

Minutes 05/18/2026

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on May 18, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Marsha Hopkins, Chairman
Kyle McCormick, Vice-Chairman
John Tate
Brian Haren
Latisha Roebuck

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
E. Allison Ivey Cox, County Attorney
Maria Binns, Zoning Secretary

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1. Call to Order. *Chairman Marsha Hopkins called the May 18, 2026, meeting to order at 7:00 pm.*
 2. Pledge of Allegiance. *Chairman Marsha Hopkins offered the invocation and led the audience in the Pledge of Allegiance.*
 3. Approval of Agenda. *John Tate made the motion to APPROVE the agenda. Vice Chairman Kyle McCormick seconded the motion. The motion carried 5-0.*
 4. Consideration of the Minutes of the Meeting held on April 27, 2026. *John Tate made a motion to APPROVE the Minutes as presented for the April 27, 2026, meeting. Brian Haren seconded the motion. The motion passed 5-0.*

PUBLIC HEARING

5. Consideration of Petition No. **A-934-26** – Milton McLean Jr., owner, and Roderick Cloud, Agent. Applicants are requesting a variance to Sec. 110-137(d)(6), in the R-40 zoning, to reduce the side yard setback from 15 feet to 4 feet. The subject property is located in Land Lot 6 of the 7th District and fronts Blue Point Parkway.

Ms. Deborah Sims explained that the applicant requested a variance to reduce the left side yard setback from 15 feet to 4 feet in the R-40 zoning district to allow construction of a detached garage at the end of the existing driveway. The property is located within the Canoe Club subdivision and contains steep topography and septic field limitations. The proposed garage location was selected to avoid septic field encroachment and minimize grading impacts. Ms. Sims stated that alternative buildable areas exist but are less practical due to terrain and septic restrictions. Staff also noted that if the variance were approved, a foundation survey would be required during construction to verify compliance with the approved setback.

Chairman Marsha Hopkins asked if the petitioner was present.

Mr. Milton McLean Jr., Owner, explained that the household includes five adults with multiple vehicles and that the HOA regulations prohibit street parking. The detached garage would help reduce driveway congestion and improve neighborhood appearance. He currently pays approximately \$300 per month for off-site storage of vehicles and personal property. The HOA architectural representative and neighboring property owners reviewed the proposal and expressed support.

Public Comments – In Support

Mr. Roger Cloud (Agent) stated that the rear septic field limits construction options, and the right side of the property contains steep terrain requiring significant retaining walls. The proposed garage location is the most practical and least intrusive placement. The requested setback reduction was necessary to accommodate a functional two-car garage while maintaining proper building clearances.

Tony McCullough (Neighbor), Similar detached garage configurations exist within the neighborhood. Additional garage space would reduce vehicle congestion and improve property functionality.

Public Comments – Opposition: None.

Chairman Marsha Hopkins brought the item back to the board for questions or a motion.

Board members discussed the septic field limitations, topography constraints, drainage concerns, and garage placement relative to the existing home.

The Board concluded that the evidence presented demonstrated practical difficulties associated with the property.

Chairman Marsha Hopkins made a motion to APPROVE Petition No. A-934-26. Brian Haren seconded the motion. The motion passed 5-0.

6. Consideration of Petition No. **A-935-26** – John T. and Frances S. Watkins, owners, and Randy Boyd, Agent, are requesting the following variance: Per Sec. 110-125(d)(1), as allowed under Sec. 110-242(c)(1)-Requesting a variance to the minimum lot size for a legal nonconforming lot, to allow a lot that is 205,603 square feet (4.72 acres) in the A-R zoning district to be eligible for development. The subject property is located in Land Lots 162 & 163 of the 4th District and fronts Old Highway 85 and SR 85.

Ms. Sims explained that the parcel contains approximately 205,603 square feet. A-R zoning requires a minimum of 217,800 square feet (5 acres). The request would allow the lot to remain zoned A-R while being recognized as buildable despite its reduced size. The parcel fronts State Route 85 South and Old Howard Union Road, and the request is consistent with the Future Land Use Plan.

Mr. Randy Boyd (Agent), representing John T. and Francis S. Watkins, stated that the parcel was created many decades ago and predates current zoning requirements. The variance request is limited to recognizing the parcel as buildable and that the lot would not be subdivided further.

Public Comments – In Support: None

Public Comments – In Opposition:

Mary Ruth Boman (Neighbor) asked whether the owners possessed adjacent property that could later be subdivided for additional homes.

Ms. Sims clarified:

- The request applies only to the existing parcel.
- The action would not permit subdivision or rezoning.
- Future subdivision would still be subject to zoning regulations.

Board members noted that similar historic nonconforming parcels exist throughout the county and that the request simply allows the property to proceed through the development process.

John Tate made a motion to APPROVE Petition No. A-935-26. Vice-Chair Kyle McCormick seconded the motion. The motion passed 5-0.

7. Consideration of Petition No. **A-936-26-A** – Matthew D. Brown & Kimberly A. Brown, owners, and Joe Cook with JDC Homes, LLC, agent, are requesting the following variance: A) Per Sec. 110-125(d)(4)a.2., in A-R zoning, to reduce the front yard setback along Mask Rd. from 100 feet to 60 feet to allow additional area for a new residential home. The subject property is located in Land Lots 3 of the 4th District and fronts Mask Road and Tri County Road.

Ms. Sims read the description above and stated that Mask Road is classified as a collector road under the county thoroughfare plan; collector roads require a 100-foot front setback, and floodplain areas significantly limit the buildable portion of the property. Without the variance, the buildable area would be extremely restricted.

Chairman Marsha Hopkins asked if the petitioner was present.

Mr. Joe Cook (Agent) with JCD Homes, LLC, stated that the property contains significant natural beauty and mature hardwood trees. Existing nearby homes appear to have similar setback distances, and the proposed home would be carefully designed to fit the site and avoid floodplain disturbance.

Public Comments – In Support: None

Public Comments – In Opposition: None

Chairman Marsha Hopkins brought the item back to the Board, and they acknowledged the unusual lot constraints, the floodplain impacts, and the limited practical buildable area without relief.

Part A – Front Yard Setback Variance

Motion made and seconded to approve.

Brian Haren made a motion to APPROVE Petition No. A-936-26-A. John Tate seconded the motion. The motion passed 5-0.

8. Consideration of Petition No. **A-936-26-B** – Matthew D. Brown & Kimberly A. Brown, owners, and Joe Cook with JDC Homes, LLC, agent, are requesting the following variance: B) Per Sec. 110-125(d)(6), in A-R zoning, to reduce the side yard setback along Mask Rd. from 50 feet to 40 feet to allow additional area for new home construction outside of the floodplain and buffers. The subject property is located in Land Lots 3 of the 4th District and fronts Mask Road and Tri County Road.

Ms. Sims explained that the applicant requested an additional variance to reduce the side yard setback from 50 feet to 40 feet to increase the buildable area outside the floodplain. The reduced side setback would allow construction of a compliant residence while minimizing floodplain disturbance.

Public Comments – In Support: None

Public Comments – In Opposition: None

The item was brought back to the Board.

Board members agreed the variance was reasonable based on the lot configuration and environmental limitations.

Part B – Side Yard Setback Variance

Motion made and seconded to approve.

John Tate made a motion to APPROVE Petition No. A-936-26-B. Latisha Roebuck seconded the motion. The motion passed 5-0.

Brian Haren moved to adjourn the May 18, 2026, Zoning Board of Appeals meeting. Vice-Chair Kyle McCormick seconded the motion. The motion passed 5-0.

The meeting adjourned at 7:44 pm.

**ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY**

Respectfully Submitted by:



MARSHA HOPKINS, CHAIRMAN



**MARIA BINNS,
ZBA SECRETARY**