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To: Coweta County Board of Zoning Appeals

From: Angela B. White, Assistant Director

Date: April 16, 2021

Re: Variance Permit Request
Article 23 Dimensional Requirements – Front Setback

- 25ft reduction along Elzie Johnson

Article 25 Buffer Reduction

- 50-ft buffer reduction along the western property line

Southtree Commercial Development LLC
Site Location: Elzie Johnson Rd
Newnan, GA 30263
Petition # ZA 019-21
Tax I.D. # 119 6043 0111
“3rd” Commission District

The subject property is 6.4 ± acres located on Elzie Johnson Road between 145 and 205 here in Newnan, Georgia. The property is zoned M-Industrial. The Vulcan Materials Quarry is to the north, four residential properties that were acquired by Vulcan Materials are to the west and are zoned RC-Rural Conservation. An undeveloped parcel zoned M is to the east with a storage facility further east.

The applicant is proposing two industrial flex warehouse buildings; one consisting of 48,000 sq. ft and the other 20,000 sq. ft. The applicant is attempting to develop a parcel with offset design sections on the northwest and southeast corners. This provides challenges not found in a typical rectangle or square lot. With that the applicant is seeking variances to develop the property.

The variance request is two-fold:

1. 50-ft buffer along the western property line (100-ft required)
2. Front building setback reduction 100-ft to 75-ft

With the submittal, the applicant has submitted a letter of support from Vulcan Materials for the buffer reduction along its property boundary.

Brief descriptions of staff comments regarding this request are as follows:

Tax Assessors

Taxes are current

Development Review

After review of this application and the two requests the development team offers the following:

1. With the exception of Morning Star Baptist Church, the property to the west that would be protected by the buffer is now owned by Vulcan, however, it appears that the homes may be still used residentially. If neighboring opposition is minimal the we have no objections to the buffer reduction.
2. The two main premises for adopting the increased 100-ft setback requirement were: to enhance the rural esthetic along county roadways; and to prevent construction closer to the roadways that be candidates for widening. This office does not feel that the rural esthetic along Elzie Johnson Rd should be a consideration. We defer to Public Works as to whether the 100-ft setback may prevent the County from having to purchase an improvement in the even of a future road widening.

This office does not object to the granting of these variances.

Public Works/Transportation

The Public Works Department has no objections to the requested variances. We would, however, ask that the following condition be added:

1. A deceleration lane along Elzie Johnson Road will be required for the proposed entrance to the development.

Community Development

The consideration of a Variance request must be viewed through the following seven factors as provided for under *Article 28, Section 284.1 of the Coweta County Zoning and Development Ordinance*:

1. Whether the variance will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Response: The parcel is a heavily forested, undeveloped area. If approved, the variance will reduce the buffer between the residential parcels 50-ft. However, the owner, Vulcan Materials has provided a letter of support for the project.

2. Whether the variance will adversely affect the existing use or usability of adjacent or nearby property.

Response: The parcel is heavily vegetated and undeveloped. If properly developed, the existing tree line with additional plantings can ensure the protection of the residential lots to the west.

3. Whether or not the special circumstances contribute to the request is peculiar to the particular property involved.

Response: There two areas to consider. The subject property is zoned M-Industrial and located adjacent to a quarry. The quarry is the owner of the affected residential properties to the west. The other area that must be addressed is the shape of the parcel. As it is currently designed, it provides challenges in development.

4. Whether the variance will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Response: The Public Works Director has no objection to the development. The request from that department is a deceleration lane which will serve to move slowing traffic out of the main lane as it enters the proposed business site.

5. Whether there is other existing or changing conditions affecting the use and development of the property, which gives supportive grounds for either approval, or disapproval of the variance.

Response: To develop the property according to the applicant's plan, the variances are needed. However, if there is opposition to the buffer reduction by the residents, the applicant could consider reducing the size of development to meet the 100-ft front setback and 100-ft buffer requirements.

6. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant.

Response: As noted, the shape of the parcel provides challenges for the applicant to develop the two structures. However, the development size could be reduced to fit everything on the property.

7. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance.

Response: No.

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.
2. Public works has no concerns other than the provision of a deceleration lane to ensure safe exiting sight distance analysis to ensure the drive is properly placed for optimum sight distance.
3. The property provides challenges for development with the odd shape. However, if there is opposition from the affected neighbors, the size of the structures could be reduced or limited to one and meet the dynamics of the site.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is recommending that the applicant meet the following conditions:

1. The front yard setback reduction of 25-ft shall not be exceeded. (75ft setback)
2. A deceleration lane along Elzie Johnson Road will be required for the proposed entrance to the development.
3. A buffer evaluation by the Development Review staff to ensure the buffer provides adequate screening. Upon evaluation, requested plantings shall be installed prior to a Certificate of Occupancy/Completion being issued.

The Public Hearing for this request is scheduled for Thursday, April 22, 2021 at 6:00 PM at the Commission Chambers, 37 Perry St, 2nd Floor, above the Tax Assessor's Office, Newnan, GA 30263.

The applicant or his/her designated representative is recommended to be present at the Public Hearing.

c: Southtree Commercial Development LLC