

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on May 23, 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
Tom Waller

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

1. Consideration of the Minutes of the Meeting held on April 25th, 2022.

John Tate made a motion to approve the minutes of the meeting held on April 25, 2022. Anita Davis seconded the motion. The motion passed 5-0.

PUBLIC HEARING

2. **Petition No. A-793-22, Stephen H. & Christine D. Kane, Owner, request the following: Variance to Section 110-136. R-45 (d) (5), to reduce the rear yard setback from (the existing plat) 30 feet to 28 feet to allow for construction of a residential accessory structure.**

Stephen Kane introduced himself and thanked the Zoning Board of Appeals. He stated that he wanted to put up a shed and did the research and found the setback variance. Before buying or ordering anything, he sought the advice and assistance of the Planning and Zoning office. Mr. Kane provided a packet and stated the packet should speak for itself and he would answer any questions the Zoning Board of Appeals has.

Chairman Tate asked if there is anyone in the audience who wishes to speak in support of the petition.

Ronney Scott introduced himself. He stated that he lived in the cul-de-sac directly across from this property and he had no objection to the two foot variance. He added that it will not be an eye sore. He does not see any reason it would be detrimental to the land or the neighborhood.

Chairman Tate asked if there was anyone else who wishes to speak in support of the petition. There were none. He then asked if there was anyone that would like to speak in opposition. There were none. Chairman Tate brought the discussion back to the Zoning Board of Appeals.

Bill Beckwith asked Mr. Kane to elaborate on the description of the shed.

Stephen Kane said it is a 16 foot by 16-foot lofted barn with storage at the top and a work bench at the bottom. He added there will not be any vehicles parked in it.

Bill Beckwith asked if it was a prefabricated building.

Mr. Kane said it is. He added it is being made by a company in Newnan and they are assembling the building before they bring it to the site.

Bill Beckwith said when he visited the property, Mr. Kane showed him that the building would be at the end of his driveway and would go back 16 feet. He added, having to put the shed there it turns out it encroaches the setback by two (2) feet. Bill Beckwith then asked, since it is a prefabricated building, is there any way to change the dimensions of it at all?

Stephen Kane said his garage is at the end of the driveway. He stated there is a backout or turnaround where he will place the shed. The turnaround is 16 feet wide. He added he wanted the shed to be 16 feet by 16 feet to meet the storage requirements. He stated he must move it in against the existing concrete turnaround and that still leads him two (2) feet into the setback. He added only the back corner of the building would be in the setback.

Anita Davis asked if it will be visible from the street.

Stephen Kane answered yes.

Bill Beckwith asked will the exterior match the house.

Stephen Kane answered yes.

Tom Waller asked if vehicles will be stored in the facility.

Stephen Kane answered no.

Chairman Tate said as he understands it, the structure must be placed on the west side because the septic tank line is on the east side.

Stephen Kane said that is correct, there are also no doors on the east side of the house. He would have to walk around the house to get to the east side.

Chairman Tate asked if there were any more questions or comments.

Bill Beckwith asked for clarification, only the back corner would be in the setback, not the entire backside.

Stephen Kane said that is correct.

Bill Beckwith made a motion to approve Variance of Petition A-793-22, to reduce the rear yard setback from (the existing plat) 30 feet to 28 feet to allow for construction of a residential accessory structure. Tom Waller seconded the motion. The motion was approved 5-0.

- 3. Petition No. A-794-22, Dana A. Bryant, Owner, request the following: Variance to Section 110-137. R-40 (d) (4) (b), to reduce the front yard setback from (the existing plat) 64 feet to 63 feet to allow for construction of a new single-family residence to continue.**

Dana Bryant introduced himself and thanked the Zoning Board of Appeals for their time. He stated he has a home in the Fairbrook neighborhood off Highway 314 and there is a section in the front of the home that encroached on the front setback. He added he was made aware of it after the concrete was poured and framing was in place. He then contacted the Planning and Zoning Department where he was advised on the process of petitioning for a variance. Mr. Bryant then provided a foundation location plan that showed the exact location of the house. He stated he would appreciate the granting of the relief. He added, it is a great community and a beautiful neighborhood.

Chairman Tate asked if there was anyone to speak in support of the petition.

John Knight introduced himself and stated he worked with Dana. He thanked the Zoning Board of Appeals for hearing them and stated he is in support of the petition.

Chairman Tate stated there is no one in the audience so there is no one in opposition. He then brought the discussion back to the Zoning Board of Appeals.

Anita Davis asked Mr. Bryant if he was the homeowner or the builder.

Dana Bryant replied he works for the builder.

Anita Davis asked how Mr. Bryant become aware of the variance. She asked if he found out through his own measurements or was this the result of an inspection.

Dana Bryant stated after the concrete is placed, Department of Building Safety requires a foundation survey. The surveyor then made them aware of the variance and they immediately halted.

Anita Davis asked if it is correct that no work has been done on the home since mid-April.

Dana Bryant replied yes that is correct, except erosion control measures.

Chairman Tate asked what stage the home is in now.

Dana Bryant said it is framed, it has windows, it has the interior mechanicals such as plumbing, electrical, heating, and air.

Chairman Tate said he did not have any further questions or comments.

John Tate made a motion to approve Variance of Petition A-794-22. To reduce the front yard setback from (the existing plat) 64 feet to 63 feet to allow for construction of a new single-family residence to continue. Marsha Hopkins seconded the motion. The motion was approved 5-0.

Chairman Tate asked is there a motion to adjourn?

Tom Waller made a motion to adjourn. Anita Davis seconded the motion. The motion passed 5-0.

The meeting adjourned at 7:27 pm.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY



JOHN TATE, CHAIRMAN



CHELSIE BOYNTON, ZBA SECRETARY