

Application #	Planning Commission Date	Town Council Date
26TYR-VAR00001	06/11/2026	07/02/2026

Application Details

Address	Owner/Applicant	Parcel #
541 Senoia Road	Ashley Dickie	0736-011
Zoning	Proposed Zoning	Future Land Use
R-12	N/A	Estate Residential
Surrounding Zoning	Site Improvements	Acreage
North: R-18 & AR, South: R-12, East: R-18, West, R-12 & AR	Single-Family Home & Barn	2.62

Fayette County QPublic

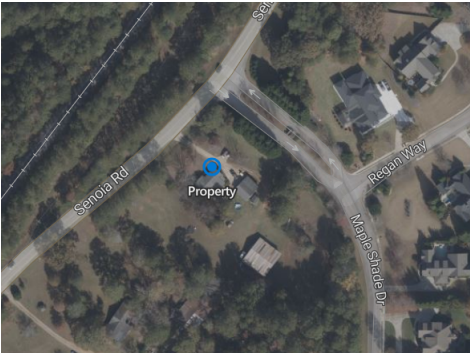
Select to go to the Fayette County Tax Parcel Map



Fayette County Tax Map

541 Senoia Road

Property
541 Senoia Rd, Tyrone, GA 30290



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Summary & History

Applicant Ashley Engler has submitted a petition for a variance affecting the single-family dwelling at 541 Senoia Road (Parcel 0736-011), zoned R-12. The applicant requests a front building setback variance of approximately 24 feet from the 80-foot front setback required along Senoia Road, applied to the existing footprint of the dwelling on proposed Lot 1.

The variance is sought to enable a two-lot division of the 2.62-acre tract. On May 28, 2026, the Planning Commission conditionally approved a preliminary plat dividing the property into Lot 1 (approximately 1.6 acres, containing the existing dwelling) and Lot 2 (just over one acre). That approval was conditioned on removal of the existing accessory pole barn prior to recording and on the granting of this setback variance for the existing dwelling on Lot 1. The plat may not be signed or recorded until both conditions are satisfied.

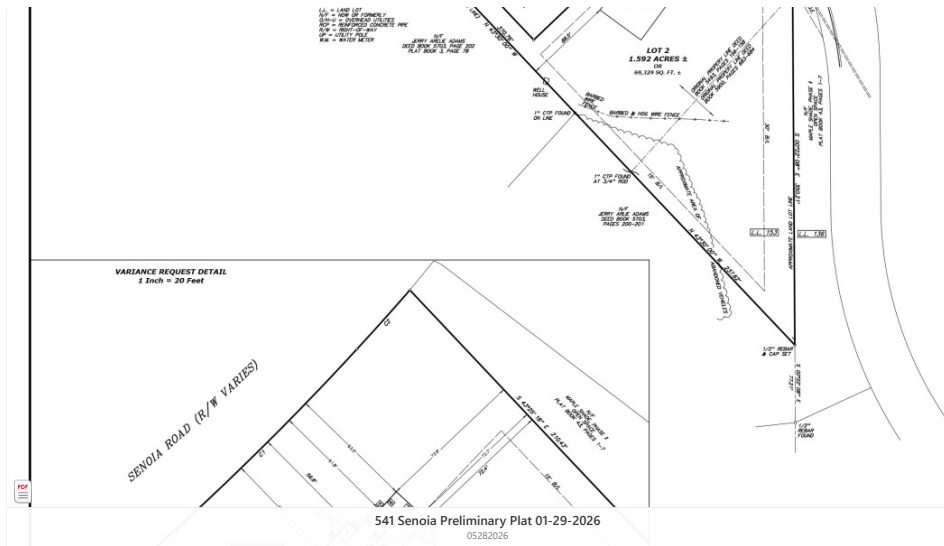
The existing dwelling predates the Town's R-12 zoning and the increased setback applicable to minor thoroughfares; it is therefore a nonconforming structure. Senoia Road is classified as a minor thoroughfare, which requires an 80-foot front building setback in the R-12 district, compared with the 55-foot setback applicable along local residential streets. The dwelling sits approximately 56 feet from the Senoia Road right-of-way, an encroachment of 24 feet into the required 80-foot setback.

Because the proposed division would draw a new lot line around the existing dwelling, the structure's nonconforming front setback would become a prohibited encroachment on the newly created Lot 1 unless a variance is granted. The applicant proposes no expansion of the dwelling, and the preliminary plat carries a note prohibiting any future addition that would extend farther into the 80-foot front building line in any direction.

A title search referenced by the survey referred to an older deeded configuration of a rear portion of the tract. Because a deed alone does not establish a lot of record under current regulations, the Town evaluates this request as a new two-lot division, and the variance analysis is limited to the front setback of the existing dwelling.

Comprehensive Plan & Future Development Map Compatibility

The future development character area is listed as Estate Residential, which encourages low-density, large-lot single-family residential development. The property retains its R-12 zoning, and both proposed lots meet the R-12 minimum acreage. The request is compatible with the Estate Residential character area and the Comprehensive Plan, provided the variance is granted.



Ordinance Compatibility

- The Town Council may authorize a variance only upon finding that each of the following six standards is satisfied. Staff's assessment of each follows.
1. **Are there extraordinary, exceptional, or peculiar conditions pertaining to the particular piece of land, structure, or building in question which are not applicable to other lands, structures, or buildings in the same district?** *The parcel is regular in shape, size, and topography and is similar to other properties in the R-12 district. The condition specific to this property is the existing dwelling, which predates current standards and sits within the 80-foot front setback applicable to Senoia Road as a minor thoroughfare. The peculiarity is limited to the position of the existing structure relative to that setback rather than to the land itself.*
 2. **Would the application of these regulations create a practical difficulty or unnecessary hardship?** *The dwelling is nonconforming and lawfully predates the 80-foot thoroughfare setback. Strict application prevents division of the tract without converting the dwelling into an illegal encroachment on the new lot, which the applicant identifies as a practical difficulty in using the surplus acreage for a second dwelling which would otherwise be allowed. The difficulty results from the election to subdivide; without the division, the dwelling retains its nonconforming status and needs no relief.*
 3. **Relief granted would not be injurious to the neighborhood or otherwise detrimental to the public welfare or impair the purposes and intent of these regulations.** *The purpose of the front setback is to maintain separation between structures and the thoroughfare right-of-way. The variance would recognize either 23' encroachment or only the footprint of a dwelling that has existed at this location for decades and would authorize no new construction nearer the right-of-way. The preliminary plat note prohibiting any further encroachment preserves the purpose of the regulation. Relief within this context is not expected to be injurious to the neighborhood or the public welfare.*
 4. **A literal interpretation of this chapter would deprive the applicant of any rights that others in the same district are afforded.** *Other R-12 owners with sufficient acreage may divide their property to create an additional conforming lot. A literal application here would deny this owner that ability solely because of the pre-existing position of the dwelling relative to the thoroughfare setback. If relief is not granted, the owner does not lose the right to occupy or maintain the existing dwelling, which remains lawfully nonconforming in its current configuration.*
 5. **The special conditions and circumstances are not a result of any actions of the applicant.** *The position of the dwelling and the thoroughfare classification of Senoia Road predate the current ownership and were not created by the applicant. The circumstance requiring relief is triggered by the applicant's request to divide the property. The underlying condition is not self-created; the event giving need for the variance is the proposed division.*
 6. **That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.** *Granting the variance would allow the existing dwelling to remain within the required front setback on a newly created lot, a status other structures would ordinarily be required to satisfy through conformance. Limiting the variance to the existing footprint or via a recorded plat condition, with no authorization for future encroachment, confines the relief to what is necessary to recognize the existing structure and avoids conferring development rights beyond those already established.*

Planning Commission Recommendation

The Planning Commission voted unanimously on June 11, 2026 to recommend approval of the front yard setback variance for the existing dwelling at 541 Senoia Road (Parcel 0736-001), with the variance establishing a straight front setback line reduction from 80 feet to approximately 56 feet — a 24-foot reduction rather than a metes-and-bounds relief limited to the existing building footprint.

The motion was made by Chairman Nebergall and seconded by Commissioner Duncan.

- The recommendation carried four conditions:
1. The variance runs only with proposed Lot 1 as configured on the conditionally approved preliminary plat;
 2. No further encroachment beyond the reduced setback line is permitted;
 3. The plat may not be signed or submitted for recording until the variance is granted
 4. The plat may not be signed or submitted for recording until the existing accessory pole barn is removed.

Staff Determination

- If the Planning Commission and Council wish to approve this variance, staff recommends:
1. That the variance be limited to a 24' front yard reduction so that no rights are conferred beyond those necessary to recognize the existing structure.
 2. Variance should run only with proposed Lot 1 as configured on the conditionally approved preliminary plat.
 3. The plat may not be signed or submitted for recording until the variance is granted
 4. The plat may not be signed or submitted for recording until the existing accessory pole barn is removed.

Supporting Documents & Resources

Dynamic Town Zoning Map

Use this map to search the address and view the surrounding zoning. Each zoning layer can be selected or de-selected in order to filter views.



Town of Tyrone Zoning Map

Document Downloads

[See all](#)

 Name	Modified	Modified By
 2025 Planning Commission Meetings	April 4, 2025	Phillip Trocquet
 2026 Planning Commission Meetings	March 6	Phillip Trocquet
 Town Planning Documents	April 9, 2025	Phillip Trocquet