



Coweta County Board of Zoning Appeals

Public Hearing

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~ Minutes ~

Angela White
770.254.2635

Thursday, May 26, 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	Present	
Billy Cranford	District 4	Present	
Delia Crouch	District 5	Present	
Royce Williams	District 2	Present	

II. Approval of Minutes

1. Board of Zoning Appeals - Public Hearing - Apr 28, 2022 6:00 PM

On motion of Board member Crouch, seconded by Board member Mitchum, passing unanimously, the Board voted to approve the minutes from the Public Hearing held on April 28, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Lisa Mitchum, District 1 - Vice-Chair
AYES:	Harper, Mitchum, Cranford, Crouch, Williams

III. Public Hearing

A. Petitions

1. 13020 : VAR-22-000020 Alan Newsome - Rear Yard Setback Reduction

The subject property is located at 164 Waters Edge Lane in the Waters Edge Subdivision, Lot 46. The property has an approximate area of 3.21± acres and is zoned CC (Cedar Creek).

The applicant is requesting a 4-foot rear yard setback from the required 50-feet from Article 23. *Dimensional Requirements. Rear Yard Setback.* for the encroachment of a poured foundation within the rear yard setback.

The contractor, Alan Newsome was hired by the homeowner to rebuild a home destroyed by fire. Initially, all the appropriate demolition, site prep, and foundation permits were pulled through the Community Development Building Division. Upon submittal of a foundation survey, it was determined that the foundation was already poured and was over the required rear setback. In addition, the home had already been completely framed without the issuance of a building permit. A stop work order was issued on March 21, 2022.

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

1. The foundation survey was incorporated into the building process to provide a check and balance to ensure proper placement of the structure.
2. Based on staff comments, the proposed request should not have impact on public facilities or the surrounding area.
3. Obtaining the appropriate inspections and permits during construction would have prevented the encroachment of the required rear yard building setback.

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

1. The rear building setback shall be 46-feet along the southwest corner, as shown on the diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Coweta County Building Department.
3. The applicant shall obtain all appropriate permits and inspections before any construction resumes on the structure.
4. The applicant shall pay a penalty fee in the amount of \$2,874.00. Those fees include the outstanding building permit fee (\$1,539.00) and a stop work order fee (\$1,335.00).

There were no questions from the Board for Staff.

Applicant: Alan Newsome, 5255 Peachtree Blvd. Chamblee Georgia 30341

This is the first time I have built in Coweta County and take full responsibility for the neglect of checking for proper permitting process.

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

On motion of Board member Mitchum, seconded by Board member Crouch, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000020.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Lisa Mitchum, District 1 - Vice-Chair
SECONDER:	Delia Crouch, District 5
AYES:	Harper, Mitchum, Cranford, Crouch, Williams

VAR # 22-000020 Alan Newsome - Rear Building Setback Reduction Rear Yard Setback Reduction of 4-ft-ft from the required 50-ft

Art. 23. Dimensional Requirements

164 Waters Edge Lane (Lot 46-Waters Edge Subdivision)

Comm Blackburn

Tax I.D. 094-5237-019

Commission District Commissioner Blackburn

On motion of Board member Cranford, seconded by Board member Williams,

passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000020, subject to the following conditions:

1. The rear building setback shall be 46-feet along the southwest corner, as shown on the diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Coweta County Building Department.
3. The applicant shall obtain all appropriate permits and inspections before any construction resumes on the structure.
4. The applicant shall pay a penalty fee in the amount of \$2,874.00. Those fees include the outstanding building permit fee (\$1,539.00) and a stop work order fee (\$1,335.00).

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	6/21/2022 6:00 PM	
MOVER:	Billy Cranford, District 4	
SECONDER:	Royce Williams, District 2	
AYES:	Harper, Mitchum, Cranford, Crouch, Williams	

2. 13035 : VAR 22-000018 Weidmann, William & Janet

The subject property is located at 125 Arbor Garden Cir, Newnan: also known as Lot 13 of The Gardens @ Arbor Springs, Phase 1. This property is located within the *RRCC (Residential Retirement Community & Care District)*, our 55+ active lifestyle community.

This Variance Request is related to a pool that the applicants would like to construct within the courtyard. With the design of the home already in place, the remaining area in the courtyard would limit the size of the pool.

The applicant notes that several homes within the development received variance consideration for the same request and would appreciate the same consideration. Based upon their design, they are asking for a 5-foot reduction to allow for placement of their pool.

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. This provision would allow for the courtyard pool without any impact on the neighbors or the county.

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

1. The reduction variance of 5-feet will only apply to the swimming pool.

There were no questions from the Board for Staff.

Applicant Representative: Julia Weidmann, 8455 Hearn Rd. Palmetto, Georgia 30268

Here to represent relatives and support in favor of the request.

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 Mitchum,

passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000018.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Lisa Mitchum, District 1 - Vice-Chair
AYES:	Harper, Mitchum, Cranford, Crouch, Williams

VAR 22-000018 Weidmann, William & Janet

Distance Reduction from 10-ft to 5-ft for pool

125 Arbor Garden Cir, Newnan

Comm Blackburn

Tax I.D. 107 6011 026

Commission District Commissioner Blackburn

On motion of Board member Crouch, seconded by Board member Cranford, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000018, subject to the following conditions:

1. The reduction variance of 5-feet will only apply to the swimming pool.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	6/21/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Billy Cranford, District 4	
AYES:	Harper, Mitchum, Cranford, Crouch, Williams	

3. 13036 : VAR 22-000022 Frazier, Bruce

The subject property is a portion of the abandoned Old Highway 85 Roadbed. A new round-a-bout was constructed in the Fall of 2021 and the alignment of Old Highway 85 has changed to become part of the roundabout. With that, the Board of Commissioners abandoned the previous location in which the road came into SR 16 at an angle.

The applicant is now the owner of the abandoned property. This 1.045 area is now combined with the previous parcel and has been submitted for rezoning to mirror the existing C-6 (Minor Commercial Shopping District). If the applicant is successful in rezoning the property, the applicant will be required to provide a 75-foot buffer between the rezoned parcel and the adjacent RC-Rural Conservation zoned tract.

The applicant is requesting a 50-foot reduction as the adjoining property contains a 100-foot Georgia Power Company Easement that runs parallel with this subject property. Thus, with the reduction, the applicant notes that the 25-foot planted buffer and the 100-foot easement will provide considerable separation from the developments.

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 proposed 25-foot buffer will provide a separation that is currently not there, in addition to the utility easement.

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

1. The 25-foot buffer will be planted according to Coweta County Buffer Requirements in Article 25 and approved prior to planting.

There were no questions from the Board for Staff.

Applicant Representative: Neal Spradlin, 45 Little Rd. Sharpsburg, Georgia 30277

Odd triangle shape of lot makes it difficult to develop, also seeking rezoning to C-6 since abandoned roadbed has been deeded back to property owner. With a 100 feet Georgia Power Transmission Line Easement located next to the property provides separation.

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

On motion of Board member Mitchum, seconded by Board member Williams, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000022.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Lisa Mitchum, District 1 - Vice-Chair
SECONDER:	Royce Williams, District 2
AYES:	Harper, Mitchum, Cranford, Crouch, Williams

VAR 22-000022 Frazier, Bruce

Buffer Reduction from 75-ft to 25-ft

SR 16 at Old Hwy 85

Senoia, GA

Comm Poole

Tax I.D. 156 1214 003

Commission District Commissioner Poole

On motion of Board member Cranford, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000022, subject to the following conditions:

1. The 25-foot buffer will be planted according to *Coweta County Buffer Requirements* in Article 25 and approved prior to planting.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	6/21/2022 6:00 PM	
MOVER:	Billy Cranford, District 4	
SECONDER:	Royce Williams, District 2	
AYES:	Harper, Mitchum, Cranford, Crouch, Williams	

4. 13019 : VAR-22-000017 Robert Johnston - Front Setback Reduction

The subject property is located at the corner of Herring Road and St. Johns Circle, at 29 Herring Road. The site contains 1.08± acres, zoned *M (Industrial)* and is part of the Shenandoah Industrial Park.

The existing building was originally constructed in 1986 and is currently located approximately 40-feet from the right-of-way along Herring Road. The applicant is proposing to do some minor renovations to the front building façade by adding a 6-foot porch with steps, a canopy, and new double doors. These renovations will extend further into the front yard area along Herring Road; therefore, the applicant requests a 45-foot front building setback reduction from the required 75-foot front under *Article 23. Dimensional Requirements for (M) Industrial Zoning*.

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

1. Based on staff comments, the proposed setback reduction should not have impact on public facilities or on the surrounding area
2. The established building has existed for over thirty years and predates the current front setback requirements that were adopted in 2007.

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

1. The building addition shall not be closer than 30-feet from the right-of-way along Herring Road.
2. The applicant shall meet all the requirements of the Development Review and Building Department.

There were no questions from the Board for Staff.

Applicant: Robert Johnston, 155 Golfview Club Dr. Newnan, Georgia 30263

Would like to spruce up the exterior of the building to match others in the neighborhood and make it more appealing for a new tenant.

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 Mitchum, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000017.

RESULT: PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER: Delia Crouch, District 5
SECONDER: Lisa Mitchum, District 1 - Vice-Chair
AYES: Harper, Mitchum, Cranford, Crouch, Williams

VAR # 22-000017 Robert Johnston- Front Setback Reduction Front Setback Reduction of 45-ft from the required 75-ft

Art. 23. Dimensional Requirements

29 Herring Road, Newnan, GA

Comm Blackburn

Tax I.D. 085-5076-021

Commission District Commissioner Blackburn

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-22-000017, subject to the following conditions:

1. The building addition shall not be closer than 30-feet from the right-of-way along Herring Road.
2. The applicant shall meet all the requirements of the Development Review and the Building Department.

RESULT: RECOMMEND APPROVAL [UNANIMOUS] **Next:**
6/21/2022 6:00 PM
MOVER: Delia Crouch, District 5
SECONDER: Royce Williams, District 2
AYES: Harper, Mitchum, Cranford, Crouch, Williams

IV. Additional Business

A. Next BOZA Mtg - June 23, 2022

V. Adjournment

Adjourn

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

RESULT: APPROVED [UNANIMOUS]
MOVER: Billy Cranford, District 4
SECONDER: Lisa Mitchum, District 1 - Vice-Chair
AYES: Harper, Mitchum, Cranford, Crouch, Williams