

BOARD OF APPEALS

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

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Coordinator
E. Allison Ivey Cox, County Attorney

AGENDA

**Fayette County Zoning Board of Appeals
Fayette County Administrative Complex
Public Meeting Room
April 27, 2026
7:00 P.M.**

***Please turn off or turn to mute all electronic devices during the
Zoning Board of Appeals Meetings**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the Meeting held on March 23, 2026.

PUBLIC HEARING

5. Consideration of Petition No. **A-928-26-A** – Dr. Camille Rose St. Alma Feanny Living Trust. Applicant is requesting a variance to Sec. 110-137(d)(5), in the R-40 zoning, to reduce the rear yard setback from 30 feet to 5.9 feet. The subject property is located in Land Lots 219 and 220 of the 13th District and fronts Lafayette Drive.
6. Consideration of Petition No. **A-928-26-B** – Dr. Camille Rose St. Alma Feanny Living Trust. Applicant is requesting a Variance to Sec. 110-137(d)(6) – Side yard setback requirement, to reduce the side yard setback from 15 feet to 7.3 feet to allow an existing accessory structure to remain. The subject property is located in Land Lots 219 and 220 of the 13th District and fronts Lafayette Drive.
7. Consideration of Petition No. **A-928-26-C** – Dr. Camille Rose St. Alma Feanny Living Trust. Applicant is requesting a variance to Sec. 110-79(c)(1)a., in the R-40 Zoning, Two (2) residential accessory structures, per individual lot, to increase the total number of four (4) accessory structures; three (3) sheds and one (1) deck, on a lot less than five (5) acres. The subject property is located in Land Lots 219 and 220 of the 13th District and fronts Lafayette Drive
8. Consideration of Petition No. A-933-26 – Kristopher Gilmore, Owner. Applicant is requesting the following: Per Sec. 110-242(h), requesting an illegal lot to be deemed a nonconforming lot. The subject property is located in Land Lots 118 of the 4th District and fronts Antioch Road and Lowery Road.

Minutes 03/23/2026

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on March 23, 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

-
1. Call to Order. *Chairman Marsha Hopkins called the March 23, 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. Brian Haren seconded the motion. The motion carried 4-0. Vice-Chairman Kyle McCormick, Allison Cox, County Attorney, and Zoning Administrator Deborah Sims were absent.*
 4. Amendment of the Minutes of the Meeting held on February 23, 2026. *Ms. Deborah Bell presented the amended minutes for February 23, 2026. Brian Haren made a motion to APPROVED the Amended Minutes as presented for the February 23, 2026, meeting. John Tate seconded the motion. The motion passed 4-0.*

PUBLIC HEARING

5. Consideration of Petition No. A-930-26 – James and Kimberly Dugger, Owners. Applicants are requesting the following: Variance to Sec. 110-242(c)(1), requesting the minimum lot size for a legal nonconforming lot, to allow a lot that is 4.90 acres in the A-R zoning district to be eligible for development. The subject property is located in Land Lot 56 of the 4th District and fronts McIntosh Road.

Ms. Debbie Bell asked the applicant if they wanted to proceed without a full board or to table the petition to the next zoning board of appeals meeting.

Mr. James Dugger responded that they would proceed with the hearing.

Ms. Bell read the description above and added that the lot is 213,444.0 square feet in area (4.9 acres) because it donated right of way 0.10 acres, so the variance was necessary for the applicant to obtain a building permit. The lot does not present any environmental issues; staff recommended approval.

Chairman Marsha Hopkins asked if the petitioner was present to explain his case.

Mr. James Dugger stated they purchased the lot in 2022, and because of the right of way dedication to the county, he asked the board to approve his petition.

Ms. Becky Crawford, Realtor, stated the property had a lot of interest, but because the property was not five acres, the county wouldn't allow it to be built. She asked the board to approve the petition to close on the property.

After no further support or opposition comments, the chairman brought the item back to the board for discussion.

Mr. Brian Haren asked staff, as a legal lot of record, it still needs to go through the process to obtain a building permit.

Mr. Bell responded that it does; anytime the lot is less than the acreage, it will have to go through this process.

Chairman Marsha commented that the board would take a motion if no other comments or questions.

Brian Haren made a motion to APPROVED Petition No. A-930-26. Latisha Roebuck seconded the motion. The motion passed 4-0.

6. Consideration of Petition No. A-931-26 – Matthew and Kimberly Brown, Owners. Applicants are requesting the following: 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 3.024 acres in the A-R zoning district to be eligible for development. The subject property is located in Land Lots 3 of the 4th District and fronts Mask Road.

Ms. Bell asked the applicant if they wanted to proceed without a full board or to table the petition to the next zoning board of appeals meeting.

Mr. Joe Cook responded that they wanted to proceed with the hearing.

Ms. Bell read the description above, and it had existed in this configuration before the 1980s, also less than the minimum acreage for A-R zoning 217, 800 square feet (5 acres). Staff recommended approval.

Mr. Joe Cook, agent, checked with staff the requirements needed and asked the board for approval for the owners to build their house on this lot.

Ms. Wendy Griffin, with Kelly Williams, spoke on behalf of the property owners. She referred to the plat that the lot originally had over five acres, and the lot split once Mask Road was created.

Chairman Marsha asked if anyone else was in support of the petition, with no response, and she asked if anyone was in opposition.

Mr. Craig Pettis commented that there are another nine lots for sale on Mask Road, and he's concerned that they might subdivide the lot into more lots.

With no other comments, the chairman brought the item back to the board.

Mr. Brian Haren asked staff if they could put up a house on that lot that would meet A-R minimum size. And commented that there are also a lot of other parcels in the county with less than the minimum acreage required.

Ms. Bell responded that she didn't think that would be a problem.

Mr. John Tate commented that he agrees with Mr. Haren's comment and would like to proceed with a motion.

John Tate made a motion to APPROVED Petition No. A-931-26. Brian Haren seconded the motion. The motion passed 4-0.

7. Consideration of Petition No. **A-932-26-A** – Michael and Christine Fenton, Owners. Applicants are requesting the following: A) Requesting a variance to reduce the secondary front yard setback from 100 feet to 60 feet to allow an existing swimming pool and a pool deck in the secondary front yard to remain. The Subject property is located in Land Lots 18 of the 6th District and fronts Redwine Road, Nesmith Court, and Swain's Drive.

Ms. Bell explained that items seven (7) and eight (8) are together and would present together but will required separate motions, and that the property owners obtained a variance on May 19, 2014, to reduce the side yard setback from Redwine Road from 100 feet to 70 feet to construct the swimming pool, but a foundation survey was not required or submitted. A recent remodel permit came along, and once the staff discovered the discrepancies in the pool placement at 64.1 feet. The property has three (3) front yards.

Mr. Michael Fenton, Owner, stated that the project is necessary to bring the pool into compliance, to add a spa/hot tub, and to do the necessary repairs.

Chairman Hopkins brought the item back to the board without any other comments in support or opposition. She also asked staff where part "A" needs to be corrected in order to bring the pool into compliance with what was approved.

Ms. Bell responded yes, the foundation survey showed the pool decking was encroaching into the approved variance.

Mr. Brian Haren asked if they just required foundation surveys previously.

Ms. Bell responded that they didn't request them for variances, but now they do to add them to the building permits to ensure that when it is granted, construction meets those requirements.

Mr. Haren moved for a motion.

Brian Haren made a motion to APPROVED Petition No. A-932-26-A. John Tate seconded the motion. The motion passed 4-0.

8. Consideration of Petition No. **A-932-26-B** – Michael and Christine Fenton, Owners. Applicants are requesting the following: B) Per Sec. 110-126(f)(4)a.1., Requesting a variance to the secondary front yard setback, to reduce the setback from 100' to 90 feet to allow a spa/hot tub to be constructed in the area adjacent to the swimming pool.

Ms. Bell asked the petitioner for clarification on the location where the spa/hot tub will be placed.

Mr. Michael Fenton responded that the patio was located next to the pool, and the spa would be located between the house and the pool area. Mr. Fenton brought a site plan with the location of the spa/hot tub and showed it to the board.

Ms. Bell requested the board to amend the petition to reduce the setback from 100 feet to 90 feet as per the plan shown.

Mr. Fenton asked the staff if the one hundred feet includes the right-of-way.

Ms. Bell responded that for the pool, the measurements of the nearest setbacks right of way are from Redwine Rd, since it is a much larger ROW than the interior streets.

Mr. Fenton added that in the future, he will have a variance for the pool and the spa/hot tub and finalized this to prove the value of the property and to comply with the HOA regulations.

Chairman Hopkins brought the item for questions or a motion. And with no questions, she moved for a motion.

Chairman Marsha Hopkings made a motion to APPROVED Petition No. A-932-26-B for the reduction of the setback from 100 feet to the amended 90 feet to allow a spa/hot tub to be constructed in the area adjacent to the pool. Latisha Roebuck seconded the motion. The motion passed 4-0.

John Tate moved to adjourn the March 23, 2026, Zoning Board of Appeals meeting. Brian Haren seconded the motion. The motion passed 4-0.

The meeting adjourned at 7:41 pm.

**ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY**

Respectfully Submitted by:

MARSHA HOPKINS, CHAIRMAN

**MARIA BINNS
ZONING SECRETARY**

PETITION NO: A-928-26-A-B-C

Requested Action: Applicant is requesting variances to reduce the rear yard building setback from 30' to 5.9' in the R-40 (Single-Family Residential) District, reduce the side yard setback from 15' to 7.4', and increase the maximum of two (2) accessory structures on a lot less than five (5) acres to four (4) to allow three (3) sheds and an existing deck, each less than 200 square feet, to remain in the existing location.

Location: 174 Lafayette Drive, Fayetteville, GA 30214

Parcel(s): 130602053

District/Land Lot(s): 13th District, Land Lot(s) 219 and 220

Zoning: R-40

Owner(s): Dr. Camille Rose St Alma Feanny Living Trust

Agent: N/A

Zoning Board of Appeal Public Hearing: April 27, 2026

REQUEST

Applicant is requesting the following variances to reduce the rear and side yard setbacks:

- A. Variance to Sec. 110-137(d)(5).- Rear yard setback requirement, to reduce the rear yard setback from 30 feet to 5.9 feet in the R-40 zoning district.
- B. Variance to Sec. 110-137(d)(6). – Side yard setback requirement, to reduce the side yard setback from 15' to 7.3' to allow an existing accessory structure to remain.
- C. Variance to Sec. 110-79(c)(1)a. Two (2) residential accessory structures, per individual lot, to increase the total number of four (4) accessory structures, three (3) sheds and one (1) deck, allowed on a lot less than five (5) acres.

STAFF RECOMMENDATION

It is staff's opinion that the property presents a unique situation. This is a nonconforming, developed lot in an approved subdivision. This lot is less than half the required square footage in R-40 zoning, and ten (10) feet less than the minimum lot width at building line.

Staff recommends **CONDITIONAL APPROVAL** of the request to reduce the rear yard setback from 30 feet to 5.9 feet for a period of twelve (12) months to allow completion of the sunroom and removal of building materials from the sheds. Section 110-79 (h) allows for temporary storage not to exceed one year in conjunction with an ongoing renovation project. A building permit for a sunroom addition was issued on January 22, 2026.

Staff recommends **CONDITIONAL APPROVAL** of the request to reduce the side yard setback from 15' to 7.3' for a period of twelve (12) months to allow completion of the sunroom and removal of building materials from the sheds. Section 110-79 (h) allows for temporary storage not to exceed one year in conjunction with an ongoing renovation project.

Staff recommends **DENIAL** of the request to increase the maximum number of accessory structures on a lot less than five (5) acres from two (2) accessory structures to four (4) accessory structures.

HISTORY

Lafayette Estates is an approved and recorded subdivision that does not meet the minimum requirements of R-40 zoning. Most of the lots are half an acre or less. This community is served by a private water system and individual septic. The home was constructed in 1976.

ZONING REQUIREMENTS

Sec. 110-79. Residential accessory structures and their uses.

(c) *Number and size.* The number and size of residential accessory structures shall conform to the requirements described herein.

(1) Residential accessory structures shall be limited to one of the following options:

- a. Two residential accessory structures, per individual lot, that shall not exceed a combined total footprint of 1,800 square feet or three accessory structures, per individual lot, that shall not exceed a combined total footprint of 3,600 square feet on a lot with a minimum of five acres.

(h) *Temporary accessory storage.* Portable on-demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing renovation project for the purpose of storage of household items for a period not to exceed one year. Portable on-demand storage units are defined as any container, storage unit, or other portable structure, other than a residential accessory structure, complying with this Section, used to store household items. Only two portable on-demand storage units are allowed per lot.

Sec. 110-137. R-40 – Single-family residential district.

(d) *Dimensional requirements.* The minimum dimensional requirements within the R-40 zoning district shall be as follows:

(1) Lot area per dwelling unit:

- a. Where central sanitary sewage or central water distribution systems are provided: 43,560 square feet (one acre). **174 Lafayette Dr. is 20,757 square feet (0.4765 acres).**

(2) Lot width:

- b. Minor thoroughfare: 125 feet. **174 Lafayette Dr. is 115 feet wide.**

(3) Floor area: 1,500 square feet. **174 Lafayette Dr. is 2,101 square feet and has a permitted addition for 219 square feet – TOTAL 2,320 square feet**

(4) Front yard setback:

b. Minor thoroughfare: 40 feet. *174 Lafayette Dr. is approximately 40 feet.*

(5) Rear yard setback: 30 feet. *174 Lafayette Dr. has three (3) sheds not requiring a permit and a deck located as close as 5.9 feet from the property line.*

(6) Side yard setback: 15 feet. *174 Lafayette Dr. has one (1) shed not requiring a permit located 7.3' from the property line.*

DEPARTMENTAL COMMENTS

- Water System** – FCWS has no objection to the proposed variance. Water is provided by private water system.
- Public Works/Environmental Management** – No objection to the variance request.
- Environmental Health Department** – This office has no objection to the proposed variance.
- Fire** – No objections.
- Building Safety** – No objections. A site inspection was performed on February 11, 2026. All sheds are less than the 200 square feet and do not have a permanent foundation or electricity. A building permit is not required.

CRITERIA FOR CONSIDERATION OF A VARIANCE

STAFF ASSESSMENT OF CRITERIA

(Please see the attached application package for the applicant's responses to the criteria.)

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. 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.**
This property is less than half the acreage required in R-40 zoning, limiting the area for accessory structure placement.
- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**
There is space in the rear yard to place the sheds.
- 3. Such conditions are peculiar to the particular piece of property involved; and,**
These conditions are similar to other properties in Lafayette Estates.
- 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,**
The affected neighbor at 677 Hwy 279 has not complained about the sheds in the rear yard setback. The neighbors at 172 and 176 Lafayette Dr. have written letters of support.
- 5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed; and,**
This property would continue to have the same rights and privileges as other properties.

Shed Accessory Building Verification

Property Address: 174 Lafayette Dr., Fayetteville, GA 30214

Permit Number: RADD-12-25-077041

Inspection Number: INSP-02-26-310885

Inspection Date: February 11, 2026

Inspector: Peter Simmonds

Inspection Type: Site Verification

Inspection Result: Approved As Noted

A site visit was conducted to verify the size, placement, and condition of three existing accessory sheds located on the property. Inspection information obtained from Fayette County inspection report.

Three accessory sheds were observed on site. The left shed measures 8 feet by 8 feet (64 square feet). It has no permanent foundation and no anchors. The right rear corner is approximately 5 feet from the rear property fence.

The center shed measures 12 feet by 16 feet (192 square feet). It has no permanent foundation and no anchors. The rear wall is approximately 4.5 feet from the rear property fence.

The right shed measures 12 feet by 16 feet (192 square feet). It has no permanent foundation and is secured with six anchors, three on each side at the front and rear. The rear wall is approximately 4 feet 2 inches from the rear property fence.

Building Official Summary

Three accessory sheds are present on the property. The largest structure measures 192 square feet. No shed exceeds 199 square feet. No electrical service or wiring is present in any shed. No permanent foundations were observed. Based on size and the absence of electrical service, these accessory structures do not require a building permit.









To: Fayette County Planning and Zoning and Fayette County board of Appeals

From: Sidney Wynn

Date: January 14, 2026

RE: Letter of support for Dr. Camille Feanny's variance request

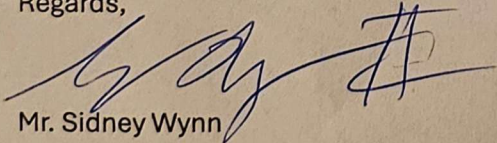
Good day, Planning and Zoning Management.

I am writing this letter in support of my neighbor, Camille Feanny. Camille and her mother reside in our community at Lafayette Estates, and we have lived next to one another for over two decades.

I respectfully ask that you support her efforts to build a sunroom for her mother, as well as approve the other improvements needed to ensure her safe and proper care. I also request that you allow the small sheds she built in her yard to remain in their current locations, as the stress and expense of moving them would place an unnecessary burden on this family. The sheds do not bother anyone, and my family and I have no concerns with their placement.

Camille is a caring and supportive neighbor, and over the years we have seen her consistently take good care of both her home and her mom. We appreciate your consideration and support of her request for the variance, so that her mother can return to a safe and well-equipped home as soon as possible. Thank you.

Regards,

A handwritten signature in black ink, appearing to read 'Sidney Wynn', with a stylized flourish at the end.

Mr. Sidney Wynn

172 Lafayette Dr, Fayetteville GA 30214

678-596-3871

January 14, 2026

Fayette County Zoning
140 Stonewall Avenue West Suite 202 Fayetteville, Georgia 30214

To Whom It May Concern,

My name is Linda Myles, and I live in the home next to Dr. Camille Feanny and her mother, Patsy, at 176 Lafayette Drive.

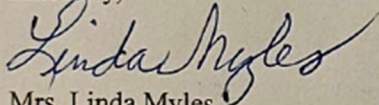
My family and I have known Camille and Patsy since they moved into Lafayette Estates approximately 25 years ago, in 2001. At that time, Ms. Patsy was vibrant and strong. But we have seen a major decline in her health since she got COVID several years ago. She is now very weak and has some memory loss, so we understand her needs in the home have changed over the years.

During the pandemic, we saw the challenges Camille faced to rebuild her house, made even more difficult by the responsibility of caring for her seriously ill mother. Camille shared with us her plans to build a sunroom and other updates to the house to better accommodate her mother's needs, and we fully support her.

We have absolutely no concerns regarding the sheds in her backyard remaining in their current locations. They look good and don't bother us or anyone at all. Camille and Patsy have always taken excellent care of that property, and we appreciate her commitment to maintaining her home and caring about our neighborhood.

We look forward to seeing the improvements she is making to better support her mother once the updates are done. Thank you for supporting this family as Camille works to bring her mother back home to Fayetteville. Please feel free to contact me if you need any additional information.

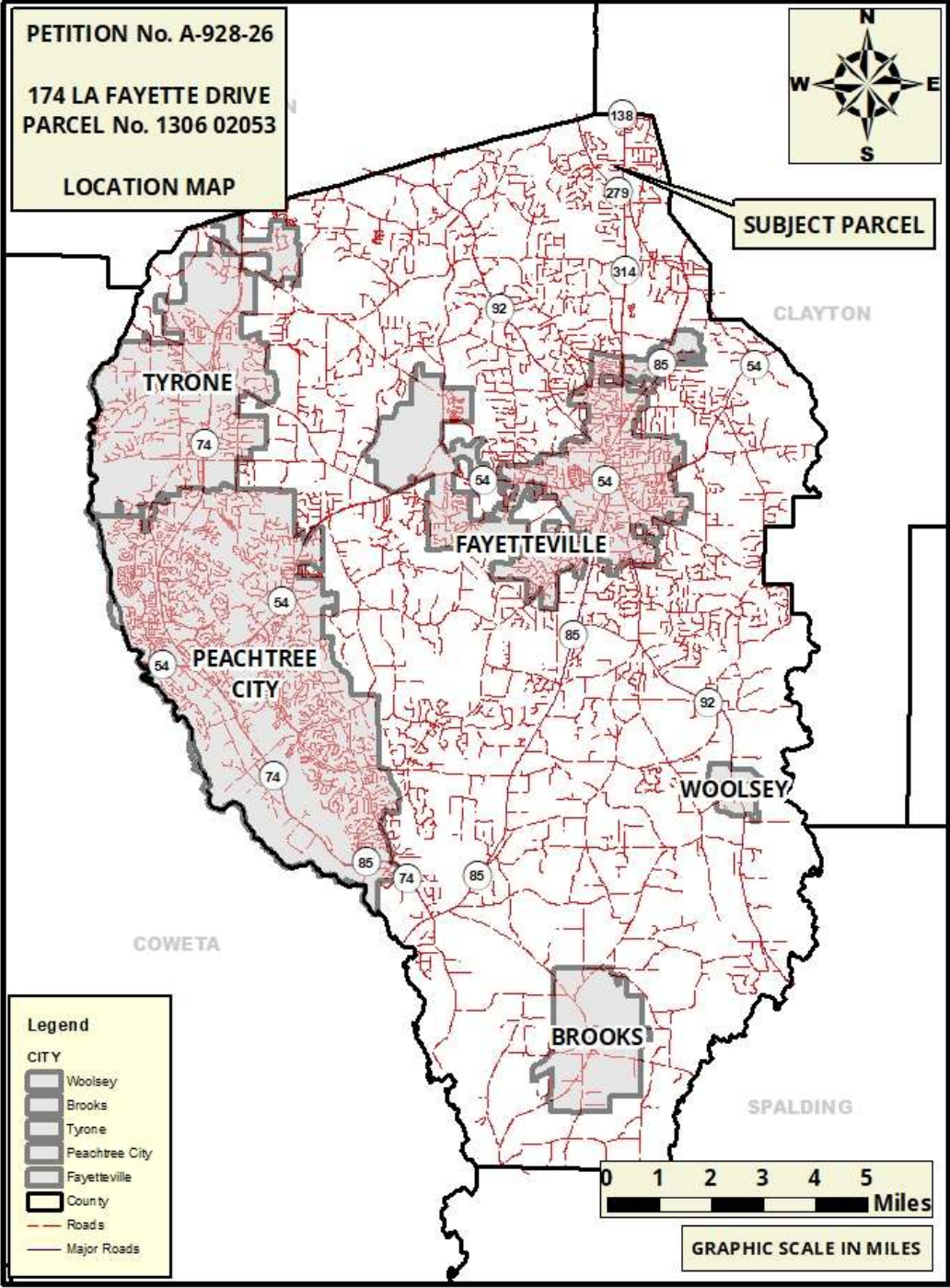
Sincerely,

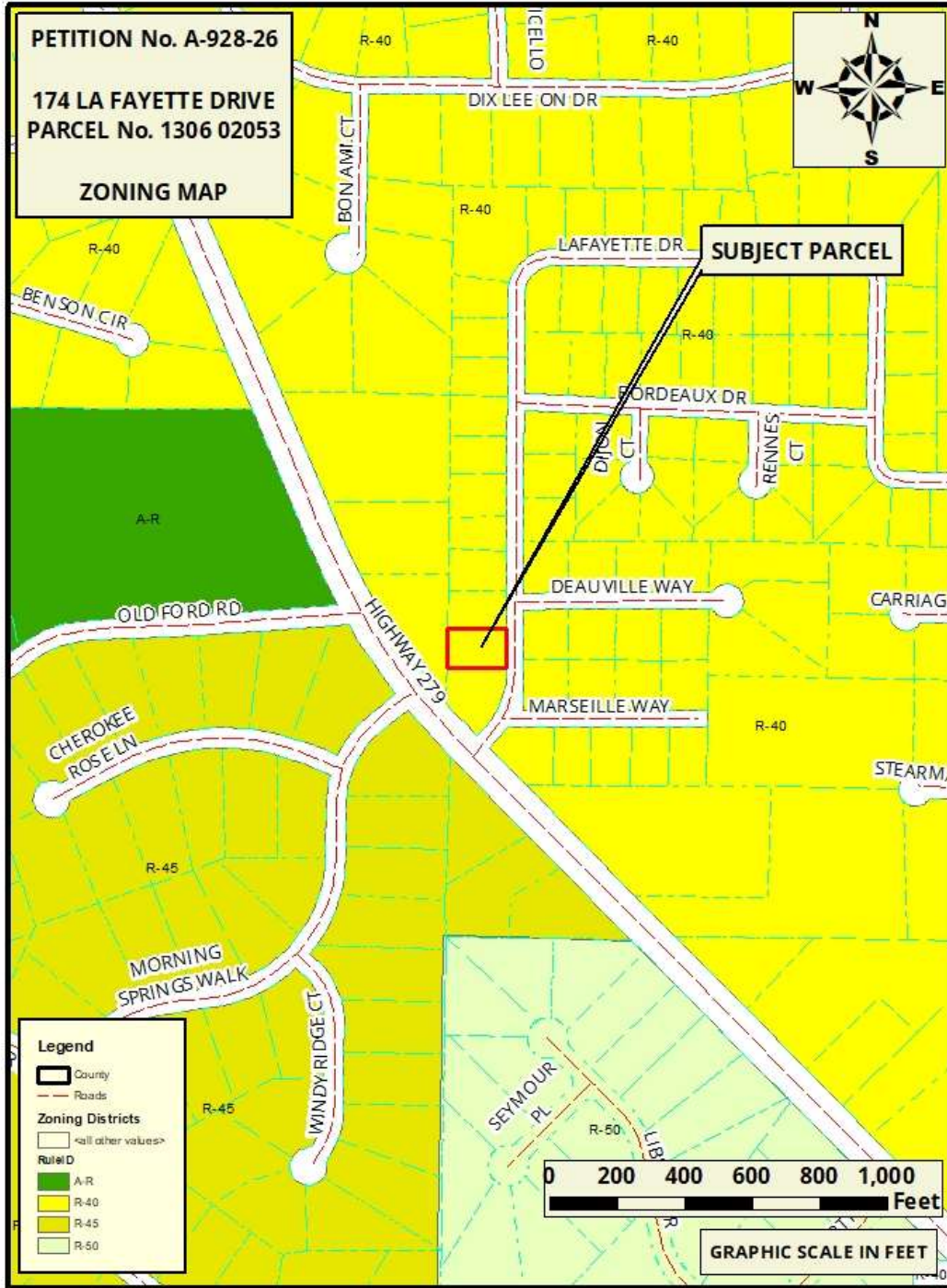


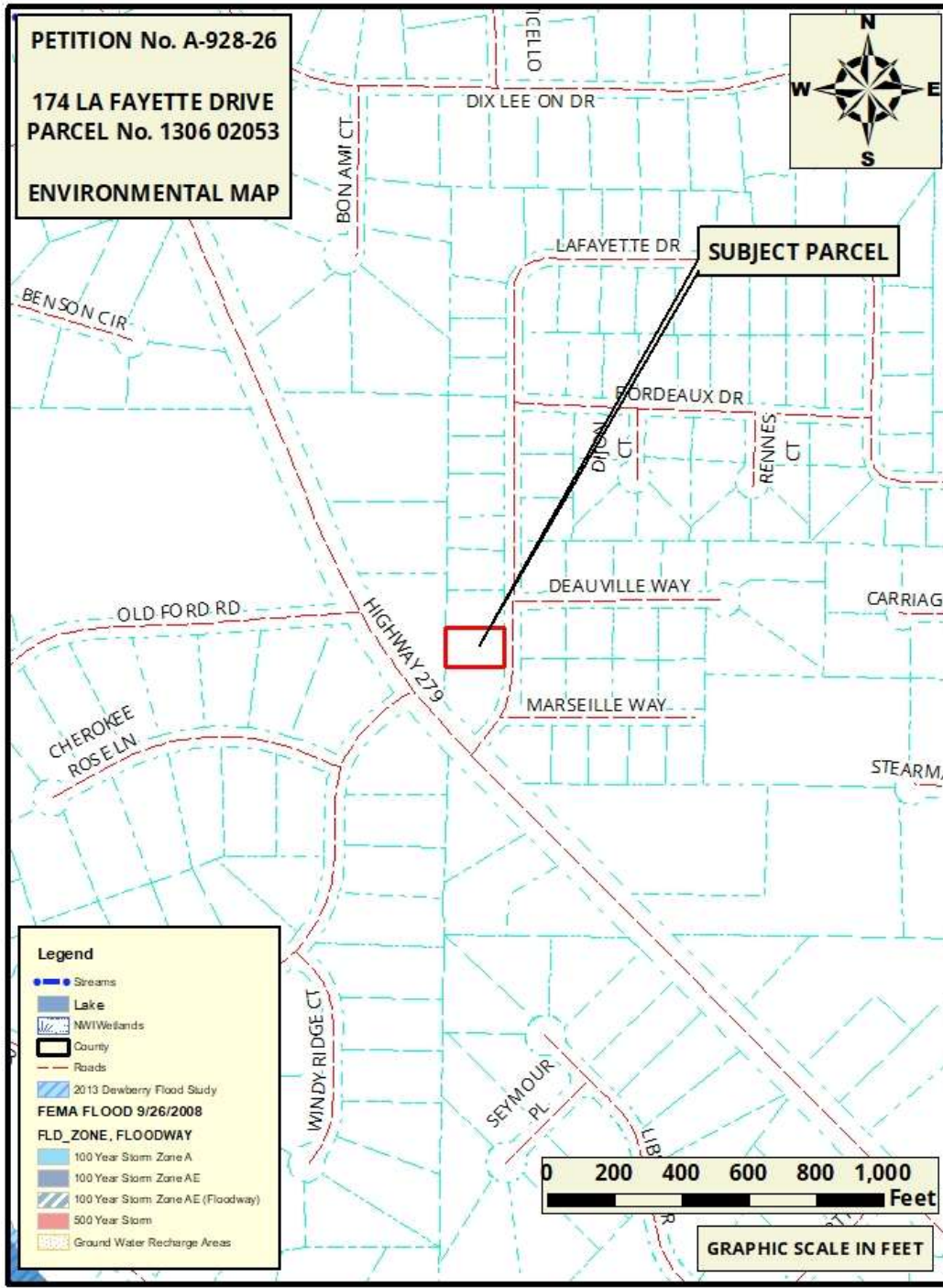
Mrs. Linda Myles

Linmyl3@aol.com

678-471-7644









CLOSURE NOTE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS COLLECTED USING A CARLSON BRX7 GPS UNIT PROCESSED WITH EGPS SOLUTIONS INC. ALL POINTS COLLECTED USING GPS HAVE A POSITIONAL TOLERANCE LESS THAN 0.03 RESIDUAL WITH A 95% CONFIDENCE LEVEL. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 126,448 FEET

FLOOD NOTE

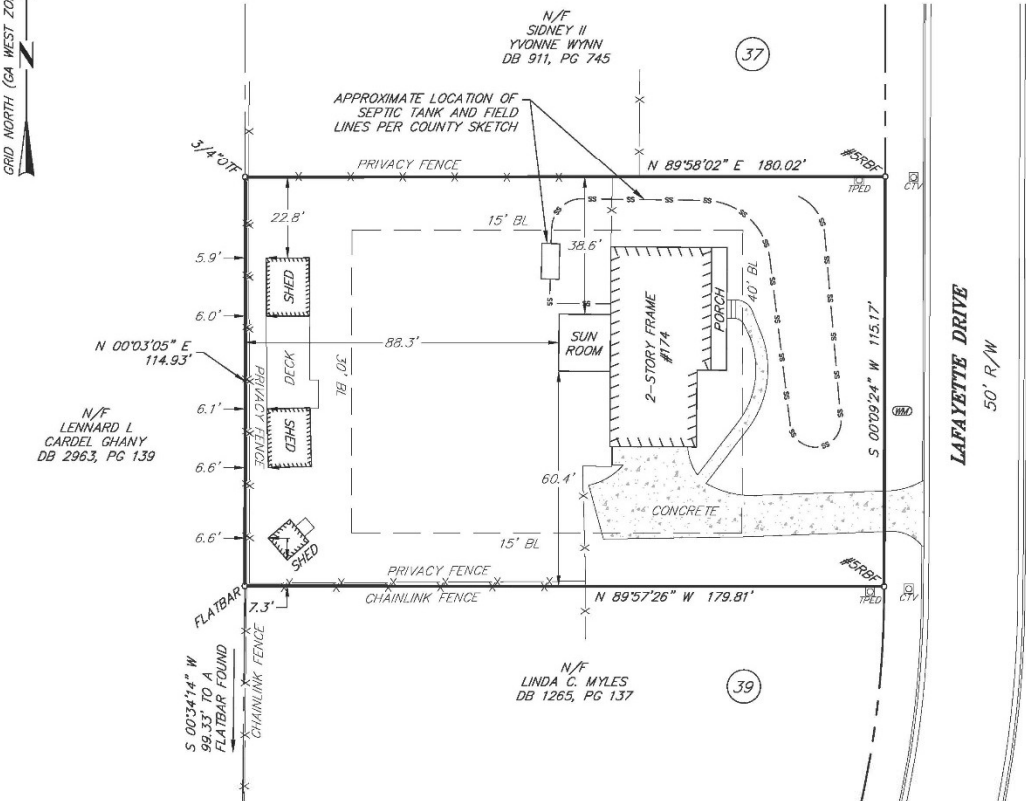
I HAVE EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATE, SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SAID OPINION.
 MAP NUMBER: 1311300037E REVISED DATE: 09/26/08

NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY EXIST BUT MAY NOT BE SHOWN BY THIS SURVEY. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
2. ONLY VISIBLE UTILITIES SHOWN.

LEGEND

- #4RBF 1/2" REBAR FOUND
- #4RBS 1/2" REBAR SET
- #5RBF 5/8" REBAR FOUND
- 3/4" OTF 3/4" OPEN TOP PIPE FOUND
- FIRE HYDRANT
- POWER POLE
- ⊗ WATER METER
- ⊠ POWER BOX
- ⊞ CABLE TV PEDESTAL
- ⊟ TELEPHONE PEDESTAL
- / — / — OVERHEAD POWER
- X — X — FENCE



AREA

20699.89 SQ. FT.
 0.48 ACRES

ZONING

R-40 (PER FAYETTE COUNTY GIS)

- FRONT SETBACK - 40 FEET
- REAR SETBACK - 30 FEET
- SIDE SETBACK - 15 FEET

** ALL ZONING INFORMATION TO BE VERIFIED WITH THE CITY OR COUNTY **



THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Jeremy Shrey
 JEREMY SHREY, GA PLS #31156

DIGITALLY SIGNED ON 2/27/26
 DATE



AS-BUILT SURVEY FOR:
 174 LAFAYETTE DRIVE

CAMILLE FEANNY

LOT 38, BLOCK A, UNIT THREE, LAFAYETTE ESTATES
 DB 5722, PG 688; PB 1, PG 195

WIDE OPEN



LAND SURVEYING LLC

52 CURETONE LANE
 MORELAND, GA 30259
 678-633-5685

WWW.WIDEOPENLANDSURVEYING.COM

JOB #3119

FIELD DATE:	2/27/26
PLAT DATE:	2/27/26
SCALE:	1"=30'
COUNTY:	FAYETTE
DISTRICT:	13TH
LAND LOT:	219

WIDE OPEN LAND SURVEYING LLC. ALL RIGHTS RESERVED. ANY POSSESSION, REPRODUCTION, OR OTHER USE OF THIS DOCUMENT WITHOUT PRIOR WRITTEN PERMISSION FROM WIDE OPEN LAND SURVEYING LLC IS EXPRESSLY PROHIBITED.

FAYETTE COUNTY, GEORGIA
VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY INFORMATION:

Parcel No. 130602053 Acreage: 1.00 Land Lot: 219 Land District: 13th
Address: 174 LaFayette Drive
Zoning: R-40 (Single-Family) Zoning of Surrounding Properties: Residential
Use: Residential

PROPERTY OWNER INFORMATION

Name Camille Feanny, PhD
Email [REDACTED]
Address 174 Lafayette Drive
City Fayetteville
State GA Zip 30214
Phone [REDACTED]

AGENT/DEVELOPER INFORMATION (If not owner)

Name _____
Email _____
Address _____
City _____
State _____ Zip _____
Phone _____

(THIS AREA TO BE COMPLETED BY STAFF):

PETITION NUMBER: A-928-26-A-B

Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: Maria Binns Date: 1/13/26

DATE OF ZONING BOARD OF APPEALS HEARING: February 23, 2026

Received payment from Camille Feanny a check in the amount of \$ 200.00

for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid 1/13/26 Receipt Number: 026268

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:

Camille Feanny

Please Print Owners' Names

Property Tax Identification Number(s) of Subject Property: 130602053

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) 219 of the 13th District, and (if applicable to more than one land district) Land Lot(s) _____ 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).

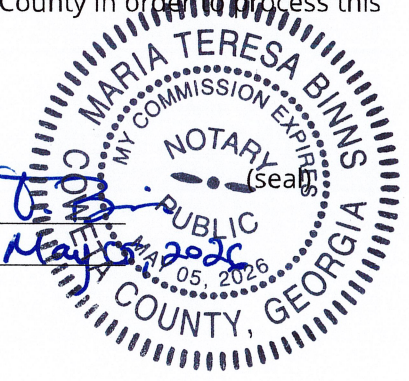
(I) (We) hereby delegate authority to _____ to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(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.

SIGNATURES

Signature *Camille Feanny*
Name: Camille Feanny
Address: 174 Lafayette Drive
City/State/Zip: Fayetteville, GA 30214
Date: _____
Phone: _____
Email: _____

Notary: *Michelle...*
Commission Exp.: May 05, 2026



**Owner/
Agent
One:**

Signature _____
Name: _____
Address: _____
City/State/Zip: _____
Date: _____
Phone: _____
Email: _____

Notary: _____ (seal)
Commission Exp.: _____

**Owner/
Agent
Two:**

Signature _____
Name: _____
Address: _____
City/State/Zip: _____
Date: _____
Phone: _____
Email: _____

Notary: _____ (seal)
Commission Exp.: _____

**Owner/
Agent
Three:**

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	Sec. 110-137(d)(5):
Requirement	Variance to reduce the rear setback from 30' to 6' to allow 2 accessory structures to remain.
Proposed Change	
Variance Amount	

Ordinance/Section	Sec. 110-79(c)a:
Requirement	To allow 1 additional accessory structure for a total of 3 structures with an aggregate footprint of 448 sf.
Proposed Change	
Variance Amount	

Ordinance/Section	
Requirement	
Proposed Change	
Variance Amount	

VARIANCE SUMMARY

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

The sheds were placed during Covid-19 when we began to rebuild our home after an interior flood. We are asking that they be allowed to remain. Thank you!

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.

We are trying to keep the 2 freestanding sheds where they are currently located since there are no obstructions or issues where they are.

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

Please allow 2 elderly women to leave the sheds because moving them creates a physical & financial hardship beyond our current capacity.

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

Moving the sheds would bring the sheds too close to the house.

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.

There is no public detriment or nuisance for the sheds remaining where they are.

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

No, this does not apply

CHECKLIST OF ITEMS REQUIRED TO BE SUBMITTED FOR ZBA REQUESTS

(All applications/documentation must be complete at the time of submittal, or the application will not be accepted)

- Application form and all required attachments, completed, signed, and notarized (if applicable).
- Copy of latest recorded deed, including legal description of the boundaries of the subject property, including total acreage
- A letter from the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision, approving the petition application
- One copy of the survey plat of the property, drawn to scale with accurate dimensions, with the following indicated:
 - a. _____ Location and size of existing structures (principal and accessory) and improvements on the parcel, including type (residential or non-residential), floor area, and accessory uses. Structures proposed to be removed must be indicated and labeled as such.
 - b. _____ Minimum setbacks and buffers from all property lines of subject property required in the zoning district.
 - c. _____ Location of exits/entrances to the subject property.
 - d. _____ Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating width of existing and proposed easements, width of right-of-way, and centerline of streets.
 - e. _____ Location of all utilities, including well or water lines.
 - f. _____ Location of septic tank, drainfield, and drainfield replacement area.
 - g. _____ Location and elevation of the 100-year flood plain and watershed protection buffers and setbacks (if applicable).
 - h. _____ Location of on-site stormwater facilities to include detention or retention facilities (if applicable).
 - i. _____ Parking locations, number of parking spaces, and parking bay and aisle dimensions (if applicable).
 - j. _____ Location of landscaped areas, buffers, or tree save areas (if applicable).
- Application filing fee.

PLANNING AND ZONING STAFF INFORMATION BELOW

Staff Reviewed By	Requirements	Proposed
Name:	Lot Size:	
Lot:	Width at Building Line:	
Zoning:	Front Setback:	
Flood: Yes/ No MFFE:	Side Setback:	
Stream Buffers:	Rear Setback:	
Number of Frontages	House Size:	

Type: WD
Recorded: 5/17/2024 2:53:00 PM
Fee Amt: \$25.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 5752721216

BK 5722 PG 688 - 689

*After Recording, Please Return To:
Simmons, Finney & Winfield, LLC
Elizabeth Williams Winfield, Esq.
P.O. Box 2242
Peachtree City, GA 30269.*

STATE OF GEORGIA
COUNTY OF FAYETTE

WARRANTY DEED

THIS DEED, made this the 17th day of May, 2024, between CAMILLE FEANNY, as party of the first part, hereinafter called Grantor, and CAMILLE FEANNY as Trustee of the DR. CAMILLE ROSE ST. ALMA FEANNY LIVING TRUST, 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 Ten Dollar (\$10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, convey and confirm unto the said Grantee, all that tract or parcel of land described as follows:

ALL THAT TRACT or parcel of land lying and being in Land Lot 219 of the 13th District of Fayette County, Georgia, being Lot 38, Block A, Unit Three of Lafayette Estates as per plat recorded at Plat Book 7, Page 195, Fayette County Records, and being more particularly described as follows:

BEGINNING at a point on the Westerly side of Lafayette Drive (a 50-foot right-of-way width) 226 feet Northeasterly and Northerly as measured along the Northwesterly and Westerly side of Lafayette Drive and following the curvature thereof from the intersection formed by the Northwesterly side of Lafayette

Drive with the Northeasterly side of Georgia Highway No. 279, said point of beginning also being at the Northeast corner of Lot 39, said block, unit and subdivision; running thence Northerly along the Westerly side of Lafayette Drive a distance of 115 Feet to Lot 37 of said block, unit and subdivision; running thence Westerly along the Southerly line of said Lot 37 a distance of 180.5 feet to a point; running thence Southerly a distance of 115 feet to Lot 39, aforesaid; running thence Easterly along the Northerly line of said Lot 39 a distance of 180.5 feet to the Westerly side of Lafayette Drive and the point of beginning; being improved property and having a house located thereon known as No. 174 Lafayette Drive, according to the present system of numbering houses in Fayette County, Georgia.

Subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the Property 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 Grantee forever, IN FEE SIMPLE.

IN WITNESS WHEREOF the said Grantor has signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

Holly Sheffield

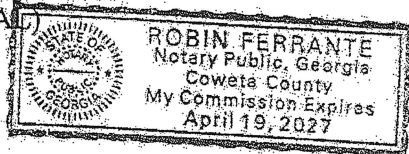
Witness

Camille Feanny

CAMILLE FEANNY

[Signature]

Notary Public
(SEAL)



CLOSURE NOTE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS COLLECTED USING A CARLSON BRX7 GPS UNIT PROCESSED WITH EGPS SOLUTIONS INC. ALL POINTS COLLECTED USING GPS HAVE A POSITIONAL TOLERANCE LESS THAN 0.03 RESIDUAL WITH A 95% CONFIDENCE LEVEL. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 126,448 FEET

FLOOD NOTE

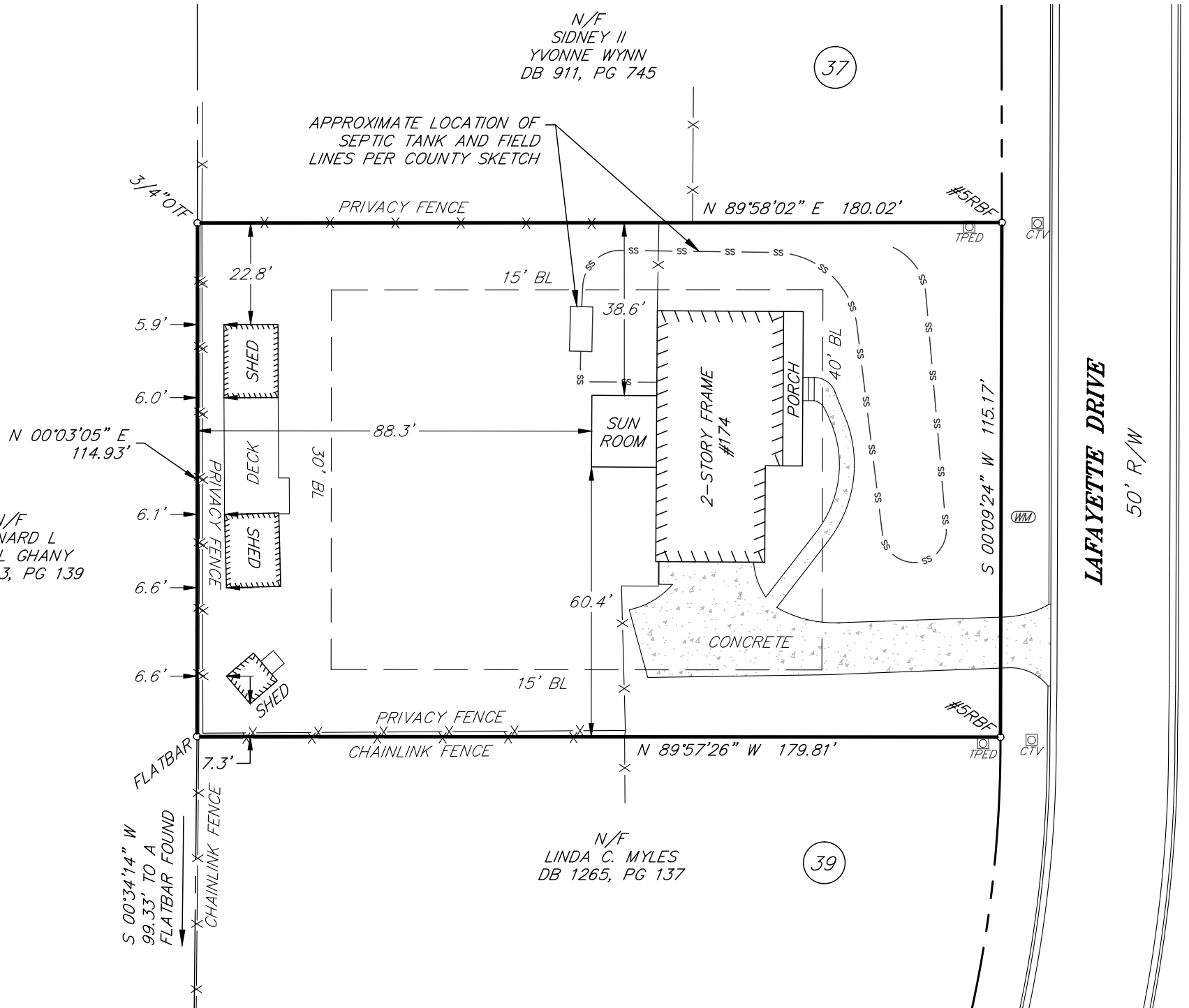
I HAVE EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATE, SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SAID OPINION.
 MAP NUMBER: 13113C0037E REVISED DATE: 09/26/08

NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY EXIST BUT MAY NOT BE SHOWN BY THIS SURVEY. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
2. ONLY VISIBLE UTILITIES SHOWN.

LEGEND

- #4RBF 1/2" REBAR FOUND
- #4RBS 1/2" REBAR SET
- #5RBF 5/8" REBAR FOUND
- 3/4" OTF 3/4" OPEN TOP PIPE FOUND
- FIRE HYDRANT
- POWER POLE
- WATER METER
- POWER BOX
- CABLE TV PEDESTAL
- TELEPHONE PEDESTAL
- OVERHEAD POWER
- FENCE



AREA

20699.89 SQ. FT.
0.48 ACRES

ZONING

R-40 (PER FAYETTE COUNTY GIS)

FRONT SETBACK - 40 FEET
 REAR SETBACK - 30 FEET
 SIDE SETBACK - 15 FEET

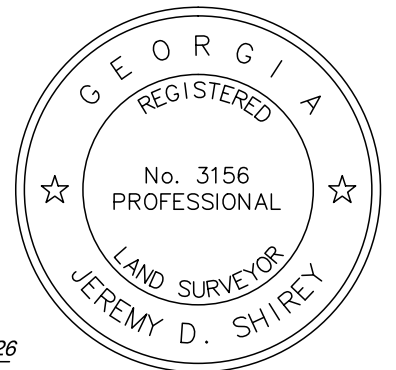
** ALL ZONING INFORMATION TO BE VERIFIED WITH THE CITY OR COUNTY **



THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Jeremy Shirey
 JEREMY SHIREY, GA BLS #3156

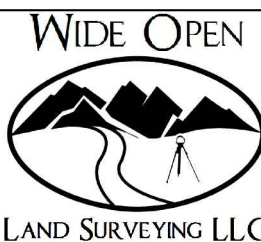
DIGITALLY SIGNED ON 2/27/26
 DATE



AS-BUILT SURVEY FOR:
 174 LAFAYETTE DRIVE

CAMILLE FEANNY

LOT 38, BLOCK A, UNIT THREE, LAFAYETTE ESTATES
 DB 5722, PG 688; PB 1, PG 195



52 CURETON LANE
 MORELAND, GA 30259
 678-633-5685
 WWW.WIDOPENLANDSURVEYING.COM
 JOB #3119

FIELD DATE:	2/27/26
PLAT DATE:	2/27/26
SCALE:	1"=30'
COUNTY:	FAYETTE
DISTRICT:	13TH
LAND LOT:	219

PETITIONS FOR VARIANCE(S)/
ADMINISTRATIVE APPEAL(S)/
ON CERTAIN PROPERTIES IN
UNINCORPORATED AREA OF
FAYETTE COUNTY, GEORGIA

PUBLIC HEARING to be held by
the Zoning Board of Appeals of Fayette
County on Monday, April 27,
2026, at 7:00 P.M., Fayette County
Administrative Complex, Public
Meeting Room, 140 Stonewall Avenue
West, first floor.

Petition No.: A-928-26-A-B-C

Owner: Dr. Camille Rose St. Alma
Feanny Living Trust

Agent: Camille Feanny

Property Address: 174 Lafayette
Drive

Parcel: 130602 053

Zoning District: R-40

Area of Property: 0.48 acres

Land Lot(s): 219 and 220

District: 13th

Road Frontage: Lafayette Drive

Request: Applicant is requesting the
following:

A) Sec. 110-137(d)(5), R-40 zoning,
Variance to reduce the rear yard
setback from 30 feet to 5.9 feet to
allow four (4) accessory structures
to remain.

B) Sec. 110-137 (d)(6), R-40 zoning,
Variance to reduce the side yard set-
back from 15 feet to 7.3 feet to allow
an accessory structure to remain.

C) Sec. 110-79 (c) (1) a., variance to
increase the number of allowable
accessory structures on a lot less
than five (5) acres from a maximum
of two (2) to four (4) to allow exist-
ing accessory structures to remain.

Legal Description

ALL THAT TRACT or parcel of land
lying and being in Land Lot 219 of
the 13th District of Fayette County,
Georgia, being Lot 38 Block A, Unit
Three of LaFayette Estates as per
plat recorded at Plat Book 7, Page
195, Fayette County Records, and
being more particularly described
as follows: BEGINNING at a point
on the Westerly side of LaFayette
Drive (a 50-foot right-of-way
width) 226 feet Northeasterly and
Northerly as measured along the
Northwesterly and Westerly side of
LaFayette Drive and following the
curvature thereof from the inter-
section formed by the Northwest-
erly side of LaFayette Drive with
the Northeasterly side of Georgia
Highway No. 279, said point of be-
ginning also being at the Northeast
corner of Lot 39, said block, unit
and subdivision; running thence
Northerly along the Westerly side
of LaFayette Drive a distance of 115
Feet to Lot 37 of said block, unit and
subdivision; running thence West-

PETITION NO: A-933-26

Requested Action: To approve an illegal lot to be deemed a legal, nonconforming lot, per Sec. 110-242(h).

Location: 105 Antioch Rd, Fayetteville, GA 30215

Parcel(s): 0418 092

District/Land Lot(s): 4th District, Land Lot(s) 118

Zoning: A-R, Agricultural-Residential

Lot Size: 1.0 Acres

Owner(s): Kristopher Gilmore

Agent: N/A

Zoning Board of Appeal Public Hearing: April 27, 2026

REQUEST

Applicant is requesting the following:

1. Per Sec. 110-242(h), requesting an illegal lot to be deemed a nonconforming lot.

STAFF ASSESSMENT

This parcel **DOES** meet all the criteria outlined in Sec. 110-242(h). Please refer to criteria and justification on Page 3 for full details.

- (1) The subject property was made illegal by actions of a previous owner via a deed recorded 20 JAN 1995, which is more than 10 years ago.*
- (2) The petitioner is not an immediate family member of the person or persons who caused the subject property to be an illegal lot.*
- (3) As defined in Sec. 110-242(h)(3), there is no property available to add to this lot to transform it into a legal lot. The reduction in area of any of the adjacent lots would cause those lots to be illegal in size, road frontage, or lot area.*

HISTORY

The property is an illegal lot because it is zoned A-R but has less than 5 acres and was created after 13 NOV 1980. There is an existing nonconforming house on the property. The property was conveyed by deed on 20 JAN 1995.

The property is improved with a house and accessory structures. Because it was built c. 1900, the existing house does not meet current building setback requirements. This structure **DOES MEET** the criteria to be considered legal nonconforming.

The restrictions in Sections 110-170(o) and (p) apply regarding maintenance, repair, additions to or reconstruction of the structure. The cap on the improvements that can be made to the nonconforming structure includes all work - all repairs AND additions - you might want to make to the structure. We cannot consider repairs to the existing structure and additions to the back of the structure separately. The most that we could approve of any and all types of construction on this house is 75% of the current FMV. The current fair market value of the home is \$68,716, so the maximum amount Planning and Zoning can approve is \$51,537.

Sec. 110-170. – Nonconformances.

(l) *Nonconforming structures; nonconforming structures.* Any legally existing structure, which fails to comply with the provisions herein, as of November 13, 1980, or as the result of subsequent amendments, or due to the acquisition of property for a public purpose, a rezoning prior to May 24, 2012, or a variance, shall be considered a legal nonconforming structure and shall be allowed to remain. The enlargement, expansion, or extension of a legal nonconforming structure which serves to increase the nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the zoning board of appeals. Where the zoning board of appeals is required to determine whether a nonconforming structure may be enlarged, expanded, or extended, the provisions of a request for a variance (article IX of this chapter) shall be considered.

(o) *Reconstruction of legal nonconforming structures.* When a legal nonconforming structure is damaged by fire, flood, wind or act of God, such structure may be reconstructed as a legal nonconforming structure only if the cost of reconstruction totals less than 75 percent of the current fair market value of the structure for tax purposes. Reconstruction costs shall include labor, materials, appliances, devices, and fixtures required for the issuance of a certificate of occupancy (per applicable International Residential Code and International Building Code). The "value of the structure" shall not include the value of any accessory building, well, septic tank, or utility in determining the extent of the damage.

(p) *Maintenance or repair of legal nonconforming structures.* The normal maintenance and repair of a legal nonconforming structure, as is required to keep it in a safe and sound condition, may be made. However, if the structure falls into a state of disrepair where the cost of the maintenance and/or repair is 75 percent or greater of the current fair market value of the structure for tax purposes, the structure must be removed

and/or brought into compliance. Reconstruction costs shall include labor, materials, appliances, devices, and fixtures required for the issuance of a certificate of occupancy (per applicable International Residential Code and International Building Code).

DEPARTMENTAL COMMENTS

- Water System** – No objection to the proposed variance.
- Public Works** – No objection.
- Environmental Management** – No objection.
- Environmental Health Department** – This office has no objection to the proposed variance. No septic records available for this lot and this office makes no guarantee of suitable soils on the lot.
- Department of Building Safety** – No comments.
- Fire** – No comments.

ZONING REQUIREMENTS

Article VII.-Zoning Board of Appeals

Sec. 110-242. - Powers and duties.

(h) *Request for an illegal lot to be deemed a nonconforming lot.* The zoning board of appeals may deem, upon appeal in specific cases, an illegal lot which is smaller than the minimum lot size for its zoning district, more narrow than the minimum lot width for its zoning district, or has less road frontage than is required for its zoning to be a nonconforming lot. The zoning board of appeals shall employ the following factors for an illegal lot seeking to be deemed a nonconforming lot:

(1) The transaction giving the appellant/petitioner ownership in the subject property was more than five years from the date of the appeal/petition or if the period of ownership is less than five years the subject property was made illegal more than ten years from the date of the appeal/petition;

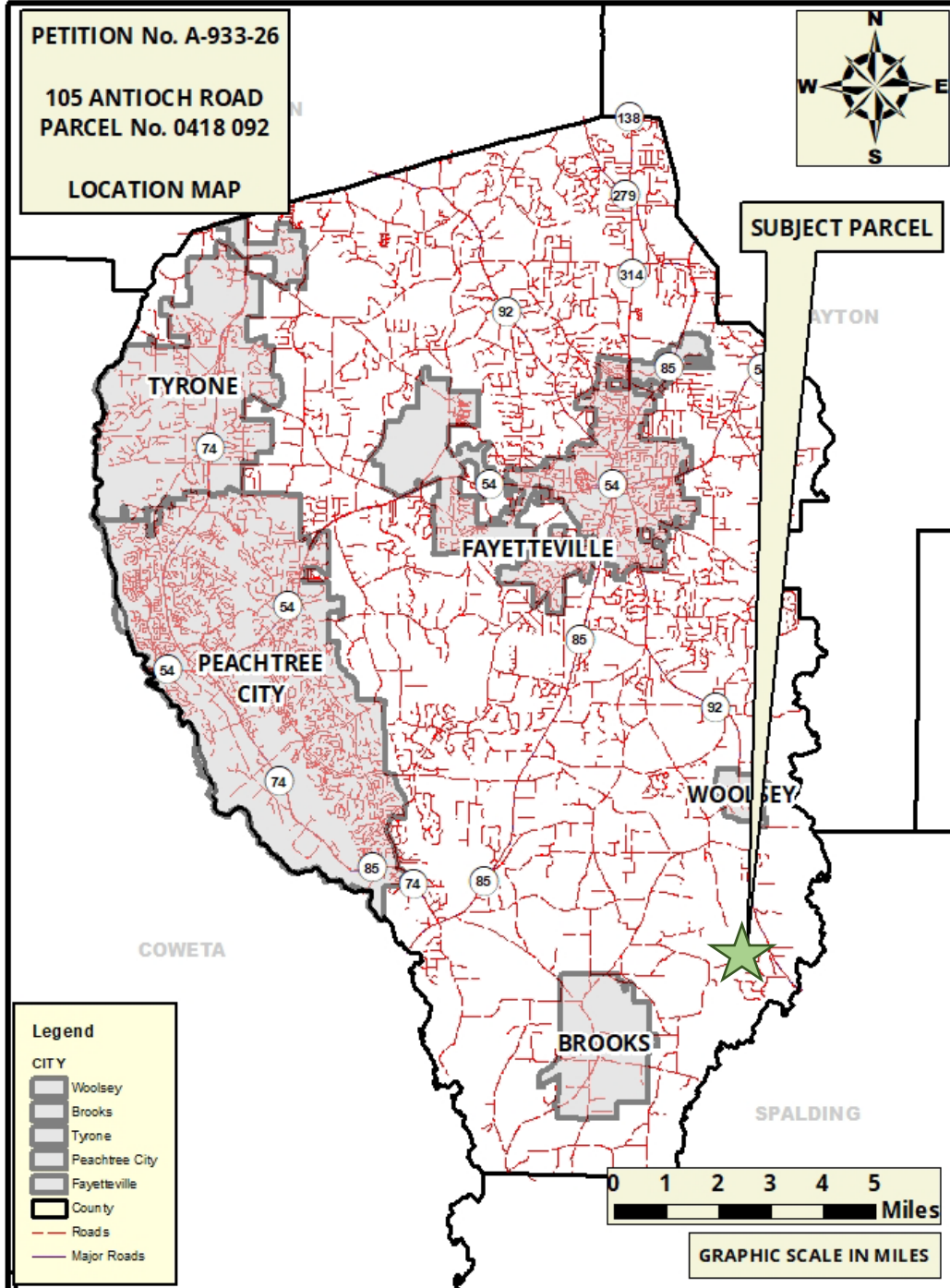
The subject property was made illegal by actions of a previous owner's estate via a deed recorded 20 JAN 1995, which is more than 10 years ago.

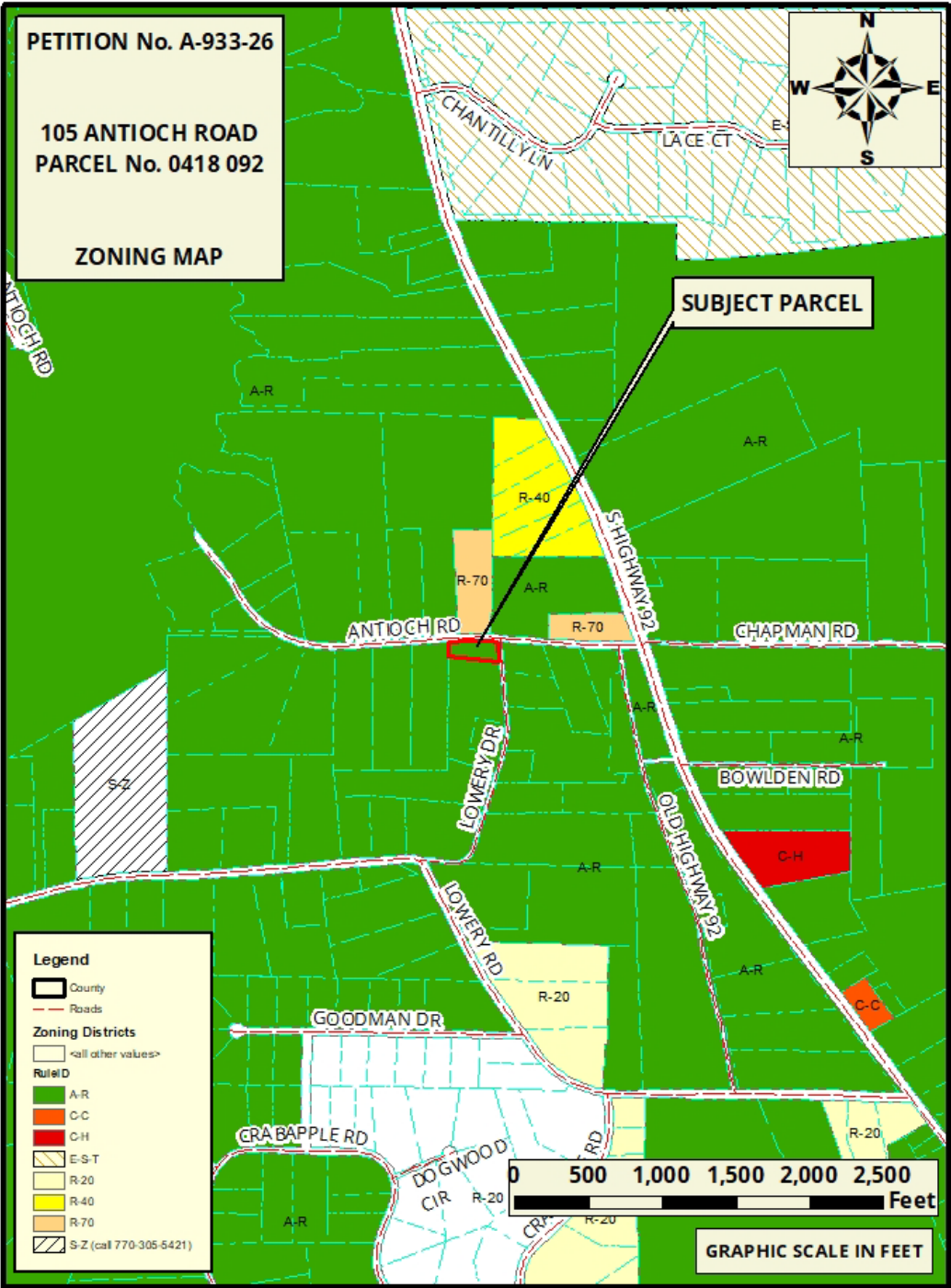
(2) The appellant/petitioner is not the person, or an immediate family member of the person, who caused the subject property to be an illegal lot. For purposes of these procedures, "immediate family" is defined as the spouse, child, sibling, parent, step-child, step-sibling, step-parent, grandparent, grandchild, aunt, uncle, niece or nephew of the person who caused the subject property to be an illegal lot; and

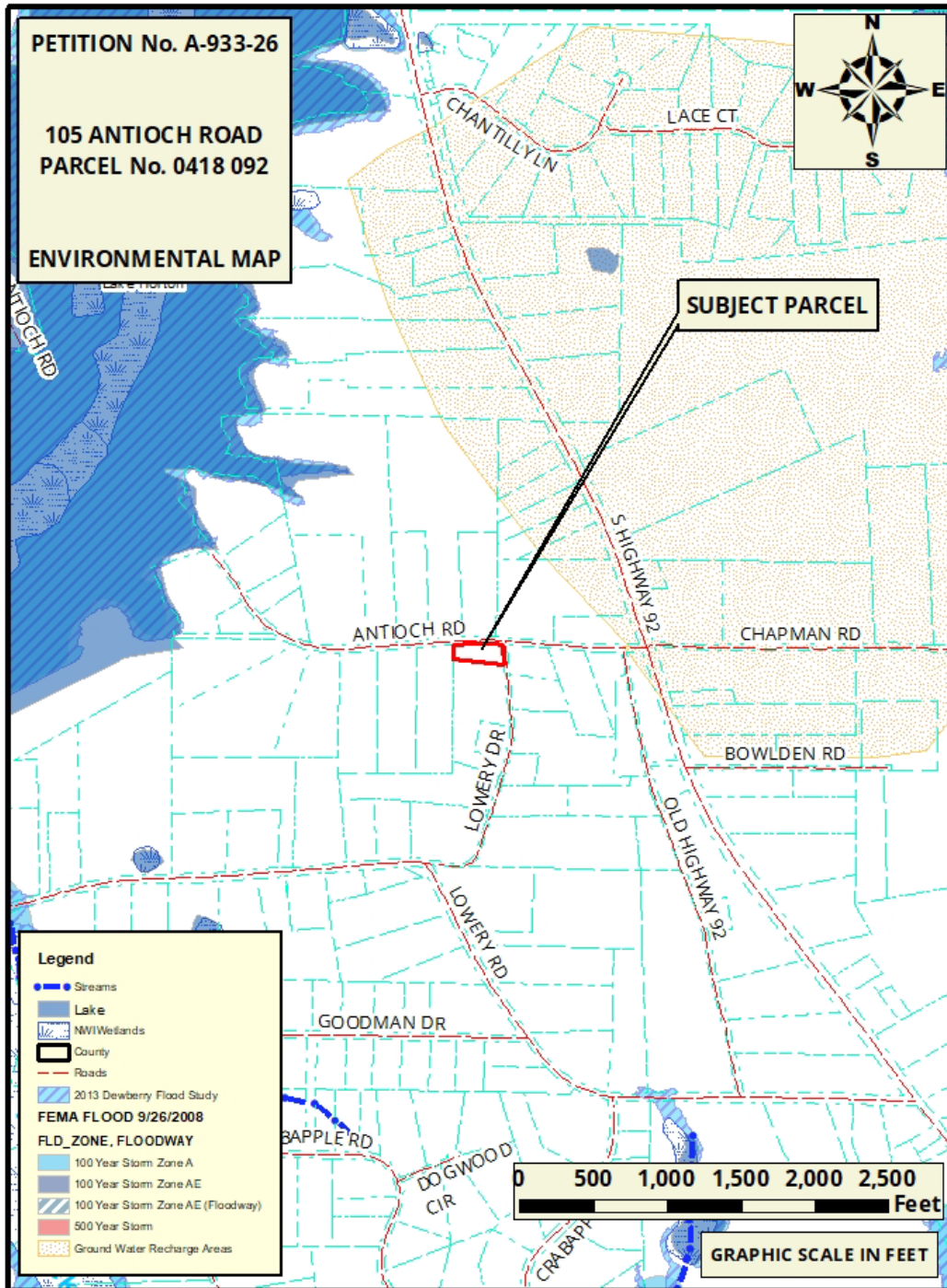
The petitioner is not an immediate family member of the person or persons who caused the subject property to be an illegal lot.

(3) No adjacent property is available to add to the subject property to allow the subject property to meet the minimum requirements for its zoning district. In determining whether adjacent property is available, if adding any adjacent property to the subject property would no longer allow the adjacent property to meet the minimum requirements of the adjacent property's zoning district, then the adjacent property is not available. Additionally, any adjacent property which is part of an illegal lot shall not be deemed available for purposes of these variance procedures, unless the adjacent illegal lot is unimproved and the entirety of the adjacent illegal lot is combined with the subject property. If adjacent property is available, the cost of acquiring the adjacent property shall not be a factor in determining the availability of the adjacent property.

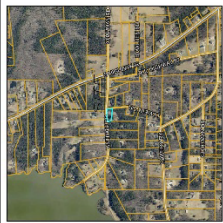
As defined above, there is no property available to add to this lot to transform it into a legal lot. The reduction in area of any of the adjacent lots would cause those lots to be illegal in size, road frontage, or lot area.











GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

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6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

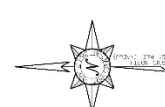
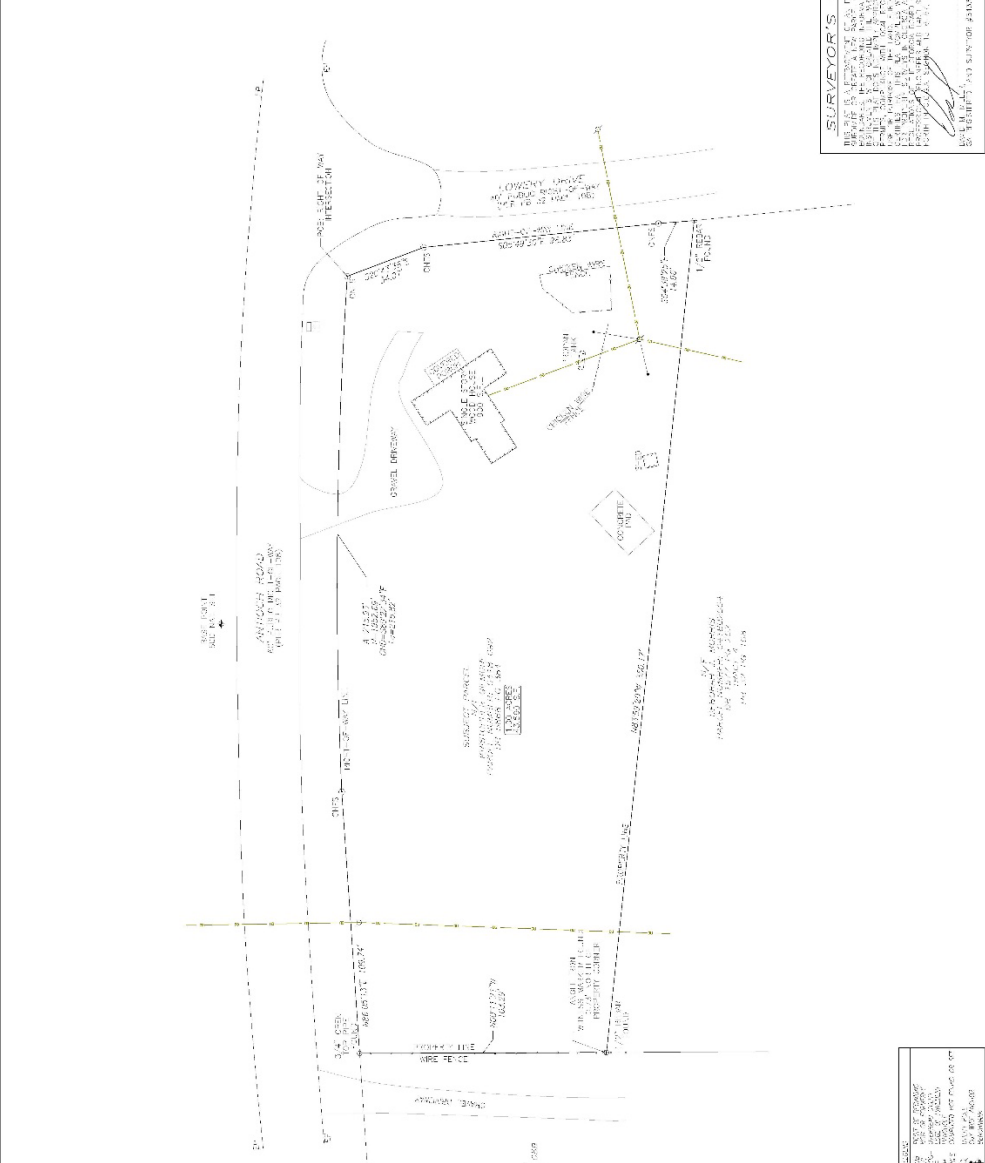
9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

SURVEYOR'S CERTIFICATION

I, the undersigned, being a duly licensed Surveyor of the State of Illinois, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my field notes and as the same appears on the original plan and map as the same appears in my office.

DATE: 08/14/2015
 SURVEYOR: JAMES D. GILMORE, S.D. 001100000



GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

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7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

<p>KRISTOPHER GILMORE A.S.C. OF ILL. PROFESSIONAL SURVEYOR</p>		<p>DATE: 08/14/2015 SHEET: 1 OF 1</p>	<p>PROJECT: SUNSHINE ROAD SHEET: 1 OF 1</p>	<p>SCALE: 1" = 40'</p>	<p>DATE: 08/14/2015</p>
<p>DATE: 08/14/2015</p>	<p>PROJECT: SUNSHINE ROAD</p>	<p>SHEET: 1 OF 1</p>	<p>SCALE: 1" = 40'</p>	<p>DATE: 08/14/2015</p>	<p>DATE: 08/14/2015</p>

FAYETTE COUNTY, GEORGIA
VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY INFORMATION:

Parcel No. 0418 092 Acreage: 1 Land Lot: 118 Land District: 4
Address: 105 Antioch Rd
Zoning: AR Zoning of Surrounding Properties: AR
Use: Residential

PROPERTY OWNER INFORMATION

Name Kristopher Gilmore
Email [REDACTED]
Address [REDACTED]
City Fayetteville
State GA Zip 30215
Phone [REDACTED]

AGENT/DEVELOPER INFORMATION (If not owner)

Name _____
Email _____
Address _____
City _____
State _____ Zip _____
Phone _____

(THIS AREA TO BE COMPLETED BY STAFF):

PETITION NUMBER: A-933-26

Application Insufficient due to lack of: _____
by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete
by Staff: Maria Binns Date: 03/06/2026

DATE OF ZONING BOARD OF APPEALS HEARING: _____

Received payment from Kristopher Gilmore a check in the amount of \$ 175.00
for application filing fee, and \$ 40.00 for deposit on frame for public hearing sign(s).
Date Paid 03/06/2026 Receipt Number: 026741

RECEIVED
MAR 06 2026
BY: M.B.

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:

Christopher Gilmore

Please Print Owners' Names

Property Tax Identification Number(s) of Subject Property: 0418 092

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) 115 of the 4 District, and (if applicable to more than one land district) Land Lot(s) _____ of the District, and said property consists of a total of One 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.

SIGNATURES

Signature [Handwritten Signature]

Name: Christopher Gilmore

Owner/ Agent One: Address: _____

City/State/Zip: Fayetteville GA. 30215

Date: 3-6-20

Phone: _____

Email: _____

Signature _____

Name: _____

Owner/ Agent Two: Address: _____

City/State/Zip: _____

Date: _____

Phone: _____

Email: _____

Signature _____

Name: _____

Owner/ Agent Three: Address: _____

City/State/Zip: _____

Date: _____

Phone: _____

Email: _____

Notary: _____

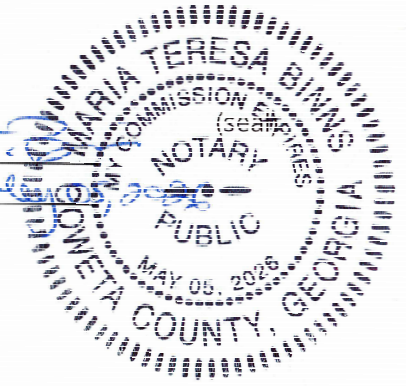
Commission Exp.: May 05, 2026

Notary: _____

Commission Exp.: _____

Notary: _____

Commission Exp.: _____



(seal)

(seal)

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.

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

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

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.

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

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	Sec. 110-242(j) - Zoned A-R, Agricultural Residential,
Requirement	has a minimum lot size requirement of 5.0 acres. To request an illegal lot be deemed a nonconforming lot.
Proposed Change	
Variance Amount	

Ordinance/Section	
Requirement	
Proposed Change	
Variance Amount	

Ordinance/Section	
Requirement	
Proposed Change	
Variance Amount	

VARIANCE SUMMARY

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

I am requesting an illegal lot to be deemed a nonconforming lot.

CHECKLIST OF ITEMS REQUIRED TO BE SUBMITTED FOR ZBA REQUESTS

(All applications/documentation must be complete at the time of submittal, or the application will not be accepted)

- Application form and all required attachments, completed, signed, and notarized (if applicable).
- Copy of latest recorded deed, including legal description of the boundaries of the subject property, including total acreage
- A letter from the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision, approving the petition application
- One copy of the survey plat of the property, drawn to scale with accurate dimensions, with the following indicated:
 - a. _____ Location and size of existing structures (principal and accessory) and improvements on the parcel, including type (residential or non-residential), floor area, and accessory uses. Structures proposed to be removed must be indicated and labeled as such.
 - b. _____ Minimum setbacks and buffers from all property lines of subject property required in the zoning district.
 - c. _____ Location of exits/entrances to the subject property.
 - d. _____ Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating width of existing and proposed easements, width of right-of-way, and centerline of streets.
 - e. _____ Location of all utilities, including well or water lines.
 - f. _____ Location of septic tank, drainfield, and drainfield replacement area.
 - g. _____ Location and elevation of the 100-year flood plain and watershed protection buffers and setbacks (if applicable).
 - h. _____ Location of on-site stormwater facilities to include detention or retention facilities (if applicable).
 - i. _____ Parking locations, number of parking spaces, and parking bay and aisle dimensions (if applicable).
 - j. _____ Location of landscaped areas, buffers, or tree save areas (if applicable).
- Application filing fee.

PLANNING AND ZONING STAFF INFORMATION BELOW

Staff Reviewed By	Requirements	Proposed
Name:	Lot Size:	
Lot:	Width at Building Line:	
Zoning:	Front Setback:	
Flood: Yes/ No MFPE:	Side Setback:	
Stream Buffers:	Rear Setback:	
Number of Frontages	House Size:	

BK 5868 PG 384 - 386

Return to:
Edge & Kimbell Law, LLC
John A. Kimbell
503 Commerce Drive
Peachtree City, GA 30269

File No.: PTC-25-4067
Parcel ID: 0418 092

LIMITED WARRANTY DEED

STATE OF GEORGIA, COUNTY OF FAYETTE

THIS INDENTURE, Made the 29th day of August, 2025 between

Jean Samples Tallman f/k/a Jean Samples,

of the State of Georgia, as party of the first part, hereinafter called Grantor and

Kristopher Gilmore,

as party 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 **TEN THOUSAND AND 00/100 Dollars (\$10,000.00)** AND OTHER VALUABLE CONSIDERATION, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all that tract or parcel of land:

See Exhibit "A" Attached Hereto and Made a Part Hereof

commonly known as **105 Antioch Road, Fayetteville, GA 30215**

SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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 behoove of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

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

Signed, sealed and delivered in the presence of:

Jacqui Fuller
UNOFFICIAL WITNESS

Jean Samples Tallman (SEAL)
Jean Samples Tallman f/k/a Jean Samples

John A Kimbell
Notary Public

My Commission Expires: February 03, 2029

SEAL:

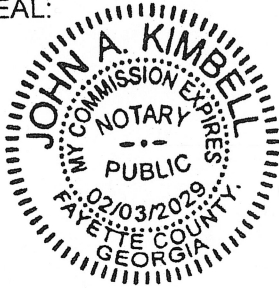


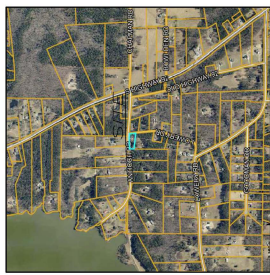
EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land situate, lying and being in Land Lot 118 of the Fourth Land District, Fayette County, Georgia, containing 1 acre and being more particularly described as follows:

Begin at a point marking the point of intersection of the South right of way of Antioch Road with the West side of Lowery Drive and from said point run thence along the West side of Lowery Drive, South 21 degrees 38' 40" East 34.07 feet to a point; thence continue along the West side of Lowery Drive South 06 degrees 44' 34" East 98.83 feet to a point; thence continue along the West side of Lowery Drive South 05 degrees 51' 29" East 15 feet to a point located on the West side of Lowery Drive; thence run North 84 degrees 55' 19" West 350.41 feet to a point located on the East property line of Larry Prince; thence run along said property line North 01 degrees 01' 02" West 103.39 feet to a point located on the South right of way of Antioch Road; thence run along said right of way; North 85 degrees 10' 09" East 109.74 feet to a point located on said right of way; thence continue along said right of way a chord distance North 89 degrees 42' 22" East 215.82 feet to the point of beginning. (the last described distance having an arc distance of 215.93 feet)

Said property bound now or formerly as follows: on the North by the South right of way of Antioch Road; on the East by the West side of Lowery Drive; on the South by property of Guy Samples Estate and on the West by property of Larry Prince.

Tax Id: 0418 092



VICINITY MAP
NEXT 1:1 SCALE

GENERAL NOTES

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.

THIS SURVEY WAS CONDUCTED USING THE POSITIVE METHOD. ALL MEASUREMENTS WERE MADE USING A LEICA DISTANCE MEASURING DEVICE (DMD) WITH AN ACCURACY OF ± 0.002 FT. VERTICAL. THESE VALUES WERE DERIVED FROM A NETWORK OF BENCHMARKS AND POINTS COLLECTED AT EACH POSITION.

THIS PLAN HAS BEEN CALCULATED FOR CLOSURE WITH ONE POINT AT 100.00 FEET.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA DISTANCE MEASURING DEVICE (DMD) WITH AN ACCURACY OF ± 0.002 FT. VERTICAL. THESE VALUES WERE DERIVED FROM A NETWORK OF BENCHMARKS AND POINTS COLLECTED AT EACH POSITION.

THIS SURVEY WAS CONDUCTED USING THE POSITIVE METHOD. ALL MEASUREMENTS WERE MADE USING A LEICA DISTANCE MEASURING DEVICE (DMD) WITH AN ACCURACY OF ± 0.002 FT. VERTICAL. THESE VALUES WERE DERIVED FROM A NETWORK OF BENCHMARKS AND POINTS COLLECTED AT EACH POSITION.

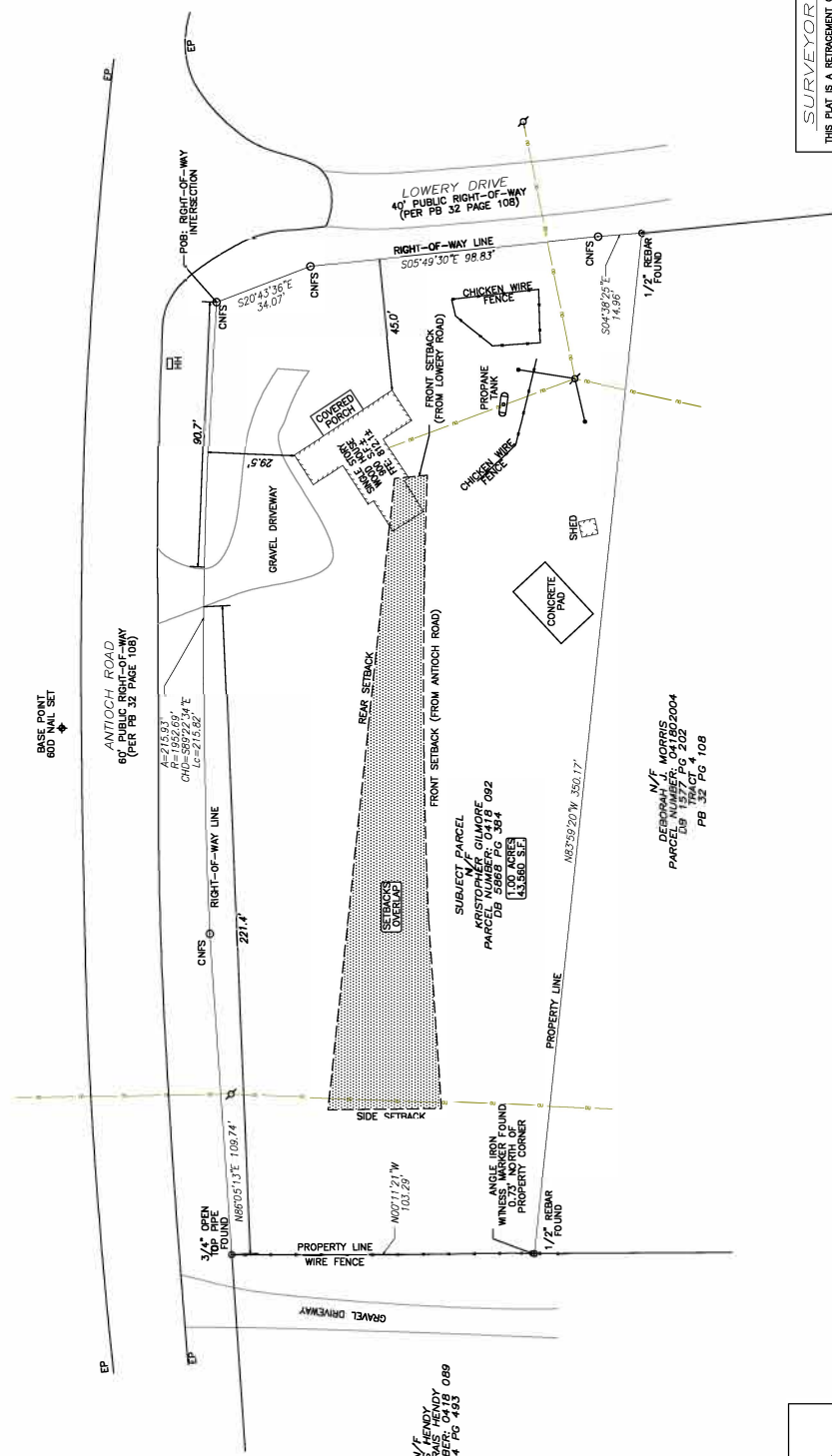
THIS SURVEY WAS CONDUCTED USING THE POSITIVE METHOD. ALL MEASUREMENTS WERE MADE USING A LEICA DISTANCE MEASURING DEVICE (DMD) WITH AN ACCURACY OF ± 0.002 FT. VERTICAL. THESE VALUES WERE DERIVED FROM A NETWORK OF BENCHMARKS AND POINTS COLLECTED AT EACH POSITION.

SURVEYOR'S CERTIFICATION

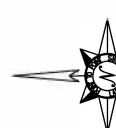
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF GEORGIA AND THAT I HAVE PERSONALLY CONDUCTED THIS SURVEY AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: 03/20/2026
BY: [Signature]

DATE:	01-18-26
CLIENT COMMENT:	WESTING DEED
DATE:	02-24-26
CLIENT COMMENT:	WESTING DEED
DATE:	03-12-26
CLIENT COMMENT:	FAYETTE COUNTY COMMENTS
DATE:	03-20-26
CLIENT COMMENT:	FAYETTE COUNTY COMMENTS



BASE POINT
600 NAL SET



N/F
KRISTOPHER GILMORE
PARCEL NUMBER: 0419 089
DB 5544 PG 468

DEBORAH J. MORRIS
PARCEL NUMBER: 041902004
DB TRACT 4 202
PB 32 PG 108

GNSS NOTES

THE FOLLOWING GNSS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

POSITIONAL ACCURACY: 0.14 FEET (HORIZ), 0.45 FEET (VERT)

TYPE OF EQUIPMENT: CAISON BR47 BDC AND ROVER

TYPE OF SURVEY: 1/2/2011 (VEP/03/2010.0000)

DATE OF SURVEY: 12/17/2011 (VEP/03/2010.0000)

FILED / FIXED CONTROL USE: N/A

GOOD MODE: 15 (VEP/03/2010.0000)

CENTROID ON THE BASE POINT AS SHOWN HEREON.

CONVERSIONS USED: 1/8" = 0.125", 1/4" = 0.25", 1/2" = 0.5", 1" = 1.0"

REFERENCE USED: NAD83, NAD83, NAD83

LEGEND

- POINT OF BEGINNING
- POINT OF ENDING
- POINT OF INTERSECTION
- POINT OF CONSTRUCTION
- POINT OF ADJUSTMENT
- POINT OF CORRECTION
- POINT OF ERROR
- POINT OF MISTAKE
- POINT OF REVISION



A BOUNDARY SURVEY PREPARED FOR:

KRISTOPHER GILMORE
LAND LOT 118, FOURTH DISTRICT,
FAYETTE COUNTY, GEORGIA

OWNER: KRISTOPHER GILMORE
SITE ADDRESS: 05 ANTOCH ROAD
AREA: 1.00 ACRES ± (CALCULATED)
ZONED: A-R
REFERENCE: DEED BOOK 5868 PAGE 384

DRAWN BY: RMR
CHD BY: DMW
APPROVED BY: D. MILLER
DATE: JAN. 16, 2026
JOB #: 2517850A

SHEET NUMBER:
1

OF 1 SHEETS



PETITIONS FOR
VARIANCE(S)/ADMINISTRATIVE
APPEAL(S)

ON CERTAIN PROPERTIES IN
UNINCORPORATED AREA OF
FAYETTE COUNTY, GEORGIA

PUBLIC HEARING to be held by
the Zoning Board of Appeals of Fayette
County on Monday, April 27,
2026, at 7:00 P.M., Fayette County
Administrative Complex, Public
Meeting Room, 140 Stonewall Avenue
West, first floor.

Petition No.: A-933-26

Owner: Kristopher Gilmore

Property Address: 105 Antioch
Road

Parcel: 0418 092

Zoning District: A-R

Area of Property: 1 acre

Land Lot(s): 118

District: 4th

Road Frontage: Antioch Road and
Lowery Drive

Request: Applicant is requesting the
following: Per Sec. 110-242(h), re-
questing an illegal lot to be deemed
a nonconforming lot.

Legal Description

Exhibit A

All that tract or parcel of land situate, lying and being in Land Lot 118 of the Fourth Land District, Fayette County, Georgia, containing 1 acre and being more particularly described as follows: Begin at a point marking the point of intersection of the South right of way of Antioch Road with the West side of Lowery Drive and from said point run thence along the West side of Lowery Drive, South 21 degrees 38' 40" East 34.07 feet to a point; thence continue along the West side of Lowery Drive South 06 degrees 44' 34" East 98.83 feet to a point; thence continue along the West side of Lowery Drive South 05 degrees 51' 29" East 15 feet to a point located on the West side of Lowery Drive; thence run North 84 degrees 55' 19" West 350.41 feet to a point located on the East property line of Larry Prince; thence run along said property line North 01 degrees 01' 02" West 103.39 feet to a point located on the South right of way of Antioch Road; thence run along said right of way; North 85 degrees 10' 09" East 109.74 feet to a point located on said right of way; thence continue along said right of way a chord distance North 89 degrees 42' 22" East 215.82 feet to the point of beginning. (the last described distance having an arc distance of 215.93 feet) Said property bound now or formerly as follows: on the North by the South right of way of Antioch Road; on the East by the West side of Lowery Drive; on the South by property Of Guy Samples Estate and on the West by property of Larry Prince.

Tax ID: 0418 092

3/25