

**THE FAYETTE COUNTY ZONING BOARD OF APPEALS** met on March 23, 2009, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

**MEMBERS PRESENT:** Larry Blanks, Chairman  
Vic Bolton, Vice-Chairman  
Bill Beckwith  
Brian Haren  
Scott Gilbert

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Dennis S. Dutton, Zoning Administrator  
Robyn S. Wilson, ZBA Secretary/Zoning Coordinator  
Deputy Harold Myers

**Welcome and Call to Order:**

Chairman Blanks called the meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present.

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**1. Election of a Chairman for 2009.**

Vic Bolton nominated Larry Blanks as Chairman for 2009. Brian Haren seconded the nomination. Bill Beckwith made a motion to close the floor for nominations. Scott Gilbert seconded the motion. The motion to close the floor for nominations was unanimously passed 5-0. The motion to appoint Larry Blanks as Chairman for 2009 was unanimously passed 5-0.

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**2. Election of a Vice-Chairman for 2009.**

Bill Beckwith nominated Vic Bolton as Vice-Chairman for 2009. Scott Gilbert seconded the nomination. Scott Gilbert made a motion to close the floor for nominations. Bill Beckwith seconded the motion. The motion to close the floor for nominations was unanimously passed 5-0. The motion to appoint Vic Bolton as Vice-Chairman for 2009 was unanimously passed 5-0.

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**3. Election of a Secretary for 2009.**

Vic Bolton nominated Robyn Wilson as Secretary for 2009. Larry Blanks seconded the nomination. Vic Bolton made a motion to close the floor for nominations. Scott Gilbert seconded the motion. The motion to close the floor for nominations was unanimously passed 5-0. The motion to appoint Robyn Wilson as Secretary for 2009 was unanimously passed 5-0.

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**4. Consideration of the Minutes of the Meeting held on September 22, 2008.**

Vic Bolton made the motion to approve the Minutes as circulated. Brian Haren seconded the motion. The motion was unanimously passed 5-0.

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**ZBA Public Hearing**

Dennis Dutton read the procedures that would be followed for presentation and opposition for petitions.

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5. **Consideration of Petition No. A-571-09, Naila K. Alsack, Owner, and Gerald Boveland, Agent, request an 11 foot Variance to reduce the side yard setback from a minimum of 50 feet to a minimum of 39 feet and a 51 foot Variance to reduce the rear yard setback from a minimum of 75 feet to a minimum of 24 feet to allow an existing 199 square foot accessory building to remain. This property consists of 1.10 acres, is located in Land Lot 231 of the 5th District, fronts on Hwy. 314, and is a Nonconforming Lot of Record zoned A-R.**

Gerald Boveland, Agent, stated that there was no other location for the accessory structure due to the location of the septic system on the north side of the property. He said that a soil test was performed on the property; however, the only location for a septic system is on the north side of the property due to the conditions of the soil.

Chairman Blanks asked if there was anyone to speak in favor of the petition. Hearing none, he asked if there was anyone to speak in opposition of the petition. Hearing none and with no rebuttal required, he closed the floor from public comments.

Vic Bolton made a motion to approve the petition. Bill Beckwith seconded the motion.

Mr. Bolton pointed out that the lot was a nonconforming lot of record zoned A-R; therefore, the applicant would be unable to build any accessory structures without approval of a variance.

Chairman Blanks expressed concern that the applicant allowed the construction of the accessory structure without checking with the County first. He said that if the applicant had checked with the County that she would have been advised that a variance was required. He added that he concurred with Mr. Bolton.

Mr. Beckwith said he also concurred with Mr. Bolton. He pointed out that there did not seem to be another location for the accessory structure.

Hearing no further comments, Chairman Blanks called for the vote.

The motion was unanimously passed 5-0.

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Chairman Blanks asked if there was any further business.

Dennis Dutton advised that April Public Hearing had been cancelled due to the lack of applications.

There being no further business, Vic Bolton made the motion to adjourn the meeting. Brian Haren with seconded the motion. The motion was unanimously passed 5-0. The meeting adjourned at 7:21 P.M.

**ZONING BOARD OF APPEALS  
OF  
FAYETTE COUNTY**

Respectfully submitted by:

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**LARRY BLANKS  
CHAIRMAN**

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**ROBYN S. WILSON  
SECRETARY**