



Coweta County Board of Zoning Appeals

Public Hearing

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~ Minutes ~

Angela White
770.254.2635

Thursday, November 18, 2021

6:00 PM

Commission Chambers

I. Meeting Called to Order

Attendee Name	Title	Status	Arrived
Craig Jackson	District 2 - Chairman	Present	
George Harper	District 3 - Vice-Chairman	Present	
Lisa Mitchum	District 1	Present	
Billy Cranford	District 4	Present	
Delia Crouch	District 5	Present	
Jonathan Amason	Community Development Director	Present	
Angela White	Assistant Community Development Director	Present	
Lisa Eschman	Zoning Coordinator	Present	
Linda Ham	Administrative Assistant	Present	

II. Approval of Minutes

1. Board of Zoning Appeals - Public Hearing - Oct 21, 2021 6:00 PM

On motion of Board Member Cranford, seconded by Board Member Crouch, passing unanimously the Board voted to approve the minutes from the Public Hearing held on October 21, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Cranford, District 4
SECONDER:	Delia Crouch, District 5
AYES:	Jackson, Harper, Mitchum, Cranford, Crouch

III. Public Hearing

A. Petitions

1. 12674 : ZA 044-21 NYCO America

The subject property is located at 87 Amlajack Way in the Shenandoah Industrial Park. Since 2016, NYCO America has found success at this location with a headquarters and operations platform. Now the Company would like to expand the plant footprint for production, thereby increasing employment in the community.

The current campus contains a 16,000 square foot warehouse with an additional 3,600 square foot office area. This expansion will move southward on the property for a chemical plant producing aviation lubricants for jet engines. With this, two buildings are proposed along with 24 tanks.

NYCO America came to the Board of Zoning Appeals on August 26, 2021 and received subsequent approval from the Board of Commissioners for three variances including setback reduction, height, and distance between tanks. Since then, NYCO has presented this request to the County for consideration of a distance reduction from 6-ft to 4-ft for the tank placements on site. The applicant notes that a study was conducted on the property for most efficient design of plant operations and the 4-ft distance was a key component.

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. (Factors 1, 2)
2. International Building Code and International Fire Code will take precedent as to the allowance of design and activity upon submittal of actual plans for review. (Factors 3)
3. Industrial Parks are noted for activities such as this chemical plant. (Factor 1,2)

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

1. All applicable requirements of the International Building Code shall be implemented in design and construction.
2. All applicable requirements of the International Fire Code shall be implemented in design and construction.
3. The parcels shall be combined into one parcel with the existing parcel.
4. The distance between tanks shall be no closer than 4-ft.

There were no questions from the Board for Staff.

Applicant: Jamal King, NYCO America 87 Amlajack Way

Space is at a premium on this lot and the Engineered design allows for more tanks on this site and the IBC code allows as little as 3 ft. between tanks, and we are requesting 4 ft. between tanks.

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

On motion of Board member Cranford, seconded by Board member Crouch, passing unanimously, the Board voted to close the Public Hearing regarding Petition ZA 044-21.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	George Harper, District 3 - Vice-Chairman
SECONDER:	Delia Crouch, District 5
AYES:	Jackson, Harper, Mitchum, Cranford, Crouch

ZA 044-21 NYCO America - Art 4 Sec 47 Distance Reduction

Tax I.D. 097 5109 038/039

Commission District Commissioner Blackburn

On motion of Board member Harper seconded by Board member Crouch, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of Petition ZA 044-21, subject to the following conditions:

1. All applicable requirements of the International Building Code shall be implemented in design and construction.
2. All applicable requirements of the International Fire Code shall be implemented in design and construction.
3. The parcels shall be combined into one parcel with the existing parcel.
4. The distance between tanks shall be no closer than 4-ft.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	12/2/2021 6:00 PM	
MOVER:	George Harper, District 3 - Vice-Chairman	
SECONDER:	Delia Crouch, District 5	
AYES:	Jackson, Harper, Mitchum, Cranford, Crouch	

2. 12676 : VAR 21-010020 Yamaha Motor Mfg Co

Yamaha Motor Manufacturing Corporation is preparing for an expansion of its campus at 1000 SR 34 E. The proposed building is 200,000 square feet. The request incorporates height increases from the permitted 34'11" in the M-Industrial District to heights of 45-ft with 1/3 of the new building reaching up to 75-ft. As noted by the applicant, this increased height will allow the proposed automated storage and retrieval system building to meet the demands of material movement. As technology has evolved, we are consistently seeing facilities using vertical height to operate and allowing the other areas for material movement operations.

Under the Coweta County Zoning & Development Ordinance, the Director can grant administrative height variances up to 60-ft with the support of airport, building and fire. With this increased area to 75-ft, the applicant has submitted its entire request to the Board.

The height ordinance was developed prior to the County obtaining fire apparatus that would allow emergency response to taller height buildings. Coweta County now has more advanced equipment to handle the taller buildings.

Board member Harper asked if this campus was a part of the Creekside Industrial Park. Ms. White responded that the Yamaha campus preceeds the development of Creekside and was not considered a part of the QDCD corridor.

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

1. The County Fire Department, Airport Manager, and Building Official do not object to the requests. (Factor 4)
2. The height variance is common to industrial properties and have been seen in our two other industrial parks within 1 mile in each direction. (Factors 1)
3. Technology has created a new mindset in that vertical distribution of operations provides for less ground space but efficient usage of height. (Factors 1,5)

Should the Board of Zoning Appeals recommend approval of this request to the Board of Commissioners, the Community Development Department is recommending that the following condition be met by the applicant:

1. All structures must comply with the current adopted construction codes for maximum building height and area.
2. Shall meet all applicable requirements of the State and County Fire Marshals.
3. The overall height of the building shall not exceed the 45-ft.to 75-ft as noted on the submitted documents.

Applicant: IBC code allows this height for buildings.

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 Petition VAR 21-010020.

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

VAR 21-010020 Yamaha Motor Mfg Co - Height Variance

Art 23 Dimensional Requirements - Height Variance

Commissioner Blackburn

Tax I.D. 097 5078 001

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 Petition VAR 21-010020, subject to the following conditions:

1. All structures must comply with the current adopted construction codes for maximum building height and area.
2. Shall meet all applicable requirements of the State and County Fire Marshals.
3. The overall height of the building shall not exceed the 45-ft.to 75-ft as noted on the submitted documents.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	12/2/2021 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	Lisa Mitchum, District 1	
AYES:	Jackson, Harper, Mitchum, Cranford, Crouch	

3. 12675 : VAR 21-010012 & 013 Pulte Home Co, LLC & Green Top Road, LLC

Pulte Home Company, LLC & Green Top Road, LLC has filed a rezoning request for a Residential-Planned Development (R-PDP). This is a planned development located on the southern side of Greentop Road incorporating 4 parcels, a combination of 163.71 ± acres and 366 residential units.

The applicant is requesting two variances related to this rezoning. The applicant is requesting a right-of-way reduction from 50-ft to 36-ft. The second request is a reduction of the number of parking spaces related to the amenity center. The applicant is requesting 47 spaces and 1 loading space.

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

1. Based on staff comments and recommended conditions, the proposed request to reduce the right-of-way should not have any adverse impact on public facilities or on the surrounding area.
2. While all parking may not be initially used, it can become a traffic issue when the development is at full capacity or when seasonal weather creates additional parking needs. When parking is not planned, there is

nowhere for the residents to park. Providing a reserve area resolves the potential impact.

Should the Board of Zoning Appeals recommend approval of this request to the Board of Commissioners, the Community Development Department is recommending that the following condition be met by the applicant:

1. The recorded final plat and the homeowner's association covenants shall state that the maintenance of sidewalks shall be the responsibility of the Homeowners Association.
2. The front building setback line shall remain 30-feet as proffered for all lots that front on streets with right-of-way widths less than 50-feet.
3. There shall be a 14-foot sidewalk and utility easement at the edge of the right-of-way line for all streets with right-of-way less than 50-feet in width.
4. Grade and grass an area equivalent to the area needed to fulfill the number of parking spaces required by the Ordinance.
5. Create a no parking zone along the street in front of the amenity center.

There were no questions from the Board for Staff.

Applicant representative: George Rosenzweig 75 Jackson St. Newnan, Ga. 30263 The large swimming pool size was included in the calculations for parking.

The Chairman called for anyone who wished to speak in favor of this request.

1. Mike Haponski - Project Engineer, 5 Firegreen Trace, Newnan, Ga.
2. Brit Martin - Land Acquisition for Pulte, 402 Foxtail Ct. Griffin, Ga.
3. Richard Yancy asked why the houses were moving closer to the street. Answer: The sidewalk is moving closer to the street to allow more usable front yard for the houses. The house will stay in the same place.

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

On motion of Board member Cranford, seconded by Board member Harper, passing unanimously, the Board voted to close the Public Hearing regarding Petitions VAR 21-010012 and VAR 21-010013.

RESULT: PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER: Billy Cranford, District 4
SECONDER: George Harper, District 3 - Vice-Chairman
AYES: Jackson, Harper, Mitchum, Cranford, Crouch

VAR 21-010012 & 013 Pulte Home Co, LLC & Green Top Road, LLC

Art 24 Sec 246.6(2) Street Design - Reduction of R-O-W from 50-ft to 36-ft

Art 24 Sec 246 Parking Requirements - Reduction for Amenity Center

Commissioner Blackburn

Tax I.D. 085 5107 002 & 003; 085 5086 002 & 001(pt)

Commission District Commissioner Blackburn

Board member Mitchum asked what was the maximum number of people allowed in the Amenity Center for an event? The applicant could not provide that number.

The street width variance has been granted in previous cases for the construction of the sidewalks, so they are not in the front yard of the houses. It was clarified that the Ordinance allows one-half the number of required parking spaces be held in reserve to be constructed later if needed, it is not an acreage amount.

On motion of Board member Cranford, seconded by Board member Crouch, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of Petitions VAR 21-010012 & VAR 21-010013, subject to the following modified conditions:

1. The recorded final plat and the homeowner's association covenants shall state that the maintenance of sidewalks shall be the responsibility of the Homeowners Association.
2. The front building setback line shall remain 30-feet as proffered for all lots that front on streets with right-of-way widths less than 50-feet.
3. There shall be a 14-foot sidewalk and utility easement at the edge of the right-of-way line for all streets with right-of-way less than 50-feet in width.
4. ~~Grade and grass an area equivalent to the area needed to fulfill the number of parking spaces required by the Ordinance.~~ In addition to the construction of the 47 parking spaces, grade and grass an area to be reserved for an additional 30 parking spaces to be constructed at a future date.
5. Create a no parking zone along the street in front of the amenity center.

RESULT: RECOMMEND APPROVAL [UNANIMOUS] Next:
12/2/2021 6:00 PM
MOVER: Billy Cranford, District 4
SECONDER: Delia Crouch, District 5
AYES: Jackson, Harper, Mitchum, Cranford, Crouch

4. 12621 : VAR 21-010018 - McBev One, LLC

The subject property is located within The Gardens at Arbor Springs off Arbor Springs Pkwy., Newnan, zoned **RRCC (Residential Retirement Care Community)**. As noted by the applicant, the request is to reduce the right-of-way along the streets from 50-ft to 36-ft to place the pedestrian sidewalks 5-ft behind the back of the curb so that the cars parked in the driveways will not obstruct the sidewalks.

The proposed right-of-way reduction will only encompass Phase 2 of the 22-lot development and will move the sidewalks closer to the street; therefore, allowing the residents to enjoy the sidewalk while prevent parking in the street and provide more front yard privacy.

All utilities would be placed within a 14-ft utility easement behind the proposed right-of-way.

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 any adverse impact on public facilities or on the surrounding area. (Factors 1, 2, 3, 4, 5)

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

1. The recorded final plat and the homeowner's association covenants shall state that the maintenance of sidewalks shall be the responsibility of the Homeowners Association.
2. The front building setback line shall remain 15-feet as shown on the preliminary plat for all lots that front on streets with right-of-way widths less than 50-feet.
3. There shall be a 14-foot sidewalk and utility easement at the edge of the right-of-way line for all streets with right-of-way less than 50-feet in width.

There were no questions from the Board for Staff.

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

This is the same variance that has been granted by this Board previously.

The Chairman called for anyone who wished to speak in favor/opposition of this

request. There were none.

On motion of Board member Cranford, seconded by Board member Crouch, passing unanimously, the Board voted to close the Public Hearing regarding Petition VAR 21-0100018.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Billy Cranford, District 4
SECONDER:	Delia Crouch, District 5
AYES:	Jackson, Harper, Mitchum, Cranford, Crouch

VAR 21-010018 - McBev One, LLC R-O-W Reduction Variance The Gardens-Phase 2 at Arbor Springs

Art. 24 - R-O-W Reduction from 50-ft to 36-ft

Commissioner Bob Blackburn

Tax I.D. 107 6011 008

Commission District Commissioner Blackburn

On motion of Board member Crouch, seconded by Board member Harper, passing unanimously, the Board voted to recommend that the Board of Commissioners grant the request of Petition VAR 21-010018, subject to the following conditions:

1. The recorded final plat and the homeowner's association covenants shall state that the maintenance of sidewalks shall be the responsibility of the Homeowners Association.
2. The front building setback line shall remain 15-feet as shown on the preliminary plat for all lots that front on streets with right-of-way widths less than 50-feet.
3. There shall be a 14-foot sidewalk and utility easement at the edge of the right-of-way line for all streets with right-of-way less than 50-feet in width.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next:
	12/2/2021 6:00 PM	
MOVER:	Delia Crouch, District 5	
SECONDER:	George Harper, District 3 - Vice-Chairman	
AYES:	Jackson, Harper, Mitchum, Cranford, Crouch	

5. VAR 21-010016, VAR 21-010017 - Jaidi Poplar Road

Art 25. Sec 251 - Buffer Reduction of 55-ft from required 75-ft

Art. 24. Sec 246.10.2 Item 2 - Reduction of 30-ft for placement of a stormwater facility

Commissioner Al Smith

Tax I.D. 099 2004 086

Commission District Commissioner Smith

Board member Harper recused himself from this discussion.

The subject property is located off Poplar Road, zoned **RC (Rural Conservation)**. The subject site has a total area of 1.85± acres and contains a vacant single-family residence. Surrounding the property to the north, east, south, and west is an established residential community with active residences, zoned **RC (Rural Conservation)**. Located across Poplar Road, to the southeast is a 2-acre tract, zoned O-I (Office-Institutional) for a proposed medical office. The subject property is situated approximately ¼ mile from the intersection of Poplar Road, Newnan Crossing Bypass East, and the entrance to the Piedmont Newnan Hospital campus. The northern quadrant of the intersection includes several fast-food establishments, convenience store, commercial and professional offices located within the city limits of Newnan. The southern quadrant is within the jurisdiction of Coweta County and consists of the Piedmont Newnan Hospital campus, zoned **O-I (Office-Institutional)**, and an undeveloped 1.82-acre tract, zoned **C-4 (Commercial Service District)** for a hotel.

The applicant is requesting a C-6 (Commercial Minor Shopping) zoning district for a proposed 12,000 sq ft commercial retail strip center in conjunction with these variances under petition# REZ 21-010002. If the applicant is successful with the rezoning, the C-6 property will adjoin a RC (Rural Conservation) zoning district along the northern, western, and eastern property boundaries which requires a 75-ft buffer. Also, the proposed stormwater facility is required to be located 50-ft from any property zoned or utilized as a residential use.

The following variance requests have been submitted:

Article 25 Sec 251: Buffer Requirements (VAR 21-010016)

- #1. Reduce the required 75-ft buffer to 20-ft along the eastern, northern, and western property lines - Reduction of 55-ft

The Community Development Department submits the following Key Factors for Consideration in reviewing the Variance Request #1:

1. The proposed requests will affect the adjacent and nearby residential properties. (Factors 1, 2, 5)
2. The impact on the adjoining neighbors to the west, north and east should carry great weight in this decision.
3. A reduction in the building footprint can be reduced to accommodate an adequate screening buffer. (Factors 3, 5, 6)

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

1. A 20-ft evergreen buffer shall be planted along the western, northern, and eastern property boundaries. A landscape plan shall be submitted

and approved by the Community Development Department to ensure planted materials meet the requirements under Article 25 and provide appropriate screening to the adjoining residentially zoned properties.

2. As proffered by the applicant, other landscape requirements throughout the development shall incorporate the Quality Development Corridor District (QDCD) requirements. A landscape plan shall be submitted and approved by the Community Development Department prior to any installation.

Article 24 Sec 246.10.2: Stormwater Facility Distance Requirements (VAR 21-010017)

- #2. Reduce the required 50-ft to 30-ft for the placement of a stormwater facility adjacent to residential property. The stormwater facility will be located 20-ft along the northwest, northern, and northeast property boundaries.

The Community Development Department submits the following Key Factors for Consideration in reviewing the Variance Request #2:

1. Based on the size of the site and proposed development, an underground detention system that discharges towards the Poplar Road right-of-way could mitigate the water flow away from the immediate adjacent residential property and provide additional space for site development. (Factors 2, 3, 5, 6)

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 provide a design for consideration by the Stormwater Program Manager that does not increase the discharge onto the adjacent residential property.
2. The applicant/developer shall comply with the Coweta County Stormwater Management, Soil Erosion and Sedimentation Control and Wetlands Protection Ordinances.
3. Additional runoff reduction practices shall be required and provided to promote the first one inch of rainfall to remain on this parcel and infiltrate into the ground unless infeasibility can be determined and agreed upon.

There were no questions from the Board for Staff.

Applicant representative: George Harper 11 East Broad St. Newnan, Ga. 30263

This area is changing rapidly due to the surrounding developments. Spoke with a nearby property owner that supports the development.

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

Letters of opposition were provided by the following citizens:

Mrs. Annie Maude Matthews 884 Poplar Rd. Newnan, Ga. 30263

On motion of Board member Cranford, seconded by Board member Mitchum, passing unanimously, the Board voted to close the Public Hearing regarding Petition VAR 21-010016 & VAR 21-010017.

RESULT:	PUBLIC HEARING CLOSED [4 TO 0]
MOVER:	Billy Cranford, District 4
SECONDER:	Lisa Mitchum, District 1
AYES:	Craig Jackson, Lisa Mitchum, Billy Cranford, Delia Crouch
RECUSED:	George Harper

Article 25. Sec 251 - 20-foot Buffer Reduction (from 75-feet to 55-feet) along RC zoning district

Board member Mitchum asked about the zoning type C-6.

Ms. White explained that C-6 is a combination of C-3 Retail and C-4 Service and C-6 is a common zoning for strip mall type developments where one does not know what type of tenants will lease the space, and you might have an Income Tax preparation service next door to a dollar store or clothing store.

Mr. Cranford questioned what the hardship was in relation to the stormwater facility location and why the development could not provide underground stormwater detention that would eliminate the need for this request. He also stated that the surrounding area was still residential, and the buffer ordinance was put into place to protect residential properties from commercial activity disturbance.

On motion of Board member Crouch seconded by Board member Mitchum, passing unanimously, with Board member Harper being recused from the vote, the Board voted to recommend that the Board of Commissioners grant the request of Petition VAR 21-010016, subject to the following modified conditions:

1. A 20-ft evergreen buffer shall be planted along the western, northern, and eastern property boundaries. A landscape plan shall be submitted and approved by the Community Development Department to ensure planted materials meet the requirements under Article 25 and provide appropriate screening to the adjoining residentially zoned properties.
2. A 5 ft high berm with a planted 20 ft buffer will be incorporated on the southwest and southeast corners for a distance that will line up with the front of the building.
3. The northern property line shall maintain a 50 ft buffer.
4. As proffered by the applicant, other landscape requirements throughout the development shall incorporate the Quality Development Corridor District (QDCD) requirements. A landscape plan shall be submitted and approved by the Community Development Department prior to any installation.

RESULT: **RECOMMENDED APPROVAL [4 TO 0]**
MOVER: Delia Crouch, District 5
SECONDER: Lisa Mitchum, District 1
AYES: Craig Jackson, Lisa Mitchum, Billy Cranford, Delia Crouch
RECUSED: George Harper

Article 24. Sec 246.10.2 Item 2 - 30-foot Stormwater Facility Reduction
(from 50-feet to 20-feet)

On motion of Board member Cranford, seconded by Board member Mitchum, passing unanimously, with Board member Harper being recused from the vote, the Board voted to deny the request of Petition VAR 21-010017.

RESULT: **DENIED [4 TO 0]**
MOVER: Delia Crouch, District 5
SECONDER: Lisa Mitchum, District 1
AYES: Craig Jackson, Lisa Mitchum, Billy Cranford, Delia Crouch
RECUSED: George Harper

IV. Additional Business

A. Next BOZA Mtg - Dec 16, 2021

V. Adjournment

1. Adjourn

The Board voted to adjourn the meeting.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Billy Cranford, District 4
SECONDER: Lisa Mitchum, District 1
AYES: Jackson, Harper, Mitchum, Cranford, Crouch