



NEWNAN
GEORGIA • CITY OF HOMES

City of Newnan **Board of Zoning Appeals**

Agenda for April 1, 2025 Board of Zoning Appeals Meeting
10:00 AM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. January 7, 2025, Meeting Minutes
3. Public Hearings
 - a. Variance Request - 77 Millard Farmer Industrial Boulevard - 2025-01
4. Other Business
5. Adjourn

Any questions prior to the meeting
should be directed to the Planning and Zoning Department.
Phone: 770-254-2354
E-mail: tdunnavant@newnanga.gov



CITY OF NEWNAN
Board of Zoning Appeals
Meeting Minutes
January 7, 2025
10:00 a.m.

Board Members in Attendance: Skin Edge, Ken Parker, Sally Hensley, Frank Flournoy, Kris Lovell

Board Members Absent: Cliff Smith, Willie Walton

Others in Attendance: Dean Smith, Senior Planner
Tracy Dunnivant, Planning and Zoning Director
Brad Sears, City Attorney
Debbie Snider, Planning & Zoning Administrative Assistant

CALL TO ORDER

Chairman Edge called the meeting to order at 10:00 a.m. in the Richard A. Bolin Council Chambers, City Hall, 25 LaGrange Street.

READING OF THE MINUTES

Chairman Edge asked the Board if they had reviewed the December 3, 2024, meeting minutes. Hensley motioned to approve the minutes. Lovell seconded the motion.

MOTION CARRIED (5-0)

Variance Request – 16 Wheat Street – Dwight Parks #2024-17

Chairman Edge opened a public hearing on a variance request for a rear setback reduction from 75.7 feet to 48.7 feet for a proposed house to be built at 16 Wheat Street. Dean Smith gave the staff report. He reviewed the standards for granting a variance and added that this request meets most of them. Dean Smith mentioned that a request was filed and withdrawn in July 2024 because the city was changing the hardship standards in the Zoning Ordinance. He said this variance request seeks a reduction in the rear building setback in order to construct a new residential home. Dean Smith stated staff recommends approval of the request.

Chairman Edge asked if anyone was present to answer questions. Christina Parks, representing Dwight Parks, was sworn in by Brad Sears. Parks stated that her company was interested in building a 1,256 square-foot residential home to sell. She stated that Dwight Parks is a locally established contractor with many years of building experience.

Hensley asked whether the property owner is in California and if the owner plans to sell the property. Parks confirmed that the owner is in California and plans to sell.

Parker asked how deep the lot was and if it would be more logical to ask for a front setback. Dean Smith showed an online street view of the property and its surrounding homes. He provided the setbacks from the neighboring lots. Parker asked Parks about the logic of placing the home further back. Parks stated that it would align better with the surrounding houses. Chairman Edge questioned if a 1,200 square foot home is consistent with the other houses in the neighborhood. Dean Smith confirmed that it was.

Chairman Edge asked if there was anyone in favor of or against the request that would like to speak. With no one coming forward, Chairman Edge closed the public hearing.

Flournoy made a motion to approve the variance for 16 Wheat Street. Vice Chairman Lovell seconded the motion.

MOTION CARRIED (5-0)

New Business

Tracy Dunnivant requested that nominations be made for the 2025 Board of Zoning Appeals Chairman and Vice Chairman positions. Hensley nominated Skin Edge as the Chairman and Parker seconded the motion.

MOTION CARRIED (5-0)

Hensley nominated Kris Lovell for the Vice Chairman and Parker seconded the motion.

MOTION CARRIED (5-0)

ADJOURN

Hensley made a motion to adjourn the meeting at 10:13 a.m. and Flournoy seconded the motion.

MOTION CARRIED (5-0)

Chairman Edge



NEWNAN
GEORGIA

City of Newnan, Georgia – Board of Zoning Appeals

Date: April 1, 2025

Application Number: 2025-01

Agenda Item: Variance Requests - 77 Millard Farmer Industrial Boulevard

Prepared and Presented by: Chris Cole, Senior Planner

Purpose: If the variance requests are granted, the applicant intends to separate the two existing industrial buildings (zoned Heavy Industrial or IHV) with a new property line. The applicant is asking for a variance to reduce the side setback (closest to the proposed property line) for Building 77-A from the required 30 feet to 16 feet. The applicant is also asking for a variance to reduce the rear setback from the proposed property line for Building 77-B from the required 40 feet to 16 feet. The setback requirement is outlined in Section 4-32 and Table 4-C of the City of Newnan's Zoning Ordinance. Note – There is also a third building (a dog grooming/training business) on the subject property that fronts Millard Famer Industrial Boulevard that is zoned CGN (General Commercial) that is not part of this application.

Applicant: Robert Dollar
49 Millard Farmer Industrial Boulevard
Newnan, GA 30263

Property Owner: Newnan Bypass Associates, Inc.
PO Box 1832
Newnan, GA 30264

Zoning: Heavy Industrial (IHV)

Present Use: Warehouse with offices

Proposed Use: Warehouse with offices

Pertinent Regulations: Section 4-32 and Table 4-C of the Zoning Ordinance

Applicant's Position:

The applicant's requests, on behalf of the property owner of 77 Millard Farmer Industrial Boulevard, is to split off and buy the existing Building 77-A with 1.35 acres +/- and combine it with his own adjoining property at 132 Werz Industrial Boulevard. The proposed lot split between Building 77-A and Building 77-B, however, causes an issue with the current setback requirements. The existing buildings (both approximately containing 14,000 square feet) were built in compliance with the zoning requirements in 1999 and 2000. The existing use of both buildings is "warehouse with offices" and the applicant plans to continue the same type of use once he purchases Building 77-A and the 1.35 acres+/- . The proposal includes no new construction, but only a lot split that will enable the property sale.

Regarding the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property, the applicant indicated, "The current setbacks required for a new plat is a greater distance than is available between existing buildings." Regarding the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance, the applicant indicated, "Since the buildings are already in place, it is not physically possible to meet the current setback requirements. They were constructed in compliance with the City ordinance as a sale to a neighbor was not contemplated."

Regarding the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property, the applicant indicated, "As written, the ordinance would not allow me to own the building I intend to occupy for my business." Regarding the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property, the applicant indicated, "The requirements for recording the plat allowing the rear building to be added to my adjoining property are to allow a rear setback (building line) of 16 feet for Building A and a 16-foot setback (side building line) for Building B.

Basis for Granting Variances:

The Board of Zoning Appeals shall base its required findings of fact upon particular evidence, such as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, but where the spirit of the ordinance shall be observed and substantial justice done. No variance shall be considered to allow a use of land or structures which are not permitted by the ordinance in the zoning district involved. The hearing authority will base its findings on facts and information presented to it in each specific case where the applicant and/or property owner can demonstrate that it meets the majority of the following variance/hardship conditions or standards (please see applicant's responses in blue type and staff responses in red type):

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

Applicant's Response - We are in the process of trying to purchase the building known as 77A Millard Farmer Industrial Blvd. in order to expand our business. While leasing the subject property would allow us to utilize the building as it is zoned (IHV) the building is not available for long-term lease.

On the property containing 77A Millard Farmer Industrial Blvd are 3 buildings which were constructed in accordance with the City zoning ordinance. The configuration of the buildings on the property is such that our purchasing one of the 25-year-old buildings to add to our property would not meet the distance required between buildings in order to record a new plat, but it does meet the separation requirements under the current IHV ordinance.

Staff believes this proposal works within the confines of the restrictions of the subject property's size (totaling 3.1 acres +/-), shape, and topography. Regarding the subject property's features, and as seen on the attached location maps, the three existing buildings on the subject property fill a large portion of the lot. At the time of their construction, the three buildings met the zoning requirements. Due to the changing of the Zoning Ordinance since that time, the current setback requirements are inherently an issue due to the particular locations of Building 77-A and Building 77-B (now that a property split is proposed). The proposed property line is also 16 feet from Building 77-A and Building 77-B, equally dividing the land between the two buildings. The two buildings will also meet the current "Distance Between Buildings" requirement for IHV zoning of 25 feet with an actual distance of 32 feet between the closest points of the buildings.

2. Such conditions are peculiar to the particular piece of such property involved;

Applicant's Response - The situation is unique in that we will be acquiring an existing building to add to our land and the situation is such that we and the owner of the adjacent building "B" are satisfied with the proposed building lines.

Staff believes this proposal is peculiar or special in that no construction is being proposed and that the applicant is just dealing the existing distance issue between Building 77-A and Building 77-B (in order to split the lot and proceed with the sale).

3. Such conditions were not imposed by the action or will of the owner of the property;

Applicant's Response - The buildings were built in compliance with city zoning ordinance in 1999 and 2000.

4. The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship;

Applicant's Response - The owner of the three buildings did not contemplate the sale of a building to us in 1999 or at any time over the next 25 years. Our unique situation is that we wish to acquire an existing building which complies with the current IHV ordinance in terms of 25-foot minimum spacing between buildings but the new property line requires the requested variance. Without the requested variance we would be within our rights to lease and utilize the subject property but would not be allowed to own it.

5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance, and furthermore, will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City and is the minimum variance that will make possible the reasonable use of the land, building or structures;

Applicant's Response - Approval of the requested variance would have no effect on anyone or any other property, would not increase the congestion in public streets, would not increase danger of fire, would not diminish or impair the established property values of others nor would it impair the health, safety, comfort, morals or general welfare of the inhabitants of the City and is the minimum variance we would need for reasonable use of the land and building making it a 6.6 acre parcel where we operate our business.

Staff agrees with the applicant's response.

6. There must be a proved hardship by showing beyond a doubt the inability to make a reasonable use of the land if the zoning ordinance were applied literally; and

Applicant's Response - There is no doubt that the property cannot be subdivided to allow us to purchase this building if the zoning ordinance were applied literally.

7. The circumstances affecting the property necessitating the variance are sufficiently unique or infrequent that it is not feasible to create a broad regulation to amend this Ordinance.

Applicant's Response - The circumstances whereby a business owner wishes to acquire property and add to his existing adjacent property and business and where utilization through lease would be permissible but ownership would not is unique and would arise infrequently.

Staff agrees with the applicant's response.

Planning Department's Review and Findings:

As of the date of this report, the City has received no objections from any of the neighboring property owners. Regarding the variance requests to reduce the side setback (closest to the proposed property line) for Building 77-A from the required 30 feet to 16 feet and to reduce the rear setback from the proposed property line for Building 77-B from the required 40 feet to 16 feet, staff believes the requests are appropriate and will present no negative impacts. Staff also believes this proposal works within the restrictions of the lot's size, shape, and topography.

There are times when difficulties can arise on structures or lots that were developed under previous versions of the Zoning Ordinance. While Building 77-A and Building 77-B were compliant at the time of construction, changes such as a new property line can cause a setback issue. As stated well by the applicant earlier, "On the property containing 77A Millard Farmer Industrial Blvd are 3 buildings which were constructed in accordance with the City zoning ordinance. The configuration of the buildings on the property is such that our purchasing one of the 25-year-old buildings to add to our property would not meet the distance required between buildings in order to record a new plat, but it does meet the separation requirements under the current IHV ordinance."

The desire of the applicant to split the subject property between Building 77-A and Building 77-B is not unreasonable and should present no impact upon the neighbors. Furthermore, alleviation of the side and rear setbacks will pose no danger to future enforcement of the Ordinance, as the intention of the Ordinance is not to irrationally prohibit lot splits between existing nonconforming buildings.

Proposed Staff Conditions:

Fire Chief Stephen Brown stated in his review that it would be beneficial to have continued access to Building 77-A from Millard Farmer Industrial Boulevard. Based on his suggestion, staff would propose the following condition:

- *The existing access to Building 77-A from Millard Farmer Industrial Boulevard is to be retained.*

Staff would also propose the following condition:

- *No storage containers (including cargo containers) will be stored outside on the 1.35 acres +/- proposed to be split from the subject property.*

Options:

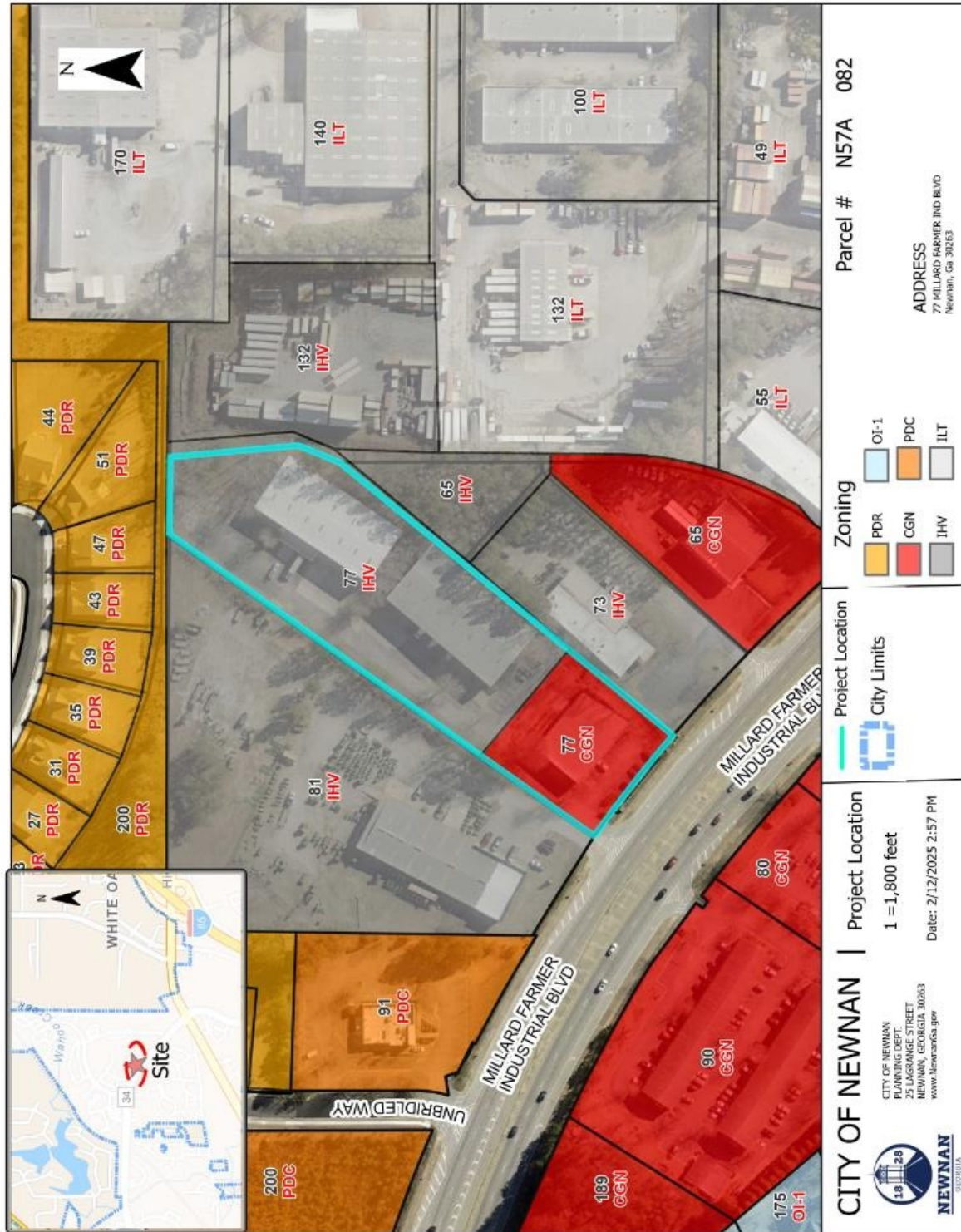
- A. Approve the variance requests
- B. Deny the variance requests
- C. Other direction as determined by the Board of Zoning Appeals

Staff's assessment of the requests coincide with Option A, to approve the requests. After evaluating the requests in regard to the City's variance hardships standards, staff feels that the requests meet the following standards: 1, 2, 5, & 7.

Attachments:

Application





77 Millard Farmer Industrial Boulevard - Variance

Alternate view of Building 77-B from the driveway



View of Building 77-B from the driveway



77 Millard Farmer Industrial Boulevard - Variance

View of Building 77-A from the driveway



Alternate view towards Building 77-A from the driveway



77 Millard Farmer Industrial Boulevard - Variance

View of existing natural area between Building 77-A to the left and Building 77-B to the right from the driveway

Note – This is the approximate location of the proposed property line between the buildings.



View towards Millard Farmer Industrial Boulevard from Building 77-B along the driveway



77 Millard Farmer Industrial Boulevard - Variance

View of rear façade of the dog grooming/training business
fronting Millard Farmer Industrial Boulevard from the
driveway (part of the 77 Millard Farmer Industrial
Boulevard parcel)



View of adjoining AG-PRO property to the west (back
storage lot) from the driveway and the natural buffer
between the two parcels



77 Millard Farmer Industrial Boulevard - Variance

Alternate view of adjoining AG-PRO property to the west (back storage lot) from the driveway



View of the front of the dog grooming/training business along Millard Farmer Industrial Boulevard from the driveway (part of the 77 Millard Farmer Industrial Boulevard parcel)





CITY OF NEWNAN, GEORGIA

25 LaGrange Street
Newnan, Georgia 30263
770-254-2354

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Robert Dollar

Mailing Address 49 Millard Farmer Industrial Blvd Newnan Ga 30263

Telephone 770-713-8577 E-Mail: robert@jencosales.com

Property Owner (Use back if multiple names) Newnan Bypass Associates, Inc.

Mailing Address P.O. Box 1832 Newnan GA 30264

Telephone 678-877-1131

Address/Location of Property 77 A Millard Farmer Industrial Blvd Newnan GA 30263

Tax Parcel No: N 57A 082

Present Zoning Classification: I H V

Present Land Use Warehouse with offices

Intended Use same as present use

Any person owning property or having a possessory or contract interest in property and the consent of the owner, may file an application for variance regarding such property with the Board.

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least forty-five (45) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) 4-32 of the Zoning Ordinance/Subdivision Regulations: Building lot setbacks for a plat of existing buildings.

In order for the Board to consider the request, there must be required findings of fact upon the particular evidence, such as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, but where the spirit of the ordinance shall be observed and substantial justice done. No variance shall be considered to allow a use of land or structures which are not permitted by the ordinance in the zoning district involved. Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?

The current setbacks required for a new plat is a greater distance than is available between existing buildings

2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
I-HV
3. What are the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance?
Since the buildings are already in place, it is not physically possible to meet the current setback requirements. They were constructed in compliance with the City ordinance as a sale to a neighbor was not contemplated.
4. What is the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property?
As written, the ordinance would not allow me to own the building I intend to occupy for my business
5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?
The requirements for recording the plat allowing the rear building to be added to my adjoining property are to allow a rear setback (building line) of 16 ft for bldg 'A' + a 16' setback (side building line) for Building 'B'.

The Board of Zoning Appeals shall base its required findings upon the particular evidence presented in each specific case where the property owner can demonstrate that it meets the majority of the following variance/hardship conditions or standards. **The applicant must provide written documentation demonstrating that their request meets at least 4 out of the 7 hardship standards listed below:**

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 2. Such conditions are peculiar to the particular piece of such property involved;
 3. Such conditions were not imposed by action or will of the owner of the property;
 4. The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship.
 5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance, and furthermore, will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City and is the minimum variance that will make possible the reasonable use of the land, building or structures;
 6. There must be a proved hardship by showing beyond a doubt the inability to make a reasonable use of the land if the zoning ordinance were applied literally; and
 7. The circumstances affecting the property necessitating the variance are sufficiently unique or infrequent that it is not feasible to create a broad regulation to amend this Ordinance.
- **To meet these standards, the applicant should provide specific examples, data, or expert opinions that demonstrate how their property and situation align with at least 4 of these criteria.**

I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand any inaccuracies may be considered just cause for invalidation of this application, and any action taken on this application. I (We) do hereby understand a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations.

Important: You must also attach a completed, notarized Property Owner's Authorization (for each owner) and Attorney's Authorization if using an attorney. The forms are available in this portal for you to print and use or submit electronically. Thanks!

Robert Dollar
Applicants Name
[Signature]
Signature of Applicant

Additional Property Owners: (Please list individually)

Name: <u>Newnan Bypass Associates, Inc.</u>	Email: <u>jvsm01@gmail.com</u>
Name: _____	Email: _____
Name: _____	Email: _____
Name: _____	Email: _____
Name: _____	Email: _____
Name: _____	Email: _____

FOR OFFICIAL USE BY CITY STAFF ONLY

RECEIVED BY Dean Smith

DATE OF FILING 2/12/25

BZA MEETING DATE 4/1/25

DATE OF NOTICE PUBLICATION 2/20⁶/2025 @

ACTIONS TAKEN (DATE) _____



City of Newnan, Georgia

Attachment A

Property Owner's Authorization for Variance or Special Exception

The undersigned below is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a variance or special exception for property described below and in the attached application.

Name of Property Owner Newna Bypass Associates, Inc.

Applicant for Variance Application Robert Dollar

Telephone Number 678 877 1131

Address of Subject Property 77A Millard Farmer Industrial Blvd Newnan Ga 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

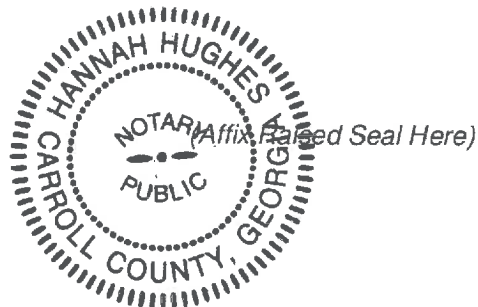
James Van S Mottola, President
Signature of Property Owner

James Van S Mottola who personally appeared before me and who swears the information
Property Owner's Printed Name

contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]
Notary Public

2/5/2025
Date



WOOLDRIDGE LAW OFFICES, LLC

Attorneys at Law

R. Brian Wooldridge

28 Jackson Street
Newnan, GA 30263

Of Counsel:
Theo D. Mann

Telephone (770) 253-2222
Fax (770) 253-8333

February 12, 2025.

Tracy S. Dunnavant
Planning and Zoning Director
City of Newnan, Georgia
25 LaGrange Street
Newnan, Georgia 30263

Dear Tracy,

Robert Dollar is in the process of trying to purchase the building known as 77A Millard Farmer Industrial Boulevard in order to expand his business. While leasing the subject property would allow him to utilize the building as it is zoned (IHV) the building is not available for long term lease.

On the adjoining property containing 77A Millard Farmer Industrial are 3 buildings which were constructed in accordance with the City zoning ordinance. The configuration of the buildings on the property is such that his purchasing one of the 25 year old buildings to add to his property would not meet the distance required between buildings in order to record a new plat but it does meet the separation requirement under the IHV ordinance.

The situation is unique in that Mr. Dollar will be acquiring an existing building to add to his land and the situation is such that Mr. Dollar and the owner of the adjacent building "B" are satisfied with the proposed building lines.

The buildings were built in compliance with the City Zoning Ordinance in 1999 and 2000.

The owner of the 3 buildings did not contemplate sale of a building to Mr. Dollar in 1999 or at any time over the next 25 years.

His unique situation is that he wishes to acquire an existing building which complies with the current IHV ordinance in terms of the 25 foot minimum spacing between buildings but the new property line requires the requested variance. We discussed this with the fire chief and agreed that the 25 foot minimum separation meets the safety requirements in IHV zoning.

Without the requested variance Mr. Dollar would be within his rights to lease and utilize the subject property but would not be allowed to own it

Approval of the requested variance would have no effect on anyone or any other property , would not increase the congestion in public streets, would not increase the danger of fire, would not diminish or impair the established property values of others nor would it impair the health, safety, comfort, morals or general welfare of the inhabitants of the City and is the minimum variance Mr. Dollar needs for reasonable use of the land and building in making it a 6.6 acre parcel where he operates his business.

The circumstances whereby a business owner wishes to acquire a property and add to his existing adjacent property and business and where utilization through a lease would be permissible but ownership would not is unique.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Theo D. Mann', with a stylized, cursive script.

Theo D. Mann



NEWNAN FIRE DEPARTMENT

23 JEFFERSON STREET • NEWNAN, GA 30263
770-253-1851 (P) • 770-638-8678 (F)



Stephen R. Brown, Fire Chief

February 11, 2025

M. Theo D. Mann, Attorney
Wooldridge Law Offices
28 Jackson Street
Newnan, Georgia 30263

Dear Mr. Mann,

It is my understanding that you are preparing a variance application seeking approval to separate Building "A" at 77 Millard Farmer Industrial Boulevard from the remaining property of Newnan Bypass Associates, Inc. to allow Mr. Robert Dollar to acquire the building.

While it would not be appropriate for the Newnan Fire Department to offer an opinion on whether the application should be approved or denied, I offer the following observation and suggestion related to Fire Department access. If the application is approved, it would benefit our department's response to Building "A" if the existing access from Millard Farmer Industrial Boulevard is retained.

Please contact me if you have any questions.

Sincerely,

Stephen Brown

01291
0099

PREPARED BY: Theo D. Mann
RECORD & RETURN TO:
Mann & Woodbridge, P.C.
28 Jackson Street
Newman, Georgia 30263

File No: NEWMANBYPASS

FILED IN OFFICE
CLERK OF
SUPERIOR / STATE / JUVENILE
COURT
DATE 9-3-98 TIME 8:00am
COWETA COUNTY, GA
JOAN G. GRIFFIES, CLERK

BOOK 1291 PAGE 0099

✓ Paid \$ 9.00 Real Estate Transfer Tax
Date 9-3-98

Joan G. Griffies
Clerk of Superior Court, Coweta Co., Ga.

PARCEL 1

WARRANTYDEED

STATE OF Georgia - Coweta COUNTY

THIS INDENTURE, Made this 10th day of April, in the year one thousand nine hundred ninety eight, between Steven D. Poss

of the County of Coweta, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Newman By-Pass Associates, Inc.

of the County of Coweta, and State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of the sum of Ten Dollars and no/100 (\$10.00) and other good and valuable considerations (10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 75 of the Fifth Land District of Coweta County, Georgia containing 3.106 acres according to plat of survey for Newman By-Pass Associates dated August 12, 1998 made by McLain, Steele & Associates, Georgia Registered Land Surveyors of record in Plat Book 67, Page 141, in the Office of the Clerk of the Superior Court of Coweta County, Georgia, reference to which plat is hereby made for a more particular and accurate description of the property herein conveyed.

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

Joan D. Mann
Kelly J. Brisk
Notary Public



Steven D. Poss (Seal)
Steven D. Poss

_____ (Seal)

_____ (Seal)

_____ (Seal)

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.

actual survey of the property by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type and material are correctly shown; and that all requirements of the land subdivision regulations of the city of Newton, Georgia have been fully complied with.

Date: November 15, 2024

State of Georgia, County of Coweta

and being the owner of the land shown on this plat, hereby certify that all state, city and county taxes or other assessments now due on this land have been paid; that streets, drainage ways and easements shown hereon are dedicated to the use of the public and enforcement by public safety officials; forever, and that I will be responsible for the maintenance and repair of all infrastructure associated with this development until expiration of the maintenance period.

Property Owner	November 15, 2024
Date	

Director of the Planning Department's Certificate:
Pursuant to the land subdivision regulations of the City of Newman, Georgia, all requirements of approval having been fulfilled, this plat was given final approval on _____, 2024.

Director of the Planning Department **Date**

The owner or operator, on behalf of himself, itself and all successors or interest holders, shall be responsible for the maintenance and repair of the property and shall promptly release the City of Newman from any and all liability and responsibility for flooding or erosion from storm drains or from flooding from high water of natural creeks, rivers or drainage features shown herein. A drainage assessment is mandatory for all new developments and shall be conducted by a registered professional engineer or a suitably qualified person approved by the Council. The assessment shall identify the flow of surface waters along all watercourses as established by the regulations of the City of Newman. The Public Works Director may conduct emergency maintenance operations within this assessment where emergency conditions exist. Emergency maintenance shall be the removal of trees and other debris, excavation, filling and the like, necessary to remedy a condition, which in the judgment of the Public Works Director, is potentially injurious to life, property or the public roads or utility system. Such emergency maintenance, conducted for the common good, shall not be construed as constituting a continuing maintenance obligation on the part of the City of Newman nor an abrogation of the City's right to seek reimbursement for expenses from the owners of the properties of the lands that generated the conditions.

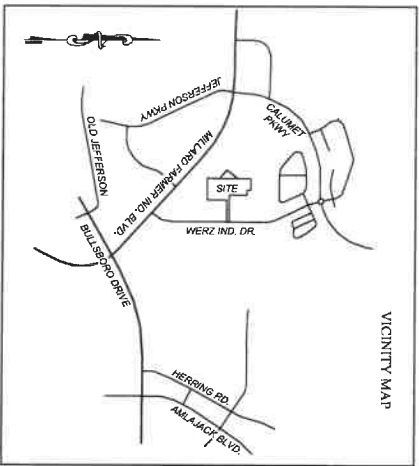
DATE: OCTOBER 22, 2024		ISSUE	
SCALE: 1"=60'	N ₀	DESCRIPTION	DATE
ACROBATS	1	AS PER CITY COMMENTS	11-11-24
DRAWN: TM			
CHECKED: RM			
SHEET: 1 OF 2			
PROJECT #: 20-255A			

1. TOTAL PROJECT AREA = 6.00 ACRES
2. TAX PARCELS: N57A 0/3 & A PORTION OF N57A 0&2
3. WERZ INDUSTRIAL BOULEVARD IS A PUBLIC STREET
4. ADDRESS OF PROPERTY : 132 WERZ INDUSTRIAL DRIVE
5. THERE ARE NO WETLANDS ON SITE.
6. THERE ARE NO STATE WATERS LOCATED ON THIS SITE OR WITHIN 200' OF THE SITE.
7. LAST DATE OF FIELDWORK: OCTOBER 21, 2024

8. BASIS OF MEASUREMENTS: STATE PLANE COORDINATE SYSTEM
9. GEORGIA NEARINGS: STATE

ANOTHER DOLLAR, LLC

LAND LOT 75 - 5TH. DISTRICT
COWETA COUNTY, GEORGIA



SHEET 1 OF 2



McLAIN SURVEYING, INC.
LAND SURVEYING - LAND PLANNING - LAND DEVELOPMENT

6 MADISON STREET
NEWNAN, GEORGIA 30263
PHONE: 770-251-8523 - EMAIL: tmclaugh339@nuumail.org

THE PURPOSE OF THIS SURVEY IS TO COMBINE A PORTION OF TAX PARCEL N57A 091 (0.48 ACRES) TO TAX PARCEL N57A 073 (4.77 ACRES). TOTAL REVISED AREA = 5.25 ACRES

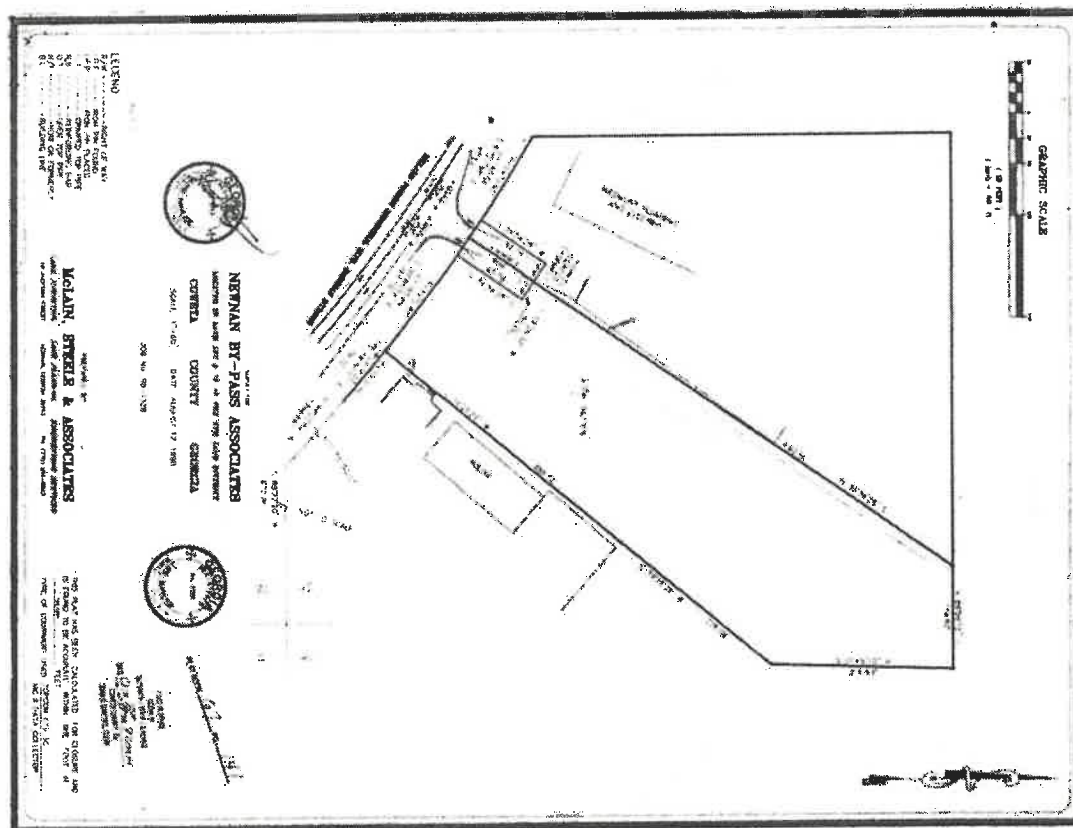
OWNERS/SUBDIVIDER:
ANOTHER DOLLAR, LLC
ROBERT DOLLAR
49 MILLARD FARMER INDUSTRIAL
BOULEVARD
NEWMAN, GA. 30263
PHONE: 770-713-8577
robertdollar@encosates.com

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT. THEREFORE, THE UNDERSIGNED AND MCLAIN SURVEYING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACKS, AGREEMENTS, RESERVATIONS AND OTHER SIMILAR MATTERS.

LEGEND	
S.O.P.	EDGE OF ANTIMENT
R.O.W.	ROAD PAV. FOUND
I.P.F.	IRON PIN PLACED
L.P.R.	CONCRETE TOP PIPE
P.F.H.	POST FOUND HOLE
O.I.	OPEN TOP
W.F.	NEW OR FORMERLY
BL.	BUILDING LINE
P.L.	PLANT
L.L.L.	LAND LOT LINE
D.B.	DEED BOOK
P.A.F.	CONCRETE MONUMENT FOUND
A.S.O.	ALSO KNOWN AS
A.K.A.	UTILITY EASEMENT
U.E.	DRAINAGE EASEMENT
D.E.	DEED EASEMENT
F.H.	PILE FOUND
W.M.	WATER METER
A.F.F.E.	MANHOLE PUSHED
L.A.S.	FLOOR ELEVATION
R.A.G.	HIGHEST ADJACENT GRADE
D.I.	HIGHEST ADJACENT GRADE
J.B.	DRAIN-ILET
	JUNCTION BOX
	FIRE HYDRANT
	WATER METER
/	SEWER LATERAL
	SEWERY SEWER MANHOLE
	STOP SIGN SPEED LIMIT SIGN
	LIGHT POLE
	ADDRESS
	WATER VALVE
	ELECTRIC TRANSFORMER

As required by subsection (1) of O.C.G.A. Section 5-6-57, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements herein. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or transferee of this plat as to the intended uses of any parcel. Furthermore, the minimum technical standards for property surveys and plats set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 55-6-67.

PARCEL 1



141

Prepared by and return to:
✓ Theo D. Mann of
Mann & Wooldridge, P.C.
28 Jackson Street
Newnan, Georgia 30263

DOCH 002207
FILED IN OFFICE
02/05/2008 12:15 PM
BK:3306 PG:501-501
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G Brown
REAL ESTATE TRANSFER TAX
PAID: \$93.50

PT# 2008-587

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

THIS INDENTURE, made the 15th day of January, 2008, between

✓ BENHEN, LLC

of the County of Coweta, and State of Georgia, as party or parties of the first part, hereinafter called
Grantor and

✓ NEWNAN BY-PASS ASSOCIATES, INC.

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to
include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in CONSIDERATION OF OTHER GOOD AND
VALUABLE CONSIDERATION AND THE SUM OF TEN (\$10.00) DOLLARS, in hand paid at and
before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has
granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant bargain, sell,
alien, convey and confirm unto the said Grantee,

All that tract or parcel of land situate, lying and being in Land Lot 75 of the Fifth
Land District, City of Newnan, Coweta County, Georgia containing 1.70 acres
according to plat of survey for Newnan By-Pass Associates dated January 11, 2008
made by McLain Surveying, Inc., Georgia Registered Land Surveyors of record in
Plat Book 89, Page 110, in the Office of the Clerk of the Superior Court of
Coweta County, Georgia, reference to which plat is hereby made for a more
particular and accurate description of the property herein conveyed.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights,
members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only
proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above
described property unto the said Grantee against the claims of all persons whomsoever.

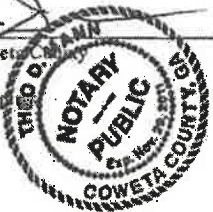
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above
written.

Signed, sealed and delivered this 15th day of
January, 2008 in the presence of:

[Signature]
Witness

Notary Public, Coweta County,
State of Georgia
My Commission Expires

File #5403-11



BENHEN, LLC

[Signature]
Ben F. Bolton, Manager (SEAL)

[Signature]
Henry W. Moody, Manager (SEAL)

(CORPORATE SEAL)

PARCEL 2

1/10 08

PARCEL 2

DOCH 000000
FILED IN OFFICE
02/05/2008 12:16 PM
BK-0 PG-0-0
CINDY G. BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY



NEWMAN BY-PASS ASSOCIATES
LOCATED IN LAND LOT 75 DISTRICT 4

COWETA COUNTY GEORGIA

CITY OF NEWMAN

SCALE: 1"=100' DATE: JANUARY 11, 2008

REFERENCE: PG 43 PG41

JOB #08-006

N/E NEWMAN BY-PASS ASSOCIATES

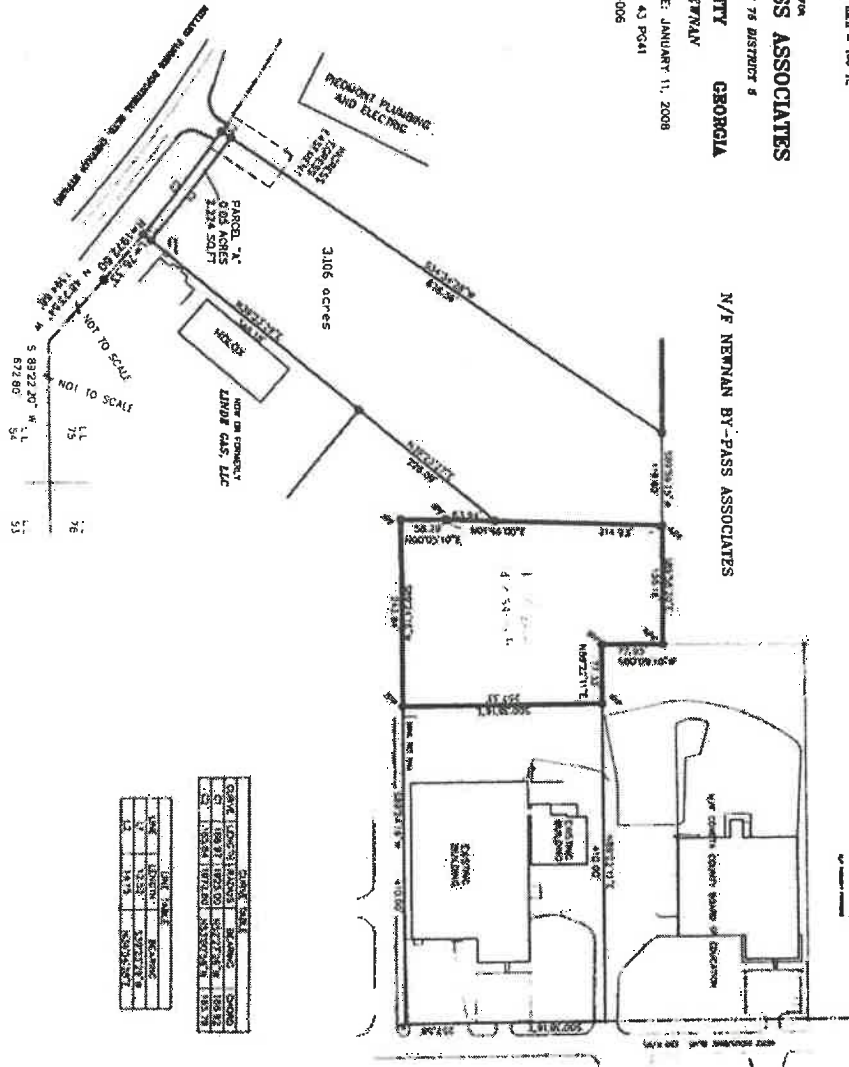
AS PER OFFICIAL F.I.R.M. MAP 13077C0144C, DATED MAY 16, 2006
THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.

PLAT BOOK 89 p. 110

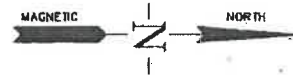
LEGEND
R/W ----- RIGHT OF WAY
I.P. ----- IRON PIN FOUND
I.P. ----- IRON PIN PLACED
C.T. ----- CRIMPED TOP PIPE
R.B. ----- REMOVED TOP PIPE
N/E ----- ON OR FROM
N/E ----- ON OR FROM
B.L. ----- BUILDING LINE



PREPARED BY
McLAIN SURVEYING, INC.
LAND SURVEYING LAND PLANNING ENGINEERING SERVICES
6 WILSON STREET NEWNA, GEORGIA 30063 PH (770) 281-8523



CLOSURE DATA			
LINE	BEARING	LENGTH	ANGLE
1	N 89° 15' 00\"	100.00	90° 00' 00\"
2	S 89° 15' 00\"	100.00	90° 00' 00\"
3	S 89° 15' 00\"	100.00	90° 00' 00\"
4	N 89° 15' 00\"	100.00	90° 00' 00\"



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS
A CLOSURE PRECISION OF ONE FOOT IN 25,386
FEET AND AN ANGULAR ERROR OF 4\" PER ANGLE
FROM AND TO BE USED FOR CONVEYANCE
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND
IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN
100,000 FEET.
TYPE OF EQUIPMENT USED TOPCON GTS313

DOC# 018045
FILED IN OFFICE
8/14/2020 02:14 PM
BK:5110 PG:476-476
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER
TAX PAID: \$108.00

Return to:
✓ Walter W. Arnall, LLC
75 Jackson Street
Building 500
Newnan, GA 30263
FILE #200541

PT# 20 - 4534
STATE OF GEORGIA
COUNTY OF COWETA

LIMITED WARRANTY DEED

THIS INDENTURE, Made this 6th day of August 2020 between ✓ NEWNAN BY-PASS ASSOCIATES, INC., a Georgia Corporation, of the first part, and ANOTHER DOLLAR, LLC, a Georgia Limited Liability Company, of the State of Georgia and of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (\$10,00) Dollars, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, the following property to-wit:

ALL THAT TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN LAND LOT 75 OF THE 5TH LAND DISTRICT, CITY OF NEWNAN, COWETA COUNTY, GEORGIA BEING SHOWN AS 1.65 ACRES ON SURVEY PREPARED FOR ANOTHER DOLLAR, LLC, BY MCLAIN SURVEYING AS RECORDED IN PLAT BOOK 99, PAGE 63, COWETA COUNTY, GEORGIA RECORDS. REFERENCE TO SAID PLAT IS HEREBY MADE FOR A MORE PARTICULAR AND ACCURATE DESCRIPTION OF THE PROPERTY HEREIN DESCRIBED.

SUBJECT TO ALL RESTRICTIONS AND EASEMENTS OF RECORD.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part warrants the title to same against the lawful claims of all persons claiming by, through or under grantor, but not otherwise,

Whenever there is a reference to said party of first part and said party of the second part, the singular includes plural and the masculine include the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year above written. Signed, sealed and delivered in presence of:

NEWNAN BY-PASS ASSOCIATES, INC.

Riese Carden
WITNESS

By: *James Van S. Mottola*
James Van S. Mottola, CEO

Sworn to and subscribed
before me this 6th day of August 2020

[Signature]
Notary Public



LESS &
EXCEPT

1/25 jc

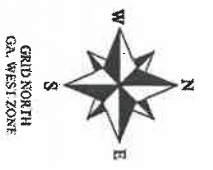
LESS & EXCEPT

CLOSURE STATEMENT:

THE FIELD DATA UPON WHICH THIS PLAN IS BASED WAS A CLOSURE PRECISION OF ONE FOOT IN 15,000 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARE RULE.

THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 60,000 FEET. TYPE OF EQUIPMENT USED: GOMAX 2000 00

SHEET 2 OF 2



CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	463.35'	135.50°	135.02'	N08°11'06"E

60 0 60 120 180

GRAPHIC SCALE = 1"=60'


McLAIN SURVEYING, INC.
LAND SURVEYING • LAND PLANNING • LAND DEVELOPMENT
6 MADISON STREET
NEWMAN, GEORGIA 31825
PHONE: 706-251-8623 • EMAIL: info@mcclainsurveying.com



APPEARANCE STATEMENT

Public Hearing Attendance Requirements

To process an application for an item requiring a Public Hearing, the applicant or applicant's designated representative must be present and in attendance at said hearing. This includes any items to be presented to the Board of Zoning Appeals; Mayor and City Council; and the Planning Commission.

Failure to appear at a Public Hearing may result in denial of the request, or an extended waiting period before the next available meeting. Certain requests, i.e. variances or special exceptions, if denied cannot be re-submitted for consideration for a term not less than one (1) year from the date of denial by that particular governing body.

The Board of Zoning Appeals will hear your request on April 1, 2025 at 10:00 AM

The Mayor and City Council will hear your request on _____ at _____ PM

The Planning Commission will hear your request on _____ at 7:00 PM

IMPORTANT

A zoning sign will be affixed and posted on the property in question. Owner/applicant shall notify the Planning & Zoning Department immediately if the sign is removed, defaced, incorrect, etc. After the Public Hearing date, City personnel will remove the zoning sign.

Applicant's Name: James VS Motto
(Please Print)

Applicant's Signature: James VS Motto

Date: Feb 12, 2025

All meetings are held in the Richard A. Bolin Council Chambers located at 25 Lagrange Street, Newnan, GA 30263, unless otherwise stated.