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Planning Commission Agenda  
Monday, September 9, 2024, 6:00pm  
Perry City Hall, 808 Carroll Street, Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from August 12, 2024 regular meeting and August 26, 2024 work session
5. Announcements
  - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
  - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
  - Please place phones in silent mode.
6. Citizens with Input
7. Old Business
8. New Business
  - A. Public Hearing (Planning Commission decision)
  - B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on October 1, 2024)
    1. **SUSE-0112-2024.** Special exception for residential business for property located at 213 Flowing Meadows Drive. The applicant is Marcus Scott Williamson.
    2. **ANNX-0110-2024.** Annex & Rezone property on South Hwy 341, Parcel 000830 043000 from Houston County R-AG to City of Perry R-3, Single Family Residential. The applicant is Bryant Engineering.
    3. **ANNX-0111-2024.** Annex & Rezone property on Main Street, Parcel 000570 008000 from Houston County R-AG to City of Perry R-1, Single Family Residential. The applicant is Bryant Engineering.
9. Other Business
  - Commission questions or comments
10. Adjournment

All meetings of the Planning Commission are open to the public.

(478) 988-2720

<https://perry-ga.gov/business-services/community-development/planning-and-zoning>

Planning Commission  
Minutes - August 12, 2024

1. Call to Order: Chairman Edwards called the meeting to order at 6:00pm.
2. Roll Call: Chairman Edwards; Commissioners Guidry, Jefferson, Hayes, Mehserle, and Ross and Williams were present.

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk

Guests: Scott Ritchie, Brandon Bolt, and Tyler Findley

3. Invocation: was given by Commissioner Mehserle
4. Approval of Minutes from July 8, 2024, regular meeting – Commissioner Hayes motioned to approve with correction as noted; Commissioner Ross seconded all in favor and was unanimously approved.
5. Announcements- Chairman Edwards referred to the notices as listed.
  - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
  - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
  - Please place phones in silent mode.
6. Citizens with Input- None
7. Old Business – None
8. New Business
  - A. Public Hearing (Planning Commission decision)
    1. **VAR-0094-2024.** Variance to reduce the setback for signs located at 1309 Main Street. The applicant is the City of Perry.

Ms. Carson advised the application was submitted by the City for a variance to reduce the setbacks for the monument signs. The signs for the VA Clinic were installed in the right-of-way due to an oversight by the Community Development Department during the plan review stage of permitting. Since the signs were permitted at the present locations, the City would be responsible for relocating them. Attempting to do so would cause a significant cost for taxpayers (\$119,120). Therefore, the City is requesting a variance of the identified section of the LMO to allow the signs to remain as installed. Ms. Carson further noted the property is triangular in shape with a steep slope down from Houston Lake Drive to the parking lot. The sign fronting Houston Lake Drive would require additional brick foundation height if set further back from the street. This sign was installed closer to the street than shown on the permitted plan, causing it to be located in the right-of-way. The City purchased additional right-of-way along Main Street adjacent to the new VA Clinic to install a sidewalk. The site plan submitted with the permit application showed the existing right-of-way and a “proposed ROW.” The Community Development Department failed to impose the required 10’ setback for both signs before issuing the sign permit. The locations of the signs do not impair the use and enjoyment of adjoining and neighboring properties and do not impact vehicular or pedestrian traffic on either street.

Chairman Edwards opened the public hearing at 6:07pm and called for anyone in favor or opposed to the request; there being none the public hearing was closed at 6:08pm.

Chairman Edwards inquired if there was site distance concerns when exiting the property on the Houston Lake Drive side; Mr. Wood advised there was not, and it met the site distance requirements.

Commissioner Guidry inquired about the fire hydrant if it was a site obstruction; Mr. Wood advised it also was not and exceeds the requirements of the fire department and their standards.

Commissioner Ross motioned to approve the variance as submitted; Commissioner Jefferson seconded; all in favor and was unanimously approved.

B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on September 3, 2024)

1. **SUSE-0098-2024.** Special exception for short-term rental for property located at 223 E. River Cane Run. The applicant is Leo Chavez. (*Applicant has withdrawn request*)
2. **TEXT-0097-2024.** Text amendment to Sec. 2-1.2.1 to provide a process for appointing members of the Planning Commission based on recent practice. The applicant is the City of Perry.

Mr. Wood advised the proposed amendment was for Sec. 2-1.2.1 of the LMO to codify Council's policy for appointing Planning Commissioners. The proposed amendment establishes City Council as the body ratifying each nominee to the planning commission. It requires potential candidates to have a Statement of Interest on file with the City Clerk and to be interviewed by the nominating person and the administrator (of the LMO). The amendment provides broad criteria for evaluating potential commissioners: *Members of the commission shall be appointed in consideration of their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Membership shall represent a broad cross section of the interests and concerns of persons residing and doing business within the city,* along with staff responses.

Chairman Edwards opened the public hearing at 6:12pm and called for anyone in favor or opposed to the request; there being none the public hearing was closed at 6:13pm.

Chairman Edwards inquired what is cause for dismissal; Mr. Wood advised it is looked at on a case-by-case basis, but as defined in the amendment it could be for malfeasance, misfeasance, or nonfeasance in the performance of duties. Commissioner Jefferson asked about the statement of interest; Mr. Wood advised this process has been done for the past three years and it allows for persons who are truly interested in serving be interviewed. Commissioner Mehserle liked that it strengthened the process for appointees.

Commissioner Mehserle motioned to recommend approval of the amendment as presented; Commissioner Ross seconded; all in favor and was unanimously recommended for approval.

9. Other Business

1. Notting Hill PUD Preliminary Concept Review

Mr. Wood advised per the recent changes to the PUD standards and procedures, the Planning Commission is required to provide input on a PUD concept before the regulating plan is finalized. The applicant/developer, Edgar Hughston Builder, Inc. is proposing a PUD on a 119.46-acre tract of land on Langston Road, between U.S. Hwy 41 and the existing Notting Hill subdivision, currently zoned R-1 and R-3. The plan carves out 5 acres for a daycare facility. 28.6 acres is proposed open space, and the remaining 85.88 acres will be divided into 255 residential lots with a minimum lot size of 8,000 square feet. Access will be provided via two existing streets in Notting Hill, and a new connection to Langston Road. The daycare tract is located on Langston Road at the entrance to the PUD. There does not appear to be any unique and integrated mix of uses. The developer does not intend to develop and build the daycare facility. Based on the intent of the PUD district and the recently updated standards, it is staff's view that the PUD is proposed only to reduce residential lot area and lot width. A similar plan could be achieved with R-3 zoning (all but 44 lots meet the R-3



minimum lot size of 9,000 square foot) for the residential portion and OI, Office and Institutional zoning on the 5-acre daycare tract. 181 of the lots have a minimum lot width of 60'. R-3 requires a minimum of 70'. Mr. Wood noted in the staff memo provided it is identified how the proposal addresses the PUD standards starting in subsection (D) along with responses. It was also advised that a traffic impact study was required and need the impervious surface ratio for all lots or overall, for the project. Furthermore, and of concern is no details were provided on the daycare facility, nor a phasing plan and how the common area facilities will be maintained.

Chairman Edwards opened the floor for discussion. Mr. Tyler Findley with Edgar Hughston Builder, Inc. advised Mr. Wood is correct in his presentation of the proposed plan, and since his company's purchase there had been a change in the zoning, and they had looked at what would be marketable for the area, thus the design for narrow lots and the suggested daycare facility to service the area.

Mr. Scott Ritchie advised he was a strong proponent of PUD's and asked that current residents be taken care of with regard to changing standards.

Chairman Edwards asked when the traffic study had to be completed; Mr. Wood advised prior to the completed application being submitted. Mr. Brandon Bolt advised this is scheduled to be done, as they needed to wait until school was back in session. Commissioner Jefferson was concerned with the location of the daycare and traffic.

Mr. Findley advised he was open to suggestions on what the city would like to see on the five-acre portion. Chairman Edward felt that use was acceptable or a possible mixed-use, but the mandate of what Council is expecting is no narrower/smaller lot sizes. Mr. Findley asked for clarification on mixed-use; Mr. Wood advised it could consist of two or more uses, such as retail and office. Mr. Wood advised there have been previous PUDs approved many years ago with a mix of single family and commercial, and unfortunately the commercial was never done, and council does not want that to continue. Mr. Findley asked if three uses could be brought forth; Mr. Wood advised it could as it would fit the intent of the ordinance. Mr. Findley asked for input on the lot sizes. Commissioner Mehserle understand the position of developers, however there was much discussion and thought put into the revisions and the requirements are fair and not a burden to meet. Mr. Wood advised the city is not opposed to smaller lots, but there needs to be something exceptional for the development and asked Mr. Findley to research other areas in the country with successful PUD's, such as Sullivan's Island, SC, Hilton Head, S; understanding they are vastly different from Perry, but their standards will provide guidance for design. Mr. Findley advised they would not develop the daycare, and Mr. Wood reiterated this is a concern for the city in that it would never be developed. Commissioner Ross inquired the price point; Mr. Findley advised for this project it would be low \$300's to high \$400's. Mr. Wood also pointed out concerns with parking and the number of spaces required based on the number of bedrooms that will need to be addressed. Mr. Bolt advised in developing they are looking to transition from the existing phase of Notting Hill to the new phase. Commissioner Hayes suggested Mr. Findley and Mr. Bolt continue to work with staff to ensure the requirements are met.

10. Commission questions or comments - Mr. Wood advised each Commissioner had been provided a Volunteer Appointment Commitment Form to review and provide back to staff. The form outlines the Commission's purpose and duties while serving.
11. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:07pm.

Planning Commission Work Session  
Minutes- August 26, 2024

1. Call to Order: Vice Chairman Ross called the meeting to order at 5:30pm.
2. Roll Call: Vice Chairman Ross; Commissioners Guidry, Jefferson, and Williams were present. Chairman Edwards, Commissioner Hayes and Mehserle were absent.

Staff: Bryan Wood – Community Development Director, Chad McMurrian – Engineering Services Manager, and Emily Carson – Community Planner.

3. Citizens with Input – None
4. Capital Improvement Projects Update – Mr. Chad McMurrian provided an update on various projects, which included the annual street resurfacing by GDOT, Jack Links water and sewer and pump station upgrade and airport regional pond. Advised interest for services off of Langston Road and development by WCH Homes on Perry Parkway. Sewer main under I-75 being upgraded to increase capacity and updates on various pump station projects. Courtney Hodges bridge replacement is still 12-18 months out for commencement.

5. New Business – Items for Discussion

- Standards for Zoning, Special Exception, and Variance
- Design standards for non-residential developments
- Design standards for multi-family residential development
- Setback changes relative to design standards
- Exterior light standards

Mr. Wood provided an overview of each of the items for discussion. There was more discussion on the first item. The Commission agreed that simplifying the standards for each application type would benefit applicants and the Commission. Mr. Wood explained the purpose of variances and stated that the text needed additional fleshing out, and he was working with the City Attorney.

Mr. Wood indicated Commissioner Mehserle had reviewed and commented on the design standards for non-residential developments. The draft incorporates most of his comments, with an “alternative design” provision added to address other comments. The Commission generally favored updating design standards and adding standards for multi-family development.

Mr. Wood indicated the Commission will review the proposed changes in more detail over the next few months work sessions.

6. Other Business: None

7. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:40pm.



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## **STAFF REPORT**

From the Department of Community Development  
September 4, 2024

**CASE NUMBER:** SUSE-0112-2024  
**APPLICANT:** Marcus Scott Williamson  
**REQUEST:** A Special Exception to allow a residential business  
**LOCATION:** 213 Flowing Meadows Dr; Tax Map No. 0P0640 127000

**REQUEST ANALYSIS:** The subject property owner wants to operate a firearms dealership in a portion of the house as a residential business.

Residential businesses are small offices or small-scale retail or service businesses in which customers or clients come to the house and are clearly incidental and secondary to the use of the dwelling for residential dwelling purposes.

### **STANDARDS FOR SPECIAL EXCEPTIONS:**

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* Staff is not aware of covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

	<b>Zoning Classification</b>	<b>Land Uses</b>
Subject	PUD, Planned Unit Development	Single-family residential
North	PUD, Planned Unit Development	Single-family residential
South	R-AG, Residential Agriculture (County)	Undeveloped
East	R-AG, Residential Agriculture (County)	Undeveloped
West	PUD, Planned Unit Development	Single-family residential

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The subject property is included in a "Suburban Residential" character area in the 2022 Joint Comprehensive Plan. This character area is typically developed with a mix of residential uses.
4. *Will adequate fire and police protection be available?* Fire and police protection are already provided to the property. The proposed use should not impact these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The applicant is expected to have one customer at a time at varied points throughout the month, and therefore should not impact the surrounding properties.

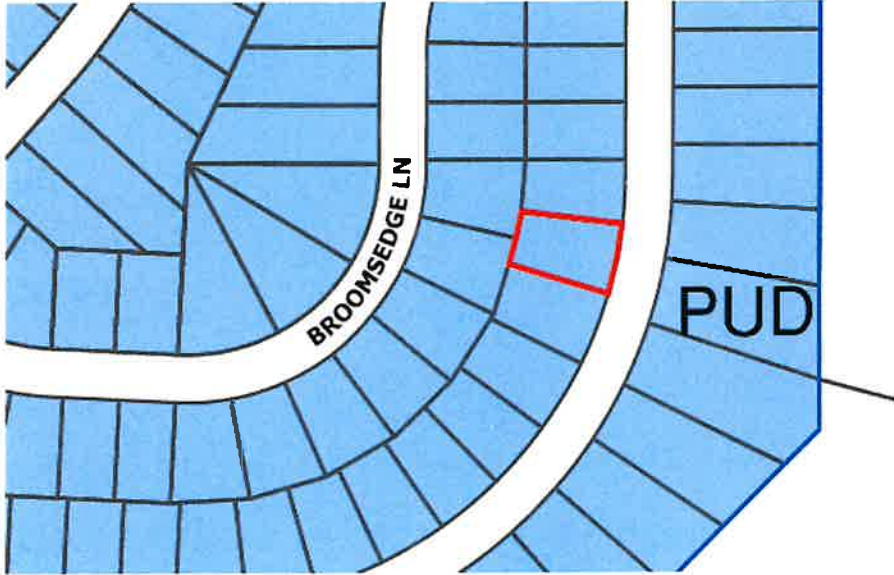
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The use of the residence as a residential business should not cause inappropriate interference with the normal pedestrian and vehicular traffic in the neighborhood.
7. *Will the use result in an increase in population density overtaxing public facilities?* The secondary use as a residential business should not increase the population density above that expected for the size of the house.
8. *Will the use create a health hazard or public nuisance?* Residential businesses should not create a health hazard, and normally should not create a public nuisance. The applicant is applying for a federal certification to sale firearms and must comply with all ATF (Bureau of Alcohol, Tobacco, Firearms, and Explosives) to maintain his certification.
9. *Will property values in adjacent areas be adversely affected?* Secondary use as a residential business should not adversely affect the value of properties in the area.
10. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed as a permitted use, a single-family residence. The special exception is to allow secondary use as a residential business, as allowed, according to the LMO.

**STAFF RECOMMENDATION:** Staff recommends approval of the special exception.

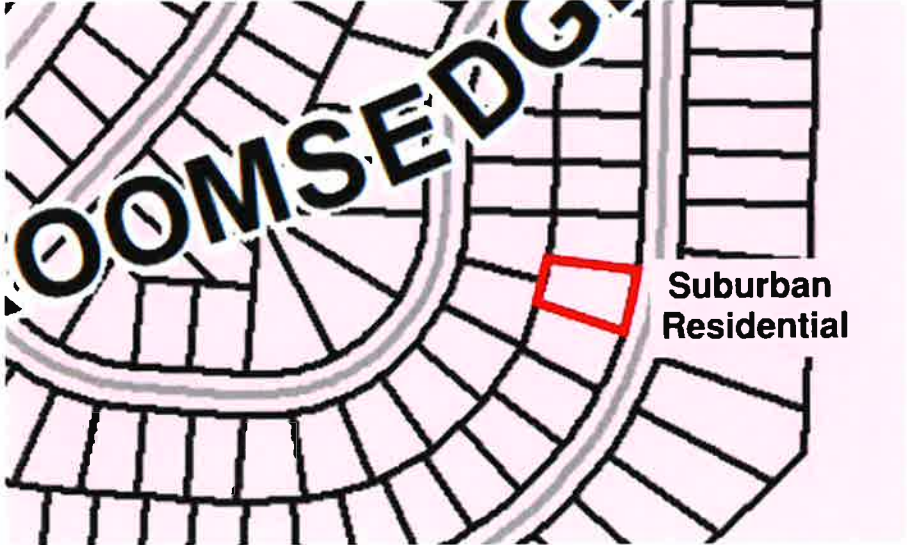


SUSE-0112-2024  
213 Flowing Meadows Dr  
Special Exception for a  
residential business

Aerial



Zoning



Character Area





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Application # SUSE  
0112-2024

## Application for Special Exception

Contact Community Development (478) 988-2720

\*Indicates Required Field

	*Applicant	*Property Owner
*Name	Marcus Scott Williamson	Marcus Scott Williamson
*Title		
*Address	213 Flowing Meadows Dr Kathleen	
*Phone	912-341-9405	
*Email	213hit@gmail.com	

### Property Information

*Street Address	
*Tax Map Number(s)	0P0640 127000
*Zoning Designation	PUD

### Request

\*Please describe the proposed use: TO transfer Fire Arms via FFL NO Inventory kept other than the Fire arms that are ordered. One customer at a time possibly several times a month.

### Instructions

1. The application and \*\$316.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
2. \*The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. \*For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
6. \*The applicant must be present at the hearings to present the application and answer questions that may arise.
7. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
8. \*Signatures:

*Applicant	Marcus Scott Williamson	*Date	8-3-24
*Property Owner/Authorized Agent	Marcus Scott Williamson	*Date	8-3-24

Answers to Page to

1 Residential

2 Yes

3 Yes

4 Yes

5. a. will not interfere with traffic NO

b. no extra building, will not hinder or discourage MO

6. will not increase the population density. NO

7. will not cause health or safety, or nuisance or excessive traffic. NO

8. NO

9. NO

**Re: Special Exception request 213 Flowing Meadows Drive**

Scott Williamson <zitbit1@gmail.com>

Mon 8/5/2024 4:48 PM

To:Community Development <comm.development@perry-ga.gov>

📎 1 attachments (14 KB)

Answers to Page to 2.docx;

i attached a word file

here are the answers

thank you

Marcus Williamson

Answers to Page to

1 Residential

2 Yes

3 Yes

4 Yes

5. a. will not interfere with traffic NO

b. no extra building, will not hinder or discourage MO

6. will not increase the population density. NO

7. will not cause health or safety, or nuisance or excessive traffic. NO

8. NO

9. NO

On Mon, Aug 5, 2024 at 9:17 AM Community Development <[comm.development@perry-ga.gov](mailto:comm.development@perry-ga.gov)> wrote:

Good morning,

I received notification for the special exception for a residential business on the above location, however, the application is not complete.

Page two of the application was not provided, a response to the questions on page two must be answered.

I've got to have them by 5pm today to adhere to the hearing schedule.

Thanks, Chris





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**STAFF REPORT**

**From the Department of Community Development**

September 4, 2024

**CASE NUMBER:** ANNX-0110-2024

**APPLICANT:** Bryant Engineering

**REQUEST:** Annexation and Rezone from RAG (County) to R-3, Single-family Residential

**LOCATION:** 0 S Hwy 341; Tax Map No. 000830 043000

**BACKGROUND INFORMATION:** The applicant proposes to annex the 42.89-acre parcel into the City of Perry for a subdivision development. The new lot is proposed to be zoned R-3, Single-family Residential.

There are no known covenants or restrictions on the subject property which would preclude the uses permitted in the proposed zoning district.

**STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:**

**1. The existing land uses and zoning classifications of nearby property.**

	<b>Zoning Classification</b>	<b>Land Uses</b>
North	RAG, Residential Agriculture (County)	Single-family residential
South	R-2, Single-family Residential	Single-family residential
East	R-2, Single-family Residential	Single-family residential, approved 2-family subdivision
West	R-Ag (County), C-2, General Commercial (City)	Single-family residential/Retail

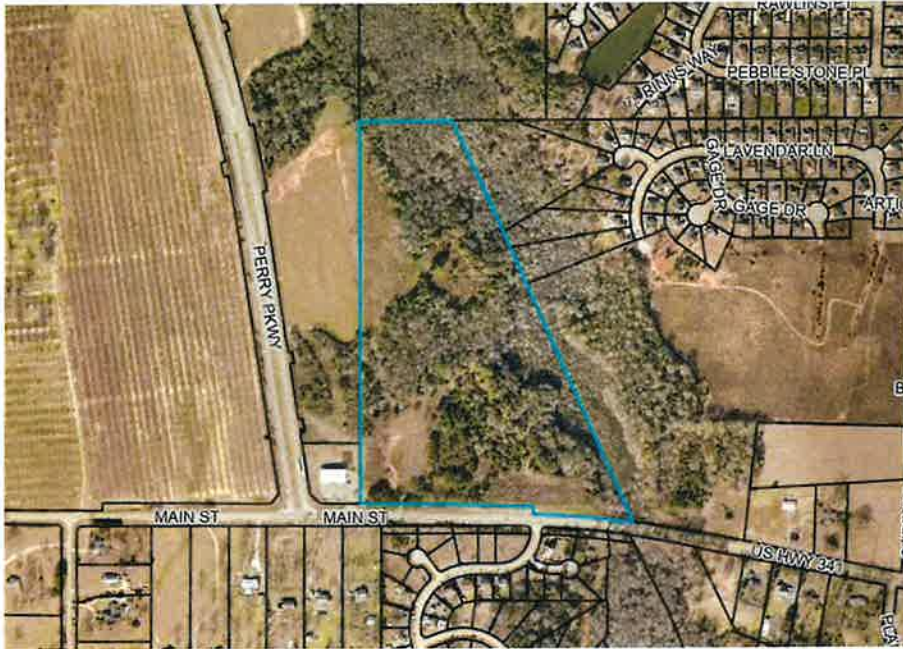
**2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** The proposed zoning district allows only single-family residential uses by right. This is consistent with surrounding uses.

**3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** The proposed zoning district and the development of single-family residences is not expected to adversely impact the use of surrounding properties.

**4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The subject property is in the “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. The Suburban Residential character area calls for a mix of housing densities and types. The southwest corner of the property is in a commercial node located at the intersection of Perry Parkway and Main Street.

- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** The proposed zoning district will not cause an excessive burden on existing public facilities. This portion of the arterial road is a State Route and can handle additional traffic capacity. City water capacity is available. Sanitary sewer is available; capacity will be evaluated based on the developer's phasing plan. Stormwater runoff will be reviewed as part of the development for compliance with the city's ordinances.
- 6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.** The property is contiguous to the existing city boundary on the south and west property lines.

**STAFF RECOMMENDATION:** Staff recommends approval of the annexation request and the proposed zoning classification of R-3, Single-family Residential.

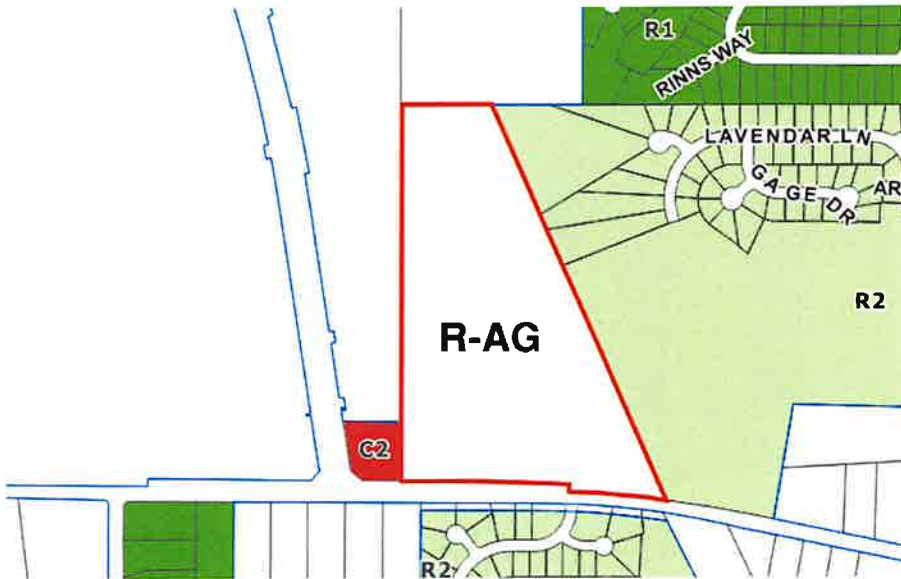


ANNX-0110-2024

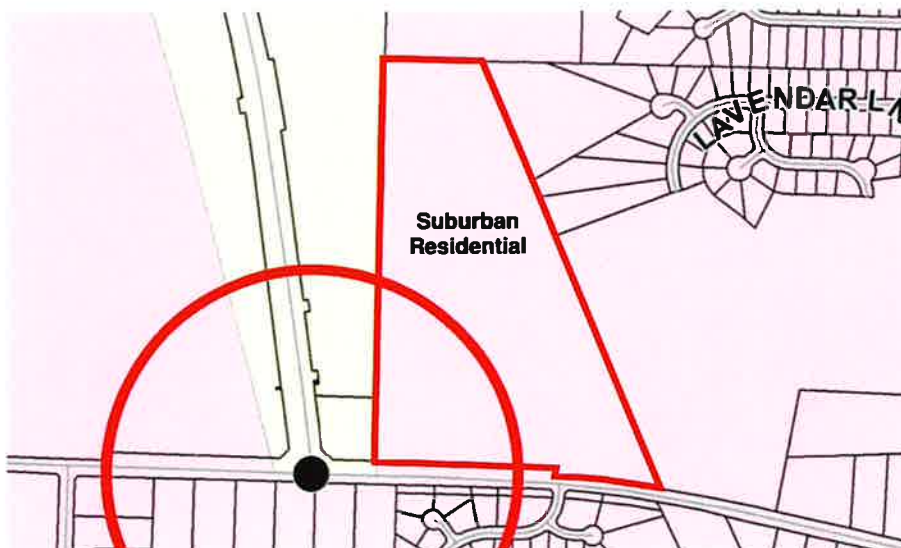
0 S HWY 341

Annex 42.89 acres into city limits, zoned R-3, Single-Family Residential

Aerial



Zoning



Character Area





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Application # ANNX  
0110-2024

## Application for Annexation

Contact Community Development (478) 988-2720

\*Indicates Required Field

	*Applicant	*Property Owner
*Name	Bryant Engineering	CCCCT Investments, LLC
*Title		
*Address	PO Box 1821 Perry, GA 31069	PO Box 1821 Perry, GA 31069
*Phone	478-224-7070	478-224-7070
*Email	chad@bryantengllc.com	chad@bryantengllc.com

### Property Information

*Street Address or Location	S Hwy 341
*Tax Map #(s)	000830 043000 <u>42.89 acres</u>
*Legal Description	
A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available;	
B. Provide a survey plat of the property, tied to the Georgia Planes Coordinate System. **If the property being annexed is a portion of a recorded parcel, the portion being annexed must be a separate recorded parcel before this application will be accepted as complete.**	

### Request

*Current County Zoning District	RAG	*Proposed City Zoning District	R-3
*Please describe the existing and proposed use of the property <u>Note: A Site Plan and/or other information which fully describes your proposal may benefit your application.</u>			

### Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- \*Fees:
  - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$316.00 plus \$27.00/acre
  - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$527.00 plus \$42.00/acre
- \*The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Annexation applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- \*The applicant must be present at the hearings to present the application and answer questions that may arise.
- \*Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes \_\_\_ No X  
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. \*Signatures:

*Applicant	*Date 7-30-24
*Property Owner/Authorized Agent	*Date 7-30-24

**Standards for Granting a Zoning Classification**

***The applicant bears the burden of proof to demonstrate that an application complies with these standards.***

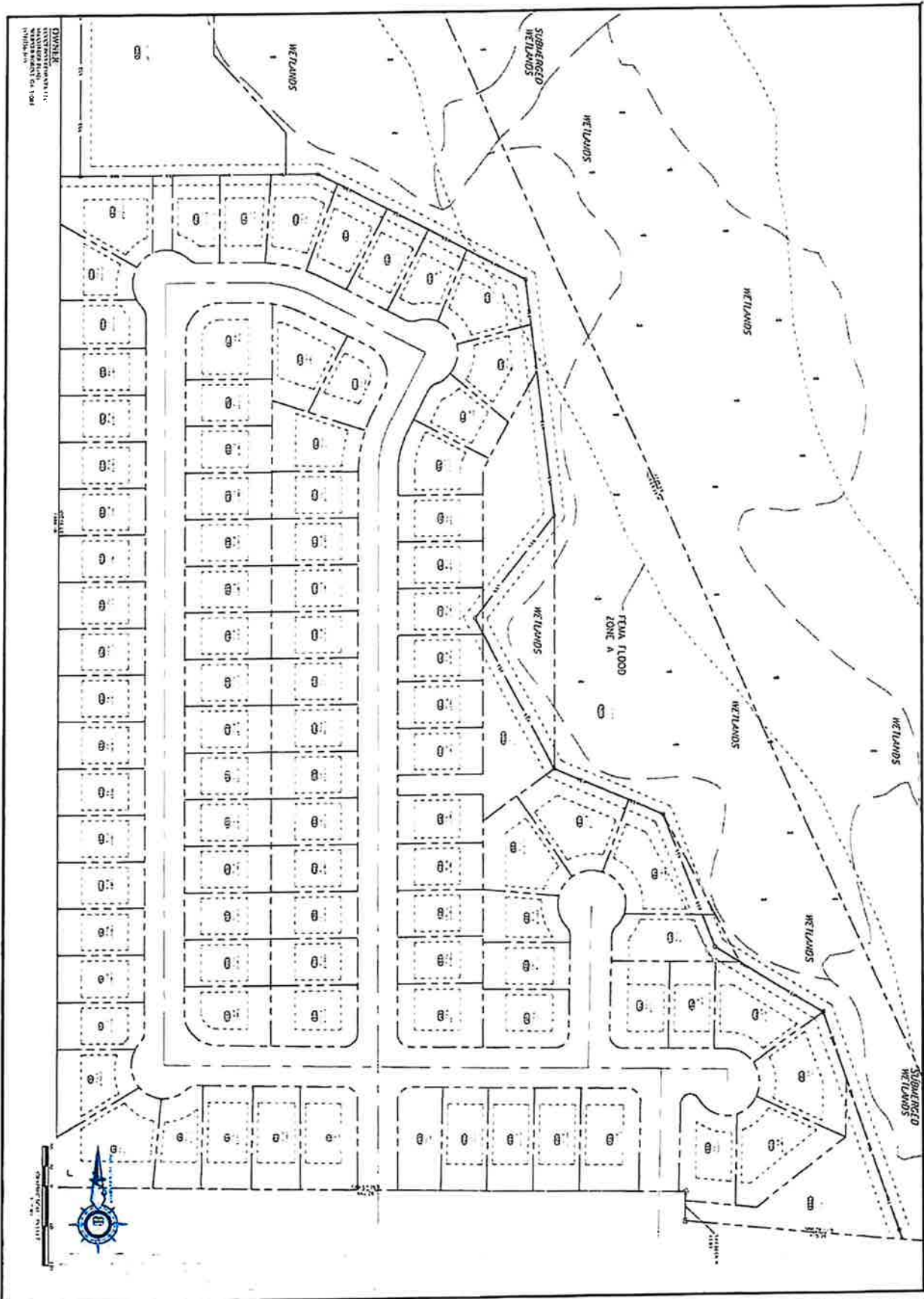
Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

1. Identify the existing land uses and zoning classification of nearby properties.
2. Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.
3. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.
5. Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools.
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Revised 7/1/24

1. The property is bordered to the east by a 49 acre R-2 Zoned multi-family property under construction with duplex units. To the South and across Main Street is an existing City of Perry R-2 Single Family Residential Subdivision, Ivy Glenn. To the west is an existing commercial development, "Dollar General", and a large tract of land currently undeveloped, zoned Houston County R-AG. However, this tract is designated in the Comprehensive Plan as part of the Gateway Corridor area and planned for Commercial or Mixed Use development. Generally, the subject tract moving east is Suburban Residential in Character.
2. The proposed zoning as a single family development are suitable within the suburban residential district. The large natural wetlands and floodplain to the east buffers the site from other nearby residential developments.
3. There are no know adverse impacts that the proposed single family residential development will have to nearby residential and commercial properties. Generally, as proposed, the site will only produce a density equivalent to an R-1 Subdivision. This is due to the large area of onsite wetlands, floodplain, and areas planned for acquisition by the City of Perry for sanitary sewer extension and upgrades which traverses the property from north to south.
4. The zoning proposal is in conformity with the Comprehensive plan. The area has been designated as residential.
5. All infrastructure has been analyzed, existing traffic counts are well within the corridors operating capacity, existing traffic incidents are minimal, Sanitary sewer infrastructure is under design/development for upgrades, and stormwater will discharge to the large conveyance floodplain immediately adjacent to the site.
6. As proposed, the site will only produce a density equivalent to an R-1 Subdivision. This is due to the large area of onsite wetlands, floodplain, and areas planned for acquisition by the City of Perry for sanitary sewer extension and upgrades which traverses the property from north to south. These natural areas buffer the adjoining properties to the north and east of the site. This property lies between a multi-family parcel and a commercial parcel. R-3 Zoning should be a natural progression between the two adjoining parcels.





C-1.1	REVISIONS
	NO. DATE DESCRIPTION

CONCEPTUAL LAYOUT FOR  
**WINCHESTER PLACE**  
 PERRY GEORGIA

CLIENT:	MR. JERRY
ARCHITECT:	MR. JERRY
ENGINEER:	MR. JERRY
DATE:	11/15/17
SCALE:	AS SHOWN
PROJECT:	WINCHESTER PLACE

BE

**BRYANT ENGINEERING**

1000 W. BRYANT BLVD. SUITE 100  
 ATLANTA, GA 30339  
 404.525.1111  
 www.bryanteng.com

REGISTERED PROFESSIONAL ENGINEER  
 STATE OF GEORGIA  
 LICENSE NO. 10000



Type: GEORGIA LAND RECORDS  
Recorded: 3/24/2022 1:21:00 PM  
Fee Amt: \$575.00 Page 1 of 2  
Transfer Tax: \$550.00  
Houston, Ga. Clerk Superior Court  
Carolyn V. Sullivan Superior Court Clerk

Participant ID(s): 6811174267,  
7067927936

**BK 9630 PG 68 - 69**

(Above space for recording officer use.)

After recording return to:

File No.: P22-087

**WALKER HULBERT GRAY & MOORE, LLP**

P. O. Box 1770 / 909 Ball Street  
Perry, Georgia 31069  
Attorney: JOHN W. HULBERT

STATE OF GEORGIA  
COUNTY OF HOUSTON

**LIMITED WARRANTY DEED**

THIS INDENTURE, Made the 23<sup>rd</sup> day of March, in the year two thousand twenty-two (2022), between

**ANTHONY M. DELOACH, SR.**

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

**CCCCT INVESTMENTS, LLC,**  
a Georgia limited liability company

duly organized and existing under the laws of the State of Georgia, 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 Other Good and Valuable Considerations and Ten (\$10.00) and NO/100 \_\_\_\_\_ DOLLARS, before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey or confirm unto the said Grantee, ALL OF THE FOLLOWING DESCRIBED PROPERTY, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 144 of the 10th Land District of Houston County, Georgia and being known and designated as Parcel "A" containing 43.575 acres as shown on a plat of survey prepared by Richard L. Jones on December 15, 1987 and recorded in Plat Book 34, Page 102, Clerk's Office, Houston County Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

**LESS AND EXCEPT:** That certain **0.247 acres**, more or less, as shown in a Right of Way Deed recorded on November 16, 1989 in **Deed Book 862, Page 109**, Clerk's Office, Houston Superior Court.

**ALSO LESS AND EXCEPT:** That certain **0.436 acres**, more or less, as shown in a Right of Way Deed recorded on August 29, 1991 in **Deed Book 929, Page 417**, Clerk's Office, Houston Superior Court.

**Deed Reference:** Deed Book 7422, Pages 24-25, said Clerk's Office  
**Houston County Tax Map Parcel No.:** 000830 043000, comprising 42.89 acres

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

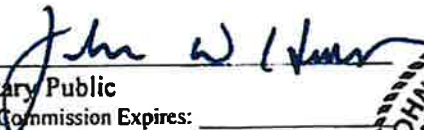
AND THE SAID Grantor, for itself, its successors and assigns, warrants and will, forever defend the right and title to said tract or parcel of land unto Grantee and its successors and assigns against the claims of all persons claiming by, through or under Grantor.

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

 (Seal)  
ANTHONY M. DELOACH, SR.

Signed, sealed and delivered  
in the presence of:

  
Witness

  
Notary Public  
My Commission Expires: \_\_\_\_\_

(Notary Seal)



P22-087



Where Georgia comes together.

**STAFF REPORT**

**From the Department of Community Development**

September 4, 2024

**CASE NUMBER:** ANNX-0111-2024

**APPLICANT:** Bryant Engineering, Chad Bryant

**REQUEST:** Annexation and Rezone of 22.5 acres from RAG (County) to R-1, Single-family Residential

**LOCATION:** Main Street; Tax Map Number: 000570 008000

**BACKGROUND INFORMATION:** The applicant proposes to annex the entirety of the above referenced parcel into the City of Perry. It will be combined with the properties to the immediate west of this parcel to create a subdivision. The lot is proposed to be zoned R-1, Single-family Residential.

There are no known covenants or restrictions on the subject property which would preclude the uses permitted in the proposed zoning district.

**STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:**

**1. The existing land uses and zoning classifications of nearby property.**

	Zoning	Land Use
North	GU, Governmental Use	Public Park
South	C-1/R-AG (County), Commercial/Single-Family Residential	Single-family residences, gas station, power substation
East	R-AG, Residential Agriculture	Agriculture
West	R-1, Single-Family Residential	Vacant land (approved subdivision)

- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** The proposed zoning district allows only single-family residential uses by right. This is consistent with surrounding uses.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** The proposed zoning district and the development of single-family residences is not expected to adversely impact the use of surrounding properties.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The subject property is in a “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. The Suburban Residential character area calls for a mix of housing densities and types.



- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** The proposed zoning district will not cause an excessive burden on existing public facilities. Main Street and Keith Dr are arterial streets which can accommodate additional traffic generated by development allowed in the district. City water capacity is available. Sanitary sewer is available; capacity will be evaluated based on the developer's phasing plan. Stormwater runoff will be reviewed as part of the development for compliance with the city's ordinances.
- 6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.** The property is contiguous to the existing city boundary on the west and north property lines.

**STAFF RECOMMENDATION:** Staff recommends approval of the annexation request and the proposed zoning classification of R-1, Single-family Residential.

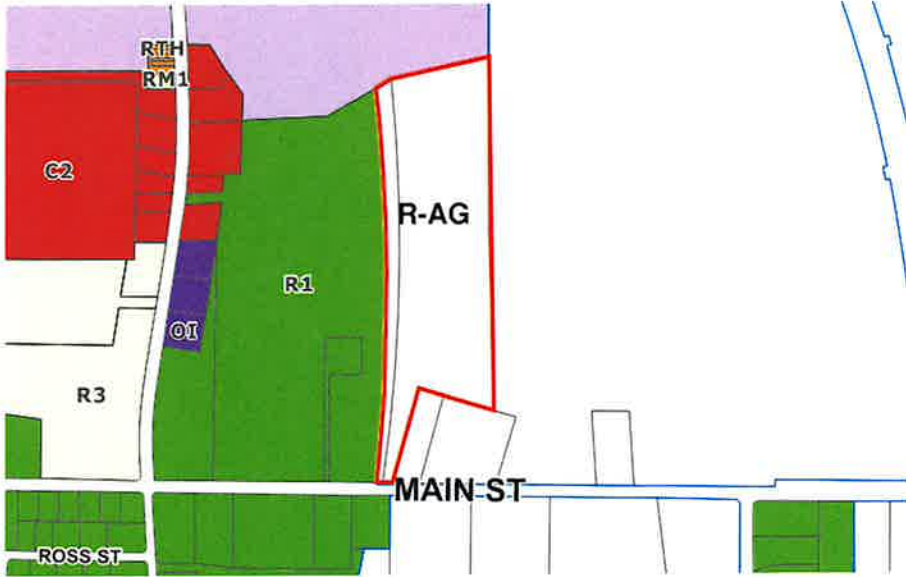
ANNX-0111-2024

0 MAIN ST

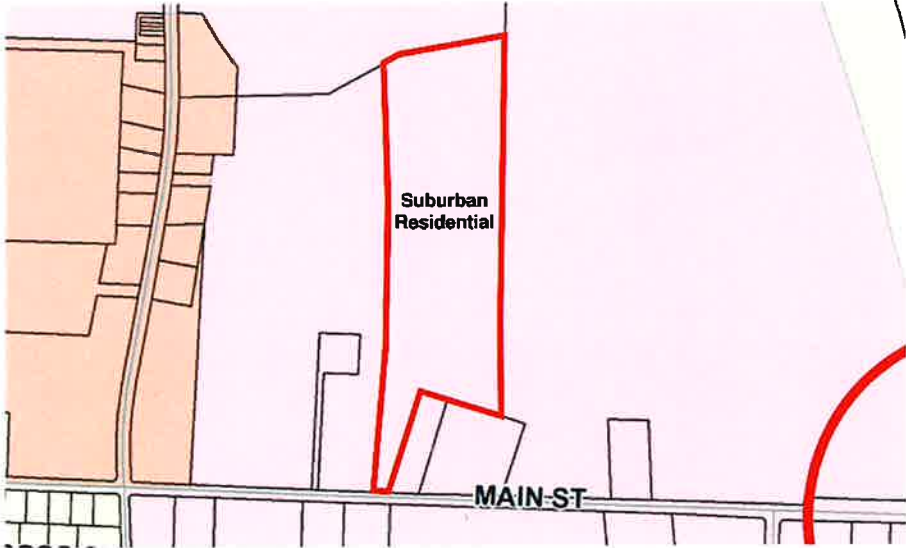
Annex 22.5 acres into city limits, zoned R-1, Single-Family Residential



Aerial



Zoning



Character Area



Where Georgia comes together.

Application # ANNX  
0111-2024

## Application for Annexation

Contact Community Development (478) 988-2720

\*Indicates Required Field

	*Applicant	*Property Owner
*Name	Bryant Engineering, Chad Bryant	Parkway Farms, Charles Ayer
*Title		
*Address	PO Box 1821 Perry, GA 31069	1444 Sam Nunn Blvd Perry, GA 31069
*Phone	478-224-7070	478-988-2380
*Email	chad@bryantengllc.com	charlesayer@thesportscenter.com

### Property Information

*Street Address or Location	Main Street 22.5 acres
*Tax Map #(s)	000570008000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property, tied to the Georgia Planes Coordinate System. **If the property being annexed is a portion of a recorded parcel, the portion being annexed must be a separate recorded parcel before this application will be accepted as complete.**

### Request

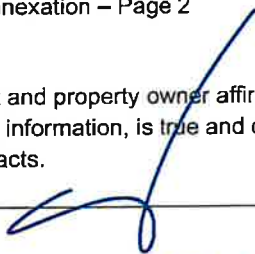

*Current County Zoning District	RAG	*Proposed City Zoning District	R1
*Please describe the existing and proposed use of the property Note: A Site Plan and/or other information which fully describes your proposal may benefit your application.			

### Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- \*Fees:
  - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$316.00 plus \$27.00/acre
  - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$527.00 plus \$42.00/acre
- \*The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Annexation applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- \*The applicant must be present at the hearings to present the application and answer questions that may arise.
- \*Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes \_\_\_\_\_ No X  
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. \*Signatures:

*Applicant		*Date 8/5/24
*Property Owner/Authorized Agent		*Date 8/5/24

**Standards for Granting a Zoning Classification**

***The applicant bears the burden of proof to demonstrate that an application complies with these standards.***

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

1. Identify the existing land uses and zoning classification of nearby properties.
2. Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.
3. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.
5. Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools.
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Revised 7/1/24

1. The subject parcel is currently zoned RAG, and is undeveloped. The parcels to the north are zoned GU. The property to the south of Main Street is zoned R-1. The property to the west of Keith Drive is zoned R3. The property to the east is zoned as R-AG, and is undeveloped.

2. The R-1 zoning classification permits single-family residential uses. The surrounding properties are zoned as R-AG (county), R-1 (city), and R-3 (city); therefore, the proposed use of single-family residential is consistent with adjacent and nearby properties.

3. With the exception of the north adjacent lot, all other nearby properties are zoned residential including requested zoning of R-. The proposed R-1 zoning does not adversely impact the existing use or usability of surrounding properties.

4. According to the 2022 Joint Comprehensive Plan Update, the subject property is located in the Suburban Residential character area; therefore, the proposed R-1 zoning designated for residential use is in compliance with the Comprehensive Plan.

5. This parcel is located off Main Street (Hwy 341) which is a state route and a major throughfare in Perry.

6. With the exception of the 1.42 acre tract, all properties have been zoned residential and is undeveloped.







**BE BRYANT ENGINEERING**  
 111 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Phone: (404) 525-1111  
 Fax: (404) 525-1112  
 www.bryant-engineering.com

DATE	11/11/11
BY	J. J. Bryant
CHECKED BY	J. J. Bryant
PROJECT	THE ORCHARD ON MAIN
LOCATION	PERKY
SCALE	AS SHOWN

CONCEPTUAL LAYOUT FOR  
**THE ORCHARD ON MAIN**  
 PERKY

DATE	11/11/11
BY	J. J. Bryant
CHECKED BY	J. J. Bryant
PROJECT	THE ORCHARD ON MAIN
LOCATION	PERKY
SCALE	AS SHOWN

Sheet No. **C0.1**



**PRELIMINARY PLAN  
 NOT FOR FINAL RECORDING**

OWNER:  
 THE ORCHARD ON MAIN  
 111 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 (404) 525-1111

Doc ID: 013197100008 Type: GLR  
Recorded: 01/08/2014 at 04:23:31 PM  
Fee Amt: \$1,945.00 Page 1 of 8  
Transfer Tax: \$1,925.00  
Houston, Ga. Clerk Superior Court  
Carolyn V. Sullivan Clerk  
BK 6463 PG 258-263

(Above space for recording officer use.)

After recording return to:

File No.: P'13-4644

258420

# WHGM

WALKER HULBERT GRAY & MOORE, LLP  
P. O. Box 1770 / 909 Ball Street  
Perry, Georgia 31059  
Attorney: LARRY WALKER

STATE OF GEORGIA  
COUNTY OF HOUSTON

## EXECUTOR'S DEED UNDER POWER

THIS INDENTURE, made and entered into this 26<sup>th</sup> day of December, 2013, between **H. DAVID MOORE**, as Executor of the Last Will and Testament and Estate of Mae D. Chapman, deceased, of the State of Georgia, and County of Houston, of the First Part (hereinafter called "Grantor") and **PARKWAY FARMS, LLC**, a Georgia limited liability company, duly organized and existing under the laws of the State of Georgia, 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 the said grantor (acting under and by virtue of the power and authority contained in said wills, the same having been duly probated and recorded in the Court of Probate of Houston County, Georgia), for and in consideration of the sum of ONE MILLION NINE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 (\$1,925,000.00) DOLLARS, in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold, alienated, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said grantee, all the following property, to-wit:

[FOR DESCRIPTION OF REAL PROPERTY SEE EXHIBIT "A"  
ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE THERETO]

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee its successors and assigns in fee simple, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said MAE D. CHAPMAN.

IN WITNESS WHEREOF, grantors herein have hereunto set their hands and seals, the day and year first above written.

Signed, sealed and delivered  
in the presence of

*[Handwritten signature]*

*[Handwritten signature]* (SEAL)  
H. DAVID MOORE, as Executor under the Last  
Will and Testament and Estate of Mae D. Chapman,  
deceased

Witness  
*[Handwritten signature]*  
Notary Public

MICHELE SUCHY  
Notary Public  
STATE OF GEORGIA  
My Comm. Exp. 1/9/14



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BOOK 6463 PAGE 259

**PARCEL NO. 1:** All that tract or parcel of land lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 10 acres, known and designated as Tract "A" according to a plat of survey made by Milton Beckham, Surveyor, dated May 27, 1971, a copy of which is of record in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract A.

The above described property is the same property conveyed to Tom Chapman by R.T. Tuggle, Jr., by Warranty Deed dated October 6, 1972, recorded in Deed Book 403, Page 670, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 11 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3C, comprising 10.0 acres, more or less.

**PARCEL NO. 2:** All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 25.32 acres, as shown by a plat of survey made by Rhodes Sewell, Surveyor, dated April 13, 1968, recorded in Map Book 12, Page 90, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 25.32 acre tract or parcel.

The above described property is a portion of the property conveyed to Tom Chapman by R.T. Tuggle, Sr., by Warranty Deed dated May 27, 1968, recorded in Deed Book 304, Page 277, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 7 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-9; P44-6; and P44-6C, comprising a total of 22.92 acres, more or less.

**PARCEL NO. 3:** All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 10 acres of land, more or less, being known and designated as Tract "B" on a plat of survey prepared by Milton Beckham, Surveyor, dated May 27, 1971, a copy of said plat being recorded in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract B.

The above described property is the same property conveyed to Tom Chapman by Ruth Wynelle T. Shelton by Warranty Deed dated October 6, 1972 and recorded in Deed Book 403, Page 675, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 12 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3B, comprising 10.0 acres, more or less.

**PARCEL NO. 4:** All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, being partly within the City of Perry and partly outside the city, comprising 44.17 acres, more or less, according to a plat of survey made by Rhodes Sewell, Surveyor, on April 13, 1968, a copy of said plat being of record in Map Book 12, Page 90, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 44.17 acre tract.

The above described property is the same property conveyed to Tom Chapman by W.V. Tuggle by Warranty Deed dated May 27, 1968, recorded in Deed Book 304, Page 278, Clerk's Office, Houston Superior Court.

**LESS AND EXCEPT**, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, in the City of Perry, comprising 0.49 acres of land, as more particularly described on plat recorded in Map Book 24, Page 205,





BOOK 6463 PAGE 260

Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 0.49 acres of land.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, in the City of Perry, as more particularly described on plat recorded in Map Book 34, Page 198, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel. Said parcel contains 19,783 square feet according to said plat of survey.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, and in the City of Perry, Georgia, being known and designated as Parcel A, comprising 1.000 acres, and having such shapes, metes, bounds, courses and distances as are shown on plat of record recorded in Map Book 35, Page 5, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel A.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, and in the City of Perry, Georgia, being known and designated as Parcel B, comprising 1.000 acres, and having such shapes, metes, bounds, courses and distances as are shown on plat of record recorded in Map Book 35, Page 5, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel B.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, containing 4.636 acres, as shown on plat recorded in Map Book 43, Page 94, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 4.636 acre tract or parcel.

The above described property is ALSO the same property as Parcel No. 6 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court

LESS AND EXCEPT, all that tract or parcel of land being known as Parcel A, containing 1.000 acre and Parcel B, containing 5.491 acres, as more particularly shown on plat of record recorded in Map Book 22, Page 13, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description.

LESS AND EXCEPT, all that tract or parcel of land comprising 2.4 acres, more or less, according to the Houston County Tax Assessors Office, and being more particularly shown in a Warranty Deed recorded in Deed Book 1157, Page 425, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land being known as Parcel C, containing 0.490 acre, as more particularly shown on plat of record recorded in Map Book 58, Page 100, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description.

Reference: Map Code P44-10; and 57-8, comprising 27.71 acres, more or less.

**PARCEL NO. 5:** All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, known and designated as Tract "C", containing 9.16 acres according to a plat of survey made by Milton Beckham, Surveyor, on May 27, 1971, a copy of said plat being recorded in Map Book 14, Page 213, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Tract C.

The above described property is the same property conveyed to Tom Chapman by R.T. Tuggle, Sr., by Warranty Deed dated October 6, 1972 and recorded in Deed Book 403, Page 673, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 13 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the Tenth Land District of Houston County, Georgia, known and designated as Parcel "K-

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1", comprising 1.000 acres, according to a plat of survey prepared for Mae D. Chapman by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated July 25, 2007, a copy of which is recorded in Map Book 69, Page 129, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes. Said less and excepted property is the same property as conveyed from Mae D. Chapman to Joseph S. Lomboy and Marieta Olaiivar-Lomboy by Warranty Deed dated December 10, 2007 and recorded in Deed Book 4506, Pages 236-237, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 112 of the Tenth Land District of Houston County, Georgia, known and designated as Parcel "V", comprising 1.00 acres, according to a plat of survey entitled "Survey for "Aaron G. Velic", prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 19, 2008, a copy of which is recorded in Map Book 74, Page 61, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes. Said less and excepted property is the same property as conveyed from H. David Moore, as Executor under the Last Will and Testament and Estate of Mae D. Chapman to Perry Family Practice, LLC by Executor's Deed dated March 6, 2012 and recorded in Deed Book 5780, Pages 257-258, Clerk's Office, Houston Superior Court.

Reference: Map Code P44-3D, comprising 7.16 acres, more or less.

**PARCEL NO. 6:** All that tract or parcel of land situate, lying and being in Land Lot 112 of the 10<sup>th</sup> Land District of Houston County, Georgia, containing 1.5 acres, more particularly shown on a plat of survey prepared by Rhodes Sewell, Surveyor, on February 15, 1969, a copy of said plat being of record in Map Book 12, Page 261, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 1.5 acres hereby conveyed.

The above described property is the same property conveyed to Tom Chapman by Lamar DeLoach by Warranty Deed dated June 6, 1986, recorded in Deed Book 722, Page 467, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 8 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-10, comprising 1.5 acres, more or less.

**PARCEL NO. 7:** All that tract or parcel of land situate, lying and being in Land Lot 113 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 2.01 acres, designated as Parcel "B" on a plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor No. 1591, dated March 31, 1983, and recorded in Map Book 25, Page 216, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel B.

The above described property is the same property conveyed to Tom S. Chapman by Mary Porter Langston, Individually and as Administratrix With Will Annexed of the Estate of I.M. Langston, Jr., deceased, by Warranty Deed dated February 11, 1986, and recorded in Deed Book 708, Page 603, Clerk's Office, Houston Superior Court.

The above described property is ALSO the same property as Parcel No. 10 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-14, comprising 2.01 acres, more or less.

**PARCEL NO. 8:** All that tract or parcel of land situate, lying and being in Land Lot 113 of the 10<sup>th</sup> Land District of Houston County, Georgia, being known and designated as Tract A, containing 198.6 acres, more or less, and having such shape, metes, bounds, distances and courses as are shown on plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor No. 1591, dated March 31, 1983, recorded in Map Book 25, Page 216, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular description of said Tract A hereby conveyed.

The above described Property is the same property conveyed to Tom S. Chapman by Mary P. Langston and I.M. Langston, Jr. by Warranty Deed dated May 6, 1983, recorded in Deed Book 628, Page 314, Clerk's Office, Houston Superior Court.

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LESS AND EXCEPT, all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10<sup>th</sup> Land District of Houston County, Georgia, being more particularly described as follows: BEGINNING at a point 75 feet left on an opposite Station 330 + 59.94 on the survey centerline of Perry Bypass on Georgia Highway Project No. PR-8540-1 (153) from the point of beginning; thence from the beginning of a curve, which is the point of beginning, said curve having a central angle of 011 degrees 16 minutes 01 seconds, radius 7714.440 feet, chord bearing South 14 degrees 36 minutes 43.2 seconds East, and a chord distance of 1514.571 feet along the said curve for an arc distance of 1517.014 feet to the end of the curve; thence South 08 degrees 58 minutes 42.6 seconds East for 1418.202 feet to a point on the boundary; thence South 49 degrees 16 minutes 30.4 seconds East 76.271 feet to a point on the boundary; thence South 89 degrees 34 minutes 18.2 seconds East for 205.006 feet to a point on the boundary; thence South 00 degrees 27 minutes 07.6 seconds East for 25.003 feet to a point on the boundary; thence North 89 degrees 34 minutes 18.2 seconds West for 1072.472 feet to a point on the boundary; thence North 00 degrees 25 minutes 41.8 seconds East for 25.000 feet to a point on the boundary; thence South 89 degrees 34 minutes 18.2 seconds East for 615.037 feet to a point on the boundary; thence North 40 degrees 43 minutes 29.6 seconds East for 64.674 feet to a point on the boundary; thence North 08 degrees 58 minutes 42.6 seconds West for 1393.351 feet to the beginning of a curve, said curve having central angle of 011 degrees 20 minutes 21 seconds, radius 7564.440 feet, chord bearing North 14 degrees 38 minutes 53.3 seconds West, and a chord distance of 1494.615 feet along the said curve for an arc distance of 1497.057 feet to the end of the curve; thence South 78 degrees 35 minutes 19.1 seconds East for 13.079 feet to a point on the boundary; thence North 76 degrees 44 minutes 13.6 seconds East for 15.001 feet to a point on the boundary; thence North 76 degrees 44 minutes 6.0 seconds East for 6.000 feet to a point on the boundary; thence North 70 degrees 00 minutes 5.9 seconds East for 43.028 feet to a point on the boundary; thence North 69 degrees 26 minutes 2.6 seconds East for 59.167 feet to a point on the boundary; thence North 70 degrees 43 minutes 27.3 seconds East for 15.836 feet to the POINT OF BEGINNING, containing 10.861 acres.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10<sup>th</sup> Land District of Houston County, Georgia, consisting of 1.151 acres, more or less, conveyed by Tom Chapman to the City of Perry by Right of Way Deed dated August 9, 1991 and recorded in Deed Book 928, Page 210, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 113 of the 10<sup>th</sup> Land District of Houston County, Georgia, and consisting of 0.012 acre, more or less, conveyed by Tom Chapman to the City of Perry by Right of Way Deed dated August 20, 1993 and recorded in Deed Book 1046, Page 757, Clerk's Office, Houston Superior Court.

The above described property is the same as Parcel No. 9 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 57-12, comprising 186.58 acres, more or less.

**PARCEL NO. 9:** All that tract or parcel of land situate, lying and being in Land Lot 144 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 84.34 acres, having such shape, metes, bounds, courses or distances as are shown on plat of record recorded in Map Book 9, Page 43, Clerk's Office, Houston Superior Court. Said plat shows 139.34 acres, and the property herein is all of said described property except that certain 55 acres, more or less, thereof which was previously conveyed to Robert L. Lucky, Jr., by deed of record in Deed Book 217, Page 486, Clerk's Office, Houston Superior Court. Said plat is by reference thereto incorporated herein for the purpose of a more particular and accurate description of said 84.34 acre tract or parcel.

The above described property is the same property conveyed to Tom Chapman by E. Beverly Chester by Warranty Deed dated December 22, 1977, and recorded in Deed Book 515, Page 737, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 144 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 1.229 acres, known and designated as Parcel "A" as shown on plat of record in Map Book 52, Page 118, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel A.

The above described property is ALSO the same property as Parcel No. 19 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 83-23, comprising 83.4 acres, more or less.

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**PARCEL NO. 10:** All that tract or parcel of land situate, lying and being in the 10<sup>th</sup> Land District of Houston County, Georgia, and in the East part of Land Lot 142, containing 94.60 acres, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, Surveyor, on April 23, 1940, a copy of said plat being of record in Map Book 1, Page 306, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 94.60 acres.

The above described property is the same property conveyed to Tom Chapman by Gus Bannister by Warranty Deed dated December 12, 1973, and recorded in Deed Book 427, Page 154, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10<sup>th</sup> Land District of Houston County, Georgia, comprising 61.030 acres, according to plat of record recorded in Map Book 51, Page 174, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 61.030 acres.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10<sup>th</sup> Land District of Houston County, Georgia, containing .0904 acres, known and designated as Parcel D according to that certain plat of survey of record in Map Book 52, Page 120, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel D.

The above described property is ALSO the same property as Parcel No. 15 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 82-16, comprising 33.47 acres, more or less.

ALSO CONVEYED is that certain 30.00' strip along Land Lot lines 143 and 144 and being more particularly described as follows: All that tract or parcel of land situate, lying and being in Land Lot 143 and 144 of the Tenth Land District of Houston County, Georgia, being known and designated as Tract "MC", comprising 2.11 acres, according to that certain plat of survey of said Property entitled "Survey for Estate of Mae D. Chapman", prepared by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 18, 2013, a copy of which is of record in Map Book 75, Pages 194, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Said 30.00' strip described above is the same property as conveyed from The Board of Commissioners of Houston County, Georgia to H. David Moore in his capacity as Executor of the Last Will and Testament and the Estate of Mae D. Chapman, Deceased, dated December, 2013 and as recorded in the Clerk's Office, Houston Superior Court.

NOTE: All tax map codes and acreage references are for informational purposes only.