

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Monday, August 11, 2025

6:00 PM

City Hall

110 Academy Street

Public Hearing

Board of Appeals

1. Call to Order*Members Present:*

*David Johnson, Chairman
Matthew Malhiot
Jeff Adams
Karen Randall*

Staff Present:

*Tyler Peoples, Planning Tech
Seth Stroud, City Attorney
Zachary Braz, City Attorney*

Absent:

*Jim Ledford
Allison Christou
Dustin Davey*

Chairman Johnson opened the meeting at 6:00pm. He thanked everyone for their attendance and explained the procedure.

2. Consideration to Approve Agenda

*M. Malhiot motioned to approve the agenda. J. Adams seconded the motion.
Vote: 4-0*

3. Consideration to Approve Minutes**A. Board of Appeals Draft Minutes - May 12, 2025**

Attachments: [Minutes - Board of Appeals - May 12, 2025](#)

*K. Randall motioned to approve the minutes. M. Malhiot seconded the motion.
Vote: 4-0*

4. VAR2506-001**A. Request to Encroach into 30' Platted Front Setback - 3731 Cherokee Overlook Drive - Eligio Perez y Perez**

Attachments: [VAR2506-001 Documentation](#)

T. Peoples briefed the Board of the details of the case. The Applicant explained to the Board that they were asking for approval of the variance. They further explained that they were not aware of the requirement for a building permit for the new deck nor were they aware of the 30' setback. Chairman Johnson opened the public hearing. There was nobody present to speak in favor or against the variance. Chairman Johnson closed the public hearing. K. Randall stated she had no issues with the variance. M. Malhiot stated that the deck would improve the neighborhood, it looked very professional, and that he had no issues with the request. J. Adams asked the Applicant whether they planned to sell the home or

if it was their personal residence. The Applicant stated it was their personal residence. Chairman Johnson stated he also had no issue with the request.

K. Randall motioned to approve the variance as presented. J. Adams seconded the motion.

Vote: 4-0

5. VAR2506-002

- A.** Request to Exceed 8' Maximum Height for Residential Monument Signs and Erect a Monument Sign Less than 10' From the Back of the Curb - 591 Jackie Moore Lane - Kristal Riggins

Attachments: [VAR2506-002 Documentation](#)

T. Peoples briefed the Board of the details of the case. T. Peoples stated that, shortly prior to the start of the meeting, the Applicant's representative was in an emergency and that no representative for the request would be present. S. Stroud explained that based on the situation the Board could either proceed with a decision or postpone the Public Hearing. Chairman Johnson asked T. Peoples whether the Applicant's representative indicated they would like to postpone the meeting. T. Peoples stated that the Applicant did not advise if they would like to table or postpone the decision. S. Stroud indicated that the Applicant would likely be subject to readvertising fees.

M. Malhiot stated he would like for the Applicant to have the opportunity to be heard before the Board and was inclined to postpone the decision. J. Adams asked what costs the Applicant would be subject to and how much they were. S. Stroud stated they would be subject to readvertising fees. T. Peoples stated that readvertising fees were \$500. J. Adams asked whether that was the cost of advertising or the price that the City charges and whether or not the Board could reduce the fees to just cost. T. Peoples stated that \$500 was the price the City charges and that it was not in the purview of the Board to change fee amounts. J. Adams explained that he wanted to give the Applicant the benefit of the doubt. K. Randall stated she was in favor of postponing the decision.

Charman Johnson asked the Board if they were inclined to decline the request based on the information presented to them. M. Malhiot and J. Adams both indicated they were inclined to decline the request.

M. Malhiot motioned to postpone to the next regularly scheduled meeting. T. Peoples stated that the next decision date would be in October. K. Randall seconded the motion.

Vote: 4-0

6. Public Input

There was no public input received.

7. Board of Appeals Introduced Items

K. Randall suggested that Staff explore the option of increasing the fees associated with post-construction variances for commercial uses. J. Adams and

Chairman Johnson agreed that if fees were increased, they should be different between residential and commercial.

K. Randall asked Staff to confirm that sidewalk and beauty strip were constructed to City standards as conditioned by the Board at 100 and 104 Hospital Drive. T. Peoples stated that Staff would verify.

J. Adams inquired whether a recently approved variance on East Main Street was still active as the Applicant had since sold their property. T. Peoples explained that unless otherwise conditioned a variance typically runs in perpetuity with the property.

M. Malhiot inquired whether there was an official City sidewalk waiver fee or program. T. Peoples stated that as a matter of ordinance he was not aware of one, however a "Road and Sidewalk Fund" exists in the City's accounts. M. Malhiot asked how funds are furnished into the account. T. Peoples stated he was unaware of specifics but would follow up with the information.

8. Adjourn

*J. Adams motioned to adjourn the meeting, seconded by M. Malhiot.
Vote: 4-0.*

Meeting adjourned at 6:22 p.m.