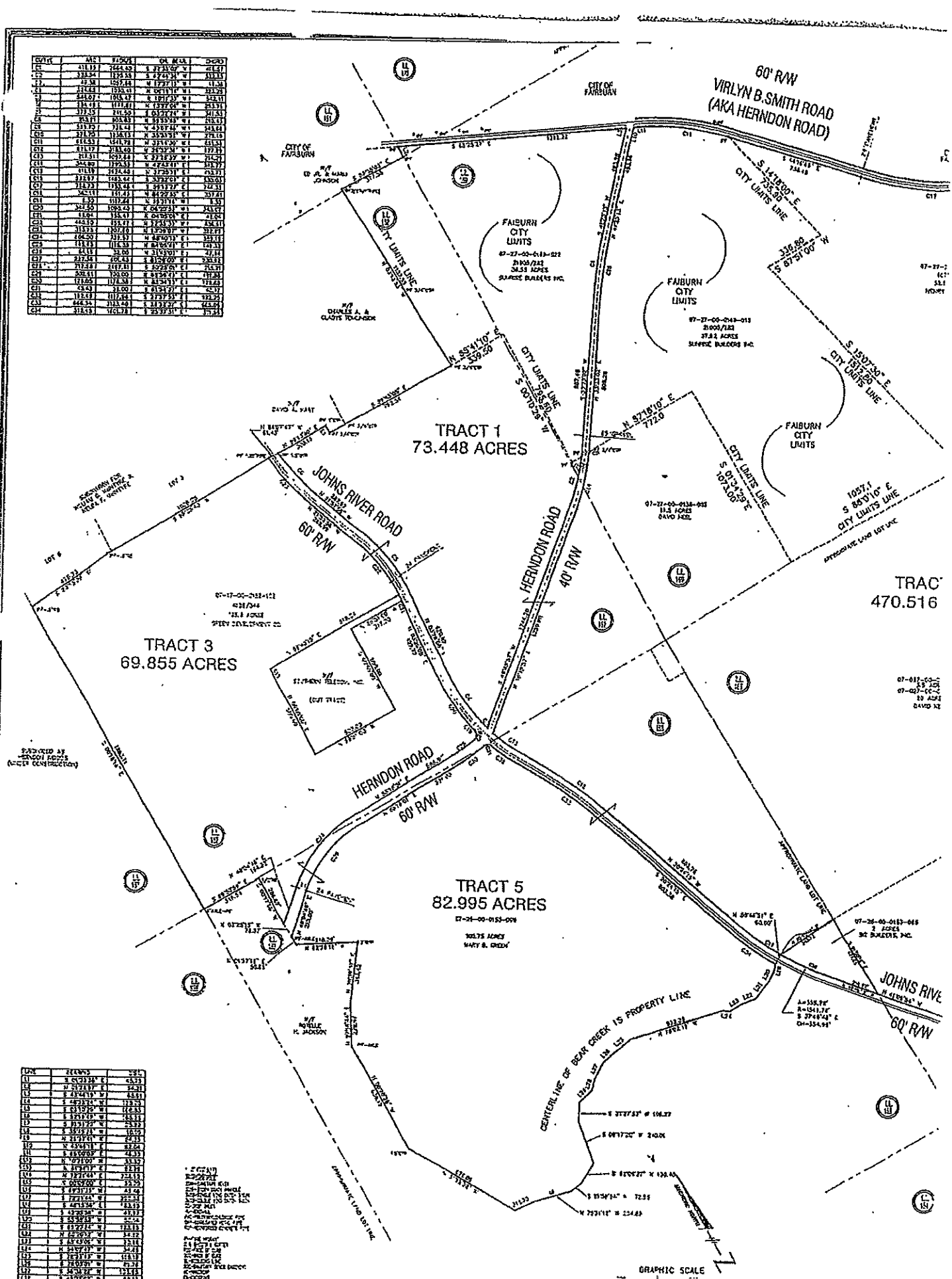
**General Notes:**

It is understood that this Master Plan as proposed will not exceed the number of lots as approved on the Master Plan Layout. The lots, road alignments, and phasing plan as illustrated are meant to be conceptual in nature and may be amended by the developer without the need for a new Zoning Hearing as long as the total number of lots has not increased. The master plan document should be made a portion of the official action taken by the City of Fairburn. When there is a conflict between this agreement and the City of Fairburn Zoning Ordinance this agreement shall govern.

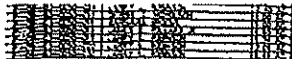
point; thence run S 54°02'47"E a distance of 34.66 feet to a point; thence run N 88°43'09" E a distance of 92.99 feet to a point; thence run S 80°20'12" E a distance of 64.82 feet to a point; thence run N 66°20'24" E a distance of 122.95 feet to a point; thence run N 55°58'52" E a distance of 50.14 feet to a point; thence run N 42°25'56" E a distance of 47.97 feet to a point; thence run N 58°46'51" E a distance of 60.00 feet to a point along the northerly right of way of Johns River Road (60' R/W); thence run along the northerly right of way of Johns River Road (60' R/W) along the arc of a curve an arc distance of 355.78 feet, said arc being subtended by a chord bearing S 37°49'48" E with a chord distance of 354.99 feet to a point, thence run along the northern right of way of Johns River Road (60' R/W) S 40°49'19" E a distance of 216.77 feet; thence run along the northern right of way of John River Road (60' R/W) S 41°09'54" E a distance of 1,016.78 feet to a point; thence continue to run along the said right of way along the arc of a curve an arc distance of 279.70 feet, said arc being subtended by a chord bearing S 35°33'59" E with a chord distance of 279.10 feet to a point; thence continue along said right of way S 26°37'41" E a distance of 84.35 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 559.70 feet, said arc being subtended by a chord bearing S 43°07'46" E with a chord distance of 545.96 feet to a point; thence continue along said right of way S 66°22'20" E a distance of 333.53 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 210.91 feet, said arc being subtended by a chord bearing S 59°55'55" E with a chord distance of 210.43 to a point; thence continue along said right of way S 54°21'27" E a distance of 307.73 feet to a point; thence continue along said right of way N 35°45'24" E a distance of 10.10 feet to a point; thence continue along said right of way S 54°17'37" E a distance of 262.97 feet to a point; thence continue along said right of way N 81°51'20" E a distance of 25.92 feet to a point located on the westerly right of way of Roosevelt Highway (U.S. Highway #29/Georgia Highway 74) (Right of way Varies); thence run along the westerly right of way of Roosevelt Highway (U.S. Highway #29/Georgia Highway 74) N 52°19'49" E a distance of 728.10 feet to a point; thence continue along said right of way N 52°38'41" E a distance of 1122.20 feet to a point; thence run N 37°39'40" W a distance of 49.77 feet to a point; thence run N 52°10'43" E a distance of 23.86 feet to a point; thence run N 52°10'43" E a distance of 86.33 feet to a point, thence run S 37°39'40" E a distance of 49.77 feet to a point, along the westerly right of way of Roosevelt Highway (U.S. Highway #29/Georgia Highway 74); thence along the westerly right of way of Roosevelt Highway (U. S. Highway #29/Georgia Highway 74) N 52°39'18" E a distance of 2,448.56 feet to a point, thence leaving said right of way run N 34°37'48" W a distance of 343.00 feet to a point; thence run N 38°10'20" W a distance of 1,280.37 feet to a point; thence run N 46°23'41" W a distance of 282.90 feet to a point; thence run N 69°05'56" E a distance of 300.00 feet to a point along the southern right of way of Virlyn B. Smith Road (aka Herndon Road – 60' R/W); crossing said right of way thence run N 19°30'17" W a distance of 124.97 feet to a point on the northern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence run along the northern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W) N 47°28'30" W a distance of 400.00 feet to a point; leaving said right of way thence run N 28°25'51" E a distance of 224.56 feet to a point; thence run S 21°52'48" E a distance of 504.16 feet to a point along the northern right of way of Virlyn B. Smith Road (aka Herndon Road 60'

R/W); crossing said right of way thence run S 19°30'17" E a distance of 124.97 feet to a point along the southern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence run along the southern right of way of Virlyn B. Smith Road (aka Herndon Road - 60' R/W) N 48°15'56" W a distance of 183.95 feet to a point; thence continue along said right of way N 47°49'05" W a distance of 326.44 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 717.58 feet, said arc being subtended by a chord bearing N 50°25'01" W with a chord distance of 715.71 feet to a point; leaving said right of way thence run S 83°21'53" W a distance of 63.80 feet to a point; thence run S 17°47'00" E a distance of 404.60 feet to a point; thence run S 72°13'00" W a distance of 300.00 feet to a point; thence run S 84°59'16" W a distance of 44.64 to a point; thence run S 78°25'15" W a distance of 339.32 feet to a point; thence run N 17°02'04" W a distance of 940.46 feet to a point along the southern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence continue along the southern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W) N 73°19'15" W a distance of 256.37 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 752.73 feet, said arc being subtended by a chord bearing N 59°13'27" W with a chord distance of 744.35 feet to a point; thence run N 44°16'49" W a distance of 738.49 feet to a point and the True Point of Beginning.

LINE	FUNCTION	SYMBOL
01	N 520134 S	65.23
02	N 521218 S	64.23
03	N 521217 S	64.23
04	N 521419 W	63.51
05	N 521419 W	63.51
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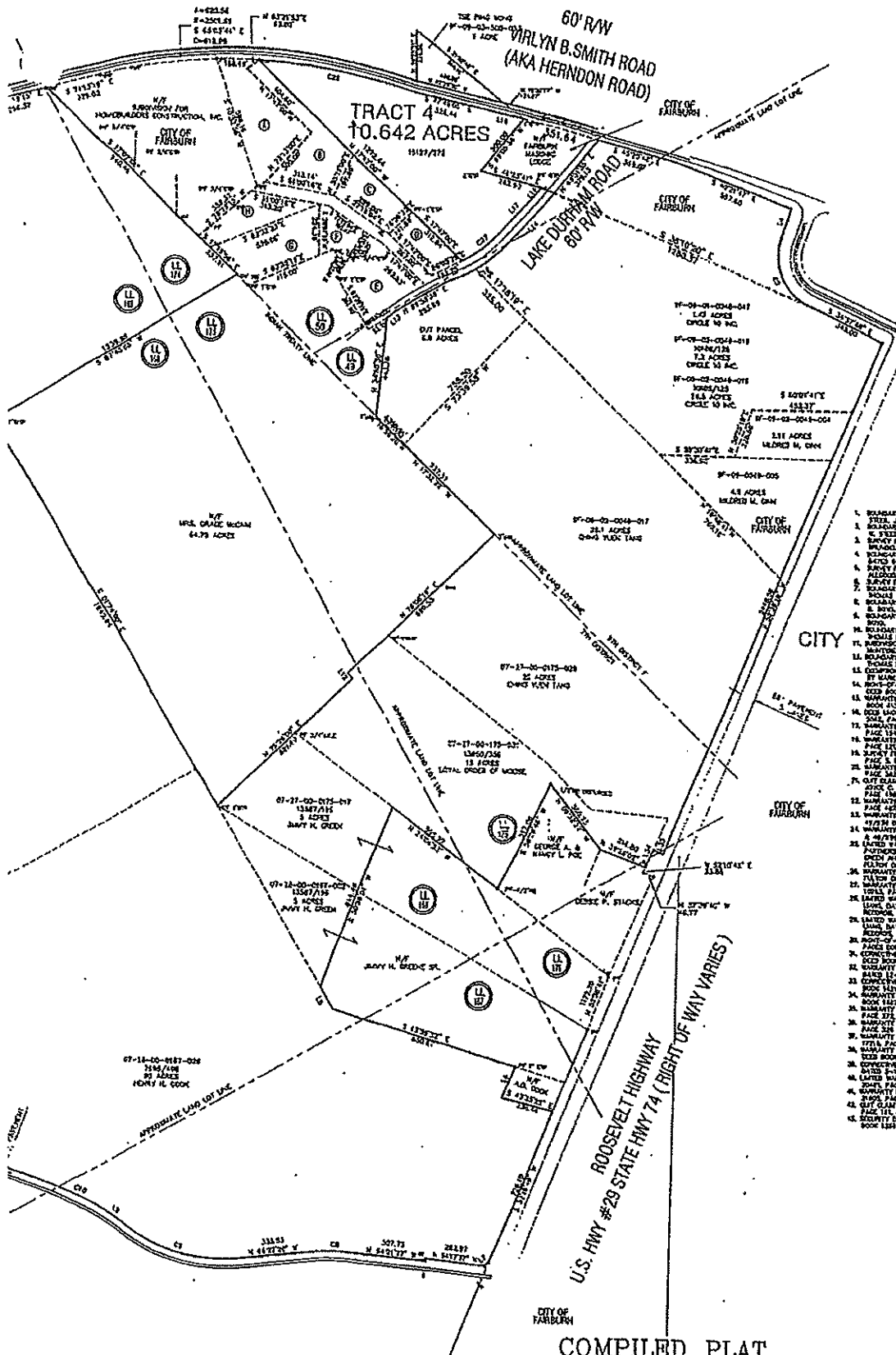




McFarland & Dyer  
& Associates, Inc.

Land Planning  
Landscape Architecture  
Civil Engineering  
Land Surveying

3550 Lawrenceville-Summit Rd.  
Suite 102  
Suwanee, Georgia 30024  
Phone (770) 832-6550



1. BOUNDARY SURVEY FOR JAMES H. BUCKER, DATED 3-7-74, BY JOSEPH W. STEIN, JR.
2. BOUNDARY SURVEY FOR RALPH A. BURGESS, DATED 3-1-74, BY JOSEPH W. STEIN, JR.
3. BOUNDARY SURVEY FOR JAMES H. BUCKER, DATED 1-13-73, BY JOSEPH W. STEIN, JR.
4. BOUNDARY SURVEY FOR RALPH A. BURGESS, DATED 1-13-73, BY JOSEPH W. STEIN, JR.
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COMPILED PLAT  
LOCATED IN  
LAND LOTS 152,153,167,168,169,174,175 & 176 ~ 7th DISTRICT  
LAND LOTS 49 & 50 ~ 9th DISTRICT F  
FULTON COUNTY, GEORGIA

JANUARY 19, 2000