

**BOARD OF APPEALS**

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

**STAFF**

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

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**AGENDA OF ACTIONS**  
**Fayette County Zoning Board of Appeals**  
**Fayette County Administrative Complex**  
**Public Meeting Room**  
**May 24, 2021**  
**7:00 P.M.**

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1. Consideration of the Minutes of the Meeting held on April 26, 2021.

*Tom Waller made a motion to table the minutes of the meeting held on April 26, 2021. Marsha Hopkins seconded the motion. The motion passed 4-0.*

**PUBLIC HEARING**

2. Petition No. A-753-21, Angela Culver, Owner, requests the following: Variance to Sec. 110-125. A-R, (d) (4) (b), to reduce the front yard setback (Old Greenville Road) from 75 feet to 25 feet to allow a barn to remain. The subject property is located in Land Lot 135 of the 4<sup>th</sup> District and fronts on Brooks Woolsey Road and Old Greenville Road.

*John Tate made a motion to recommend approval of Petition A-753-21 to reduce the front yard setback (Old Greenville Road) from 75 feet to 25 feet to allow an existing barn to remain. Marsha Hopkins seconded the motion. The motion passed 5-0.*

3. Petition No. A-758-21, Jimmy & Gloria Smith, Owners, and Cymona West, Agent, request the following: Variance to Section 110-133. R-70, (d) (6), to reduce the side yard setback from 20 feet (per the final plat) to 5 feet for an existing garage that is under construction. The subject property is located in Land Lot 192 of the 5th District and fronts on Camelot Drive.

*Bill Beckwith made a motion to deny Petition No. A-758-21 to reduce the side yard setback from 20 feet to 5 feet for an existing garage under construction. Tom Waller seconded the motion. The motion passed 5-0.*

*Bill Beckwith made a motion to extend the amount of time to correct the encroachment from 30 days to 60 days. John Tate seconded the motion. The motion passed 5-0.*

4. Petition No. A-759-21, Harold & Helena DeRienzo, Owners, request the following:

- 1) Variance to Section 110-136. R-45 (d) (4) (2), to reduce the front yard setback from (the existing plat) 80 feet (Banks Road) to 12 feet to allow an existing shed to remain.
- 2) Variance to Section 110-136. R-45 (d) (4) (2), to reduce the front yard setback from (the existing plat) from 80 feet (Banks Road) to 44 feet to allow an existing playground to remain.

The subject property is located in Land Lot 151 of the 5<sup>th</sup> District and fronts on Sugarland Trail, Banks Road, and Highway 54 East.

***Marsha Hopkins made a motion to recommend approval of Variance #1 of Petition A-759-21 to reduce the front yard setback from 80 feet (Banks Road) to 12 feet to allow an existing shed to remain. Tom Waller seconded the motion. The motion passed 5-0.***

***Tom Waller made a motion to recommend approval of Variance #2 of Petition A-759-21 to reduce the front yard setback from 80 feet (Banks Road) to 44 feet to allow an existing playground to remain. John Tate seconded the motion. The motion passed 5-0.***

5. Petition No. A-760-21, Cole & Kristen Crowe, Owners, and Randy Crowe, Crowe & Jones Realty, Agent, request the following:

- 1) Variance to Section 110-125. A-R (d) (6), to reduce the side yard setback from 50 feet to 34 feet to allow a wooden storage shed to remain.
- 2) Variance to Section 110-125. A-R (d) (6), to reduce the side yard setback from 50 feet to 9 feet to allow a concrete block building to remain.
- 3) Variance to Section 110-125. A-R (d) (6), to reduce the side yard setback from 50 feet to 12 feet to allow a concrete pad to remain.

The subject property is located in Land Lot 6 of the 5<sup>th</sup> District and fronts on Mask Road.

***John Tate made a motion to approve Variance #1 of Petition A-760-21 to reduce the side yard setback from 50 feet to 34 feet to allow a wooden storage shed to remain. Tom Waller seconded the motion. The motion passed 5-0.***

***Marsha Hopkins made a motion to approve Variance #2 of Petition A-760-21 to reduce the side yard setback from 50 feet to 9 feet to allow a concrete block build to remain. Bill Beckwith seconded the motion. The motion passed 5-0.***

***Bill Beckwith made a motion to approve Variance #3 of Petition A-760-21 to reduce the side yard setback from 50 feet to 12 feet to allow a concrete pad to remain. Therol Brown seconded the motion. The motion failed 3-2.***

***Marsha Hopkins made a motion to extend the amount of time to demolish the concrete pad from 30 days to 60 days. John Tate seconded the motion. The motion passed 4-1.***

6. Petition No. A-761-21, Denise Burke, Owner, and Brad Craven, Agent, request the following:
  1. Variance to Sec. 125-79. A-R, (d) (4) (a) (1), to reduce the front yard setback from 100 feet to 49 feet to allow for the construction of a primary residence.
  2. Variance to Sec. 125-79. A-R, (d) (5), to reduce the rear yard setback from 75 feet to 22 feet to allow for the construction of a primary residence.

The subject property is located in Land Lot 7 of the 6<sup>th</sup> District and fronts on Highway 74 South.

***Marsha Hopkins made a motion to recommend approval of Variance #1) of Petition A-761-21 to reduce the front yard setback from 100 feet to 49 feet to allow for the construction of a primary residence. Tom Waller seconded the motion. The motion passed 5-0.***

***Marsha Hopkins made a motion to recommend approval of Variance #2) of Petition A-761-21 to reduce the rear yard setback from 75 feet to 22 feet to allow for the construction of a primary residence. John Tate seconded the motion. The motion passed 5-0.***

7. Petition No. A-762-21, Philip N. Foster, Owner, requests the following: Variance to Section 110-79. Residential accessory structures and their uses, (e) Residential accessory structures located in a front yard, to allow an existing shed to remain. The subject property is located in Land Lot 55 of the 5<sup>th</sup> District and fronts Hilo Road.

***Tom Waller made a motion to recommend approval of Petition A-762-21 to allow a residential accessory structures located in a front yard, to remain. John Tate seconded the motion. The motion passed 5-0.***