



Coweta County Board of Zoning Appeals

Public Hearing

www.coweta.ga.us

~ Minutes ~

Angela White
770.254.2635

Thursday, April 28, 2022

6:00 PM

Commission Chambers

I. Meeting Called to Order

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

2. Announcements

Board Member Harper announced that Mr. Craig Jackson stepped down from the Board of Zoning Appeals to seek election as District 2 County Commissioner. The Board will miss his participation and wishes him well in this endeavor. He also introduced and welcomed Mr. Royce Williams to the Board to fill the vacancy left by Mr. Jackson.

II. Approval of Minutes

1. Board of Zoning Appeals - Public Hearing - Feb 24, 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 February 24, 2022.

RESULT:	ACCEPTED [3 TO 0]
MOVER:	Delia Crouch, District 5
SECONDER:	Lisa Mitchum, District 1
AYES:	George Harper, Lisa Mitchum, Delia Crouch
ABSTAIN:	Royce Williams
ABSENT:	Billy Cranford

III. Public Hearing

A. Petitions

1. 12962: VAR 22-000008 & VAR-22-000012 Pearl Springs - Buffer Reduction & Front Loading Doors

Applicant Pearl Springs has filed two variance requests in relation to the development of an industrial site off Hwy 29 South. The proposed development includes two cross dock warehouses, one at 244,000 square feet and another at 150,800 square feet. The 78.69-acre industrial zoned site will be accessed off U.S. Hwy 29, north of Oak Lawn Circle and south of an industrial office building, via a private

road. The structures are approximately 1500-ft from the Highway to the closest point of the warehouse structure.

The site is situated in a horseshoe manner around an 18.68-acre tract owned by Coweta County. Both the north and south portions of the subject property touch the highway. The property to the north is an office with industrial components. The property to the south is the Coweta Greenhouses/Morgan's Market. All these properties are zoned M-Industrial.

However, to the west is the CSX Railroad, zoned RC-Rural Conservation. This would require a 100-ft buffer between the M and RC zoned properties under Article 25 of the Zoning & Development Ordinance. Variance-22-00008 has been submitted for the reduction from the required 100-ft to 0-ft as it will abut the railroad. Also of note that further west is Corinth Road, in which industrial developments line this section of the road. The applicant's position is that the reduction would have no effect as there are no residential units adjacent to the warehouse site.

In addition to the buffer reduction, the applicant is requesting a variance for the allowance of front-loading doors.

The Community Development Department submits the following Factors:

1. Based on staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities.
2. Buffer reduction adjoining the railroad will not have any impact on residential developments, which are commonly found in the RC District.
3. Landscaping design will provide mitigation for visibility from the highway.

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

1. *Evergreen trees shall be required around the eastern side of all loading areas and truck parking lots so as to prevent any potential line of sight between U.S. Hwy. 29 South and the loading areas. A minimum 10-foot-wide planting area shall be established at the top of any proposed slope to allow for proper tree growth at the highest elevation possible. Plantings shall meet the requirements of Section 252 and 253 of the Coweta County Zoning and Development Ordinance.*

There were no questions from the Board for Staff.

Applicant: Richard Ferry - Brent Holdings, LLC 270 N Jeff Davis Dr.,
Fayetteville, Ga. 30214

We have no problems with the conditions as presented. The buildings
are located 1,000+ feet from the highway.

Vice Chair Harper 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-22-000008 and VARIANCE-22-000012.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Lisa Mitchum, District 1
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

VAR-22-000008 Pearl Springs - Buffer Reduction 100-ft to 0-ft against the RC District(Railroad Property)

Art 25 Buffer Reduction

S Hwy 29, Newnan

Comm Lassetter

Tax I.D. 076 2040 010

Commission District Commissioner Lassetter

On motion of Board member Crouch, seconded by Board member
Mitchum, passing unanimously, the Board voted to recommend that
the Board of Commissioners grant the request of VARIANCE-22-
000008, subject to the following conditions:

1. Evergreen trees shall be required around the eastern side of all loading areas and truck parking lots to prevent any potential line of sight between U.S. Hwy. 29 South and the loading areas. A minimum 10-foot-wide planting area shall be established at the top of any proposed slope to allow for proper tree growth at the highest elevation possible. Plantings shall meet the requirements of Section 252 and 253 of the Coweta County Zoning and Development Ordinance.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Lisa Mitchum, District 1	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

VAR-22-000012 Pearl Springs - Front Loading Doors Variance

Art 24 Development Standards

S Hwy 29, Newnan

Comm Lassetter

Tax I.D. 076 2040 010

Commission District Commissioner Lassetter

On motion of Board member Crouch, seconded by Board member Mitchum, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000012, subject to the following conditions:

1. Evergreen trees shall be required around the eastern side of all loading areas and truck parking lots to prevent any potential line of sight between U.S. Hwy. 29 South and the loading areas. A minimum 10-foot-wide planting area shall be established at the top of any proposed slope to allow for proper tree growth at the highest elevation possible. Plantings shall meet the requirements of Section 252 and 253 of the Coweta County Zoning and Development Ordinance.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Lisa Mitchum, District 1	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

2. 12964: VAR 22-000009 Ginn, Jerry - Road Frontage

Applicant Jerry Ginn resides at 414 Marion Beavers Rd in Sharpsburg, a 10.75-acre flag lot. This development, also known as Beaver Run, contains multiple flag lots; a design not allowed under our current development guidelines.

Mr. Ginn wishes to cut out a 5-acre tract for his son. Under our current development requirements, the road frontage is 220-ft. Unfortunately, this tract is limited to 170-ft. The applicant is requesting the variance to allow a reduction from 220-ft to 170-ft; a 50-ft reduction.

The Community Development Department submits the following Factors:

1. Based on staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities. This provision would allow a homestead lot for a family member, a common occurrence when required acreage is available.

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

1. The road frontage reduction shall be limited to the 170-ft as requested for the homestead lot.

There were no questions from the Board for Staff.

Applicant: Darlene Ginn: Our son would like to be near the family due to health reasons and a new property search has not been productive.

Vice Chair Harper called for anyone who wished to speak in favor/opposition of this request. There were none.

Letters of opposition were provided via email by the following citizen:

Monty Pearson, 486 Marion Beavers Rd., Sharpsburg, Ga. 30277 - Stated that "area doesn't need any more homes".

On motion of Board member Crouch, seconded by Board member Mitchum, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000009.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Lisa Mitchum, District 1
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

VAR-22-000009 Ginn, Jerry - Road Frontage Reduction

Article 23 Road Frontage Reduction

414 Marion Beavers Rd, Sharpsburg

Comm Poole

Tax I.D. 123 1053 014

Commission District Commissioner Poole

Board member Williams commented that this request might add 2 more cars to the traffic on Marion Beavers Rd.

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-22-000009, subject to the following conditions:

1. The road frontage reduction shall be limited to the 170-ft as requested for the homestead lot.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

3. 12965: VAR 22-000010 Fischer Marketplace, LLC - Buffer Reduction

The subject property is the newest addition to the Fischer Marketplace Development at the southwest corner of Fischer Rd, Lower Fayetteville Rd, and SR 34. The property to the north of SR 34 is anchored by the Sam's Club while the property to the east is the site of the Immanuel Seminary and Church. The property to the south across Lower Fayetteville Road is residential but the buffer area will not encroach upon this property due to the odd shape of the western border.

Fischer Marketplace, LLC has submitted this variance request to reduce its 100-ft buffer down to 10-ft.

As Article 25 requires, the C-7 zoned Fischer Marketplace is abutting the Faith Bible RC zoned property thus requiring a 100-ft buffer. The applicant notes that due to the stream that runs along the adjoining property, there is built-in buffering based upon the Stream Corridor Protection Ordinance. The applicant also notes that the "typical" 100-ft buffer area will include the proposed 10-ft buffer, retaining wall and parking. Again, referring to the property to the west as buffered by the existing stream and 150-ft impervious buffer.

The Community Development Department submits the following Factors:

1. Based on staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities.
2. The reduction, specific to the former church property parcel, would not have a negative impact on residential lots. However, no further southern consideration of reduction should be granted which could negatively impact active residential areas.

3. Input from adjoining residential property owners shall take great precedence in the consideration of the buffer reduction variance request.

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

1. The buffer reduction be limited to 50-ft.
2. Require planting of the slopes within the 50-ft buffer, provided that they do not interfere with the integrity of the retaining wall but approved by Development Review staff.
3. The applicant shall submit a screening/buffer plan detailing the preservation of the existing evergreen plants along the property adjacent to residential zoned property and the supplemental planting required to ensure an adequate 50-ft buffer. The screening/buffer plan must be submitted for review and approval prior to development.
4. The 50-ft buffer shall be maintained. If at such time it comes to the County's attention that it is not maintained, it shall be replaced at property owner's expense.

There were no questions from the Board for Staff.

Applicant: Matt Boone, Forecast Real Estates 171 17th St. Ste. 1575 Atlanta, Ga. 30363

We entered into an agreement with the church on April 28, 2022. Will purchase property in the future. The original plan did not include the church property but this purchase was made to add it to the total. Seventh Day Adventist Church property was rezoned, the Faith Bible Church property is still zoned RC. Development Agreement amended.

Vice Chair Harper called for anyone who wished to speak in favor/opposition of this request.

Speaking in favor and providing a letter of support: Phil Carson, Faith Bible Church of Sharpsburg.

On motion of Board member Mitchum, seconded by Board member Crouch, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000010.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Lisa Mitchum, District 1
SECONDER:	Delia Crouch, District 5
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

VAR-22-000010 Fischer Marketplace, LLC - Buffer Reduction

Art 25 Buffer

Fischer Marketplace Development on SR 34 E

Comm Poole

Tax I.D. 145 6133 016

Commission District Commissioner Poole

Crouch: County is asking for 50 feet?

White: The reduction is to Zero. To clarify, a buffer is solid vegetation, and a Landscape strip is designed. County received a call at 3:00 pm today about these changes and had no chance to review them. Match the other 50-foot buffer to the south. The hardship is created by the developer by placing more on the lot.

Harper: Streams and watershed setbacks, it's quite a reduction from 100 ft to zero.

White: The information was provided several weeks ago at pre-submittal meeting.

Applicant: At 50 feet we would not be able to develop for the tenant. These are unique tenants, and it would reduce the parking and we are barely able to fit with the 100% reduction, so this is an imperative ask in order to develop this property.

On motion of Board member Crouch, seconded by Board member Mitchum, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000010, subject to the following modified conditions:

1. The buffer reduction ~~be limited to 50 ft~~ approved to zero with a 10 ft. landscape strip.
2. ~~Require planting of the slopes within the 50 ft buffer, provided that they do not interfere with the integrity of the retaining wall but approved by Development Review staff.~~
3. ~~The applicant shall submit a screening/buffer plan detailing the preservation of the existing evergreen plants along the property adjacent to residential zoned property and the supplemental planting required to ensure an adequate 50 ft buffer. The screening/buffer plan must be submitted for review and approval prior to development.~~
3. The applicant shall submit a screening plan detailing a 10-foot stirp along the property adjacent to residential zoned property and the supplemental planting required to ensure an adequate 10-ft screening area. The screening plan must be submitted for review and approval prior to development.
4. ~~The 50 ft buffer shall be maintained. If at such time it comes to the County's attention that it is not maintained, it shall be replaced at~~

~~property owner's expense.~~

4. The 10-ft landscape screening shall be maintained. If at such time it comes to the County's attention that it is not maintained, it shall be replaced at property owner's expense.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Lisa Mitchum, District 1	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

4. 12966: VAR 22-000015 Twelve Parks Phase D - Front Setback Reduction

The subject property is located within the 450.86± acres known as "Twelve Parks Development" in Sharpsburg, Georgia zoned RI-B. The specific property under consideration for the variance is a total of 63.75± acres and designated as Phase D. As noted, the applicant has self-imposed the 55+ age restriction for this community. The applicant notes that this "target market" prefers to have the majority of the home living space on the first floor. By expanding the first-floor footprint's square footage, the product meets the desired design. With that, the goal is to provide the option for a 78-ft deep house. Thus, the applicant is requesting the reduction from 42-ft to 25-ft.

The Community Development Department submits the following Factors:

1. Based on staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities.
2. Reduction in lot count would provide area for larger lot size, thus removing the need of the variance.
3. The applicant is self-imposing the 55+ market restrictions on the Phase D, thus noting comparable front setbacks to the RRCC development type. With that, RRCC standards should be included in the conditions.

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

1. The front building setback line shall be no less than 25-feet for all lots.
2. Phase D shall provide a Deed Restriction binding instrument preventing the phase from future conversion into non-age restricted residential units.
3. Mandatory Homeowner's Association required as defined in Art 9A Section 97A of the Coweta County Zoning & Development Ordinance.
4. Development shall incorporate the Open Space & Community Center Requirements of Art 9A Section 94A.3 with outdoor areas and a community center as defined in the Coweta County Zoning & Development Ordinance.

There were no questions from the Board for Staff.

Applicant: Daniel Fields Brent Holdings, LLC 270 N Jeff Davis Dr. Fayetteville, Ga. 30214

There will be a 2,400 SF pool and all amenities as RRCC plus access to all other amenities. House will not fit on lot and have a good backyard, trying to accommodate future buyers. We are ok with the conditions.

Vice Chair Harper 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 VARIANCE-22-000012.

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

VAR-22-000015 Twelve Parks Phase D - Front Setback Reduction

Art 23 Dimensional Req - Front Setback Reduction

Twelve Parks Development - Phase D

Comm Poole

Tax I.D. 136 1122 001

Commission District Commissioner Poole

On motion of Board member Mitchum, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000015, subject to the following conditions:

1. The front building setback line shall be no less than 25-feet for all lots.
2. Phase D shall provide a Deed Restriction binding instrument preventing the phase from future conversion into non-age restricted residential units.
3. Mandatory Homeowner's Association required as defined in Art 9A Section 97A of the Coweta County Zoning & Development Ordinance.
4. Development shall incorporate the Open Space & Community Center Requirements of Art 9A Section 94A.3 with outdoor areas and a community center as defined in the Coweta County Zoning & Development Ordinance.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Lisa Mitchum, District 1	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

5. 12992: ZA 01-22 Barber, Jr. Quillian - Art 12 Variance

The applicant, Quillian Barber, has submitted a request for a variance related to Article 12 Manufactured Homes and Mobile Homes and the conditions of approval by the Compatibility Standards Review Committee.

The Community Development Department began working with Mr. Barber in Spring of 2021 regarding the removal of a 1024 square foot residence built in 1910. Mr. Barber wanted to remove the structure and place a manufactured home on the property. With that, staff worked for several months to assist Mr. Barber in completing the application package, along with the manufactured home company, Five Star Manufactured Homes, Inc.

On 8/23/21, the permit was issued for the home under the approval conditions which incorporate Article 23 Dimensional Requirements of Coweta County. A site plan was submitted, dated June 2, 2021, acknowledging the required setbacks. After receiving a change to the structure, the Committee reviewed and approved that modification. However, the home was placed outside the setbacks and no communication was made to the County until a request for final inspection was made. The final inspection was denied due to the home being placed outside the approved placement. A site inspection was done by Community Development staff and was determined that there was no reason preventing the placement of the home other than grading costs associated with the work. However, cost cannot be considered nor can the approval through Article 12 Manufactured Homes.

Manufacturing Home Compatibility Committee

The Community Development Office, Building Department division, began working with Mr. Barber prior to May 2021 concerning inquiries to demo and replace his single-family home on his property. Mr. Quillian Barber was approved by the Compatibility Review Committee to place a manufactured home on his property located at 1592 Welcome to Sargent Rd, Sargent, GA on June 24, 2021, based upon information provided to the Committee. The building permit was issued on August 23, 2021, to Mr. Barber. Please note on the approval letter, the CRC Committee states that any variance in the specifications submitted shall require additional approval. Due to this statement, we received a revised floor plan for a 2-bedroom, same outside dimensions and square footage on December 14, 2021, which was discussed and approved. No additional changes were submitted.

The building department received the survey dated February 16, 2022, indicating the actual placement of the manufactured home. At that time, it was noted that the manufactured home was over the front and rear building setbacks. We also noted the change in the setback to 50 feet from the

property line abutting the railroad. The proposed survey, approved by the Compatibility Review Committee, indicated a side yard setback of 25 feet from the property line abutting the railroad. Due to the manufactured home being outside the building setbacks, the Building Department denied the survey resulting in a denial of a final inspection.

With this, the manufactured home is in violation of setbacks, as well as the approval of the manufactured home Compatibility Review Committee.

The Community Development Department submits the following highlights regarding the Factors of Review:

1. Article 12 Manufactured Homes was established to meet Court requirements in the review and permitting of manufactured homes. Any activity not meeting those requirements is in violation of that order.
2. Community Development staff was not contacted to discuss any issues related to the placement.
3. Based upon inspection related to the placement versus the approved site, the additional grading costs appear to be the only issue relating to the placement of the home.

There were no questions from the Board for Staff.

Applicant Representative: Tracy McMahon, Installer, Five Star Mobile Homes
738 E College St. Bowdon, Ga. 30108

Mr. Barber met the installers on site and did not provide the site plan to installer at that time. Excavation of the lot proved to be a challenge due to previously existing septic system and well. The additional excavation would leave a steep hill that would be difficult for Mr. Barber to maintain with his needed knee replacement surgery. We weren't aware that the home was outside the survey and since it is completed, it would be a huge expense to Mr. Barber to move it 20 feet.

Ms. White: To correct some misinformation, at the time of approval the home was inside the required setbacks, or it would not have been approved. The approved site plan was provided to Mr. Barber and Five Star Mobile Homes, so everyone was aware of what the requirements were for the home placement up front. I'm sorry the plans were not on site as they should have been.

Ms. Mitchum: Even when they came back for the size change, there was no mention of a location change?

Ms. White: There was no location change indicated.

Mr. Williams: The home itself meets all the requirements, it's just the setbacks that are the issue?

The applicant representative interjected that the site plan the surveyor provided shows the encroachment, and Ms. White responded that the drawing

he is speaking of was not to scale, and he should refer back to the site plan.

Ms. White responding to Mr. Williams: The home itself meets the requirements for the minimum square footage.

Vice Chair Harper 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 Petition ZA 01-22.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Lisa Mitchum, District 1
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

ZA 01-22 Barber, Jr, Quillia - Art 12 Manufactured Home

Art 12 Manufactured Home Ordinance

1592 Welcome to Sargent Rd, Newnan

ZA 01-22

Tax I.D. 034A 075A

Commission District Commissioner Lassetter

Ms. Mitchum: I think he needs to move the house.

Ms. Crouch: It's a manufactured home on a slab in Sargent - Welcome to Sargent Rd.

Mr. Harper: There was ample discussion with the County and instruction given where it needed to go with plats and everything else, we didn't know is not a good enough excuse.

On motion of Board member Mitchum, seconded by Board member Harper, with Board members Crouch and Williams voting in opposition, a motion to recommend denial of the request in Petition ZA 01-22 filed by Quilliam Barber, Jr. associated with property located at 1592 Welcome to Sargent Road, Newnan failed for lack of a majority vote. A decision will be rendered by the Board of Commissioners on May 17, 2022.

RESULT:	RECOMMEND DENIAL [2 TO 2] Next: 5/17/2022 6:00 PM
MOVER:	Lisa Mitchum, District 1
SECONDER:	George Harper, District 3 - Vice-Chairman
AYES:	George Harper, Lisa Mitchum
NAYS:	Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

6. 12993: VAR 22-000005 Deana Young - Acreage Reduction

The subject property has a total area of 3.95± acres located at 4263 Tommy Lee Cook Road, zoned RC (Rural Conservation).

Due to health issues within the family, the applicant wishes to utilize the Guest House Ordinance to construct a second home on the property. Under the Ordinance, the minimum acreage allowed for the principal dwelling and a guest house is 10± acres; therefore, the applicant is requesting a reduction of 6.05± acres from the required 10-acres. The proposed guest house will be 1,000 sq ft and is located behind the principal dwelling along the eastern property boundary.

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

1. Based on staff comments and recommended conditions, the proposed use should not have impact on public facilities or the surrounding area.
2. The intent of the ordinance is to provide independent living to family members while meeting all current zoning requirements.
3. The proposed home is compatible with single family residences in the neighborhood.

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 meet all the requirements of the Building and Environmental Health Departments.
2. As proffered by the applicant, "the guest house shall be converted into an entertaining pool house area, when the family care is no longer needed". The applicant shall incorporate the proffered condition into the Deed of Use Restriction.
3. The applicant shall comply with all other guest house ordinance requirements under Art 7. Section 72.
4. The Community Development Department shall review and approve the Deed of Use Restriction prior to recording with the Clerk of Superior Court.

There were no questions from the Board for Staff.

Applicant representative: David Marmins 579 Lakeview Ter SE Mableton, Ga. 30126

The purpose is to take care of family members - hardship is medical need. The neighbors are in support. Property has been in the family since 1930. Applicants propose to dictate that when no longer needed, it will be turned back into a pool house.

Vice Chair Harper called for anyone who wished to speak in favor/opposition of this request. There were none.

Letters of support were provided by the following citizens:

Thomas & Christi Hudson, 4311 Tommy Lee Cook Rd., Newnan, Ga. 30263

Linda Young, 4207 Tommy Lee Cook Rd., Newnan, Ga. 30263

On motion of Board member Crouch, seconded by Board member Williams, passing unanimously, the Board voted to close the Public Hearing regarding VARIANCE-22-000005.

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

VAR-22-000005 Deana Young- Reduction of Acreage for Guest House 10-acres to 3.95- acres- Reduction of 6.05-acres

Art 7. Sect. 72 Item 11(b) Acreage Reduction for Guest House

4263 Tommy Lee Cook Road, Newnan

Comm Blackburn

Tax I.D. 069-8112-012

Commission District Commissioner Blackburn

On motion of Board member Crouch, seconded by Board member Mitchum, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000005, subject to the following conditions:

1. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
2. As proffered by the applicant, "the guest house shall be converted into an entertaining pool house area, when the family care is no longer needed". The applicant shall incorporate the proffered condition into the Deed of Use Restriction.
3. The applicant shall comply with all other guest house ordinance requirements under Art 7. Section 72.
4. The Community Development Department shall review and approve the Deed of Use Restriction prior to recording with the Clerk of Superior Court.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Lisa Mitchum, District 1	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

7. 12994: VAR 22-000011 Angler Investments, LLC

The vacant 3.00± acre tract is located at the northeast corner of Poplar Road and SR 16, zoned C-6 (Minor Commercial Shopping).

Initially when the property was rezoned under Petition# 019-21, the applicant was uncertain of the exact use of the property. Since that time, the applicant has established certain uses for the commercial center including a restaurant, retail spaces, urgent care facility, and pharmacy with a drive thru area. With

that, the applicant revised the site plan, situating the proposed 15,000 sq ft building closer to the northern property line; therefore, requesting a 25-ft reduction from the required 75-ft buffer.

According to the site plan, a 50-ft buffer is shown along the northern property line with a 6-ft privacy fence consisting of wood material.

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

1. Based on staff comments, the proposed request will affect the adjoining residential property to the north.
2. The impact on the adjoining neighbor to the north should carry great weight in this decision
3. A variance requires a hardship, which has not been proven for the subject site.

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

1. A 50-ft buffer shall be planted along the northern property boundary. Additional plantings may be required to ensure adequate screening. A landscape plan shall be submitted and approved by the Community Development Department prior to installation.
2. The applicant shall install of six (6) foot decorative opaque along the northern property line that abuts the established residential property zoned RC (Rural Conservation). The fence shall be approved by the Community Development Department.
3. The 6-ft decorative opaque fence is to stay in good working order and be replaced by the property owner when it becomes damaged or at the county's discretion.

There were no questions from the Board for Staff.

Applicant representative: Neal Spradlin 45 Little Rd. Sharpsburg, Ga. 30277

I have spoken with the property owner to the North, his house is 434 feet from the fully wooded property line. The narrow lot size is the hardship factor. C-6 minor zoning is an umbrella for other, lower uses that carry a 50-foot buffer. Applicant agrees with the conditions.

Vice Chair Harper 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-22-000011.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Lisa Mitchum, District 1
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

VAR-22-000011 Angler Investments- Buffer Reduction Proposing a 50-ft buffer from the required 75-ft (25-ft Reduction) along Northern Property Boundary

Art 25. Sec 251.Buffer Reduction

3174 Hwy 16 E, Sharpsburg

Comm Poole & Comm Lassetter

Tax I.D. 124-1049-008

Commission District Commissioner Poole, 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-22-0000011, subject to the following conditions:

1. A 50-ft buffer shall be planted along the northern property boundary. Additional plantings may be required to ensure adequate screening. A landscape plan shall be submitted and approved by the Community Development Department prior to installation.
2. The applicant shall install of six (6) foot decorative opaque along the northern property line that abuts the established residential property zoned RC (Rural Conservation). The fence shall be approved by the Community Development Department.
3. The 6-ft decorative opaque fence is to stay in good working order and be replaced by the property owner when it becomes damaged or at the county's discretion.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

8. 12995: VAR 22-000013 Brandon Eidson - Front Setback Reduction

The subject property is Tract 2 located at 4049 Tommy Lee Cook Road, zoned RC (Rural Conservation). The subject site has a total area of 5.00± acres and is accessed by a private easement off Tommy Lee Cook Road. Mr. Eidson doesn't own the easement but does have the legal rights for ingress/egress to his property.

The applicant is currently in the process of constructing a personal residence on the subject property. In conjunction, a building permit was pulled for the construction of a 28' x 40' detached accessory structure. Upon inspection, it was determined the accessory structure encroached within the required front building setback.

With that, the applicant requests a variance of 17-feet from the required 50-foot front building setback under *Article 23. Dimensional Requirements. Residential Districts*. The detached accessory structure will be utilized for the storage of personal equipment and will be located 33-ft from the front property line.

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

1. Based on staff comments, the proposed use should not have any adverse impact on public facilities or on the surrounding area.
2. Accessory buildings are common structures associated with residential developments provided all setback requirements are met for the zoning district.
3. The site is limited due to topography and geological issues within the subject property.

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

1. The proposed accessory structure shall not be closer than 33-feet from the front property line, as shown on diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
3. The proposed accessory structure shall only be utilized for the storage of personal equipment only.

There were no questions from the Board for Staff.

Applicant representative: Melissa Griffis, Horne & Griffis PC 32 S Court Square Newnan, Ga. 30263

During construction they ran into rock and had to move the house and thus move the accessory structure. Unable to find the easement owner for support or opposition, owner appears to be deceased. We do have verbal support from the neighbors and applicant is ok with the conditions.

Applicant: Brandon Eidson: My younger son wants parcel 1 for a future home.

Vice Chair Harper 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-22-000013.

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

VAR-22-000011 Brandon Eidson- Front Setback Reduction Reduction of 17-ft from the required 50-ft Proposing the placement of an accessory structure 33-ft from front property line.

Art. 23. Dimensional Requirements
4049 Tommy Lee Cook Road, Newnan
Comm Blackburn
Tax I.D. 081-8110-013A
Commission District Commissioner Blackburn

On motion of Board member Mitchum, seconded by Board member William, passing unanimously, the board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000013, subject to the following conditions:

1. The proposed accessory structure shall not be closer than 33-feet from the front property line, as shown on diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
3. The proposed accessory structure shall only be utilized for the storage of personal equipment only.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Lisa Mitchum, District 1	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

9. 12996: VAR 22-000014 Eric McCally - No Structure Setback Reduction

The subject property is Lot 3 of the Deerview Subdivision located at 3526 S, Hwy 29, zoned RC (Rural Conservation). The subject site has an approximate area of 2.57-acres as shown on the final plat recorded on 8-1-2018 and was developed under the RE 2.5 Estate Lot development.

The applicant is proposing the construction of a 26' x 26' accessory building. The building will provide storage area and will include two (2) restrooms and a kitchen for personal use only. The accessory structure will be situated 30.58-ft from the western property line within the side yard behind the principal dwelling.

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

1. Based on staff comments, the proposed use should not have any adverse impact on public facilities or on the surrounding area. (Factors

- 1, 2, 4, 5)
2. Accessory buildings are common structures associated with residential developments.
3. The RE 2.5 development type creates unique limitations for additional structures to be placed on the site after original building completion.

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

1. The proposed accessory structure shall not be closer than 30.58-feet from the western property line as shown on the site plan dated 2-9-2022 and submitted with the variance application.
2. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
3. No additional components shall be added to the structure in which to convert it into a residential unit.

Ms. Mitchum asked what is the typical setback? Ms. Eschman replied: 25 feet.

Applicant representative: George Rosensweig, 75 Jackson St. Newnan, Ga. 30263

Mr. McCally has a special needs child, and they are unable to travel, so they wish to bring the vacation to home. The proposed location is the best location to access the septic for the pool house restrooms. The RE-2.5 development type is no longer used, and the applicant is ok with the conditions.

Applicant Eric McCally: My son is nonverbal so having the restrooms outside will help from disturbing son when he takes refuge in the house.

Vice Chair Harper 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-22-000014.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Lisa Mitchum, District 1
SECONDER:	Delia Crouch, District 5
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams
ABSENT:	Billy Cranford

VAR-22-000014 Eric McCally - No Structure Setback Reduction Reduction of 45-ft from the required 75-ft Proposing the placement of an accessory structure 30-ft along side property line.

Art 7. Sec 73.4 RE 2.5 Development

3526 S Hwy 29, Moreland

Comm Lassetter

Tax I.D. 091-2186-035

Commission District Commissioner Lassetter

On motion of Board member Mitchum, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000014, subject to the following conditions:

1. The proposed accessory structure shall not be closer than 30.58-feet from the western property line as shown on the site plan dated 2-9-2022 and submitted with the variance application.
2. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
3. No additional components shall be added to the structure in which to convert it into a residential unit.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Lisa Mitchum, District 1	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

10. 12997: VAR 22-000016 Clayton Edmondson - Front Setback Reduction

The subject property is Lot 4 of the Copperwood Place Subdivision located at 996 Bruce Jackson Road, zoned RC (Rural Conservation). The subject site has an approximate area of 5.06-acres as shown on the final plat recorded on 9-30-2020 and was developed under the EL-5 development type.

The applicant requests a variance of 61-feet from the required 171-foot front building setback under *Article 23. Dimensional Requirements. Residential Districts*. The applicant is proposing to construct a detached accessory structure. The structure will consist of a two-car garage approximately 30' x 50' and will be located 110-ft from the front property line.

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

1. Based on staff comments, the proposed use should not have any adverse impact on public facilities or on the surrounding area.

2. Accessory buildings are common structures associated with residential developments provided all setback requirements are met for the zoning district.
3. The EL-5 development type was created with increased front setback requirements to preserve the rural character throughout 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 proposed accessory structure shall not be closer than 110-feet from the front property line along Bruce Jackson Road, as shown on diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Building and Environmental Health Departments.

Mr. Williams: Will there still be trees between the road and the building site?

Ms. Eschman: Yes

Applicant: Clayton Edmondson

Topography of the property drops about 40 feet, chosen site is probably the most level place on the property. The color of the building will blend with the surroundings as we don't want to see the building from the house or the road. The neighbor to the South is ok with the building since it is on the North side of the driveway.

Vice Chair Harper 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 VARIANCE-22-000016.

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

VAR-22-000016 Clayton Edmondson- Front Setback Reduction Reduction of 61-ft from the required 171-ft Proposing the placement of an accessory structure 110-ft from front property line.

Art. 23. Dimensional Requirements

996 Bruce Jackson Road, Newnan

Comm Lassetter

Tax I.D. 027-3073-018

Commission District Commissioner Lassetter

On motion of Board member Mitchum, seconded by Board member Williams, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of VARIANCE-22-000016, subject to the following modified conditions:

1. The proposed accessory structure shall not be closer than 110-feet from the front property line along Bruce Jackson Road, as shown on diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
3. Maintain vegetation to ensure the building is not visible from the road.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	5/17/2022 6:00 PM	
MOVER:	Lisa Mitchum, District 1	
SECONDER:	Royce Williams, District 2	
AYES:	George Harper, Lisa Mitchum, Delia Crouch, Royce Williams	
ABSENT:	Billy Cranford	

IV. Additional Business

A. Next BOZA Mtg - May 26, 2022

B. B. Election of BOZA Officers

On motion of Board Member Crouch, seconded by Board Member Williams, the Board voted to elect Mr. George Harper as Chairman.

Board member Lisa Mitchum volunteered to be Vice-Chairman.

On motion of Board Member Crouch, seconded by Board Member Williams, the Board voted to elect Ms. Lisa Mitchum as Vice-Chairman.

V. Adjournment

1. Adjourn

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Lisa Mitchum, District 1
AYES:	Harper, Mitchum, Cranford, Crouch, Williams