

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
February 23, 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 January 26, 2026.

PUBLIC HEARING

5. Consideration of Petition No. A-923-26 – Keith Harris, Owner. Applicant is requesting the following: Variance to Sec. 110-79(c)(1)(b), requesting to increase the square footage for an accessory structure on a lot less than five (5) acres from 1,800 square feet to 2,606 square feet to allow an existing accessory structure with three (3) lean-tos to remain in its existing configuration and location. The subject property is located in Land Lot 3 of the 5th District and fronts Harris Road.
6. Consideration of Petition No. **A-924-26-A** – Tony and Lisa Huggins, Owners. Applicants are requesting the following: A) Variance Sec. 110-125(d)(2), A-R zoning, to reduce the lot width from 250 feet to 229 feet to allow a new primary residence to be built on the same location as the previous one. The subject property is located in Land Lots 117 of the 4th District and fronts Lowery Road.

7. Consideration of Petition No. **A-924-26-B** – Tony and Lisa Huggins, Owners. Applicants are requesting the following: B) Variance Sec. 110-125(d)(6), A-R zoning, to reduce the side yard setback from 50 feet to 29 feet allow a new primary residence to be built on the same location as the previous one. The subject property is located in Land Lots 117 of the 4th District and fronts Lowery Road.
8. Consideration of Petition No. **A-924-26-C** – Tony and Lisa Huggins, Owners. Applicants are requesting the following: C) Variance Sec. 110-125(d)(6), in A-R zoning, to reduce the side yard setback from 50 feet to 29 feet to allow an accessory structure to be built behind the new proposed new home. The subject property is located in Land Lots 117 of the 4th District and fronts Lowery Road.
9. Consideration of Petition No. A-925-26 – Natalie G. Jones, Owner. Applicants are requesting a variance to Sec. 110-125.(d)(4)b. – A-R - To reduce the front yard setback from 75' to 13'11", to allow the original 1925 home to remain in the existing location as an uninhabitable accessory/auxiliary structure. The subject property is located in Land Lots 195 of the 4th District and fronts Jones Circle. *Removed by Staff, this case is not eligible for a variance.*
10. Consideration of Petition No. **A-927-26-A** – Jerome Allen, Owner. Applicant is requesting a Variance to Sec. 110-129(d)3, Variance to reduce the minimum square footage from 2,500 to 1,730 to allow an existing home to remain. The subject property is located in Land Lots 249 and 250 of the 4th District and fronts Antioch Road.
11. Consideration of Petition No. **A-927-26-B** – Jerome Allen, Owner. Applicant is requesting a Variance to Sec. 110-129(d)6, to reduce the side yard setback from 30 feet to 21.88 feet to allow a home constructed in 1965 to remain. The subject property is located in Land Lots 249 and 250 of the 4th District and fronts Antioch Road.
12. 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), R-40 zoning, to reduce the rear yard setback from 30 feet to 4.5 feet to allow two (2) accessory structures to remain. The subject property is located in Land Lots 219 and 220 of the 13th District and fronts Lafayette Drive.
13. Consideration of Petition No. **A-928-26-B** – Dr. Camille Rose St. Alma Feanny Living Trust. Applicant is requesting a variance to Sec. 110-79(c)(1)a., to allow one (1) additional accessory structure (448 square feet) for a total of three (3) in an R-40 zoning. The subject property is located in Land Lots 219 and 220 of the 13th District and fronts Lafayette Drive.

Minutes 01/26/2026

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on January 26, 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 John Tate called the January 26, 2026, meeting to order at 7:00 pm.*
 2. Pledge of Allegiance. *Chairman John Tate offered the invocation and led the audience in the Pledge of Allegiance.*
 3. Approval of Agenda. Ms. Deborah Sims amended the agenda for the election of officers of the 2026 Fayette County Zoning Board of Appeals and the installation of the new board member, Mrs. Latisha Roebuck, and added items 5 through 8. *Marsha Hopkins made a motion to approve the amended agenda with the addition of items 5 through 8 to elect new officers on the 2026 Fayette County Zoning Board of Appeals and the new board member, Ms. Latisha Roebuck. Brian Haren seconded the motion. The motion passes 4-0. Planning and Zoning Director Deborah Bell was absent.*
 4. Installation of Mrs. Latisha Roebuck as New Board Member. Oath of Office for Mrs. Latisha Roebuck. *E. Allison Ivey Cox, County Attorney, read the Oath of Office to Latisha Roebuck, who was sworn in as a board member for the 2026 Fayette County Zoning Board of Appeals.*
 5. Election of the Chairman. *Brian Haren nominated Marsha Hopkins as the Chairman of the 2026 Fayette County Zoning Board of Appeals. John Tate made a motion to close the nomination. Nominations were closed. The board voted 5-0 to approve the nomination. The motion passes 5-0.*
 6. Election of the Vice-Chairman. *Brian Haren nominated Kyle McCormick as the Vice-Chairman of the 2026 Fayette County Zoning Board of Appeals. John Tate made a motion to close the nomination. Nominations were closed. The board voted 5-0 to approve the nomination. The motion passes 5-0.*

7. Election of Secretary. ***Brian Haren nominated Maria Binns for 2026 Fayette County Zoning Board of Appeals Secretary. Brian Haren made a motion to close the nomination. Nominations were closed. The board voted 5-0 to approve the nomination. The motion passes 5-0.***
8. Consideration of the Minutes of the Meeting held on December 15, 2025. ***Chairman John Tate made the motion to approve the minutes of the meeting held on December 15, 2026. Brian Haren seconded the motion. The motion carried 4-0.***

PUBLIC HEARING

9. Consideration of Petition No. A-912-25 – Michael Edward Newman and Billie Gail Newman, as Trustees of the Mike and Billie Newman Living Trust. Applicants are requesting the following: Variance to Sec. 110-125(d)(1)- A-R., 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 4.995 acres in the A-R zoning district to be eligible for development. The subject property is located in Land Lots 31 of the 7th District and fronts Nelms Road.

Ms. Sims stated this lot was deemed a nonconforming lot by the decision of the Zoning Board of Appeals on December 15, 2025, and now it's requesting a variance to the minimum lot size to allow a lot that is 208,216.8 square feet in area (4.78 acres) to be eligible to obtain a building permit. She stated the lot contains a lot of floodplain, and the owner wants to construct an auxiliary structure. Staff recommends approval.

Mr. Jason Newman expressed his gratitude to the commissioners and the county and stated that the denial of the petition will result in leaving the property unusual. The requirements criteria had been met with county standards.

Chairman Marsha Hopkins moved to bring the item back to the board, since there were no support or opposition comments.

Commissioner John Tate stated that, considering the petition meets all requirements per Section 110-242(c)(1), he moved for approval the petition and made motion.

John Tate made a motion to APPROVED Petition No. A-912-25. Brian Haren seconded the motion. The motion passed 5-0.

10. Consideration of Petition No. A-915-25 – Kimberly N. Waldrop, Owner. Applicant is requesting the following: Variance to Sec. 110-137(d)(6)- R-40., to reduce the side yard setback from 15 feet to 5 feet to allow the construction of a detached garage. The subject property is located in Land Lots 184 of the 4th District and fronts Hammock Bay Road.

Ms. Sims read the description above and added that the applicant wants to build a detached garage, the property consist into two front yards, and the design of the house, when originally built, due to the shallow depth of the cul-de-sac lot, created challenges adding it elsewhere.

Kimberly Waldrop stated that adding the detached garage elsewhere on the property would be very difficult due to the majority of trees being on the opposite side, along with utility lines, and she wanted to use the existing driveway. If approved will need to be approved by their Home Owners Association.

Chairman Marsha Hopkins asked if anyone in the audience wanted to speak in support of the petition.

Mr. Neil Orand, neighbor next door, stated he has no objection to the structure being in the requested area.

Commissioner Bryan Haren asked the applicant where her septic location was and when it was built.

Ms. Waldrop responded that it was built in 2006 and is in the front yard, close to the driveway.

Commissioner Haren was there a petition in 2023 for a setback request?

Ms. Waldrop responded that it was for a pool on the right side of the house.

Commissioner Haren asked the applicant if there were any limitations pushing back the proposed structure so as not interfere with the setbacks?

Ms. Waldrop responded the hill will not suit that and will not leave room for a gate to access the back yard.

Ms. Sims showed the survey, explaining that it will be too tight to place it back far in the property.

Chairman Hopkins asked the board if they had more comments or to entertain a motion.

John Tate made a motion to APPROVED Petition No. A-915-25. Brian Haren seconded the motion. The motion passed 5-0.

11. Consideration of Petition No. A-916-25 – Ritchey Living Trust, Owner. Applicants are requesting a Variance to Sec. 110-149 (d)(6)(c)- PUD., to reduce the side yard setback from 15 feet to 12.63 feet to allow an existing attached garage to remain. The subject property is located in Land Lots 4 of the 6th District and fronts Wellborn Chase.

Ms. Sims introduced petition A-916-25, with location of the property at 140 Wellborn Chase. The house was constructed in 1994, the garage was built too close to the side property line. After it was damaged by fire, they applied to reconstruct it staff noticed the encroachment and advised the contractor and applicant that a variance was needed to complete reconstruction.

Ms. Sims stated this will not have a negative effect on any neighboring properties.

Ms. Elizabeth Ritchey stated the house was struck by lighting and the garage was built in 2008 and they didn't know the house was encroaching. Ms. Ritchey stated they are desperate to return home.

Mr. Neil Orand spoke in support of the petition and said has no objection to the petition.

Chairman Hopkins asked the audience if anyone was in opposition, hearing none then she brought the item back to the board for questions or comments.

Mr. Bryan Haren asked the petitioner if they just wanted to rebuild what was there before the fire.

Ms. Ritchey responded yes, the garage in question still has a roof.

Mr. Haren commented that they will not penalize people for what insurance will call it an act of god and that he will be in support of the petition.

Chairman Hopkins agreed with Mr. Haren's comment and made a motion for approval.

Chairman Marsha Hopkins made a motion to APPROVED Petition No. A-916-25. Vice-Chairman Kyle McCormick seconded the motion. The motion passed 5-0.

12. Consideration of Petition No. A-917-25 – Douglas John Williams, Owner. Applicant is requesting a variance to reduce the side yard setback in the R-40 zoning district from 15 feet to 7 feet to allow a new accessory structure to be constructed. The subject property is located in Land Lots 221 of the 5th District and fronts Bentley Way. *Staff will request a motion to withdraw by petitioner.*

Ms. Sims stated that the applicant requested to withdraw, and since it has been advertised staff is requesting a motion to approve the withdrawal.

WITHDRAWN BY PETITIONER, Marsha Hopkins made a motion to ACCEPT THE WITHDRAWAL BY PETITIONER of Petition A-917-25. Latisha Roebuck seconded the motion. The motion carried 5-0.

13. Consideration of Petition No. A-918-25 – Kerr Firefly Properties, LLC, Owner. Applicant is requesting a variance to Sec. 110-179(c)(1)(b)-In the A-R zoning. - Request to approve an increase of an accessory structure maximum footprint from 700 SF to 1200 SF to allow an existing accessory structure to remain. The subject property is located in Land Lots 104 of the 7th District and fronts Dogwood Trail. *Staff will request a motion to withdraw by petitioner.*

Ms. Sims stated that the applicant requested to withdraw, and since it has been advertised staff is requesting a motion to approve the withdrawal.

WITHDRAWN BY PETITIONER, John Tate made a motion to ACCEPT THE WITHDRAWAL BY PETITIONER of Petition A-918-25. Brian Haren seconded the motion. The motion carried 5-0.

14. Consideration of Petition No. **A-919-25-A** – Neil Orand and Tara Fogle Orand, Owner. Applicant is requesting the following: A) Variance to Sec. 110-137(d)(6)- R-40.- Requesting a variance to reduce the side yard setback from 15 feet to 7 feet to allow a new accessory structure to be built. The subject property is located in Land Lots 184 of the 4th District and fronts Hammock Way Drive and Brooks Woolsey Road.

Ms. Sims stated the petitions for 106 Hammock Bay Drive have two petitions A-919-25-A and A-919-25-B. She presented the requests for both petitions, and the board will separately hold a separate hearing and a motion. Ms. Sims stated that for petition A-919-25-A the applicant is requesting to reduce the yard side 15 feet to 7 feet to allow a new detached garage to be built at the end of the existing driveway. The property has a very unique location in a cul-de-sac lot and has two road frontages. Staff received a letter from the Home Owners Association expressing no objections to these variances. Also, for petition A-919-25-B the applicant is requesting to reduce the front yard setback for the secondary front yard on Brooks Woolsey Road from 60 feet to 40 feet to allow the construction of the detached garage. Ms. Sims stated that it will not be possible for the applicant to build it on the right side of the property because the septic system will have to be moved to build a new driveway, and also, all the utilities are there, which make it difficult. Neighbors seem to have no objections.

Mr. Neil Orand stated he would like to build the detached garage as presented and because the property line runs parallel to the back of the house, they did not want to place the proposed garage behind the house, since it will encroach and a variance will be requested anyway.

Ms. Kimberly Waldrop, neighbor next door, stated that with a huge tree in between them this approval will not affect her property at all.

Without any support or opposition comments, Chairman Hopkins brought the item back to the board for discussion or entertain a motion.

Ms. Sims added the applicant will be required to conduct a foundation survey before they can get a framing inspection.

Mr. Kyle McCormick asked the board if the side yard setback was 15 to 10 or 15 to 7 feet.

Ms. Sims stated it was advertised from 15 feet to 7 feet.

Mr. Bryan Haren commented if this house were to be built today, the board would be a less issue approving it, and he made a motion.

Brian Haren made a motion to approved Petition No. A-919-25-A. John Tate seconded the motion. The motion passed unanimously.

15. Consideration of Petition No. **A-919-25-B** – Neil Orand and Tara Fogle Orand, Owner. Applicant is requesting B)Variance to Sec. 110-137(d)(4)- R-40.- Requesting a variance to reduce the front yard setback along Brooks Woolsey Road from 60 feet to 40 feet. The subject property is located in Land Lots 184 of the 4th District and fronts Hammock Way Drive and Brooks Woolsey Road.

Ms. Sims discussed both petitions above and because they need separate hearings, the applicant and Mr. Neil Orand spoke in support, no one spoke in opposition. The board brought the item back to the board and made a motion.

Brian Haren made a motion to APPROVED Petition No. A-919-25-B. John Tate seconded the motion. The motion passed unanimously.

16. Consideration of Petition No. A-920-25 – Neal W. McEwen and Patricia H. McEwen, Owners. Applicant is requesting a variance to Sec. 110-79(c)(1)(b) to increase the maximum square footage of a guest house from 700 square feet to 1,782 square feet to allow an existing and permitted guesthouse to remain. The subject property is located in Land Lots 98 of the 4th District and fronts Morgan Mill Road. *Removed by staff, this case is not eligible for a variance.*

Ms. Sims stated petition A-920-25 was removed by staff because the case is not eligible for a variance, and we need a motion to approve the removal since it was advertised.

REMOVED BY STAFF, John Tate made a motion to ACCEPT THE REMOVAL BY STAFF, THIS CASE IS NOT ELIGIBLE FOR A VARIANCE of Petition A-920-25. Latisha Roebuck seconded the motion. The motion carried 5-0.

17. Consideration of Petition No. **A-921-25-A** – Alexis Kirkbride, Owner. Applicant is requesting A) Variance to Sec. 110-79(e) to allow an accessory structure located in front yard to remain. The subject property is located in Land Lots 1 of the 9th District and fronts Rivers Road.

Ms. Sims explained that this case has three hearings; it's the same property requesting different variances. Back in 2022 apply for a variance for a detached garage in the front yard, but the petitioner withdrew the petition after the board asked to reevaluate things, the property owner proceeded to apply for a pool and a pool house but he didn't permit the accessory structure in the front yard and sold the property to Ms. Kirkbride, they can not proceed until this variance is cure. Ms. Sims refers to the maps and aerials to show the location of the structures.

Ms. Ann Kirkbride, mother of the petitioner, spoke on behalf of the owner and stated that they purchased the house and discovered there was an expired permit on the pavilion, it's just a storage shed with no electricity, and was not disclosed

to them when purchasing the home, and they need this variance approval to continue with the pavilion permit.

Chairman Hopkins moved to bring the item back to the board after no further comments in support or opposition from the audience.

Ms. Latisha Roebuck asked the petitioner what the total square footage of all the accessory structures would be.

Ms. Kirkbride responded to under 1,800 square feet, by the letter of the surveyor, including all the structures, she stated total 1,785 square feet, counting the structure under 1,000 square feet and the pavilion under 800 square feet.

Mr. Haren asked staff if the structure in the front is an airplane hangar or a shed.

Ms. Sims responded didn't know because they did not have a permit, and that in the initial permit request, they were proposing a 1,800 square feet garage. The Department of Building Safety will call anything with a roller door a garage, and zoning will call it an accessory structure. The arials shown between 2022 and 2024 were put out in that location.

Mr. Haren commented that in 2022 were talking to the previous owner in how to tax a hangar and saying he was close to the runway.

Ms. Sims stated staff will not support to place an airplane hanger at this location by not being an aircraft community here in rivers road and the previous owner and having the options he wanted he proceeded with the construction of it without a permit. If the board approves these three variances it will have to be permitted by building safety if not it will have to be permitted to demolish it.

Mr. Haren asked the petitioner what are your intentions are.

Ms. Kirkbride responded, would like to keep it as storage.

Chairman Hopkins asked staff if the pool cant be considered unless these other two are resolved.

Ms. Sims responded the pool can be considered absent of petitions A and B, they are for the structure constructed without a permit by the previous owner.

Mr. Haren commented that he understands there is a cost to all, but the easiest solution is to turn it down.

Mr. Tate commented that the board cannot punish the petitioner for what the previous owner did. Chairman Hopkins agreed with this comment.

Mr. Haren asked staff if this gets approved, what does the home owner has to do?

Ms. Sims responded they will have to obtain a permit and will have to get inspections and keep it as where the current owner wanted.

Chairman Marsha Hopkins made a motion to APPROVED Petition No. A-919-25-A. John Tate seconded the motion. The motion passed unanimously.

18. Consideration of Petition No. **A-921-25-B** – Alexis Kirkbride, Owner. Applicant is requesting B) Variance to Sec. 110-133(d)(5) to reduce the rear yard setback from 50 feet to 37.6 feet to allow an existing accessory structure to remain. The subject property is located in Land Lots 1 of the 9th District and fronts Rivers Road.

Ms. Sims stated that for A-921-25-B of this petition is to allow the existing encroachment into the rear yard setback.

Ms. Kirkbride stated that the septic is on the left side, and would it be difficult to build on that side.

Chairman Hopkins moved to bring the item back to the board after no comments in support of apposition.

After previously discussing all the points on petition “A” the board made a motion.

Brian Haren made a motion to APPROVED Petition No. A-921-25-B. Vice-Chairman Kyle McCormick seconded the motion. The motion passed 5-0.

19. Consideration of Petition No. **A-921-25-C** – Alexis Kirkbride, Owner. Applicant is requesting C) Variance to Sec. 110-133(d)(5) to reduce the rear yard setback from 50 feet to 33.7 feet to allow the pool deck/equipment to remain as required in Sec. 110-79(k). The subject property is located in Land Lots 1 of the 9th District and fronts Rivers Road.

Ms. Sims for part C is to allow the encroachment of the pool deck; everything has to be inside the buildable area per our ordinances.

Ms. Kirkbride commented it was the corner that sits in that 50 foot setback.

Chairman Hopkins moved to bring the item back to the board after no comments in support or opposition. The board had no comments or questions and moved for a motion.

John Tate made a motion to APPROVED Petition No. A-921-25-C. Brian Haren seconded the motion. The motion passed 5-0.

20. Consideration of Petition No. **A-922-25-A** – Tim A. Belcher and Ruth M. Belcher Revocable Living Trust, Owners. Applicants are requesting the following: A) Variance to Sec. 110-79(e), to allow an accessory structure in the front yard. The subject property is located in Land Lots 65 of the 5th District and fronts Lester Road and Sherwood Road.

Ms. Sims presented and explained all of the three parts (A, B and C) to ease the motions and stated the property is one of the first airline communities in Fayette County, going back to 1969 within Coventry estates, and the property sits at the end of a road, and wanted to construct a hangar. Ms. Sims showed the airstrip on the aerials and the proposed location of the hangar, considering that space the front yard, and because of that, he need a variance to place it logically at the end of the runway.

Mr. Tim Belcher stated brought the property at the end of June last year and it one of the few that airport property that doesn't have a hangar to protect his airplane and that the only location on the property to have it at that location. He mentioned the lot has other structures and purchasing the property was originally two lot but the estate that he bought it from combined them together into one.

Chairman Hopkins asked if anyone wanted to speak in support of the petition.

Mr. Tim Hester, president of the runway association, stated he appreciated the board passed his variance previously and he will the same consideration for Mr. Tim Belcher.

Chairman Hopkins moved to bring the item back to the board after no comments in support or opposition. Chairman Hopkins also asked the petitioner about the location of the runway.

Mr. Belcher responded, it is not at the end of the runway, he pointed at the maps and said it goes across Lester Road, it is not in line with the runway, and the hangar will not make any difference in safety wise on the runway.

Mr. Bryan Haren asked if there are any other hangars in other properties.

Mr. Belcher responded that there are 17 hangars at the airport.

Mr. Haren asked how many of them are on the runway, setback or behind.

Mr. Belcher responded that there are all setback someway within the runway.

Ms. Latisha Roebuck commented that they understand a combination of two lots, she asked why he chose that location versus next to the primary home or behind it.

Mr. Belcher showed the primary home location and stated that, according to the zoning regulations for his property everything on the south part of it it's a front yard, everything on the west of the house is front yard; the only place he can put the hangar it would be in a small corner of the lot and pointed out to the contours they go up and down the property and would not be possible for the hangar to be back there and would have to cut a lot of trees.

Mr. Bryan Haren commented that the property has two front yards and he sees no reason not to support that.

Mr. John Tate agreed that every part of the property is considered a front yard and he will support the petition A-922-25-A and move to motion.

John Tate made a motion to APPROVED Petition No. A-922-25-A. Brian Haren seconded the motion. The motion passed 5-0.

Ms. Sims was explaining petition A-922-25-B to increase the number of square footage allowed for accessory structures on the property; the old foundation of the house is still there, and with zoning, when counting square footage and roof lines, they didn't include that as one of the structures that will need a variance and counted it as recreational court. Staff added a list of the accessory structures that count on the staff report and the square footage limitations. By counting was it's on his property total 2,607SF and adding the hangar will bring a total of 7,407 to maintain the structures that he has and keep everything else. Ms. Sims stated that a rezoning to A-R is not possible because it is part of the Coventry Estates Subdivision.

Chairman Hopkins asked if the applicant want it to speak in support of petition part "B".

Mr. Belcher commented that hangars require a lot of space, and he is planning to have more than one airplane.

Mr. Hester spoke in support and stated that the airplanes within the community are similar sizes and need a lot of space, and he hopes the board approves this petition.

Chairman Hopkins brought the item back to the board after no more comments in support or opposition of the petition. Chairman asked, is this lot the largest within this subdivision?

Mr. Belcher responded that there are smaller and larger lots in it, and his is one of the largest.

Mr. Hester said that the second largest one is in the subdivision.

Ms. Sims commented that in the future, by talking with the planning commission, they are revising development plans to be subdivided.

Ms. Latisha Roebuck asked the petitioner if the structure that he is looking to build total 4,800 square feet, including restrooms and storage the total of the new hangar will be under 5,000 square feet?

Mr. Belcher responded yes.

Mr. Kyle McCormick asked if the hangar could be less than 1,000 square feet to max the allowable requirement of 3,600?

Mr. Belcher responded that it will not be very functional, and explained that it will need a 45 foot wide door to get the airplane wings in and will not fit two planes.

Mr. Haren stated by being a flying community and everyone has planes there and for the board to consider and he didn't have a problem for approval.

Mr. Tate commented that by approving the additional square footage of the hangar in a R-40 to 7,407 will be a lot to approve. He asked for clarification.

Mr. Belcher responded that he will be exceeding the 3,600 sf and the other structures has been approved.

Ms. Sims request to move the vote on petition "C" to clarify a little more.

Ms. Allison Cox, County Attorney explained there is two different petitions to considered, presented as "B" the board will vote to allow an accessory structure or not.

Chairman Hopkins added if there were four structures, the hangar would make it five, sha asked staff.

Ms. Sims explained that the foundation from the old house is not a roof line and staff will not count that as a structure.

Chairman Hopkins responded that it was listed on the list shown in the staff report.

Ms. Sims explained that if counted as a recreational court, it will not count towards the square footage allowance; it's like a pool, but the other structures will count.

The board decided to amend the agenda to change A-922-25-C before A-922-25-B to clear doubts.

21. Amendment of the Agenda. ***Chairman Marsha Hopkins amended the agenda to reverse items No.21(A-922-25-B) and No.22 (A-922-25-C), where now item No.22(A-922-25-C) will be No.21(A-922-25-B). Marsha Hopkins made a motion to approve the amended agenda with the reversion of items No.22(A-922-25-C) to be No.21(A-922-25-B) Brian Haren seconded the motion. The motion passes 5-0.***
22. Consideration of Petition No. **A-922-25-C** – Tim A. Belcher and Ruth M. Belcher Revocable Living Trust, Owners. Applicants are requesting the following: C) Variance to Sec.110-79 (c)(1)(a) to exceed the allowable quantity (three) total, to allow four accessory structures on a lot with a minimum of five acres. The subject property is located in Land Lots 65 of the 5th District and fronts Lester Road and Sherwood Road.

Ms. Sims explained that for petition "C" the allowable accessory structures in the R-40 zoning are three (3), property has three (3) and wants to add a fourth one by

placing a hangar to bring the total square footage to 7,407, the foundation will not count towards.

Mr. Haren asked the petitioner whether the accessory structures were there before purchasing the property.

Mr. Belcher responded yes, the shed was built around year 2000 and the woodshed its 30 to 40 years old.

Mr. Haren asked about a lot of these structures, which are located on the eastern parcel.

Mr. Belcher showed on the maps all the structures and locations.

Chairman Hopkins asked the audience to speak in support. Mr. Hester commented supports all of the applicant petitions and Mr. Belcher added that he sent a letter signed by all of his neighbors supporting all the petitions.

The Chairman brought the item back to the board with no opposition comments.

Ms. Roebuck asked the petitioner is would built th ehanagr upon the old foundation.

Mr. Belcher responded no.

Chairman Hopkins mentioned having doubts about the old foundation, is considered recreational.

Ms. Sims explained because no having a roof line, they don't count as part of the number of structures, it can be a driveway or a patio. Its not a structure is a foundation.

Mr. Belcher added that in all clarity, the foundation has walls and has concrete on top of it, but it's been there that long, it's a shell.

Ms. Sims responded in that case, it changes everything.

Mr. McCormick asked if they had a picture of it.

Mr. Haren commented that after reviewing the photos its clear is a structure.

Chairman Hopkins to staff are they required to place restrictions on one of these structures to remain.

Ms. Cox responded yes, currently he is only allowed to have three (3), the request is only allowed to anything else and choose which one he wants to

remove. The board can limit what you allow that square footage. But it's two separate variances: 1.- He is only allowed up to three accessory structures in this zoning district, but he has four being above the minimum and he likes to have five, the board will decide if they will approve for or required to stay at three and deny that variance request. And then 2.- Considered the maximum square t footage if he will be allowed to build the hangar which is already going to exceed the maximum square footage allowed in that area. There are two separate variances.

Mr. McCormick asked if any of the other neighbors had a similar situation.

Ms. Sims responded these neighborhood was developed in the 60's, and anything that was permitted was destroyed in the courthouse fire. And permits under 200 square feet don't require a permit and the foundation is different if it has a roof and walls, so we need to count it.

Chairman Hopkins expresses that five accessory structures are a lot.

Mr. Haren asked the applicant if he needed a hangar and if he would agree to remove two (2) accessory structures of his choice.

Mr. Belcher responded that he didn't want to remove them because of the cost.

Mr. Haren responded that the board wants to give him what you're asking for with the commitment of bringing the structures into compliance.

Ms. Sims added to help the applicant and stated that to remove any of the current structures, the applicant will need to submit a demolition permit. Anything that is less than 200 will not require a demolition permit.

Ms. Cox added that if the board denies the ability to exceed the three structures, he has to take two down, even if the board approved the square footage of the hangar, and he will not be able to obtain a new permit.

Mr. Belcher responded that he would remove the small woodshed and be in compliance.

Ms. Sims commented that he could expand the hangar and incorporate it into his hangar.

Mr. Belcher asked if it would be rezoned to A-R.

Ms. Sims stated would have to go through a revised development plan, and in A-R, having the hangar would be a conditional use, and the front yard would be a problem.

Mr. Haren commented on denying petition “C” the maximum he can get, its three accessory structures and then for petition “B” would read based on that denial.

Ms. Sims responded that petition “B”, the board could allow the sf to be greater he just can go over however he decides to configure it, or the board can reduce it by a specific amount, by whatever the accessory structure needs to be.

Mr. McCormick asked if denying “C” would change only the square footage on petition “B”.

Mr. Belcher agreed to remove two (2) structures, the woodshed and the foundation.

The board agreed to maximize the square footage on petition” B” by denying petition “C” and made the following motions:

Chairman Marsha Hopkins made a motion to DENY Petition No. A-922-25-C. Brian Haren seconded the motion. The motion passed 5-0.

23. Consideration of Petition No. **A-922-25-B** – Tim A. Belcher and Ruth M. Belcher Revocable Living Trust, Owners. Applicants are requesting the following: B) Variance to Sec. 110-79(c)(1)(c), to exceed the allowable 3,600 square footage of an accessory structure in the R-40 zoning to a total of 7,407 square feet to allow the construction of an aircraft hangar. The subject property is located in Land Lots 65 of the 5th District and fronts Lester Road and Sherwood Road.

And also made a motion to petition A-922-25-B, where the Board will change the square footage from 3,600 SF to 6,648 SF.

John Tate made a motion to APPROVED Petition No. A-922-25-B, Per Sec. 110-79(c)(1)a., requesting to increase the maximum square footage of accessory structures allowed in a residential zoning with more than five (5) acres from 3,600 square feet to 6,648 square feet to allow the construction of a 4,800 square foot airplane hangar. Vice-Chairman Kyle McCormick seconded the motion. The motion passed 5-0.

Staff commented that there were no more public hearings for the night, and the board moved to adjourn the meeting.

John Tate moved to adjourn the January 26, 2026, Zoning Board of Appeals meeting. Vice-Chairman Marsha Hopkins seconded the motion. The motion passed 5-0.

The meeting adjourned at 9:19 pm.

**ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY**

Respectfully Submitted by:

MARSHA HOPKINS, CHAIRMAN

**MARIA BINNS
ZONING SECRETARY**

PETITION NO: A-923-26

Requested Action: To increase the maximum square footage for an accessory structure on a lot less than two (2) acres in R-70 Zoning from a maximum of 1,800 square feet to 2,906 square feet.

Location: 205 Harris Rd

Parcel(s): 0502 029

District/Land Lot(s): 5th District, Land Lot(s) 3

Zoning: R-70, Single-Family Residential

Lot Size: 2.88 Acres

Owner(s): Keith Harris

Agent: N/A

Zoning Board of Appeal Public Hearing: February 23, 2026

REQUEST

Applicant is requesting the following:

Per Sec. 110-79(c)(1)(b), requesting to increase the square footage for an accessory structure on a lot less than five (5) acres from 1,800 square feet to 2,606 square feet to allow an existing accessory structure with three (3) lean-tos to remain in its existing configuration and location.

STAFF ASSESSMENT

There does not seem to be justification for a variance. While staff is sympathetic to the family wishes, the accessory structure could be brought into compliance.

HISTORY

The Harris family purchased this land in the late 1930's. The house and accessory structure have existed on Fayette County's Tax records since 1973. The sister received the residence, accessory structure, and 2.88 acres from the estate. The brother received the remaining land to incorporate with his existing property.

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:
- b. One residential accessory structure, per individual lot, footprint not to exceed 1,800 square feet. This residential accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a greenhouse, under this option, shall be deemed as one (1) accessory structure.

DEPARTMENTAL COMMENTS

- Water System** - No objection to the requested variance.
- Public Works** - No objections.
- Environmental Management** - No objections.
- Environmental Health Department** - No objections.
- Fire** - N/A

VARIANCE SUMMARY & CRITERIA FOR CONSIDERATION

Staff Assessment

Please refer to the application form for the applicant's justification of 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.

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

The estate gifted Connie Redd the house, barn, and 2.88 acres. The barn is too large to remain on 2.88 acres per the Fayette County Zoning Ordinance.

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

The parcel is subject to the same requirements as all other properties in the County.

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

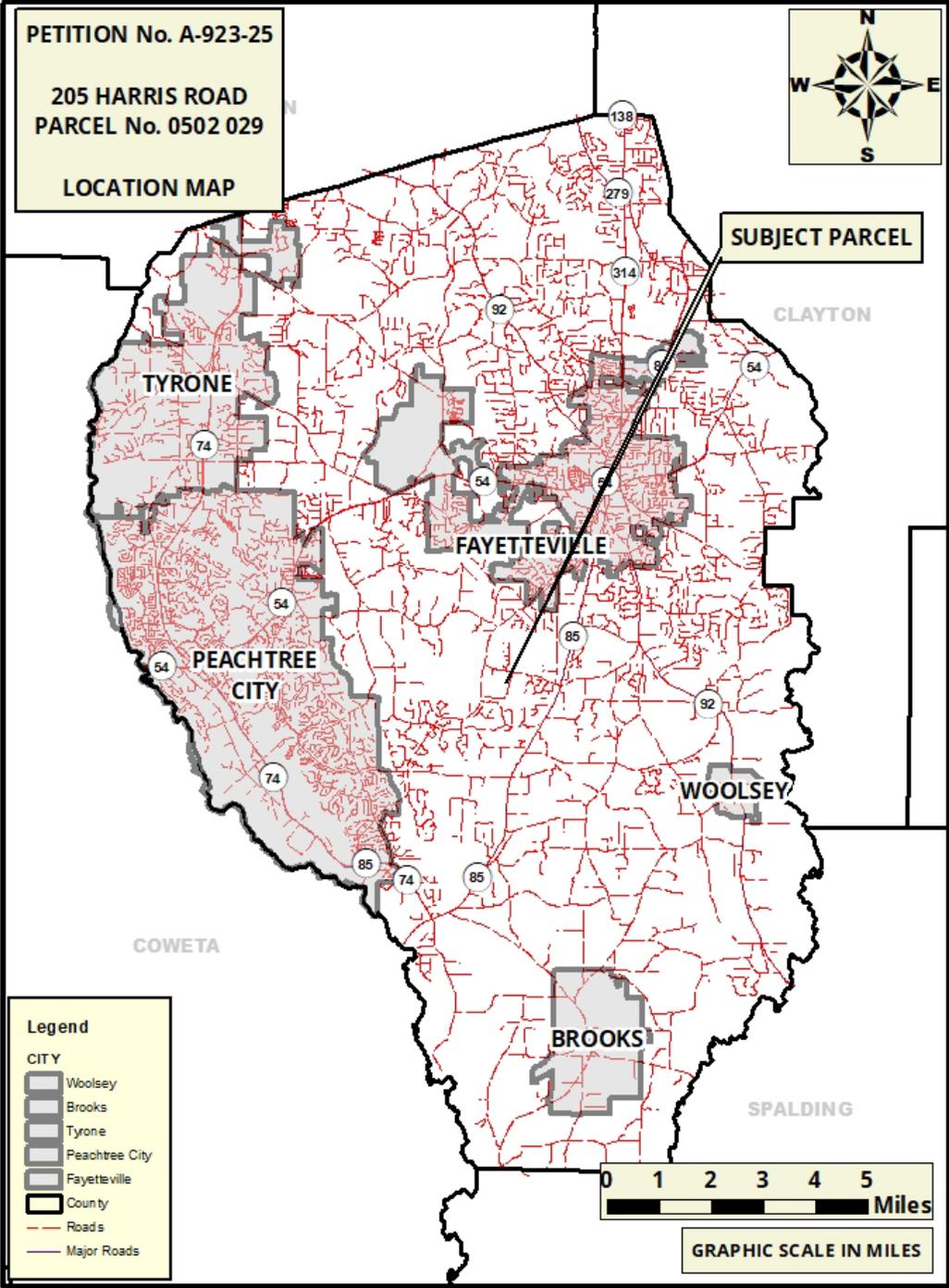
The situation is specific to this property.

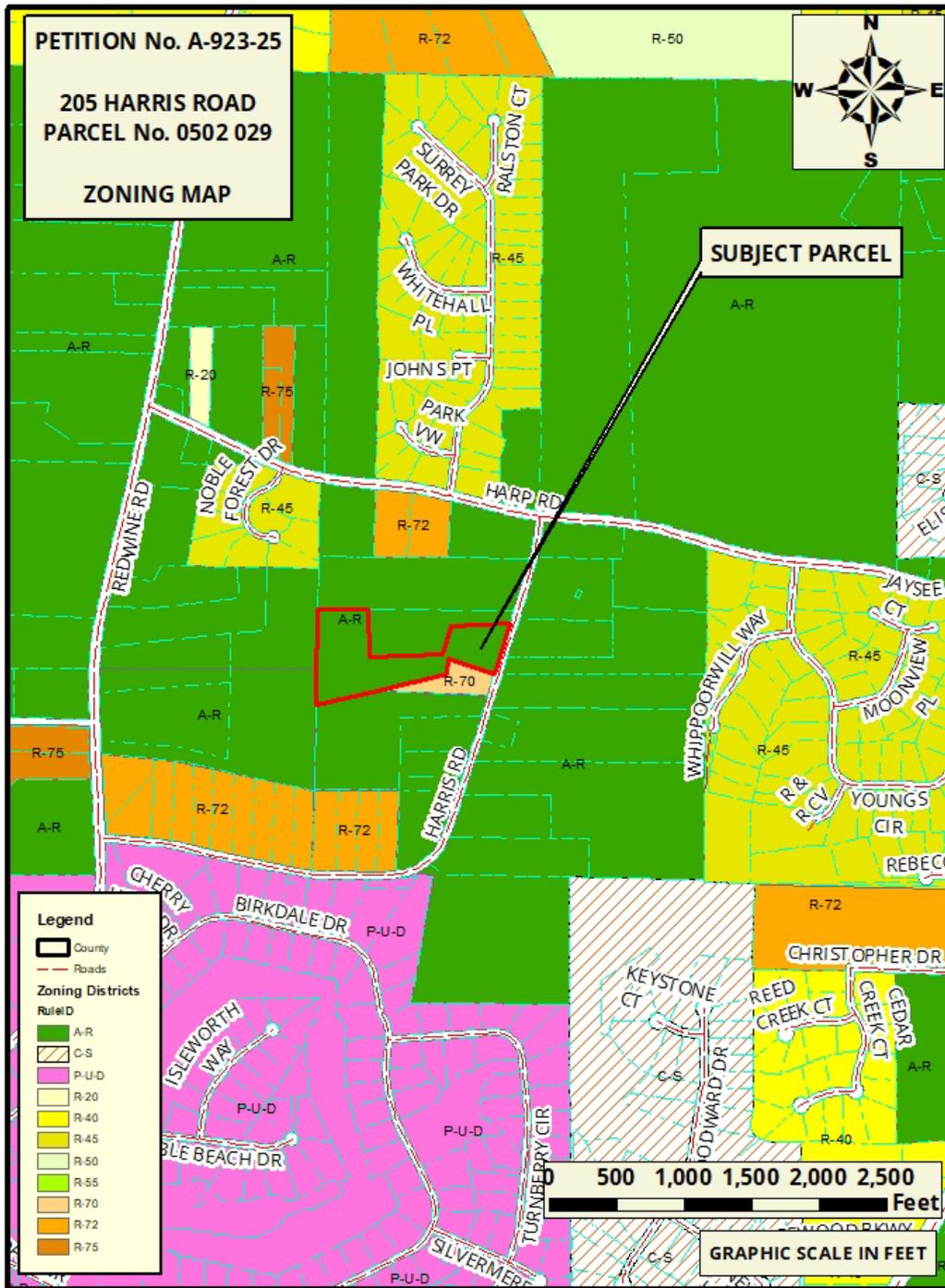
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and**

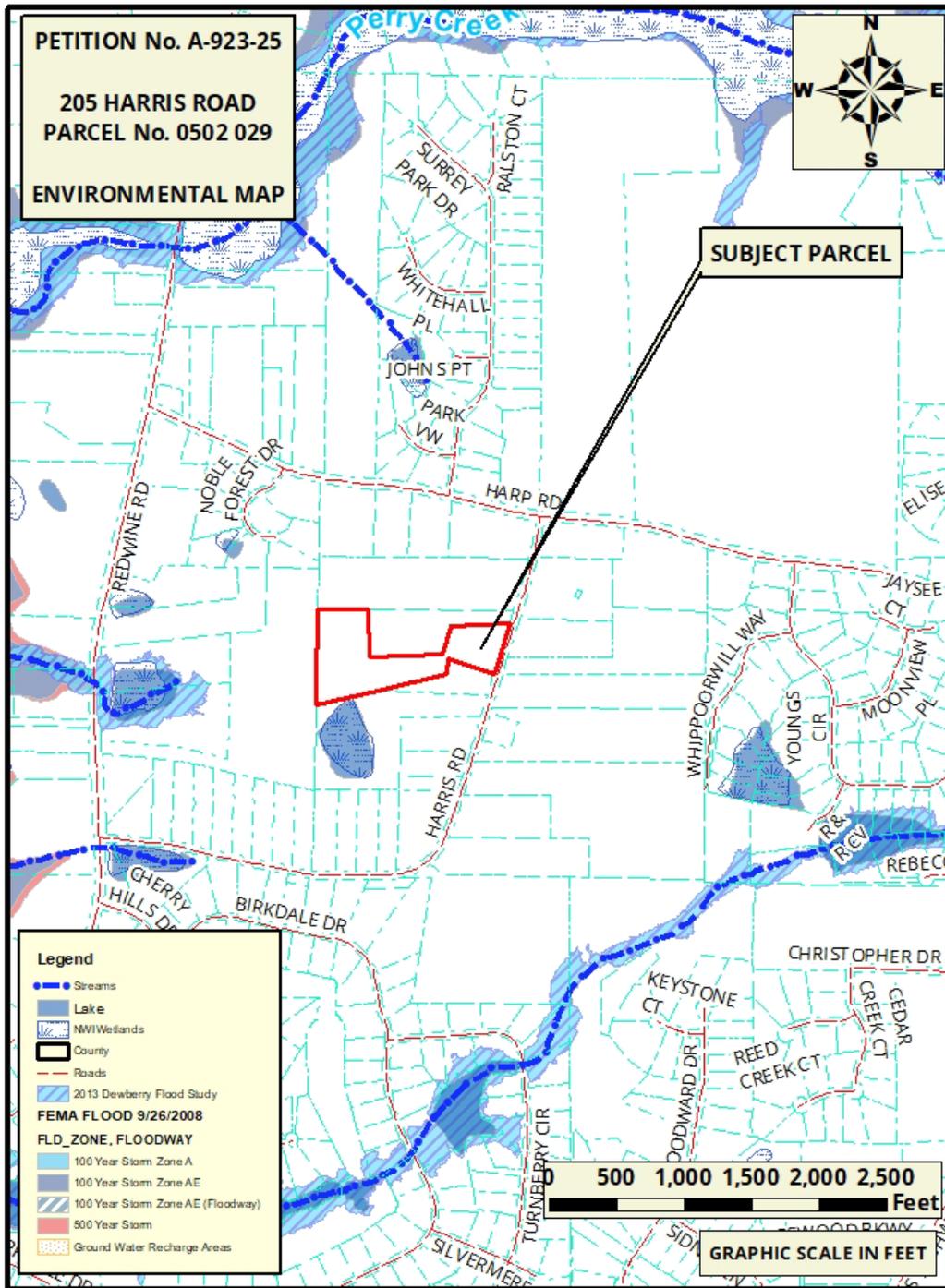
The large accessory structure has existed in this location since 1973 and is adjacent to family land.

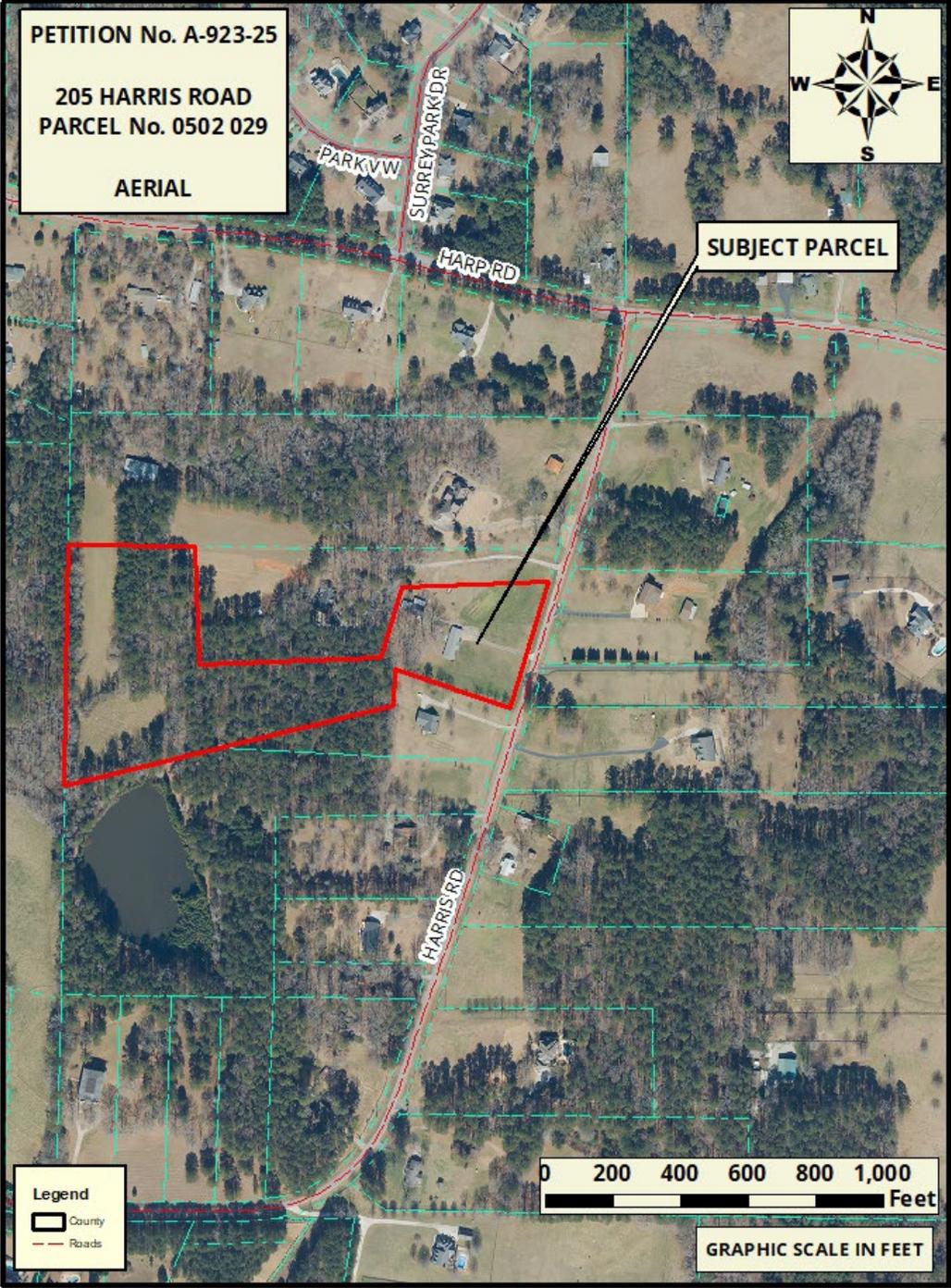
- 5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed; and,**

Ms. Redd will have to forfeit a portion of her inheritance if the barn is not allowed to remain on the 2.88 acres.











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

A-923-25

PROPERTY INFORMATION:

Parcel No. 0502 029 Acreage: 2.88

Land Lot: 3 Land District: 5

Address: 205 Harris Rd

Zoning: R70 Pending Approval Zoning of Surrounding Properties: _____

Use: Residential

PROPERTY OWNER INFORMATION

AGENT/DEVELOPER INFORMATION (If not owner)

Name Keith Harris

Name _____

Email _____

Email _____

Address _____

Address _____

City Fayetteville

City _____

State Georgia

Zip _____

State _____

Zip _____

Phone (770) 294 6633

Phone _____

(THIS AREA TO BE COMPLETED BY STAFF):

PETITION NUMBER: A-923-25

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

Application and all required supporting documentation is Sufficient and Complete
by Staff: _____ Date: _____

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

Received payment from Keith Harris a check in the amount of \$ 175.00
for application filing fee, and \$ _____ for deposit on frame for public hearing sign(s).

Date Paid 20.00

Receipt Number: 025887

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:

Harris Ernest Guy (Estate) Irrevocable trust Harris, D. Keith & Redd, Connie Trustees

Please Print Owners' Names

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

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) 3 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the District, and said property consists of a total of 2.88 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 [Signature]
Owner/ Name D. Keith Harris
Agent Address 165 Harris Road
City /State/Zip Fayetteville, Georgia 30215
Date: 12-1-25

Notary: [Signature]
Commission Exp: 10-26-27



Signature [Signature]
Owner/ Name Connie Redd
Agent Address 205 Harris Road
City /State/Zip Fayetteville, Georgia 30215
Date: 12-1-25

Notary: [Signature]
Commission Exp: 10-26-27



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	<i>See attached.</i>
Requirement	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
Proposed Change	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
Variance Amount	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>

Ordinance/Section	
Requirement	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
Proposed Change	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
Variance Amount	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>

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Variance Amount	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>

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 a variance from the Zoning Board of Appeals to allow the square footage of the accessory structures to exceed 1,800 square feet.

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.

This property is a remaining portion of my grandfather's estate, originally purchased by my family in the late 1930s. Harris Road itself was named after my family. The existing house and garage were built by my parents in the 1970s on what was then a 2-acre lot. In the late 1990s, after my grandfather passed away, the estate was subdivided among his three children.

I received 5 acres from my mother's share and built my home on it in 2002. After my parents passed away, my sister and I began settling their estate last summer. The plan assigned 9.08 acres to me—combining with my existing 5 acres for a total of 11.08 acres—and 2.88 acres plus the house and outbuilding to my sister. At that time, we requested rezoning to R-70 for her lot and designed all setbacks to ensure the existing sheds attached to the outbuilding were compliant.

The sheds, however, were later determined to exceed the current maximum accessory structure square footage, even though they had been in place for many years and are integral to how the property has historically been used. These unique circumstances—multi-generational subdivision, long-standing structures, and pre-existing estate configurations—create conditions unlike those of surrounding parcels.

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

If the sheds were required to be removed, I would have no suitable location to store my tractor, bush-hog mower, farm implements, lawnmowers, and other equipment needed to maintain both my property and our family's remaining farmland. These structures protect this equipment from weather and allow continued upkeep of the land.

Removing them would create a significant hardship for me, with little to no impact on any neighbors.

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

This property was historically part of my family's farm, and we have maintained it as such. The tractor and equipment are still used by my uncle and cousins, as part of our family's shared stewardship of the land. This unique, multi-generational use and the shared reliance on these structures make the conditions of this property different from others in the area.

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.

The outbuilding and attached sheds are located at the rear of the property and are barely visible—and in some cases not visible at all—from the road. As the adjacent property owner, I have no objections, and there is no negative impact on surrounding properties or public welfare. Granting the variance would not allow a prohibited use and would not undermine the intent of the zoning ordinance.

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

Fayette County has a long agricultural history, and many properties throughout the county contain barns, lean-to structures, and other outbuildings of varying sizes that predate more modern zoning limitations. We followed all requirements during the rezoning process from AR to R-70, including setback compliance, and only at final review was it determined that the existing accessory structure exceeded current size limits.

Strict interpretation would therefore impose a greater burden on this property than on similarly used and historically maintained properties within the same zoning district.

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.
- 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:	

Return To:
Robert M. Goldberg & Associates
P.O. Box 294
Williamson, GA 30292


Doc ID: 009786930002 Type: GCD
Recorded: 12/02/2015 at 10:00:00 AM
Fee Amt: \$12.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK **4394** PG **647-648**

Quitclaim Deed-No Title Check

Fayette County, Georgia

THIS INDENTURE made this 22nd day of October, 2015 between

Keith Harris, Trustee of the Ernest Guy Harris Revocable Trust dated May 12, 2010, Grantor, and D. Keith Harris and Connie Harris Redd, Trustees of the Ernest Guy Harris Irrevocable Trust dated October 22, 2015, Grantee.

WITNESSETH: Grantor for and in consideration of love and affection and other valuable consideration, has bargained, sold and do by the presents bargain, sell, remise, release and forever quit-claim to Grantee, and its assigns, all the right title, interest, claim, or demand which Grantor has or may have had in and to:

All that tract or parcel of land lying and being in Land Lot 3 of the 5th District of Fayette County, Georgia and being particularly described as follows:

TO FIND THE POINT OF BEGINNING, begin at a point formed by the intersection of the South right of way line of Harp Road (80 foot right of way) and the northwesterly right of way line of Harris Road (60 foot right of way) and running thence southwesterly along the northwesterly right of way line of Harris Road aforesaid a distance of 688.18 feet to an iron pin; running thence southwesterly along the northwesterly right of way line of Harp Road aforesaid a distance of 399.89 feet to a concrete monument and the TRUE POINT OF BEGINNING; running thence and following a bearing of southwest 87 degrees, 49 minutes, 58 seconds West 1,443.10 feet to an iron pin; running thence South 01 degrees, 36 minutes, 59 seconds East a distance of 432.71 feet to a point; running thence South 00 degrees, 06 minutes, 16 seconds East a distance of 276.77; running thence and following a bearing o North 61 degrees, 09 minutes, 49 seconds East a distance of 615.95 feet to a point; running thence North 89 degrees, 05 minutes, 07 seconds East a distance of 704.10 feet to a point located on the northwesterly right of way line of Harris Road aforesaid; running thence northeasterly on the northwesterly right of way line of Harris Road aforesaid and following a bearing of North 16 degrees, 57 minutes, 55 seconds East a distance of 406.31 feet to a point; running thence northeasterly along the northwesterly right of way line of Harris Road aforesaid and following a bearing of North 14 degrees, 29 minutes, 54 seconds East a distance of 294.29 feet to a concrete monument and the TRUE POINT OF BEGINNING;

LESS AND EXCEPT:

All that lot, tract or parcel of land situate, lying and being in Land Lot 3 of the 5th Land District, Fayette County, Georgia containing 5.000 acres and may be more particularly described as follows:

TO FIND THE TURE POINT OF BEGINNING commence at the intersection of the south right of way of Harp Road and the northwest right of way of Harris Road thence running in a southwesterly direction a distance of 682.03 feet to a concrete monument and TRUE POINT OF BEGINNING; thence continuing along said right of way of Harris Road South 14 degrees, 29 minutes, 54 seconds West a distance of 100.00 feet to a 1/2 inch rebar; thence South 87 degrees, 49 minutes, 58 seconds West a distance of 434.01 feet to a 1/2 inch rebar; thence South 15 degrees, 57 minutes, 55 seconds West a distance of 214.87 feet to a 1/2 inch rebar; thence South 87 degrees, 49 minutes, 58 seconds West a distance of 540.16 feet to a 1/2 inch rebar; thence North 01 degrees, 36 minutes, 59 seconds West a distance of 300.00 feet to a 1/2 inch rebar; thence North 87 degrees, 49 minutes, 58 seconds East a distance of 1066.83 feet to a concrete monument and POINT OF BEGINNING.

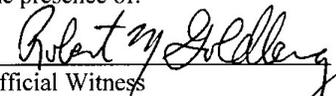
with all the rights, members, and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the Grantee, and its assigns, so that neither the Grantor, nor any other persons or persons claiming under it shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand the day and year above written.

BY: 
Keith Harris, Trustee, Grantor

Signed, sealed and delivered
In the presence of:


Unofficial Witness


Notary Public
My Commission Expires: 7/18/18



Legal Description

All that tract or parcel of land lying and being in Land Lot 3 of the 5th District, Fayette County, Georgia and being more particularly described as follows:

Beginning at a magnetic nail found at the approximate centerline intersection of Harp Road and Harris Road; Thence South 13°49'44" West a distance of 719.12 feet to a 1/2" rebar found in concrete on the Westerly right-of-way of Harris Road (60' right-of-way); Thence along said right-of-way South 14°30'48" West a distance of 245.79 feet to a point and the TRUE POINT OF BEGINNING; Thence continue along said right-of-way South 14°30'48" West a distance of 48.32 feet to a 1/2" rebar found in concrete; Thence continue along said right-of-way South 15°55'05" West a distance of 208.52 feet to a 1/2" rebar found in concrete; Thence continue along said right-of-way South 16°10'07" West a distance of 27.88 feet to a 1/2" rebar found in concrete; Thence leaving said right-of-way North 74°05'36" West a distance of 403.79 feet to a 1/2" rebar found; Thence North 14°28'09" West a distance of 93.98 feet to a point; Thence North 15°57'05" East a distance of 198.15 feet to a point; Thence South 74°47'27" East a distance of 450.19 feet to a point on the Westerly right-of-way of Harris Road and the TRUE POINT OF BEGINNING; Said tract being shown as Tract 1 containing 2.88 acres more or less on a "Concept Plan For Rezoning" prepared by W.D. Gray and Associates, Inc. for Keith Harris last revised 05-04-2024.

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, Febru-
ary 23, 2026, at 7:00 P.M., Fayette
County Administrative Complex,
Public Meeting Room, 140 Stone-
wall Avenue West, first floor.

Petition No.:A-923-26

Owner:Keith D. Harris

Property Address:205 Harris Road

Parcel:0502 029

Zoning District:R-70

Area of Property:2.88 acres

Land Lot(s):3

District:5th

Road Frontage:Harris Road

Request:Applicant is requesting
the following: Per Sec. 110-79(c)(1)
(b), in the R-70 zoning. To allow an
accessory structure to exceed the
maximum allowable square foot-
age from 1,800 to 2,606 sq ft to
remain.

Legal Description

All that tract or parcel of land lying
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208.52 feet to a 1/2" rebar found in
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said right-of-way South 16°10'07"
West a distance of 27.88 feet to
a 1/2" rebar found in concrete;
Thence leaving said right-of-way
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distance of 93.98 feet to a point;
Thence North 15°57'05" East a
distance of 198.15 feet to a point;
Thence South 74°47'27" East a dis-
tance of 450.19 feet to a point on
the Westerly right-of-way of Harris
Road and the TRUE POINT OF BE-
GINNING; Said tract being shown
as Tract 1 containing 2.88 acres
more or less on a "Concept Plan For
Rezoning" prepared by W.D. Gray
and Associates, Inc. for Keith Har-
ris last revised 05-04-2024
01/21

PETITION NO: A-924-26-A-B-C

Requested Action: Applicant is requesting variances to reduce the lot width at building line and reduce the side yard setback to allow for reconstruction of a house in the same location as the previous house and construct a barn directly behind the proposed home.

Location: 177 Lowery Rd, Fayetteville, GA 30215

Parcel(s): 0418 057

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

Zoning: A-R

Lot Size: 5.197 Acres

Owner(s): Tony & Lisa Huggins

Agent: Randy Boyd

Zoning Board of Appeal Public Hearing: February 23, 2026

REQUEST

Applicant is requesting the following:

A-924-26-A: Per Sec. 110-125(d)(2).- Lot width. Reduce the lot width at building line from 250' to 229' to allow construction of a new home in the same location as the previous home destroyed by fire in 2011.

A-924-26-B: Per Sec. 110-125(d)(6). Side yard setback. Reduce the side yard setback from 50' to 29' to allow construction of a new home in the same location as the previous home destroyed by fire in 2011.

A-924-26-C: Per Sec. 110-125(d)(6). Side yard setback. Reduce the side yard setback from 50' to 29' to allow construction of a new barn directly behind the previous and proposed home site.

STAFF ASSESSMENT & RECOMMENDATION

It is staff's opinion the requirements to recommend a variance to expand the encroachment for reconstruction in the setbacks have not been met. The survey prepared by Swinson A. Gaskins for Tony and Lisa Huggins on December 14, 2025 indicates approximately 0.58 acres of buildable area on the property where a variance to reduce the lot width at building

line would not be required. The Huggins request to reduce the side yard setback to 29' to rebuild a house in the same location, but the 1992 survey indicated the house was 40.7' from the property line.

HISTORY

A survey showing the lot in the current configuration was recorded in plat book 9, page 73 on February 25, 1976. A survey recorded December 11, 1992, depicted an improved lot, with the house located 40.7' from the property line. The distance for the pool and frame building are not indicated, but appear closer to the western property line than the house.

The house constructed in 1987 was destroyed by fire in January 2011. Department of Building Safety does not have record of a demolition permit or a request for re-inspection to determine the full extent of the damage as required in the letter dated January 20, 2011.

ZONING REQUIREMENTS

Sec. 110-125. A-R, Agricultural-Residential District

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

- (1) Lot area: 217,800 square feet (five acres).
- (2) Lot width: 250 feet.
- (3) Floor area: 1,200 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 2. Collector: 100 feet.
- (5) Rear yard setback: 75 feet.
- (6) Side yard setback: 50 feet

DEPARTMENTAL COMMENTS

- Water System** – No objections.
- Public Works** – No objections.
- Environmental Management** - No objections.
- Environmental Health Department** – No objections.
- Fire** – N/A.

VARIANCE SUMMARY & CRITERIA FOR CONSIDERATION

Staff Assessment

Please refer to the application form for the applicant's justification of 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.

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

The 1976 recorded survey indicates two (2) streams through the northern portion of the property converge close to the eastern property line. Allowing reconstruction in the narrower portion of the property pushes development closer to the streams.

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

The survey prepared by Swinson A. Gaskins in 2025 indicates approximately 0.577 acres of contiguous buildable area where the property meets the required lot width at building line.

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

Staff did not observe unique conditions.

- 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**

Relief would reduce the zoning setback adjacent to an A-R zoned parcel more than the previous encroachment.

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

The applicant continues to have the same rights as other property owners in A-R zoning.



Where Quality Is A Lifestyle

January 20, 2011

Michael K. & Beverly L. Head
177 Lowery Road
Fayetteville, GA 30215

Re: Disaster Assessment of fire damage to residence at 177 Lowery Road, Fayetteville, Georgia 30215.

Mr. & Mrs. Head:

On January 19, 2011, in response to notification from the Fayette County Fire Marshal, I performed a Disaster Assessment of the single family residence at 177 Lowery Road, Fayetteville, Georgia. It was determined that damage from flames, smoke, and water exceeds 75% of the structure and is considered a complete loss. All entrances into the structure were posted with "Danger-Limited Access" placards.

To move forward with the repairs/replacement of this structure, you must:

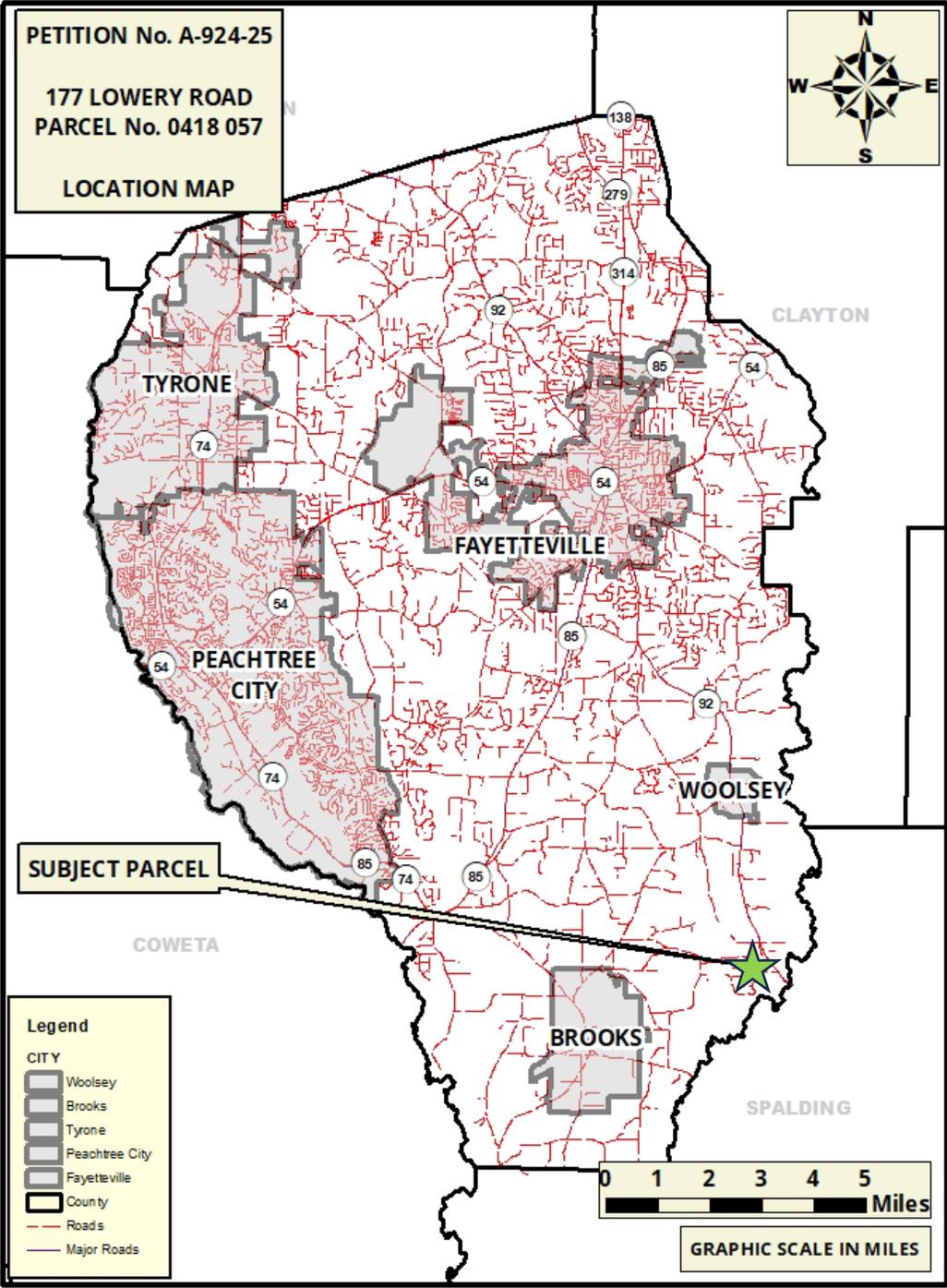
1. Obtain a Demolition Permit from Fayette County Permits & Inspections Department (\$100.00).
2. Schedule a re-inspection of the structure when demolition is complete to determine the full extent of damages and what permits are required for the repairs/rebuild.
3. A copy of the permitting procedure and requirements are available on our County web-site or in our office.
4. A Georgia State Licensed contractor is required to obtain applicable permits.
5. All construction/repairs are to comply with current code requirements.

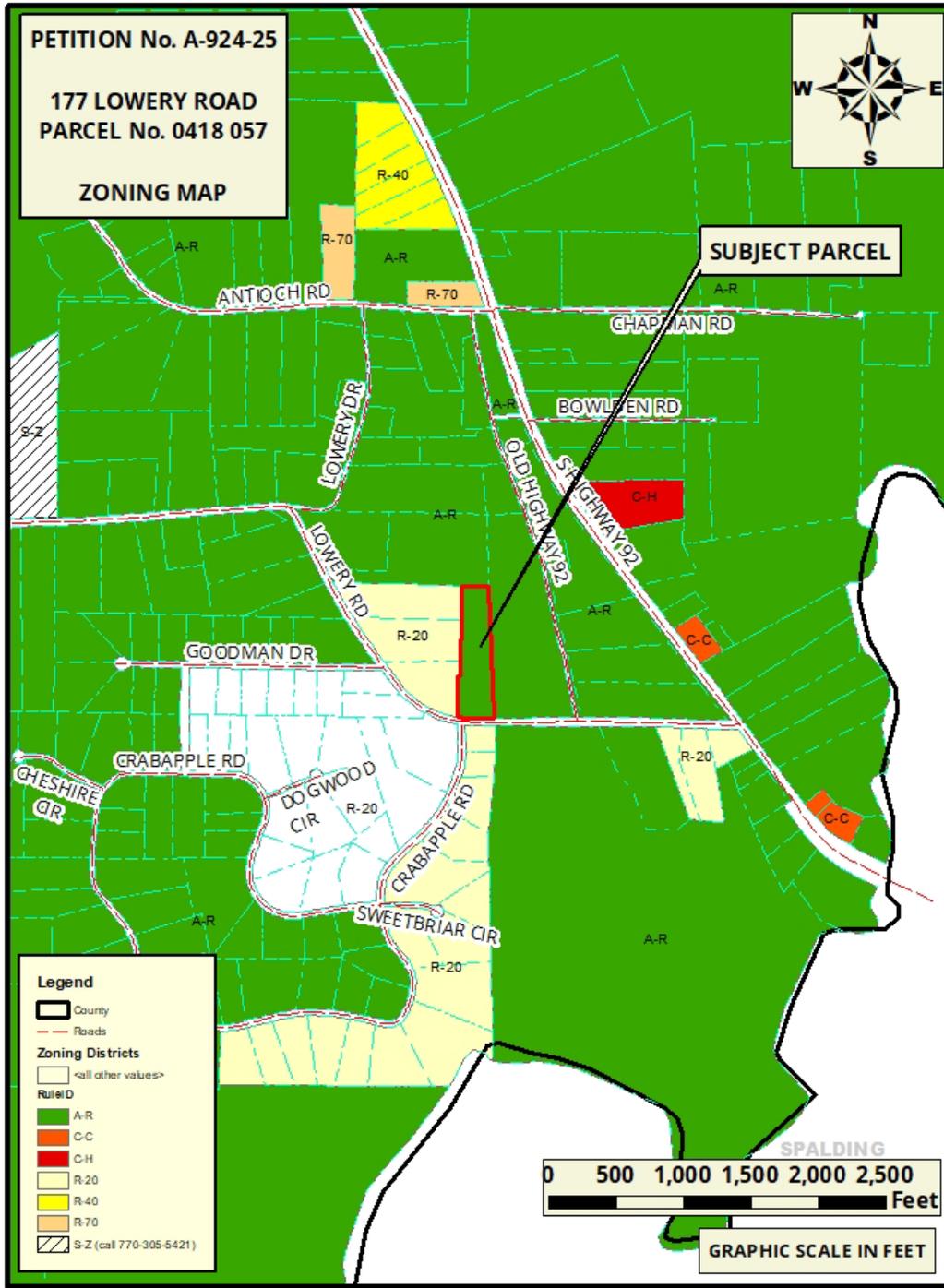
Attached is a copy of the Disaster Assessment performed by this department. A copy of the Fire Report may be obtained from the Fayette County Fire Marshal.

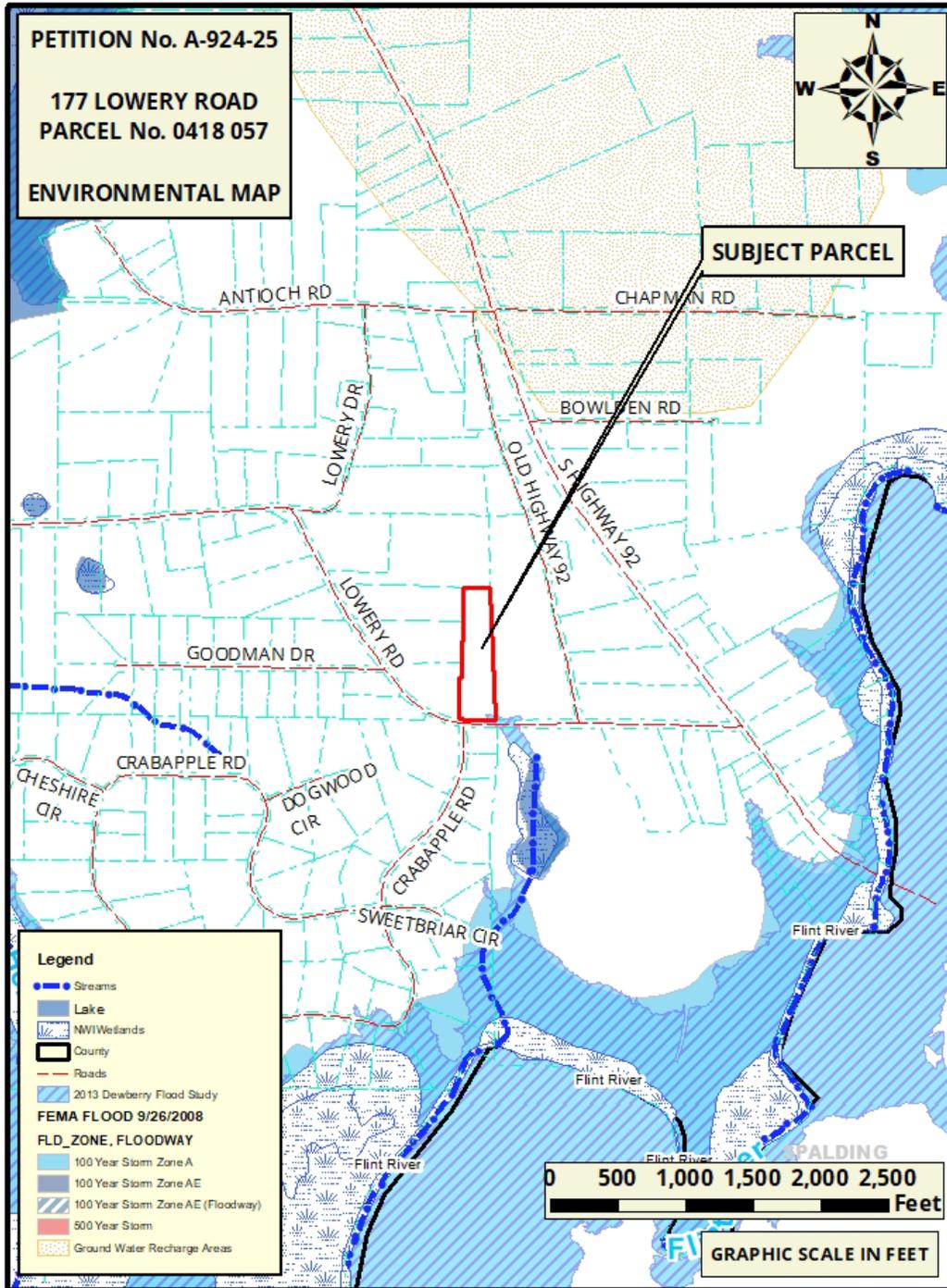
If I can be of assistance, please contact me at 770-305-5130.

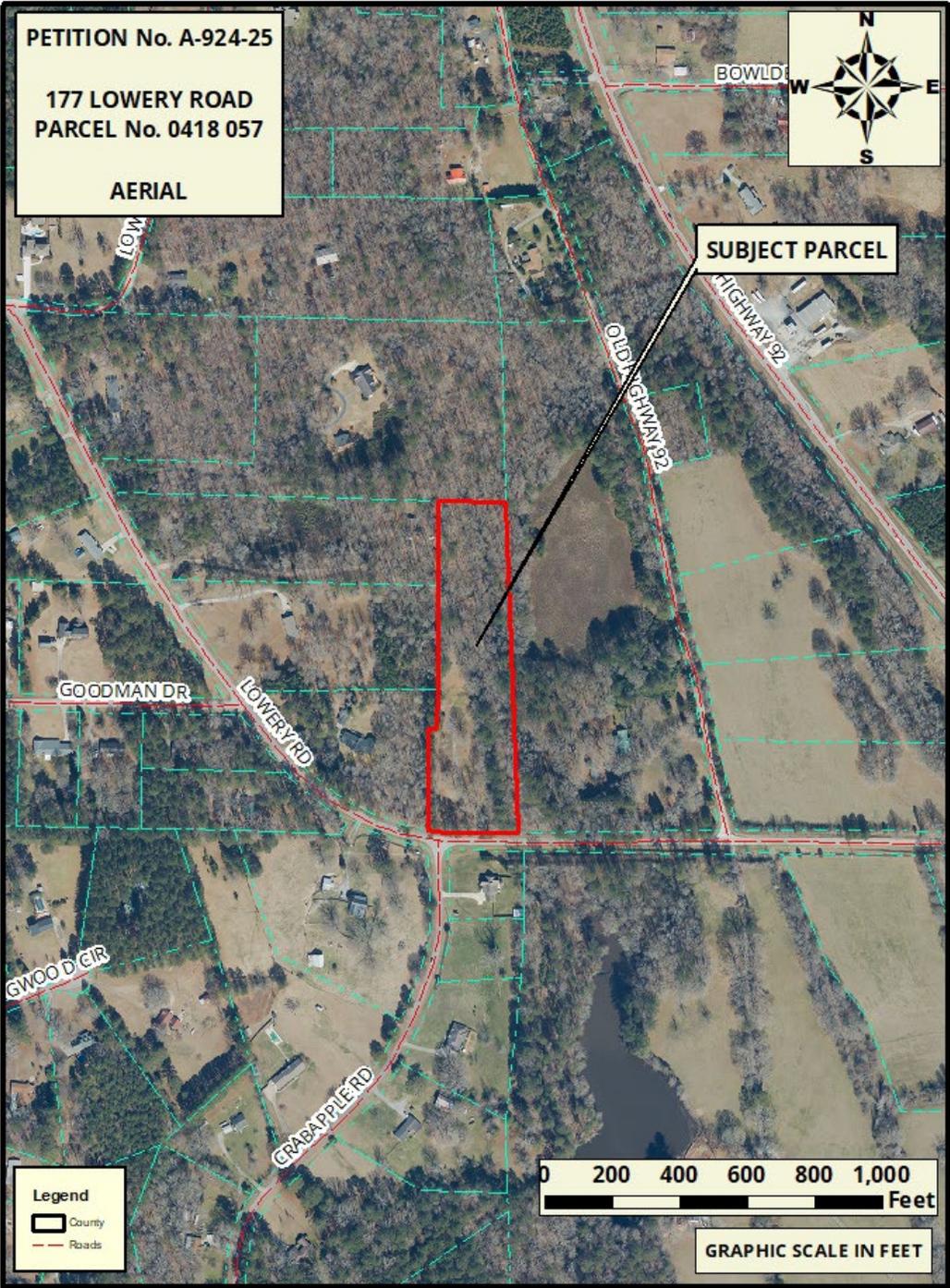
Sincerely,

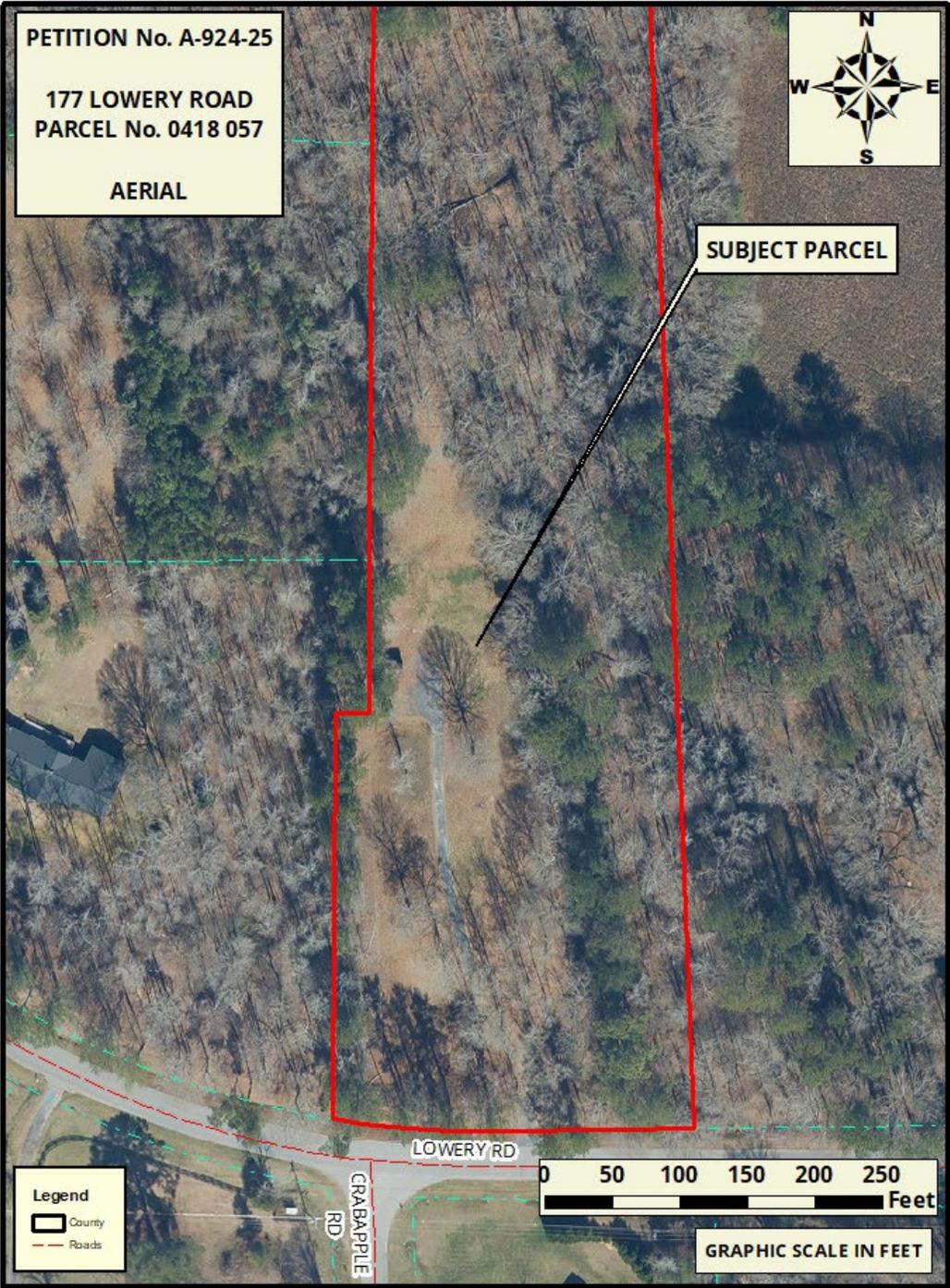
Joe Scarborough
Interim Director
Permits and Inspections Department

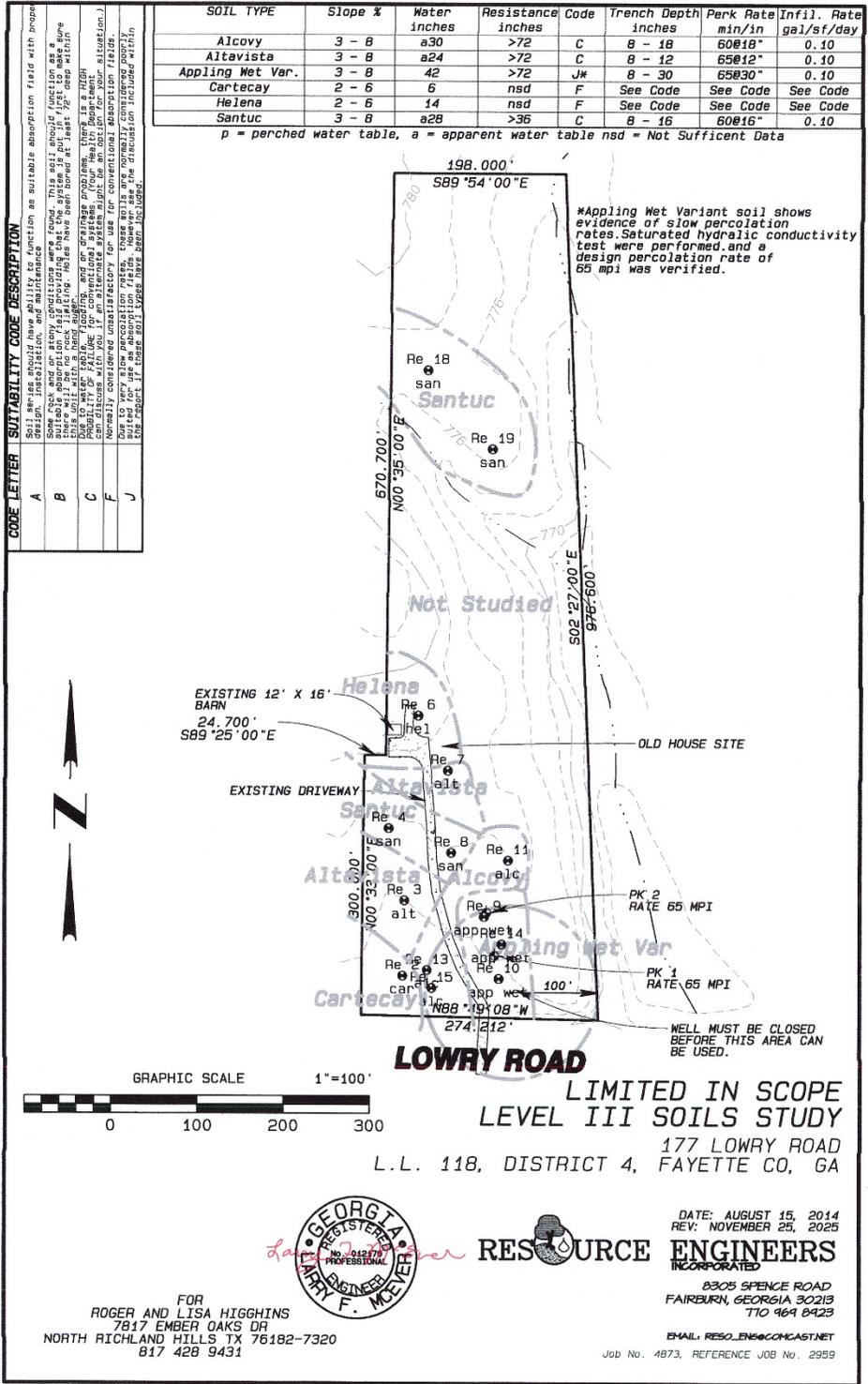


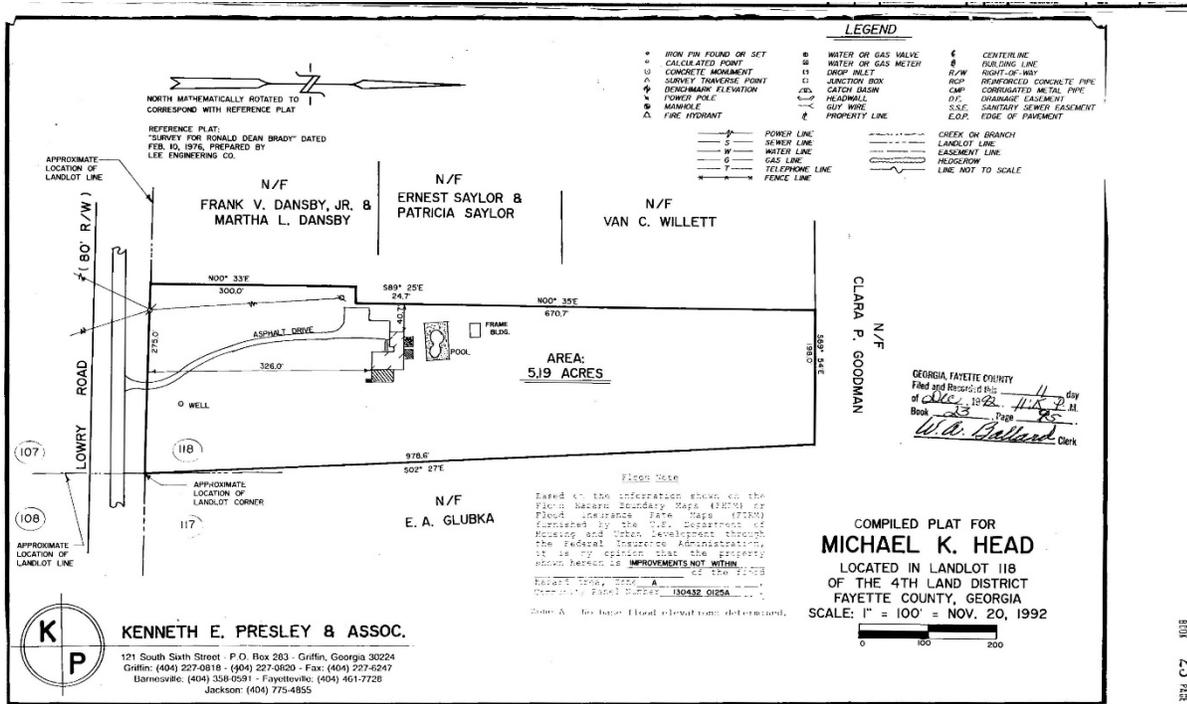






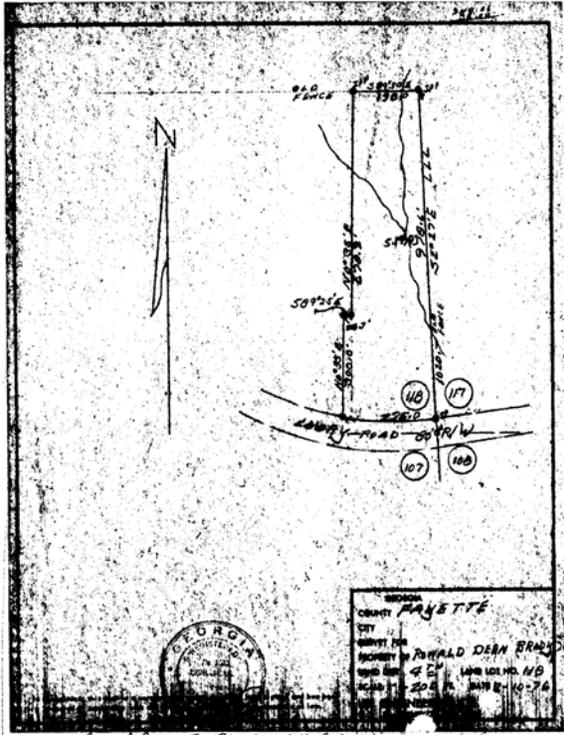






13743D-36

BOOK 23 PAGE 95



Recorded 2-25-1976 A.A. Shelton, Chd.

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

PROPERTY INFORMATION:

Parcel No. 0418057 Acreage: 5.2 Land Lot: 118 Land District: 4
Address: 177 Lowery Road Fayetteville, GA 30215
Zoning: Agricultural - Residential Zoning of Surrounding Properties: _____
Use: Residential

PROPERTY OWNER INFORMATION

Name Tony & Lisa Huggins
Email _____
Address _____
City _____
State TX Zip _____
Phone 817-846-4605

AGENT/DEVELOPER INFORMATION (If not owner)

Name Randy Boyd
Email _____
Address _____
City _____
State GA Zip _____
Phone _____

(THIS AREA TO BE COMPLETED BY STAFF):

PETITION NUMBER: A-924-25

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

Application and all required supporting documentation is Sufficient and Complete
by Staff: Maria Binns Date: _____

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

Received payment from Tony Huggins a check in the amount of \$ 225.00

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

Date Paid 12/08/2025 Receipt Number: 025971



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:

Tony Huggins Lisa Huggins

Please Print Owners' Names

Property Tax Identification Number(s) of Subject Property: Parcel Number - 0418057

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) 118 of the 4th District, and (if applicable to more than one land district) Land Lot(s) of the District, and said property consists of a total of 5.2 acres 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

Owner/
Agent
One:

Signature: Lisa Huggins
Name: Lisa Huggins
Address: [Redacted]
City/State: [Redacted]
Date: 12-8-25

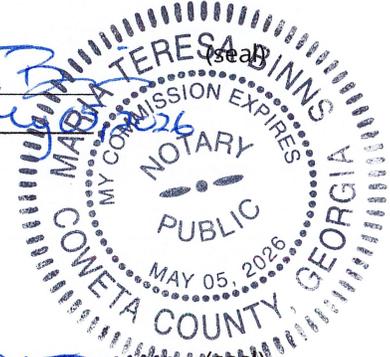
Notary: Maria T. Binns
Commission Exp.: May 05, 2026



Owner/
Agent
Two:

Signature: Tony Huggins
Name: Tony Huggins
Address: [Redacted]
City/State/Z: [Redacted]
Date: 12-8-25

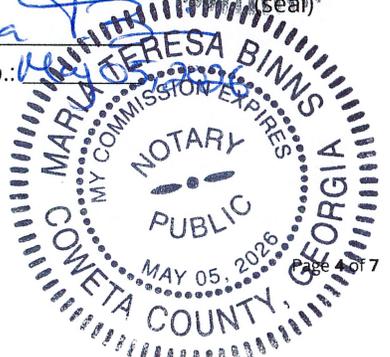
Notary: Maria T. Binns
Commission Exp.: May 05, 2026



Owner/
Agent
Three:

Signature: Randy Boyd
Name: RANDY BOYD
Address: [Redacted]
City/State/Z: [Redacted]
Date: 12/29/25

Notary: Maria T. Binns
Commission Exp.: May 05, 2026



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	110-125 (d) (2) Lot width (for House)
Requirement	250'
Proposed Change	Lot Width 229'
Variance Amount	21'

Ordinance/Section	110-125 (d) (6) side yard setback 50'
Requirement	50'
Proposed Change	Reduced to 29' for construction of the house
Variance Amount	21'

Ordinance/Section	110-125 (d) (6) side yard setback 50'
Requirement	50'
Proposed Change	Reduced to 29' for construction of the barn
Variance Amount	21'

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 variance summary

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 Justification of Request

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

See attached Justification of Request

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

See attached Justification of Request

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 Justification of Request

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 Justification of Request

Variance Summary

Page 5

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

Property Address: 177 Lowery Road, Fayetteville, GA 30215

Parcel: 0418 057 — Zoning: A-R

We are respectfully requesting approval of three related variances to allow appropriate placement of our new home and barn on the property at 177 Lowery Road. The lot narrows significantly behind the frontage, and its width, topography, wooded areas, and the presence of a natural stream create limitations that affect where we can place structures and how we can design our home.

We are requesting an adjustment to the 250-foot building line to 229' so that our new home may be built in the same location as the previous residence, which allows us to continue using the existing driveway and avoids unnecessary impact to the land. Due to the width limitations of the lot, conforming to the full building line requirement restricts possible home designs and where the house can be positioned.

We are also asking to reduce the side setback for the home from 50 feet to 29 feet so it may be built near the former location without shifting farther into the interior of the lot. Maintaining this placement ensures the home remains accessible from the driveway and fits within the buildable width of the property.

Additionally, we are requesting to reduce the side setback for the barn from 50 feet to 29 feet to allow it to be placed on a cleared portion of the lot located behind the future home. We would like to construct the barn first so that we have a secure place to store equipment and tools needed to maintain the property while preparing for construction of the house.

These requested adjustments allow us to position both structures in ways that fit the unique shape and limitations of the property while using the existing driveway and preserving the general layout of the land. We appreciate the County's consideration of the specific challenges associated with the parcel's width and natural features.

Justification of Request

Page 6

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

Our property has several unique physical features that limit where we can build. Although the frontage measures approximately 275 feet, the usable width quickly narrows. The combination of the lot's narrowing width, natural stream buffers, topographical changes, and wooded conditions all create extraordinary circumstances that make it challenging to meet the current setback and building line requirements.

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

Requiring the current setbacks would create practical difficulties for the placement of both the home and barn. We are limited on house plan designs even with the 29' variance request. Without it granted, it would be very difficult. Rebuilding the home where the original structure stood allows us to use the existing paved driveway and helps naturally buffer the house from road noise. Moving the house farther inward would require the removal of a mature oak tree. The most appropriate location for a conventional septic is in the front area of the lot, which aligns best with the original homesite placement.

For the barn, utilizing the existing concrete slab behind the house minimizes land disturbance and avoids grading sloped areas. Shifting the barn farther from the property line would require additional tree removal and increased land alteration. These factors make it a challenge to comply with the ordinance.

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

While some nearby lots share similar acreage, our parcel's buildable width is significantly limited by a combination of its narrowing shape, slope, stream and wooded buffer which all restrict usable land. Although the frontage is approximately 275 feet, it does not allow for a full 250-foot building line in combination with the side setbacks due to how the lot narrows and transitions in topography. The unique configuration of our land, combined with environmental features creates limitations.

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.

Granting these setback adjustments will not negatively impact neighboring properties or the public. The property is heavily wooded along all boundaries, and we intend to preserve these trees as natural buffers. The building locations are not close to any neighboring homes or accessory structures. Both the home and barn will remain well screened from surrounding properties.

Our intent is to maintain the rural character and to protect the natural features of the land. By building on cleared, level areas, we can avoid unnecessary removal of trees and limit changes to the terrain. The requested setback reductions still provide a generous distance from property lines and do not undermine the purpose of the ordinance.

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

We respect the County's current ordinance requirements. However, due to the lot's narrowing width, slope, stream and wooded buffers, our choices of where we can build our home are limited. We are also limited on the house design. Many neighboring properties were developed before these newer requirements were adopted and were able to position their homes and accessory structures more freely. Because of the physical conditions of our property, we face limitations that others do not.

We are asking for leniency so we can use the property, while preserving trees, reducing disturbance, and utilizing the existing driveway and slab. The variances would allow us to responsibly place our home and barn in the most suitable locations without impacting neighbors or the community.

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.
- 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:	



Doc ID: 012364780002 Type: WD
Recorded: 11/05/2025 at 02:50:00 PM
Fee Amt: \$154.90 Page 1 of 2
Transfer Tax: \$129.90
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK **5891** PG **214-215**

After Recording Return To:
SLEPIAN & SCHWARTZ, LLC
Eric A. Slepian
42 Eastbrook Bend
Peachtree City, GA 30269
(770)486-1220

TAX PARCEL ID: 0418 057

Order.No.: 25-1317-JEN

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FAYETTE

THIS INDENTURE, made this 3rd day of November, 2025, between **MIKE K. HEAD**, as party or parties of the first part, hereinafter called Grantor, and **TONY HUGGHINS and LISA HUGGHINS**, as party or parties of the second part, **as joint tenants with right of survivorship and not as tenants in common**, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH that: Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other good and 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, 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 LYING AND BEING IN LAND LOT 118 OF THE 4TH DISTRICT OF FAYETTE COUNTY, GEORGIA, BEING MORE PARTICULARLY SHOWN AND DESIGNATED AS AREA: 5.19 ACRES, ON PLAT OF SURVEY ENTITLED "COMPLIED PLAT FOR MICHAEL K. HEAD", PREPARED BY KENNETH E. PRESLEY & ASSOCIATES, DATED NOVEMBER 20, 1992 AND RECORDED IN PLAT BOOK 23, PAGE 95, FAYETTE COUNTY SUPERIOR COURT RECORDS. SAID PLAT TOGETHER WITH METES, BOUNDS, COURSES AND DISTANCES AS SHOWN THEREON IS INCORPORATED BY REFERENCE AND MADE A PART HEREOF AS FULLY AS IF SET OUT HEREIN.

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 behoof 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.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Annotated § 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.



S.A. GASKINS & ASSOCIATES, LLC.
 SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS
 981 Camp Ground Road Griffin Ga. 30223
 sagaskins55@gmail.com 678-618-5067 JOHN 3:16

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

SURVEYORS CERTIFICATION:

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, OR 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.

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT (O.C.G.A. SECTION 15-6-67).

S.A. Gaskins
 BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO. 1620
 DATE: 12/17/25

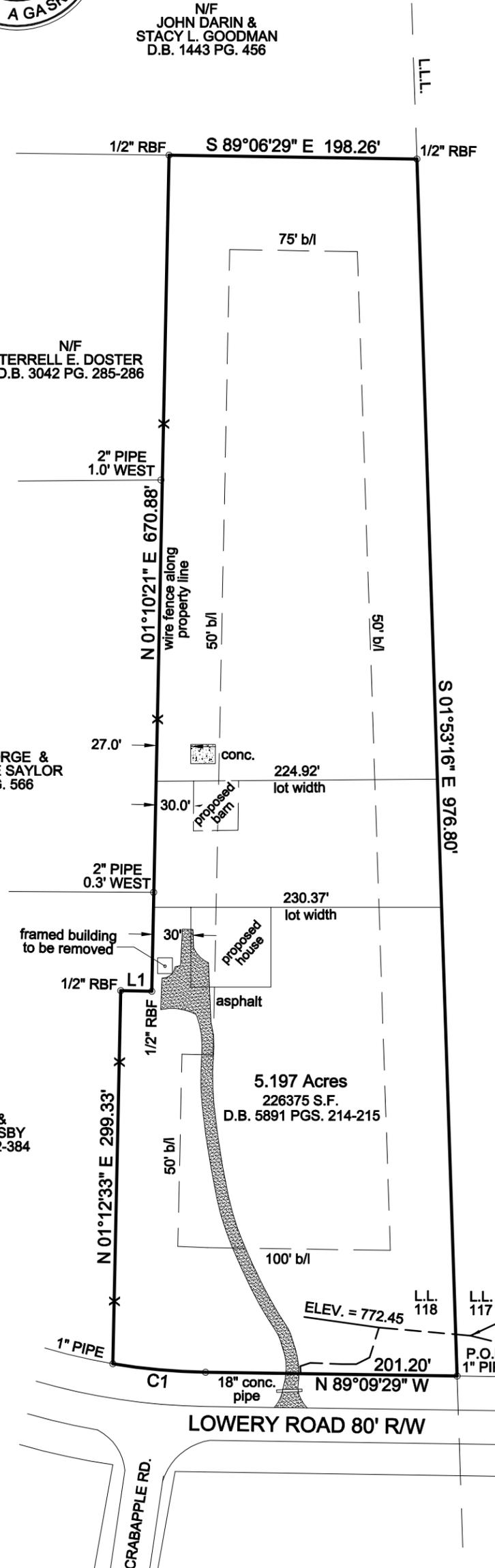
CLOSURE STATEMENT
 THE FIELD DATA UPON WHICH THIS SURVEY WAS PERFORMED IS BASED UPON GPS OBSERVATIONS WHICH WERE ESTABLISHED USING CHC NAV I89 AND CHC NAV IBASE MULTI-FREQUENCY RECEIVERS USING REAL TIME KINEMATIC OBSERVATIONS. THE RELATIVE POSITIONAL ACCURACY ACHIEVED IS BETTER THAN 0.07 FEET PER OBSERVATION POINT.

THIS SURVEY BASIS FOR DIRECTIONS SHOWN HEREON ARE GRID NORTH AS DEFINED BY NAD 83 AND NAD 88, WEST GEORGIA ZONE AND DETERMINED THROUGH RTK-GPS METHODS UTILIZING EGPS SOLUTIONS VRS NETWORK.

FIELD CLOSURE = N/A
 ANGLE POINT ERROR = N/A
 EQUIPMENT USED = CHC NAV I89 AND OR CHC NAV IBASE
 ADJUSTMENT METHOD = N/A
 PLAT CLOSURE = 1" IN 100,000 +

LEGEND

- B/L=BUILDING LINE
- C/L=CENTERLINE
- CTP=CRIMP TOP PIPE
- D.B.=DEED BOOK
- D.E.=DRAINAGE EASEMENT
- ESMT.=EASEMENT
- EP=EDGE OF PAVEMENT
- F.W.P.D.=FIELD WORK PERFORMED DATE
- L.L.=LAND LOT
- L.L.L.=LAND LOT LINE
- N/F=NOW OR FORMERLY
- P.B.=PLAT BOOK
- PG.=PAGE
- P.O.B.=POINT OF BEGINNING
- F/H=FIRE HYDRANT
- RBF=REBAR FOUND
- RBS=REBAR SET
- R/W=RIGHT OF WAY
- U/P=UTILITY POLE
- O/H UTIL=OVERHEAD UTILITY LINES



LINE	BEARING	DISTANCE
L1	S 88°55'29" E	24.88'

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	74.55'	483.00'	74.48'	N 84°42'35" W

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

FLOOD STATEMENT
 ACCORDING TO FEMA FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY AND UNINCORPORATED AREAS DATED SEPTEMBER 26, 2008 MAP NUMBER 13113C0160E & 13113C0170E, NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.

Prepared For:
Tony & Lisa Huggins

Address: 177 Lowery Road Date: 12/17/25
 Scale: 1" = 100' F.W.P.D.: 12/14/25 Job No: SA25-174A
 County: Fayette, Ga. Land Lot: 118 District: 4th

Wednesday, January 21, 2026

Continued from page B2

Fayette County News B3

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, Febru-
ary 23, 2026, at 7:00 P.M., Fayette
County Administrative Complex,
Public Meeting Room, 140 Stone-
wall Avenue West, first floor.
Petition No.: A-924-26-A-B-C
Owner: Tony and Lisa Huggins
Property Address: 177 Lowery Road
Parcel: 0418 057
Zoning District: A-R
Area of Property: 5.19 acres
Land Lot(s): 117
District: 4th

Road Frontage: Lowery Road
Request: Applicant is requesting
the following:

A) Sec.110-125(d)(2), A-R zoning,
to reduce the lot width from 250
feet to 229 feet to allow a primary
residence to be built on the narrow
part of the lot.

B) Sec.110-125(d)(6), A-R zoning,
to reduce the side yard setback
from 50 feet to 29 feet allow a pri-
mary home to be built.

C) Sec.110-125(d)(6), in A-R zon-
ing, to reduce the side yard setback
from 50 feet to 29 feet to allow an
accessory structure to be built.

Legal Description

ALL THAT TRACT OR PARCEL
OF LAND LYING AND BEING IN
LAND LOT 118 OF THE 4TH DIS-
TRICT OF FAYETTE COUNTY,
GEORGIA, BEING MORE PAR-
TICULARLY SHOWN AND DES-
IGNATED AS AREA: 5.19 ACRES,
ON PLAT OF SURVEY ENTITLED
"COMPLIED PLAT FOR MI-
CHAEL K. HEAD", PREPARED BY
KENNETH E. PRESLEY & ASSO-
CIATES, DATED NOVEMBER 20,
1992 AND RECORDED IN PLAT
BOOK 23, PAGE 95, FAYETTE
COUNTY SUPERIOR COURT RE-
CORDS. SAID PLAT TOGETHER
WITH METES, BOUNDS, COURSES
AND DISTANCES AS SHOWN
THEREON IS INCORPORATED
BY REFERENCE AND MADE A
PART HEREOF AS FULLY AS IF
SET OUT HEREIN.

01/21

PETITION NO: A-927-26-A-B

Requested Action: To reduce the minimum square footage requirement in R-80 zoning from 2,500 square feet to 1,730 square feet and reduce the side yard setback from 30' to 21.88' to allow an existing home to remain in its current configuration and its current location.

Location: 366 Antioch Rd.

Parcel(s): 0448 013

District/Land Lot(s): 4th District, Land Lot(s) 249 and 250

Zoning: R-80, Single-Family Residential

Lot Size: 6.00 Acres

Owner(s): Jean Allen Living Trust, Jerome Allen, Power of Attorney

Agent: N/A

Zoning Board of Appeal Public Hearing: February 23, 2026

REQUEST

Applicant is requesting the following:

- A) Per Sec. 110-129 (d) 3, requesting to reduce the minimum square footage for single-family dwelling from 2,500 square feet to 1,730 square feet to allow an existing occupied home to remain in its current configuration; and
- B) Per Sec. 110-129 (d) 6, requesting to reduce the side yard setback from 30' to 21.88' to allow an existing home to remain in its current location.

STAFF ASSESSMENT

The applicant has undertaken multiple steps to reduce the nonconformity of this nonconforming structure on a nonconforming lot including acquisition of land and rezoning. This home constructed in 1965 lost its nonconforming structure status when the property was rezoned from A-R to R-80. This property is adjacent to R-40 zoning and meets all R-40 requirements, however, the Future Land Use Plan recommends R-80 zoning.

HISTORY

This home was constructed in 1965 on a 4.5 acre lot in the originally assigned A-R zoning and is currently occupied. Lots existing and homes constructed before November 13, 1980, are considered legal, nonconforming. The Allen family has worked with the developer of Grandover, staff, and professionals to reduce the nonconformities of the property in the hopes of creating one (1) additional single-family residential lot.

ZONING REQUIREMENTS

Sec. 110-129. R-80, Single-Family Residential District

- (d) *Dimensional requirements.* The minimum dimensional requirements in the R-80 zoning district shall be as follows:
- (1) Lot area per dwelling: 130,680 square feet (three acres).
 - (2) Lot width: 175 feet.
 - (3) Floor area: 2,500 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 2. Collector: 75 feet.
 - (5) Rear yard setback: 50 feet.
 - (6) Side yard setback: 30 feet.

DEPARTMENTAL COMMENTS

- Water System** – No objection to the requested variance.
- Public Works** – No objections.
- Environmental Management** – No objections.
- Environmental Health Department** – No objections.
- Fire** – N/A

VARIANCE SUMMARY & CRITERIA FOR CONSIDERATION

Staff Assessment

Please refer to the application form for the applicant's justification of 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.

- 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 was originally nonconforming due to minimum acreage requirements. The property owners have worked with developers and staff to swap property and reduce nonconformities with the goal of constructing one (1) additional home.

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

The existing house is currently occupied, creating a hardship if the county required the property to be demolished or enlarged.

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

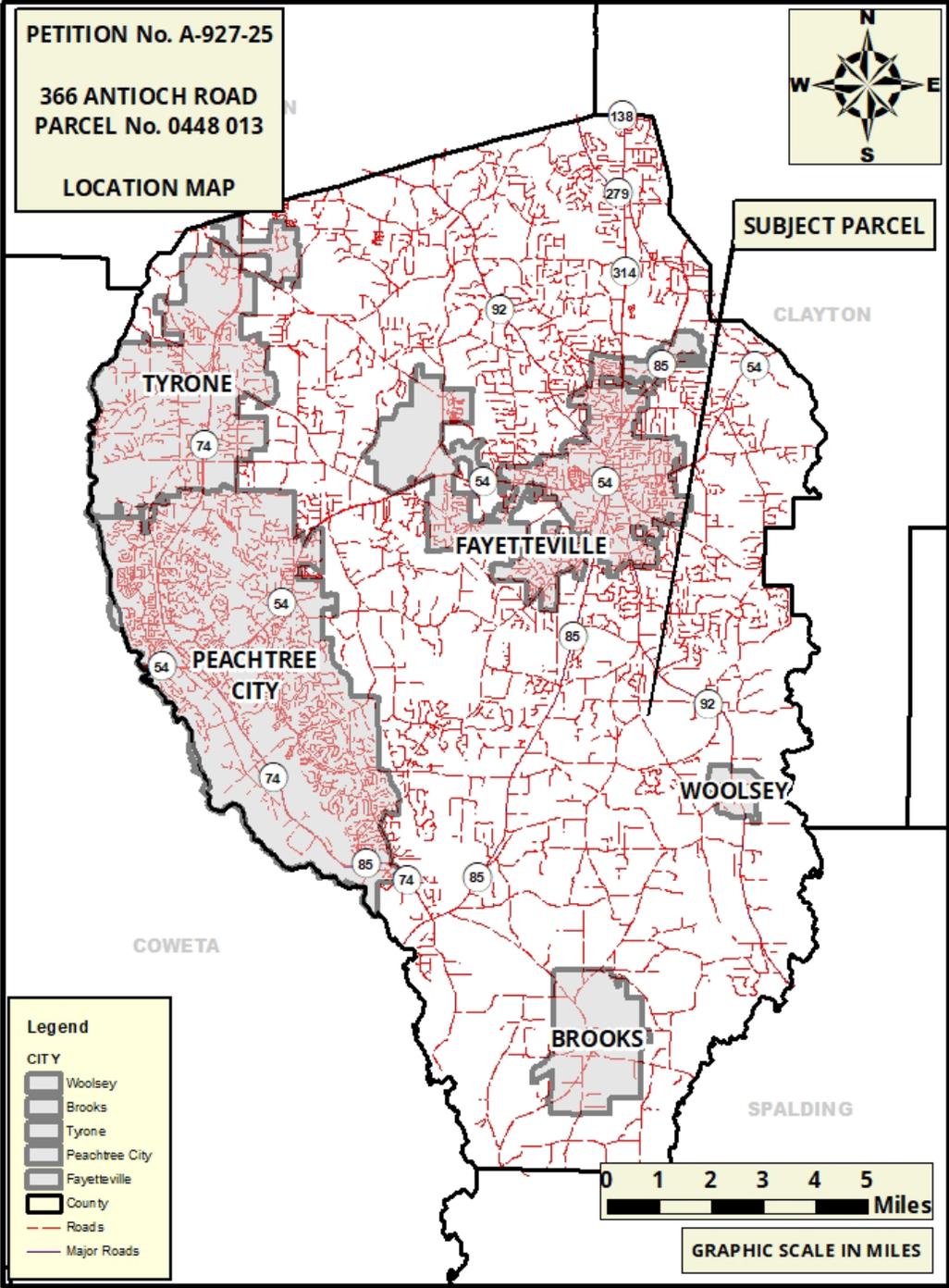
This situation is specific to this property.

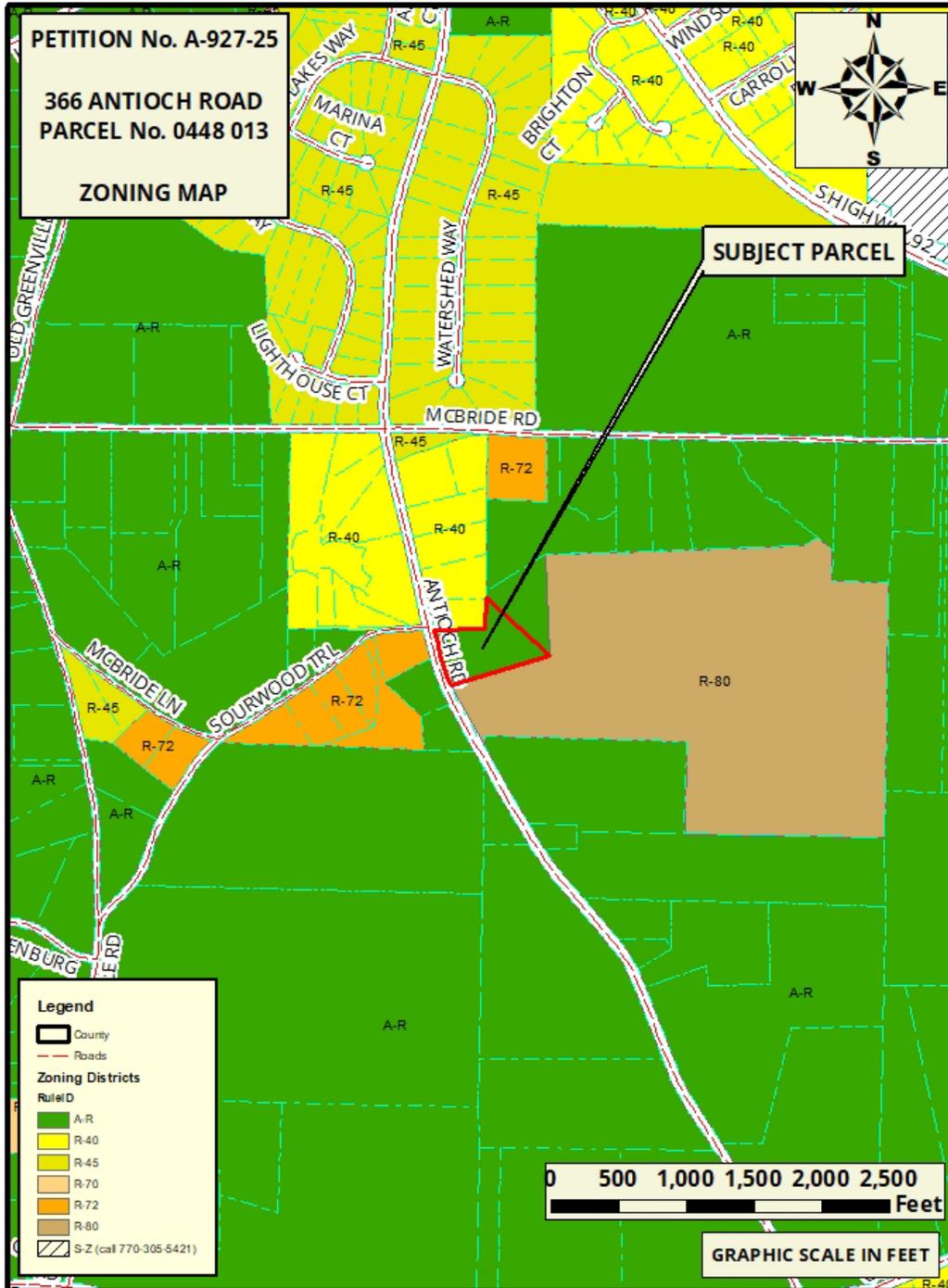
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and**

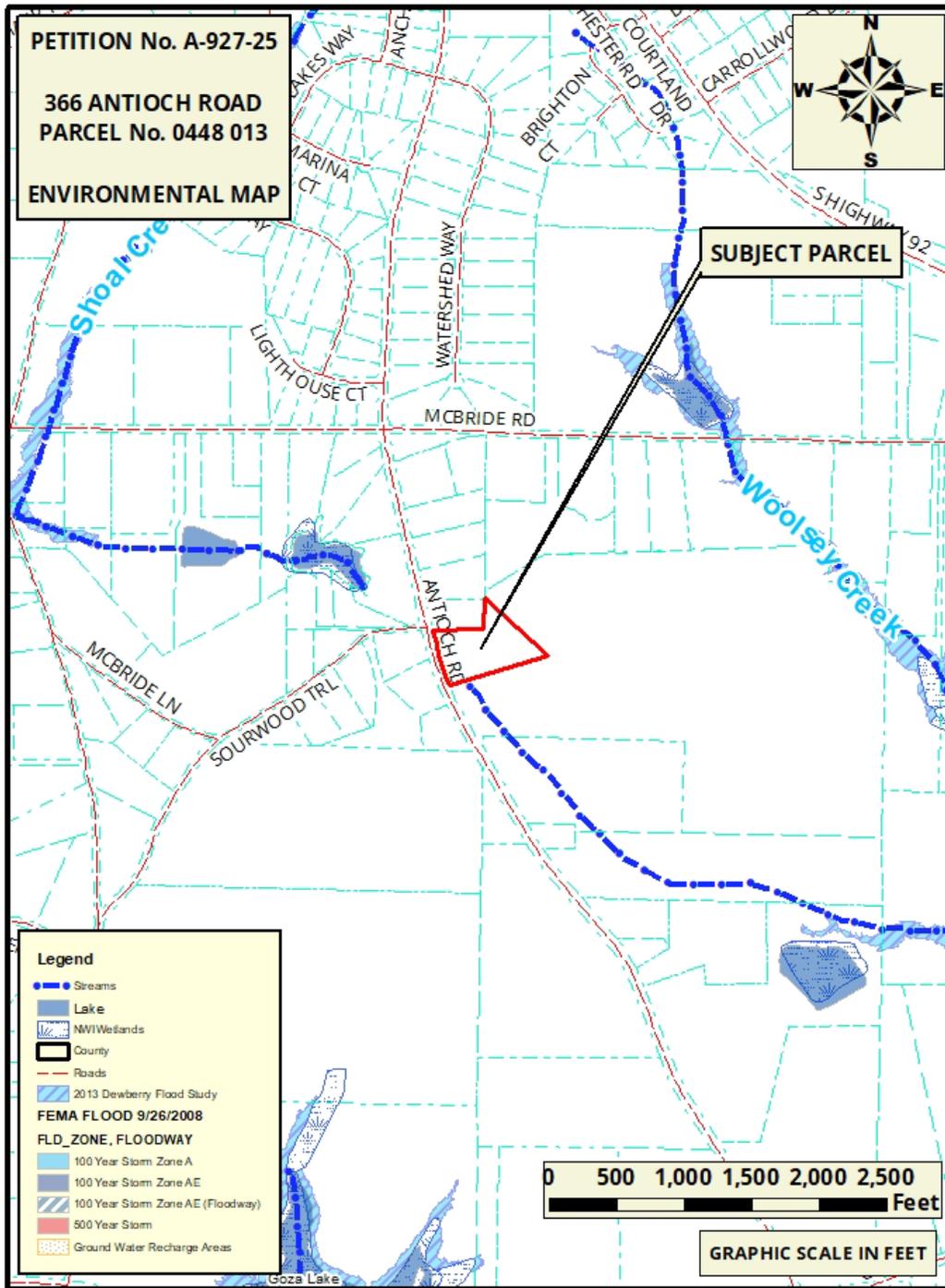
The house has existed since 1965 in its current location and configuration. While the house is smaller than the minimum square footage and remains inside a side yard setback, it meets the minimum requirements to the neighbor where the home encroaches into the setback.

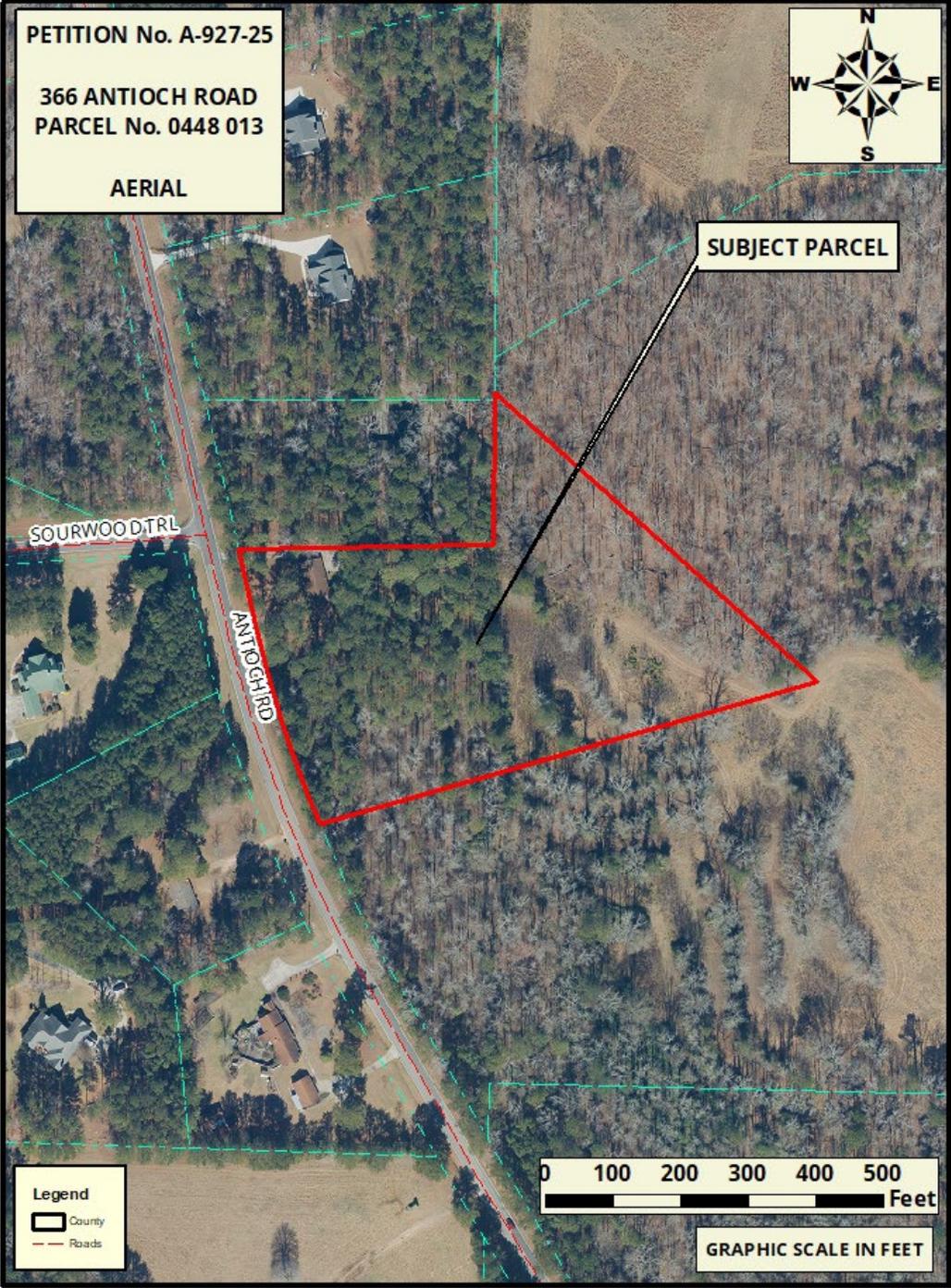
- 5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed; and,**

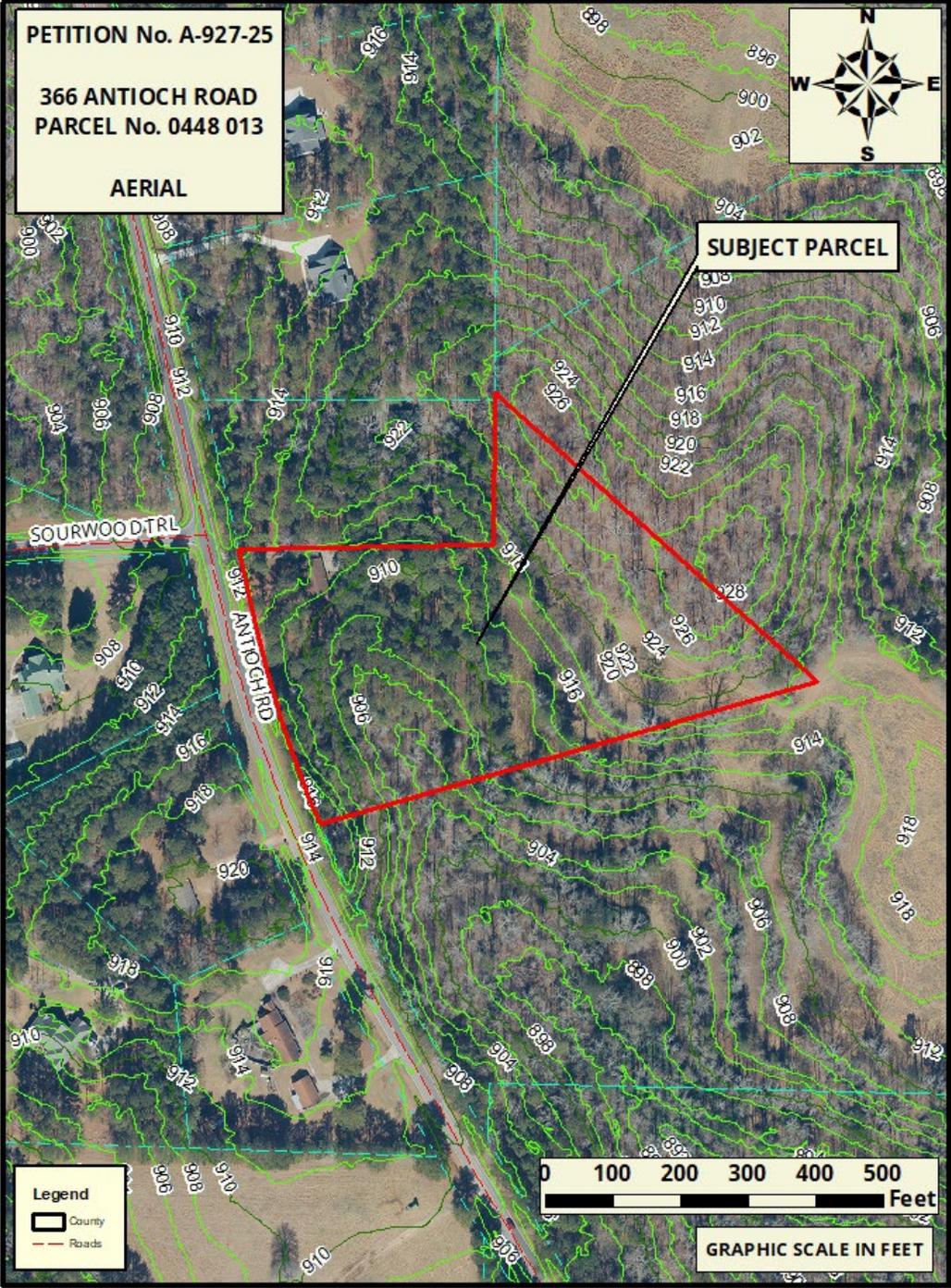
The applicant would have the same rights as others in the same District, however, it would greatly affect the family occupying the home.











PETITION No.: ~~1370-25~~ A-927-26

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: Jerome Allen

ADDRESS: [REDACTED]

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

Jerome Allen affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) _____ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350.175 ^{variance app} to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-80.

This property includes: (check one of the following)

- See attached legal description on recorded deed for subject property or
- Legal description for subject property is as follows: see file

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of November 6, 20 25 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 20 25 at ~~5:00~~ 2:00 PM P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF September, 20 25

SIGNATURE OF PROPERTY OWNER
Jerome Allen

SIGNATURE OF PROPERTY OWNER
Deborah M Sims

NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

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. 110-129 (d) 3
Requirement	2,500 square feet floor area
Proposed Change	1,730 square feet
Variance Amount	Reduce the minimum square footage 770 square feet to allow an existing home to remain in its current configuration.

Ordinance/Section	Sec. 110-129 (d) 6
Requirement	30' side yard setback
Proposed Change	21.88'
Variance Amount	Reduce the side yard setback 8.12' to allow a home constructed in 1965 to remain.

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.

Mr. Allen inherited his family home place. He was able to acquire additional land to increase the lot from 3.2 acres to 6 acres, removing the nonconformity of the lot. Mr. Allen has requested to rezone this property to R-80 (Petition 1370-25), with the goal of creating one (1) additional lot for new home construction. If the rezoning is approved, Mr. Allen will need a variance to allow the existing home to remain in its current location with the current configuration.

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.

The existing home was constructed in 1965 and retained A-R zoning from the original 1960 zoning maps. This home met the A-R square footage requirements, but falls short of the R-80 requirements in the future land use plan. In addition, the existing home is too close to the northern property line according to today's A-R and R-80 zoning, but it met the 15' minimum when the home was constructed and it meets the requirements of the closest neighbor which is zoned R-40.

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

Zoning requirements have evolved as Fayette County has grown and developed. The Allen's have been respected Fayette County residents and are only desiring to remain good neighbors and continue the family legacy by constructing one additional home.

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

Many homes constructed in 1965 are no longer habitable, but this home is currently occupied.

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.

The existing house has not received any complaints and allowing it to remain should not cause additional concerns for Fayette County.

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

The home the variance is requested for has existed in its current location and with the current dimensions since 1965.

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:

Jerome Allen

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0448 013

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 249 + 250 of the A1a District, and (if applicable to more than one land district) Land Lot(s) NA 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 rezoning. As Agent, they have the authority to agree to any and all conditions of zoning 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.

(II) _____

Signature of Property Owner 1

Jerome Allen

 Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

Deborah M Sims

Signature of Notary Public

Date

Deborah M Sims
 NOTARY PUBLIC

Coweta County, GEORGIA

My Commission Expires 01/05/2027

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Jerome Allen, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, feet of right-of-way along 366 Antioch Rd as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map, streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 22 day of September, 2025.

Jerome Allen
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Deborah M Sims
NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

DISCLOSURE STATEMENT

(Please check one)

Campaign contributions:

No

Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

Signature:

Jerome Allen

Date:

9/22/25

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: Deborah Sims	Lot Size:	
Lot:	Width at Building Line:	
Zoning: A-R to R-80	Front Setback:	
Flood: Yes/ No MFFE:	Side Setback:	
Stream Buffers:	Rear Setback:	
Number of Frontages - 1	House Size:	

Type: QCD
Recorded: 12/1/2023 5:46:00 PM
Fee Amt: \$25.00 Page 1 of 9
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 7163106115

BK 5675 PG 49 - 57

Record and Return to:
Daniel J. Campen, Esq.
Campen Estate Planning, LLC
PO Box 74
Senoia, GA 30276

QUIT CLAIM DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE, made the 28th day of November, 2023 between **JEAN R. ALLEN** by Jerome Allen as Agent under Power of Attorney dated September 21, 2022 (attached hereto as Exhibit "B") as party or parties of the first part, hereinafter called Grantor, and **BARBARA JEAN ALLEN**, as Trustee, or her successors in Trust, under the **Jean Allen Living Trust**, dated September 21, 2022, and any amendments thereto, 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).

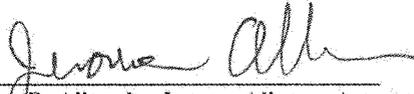
WITNESSETH that: Grantor, for and in consideration of the sum of ten dollar (\$10.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said grantee,

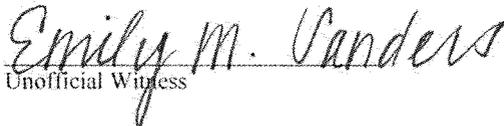
All that tract or parcel of land situate, lying and being in Land Lot 250 and 251 of the 4th Land District of Fayette County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

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

Signed, sealed and delivered in the presence of:


Jean R. Allen, by Jerome Allen as Agent under Power of Attorney dated September 21, 2022


Unofficial Witness


Notary Public

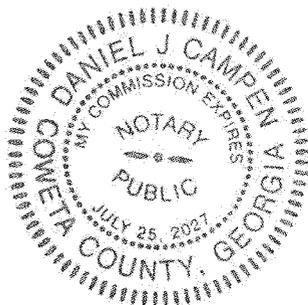


Exhibit "A"

366 ANTIOCH ROAD

All that Tract or parcel of land lying and being in Land Lot No. 250 of the 4th Land District of Fayette County, Georgia, and more particularly described as follows:

BEGINNING at a point on the East Line of Land Lot No. 250 aforesaid, which point is located a distance of 1147 ½ feet northerly, as measured along the East line of Land Lot No. 250, from the Southeast corner thereof; running thence due West a distance of 376 feet to the easterly side of the right-of-way for the Fayetteville-Brooks Road; thence northwesterly, as measured along said right-of-way, a distance of 150 feet; thence North, 89 ½ degrees East, a distance of 418 feet to the East line of said Land Lot No. 250; thence southerly, as measured along said land lot line, a distance of 150 feet, back to the POINT OF BEGINNING, said tract containing 1.37 acres, more or less, and being described as per plat of J. O. Lee dated August 30, 1963, and recorded in Plat Book No. 2 at Page 88, Fayette County, records.

TOGETHER WITH

All that tract or parcel of land lying and being in Land Lot 250 of the 4th District of Fayette County, Georgia and by plat of C.E. Lee entitled "Survey for Jim Allen," dated April 13, 1972 and recorded in Plat Book 6 at Page 188, records of Fayette County, Georgia, being more particularly described as follows:

BEGINNING at a point located 1,084 feet northerly, as measured along the East line of Land Lot 250 aforesaid, from the Southeast corner of said Land Lot 250 (which point is on the northeasterly side of the right-of-way 80 feet in width for an improved public road known as Brooks-Fayetteville Road); running thence North, 0 degrees and 10 minutes East, continuing along the East line of Land Lot 250 aforesaid, 731.6 feet to a corner; thence South, 89 degrees and 59 minutes West, 343 feet to a point on the north-easterly side of the right-of-way for the improved public road aforesaid (which road is known as the Brooks-Fayetteville Road); thence southeasterly, as measured along the northeasterly side of the right-of-way for said public road, 812.2 feet back to the POINT OF BEGINNING; said tract containing 3.2 acres and being triangularly shaped.

Tax Parcel ID # 0448 013

251 OLD GREENVILLE ROAD

All that tract or parcel of land lying and being in Land Lot 251 of the 4th District of Fayette County, Georgia, and being 5.08 acres, more or less, as per play of survey dated July 23, 1997, prepared by Delta surveyors, Inc., R.L.S., and being more particularly described as follows:

BEGINNING at a point located on the centerline of Old Greenville Road, said point being a distance of 965.03 feet southeasterly as measured along said centerline from the intersection of said centerline with the centerline of McBride road; From said point of beginning, running thence south 28 degrees 19 minutes 20 seconds east, and continuing along said centerline, a distance of 51.48 feet to a point; running thence south 21 degrees, 30 minutes 52 seconds east, and continuing along said right-of-way, a distance of 221.55 feet to a point; running thence north 89 degrees 13 minutes 59 second west, and departing from said centerline, a distance of 937.28 feet to a point; running thence north 01 degrees 05 minutes 28 seconds east a distance of 250.00 feet to a point; running thence south 89 degrees 13 minutes 59 seconds east a distance of 826.84 feet to a point and the point of beginning, with all rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

Tax Parcel ID # 0049 078

Exhibit B

State of Georgia

County of Fayette

Statutory Form Power of Attorney of Barbara Jean Allen

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in O.C.G.A. Chapter 6B of Title 10.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise in the Special Instructions, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your power of attorney.

This form provides for designation of one agent. If you wish to name more than one agent, you may name a successor agent or name a coagent in the Special Instructions. Coagents will not be required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney shall be durable unless you state otherwise in the Special Instructions.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

Statutory Form Power of Attorney of Barbara Jean Allen

Page 1

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

DESIGNATION OF AGENT

I Barbara Jean Allen (Name of principal) name the following person as my agent:

Name of agent: Jerome Allen

Agent's address: [REDACTED]

Agent's telephone number: [REDACTED]

DESIGNATION OF SUCCESSOR AGENT (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of successor agent: Jeffery D. Allen

Successor agent's address: [REDACTED]

Successor agent's telephone: [REDACTED]

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in O.C.G.A. Chapter 6B of Title 10:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "all preceding subjects" instead of initialing each subject.)

- (ja) Real property
- (ja) Tangible personal property
- (ja) Stocks and bonds
- (ja) Commodities and options
- (ja) Banks and other financial institutions
- (ja) Operation of entity or business
- (ja) Insurance and annuities
- (ja) Estates, trusts, and other beneficial interests
- (ja) Claims and litigation
- (ja) Personal and family maintenance
- (ja) Benefits from governmental programs or civil or military service
- (ja) Retirement plans
- (ja) Taxes
- () All preceding subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

- (ja) Create, fund, amend, revoke, or terminate an inter vivos trust
- (ja) Make a gift, subject to the limitations of O.C.G.A. § 10-6B-56 and any Special Instructions in this power of attorney
- Create or change rights of survivorship
- Create or change a beneficiary designation
- (ja) Authorize another person to exercise the authority granted under this power of attorney
- Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- Exercise authority over the content of electronic communications sent or received by the principal
- Exercise fiduciary powers that the principal has authority to delegate and that are expressly and clearly identified (including the persons for which the principal acts as a fiduciary) in the Special Instructions
- Renounce an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant SHALL NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the power of attorney):

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

NOMINATION OF CONSERVATOR (OPTIONAL)

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person(s) for appointment:

Name of nominee for conservator of my estate: Jerome Allen

Nominee's address: [REDACTED]

Nominee's telephone: [REDACTED]

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

SIGNATURE

Barbara Jean Allen

September 21, 2022

Your signature

Date

Barbara Jean Allen

Your name printed

[REDACTED]

Fayetteville, GA 30215

Your address

[REDACTED]

Your telephone number

This document was signed in my presence on September 21, 2022, by Barbara Jean Allen.

Emily M. Sanders
Witness's signature

Emily Sanders
Witness's name printed

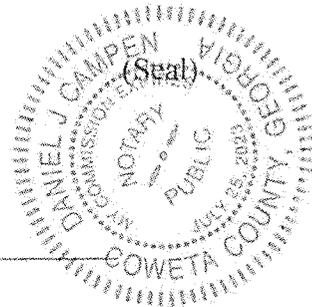
[REDACTED]
Witness's address

[REDACTED]
Witness's telephone number

State of Georgia
County of Fayette

This document was signed in my presence on September 21, 2022, by Barbara Jean Allen.

[Signature]
Signature of notary



My commission expires: _____

This document prepared by: Daniel Campen, Campen Estate Planning, PO Box 74, Senoia, GA 30276

IMPORTANT INFORMATION FOR AGENT

Agent's duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked.

You must:

- (1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
- (2) Act in good faith;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

(Principal's name) by (Your signature) as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal's benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal's best interest;
- (3) Act with care, competence, and diligence;
- (4) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
- (5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
- (6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

- (1) Death of the principal;
- (2) The principal's revocation of your authority or the power of attorney;
- (3) The occurrence of a termination event stated in the power of attorney;
- (4) The purpose of the power of attorney is fully accomplished; or
- (5) If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

Statutory Form Power of Attorney of Barbara Jean Allen

Page 6

Campen Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

Liability of agent

The meaning of the authority granted to you is defined in O.C.G.A. Chapter 6B of Title 10. If you violate O.C.G.A. Chapter 6B of Title 10 or act outside the authority granted, you may be liable for any damages caused by your violation.

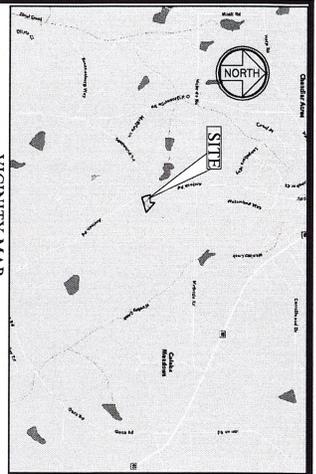
If there is anything about this document or your duties that you do not understand, you should seek legal advice.

Statutory Form Power of Attorney of Barbara Jean Allen

Page 7

Campan Estate Planning, PO Box 74, Senoia, GA 30276 (678) 340-3223

Book: 5675 Page: 49 Seq: 9



SURVEYOR:
 SIBLEY-MILLER SURVEYING & PLANNING, INC.
 212 WEST CAMPROUND ROAD
 MCDONOUGH, GA 30253
CONTACT: TIM MILLER, R.L.S.
 PHONE: (770) 320-7555

OWNER:
 WRIGHT CHANCEY MARBRIE, LLC
 P.O. BOX 629
 FAYETTEVILLE, GA 30214
 24 HOUR CONTACT: ROD WRIGHT
 PHONE: (770) 480-5000
 EMAIL: thestudiesider@gmail.com

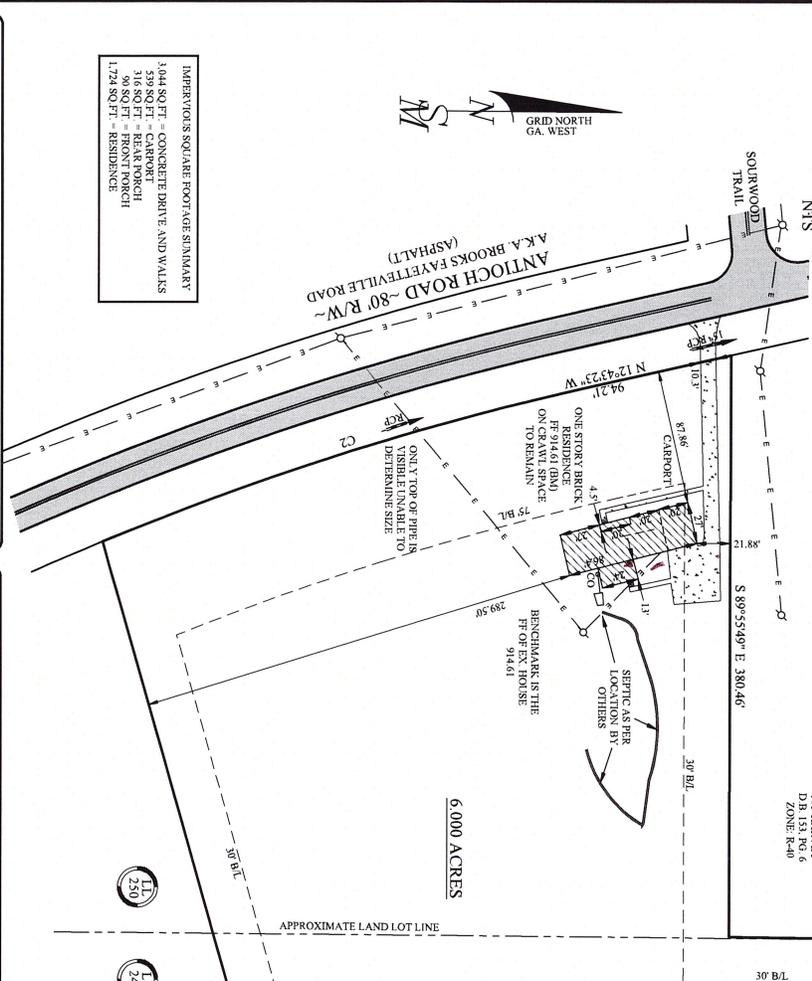
PARCEL 06448 022
 N/F HARVEY
 D.B. 153, PG. 6
 ZONE: R-80

PARCEL 06448 008
 N/F WRIGHT
 D.B. 566, PG. 166
 P.B. 101, PG. 633
 ZONE: R-80

CONTIGUOUS AREAS (CAL)
 EACH BUILDABLE LOT HAS A MINIMUM CONTIGUOUS AREA OF 26.6 ACRES THAT IS FREE AND CLEAR OF ZONING BUFFER AND SETBACKS, WATERBORN PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

LEGEND

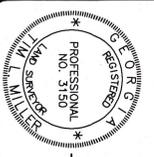
WOODEN POWER POLE	—○—
EX OVERHEAD POWER LINES	—e—
EX FENCE	—x—
POB - POINT OF BEGINNING	—P—
RE - IRON PINS SET (64 REBAR)	—R—
CTP - CRANK TOP PIPE	—C—
D.B. - DEED BOOK	—D—
P.B. - PLAT BOOK	—P—
N/F - NOW OR FORMERLY	—N—
EX - EXISTING	—E—
KCP - REINFORCED CONCRETE PIPE	—K—
CMP - CORRUGATED METAL PIPE	—C—
CP - CORRUGATED PLASTIC PIPE	—CP—
EX ASPHALT	—A—
EX CONCRETE	—C—
EX BUILDING	—B—



IMPERVIOUS SQUARE FOOTAGE SUMMARY
 1,044 SQ. FT. - CONCRETE DRIVE AND WALKS
 339 SQ. FT. - GARAGE
 1,000 SQ. FT. - FRONT PORCH
 98 SQ. FT. - FRONT PORCH
 1,724 SQ. FT. - RESIDENCE

SURVEYORS CERTIFICATION:

As required by subsection (b) of O.C.G.A. Section 15-6-67 this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approved certificates, signatures, stamps or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as intended use of any parcel. 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 Board of Registration of Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Tim L. Miller GA. RLS # 9150
 Date: 9-28-2025

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY ME OR UNDER MY SUPERVISION AND THAT THE MONUMENTS REFERENCED HEREON EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

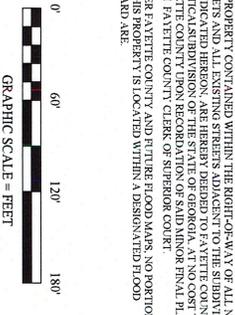
PRECISION OF ONE FOOT IN 57,895
 PER ANGLE POINT WAS ADJUSTED USING THE COMPASS RULE
 THIS PLAT HAS BEEN CALCULATED BY ME OR UNDER MY SUPERVISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 57,895
 EQUIPMENT USED: GEOMAX ZOOM 92 ROBOTIC
 AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE FEMA, THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD ZONE OR FLOOD COMMUNITY - PANEL NUMBER 1311014E DATED 11/11/03

PARCEL 06448 013
 N/F WRIGHT
 D.B. 566, PG. 166
 P.B. 101, PG. 633
 ZONE: R-80

GENERAL NOTES:
 THERE IS AN EXISTING SEPTIC SYSTEM AND NO EASEMENTS ON PROPERTY
 THERE ARE NO EASEMENTS ASSOCIATED WITH THIS PROPERTY
 NO GRADUATED ALTER RECHANGE AREAS ON PROPERTY
 FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN OR LACK OF ONE, INDICATED BY THIS PLAT
 ALL PROPERTY CONTAINED WITHIN THE RIGHT-OF-WAY OF ALL NEW STREETS AND ALL EXISTING STREETS ADJACENT TO THE SUBDIVISION AS INDICATED HEREON, ARE HEREBY DEEDED TO FAYETTE COUNTY, A FAYETTE COUNTY UPON RECORDBATION OF SAID MINOR FINAL PLAT WITH FAYETTE COUNTY CLERK OF SUPERIOR COURT
 AS PER FAYETTE COUNTY AND HTRR REE HOOD MAPS, NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD ARE.

CURVE DATA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C2	198.53	57.09	58.88	N 77° 57' 2" W



REZONING PLAT: A-R TO R-80
JEROME ALLEN
TOTAL AREA = 6.000 ACRES
LAND LOT 249 AND 250, 4th. DISTRICT
FAYETTE COUNTY, GEORGIA

SIBLEY-MILLER SURVEYING & PLANNING INC.
 212 WEST CAMPROUND RD
 MCDONOUGH, GA. 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleysurveying.com

- *CIVIL ENGINEERING
- *TOPOGRAPHICAL SURVEYS
- *LAND DEVELOPMENT DESIGN
- *CONSTRUCTION LAYOUT
- *LAND PLANNING
- *LAND SURVEYING

PROJECT #: B21042
 VARIANCE PLAT
 DRAWN BY: PVF
 CHECKED BY: KBR/KWT/M
 SCALE: 1" = 60'
 DATE: 07/30/2025
 SHEET: 1 OF 1

Wednesday, January 21, 2026

Continued from page B2

Fayette County News B3

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, Febru-
ary 23, 2026, at 7:00 P.M., Fayette
County Administrative Complex,
Public Meeting Room, 140 Stone-
wall Avenue West, first floor.

Petition No.:A-927-26-A-B

Owner:Jerome Allen

Property Address:366 Antioch
Road

Parcel:0448 013

Zoning District:A-R

Area of Property:6.00 acres

Land Lot(s):249 and 250

District:4th

Road Frontage:Antioch Road

Request:Applicant is requesting
the following:

A) Sec. 110-129(d)3, Variance to re-
duce the minimum square footage
from 2,500 to 1,730 to allow an ex-
isting home to remain.

B) Sec. 110-129(d)6 Variance to re-
duce the side yard setback from 30'
to 21.88' to allow a home construct-

ed in 1965 to remain.

Legal Description

All that tract or parcel of land ly-
ing and being in land lots 249, and
250, of the 4th. District, Fayette
County, Georgia. And being more
particularly described as follows:
Commencing at the centerline in-
tersection of the centerline of Sour-
wood Trail. (if extended) and the
centerline of Antioch Rd. Thence
S 71°42'57" E A Distance Of 45.26'
to a open top pipe on the Easterly
right of way of Antioch Rd (80' R/
W), which is the point of beginning
Thence S 89°55'49" E leaving said
right of way A Distance Of 380.46'
to a open top pipe found on the
land lot line dividing land lots
249, & 250 Thence N 00°42'34" E
along said land lot line A Distance
Of 225.64' to a rebar found Thence
S 48°12'53" E leaving said land lot
line A Distance Of 641.91' to a rebar
found

Thence S 74°07'25" W A Distance
Of 768.71' to a rebar found on the
Easterly right of way of Antioch Rd
Thence With A Curve Turning To
The Right along said right of way,
With An Arc Length Of 337.09',
With A Radius Of 1985.53', With
A Chord Bearing Of N 17°35'12"
W, With A Chord Length Of
336.68',Thence With A Curve to
a point; Thence N 12°43'23" W
along said right of way A Distance
Of 94.21' to a open top pipe found
Which Is The Point Of Beginning,
Having an area of 6.000 acres

01/21

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

Requested Action: Variance to reduce the rear yard building setback from 30' to 4.5' in the R-40 (Single-Family Residential) District, to allow two (2) existing accessory structures, each less than 200 square feet, to remain in the existing location and a variance to allow one (1) additional accessory structure for a total square footage of 448 square feet.

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: February 23, 2026

REQUEST

Applicant is requesting the following variance to construct a new detached garage:

- A. Variance to Sec. 110-137(d)(5).- Rear yard setback requirement, to reduce the rear yard setback from 30 feet to 4.5 feet in the R-40 zoning district.
- B. Variance to Sec. 110-79(c)(1)a. Two (2) residential accessory structures, per individual lot, to increase the total number of three (3) accessory structures 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 4.5 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 **DENIAL** of the request for an additional accessory structure.

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 and expanded development could compromise replacement septic area when it is required.

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 two (2) sheds not requiring a permit located 4.5 feet from the fence. A foundation survey has not been provided to verify the rear property line.**

(6) Side yard setback: 15 feet. **There does not appear to be a side yard encroachment.**

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, however, utilization of this space could impact areas needed for septic.
- 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

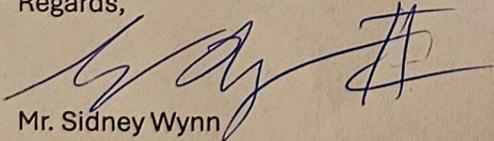
Good day, Planning and Zoning Management.

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,



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.

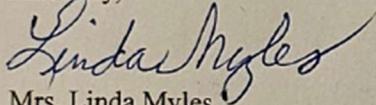
My family and I have known Camille and Patsy since they moved into Lafayette Estates approximately 25 years ago, in 2001. At that time, Ms. Patsy was vibrant and strong. But we have seen a major decline in her health since she got COVID several years ago. She is now very weak and has some memory loss,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

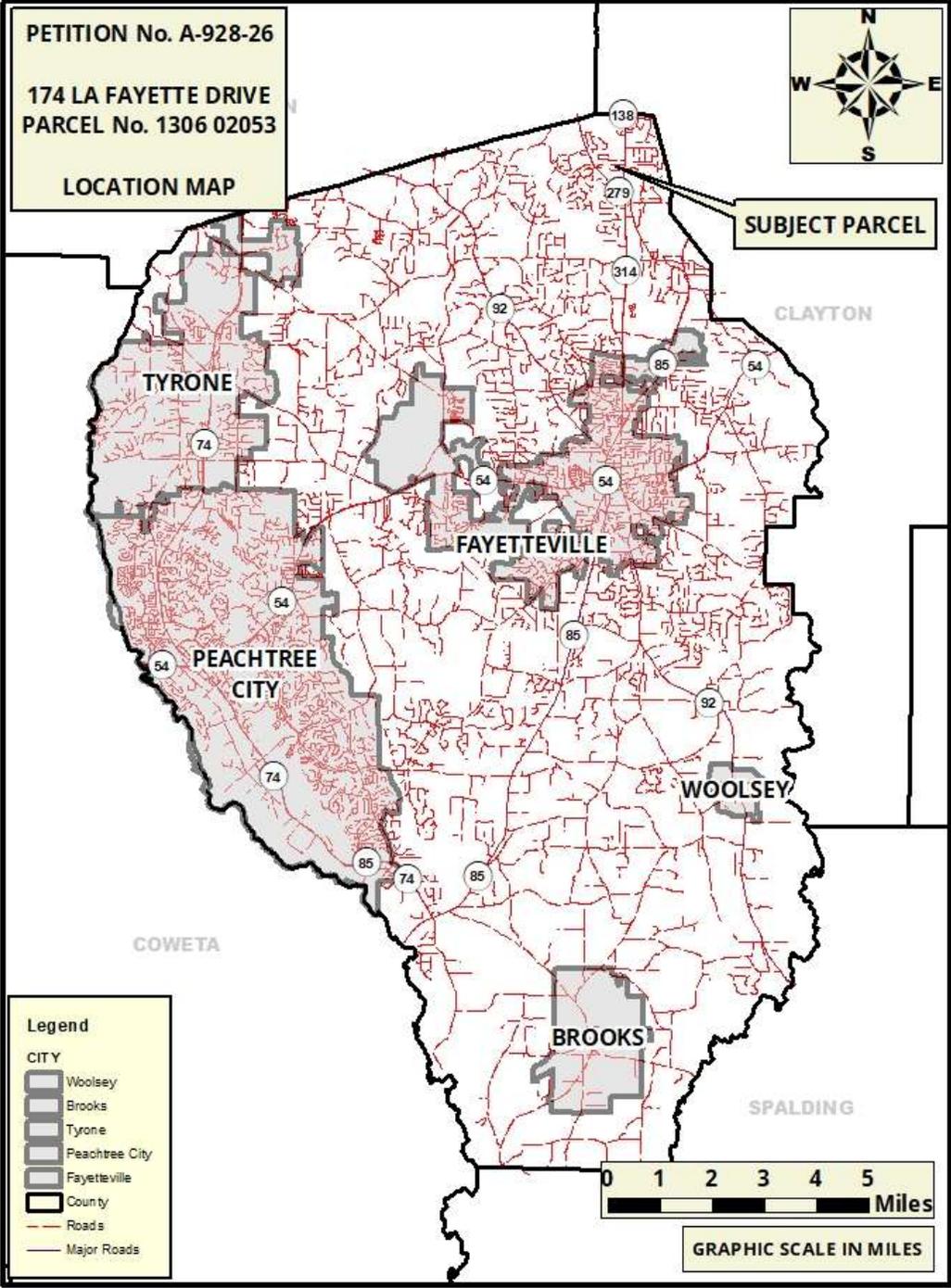
Sincerely,

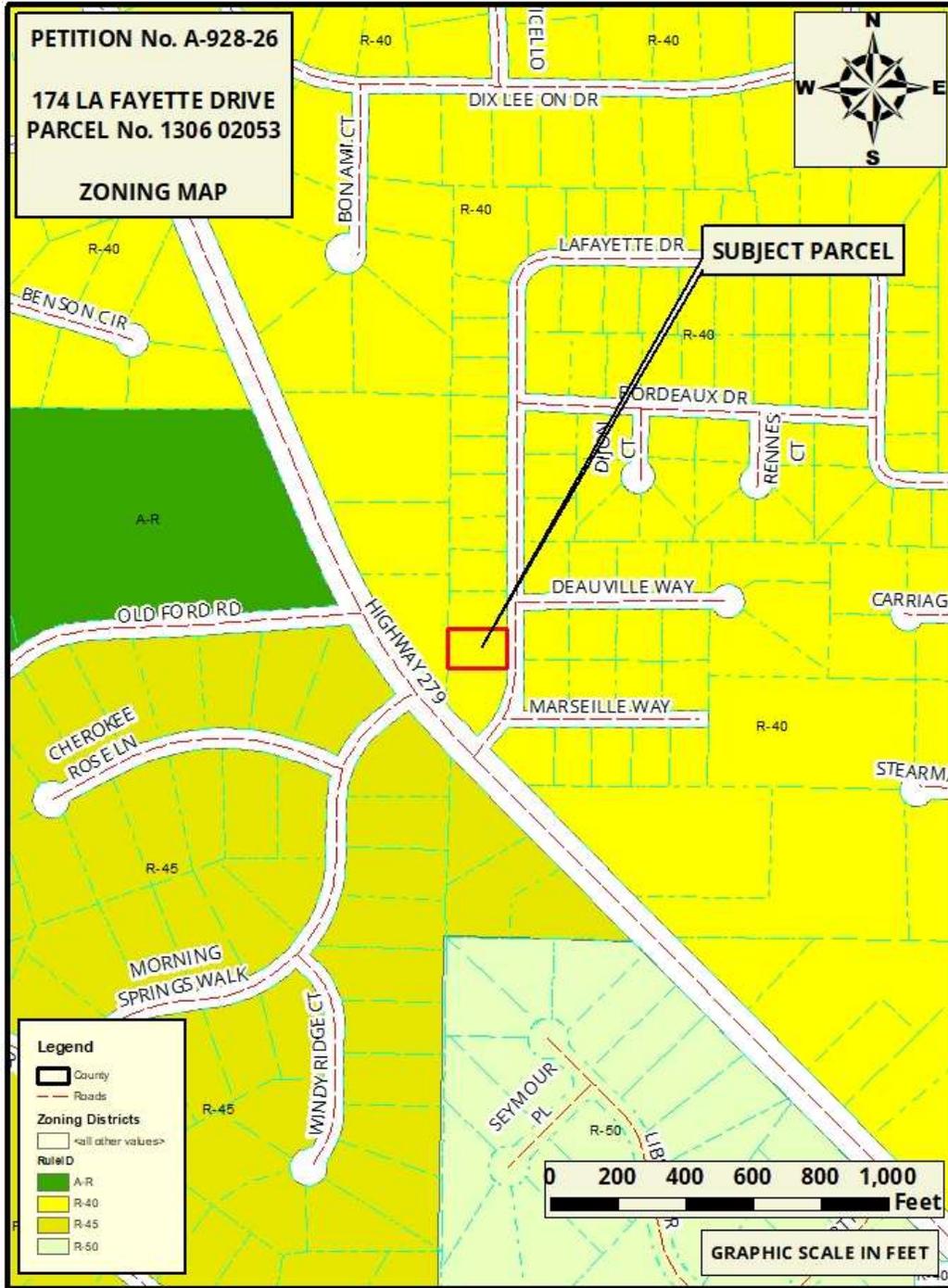


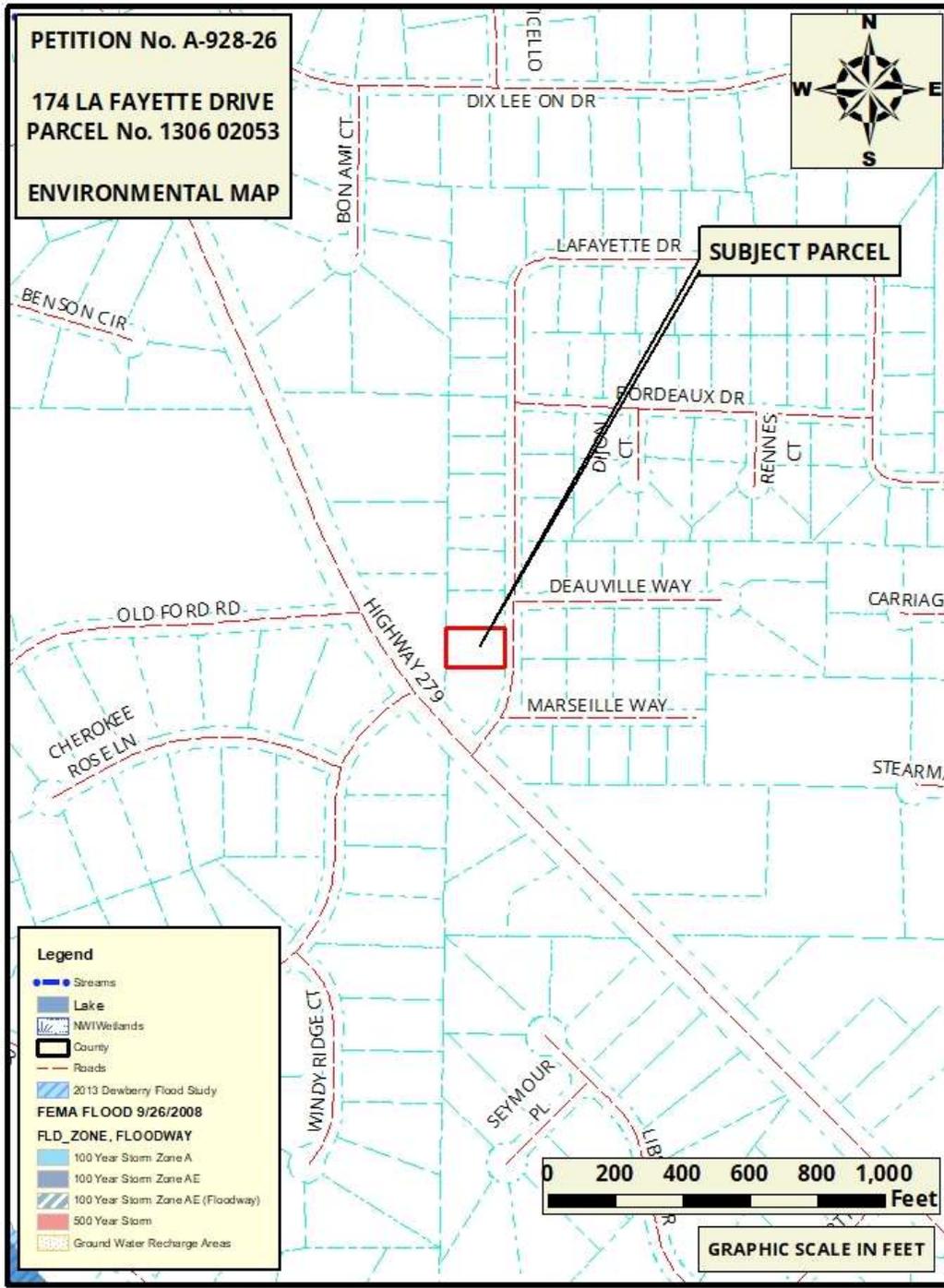
Mrs. Linda Myles

Linmyl3@aol.com

678-471-7644









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).

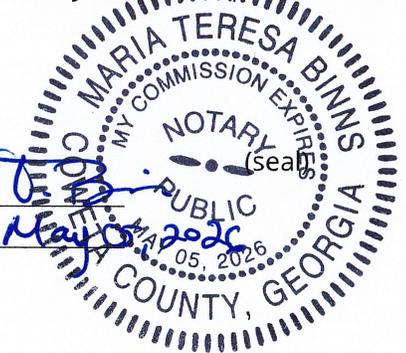
(I) (We) hereby delegate authority to _____ to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(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: 678-570-5329
Email: _____
Signature _____

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



(seal)

**Owner/
Agent
One:**

**Owner/
Agent
Two:**

**Owner/
Agent
Three:**

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

Commission Exp.: _____

Notary: _____

Commission Exp.: _____

(seal)

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

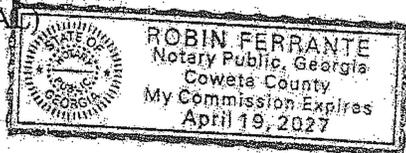
Witness

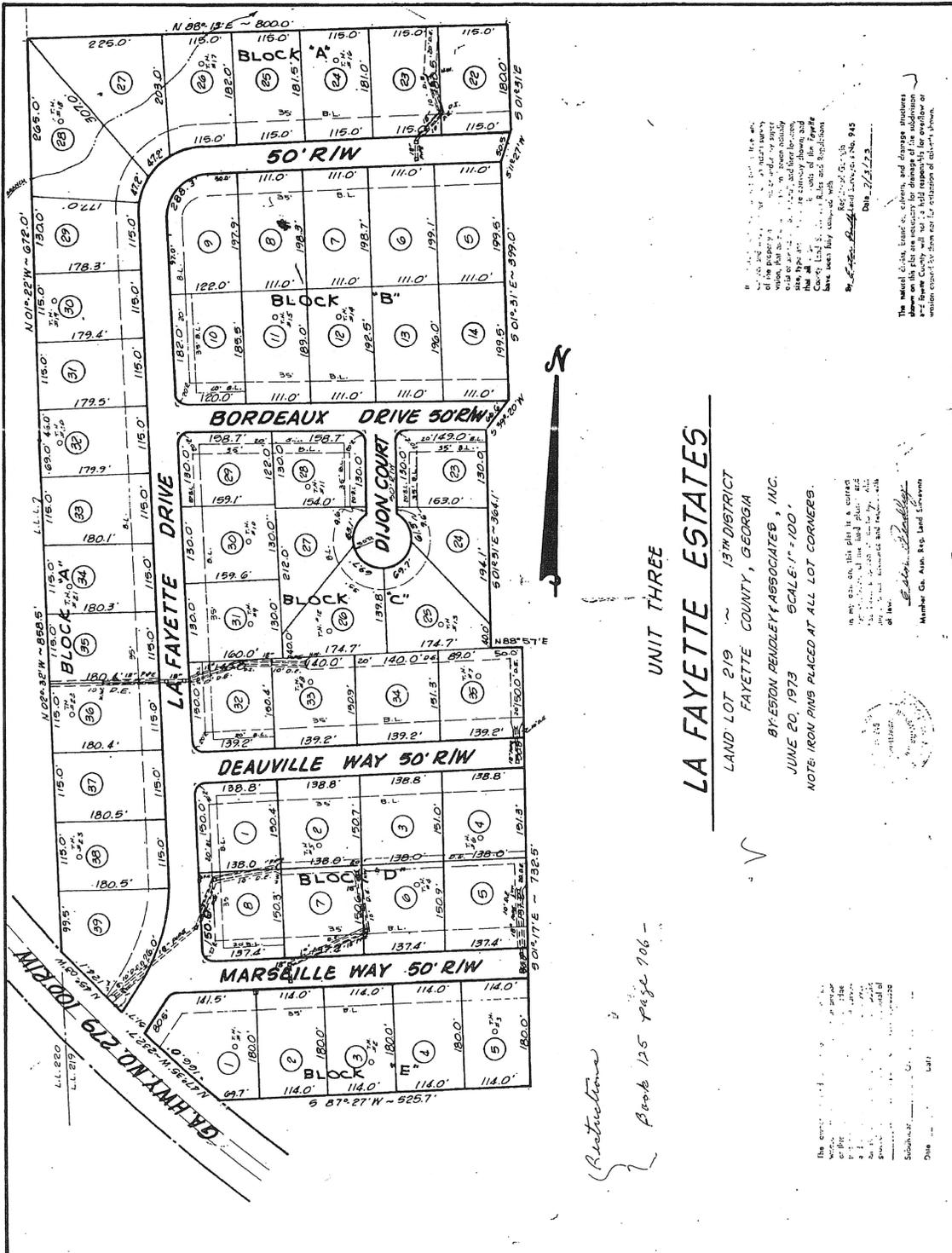
Camille Feanny

CAMILLE FEANNY

[Signature]

Notary Public
(SEAL)





BY: ESTON PENDELLEY ASSOCIATES, INC.
 FAYETTE COUNTY, GEORGIA
 JUNE 20, 1973 SCALE: 1" = 100'
 NOTE: IRON PINS PLACED AT ALL LOT CORNERS.

The record title, easements, covenants, and change stipulations shown on this plat are necessary for drainage of the subdivision and are shown for the information of the subdivision owner and the subdivision owner's attorney.

Restrictions Book 125 Page 706 -

Recorded 7-17-1973 at O. Railroad, Clark

Subdivided by: ESTON PENDELLEY ASSOCIATES, INC.
 Date: JUNE 20, 1973

Wednesday, January 21, 2026

Continued from page B2

Fayette County News B3

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, Febru-
ary 23, 2026, at 7:00 P.M., Fayette
County Administrative Complex,
Public Meeting Room, 140 Stone-
wall Avenue West, first floor.
Petition No.: A-928-26-A-B
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 6 feet to
allow two (2) accessory structures
to remain.
- B) Sec. 110-79(c)a, R-40 zoning,
Variance to allow one (1) addi-
tional accessory structure for a
total of three (3) with an aggregate
footprint of 448 square feet.

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 Northwest-
erly and Westerly side of LaFayette
Drive and following the curvature
thereof from the intersection
formed by the Northwesterly side
of LaFayette Drive with the North-
easterly side of Georgia Highway
No. 279, said point of beginning
also being at the Northeast corner
of Lot 39, said block, unit and sub-
division; running thence Northerly
along the Westerly side of LaFay-
ette Drive a distance of 115 Feet to
Lot 37 of said block, unit and sub-
division; 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 num-
bering houses in Fayette County,
Georgia. Subject to all easements
and restrictions of record, if any.

01/21