



Coweta County Board of Zoning Appeals

Public Hearing

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~ Minutes ~

Lisa Eschman
770.254.2635

Thursday, October 26, 2023

6:00 PM

Commission Chambers

I. Call to Order

Attendee Name	Title	Status	Arrived
George Harper	District 3 - Chairman	Present	
Lisa Mitchum	District 1 - Vice-Chairman	Absent	
Royce Williams	District 2	Present	
Billy Cranford	District 4	Present	
Delia Crouch	District 5	Present	
Jonathan Amason	Community Development Director	Present	
Ben Sewell	Assistant Community Development Director	Present	
Lisa Eschman	Zoning Coordinator	Present	
Kim Dutton	County Planner II	Present	
Marcy Shoup	Administrative Assistant	Present	

II. Minutes Approval

1. Board of Zoning Appeals - Public Hearing - Sep 21, 2023 6:00 PM

On motion of Board member Williams, seconded by Board member Crouch, passing by a vote of 4 to 0, with Board member Mitchum absent, the Board voted to approve the minutes from the Public Hearing held on Thursday, September 21, 2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Delia Crouch, District 5
AYES:	George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT:	Lisa Mitchum

III. Petitions

1. 14109 : VAR 23-26 Marshall Bedford-Side Setback Reduction

Tax I.D. 122 6069 107

Commission District Commissioner Poole

County Planner II Kim Dutton presented Petition # VAR 23-26 filed by Marshall Bedford requesting a 4-foot side yard setback reduction (from 10-feet to 6-feet) for property located at 150 Maple Leaf Road, Sharpsburg. She explained that the current zoning for this property is RRCC (Residential Retirement Community & Care District) and the applicant is requesting to add a roof over a patio. She further explained that the applicant applied for and received a rear setback variance in July 2023 (previous Petition # VAR 23-17). When the applicant submitted building plans, it was determined that he was encroaching into the side yard setback. She highlighted the following factors submitted by the Community Development Department:

1. Based on staff comments and recommended conditions, the proposed use should not have any adverse impact on public facilities.

2. The nature of the RRCC development provides for small lots within the developments, thus limiting any expansion once the site is developed. 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. The side yard setback reduction shall not exceed the requested 4-foot reduction placing the covered patio 6-feet from the side property line.
2. Letter of approval from the Beacon Management, LLC/HOA Support Services.
3. All building permits shall be obtained.

There were no additional questions for staff.

Mr. Marshall Bedford, applicant, was present and requested that the Board approve the variance request.

Chairman Harper called for any comments in support of or in opposition to the variance request. There were none.

On motion of Board member Crouch, seconded by Board member Cranford, passing by a vote of 4 to 0, with Board member Mitchum absent, the Board voted to close the Public Hearing regarding Petition # VAR 23-26.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Delia Crouch, District 5
SECONDER:	Billy Cranford, District 4
AYES:	George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT:	Lisa Mitchum

**Petition # VAR 23-26 Filed by Marshall Bedford Requesting a Side Yard Setback Variance for Property Located at 150 Maple Leaf Road, Sharpsburg
Tax I.D. 122 6069 107
Commission District Commissioner Poole**

On motion of Board member Cranford, seconded by Board member Williams, passing by a vote of 4 to 0, with Board member Mitchum absent, the Board voted to recommend that the Board of Commissioners approve Petition # VAR 23-26, subject to the following conditions:

1. The side yard setback reduction shall not exceed the requested 4-foot reduction placing the covered patio 6-feet from the side yard property line.
2. Letter of approval must be obtained from the Beacon Management, LLC/HOA Support Services.
3. All building permits shall be obtained.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS] Next: 11/16/2023 6:00 PM
MOVER:	Billy Cranford, District 4
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT:	Lisa Mitchum

**2. Petition # VAR 23-27 Filed by Hetty Jane, LLC Requesting a Front Setback Reduction Variance for Property Located at Roscoe Road, Newnan
Tax I.D. 058-5229-001
Commission District Commissioner Blackburn**

Zoning Coordinator Lisa Eschman presented Petition # 23-27 filed by Hetty Jane, LLC

requesting a variance under Article 7, Section 73.4 from EL-A Development (Estate Lot Averaging). She explained that the applicant is proposing to develop a twenty-one (21) lot estate residential community named Dunaway Preserve, located off Roscoe Road and Sewell Mill Road in Coweta County. This will be a gated community with private internal streets and access only from Roscoe Road. The proposed site will be reviewed under EL-A for lot sizes to range from 3 acres to 7.51 acres. The reason for this request is because the intent of EL-A is to allow single family residential types to have conventional lot layouts with varying lot sizes and this requires substantial front setbacks of approximately 300-feet. The intent of this is to preserve the rural aesthetics area of these country roads.

Ms. Eschman highlighted the following factors submitted by the Community Development Department for consideration in reviewing the variance request:

1. The proposed development of twenty-one (21) lots situated on 200± acres will not affect the surrounding area.
2. The proposed twenty-one (21) lot development will be accessed off a private, internal street which will mimic the intent of the EL-A development.

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

1. As proffered by the applicant, a 10-foot "No Access Easement" shall be labeled and recorded on the final plat for any lot that abuts along Sewell Road.
2. The front setback shall be 50-feet along the internal streets within the development.
3. The front setback shall be 150-feet along Sewell Road and Roscoe Road (SR70).

Mr. Ted Meeker, applicant representative, explained that this applicant is also involved in the Dunaway Project on this same property. He explained that the front yard setback is for the rear of the lots that abut Sewell Mill Road, hence a double frontage situation. There are 60± acres of wetlands that are in a conservation easement.

Chairman Harper called for comments in support of the variance request. There were none.

Chairman Harper called for comments in opposition to the variance request.

- Mr. Brad Cole, 2682 Roscoe Road, Newnan, explained that his property is south of the proposed development and he has a major concern about flooding of Cedar Creek.
- Mr. Phil Anderson, 2005 Sewell Road, Newnan, explained that he would like a buffer increase for his property if this variance were granted. He is also worried about flooding.
- Mr. Alex Roush, 2046 Sewell Mill Road, Newnan, explained that he owns 112 acres of which much of it is a conservation easement. He asked that the Board consider adding another condition that would provide a 150-foot natural buffer.

Applicant Tena Clark, 10515 Serenbe Lane, Chattahoochee Hills, explained that she is dedicated to conservation of this land and the Roscoe area and still plans to provide green space and trails. She is working with Alabama and Georgia Land Trust to conserve as much of the property as possible.

Mr. Meeker explained that flooding concerns will be addressed and they will comply with any conditions set forth.

Board member Cranford asked for the depth of the lots. Mr. Anderson shared paperwork with the Board members and Mr. Meeker.

On motion of Board member Crouch, seconded by Board member Williams, passing by a vote of 4 to 0, with Board member Mitchum absent, the Board voted to close the Public Hearing regarding Petition # VAR 23-27.

RESULT: PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER: Delia Crouch, District 5
SECONDER: Royce Williams, District 2
AYES: George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT: Lisa Mitchum

Petition # VAR 23-27 Filed by Hetty Jane, LLC Requesting a Front Setback Reduction Variance for Property Located at Roscoe Road, Newnan

Tax I.D. 058-5229-001

Commission District Commissioner Blackburn

Board member Crouch and Chairman Harper discussed the difference between a clearing line and a building line.

Board member Williams questioned if the only entrance, including a construction entrance, to the proposed development will be on Roscoe Road. Mr. Meeker confirmed that to be true.

Board member Cranford stated that he would like to add a condition that would include requiring a natural wooded buffer.

On motion of Board member Cranford, seconded by Board member Williams, passing by a vote of 4 to 0, with Board member Mitchum absent, the Board voted to recommend that the Board of Commissioners approve Petition # VAR 23-27, subject to the following conditions:

1. As proffered by the applicant, a 10-foot "No Access Easement" shall be labeled and recorded on the final plat for any lot that abuts along Sewell Road.
2. The front setback shall be 50-feet along the internal streets within the development.
3. The front setback shall be 150-feet along Sewell Road and Roscoe Road (SR70).
4. The applicant/developer shall maintain a 150-foot buffer along Lots 1, 2, 3, 9, 10, 11 and 12. The 150-foot buffer shall remain in a natural wooded state and is not to be disturbed. The 150-foot buffer shall be labeled and recorded on the final plat.

RESULT: RECOMMEND APPROVAL [UNANIMOUS] Next: 11/16/2023 6:00 PM
MOVER: Billy Cranford, District 4
SECONDER: Royce Williams, District 2
AYES: George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT: Lisa Mitchum

3. Petition # VAR 23-23 Filed by Norei Smith-Melange (dba Melange Special Event Center) Requesting a Buffer Elimination Variance for Property Located at 3943 Tommy Lee Cook Road, Newnan

Tax I.D. 081-8110-005

Commission District Commissioner Blackburn

Zoning Coordinator Eschman presented Petition # 23-23 filed by Norei Smith (dba Melange Special Events Center) requesting a buffer elimination variance for property located at 3943 Tommy Lee Cook Road, Newnan. She explained that the buffer

elimination variance is filed under Article 6 Section 69.9 Item 5, requesting the elimination of any buffer requirements along the southeast corner of the property. She further explained that the property is currently zoned RC (Rural Conservation), contains an existing residence and driveway, and in addition to this variance request, the applicant has filed an application for a Special Use Permit (SUP) which is currently under review under Petition # SPUSE 23-01. The Board of Commissioners will conduct a Public Hearing on November 16, 2023 for this permit request.

Ms. Eschman highlighted the following factors for consideration that were submitted by the Community Development Department:

1. The conversion of a residential single-family dwelling into an event center will adversely affect the adjacent and nearby property owners.
2. The intensity of the proposed use within proximity of the adjoining property owner to the east requires buffering to mitigate visual screening and abate any noise.
3. The applicant created a situational hardship with the proposed event center.
4. Consideration of this request shall carry great weight with the adjoining property owners to the east, north, and west.

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

1. Staff recommends that the applicant provide necessary mitigation in the form of plantings, fencing, berms, etc or a combination of all to help reduce the negative impacts which will likely occur due to the proximity of the driveway to the neighboring property. The applicant shall submit a mitigation plan to the Community Development Department for approval.

Chairman Harper asked if there were any questions for staff. There were none.

Chairman Harper called for comments from the applicant.

Applicant representative, Melissa Griffis (32 S. Court Square, Newnan) explained that this variance is just for the area in the corner of the property where there is an existing driveway and if granted, to mitigate the applicant is proposing to install an opaque fence. Greenery will also be added to the opposite side of the property and front, where the parking lot is proposed.

The applicant, Norei Smith, highlighted several aspects of the property and home and her intended use including floor plans, an expansion of the great room, use of the sunken garage and the space being used for meetings and weddings and dinners.

Chairman Harper called for any comments in support of this variance.

Melissa Griffis read a letter written by Gina Lee, resident of Tommy Lee Cook Road.

Chairman Harper called for any comments in opposition to this variance.

- Jeff Stark, 3963 Tommy Lee Cook Road, Newnan explained that he would like to see the rural, low density, agricultural area stay as it is now.
- Cindy Ozbilen, 3544 Tommy Lee Cook Road, Newnan explained that she has had past experiences with neighbors being granted variances and does not like the idea of any buffer requirements being eliminated because it leaves no room for error.
- Joan Anderson, 3892 Tommy Lee Cook Road, Newnan explained that she has lived on this rural country road since 1999 and does not see this as a good place for an event center with a twenty-eight (28) car parking lot.
- Elisa Sanders, 777 Jim Starr Road, Newnan was present and in opposition.
- Gabrielle With, 3598 Tommy Lee Cook Road, Newnan, emailed a letter to the Board in opposition and it was read by Zoning Coordinator Eschman.
- Glenn and Beverly Ward, 3985 Tommy Lee Cook Road, Newnan, emailed a

letter to the Board in opposition and it was read by Zoning Coordinator Eschman.

On motion of Board member Williams, seconded by Board member Crouch, passing by a vote of 4 to 0, with Board member Mitchum absent, the Board voted to close the Public Hearing regarding Petition # VAR-23-23.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Royce Williams, District 2
SECONDER:	Delia Crouch, District 5
AYES:	George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT:	Lisa Mitchum

Petition # VAR 23-23 Filed by Norei Smith-Melange (dba Melanage Special Event Center) Requesting a Buffer Elimination Variance for Property Located at 3943 Tommy Lee Cook Road, Newnan

Tax I.D. 081-8110-005

Commission District Commissioner Blackburn

There was a brief discussion where Board member Williams wanted to verify that the parking lot would hold twenty-eight(28) cars and Chairman Harper asked if the driveway could be moved. Community Development Director, Jon Amason, stated that the driveway could be moved to a different location on the property.

On motion of Board member Cranford, seconded by Board member Williams, passing by a vote of 3 to 1 with Board member Crouch voting in opposition and Board member Mitchum absent, the Board voted to recommend that the Board of Commissioners deny the request of VAR-23-23.

RESULT:	RECOMMEND DENIAL [3 TO 1] Next: 11/16/2023 6:00 PM
MOVER:	Billy Cranford, District 4
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Royce Williams, Billy Cranford
NAYS:	Delia Crouch
ABSENT:	Lisa Mitchum

Adjourn

Adjourn

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Cranford, District 4
SECONDER:	Royce Williams, District 2
AYES:	George Harper, Royce Williams, Billy Cranford, Delia Crouch
ABSENT:	Lisa Mitchum