



Board of Zoning Appeals

www.coweta.ga.us

Public Hearing

Agenda

Shannon Zerangue
Fran Collins
770.254.2601

August 22, 2024

6:00 PM

Commission Chambers

Board of Zoning Appeals

Call to Order

Approval of Minutes

1. Request Approval of the Minutes from the Public Hearing Held on July 18, 2024

Petitions

2. Petition # VAR 24-14 Filed by George Rosenzweig Representing Pulte Group, Inc. (dba Del Webb Newnan) Requesting a Minimum Lot Width Variance for Property Located at Posey Road, Baker Road, and Hollz Parkway, Newnan - District 2
3. Petitions # VAR 24-11, # VAR 24-12, # VAR 24-13 Filed by Tucker Holdings, LLC Requesting a Front Yard Setback Variance and Buffer Variances for Property Located at East Gordon Road - District 2

Additional Business

Adjournment

As set forth in the Americans with Disabilities Act of 1992, the Coweta County government does not discriminate on the basis of disability, and will assist citizens with special needs given proper notice (48 hours). For information, please call (770) 254-2608.



Community Development

To: Board of Zoning Appeals
From: Fran Collins, Deputy County Clerk
Date: August 22, 2024
RE: Minutes from the Public Hearing Held on July 18, 2024

Issue:
Minutes from the Public Hearing Held on July 18, 2024

Discussion:
Staff has prepared the minutes from the Public Hearing held on Thursday, July 18, 2024 at 6:00 p.m.

Fiscal Impact:
N/A

Recommendation:
Staff recommends that the Board approve the minutes from the Public Hearing held on Thursday, July 18, 2024.

DRAFT



Board of Zoning Appeals

www.coweta.ga.us

Public Hearing

Minutes

Shannon Zerangue
Fran Collins
770.254.2601

July 18, 2024

6:00 PM

Commission Chambers

Board of Zoning Appeals Call to Order/Roll Call

Attendee Name	Title	Status
Dee Crouch	District 5 - Chairman	Absent
Lisa Mitchum	District 1 - Vice Chairman	Present
Royce Williams	District 2	Present
Russell Berry	District 3	Absent
Billy Cranford	District 4	Present
Jon Amason	Community Development Director	Present
Ben Sewell	Assistant Community Development Director	Present
Lisa Eschman	Zoning Manager	Present
Nicole Blackwell	Zoning Associate	Present
Marcy Shoup	Administrative Assistant	Present

The Coweta County Board of Zoning Appeals conducted a Public Hearing on Thursday, July 18, 2024.

Vice Chairman Lisa Mitchum called the meeting to order at 6:00 p.m.

Approval of Minutes

1. Request Approval of the Minutes from the Public Hearing Held on June 20, 2024

Motion To: **Approve**

The Board voted to approve the minutes from the Public Hearing held on June 20, 2024.

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Royce Williams

AYES: Lisa Mitchum, Royce Williams, Billy Cranford

Petitions

2. Petition # VAR 24-10 Filed by Cecil & Jamie Holton Requesting a Variance for Property Located at 1204 Rockaway Road, Senoia - District 1

Zoning Manager Lisa Eschman presented Petition # VAR 24-10 filed by Cecil & Jamie Holton requesting a variance to construct a detached garage within the 75-foot "No Structure Setback" boundary on property located at 1204 Rockaway Road, Senoia (Parcel # 166-1286-004), zoned RC (Rural Conservation). She explained that the property is Lot 1 of Estates at Rockaway Subdivision, 2.515 acres in size and was developed under the RE 2.5 Estate Lot Development therefore, requiring the 75-foot No Structure Setback Boundary. This lot also has required building setbacks, stream buffers and an existing easement drive. The applicant is proposing to construct a 24 feet x 24 feet detached garage over the existing driveway beside the house that would encroach 28-feet within the required no structure setback boundary, which places the proposed detached garage 47-feet from the southern property line.

She highlighted the following factors for consideration submitted by the Community Development Department:

1. This situation is unique due to the former RE 2.5 "75-foot No Structure Setback" requirement, and other features such as the required building setbacks, stream buffers, an easement drive, and the location of the septic and drainfield lines.
2. Consideration of this request shall carry great weight with the most affected property owners to the south and west.

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 condition:

1. The proposed detached garage shall not encroach more than 28-feet within the 75-foot "No Structure Setback" boundary along the southern property line as submitted with the variance application.

There were no additional questions for staff.

The applicant, Cecil Holton, 1204 Rockaway Road, Senoia, addressed the Board stating that the information provided by Zoning Manager, Lisa Eschman, was correct and he appreciated everyone's time and assistance.

The Chairperson called for any comments in support or opposition. There were none.

Motion To: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # 24-10 filed by Cecil & Jamie Holton requesting a variance to construct a detached garage on property at 1204 Rockaway Road, Senoia (Parcel # 166-1286-004).

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Royce Williams

AYES: Lisa Mitchum, Royce Williams, Billy Cranford

Motion To: Recommend Approval

The Board voted to recommend that the Board of Commissioners approve Petition # VAR 24-10 filed by Cecil & Jamie Holton requesting a variance to construct a detached garage within the 75-foot "No Structure Setback" boundary on property located at 1204 Rockaway Road, Senoia Parcel # 166-1286-004), subject to the following condition:

1. The proposed detached garage shall not encroach more than 28-feet within the 75-foot "no structure setback" boundary along the southern property line as submitted with the variance application.

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Royce Williams

AYES: Lisa Mitchum, Royce Williams, Billy Cranford

Additional Business

The next Coweta County Board of Zoning Appeals meeting is scheduled for August 22, 2024 at 6:00 p.m.

Adjournment

Motion to: **Adjourn**

The Board voted to adjourn the meeting.

RESULT: Passed (UNANIMOUS)

MOVER: Billy Cranford

SECONDER: Royce Williams

AYES: Lisa Mitchum, Royce Williams, Billy Cranford



Community Development

To: Board of Zoning Appeals
From: Lisa Eschman, Zoning Manager
Date: August 22, 2024
RE: Petition #: VAR 24-014
Applicant: George Rosenzwei
Property Owners: Richard C. Daniel, E. Kirk Daniel, Judy D. Morris, Robert Edwin Daniel, Patricia L. Farmer, Clinton M. Odom
Location: Posey Road, Baker Road, and Hollz Parkway
Commission District: 4th - Reidelbach
Tax Parcel(s): 108-5113-001; 108-6008-003; 108-6008-004; 109-5112-002
Property Size: 472.49± acres
Current Zoning: RRCC
Requested Zoning: N/A
Proposed Use: Development of a 964-lot, 55+ Active Adult Community
Public Hearing (Date, Time, Location): August 22, 2024, at 6:00 p.m. at 37 Perry Street, Newnan

Issue:

Petition # VAR 24-14 Filed by George Rosenzweig Representing Pulte Group, Inc (dba Del Webb Newnan) Requesting a Variance to Reduce the Minimum Lot Width on Property Located at Posey Road, Baker Road, and Hollz Parkway, Newnan

Discussion:

Pulte Group, Inc. (dba Del Webb Newnan) has filed a variance request for the reduction of the minimum lot width to 52-feet from the required 60-feet (reduction of 8-feet) for no more than 45% of units within the development.

Fiscal Impact:

N/A

Recommendation:

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

1. 241 units of the development shall meet the lot width ordinance minimum of 60-feet.
2. 434 units of the development may utilize an 8-foot (60-feet to 52-feet) minimum lot width reduction.
3. An additional 289 units of the development may utilize an 18-foot (60-feet to 42-feet) minimum lot width reduction.

Del Webb Newnan
Variance Application
COWETA COUNTY BOARD OF ZONING APPEALS

A PRE-SUBMITTAL MEETING SHALL BE SCHEDULED NO LATER THAN ONE (1) WEEK PRIOR TO THE APPLICATION DEADLINE

Name of Applicant(s): George C. Rosenzweig representing Pulte Group, Inc.

Address of Applicant(s): 75 Jackson Street, Suite 405, Newnan, Georgia 30263

Phone # 470-347-3651 E-mail address: george@cowetalaw.com

Address of Subject Property: See attached Exhibit A.

Property Tax I.D. #: 108 6008 003, 108 5113 001, 108 6008 004, 109 5112 002

Definition of Variance: A variance is a relaxation of the terms of the ordinance where such variances will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As use in the ordinance, a variance is authorized only for height, area, and size of structure, or size of yards, and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

Ordinance listing for proposed use: Article 9A; 24; 25A Section 92A; 246; 253A Item 9A. 4: 6.2: 5

Brief description of requested use:

Reduction of minimum lot width from 60 feet to 52 feet for no more than 45% of units.

Applicant's reason for not conforming to the Zoning Ordinance: In order to be consistent with the approved site plan and the approved minimum lot size, both of which provided for 45% of the lots to have a minimum lot width of no less than 52 feet.

What extraordinary conditions concerning the property/structure/property, warrants a variance or variances?

There is an internal inconsistency between the approved site plan (containing 52 foot lots), the approved minimum lot size (with 52 foot wide lots), and the minimum lot width (without 52 foot wide lots). The variance would resolve the inconsistencies and would be consistent with approvals for the Cresswind development wherein 44% of the lots are 50 feet wide with no variance. See also attached Exhibit B.

Provide suggested mitigated measures, if any, to reduce the impact if the variance is granted. If no, mitigation is proposed, the request must include an explanation of why none is being proposed.

No more than 45% of the lots will have a 52 foot wide minimum width.

Please provide the following information with the variance request:

- A copy of Warranty Deed.
- If the applicant is not the owner of the property, submit a notarized letter from the property owner giving applicant permission to file.
- Plat of the property indicating all existing and proposed structures in relation to the nearby streets, property lines, and driveways; dimensions are to be accurate (1 copy and an electronic file of plat in PDF or JPEG format).
- Total feet of encroachment/distance from property line.
- Application Fee (see attached fee Schedule).

Date filed: 7-1-2024

Signed by:

Print name: George C. Rosenzweig

Exhibit A

	Property Owner	Address	Location Address	Parcel Number
1	Richard C. Daniel	3430 Sundance Dr Gainesville, GA 30506	Posey Road	108 6008 003 & 108 5113 001
2	E. Kirk Daniel	3430 Sundance Dr Gainesville, GA 30506	Posey Road	108 6008 003 & 108 5113 001
3	Judy D. Morris	3430 Sundance Dr Gainesville, GA 30506	Posey Road	108 6008 003 & 108 5113 001
4	Robert Edwin Daniel	3430 Sundance Dr Gainesville, GA 30506	Posey Road	108 6008 003
5	Patricia L. Farmer	Regina B. Lee 280 Lake Coweta Trail Newnan, GA 30263	708 Posey Rd Newnan, GA 30255	108 6008 004
6	Clinton M. Odom	2002 Hwy 34 E Newnan, GA 30265	1992 E Hwy 34 Newnan, GA 30265	109 5112 002

EXHIBIT B

Variance – 60 feet width to 52 feet width on 45% of units in the development. The Pulte application for Newnan Del Webb was preceded by a comparable application from Kolter for the Cresswind Spring Haven development. Both developments requested variances from the minimum lot width requirement in RRCC zoning. Kolter requested 40-foot wide lots. Pulte requested 42-foot wide lots.

At the November 16, 2021 Board of Commissioners meeting, Kolter requested that the lot width variance be limited to 40-foot lots and “that no percentage limitations be set on the 50-foot, 60-foot, and 70-foot product to keep a mixed opportunity in the development.” The Board of Commissioners obliged, approving a variance stating “The number of 40-foot lots are limited to no more than 10% of the total development (75 lots)”. There was no provision in the variance for 50 foot wide lots. (See attached p. 2, November 16, 2021 Commission Minutes). Staff then proceeded to approve Kolter’s Land Disturbance Permit with the following lot mix breakdown:

KOLTER LDP LOT MIX CHART

LOT WIDTH	QUANTITY	PERCENT MIX
40'	74	10%
50'	328	44%
60'	233	32%
70'	104	14%
TOTAL	739	100%

← No Variance

Thus, in interpreting and applying the Kolter lot width variance, staff applied the variance to 40-foot lots only (quantity 74, percent mix 10%) while also approving 328 (44%) 50-foot lots, as well as lots of other dimensions.

On July 11, 2023, Pulte received a variance from the Board of Commissioners worded as follows: “The minimum lot width reduction shall not exceed the requested 18-feet (from 60-feet to 42-feet) on 30% of the units in the development.” (Attached p. 3, July 11, 2023 minutes). At the same meeting, the Board of Commissioners approved a site plan showing 42-foot, 52-foot, and 60-foot plus wide lots and a specific lot size variance was approved based on 42-foot, 52-foot, and 60-foot plus lots.



Lisa J. Eschman, Zoning Manager
22 East Broad St.
Newnan, GA 30263
leschman@coweta.ga.us
770-254-2635

To: Coweta County Board of Zoning Appeals

From: Lisa J Eschman, Zoning Manager

Re: Variance Request - *Art. 9. Section 92A. Item 7. Minimum Lot Width*
Applicant: Pulte Group, Inc dba Del Webb Newnan
Applicant Representative: George Rosenzweig
Location: Holz Parkway, Posey Road & Baker Road
Petition: VARIANCE 24-014
Tax ID #: 108-6008-003; 108-6008-004; 108-5113-001; 109-5112-002
"4th" Commission District

Date: August 12, 2024

The subject property has a total area of approximately 472.49 ± acres and is located along the western side of Posey Road, north of the Baker, Hammock, and Posey Road Intersection, and east of Holz Parkway, zoned **RRCC (Residential Retirement Community Care District)** for a 964-lot, 55+ active adult community.

On July 11, 2023, the Board of Commissioners approved to rezone the property to the RRCC (Residential Retirement Community Care District) under Petition #: REZONE 23-008 and granted a total of nine (9) variances to the applicant under Petition #: VARIANCE 23-13.

One of those variances included an 18-foot minimum lot width reduction at the front setback from 62-feet to 42-feet for no more than 30% of the units within the development. Please see excerpt from the approved Board minutes on July 11, 2023:

The Board voted to grant an 18-foot minimum lot width reduction at front setback (from 60-feet to 42-feet) for no more than 30% of the units in property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

1. The minimum lot width reduction shall not exceed the requested 18-foot (from 60- feet to 42-feet) on 30% of the units in the development.

However, upon submittal of a master plan for the Del Webb Southern Oak preliminary plat (PP-24-003) and during first submittal review by the Development Review Division, the preliminary plat shows 30% of the lots utilizing a 42-foot lot width, over 45% of the lots utilizing a 52-foot lot width, and the remaining 25% utilizing a 66-foot lot width.

Based on the approved condition for VARIANCE 23-013 only 30% of the units within the Del Webb Southern Oak development can have a minimum lot width of 42-feet; therefore, the applicant is requesting a variance for an 8-foot minimum lot width reduction from 60-feet to 52-feet for no more than 45% of the units for the development.

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

Public Safety

Fire:

No comments

Public Utilities

Water and Sewerage Authority:

No comments

Community Development

Building Division:

Compliance with the 2018 International Residential Code Section 302.1(1) without fire sprinklers or Section 302.1(2) with fire sprinklers is required. The foundation survey must have the distance to the property line shown to confirm compliance with the noted code sections.

Development Review:

Staff reviewed the Del Webb Southern Oak preliminary plat in accordance with the variances granted by the Board. According to the Minimum Lot Width Reduction at Front Setback Variance, only one condition was granted: The minimum lot width reduction shall not exceed the requested 18-foot (from 60-foot to 42-foot) on 30% of the units in the development. Development Review staff initiated this issue during the first review cycle as the applicant proposed an additional 45% of the units in the development as being allowed a 52-foot minimum lot width at front setback. The applicant appears to have implied approval of an 8-foot (60-foot to 52-foot) minimum lot width reduction at front setback for 45% of the units in the development as originally requested, but this condition was not clearly granted as part of the original variance approval.

While there is no objection to the approval of these variances, staff is requesting clearer language of the allowance granted by this variance to avoid further confusion. In revising approval of the minimum lot width reduction at front setback variance, staff offers the following conditions with revised language to consider for approval of this variance:

1. 241 units of the development shall meet the lot width ordinance minimum of 60-feet.
2. 434 units of the development may utilize an 8-foot (60-foot to 52-foot) minimum lot width reduction.
3. An additional 289 units of the development may utilize an 18-foot (60-foot to 42-foot) minimum lot width reduction.

The consideration for a Variance Request must be reviewed through the following seven factors as provided 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 subject property has an approximate area of 472.49 acres located at the northern area of Posey Road and running westward toward the continuation of Holz Parkway. The property is currently zoned RRCC (Residential Retirement Community District). The property to the north, east, and south are zoned RC (Rural Conservation). The western property is a combination of RC (Rural Conservation) and M (Industrial) which is the northern section of the Creekside Industrial Park.

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

Response: The Del Webb Southern Oak development was approved for a 964-lot, 55+ active adult community on July 11, 2023.

3. Whether or not the unusual circumstances contribute to the request are peculiar to the particular property involved.

Response: N/A

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: Transportation impacts have been conditioned to be mitigated by the applicant.

5. Whether there is 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: The applicant appears to have implied approval of an 8-foot (60-foot to 52-foot) minimum lot width reduction at front setback for 45% of the units in the development as originally requested, but this condition was not clearly granted as part of the original variance approval; therefore, prompting this request.

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

Response: The development could be designed to meet the ordinance requirements.

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

Response: The design engineer could design the lots to meet the ordinance.

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

1. The Board should consider if this request is a hardship.

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

1. 241 units of the development shall meet the lot width ordinance minimum of 60-feet.
2. 434 units of the development may utilize an 8-foot (60-feet to 52-feet) minimum lot width reduction.
3. An additional 289 units of the development may utilize an 18-foot (60-feet to 42-feet) minimum lot width reduction.

The Public Hearing for this request is scheduled for **Thursday, August 22, 2024**, at 6:00PM in the Commission Chambers located at 37 Perry Street, Newnan, GA 30263.

The applicant or his/her designated representative's presence is recommended to attend the Public Hearing.

c: George Rosenzweig - george@cowetalaw.com

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

Chairman Reidelbach called for comments regarding any items on the agenda.

Ms. Theresa Calabrese, applicant requesting a rear yard setback variance (Item # 10) for 425 Timberview Circle, Sharpsburg, explained that she was present to field any questions from the Board.

Mr. George Rosenzweig, applicant representative for Pulte Home Company (dba Del Webb) (Item # 9), explained that the applicant is requesting nine (9) variances, five (5) of which are related to smaller lot sizes and setbacks. The Del Webb branded product is recognized for its smaller lots that require less maintenance.

Mr. George Rosenzweig, applicant representative for Marketplace Beverage (Item # 11), explained that Mr. Abid Khutliwala (applicant) is requesting a 6-month time extension for opening of a liquor store. Mr. Khutliwala is within a few days of opening but is running out of time to enter \$4 million of inventory into his point-of-sale (POS) system.

Mr. Abid Khutliwala, applicant for Marketplace Beverage (Item # 11), explained that he is experiencing delays with entering inventory into a point-of-sale (POS) system with approximately 5,000 SKUs, and is planning to open the package store on Tuesday, July 18, 2023.

Recommendations from Community Development and/or the Board of Zoning Appeals

9. 13923 Recommend Approval of Petition # VAR 23-13 Filed by Pulte Home Company, LLC (dba Del Webb) Requesting Lot Size, Front, Side, and Rear Yard Setbacks, Lot Width, Building Design, Entrance/Exit, Minimum Floor Area, Tree Preservation, and Amenity Parking Variances for Property Located at Posey Road and Hollz Parkway, Newnan

Assistant Community Development Director White presented Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb) requesting lot size, front, side, and rear yard setbacks, lot width, building design, entrance/exit, minimum floor area, tree preservation, and amenity parking variances for property located at Posey Road and Hollz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002). She informed the Board that prior to the meeting the applicant withdrew the variance request associated with minimum floor area and the building design standards variance request has been modified.

RESULT: PRESENTED

Motion To: **Grant Minimum Lot Size Variance**

Assistant Community Development Director White explained that the applicant is requesting minimum lot size reductions for the development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the following minimum lot size reductions and presented one (1) condition for consideration by the Board should they choose to grant the following requests:

- (from 8,500 square feet to 5,250 square feet) 30% of the development
- (from 8,500 square feet to 6,500 square feet) 45% of the development
- (from 8,500 square feet to 8,250 square feet) 25% of the development

Commissioner Poole explained that he would like for the percentages to be changed

to 20% (5,250 square feet), 50% (6,500 square feet), and 30% (8,250 square feet) in consideration of the existing residents living near to the development.

In response to a question from Chairman Reidelbach, Ms. White explained that the lot size percentages recommended by staff are the maximum that will be allowed and the lot designs will correlate accordingly.

Commissioner McKenzie questioned what would be wrong with staying with 8,500 square feet lot sizes as the *RRCC* zoning requires.

Commissioner Reidelbach explained that it would change the entire scope of the project and go against a precedent that has already been set with previous developments.

On motion of Commissioner Poole, seconded by Commissioner McKenzie, failing by a vote of 2 to 3, with Commissioner Reidelbach, Commissioner Blackburn, and Commissioner Smith voting in opposition, a motion to approve the following minimum lot size reductions was defeated:

- (from 8,500 square feet to 5,250 square feet) 20% of the development
- (from 8,500 square feet to 6,500 square feet) 50% of the development
- (from 8,500 square feet to 8,250 square feet) 30% of the development

On motion of Chairman Reidelbach, seconded by Commissioner Blackburn, passing by a vote of 3 to 2, with Chairman Reidelbach, Commission Blackburn, and Commissioner Smith voting in support and Commissioner Poole and Commissioner McKenzie voting in opposition, the Board voted to grant the following minimum lot size reductions for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to one (1) condition:

- (from 8,500 square feet to 5,250 square feet) 30% of the development
- (from 8,500 square feet to 6,500 square feet) 45% of the development
- (from 8,500 square feet to 8,250 square feet) 25% of the development

1. The minimum lot size shall be no smaller than 5,250 square feet for 30% of the development, no smaller than 6,500 square feet for 45% of the development, and no smaller than 8,250 square feet for 25% of the development.

RESULT:	GRANTED [3 TO 2]
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bob Blackburn, District 3
AYES:	John Reidelbach, Bob Blackburn, Al Smith
NAYS:	Paul Poole, Bill McKenzie

Motion To: **Grant Front Yard Setback Variance**

Assistant Community Development Director White explained that the applicant is requesting a 5-foot front yard setback reduction (from 20-feet to 15-feet) for the entire development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

The Board voted to grant a 5-foot front yard setback reduction (from 20-feet to 15-feet) for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject

to the following condition:

- 1. The front yard setback reduction shall not exceed the requested 5-feet (from 20-feet to 15-feet).

RESULT: GRANTED [UNANIMOUS]
MOVER: John Reidelbach, District 4 - Chairman
SECONDER: Al Smith, District 5
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: Grant Minimum Side Yard Setback Variance

Assistant Community Development Director White explained that the applicant is requesting a 5-foot side yard setback reduction (from 10-feet to 5-feet) for the entire development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

The Board voted to grant a 5-foot side yard setback reduction (from 10-feet to 5-feet) for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

- 1. The side yard setback reduction shall not exceed the requested 5-feet (from 10-feet to 5-feet).

RESULT: GRANTED [UNANIMOUS]
MOVER: Al Smith, District 5
SECONDER: John Reidelbach, District 4 - Chairman
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: Grant Minimum Rear Yard Setback Variance

Assistant Community Development Director White explained that the applicant is requesting a 30-foot rear yard setback reduction (from 40-feet to 10-feet) for the entire development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

The Board voted to grant a 30-foot rear yard setback reduction (from 40-feet to 10-feet) for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

- 1. The rear yard setback reduction shall not exceed the requested 30-feet (from 40-feet to 10-feet).

RESULT: GRANTED [UNANIMOUS]
MOVER: John Reidelbach, District 4 - Chairman
SECONDER: Bob Blackburn, District 3
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: Grant Minimum Lot Width Reduction at Front Setback Variance

Assistant Community Development Director White explained that the applicant is

requesting an 18-foot minimum lot size reduction at the front setback (from 60-feet to 42-feet) for no more than 30% of the units (289 units) within the development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

The Board voted to grant an 18-foot minimum lot width reduction at front setback (from 60-feet to 42-feet) for no more than 30% of the units in property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

1. The minimum lot width reduction shall not exceed the requested 18-foot (from 60-foot to 42-foot) on 30% of the units in the development.

RESULT: GRANTED [UNANIMOUS]
MOVER: Al Smith, District 5
SECONDER: John Reidelbach, District 4 - Chairman
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: Grant Building Design Standards Variance

Assistant Community Development Director White explained that the applicant is requesting a building design standards variance to make accessibility requirements optional for all units in the development and the Board of Zoning Appeals recommended approval. Since the Board of Zoning Appeals meeting (June 22, 2023), the applicant has proffered to meet all ADA accessibility requirements except for interior doors to measure 34-inches with larger interior doors offered as an option for the homebuyer. In closing, she reviewed the factors considered by staff during the application process and presented one (1) condition for consideration by the Board should they choose to grant the variance request.

Mr. Rick Martin, applicant representative, explained that there are various alternatives available for bathroom design for purchase by the owner, doorways will be ADA compliant, none of the nine (9) model homes will have full ADA accessible bathrooms, and shower doors open outwards.

The Board voted to grant a building design standards variance to allow interior doors to measure 34-inches with larger interior doors as an option offered to potential buyers for all units on property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

1. The building design standards shall be met with the exception of interior doors which shall measure 34-inches with an option for larger interior doors to be incorporated into the purchase contract for the purchaser.

RESULT: GRANTED [4 TO 1]
MOVER: John Reidelbach, District 4 - Chairman
SECONDER: Bill McKenzie, District 2
AYES: John Reidelbach, Bill McKenzie, Bob Blackburn, Al Smith
NAYS: Paul Poole

Motion To: Grant Entrances/Emergency Exit Variance

Assistant Community Development Director White explained that the applicant is requesting access and emergency variances on Holz Parkway, Posey Road, Baker

Road, and SR 34. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented four (4) conditions for consideration by the Board should they choose to grant the request.

The Board voted to grant access and emergency exit variances for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to three (3) conditions:

1. The extension of Holz Parkway shall be completed in conjunction with the initial phase of the development.
2. No Certificates of Occupancy (CO) shall be granted until the road extension of Holz Parkway is approved and accepted by Coweta County.
3. Posey Road shall have two (2) access points as noted on the Conceptual Site Plan (west side of Posey Road).
4. SR 34 East shall have a gated emergency access as conditioned in Petition # REZ 23-09 approved by the Board on July 11, 2023.

RESULT: **GRANTED [UNANIMOUS]**
MOVER: John Reidelbach, District 4 - Chairman
SECONDER: Al Smith, District 5
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: **Grant Minimum Floor Area Variance - WITHDRAWN BY APPLICANT**

Assistant Community Development Director White explained that the applicant withdrew a request for a minimum floor area reduction (from 1,500 square feet to 1,250 square feet) for no more than 30% units in the development prior to the meeting.

RESULT: **WITHDRAWN NO VOTE**

Motion To: **Grant Tree Preservation Variance**

Assistant Community Development Director White explained that the applicant is requesting that the required trees be allowed either on lot or in Open Space of the development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

In response to questions from the Board, Assistant Community Development Director Ben Sewell, explained that there is not a tree replacement requirement but there is a landscaping requirement. Typically in a residential subdivision a developer would be required to plant a certain number of caliper inches per lot. With the small lot sizes in this development it isn't practical to plant a tree for a lack of room for the tree to grow out without shading out the entire lot. Therefore, the required caliper tree inches will be planted within the combination of lots and open space. Lastly, tree density surveys were required in the past under the tree preservation ordinance, but are no longer a requirement.

The Board voted to grant a tree preservation variance for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

1. The applicant shall meet all the caliper tree inches within the combination of lots and

open space of the residential development.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: **Grant Amenity Parking Variance**

Assistant Community Development Director White explained that the applicant is requesting to allow two-hundred (200) automobile and seventy-five (75) golf-cart parking spaces at the Amenity Center. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

In response to a question from Chairman Reidelbach, Public Works Director Handley explained that the county does not have a golf cart ordinance and the roads within the development are private.

The Board voted to grant an amenity parking variance to allow two-hundred (200) automobiles and seventy-five (75) golf-cart parking spaces for property located at Posey Road and Holz Parkway, Newnan (Parcel # 108-6008-003, # 108-6008-004, # 108-5113-001, and # 109-5112-002) as requested in Petition # VAR 23-13 filed by Pulte Home Company, LLC (dba Del Webb), subject to the following condition:

1. The required parking for each amenity facility shall be met, and if parking is to exceed the maximum allowed then that parking surface should be of a pervious material.

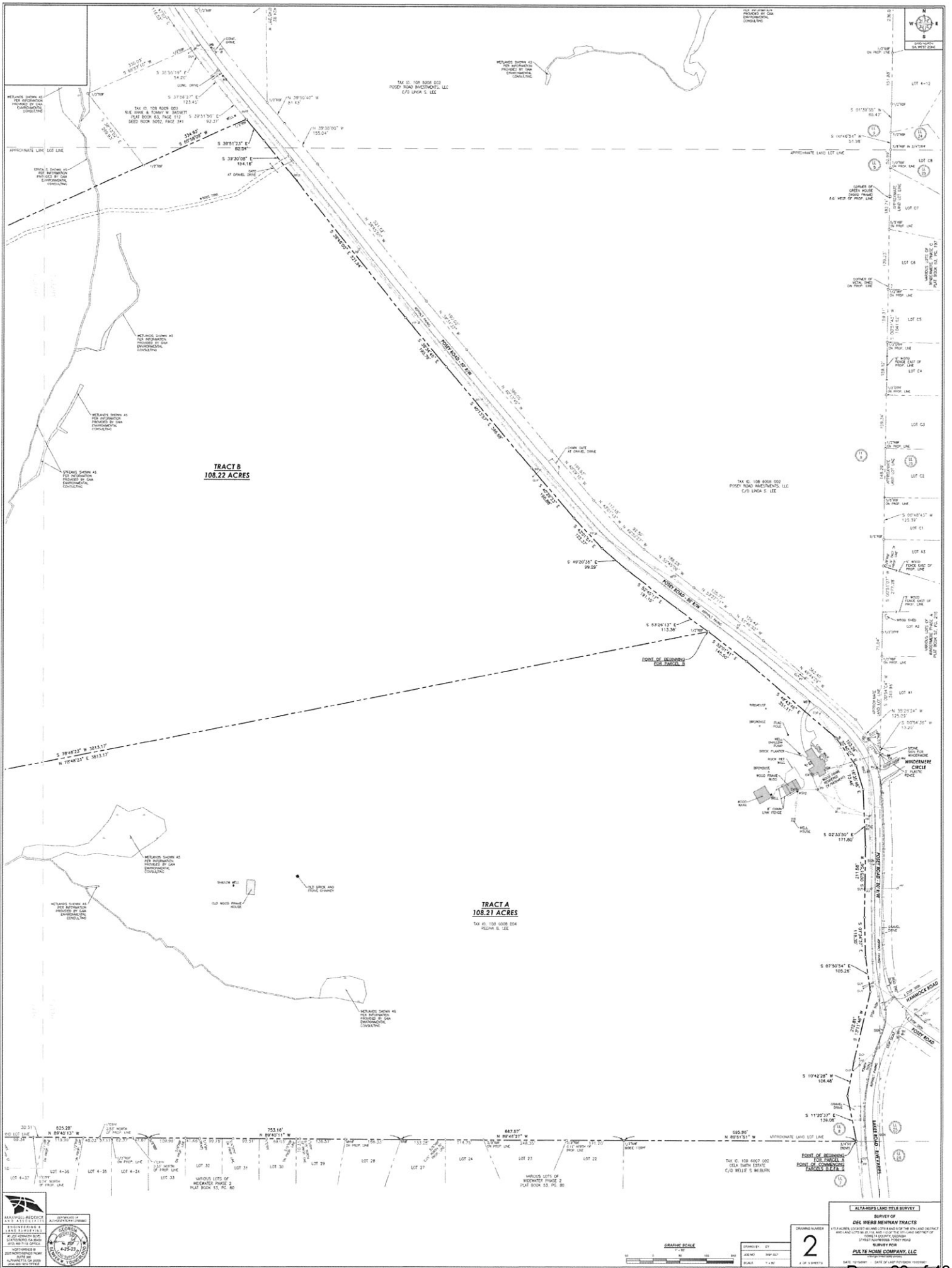
RESULT:	GRANTED [UNANIMOUS]
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

10. 13882 Recommend Approval of Petition # VAR 23-04 Filed by Theresa Calabrese Requesting a Rear Yard Setback Variance for Property Located at 425 Timberview Circle, Sharpsburg

AW presented Petition # VAR 23-04 filed by Theresa Calabrese requesting a rear yard setback variance for property located at 425 Timberview Circle, Sharpsburg (Parcel # 122-6069-179) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property is Lot 72 in Phase 1B of the Timberbrook development, consists of 0.247± acres, and is zoned *RRCC (Residential Retirement Community and Care District)*. The *RRCC* zoning district requires 8,500 square feet lots and the applicant is requesting a 5-foot rear yard setback reduction from the required 40-feet to construct a covered roof to screen an existing patio area. In closing, she reviewed the factors considered by staff during the application process and presented three (3) conditions for consideration by the Board should they choose to grant the variance request.

The Board voted to grant a 5-foot rear yard setback reduction (from 40-feet to 35-feet) for property located at 425 Timberview Circle, Sharpsburg (Parcel # 122-6069-179) as requested in Petition # VAR 23-04 filed by Theresa Calabrese, subject to the following conditions:

1. The rear yard setback reduction shall not exceed the requested 5-feet.
2. The applicant shall provide a letter of approval from Beacon Management,



TRACT B
108.22 ACRES

TRACT A
108.21 ACRES

ALTA-SURVEY AND TITLE SURVEY

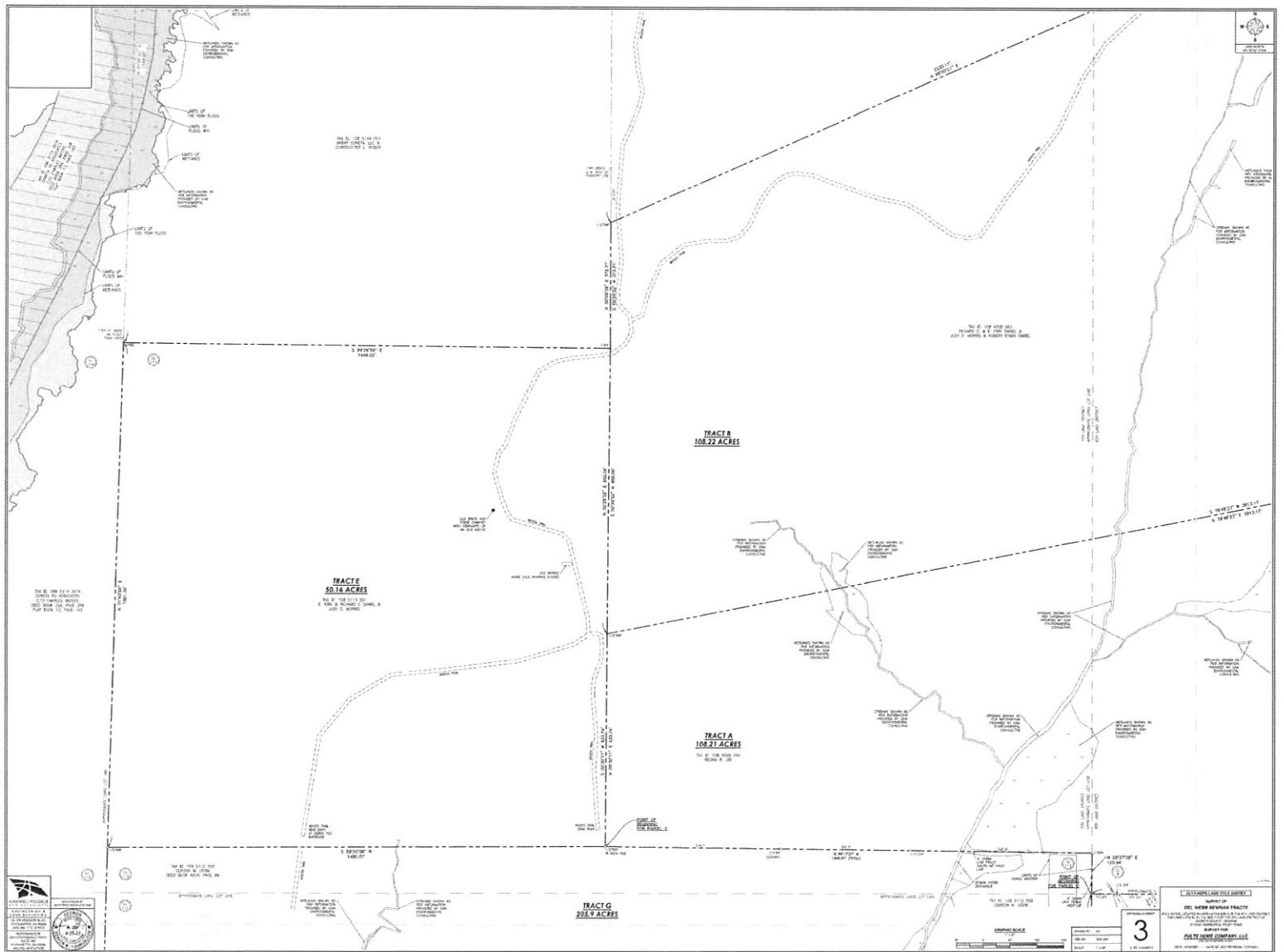
SURVEY OF
DEL WEBB NEWMAN TRACTS
317.4 ACRES, BEING ALL THE LAND SHOWN ON THE SURVEY MAP
AND ALL LOTS 18 TO 21 IN LOT 12 OF THE LAND SHOWN ON
THE SURVEY MAP

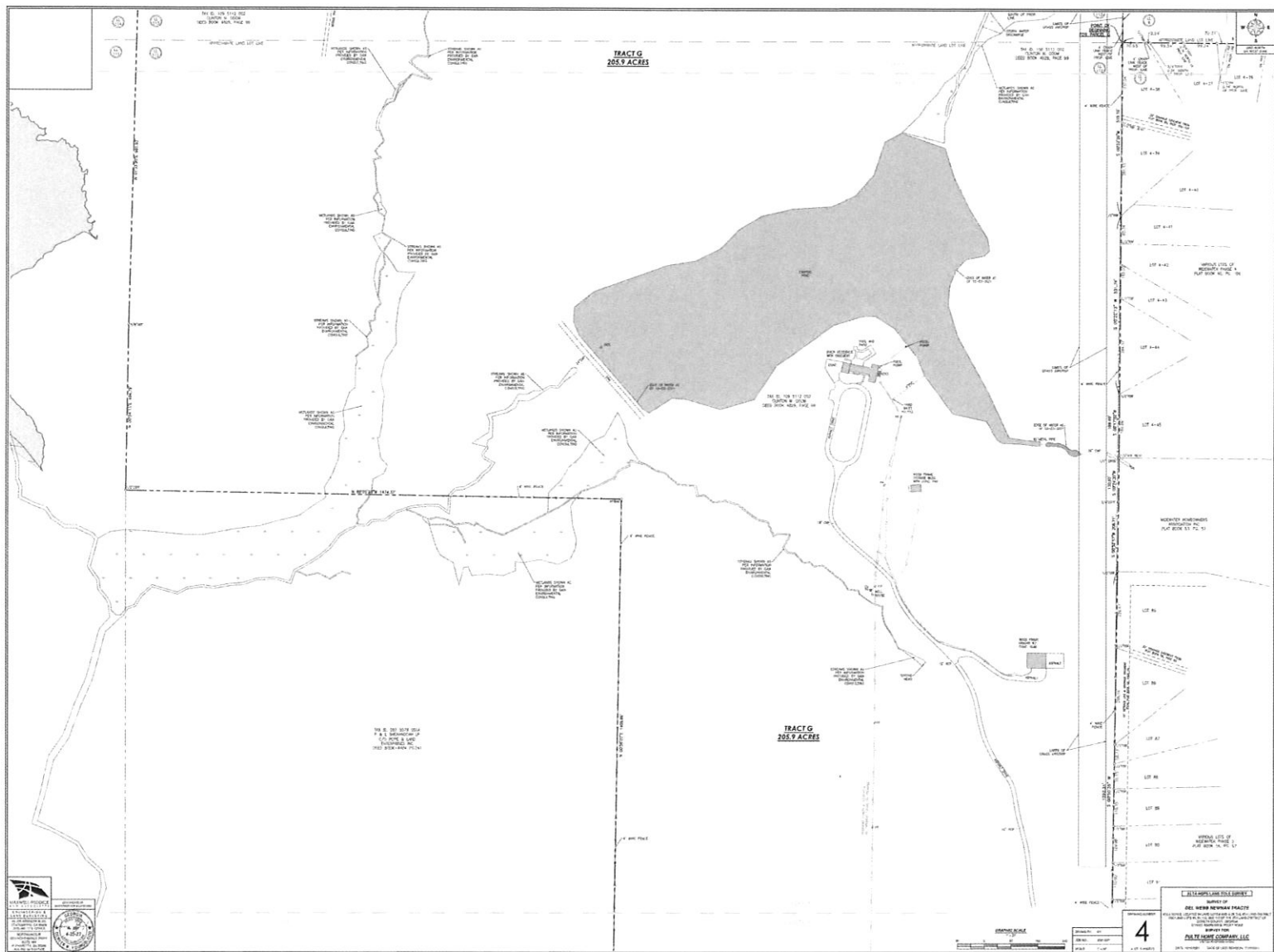
STREET ADDRESS 7700 ROAD
PULTE HOME COMPANY, LLC

GRAPHIC SCALE
1" = 100'

DATE OF LAST REVISION: 08/20/2018

2





AFFP

81997- Del Webb - VARIANCE 24

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF COWETA } SS

Notice of Public Hearing

C. Clayton Neely & Elizabeth C. Neely, being duly sworn, says:

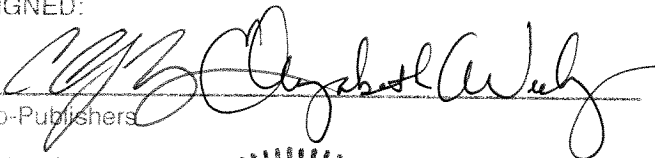
That he is Co-Publishers of the Newnan Times-Herald, a daily newspaper of general circulation, printed and published in Newnan, Coweta County, Georgia; that the publication, a copy of which is attached hereto, was

July 31, 2024

Notice is hereby given that the Coweta County Board of Zoning Appeals will hear an appeal filed by Pulte Group, Inc. (dba Del Webb Newnan) requesting a variance from Article 9 Section 92A Item 7 to reduce the required 60-ft minimum lot width. Said property is located at Posey Road, Baker Road and Holz Parkway, Newnan. (Tax ID's: 108-5113-001; 108-6008-003; 108-6008-004; 109-5112-002) The meeting will be held on Thursday, August 22, 2024, at 6:00 P.M. at the Coweta County Commission Chambers, 37 Perry St., 2nd Floor, Newnan GA. Copies of the proposed request may be obtained at the Coweta County Community Development Department, 22 E Broad St. Newnan, Georgia between the hours of 8:00 am and 5:00 pm Monday through Friday. All that tract or parcel of land situate, containing 472.5 acres, lying and being in Land Lots 55, 74, 106, 113 & 119 of the Fifth Land District and Land Lots 8 & 9 of the Sixth Land District, Coweta County, Georgia. As set forth in the Americans with Disabilities Act of 1990, the Coweta County Government does not discriminate on the basis of disability and will assist citizens with special needs given proper notice (48 hours). For assistance with special needs, please call (770) 254-2608. For questions regarding the public hearing, please contact the Community Development Department (770) 254-2635. This being the 31st day of July 2024 Coweta County Community Development Department
No.81997-7-31

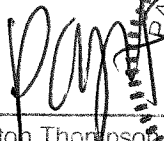
That said newspaper was regularly issued and circulated on those dates.

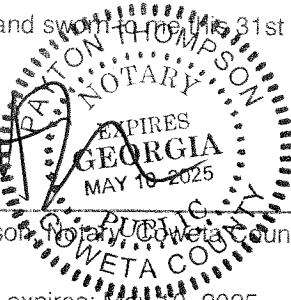
SIGNED:



Co-Publishers

Subscribed to and sworn to on the 31st day of July 2024.





Payton Thompson, Notary, Coweta County, Georgia

My commission expires: May 10, 2025

02100746 00139534

Coweta County Community Development
22 E. Broad St
NEWNAN, GA 30263



Community Development

To: Board of Zoning Appeals
From: Nicole Blackwell, Zoning Associate
Date: August 22, 2024
RE: Petition #: VAR 24-11, # VAR 24-12, # VAR 24-13
Applicant: Tucker Holdings, LLC (Scott Tucker)
Property Owners: Tucker Holdings, LLC - Real Estate Division
Location: East Gordon Road, Newnan
Commission District: 2nd - Commissioner McKenzie
Tax Parcel(s): 075A-042
Property Size: 3.91± acres
Current Zoning: RC (Rural Conservation)
Requested Zoning: LM (Light Industrial)
Proposed Use: Mini Warehouse/Storage Units
Public Hearing (Date, Time, Location): August 22, 2024 at 6:00 p.m. - 37 Perry Street, Newnan

Issue:

Petitions # VAR 24-11, # VAR 24-12, # VAR 24-13 Filed by Tucker Holdings, LLC Requesting a Front Setback Variance and Buffer Variances

Discussion:

Tucker Holdings, LLC - Scott Tucker has filed Variance applications for a Front Setback Reduction and Buffer Reductions for property located on East Gordon Road (See attached Staff Report).

Fiscal Impact:

N/A

Recommendation:

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration (Petitions # VAR 24-11 and # VAR 24-12):

- 1. The side buffers shall be 10-feet.
- 2. All buffer plantings shall meet the requirements under Article 25 of the Coweta County Zoning and Development Ordinance.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration (Petition # VAR 24-13):

- 1. The front setback shall be 50-feet from the right-of-way of East Gordon Road.
- 2. The 20-foot landscape strip along East Gordon Road shall be planted with evergreen trees meeting the buffer requirements of Article 25 of the Coweta County Zoning and Development Ordinance.

Variance Application 24-011
COWETA COUNTY BOARD OF ZONING APPEALS

A PRE-SUBMITTAL MEETING SHALL BE SCHEDULED NO LATER THAN ONE (1) WEEK PRIOR TO THE APPLICATION DEADLINE

Name of Applicant(s): TUCKER HOLDINGS, LLC.- SCOTT TUCKER
Address of Applicant(s): 11 FRANKLIN RD., NEWNAN, GA. 302653
Phone #: 678-326-0101 E-mail address: scotttuckerinc@bellsouth.net
Address of Subject Property: E. Gordon Rd.
Property Tax I.D. #: 075A 042

Definition of Variance: A variance is a relaxation of the terms of the ordinance where such variances will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As use in the ordinance, a variance is authorized only for height, area, and size of structure, or size of yards, and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

Ordinance listing for proposed use: Article 25 Section 251 Item 1

Brief description of requested use: Requesting a buffer reduction along the north property line from 100' to 10' for construction of a mini warehouse facility.

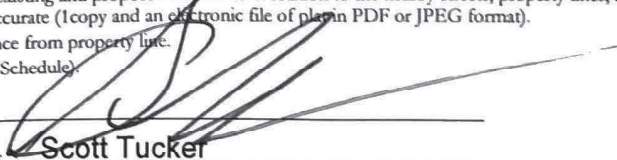
Applicant's reason for not conforming to the Zoning Ordinance: If the buffer is imposed as required the property would not be feasible for development due to the width of the property.

What extraordinary conditions concerning the property/structure/property, warrants a variance or variances?
If the buffer is imposed as required the property would not be feasible for development due to the narrow width of the property.

Provide suggested mitigated measures, if any, to reduce the impact if the variance is granted. If no, mitigation is proposed, the request must include an explanation of why none is being proposed. A privacy/security fence as well as landscaping will be installed along the north boundary line.

Please provide the following information with the variance request:

- A copy of Warranty Deed.
- If the applicant is not the owner of the property, submit a notarized letter from the property owner giving applicant permission to file.
- Plat of the property indicating all existing and proposed structures in relation to the nearby streets, property lines, and driveways; dimensions are to be accurate (1 copy and an electronic file of plat in PDF or JPEG format).
- Total feet of encroachment/distance from property line.
- Application Fee (see attached Fee Schedule).

Date filed: 06-05-24 Signed by: 
Print name: Scott Tucker

Variance Application 24-012
COWETA COUNTY BOARD OF ZONING APPEALS

A PRE-SUBMITTAL MEETING SHALL BE SCHEDULED NO LATER THAN ONE (1) WEEK PRIOR TO THE APPLICATION DEADLINE

Name of Applicant(s): TUCKER HOLDINGS, LLC.- SCOTT TUCKER
Address of Applicant(s): 11 FRANKLIN RD., NEWNAN, GA. 302653
Phone #: 678-326-0101 E-mail address: scotttuckerinc@bellsouth.net
Address of Subject Property: E. Gordon Rd.
Property Tax I.D. #: 075A 042

Definition of Variance: A variance is a relaxation of the terms of the ordinance where such variances will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As use in the ordinance, a variance is authorized only for height, area, and size of structure, or size of yards, and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

Ordinance listing for proposed use: Article 25 Section 251 Item 2

Brief description of requested use: Requesting a buffer reduction along the south property line from 25' to 10' for construction of a mini warehouse facility.

Applicant's reason for not conforming to the Zoning Ordinance: If the buffer is imposed as required the property would not be feasible for development due to the width of the property. Also, the same variance was recently granted to the adjacent property to the west.

What extraordinary conditions concerning the property/structure/property, warrants a variance or variances?
If the buffer is imposed as required the property would not be feasible for development due to the narrow width of the property.

Provide suggested mitigated measures, if any, to reduce the impact if the variance is granted. If no, mitigation is proposed, the request must include an explanation of why none is being proposed. A privacy/security fence as well as landscaping will be installed along the south boundary line.

Please provide the following information with the variance request:

- A copy of Warranty Deed.
- If the applicant is not the owner of the property, submit a notarized letter from the property owner giving applicant permission to file.
- Plat of the property indicating all existing and proposed structures in relation to the nearby streets, property lines, and driveways; dimensions are to be accurate (1 copy and an electronic file of plat in PDF or JPEG format).
- Total feet of encroachment/distance from property line.
- Application Fee (see attached Fee Schedule).

Date filed: 06-05-24 Signed by: 
Print name: Scott Tucker

Variance Application 24-013
COWETA COUNTY BOARD OF ZONING APPEALS

A PRE-SUBMITTAL MEETING SHALL BE SCHEDULED NO LATER THAN ONE (1) WEEK PRIOR TO THE APPLICATION DEADLINE

Name of Applicant(s): TUCKER HOLDINGS, LLC.- SCOTT TUCKER
Address of Applicant(s): 11 FRANKLIN RD., NEWNAN, GA. 302653
Phone #: 678-326-0101 E-mail address: scotttuckerinc@bellsouth.net
Address of Subject Property: E. Gordon Rd.
Property Tax I.D. #: 075A 042

Definition of Variance: A variance is a relaxation of the terms of the ordinance where such variances will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As use in the ordinance, a variance is authorized only for height, area, and size of structure, or size of yards, and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

Ordinance listing for proposed use: Article 23 Section _____ Item _____

Brief description of requested use: Requesting a front setback reduction along the east property line (E. Gordon Rd.) from 100' to 50' for construction of a mini warehouse facility.

Applicant's reason for not conforming to the Zoning Ordinance: No access is proposed for E. Gordon Rd. Variance requested to allow for more developable property. Also, the same variance was recently granted to the adjacent property to the west.

What extraordinary conditions concerning the property/structure/property, warrants a variance or variances?
Due to the shape and narrow width of the property, additional space is needed for development of the property.

Provide suggested mitigated measures, if any, to reduce the impact if the variance is granted. If no, mitigation is proposed, the request must include an explanation of why none is being proposed. No access as well as a fence and landscaping will be installed along the east boundary line.

Please provide the following information with the variance request:

- A copy of Warranty Deed.
- If the applicant is not the owner of the property, submit a notarized letter from the property owner giving applicant permission to file.
- Plat of the property indicating all existing and proposed structures in relation to the nearby streets, property lines, and driveways; dimensions are to be accurate (1copy and an electronic file of plat in PDF or JPEG format).
- Total feet of encroachment/distance from property line
- Application Fee (see attached Fee Schedule).

Date filed: 06-05-24 Signed by: 
Print name: Scott Tucker



Jonathan Amason, P.E., Director
22 East Broad St.
Newnan, GA 30263
www.coweta.ga.us
770-254-2635

To: Coweta County Zoning Board of Appeals

From: Nicole K Blackwell, Zoning Associate

Re: Variance Request

Art. 23. Dimensional Requirements. Front Setback Reduction & Art. 25 Buffer Reduction

Applicant: Tucker Holdings, LLC – Scott Tucker

Applicant Representative: George Harper

Location: East Gordon Road, Newnan (3.91± acres)

Petition # VAR 24-011, VAR 24-012, VAR 24-013

Tax ID #: 075A-042

2nd Commission District

Date: August 7, 2024

The subject property is located at East Gordon Road in Newnan. The property has an approximate area of 3.91-acres, is zoned **RC (Rural Conservation)**, and is located in the **QDCD – Quality Development Corridor Overlay District**. Due to the property’s current zoning, the applicant has filed a concurrent rezoning application (REZONE 24-009) requesting to be rezoned to LM (Light Industrial). The adjacent property to the west was rezoned by Tucker Holdings, LLC on 3/26/24 to LM (Light Industrial) for a self-storage facility under rezoning petition # 23-018. The applicant’s property to the west was also granted buffer reductions to a 10-ft side buffer along both the northern and southern property line under petition # 23-035 on 3/26/24. The applicant would like to match the buffers on the property to the east with the buffer reductions that were previously granted on the property to the west. It is the intent of the applicant to combine the recently rezoned property to the west with this property to the east for the purpose of a self-storage facility should the concurrent rezoning petition (REZONE 24-009) be approved. Property will only be accessed through the adjacent property to the west via US-29. There will be no access off East Gordon Road.

The applicant is requesting the following:

1. A 50-ft front setback from the required 100-ft from the right-of-way of East Gordon Road under *Article 23. Dimensional Requirements. Front Yard Setback* (VAR 24-013)
2. A 10-ft side buffer (along the northern property line) from the required 100-ft under *Article 25. Buffer Reduction* (VAR 24-011)
3. A 10-ft side buffer (along the southern property line) from the required 25-ft under *Article 25. Buffer Reduction* (VAR 24-012)

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

Public Safety

Public Works:

No comment regarding the request.

Fire:

No comment regarding the request.

Public Utilities

Environmental Health:

No comment regarding the request.

Water and Sewerage Authority:

No comment regarding the request.

Community Development

Building Official:

No comment regarding the request.

Development Review:

Should the Board choose to grant this variance, staff recommends that the 20-ft landscape strip along East Gordon Rd be planted with evergreen trees meeting the buffer requirements of Article 25 of the Coweta County Zoning and Development Ordinance.

The consideration for a Variance Request must be reviewed through the following seven factors as provided 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 subject property is zoned **RC (Rural Conservation)**. The property to the south is the Valley Mobile Homes Community zoned **MHP (Manufactured Home Park)**. The property to the north and east are zoned **RC (Rural Conservation)**. The property to the west was rezoned by Tucker Holdings, LLC on 3/26/24 to **LM (Light Industrial)** for a self-storage facility under rezoning petition 23-018. It is the intent of the applicant to combine the recently rezoned property to the west with this property to the east for the purpose of a self-storage facility should the rezoning application (REZONE 24-009) be approved.*

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

Response: There is a wide range of uses zoned in this area: from Coweta's most restrictive zoning – RC (Rural Conservation) to one of Coweta's highest levels of zoning – LM (Light Industrial).

Consideration should be given to the most affected property owners; particularly those in the RC – Rural Conservation District to the north and east and to those in the MHP – Manufactured Home Park District to the south.

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

Response: There are no special circumstances nor hardships only that the developer wishes to increase the developable land area at the expense of mitigating the impacts to the neighboring, less intense use, residential properties.

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: Property will only be accessed through the adjacent property to the west via US-29. There will be no access off East Gordon Road. Should concurrent Rezoning petition 24-009 be approved, Public Works is submitting the following condition for consideration: The applicant shall construct left and right turn lanes on US-29/SR-14 per GDOT standards.

5. Whether there is 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: Development of the lot can be obtained with the required site development standards by reducing the number of buildings.

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

Response: No, the proposal of ten (10) self-storage buildings exceeds the practical limitations for site development. The applicant could reduce the number of buildings which would then allow for a lesser buffer reduction along the north and potentially meet the required 25-ft buffer to the south.

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

Response: N/A

I. Article 25 Sec. 251 Buffer Requirements

- Applicant is requesting a buffer reduction to 10-ft from the required 100-ft along the northern property line (Reduction of 90-ft). (VAR 24-011)
- Applicant is requesting a buffer reduction to 10-ft from the required 25-ft along the southern property line (Reduction of 15-ft). (VAR 24-012)

The Community Development Department submits the following Factors for Consideration in reviewing the Variance Request (VAR 24-011 and VAR 24-012):

1. Consideration of this request shall carry great weight with the adjoining residential property owners to the north, east, and south.
2. Development of the lot can be obtained with the required site development standards by reducing the number of buildings.
3. The Board should consider if this request is justified by a hardship.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration (VAR 24-011 and VAR 24-012):

1. The side buffers shall be 10-feet.
2. All buffer plantings shall meet the requirements under Article 25 of the Coweta County Zoning and Development Ordinance.

II. Article 23. Dimensional Requirements

- Applicant is requesting a front building setback to 50-ft from the required 100-ft (Reduction of 50-ft). (VAR 24-013)

The Community Development Department submits the following Factors for Consideration in reviewing the Variance Request (VAR 24-013):

1. Consideration of this request shall carry great weight with the adjoining residential property owners to the north, east, and south.
2. Development of the lot can be obtained with the required site development standards by reducing the number of buildings.
3. The Board should consider if this request is justified by a hardship.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration (VAR 24-013):

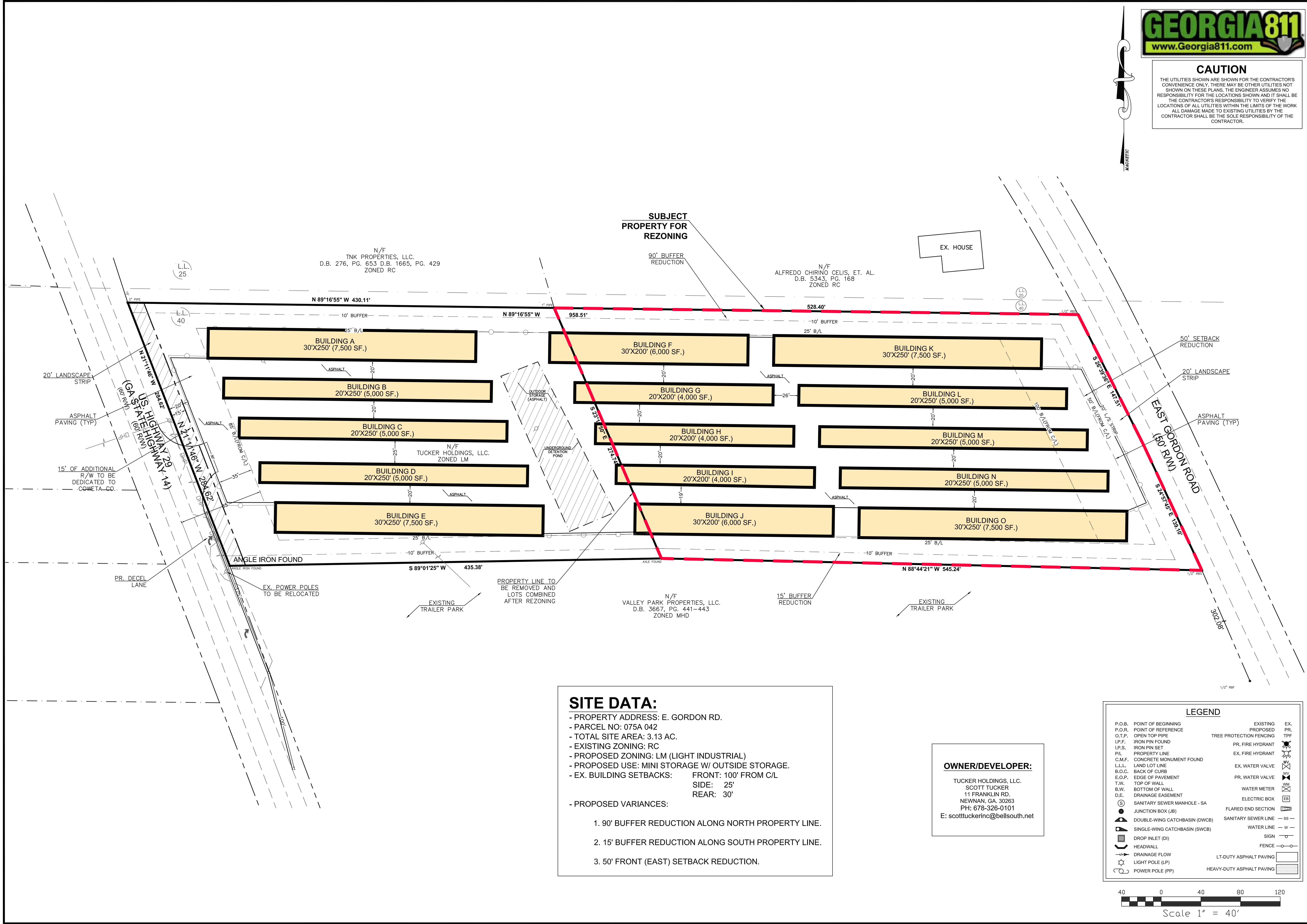
1. The front setback shall be 50-feet from the right-of-way of East Gordon Road.
2. The 20-foot landscape strip along East Gordon Road shall be planted with evergreen trees meeting the buffer requirements of Article 25 of the Coweta County Zoning and Development Ordinance.

The Public Hearing for this request is scheduled for **Thursday, August 22, 2024**, at 6:00PM in the Commission Chambers located at 37 Perry Street, Newnan, GA 30263.

The applicant or his/her designated representative is recommended to attend the Public Hearing.

c: George Harper – george@paramountengineering.com

CAUTION
THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

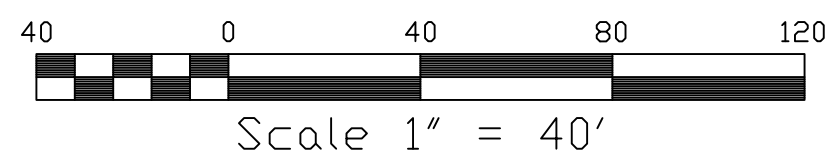


SITE DATA:
 - PROPERTY ADDRESS: E. GORDON RD.
 - PARCEL NO: 075A 042
 - TOTAL SITE AREA: 3.13 AC.
 - EXISTING ZONING: RC
 - PROPOSED ZONING: LM (LIGHT INDUSTRIAL)
 - PROPOSED USE: MINI STORAGE W/ OUTSIDE STORAGE.
 - EX. BUILDING SETBACKS: FRONT: 100' FROM C/L
 SIDE: 25'
 REAR: 30'
 - PROPOSED VARIANCES:
 1. 90' BUFFER REDUCTION ALONG NORTH PROPERTY LINE.
 2. 15' BUFFER REDUCTION ALONG SOUTH PROPERTY LINE.
 3. 50' FRONT (EAST) SETBACK REDUCTION.

OWNER/DEVELOPER:
 TUCKER HOLDINGS, LLC.
 SCOTT TUCKER
 11 FRANKLIN RD.
 NEWNAN, GA. 30263
 PH: 678-326-0101
 E: scotttuckerinc@bellsouth.net

LEGEND

P.O.B. POINT OF BEGINNING	EXISTING EX.
P.O.R. POINT OF REFERENCE	PROPOSED PR.
O.T.P. OPEN TOP PIPE	TREE PROTECTION FENCING TPF
I.P.F. IRON PIN FOUND	PR. FIRE HYDRANT
I.P.S. IRON PIN SET	EX. FIRE HYDRANT
P.L. PROPERTY LINE	EX. WATER VALVE
C.M.F. CONCRETE MONUMENT FOUND	PR. WATER VALVE
L.L.L. LAND LOT LINE	EX. WATER VALVE
B.O.C. BACK OF CURB	PR. WATER VALVE
E.O.P. EDGE OF PAVEMENT	PR. WATER VALVE
T.W. TOP OF WALL	WATER METER
B.W. BOTTOM OF WALL	ELECTRIC BOX
D.E. DRAINAGE EASEMENT	FLARED END SECTION
SANITARY SEWER MANHOLE - SA	SANITARY SEWER LINE
JUNCTION BOX (JB)	WATER LINE
DOUBLE-WING CATCHBASIN (DWCB)	SIGN
SINGLE-WING CATCHBASIN (SWCB)	FENCE
DROP INLET (DI)	LT-DUTY ASPHALT PAVING
HEADWALL	HEAVY-DUTY ASPHALT PAVING
DRAINAGE FLOW	
LIGHT POLE (LP)	
POWER POLE (PP)	



REV.	DATE	DESCRIPTION

DRAWING NO: 231025- TUCKER HWY. 29

PROJECT: TUCKER HWY. 29

SHEET: REZONING SITE PLAN

DATE: 05-10-24

DRAWN BY: GPH

COWETA COUNTY

SCALE: 1" = 40'

SHEET 1







Secur

SELF STORAGE

WE SE
BOXES

24 HOUR
PARKING
AVAILABLE

NO
SMOKING





AFFP
82000- Tucker Holdings

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF COWETA } SS

Notice of Public Hearing

C. Clayton Neely & Elizabeth C. Neely, being duly sworn,
says:

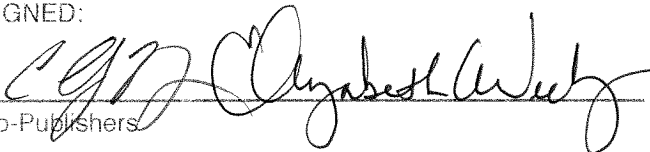
That he is Co-Publishers of the Newnan Times-Herald, a
daily newspaper of general circulation, printed and
published in Newnan, Coweta County, Georgia; that the
publication, a copy of which is attached hereto, was

July 31, 2024

Notice is hereby given that the Coweta County Board of Zoning Appeals will hear an appeal filed by Tucker Holdings, LLC – Scott Tucker requesting the following variances: Article 23. - Front Setback Reduction and Article 25. - Buffer Reduction for property located at E Gordon Rd, Newnan (Tax ID #: 075A-042). The meeting will be held on Thursday, August 22, 2024, at 6:00 p.m. at the Coweta County Commission Chambers, 37 Perry St., 2 nd Floor, Newnan, GA. Copies of the proposed request may be obtained at the Coweta County Community Development Department 22 E. Broad St. Newnan, Georgia between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. All that certain tract or parcel of land situate, lying and being in Land Lot 40 of the Second Land District of Coweta County, Georgia, designated as Tract 24 of Pearl Springs Subdivision, Section One as shown on plat of survey for Gordon Lee Estate dated November 1928, prepared by T.Y. Mattox, Surveyor of record in Deed Book 27, Pages 232 and 233. Office of the Clerk of the Superior Court of Coweta County, Georgia. As set forth in the Americans with Disabilities Act of 1990, the Coweta County Government does not discriminate based on disability and will assist citizens with special needs given proper notice (48 hours). For assistance with special needs, please (770) 254-2608. For questions regarding the public hearing, please contact the Community Development Department (770) 254-2635. This being the 31 st day of July 2024 Coweta County Community Development Department
No. 82000-7-31


That said newspaper was regularly issued and circulated
on those dates.

SIGNED:

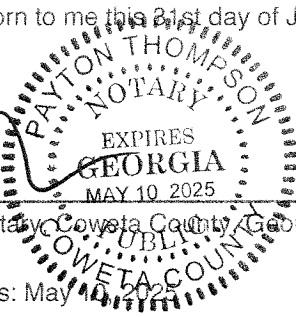


Co-Publishers

Subscribed to and sworn to me this 31st day of July 2024.



Payton Thompson, Notary, Coweta County, Georgia



My commission expires: May 10, 2025

02100746 00139537

Coweta County Community Development
22 E. Broad St
NEWNAN, GA 30263