



Board of Zoning Appeals

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Public Hearing

Minutes

Shannon Zerangue
Fran Collins
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August 22, 2024

6:00 PM

Commission Chambers

Board of Zoning Appeals

Roll Call/Call to Order

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

The Coweta County Board of Zoning Appeals conducted a Public Hearing on Thursday, August 22, 2024.

Chairman Crouch called the meeting to order at 6:00 p.m.

Approval of Minutes

1. Request Approval of the Minutes from the Public Hearing Held on July 18, 2024

Motion to: **Approve**

The Board voted to approve the minutes from the Public Hearing held on Thursday, July

18, 2024 at 6:00 p.m.

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Lisa Mitchum

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Billy Cranford

Petitions

2. Petition # VAR 24-14 Filed by George Rosenzweig Representing Pulte Group, Inc. (dba Del Webb Newnan) Requesting a Minimum Lot Width Variance for Property Located at Posey Road, Baker Road, and Holz Parkway, Newnan - District 2

Zoning Manager Lisa Eschman presented Petition # VAR 24-14 filed by George Rosenzweig representing Pulte Group, Inc (dba Del Webb Newnan) requesting a variance under Article 9. Section 92A. Item 7 to reduce the minimum lot width to 52-feet from the required 60-feet (reduction of 8-feet). The property is located at Posey Road, Baker Road, and Holz Parkway, Newnan (Parcels # 108-5113-001;108-6008-003; 108-6008-004; 109-5112-002) and is currently zoned RRCC (Residential Retirement Community & Care) district. The subject property has a total area of 472.49± acres, and the Del Webb Southern Oak Development was approved for a 964 lot, 55+ active adult community on July 11, 2023 (Petition # REZ 23-09), along with several variances. One (1) variance included a lot width reduction to 42-feet for only 30% of the units within the development. Upon submission of the preliminary master plat, the development shows over 45% of the lots utilizing a 52-foot lot width. She explained that the applicant appears to have implied approval of an 8-foot (60-feet to 52-feet) minimum lot width reduction at front setback for 45% of the units in the development as originally requested, but this condition was not clearly granted as part of the original variance approval under Petition # VAR 23-13; therefore prompting this request. She provided the excerpt from the approved Board of Commissioners meeting minutes from July 11, 2023. It reads as follows: *The Board voted to grant an 18-foot minimum lot width reduction at front setback (from 60-feet to 42-feet) for no more than 30% of the units in property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-5113-003, #108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition: 1. The minimum lot width reduction shall not exceed the requested 18-feet (from 60-feet to 42-feet) on 30% of the units in the development.* She highlighted the following factors for consideration submitted by the Community Development Department:

1. The Board should consider if this request is a hardship.

She also explained that should the Board of Zoning Appeals recommend approval of the request, the Community Development Department is recommending that the applicant meet the following conditions:

1. 241 units of the development shall meet the lot width ordinance minimum of 60-feet.
2. 434 units of the development may utilize an 8-feet (60-feet to 52-feet) minimum lot width reduction.
3. An additional 289 units of the development may utilize an 18-feet (60-feet to 42-feet) minimum lot width reduction.

Chairman Crouch asked if there were questions for staff.

Board member Cranford asked the reason for this variance.

Zoning Manager Eschman explained that the applicant originally filed the rezoning for nine (9) variances, this is one of them, and they want to accommodate the 964 lots.

Mr. George Rosenzweig, representing Pulte Group, Inc (dba Del Webb Newnan), came forward and stated that this variance was filed for clarity on what was previously approved by the Board of Commissioners on July 11, 2023. Clarification of the right of 45% of the units having a reduction of the minimum lot width from 60-feet to 52-feet. He stated that the applicant is not asking for more property, lots or density and that this phasing plan was used at the Commission meeting on August 20, 2024, when the applicant changed a couple of zoning conditions and the Commissioners added some phasing for the entrances. He explained that the minutes from the July 11, 2023, Commission meeting showed the requests for the variances, the motion to grant these variances and then where the "language got confused" in the typing of the variance that is being resubmitted tonight. He proffered the following conditions to help clarify the request: The Pulte Group, Inc. shall have the right to develop the Del Webb Southern Oaks property with an 8 feet (60-feet to 52-feet) minimum lot width reduction at front setback for 45% of the units in the development, subject to the following conditions:

1. No less than 241 units of the development shall meet the lot width ordinance minimum of 60 feet.
2. No more than 434 units of the development may utilize an 8 feet (60-feet to 52-feet) minimum lot width reduction.
3. No more than 289 units of the development may utilize an 18-feet (60-feet to 42-feet) minimum lot width reduction.
4. In no event shall the total number of units in Del Webb Southern Oaks exceed 964 units.

Chairman Crouch called for any comments in support or opposition. There were none.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # 24-014 filed by George Rosenzweig representing Pulte Group, Inc (dba Del Webb Newnan) requesting a variance to reduce the minimum lot width on property located at Posey Road, Baker Road and Holz Parkway, Newnan (Parcels # 108-5113-001; 108-6008-003; 108-6008-004; 10-5112-002).

RESULT: (UNANIMOUS)

MOVER: Lisa Mitchum

SECONDER: Billy Cranford

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Billy Cranford

Board member Cranford asked staff to explain what was contradicting about this variance request.

Community Development Director Jon Amason stated that the Board of Commissioners approved the request with the condition that did not mention the other lot widths.

Board member Cranford asked, in the staff's opinion, if the variance that was granted and the conditions that were set were not an oversight or mistake.

Community Development Director Amason stated that the Board of Commissioners approved the minutes from that meeting.

Board member Berry stated that it looks like that part of the variance was not denied or approved but "glossed over".

Staff was asked if they agree with the revised language presented by Mr. Rosenzweig. Mr. Amason stated that the numbers instead of percentages makes sense so that there will be no overlapping categories of houses.

Motion to: Recommend Approval

The Board voted to recommend that the Board of Commissioners approve Petition # 24-014 filed by George Rosenzweig representing Pulte group, Inc. (dba Del Webb Newnan) requesting a variance to reduce the minimum lot width on property located at Posey Road, Baker Road, and Holz Parkway, Newnan (Parcels #108-5113-001; 108-6008-003; 108-6008-004; 109-5112-002), subject to include the following revised conditions:

1. No less than 241 units of the development shall meet the lot width ordinance minimum of 60 feet.
2. No more than 434 units of the development may utilize an 8 feet (60-feet to 52-feet) minimum lot width reduction.

3. No more than 289 units of the development may utilize an 18-feet (60-feet to 42-feet) minimum lot width reduction.
4. In no event shall the total number of units in Del Webb Southern Oaks exceed 964 units.

RESULT: (UNANIMOUS)

MOVER: Lisa Mitchum

SECONDER: Russell Berry

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Billy Cranford

3. Petitions # VAR 24-11, # VAR 24-12, # VAR 24-13 Filed by Tucker Holdings, LLC Requesting a Front Yard Setback Variance and Buffer Variances for Property Located at East Gordon Road - District 2

Zoning Associate Nicole Blackwell presented Petitions # VAR 24-11, # VAR 24-12, # VAR 24-13 filed by Tucker Holdings, LLC, represented by Georger Harper, requesting a front yard setback variance and buffer variances for property located on East Gordon Road, Newnan (Parcel # 075A-042). Ms Blackwell began by stating that in conjunction with the variance requests, the applicant has filed Petition # REZ 24-09 to rezone the subject property from RC (Rural Conservation) to Light Industrial (LM) for a self-storage facility, and the rezoning request will be considered by the Board of Commissioners on September 17, 2024. The applicant is requesting a front yard setback reduction of 50-feet along the eastern property line from the required 100-feet (from 100-feet to 50-feet) under Article 23, Setback Reduction, a side yard buffer reduction of 90-feet along the northern property line from the required 100-feet (from 100-feet to 10-feet), and a side yard buffer reduction of 15-feet along the southern property line from the required 25-feet (from 25-feet to 10-feet) under Article 25, Buffer Reduction. She provided pictures to show the location of the subject property relative to East Gordon Road and US 29 and explained that the variance requests only apply to the subject property. The applicant also owns the parcel to the west (Parcel # 075A-016) and this property was granted side yard buffer reductions to 10-feet along both the northern and southern property lines under Petition # VAR 23-35 at the Commission meeting held on March 26, 2024. The applicant would like to match the buffers of the subject property (Parcel # 075A-042) with the buffer reductions that were previously granted for his property to the west (Parcel # 075A-016) and combine the two (2) parcels for the purpose of a self-storage facility should the concurrent rezoning request (Petition # REZ 24-09) be approved. The property will only be accessed through the adjacent property to the west via US 29, with no access off East Gordon Road. The applicant is proposing ten (10) buildings totaling 54,000 square feet. If rezoned to Light Industrial, the current ordinances require a 100-foot buffer adjacent to RC (Rural Conservation) zoned properties to the north, a 25-foot buffer next to an existing Manufactured Home Park to the south, and a 100-foot setback from the right-of-way of East Gordon Road.

She highlighted the following factors for consideration submitted by the Community Development Department:

1. Consideration of this request shall carry great weight with the adjoining residential property owners to the north, east, and south.
2. Development of the lot can be obtained with the required site development standards.
3. The Board should consider if this request is justified by a hardship.

She also explained that should the Board of Zoning Appeals recommend approval of the request, the Community Development Department is recommending that the applicant meet the following conditions for Petitions # VAR 24-11 and # VAR 24-12:

1. The side buffers shall be 10-feet.
2. All buffer plantings shall meet the requirements under Article 25 of the Coweta County Zoning and Development Ordinance.

Conditions for Petition # VAR 24-13:

1. The front setback shall be 50-feet from the right-of-way of East Gordon Road.
2. The 20-foot landscape strip along East Gordon Road shall be planted with evergreen trees meeting the buffer requirements of Article 25 of the Coweta County Zoning and Development Ordinance.

In response to a question from Board member Cranford, Ms. Blackwell explained that there are residential homes across the street from the subject property on East Gordon Road and to the north.

Mr. George Harper, applicant representative, came forward and explained that Ms. Melissa Griffis represented Scott Tucker in March 2024 and the requests tonight are basically the same requests as earlier this year. He also provided (2) letters of recommendation dated September 6, 2023, that were originally submitted on September 6, 2023, for the previous rezoning and variances:

1. Alfredo Chirino-Cellis and Maria De Jesus Borjas Basurto, East Gordon Road, Newnan
2. Luis Angel Clavijo Espinosa, Glenn Street, Newnan

Mr. Harper explained that Mr. Tucker had recently spoken with neighbors across East Gordon Road, and they had no objection to these variances. He further explained that this

area is trending to LM zoning. He indicated that he wanted to discuss the (4th) fourth condition proffered in the staff report associated with the rezoning application (Petition # REZ 24-09) regarding a left turn lane installment, but he spoke with Public Works Director Tod Handley, and they are waiting to hear back from GDOT.

Board member Berry asked if there would be ingress and egress on the east side and Mr Harper stated that there would be no access from East Gordon Road.

Board member Cranford asked to see the letters from the neighbors.

Chairman Crouch asked for letters in opposition. There were none.

Chairman Crouch called for any comments in support or in opposition to the variance requests. There were none.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # VAR 24-11, # VAR 24-12 & # VAR 24-13 filed by Tucker Holdings LLC requesting a front setback variance and buffer variances on property located on East Gordon Road (Parcel # 075A-042).

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Lisa Mitchum

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Billy Cranford

Board member Cranford stated that he voted against the variances back in March 2024 and has a true concern for properties to the east. He does not see that there is a hardship in this situation and there is no way of knowing if the houses across the street will ever be rezoned to industrial or commercial.

Assistant Community Development Director Ben Sewell explained that the reductions to the northern and the southern property lines of the subject property are planted buffer requirements, and the setback reduction along East Gordon Road is a building setback reduction.

Board member Mitchum stated that the applicant could build smaller buildings in the back and asked to see the conditions again. She spoke of the turn lane that was mentioned by George Harper.

Zoning Associate Blackwell explained that the turn lane will be a condition of the rezoning, not the variance request.

Chairman Crouch recommended that the Board vote twice, once for Petitions # VAR 24-11

and # VAR 24-12 and separately for Petition # VAR 24-13.

Motion to: Recommend Approval

The Board voted to recommend that the Board of Commissioners approve Petitions # VAR 24-11 and # VAR 24-12 filed by Tucker Holding LLC requesting buffer reductions for property located on East Gordon Road, Newnan (Parcel # 075A-042), subject to the following conditions:

1. The side buffers shall be 10-feet.
2. All buffer plantings shall meet the requirements under Article 25 of the Coweta County Zoning and Development Ordinance.

RESULT: Passed (3 to 1)

MOVER: Russell Berry

SECONDER: Lisa Mitchum

AYES: Dee Crouch, Lisa Mitchum, Russell Berry

NAYS: Billy Cranford

Motion to: Recommend Denial

The Board voted to recommend that the Board of Commissioners deny Petition # VAR 24-13 filed by Tucker Holdings, LLC requesting a front yard setback reduction for property located on East Gordon Road, Newnan (Parcel # 075A-042).

RESULT: Passed (3 to 0)

MOVER: Billy Cranford

SECONDER: Lisa Mitchum

AYES: Lisa Mitchum, Russell Berry, Billy Cranford

ABSTAIN: Dee Crouch

Additional Business

The next Coweta County Board of Zoning Appeals meeting is scheduled on Thursday, September 26, 2024, at 6:00 p.m.

Adjournment

Motion to: Adjourn

The Board voted to adjourn the meeting.

RESULT: Passed (UNANIMOUS)

MOVER: Lisa Mitchum

SECONDER: Billy Cranford

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Billy Cranford