



PLANNING & ZONING STAFF REPORT

August 3, 2026

Case Numbers:	VAR2606-003
Applicant:	Lindsey Banks
Property Owner:	Lindsey Banks
Property Address:	771 East Main Street Canton, GA 30114
Council Ward:	Ward 2 – Tolan/Roach
Parcel Number:	91N21 111 (14-0195-0077)
Current Zoning:	R-4 (Single family residential, 4,000 square feet)
Character Area/ Future Land Use:	HTNS – Historic/Traditional Neighborhood-Stable
Acreage:	+/- 0.30ac
Current Use:	Single-family detached residence

REQUEST

The Applicant seeks following variance:

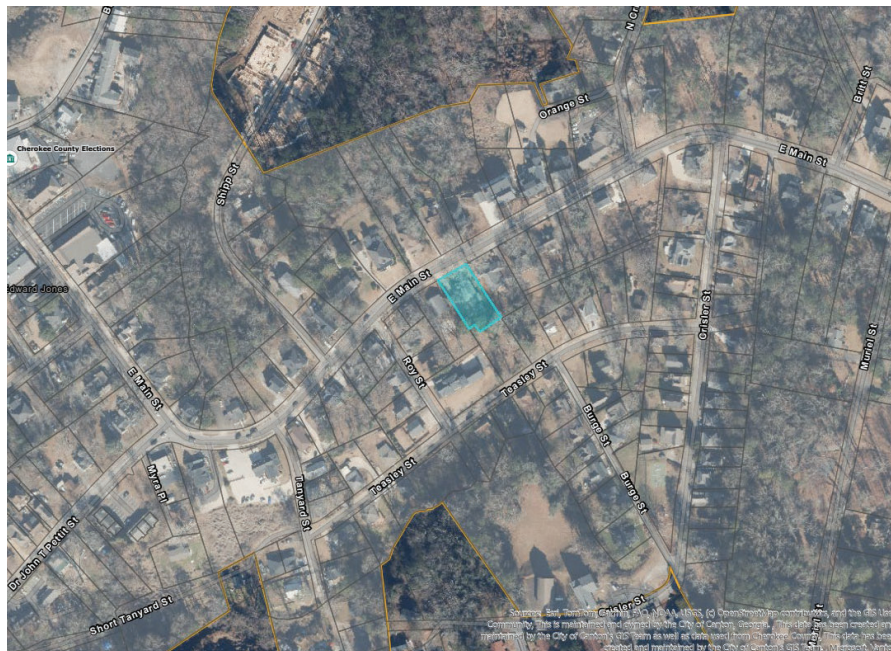
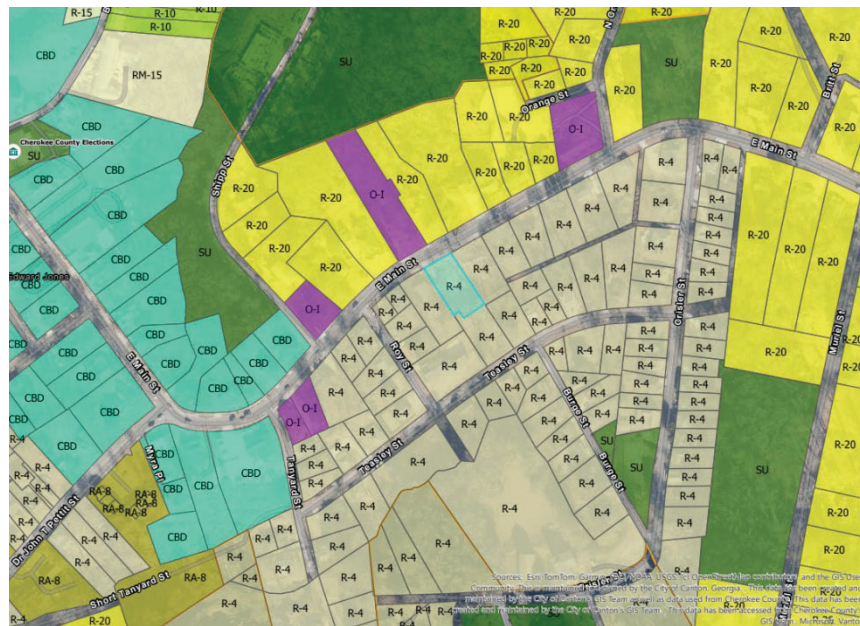
- (1) Reduce the required side and rear setbacks for accessory structures from 10' to 0' – UDC 104.02.01.A(2) and 104.02.02.C(2)

SITE

The subject property is located along the south side of East Main Street between Roy Street and Crisler Street. The property is currently occupied by a single-family detached residence and detached carport. The Applicant's intent is to construct an accessory dwelling unit to the rear of the home and existing detached carport.

The subject property is located within the Historic District and is subject to the review of the Historic Preservation Commission for new construction, rehabilitation/restoration, additions, and exterior modifications. The HPC does not review variance requests.

LOCATION MAP

ZONING MAP

SURROUNDING USES

North	Office / Single-family detached residential	O-I/R-4
South	Single-family detached residential	R-4
East	Single-family detached residential	R-4
West	Single-family detached residential	R-4

DEPARTMENT COMMENTS:

Building and Safety Services:

- Any exterior walls of the structure which are less than five (5) feet from an exterior property line are required to be fire-rated. About half of the western wall and the entire south wall (back wall) must be fire-rated.

VARIANCE

Consider the following criteria as it pertains to proposed variance requests:

- The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements;*
- The variance request is based on conditions that are*
 - Unique to the subject property;*
 - Not generally applicable to other properties in the same zoning district;*
- Because of the particular conditions, shape, size, orientation, or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners;*
- The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations of other similarly situated properties;*
- The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience; and*
- The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.*

CONDITIONS FOR CONSIDERATION

Should the Board of Appeals consider approving the requested variance(s), the following conditions of approval should be considered:

- (1) The variance shall only apply for an accessory dwelling unit and adjacent to the two property lines as presented.



Community Development Department
110 Academy Street, Canton, Georgia 30114
770-704-1500

VARIANCE APPLICATION

Project # VAR 2000-003

1. **Application Requirements:** All applications must be complete and include required support materials (listed on the reverse side of this application form). Incomplete applications will not be forwarded to the Canton Board of Appeals (BOA) for review. Applications shall be submitted through the City's online permitting portal system found here: <https://canton.onlama.com/>. Two (2) paper copies should also be furnished to the Community Development Department.
2. **Pre-Submittal Meeting:** A Pre-Submittal Meeting with Community Development Staff must be scheduled by the Applicant prior to submittal of the application.
3. **Application Deadline:** Applications and support materials must be submitted by the last Monday of the month, subject to change based on City Holidays. Please refer to the schedule listed on the reverse side of this application form for deadlines and meetings.
4. **Application Representation:** The Applicant or authorized representative of the Applicant must be present at the Public Hearing to support the application.
5. **Building Permit Requirements:** If a previously submitted building permit is being held pending variance action, the building permit will only be issued upon submittal of an action letter confirming variance approval.
6. **Perpetuity:** Unless otherwise conditioned by the Canton Board of Appeals or Mayor and City Council, an approved variance is held in perpetuity with the subject property so long as the property remains in its current configuration. Future modification to the subject property as a result of assemblage or subdivision may possibly deem an approved variance null and void.
7. **Adjacent Property Notification:** Applicants are required to notify adjacent property owners of the proposed variance as required by the City of Canton Unified Development Code Section 105.10.03. Such notification shall be forwarded to all contiguous property owners and their respective homeowner's association utilizing the City of Canton formatted notification letter located in this Application. Applicants should furnish a copy of each forwarded notification letter and one copy of a certified Certificate of Mailing from the United States Postal Service to the Community Development Department no later than fifteen (15) days prior to the Public Hearing meeting.
8. **Extension and Withdrawal:** The Applicant is allowed two (2) requests for extensions beyond the scheduled Public Hearing. If the request for extension is received after the Notice of Public Hearing is published, a \$500.00 readvertising fee will be assessed for each extension. An application may be withdrawn without prejudice (no waiting time to re-file) at any time prior to the Public Hearing. A request for withdrawal without prejudice must be made in writing.
9. **Appeal:** Any party aggrieved by any decision of the Board of Appeals may appeal the decision by submitting a Letter of Appeal to the Community Development Department no later than ten (10) days after the Board of Appeals decision has been rendered. The City Council will determine whether or not to hear the appeal, and if heard, will act accordingly on the appeal. Please refer to Section 105.14.02 of the Unified Development Code for more details regarding the appeals process. Any aggrieved party of the decision of the City Council may appeal the final decision to the Cherokee County Superior Court via writ of certiorari, submitted within thirty (30) days of the final decision.

If there are any questions about the Variance application process, procedures, or policies, please contact the Community Development Department at (770) 704-1559.

BY SIGNING BELOW, I ACKNOWLEDGE THAT I HAVE FULLY READ AND UNDERSTAND THE ABOVE POLICIES AND PROCEDURES OF SUBMITTING A VARIANCE APPLICATION WITH THE CITY OF CANTON.

X

APPLICANT SIGNATURE

X

PRINT NAME



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

VARIANCE PUBLIC HEARING APPLICATION

Project #(s):

VAP 24006 - 003

This Application is for a:

Pre-Construction Variance

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State **N/A**, where Not Applicable.
2. If you are not paying online, please make your check payable to "**City of Canton.**"
3. If you have questions regarding this form, please contact the Community Development Department by calling (770) 704-1559.

Applicant Information:

Name: Lindsey Banks
Address: 771 East Main Street
City: Canton
State: GA ZIP Code: 30114
Telephone: 678-733-1805
Email Address: lindseysullivanbanks@gmail.com

Owner Information:

Name: Lindsey Banks
Address: 771 East Main Street
City: Canton
State: GA ZIP Code: 30114
Telephone: 678-733-1805
Email Address: lindseysullivanbanks@gmail.com

I, Lindsey Banks, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Variance Application is true and correct and contains no misleading information. I, Lindsey Banks, have received and thoroughly read the Public Hearing Procedures.

This 29 day of June, 2026.

Applicant Signature:

Print Name: Lindsey Banks



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

AUTHORIZATION OF OWNER AND APPLICANT

Project #(s):

VAR-2006-003

This form is to be executed under oath. I, (Property) Lindsey Banks, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 29 day of June, 2026.

Owner Signature: [Signature]

Print Name: Lindsey Banks

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton and do hereby authorize the following person named below to act as Applicant in the pursuit of a request for a:

Pre-Construction Variance

Authorized Applicant Name:

Lindsey Banks

Signature: [Signature]

Mailing Address:

771 East Main Street

City: Canton

State + ZIP: GA 20114

Email: lindseysullivanbanks@gmail.com

Telephone: 678-733-1805

Applicant Status:

- ☒ Owner
☐ Option to Purchase
☐ Lessee
☐ Area Resident
☐ Other (explain: _____)

This Authorization of Owner and Applicant Form has been completed and the property owner's signature is

Sworn To and Subscribed Before Me This 29th
Day Of JUNE 2026.

Notary Signature: [Signature]

HELEN PERRY
Notary Public - State of Georgia
Cherokee County
My Commission Expires Oct 29, 2028

(Seal)



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

PROPERTY INFORMATION

Project #:

VAR 2666 - 003

Address(es):

771 East Main Street, Canton, GA 30114

Land Lot(s): 195 District: 14 Section: 2 Parcel ID(s) 91N21 111

Existing Zoning Of Property:

☐ County

☒ City

Total Acreage Of Property:

.30

Existing Use(s) Of Property: Residential

ADJACENT PROPERTY/OWNER INFORMATION:

Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

	OWNER NAME AND ADDRESS/PARCEL ID	CURRENT ZONING	CURRENT LAND USE
NORTH	Mike and Joy <u>McEwen</u> 771 East Main Street	R-20	Residential
SOUTH	Mike Abernathy	R- <u>4</u>	None
EAST	Olivia Mooney- 791 East Main Street	R- <u>4</u>	Residential
WEST	Emma Price 751- East Main Street	R- <u>4</u>	Residential
OTHER	<u>AIP 278 LLC PO Box</u>	<u>O-1</u>	<u>office</u>
OTHER			
OTHER			

Ordinance section(s) for which a variance is requested: 104-02-02-C2 and 104-02-01-a2

Please explain the reasoning for the requested variance:

side and rear
Reduce required setbacks so that the lot
can accommodate a pre-approved ADU without
impeding the existing garage

(This should additionally be addressed in the required Letter of Intent)



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

VARIANCE REVIEW CRITERIA

Project #:

VAR 2006-003

Are there any extraordinary or exceptional conditions pertaining to the subject property because of its size, shape, or topography? No material topography concerns

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? The 10 foot set back would position the pre-approved ADU plan in a place that makes the current garage unusable.

Does a literal interpretation of the Zoning code deprive the Applicant of any rights that others in the same district are allowed? The existing carport is on the lot line.

Has the condition from which relief or variance is sought been a result from action by the Applicant?

While the garage that is unsable is a recent addition to the property, even before it was a factor, the ADU would placement would require a variance given the placement of the driveway and carport.

Are there conditions peculiar to the subject property? No

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Specifically, would the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare or the inhabitants or the City?

(These criteria should additionally be addressed in the required Letter of Intent.)

Letter of Intent

A variance request is being made with the City of Canton on (.30) acres of land located at 771 East Main Street, being more particularly described in Map Book 91N21 and Parcels 111.

The request for a variance to 104.02.02.C(2) and 104.02.01.A(2) in order to reduce setbacks from the required 10 feet to 0 feet so that the lot can accommodate an accessory dwelling unit (ADU) without impeding the existing driveway.

The current zoning requirements create a hardship in that the width of the pre-approved city plan is such that it would result in the left side of the structure being placed over more than half of the driveway, which would prevent a car from being able to pass between to access the garage.

Additionally, the former owner bifurcated the land parcel to sell what is now the lot behind the property and, when doing so, did not square off my lot, which results in a space that could not, with the existing structures, accommodate an ADU.

The ADU will be located in a back right corner and will not be near structures on any of the adjoining properties; the side of the ADU will have 29 feet on the line adjoining with 751 East Main Street and 13 feet on the lot behind it that faces Teasley Street. The proposed placement does not encroach on adjoining parcels and will not affect access, light, or privacy for neighboring properties.

Additional relevant information includes the fact that the property was inherited with a carport that is already on the lot line. It is based on this that the driveway continues past the carport to access the garage at the back of the house.

The ADU will tie aesthetically tie into the existing house with no peculiar conditions to the property.

If granted, this relief would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code. Specifically, no light or air supply or street congestion would be impacted; nor impair the health, safety, comfort or general welfare of city residents.

LINDSEY SULLIVAN BANKS

REFERENCE DB 15116, PG 2802, & PB 119, PG 1119

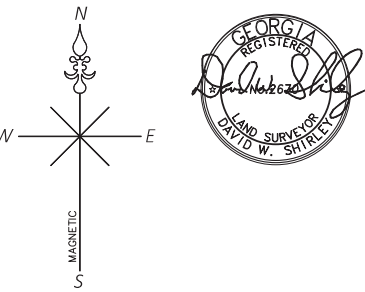
LAND LOT 195, 14th DISTRICT, 2ND SECTION

CITY OF CANTON, CHEROKEE COUNTY, GEORGIA

DATE OF FIELDWORK: 02/11/2021 MAP DATE: 06/30/2026

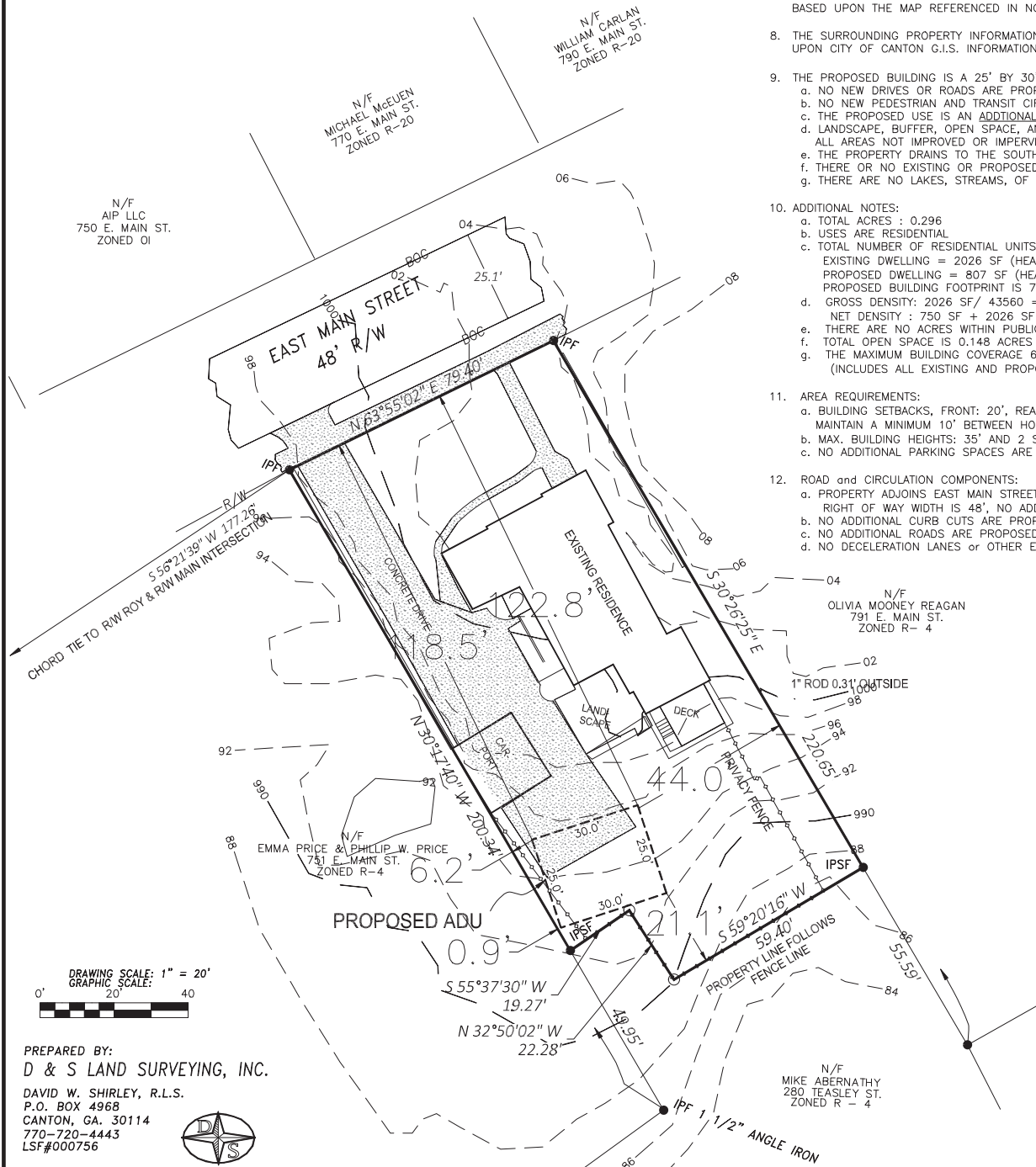
NOTES:

- SINGLE USE ADU SITE PLAN FOR: LINDSEY SULLIVAN BANKS
- THE DRAWING SCALE: 1" = 20', THE MAP BEARINGS ARE BASED UPON ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
- OWNER / DEVELOPER: LINDSEY S. BANKS, 771 E MAIN ST. CANTON GA. 30114, PHONE: 678-733-1805. EMAIL: LINDSEYSULLIVANBANKS@GMAIL.COM
DESIGNED: DAVID W. SHIRLEY, D & S LAND SURVEYING, INC.
ADDRESS: P.O. BOX 4968, CANTON, GA 30114
PHONE: 770-720-4443, EMAIL: DSSURVEYMAILBOX@GMAIL.COM
- THE BOUNDARY LINES SHOWN ARE BASED ON A PLAT OF SURVEY FOR CHARLES R. CROWE JR. & JIMMIE F. CROWE BY D & S LAND SURVEYING DATED 02/22/2021, PROJECT NO. 21-077.
- THE TOTAL ACRES: 0.30, TOTAL SQUARE FEET 12,930.
- THE TOPOGRAPHIC 2 FOOT INTERVAL CONTOURS SHOW ARE GRAPHICALLY DERIVED FROM THE CITY OF CANTON G.I.S. WEBSITE.
- THE CURRENT USE IS SINGLE FAMILY RESIDENTIAL. THE EXISTING CONDITIONS ARE BASED UPON THE MAP REFERENCED IN NOTE #4.
- THE SURROUNDING PROPERTY INFORMATION IS SHOWN ON THE MAP AND BASED UPON CITY OF CANTON G.I.S. INFORMATION.
- THE PROPOSED BUILDING IS A 25' BY 30' ADU
 - NO NEW DRIVES OR ROADS ARE PROPOSED
 - NO NEW PEDESTRIAN AND TRANSIT CIRCULATION ARE PROPOSED
 - THE PROPOSED USE IS AN ADDITIONAL DWELLING UNIT
 - LANDSCAPE, BUFFER, OPEN SPACE, AND RECREATION AREAS INCLUDE ALL AREAS NOT IMPROVED OR IMPERVIOUS.
 - THE PROPERTY DRAINS TO THE SOUTH AND WEST.
 - THERE OR NO EXISTING OR PROPOSED EASEMENTS.
 - THERE ARE NO LAKES, STREAMS, OF 100-YR FLOODPLAINS.
- ADDITIONAL NOTES:
 - TOTAL ACRES : 0.296
 - USES ARE RESIDENTIAL
 - TOTAL NUMBER OF RESIDENTIAL UNITS EXISTING AND PROPOSED IS TWO.
EXISTING DWELLING = 2026 SF (HEATED)
PROPOSED DWELLING = 807 SF (HEATED) and 653 (GARAGE),
PROPOSED BUILDING FOOTPRINT IS 750SF
 - GROSS DENSITY: 2026 SF / 43560 = 0.046 UNITS PER AC.
NET DENSITY : 750 SF + 2026 SF / 43560 = 0.064 UNITS PER AC.
THERE ARE NO ACRES WITHIN PUBLIC RIGHTS-OF-WAY
 - TOTAL OPEN SPACE IS 0.148 ACRES or 47.70%
 - THE MAXIMUM BUILDING COVERAGE 6749 SF, 0.154 ACRES, IMP. 52.30% (INCLUDES ALL EXISTING AND PROPOSED IMPERVIOUS SURFACES.)
- AREA REQUIREMENTS:
 - BUILDING SETBACKS, FRONT: 20', REAR: 15', SIDE: 0' BUT MUST MAINTAIN A MINIMUM 10' BETWEEN HOUSES.
 - MAX. BUILDING HEIGHTS: 35' AND 2 STORIES
 - NO ADDITIONAL PARKING SPACES ARE PROPOSED.
- ROAD AND CIRCULATION COMPONENTS:
 - PROPERTY ADJOINS EAST MAIN STREET (PUBLIC 25' ASPHALT STREET)
RIGHT OF WAY WIDTH IS 48', NO ADDITIONAL RIGHT OF WAY IS PROPOSED.
 - NO ADDITIONAL CURB CUTS ARE PROPOSED
 - NO ADDITIONAL ROADS ARE PROPOSED
 - NO DECELERATION LANES or OTHER ENTRANCE IMPROVEMENTS ARE PROPOSED



LEGEND

- MONUMENTED PROPERTY CORNER
- R/W RIGHT OF WAY
- N/F PRESENT OR FORMER OWNER
- IPS IRON PIN SET 1/2" REBAR
- IPF IRON PIN FOUND 1/2" REBAR
- L.L. LAND LOT
- BL BUILDING LINE
- E/C ERROR OF CLOSURE
- OTP OPEN TOP PIPE
- FENCE
- P.O.B. POINT OF BEGINNING
- IPSF IRON PIN SET FUTURE



DRAWING SCALE: 1" = 20'
GRAPHIC SCALE: 0' 20' 40'

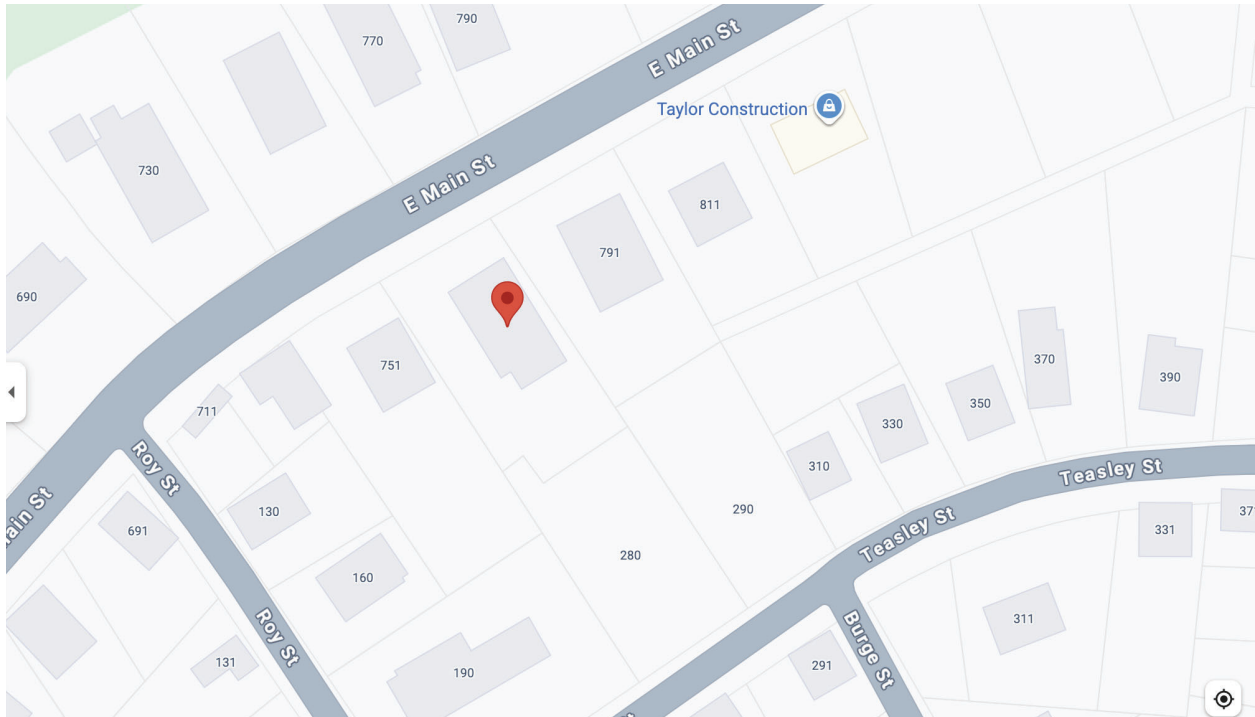
PREPARED BY:
D & S LAND SURVEYING, INC.
DAVID W. SHIRLEY, R.L.S.
P.O. BOX 4968
CANTON, GA. 30114
770-720-4443
LSF#000756



PLAT BOOK: 119 PG: 1119
 Filed: 05/05/2021 04:28 PM
 Clerk File Number: 28-2021-080417
 Rev: 518.00
 Patty Baker, Clerk of Superior Court
 Cherokee County, GA

Plat Recorded 5/5/2021 4:28 PM Patty Baker Clerk of Superior Court Cherokee County, GA Book 119 Page 1119 Participant IDs: 3951008608	HB 76 NOTE, EFFECTIVE MAY 08, 2017 Code Section 15-6-67.1 As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as required by approved certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by the participant or user of this plat as to the intended use of any record. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67. <i>David W. Shirley</i>	BOUNDARY and LOT SPLIT SURVEY FOR CHARLES R. CROWE JR. & JIMMIE F. CROWE CITY LOT 61 & 62 REFERENCE DB 2032, PG 76 LAND LOT 195, 14th DISTRICT, 2ND SECTION CITY OF CANTON, CHEROKEE COUNTY, GEORGIA DATE OF FIELDWORK: 02/11/2021 MAP DATE: 02/22/2021
SURVEY NOTES: 1.) ALL DISTANCES ON SURVEY ARE HORIZONTAL DISTANCES. 2.) ALL DISTANCES ON SURVEY ARE SHOWN AS "GROUND" DISTANCES. 3.) ALL DISTANCES ON SURVEY ARE EXPRESSED IN U.S. SURVEY FEET. 4.) ALL ANGULAR DIRECTIONS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS. 5.) STREAMS ORIGINATING OR FLOWING THROUGH THE MAPPED PROPERTY ARE CONSIDERED STATE WATERS AND ARE SUBJECT TO LOCAL GOVERNMENT BUFFER AND SETBACK REQUIREMENTS. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY BOTH PUBLIC AND PRIVATE. ALL MATTERS OF TITLE EXCEPTED, THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 58824 FEET AND AN ANGULAR ERROR OF 2.25" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 14540 FEET. EQUIPMENT USED FOR FIELD MEASUREMENTS: ANGULAR - GEOMAX ZOOM 90 LINEAR - ELECTRONIC DISTANCE METER DRAWN AND FIELDWORK BY: D. SHIRLEY ALL IRON PINS FOUND AND SET ARE 1/2" REBAR UNLESS OTHERWISE NOTED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A LEGAL TITLE SEARCH, AND IS SUBJECT TO ANY AND ALL DISCLOSURES PRODUCED BY SAME, INCLUDING EASEMENTS WHETHER OR NOT SHOWN ON THIS PLAT. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON. EDITING OR REPRODUCTION WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED. LEGEND ● MONUMENTED PROPERTY CORNER - R/W RIGHT OF WAY - N/T PRESENT OR FORMER OWNER - IPS IRON PIN SET 1/2" REBAR - IPF IRON PIN FOUND 1/2" REBAR - L.L. LAND LOT - BL BUILDING LINE - E/C ERROR OF CLOSURE - OTF OPEN TOP PIPE - F FENCE - P.O.B. POINT OF BEGINNING - IPSF IRON PIN SET FUTURE ZONING: R-4 FRONT BUILDING SETBACK: 20' SIDE BUILDING SETBACKS: 10' REAR BUILDING SETBACKS: 15' SEPARATION BETWEEN BUILDINGS TRACT 1 AREA 0.30 Acres 12930 Sq. Feet 771 E. MAIN ST TRACT 2 AREA 0.27 Acres 11545 Sq. Feet 280 TEASLEY ST OWNERS CERTIFICATION AND DEDICATION THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THEREON, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES BY THIS DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, SIDEWALKS, COLLECTORIAL, UTILITY, STATIONS, DRAINAGE, EASEMENTS, ALLEYS, PARKS, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN, AND TRANSFERS OWNERSHIP OF ALL PUBLIC AREAS IN FEE SIMPLE BY DEED, FOR THE PURPOSE THEREON EXPRESSED. <i>Charles R. Crowe Jr.</i> <i>Jimmie F. Crowe</i> OWNERS SUB DIVIDER DATE: 4/29/2021 CITY OF CANTON PLANNING DEPARTMENT THIS PLAT HAS BEEN ADMINISTRATIVELY REVIEWED FOR COMPLIANCE WITH THE CITY OF CANTON ZONING ORDINANCE AND IS APPROVED FOR RECORDING. <i>Steve Luman</i> COMMUNITY DEVELOPMENT DIRECTOR DATE: 5/5/21 SURVEYOR'S ACKNOWLEDGMENT IT IS MY OPINION THAT THE PLAT SHOWN AND DESCRIBED HEREON IS THE TRUE AND CORRECT, TO THE ACCURACY AND SPECIFICATIONS REQUIRED BY THE CITY OF CANTON DEVELOPMENT STANDARDS, WAS PREPARED FROM A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THE MONUMENTS HAVE BEEN PLACED OR FOUND AS SHOWN. <i>David W. Shirley</i> DATE: 4-27-2021 LAND SURVEYOR'S NAME AND GEORGIA STATE LICENSE # PREPARED BY: D & S LAND SURVEYING, INC. DAVID W. SHIRLEY, R.L.S. 313 RED FOX DRIVE CANTON, GA. 30114 770-720-4443 LSI#000756 CITY OF CANTON DEVELOPMENT SERVICES DEPARTMENT THIS PLAT HAS BEEN ADMINISTRATIVELY REVIEWED FOR COMPLIANCE WITH THE CITY OF CANTON DEVELOPMENT STANDARDS AND IS APPROVED FOR RECORDING. <i>D. Shirley</i> DEVELOPMENT SERVICES MANAGER DATE: 5-5-2021 DRAWING SCALE: 1" = 30' GRAPHIC SCALE: 0' 30' 60'		

Location Map















BOA Follow-Up Questions - 771 East Main Street

Sullivan Banks <lindseysullivanbanks@gmail.com>

Fri, Jul 31, 2026 at 12:07 PM

To: Tyler Peoples <tyler.peoples@cantonga.gov>

Cc: Thomas Trawick <thomas.trawick@cantonga.gov>, Kevin Turner <kevin.turner@cantonga.gov>

Hi, Tyler:

Thanks for suggesting reaching out to Eric; I've had the contractor reach out.

I've responded to your questions in [blue](#) and provided a *written response* based on the meeting discussion below.

1. Are you able to provide additional photographs of other areas of the back yard? [Attached](#)
2. Were other locations for the ADU considered that would meet the 10' setback requirements? Is there a reason why the ADU is not proposed to be placed further back in the property?
[Preliminary consideration was given to the south east corner of the property, but was not seriously discussed due to the following: the certified plumber that my contractor uses did not think that an ejector pump would be feasible in the location to tie the sewage into the existing house given the change in elevation; mitigating the change in elevation would require a retaining wall, which would be cost prohibitive; and, irrespective of 1 and 2, the additional poured concrete to connect the existing driveway to the ADU caused the surveyor and contractor to have concerns about the impervious calculations.](#)
3. Have you considered the other ADU plans which may not require a variance for location? [Of the 4 city approved plans provided in January 2026, The Oakdale is the only option that includes both a garage and a studio apartment.](#)
4. Are you considering the ADU plan which includes the garage apartment (The Oakdale)? [Yes](#)
5. Do you intend on demolishing the existing carport? [Yes](#)

Please let me know if you need anything else; thank you!

Lindsey

As was mentioned during the working session, there are unusual site issues that come with my property, which result in the corner where the property juts in as the only practical ADU site.

I've spoken with all of my affected neighbors, particularly Emma Price to the West, who expressed no concern in the variance. The proposed ADU site, different than the existing carport, is behind Emma's primary residence, and, additionally, considering the lay of the land and where her driveway is, a future ADU adjoining mine does not make sense. There was a concern mentioned at the meeting about livable space being on a lot line; I think its important to note that The Oakdale plan does not have any windows on the West/Price facing side.

Somewhat similarly, I've spoken with Mike Abernathy, the owner of the empty lot to the South where the land juts in. As he and I have discussed and agreed, realistically, there is nothing for which the affected corner can be reasonably utilized.

In my preliminary due diligence and consideration of other locations on my property, the dimensions of the plan do not fit reasonably along any of the remaining land due largely due to topography. The drop off is significant enough that the plumber expressed concerns related to the ejector pump and tying into the sewer; bringing in dirt to eliminate ejector pump considerations would require a retaining wall along the back of the property, which would be cost prohibitive. And, additionally, a location opposite from the current driveway would require a level of concrete that would negatively affect impervious calculations.

Please also note that my contractor is in the process of contacting Eric Fortner of the city to discuss best practices for building in closer proximity.

I recognize it is difficult to grasp the site challenges from the site plan and pictures, so please do not hesitate to contact me and stop by.

Thanks for your consideration.