

**BOARD OF APPEALS**

Therol Brown, Chairman  
John Tate, Vice-Chairman  
Tom Waller  
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**  
**July 26, 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 approve the minutes of the meeting held on April 26, 2021.  
Marsha Hopkins seconded the motion. The motion passed 4-0.*

2. Consideration of the Minutes of the Meeting held on June 28, 2021.

*John Tate made a motion to approve the minutes of the meeting held on June 28, 2021.  
Tom Waller seconded the motion. The motion passed 4-0.*

**PUBLIC HEARING**

3. Petition No. A-766-21, Everett O. Collins, requests the following: Variance to Sec. 110-125 A-R, (d) (6) to reduce the side yard setback from 50 feet to 22 feet to allow an existing shed to remain. The subject property is located in Land Lot 220 of the 4<sup>th</sup> District and fronts on Goza Road.

*Marsha Hopkins made a motion to approve Petition No. A-766-21 to reduce the side yard setback from 50 feet to 22 feet to allow an existing shed to remain. John Tate seconded the motion. The motion passed 4-0.*

4. Petition No. A-767-21, Jerry & Melissa Battle, request the following:

- 1) Variance to Sec. 110-137. R-40, (d) (6) to reduce the side yard setback from 25 feet (per the final plat) to 7 feet to allow and existing carport to remain.

*Marsha Hopkins made a motion to approve Variance #1 of Petition No. A-767-21 to reduce the side yard setback from 25 feet to 7 feet to allow an existing carport to remain. John Tate seconded the motion. The motion passed 4-0.*

- 2) Variance to Sec. 110-137. R-40, (d) (6) to reduce the side yard setback from 25 feet (per the final plat) to 8 feet to allow an existing therapy room to remain.

*Marsha Hopkins made a motion to approve Variance #2 of Petition No. A-767-21 to reduce the side yard setback from 25 feet to 8 feet to allow an existing therapy room to remain. John Tate seconded the motion. The motion passed 4-0.*

- 3) Variance to Sec. 110-79. Residential accessory structures and their uses. (c) Number and size, to (1)(a), increase the amount of residential accessory structures per individual lot from 2 to 3.

***Marsha Hopkins made a motion to approve Variance #3 of Petition No. A-767-21 to increase the amount of residential accessory structures per individual lot from 2 to 3. Tom Waller seconded the motion. The motion passed 4-0.***

The subject property is located in Land Lot 41 of the 5<sup>th</sup> District and fronts on Merrydale Drive and Hilo Road.

5. Petition No. A-768-21, Michael S. & Keleigh P. Paino, Owners, and Randy M. Boyd, RLS, Agent, request the following:
  - 1) Variance to Sec. 110-173. (1) General State Route Overlay (c) (2) to reduce front yard setback from 100 feet to 50 feet.
  - 2) Variance to Sec. 110-173. (1) General State Overlay (f) (1) to reduce street frontage landscaping requirements from 50 feet to 20 feet.
  - 3) Variance to Sec. 110-143. (d) Community Commercial (d) (3) (a) (1) to reduce the front yard setback from 75 feet to 50 feet.

The subject property is located in Land Lot 137 of the 5<sup>th</sup> District and fronts on Highway 54 East and Callaway Road.

***John Tate made a motion to table Petition No. A-768-21 per the petitioner's request until the August 30, 2021 meeting. Marsha Hopkins seconded the motion. The motion passed 4-0.***

6. Petition No. A-769-21, PJMC Properties LLC, Owner, and William P. Gilbert, Agent, request the following:
  - 1) Variance to Sec. 110-138. R-20 (d) (4) (b), to reduce the front yard setback from 40 feet to 27 feet to allow a primary residence to remain.

***John Tate made a motion to approve Variance #1 of Petition No. A-769-21 to reduce the front yard setback from 40 feet to 27 feet to allow a primary residence to remain. Marsha Hopkins seconded the motion. The motion passed 4-0.***

- 2) Variance to Sec. 110-138. R-20 (d) (4) (b), to reduce the front yard setback from 40 feet to 30 feet to allow a pool to remain.

***John Tate made a motion to approve Variance #2 of Petition No. A-769-21 to reduce the front yard setback from 40 feet to 30 feet to allow a pool to remain. Marsha Hopkins seconded the motion. The motion passed 4-0.***

7. Petition No. A-770-21, Bobby Joe Davis & Abigail Hunter Davis, Owners, request the following:
  - 1) Variance to Sec. 110-125 A-R. (d) (6), to reduce the side yard setback from 50 feet to 27 feet to allow an existing barn / apartment to remain.

***Note: after further review, staff has determined this variance is not needed.***

- 2) Variance to Sec. 110-125 A-R. (d) (6), to reduce the side yard setback from 50 feet to 37 feet to allow a storage building to remain.

***Marsha Hopkins made a motion to approve Variance #2 of Petition No. A-770-21 to reduce the side yard setback from 50 feet to 27 feet to allow an existing storage building to remain. John Tate seconded the motion. The motion passed 4-0.***