



Board of Zoning Appeals

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Public Hearing

Minutes

Lisa Eschman
770.254.2635

July 24, 2025

6:00 PM

Commission Chambers - 37
Perry Street, Newnan

Board of Zoning Appeals

Roll Call/Call to Order

Attendee Name	Title	Status
Lisa Mitchum	District 1 - Chairperson	Present
Billy Cranford	District 4 - Vice Chairperson	Absent
Mike Yeager	District 2	Present
Russell Berry	District 3	Present
Dee Crouch	District 5	Present
Jon Amason	Community Development Director	Present
Ben Sewell	Assistant Community Development Director	Present
Lisa Eschman	Zoning Manager	Present
Nicole Blackwell	Zoning Associate	Present
Madonna Overton	Community Development Clerk	Present

The Coweta County Board of Zoning Appeals conducted a Public Hearing on Thursday, July 24, 2025.

Chairperson Mitchum called the meeting to order at 6:00 p.m.

Chairperson Mitchum explained that the rules governing the meeting could be located on the County's website and on the table in the lobby outside the meeting room.

Chairperson Mitchum explained that the Board of Zoning Appeals serves as a recommending board to the Coweta County Board of Commissioners. She informed everyone that the Board of Commissioners will consider all of tonight's cases for a final decision on August 19, 2025.

Approval of Minutes

1. **Request Approval of the Minutes from the Public Hearing held on June 26, 2025**

Motion to: Approve

The Board voted to approve the minutes from the Public Hearing held on Thursday, June 26, 2025.

RESULT: (4 to 0)

MOVER: Dee Crouch

SECONDER: Russell Berry

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Mike Yeager

ABSENT: Billy Cranford

Petitions

2. **Public Hearing Regarding Petition # VAR 25-15 Filed by Shaun Wedderburn Requesting a Minimum Lot Width at Front Setback Line Variance for Property located off Tanglewood Road, Newnan - District 3**

Zoning Manager Lisa Eschman presented Petition # VAR 25-15 filed by Shaun Wedderburn requesting a minimum lot width at front setback variance for property located off Tanglewood Road, Newnan (Parcel # 107-5176-059A). She explained that the subject property is a portion of Lot 33 in the Cedar Creek Farms development, Phase 2, which consists of 6.42± acres, and is zoned CC (*Cedar Creek*) district. She further explained that the *Cedar Creek* zoning district was established to protect the Cedar Creek watershed and public drinking water from damage related to unrestricted development of the watershed. This valuable future water source should materially aid in providing an adequate water supply for many years to come if fully protected. Its complete protection from contamination is of the utmost importance to all county citizens. To ensure such protection, the general purposes of this *Article* shall be to:

- Allow orderly single-family dwelling development in the area.
- Assure that adequate erosion and sedimentation control measures are taken in the watershed area to protect the reservoir
- Provide an environment of stable character compatible with the surrounding area.

Ms. Eschman explained that the original lot was established as a 7.50± acre tract as shown on the final plat recorded on May 13, 1980 (Plat Book 27, Page 99). Between 1980 and 1982, a 1.08± acre portion was subdivided from the original tract, creating the subject property. In May 2023, the current property owner (Tang, LLC) acquired the subject property and is in the process of constructing a two-story, 1,800-square-foot residence.

According to the submitted site plan, the proposed residence is located approximately 77-feet from the front property line. In accordance with *Article 23 of the Coweta County Zoning and Development Ordinance*, a minimum lot width of 130-feet is required from the front yard setback line. The subject property is approximately 80-feet in width at the front property line along Tanglewood Road; therefore, the applicant is requesting a 50-foot reduction of the required minimum lot width at the front setback (from 130-feet to 80-feet) to allow them to continue construction of the residence.

Ms. Eschman highlighted the following factors for consideration in reviewing the variance request:

1. Meeting the required 130-foot minimum lot width at the front setback line is challenging due to site constraints, including designated floodplain, surface drainage areas, and the required 150-foot impervious surface stream buffer.
2. The structure can be relocated further back on the lot to align with the average front setbacks of adjacent homes to the north and south. This adjusted placement, approximately 190-feet from Tanglewood Road right-of-way, would help mitigate the 50-foot reduction in lot width at the front setback line.
3. The Board should consider if this request is justified by hardship as the ordinance requires.

Ms. Eschman explained that should the Board of Zoning Appeals recommend that the Board of Commissioners approve the request, the Community Development Department submits the following condition for consideration:

1. The minimum lot width at the front setback line shall be 80-feet.

Chairperson Mitchum asked if there were any questions from the Board for staff.

Board Member Crouch asked if there were any old trees at the 185-foot mark. The question was redirected, to be answered by the applicant.

Chairperson Mitchum asked if the applicant was present.

Mr. Wedderburn, applicant, Atlanta, Georgia, explained there is an existing wide pathway on the left of the property that extends from the front to the back of the property. Because of the existing pathway, there are not a significant number of trees.

Chairperson Mitchum called for any comments in support of the proposed variance request. There were none.

Chairperson Mitchum called for any comments in opposition to the proposed variance

request.

The following individuals addressed the Board to express opposition to the variance request, citing concerns that the proposed building site location does not align with neighboring properties, zoning regulations, land use policies, or the County's goals for orderly growth and property value protection.

- Mr. William Rogers, Tanglewood Road, Newnan
- Mr. Raymond Walker, Tanglewood Road, Newnan
- Mr. Barry Brewton, Tanglewood Road, Newnan

Community Development Director Jon Amason explained that the following citizens submitted audience participation forms in opposition to the proposed variance, but they did not wish to address the Board.

- Mr. Thomas and Mrs. Beverly Dunham, Tanglewood Road, Newnan
- Mr. Dan Peter, Tanglewood Road, Newnan
- Mrs. Kris Peter, Tanglewood Road, Newnan
- Mr. Steve Baker, Tanglewood Road, Newnan
- Mr. Richard Prayor, Tanglewood Road, Newnan
- Ms. Loretta Prayor, Tanglewood Road, Newnan
- Mr. Brooks Cotten, Tanglewood Road, Newnan

In rebuttal, Mr. Wedderburn respectfully addressed the concerns of the opposing views by explaining that the plans to build have been approved by Zoning and Building. He reiterated that the proposed variance pertains only to the front setback line, based on the current minimum property width requirements—not the ability to build a home on the property.

Community Development Director Jon Amason acknowledged the department's oversight when issuing the initial permits for construction of the home.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # VAR 25-15 filed by Shaun Wedderburn requesting a minimum lot width at front setback variance for property located off Tanglewood Road, Newnan (Parcel # 107-5176-059A).

RESULT: (4 to 0)

MOVER: Dee Crouch

SECONDER: Russell Berry

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Mike Yeager

ABSENT: Billy Cranford

Motion to: Recommend Approval

The Board voted to recommend that the Board of Commissioners approve Petition # VAR 25-15 filed by Shaun Wedderburn requesting a minimum lot width at front setback variance for property located off Tanglewood Road, Newnan (Parcel # 107-5176-059A), subject to the following conditions:

1. The minimum lot width at the front setback line shall be 80-feet.
2. The proposed home shall be located no less than 185 feet from the front property line along Tanglewood Road.

RESULT: (4 to 0)

MOVER: Dee Crouch

SECONDER: Mike Yeager

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Mike Yeager

ABSENT: Billy Cranford

Chairperson Mitchum reminded the applicant that a final decision regarding this variance request would be rendered by the Board of Commissioners on August 19, 2025.

3. **Public Hearing Regarding Petition # CONDUSE 25-02 Filed by Bohanon Crossroad, LLC for Property Located off Bryant Boys Road, Newnan - District 2 - WITHDRAWN BY APPLICANT ON JULY 16, 2025**

Zoning Manager Eschman informed the Board that on Wednesday, July 16, 2025, staff received a formal written request to withdraw Petition # CONDUSE 25-02 filed by Bohannon Crossroad, LLC requesting a Conditional Use Permit (CUP) for property located off Bryant Boys Road, Newnan (Parcel # 041-3018-001). Therefore, a Public Hearing regarding this application is no longer needed.

4. **Public Hearing Regarding Petition # VAR 25-14 Filed by Edward Benizzi Requesting a Distance Between Buildings Variance for Property Located at 56 Ballyfin Way, Newnan - District 2**

Zoning Associate Nicole Blackwell presented Petition # VAR 25-14 filed by Mr. Edward Benizzi requesting a distance between buildings variance for property located at 56 Ballyfin Way, Newnan (Parcel # 088-2058-134). She explained that the subject property is located in the Cresswind Subdivision, consists of 0.25± acres, and is zoned *RRCC* (*Residential Retirement Community and Care*) district. The applicant is proposing to install a 15-foot-wide by 30-foot-long in-ground swimming pool in the backyard. The current ordinance classifies pools as accessory structures and requires that they be located at least 10-feet from any principal building or other accessory structure. According to the

applicant, compliance with the ordinance is not feasible because of the presence of a 20-foot drainage easement located at the rear of the property, which cannot be encroached upon. The applicant is requesting a variance to allow a 5-foot separation between the pool and the house. She noted that while the proposed pool will not fit within the required setbacks because of its size, a smaller pool could comply.

Ms. Blackwell highlighted the following factors for consideration in reviewing the variance request:

1. There is a 20-foot drainage easement at the rear of the property limiting the buildable area.
2. The Board should consider if this request is justified by a hardship as the ordinance requires.
3. The Board should consider the potential impact of the variance and whether it is consistent with the character of the surrounding neighborhood.

Ms. Blackwell explained that should the Board of Zoning Appeals recommend that the Board of Commissioners approve the variance request, the Community Development Department submits the following conditions for consideration:

1. The pool shall be located no closer than 5-feet from the principal dwelling and shall comply with all other applicable setback and development requirements.
2. The applicant shall meet all the requirements of the Community Development Building Permits and Inspections Division.

There were no questions from the Board for staff.

Chairperson Mitchum asked if the applicant was present.

Mr. Edward Benizzi, applicant, 56 Ballyfin Way, Newnan, explained that when they built the house, the builder communicated to him that there was a 20-foot space for them that was usable to build a pool. They mistakenly thought there was a 10-foot easement and a 10-foot setback. He further explained that the community has approved building the pool. He also explained there is a minimum of 500 square feet of concrete to be poured for pool construction. The proposed 15-foot-wide by 30-foot-long pool would be more cost-effective. He also explained the larger pool would provide a better space for exercise.

Chairperson Mitchum called for any comments in support of the proposed variance.

Ms. Michelle and Mr. Jerome Brustein, Ballyfin Way, Newnan, explained that they are direct neighbors to Mr. Benizzi and they support his variance request.

Ms. Belinda Smith and Mr. Ed Smith, Ballyfin Way, Newnan, explained that they live two doors down from Mr. Benizzi. They stated that Mr. Benizzi has been forthcoming with all neighbors regarding the plans, and they believe the pool addition will add quality to the neighborhood and value to the growing community.

Chairperson Mitchum called for any comments in opposition to the proposed variance.

Mrs. Blackwell noted that an anonymous letter and three anonymous calls were received in opposition to the variance. The callers, residents of the Cresswind community, expressed concerns regarding water runoff and small yards.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # VAR 25-14 filed by Edward Benizzi requesting a distance between buildings variance for property located at 56 Ballyfin Way, Newnan (Parcel # 088-2058-134).

RESULT: (4 to 0)

MOVER: Russell Berry

SECONDER: Dee Crouch

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Mike Yeager

ABSENT: Billy Cranford

Motion to: Recommend Approval

The Board voted to recommend that the Board of Commissioners approve Petition # VAR 25-14 filed by Edward Benizzi requesting a distance between buildings variance for property located at 56 Ballyfin Way, Newnan (Parcel # 088-2058-134), subject to the following conditions:

1. The pool shall be located no closer than 5-feet from the principal dwelling and shall comply with all other applicable setback and development requirements.
2. The applicant shall meet all the requirements of the Community Development Building Permits and Inspections Division.

RESULT: (4 to 0)

MOVER: Dee Crouch

SECONDER: Russell Berry

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Mike Yeager

ABSENT: Billy Cranford

Chairperson Mitchum reminded the applicant that a final decision regarding this variance request would be rendered by the Board of Commissioners on August 19, 2025.

Additional Business

Zoning Manager Eschman explained that the next Board of Zoning Appeals meeting is scheduled for Thursday, August 28, 2025, at 6:00 p.m.

Adjournment

Motion to: Adjourn

The Board voted to adjourn the meeting.

RESULT: (4 to 0)

MOVER: Mike Yeager

SECONDER: Russell Berry

AYES: Dee Crouch, Lisa Mitchum, Russell Berry, Mike Yeager

ABSENT: Billy Branford