

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on November 18, 2002 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

MEMBERS PRESENT: Bill Beckwith, Chairman
David Bartosh, Vice-Chairman
Ron Mabra
Larry Blanks
Tom Mahon

MEMBERS ABSENT: None

STAFF PRESENT: Bill McNally, County Attorney
Delores Harrison, Zoning Technician
Robyn S. Wilson, ZBA Secretary/Zoning Coordinator

STAFF ABSENT: Kathy Zeitler, Director of Zoning/Zoning Administrator

Welcome and Call to Order:

Chairman Beckwith called the meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present. He welcomed Chairman Greg Dunn to the Z.B.A. public hearing.

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1. Consideration of the Minutes of the meeting held on October 28, 2002.

David Bartosh made the motion to approve the Minutes as circulated. Ron Mabra seconded the motion. The motion passed 4-0-1. Tom Mahon abstained due to being absent from the public hearing.

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Delores Harrison read the procedures that would be followed for presentation and opposition for petitions.

2. Consideration of Petition No. A-530-02, Jim Powell, Owner/Agent, request a Variance to exceed the maximum amount of impervious area allowed in the C-H Zoning District from a maximum of 60% of the total lot area to 66% of the total lot area. This property is located in Land Lot 248 of the 5th District, fronts on S.R. 85 North, and is zoned C-H.

Jim Powell stated that Body Motion Collision was in need of additional space. He said that there had been changes in the industry which required them to have team repair procedures in order to get the vehicle out the door in a much better way. He pointed out that the shop is not laid out properly because it is currently in the shape of a large "L". He confirmed that it was hard to make the work flow through the shop because vehicles have to be moved in and out of the shop on a constant basis. He reported that he wanted to add 9,200 square feet to the existing shop so that the vehicles do not have to be moved in and out every time the vehicle has to be worked on. He explained that body shops are not usually attractive places and he wants to beautify the site. He remarked that he has painted the building and also done some improvements on the building. He commented that the front of the building has an eave and the addition would be similar to the front of the existing building. He went on to say that the addition would make the work flow better for the entire shop.

Chairman Beckwith asked if there was anyone to speak in favor of the petition. Hearing none, he asked if there was anyone to speak in opposition of the petition. Hearing none and with no rebuttal required, he closed the floor from public comments.

Larry Blanks asked if the petition would require two (2) motions, one to approve the addition to a nonconforming structure and one for the increased impervious area.

David Bartosh referenced page 1-3. of the Staff Analysis regarding the extension or enlargement of a nonconforming structure.

Attorney McNally advised that two (2) motions would be required. He explained that a motion would be required to increase the size of the structure for a nonconforming use and a motion to increase the amount of impervious area for the zoning district.

Chairman Beckwith asked Mr. Powell where was the planned expansion.

Mr. Powell pointed to the area proposed for expansion on his plat. He explained that he wants to square off the building. He advised that the expansion would allow vehicles to stay indoors during the repair process instead of being moved in and out constantly, make the work flow less cumbersome, and would organize the shop better. He confirmed that he had owned the shop since 1992 and that the shop was previously used as a body shop.

Ron Mabra asked how much land was lost due to the widening of S.R. 85 North.

Mr. Powell replied that he was unsure.

Larry Blanks made a motion to approve the expansion of a nonconforming structure. David Bartosh seconded the motion for discussion.

Mr. Mabra stated that the Z.B.A. had the authority to approve the expansion per Section 9-5. Powers and Duties of the Z.B.A.

Chairman Beckwith remarked that this was a confusing situation since it is a nonconforming structure on a lot and some of the property was taken by the widening of S.R. 85 North.

Mr. Bartosh remarked that he thought the motion was for the impervious area.

Mr. Blanks replied no. He confirmed that the motion was for the expansion of a nonconforming structure. He asked Robyn Wilson to read back the motion.

Mrs. Wilson stated that the motion was to approve the expansion of a nonconforming structure.

Chairman Beckwith called for the vote. The motion passed 4-1 with Tom Mahon voting in opposition.

Mr. Blanks asked for clarification regarding the impervious area.

Attorney McNally advised that the C-H zoning district limited the amount of impervious area to 60% of the total lot area and the request is to increase the impervious area to a maximum of 66% of the total lot area.

Larry Blanks made a motion to approve the amount of maximum impervious area to 66%. David Bartosh seconded the motion. The motion passed 4-1 with Tom Mahon voting in opposition.

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Chairman Beckwith asked if there was any further business.

Robyn Wilson advised that one (1) application had been submitted for the December 16th Public Hearing.

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There being no further business, Larry Blanks made the motion to adjourn the meeting. Chairman Beckwith seconded the motion. The motion unanimously passed 5-0. The meeting adjourned at 7:15 P.M.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY

Respectfully submitted by:

BILL BECKWITH
CHAIRMAN

ROBYN S. WILSON
SECRETARY