



Coweta County Board of Zoning Appeals

Public Hearing

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~ Minutes ~

Angela White
770.254.2635

Thursday, June 23, 2022

6:00 PM

Commission Chambers

I. Meeting Called to Order

Attendee Name	Title	Status	Arrived
George Harper	District 3 Chairman	Present	
Lisa Mitchum	District 1 Vice-Chair	Absent	
Billy Cranford	District 4	Absent	
Delia Crouch	District 5	Present	
Royce Williams	District 2	Present	

II. Approval of Minutes

1. Board of Zoning Appeals - Public Hearing - May 26, 2022 6:00 PM

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to approve the minutes from the Public Hearing held on May 26, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Delia Crouch, Royce Williams
ABSENT:	Lisa Mitchum, Billy Cranford

III. Public Hearing

A. Petitions

1. 13074 : VAR-22-000024 - Rahim Satur -Front Yard Setback Reduction

The subject property is located at the corner of W Hwy 16 and Macedonia Road with a total area of 1.02± acres, zoned **C-6 (Minor Commercial)**. The site is shown as "Tract 2" within the Sargent Plaza Shopping Center and was initially recorded on a commercial subdivision plat on 9/20/2010.

The applicant is proposing to construct a 3,000 sq ft convenience store with three (3) fueling stations within the subject site. The proposed convenience store has frontage along W. Hwy 16 and Macedonia Road which must meet the required front building setbacks; therefore, the following two (2) variances are being requested:

- Front Building Setback Reduction of 85-ft from the required 135-ft from the centerline of W Hwy 16. The structure is proposed to be located 50-ft from the right-of-way along W Hwy 16.
- Front Building Setback Reduction of 50-ft from the required 100-ft from Macedonia Road. The structure is proposed to be located 50-ft from the right-of-way along Macedonia Road.

The Community Development Department submits the following Key Factors for Consideration in reviewing the Variance Request:

1. Based on staff comments and recommended conditions, the proposed request should not have impact on public facilities or the surrounding area.
2. The current front setback requirements reduce the overall layout of the parcel and renders "Tract 2" unbuildable.
3. The proposed request will complete development within an existing shopping center as noted on the approved commercial subdivision plat.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration:

1. The applicant/developer shall construct a raised median along Hwy 27 to prevent left turns into the development.
2. The development shall not encroach into the Georgia Department of Transportation right-of-way.
3. No structure shall be closer than 50-ft from the right-of-way along W Hwy 16 and Macedonia Road, as shown on the site plan dated 3/31/2022 and submitted with the variance application.

There were no questions from the Board for Staff.

Applicant Representative: Whitley Engineering: Christopher Mallory, 11715 Hastings Bridge Rd. Lovejoy, Ga. 30228

The applicant is ok with the conditions as long as the raised median is a GDOT requirement vs. a County requirement.

The Chairman called for anyone who wished to speak in favor/opposition of this request. There were none.

On motion of Board member Williams, seconded by Board member Crouch, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000024.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Delia Crouch, District 5
AYES:	George Harper, Delia Crouch, Royce Williams
ABSENT:	Lisa Mitchum, Billy Cranford

VAR # 22-000024 Rahim Satur

Front Yard Setback Reduction off Hwy 16 W - 85-ft from the required 135-ft from centerline
Front Yard Setback Reduction off Macedonia Road - 50-ft from required 100-ft

Art. 23. Dimensional Requirements

Comm Lassetter - 2nd District

Tax I.D. 046-5129-053

Commission District Commissioner Lassetter

On motion of Board member Williams, seconded by Board member Crouch, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000024, subject to the following conditions:

1. The applicant/developer shall construct a raised median along Hwy 27 to prevent left turns into the development.
2. The development shall not encroach into the Georgia Department of Transportation right-of-way.
3. No structure shall be closer than 50-ft from the right-of-way along W Hwy 16 and Macedonia Road, as shown on the site plan dated 3/31/2022 and submitted with the variance application.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	7/12/2022 6:00 PM	
MOVER:	Royce Williams, District 2	
SECONDER:	Delia Crouch, District 5	
AYES:	George Harper, Delia Crouch, Royce Williams	
ABSENT:	Lisa Mitchum, Billy Cranford	

2. 13113 : CUP 22-000002 Atlanta Adventist Academy - Expand CUP

The subject property is located at 171 Gordon Rd, property formerly known as Orchard Hills Baptist Church and zoned RC (Rural Conservation). This past Spring, the Georgia-Cumberland Association of Seventh-Day Adventists, Inc. purchased the property from Orchard Hills Baptist Church, Inc.

In 2006, Orchard Hills Baptist Church, Inc. was granted a Conditional Use Permit for an Education Center including a daycare facility and private school (ZA 21-06). This request provided for K-6 with 105 students and 50 students in the afterschool program. In 2007, the Church requested an expansion of grades to include 7th & 8th grades, however, no additional students were requested. The Atlanta Adventist Academy is requesting an expansion of the school through the high school grades (9th-12th). While at this time, the school has 6 students enrolled in the program, they anticipate growth from the lower grades moving up. Thus, they are asking for a maximum of 20 students and 2 teachers for the program. This will allow the School to utilize the existing CUP and add on through the 12th grade, if approved by the Board. If approved, this will define the School as K-12 with 125 students.

With the acquisition of the Church campus, there will be no need to expand the building footprint. The existing classrooms, sanctuary and offices will be utilized within the School. Please note that the School is relocating from 4957 E Hwy 34, Sharpsburg; the former Church site that is now being incorporated into the Fischer Marketplace development.

The Community Development Department submits the Conditional Use Permit with the following factors for consideration:

1. The proposed use is compatible with the existing K-8 School and Church.
2. The proposed use should not have any adverse impact on public facilities.

3. The Future Land Use Map recommends an employment center for the area and education centers are compatible with this.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is recommending that the applicant meet the following conditions:

1. The Atlanta Adventist Academy shall provide a current evacuation plan/route in the event of an accident on I-85 involving the release of toxic materials/liquid/gas.
2. The applicant is responsible for contacting Building, Fire and Environmental Management to ensure the School meets all criteria prior to operations beginning. Correspondence shall be provided from each office regarding the related approvals.
3. The church shall agree to work with the County, in good faith, to address any concerns or complaints related to odor, glare, noise or similar objectionable features.
4. Any expansion over 125 students shall be submitted to the Community Development Department for an amended review of the Conditional Use Permit.

There were no questions from the Board for Staff.

Applicant Representative: Grant Wolters, 136 Marsha Way, Sharpsburg, Ga. 30277

In agreement with the listed conditions and excited to be here and get this project started.

The Chairman called for anyone who wished to speak in favor/opposition of this request. There were none.

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to close the Public Hearing regarding CONDUSE-22-000002.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Delia Crouch, Royce Williams
ABSENT:	Lisa Mitchum, Billy Cranford

CUP 22-000002 Atlanta Adventist Academy
Conditional Use Permit - Expand for 9th-12th Grade
Atlanta Adventist Academy
171 Gordon Rd, Newnan
Comm Lassetter - Dist 2
Tax I.D. 088-2071-002

Commission District Commissioner Lassetter

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of CONDUSE-22-000002, subject to the following conditions:

1. The Atlanta Adventist Academy shall provide a current evacuation plan/route in the event of an accident on I-85 involving the release of toxic materials/liquid/gas.
2. The applicant is responsible for contacting Building, Fire and Environmental Management to ensure the School meets all criteria prior to operations beginning. Correspondence shall be provided from each office regarding the related approvals.
3. The church shall agree to work with the County, in good faith, to address any concerns or complaints related to odor, glare, noise or similar objectionable features.
4. Any expansion over 125 students shall be submitted to the Community Development Department for an amended review of the Conditional Use Permit.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	7/12/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Delia Crouch, Royce Williams	
ABSENT:	Lisa Mitchum, Billy Cranford	

3. 13114 : CUP 22-000003 - Southwest Christian Church: SW Preschool

The subject property is located at 3836 N. Highway 29 and the home of Southwest Christian Church. The Church received approval for a Church Campus on January 23, 2014 (Petition #ZA 020-13). Since that time, the Church sees an opportunity for ministry in a proposed weekday Preschool program at the existing Church building.

The proposed school is a four hour a day, four day a week program for young children ages birth through 4K - Preschool for approximately 10 months of the year. School will begin in August and close in May operating Monday through Thursday from 9am to 1pm. The request is for a maximum of 10 staff and 52 students.

The Community Development Department submits the Conditional Use Permit with the following factors for consideration:

1. Based upon staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities.
2. The Coweta County Zoning & Development Ordinance allows for Churches and its related uses as Conditional Uses within the Cedar Creek Zoning District.
3. The proposed preschool should not have an adverse effect on the aesthetic value of the surrounding area.

Should the Board of Zoning Appeals recommend approval for the request, the

Community Development Department is recommending that the applicant meet the following conditions:

1. Southwest Christian Preschool shall provide an evacuation plan/route in the event of an accident on US Hwy 29 involving the release of toxic materials/liquid/gas and any other emergency situations.
2. The applicant is responsible for contacting Building, Fire and Environmental Management to ensure the School meets all criteria prior to operations beginning. Correspondence shall be provided from each office regarding the related approvals.
3. The applicant shall work with Georgia Department of Transportation for permitting and installation of turn and decel lanes.
4. The church shall agree to work with the County, in good faith, to address any concerns or complaints related to odor, glare, noise or similar objectionable features.
5. Any expansion over 52 students or additional grades shall be submitted to the Community Development Department for an amended review of the Conditional Use Permit.

Please note that Coweta County has received correspondence from GDOT and Public Works that the appeal was **denied**.

There were no questions from the Board for Staff.

Applicant: Deanna Peacock, Program Director & Children's Minister, 51 Happy Valley Lane, Newnan, Ga. 30263

We have formed a partnership with Arbor Springs Elementary and have assisted with campus cleanup, supplies and sponsored virtual learning pods for students.

We have filed an appeal to remove the turn lane requirement, the cost is \$300,000 to accommodate possibly 14 people turning left. We can delay start time to avoid peak traffic time in hopes of removing the requirement for construction. If still required, we request a 6-month grace period before providing the bonds.

The Chairman called for anyone who wished to speak in favor/opposition of this request.

Leah Reed, 115 Baldwin Ct. Newnan, Ga. 30263 Spoke in favor of the request. The need is great for preschool spots as the State Lottery slots fill fast leaving long waiting lists.

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to close the Public Hearing regarding CONDUSE-22-000003.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Delia Crouch, Royce Williams
ABSENT:	Lisa Mitchum, Billy Cranford

CUP 22-000003 - Southwest Christian Church: SW Preschool

Conditional Use Permit - Preschool

Southwest Christian Church: SW Preschool

3836 N Hwy 29, Newnan

Comm Blackburn, Dist 3

Tax I.D. 107-6011-001

Commission District Commissioner Blackburn

On motion of Board member Harper, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of CONDUSE-22-000003, subject to the following modified conditions:

1. Southwest Christian Preschool shall provide an evacuation plan/route in the event of an accident on US Hwy 29 involving the release of toxic materials/liquid/gas and any other emergency situations.
2. The applicant is responsible for contacting Building, Fire and Environmental Management to ensure the School meets all criteria prior to operations beginning. Correspondence shall be provided from each office regarding the related approvals.
3. The applicant shall work with Georgia Department of Transportation for permitting and installation of turn and decel lanes, if required.
4. The church shall agree to work with the County, in good faith, to address any concerns or complaints related to odor, glare, noise or similar objectionable features.
5. Any expansion over 52 students or additional grades shall be submitted to the Community Development Department for an amended review of the Conditional Use Permit.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	7/12/2022 6:00 PM	
MOVER:	George Harper, District 3 Chairman	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Delia Crouch, Royce Williams	
ABSENT:	Lisa Mitchum, Billy Cranford	

4. 13116 : VAR 22-000030 FGM Blalock Investments - 3 Variances

The subject property for the variance consideration is located in Phase 3 of the Blalock Lakes Community. The Blalock Lakes Development is located off Corinth Road and rezoned in 2005 under our former Rural Conservation - Community Unit Plan.

In developing Phase 3 of the Community, the applicant is proposing an additional Community Center to provide a gathering place for the neighbors. There is a lodge, further into the development, but this would be an additional amenity for the Community. In developing it, they would like to keep the same type design as was done with the Hunt Club, Lake Club, Swim/Tennis Club and Equestrian Club. Blalock Lakes applied for variances in 2007 and

was granted variances for paving standards, landscaping & curbing, driveway widths in Petitions ZA 005-007, ZA 006-007, ZA 007-007, ZA 008-007 and ZA 009-07.

In developing Phase 4 of the Community, the applicant is proposing cottages/cabins in a cluster of single-family homes. With this development style, the applicant is also requesting the same.

The Community Development Department submits the following Factors of Review for consideration:

1. Based on staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities.
2. The uniqueness of this property limits its use and its development under Article 24. Site Development Standards (i.e. construction alterations of the property to meet planned development criteria), in all likelihood, would significantly impact the nature of the Blalock Lakes Community Unit Plan.
3. Relaxation and flexibility of the county's site development standards will serve to meet the goals of the Blalock Lakes Community as planned.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration:

1. The applicant shall provide a maintenance and corrective action plan for upkeep of the gravel roads since these gravel roads within the private development will not be maintained by County forces.
2. A contact name and number for maintenance of the gravel roads shall be established and posted on signage within the development.
3. Allow ingress/egress for emergency response vehicles, parked vehicles within the required accessways shall be prohibited; enforcement by the owner is required to ensure compliance.
4. Overhanging tree limbs along accessways shall be performed to ensure Fire Department and County vehicles have access regardless of weather conditions.
5. Handicap spaces shall be paved and curbed, per the American Disabilities Act.
6. Install signs displaying road names.

Mr. Williams: How many complaints? Ms. Eschman: Only one.

Applicant Representative: Ted Meeker, 14 East Broad St. Newnan, Ga. 30263

There has been a reduction in the scope of this project. There are no objections to the conditions and the private roads will be maintained.

The Chairman called for anyone who wished to speak in favor/opposition of this request.

Mr. Carlton Roberts, 563 Blalock Lakes Dr. Newnan, Ga. 30263

Mr. Carlton listed several issues related to a residential subdivision that is hosting a private club under an easement agreement which he feels is a conflict of interests. Copy of speech is attached in full minutes.

Letters of opposition were provided by the following citizens:

Carlton Roberts & Deborah Levich, 563 Blalock Lakes Dr. Newnan, Ga. 30263

The Chairman asked if there were any rebuttal comments the applicant wished to make.

Applicant Representative rebuttal comments: Most issues spoken about are a private dispute - all of the variance requirements have been met.

On motion of Board member Williams, seconded by Board member Crouch, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000030.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Delia Crouch, District 5
AYES:	George Harper, Delia Crouch, Royce Williams
ABSENT:	Lisa Mitchum, Billy Cranford

VAR 22-000030 FGM Blalock Investments - 3 Variances

(1) Art 24 Site Development Standards Sec 242.1 Item#6 - Paving Standards

(2) Art 24 Site Development Standards Sec 242.1 Item#10 - Landscaping & Curbing

(3) Art 24 Site Development Standards Sec 242.1 Item #11 - Driveway Widths

Blalock Lakes Community

Corinth Rd, Newnan

Comm Lassetter - Dist 2

Tax I.D. 039-3042-001,002; 040-3009-001, 016, 019, 020-033. 036, 040; 040-3025-001, 034; 040-3026-001, 001A, 002-005, 007-013, 015, 017, 019-021, 023-024, 026-039, 048-057, 060-064,066-067; 040-3027-001, 002-004; 040-3043-004, 005-014; 040-3044-001

Commission District Commissioner Lassetter

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000030, subject to the following conditions:

1. The applicant shall provide a maintenance and corrective action plan for upkeep of the gravel roads since these gravel roads within the private development will not be maintained by County forces.
2. A contact name and number for maintenance of the gravel roads shall be established and posted on signage within the development.
3. Allow ingress/egress for emergency response vehicles, parked vehicles within the required accessways shall be prohibited; enforcement by the owner is required to ensure compliance.
4. Overhanging tree limbs along accessways shall be performed to ensure Fire Department and County vehicles have access regardless of weather conditions.

5. Handicap spaces shall be paved and curbed, per the American Disabilities Act.
6. Install signs displaying road names.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	7/26/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Delia Crouch, Royce Williams	
ABSENT:	Lisa Mitchum, Billy Cranford	

IV. Additional Business

A. Next BOZA Mtg - July 28, 2022

V. Adjournment

1. Adjourn

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Delia Crouch, Royce Williams
ABSENT:	Lisa Mitchum, Billy Cranford