

BOARD OF APPEALS

Bill Beckwith
Therol Brown
Marsha A. Hopkins
John Tate
Tom Waller

STAFF

Pete Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator

AGENDA

Fayette County Zoning Board of Appeals
Fayette County Administrative Complex
Public Meeting Room
March 27, 2017
7:00 P.M.

1. Swearing in of John Tate and Therol Brown.
2. Election of the Chairman.
3. Election of the Vice-Chairman.
4. Election of the Secretary.
5. Consideration of the Minutes of the Meeting held on February 27, 2017.

PUBLIC HEARING

6. Consideration of Petition No. A-646-17, Mary Frances Butler, Owner, and Jay McCoy, Agent, requests the following: Variance to Sec. 110-125 to reduce side yard setback from 50 feet to nine (9) feet to allow an existing accessory structure to remain. The subject property is located in Land Lot 118 of the 4th District and fronts on Lowery Road.
7. Consideration of Petition No. A-647-17, Lance Schoon, Owner, requests the following: Variance to Sec. 110-125 to reduce side yard setback from 50 feet to 35 feet to allow the construction of an addition to an existing single family residence and Variance to Sec. 110-125 to reduce rear yard setback from 75 feet to 63 feet to allow the construction of an addition to an existing single family residence. The subject property is located in Land Lot 137 of the 4th District and fronts on Malone Road.
8. Consideration of Petition No. A-647-17, Morten Buch & Michael J. Taylor, Owners, requests the following: Variance to Sec. 110-137 to reduce side yard setback from 15 feet to five (5) feet to allow the construction of a detached accessory structure.

PETITION NO. A-646-17
Mary Frances Butler
7531 Lake Andrea Circle
Mt. Dora FL 32757
Public Hearing Date March 27, 2017

The subject property is located at 234 Lowery Road, Fayetteville, Georgia 30215 and is zoned Agricultural-Residential (A-R). The applicant is requesting a Variance as follows:

1. Variance to Sec. 110-125.(d)(6) to reduce side yard setback from 50 to nine (9) feet to allow an existing accessory structure to remain

History: As a survey for the property was recorded on December 24, 1964, the subject property is a non-conforming lot of record, being approximately two (2) acres in size and A-R requires five (5) acres. Tax Assessor's records indicate that the house was built in 1960 making it non-conforming as well. All building permit records prior 1982 are no longer available as they were destroyed in the Courthouse fire.

A permit was issued for the accessory structure in 1983 (see attached). The plat contained in the building permit file indicates that the accessory structure was to be 60 feet from the side property line. A subsequent survey indicates that the accessory structure is approximately nine (9) feet from the side property line (see attached). The A-R zoning district requires a 50 foot setback from the side property line.

The applicant provides the following information:

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

New as-built survey has been ordered.

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Sec. 110-242. (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist.

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

It is a non-conforming property = an old property of 2 acres AR; not the 5 acres standard to the current AR zoning.

Property is not rectangular in shape, but pie or triangle shaped.

2. **The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

Both the size (2 acres) and shape (triangle) compress the setbacks that would normally fit within a 5 acre plot.

3. **Such conditions are peculiar to the particular piece of property involved; and,**

Both the size (2 acres) and shape (triangle).

4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and,**

Structures on this property have been in place for 10-30 years with no problems or issues arising.

Permits were obtained for all structures built.

5. **A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed; and,**

Permits were obtained for all structures built with no complaints or issues arising.

DEPARTMENTAL COMMENTS

ENVIRONMENTAL HEALTH: No objections to variance.

ENVIRONMENTAL MANAGEMENT: EMD has not comments.

FIRE MARSHAL: The bureau of fire prevention will neither approve nor deny request that fall outside the scope of ISO requirements.

PUBLIC WORKS/ENGINEERING: There are no Engineering/Public Works issues pertinent to the variance requests for A-646-17, A-647-17, or A-648-17.

WATER SYSTEM: No conflict.

APPLICATION FOR FAYETTE COUNTY BUILDING PERMIT

PERMIT NUMBER 06402 LANDLOT 118
 PERMIT FEE \$ 89.55 DISTRICT 4th

Sir: I hereby make application for permit to and submit 1 set of construction plans and a landsite plot, drawn to scale as per the County regulations to:

ERECT ☐ MAKE ADDITION TO ☒ MOVE ☐ REMODEL ☐ OTHER _____
 SINGLE FAMILY RES. ☒ MULTI FAMILY RES. ☐ COMMERCIAL BLDG. ☐ ACCESSORY ☒ OTHER & Utility Building

OWNER: James E. Butler, II BUILDER: Same

LOT NO. _____ BLOCK _____ LOCATION 310 Lowery Road

SUBDIVISION: N/A

REMARKS: They are going to add a 33 x 27 carport & 30 x 30 Utility Building

LOT SIZE: 2 SIZE OF BUILDING: 30 x 30 HEATED SQUARE FEET: 90C
33 x 27 891 = 1,791 s.f.

NO. OF UNITS 2 STORIES: 1 ROOMS: 1 - Utility Bldg BATHS: N/A FIRE PLACE: _____
2 house

ZONING A-R SETBACKS: FRONT 75 SIDES 50 BACK 100

BASEMENT:

FULL ☐
 PART ☐
 NONE ☒

ATTIC:

FINISHED ☐
 UNFINISHED ☐

WASTE DISPOSAL:

SEPTIC TANK ☐
 SEWER ☐

WATER SOURCE:

PUBLIC ☐
 WELL ☐
 PRIVATE ☐

FOOTING:

PLAIN CONCRETE ☒
 MONOLITHIC POUR ☐
 OTHER _____

FOUNDATION WALLS

PLAIN CONC. ☒
 CONC. BLOCK ☐
 OTHER _____

FLOOR CONST.

WOOD JOIST ☐
 FLAT SLAB ☒
 OTHER _____

ROOF CONST.

WOOD RAFTERS ☒
 WOOD TRUSS ☐
 OTHER _____

PARTITIONS

WOOD ☐
 SHEET ROCK ☐
 OTHER _____

FINISHED FLOOR

CARPET ☐
 CEMENT ☒
 OTHER _____

WINDOW SASH

WOOD ☐
 METAL ☐
 INSULATED ☐

CHIMNEY

BRICK ☐
 STONE ☐
 PRE-FAB ☐
 OTHER _____

EXTERIOR WALLS

BRICK ☐
 CONC. BLOCK ☐
 WOOD ☒
 OTHER _____

ROOFING

COMPOSITION ☒
 METAL ☐
 WOOD ☐
 OTHER _____

ELECTRICAL WORK

GA. POWER ☐
 COWETTA/FAYETTE ☐
 PLUMBING
 YES ☐ NO ☒

HEATING

LP GAS ☐
 NAT. GAS ☐
 ELECTRIC ☐
 OTHER _____

NAME: James E. Butler II

ADDRESS: 310 Lowery Rd

CITY: Fayetteville PHONE: 228-3971

DATE 6/30/83 Clerk-Fayette Building Department

Any building permit shall become void if work involved has not begun within six (6) months after the date of issuance of the permit, or if the work or development authorized by such permit is suspended or abandoned for a period of six (6) months after the work or development is commenced. To update such permit will be an additional fee of \$30.00.

A-646-17

Lowery Road

SUBJECT
PROPERTY



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Mary Frances Butler
MAILING ADDRESS: 7531 Lake Andrea Circle, Mt Dora, FL 32757
PHONE: 404-444-4565 E-MAIL: mfbutler99@yahoo.com
AGENT FOR OWNERS: Jay McCoy
MAILING ADDRESS: 2119 Grant Ave; McDonough, GA 30252
PHONE: 770-310-4129 E-MAIL: jmcocoy@excel-build.com
PROPERTY LOCATION: LAND LOT 118 LAND DISTRICT 4th PARCEL _____
TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 2.03
ZONING DISTRICT: 4th AR
ZONING OF SURROUNDING PROPERTIES: AR
PRESENT USE OF SUBJECT PROPERTY: Residential
PROPOSED USE OF SUBJECT PROPERTY: Residential

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-646-17

[] Application Insufficient due to lack of:

by Staff: _____ Date: _____

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: C. Br. Date: 2/17/2017

DATE OF ZONING BOARD OF APPEALS HEARING: March 27, 2017

Received from Mary Frances Butler a check in the amount of \$ 175⁰⁰

for application filing fee, and \$ 20⁰⁰ for deposit on frame for public hearing sign(s).

Date Paid: February 17, 2017

Receipt Number: 5667549 - sign
5667512 - ZBA App.

VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

Ordinance/Section	Requirement	Proposed	Variance Amount
1. Variance to Sec. 110-125.(d)(6) to reduce side yard setback from 50 to nine (9) feet to allow an existing accessory structure to remain	50 feet	9 feet	41 feet

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

See attached

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Section 110-242 (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

See attached

2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

See attached

3. Such conditions are peculiar to the particular piece of property involved.

See attached

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

See attached

5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

See attached

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

- New as-built survey has been ordered.

JUSTIFICATION OF REQUEST

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
 - It is a non-conforming property = an old property of 2 acres AR; not the 5 acres standard to the current AR zoning.
 - Property is not rectangular in shape, but pie or triangle shaped.
2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.
 - Both the size (2 acres) and shape (triangle) compress the setbacks that would normally fit within a 5 acre plot.
3. Such conditions are peculiar to the particular piece of property involved.
 - Both the size (2 acres) and shape (triangle).
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.
 - Structures on this property have been in place for 10-30 years with no problems or issues arising.
 - Permits were obtained for all structures built.
5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.
 - Permits were obtained for all structures built with no complaints or issues arising.

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Mary Frances Butler

Please Print Names

Property Tax Identification Number(s) of Subject Property: 04-18-003

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 4th District, and (if applicable to more than one land district) Land Lot(s) 18 of the District, and said property consists of a total of 2.03 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to _____ to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

Mary Frances Butler
Signature of Property Owner 1

7531 Lake Andrea Circle
Address MT Dora, FL 32757

Signature of Property Owner 2

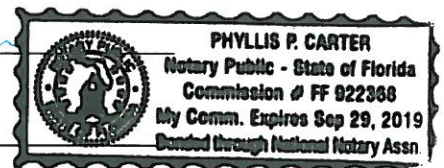
Address

[Signature]
Signature of Authorized Agent

2619 Grant Ave; McDonough, GA
Address 30252

Phyllis P. Carter
Signature of Notary Public

2/10/17
Date

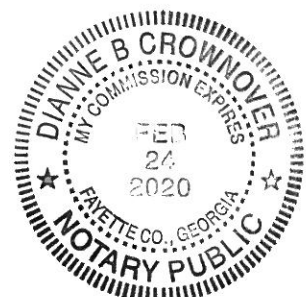


Alianne B. Crownover
Signature of Notary Public

3-9-17
Date

Signature of Notary Public

Date



PETITION NO. A-647-17
Lance Schoon
242 Malone Road
Fayetteville, GA 30215
Public Hearing Date March 27, 2017

The subject property is located at 242 Malone Road, Fayetteville, Georgia 30215 and is zoned Agricultural-Residential (A-R). The applicant is requesting two (2) Variances as follows:

1. Variance to Sec. 110-125. A-R, (d) (6) to reduce side yard setback from 50 feet to 35 feet to allow the construction of an addition to an existing single family residence; and
2. Variance to Sec. 110-125. A-R, (d) (5) to reduce rear yard setback from 75 feet to 63 feet to allow the construction of an addition to an existing single family residence.

History: As a survey for the property was recorded on August 6, 1979, the subject property is a non-conforming lot of record, being approximately one (1) acre in size and A-R requires five (5) acres. Tax Assessor's records indicate that the house was built in 1979 making it non-conforming as well. All building permit records prior 1982 are no longer available as they were destroyed in the Courthouse fire.

The applicant provides the following information:

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

To the Fayette County Zoning Board Members, I have lived at this address for almost five years and until recently had no earthly idea that my property was divided into two separate lots. The contractor found out recently that the property didn't fall in line with the counties rear and side setback regulations. Having a total of approximately acres around my home I found that idea to be crazy until learning that the property was divided into two lots, one consisting of about acre and the other approximately acres. Since finding this out, my family and I want to keep the lots separate instead of combining the two, even though it has created this issue with the zoning board. The way the present layout of the home is designed has created a crowded situation that we are hoping an addition would alleviate. Our hope is, the county would allow the variance on the rear and side of the home, so that construction of the addition can be completed and give us much needed space in our home.

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Sec. 110-242. (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist.

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

I didn't realize until going through the permitting process that my property wasn't one complete lot on my property, but are two different lots, that has created an issue for the contractor to permit the work we want done. The property at said address has a very peculiar shape and has created a problem with trying to procure a permit for adding a laundry/storage room on said property and I'm hoping the board will allow the variance for me and my family to gain some needed space.

- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

The way the existing setback laws are in Fayette County won't allow me to build unless the variance is approved. This variance would allow much needed space for a laundry/storage room to my home. The existing laundry room is in a cramped bathroom at this time and is very difficult and crowded anytime laundry needs to be done. Being an older home, we have limited storage space and this added room will free up much needed space for my home.

- 3. Such conditions are peculiar to the particular piece of property involved; and,**

Having the two separated lots and the angular shape of the lot I'm trying to build on is probably one in a million in our county, the way I purchased it. Instead of trying to make the two lots into one, I would prefer to keep it this way in the event one of my children in the future would like to build their own home close to mine. This would still be allowable under current Fayette County regulations. If I combined the two, I wouldn't be able to do this in the future for my children.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and,**

By allowing this variance for me and my family, I truly believe it wouldn't cause any detriment to my neighbors nor the Fayette County community.

5. **A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed; and,**

By not allowing the variance would continue to bring unwanted stress to our family because of overcrowding.

DEPARTMENTAL COMMENTS

ENVIRONMENTAL HEALTH: Department has no objections to proposed variance to side yard setback. There are no departmental records (likely due to age of the structure) on existing septic system so specific location and size of system is unknown.

ENVIRONMENTAL MANAGEMENT: EMD has no comments.

FIRE MARSHAL: The bureau of fire prevention will neither approve nor deny request that fall outside the scope of ISO requirements.

PUBLIC WORKS/ENGINEERING: There are no Engineering/Public Works issues pertinent to the variance requests for A-646-17, A-647-17, or A-648-17.

WATER SYSTEM: No conflict.

A-647-17

Malone Road

**SUBJECT
PROPERTY**



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: LANGE Schoon

MAILING ADDRESS: 242 Malone Rd Fayetteville, GA 30215

PHONE: 678-471-6888 E-MAIL: _____

AGENT FOR OWNERS: Stephan Bass

MAILING ADDRESS: 413 Norman Ct Hampton, GA 30228

PHONE: 404-906-1208 E-MAIL: bassstephen1@yahoo.com

PROPERTY LOCATION: LAND LOT 137 LAND DISTRICT 4th PARCEL 0428 019

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 1.0

ZONING DISTRICT: A-R

ZONING OF SURROUNDING PROPERTIES: A-R

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: Residential

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-647-¹⁷

[] Application Insufficient due to lack of:

by Staff: _____ Date: _____

[☒] Application and all required supporting documentation is Sufficient and Complete

by Staff: C. Bass Date: 2/17/2017

DATE OF ZONING BOARD OF APPEALS HEARING: March 27, 2017

Received from Stephen Bass a check in the amount of \$ 175⁰⁰ + 25⁰⁰
for application filing fee, and \$ 20⁰⁰ for deposit on frame for public hearing sign(s). (extra variance)

Date Paid: February 16, 2017 Receipt Number: _____

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0428 019

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 1st District, and (if applicable to more than one land district) Land Lot(s) 137 of the District, and said property consists of a total of 1.0 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Stephan Bass to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

Lance Schoon

Signature of Property Owner 1

242 Malone Rd, Fayetteville, GA
Address 30215

Sharon E. Battle

Signature of Notary Public

1/31/17
Date

Signature of Property Owner 2

Signature of Notary Public

Address

Steph Bass

Signature of Authorized Agent

413 Norman Ct, Hampton
Address 30228

Date

Sharon E. Battle

Signature of Notary Public

1/31/17
Date

VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

Ordinance/Section	Requirement	Proposed	Variance Amount
Variance to Sec. 110-125. A-R, (d) (6) to reduce side yard setback from 50 feet to 35 feet to allow the construction of an addition to an existing single family residence	50 feet	35 feet	15 feet
2. Variance to Sec. 110-125. A-R, (d) (5) to reduce rear yard setback from 75 feet to 63 feet to allow the construction of an addition to an existing single family residence.	75 feet	63 feet	12 feet

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

See attached

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Section 110-242 (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

See attached

2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

See attached

3. Such conditions are peculiar to the particular piece of property involved.

See attached

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

See attached

5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

See attached

Variance Summary

To the Fayette County Zoning Board Members, I have lived at this address for almost five years and until recently had no earthly idea that my property was divided into two separate lots. The contractor found out recently that the property didn't fall in line with the counties rear and side setback regulations. Having a total of approximately acres around my home I found that idea to be crazy until learning that the property was divided into two lots, one consisting of about acre and the other approximately acres. Since finding this out, my family and I want to keep the lots separate instead of combining the two, even though it has created this issue with the zoning board. The way the present layout of the home is designed has created a crowded situation that we are hoping an addition would alleviate. Our hope is, the county would allow the variance on the rear and side of the home, so that construction of the addition can be completed and give us much needed space in our home.

1. I didn't realize until going through the permitting process that my property wasn't one complete lot on my property, but are two different lots, that has created an issue for the contractor to permit the work we want done. The property at said address has a very peculiar shape and has created a problem with trying to procure a permit for adding a laundry/storage room on said property and I'm hoping the board will allow the variance for me and my family to gain some needed space.

2. The way the existing setback laws are in Fayette County won't allow me to build unless the variance is approved. This variance would allow much needed space for a laundry/storage room to my home. The existing laundry room is in a cramped bathroom at this time and is very difficult and crowded anytime laundry needs to be done. Being an older home, we have limited storage space and this added room will free up much needed space for my home.

3. Having the two separated lots and the angular shape of the lot I'm trying to build on is probably one in a million in our county, the way I purchased it. Instead of trying to make the two lots into one, I would prefer to keep it this way in the event one of my children in the future would like to build their own home close to mine. This would still be allowable under current Fayette County regulations. If I combined the two, I wouldn't be able to do this in the future for my children.

4. By allowing this variance for me and my family, I truly believe it wouldn't cause any detriment to my neighbors nor the Fayette County community.

5. By not allowing the variance would continue to bring unwanted stress to our family because of overcrowding.

Georgia Department of Human Resources
INDIVIDUAL SEWAGE DISPOSAL SYSTEM INSPECTION REPORT

County Code	Construction Permit	Case Number (HHA, VA, etc.)	Health Dist	Day	Month	Year
2 3 4	5 6 7 8	9 10 11 12 13 14 15 16 17 18 19 20	04 21 22	15 23 24	10 25 26	79 27 28

Property Location Malone Rd. Charlie Kinney, Bldg.	Property Owner Kenny Milam	County Fayette
Sewage Disposal Contractor ON Right off Upper Lounny Rd.		

ALL ITEMS: Blank Not Applicable, 0 Unknown *ITEMS: 1 Yes, 2 No

SECTION A - GENERAL 1. Type Water Supply: (1) Public, (2) Community, (3) Indiv. 29 2. Financial Assistance: (1) FHA, (2) VA, (3) Farmers Home, (4) Conventional, (5) Other 30 3. House Structure: (1) New, (2) Existing < 1 year, (3) Existing > 1 year 31 4. Sewage Disposal Installation: (1) New, (2) Repair to existing sys. 32 5. If Repair of Existing System - Years System Installed: (1) < 1 year, (2) 1 - 2, (3) 2 - 3, (4) 3 - 5, (5) 5 - 10, (6) > 10 33 6. Percolation Rate Min /In.: 34 7. *Is Property Part of a Subdivision: 35 SECTION B - FACILITY 1. **Type Facility: *See Code Below 36 2. Water Usage Determined by: (1) No. Bedrooms, (2) No. Gallons 37 3. Number Bedrooms or Gallons: 38 SECTION C - LOT SIZE 1. Lot Depth (Average): 39 2. Lot Width (Average): 40 3. Building Line (Feet): 41	SECTION D - PRIMARY TREATMENT 1. Sewage Disposal Method: (1) Septic Tank, (2) Construction Privy, (3) Pit Privy, (4) Other 44 2. Septic Tank Capacity (gallons): 45 3. Unit 1 Tank/Compartment Capacity: 46 4. Septic Tank Inside Length (feet): 47 5. Septic Tank Inside Width (feet): 48 6. Septic Tank Liquid Depth (feet): 49 7. Septic Tank Material: (1) Precast concrete, (2) Poured in place, (3) Other 50 8. Dosing Tank Capacity (gallons): 51 9. Grease Trap Capacity (gallons): 52 10. Distance Septic Tank from Well: 53 SECTION E - SECONDARY TREATMENT 1. Field Layout Method: (1) Distribution Box, (2) Level Field, (3) Serial 54 2. Nitrification Field: a. Total Square Feet 55	b. Total Linear Feet 56 c. Length each Trench (feet) 57 d. Width of Trenches (inches) 58 e. Number of Trenches 59 f. Distance between Trenches 60 g. Average Trench Depth (inches) 61 h. * Aggregate Proper Size 62 i. * Aggregate Proper Depth 63 j. Distance from Building Foundation 64 k. Nearest Property Line: (1) Front, (2) Rear, (3) R. Side, (4) L. Side 65 l. Distance Nearest Property Line 66 m. Distance Privy or Nitrification Field from Well 67 SECTION F - HEALTH AGENCY TIME 1. Total Inclusive Time (min.): 68 SECTION G - SYSTEM APPROVED 1. * Yes 69 2. No 70
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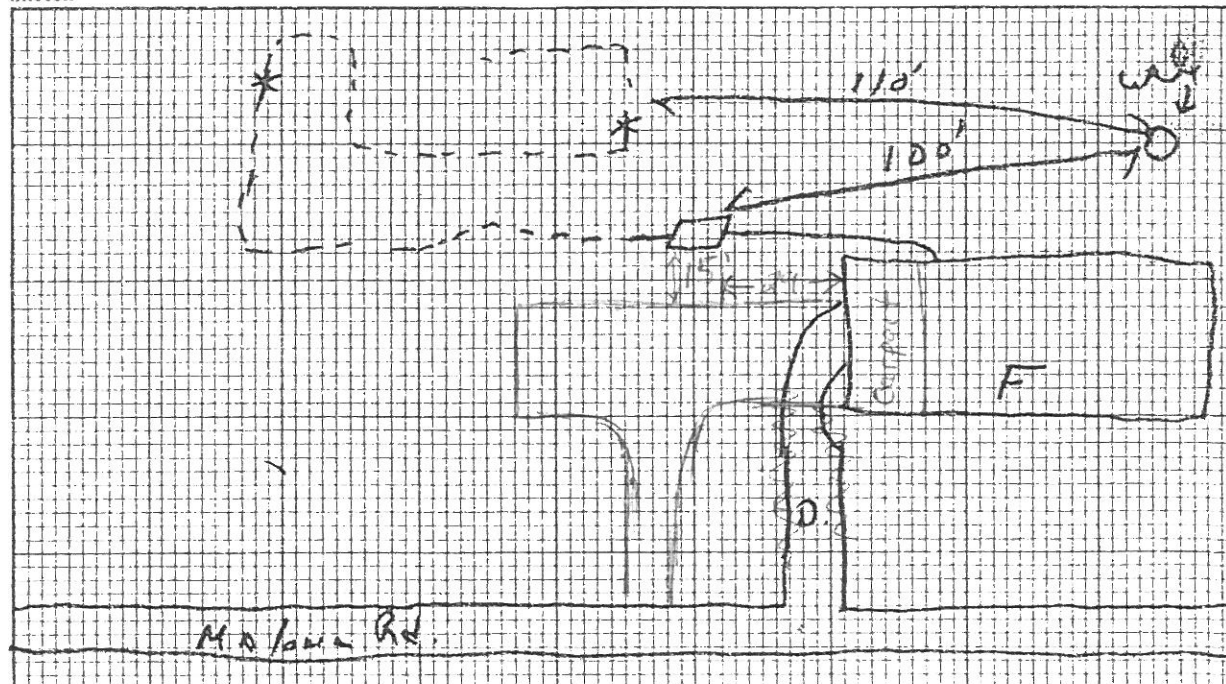
Sketch

61 62 63 64

74

1. **Type Facility
- (1) Residence
 - (2) Apartment
 - (3) Institution
 - (4) Service Station
 - (5) Restaurant
 - (6) Church
 - (7) Tourist Accommodation
 - (8) Launderette
 - (9) Mobile Home Park
 - (10) Other (Specify) _____

Well - 30 yrs. old
imp 5 yrs. old
75 ft. deep?



Remarks: **Cover Last 50' with paper.**

Inspected By: Donald C. Bristol	Title: Env. Specialist II	Health Agency: Fayette Co.
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242 MALONE ROAD
FAYETTEVILLE COUNTY, GEORGIA

APPLICABLE CODES
STANDARD CONSTRUCTION CODES
EFFECTIVE JANUARY 1, 2014

THE FOLLOWING WILL BE THE STATE OF GEORGIA'S MINIMUM STANDARD CONSTRUCTION CODES:

1. INTERNATIONAL BUILDING CODE, 2012 EDITION, WITH GEORGIA AMENDMENTS (2014)
2. INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION, WITH GEORGIA AMENDMENTS (2014)
3. INTERNATIONAL FIRE CODE, 2012 EDITION, WITH GEORGIA AMENDMENTS (2014)
4. INTERNATIONAL PLUMBING CODE, 2012 EDITION, WITH GEORGIA AMENDMENTS (2014)
5. INTERNATIONAL MECHANICAL CODE, 2012 EDITION, WITH GEORGIA AMENDMENTS (2014)
6. INTERNATIONAL FUEL GAS CODE, 2012 EDITION, WITH GEORGIA AMENDMENTS (2014)
7. NATIONAL ELECTRICAL CODE, 2014 EDITION, WITH NO GEORGIA AMENDMENTS
8. INTERNATIONAL ENERGY CONSERVATION CODE, 2009 EDITION, WITH GEORGIA WITH GEORGIA SUPPLEMENTS AND AMENDMENTS (2011) (2012)
9. 2012 NFPA 101 - LIFE SAFETY CODE WITH STATE AMENDMENTS (2013)
10. U.S. DEPARTMENT OF JUSTICE A.D.A. STANDARDS FOR ACCESSIBLE DESIGN (ADA) - 2010 EDITION
11. CHAPTER 120-3-3 RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE STANDARDS IN GEORGIA

A hand-drawn site plan of a property. The plan shows a rectangular lot with dimensions 209' on the left and 212' on the bottom. A dashed line representing MALONE RD. runs along the top boundary. A building, labeled #242, is situated in the center. To the left of the building is a small structure with a gabled roof, labeled LAUNDRY RM. EXPAN. with a dimension of 35'. To the right of the building is an area labeled EXIST'G HSE. Dimensions include 171' along the top boundary, 40' at the top right corner, 75' B.L. (Back Lot) lines, 50' B.L. (Back Lot) lines, and 63' at the bottom center. The building #242 has a width of 50' B.L. and a depth of 75' B.L. The overall lot width is 209' and the overall lot depth is 212'.

PROPOSED SITE PLAN

SCALE: 1" = 40'

(INFO. FOR PREPARATION OF SITE PLAN TAKEN FROM COUNTY TAX MAPS & FIELD OBSERVATION)

INSULATION NOTES:

1. PROVIDE R-19 BATT INSULATION IN 2X6 WALLS, R-13 IN 2X4 WALLS, MINIMUM R-38 INSULATION IN FLAT CEILINGS AND R-30 BLANKET INSULATION IN VAULTED CEILINGS, ALLOW 1/2" MINIMUM AIRSPACE BETWEEN SHEATHING AND INSULATION, FACE FOIL DOWN TO WARM SIDE.
2. INSTALL SIDE WALL AND CEILING INSULATION IN CONTINUOUS BLANKETS WITHOUT HOLES FOR ELECTRICAL BOXES, LIGHT FIXTURES OR HEATING DUCTWORK. CAULK ALL OPENINGS IN EXTERIOR WALL CONSTRUCTION.

* RELEASED FOR CONSTRUCTION

[illegible]

PETITION NO. A-648-17
Morten Buch & Michael J. Taylor
1060 Oak Ridge Drive
Fayetteville, GA 30214
Public Hearing Date March 27, 2017

The subject property is located at 1060 Oak Ridge Drive, Fayetteville, Georgia 30214 in the Fayette Village subdivision and is zoned R-40. The applicant is requesting a Variance as follows:

1. Variance to Sec. 110-137 R-40,(d)(6) to reduce side yard setback from 15 feet to five (5) feet to allow the construction of a detached accessory structure.

History: The Final Plat for Fayette Village was recorded on April 10, 1973. Tax Assessor's records indicate that the house was built in 1975.

The applicant provides the following information:

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

The home owners, living at 1060 Oak Ridge Dr, Fayetteville, Ga. 30214, wish to reduce the north side yard building line setback from 15'-0" (code) to 5'-0" (variance). The home owners presently own two cars and a truck. One car being an electric car. The home owners wish to purchase another electric car. The new two-car detached carport (20'-0"Wx29'-0"L) would be used for the two electric cars. The existing two-car garage would be used for the truck and the restored classic car, which is now stored off site. The detached two-car carport with storage addition shall be located at the end of the existing driveway and existing turn-about with a minimum distance of 10'-0" building separation from the main house. Special consideration for handicapped home owner.

One of the home owners is handicap. The existing garage side of the house is already set up for easy access into the existing principle structure. The reasons for the proposed new addition location continues as follows:

The carport addition must be placed to the side and rear of the existing principle structure. The existing septic tank and septic tank waste line field location at the south side and to the rear of the existing principle structure can not be relocated. (see diagram in variance package). The existing utilities-in location at the south side of the existing principle structure shall not be relocated. (existing utilities-in are at the right side of the existing house from the street view). Presently water

tends to pool with heavy rains at the rear of the principle structure between the patio/screened porch area and the rear yard planted area shaped like a half circle (see site plan).

The following codes shall be adhered to in building the two-car carport project. A maximum of two accessory structures with maximum total of 1,800 sq. ft combined are allowed for R-40 zoning for a single family dwelling homestead. The existing homestead has (1) accessory structure which is a detached movable storage building at (11'-0"X16'-0") in size being 176 sq. ft.. The proposed accessory structure of the detached two-car carport with storage will be (20'-0"Wx29'-0"L) in size being 580 sq. f.t.. The total combined accessory structures for this homestead would be 756 sq. ft. Also the maximum building height shall not exceed 35'-0". The maximum height of the proposed detached two-car carport is 14'-0"

The neighbor owning parcel #072001040, which is next to the job site, has provided written consent and approval of Mr. Taylor's and Mr. Buch's detached two-car carport addition to their land with the 5'-0" building line setback. The architect building design and requirements have been provided on 11X17 sheets along with the proposed Site plan and approved health department documentation for the septic tank field. The color scheme of the new addition shall match the color scheme of the existing principle structure. No trees shall be disturbed during the construction process.

JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Sec. 110-242. (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

- Topography verses water run off issues at the rear of the existing principle structure
- Required 15'-0" side yard building line setback
- Carport must be placed to the side and rear the existing principle structure.

2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,

- Mr. Taylor is handicap. The existing garage side of the house is already set up for easy access into the existing principle structure.
- The existing septic tank and septic tank waste line field location at the south side and to the rear of the existing principle structure can not be relocated. (see diagram in variance package)

-The existing utilities-in location at the south side of the existing principle structure shall not be relocated. (existing utilities-in are at the right side of the existing house from the street view)

-Presently water tends to pool with heavy rains at the rear of the principle structure between the patio/screened porch area and the rear yard planted area shaped like a half circle (see site plan).

3. Such conditions are peculiar to the particular piece of property involved; and,

-The existing septic tank and septic tank waste line field location at the south side and to the rear of the existing principle structure can not be relocated. (see diagram in variance package)

-The existing utilities-in location at the south side of the existing principle structure shall not be relocated. (existing utilities-in are at the right side of the existing house from the street view)

-Presently water tends to pool with heavy rains at the rear of the principle structure between the patio/screened porch area and the rear yard planted area shaped like a half circle (see site plan).

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and,

-A maximum of two accessory structures with maximum total of 1,800 sq. ft combined are allowed for R-40 zoning for a single family dwelling homestead. The existing homestead has (1) accessory structure which is a detached movable storage building at (11'-0"X16'-0") in size being 176 sq. ft.. The proposed accessory structure of the detached two-car carport with storage will be (20'-0"Wx29'-0"L) in size being 580 sq. f.t.. The total combined accessory structures for this homestead would be 756 sq. ft. Also the maximum building height shall not exceed 35'-0". The maximum height of the proposed detached two-car carport is 14'-0"

5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed.

The home owners presently own two cars and a truck. One car being an electric car. The home owners wish to purchase another electric car. The new two-car carport would be used for the two electric cars. The existing two-car garage would be used for the truck and the restored classic car, which is now stored off site.

DEPARTMENTAL COMMENTS

ENVIRONMENTAL HEALTH: No objections to variance.

ENVIRONMENTAL MANAGEMENT: EMD has no comments.

FIRE MARSHAL: The bureau of fire prevention will neither approve nor deny request that fall outside the scope of ISO requirements.

PUBLIC WORKS/ENGINEERING: There are no Engineering/Public Works issues pertinent to the variance requests for A-646-17, A-647-17, or A-648-17.

WATER SYSTEM: No conflict.

A-647-17

Malone Road

**SUBJECT
PROPERTY**



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Morten Buch & Michael J Taylor
MAILING ADDRESS: 1060 Oak Ridge Dr, Fayetteville, Ga. 30214
PHONE: 770-486-5588 E-MAIL: _____
AGENT FOR OWNERS: Sherce Mann
MAILING ADDRESS: 2451 Cumberland Parkway, Suite 3140, Atlanta, Ga.
PHONE: 404-358-6228 E-MAIL: sheree.mann@renovations.com 30339
PROPERTY LOCATION: LAND LOT 71 LAND DISTRICT 7 PARCEL 072001039
TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 1.03
ZONING DISTRICT: R-40
ZONING OF SURROUNDING PROPERTIES: R-40
PRESENT USE OF SUBJECT PROPERTY: HOMESTEAD
PROPOSED USE OF SUBJECT PROPERTY: HOMESTEAD

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-648-17

[] Application Insufficient due to lack of:

by Staff: _____ Date: _____

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: C. Bi Date: 2/17/2017

DATE OF ZONING BOARD OF APPEALS HEARING: March 27, 2017

Received from Michael J Taylor & Morten Buch a check in the amount of \$ 175⁰⁰

for application filing fee, and \$ 20⁰⁰ for deposit on frame for public hearing sign(s).

Date Paid: February 16, 2017 Receipt Number: 5667544-Sign
5667535-2BA App.

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Morten Buch Michael J Taylor
Please Print Names

Property Tax Identification Number(s) of Subject Property: 072001039

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 01 District, and (if applicable to more than one land district) Land Lot(s) 3D of the District, and said property consists of a total of _____ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to _____ to act as **(my) (our)** Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of **(my) (our)** knowledge and belief. Further, **(I) (We)** understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. **(I) (We)** understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. **(I) (We)** further acknowledge that additional information may be required by Fayette County in order to process this application.

Morten Buch
Signature of Property Owner 1

1060 Oak Ridge Dr
Address

Michael J Taylor
Signature of Property Owner 2

1060 Oak Ridge Dr
Address

Shawn Mann
Signature of Authorized Agent

2451 Cumberland Parkway
Address
Suite 3140
Atlanta, Ga. 30339

Rouselle Jones
Signature of Notary Public

2-15-17
Date

Rouselle Jones
Signature of Notary Public

2-15-17
Date

Rouselle Jones
Signature of Notary Public

2-16-17
Date

**FAYETTE COUNTY
ENVIRONMENTAL HEALTH**

**APPROVAL FOR CONSTRUCTION
(ADDITIONS AND ACCESSORY STRUCTURES)**

HAVE YOU CONSULTED WITH ZONING? YES ☒ NO ☐ (PLEASE CHECK WITH ZONING BEFORE COMPLETING THIS FORM.)

STRUCTURE TO BE BUILT (Check one)

Barn ☐ Garage ☒ Storage Building ☐ Addition to existing home ☐
Other carport

OWNER

Name Print Michael J Taylor Sign Michael J Taylor
Full Address 1160 Oak Ridge Dr Phone 770-486-5588
City/State Fayetteville GA Zip Code 30214

APPLICANT/CONTACT

Name Print Same as Above Sign _____
Phone _____ 2nd Phone _____

SITE INFORMATION

Include copy of plat showing all existing structures and proposed structures/addition locations.

Subdivision: Fayette Village Lot # 3D Lot Size: _____
Bedrooms: 3 Garbage Disposal: Yes: ☒ No: ☐
Water Supply: Well ☐ Public ☒ Community ☐
Do you have any dogs our personnel must be concerned about? Yes: ☐ No: ☒

BUILDING INFORMATION

Is there a security code or gate code our personnel need access to? Yes: ☐ No: ☒ Code: _____
Length of Structure 29 Ft Width 20 Ft Stories 1

Rooms _____ Bedrooms _____ Baths _____
The carport is approved as indicated on site plan. Carport appears to have no adverse affect on septic system. Approval performed in office. System designed to accommodate a 3 bedroom residence without disposal.

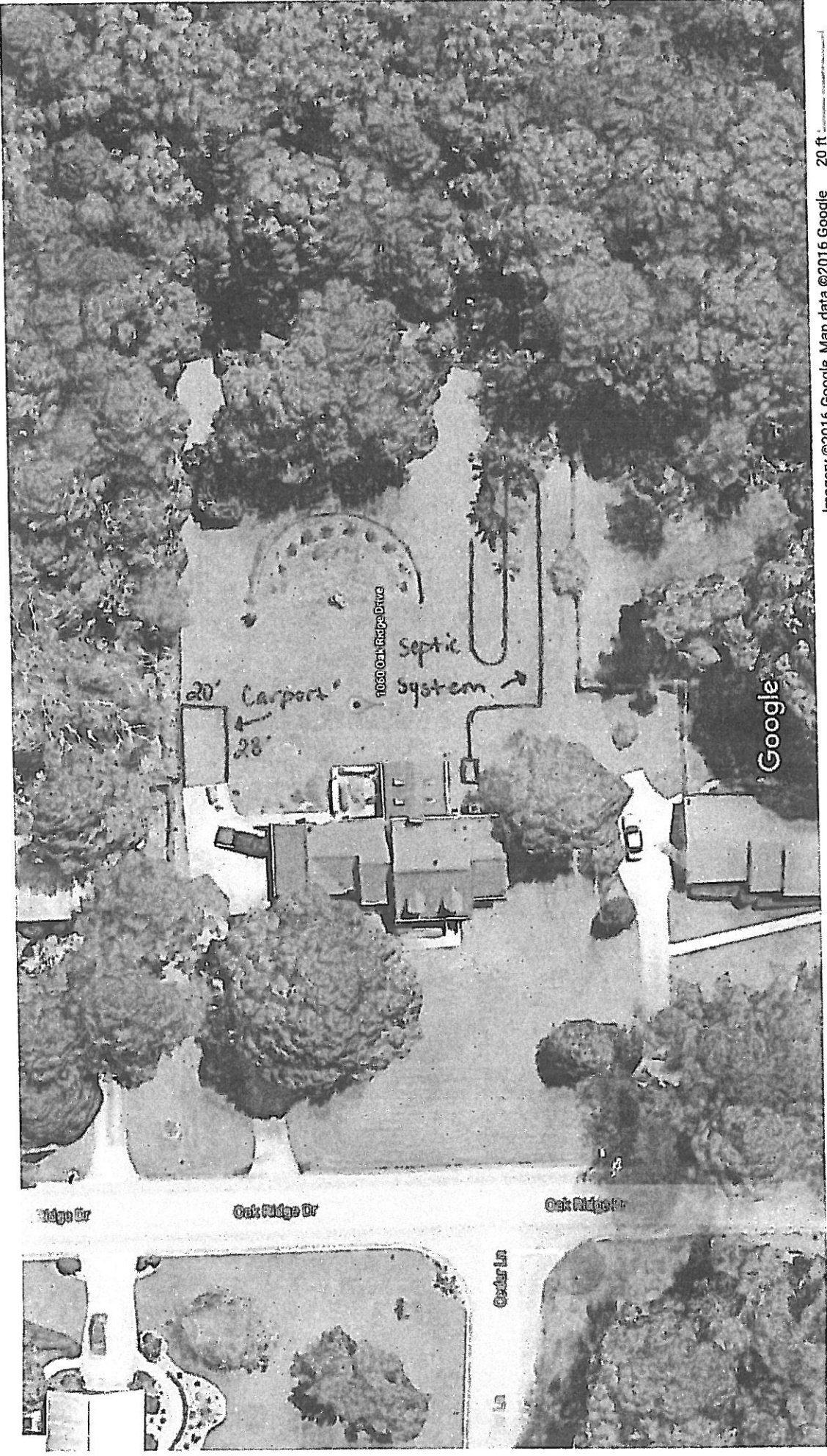
Environmental Health Approval

Date

Kaj Fulch

11-29-16

Go g le Maps 1060 Oak Ridge Dr



Fayette County Health Department

Signed: *[Signature]*
Kathleen Franklin
Environmental Health Specialist

February 15, 2017

From:

Renee Miller
1062 Oak Ridge Drive
Fayetteville
Georgia 30214

To whom it may concern:

I own the property at 1062 Oak Ridge Drive, Fayetteville, Georgia 30214, Lot 4D - Fayette Village.

My neighbors, Michael J Taylor & Morten Buch at 1060 Oak Ridge Drive, Fayetteville, Georgia 30214, Lot 3D – Fayette Village, desire to build a detached two car carport at the end of their driveway, resulting in the carport being within five (5) feet of our shared property line.

Understanding that structures erected within five (5) feet of the shared property line, require special permissions/variance approval and acceptance by neighboring property owners, I hereby state that I have no objections to the proposed carport project.

Regards,

A handwritten signature in cursive script that reads "Renee Miller".

Renee Miller



1060 OAK RIDGE DR.
EXISTING HOUSE FRONT

2-16-17



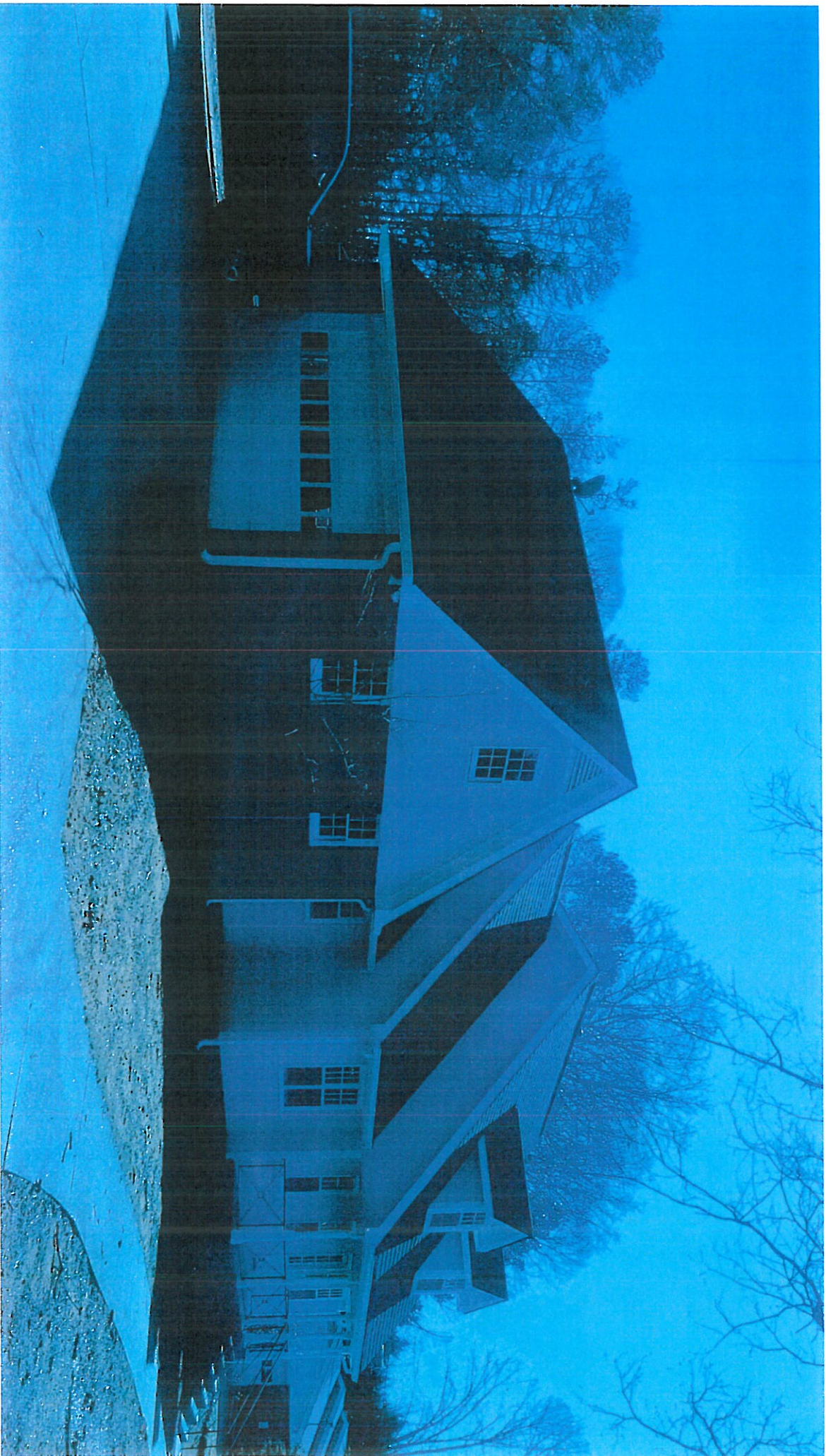
- 1060 OAK RIDGE DR.
- EXISTING HOUSE RIGHT
ELEVATION

2.16.17
VANDERKAM



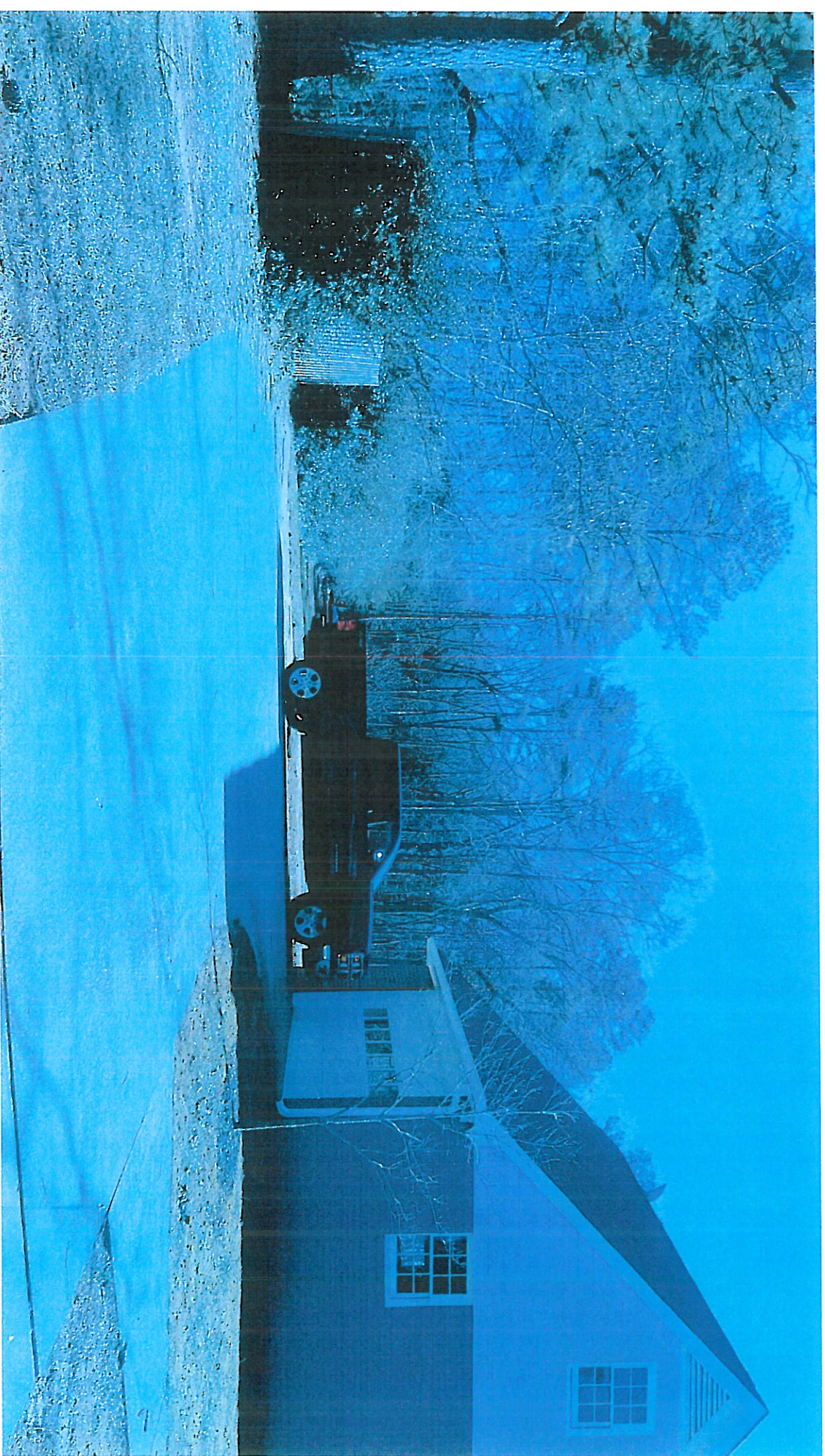
- 1060 OAK RIDGE DR
- EXISTING HOUSE REAR ELEVATION

2.16.17
VARE INARS

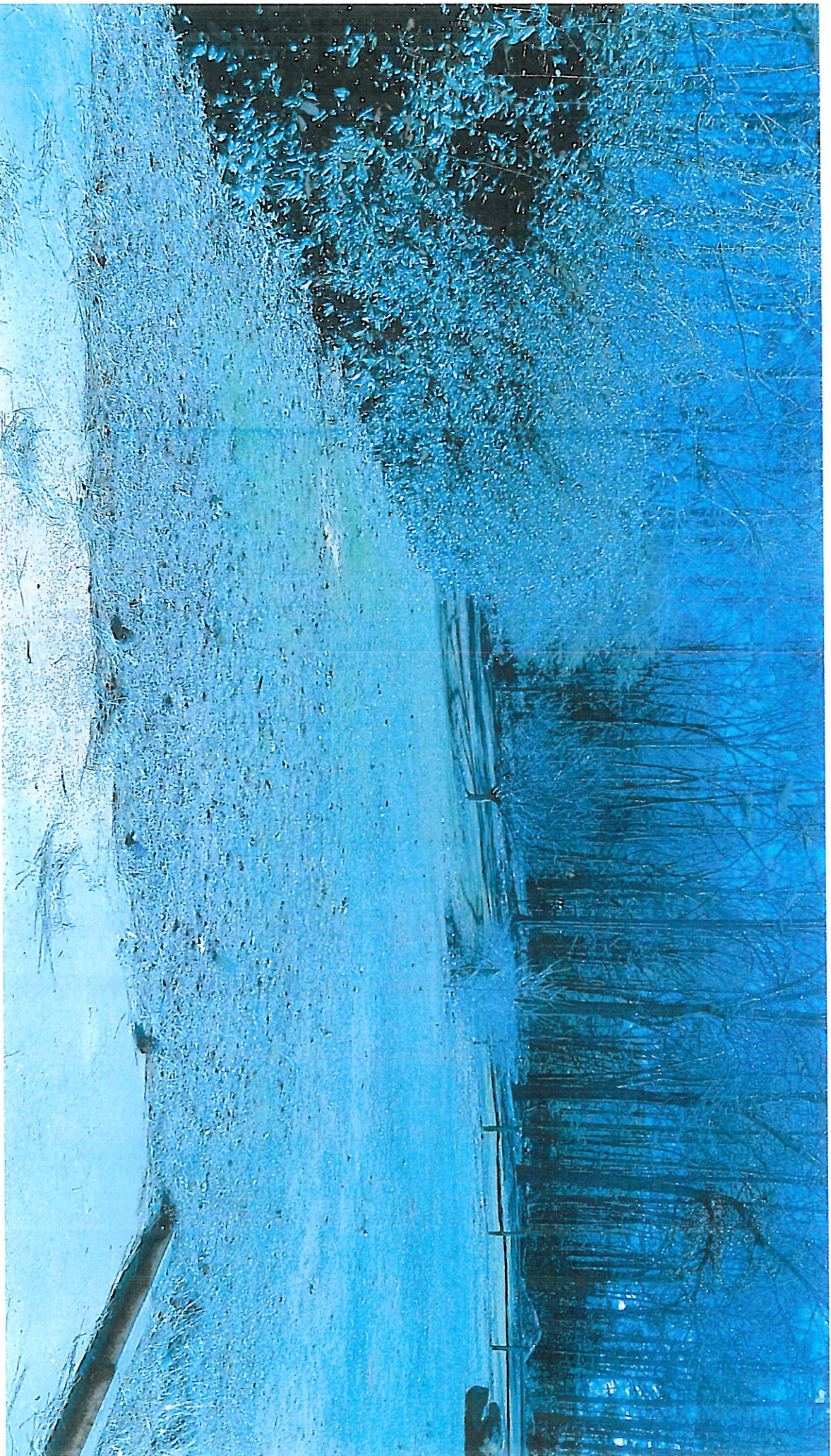


-10600 OAK RIDGE DR.
-EXISTING HOUSE LEFT ELEVATION

2.16.17
VANDERKAM



- 1060 OAK RIDGE DR.
- PROPOSED 2-CAR GARAGE
- LOCATION (1)



- 10600 OAK RIDGE DR.
- PROPOSED 2-CAR CARPORT LOCATION (2)

MAY. TWO ACCESSORY STRUCTURES
 W/MAX. TOTAL OF 1,800 SF COMBINED
 EXISTING MOVABLE SHED @ 176 S.F.
 2-CAR CARPORT ADDITION @ 580 S.F.
 (DETACHED)

 TOTAL S.F. COMBINED = 756 S.F.

PARCEL #
 072001040

PROPOSED 2-CAR
 CARPORT w/ STORAGE @ 580 S.F.
 29'-0" W x 20'-0" L =

5'-0" BUILDING LINE SETBACK



SCOPE OF WORK

- VARIANCE SUBMITTED TO REDUCE THE NORTH PROPERTY LINE SETBACK FROM 15'-0" TO 5'-0" AT NEIGHBORING PARCEL # 072001040
- NO TREES SHALL BE DISTURBED
- ADD DETACHED TWO-CAR CARPORT ADDITION

EXISTING PRINCIPLE STRUCTURE
 (NO CHANGE)

EXISTING 11'-0" x 16'-0"
 MOVABLE SHED @ 176 S.F.
 (NO CHANGE)

PROPOSED REVISED SITE PLAN

NOT TO SCALE LOT SIZE 45,000 S.F.

1060 OAK RIDGE DR.
 FAYETTEVILLE, GA. 30214

TAYLOR & MORTON RESIDENCE
 DATE: 2-16-2017