

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on February 24, 2014, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Vic Bolton, Chairman
Bill Beckwith
Larry Blanks
Tom Mahon
Tom Waller

STAFF PRESENT: Pete Frisina, Director of Community Services
Dennis Dutton, Zoning Administrator/ ZBA Secretary

Welcome and Call to Order:

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

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1. Swearing in of the new Zoning Board of Appeals Member

Pete Frisina administered the Oath of Office to Tom Waller.

2. Election of the Chairman

Tom Mahon made a motion to nominate Vic Bolton as Chairman and Bill Beckwith seconded the motion. The motion to elect Vic Bolton as Chairman passed 5-0.

3. Election of the Vice-Chairman

Tom Mahon made a motion to nominate Larry Blanks as Vice-Chairman and Bill Beckwith seconded the motion. The motion to elect Larry Blanks as Vice-Chairman passed 5-0.

4. Consideration of the Minutes of the Meeting held on December 16, 2013.

Larry Blanks made a motion to approve the minutes. Tom Mahon seconded the motion. The motion passed 5-0.

5 Consideration of Petition No. A-604-14, Ramon Sessions, Owner and Brad C. Barnard, Agent request a variance to Sec. 5-20. Accessory Structures and Uses. C. Number and Size. 1. a. to increase the cumulative square foot total from 3,600 square feet to 4,840 square feet in total. This property consists of 7.587 acres, is zoned R-70, and fronts on Molly's Way.

Petition A-604-14 was deferred to the March 24, 2014 meeting due to an inaccuracy in the Legal Advertisement.

6. **Consideration of Petition No. A-605-14, Lowell Thomas & Carol Mullins, Owners and Chris Flanigan, Agent request a 24 foot variance to ARTICLE VI. DISTRICT USES REQUIREMENTS, Sec.6-13. R-40 Single-Family Residential District. D. Dimensional Requirements. 4. Front Yard Setback: a Major Thoroughfare: i. Arterial: to reduce the front yard setback from the required 60 feet to 36 feet for the existing single-family dwelling and request a 24 foot variance to reduce the front yard setback from the required 60 feet to 36 feet to add an addition to the existing single-family dwelling. This property consists of 1.41 acres, is zoned R-40, and fronts on South Jeff Davis Dr. & Callaway Road.**

Carol Mullins said that they were here tonight to request a variance so they can fix up the house and live it. She added that when they bought the property they had no idea that the lot was illegal but they are going through the procedures to make it a legal lot. She said the house is historic and she and her husband want to preserve the house and their engineer has examined the house and he feels it can be maintained with some improvements.

Lowell Thomas said they had included house plans with the variance application.

Chairman Bolton sated that the ZBA had the house plans.

Carol Mullins said they also included a picture of the existing house and a picture of another similar home which is the vision of how they intent to fix up the existing house.

Chairman Bolton asked if there was anyone to speak in support of this petition.

Chris Flanigan said she was the real estate agent for the sale and she is in support of the petition as this house project is the Mullins' dream house and they will meet all of the county requirements to bring it into compliance.

Chairman Bolton asked if there was anyone to speak in opposition of this petition.

Philip Anderson said he and his wife Jane live on the parcel to the north and he is not sure if he is for or against the petition because he had not seen the plans and can anyone see the plans for the house. He questioned whether the addition will encroach into the front yard setback on Callaway Road. After seeing the House Plans he said what they are doing here looks nice.

Chairman Bolton asked Mr. Anderson if he was still opposed to the petition after seeing the house plans.

Mr. Anderson said he is not opposed to the petition now.

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Bo Mullins said he lives at 120 Briarwood Court and his main concern was that this was not going to be turned into any commercial property and he has since spoken to the petitioner and he satisfied with their request but is this being changed from an A-R code to a residential code.

Chairman Bolton said the rezoning from A-R to residential has already taken place.

Chairman Bolton asked Pete Frisina on clarification of the required minimum house size for the current zoning.

Pete Frisina said the petitioners recently rezoned the property and some of the conditions require that they get variances for the house and the petitioners intend to add additional square footage to house to comply with the R-40 zoning.

Bill Beckwith asked if the addition would bring the house up to the minimum requirement.

Pete Frisina said yes it would.

Carol Mullins said the addition will bring the house up to 1,654 square feet and the minimum is 1,500 square feet.

Bill Beckwith said basically the house can be added onto it is just sitting in the setback.

Pete Frisina said the house is sitting partially in the R-40 setback but the whole house was in the A-R setback.

Bill Beckwith said so it is getting better by being R-40 and the addition will also be at 36 feet.

Pete Frisina said the addition will be in line with the current house.

Tom Waller said the foundation seems suspect so you will have to go back in and replace parts of it so why don't you just move the house back.

Carol Mullins said that is very expensive to move.

Tom Waller said just because it is old doesn't mean it good.

Carol Mullins said the house is not in that bad of shape and it can be brought up to code in its current location.

Chairman Bolton said one of the things the ZBA looks at is if the problem was caused by the petitioner that has perhaps built without a permit for example, but this house has been in this location for a long time and it is not of the fault of the petitioner and he doesn't have a problem with the request.

Bill Beckwith said moving the house is an onerous solution.

Bill Beckwith made a motion to approve the two (2) variances. Larry Blanks seconded the motion and said fixing this house up will be a benefit to the community. The motion unanimously passed 5-0.

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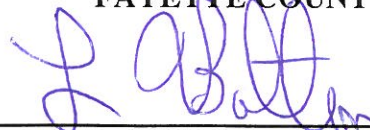
Chairman Bolton asked if there was any further business.

Pete Frisina said the ZBA will meet on March 24, 2014.

There being no further business, Larry Blanks made the motion to adjourn the meeting and the meeting adjourned at 7:40 pm.

ZONING BOARD OF APPEALS
OF

FAYETTE COUNTY



VIC BOLTON, CHAIRMAN



ATTEST