

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on August 22nd, 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: Deborah Bell, Planning & Zoning Director
Chelsie Boynton, Planning & Zoning Coordinator

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

*Bill Beckwith made a motion to approve the minutes of the meeting held on July 25th, 2022.
Tom Waller seconded the motion. The motion passed 5-0.*

PUBLIC HEARING

2. Petition No. A-798-22, Apremier Properties Group, LLC, Owner, and Darrell Baker Agent, request the following:

- 1. Variance to Sec. 110-170. Nonconformances, (I) Nonconforming structures. Request enlargement of a nonconforming structure: enlarge an existing fuel canopy structure from 960 square feet to 1,728 square feet and add an additional diesel fuel dispenser.**
- 2. Variance to Sec. 110-173. Transportation Corridor Overlay Zone, (2) S.R. 54 West (c) (2), to reduce the front yard setbacks from 100 feet to 37 feet for the gasoline canopy**
- 3. Variance to Sec. 110-144. C-H (d) (3) (a) (1), to reduce the front yard setback from 75 feet to 37 feet off SR 54 West for the gasoline canopy.**
- 4. Variance to Sec. 110-144. C-H (d) (3) (a) (1), to reduce the front yard setback from 75 feet to 28 feet off Tyrone Road for the gasoline canopy.**

Chairman Tate asked if the petitioner was present.

Darrell Baker stated this gas station is at the intersection of Highway 54 and Tyrone Road, right across from Adams Farm. He stated the site is already a nonconforming site and has become nonconforming over numerous code changes through the years. He stated that they are asking for a variance to change out the existing canopy for a

larger canopy structure, adding an additional pump that would allow diesel on the site. He stated the existing canopy doesn't sit within the existing setback. He stated the owner bought the land with the intentions to improve the site. The owner attempted to buy land adjacent to the site, to bring the site into conformity but the adjacent owner would not agree to sell for that use. He stated that the land out there is becoming the new data center so many owners out there are holding their land close. He stated the goal of the client is to improve the building. He stated the owner began doing improvements without getting permits and was shut down so they called Mr. Baker and asked him to get involved. He stated that the owner is asking for a variance for a larger canopy and will redo the building that sits there now. He stated there are initial elevations in the packet provided to the Zoning Board of Appeal members. He stated those do not align with the corridor overlay. He added he will have the architect conform those to the overlay. He stated it would be an opportunity for the County to get the building completely reworked.

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

Chairman Tate stated there is currently an inspection port located next to the building. He asked if the canopy is approved will there be enough room for the port or will it need to be moved.

Mr. Baker stated it does not require a move. The site plan shows that the port is completely out of the way of the new canopy. He stated he would be happy to work with staff if it needs to be relocated but the engineer has displayed that it won't be impacted.

Chairman Tate asked what the distance from the fuel pumps to the building will be, once the vehicles are parked.

Mr. Baker referred to the site plan and stated the existing pump is parallel to Tyrone Road. He stated the front of this pump sits on the front edge. He stated the new pump is the middle pump and it looks about the same distance. The third pump, because it's turned differently, appears to be further into the drive lanes. He stated the drive lanes still appear to have maximum movement. He stated drivers will still be able to go two different directions. He stated the reason they turned the third pump was an attempt to get more queuing for the third pump. He stated the lot is pretty busy in the morning as there are normally vehicles at the pump, in front of the store, and there is spill out parking.

Anita Davis stated though the new canopy will be longer, it doesn't appear to be closer to the street. She asked if that was correct.

Mr. Baker stated the new canopy will be three (3) feet closer to the closest road. He stated on the other side it's roughly 8 ft closer to Highway 54.

Bill Beckwith asked if they will have to remediate the underground storage tank when the new one is put in.

Mr. Baker stated he has not been told that. There are no plans as of now.

Chairman Tate asked if there were any other comments or questions. There were none. He stated looking at the drawings, it appeared that this would be an improvement.

Debbie Bell stated she wanted to clarify that the enlargement, expansion, or extension of a legal nonconforming structure which serves to increase the nonconformance vertical or horizontal shall only be made with the authorization Zoning Board of Appeals. She stated the ordinance goes on to say that the expansion or reconstruction of nonconforming structures is typically only allowed when it is damaged by fire, flood, wind, or an act of God or if it is maintenance or repair. She added staff recommends with two conditions. One condition is related to vehicular circulation and that the applicant show the vehicular circulation will meet the standard, so it is safe. The second is that the approved parking spaces are all striped properly. She stated she also needs to add that prior to approving any construction, Environmental Health must receive a level 3 soil report to ensure sufficient area and soils suitable for replacement septic system are available.

Chairman Tate stated the motion will include the recommendations from staff and Environmental Health.

Mr. Baker stated he agrees with the conditions.

Bill Beckwith asked for clarification about not being able to approve construction of the nonconforming structure unless Zoning Board of Appeals approves it.

Debbie Bell confirmed and read Section 110-170 item l from the County Ordinance:

Nonconforming structures; nonconforming structures. Any legally existing structure, which fails to comply with the provisions herein, as of November 13, 1980, or as the result of subsequent amendments, or due to the acquisition of property for a public purpose, a rezoning prior to May 24, 2012, or a variance, shall be considered a legal nonconforming structure and shall be allowed to remain. The enlargement, expansion, or extension of a legal nonconforming structure which serves to increase the nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the zoning board of appeals. Where the zoning board of appeals is

required to determine whether a nonconforming structure may be enlarged, expanded, or extended, the provisions of a request for a variance (article IX of this chapter) shall be considered.

Chairman Tate asked if there were any other comments or questions. There were none.

John Tate made a motion to approve Petition No. A-798-22 Variance to Sec. 110-170 (a) Nonconforming structures to request enlargement of a nonconforming structure: enlarge an existing fuel canopy structure from 960 square feet to 1,728 square feet and add an additional diesel fuel dispenser with staff conditions. Marsha Hopkins seconded the motion. The motion passed 4-1.

Anita Davis made a motion to approve Petition No. A-798-22 Variance to Sec. 110-173 Transportation Corridor Overlay Zone, (2) S.R. 54 West (c) (2), to reduce the front yard setbacks from 100 feet to 37 feet for the gasoline canopy with staff conditions. Bill Beckwith seconded the motion. The motion passed 4-1.

Marsha Hopkins made a motion to approve Petition No. A-798-22 Variance to Sec. 110-144. C-H (d) (3) (a) (1), to reduce the front yard setback from 75 feet to 37 feet off SR 54 West for the gasoline canopy with staff conditions. Bill Beckwith seconded the motion. The motion passed 4-1.

Bill Beckwith made a motion to approve Petition No. A-798-22 Variance to Sec. 110-144. C-H (d) (3) (a) (1), to reduce the front yard setback from 75 feet to 28 feet off Tyrone Road for the gasoline canopy with staff conditions. John Tate seconded the motion. The motion passed 4-1.

The subject property is located in Land Lot 26 of the 7th District and fronts on GA. Highway 54 and Tyrone Road.

- Petition No. A-801-22, Christopher and April Szopa, Owners, request the following: Variance to Sec. 110-133. R-70, (d) (6) to reduce the side yard setback from 20 feet to 5 feet to allow an existing residential accessory structure to remain. The subject property is located in Land Lots 163 and 190 of the 5th District and fronts on Ginger Cake Road.**

Christopher Szopa stated he and his family moved to Fayetteville from Houston 15 months ago. He stated there are little regulations in Houston. He stated he unfortunately made the mistake of building a basketball court for his son in the backyard that encroaches the setback. He stated he has learned from this mistake and is currently trying to build a pool. He stated he has spent a lot of time on the phone with Steve Tafoya, Director of Building Safety. He stated he has spoke with his neighbor. He added he is requesting the variance since he made the mistake and is moving forward and working to not make that mistake again.

Chairman Tate asked if there was anyone to speak in favor. There were none. He asked if there was anyone to speak in opposition, there were none. He brought the discussion back to the Board.

Bill Beckwith stated they should note a letter and photographs was provided by the neighbor in support of the basketball court.

Anita Davis stated there is a wooden fence in the photos. She asked was that Mr. Szopa's fence or the neighbor's fence.

Mr. Szopa stated that it is the neighbor fence.

Chairman Tate asked for a motion.

Tom Waller made a motion to approve Petition No. A-801-22 Variance to Sec. 110-133. R-70, (d) (6) to reduce the side yard setback from 20 feet to 5 feet to allow an existing residential accessory structure to remain. Bill Beckwith seconded the motion. The motion passed 5-0.

- 4. Petition No. A-802-22, Shannon D. Williams, Owner, request the following: Variance to Sec. 110-125. A-R, (d) (6), to reduce the side yard setback from 50 feet to 16 feet to allow an existing residential accessory structure to remain. The subject property is located in Land Lot 222 of the 13th District and fronts on Westbridge Road.**

Shannon Williams stated he purchased his property in September of 2021. He stated the garage of the property has always been on the property as it was. He stated the previous owner sold part of the land to the horse ranch next door which decreased the property size. He stated the proper paperwork was not done and he is now requesting a variance for the garage which is now 16 feet instead of the required 50 feet.

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

Bill Beckwith asked Mr. Williams to repeat what he said about the previous owner.

Mr. Williams stated that the land he sits on is eight (8) acres of land. He stated one of the previous owners, he's not sure which one, sold part of that land to the horse ranch that sits next door. Doing this, decreased the size of his land and caused the garage to only be 16 feet from the property line instead of 50 feet.

Bill Beckwith asked if Mr. Williams thought the building was properly located previously.

Mr. Williams stated yes. He stated the garage was more than 50 feet at the time the picture, provided to the Zoning Board of Appeals, was taken in 2009. He stated sometime between 2009 and 2021, land was sold.

Bill Beckwith asked Debbie Bell if this information was in the staff report.

Debbie Bell stated she was not aware of that. She stated there are cases where people sell property by deed and don't record a plat and that can sometimes result in nonconformances.

Chairman Tate asked if there were anymore questions or comments. There were none. He stated he doesn't think the petitioner should be held responsible for the situation that currently exist.

Marsha Hopkins agreed that the petitioner inherited something that he had no control over.

Anita Davis made a motion to approve Petition No. A-802-22 Variance to Sec. 110-133. R-70, (d) (6) to reduce the side yard setback from 20 feet to 5 feet to allow an existing residential accessory structure to remain. Variance to Sec. 110-125. A-R, (d) (6), to reduce the side yard setback from 50 feet to 16 feet to allow an existing residential accessory structure to remain. Marsha Hopkins seconded the motion. The motion passed 5-0.

5. Petition No. A-803-22, Timothy and Doreen Callahan, Owners, request the following:

- 1. Variance to Sec. 110-79. Residential accessory structures and their uses, (e) To allow construction of a residential accessory structure located in a front yard.**
- 2. Variance to Sec. 110-133. R-70, (d) (5) to reduce the rear yard setback from 50 feet to 15 feet to allow an existing residential accessory structure to remain. The subject property is located in Land Lot 77 of the 7th District and fronts on Adams Road.**

Timothy Callahan stated the lake that he wants to construct the pavilion near is to the front of the house and sits 300 feet off of Adam's Road. He stated due to the topography, it's not visible to the road. He stated they bought the property in 2019 and have done quite a bit to improve the property and thinks this would be a nice addition. He added as they were going through the process for the pavilion, it came about the garage behind the house, is close to the rear property line. He stated the requirement is 50 feet and they are asking for the variance to keep the existing 15 feet. He stated he owns the property next door so it joins other property that he owns. He stated there is a letter of support in the packet from his neighbor.

Chairman Tate asked if there was anyone to speak in favor of the petition. There were none. He asked if there was anyone to speak in opposition there were none. He brought the discussion back to the Board.

Anita Davis stated the problem they've had before is if they allow an exception, then later down the road, the property is subdivided and now there will need to be a variance because the structure is sitting closer to the property line than it is now. She stated she imagines it

would be very attractive but she is concerned about the implications it may have down the road.

Mr. Callahan stated the pavilion is well within the setback. He stated it is not intruding of the setback. He stated the setback encroachment is in the rear.

Anita Davis stated she understands. She is only stating that it can have unintended consequences down the road.

Bill Beckwith asked if Mr. Callahan's other piece of property is toward the north.

Mr. Callahan stated yes. He added that the garage was there when he bought the house.

Debbie Bell stated there are staff recommendations from Environmental Management if approved.

Chairman Tate stated he sees the recommendations. He asked Mr. Callahan if the other house on the property was his.

Mr. Callahan stated yes.

Chairman Tate asked if Mr. Callahan owns the property on the immediate right side of the driveway.

Mr. Callahan stated no, that's the neighbor.

Chairman Tate asked if their property extends beyond the driveway.

Mr. Callahan stated no.

Chairman Tate stated he is struggling because the request for the pavilion does place it in the front yard. He stated it is noted the house is at the far end of the property. He stated he is also concerned if they approve something of this nature, placing the pavilion in the front yard, what would this lead to in future circumstances. He stated he is having a few problems finding a justifiable basis.

Marsha Hopkins stated she drives Adams Road in the morning. She stated that there is very large frontage area for this property and for many of the properties in this area. She stated while it may not be a justifiable basis, a lot of properties out there are horse farms or horse boarding facilities, and she didn't necessarily see a problem because there was so much space. She stated she thinks there are other properties that may have things that are closer to the front that the Board may not be aware of.

Mr. Callahan stated two of the horse barns have structures up front. He added that he has looked into subdividing and he would not be able to get frontage that would permit subdividing the property. He stated he has subdivided two (2) acres in the front and that's how he learned you have to have 100-foot frontage. He stated that would be impossible with this property.

Bill Beckwith stated they try to look at the variance request and see if there is any other place on the property where you can build what you want and not violate the Ordinance. He asked if he has considered any other place for the pavilion.

Mr. Callahan stated anywhere behind the house would not be suitable for soil conditions. He stated he'd like for the pavilion to be close to the lake. He stated the back garage is built where it's built because of the topography and soil condition. He stated there is a creek behind his lot that causes the soil to become sandy so you can't construct there. He stated the area picked out for the pavilion is picturesque and nice.

Bill Beckwith stated they do consider if there is a septic drain field and while he is sure it would be a nice structure, personal enjoyment is not one of the conditions for approval.

Mr. Callahan stated that he understood.

Chairman Tate asked if there were any other comments or questions from the Board. There were none. He noted the staff recommendations and stated if there were an approval it would need to be subjected to the recommendations. He added that he noticed if this lot were zoned Agriculture Residential the construction in the front yard would be allowed and stated he did not know why it would be allowed in one zoning and not the other. He asked staff for clarification.

Debbie Bell stated that's how the ordinance is written. She stated she thinks it's based off of the higher density zoning usually having smaller lot sizes. If you're in a conventional neighborhood, you probably don't want people to putting up any residential accessory structures in the front yard. She stated she's noticed on the north side of the County there is a blanket zoning of R-70 that happened some time ago.

Chairman Tate asked for a motion.

Bill Beckwith made a motion to deny Petition No. A-803-22 Variance to Sec. 110-79. Residential accessory structures and their uses, (e) To allow construction of a residential accessory structure located in a front yard. John Tate seconded the motion. The motion passed 4-1.

Bill Beckwith made a motion to approve Petition No. A-803-22 Variance to Sec. 110-133. R-70, (d) (5) to reduce the rear yard setback from 50 feet to 15 feet to allow an existing

residential accessory structure to remain. John Tate seconded the motion. The motion passed 5-0.

6. **Petition No. A-804-22, Effren and Melissa Bigham, Owners, request the following: Variance to Sec. 110-137. R-40, (d) (5) to reduce the rear yard setback from 30 feet to 1 foot to allow an existing residential accessory structure to remain. The subject property is located in Land Lot 127 of the 5th District and fronts on Nina Celeste Lane.**

Mr. Bigham stated he bought the house in 2015 and has been in Fayette since 1998. He stated it didn't have a detached garage so he went to obtain the permits from Department of Building Safety and worked with Mr. Scarborough. He stated he got everything in place and completed the garage. He stated there were pins in the back of the property, which they thought was the property line. He stated in November of 2021 he found out it wasn't and the left corner of the garage is one (1) foot from the property line. He stated when they built the garage, they got with Mr. Scarborough and brought in an engineer because the soil wasn't suitable to dig. He stated he brought the house in 2005, not 2015. In 2008, FEMA placed their home in a flood zone and he got with an engineer again to show that it was not in a flood zone. He stated he knows he made a mistake and thought he was doing everything correctly, so they are requesting a variance to keep the garage.

Chairman Tate asked if there was anyone to speak in support of the petition. There were none. He asked if there was anyone to speak in opposition. There were none. He brought the discussion back to the Board.

Marsha Hopkins stated she sees where the garage is located, and she sees it's in the drainage easement. She stated she's concerned the drainage is diverted in a way it's not intended to be.

Debbie Bell stated sometimes when developing a subdivision, a blanket drainage easement will be placed along the rear property lines. She stated there is not a pipe there, if there was a pipe that would also be shown. She stated she has not received any complaints about drainage concerns related to this.

Chairman Tate stated the petition states the garage was built in 2009 without a permit and then it was later permitted after a stop work order.

Mr. Bigham stated initially they had to redo their driveway, and they poured the pad for the garage. He stated once the pad was poured was when he got the building permit. He stated they did put up a stop work order when they saw they had poured the pad.

Chairman Tate asked if it could have been for the distance.

Mr. Bigham said no. At that particular time, they poured the pad and didn't have a foundation permit. He stated he did speak with Environmental about the drainage easement and it is a blanket easement. He stated everything flows downhill.

Bill Beckwith asked if he was in contact with Mr. Scarborough when the pad was poured.

Mr. Bigham said not before the pad. He stated he got an engineer to inspect and make recommendations. He added they got with Mr. Scarborough about the recommendations.

Bill Beckwith asked if anyone from the County approved the location.

Mr. Bigham stated he has a permit and the County stamp of approval.

Chairman Tate asked if he knew the property owner behind it.

Bill Beckwith stated it shows Bishop Banks owns the property across the creek and Fayette Shriners Club owns the property near the drainage easement.

Chairman Tate asked how far is the garage from the creek.

Mr. Bigham stated from the rear of the garage to the creek is probably 150 feet.

Bill Beckwith stated looking at the property line, it's probably more like 275 or 280 feet from the edge of the garage to the centerline of whitewater creek.

Chairman Tate said part of the question was due to whether or not it was infringing on someone else's property or whether or not there was anyone that made any comments.

Chairman Tate asked if there were any questions, comments, or a motion.

Bill Beckwith stated his concern is that Mr. Bigham did the construction and pouring of property with, in his eyes, County approval. He added, regarding the fact there may have been some mistakes made, he moved to approve.

Bill Beckwith made a motion to approve Petition No. A-804-22 Variance to Sec. 110-137. R-40, (d) (5) to reduce the rear yard setback from 30 feet to 1 foot to allow an existing residential accessory structure to remain. Anita Davis seconded the motion. The motion passed 5-0.

- Petition No. A-805-22, Morgan C and Celia G Kendrick Jr, Owners, and Bob Barnard, Barnard & Associates Remodeling, Inc, Agent, request the following: Variance to Sec. 110-125. A-R, (d) (6) to reduce the side yard setback from 50 feet to 38 feet to allow construction of a residential accessory structure. The subject property is located in Land Lot 3 of the 5th District and fronts on Harris Road.**

Bob Barnard stated he is representing the owners Celia and Morgan Kendrick. He stated it's a one acre lot with a home that was built in the 30s or 40s. He stated it has a well and a Georgia Power easement on the back side of the property. He stated the side setback only allows 50 feet and they need to be at 38 feet so they are requesting the variance.

Chairman Tate asked if there was anyone who wishes to speak in support of the petition. There were none. He asked if there was anyone to speak in opposition to the petition. There were none. He brought the discussion back to the Board.

Bill Beckwith stated he visited the property that day and there was a large barn.

Mr. Barnard stated that the barn was on the other property. He stated Mr. Kendrick owns all 80 acres and they sectioned it out 15 or 20 years ago.

Bill Beckwith asked if there were two (2) wells.

Mr. Barnard stated there is one well on that lot and it is directly behind where they're going to put the carport in. He added the other well is just over the property line to the left.

Bill Beckwith stated the layout the Board was provided, mentions a dimension of 12 feet. He stated it says 38 feet from the property line to the side of the structure. Then there's a 12 feet indication of something.

Mr. Barnard said it is probably the distance between the house and the carport.

Bill Beckwith asked if he moved the carport the 12 feet would he meet the setback.

Mr. Barnard stated he'd be sitting on top of the house. He stated Mr. Kendrick just wants to do a carport, he does not want to enclose it.

Chairman Tate said he noticed a powerline on the same drawing. He asked if there was an actual powerline that extends from the house that the structure would interfere with.

Mr. Barnard stated that is actually the Georgia Power easement that cuts diagonally. He stated it is a high guide wire type setup. He stated there are poles out there with big cables so they have to honor the Georgia Power easement.

Chairman Tate asked so he couldn't possibly move it any closer the side?

Mr. Barnard stated that is correct.

Bill Beckwith stated he thinks that powerline is the service line to the house.

Chairman Tate stated this is a situation where the construction of a structure does infringe upon the proper distance. He stated that because of these circumstances, especially with regard to Georgia Power, there would be no reasonable alternative.

John Tate made a motion to approve Petition No. A-805-22 Variance to Sec. 110-125. A-R, (d) (6) to reduce the side yard setback from 50 feet to 38 feet to allow construction of a residential accessory structure. Bill Beckwith seconded the motion. The motion passed 5-0.

8. **Petition No. A-806-22, Trogger Enterprises, Inc., Owners, and Michael Scanlon, Agent, request the following: Variance to Sec. 110-144. C-H. (d) (3) (a) (1) to reduce the front yard setback from 75 feet to 50 feet to allow for construction of an internal self-storage facility. The subject property is located in Land Lot 25 of the 7th District and fronts on Lester Road/West Fayetteville Bypass.**

James White presented a powerpoint on the development team at Scanlon Engineering Services. He stated Scanlon Engineering is providing the civil design and JKRP is the architect. He added Johnson Development is a privately held and family owned developer based out of South Carolina and focuses on three property types: self-storage, multi-family, and industrial. He stated they partner with best in class operators such as Life Storage and Extra Space to professionally manage and maintain properties. He stated the facility is down the road from Trilith Studios and Piedmont Healthcare.

Joey Scanlon of Scanlon Engineering Services stated they have done some surveying and developed a site plan using the C-H zoning. He stated he met with the County in February to do a site plan review. After the meeting and back and forth, he stated he made revisions to the site plan and staff confirmed that what he had was acceptable. He stated they've done architect work as well as stormwater and have submitted plans to the County. He stated the setback encroachment was revealed in the review. He referred to the site plan provided to the Board and showed the Board the setback and encroachment.

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

Troy Powell stated he is the owner of the property and when he bought the property, his intention was to build a paint store. He said he had to put those plans on hold. He stated in 2011 the County approached him to swap a piece of property to facilitate the ability for the County to not have to use Huiet Road access for the postal commons and for the gas station. He stated he agreed to that without considering the limitations that it would cause in the future. He stated that's why the piece of property is shaped how it's shaped. He stated it's in Resolution 2010-21. He stated it was the authorizing of Fayette County to abandon remnant parcels of land to Trogger Enterprises, Inc. and for Mr. Powell to receive those remnants in exchange for agreeing to allow the County the entrance. He stated it was facilitated to be an advantage for everyone but ending up being a disadvantage to him.

Chairman Tate asked if there was anyone else to speak in support. There were none. He asked if there was anyone to speak in objection.

John Donadeo stated he was surprised he missed this and that there would be this type of business on that small of a lot. He stated it is a tight fit. He stated the setback they are asking for is probably pretty reasonable. He stated he would rather the whole structure not be there. He stated he had a few questions. He asked the following: 1.) Without the variance would it change the size of the building or the parking lot? 2.) How many stories is the building? 3.) Will it be 24-hour access? 4.) Is it a septic tank? 5.) He voiced his concern on the traffic flow and how the access is all through the driveway on Old Chappell Lane, which is a residential road. 6.) What are the qualifications for this?

He stated he was curious if it would like the pictures in the presentation. He stated he is expressing his preference that they do not build a multi-story building there.

Chairman Tate thanked Mr. Donadeo and stated the Zoning Board of Appeals is not in the position to address those issues. He asked if there was anyone else to speak in support or opposition. There were none. He brought the discussion back to the Board.

Bill Beckwith asked Mr. Scanlon about the setback shown on the site plan. Referencing the site plan, he asked what the dimensions of the yellow line were.

Mr. Scanlon referenced the site plan, and stated the black line is the property line, the yellow line is 50 feet from the property line.

Bill Beckwith, referencing the site plan, asked when the curved line was placed.

Mr. Scanlon stated it was placed when they subdivided the property for the postal commons in 2000.

Bill Beckwith asked if Mr. Scanlon is asking for approval of the yellow line for the setback.

Mr. Scanlon stated yes. Referencing the site plan, he stated if you look at the yellow line out to where the road is, the right of way is parallel to the road. Mr. Scanlon showed the Board pictures of how the facility would look from the road and the parking lot.

Anita Davis referenced the site plan. She asked Mr. Scanlon to explain the orientation of the building.

Mr. Scanlon pointed out the right of way line and the setback line.

Anita Davis asked where the front of the building will be.

Mr. Scanlon pointed out the front of the building and the parking lot on the site plan. He then showed a rendering of the front of the building and the parking lot.

Anita Davis stated there is not much parking lot.

Mr. Scanlon stated that is correct. There is not much required by the C-H zoning and that they have met the C-H requirement for parking lot. He stated self-storage doesn't tend to need a lot of parking.

Chairman Tate asked if there were any other questions or comments. There were none.

Marsha made a motion to approve Petition No. A-806-22 110-144. C-H. (d) (3) (a) (1) to reduce the front yard setback from 75 feet to 50 feet to allow for construction of an internal self-storage facility. John Tate seconded the motion. The motion passed 5-0.

Chairman Tate asked is there a motion to adjourn?

Marsha Hopkins made a motion to adjourn. Bill Beckwith seconded the motion. The motion passed 5-0.

The meeting adjourned at 8:37 pm.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY



JOHN TATE, CHAIRMAN



CHELSIE BOYNTON, ZBA SECRETARY