

**BOARD OF APPEALS**

Marsha A. Hopkins, Chair
Tom Waller, Vice-Chair
Therol Brown
John Tate
Bill Beckwith

STAFF

Pete Frisina, Director
Chanelle Blaine, Zoning Administrator
Howard Johnson, P & Z Coordinator

AGENDA

**Fayette County Zoning Board of Appeals
Fayette County Administrative Complex
Public Meeting Room
June 22, 2020
7:00 P.M.**

1. Consideration of the Minutes of the Meeting held on May 18, 2020.

PUBLIC HEARING

2. Petition No. A-727-20, Arinze & Wynne Inya-Agha Owners, requests the following: Variance to Section 110-136. R-45, to reduce the side yard setback from 15 feet (as required in 1998 when the subdivision was platted) to 8 feet to allow an existing storage shed to remain. The subject property is located in Land Lot 7 of the 6th District and fronts on Lodge Trail.
3. Petition No. A-728-20, Linda R. and Laurence P. Lake, Owners, request the following: 1) Variance to Sec. 110-79 Accessory structures and uses, (e) Residential accessory structures located in a front yard, to allow a guesthouse to be constructed in the front yard. (2) Variance to Sec. 110-70 Residential accessory structures and uses, (c) Number and size, (1) (a), to increase the amount of residential accessory structures per individual lot from 2 to 3.

PETITION NO. A-727-20
Arinze & Wynne Inya-Agha
110 Lodge Trail
Fayetteville, GA 30215
Public Hearing Date June 22, 2020

The subject property is located at 110 Lodge Trail, Fayetteville, GA 30215 and is zoned R-45. The applicant is requesting a Variance as follows:

- Variance to Section 110-136. - R-45 to reduce the side setback of 15 feet (as required in 1998 when the subdivision was platted) to 8 feet to allow an existing storage shed to remain..

History: Tax Assessor's records indicate that the house was built in 2000 and the applicant purchased the property in 2000.

As part of the pool permit process, a plat/site plan is required. Through the site plan staff discovered the violation. The site plan given shows the existing storage shed 8 feet from the side yard property line.

DEPARTMENTAL COMMENTS

ENGINEERING: No Public Works/Engineering issues with the variance request for reduced side yard setback, or for the structure to remain.

ENVIRONMENTAL HEALTH: No comment as sites serves by PTC sewer system and there is no septic system on site.

ENVIRONMENTAL MANAGEMENT: No comment.

WATER SYSTEM: No comment on this request to reduce the side yard setback from 15' to 8' for this storage shed to remain.

The applicant provides the following information:

VARIANCE SUMMARY

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

I have a storage shed that is currently 8' from my property line with my neighbor. The requirement is 20 feet so I am requesting a variance of 12.

JUSTIFICATION OF REQUEST

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

It is a relatively large storage shed (16'x24'). To move it would require hiring a building moving company, with equipment, to move.

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

To move this storage shed will come at a substantial cost and effort. Please see pictures.

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

Trees were planted in 2016 that are maturing now and the surrounds landscaped, To move this building will require the cutting down of those trees and destruction of the landscaping. Please see pictures.

- 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,**

In 2016 before any work was done I sought and obtained the approval of my Neighborhood Architectural review board as well as that of three of my neighbors, immediately adjacent to my property. See ARB approval packet attached. At that time they determined that the shed will not cause a detriment especially because of the location and the landscaping around it. Please see landscaping plan.

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

I have identified at least 5 of my neighbors, in my subdivision with storage sheds viewable from the street, not meeting this 20' setback requirement.

A-727-20

**SUBJECT
PROPERTY**

Lodge Trail

SR 74 South



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Arinze Inya-Agha & Wynne Inya-Agha

MAILING ADDRESS: 110 Lodge Trail, Fayetteville, GA 30215

PHONE: (404)819-5521, (404)819-5469 E-MAIL: wynnearinze@comcast.net

AGENT FOR OWNERS: N/A

MAILING ADDRESS: _____

PHONE: _____ E-MAIL: _____

PROPERTY LOCATION: LAND LOT 270 LAND DISTRICT 6th PARCEL 060405002

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 1.1ac

ZONING DISTRICT: 01 County R-40

ZONING OF SURROUNDING PROPERTIES: Residential

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: Residential

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-727-20

[] Application Insufficient due to lack of:

by Staff: _____ Date: _____

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

by Staff: COS Date: 5/15/2020

DATE OF ZONING BOARD OF APPEALS HEARING: June 22, 2020

Received from Arinze & Wynne Inya-Agha a check in the amount of \$ 175.⁰⁰

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

Date Paid: 5/28/2020 Receipt Number: 7329773 - App
7329774 - Sign

A-727-20

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:

Arinze Inya-Agha, Wynne Inya-Agha
Please Print Names

Property Tax Identification Number(s) of Subject Property: 060405002

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 01 County District, and (if applicable to more than one land district) Land Lot(s) 2 of the District, and said property consists of a total of 1.1 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A 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.

Arinze Inya-Agha
Signature of Property Owner 1

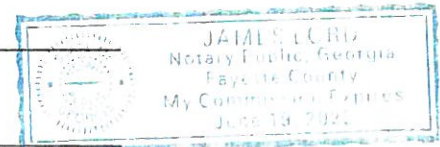
110 Lodge Trail, Fayetteville
Address

Wynne I. Inya-Agha
Signature of Property Owner 2

110 Lodge Trail, Fayetteville
Address

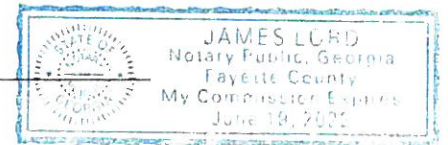
[Signature]
Signature of Notary Public

05/07/2020
Date



[Signature]
Signature of Notary Public

05/07/2020
Date



Signature of Authorized Agent

Address

Signature of Notary Public

Date

A- 727-20

VARIANCE INFORMATION

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

Ordinance/Section	Requirement	Proposed	Variance Amount
	20' 15'	8'	12' 7

VARIANCE SUMMARY

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

I have a Storage Shed that is currently 8' from my property line with my Neighbor. The requirement is ~~20'~~ so I am requesting a variance of ~~12'~~.

15

7

A-727-20

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.

It is a relatively large Storage Shed (16'x24'). To move it would require hiring a building moving company, with equipment, to move.

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

To move this Storage Shed will come at a substantial cost and effort. Please see pictures.

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

Trees were planted in 2016 that are maturing now and the surrounds landscaped,

To move this building will require the cutting down of those trees and destruction of the landscaping. Please see pictures.

A-727-20

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.

In 2016, before any work was done,

I sought and obtained the approval of my Neighborhood Architectural review board as well as that of three of my Neighbors, immediately adjacent to my Property. See ARB Approval Packet attached. At that time they determined that the Shed will NOT cause a detriment, especially because of the location and the landscaping around it. Please see landscaping Plan.

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

I have identified at least 5 of my Neighbors, in my

Subdivision, with Storage Sheds viewable from the Street, not meeting this 20' setback requirement.



**My Approved Application to my Neighborhood Architectural Review Board
(Approved by my Neighbors as well)**

Site Plan

For proposed Tool Shed construction

110 Lodge Trail

The Chimneys Community Association, Inc.
Architectural Review Board
Request for Modification/Change

Name Arinze Inya-Agha Date _____

Address 110 Lodge Trail Home Phone (404) 819-5521

Description of Modification

Tool Shed Construction

Estimated Start Date 06/1/2016 Estimated Completion Date 09/30/2016

Acknowledgment of Adjacent Homeowners (all homeowners sharing a common boundary line):

Signature <u>[Signature]</u>	Lot (<u>3</u>)	Approve (<input checked="" type="checkbox"/>)	Disapprove (<input type="checkbox"/>)
Signature <u>[Signature]</u>	Lot (<u>115</u>)	Approve (<input checked="" type="checkbox"/>)	Disapprove (<input type="checkbox"/>)
Signature <u>[Signature]</u>	Lot (<u>1</u>)	Approve (<input checked="" type="checkbox"/>)	Disapprove (<input type="checkbox"/>)

Note: No application will be considered unless this section is complete

All changes and modifications to homeowner's property need to be approved by the Architectural Review Board (ARB) **PRIOR** to beginning the project. Failure to apply for and receive ARB approval prior to project inception may result in loss of voting right, monetary fines, property liens and removal of any changes made to the property. ARB approval is required in addition to any city/county approval.

Project must be completed within 30 days. If work is not started or completed by the estimated completion date, a new *Modification/Change Review Form* must be submitted to the ARB for approval. (Lengthy remodeling projects will receive appropriate time limits.) Deviation from the original request will require a new request. Each project will be considered on an individual basis.

All properly completed *Modification/Change Review Forms* will be reviewed by the ARB within **15 days after the request is received**. The ARB meets the **2nd Tuesday of each month**. Requests must include, without limitation, the following information: site plan (including all dimensions,) color chips (if applicable,) detailed description of request, list of materials, pictures (if applicable,) and any other information specifically required below or as required by the *Architectural Guidelines and Declaration of Covenants*.

A copy of this form will be returned to the homeowner showing the request has been **Approved**, returned with **Conditions**, or **Rejected**. Conditional approvals will include changes needed for approval. Rejected requests will include reason(s) for denial and will be discussed with the homeowner in person.

Under each of the most common headings below, all of the items listed must be submitted. Please refer to the Architectural Guidelines for other necessary information required for modifications.

_____ **Patio or Walkway**

- _____ Lot survey denoting location
- _____ List of materials to be used

_____ **Exterior Decorative Objectives, Front Porch Flower Pots, Lighting, Etc.**

- _____ Description of object _____
- _____ Location and picture or sketch of object

_____ **Garden Plot**

- _____ Location and size of garden
- _____ Type of plants to be grown

_____ **Play Houses & Swing Sets**

- _____ Location
- _____ Size and sketch
- _____ Materials
- _____ Color

_____ **Private Pool**

- _____ Picture or drawing of pool type
- _____ Dimensions
- _____ Color
- _____ Site plan denoting location
- _____ Type of lighting source
- _____ Landscape plan

_____ **Fencing**

- _____ Picture or drawing of fence type
- _____ Dimensions
- _____ Color
- _____ Site plan denoting fence location
- _____ Materials

_____ **Exterior Landscaping and Maintenance**

- _____ Landscape plan denoting plant material and location

- ☐ **Deck/Porch**
☐ Picture or Drawing
☐ Dimensions
☐ Color
☐ Site plan denoting location
☐ Materials
- ☐ **Exterior Building Alterations**
Paint (Submit only if painted other than original color)
☐ Color and paint sample
☐ Area of home to be repainted
☐ Photograph of your home, plus homes on either side
- ☐ **Storm Windows/Doors**
☐ Picture or drawing of all windows/doors on which storm windows/doors will be installed
☐ Picture depicting style of storm windows/door to be installed
☐ Color
- ☐ **Building Additions**
☐ Location of addition and size of lot
☐ Size, color and detailed architectural drawing of addition
☐ Materials
☐ Building permit
- ☒ **Other** Tool Shed

Note: I understand and agree that no work on this request shall commence until written approval of the ARB has been received by me. I represent and warrant that the requested changes strictly conform to the Design Guidelines.

Review and approval of any modification is made on the basis of aesthetic considerations only and the ARB shall bear no responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements including without limitation Peachtree City or Fayette County erosion control ordinance, if applicable. (Article 9.9 Declaration of Covenants, Conditions and Restrictions for **The Chimneys Community Association, Inc.**) Neither the Association, the Board, the ARB, successors, assigns, agents, representatives or employees, shall be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modification to any home. I hereby release and covenant not to sue all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.

Owner's Signature Arinze Inya-Agha Date _____

For Architectural Review Board Use Only

Date Request Received: 5-10-2016 Date Request Reviewed: _____

Approved _____ Conditions X Rejected _____

Conditions or reasons for denial:

1. LATTICE UNDERPINNING MUST BE COLOR MATCHED TO SIDING OF STRUCTURE AND SIDING OF MAIN DWELLING. REASON IS TO DRAW LESS ATTENTION FROM ROAD
 2. LEFT ELEVATION MUST HAVE A FORMAL SCREENING PLAN TO REDUCE VISIBILITY FROM STREET. ADDITIONAL LANDSCAPE PLAN MUST BE SUBMITTED AND APPROVED. IT IS RECOMMENDED TO CHOOSE LARGE FAST GROWING, EVERGREEN SPECIMENS THAT ARE INITIALLY PLANTED IN THE 5'x1' RANGE. THEY SHOULD BE PLACED ALONG THE FULL LEFT SIDE EVEN WITH THE FRONT OF STRUCTURE TO THE REAR. IF YOU NEED SUGGESTIONS ON TYPES OF PLANTS, LET US KNOW.
 3. AS SUBMITTED, PLEASE ENSURE THAT ALL PAINT (SHUTTERS, SIDING, TRIM, DOORS & FURN) IS EXACT COLOR MATCH TO MAIN DWELLING. THIS IS INCLUSIVE OF SHINGLE MATERIAL.
- Signatures:

ARB Chairperson

Michael May

Date 5-10-2016

ARB Committee
Member

MRB

Date 5-14-2016

ARB Committee
Member

Robt Z. Duff

Date 5-21-2016

Results of Committee Vote: X For the proposed change
_____ Against the proposed change
_____ Abstained

I TALKED TO ARINZE ON 5/14 ABOUT THE PROPOSED TOOL SHED. THE ACTUAL POSITION/LOCATION IS SET BACK FURTHER 11/12/01 THAN ILLUSTRATED (APPROX 50' FROM REAR FENCELINE). HE HAS ALREADY PLANTED SEVERAL TREES TO BLOCK (L) SIDE VIEW FROM THE ENTRANCE TO NEIGHBORHOOD. HE WILL PLANT MORE TREES ONCE IT IS CONSTRUCTED TO CONCEAL THE SHED ALMOST COMPLETELY.



Proposed Tool Shed construction

110 Lodge Trail

Table of Contents

- Site Plan
- Drawings
- Landscaping Plan
- Cost Estimate
- Schedule
- Materials

FILED & RECORDED
FAYETTE COUNTY, GA.

'00 SEP 7 PM 2 34

W.A. BALLARD, CLERK

BOOK 1536 PAGE 400

Record and return to:
Glover & Davis, P.A.
200 Westpark Drive, Suite 130
Peachtree City, GA 30269
00P09109, WRH

FAYETTE COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX 269.10
DATE 9-7-2000
W.A. Ballard
CLERK OF SUPERIOR COURT

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

In consideration of Ten and 00/100 (\$10.00) Dollars and other valuable consideration, the receipt whereof is hereby acknowledged, **Centex Homes, a Nevada General Partnership having Centex Real Estate Corporation as its managing general partner**, does hereby give, grant, sell, alien and convey unto **Arinze C. Inya-Agha and Wynne F. Inya-Agha**, as joint tenants with right of survivorship, of Fayette County, Georgia, their heirs and assigns, the following property, to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 7 of the 6th District of Fayette County, Georgia being Lot 2 of The Chimneys Subdivision as per plat recorded in Plat Book 31, Pages 81-84, Fayette County, Georgia Records reference to which plat is hereby made for a more complete and accurate description of the metes and bounds of said Lot 2.

This conveyance is made subject to any restrictions of record, together with all privileges and appurtenances thereto in anywise belonging in fee simple.

And the said vendor(s) will, and its heirs, executors, administrators and assigns shall, the said property to the said vendee(s), their heirs, executors, administrators, and assigns, forever warrant and defend against the lawful demands of all persons claiming by through or under Grantor.

IN WITNESS WHEREOF, The said partnership through its duly appointed officer has hereunto set its hand(s), affixed its seal(s) and delivered these presents this 29th day of August, 2000.

Signed, sealed and delivered
in the presence of:

Centex Homes, a Nevada General Partnership
by: Centex Real Estate Corporation
its managing general partner

Sandy Sheppard
Witness

By: [Signature] (SEAL)
Sara A. Hendrickson, Division Controller

Marie B. Chandler
Notary Public
My Commission Expires:
(SEAL)



PETITION NO. A-728-20
Linda R. & Laurence P. Lake
383 Adams Road
Fayetteville, GA 30214
Public Hearing Date June 22, 2020

The subject property is located at 383 Adams Road, Fayetteville, GA 30214 and is zoned R-70. The applicant is requesting a Variance as follows:

- Variance to Sec. 110-79 Residential accessory structures and uses, (e) Residential accessory structures located in a front yard, to allow a guesthouse to be constructed in the front yard.
- Variance to Sec. 110-70 Residential accessory structures and uses, (c) Number and size, (1) (a), to increase the amount of residential accessory structures per individual lot from two (2) to three (3).

Yard, front, means the area between the property line adjacent to a street and the front building line, extending the full width of the lot.

History: Tax Assessor's records indicate that the house was built in 1980 and the applicant purchased the property in 1987.

As part of the building permit process, a plat/site plan is required. Through the site plan staff discovered the violation. The site plan given shows the proposed accessory structure located in the front yard and the increase in the amount of residential accessory structures per individual lot from two (2) to three (3).

DEPARTMENTAL COMMENTS

ENGINEERING: No Engineering comments on variance requests.

ENVIRONMENTAL HEALTH: Department has no issues with proposed variance.

ENVIRONMENTAL MANAGEMENT: No comment.

FIRE MARSHAL: Approved.

WATER SYSTEM: No comment at this time.

The applicant provides the following information:

VARIANCE SUMMARY

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

We are asking for permission to build a guest house on our property on the acreage in the front field for our quadriplegic son. He is selling his home and we would like to have him nearer to help in his caregiving. There is no room on the side of our so we ask to utilize the front of our property for this 700 square foot heated space for him. He will also need a well and septic tank separate than ours.

JUSTIFICATION OF REQUEST

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

Our single family home sits back on our property and there is no room for a guest house to be built next to the home on either side.

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

The additions of the guesthouse allowed of 700 square feet heated space will not fit in the back of the property.

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

We do not have enough land to clear on / next to / or behind house to fit an additional 700 square foot structure.

- 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,**

We have a fence all around the 4.195 acres of our property. Nothing would impair our neighbor's on either side.

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

The quest house request is for our quadriplegic son (40 year old) to live on our property having privacy but close to use to allow us to continue to be his caregiver. We request the location of the guesthouse be located at the front of our property where there is adequate land.

A-728-20

Adams Park Drive

**SUBJECT
PROPERTY**

Adams Road



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Linda R. Lake and Laurence P. Lake

MAILING ADDRESS: 383 Adams Road, Fayetteville, GA 30214

PHONE: cell 404-431-1677 E-MAIL: LLLake4@gmail.com

AGENT FOR OWNERS: N/A

MAILING ADDRESS: —

PHONE: — E-MAIL: —

PROPERTY LOCATION: LAND LOT 54 LAND DISTRICT 7th PARCEL 0711050

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 4.195

ZONING DISTRICT: R-70

ZONING OF SURROUNDING PROPERTIES: land and homes

PRESENT USE OF SUBJECT PROPERTY: single family home

PROPOSED USE OF SUBJECT PROPERTY: Single family home, with guest house

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-728-20

[] 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: 6/22/2020

Received from _____ a check in the amount of \$ _____

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

Date Paid: _____ Receipt Number: _____

VARIANCE INFORMATION

A-728-20

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

Ordinance/Section	Requirement	Proposed	Variance Amount
R-70 Sec 110-79(e)			

VARIANCE SUMMARY

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

We are asking for permission to build a guest house on our property on the acreage in the front field for our quadriplegic son. He is selling his home and we would like to have him nearer to help in his caregiving. There is no room on the side of our home so we ask to utilize the front of our property for this 700 sqft heated space for him. He will also need a well and septic tank separate than ours. Please see questions # 1-5 attached request.

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.

Our single family home sits back on our property and there is no room for a guest house to be built next to the home on either side.

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

The addition of the guest house allowed of 700 sq ft heated space will not fit in the back of the property

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

We do not have enough land to clear on/next to/or behind house to fit an additional 700 sq ft. structure

A-728-20

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.

We have a fence all around the 4.195 acres of our property. Nothing would impair our neighbors on either side.

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

The quest house request is for our Quadriplegic son (40 yrs old) to live on our property having privacy but close to us to allow us to continue to be his caregiver. We request the location of the quest house be located at the front of our property where there is adequate land.

A-728-20

May 13, 2020

From: Larry & Linda Lake
383 Adams Road
Fayetteville, GA 30214

To: Fayette County Planning and Zoning Dept
140 Stonewall Ave West, Suite 202
Fayetteville, GA 30214

Submitted by email – Hjohnson@FayetteCountyGA.gov

Re: 383 Adams Road; Fayetteville, GA 30214

Please see the attached Variance Application form which reflects what my husband and I would like to do on our property on behalf of our son.

I have been speaking with Mr. Howard Johnson and understand one of the documents required is a copy of the current deed on our property. You will note the Property Owners listed on the Variance application are Linda R. Lake and Laurence P. Lake. When we bought our property in 1987 the deed was recorded in Book 464 page 11 showing my husband Laurence P. Lake (Larry) as owner. In 1988 my husband put our home in my name in Book 497 page 37 where it has been until this year. I completed a Quit Claim Deed, and took it to the Courthouse where a police agent took it to the Clerk of Court's Real Estate Division, in which I named both myself and my husband as Property Owners (Linda R. Lake & Laurence P. Lake). However, because of COVID 19 it has not been recorded yet, the Clerk of Court Real Estate Division told me today it is "pending" and should be up online soon.

As you can see from our property records, we have a barn which was measured at 800 sq ft located at the back of our house. You will also see our property sits far back off the road, so the front field is the only available space to put an accessory building which we would ask to be considered as a guest home. Since our septic and well are located at the side and back of the property we would have a separate well and septic for the guest home.

I will put a check in the mail for the \$195 for the Application Filing Fee.

Sincerely,

Linda R. Lake



May 27, 2020

TO: Planning & Zoning Dept

FROM: Linda and Larry Lake; 383 Adams Road; Fayetteville, GA 30214

RE: Variance Summary additional space to application

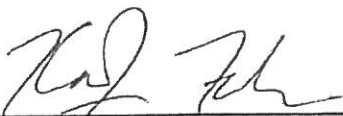
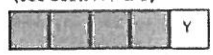
On the Variance we completed on the application only reflected the barn structure at the back of our house. The other structure is a 121 sq. ft Gazebo which is on the North side of our house. There is also the new septic tank and drain field underground near the Gazebo shown on the Dept of Health's map drawing.

We are asking permission to have 3 accessory structures on our property, which exceeds the maximum number of 2 accessory structures allowed per Fayette County. We are also asking permission to place the proposed structure in our field because there is not enough room next to our house.

Thank you for your consideration.

Linda & Larry Lake

A-728-20
 Dept G Copy

GEORGIA DEPARTMENT OF PUBLIC HEALTH ON-SITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT					CONSTRUCTION PERMIT NUMBER OSC05601429		
COUNTY	COUNTY CODE	HEALTH DISTRICT	MONTH	DAY	YEAR		
Fayette	056	4	04	01	2015		
SUBDIVISION:		LOT:	PROPERTY OWNER: Linda Lake				
PROPERTY LOCATION / ADDRESS: 383 ADAMS RD FAYETTEVILLE, GA 30214			SEWAGE CONTRACTOR: Randy Milam				
			CONTRACTOR LICENSE: 11602				
ALL ITEMS: (BLANK) = Not Applicable (0) = Unknown *ITEMS (1) = Yes (2) = No							
Section A - General		Section B - Primary / Pretreatment			Section C - Secondary Treatment		
1. WATER SUPPLY: (1) Public (2) Private (3) Community		1. DISPOSAL METHOD: (1) Septic Tank (2) Privy (3) Aerobic Unit (4) Other:			1. ABSORPTION FIELD DESIGN (1) Level (2) Serial (3) Drip (4) Bed (5) Distribution box (6) Mound (7) Other:		
2. ** TYPE OF STRUCTURE: (see below)		2. SEPTIC TANK: a. Capacity (gals):			2. ABSORPTION FIELD:		
3. STRUCTURE AGE: (1) New (2) <1 year (3) >1 year		b. Material: (1) Concrete (2) Polyethylene (3) Fiberglass (4) Poured (5) Other:			a. Total square feet:		
4. SEWAGE SYSTEM: (1) New (2) Repair (3) Addition		c. Distance from (feet): (1) Well: (2) Building: (3) Lake/Stream: (4) Nearest property line:			b. Total linear feet:		
5. AGE OF SYSTEM (repairs): (1) <1 (2) 1-5 (3) 6-10 (4) 11-20 (5) 21-30 (6) 31-40 (7) >40		3. FILTER MANUFACTURER/MODEL: No Filter Required / None			c. Number of trenches:		
6. * IN SUBDIVISION?:		4. AEROBIC UNIT: a. Treatment capacity:			d. Length trenches (feet):		
7. WATER USAGE BY: (1) Bedroom Numbers (2) Gallons per day		b. Manufacturer/Model:			e. Distance between trenches (feet):		
8. NO. OF BEDROOMS/ GALLONS PER DAY:		5. DOSING TANK CAP. (gals):			f. Depth of trenches (range in inches):		
9. LOT SIZE :		6. GREASE TRAP CAP.(gals):			g. * Aggregate proper size:		
10. PERCOLATION RATE/ LOADING RATE:					h. * Aggregate proper depth:		
11. SOIL CLASSIFIER:					i. Distance from (feet):		
12. SOIL SERIES:					(1) Well:		
					(2) Building:		
					(3) Lake/Stream:		
					(4) Nearest property line:		
					j. Nearest property line: Left		
					k. Product used:		
					3. ABSORPTION LINE: EZflow 1303T		
** TYPE OF FACILITY (1) Single-Family Residence (2) Multi-Family Residence (3) Commercial <2000 (4) Commercial >2000 (5) Restaurant (6) Mobile Home Park (7) Other (specify)		See Attached Drawing					
REMARKS: See Addendum							
Drawing not to scale							
Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by representatives of the County Board of Health shall not be construed as a guarantee that such systems will function satisfactorily for a given period of time; furthermore, said representatives do not, by any action taken in affecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system.		ENVIRONMENTALIST Katonjua Franklin 		TITLE Environmental Health Specialist I		*SYSTEM APPROVED: (see Sect. A 7 & 8) 	

A-728-20

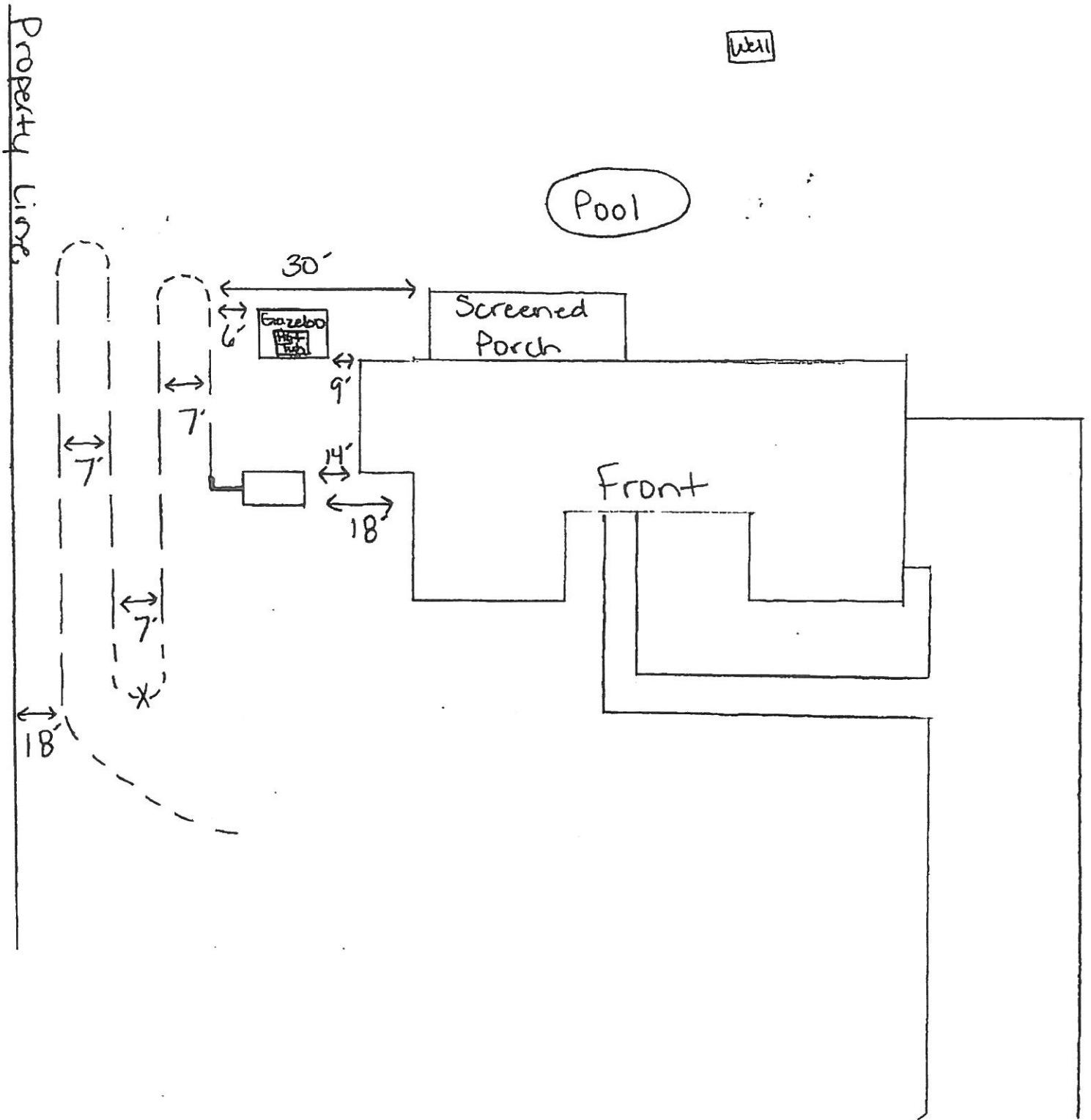
County: Fayette

Permit Number: OSC05601429

Property Address: 383 ADAMS RD FAYETTEVILLE, GA 30214

Property Owner: Linda Lake

Remarks: System checked with level and rod. Inlet and outlet tees were in good condition and did not need to be replaced. Existing tank does not require filter.



A-728-20

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:

Linda R. Lake and Laurence P. Lake

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0711 050

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the R-70 District, and (if applicable to more than one land district) Land Lot(s) 54 of the 7th District, and said property consists of a total of 4.195 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A 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.

Linda R. Lake

Signature of Property Owner 1

383 Adams Rd, Fayetteville, GA 30214

Address

Laurence P. Lake

Signature of Property Owner 2

383 Adams Rd, Fayetteville, GA 30214

Address

N/A

Signature of Authorized Agent

Address

Melinda Lennon

Signature of Notary Public

11 May 2020

Date

Melinda Lennon

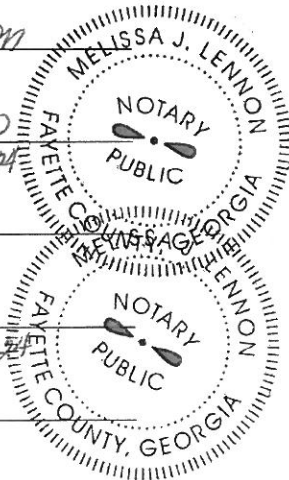
Signature of Notary Public

11 May 2020

Date

Signature of Notary Public

Date



SECTION A – SELLER'S INFORMATION (Do not use agent's information)				SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME Lake	FIRST NAME Linda	MIDDLE R	Exempt Code If no exempt code enter NONE	Agent to Principle / Nominee to Principle	
MAILING ADDRESS (STREET & NUMBER) 383 Adams Road			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$0.00	
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Fayetteville, GA 30214 USA		DATE OF SALE 5/8/2020	1A. Estimated fair market value of Real and Personal property	\$332,469.00	
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only	\$0.00	
BUYER'S LAST NAME Lake	FIRST NAME Linda	MIDDLE R	3. Amount of liens and encumbrances not removed by transfer	\$0.00	
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 383 Adams Road			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00	
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Fayetteville, GA 30214 USA		Check Buyers Intended Use (X) Residential () Commercial () Agricultural () Industrial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00	
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A) 383		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION Adams Road			SUITE NUMBER
COUNTY FAYETTE		CITY (IF APPLICABLE) Fayetteville	MAP & PARCEL NUMBER 0711 050		ACCOUNT NUMBER
TAX DISTRICT 07	GMD	LAND DISTRICT United Sta	ACRES 4.195	LAND LOT United States	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK		DEED PAGE	PLAT BOOK	PLAT PAGE

ADDITIONAL BUYERS

Lake, Laurence P

STATE OF GEORGIA

COUNTY OF FAYETTE

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)
)
SS.

The foregoing Quit Claim Deed was acknowledged before me on 5/8/2020 by Mrs. Linda R. Lake, who is personally known to me or who has produced a valid driver's license and/or passport as identification, and such individual(s) having executed aforementioned instrument of his/her/their free and voluntary act and deed.

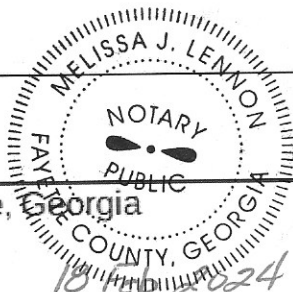
IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

Signed, sealed and delivered in the presence of:

Melissa J. Lennon
(Signature of Notary)

Melissa J. Lennon

(Printed Notary Name) Fayette, Georgia



My Commission expires: 18 Feb 2024