

Kaylyn Venteicher  
54548 849 Rd.  
Pierce, NE 68767  
402-640-8990  
kaylynrfowler@gmail.com

February 17, 2022

Lawton Lovett  
Building and Zoning Director  
402A East Pine ST.  
Fitzgerald, GA 31750

Dear Mr. Lovett and Zoning Commission,

My parents Gary & Beth Fowler passed away in August of 2021. My grandfather Willis Griffin passed away July of 2020. My grandfather's house and 1.12 acres (1894 Lower Rebecca Rd.) was transferred into my mother's name Aug. 13, 2021 according to my grandfather's will. The lot is currently still in my parent's estate and I would like to sell it. The lot now does not meet zoning requirements therefore I am applying for a zoning variance. I am attaching a photo from the county website. The marked area there shows 3.61 acres which is inaccurate and not what the will actually transferred. I attempted to draw in a rough drawing where the line actually is. I also attached the executor's deed. Please consider granting this variance so I can sell this property.

I am enclosing:

Executor's deed

Drawing of the property boundary

Thank you,

  
Kaylyn Venteicher

APPLICATION FOR BOARD OF ZONING APPEALS

Does applicant own property? yes

What is the approximate cost of the work involved? \$0

Property Use: residential

A PLAN MUST BE SUBMITTED SHOWING THE FOLLOWING:

- 1. The size and location of the lot.
- 2. The dimensions and location of the existing buildings or structures on the lot in question.
- 3. The dimensions and location of the proposed building, structure, or addition on the lot.
- 4. The location of any existing buildings on adjacent lots, and their distance from property line.

I further state that if this request is granted, I will proceed with the actual construction in accordance with the plans herewith submitted within one year from date of filing this appeal.

Date: 2/22/22

Kaylyn Venteecher executor of Mary & Beth Fowler estate  
Signature of Applicant

54548 849rd, Pierce, NE 68767  
Address

402-640-8990  
Telephone Number

FOR USE OF ZONING BOARD OF APPEALS ONLY

Hearing advertised \_\_\_\_\_, and \_\_\_\_\_. Date of hearing \_\_\_\_\_.

Decision of Zoning Board of Appeals:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Zoning Administrator

# APPLICATION FOR BOARD OF ZONING APPEALS

Appeal No: \_\_\_\_\_

I (we) Kaylyn Venteicher executor of Gary & Elizabeth Fowler Estates of Pierce, NE respectfully request that a determination be made by the Zoning Board of Appeals on the following appeal, which was denied by the Zoning Administrator on 2nd day of September, 2021. An appeal is requested for:

\_\_\_\_\_ An interpretation of Section \_\_\_\_\_ of the Zoning Ordinance.

\_\_\_\_\_ A request to establish a \_\_\_\_\_

A variance to the property due to lot size being less than the current ordinance requirements.

The premises affected are situated at 1894 Lower Rebecca Road.  
(address of property)

in a \_\_\_\_\_ District.

Remarks: My granddaddy's house was left to my Mama (Beth Fowler) and was left to her in the will as the current lot size of 1.12 ac. When my mama passed away it was left to me and I would appreciate a variance so that I can sell the property.

Has any previous application or appeal been filed in connection with these premises? No If yes, when? \_\_\_\_\_

001543

Return to:  
SIMS, & FLEMING  
P.O. Box 1165  
Tifton, GA 31793  
229-386-0964

REAL ESTATE TRANSFER TAX  
PAID \$     -0-    

FILED & RECORDED

AUG 13 2021

HW AUG 13 2021  
11:28 AM  
*Betty Ann Johnson*  
CLERK, SUPERIOR COURT, BEN HILL CO., GA.

*Betty Ann Johnson*  
CLERK, SUPERIOR COURT, BEN HILL CO., GA.

**EXECUTOR'S DEED**

GEORGIA, BEN HILL COUNTY

*THIS INDENTURE* made and entered into by and between JOHN E. GRIFFIN, AS THE DULY APPOINTED AND QUALIFIED EXECUTOR OF THE LAST WILL AND TESTAMENT OF WILLIS E. GRIFFIN, as grantor, and ELIZABETH GRIFFIN FOWLER, individually, as grantee, witnesseth:

*WHEREAS*, on or about the 7th day of July, 2020, WILLIS E. GRIFFIN, late of Ben Hill County, Georgia, died testate seized and possessed of an interest in the property hereinafter described; and

*WHEREAS*, on or about the 13<sup>th</sup> day of August, 2020, the last will and testament of the said deceased was duly probated in solemn form in the Probate Court of Ben Hill County, Georgia; and

*WHEREAS*, upon probate of said last will and testament as aforesaid, the undersigned JOHN E. GRIFFIN was appointed and duly qualified as executor of the last will and testament and estate of said deceased;

*WHEREAS*, the said executor has assented to the devise of the property hereinafter described unto the grantee according to the provisions of said last will and testament.


NOW THEREFORE, in consideration of the premises, \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the undersigned, grantor, as executor of the last will and testament of WILLIS E. GRIFFIN, deceased, does bargain, transfer and convey all of WILLIS E. GRIFFIN's right, title and interest in the following described property as follows:

SEE EXHIBIT A, ATTACHED HERETO AND  
MADE A PART HEREOF BY REFERENCE

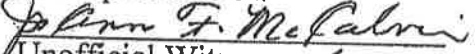
**TITLE HAS NOT BEEN CERTIFIED BY SIMS & FLEMING**

TO HAVE AND TO HOLD the said property above-described together with all rights and members and appurtenances thereunto belonging or in anywise appertaining, unto the said grantee, her heirs and assigns, absolutely and in fee simple, forever, in as full and as ample and complete a manner as the same was owned or possessed or enjoyed by the said WILLIS E. GRIFFIN, deceased, in his lifetime.

IN WITNESS WHEREOF, the said executor, acting for the said estate, have hereunto signed his name and affixed his seal on this the 15<sup>th</sup> day of July, 2021.

  
\_\_\_\_\_  
JOHN E. GRIFFIN, as executor  
of the Last Will and Testament of  
WILLIS E. GRIFFIN LS

Signed, sealed and delivered  
On this 15<sup>th</sup> day of July, 2021  
in the presence of:

  
Unofficial Witness

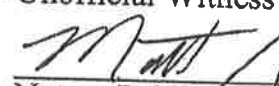
  
Notary Public  
My comm. expires:

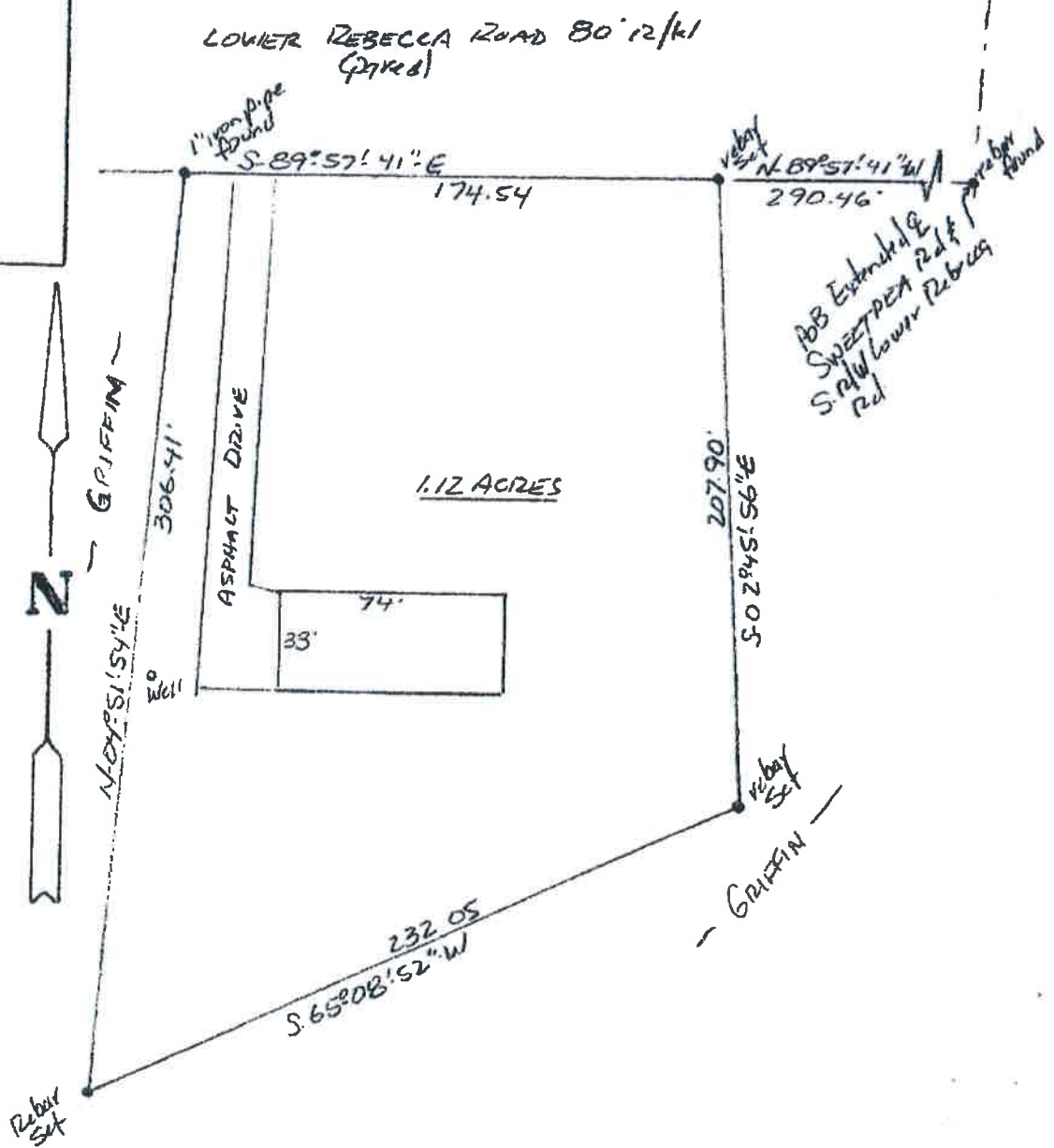


EXHIBIT A

All that tract or parcel of land lying and being 1.12 acres, more or less, located in Land Lot #190 of the 3<sup>rd</sup> Land District, Ben Hill County, Georgia, and being more particularly described as follows: TO FIND THE POINT OF BEGINNING, commence at the intersection of the projected centerline of Sweet Pea Road with the south right of way line of Lower Rebecca Road (80' R/W), and from said point of reference run thence North 89 degrees 57 minutes 41 seconds West and along the South right of way line of Lower Rebecca Road 290.46 feet to the point and place of beginning. FROM SAID BEGINNING POINT, run thence South 02 degrees 45 minutes 56 seconds East 207.90 feet; run thence South 65 degrees 08 minutes 52 seconds West 232.05 feet; run thence North 04 degrees 51 minutes 54 seconds East 306.41 feet to a point located on the South right of way line of Lower Rebecca Road; run thence South 89 degrees 57 minutes 41 seconds East and along the South right of way line of Lower Rebecca Road 174.54 feet to the point and place of beginning. Said tract of land is more particularly shown and described upon that plat of survey prepared for Willis Griffin by Weeks Surveying, dated 09/14/2018. Said plat and the description thereon are incorporated into this description by reference thereto.

**TITLE NOT CERTIFIED BY SIMS & FLEMING**





SURVEY FOR WILLIS GRIFFIN  
 LAND LOT # 190  
 THIRD LAND DISTRICT  
 BEN HILL COUNTY GA  
 DATE: FIELD WORK 09/11/2018  
 PLAT: 09/14/2018  
 SCALE: 1" = 60'  
 SURVEYED BY JAMES D. WEEKS  
 GA. RLS # 2111



Field Data Precision 1/75750  
 Angular Error; Radial  
 Not Adjusted  
 Plat Closure; 1/75750

Equipment Used;  
 Pentax PX-06D  
 TDS/HP-48GX

Weeks Surveying  
 108 E. Pine Street  
 Fitzgerald GA 31700  
 (229) 423-3313





Overview



Legend

- Parcels
- Roads

<b>Parcel ID</b>	34 13	<b>Owner</b>	Fowler, Elizabeth Griffin c/o Kaylyn Venteicher	<b>Last 2 Sales</b>			
<b>Class Code</b>	Residential		54548 849 Rd	<b>Date</b>	<b>Price</b>	<b>Reason</b>	<b>Qual</b>
<b>Taxing District</b>	COUNTY		Pierce, NE 68767	7/15/2021	0	WI	U
<b>Acres</b>	1.12	<b>Physical Address</b>	1894 LOWER REBECCA RD	5/30/1970	0	KN	U
		<b>Assessed Value</b>	Value \$105003				

(Note: Not to be used on legal documents)

Date created: 2/17/2022  
Last Data Uploaded: 2/17/2022 12:11:08 AM

Developed by Schneider  
GEOSPATIAL





**Overview**



**Legend**

- Parcels
- Roads

Parcel ID 3413A  
 Class Code Residential  
 Taxing District COUNTY  
 Acres 3.61

Owner Griffin, Willis E  
 1894 Lower Rebecca Rd  
 Fitzgerald, GA 31750  
 Physical Address LOWER REBECCARD  
 Assessed Value

Last 2 Sales			
Date	Price	Reason	Qual
5/30/1970	0	NF	U
n/a	0	n/a	n/a

(Note: Not to be used on legal documents)

Date created: 2/17/2022  
 Last Data Uploaded: 2/17/2022 12:11:08 AM

Developed by  Schneider  
 GEOSPATIAL