



PLANNING DATE 12/08/2022
COUNCIL DATE 01/05/2023

P&Z STAFF REPORT

PREPARED BY:

Phillip Trocquet, Town Planner
ptrocquet@tyrone.org | (770) 881-8322

DOCKET/APPLICATION #	APPLICANT	ADDRESS/PARCEL #
RZ-2022-09	Ivo Jansink	555 Dogwood Trail

SUMMARY & HISTORY

Applicant Ivo Jansink has applied to rezone Tract 'B' of parcel 0728065 at property address 555 Dogwood Trail from R-20 to C-1. The stated intent of this rezoning is to establish a business on the western half of the previously single tract and a home on the eastern tract, Tract 'A'

STAFF DETERMINATION

It is staff's determination that this petition is consistent with the Town's Comp Plan and future Land Use strategy. Many properties around this one have been zoned C-1 in order to foster a light community commercial concentration at the intersection of Dogwood Trail and SR-74. This rezoning would also eliminate an existing non-conforming condition of the building at the Shops at Glendalough directly to the west. Under the current zoning of R-20, the adjoining C-1 commercial center (Shops at Glendalough) are required to maintain a 75' buffer from their property line. This buffer is currently not in place. With the rezoning of Tract '5', this buffer requirement reduces down to simply a setback requirement of 20' which would be maintained. Staff recommends approval of this petition.



EXISTING ZONING	PROPOSED ZONING	EXISTING LAND USE	SURROUNDING ZONING	SITE IMPROVEMENTS	PROPERTY ACREAGE
R-20 2,000 s.f. min. home size	C-1 Downtown Commercial	Vacant	North: C-1 South: C-1 East: R-20 West: C-1 & O-I	N/a	5 Acre(s)

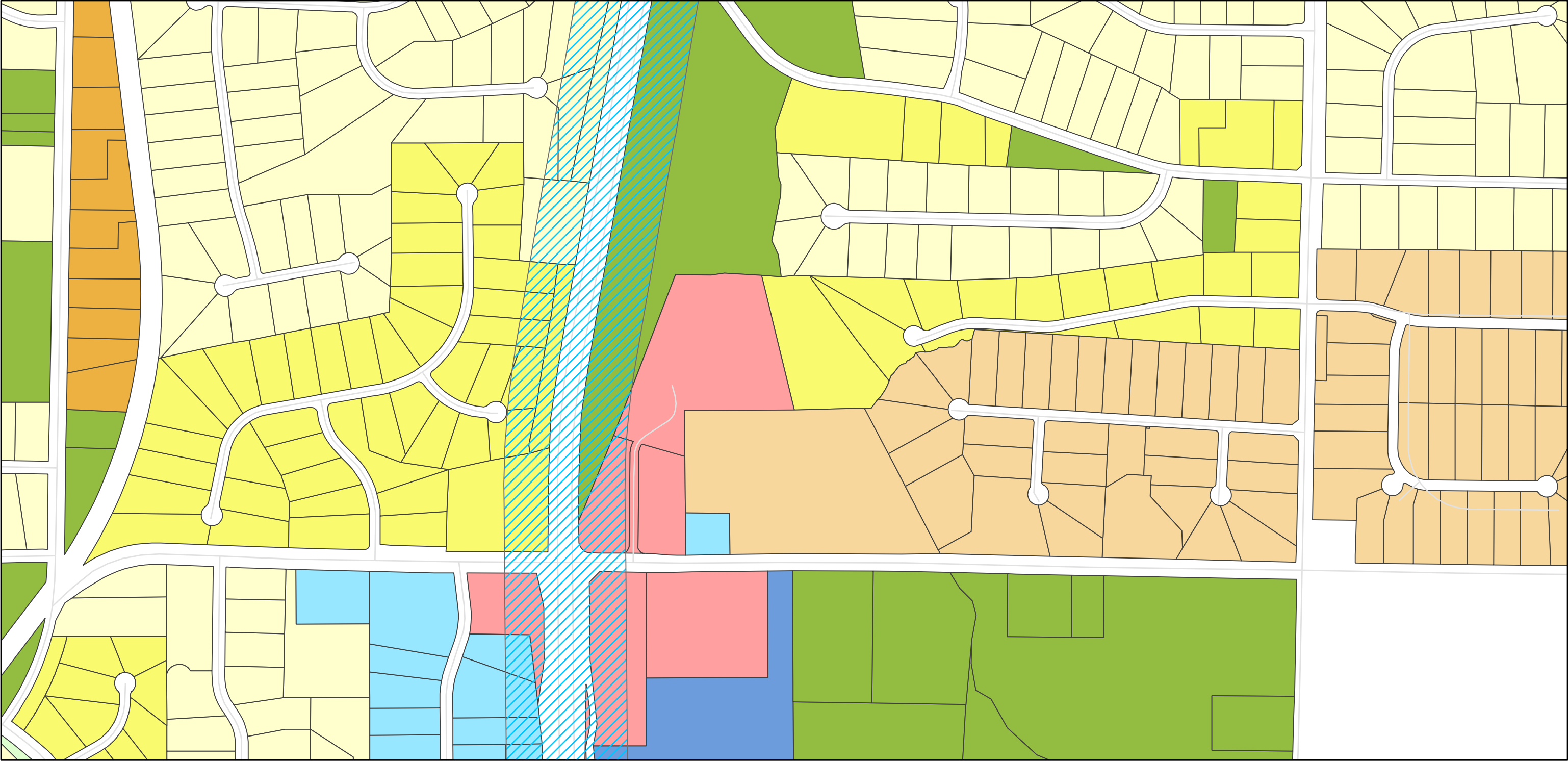
COMPREHENSIVE PLAN & FUTURE DEVELOPMENT MAP COMPATABILITY

This petition is consistent with the Town's Comp Plan and Future Development Strategy. The property is located in the Community Gateway Character area which encourages commercial development with high quality architectural and landscaping standards. Although this property would incur a 75' buffer on its eastern property line, staff has determined that a significant buildable area would still be maintained on the property. This property would constitute the border between the Community Gateway character area and Estate Residential character area. With the property having been split and with large acreage, this provides an adequate transition between character areas.


ZONING ORDINANCE COMPATABILITY & IMPACT ASSESSMENT


1. **Will Zoning permit suitable uses with surrounding properties?** C-1 zoning is situated on most sides and would be suitable adjoining these properties.
2. **Will Zoning adversely affect adjacent properties?** Given that this rezoning would eliminate a non-conforming issue with the western property of the same zoning, it is staff's determination that this would not adversely affect this neighbor. Given the large 75' buffer between this property and the R-20 tract to the east as well as the large land area of both tracts, it is staff's opinion that this zoning will not adversely affect the adjoining R-20 property.
3. **Does the property have reasonable economic use as currently zoned?** Given the large amount of floodplain on the property and unusual topography, it is staff's opinion that residential zoning for this 5-acre tract would not be economically viable.
4. **Would the proposed zoning result in a use which will or could be excessively burdensome on existing infrastructure?** It is staff's determination that this zoning would not result in an excessive burden on existing infrastructure. Only a single business entity or small multi-tenant building would be able to be constructed given the property line locations, topography, flood plain location, and known soils.

Town of Tyrone Zoning Map





12/8/2022


-  Tyrone Online Zoning Map_WFL1 - Highway 74 Overlay District


 Tyrone Online Zoning Map_WFL1 - Roads


Tyrone Online Zoning Map_WFL1 - Zoning Districts


 A-R


 CR-3


 R-20


 R-18

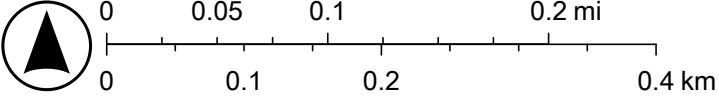
 R-12

 DR

 C-1

 O-I

 E-I
- 1:6,591



0 0.05 0.1 0.2 mi
0 0.1 0.2 0.4 km
- Town of Tyrone Community Development

Type: PLAT FILED
Recorded: 8/11/2022 9:16:00 AM
Fee Amt: \$10.00 Page 1 of 1
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
Participant ID: 6176929952
BK 101 PG 338

SYMBOL LEGEND

- IRON PIN FOUND
- 1/2" REBAR SET
- CONCRETE MONUMENT FOUND
- UTILITY POLE
- LIGHT POLE
- FIRE HYDRANT
- CREEK LINE
- WIRE FENCE LINE
- WETLANDS LINE
- WATER LINE
- OVERHEAD POWER LINE
- PROPERTY LINE
- ADJACENT LOT LINE
- LAND LOT LINE
- ASPHALT AREA
- CONCRETE AREA

NOTES

- SUBDIVIDER:
IVO JANSINK
599 MCDADE STREET
TYRONE, GA 30290
PHONE: 404-624-7139
EMAIL: i.jansink@hotmail.com
- TAX PARCEL NO. 0728 065
- A PORTION OF THIS PROPERTY LIES WITHIN A FLOOD HAZARD AREA PER FEMA FIRM MAP 13113C0079E, DATED 9/26/2008. THE BFE/MFE DATA SOURCE IS PER 2013 FAYETTE COUNTY FLOOD STUDY. UPON SUBMITTAL OF ANY BUILDING PERMIT / SITE PLAN THE BFE/MFE SHALL BE EVALUATED BASED ON THE MOST PROTECTIVE APPLICABLE BFE/MFE FOR THE PROPOSED BUILDING / SITE PLAN.
- ZONING INFORMATION
CURRENT ZONING: R-20 (SINGLE-FAMILY RESIDENTIAL)
SETBACKS:
MIN. FRONT YARD: 80' (MAJOR THOROUGHFARE)
MIN. SIDE YARD: 15'
MIN. REAR YARD: 30'
MINIMUM LOT AREA: 1.0 ACRES
MAXIMUM BUILDING HEIGHT: 35'
MINIMUM AREA PRINCIPAL STRUCTURE: 2,000 SF
MINIMUM LOT WIDTH AT BUILDING LINE: 125'
- SEWAGE DISPOSAL PROVIDED BY INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEMS.
- POTABLE WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
- THERE ARE EXISTING STATE WATERS ON THIS SITE.
- WETLAND DELINEATION BY APPLIED ENVIRONMENTAL SCIENCES, INC. DATED NOVEMBER 8, 2021. ANY JURISDICTIONAL WETLANDS ON THIS SITE ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL WETLAND AREAS WITHOUT PROPER AUTHORIZATION.
- SOIL STUDY BY SOIL PROFILES INC., J. SHANNON HUGHINS GA DHR SOIL CLASSIFIER #147, DATED MAY 6, 2021.
- BOTH PROPERTIES ARE LOCATED IN A SIGNIFICANT GROUNDWATER RECHARGE AREA PER THE GA DNR HYDROLOGIC ATLAS 18 (1989 EDITION).
- THE TOWN OF TYRONE DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT.

LOT TABLE

ITEM	SQUARE FEET	ACRES
TRACT 'A'	417,149	9.576
TRACT 'B'	218,675	5.020
STREETS	0	0
GREEN BELT	0	0
TOTAL	635,824	14.596

PLAT CERTIFICATION:

The field data, completed on 12/2/21, upon which this plat is based has a closure precision of one foot in 50,139 feet and an angular error of 06" per angle point and was adjusted using equal angle adjustment. This plat has been calculated for closure and is found to be accurate within one foot in 651,552 feet.
The linear and angular measurements shown on this plat were obtained using a Geomax Robotic total station & Geomax Zenith 35 Man GPS.

REFERENCES

CURRENT OWNER:
LORA EFFIE MCEACHERN ESTATE
DEEDS:
DB 4858 PG 355
DB 4858 PG 355 - R/W
PLATS:
PB 48 PGS 191-193

OWNER'S ACKNOWLEDGEMENT

I, the undersigned, certify that as the legal owner of the subject property, I hereby authorize the submission of this final plat for my property.

Carol M. King 8/3/2022
Owner Date
Carol M. King 8/3/22
Owner Date

FINAL PLAT APPROVAL

I hereby certify that the design and layout of the proposed lots, blocks, streets, and other planned features included in this Final Plat have been prepared by me or under my direct supervision.

Mark A. Buckner 8/17/22
Fayette County Health Department
Date
Mark A. Buckner 8/17/22
Town Engineer
Date
Mark A. Buckner 8/17/22
Town Clerk
Date

CERTIFICATE OF DESIGN

I hereby certify that the design and layout of the proposed lots, blocks, streets, and other planned features included in this Final Plat have been prepared by me or under my direct supervision.

Mark A. Buckner 8/17/22
Mark A. Buckner GA RLS 2422 Date

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

Mark A. Buckner 8/17/22
Mark A. Buckner GA RLS 2422 Date

SES

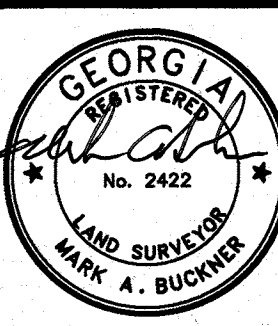
ENGINEERING
PLANNING
SURVEYING

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

SCANLON ENGINEERING SERVICES, INC.
221 EAST BANK STREET
GRiffin, GEORGIA 30203
PHONE: (678) 967-2051 www.scanloneg.com

FINAL PLAT FOR
LIVING BUSINESS HOUSE
LOCATED IN LAND LOT 120 OF THE 7TH DISTRICT,
TOWN OF TYRONE, FAYETTE COUNTY, GEORGIA

Rev.	Description	Date
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		



FINAL PLAT

Review by:
MAB
Drawn by:
JWS
Project #:
S210421444
Date:
12/20/2021

SHEET TITLE
404D
SHEET # 01 OF 01

VICINITY MAP



THE UTILITIES SHOWN ON THIS PLAT WERE TAKEN FROM INFORMATION AVAILABLE AT THE TIME OF THE SURVEY AND MAY OR MAY NOT BE ACCURATE AS TO THE EXTENT AND OR LOCATION OF SAID UTILITIES.

THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

The term "Certification" as used in Rule "180-6-09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) 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.
This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (O.C.G.A.) 15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.



GRAPHIC SCALE: 1"=50'