

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on March 18, 2013, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, First Floor, Fayetteville, Georgia.

MEMBERS PRESENT: Vic Bolton, Chairman
Brian Haren, Vice-Chairman
Bill Beckwith
Larry Blanks
Tom Mahon

STAFF PRESENT: Dennis Dutton, Zoning Administrator
Dennis Davenport, County Attorney
Hank Derbyshire, County Marshal

Welcome and Call to Order:

Chairman Vic Bolton called the meeting to order and introduced the Board Members and Staff.

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1. Election of a Chairman for 2013.

Bill Beckwith made a motion to elect Vic Bolton as the Chairman of the ZBA. Brian Haren seconded the motion. Chairman Bolton asked for any other nomination and seeing none, closed the floor to nominations. The motion unanimously passed 5-0. Members voting in favor of the motion were: Chairman Bolton, Bill Beckwith, Brian Haren, Larry Blanks, and Tom Mahon.

2. Election of a Vice-Chairman for 2013.

Tom Mahon made a motion to elect Brian Haren as the Vice-Chairman of the ZBA. Vic Bolton seconded the motion. Chairman Bolton asked for any other nomination and seeing none, he closed the floor to nominations. The motion unanimously passed 4-0-1 Members voting in favor of the motion were: Chairman Bolton, Bill Beckwith, Larry Blanks, and Tom Mahon. Brian Haren abstained from the vote.

3. Election of a Secretary for 2013.

Larry Blanks made a motion to elect Dennis Dutton as the Secretary of the ZBA. Bill Beckwith seconded the motion. Chairman Bolton asked for any other nomination and seeing none, he closed the floor to nominations. The motion unanimously passed 5-0. Members voting in favor of the motion were: Chairman Bolton, Bill Beckwith, Brian Haren, Larry Blanks, and Tom Mahon.

4. Consideration of the Minutes of the Public Hearing held on November 26, 2012.

Tom Mahon made a motion to approve the minutes. Larry Blanks seconded the motion. Chairman Bolton asked for questions or comments and seeing none, he called for the vote. The motion unanimously passed 5-0. Members voting in favor of the motion were: Chairman Bolton, Bill Beckwith, Brian Haren, and Larry Blanks, Tom Mahon.

5. Consideration of Petition No. A-597-12, Albert Douglas and Cheryl Sebastian, Owners, and Will Leslie of L&S Contracting, Agent, request a 26 foot variance to reduce the rear yard setback from 30 feet to a minimum of 4 feet to allow the construction a detached garage. This variance would allow the accessory structure in the rear yard as oppose to locating it in the front yard. This property is located in Land Lots 166 and 187 of the 4th District, consists of 1.39 acres, is zoned R-40, and fronts on Broom Boulevard of the Broom-Hall Subdivision.

Doug Sebastian said he is the owner of the property and he is trying to build a garage on his property and he needs a 26 foot variance. He said he can't locate the garage on the opposite side of the house due to the septic system location and a drainage ditch. He added that he can meet the side and front setbacks but his location cannot meet the rear setback and this location is the only place where the garage can be built next to his house. He stated that the rear of his property is heavily wooded.

Chairman Bolton said so you think your neighbors would not be able to see the garage.

Mr. Sebastian said he did not think his neighbors could see the garage.

Mr. Sebastian showed the ZBA the location of the garage on a drawing of the property.

Chairman Bolton asked about the drainage ditch.

Mr. Sebastian said that water stands in this area for a short time after a rain but it was not a wetland.

Larry Blanks asked Mr. Sebastian if he talked to any of his neighbors about his plans to build a garage in this location.

Mr. Sebastian said he had not talked to any of his adjacent neighbors but in the spring and summer he cannot even see his next door neighbor's houses through the trees.

Bill Beckwith said he had driven behind the property and asked Mr. Sebastian what is on the property to the east.

Mr. Sebastian said it is a large lot that fronts on Chapell Road and the house is on the far eastern

**ZBA Meeting
March 18, 2013
Page 3**

portion of the lot away from his lot.

Chairman Bolton asked if there was anyone who would like to speak in favor of the petition. Hearing none he asked if there was anyone who wanted to speak in opposition to the petition. Hearing none the Chairman closed the public hearing and brought it back to the Board.

Chairman Bolton asked are there codes in terms of building around a septic system.

Dennis Dutton said the Environmental Health does not allow any building on a septic system.

Larry Blanks said because of the septic system the only other place would be to build in the front yard.

Bill Beckwith made a motion to approve the variance request and Larry Blanks seconded the motion.

Dennis Davenport clarified that the variance is for this structure only and does reduce the rear setback on the entire lot. Dennis Davenport asked Mr. Sebastian if he planned to install any plumbing facilities or heated area in this building.

Mr. Sebastian said he did not.

Tom Mahon asked what the maximum size for an accessory structure is.

Dennis Dutton said the maximum size is 1,800 square feet but the accessory structure could not be larger than the house.

Chairman Bolton called the question and the motion to approve the variance unanimously passed 5-0. Members voting in favor of approval of the variance as requested were: Chairman Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon.

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ZBA Meeting
March 18, 2013
Page 4

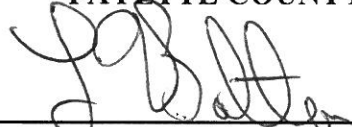
Chairman Bolton asked if there was any further business.

There being no further business, Tom Mahon made the motion to adjourn the meeting and the meeting adjourned at 7:22pm.

ZONING BOARD OF APPEALS

OF

FAYETTE COUNTY



VIC BOLTON, CHAIRMAN



ATTEST