



NEWNAN

GEORGIA • CITY OF HOMES

City of Newnan Board of Zoning Appeals

Agenda for December 2, 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. September 2, 2025, BZA Minutes
3. Public Hearings
 - a. Variance Request - 2025-07 - 1025 Bullsboro Drive by Brian Pelham, Atwell, LLC on behalf of WalMart - Fence Height Increase
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
September 2, 2025
10:00 a.m.

Board Members in Attendance: Frank Flournoy, Sally Hensley, Kris Lovell, Ken Parker, Cliff Smith, Willie Walton

Board Members Absent: Skin Edge

Others in Attendance: Tracy Dunnavant, Planning & Zoning Director
Chris Cole, Senior Planner
Brad Sears, City Attorney

CALL TO ORDER

Vice Chairman Lovell 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

Vice Chairman Lovell asked the Board if they had reviewed the July 1, 2025, meeting minutes. Mr. Flournoy motioned to approve the minutes. Mr. Parker seconded the motion.

MOTION CARRIED (6-0)

Public Hearing – Variance 2025-06 – 21 Fresh Bru Drive

Vice Chairman Lovell opened the public hearing on Variance 2025-06.

Senior Planner, Chris Cole, gave the staff report and presented visual representations of the proposed area. He stated the applicant, Dan Tucker, is seeking a variance that would allow outdoor storage without constructing a building on the subject property. He added the storage lot would be located across the street from the company’s office and warehousing facility.

Mr. Cole stated the main purpose of the storage lot would be for municipal water supply materials. The company itself is a wholesale distributor of underground utility solutions. Mr. Cole further explained that fencing along Fresh Bru Drive has been installed to screen the view of passersby. He presented photos of the fencing.

Mr. Parker asked Mr. Cole to show on the map where the road is in relation to the building across the street. Ms. Hensley also requested further clarification. Mr. Cole explained the location in detail.

Mr. Flournoy questioned why additional screening is recommended by staff. Mr. Cole explained that additional screening would be required when that portion of the road is dedicated and becomes public.

Mr. Cole concluded with a recommendation for approval.

Vice Chairman Lovell asked if there were any questions of staff. Mr. Parker reconfirmed the request and asked if the storage area was paved. Mr. Cole stated that there is asphalt shown on the plans.

Mr. Tucker came forward to speak and was sworn in by Brad Sears. He introduced himself and asked if there were any questions. Mr. Smith asked if the road is never publicly dedicated, would he still be willing to screen it. Mr. Tucker replied that he would be willing to add any screening that covers any area that can be seen from the road. He also mentioned that it would be a long-term maintenance item. Mr. Parker suggested looking at the area of interest. Ms. Hensley inquired if tree planting would be an option. Mr. Tucker replied that there is a landscape buffer, but it is located behind the screen. Ms. Dunnavant added that the intent of the ordinance is to screen the storage from the road and not to require screening in areas that can't be seen. Mr. Parker asked about Greenville Street. Mr. Cole stated they had researched it, and the storage yard was not visible from Greenville Street.

Vice Chairman Lovell asked if anyone present would like to speak for or against this project. With no one coming forward, the public hearing was closed.

Ms. Hensley made a motion to approve the variance request with the following condition: the applicant will move forward with the installation of additional screening panels to completely screen the outdoor storage yard from the road. Mr. Flournoy seconded the motion.

MOTION CARRIED (6-0) with conditions

New Business

None

ADJOURN

Ms. Hensley made a motion to adjourn the meeting at 10:19 a.m. and Mr. Flournoy seconded the motion.

MOTION CARRIED (6-0)

Chairman Edge



City of Newnan, Georgia – Board of Zoning Appeals

Date: December 2, 2025

Application Number: 2025-07

Agenda Item: 1025 Bullsboro Drive

Prepared and presented by: Dean Smith, Senior Planner

Purpose: To receive public comment on a variance request by Brian Pelham with Atwell, LLC, on behalf of Wal-Mart, for a portion of property located at 1025 Bullsboro Drive. The applicant seeks a variance to increase the height of a fence from 6 feet to 8 feet for the purpose of developing a drone delivery service deployment area in a portion of the parking lot at the subject property.

Applicant: Brian Pelham, PE
Atwell, LLC
1850 Parkway Place, Suite 650
Marietta, GA 30067

Property Owner: WalMart Real Estate Trust
P.O. Box 8050 | MS 0555
Bentonville, AR 72721-8050

Zoning: Community Shopping Center District Regulations (CCS) and within the Quality Development Corridor Overlay District (QDC)

Present Use: Shopping Center parking lot

Proposed Use: Drone Delivery Deployment Area

Pertinent Regulations: The minimum fence requirements are outlined in Article 3, Section 3-6 of the City of Newnan’s Zoning Ordinance.

Applicant’s Position:

“...Walmart proposes to provide Drone Delivery Services in Newnan...To provide this service, Walmart has employed the services of a vendor....The requirements for the infrastructure include the placement of a nest and a hands-free autoloader for Walmart Associates....The nest encompasses storage facility, charging pads and a battery powered generator....The autoloader...provides a way for Walmart associates to load the drones with deliverables without having to enter the Nest (exhibits provided)....The nest is considered an active flight path and cannot be entered by uncertified employees...These areas need to be surrounded by an 8 foot tall fence....the 8-foot fence with keypad access ensures only trained personnel can enter the Nest, reducing the risk of tampering, theft, or accidents....the 8-foot fence protects the area during drone hover activity....”

Basis for Granting Variances: - Responses in RED indicate staff’s analysis of the request and where it meets a particular hardship standard.

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:

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 the 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; **Staff agrees with applicant that a 6-foot-tall fence would not provide safety and security for the proposed drone delivery service- see responses below.**
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; **Agree with applicant-see responses below**
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 **Agree with applicant-see response below**
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. **Agree with applicant-see response below**

Applicant's response to hardship standards:

#4 - With the literal enforcement of the required fence height, Walmart would not be able to bring the Drone Delivery Service to the City of Newnan. The requirement is for the safety of the employees, pedestrians and patrons of Walmart and the Drone Vendor, Wing.

#5 - The granted relief would not cause substantial detriment to the public good. The relief would allow the service to be installed and allow it to operate with the safety precautions as proposed.

#6 - Should the variance not be granted for the fence height, the service would not be feasible at the subject location.

#7 - Because Drone Delivery Services are new to the City of Newnan, Walmart does not anticipate that the need for a taller fence in multiple areas of the City will be required. This will be a unique use and should not trigger further need.

Planning Department's Review and Findings:

The BZA has ruled affirmatively to allow fence height relief for in the following similar past cases:

2014 - 300 Ashley Park Boulevard
2017 - 61 Hospital Road

As of the date of this report, the City has received no objections from any of the neighboring property owners.

The proposed fence material meets the standards of the Quality Development Corridor Overlay District. The parking spaces needed for the Drone Delivery Deployment area is not expected to reduce the number of parking spaces required for the shopping center.

Options:

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

Staff's assessment of this request coincides with Option A, to approve the request. After evaluating the request in regard to the City's variance hardships standards, staff feels that this request meets standards: 4, 5, 6 & 7

Attachments:

Application



10/14/2025

Tracy Dunnavent
Planning and Zoning Director
City of Newnan
25 LaGrange Street
Newnan, GA 30263

RE: Walmart – Newnan, GA – Drone Delivery Services
Atwell Project Number: 25006151

Dear Tracy,

Please accept this letter as our formal request for a variance from the requirements of the City of Newnan Zoning Ordinance, Section 5-4.e.7.a for Fence Height at the Walmart located at 1025 Bullsboro Drive, Newnan, Georgia.

Walmart proposes to provide Drone Delivery Services at the aforementioned location in Newnan, Georgia. To provide this service, Walmart has employed the services of a vendor. The requirements for the infrastructure include the placement of a nest and a hands-free autoloader for Walmart Associates.

The “Nest” is the area depicted in red on the attached plan. The nest encompasses the storage facility, charging pads, and the battery powered generator. The “Autoloader” is depicted in blue. This provides a way for Walmart associates to load the drones with the deliverables without having to enter the “Nest”. Please see exhibit A. The Nest is considered an active flight path and cannot be entered by uncertified employees. Both of these areas need to be surrounded by an 8’-0” tall fence. Please see exhibit A.

Walmart is asking for relief on the fence height of each of these enclosures. Per Section 5-4.e.7.a of the Zoning Ordinance, the fence is limited to a 6’-0” height due to the requirements of the Quality Corridor District Overlay.

The main reasons for Walmart’s request, include the following:

- Safety and Security
- Aircraft Vision and Navigation
- Alignment with Federal Regulatory Requirements

1. Safety & Security

- Preventing Unauthorized Access: The 8-foot fence with keypad access ensures only trained personnel can enter the Nest, reducing risks of tampering, theft, or accidents. Wing uses an 8-foot fence to protect the area during drone hover activity, which occurs regularly at that height.



- Pedestrian Safety: By securing the perimeter on the Nest and Autoloader areas, the fence helps protect pedestrians and visitors from inadvertently entering an active aviation area.
- Clear, controlled fencing communicates that this is a professional aviation site, not an unregulated or ad-hoc operation, or an area that is associated with the store's retail operations (e.g. it's not a pop-up retail area, garden center area, or area to store/collect shopping carts).

2, Aircraft Vision & Navigation

- Critical to Drone Operations: The recommended fence design is carefully chosen to avoid interfering with the drones' onboard vision systems during take-off and landing.
- Geo-fiducial Markers: The drones rely on visual markers (see Exhibit C) inside the Nest and Autoloader areas. The visual markers help the drones to identify their assigned charging pads to land and pick-up packages safely.
- Uniform Design = Predictable, Safe Performance: Consistent fencing across all Nests and Autoloader areas ensures that drones "see" the same environment everywhere, reducing error and supporting regulatory compliance.

3. Alignment with Federal Regulatory Requirements

- Wing is required to comply with a number of federal regulations, exemptions, and requirements in its Part 135 Procedures Manual.
- FAA Exemption 18163G issued to Wing (Conditions & Limitations), coupled with Wing's Part 135 Procedures Manual (Approved by the FAA), specifies a distance of at least 6 feet at which non-participants must remain from the takeoff and landing location

Additionally, upon review of the proposed location of the "Nest" and "Auto Loader", the fencing will not be seen by the casual viewer or commuter. When viewed from Bullsboro Drive, both enclosures will be screened behind a row of mature trees along the outer ring road, as well as structures located in the ourparcels located to the north. Please see the aerial and street view photos presented in Exhibit B of this package.

We believe we will satisfy the following reasons/hardships with this request:

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

With the literal enforcement of the required fence height, Walmart would not be able to bring the Drone Delivery Service to the City of Newnan. This requirement is for the safety of the employees, pedestrians, and patrons of Walmart and the Drone Vendor, Wing.

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 off the inhabitants of the City and is the minimum variance that will make possible the reasonable use of the land, building or structures



The granted relief would not cause substantial detriment to the public good. The relief would allow the service to be installed and allow it to operate it with the safety precautions as proposed.

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.

Should the variance not be granted for the fence height, the service would not be feasible at the subject location.

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.

Because Drone Delivery Services are new to the City of Newnan, Walmart does not anticipate that the need for a taller fence in multiple areas of the City will be required. This will be a unique use and shouldn't trigger a further need.

It should be noted that there are areas of the City that have fences or walls that are taller than the currently allowed 6'-0" height. The security fence surrounding the detention facility located in the shopping center directly across Bullsboro Drive is a wooden 8'-0" fence. Additionally, there are 8'-0" tall screening walls found in Ashley Park. Please see exhibit C.

We appreciate your consideration in this matter and are happy to answer any further questions as needed.

Respectfully,

ATWELL, LLC

Marietta, GA

A handwritten signature in black ink that reads "Brian C. Pelham". The signature is fluid and cursive, with a large initial "B" and "P".

Brian C. Pelham, PR
Program Manager

Exhibit A.



Exhibit B.

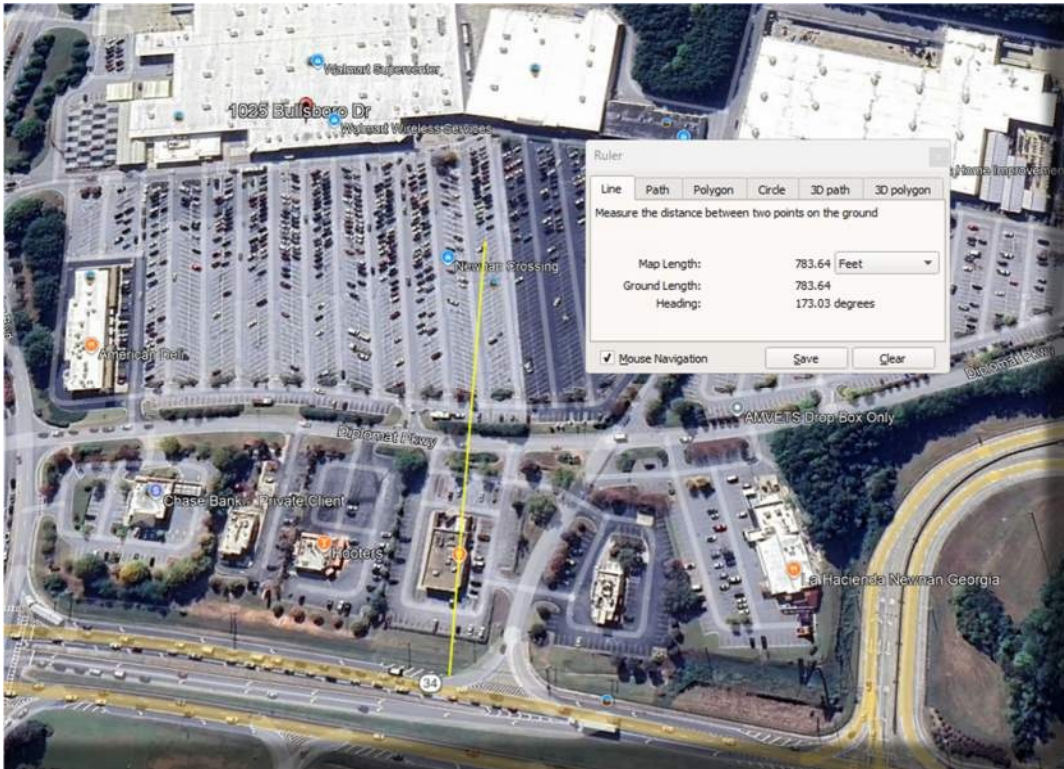


Figure 1: Overhead view of site plan with view corridor to approximate location of Drone Infrastructure.



Figure 2: Approximate location of view from Bullsboro to approximate location of Drone Infrastructure.

Exhibit C



Figure 3: Screening Wall in Ashley Park



Figure 4: Detention Pond Fencing in shopping center

1850 Parkway Place, Suite 650, Marietta, GA 30067
www.atwell-group.com



CITY OF NEWNAN, GEORGIA

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

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Brian Pelham, PE - Atwell, LLC - On Behalf of Walmart

Mailing Address Atwell - 1850 Parkway Place - Suite 650 - Marietta, GA 30067

Telephone 770.733.7905 E-Mail: bpelham@atwell.com

Property Owner (Use back if multiple names) Walmart Real Estate Business Trust - Mrs. Todd Short

Mailing Address Walmart: 2608 SE J Street - Bentonville, AR 72712

Telephone 217-320-2880

Address/Location of Property 1025 Bullsboro Drive - Newnan, GA 30265

Tax Parcel No: 098 5052 004

Present Zoning Classification: CCS - Community Shopping Center.

Present Land Use Retail - Large Format Discount

Intended Use Retail - Large Format Discount + Drone Delivery

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) 5-4.e.7.a of the Zoning Ordinance/Subdivision Regulations: Fence Height - 6'-0" to requested 8'-0"

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?

Walmart is seeking relief of the fence height requirements as currently shown in the Quality Corridor Overlay District. Walmart is specifically requesting an 8'-0" tall decorative fence rather than the typically required 6'-0".

- 2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
 The current zoning of the property is CCS. Community Shopping Center. _____

- 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?
 The current zoning of the property is CCS. Community Shopping Center. _____

- 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?
 The drone provider uses an 8' tall fence to protect the area during drone hover activity, which occurs regularly at that height. Should Walmart be required to strictly adhere to the Overlay District Standards, the testing heights would not be enclosed within the nest and be potentially exposed to the public during safety pre-checks and programming prior to the daily launch. _____

- 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?
 In order to maintain the provider's safety and security standards, Walmart respectfully requests the 8'-0" height. This is an increase of 2'-0" over the required fence height. _____

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 off 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.**

Included with the application, the following information is required and must also be furnished in digital, pdf format:

- ✓ Plat of property, illustrating existing development and requested variance.
- ✓ Plans or drawings necessary to illustrate the requested variance.
- ✓ Legal description of property.
- ✓ Check for applicable fees (**\$350.00**).

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.

Brian C. Pelham, PE

Applicant(s) Name(s) (Please Print)



Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY _____

DATE OF FILING _____

BZA MEETING DATE _____

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____



City of Newnan, Georgia
Attachment A

Property Owner's Authorization

The undersigned below, or as attached, 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 for property.

Name of Property Owner Walmart Real Estate Business Trust

Telephone Number 217.320.2880

Address of Subject Property 1025 Bullsboro Drive - Newnan, GA 30265

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.

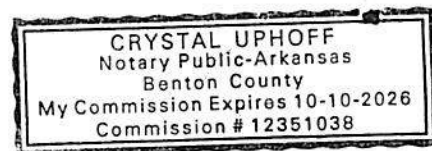
Signature of Property Owner

Personally appeared before me

Alma Todd Short

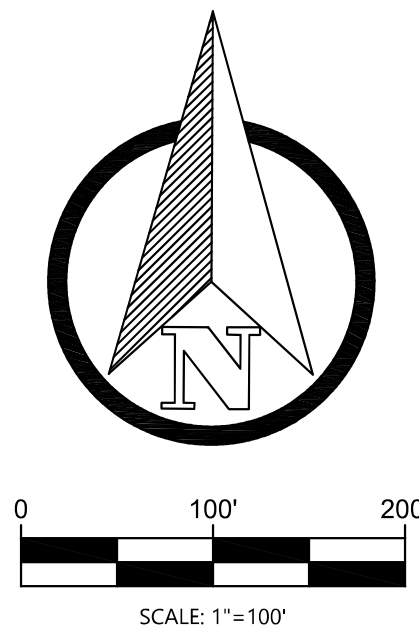
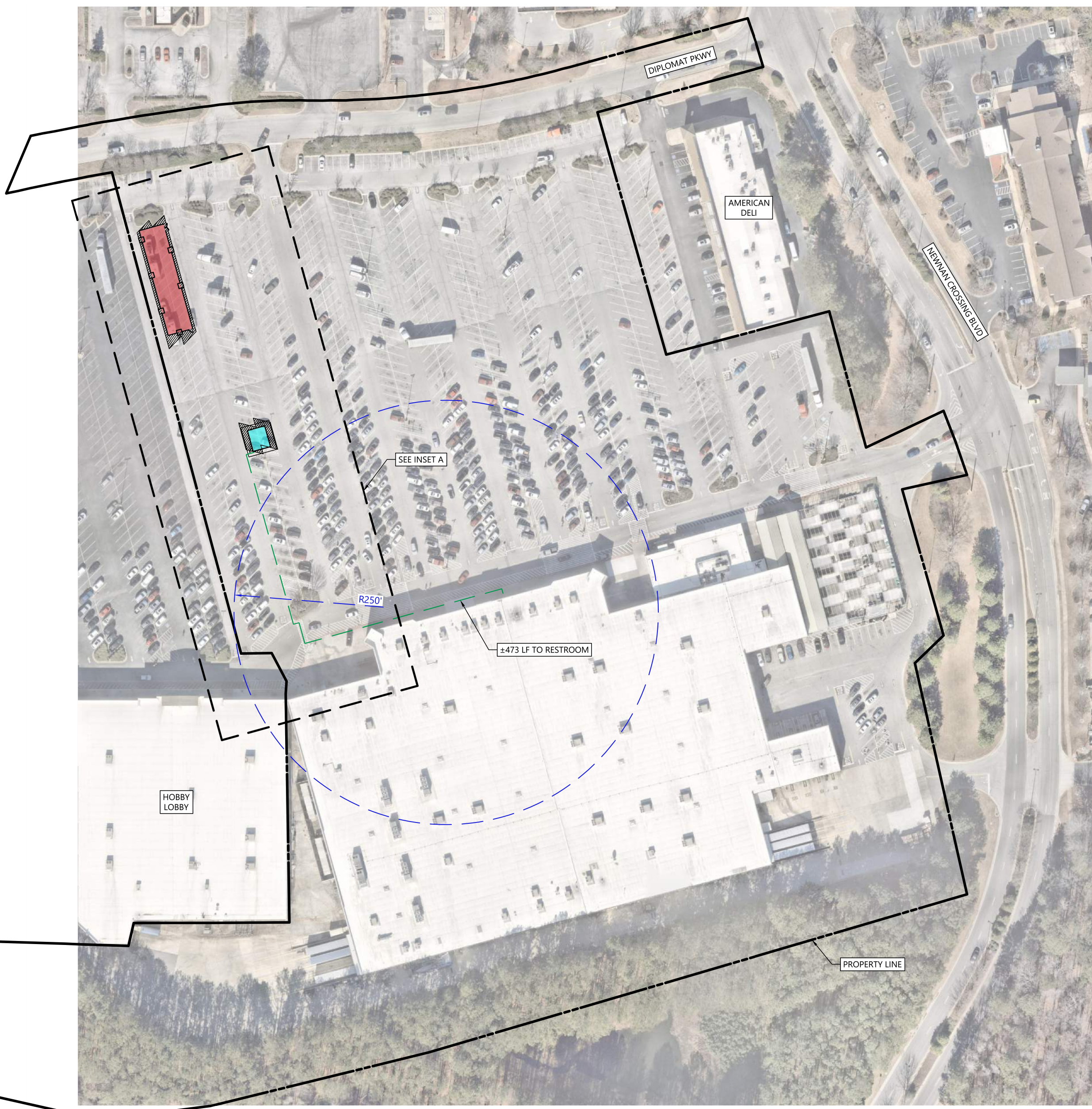
who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Crystal Uphoff
Notary Public



(Affix Raised Seal Here)

10-14-2025
Date



SITE ANALYSIS TABLE (EXISTING STORE)		
	EXISTING	PROPOSED
TOTAL BUILDING AREA	199,026± S.F.	199,026± S.F.
REQUIRED PARKING (CITY OF NEWNAN)	996 SPACES	902 SPACES
WALMART REQUIRED PARKING	797 SPACES	902 SPACES
WALMART REQUIRED PARKING RATIO	4.00/1,000 S.F.	4.53/1,000 S.F.
CUSTOMER AND ASSOCIATE PARKING	878 SPACES	845 SPACES
ACCESSIBLE PARKING	33 SPACES	33 SPACES
EV PARKING	0 SPACES	0 SPACES
PICKUP PARKING	24 SPACES	24 SPACES
PARKING SPACES OCCUPIED BY CART CORRALS (NOT INCLUDED IN PARKING COUNTS BELOW)	45 SPACES	45 SPACES
TOTAL PARKING EXCLUDING PICKUP STALLS	911 SPACES	878 SPACES
PARKING RATIO EXCLUDING PICKUP STALLS	4.58/1,000 S.F.	4.41/1,000 S.F.
TOTAL PARKING INCLUDING PICKUP STALLS	935 SPACES	902 SPACES
PARKING RATIO INCLUDING PICKUP STALLS	4.70/1,000 S.F.	4.53/1,000 S.F.

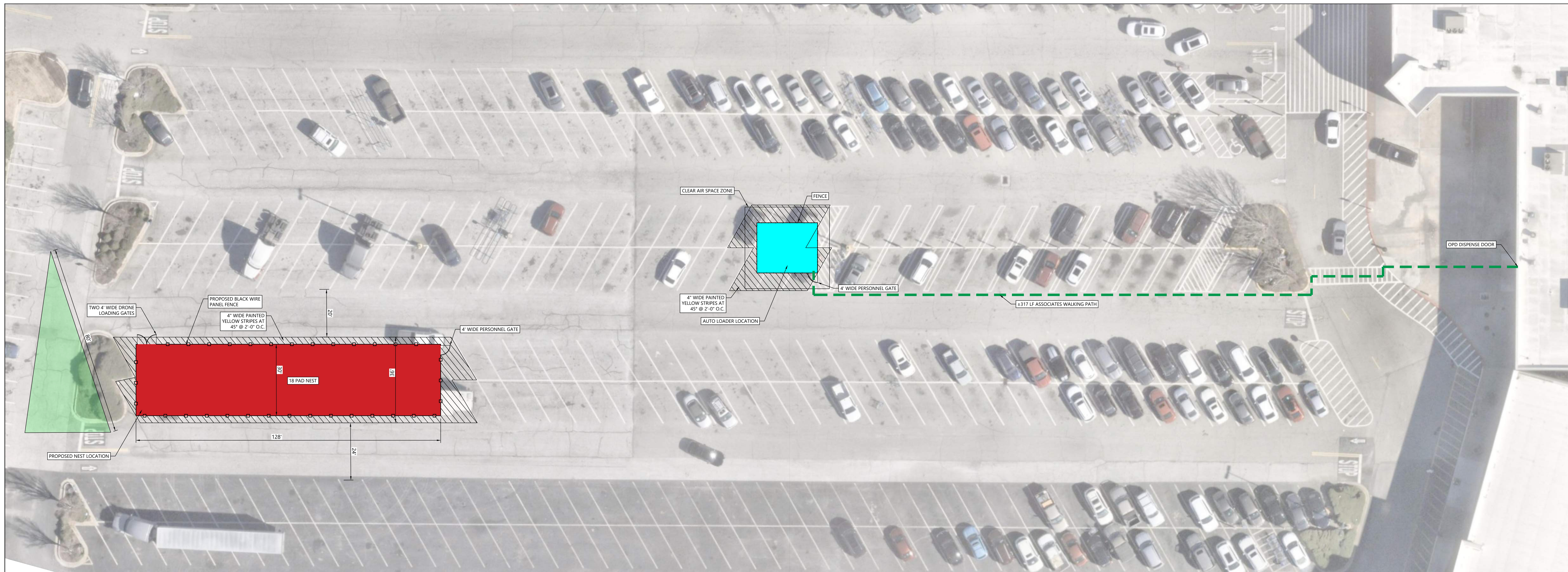
NOTES:

- EXISTING PARKING COUNTS ARE BASED ON A FIELD VISIT CONDUCTED ON AUGUST 28TH, 2025.
- SITE MEETS WALMART AND DOES NOT MEET AHJ PARKING REQUIREMENTS.
- BUILDING SQUARE FOOTAGE IS AS PER SETH HILDEBRANDT, CYNTERGY, DATED AUGUST 29TH, 2025.

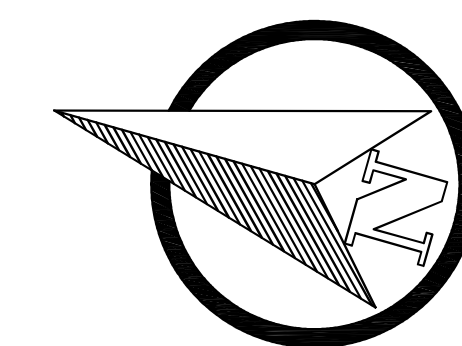


VICINITY MAP
N.T.S.

INSET A



EXISTING CONDITIONS
12' X 18' (DOUBLE STRIPE)
CUSTOMER PICKUP STALLS

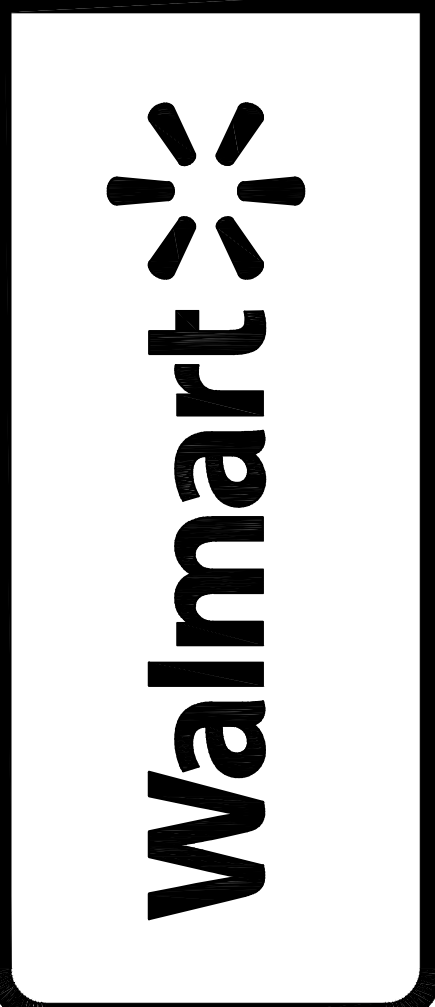


DRONE SITE PLAN

REVISIONS	BY



SUPERCENTER #00494.1009
1025 BULLSBORO DR
NEWNAN, COWETA COUNTY, GEORGIA
WALMART, INC.
BENTONVILLE, AR



DRAWN	
DRW	
CHECKED	
CHK	
DATE	10/14/2025
SCALE	AS SHOWN
JOB NO.	P25006151
SHEET	

