



Coweta County Board of Zoning Appeals

Public Hearing

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~ Minutes ~

Lisa Eschman
770.254.2635

Thursday, April 25, 2024

6:00 PM

Commission Chambers

I. Call to Order

Attendee Name	Title	Status	Arrived
Delia Crouch	District 5 - Chairman	Present	
Lisa Mitchum	District 1 - Vice-Chairman	Present	
Royce Williams	District 2	Present	
Russell Berry	District 3	Present	
Billy Cranford	District 4	Absent	
Jon Amason	Community Development Director	Present	
Ben Sewell	Assistant Community Development Director	Present	
Lisa Eschman	Zoning Manager	Present	
Nicole Blackwell	Zoning Associate	Present	
Linda Ham	Office Manager	Present	

II. Minutes Approval

1. Board of Zoning Appeals - Public Hearing - Mar 28, 2024 6:00 PM

On motion of Board member Williams, seconded by Board member Mitchum, passing by a vote of 4 to 0, with Board member Cranford absent, the Board voted to approve the minutes from the Public Hearing held on Thursday, March 28, 2024.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Lisa Mitchum, District 1 - Vice-Chairman
AYES:	Delia Crouch, Lisa Mitchum, Royce Williams, Russell Berry
ABSENT:	Billy Cranford

III. Petitions

1. Petition # VAR 24-05 Filed by Charles Pruitt Requesting Front Yard Setback Variances for Property Located on corner of Rising Star Road and Aaron Star Road, Senoia

Tax I.D. 165-1268-005

Commission District Commissioner Poole

Zoning Associate Nicole Blackwell presented Petition # VAR 24-05 filed by Charles Pruitt requesting two (2) front yard setback variances for property located at the corner of Rising Star Road and Aaron Todd Road, Senoia (Parcel # 165-1268-005) for construction of a residence. She explained that the subject property consists of 0.75± acres zoned RC (*Rural Conservation*). She further explained that because the subject property is a double frontage lot, the applicant is requesting the following under Article 23. *Dimensional Requirements. Front Yard Setback*:

1. 28-feet front yard setback from the required 100-feet from Rising Star Road (a reduction of 72-feet)
2. 28-feet front yard setback from the required 100-feet from Aaron

Todd Road (a reduction of 72-feet)

She further explained that although the lot size is smaller than the County would allow today, it is a lot of record and was first recorded with the County in 1969. She also noted that the front of the residence will face Aaron Todd Road.

Ms. Blackwell explained that the Community Development Department submits the following factors for consideration in reviewing the Variance Request:

1. Based on staff comments, the proposed request should not have impact on public facilities or the surrounding area.
2. This lot was created on or before April of 1971 before the current 100-foot setback.
3. The property is affected with double frontage of two roads.
4. The property's small size and triangular shape impose constraints on any home building.

In conclusion, she explained that should the Board of Zoning Appeals recommend approval of the request, the Community Development Department submits the following conditions for consideration:

1. The front building setback shall be 28-feet along the northeastern section of the property line outside of the right-of-way located off Rising Star Road, as shown on the site plan submitted with the variance application.
2. The front building setback shall be 28-feet along the southern section of the property line outside of the right-of-way located off Aaron Todd Road, as shown on the site plan submitted with the variance application.
3. The applicant shall meet all the requirements of the Coweta County Building Department.
4. The applicant shall provide safe driveway access approved by Coweta County staff.
5. The front of the home shall face Aaron Todd Road.

There were no questions from the Board for staff.

Chairman Crouch called for any comments from the applicant.

Mr. Charles Pruitt, applicant, had no comments except to apologize for arriving late because of traffic.

Chairman Crouch called for any comments in support of this request. There were none; however, a letter of support was received from Ms. Lila McGahee Adair, Line Creek Road., Senoia.

Chairman Crouch called for any comments in opposition to this request.

Mr. Paul Moore, Dead Oak Road, Senoia, expressed his concerns about the possibility that the property boundaries presented to the Board are inaccurate. He also explained that he does not see on the site plan where the septic line will be placed. In addition, he is concerned about there being an existing water main adjacent to the subject property. He also feels that the lot is entirely too small for construction of a

residence, and he disapproves of the small lot and the reduced setback from the roadways. In closing, he stated that if the survey is incorrect, there will not be enough room to build a house anyway and he would be willing to purchase the parcel to let it sit vacant.

Ms. Pamela Herndon, Tiderace Court, Palmetto, explained that the subject property is adjacent to her family's property which was purchased in the 1960s. This lot has always been vacant. When they found out about a potential home being built there, her family tried to purchase the property, but the seller was asking too much for it. They were told that the County would not allow a home to be built on the property because it is too small. She does not agree with construction on the lot because it is simply too small. In closing, she stated that she also does not understand how there is room for the septic line or where it could possibly be placed, and she opposes construction of a home on this lot.

Chairman Crouch offered the applicant an opportunity for rebuttal.

Mr. Charles Pruitt, applicant, explained that he is not the property owner and had to get notarized approval to address the Board. He plans to proceed with the environmental assessment and if the soils will not perc or there is not enough room for septic, the Environmental Health Department will inform him. In closing, he expressed his belief that a home that creates tax revenue for the County is better than the lot being vacant.

In response to a question from Chairman Crouch, Mr. Pruitt explained that he does not have any objections to the conditions recommended by staff.

On motion of Board member Mitchum, seconded by Board member Williams, passing by a vote of 4 to 0, with Board member Cranford absent, the Board voted to close the Public Hearing regarding Petition # VAR 24-05.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Lisa Mitchum, District 1 - Vice-Chairman
SECONDER:	Royce Williams, District 2
AYES:	Delia Crouch, Lisa Mitchum, Royce Williams, Russell Berry
ABSENT:	Billy Cranford

Petition # VAR 24-05 Filed by Charles Pruitt Requesting Front Yard Setback Variances for Property Located on corner of Rising Star Road and Aaron Star Road, Senoia

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Board member Mitchum and Board member Berry explained that the Board of Zoning Appeals is tasked with considering the variance request not permitting or environmental assessment. Further, if the soil analysis fails, the applicant will not be able to obtain permits from the County to proceed with construction of a residence.

On motion of Board member Mitchum, seconded by Board member Berry, passing by a vote of 4 to 0, with Board member Cranford absent, the Board voted to recommend that the Board of Commissioners grant Petition # VAR 24-05 filed by Charles Pruitt requesting two (2) front yard setback variances for property located at the corner of Rising Star Road and Aaron Todd Road, Senoia (Parcel # 165-1268-005), subject to the following conditions:

1. The front building setback shall be 28-feet along the northeastern section of the property line outside of the right-of-way located off Rising Star Road, as shown on the site plan submitted with the variance application.
2. The front building setback shall be 28-feet along the southern section of the property line outside of the right-of-way located off Aaron Todd Road, as shown on the site plan submitted with the variance application.
3. The applicant shall meet all the requirements of the Coweta County Building Department.
4. The applicant shall provide safe driveway access approved by Coweta County Staff.
5. The front of the home shall face Aaron Todd Road.

Chairman Crouch explained to Mr. Pruitt, Mr. Moore, and Ms. Herndon that a final decision regarding these variance requests will be rendered by the Coweta County Board of Commissioners on May 21, 2024 at 6:00 p.m. in the Commission Chambers located at 37 Perry Street, Newnan.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next: 5/21/2024
	6:00 PM	
MOVER:	Lisa Mitchum, District 1 - Vice-Chairman	
SECONDER:	Russell Berry, District 3	
AYES:	Delia Crouch, Lisa Mitchum, Royce Williams, Russell Berry	
ABSENT:	Billy Cranford	

IV. Additional Business

1. Next BOZA Meeting

Zoning Manager Lisa Eschman explained that the next meeting has been scheduled for May 16, 2024 at 6:00 pm

V. Adjournment

1. Adjourn

On motion of Board member Williams, seconded by Board member Berry, passing by a vote of 4 to 0, with Board member Cranford absent, the Board voted to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Russell Berry, District 3
AYES:	Delia Crouch, Lisa Mitchum, Royce Williams, Russell Berry
ABSENT:	Billy Cranford