

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on April 25, 2022, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Tate, Chairman
Marsha Hopkins, Vice Chairwoman
Anita Davis
Bill Beckwith

MEMBERS ABSENT: Tom Waller

STAFF PRESENT: Chanelle Blaine, Zoning Administrator
Chelsie Boynton, Planning & Zoning Coordinator

1. Consideration of the Minutes of the Meeting held on March 28, 2022.

John Tate made a motion to approve the minutes of the meeting held on March 28, 2022. Anita Davis seconded the motion. The motion passed 4-0. Tom Waller was absent.

2. Election of the Secretary.

John Tate made a motion to approve the appointment of Chelsie Boynton as Zoning Board of Appeals Secretary. Anita Davis seconded the motion. The motion passed 4-0. Tom Waller was absent.

PUBLIC HEARING

3. **Petition No. A-792-22, Richard D. & Carole J. Lowell, Owner, request the following: Variance to Sec. 110-79. (c) (1) (a) Number and size, to allow for the number of permitted residential accessory structures on the lot be increased from two (2) to three (3). The subject property is located in Land Lot 226 of the 4th District and fronts on Busbin Road.**

Richard Lowell introduced himself and said I lived at 326 Busbin Road with my wife Carole Lowell. He said, we've been there almost 40 years and we have five (5) acres. He stated I live on the front two (2) acres and the back half, I seldom go there. He added, I think that's true for many of the residents of Fayette County that have additional property. He said, my daughter approached me about subdividing or dividing the property in half, and she'd be able to move on the back two (2) and a half acres. He said, I thought why not? I don't go back there so why not? He stated she sold what I call a transition house in Hampton and moved a portable trailer, 12 by 24, onto our property. He said it's full of households but it's temporary. He said I didn't realize that it was against code and that's basically why I'm here asking for a variance that will allow us to keep it on the property. He said, if you approve the variance, we're halfway there. He added, my daughter and her husband Greg will be going for their loan. He stated, once the loan has

started and is approved, they can start building, they can start the construction of the structure on there and they can move the trailer onto their property. He added, that's basically where we're at. He said, if you've had lunch down at the Broadway Diner, in the part where they call the party room, Greg is responsible for constructing that room. He stated, he's been involved over the years with many other homeowners' projects. He said, I'm just trying to say, they're stable where they're at and they're ready to go forward and get things done so hopefully we can have that done. He added, plus if I'm going to reduce two (2) and a half acres, maybe my taxes will go down a little bit. He said, with that I think I've covered it and if there are any questions, I'll be glad to answer it.

Marsha Hopkins said, I want to make sure that you're signed in. I don't think I remember that you're signed in. She asked, did you sign in on the sheet there?

Richard Lowell said no. He then signed in.

Chairman Tate asked the audience member (Mr. Lowell's son in law) if he wished to speak in support.

The audience member replied no.

Chairman Tate noted there are no other persons in the audience so there is no one in opposition. He said, Mr. Lowell unless you have some more comments, I will bring it back to our board for discussion.

Richard Lowell said no I think I've got it. He said it's temporary, it's a structure that can be moved easily but not when it's loaded. He said, it would give us that opportunity. He added, they are excited to be Fayette County residents and I know why, it's a great place to live. He concluded, with that I will let you all decide.

Chairman Tate said thank you.

Chanelle Blaine, said I did have someone send an email who was in favor of the petition. She said, I just wanted to read that into the record if you don't mind. She read, it is from Houston S. Rozell Jr., he says, I own 6.5 acres two (2) doors down from the subject property. She read, I have no objection to the storage buildings or their uses on their property, thank you for this consideration, Houston S. Rozell.

Chairman Tate said thank you. He asked if there were any questions.

Bill Beckwith said let me ask Mr. Lowell, no one lives in that trailer is that correct?

Richard Lowell replied no, it is just storage.

Bill Beckwith said it's storage only.

Richard Lowell said it's household items. It's a storage unit.

Bill Beckwith said ok. He stated I was going to go somewhere in a case where the trailer might be allowed for a certain period of time if someone was living in it temporary, but it's not so never mind.

Richard Lowell said I don't think we can put anybody in there.

Anita Davis asked could you please give me an approximation of how long? She asked for an approximation of how much longer the trailer is going to be on your property? She added, I recognize it's temporary but do you think temporary is six (6) months, a year? She added, just for understanding.

Richard Lowell said I don't know what the approval process takes. I'm not used to that but you need that to go forward. He said, once we get it, the property gets divided, the survey is completed and ready.

Chanelle Blaine said it is ready, they're just waiting on signatures. She said as soon as they get everyone's signatures, they can go and record it.

Anita Davis said thank you.

Richard Lowell said the bottom line is once they get that they can go for their loan, and we're cautious about putting anything, a structure or anything out there. He said, getting a loan, the bank does not want to get involved when something is already sitting there, so we're very careful about that. He added, so the time to get the loan and get it going. He said and I think there's got to be a primary structure,

Chanelle Blaine said yes. She said as long as it's in conjunction with the primary structure, the building permit, they should be able to put it on their property.

Bill Beckwith said once again Mr. Lowell we have run into a situation where someone does something, they feel comfortable or confident that there's no problem until you request something from the County and they have to come out and look at the situation. He said it would have been an easy thing to have done what you did. He said they had to inspect and that's where a lot of these things come about. He added I know you didn't do anything that you think was wrong.

Bill Beckwith made a motion to approve Variance of Petition A-792-22. Number and size, to allow for the number of permitted residential accessory structures on the lot be increased from two (2) to three (3). John Tate seconded the motion. The motion was approved 4-0. Tom Waller was absent.

Chanelle Blaine asked is there a motion to adjourn?

Bill Beckwith made a motion to adjourn. Marsha Hopkins seconded the motion. The motion passed 4-0. Tom Waller was absent

The meeting adjourned at 7:25 pm.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY



JOHN TATE, CHAIRMAN



CHELSIE BOYNTON, ZBA SECRETARY