



Board of Zoning Appeals

www.coweta.ga.us

Public Hearing

Minutes

Lisa Eschman
770.254.2635

April 23, 2026

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 - Chairman	Present
Billy Cranford	District 4 - Vice Chairman	Present
Mike Yeager	District 2	Present
Russell Berry	District 3	Present
Dee Crouch	District 5	Present
Ben Sewell	Community Development Director	Present
Lisa Eschman	Zoning Manager	Present
Nicole Blackwell	Zoning Coordinator	Present
Rebekah Graham	Community Development Clerk	Present
Madonna Overton	Community Development Clerk	Present

The Coweta County Board of Zoning Appeals conducted a Public Hearing on Thursday, April 23, 2026.

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

Chairperson Mitchum explained that the rules governing the meeting are located on the Coweta County 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 May 19, 2026, at 6:00 pm.

Approval of Minutes

1. Request Approval of the Minutes from the Public Hearing Held on March 26, 2026

Motion to: Approve

The Board voted to approve the minutes from the Public Hearing held on March 26, 2026.

RESULT: PASSED (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Russell Berry

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

Petitions

2. Public Hearing Regarding Petition # VAR 26-002 Filed by Virginia Singh Requesting a Buffer Variance for Property Located at the Southwest Corner of SR 34 West and Bruce Jackson Road, Newnan - District 2

Zoning Manager Lisa Eschman presented Petition # VAR 26-002 filed by Virginia Singh requesting a buffer variance for property located at the southwest corner of State Route 34 West and Bruce Jackson Road, Newnan [Parcel # 026-3101-003 (partial)]. She explained that the subject property consists of 1.83± acres, is approximately 300 feet by 300 feet, parallelogram in shape, and zoned *C (Old Commercial)*. This zoning designation has been in place since the adoption of the *Coweta County Zoning and Development Ordinance* in 1969. She further explained that the applicant is under contract with Lot Development Georgia, LLC to purchase approximately 12.56± acres, including the subject property identified as Lot 300, as well as Lot 6 (5.30± acres) to the west and Lot 7 (5.43± acres) to the south, both zoned *RC (Rural Conservation)*. The applicant proposes to develop a 4,725 square foot convenience store with gasoline sales on the commercially zoned portion of the property, which requires a 50-foot buffer adjacent to the residential zoned properties. The septic system is proposed at the southwest corner of the property. Access is provided via two driveways: a right-in/right-out driveway on SR 34 and a full-access driveway on Bruce Jackson Road. A 15-foot undisturbed buffer is shown along the western property line, and a 25-foot undisturbed buffer is shown along the southern property line. A convenience store is permitted within the *C (Old Commercial)* zoning district, subject to compliance with all applicable zoning regulations, including, but not limited to, buffer requirements. According to the applicant, the property's configuration limits the ability to accommodate the required 50-foot buffer; therefore, a variance from *Article 25* is requested to reduce the buffer requirements as outlined below:

- Buffer Reduction to 15 feet along the western property line, resulting in a reduction of 35 feet.
- Buffer Reduction to 25 feet along the southern property line, resulting in a reduction of 25 feet.

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

1. The lot is shallow and parallelogram-shaped, a configuration that appears to date to the County's original 1969 zoning. However, the property retains a viable building envelope capable of meeting the applicable buffer requirements.
2. Consideration should be given to the potential impacts on adjacent property owners.
3. The Board should consider whether the request to reduce the buffer requirements along the western and southern property lines is justified by a hardship as the ordinance requires.

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

1. A 15-foot buffer shall be planted along the western property line. The buffer plantings shall meet the requirements of *Article 25*.
2. A 25-foot buffer shall be planted along the southern property line. The buffer plantings shall meet the requirements of *Article 25*.

Ms. Eschman asked if there were any questions from the Board for staff. There were none.

Chairperson Mitchum asked if the applicant was present.

Mr. Manny Singh, Lakeview Way, LaGrange addressed the Board on behalf of the applicant, regarding a variance request for 12.56± acres located at the southwest corner of Highway 34 and Dr. Bruce Jackson Road. He explained that the request includes reducing the required landscape buffers along the western property line from 50 feet to 15 feet and along the southern property line from 50 feet to 25 feet, as well as reducing the front setback for a proposed fuel canopy from 135 feet to approximately 95 feet. He further explained that the request is driven by the property's unique physical characteristics, including its parallelogram shape, shallow depth, slope toward the highway, and constraints related to septic placement and stormwater management. He noted that without the requested variances, the site would only support a small building of approximately 1,000 to 1,500 square feet with minimal infrastructure and no canopy,

making the project impractical for commercial use. He affirmed that, despite the reduced buffers, the development would comply with applicable planting and screening requirements and would address lighting, noise, stormwater, and access in accordance with County and Georgia Department of Transportation (GDOT) standards. He also expressed willingness to construct a left-turn lane on Highway 34 if required. He cited similar variances granted to nearby properties and emphasized his intent to work collaboratively with the County and community, noting his prior contribution of 3.79± acres for a new fire station in 2023. He emphasized that his goal has always been to work collaboratively with the County and that he understands recent approvals in the area; however, he emphasized that this proposal is fundamentally different in that it is intended to serve as a small, neighborhood-scale commercial use. He clarified that the request does not involve rezoning or an increase in intensity, but rather modest dimensional adjustments to address the site's physical constraints. He noted that similar commercial developments, particularly within city limits, exist on smaller parcels with reduced canopy setbacks, and that his request for a setback of approximately 93 feet is consistent with those examples. He stressed that the request is not based on convenience, but on the practical limitations of the property, and that without the variance, the site cannot be reasonably developed for its intended commercial use.

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

Chairperson Mitchum called for any comments in opposition to the variance request. The following citizens addressed the Board citing their opposition.

Mr. Randall Duncan, Dr. Bruce Jackson Road, Newnan spoke in opposition to the variance request. He stated that although he is an attorney, he does not represent any party involved in the matter. He expressed concerns that the proposed development would negatively impact the rural character of the area and asserted that the surrounding neighborhood does not want a convenience store at this location. He argued that variances should be granted only as a last resort and represent the minimum necessary deviation, stating that the applicant's request exceeds that standard and appears to be driven by development convenience rather than true hardship. He noted that the proposed 4,500-square-foot store is not a small-scale use and that the requested buffer reductions would eliminate a significant portion of the required buffering. He further expressed concerns that approval could set a precedent for additional commercial development at this intersection, as all four corners are zoned commercial. He raised safety concerns regarding traffic conditions, citing congestion and traffic stops in the area, and questioned potential future aspects of the business such as alcohol sales, lottery, and hours of operation. In conclusion, he urged the Board to recommend denial of the request.

Ms. Cindy Millard, Dr. Bruce Jackson Road, Newnan spoke in opposition to the variance

request, specifically addressing the proposed buffer reductions. She stated that she and her husband submitted a letter for the record and emphasized that the required commercial buffers are intended to protect adjacent residential properties and uphold the integrity of the *Rural Conservation (RC)* zoning. She described zoning as a promise to property owners regarding the character and value of their investment and expressed concern that reducing buffers would negatively impact neighboring residential properties. She noted that the applicant does not yet own the property and argued that no true hardship exists to justify the request. She further stated that the area is a rural residential community with no nearby commercial development along Dr. Bruce Jackson Road and limited commercial uses several miles away. She expressed concerns that buffer reductions could affect property values, drawing on her experience in the real estate industry, and suggested that the proximity of commercial development could deter future buyers. She concluded by reiterating her opposition to the request and concerns about preserving the character and value of the neighborhood.

Mrs. Jerrie Kee, Dr. Bruce Jackson Road, Newnan, stated that she and her family have lived in the area for many years, and that her husband's family had also resided there prior to them. They have observed significant changes in the county over time. She expressed concerns about existing traffic conditions along Dr. Bruce Jackson Road and the proposed addition of a commercial gas station at the end of the road. She noted that, as a school bus driver, she experiences heavy traffic and delays in the area, particularly during morning and afternoon school commute times. She stated that turning movements at the intersection are already difficult, especially for larger vehicles, and expressed concern that existing conditions make access from Franklin Highway and Dr. Bruce Jackson Road challenging and potentially unsafe. She further stated that proposed improvements such as turn lanes would not adequately address the overall traffic and safety issues at the intersection. While acknowledging prior traffic studies, she expressed the opinion that they do not fully reflect actual traffic conditions and suggested that additional study is needed. She also referenced a history of traffic accidents in the area and concluded that adding a higher-intensity commercial use at the location would exacerbate existing safety concerns.

Mr. Robert Winslow, Dr. Bruce Jackson Road, Newnan stated that he and his wife own the two properties immediately adjacent to the proposed site on Dr. Bruce Jackson Road. He identified himself as a professional engineer with over 30 years of experience in commercial site and highway design and as a subject-matter expert in development engineering. He noted that he would support appropriate commercial development on the corner if it were designed within the constraints of the approved zoning and did not pose safety concerns, and indicated he could support a variance if it were justified for a properly designed project. However, in his professional opinion, he stated that the current application does not meet those standards. He expressed concern that the stated justifications for the variance are inadequate and characterized the proposal as excessive in scope, involving significant buffer reductions on multiple sides of the property. He also

disputed claims regarding the property's physical constraints, stating that the site is not irregularly shaped or shallow in a manner that would warrant the requested relief. He further stated that the reduction in the southern buffer would significantly impact his properties and noted that the proposal includes a 36-foot-wide driveway, which he characterized as wider than a fire station driveway and intended to accommodate fuel truck access. He expressed concerns that reducing buffers adjacent to residential properties would result in unavoidable impacts, including increased noise, light, and traffic. He added that these impacts would be particularly significant for nearby residences, including those directly facing the proposed gas station canopy, and concluded that the proposed changes would further move development closer to neighboring homes and negatively affect their use and enjoyment of the properties.

Chairperson Mitchum called Mr. Singh back for his rebuttal.

Mr. Singh responded that he appreciated the feedback and clarified that the proposed development would not be a 24-hour operation, stating that it would operate from 6:00 a.m. to 10:00 p.m. He added that, because his team would also own the two adjacent lots, there is flexibility to provide additional buffering on those properties if needed to offset reduced buffers on the subject site. He stated that the project would comply with all applicable zoning and development standards and referenced the traffic study, noting that it did not recommend major roadway improvements. He further stated that he is willing to fund and construct a westbound left-turn lane onto Dr. Bruce Jackson Road to help reduce congestion. He concluded by noting that the project has been in planning for approximately a year and a half and that the applicant had previously delayed submitting the request.

Motion to: Close Public Hearing

The Board voted to close the Public Hearing regarding Petition # VAR 26-002 filed by Virginia Singh requesting a buffer variance for the property located at the southwest corner of State Route 34 West and Bruce Jackson Road, Newnan [Parcel # 026-3101-003 (partial)].

RESULT: Passed (UNANIMOUS)

MOVER: Dee Crouch

SECONDER: Russell Berry

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

The Board discussed the requested variance related to buffer reductions.

Board Member Yeager noted his familiarity with the area, including existing traffic conditions, accident history, citations, and roadway hazards associated with the intersection. He explained that, based on conversations with area residents and his

knowledge of the site, he did not believe a hardship existed to justify granting the variance and indicated he was prepared to make a motion.

The Board continued discussion regarding whether the request met the legal standard required for a hardship variance.

Chairperson Mitchum stated that the request did not constitute a hardship under the variance criteria, noting that the applicant owned or had access to additional surrounding acreage that could potentially be utilized through other zoning processes.

Board Member Crouch clarified that the parcel itself had been commercially zoned since 1969 and that a gas station had previously operated at the intersection.

Chairperson Mitchum and Board Member Barry further explained that the previous store had been located on the opposite corner from the subject property.

Vice Chairperson Cranford discussed the submitted traffic study, which indicated negative impacts on traffic service at the intersection and the potential for a decline in service. He further explained that there were potential roadway improvements that could help mitigate traffic impacts.

Board members emphasized that the request before them was not a rezoning application, but specifically a variance request for reduced buffers. Following discussion, several members concluded that no hardship had been demonstrated to support approval of the variance under the Board's standards. Discussion concluded with comments that the applicant has alternative avenues available for pursuing development of the property.

Motion to: Recommend Denial

The Board voted to recommend that the Board of Commissioners deny a buffer variance for the property located at the southwest corner of State Route 34 West and Bruce Jackson Road, Newnan [Parcel # 026-3101-003 (partial)] as requested in Petition # VAR 26-002 filed by Virginia Singh.

RESULT: Passed (4-1)

MOVER: Mike Yeager

SECONDER: Lisa Mitchum

AYES: Lisa Mitchum, Russell Berry, Billy Cranford, Mike Yeager

NAYS: Dee Crouch

Chairperson Mitchum reminded the applicant that the final decision regarding the variance will be rendered by the Board of Commissioners on Tuesday, May 19, 2026, at 6:00 p.m.

3. **Public Hearing Regarding Petition # VAR 26-003 Filed by Virginia Singh Requesting a Front Building Setback Variance for Property Located at the Southwest Corner of SR 34 West and Bruce Jackson Road, Newnan - District 2**

Zoning Manager Eschman presented Petition # VAR 26-003 filed by Virginia Singh requesting a front building setback variance for the property located at the southwest corner of State Route 34 West and Bruce Jackson Road, Newnan [Parcel # 026-3101-003 (partial)]. She explained that the subject property consists of 1.83± acres, is approximately 300 feet by 300 feet, parallelogram in shape, and zoned *C (Old Commercial)*. This zoning designation has been in place since the adoption of the *Coweta County Zoning and Development Ordinance* in 1969. She further explained that the applicant is under contract with Lot Development Georgia, LLC to purchase approximately 12.56± acres, including the subject property identified as Lot 300, as well as Lots 6 (5.30± acres) and 7 (5.43± acres), both zoned *RC (Rural Conservation)*. The applicant proposes to develop a 4,725 square foot convenience store with gasoline sales on the commercially zoned portion of the property. The septic system is proposed at the southwest corner of the property. Access is provided via two driveways: a right-in/right-out driveway on SR 34 and a full-access driveway on Bruce Jackson Road. The fuel canopy is located approximately 100 feet from the property line along Bruce Jackson Road and 93 feet from the centerline of SR 34 West. A convenience store is permitted within the *C (Old Commercial)* zoning district, subject to compliance with all applicable zoning regulations, including, but not limited to, the required building setbacks. According to the applicant, the configuration of the property limits the buildable area and constrains the placement of the fuel canopy. Therefore, the applicant is requesting a variance from *Article 23. Dimensional Requirements* to reduce the required 135-foot front building setback, measured from the centerline of the right-of-way along SR 34 West, to 93 feet, a reduction of 42 feet.

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

1. The lot is shallow and parallelogram-shaped, a configuration that appears to date to the County's original 1969 zoning. Since the district's establishment, the effective front setback has increased from 50 feet measured from the right-of-way to 135 feet measured from the centerline, representing an approximate functional increase of 35 feet. Despite this change, the property retains a viable building envelope capable of meeting all applicable setback requirements.
2. Consideration should be given to the potential impacts on adjacent property owners.
3. The Board should consider whether the request to reduce the required front building setback along SR 34 is justified by a hardship as the ordinance requires.

Should the Board of Zoning Appeals recommend approval of the variance request, the

Community Development Department is submitting the following conditions for consideration:

1. The front setback along SR 34 West shall be 93 feet from the centerline of SR 34 West as shown on the site plan submitted with the variance application package.
2. The applicant shall install a left turn lane from westbound SR 34 onto Bruce Jackson Road. The left turn lane shall meet the requirements of Coweta County and the *Georgia Department of Transportation (GDOT)*. The left turn lane shall be constructed and approved prior to the issuance of a Certificate of Occupancy.

Ms. Eschman asked if there were any questions from the Board for staff.

In response to a question from Board Member Yeager regarding right-of-way measurements on Bruce Jackson Road, Community Development Director Ben Sewell explained that the County's right-of-way is 80 feet. He further explained that setbacks for County roads differ from those on state or arterial routes. Bruce Jackson Road follows the County's standard setback, while state and arterial roads require larger setbacks to allow for possible future widening and to avoid the need to purchase existing buildings.

Chairperson Mitchum asked if the applicant was present.

Mr. Manny Singh, Lakeview Way, LaGrange addressed the Board on behalf of the applicant. He explained that the proposed fuel canopy would fall within the 135-foot setback, requiring approval of the variance. He stated that, without the variance, the site could only accommodate fuel pumps without a canopy. He explained that the request is driven by the property's physical constraints, including the need to locate the septic system in the rear because of suitable soil conditions and a required detention pond in the front. Although a traffic study did not require major improvements, he noted the applicant is willing to add a turn lane to support the project. He clarified that the business would operate from 6:00 a.m. to 10:00 p.m., not 24 hours. He added that rezoning adjacent lots was considered but deemed impractical, as it could reduce their residential value. He concluded by requesting approval of the variance, stating a willingness to reduce the building size and incorporate any additional buffering or conditions recommended by the County.

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

Chairperson Mitchum called for any comments in opposition to the proposed variance. The following citizens addressed the Board citing their opposition.

Mr. Randall Duncan, Dr. Bruce Jackson Road, Newnan, spoke in opposition, stating that the parcel is not unique aside from its slightly irregular shape, noting it is otherwise flat and typical with no unusual features. He argued that the issue stems from trying to fit a large project on a small lot. He expressed concerns about the reduced buffer, noting the proposed development on 1.83± acres is too large for the site. He also stated that the project is not a small local business but part of a larger development effort, and believes it would negatively impact the surrounding residential neighborhood. He raised additional concerns regarding heavy and unsafe traffic in the area, particularly near the hill and nearby intersections, and said traffic studies may not fully reflect current conditions. He concluded that the project is not a good fit for the Dresden area and urged the Board to deny the canopy setback variance on behalf of the residents.

Ms. Cindy Millard, Dr. Bruce Jackson Road, Newnan, expressed strong opposition to the requested canopy setback variance, citing significant safety concerns based on long-term observation of traffic conditions in the area. She stated that since purchasing her home in 2013, traffic along Bruce Jackson Road has increased substantially, as it has across all Coweta County. She explained that the nearby intersection is dangerous, especially because of a hill to the west that makes it hard to see oncoming cars. Drivers have to look carefully and wait a long time before pulling out. She shared that there are frequent and serious crashes at this location. These are T-bone accidents that require police, EMS, and tow trucks, and can block traffic for hours. She noted that she and her household often see and hear these crashes from their home, and that vehicles involved in accidents often end up in the area where a retention pond is proposed. She also described her efforts to get crash data from the Department of Transportation and mentioned that while some warning signs were added, the accidents have continued. In response to a statement that no letters had been received from residents to the west of the location, she explained that the parcel is part of what was once a large estate, not residential properties, and that this is why no letters were received. She reiterated that her main concern is safety and believes the request should be denied.

Mr. Robert Winslow, Dr. Bruce Jackson Road, Newnan, emphasized that the safety concerns associated with the intersection in question, stating that its dangers cannot be overstated. He referenced a recent conversation with Georgia Department of Transportation engineering, noting that the discussion highlighted significant regulatory and safety constraints. He explained that a nearby property, formerly a gas station, could not be redeveloped for similar use because of safety issues, reinforcing the severity of the location. He further stated that even securing a driveway permit onto the highway is not guaranteed, citing a required 350-foot separation from Bruce Jackson Road and a lack of thorough engineering review or coordination with the DOT in the applicant's current site plan. Concerns were raised about the potential need to fill in a roadside ditch to construct a driveway, which currently provides critical visibility of oncoming traffic traveling at speeds exceeding 70 miles per hour. He argued that this change would severely obstruct

sight lines and increase the risk of accidents. He also dismissed comparisons made by the applicant to another gas station site, explaining that it differs significantly in location, layout, and safety features. He acknowledged staff comments regarding future road widening, noting that the highway is likely to expand to four lanes, which would further complicate the proposal. He urged the Board to deny the variance request, stating that the design prioritizes profit over public safety and would worsen visibility by adding signage and structures into critical sight lines. He concluded that the project is not appropriate for the site and offered to answer any questions following the meeting.

Zoning Manager Eschman advised the Board that letters expressing opposition to these variances had been received from the following citizens:

- Edward Downing, Pierce Chapel Road, Newnan
- Paul and Julie Pruett, Pierce Chapel Road, Newnan

Chairperson Mitchum called Mr. Singh back for his rebuttal.

Mr. Singh stated that the submitted plan is conceptual and not a final engineered design. He referenced an email from last year with GDOT regarding the proposed access layout. He explained that the email indicated that, during the permitting process, all GDOT encroachment permit requirements and Coweta County recommendations would need to be met.

Motion to: Close Public Hearing

The Board voted to Close Public Hearing regarding Petition # VAR 26-003 filed by Virginia Singh requesting a front building setback variance for property located at the southwest corner of SR 34 West and Bruce Jackson Road, Newnan [Parcel # 026-3101-003 (partial)].

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Russell Berry

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

The Board discussed whether the requested buffer variance constituted a hardship under the County's standards.

Board Member Barry explained that although the parcel was intended for commercial use, he did not believe the applicant had demonstrated a hardship sufficient to justify the request. He also referenced safety concerns associated with the busy state highway and traffic conditions in the area.

Board Member Yeager agreed, noting that State Route 34 presented significantly different

traffic and safety concerns than other comparable roadways within the county. He stated that, in his opinion, the request appeared to be an attempt to fit development into a site that may not adequately accommodate the proposed layout under current regulations.

Vice Chairperson Cranford clarified that the primary issue before the Board was whether the property remained viable for commercial development under the current buffer requirements. He referenced a prior case involving redevelopment of another commercially zoned property where the Board recommended approval of a variance because updated buffer requirements made the site difficult to redevelop. He stated that similar hardship considerations could apply to the current request, as the newer buffer standards may limit the property's development potential.

Chairperson Mitchum questioned whether the applicant's ownership or control of adjacent property could provide alternative development options, including shifting the project footprint farther from the highway.

Board members discussed whether additional property could be rezoned or incorporated into the commercial tract to accommodate the required buffers.

Board Member Crouch explained that the County established the expanded setback requirements to preserve future right-of-way needs in the event the roadway is widened, thereby avoiding the potential need to condemn existing structures. The intent was to reduce future acquisition costs by encouraging development to be set back farther from the roadway so that, if widening occurs in the future, the County would not be required to purchase structures.

Chairperson Mitchum referenced the previously mentioned setback approval case and explained that the circumstances were different for that parcel.

Board Member Barry agreed with Chairperson Mitchum and further explained that there was no additional property available for purchase in that case, whereas the current applicant may have the option to acquire additional parcels. He asked staff whether the County ever allows lot line adjustments or amendments to expand *Rural Conservation (RC)* zoning into old *Commercial (C)* zoning.

Community Development Director Ben Sewell responded to questions from the Board and explained that the expanded highway setback requirements were originally established to preserve future right-of-way needs should the roadway eventually be widened. He further explained that if additional property were rezoned behind the site, the development could potentially be shifted farther from the roadway, thereby reducing the need for a variance.

Chairperson Mitchum added that the Board had considered a similar case the previous year involving gas stations requesting setback variances on state highways. She noted that the Board recommended denial of those requests because of the potential for future state

road widening, which could have required the County to acquire the property.

Motion to: Recommend Denial

The Board voted to recommend that the Board of Commissioners deny a front building setback variance for property located at the southwest corner of SR 34 West and Bruce Jackson Road, Newnan [Parcel # 026-3101-003 (partial)] as requested in Petition # VAR 26-003 Filed by Virginia Singh.

RESULT: Passed (3-2)

MOVER: Mike Yeager

SECONDER: Russell Berry

AYES: Lisa Mitchum, Russell Berry, Mike Yeager

NAYS: Dee Crouch, Billy Cranford

Chairperson Mitchum reminded the applicant that the final decision regarding the variance will be rendered by the Board of Commissioners on Tuesday, May 19, 2026, at 6:00 p.m.

4. **Public Hearing Regarding Petition # VAR-26-009 Filed by Bryan Cahoon Requesting a Front Building Setback Variance for Property Located at 1640 Hines Road, Moreland - District 2**

Zoning Manager Lisa Eschman presented Petition # VAR 26-009 filed by Bryan Cahoon requesting a front building setback variance for property located at 1640 Hines Road, Moreland [Parcel # 116-2225-005 (partial)]. She explained that the subject property consists of 16.50± acres, zoned *RC (Rural Conservation)*, and contains a primary dwelling constructed in 1980. The applicant is currently constructing a 1,000 square-foot guest house for a family member. Guest houses are permitted within the *RC (Rural Conservation)* zoning district, subject to applicable requirements, including a minimum lot size of 10± acres. She further explained zoning setbacks are established through the Zoning Verification and confirmed during the Site Preparation Permit review, while the elevation certificate is used solely to verify floodplain compliance. To initiate construction of the guest house, the applicant obtained an approved Zoning Verification (ZV-25-108) on November 13, 2025, which formally communicated the required 100-foot front building setback and noted the need for an elevation certificate to verify the structure would be located above the floodplain. The applicant then submitted a site sketch for the Site Preparation Permit on November 17, 2025, which reflected compliance with the required 100-foot setback. The applicant's surveyor, S.A. Gaskins, later submitted the required elevation certificate along with a surveyed site plan on December 2, 2025, indicating a reduced front setback. On January 7, 2026, staff approved the elevation certificate and the accompanying site plan for purposes of floodplain compliance, which is not the instrument that verifies zoning setbacks. Subsequently, a site preparation permit (RES-SFS-25-0449) was issued on January 8, 2026. All site preparations were met. On February 24, 2026, a foundation permit (RES-SFF-26-0046) was issued to allow the guest house foundation to

be poured. Upon submission of the foundation survey, it was determined that the structure does not comply with the required 100-foot front building setback from Hines Road. The survey shows the guest house is located approximately 83 feet, 6 inches from Hines Road. The applicant based the foundation placement on the floodplain verification site plan that had been submitted with the elevation certificate, rather than the site sketch submitted with the Site Preparation Permit, which was the document reflecting the required 100-foot front setback. The applicant is requesting a variance to allow the guest house to remain 83 feet, 6 inches from Hines Road, resulting in a front setback reduction of 17 feet.

During the review of the elevation certificate and site plan, staff focused on confirming floodplain compliance, and the reduced front setback shown on the accompanying plan was not reconciled against the setback from Hines Road previously established through the Zoning Verification and Site Preparation Permit review. Consequently, the applicant proceeded with construction based on the drawing associated with the elevation certificate.

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

1. Based on staff comments, the proposed request is not expected to impact public facilities or the surrounding area.
2. The Board should consider if this request is justified by hardship.

Ms. Eschman explained that should the Board of Zoning Appeals recommend approval of the request, the Community Development Department is submitting the following condition for consideration:

1. The front building setback for the guest houses shall be 83-ft from the property line along Hines Road.

Ms. Eschman asked if there were any questions from the Board for staff. There were none.

Chairperson Mitchum asked if the applicant was present.

Mr. Bryan Cahoon, applicant, explained that he was constructing a guest house on his property located on Hines Road. He further explained that prior to beginning construction, he contacted Community Development multiple times for clarification on setback requirements and was advised that a 100-foot setback from Hines Road was required. He noted that the zoning report also referenced a 100-foot setback from Hines Road; however, he later learned that the measurement was to be taken from the right-of-way, resulting in an approximate 13 to 15 foot discrepancy. He stated that this misunderstanding led to the current situation and requested consideration of allowing

construction to continue, so the residence can be completed for family use.

Chairperson Mithcum asked if there were any comments in support of the proposed variance.

Ms. Eschman reported that a letter of support had been received from Herb and Megan Wagner, Hines Road, Moreland, Georgia.

Chairperson Mithcum asked if there were any comments of opposition. There were none.

Motion to: Close Public Hearing

The Board voted to close the Public Hearing regarding Petition # VAR 26-009 filed by Bryan Cahoon requesting a front building setback variance for property located at 1640 Hines Road, Moreland [Parcel # 116-2225-005 (partial)].

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Dee Crouch

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

Motion to: Recommend Approval

The Board voted to recommend that the Board of Commissioners approve a 17 foot front building setback reduction (from 100 feet to 83 feet) for property located at 1640 Hines Road, Moreland [Parcel # 116-2225-005 (partial)] as requested in Petition # VAR 26-009 filed by Bryan Cahoon.

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Dee Crouch

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

Chairperson Mitchum reminded the applicant that the final decision regarding the variance will be rendered by the Board of Commissioners on Tuesday, May 19, 2026, at 6:00 p.m.

5. **Public Hearing Regarding Petition # VAR 26-001 Filed by Blue Frog Engineering, LLC on Behalf of TSP, LLC Requesting a Front Yard Setback Variance for Property Located at the Northwest Corner of Highway 29 and Pine Road, Newnan - District 2**

Zoning Coordinator Nicole Blackwell presented Petition # VAR-26-001 filed by Blue Frog Engineering, LLC on behalf of TSP, LLC, requesting a front yard setback variance for property located at the northwest corner of South Highway 29 and Pine Road, Newnan (Parcel # 076-2072-02). She explained that the property consists of 1.72± acres and fronts

three roads: South Highway 29 along the east, and Pine Road along the south and west. A Georgia Power easement crosses the northeast corner. Adjacent properties and those across Pine Road are zoned *M (Industrial)*, while properties across South Highway 29 are zoned *C (Old Commercial)*. The site plan proposes a two-story, 5,500± square foot veterinary clinic. The application indicates the development will maintain the required landscape buffers and compliance with *QDCD (Quality Development Corridor District)* architectural standards. She further explained that because the property fronts South Highway 29 and Pine Road, three front setbacks are required. The site meets the setback along the western Pine Road frontage, but the applicant requests variances for the eastern and southern front setbacks as outlined below:

Eastern Property Line (South Highway 29)

- Required Setback: 135 feet from the centerline of South Highway 29
- Requested Setback: 105 from the centerline of South Highway 29 (a 30-foot reduction)

Southern Property Line (Pine Road)

- Required Setback: 100 feet from the right of way of Pine Road
- Requested Setback: 60 feet from the right of way of Pine Road (a 40-foot reduction)

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

1. The combination of required setbacks along three road frontages, due in part to right-of-way acquisition, and the presence of a utility easement limits the developable area.
2. Based on staff comments, the proposed request is not expected to impact public facilities or the surrounding area.

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

1. Eastern Property Line (South Highway 29): The front setback shall be 105 feet from the centerline of South Highway 29 as shown on the site plan submitted with the variance application.
2. Southern Property Line (Pine Road): The front setback shall be 60 feet from the right-of-way of Pine Road as shown on the site plan submitted with the variance

application.

Ms. Blackwell asked if there were any questions from the Board for staff. There were none.

Chairperson Mitchum asked if the applicant was present.

Mr. Kai Burk of Blue Frog Engineering, Watkinsville, Georgia, explained that the parcel is uniquely constrained by three front setbacks and a narrow north-to-south orientation, which limits the developable area. He stated that access is proposed from the adjacent Dollar General property, as it would better support the surrounding road network. He noted that restricting development to the existing building envelope would negatively impact site circulation and functionality. He explained that the site plan was designed to maintain required buffers and provide adequate screening along adjacent roads and properties. Because of these constraints, he is requesting setback variances while still maintaining adequate separation from Pine Road and Highway 29 and improving overall site circulation.

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

Ms. Shelby Tidwell, Tudor Way, Senoia, and co-owner of TSP, LLC, spoke in support of the application. She stated that Blue Frog Engineering is representing the project and noted that TSP, LLC currently operates a veterinary hospital in Palmetto, with the proposed site serving as a second location further south. She explained their interest in expanding services to better serve the community. She added that their organization provides care for the Coweta County (K9 Unit) and noted that the proposed location would provide closer proximity and improved access for those services.

Motion to: Close Public Hearing

The Board voted to Close Public Hearing regarding Petition # VAR 26-001 filed by Blue Frog Engineering, LLC on behalf of TSP, LLC requesting a front yard setback variance for property located at the northwest corner of Highway 29 and Pine Road, Newnan (Parcel # 076-2072-02).

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Dee Crouch

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

Board Members discussed whether there were any hardships established for the variance

request.

Vice Chairperson Cranford asked whether areas outside the proposed building envelope could still accommodate parking, circulation, and stormwater detention facilities.

Chairperson Mitchum requested clarification regarding whether variances would also be required for parking and stormwater management facilities.

Zoning Manager Eschman confirmed that the variance request applied only to the building setback and that parking and stormwater facilities could be located outside the building envelope without additional variance approval.

Vice Chairperson Cranford acknowledged the engineer's comments regarding traffic flow but stated that the site still appeared capable of accommodating the proposed clinic within the existing buildable area while utilizing the remaining portions of the property for parking and stormwater management. Based on those considerations, he stated that he did not believe the applicant had demonstrated a sufficient hardship to justify the variance request.

Chairperson Mitchum agreed, stating that she also did not find that a hardship had been established.

Motion to: Recommend Denial

The Board voted to recommend that the Board of Commissioners deny a front yard setback variance for property located at the northwest corner of Highway 29 and Pine Road, Newnan (Parcel # 076-2072-02) as requested in Petition # VAR 26-001 filed by Blue Frog Engineering, LLC on Behalf of TSP, LLC.

RESULT: Passed (4-1)

MOVER: Lisa Mitchum

SECONDER: Billy Cranford

AYES: Lisa Mitchum, Russell Berry, Mike Yeager, Billy Cranford

NAYS: Dee Crouch

Chairperson Mitchum reminded the applicant that the final decision regarding the variance will be rendered by the Board of Commissioners on Tuesday, May 19, 2026, at 6:00 p.m.

Additional Business

Zoning Manager Eschman explained that the next Board of Zoning Appeals meeting is scheduled for May 21, 2026, at 6:00 p.m.

Adjournment

Motion to: Adjourn

The Board voted to adjourn the meeting.

RESULT: Passed (UNANIMOUS)

MOVER: Dee Crouch

SECONDER: Billy Cranford

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

Chairperson

Read, approved, and adopted this

the _____ day of _____, 2026

ATTEST: _____
BOZA Clerk