

Meeting Minutes 11/28/22

THE FAYETTE COUNTY ZONING BOARD OF APPEALS met on October 24th 2022, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Tate, Chairman
Anita Davis
Bill Beckwith
Tom Waller

MEMBERS ABSENT: Marsha Hopkins, Vice Chairwoman

STAFF PRESENT: Deborah Sims, Zoning Administrator
Chelsie Boynton, Planning & Zoning Coordinator
E. Allison Ivey Cox, County Attorney

1. Approval of Agenda

Bill Beckwith made a motion to accept the agenda for the November 28th, 2022 meeting. Tom Waller seconded the motion. The motion passed 4-0. Marsha Hopkins was absent.

2. Consideration of the Minutes of the Meeting held on October 24, 2022.

Tom Waller made a motion to approve the minutes of the meeting held on October 24, 2022. Anita Davis seconded the motion. The motion passed 4-0. Marsha Hopkins was absent.

PUBLIC HEARING

- 3. Petition No. A-807-22, Terry and Kristie Ferrell, Owner, request the following: 1. Variance to Sec. 110-79. Residential accessory structures and their uses, (g). Architectural standards, to allow for the construction of a metal accessory structure with vertical pattern siding, as opposed to the required horizontal pattern. The subject property is located in Land Lot 72 of the 4th District and fronts on Woods Road. Applicant has alternate solution therefore, staff requests that the board withdraw the petition.**

Chairman Tate made a motion to withdraw Petition No. A-807-22 1.) Variance to Sec. 110-79. Residential accessory structures and their uses, (g). Architectural standards, to allow for the construction of a metal accessory structure with vertical pattern siding, as opposed to the required horizontal pattern. Anita Davis seconded the motion. The motion passed 4-0. Marsha Hopkins was absent.

4. **Petition No. A-813-22, Arthur D. Schultz, Owner, request the following: Variance to Sec. 110-125. A-R, (d) (6) to reduce the side yard setback from 50 feet to 20 feet to allow for construction of a residential accessory structure (i.e. garage). The subject property is located in Land Lot 57 of the 7th District and fronts on Tyrone Road.**

Chairman Tate reminded Mr. Schultz that he could table the petition since there was not a full board. Mr. Schultz decided to continue with the hearing.

Mr. Schultz explained that his property is zoned Agricultural Residential and stated he has a side yard setback of 50 feet. He continued that his house was built in the early 1900s and over the years that lot has been divided. He added that due to where the septic tank and septic field is there is no other place to build the garage. He stated to place it on either side yard would still be about 20 feet away from the side property line.

Chairman Tate stated there was no one else in the audience for opposition or support. He asked the Board if there were any questions or comments?

Bill Beckwith asked Mr. Schultz how long he's owned the property?

Mr. Schultz answered since 2019. He added his house is 130 years old and because of the multiple subdividing of the lot, the house isn't 50 feet from the property line.

Anita Davis asked if he has spoken to any of his neighbors?

Mr. Schultz stated he spoke to Brett Fowler, his neighbor to the right, and he had no objection. He stated there is no one currently living in the house to the left of him. He continued that her house sits far back from the property line. He added it would be at least 100 feet between their garage door and where his garage would be.

Chairman Tate asked if there were any utilities located directly behind his house?

Mr. Schultz stated his septic tank is directly behind house and the field goes into the backyard. He stated the plans are to place the garage about four (4) feet from his house. He continued the contractor didn't feel good about attaching it to the house due to the age of the house. He stated the four (4) feet will provide a walkway between the home and the garage.

Tom Waller asked if his home was the original home on the lot?

Mr. Schultz state he did not know.

Tom Waller asked if there was a garage with the home?

Mr. Schultz stated he didn't think there has ever been a garage. He added he does believe his home is the original home because the other homes around him look newer.

Chairman Tate asked if the garage would be built near the rear part of the house?

Mr. Schultz stated yes. He added it will be towards the rear and there will be a side door.

Chairman Tate stated there doesn't seem to be any other location to place the garage.

Chairman Tate made a motion to approve Petition No. A-813-22, Variance to Sec. 110-125. A-R, (d) (6) to reduce the side yard setback from 50 feet to 20 feet to allow for construction of a residential accessory structure (i.e. garage). Bill Beckwith seconded the motion. The motion passed 4-0. Marsha Hopkins was absent.

Chairman Tate asked is there a motion to adjourn?

Anita Davis made a motion to adjourn. Chairman Tate seconded the motion. The motion passed 4-0. Marsha Hopkins was absent.

The meeting adjourned at 7:16 pm.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY



JOHN TATE, CHAIRMAN



CHELSIE BOYNTON, ZBA SECRETARY