



NEWNAN

GEORGIA • CITY OF HOMES

City of Newnan Board of Zoning Appeals

Agenda for March 3, 2026 Board of Zoning Appeals Meeting
10:00 AM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. February 3, 2026, BZA Minutes
3. Public Hearings
 - a. Special Exception and Variance Requests - 2026-02 - Dana Freeman - 8 Glenn Street
 - b. Special Exception and Variance Requests - 2026-03 - Dana Freeman - 106 Sunset Lane
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 NEWMAN
Board of Zoning Appeals
Meeting Minutes
February 3, 2025
10:00 a.m.

Board Members in Attendance: Skin Edge, Willie Walton, Ken Parker, Frank Flournoy, Sally Hensley, Nathan Metts

Board Members Absent: Kris Lovell

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

CALL TO ORDER

Chairman Edge called the meeting to order at 10:01 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 reviewed the December 2, 2025, meeting minutes. Ms. Hensley motioned to approve the minutes. Mr. Parker seconded the motion.

MOTION CARRIED (6-0)

Public Hearing – Variance 2026-01 159 E Broad Street

Chairman Edge opened the public hearing on Variance 2026-01.

Senior Planner, Chris Cole, gave the staff report. This variance is a request to reduce the minimum lot sizes and setbacks for a lot split. The applicant would like to build a home on the newly established lot, if approved. Ms. Hensley asked for clarification of the map showing the current lots and the proposed split. Ms. Dunnavant explained the layout and orientation in regard to E Broad Street. Mr. Cole presented information on the proposed home's square footage and concept plan. He further went over the standards for consideration and stated that staff recommends approval.

Chairman Edge asked if anyone had questions for staff. Mr. Parker asked for clarification on the relevance of the steep slope on E Broad Street. Mr. Cole explained that the proposed lot split line is due to a driveway issue and the proximity of the surrounding homes. Mr. Parker

questioned if the lots maintained their current split, would they still need a variance regarding the proximity of those surrounding homes. Mr. Cole confirmed that it would be a possibility.

Chairman Edge asked the applicant to come forward. Shaina Gilmore was sworn in by Brad Sears. Mr. Flournoy asked the applicant if her original intent with the property was to build a second house. Ms. Gilmore stated that she didn't feel that was possible originally. Mr. Flournoy asked if the new home would be for sale or rent. She stated that the existing home would be owner occupied, and the second home could be affordable housing.

Chairman Edge asked if anyone would like to speak in favor of this project. Frederick Siverson came forward and was sworn in by Brad Sears. Mr. Siverson stated that the lot is virtually impossible to build on without the proposed lot split.

Mr. Parker asked the applicant if she had considered giving an easement. Ms. Gilmore stated that all options that made sense were explored. She felt the proposed variance was the most logical option.

Mr. Parker inquired about the process for splitting a lot. Ms. Dunnivant explained the process and how it is recorded.

Chairman Edge asked how long the applicant has owned the property. Ms. Gilmore replied that she purchased the property in 2023. Mr. Flournoy asked Brad Sears if there could be a restriction on sale versus rental for the proposed home. Mr. Sears stated that typically, Council gives 10% rental so he didn't know how this could be restricted since it was a single unit.

Chairman Edge asked if anyone would like to come forward in opposition. With none coming forward, the public hearing was closed.

With no further questions, Chairman Edge asked if anyone would like to make a motion.

Ms. Hensley made a motion to approve. Mr. Walton seconded the motion.

MOTION CARRIED (6-0)

New Business

Ms. Dunnivant asked if the board was ready to move forward in electing a Chair and Vice Chair for the year.

Ms. Hensley nominated Skin Edge for the Chairman position. Mr. Parker seconded the motion.

MOTION CARRIED (5-0) Edge abstained

Chairman Edge nominated Kris Lovell for the Vice Chair position. Mr. Parker seconded the motion.

MOTION CARRIED (6-0)

ADJOURN

Chairman. Edge made a motion to adjourn the meeting at 10:22 a.m. and Mr. Flournoy seconded the motion.

MOTION CARRIED (6-0)

Chairman Edge



City of Newnan, Georgia – Board of Zoning Appeals

Date: March 3, 2026

Application Number: 2026-02 (8 Glenn Street) and 2026-03 (106 Sunset Lane)

Agenda Item: Special Exception and Variance Requests – 8 Glenn Street and 106 Sunset Lane

Prepared and Presented by: Chris Cole, Senior Planner

Purpose: The applicant is asking for a special exception to operate a Personal Care Group Home (Class I). The applicant is also asking for a variance to 1) not require the facility to be operated out of the principal residence of the owner or operator, and 2) not require the owner or operator to occupy the residence. Staff has also produced one staff report for the identical requests for 8 Glenn Street and 106 Sunset Lane.

Applicants/Property Owners: Dana Freeman (Applicant/Owner) & Arthur R. Freeman (Owner)
26 Brisbane Court
Newnan, GA 30263
Note – Dana Freeman is the sole owner of 106 Sunset Lane.

Zoning: 8 Glenn Street is zoned Urban Residential Dwelling District – Historical and Infill (RU-I). 106 Sunset Lane is zoned Urban Residential Single-Family Dwelling District – High Density (RU-7).

Present Use: Existing Single-family detached homes on each site

Proposed Use: Personal Care Group Home (Class I) on each site in the existing structures

Pertinent Regulations: The permitted uses for the RU-I zoning category are outlined in Article 2, Section 2-19, Table 2-B of the City of Newnan's Zoning Ordinance. The requirements for a Personal Care Group Home are outlined in Article 3, Section 3-82(h)(1)d of the City of Newnan's Zoning Ordinance.

Applicant's Position – Special Exception Request:

The purpose of this request is to operate a for-profit Personal Care Group Home (Class I) at each location, housing four male residents who are military veterans. The applicant does not propose ever housing female residents. Each location will feature a main suite and two smaller bedrooms. Two residents at each location will sleep in the main suite, and the remaining two residents at each location will each have a bedroom. The rent will be roughly \$1,500-\$2,000 a month, with assistance in many cases coming from the U.S. Department of Veterans Affairs. Each location will offer 24-hour care, with visiting hours for family and friends being from 9 a.m. to 6 p.m., Monday through Saturday (with no visitation on Sunday). According to the applicant, the residents will not have personal vehicles onsite (with only the staff member at each location having a vehicle on site). Both locations would be owned and operated by the applicant. Any veteran would be eligible except for residents who require chronic or convalescent medical or nursing care. Residents would be referred from the Newnan, Carrollton, and Atlanta VA clinics.

Both sites will be staffed with one staff member (24 hours a day). Staff will assist with tasks such as personal care, appointments, and veteran benefits. Additional staff will assist with taking the residents to appointments, ensuring at least one staff member is always at each house. Mr. Freeman plans to open 106 Sunset Lane first as it is currently vacant. In roughly a year, Mr. Freeman plans to open the 8 Glenn Street site once the current renters leave. Please see below for answers from the applicant regarding the Special Exception request:

1. Why is the use proposed as a special exception appropriate for the district and area for which it is being applied for?

Due to its residential nature, compatibility with nearby land uses, and ability to be effectively regulated through conditions to ensure protection of the public's health, safety, and welfare, the proposed personal care home for veterans is suitable as a special exception within this district. Instead of being an institutional or high-intensity commercial use, a personal care home operates similarly to a single-family home, with residents living together in a stable, supervised environment.

Because residents do not conduct commercial activities on-site and staffing levels are modest and predictable, the proposed use is expected to generate minimal traffic, noise, and place no significant strain on public infrastructure.

2. How is the proposed special exception a benefit to the surrounding neighborhood and city in general rather than a special privilege to an individual property owner?

The proposed special exception benefits both the surrounding neighborhood and the City of Newnan by addressing a documented community need while remaining consistent with the area's residential character. The personal care home for veterans provides stable, supervised housing for people who have served in the community and now need supportive living arrangements, thereby contributing to public health, safety, and social well-being.

The special exception creates a use that is specifically anticipated by the zoning rule and subject to discretionary review and constraints, as opposed to granting a unique privilege to a single property owner. If approved, the request would only be permitted under particular operational guidelines, occupancy restrictions, and site-specific requirements intended to safeguard nearby properties and the community at large, rather than granting an exclusive or unlimited right.

3. How do the existing zoning district regulations prevent the establishment of the proposed special exception use, and why are such conditions appropriate generally but an exception should be made in this individual circumstance?

By restricting uses mostly to single-family homes and other low-intensity residential uses allowed by right, the current zoning district laws aim to maintain the residential character of the district. Higher-intensity, institutional, or commercial uses that might produce excessive traffic, noise, or infrastructure needs incompatible with residential districts are suitably restricted by these laws. Because of this, personal care facilities are not legally allowed in the district; instead, they must be reviewed as a special exception to guarantee that any possible effects are thoroughly assessed.

Since not all personal care or group living arrangements are appropriate for every residential setting, certain requirements are generally relevant. If such uses include excessive occupancy, inadequate parking, or insufficient operational controls, they may have a negative impact on nearby properties without further regulation. Through site-specific analysis and enforced requirements, the special exception procedure gives the City a way to differentiate between uses that could be incompatible and those that can be successfully incorporated into a residential area.

Because the proposed personal care home is residential in size and operation, produces little traffic, and is intended to operate in a way consistent with a single-family neighborhood, an exemption is justified in this particular situation. To ensure that the use won't negatively affect neighborhood character or public safety, the proposed use includes limited occupancy, on-site monitoring, and compliance with all applicable building, fire, and licensing regulations. The acceptability of the use at this location is further supported by the size, layout, and accessibility of the property.

4. What is the proposed period of time the special exception is requested for?

The request for a permanent special exception is contingent upon continued adherence to all relevant zoning laws, licensing specifications, and any criteria set forth in the approval. The proposed personal care facility is meant to function as a long-term, stable residential usage that offers veterans reliable accommodation and supportive services.

Since the use is neither seasonal nor transient and does not involve activities that might change over time or necessitate regular reevaluation, a permanent approval is acceptable. According to the zoning legislation, failure to abide by the terms of approval or any applicable rules would result in corrective action or revocation, and continued operation would be subject to City enforcement authorities.

5. What additional criteria will you proffer to minimize the impact of the special exception on surrounding properties?

- 1. Occupancy Limits:** To maintain the use's residential scale and compatibility with the neighborhood, the number of occupants will be restricted in compliance with state licensing standards and city zoning rules.
- 2. On-Site Supervision:** As mandated by state regulations, trained personnel will be on site to supervise, uphold order, and quickly resolve any issues, thereby lowering the possibility of nuisance conditions.
- 3. Traffic and Parking Management:** In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.
- 4. Noise and Activity Controls:** To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.
- 5. Property Maintenance and Appearance:** Regular gardening, waste containment, and building repair are all part of maintaining the home's appearance to reflect the character of the neighborhood. No more external signage than is allowed for residential premises will be put up.
- 6. Lighting:** To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.
- 7. Compliance and Enforcement:** All relevant building, fire, health, and state license requirements will be met by the usage. Enforcement action or the revocation of the special exemption may follow noncompliance with the terms of approval or relevant rules.

Applicant's Position – Variance Request:

The purpose of this request is to ask for a variance to 1) not require the facility to be operated out of the principal residence of the owner or operator, and 2) not require the owner or operator to occupy the residence. Please see below for answers from the applicant regarding the Variance request:

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

In particular, the legislation stipulates that the facility cannot be run out of an ancillary building and that it must be run out of the owner's or operator's primary residence, which they must also occupy. Strict adherence to this guideline is not possible due to the physical features and design of the current property.

3.What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

The subject property is currently zoned as a Single-Family Residential under the City of Newnan Zoning Ordinance. To the best of my knowledge, there are no previously approved zoning variances, special exceptions, conditions, or proffers associated with the property. The property has been maintained in compliance with applicable zoning and development regulations, and no prior modifications affecting zoning compliance have been granted.

4.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 regulatory requirements of the ordinance?

To my knowledge, there are no special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the regulatory requirements of the ordinance to be used as a personal care home for veterans.

5.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?

Granting the requested variance would allow the property to be used safely and responsibly while maintaining compatibility with adjacent properties and protecting the public health, safety, and welfare by having a staff member onsite 24/7 that would not be the homeowner.

6.What is the minimal extent to which it would be necessary to vary the requirements of the ordinance in order to permit the proposed construction on, use of, the property?

The sought variance is the bare minimum of relief required to permit the property's reasonable use. The applicant only wants a small deviation from the ordinance's requirement that the owner or operator live on the land and that the facility be run from the principal house. There is no request to change any other development restrictions or zoning criteria.

We will completely comply with all other applicable zoning ordinance criteria, such as use restrictions, occupancy limits, parking requirements, setbacks, building coverage, and adherence to building, fire, and licensing standards. The neighborhood's residential character is unaffected by the requested variance, nor does it enhance density or use intensity.

Issues for Consideration for a Special Exception

In considering a special exception application, the following factors shall be given reasonable consideration by the Board of Zoning Appeals. The applicant shall address all the following in its statement of justification or special exception plat unless not applicable, in addition to any other standards imposed by this Ordinance:

Special Exception Criteria Answers from Applicant in Red:

Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The facilities currently have adequate safety from fire hazards and effective measures of fire control on site through fire access and on site hydrants.

The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.

The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.

The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

The allowance of the proposed uses would be compatible with existing or proposed uses in the neighborhood and on adjacent parcels.

Height of proposed buildings, structures, walls, and fences on the site.

A fence will be installed that will be 8 feet in height located within the required parameters of the front come outside or rear yard of the lot.

The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

The proposed uses will not change the existing site and no development is proposed with this application. Existing landscaping, screening and buffering on the site and in the neighborhood adequately screen surrounding uses.

The timing and phasing of the proposed development and the duration of the proposed use.

Not Applicable

Whether the proposed special exception will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

No land disturbance is proposed with the application. As such, all topographic or physical, natural, scenic, archaeological or historic feature of significant importance, if any exists, will be preserved.

Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

By allowing the property to continue to operate, the tax revenue generated from this development will further discuss diversify the economy of Coweta County thus reducing the tax burden on individual residents.

The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.

In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.

Whether the proposed special exception will be served adequately by essential public facilities and services.

The proposed uses will adequately be served by essential public facilities and services.

The effect of the proposed special exception on groundwater supply.

As no land disturbance is anticipated, there will be no effect on groundwater supply.

The effect of the proposed special exception on the structural capacity of the soils.

As no land disturbance is anticipated, there will be no effect on structural capacity of the soils.

Whether the proposed use will facilitate orderly and safe road development and transportation.

The proposed uses will not adversely impact orderly and safe road development and transportation.

The effect of the proposed special exception on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

No land disturbance is proposed with the application. Therefore, there will be no damage to existing animal habitat, vegetation, water quality (including groundwater closed parentheses or air quality.

Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Not Applicable

Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The proposed use will directly contribute to the needs of agriculture, industry, and business and future growth by providing essential services in the area.

The location, character, and size of any outdoor storage.

Not Applicable

The proposed use of open space.

Not Applicable

The location of any major floodplain and steep slopes.

Not Applicable

The location and type of any fuel and fuel storage.

Not Applicable

The location and use of any anticipated accessory uses and structures.

Not Applicable

The proposed days/hours of operation.

The business hours of operation will be from 09:00am to 06:00pm EST, Monday - Saturday.

Staff Note – This refers to visiting hours for families and friends. Also, the application version lists Monday - Friday, but it should be Monday - Saturday per the applicant. There will be no visitation on Sundays.

The location and screening of parking and loading spaces and/or areas.

The two parking spaces are located directly in front of the building.

The location and nature of any proposed security features and provisions.

Not applicable

A description of any features above the roof line of any structures.

There are, nor will be any features or additions added above the roof line.

The number of employees.

There will be 2 assigned employees for the proposed use.

The location of any existing and/or proposed adequate on and off-site infrastructure.

Adequate on and off-site infrastructure is available for the proposed uses.

Any anticipated odors which may be generated by the uses on site.

The proposed special exception will not result in the generation of any noise, light, glare, odor or any emissions that would negatively impact surrounding uses.

Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

As no land disturbance is proposed with this application, no construction traffic is anticipated that would impact existing neighborhoods and school areas.

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 because of its size, shape, or existing structures.

Applicant's Response - N/A

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

Applicant's Response - The physical layout of the residence does not reasonably support the integration of owner-occupancy with the specialized residential care environment required for the proposed use.

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

Applicant's Response - N/A

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

Applicant's Response - Strict application of the ordinance requirement that the owner reside in the principal residence would create an unnecessary hardship by preventing reasonable use of the property for an otherwise compatible residential purpose. Compliance would require operation from a structure that is not reasonably suited for the proposed use, thereby precluding safe and functional utilization of the property. This hardship is not financial in nature but rather arises from the inability to reasonably use the property under literal enforcement of the ordinance.

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;

Applicant's Response - The public interest and the zoning ordinance's aim will not be harmed if the proposed deviation is granted. The planned use will adhere to all relevant building, fire, and licensing regulations, maintain its residential character, and not increase density, traffic, noise, or demand on public services. The sought variance is specifically designed to provide the least amount of relief required to permit fair use of the property while maintaining neighborhood compatibility and safeguarding public health, safety, and welfare.

Staff's Response - Staff believes that this standard is met.

6. There must be approved 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 - N/A

7. The circumstances affecting the property are sufficiently unique or infrequent that a general ordinance amendment is not appropriate.

Applicant's Response - The conditions necessitating the variance are sufficiently unique and property-specific that a broad amendment to the zoning ordinance would not be appropriate. The requested relief addresses a rare and individualized situation involving existing structures and site constraints and therefore is best resolved through the variance process rather than through a general regulatory change.

Staff's Response - Staff believes that this standard is met.

Planning Department's Review and Findings:

On September 2, 2008, the Board of Zoning Appeals considered a similar case when it heard a special exception request from Bobbi Personal Care Home to operate a group home for developmentally disadvantaged persons within the Preston Mill Apartments at 112 Jefferson Parkway and a variance request from the requirement that the facility be operated out of the principal residence of the owner or operator (as well as a variance related to the required recreation area). This was a follow-up meeting to the initial BZA special exception approval for the same group home on July 3, 2007, in which the Board granted approval for the issuance of a Special Exception Permit for a period not to exceed 14 months.

That permit's expiration led to the Board's September 2, 2008, meeting to review the applicant's request for continuance of the use, as well as the aforementioned variance requests. At the September 2, 2008, Board meeting, these requests were approved with the condition not more than six residents could be in the facility. Staff Note - The main difference between this example and the current case is the onsite facilities management and ample onsite parking.

On July 7, 2009, the Board of Zoning Appeals considered a similar case when it heard a request from Edify Teen Ministries to operate a home for teenage girls in a single-family residential district (18 Conner Drive). Edify Teen Ministries also sought a variance from the requirements that the owner or operator must live in the group home, erect a fence, and have a recreational area. At that meeting, the Board of Zoning Appeals voted to deny the special exception and variance requests.

As of the date of this report, the City has received no objections from any of the neighboring property owners. Regarding the special exception request, staff believes that the locations of the proposed Personal Care Group Home (Class I) are appropriate and would promote a needed service that would not negatively impact others.

Regarding the variance request, staff has found that the applications do not meet at least four of the seven hardship standards that must be demonstrated. In this case, the applications only meet two of the seven hardship standards. In summation, staff disagrees with the variance request to excuse the owner or operator from living in the group home and it serving as his primary residence. The intent of this section of the ordinance was to encourage property maintenance and to recognize that the incentive to upkeep one's property is derived more from the personal ownership and investment side of living at the residence as opposed to simply renting the residence or operating the group home as an adjunct business.

To allow a Personal Care Group Home to operate from something other than the personal residence of the owner or operator sets a precedent for future properties to be converted from single-family residences to business/nonprofit operations that are more commercial in nature.

Proposed Staff Conditions:

Staff proposes the following conditions for both sites:

- *That the applicant be issued an Occupational Tax Certificate from the City before accepting any residents or operating within the city limits. Before obtaining the Occupational Tax Certificate, the applicant must furnish documentation from the State of Georgia that it meets the standards for personal care homes as covered under State law.*
- *That the applicant can have no more than four residents at any given time (not to include staff).*

Proffered Conditions from Applicant:

- ***Occupancy Limits:*** *To maintain the use's residential scale and compatibility with the neighborhood, the number of occupants will be restricted in compliance with state licensing standards and city zoning rules.*
- ***On-Site Supervision:*** *As mandated by state regulations, trained personnel will be on site to supervise, uphold order, and quickly resolve any issues, thereby lowering the possibility of nuisance conditions.*
- ***Traffic and Parking Management:*** *In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.*
- ***Noise and Activity Controls:*** *To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.*
- ***Property Maintenance and Appearance:*** *Regular gardening, waste containment, and building repair are all part of maintaining the home's appearance to reflect the character of the neighborhood. No more external signage than is allowed for residential premises will be put up.*
- ***Lighting:*** *To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.*
- ***Compliance and Enforcement:*** *All relevant building, fire, health, and state license requirements will be met by the usage. Enforcement action or the revocation of the special exemption may follow noncompliance with the terms of approval or relevant rules.*

Options:

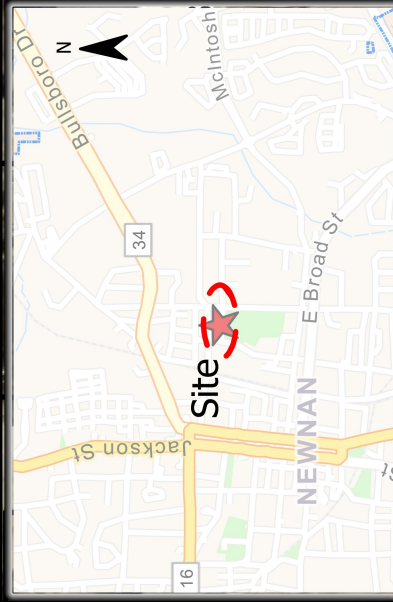
- A. Approve the special exception request and variance request
- B. Approve the special exception request and deny the variance request
- C. Deny the special exception and variance requests
- D. Other direction as determined by the Board of Zoning Appeals

Staff Note- There is not an option to deny the special exception request and approve the variance request because a special exception is needed to operate a Personal Care Group Home (Class I).

Staff's assessment of the requests coincides with Option B, to approve the special exception request for each site and deny the variance request for each site. After evaluating the City's variance hardships standards, staff believes that the variance request for each site only meets the following standards: 5 & 7.

Attachments:

Application



CITY OF NEWNAN Project Location 1 = 600 feet Date: 1/15/2026 3:13 PM CITY OF NEWNAN PLANNING DEPT. 25 LAGRANGE STREET NEWNAN, GEORGIA 30263 www.NewnanGa.gov  NEWNAN GEORGIA	Project Location City Limits  Parcel # N16 0005 011 ADDRESS 8 Glenn Street Newnan, Ga 30263
--	---

8 Glenn Street – Special Exception and Variance

View of Subject Property



View of applicant's western yard and fence



8 Glenn Street – Special Exception and Variance

View of applicant's western yard and the adjacent neighbor's house (to the left)



View of adjacent neighbor to the west



8 Glenn Street – Special Exception and Variance

View to the west on Glenn Street



View across Glenn Street



8 Glenn Street – Special Exception and Variance

View of applicant's eastern yard and fence



Alternate view of applicant's eastern yard and neighbor to the east



8 Glenn Street – Special Exception and Variance

Applicant's neighbor to the east



Alternate view of applicant's western yard and fence





CITY OF NEWNAN, GEORGIA

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

NEWMAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Dana Freeman

Mailing Address 26 Brisbane CT Newnan, GA 30263

Telephone 407-702-8937 E-Mail: davefreeman@gmail

Property Owner (Use back if multiple names) DANA Freeman

Mailing Address 26 Brisbane CT Newnan, GA 30263

Telephone 407-702-8937

Address/Location of Property 8 Glenn St Newnan, GA 30263

Tax Parcel No: N16 0005 011 @

Present Zoning Classification: RV-I @

Present Land Use Single-family detached site-Built Home @

Intended Use Personal Care Group Home (Class I) @

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) _____ of the Zoning Ordinance/Subdivision Regulations: _____

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?

see attached @

2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
see attached (cc)
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?
see attached (cc)
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?
see attached (cc)
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?
see attached (cc)

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.**

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.

Dana Freeman
Applicant(s) Name(s) (Please Print)

[Signature]
Signature of Applicant(s)

FOR OFFICIAL USE ONLYRECEIVED BY Chris ColeDATE OF FILING 1-21-2026BZA MEETING DATE 3-3-2026DATE OF NOTICE PUBLICATION 1-28-2026

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

Dana Freeman

Telephone Number

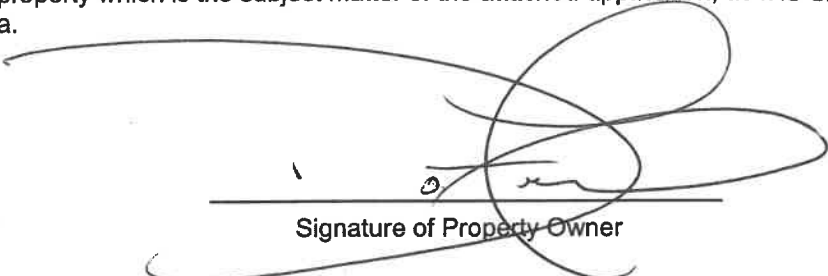
407 - 702 - 8937

Address of Subject Property

8 Glenn ST

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.

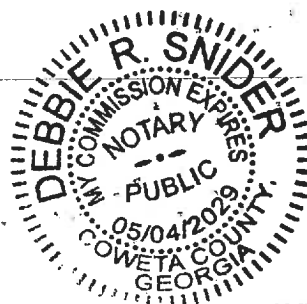

Signature of Property Owner

Personally appeared before me

Dana Freeman

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

Debbie R. Snider
Notary Public



(Affix Raised Seal Here)

1-21-26
Date

1) What are the particular provisions or requirements of the ordinance that prevent and the proposed construction on, or use of, the property?

In particular, the legislation stipulates that the facility cannot be run out of an ancillary building and that it must be run out of the owner's or operator's primary residence, which they must also occupy. Strict adherence to this guideline is not possible due to the physical features and design of the current property.

2) What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

The subject property is currently zoned as a Single-Family Residential under the City of Newnan Zoning Ordinance. To the best of my knowledge, there are no previously approved zoning variances, special exceptions, conditions, or proffers associated with the property. The property has been maintained in compliance with applicable zoning and development regulations, and no prior modifications affecting zoning compliance have been granted.

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 regulatory requirements of the ordinance?

To my knowledge, there are no special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the regulatory requirements of the ordinance to be used as a personal care home for veterans.

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?

Granting the requested variance would allow the property to be used safely and responsibly while maintaining compatibility with adjacent properties and protecting the public health, safety, and welfare by having a staff member onsite 24/7 that would not be the homeowner.

5) What is the minimal extent to which it would be necessary to vary the requirements of the ordinance in order to permit the proposed construction on, use of, the property?

- 6) The sought variance is the bare minimum of relief required to permit the property's reasonable use. The applicant only wants a small deviation from the ordinance's requirement that the owner or operator live on the land and that the facility be run from the principal house. There is no request to change any other development restrictions or zoning criteria.

We will completely comply with all other applicable zoning ordinance criteria, such as

use restrictions, occupancy limits, parking requirements, setbacks, building coverage, and adherence to building, fire, and licensing standards. The neighborhood's residential character is unaffected by the requested variance, nor does it enhance density or use intensity.

Part 2

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property because of its size, shape, or existing structures.

N/A

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

The physical layout of the residence does not reasonably support the integration of owner-occupancy with the specialized residential care environment required for the proposed use.

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

N/A

4. Application of the Ordinance would create an unnecessary hardship other than a financial hardship.

Strict application of the ordinance requirement that the owner reside in the principal residence would create an unnecessary hardship by preventing reasonable use of the property for an otherwise compatible residential purpose. Compliance would require operation from a structure that is not reasonably suited for the proposed use, thereby precluding safe and functional utilization of the property. This hardship is not financial in nature but rather arises from the inability to reasonably use the property under literal enforcement of the ordinance.

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;

The public interest and the zoning ordinance's aim will not be harmed if the proposed deviation is granted. The planned use will adhere to all relevant building, fire, and licensing regulations, maintain its residential character, and not increase density, traffic, noise, or demand on public services. The sought variance is specifically designed to provide the least amount of relief required to permit fair use of the property while maintaining neighborhood compatibility and safeguarding public health, safety, and welfare.

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

N/A

7. The circumstances affecting the property are sufficiently unique or infrequent that a general ordinance amendment is not appropriate.

The conditions necessitating the variance are sufficiently unique and property-specific that a broad amendment to the zoning ordinance would not be appropriate. The requested relief addresses a rare and individualized situation involving existing structures and site constraints and therefore is best resolved through the variance process rather than through a general regulatory change.



CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR SPECIAL EXCEPTION

Date Received

1-21-2026

Case # BZA 2026-02

(cc)

Name of Applicant

1 Ana Freeman

Mailing Address

26 Brisbane CT Newnan, GA 30263

Telephone

407-702-8937

E-Mail:

dczfreesman@gmail.com

Property Owner (Use back if multiple names)

1 Ana Freeman

Mailing Address

26 Brisbane CT Newnan, GA 30263

Telephone

407-702-8937

Address of Property

8 Glenn St Newnan, GA 30263

Tax Parcel No.:

N16 0005 011 @

Present Zoning Classification

RU-1 @

Proposed Special Exception Use

Personal Care Home (veteran)

The special exception procedure is designed to provide an opportunity for discretionary review of requests to establish or construct uses or structures which have the potential for a deleterious impact upon the health, safety, and welfare of the public or where the impact of the use on the immediate area or the city in general related to traffic, utilities, or other factor requires additional review criteria; and, in the event such uses or structures are approved, the authority to impose such conditions that are designed to avoid, minimize, or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure.

Applicants applying for special exceptions must provide a completed application. Please answer the following criteria questions:

1. Why is the use proposed as a special exception appropriate for the district and area for which it is being applied for?

See attached (cc)

2. How is the proposed special exception a benefit to the surrounding neighborhood and city in general rather than a special privilege to an individual property owner?

See attached (cc)

3. How do the existing zoning district regulations prevent the establishment of the proposed special exception use, and why are such conditions appropriate generally but an exception should be made in this individual circumstance?

See attached (cc)

4. What is the proposed period of time the special exception is requested for?

see attached (cc)

5. What additional criteria will you proffer to minimize the impact of the special exception on surrounding properties?

see attached (cc)

The following information must be attached to the completed application and must also be furnished in digital, pdf format:

- a) A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
- ✓ What the property is to be used for
 - ✓ The size (in acres if one acre or more and in square feet if less than one acre) of the parcel or tract
 - ✓ The zoning classification which exists at the time of the filing of this application
 - ✓ The number of lots expected (if subsequent subdivision is planned) and/or the number of dwelling units proposed
 - ✓ Dwelling unit size (if applicable)
 - ✓ For non-residential projects, provide the density of development in terms of gross square footage per acre
 - ✓ The number of parking spaces to be provided
 - ✓ The height of buildings
 - ✓ Any proposed buffers and modification to existing buffers
 - ✓ Availability of water and sewer facilities including existing distance to property
- b) Names and mailing addresses of all owners of all property within 250 feet of the subject property. This information can be obtained from the County Tax Assessor records, and this information is encouraged to be submitted in a MS Word mail merge data file format.
- c) Legal description of property with a metes and bounds description. This description must establish a point of beginning and from the point of beginning give each dimension bounding the property, which the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
- d) A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect registered in the State of Georgia, that includes the following information:
- Boundary survey showing property lines with lengths and bearings
 - Adjoining streets, existing and proposed, showing right-of-way
 - Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other improvements on the property

- North arrow and scale
- Adjacent land ownership, zoning and current land use
- Total and net acreage of property
- Proposed building locations
- Existing and proposed driveways
- Lakes, ponds, streams, and other watercourses
- Floodplain, wetlands, and slopes equal to or great than 20 percent
- Cemeteries, burial grounds, and other historic or culturally significant features
- Required and/or proposed setbacks and buffers
- Other elements as may be requested by the Planning Department Staff to explain application

Submit one (1) copy if the plat is 11" x 17" or smaller. For larger plats up to 36" x 48", submit twenty-five (25) folded copies or one (1) at the larger size plus twenty-five (25) clear copies at 8.5" x 11".

- e) Completed Disclosure of Campaign Contributions and Gifts form.
 - f) If the applicant and the property owner are not the same, complete a Property Owner's Authorization form and/or Authorization of Attorney form.
 - g) For multiple owners, an attached sheet with signatures duly notarized may be attached.
 - h) A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 2000,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-family proposals in excess of 150 units
- Note:** This study shall provide a narrative and include tabular data on the proposed development's impact on schools, roads and streets, and public services including police, fire protection, sanitation, and taxes.
- i) A Development of Regional Impact (DRI) form shall be completed and submitted to the City to be transmitted to the Chattahoochee Flint Regional Development Center for review and comment. To determine whether the proposed use is a DRI, call the Planning Department at 770-254-2354.
 - j) Filing fee payable to the *City of Newnan* (\$350.00)

FOR OFFICIAL USE ONLYRECEIVED BY Chris ColeDATE OF FILING 1-21-2026BZA MEETING DATE 3-3-2026DATE OF NOTICE PUBLICATION 1-28-2026

ACTION TAKEN (DATE) _____



City of Newnan, Georgia
Attachment A

Disclosure of Campaign Contributions & Gifts

Application filed on Jan 21, 2026 for action by the Board of Zoning Appeals on a special exception requiring a public hearing on property described as follows:

The undersigned below, making application for the BZA action, has complied with the Official Code of Georgia Section 36-67A-1, et.seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided

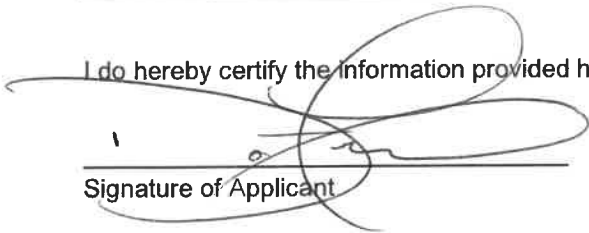
All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Board of Zoning Appeals? ☐ Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.


Signature of Applicant

Dana Freeman
Type or Print Name and Title

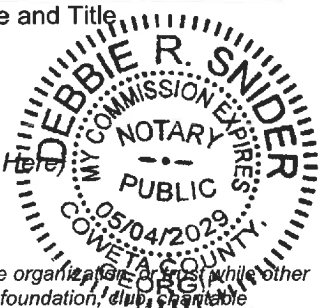
Signature of Applicant's Representative

Type or Print Name and Title

Debbie R. Snider
Signature of Notary Public

1-21-26
Date

(Affix Raised Seal Here)



¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization or club (while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization).



City of Newnan, Georgia

Attachment B

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 special exception of the property.

Name of Property Owner

Dana Freeman

Telephone Number

407 - 702 - 8937

Address of Subject Property

8 Glenn ST

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.

[Signature]
Signature of Property Owner

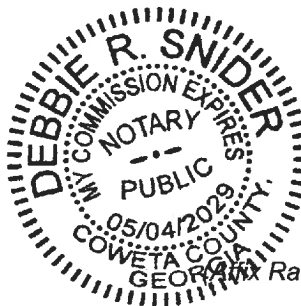
Personally appeared before me

Dana Freeman

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

Debbie R. Snider

Notary Public



(Notary Seal Raised Seal Here)

1-21-26

Date

1. Why is the use proposed as a special exception appropriate for the district and area for which it is being applied for?

Due to its residential nature, compatibility with nearby land uses, and ability to be effectively regulated through conditions to ensure protection of the public's health, safety, and welfare, the proposed personal care home for veterans is suitable as a special exception within this district. Instead of being an institutional or high-intensity commercial use, a personal care home operates similarly to a single-family home, with residents living together in a stable, supervised environment. Because residents do not conduct commercial activities on-site and staffing levels are modest and predictable, the proposed use is expected to generate minimal traffic, noise, and place no significant strain on public infrastructure.

2) How is the proposed special exception a benefit to the surrounding neighborhood and city in general rather than a special privilege to an individual property owner?

The proposed special exception benefits both the surrounding neighborhood and the City of Newnan by addressing a documented community need while remaining consistent with the area's residential character. The personal care home for veterans provides stable, supervised housing for people who have served in the community and now need supportive living arrangements, thereby contributing to public health, safety, and social well-being.

The special exception creates a use that is specifically anticipated by the zoning rule and subject to discretionary review and constraints, as opposed to granting a unique privilege to a single property owner. If approved, the request would only be permitted under particular operational guidelines, occupancy restrictions, and site-specific requirements intended to safeguard nearby properties and the community at large, rather than granting an exclusive or unlimited right.

3) How do the existing zoning district regulations prevent the establishment of the proposed special exception use, and why are such conditions appropriate generally but an exception should be made in this individual circumstance?

By restricting uses mostly to single-family homes and other low-intensity residential uses allowed by right, the current zoning district laws aim to maintain the residential character of the district. Higher-intensity, institutional, or commercial uses that might produce excessive traffic, noise, or infrastructure needs incompatible with residential districts are suitably restricted by these laws. Because of this, personal care facilities are not legally allowed in the district; instead, they must be reviewed as a special exception to guarantee that any possible effects are thoroughly assessed.

Since not all personal care or group living arrangements are appropriate for every residential setting, certain requirements are generally relevant. If such uses include excessive occupancy, inadequate parking, or insufficient operational controls, they may have a negative impact on nearby properties without further regulation. Through site-specific analysis and enforced requirements, the special exception procedure gives the City a way to differentiate between uses that could be incompatible and those that can be successfully incorporated into a residential area.

Because the proposed personal care home is residential in size and operation, produces little traffic, and is intended to operate in a way consistent with a single-family neighborhood, an

exemption is justified in this particular situation. To ensure that the use won't negatively affect neighborhood character or public safety, the proposed use includes limited occupancy, on-site monitoring, and compliance with all applicable building, fire, and licensing regulations. The acceptability of the use at this location is further supported by the size, layout, and accessibility of the property.

4) What is the proposed period of time the special exception is requested for?

The request for a permanent special exception is contingent upon continued adherence to all relevant zoning laws, licensing specifications, and any criteria set forth in the approval. The proposed personal care facility is meant to function as a long-term, stable residential usage that offers veterans reliable accommodation and supportive services.

Since the use is neither seasonal nor transient and does not involve activities that might change over time or necessitate regular reevaluation, a permanent approval is acceptable. According to the zoning legislation, failure to abide by the terms of approval or any applicable rules would result in corrective action or revocation, and continued operation would be subject to City enforcement authorities.

5) What additional criteria will you proffer to minimize the impact of the special exception on surrounding properties?

1. Occupancy Limits: To maintain the use's residential scale and compatibility with the neighborhood, the number of occupants will be restricted in compliance with state licensing standards and city zoning rules.
2. On-Site Supervision: As mandated by state regulations, trained personnel will be on site to supervise, uphold order, and quickly resolve any issues, thereby lowering the possibility of nuisance conditions.
3. Traffic and Parking Management: In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.
4. Noise and Activity Controls: To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.
5. Property Maintenance and Appearance: Regular gardening, waste containment, and building repair are all part of maintaining the home's appearance to reflect the character of the neighborhood. No more external signage than is allowed for residential premises will be put up.
6. Lighting: To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.
7. Compliance and Enforcement: All relevant building, fire, health, and state license requirements will be met by the usage. Enforcement action or the revocation of the special exemption may follow noncompliance with the terms of approval or relevant rules.

Thanks, and have a wonderful day.

Kelly Lynn, RN, BSN

Special Exception Criteria Answers from Applicant in Red:

Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The facilities currently have adequate safety from fire hazards and effective measures of fire control on site through fire access and on site hydrants.

The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.

The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.

The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

The allowance of the proposed uses would be compatible with existing or proposed uses in the neighborhood and on adjacent parcels.

Height of proposed buildings, structures, walls, and fences on the site.

A fence will be installed that will be 8 feet in height located within the required parameters of the front corner outside or rear yard of the lot.

The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

The proposed uses will not change the existing site and no development is proposed with this application. Existing landscaping, screening and buffering on the site and in the neighborhood adequately screen surrounding uses.

The timing and phasing of the proposed development and the duration of the proposed use.

Not Applicable

Whether the proposed special exception will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

No land disturbance is proposed with the application. As such, all topographic or physical, natural, scenic, archaeological or historic feature of significant importance, if any exists, will be preserved.

Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

By allowing the property to continue to operate, the tax revenue generated from this development will further discuss diversify the economy of Coweta County thus reducing the tax burden on individual residents.

The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.

In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.

Whether the proposed special exception will be served adequately by essential public facilities and services.

The proposed uses will adequately be served by essential public facilities and services.

The effect of the proposed special exception on groundwater supply.

As no land disturbance is anticipated, there will be no effect on groundwater supply.

The effect of the proposed special exception on the structural capacity of the soils.

As no land disturbance is anticipated, there will be no effect on structural capacity of the soils.

Whether the proposed use will facilitate orderly and safe road development and transportation.

The proposed uses will not adversely impact orderly and safe road development and transportation.

The effect of the proposed special exception on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

No land disturbance is proposed with the application. Therefore, there will be no damage to existing animal habitat, vegetation, water quality (including groundwater closed parentheses or air quality.

Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Not Applicable

Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The proposed use will directly contribute to the needs of agriculture, industry, and business and future growth by providing essential services in the area.

The location, character, and size of any outdoor storage.

Not Applicable

The proposed use of open space.

Not Applicable

The location of any major floodplain and steep slopes.

Not Applicable

The location and type of any fuel and fuel storage.

Not Applicable

The location and use of any anticipated accessory uses and structures.

Not Applicable

The proposed days/hours of operation.

The business hours of operation will be from 09:00am to 06:00pm EST, Monday-Friday.

The location and screening of parking and loading spaces and/or areas.

The two parking spaces are located directly in front of the building.

The location and nature of any proposed security features and provisions.

Not applicable

A description of any features above the roof line of any structures.

There are, nor will be any features or additions added above the roof line.

The number of employees.

There will be 2 assigned employees for the proposed use.

The location of any existing and/or proposed adequate on and off-site infrastructure.

Adequate on and off-site infrastructure is available for the proposed uses.

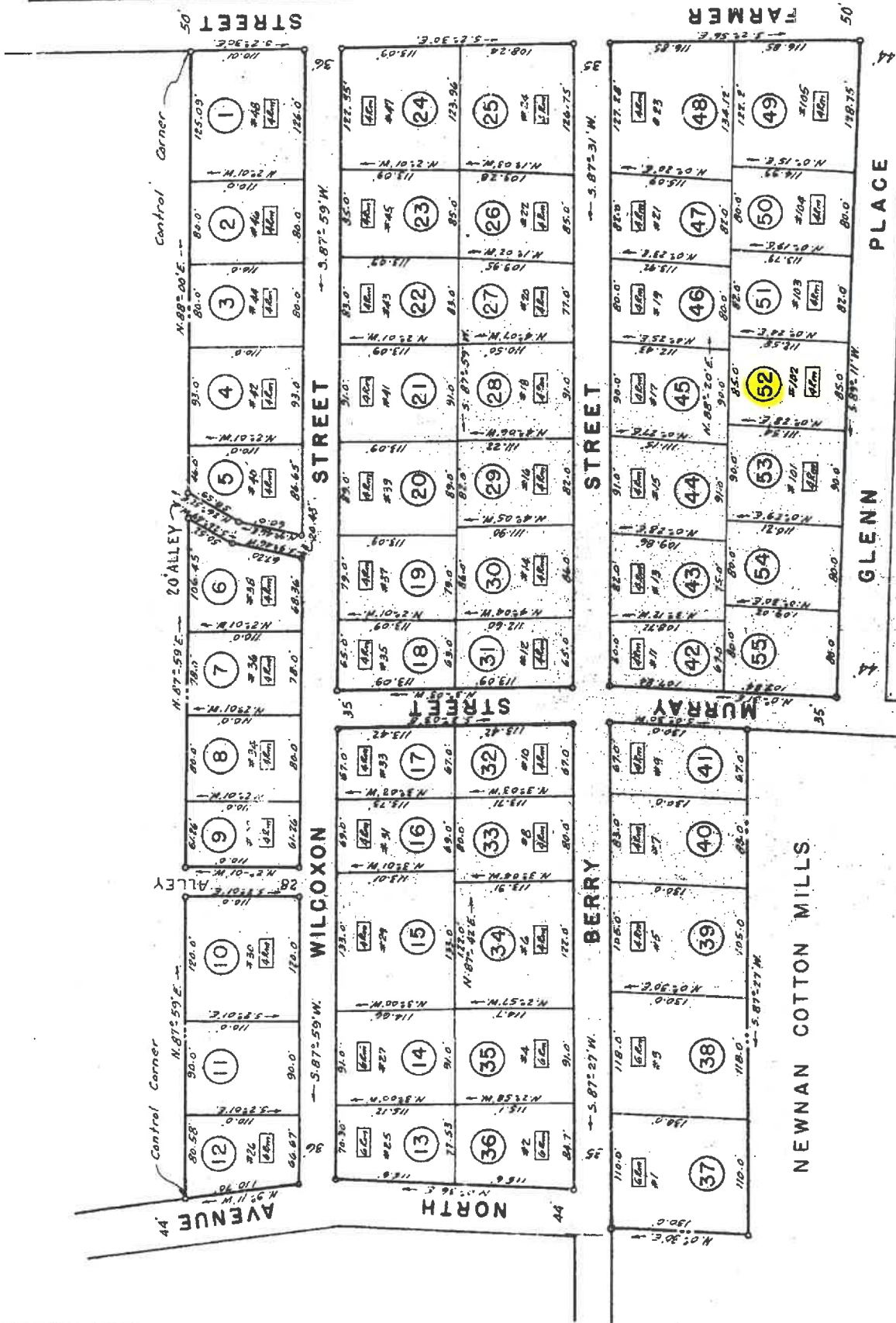
Any anticipated odors which may be generated by the uses on site.

The proposed special exception will not result in the generation of any noise, light, glare, odor or any emissions that would negatively impact surrounding uses.

Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

As no land disturbance is proposed with this application, no construction traffic is anticipated that would impact existing neighborhoods and school areas.

Plat Book 1 page 277



DOCH 002408
FILED IN OFFICE
2/5/2020 03:16 PM
BK:4990 PG:156-157
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER
TAX PAID: \$0.00 ✓

PT-61 038-2020-000648

✓ Record and return to:
Mann & Wooldridge, P.C.
P.O. Box 310
Newnan, Georgia 30264

STATE OF GEORGIA

COUNTY OF COWETA

LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into this 29th day of January, 2020, by and between ARTHUR R. FREEMAN (hereinafter referred to as the "Grantor") and ARTHUR R. FREEMAN and DANA FREEMAN, as joint tenants with the right of survivorship and not as tenants in common, (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective legal representatives, heirs, successors and assigns where the context requires or permits):

W I T N E S S E T H T H A T :

Grantor, for and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00) and other good and valuable consideration, 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 said Grantee, its legal representatives, successors and assigns, all that tract or parcel of real property lying and being in Coweta County, Georgia, and being more particularly described, to-wit:

All that certain lot or parcel of land with improvements thereon, lying and being in City of Newnan, Coweta County, Georgia known as Lot No. 52 as shown by plat recorded in the Office of the Clerk the Superior Court of Coweta County, Georgia in Plat Book 1, Page 277 entitled "Property of Newnan Cotton Mills" dated 10/22/55. This being the same property as deeded to J.W. and Annie F. Parks by Warranty Deed recorded in Deed Book 122, Page 676, Coweta County, Georgia records.

Said property as deeded subject to all existing easements to the City of Newnan or to any other party whomsoever and subject to an easement to a water main running from Mill No. 2 to Mill No. 1 and subject to the purpose of making inspections, repairs, alterations and extensions thereof, thereto, or therefrom together with the right to cut away and keep clear all trees and other obstructions that may now or hereafter in any way interfere with the proper operation of said main.

Tax ID # N16-0005-011

Subject to any Easements or Restrictions of record.

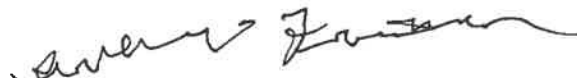
TO HAVE AND TO HOLD the Property, with all and singular the

9/25
22

rights, members and appurtenances thereof, the same being, belonging, or in any way appertaining, only to the proper use, benefit and behoof of the said Grantees forever in fee simple.

AND THAT SAID GRANTOR will warrant and forever defend the right and title to the Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but not otherwise.

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


(SEAL)
ARTHUR R. FREEMAN

Signed, sealed and delivered
in the presence of:


Witness


Notary Public
My Commission Expires





City of Newnan, Georgia – Board of Zoning Appeals

Date: March 3, 2026

Application Number: 2026-02 (8 Glenn Street) and 2026-03 (106 Sunset Lane)

Agenda Item: Special Exception and Variance Requests – 8 Glenn Street and 106 Sunset Lane

Prepared and Presented by: Chris Cole, Senior Planner

Purpose: The applicant is asking for a special exception to operate a Personal Care Group Home (Class I). The applicant is also asking for a variance to 1) not require the facility to be operated out of the principal residence of the owner or operator, and 2) not require the owner or operator to occupy the residence. Staff has also produced one staff report for the identical requests for 8 Glenn Street and 106 Sunset Lane.

Applicants/Property Owners: Dana Freeman (Applicant/Owner) & Arthur R. Freeman (Owner)
26 Brisbane Court
Newnan, GA 30263
Note – Dana Freeman is the sole owner of 106 Sunset Lane.

Zoning: 8 Glenn Street is zoned Urban Residential Dwelling District – Historical and Infill (RU-I). 106 Sunset Lane is zoned Urban Residential Single-Family Dwelling District – High Density (RU-7).

Present Use: Existing Single-family detached homes on each site

Proposed Use: Personal Care Group Home (Class I) on each site in the existing structures

Pertinent Regulations: The permitted uses for the RU-I zoning category are outlined in Article 2, Section 2-19, Table 2-B of the City of Newnan's Zoning Ordinance. The requirements for a Personal Care Group Home are outlined in Article 3, Section 3-82(h)(1)d of the City of Newnan's Zoning Ordinance.

Applicant's Position – Special Exception Request:

The purpose of this request is to operate a for-profit Personal Care Group Home (Class I) at each location, housing four male residents who are military veterans. The applicant does not propose ever housing female residents. Each location will feature a main suite and two smaller bedrooms. Two residents at each location will sleep in the main suite, and the remaining two residents at each location will each have a bedroom. The rent will be roughly \$1,500-\$2,000 a month, with assistance in many cases coming from the U.S. Department of Veterans Affairs. Each location will offer 24-hour care, with visiting hours for family and friends being from 9 a.m. to 6 p.m., Monday through Saturday (with no visitation on Sunday). According to the applicant, the residents will not have personal vehicles onsite (with only the staff member at each location having a vehicle on site). Both locations would be owned and operated by the applicant. Any veteran would be eligible except for residents who require chronic or convalescent medical or nursing care. Residents would be referred from the Newnan, Carrollton, and Atlanta VA clinics.

Both sites will be staffed with one staff member (24 hours a day). Staff will assist with tasks such as personal care, appointments, and veteran benefits. Additional staff will assist with taking the residents to appointments, ensuring at least one staff member is always at each house. Mr. Freeman plans to open 106 Sunset Lane first as it is currently vacant. In roughly a year, Mr. Freeman plans to open the 8 Glenn Street site once the current renters leave. Please see below for answers from the applicant regarding the Special Exception request:

1. Why is the use proposed as a special exception appropriate for the district and area for which it is being applied for?

Due to its residential nature, compatibility with nearby land uses, and ability to be effectively regulated through conditions to ensure protection of the public's health, safety, and welfare, the proposed personal care home for veterans is suitable as a special exception within this district. Instead of being an institutional or high-intensity commercial use, a personal care home operates similarly to a single-family home, with residents living together in a stable, supervised environment.

Because residents do not conduct commercial activities on-site and staffing levels are modest and predictable, the proposed use is expected to generate minimal traffic, noise, and place no significant strain on public infrastructure.

2. How is the proposed special exception a benefit to the surrounding neighborhood and city in general rather than a special privilege to an individual property owner?

The proposed special exception benefits both the surrounding neighborhood and the City of Newnan by addressing a documented community need while remaining consistent with the area's residential character. The personal care home for veterans provides stable, supervised housing for people who have served in the community and now need supportive living arrangements, thereby contributing to public health, safety, and social well-being.

The special exception creates a use that is specifically anticipated by the zoning rule and subject to discretionary review and constraints, as opposed to granting a unique privilege to a single property owner. If approved, the request would only be permitted under particular operational guidelines, occupancy restrictions, and site-specific requirements intended to safeguard nearby properties and the community at large, rather than granting an exclusive or unlimited right.

3. How do the existing zoning district regulations prevent the establishment of the proposed special exception use, and why are such conditions appropriate generally but an exception should be made in this individual circumstance?

By restricting uses mostly to single-family homes and other low-intensity residential uses allowed by right, the current zoning district laws aim to maintain the residential character of the district. Higher-intensity, institutional, or commercial uses that might produce excessive traffic, noise, or infrastructure needs incompatible with residential districts are suitably restricted by these laws. Because of this, personal care facilities are not legally allowed in the district; instead, they must be reviewed as a special exception to guarantee that any possible effects are thoroughly assessed.

Since not all personal care or group living arrangements are appropriate for every residential setting, certain requirements are generally relevant. If such uses include excessive occupancy, inadequate parking, or insufficient operational controls, they may have a negative impact on nearby properties without further regulation. Through site-specific analysis and enforced requirements, the special exception procedure gives the City a way to differentiate between uses that could be incompatible and those that can be successfully incorporated into a residential area.

Because the proposed personal care home is residential in size and operation, produces little traffic, and is intended to operate in a way consistent with a single-family neighborhood, an exemption is justified in this particular situation. To ensure that the use won't negatively affect neighborhood character or public safety, the proposed use includes limited occupancy, on-site monitoring, and compliance with all applicable building, fire, and licensing regulations. The acceptability of the use at this location is further supported by the size, layout, and accessibility of the property.

4. What is the proposed period of time the special exception is requested for?

The request for a permanent special exception is contingent upon continued adherence to all relevant zoning laws, licensing specifications, and any criteria set forth in the approval. The proposed personal care facility is meant to function as a long-term, stable residential usage that offers veterans reliable accommodation and supportive services.

Since the use is neither seasonal nor transient and does not involve activities that might change over time or necessitate regular reevaluation, a permanent approval is acceptable. According to the zoning legislation, failure to abide by the terms of approval or any applicable rules would result in corrective action or revocation, and continued operation would be subject to City enforcement authorities.

5. What additional criteria will you proffer to minimize the impact of the special exception on surrounding properties?

- 1. Occupancy Limits:** To maintain the use's residential scale and compatibility with the neighborhood, the number of occupants will be restricted in compliance with state licensing standards and city zoning rules.
- 2. On-Site Supervision:** As mandated by state regulations, trained personnel will be on site to supervise, uphold order, and quickly resolve any issues, thereby lowering the possibility of nuisance conditions.
- 3. Traffic and Parking Management:** In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.
- 4. Noise and Activity Controls:** To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.
- 5. Property Maintenance and Appearance:** Regular gardening, waste containment, and building repair are all part of maintaining the home's appearance to reflect the character of the neighborhood. No more external signage than is allowed for residential premises will be put up.
- 6. Lighting:** To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.
- 7. Compliance and Enforcement:** All relevant building, fire, health, and state license requirements will be met by the usage. Enforcement action or the revocation of the special exemption may follow noncompliance with the terms of approval or relevant rules.

Applicant's Position – Variance Request:

The purpose of this request is to ask for a variance to 1) not require the facility to be operated out of the principal residence of the owner or operator, and 2) not require the owner or operator to occupy the residence. Please see below for answers from the applicant regarding the Variance request:

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

In particular, the legislation stipulates that the facility cannot be run out of an ancillary building and that it must be run out of the owner's or operator's primary residence, which they must also occupy. Strict adherence to this guideline is not possible due to the physical features and design of the current property.

3.What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

The subject property is currently zoned as a Single-Family Residential under the City of Newnan Zoning Ordinance. To the best of my knowledge, there are no previously approved zoning variances, special exceptions, conditions, or proffers associated with the property. The property has been maintained in compliance with applicable zoning and development regulations, and no prior modifications affecting zoning compliance have been granted.

4.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 regulatory requirements of the ordinance?

To my knowledge, there are no special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the regulatory requirements of the ordinance to be used as a personal care home for veterans.

5.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?

Granting the requested variance would allow the property to be used safely and responsibly while maintaining compatibility with adjacent properties and protecting the public health, safety, and welfare by having a staff member onsite 24/7 that would not be the homeowner.

6.What is the minimal extent to which it would be necessary to vary the requirements of the ordinance in order to permit the proposed construction on, use of, the property?

The sought variance is the bare minimum of relief required to permit the property's reasonable use. The applicant only wants a small deviation from the ordinance's requirement that the owner or operator live on the land and that the facility be run from the principal house. There is no request to change any other development restrictions or zoning criteria.

We will completely comply with all other applicable zoning ordinance criteria, such as use restrictions, occupancy limits, parking requirements, setbacks, building coverage, and adherence to building, fire, and licensing standards. The neighborhood's residential character is unaffected by the requested variance, nor does it enhance density or use intensity.

Issues for Consideration for a Special Exception

In considering a special exception application, the following factors shall be given reasonable consideration by the Board of Zoning Appeals. The applicant shall address all the following in its statement of justification or special exception plat unless not applicable, in addition to any other standards imposed by this Ordinance:

Special Exception Criteria Answers from Applicant in Red:

Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The facilities currently have adequate safety from fire hazards and effective measures of fire control on site through fire access and on site hydrants.

The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.

The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.

The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

The allowance of the proposed uses would be compatible with existing or proposed uses in the neighborhood and on adjacent parcels.

Height of proposed buildings, structures, walls, and fences on the site.

A fence will be installed that will be 8 feet in height located within the required parameters of the front come outside or rear yard of the lot.

The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

The proposed uses will not change the existing site and no development is proposed with this application. Existing landscaping, screening and buffering on the site and in the neighborhood adequately screen surrounding uses.

The timing and phasing of the proposed development and the duration of the proposed use.

Not Applicable

Whether the proposed special exception will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

No land disturbance is proposed with the application. As such, all topographic or physical, natural, scenic, archaeological or historic feature of significant importance, if any exists, will be preserved.

Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

By allowing the property to continue to operate, the tax revenue generated from this development will further discuss diversify the economy of Coweta County thus reducing the tax burden on individual residents.

The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.

In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.

Whether the proposed special exception will be served adequately by essential public facilities and services.

The proposed uses will adequately be served by essential public facilities and services.

The effect of the proposed special exception on groundwater supply.

As no land disturbance is anticipated, there will be no effect on groundwater supply.

The effect of the proposed special exception on the structural capacity of the soils.

As no land disturbance is anticipated, there will be no effect on structural capacity of the soils.

Whether the proposed use will facilitate orderly and safe road development and transportation.

The proposed uses will not adversely impact orderly and safe road development and transportation.

The effect of the proposed special exception on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

No land disturbance is proposed with the application. Therefore, there will be no damage to existing animal habitat, vegetation, water quality (including groundwater closed parentheses or air quality.

Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Not Applicable

Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The proposed use will directly contribute to the needs of agriculture, industry, and business and future growth by providing essential services in the area.

The location, character, and size of any outdoor storage.

Not Applicable

The proposed use of open space.

Not Applicable

The location of any major floodplain and steep slopes.

Not Applicable

The location and type of any fuel and fuel storage.

Not Applicable

The location and use of any anticipated accessory uses and structures.

Not Applicable

The proposed days/hours of operation.

The business hours of operation will be from 09:00am to 06:00pm EST, Monday - Saturday.

Staff Note – This refers to visiting hours for families and friends. Also, the application version lists Monday - Friday, but it should be Monday - Saturday per the applicant. There will be no visitation on Sundays.

The location and screening of parking and loading spaces and/or areas.

The two parking spaces are located directly in front of the building.

The location and nature of any proposed security features and provisions.

Not applicable

A description of any features above the roof line of any structures.

There are, nor will be any features or additions added above the roof line.

The number of employees.

There will be 2 assigned employees for the proposed use.

The location of any existing and/or proposed adequate on and off-site infrastructure.

Adequate on and off-site infrastructure is available for the proposed uses.

Any anticipated odors which may be generated by the uses on site.

The proposed special exception will not result in the generation of any noise, light, glare, odor or any emissions that would negatively impact surrounding uses.

Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

As no land disturbance is proposed with this application, no construction traffic is anticipated that would impact existing neighborhoods and school areas.

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 because of its size, shape, or existing structures.

Applicant's Response - N/A

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

Applicant's Response - The physical layout of the residence does not reasonably support the integration of owner-occupancy with the specialized residential care environment required for the proposed use.

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

Applicant's Response - N/A

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

Applicant's Response - Strict application of the ordinance requirement that the owner reside in the principal residence would create an unnecessary hardship by preventing reasonable use of the property for an otherwise compatible residential purpose. Compliance would require operation from a structure that is not reasonably suited for the proposed use, thereby precluding safe and functional utilization of the property. This hardship is not financial in nature but rather arises from the inability to reasonably use the property under literal enforcement of the ordinance.

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;

Applicant's Response - The public interest and the zoning ordinance's aim will not be harmed if the proposed deviation is granted. The planned use will adhere to all relevant building, fire, and licensing regulations, maintain its residential character, and not increase density, traffic, noise, or demand on public services. The sought variance is specifically designed to provide the least amount of relief required to permit fair use of the property while maintaining neighborhood compatibility and safeguarding public health, safety, and welfare.

Staff's Response - Staff believes that this standard is met.

6. There must be approved 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 - N/A

7. The circumstances affecting the property are sufficiently unique or infrequent that a general ordinance amendment is not appropriate.

Applicant's Response - The conditions necessitating the variance are sufficiently unique and property-specific that a broad amendment to the zoning ordinance would not be appropriate. The requested relief addresses a rare and individualized situation involving existing structures and site constraints and therefore is best resolved through the variance process rather than through a general regulatory change.

Staff's Response - Staff believes that this standard is met.

Planning Department's Review and Findings:

On September 2, 2008, the Board of Zoning Appeals considered a similar case when it heard a special exception request from Bobbi Personal Care Home to operate a group home for developmentally disadvantaged persons within the Preston Mill Apartments at 112 Jefferson Parkway and a variance request from the requirement that the facility be operated out of the principal residence of the owner or operator (as well as a variance related to the required recreation area). This was a follow-up meeting to the initial BZA special exception approval for the same group home on July 3, 2007, in which the Board granted approval for the issuance of a Special Exception Permit for a period not to exceed 14 months.

That permit's expiration led to the Board's September 2, 2008, meeting to review the applicant's request for continuance of the use, as well as the aforementioned variance requests. At the September 2, 2008, Board meeting, these requests were approved with the condition not more than six residents could be in the facility. Staff Note - The main difference between this example and the current case is the onsite facilities management and ample onsite parking.

On July 7, 2009, the Board of Zoning Appeals considered a similar case when it heard a request from Edify Teen Ministries to operate a home for teenage girls in a single-family residential district (18 Conner Drive). Edify Teen Ministries also sought a variance from the requirements that the owner or operator must live in the group home, erect a fence, and have a recreational area. At that meeting, the Board of Zoning Appeals voted to deny the special exception and variance requests.

As of the date of this report, the City has received no objections from any of the neighboring property owners. Regarding the special exception request, staff believes that the locations of the proposed Personal Care Group Home (Class I) are appropriate and would promote a needed service that would not negatively impact others.

Regarding the variance request, staff has found that the applications do not meet at least four of the seven hardship standards that must be demonstrated. In this case, the applications only meet two of the seven hardship standards. In summation, staff disagrees with the variance request to excuse the owner or operator from living in the group home and it serving as his primary residence. The intent of this section of the ordinance was to encourage property maintenance and to recognize that the incentive to upkeep one's property is derived more from the personal ownership and investment side of living at the residence as opposed to simply renting the residence or operating the group home as an adjunct business.

To allow a Personal Care Group Home to operate from something other than the personal residence of the owner or operator sets a precedent for future properties to be converted from single-family residences to business/nonprofit operations that are more commercial in nature.

Proposed Staff Conditions:

Staff proposes the following conditions for both sites:

- *That the applicant be issued an Occupational Tax Certificate from the City before accepting any residents or operating within the city limits. Before obtaining the Occupational Tax Certificate, the applicant must furnish documentation from the State of Georgia that it meets the standards for personal care homes as covered under State law.*
- *That the applicant can have no more than four residents at any given time (not to include staff).*

Proffered Conditions from Applicant:

- ***Occupancy Limits:*** *To maintain the use's residential scale and compatibility with the neighborhood, the number of occupants will be restricted in compliance with state licensing standards and city zoning rules.*
- ***On-Site Supervision:*** *As mandated by state regulations, trained personnel will be on site to supervise, uphold order, and quickly resolve any issues, thereby lowering the possibility of nuisance conditions.*
- ***Traffic and Parking Management:*** *In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.*
- ***Noise and Activity Controls:*** *To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.*
- ***Property Maintenance and Appearance:*** *Regular gardening, waste containment, and building repair are all part of maintaining the home's appearance to reflect the character of the neighborhood. No more external signage than is allowed for residential premises will be put up.*
- ***Lighting:*** *To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.*
- ***Compliance and Enforcement:*** *All relevant building, fire, health, and state license requirements will be met by the usage. Enforcement action or the revocation of the special exemption may follow noncompliance with the terms of approval or relevant rules.*

Options:

- A. Approve the special exception request and variance request
- B. Approve the special exception request and deny the variance request
- C. Deny the special exception and variance requests
- D. Other direction as determined by the Board of Zoning Appeals

Staff Note- There is not an option to deny the special exception request and approve the variance request because a special exception is needed to operate a Personal Care Group Home (Class I).

Staff's assessment of the requests coincides with Option B, to approve the special exception request for each site and deny the variance request for each site. After evaluating the City's variance hardships standards, staff believes that the variance request for each site only meets the following standards: 5 & 7.

Attachments:

Application



106 Sunset Lane – Special Exception and Variance

Subject Property



View of Applicant's southern yard



106 Sunset Lane – Special Exception and Variance

Alternate view of subject property



View of Applicant's northern yard



106 Sunset Lane – Special Exception and Variance

View to the north on Sunset Lane



View of adjacent neighbor to the north



106 Sunset Lane – Special Exception and Variance

View of neighbor across Sunset Lane



View of neighbor across Sunset Lane



106 Sunset Lane – Special Exception and Variance

View to the south on Sunset Lane



View of adjacent neighbor to the south





CITY OF NEWNAN, GEORGIA

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

NEWMAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant 1 DANA Freeman

Mailing Address 26 Brisbane CT Newnan, GA 30263

Telephone 407-702-8937 E-Mail: danefreeman@gmail

Property Owner (Use back if multiple names) 1 DANA Freeman

Mailing Address 26 Brisbane CT Newnan, GA 30263

Telephone 407-702-8937

Address/Location of Property 106 Sunset Ln Newnan, GA 30263

Tax Parcel No: N24 0003 005 @

Present Zoning Classification: RU-7 @

Present Land Use Single-family detached Site-Built Home @

Intended Use Personal Care Group Home (Class I) @

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) _____ of the Zoning Ordinance/Subdivision Regulations: _____.

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? See attached @

-
-
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
see attached (c)
-
-
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?
see attached (c)
-
-
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?
see attached (c)
-
-
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?
see attached (c)
-
-

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.**

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.

Dana Freeman
Applicant(s) Name(s) (Please Print)

[Signature]
Signature of Applicant(s)

FOR OFFICIAL USE ONLYRECEIVED BY Chris ColeDATE OF FILING 1-21-2026BZA MEETING DATE 3-3-2026DATE OF NOTICE PUBLICATION 1-28-2026

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

Dana Freeman

Telephone Number

407-702-8937

Address of Subject Property

106 SUNSET LN

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.

[Signature]
Signature of Property Owner

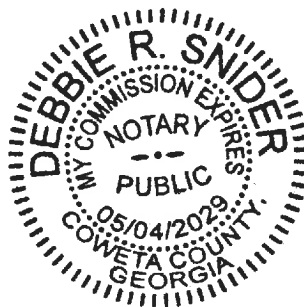
Personally appeared before me

Dana Freeman

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

Debbie R. Snider

Notary Public



(Affix Raised Seal Here)

Jan. 21, 2026

Date

Variance Questions And Answers

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

In particular, the legislation stipulates that the facility cannot be run out of an ancillary building and that it must be run out of the owner's or operator's primary residence, which they must also occupy. Strict adherence to this guideline is not possible due to the physical features and design of the current property.

3.What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

The subject property is currently zoned as a Single-Family Residential under the City of Newnan Zoning Ordinance. To the best of my knowledge, there are no previously approved zoning variances, special exceptions, conditions, or proffers associated with the property. The property has been maintained in compliance with applicable zoning and development regulations, and no prior modifications affecting zoning compliance have been granted.

4.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 regulatory requirements of the ordinance?

To my knowledge, there are no special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the regulatory requirements of the ordinance to be used as a personal care home for veterans.

5.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?

Granting the requested variance would allow the property to be used safely and responsibly while maintaining compatibility with adjacent properties and protecting the public health, safety, and welfare by having a staff member onsite 24/7 that would not be the homeowner.

6.What is the minimal extent to which it would be necessary to vary the requirements of the ordinance in order to permit the proposed construction on, use of, the property?

The sought variance is the bare minimum of relief required to permit the property's reasonable use. The applicant only wants a small deviation from the ordinance's requirement that the owner or operator live on the land and that the facility be run from the principal house. There is no request to change any other development restrictions or zoning criteria.

We will completely comply with all other applicable zoning ordinance criteria, such as use restrictions, occupancy limits, parking requirements, setbacks, building coverage, and adherence to building, fire, and licensing standards. The neighborhood's residential character is unaffected by the requested variance, nor does it enhance density or use intensity.

- 1) **There are extraordinary and exceptional conditions pertaining to the particular piece of property because of its size, shape, or existing structures.**

N/A

- 2) **Such conditions are peculiar to the particular piece of property involved.**

The physical layout of the residence does not reasonably support the integration of owner-occupancy with the specialized residential care environment required for the proposed use.

- 3) **Such conditions were not imposed by action or will of the owner of the property.**

N/A

- 4) **Application of the Ordinance would create an unnecessary hardship other than a financial hardship.**

Strict application of the ordinance requirement that the owner reside in the principal residence would create an unnecessary hardship by preventing reasonable use of the property for an otherwise compatible residential purpose. Compliance would require operation from a structure that is not reasonably suited for the proposed use, thereby precluding safe and functional utilization of the property. This hardship is not financial in nature but rather arises from the inability to reasonably use the property under literal enforcement of the ordinance.

- 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;**

The public interest and the zoning ordinance's aim will not be harmed if the proposed deviation is granted. The planned use will adhere to all relevant building, fire, and licensing regulations, maintain its residential character, and not increase density, traffic, noise, or demand on public services. The sought variance is specifically designed to provide the least amount of relief required to permit fair use of the property while maintaining neighborhood compatibility and safeguarding public health, safety, and welfare.

- 6) There must be approved hardship by showing beyond a doubt, the inability to make a reasonable use of the land if the zoning ordinance were applied, literally; and**

N/A

- 7) The circumstances affecting the property are sufficiently unique or infrequent that a general ordinance amendment is not appropriate.**

The conditions necessitating the variance are sufficiently unique and property-specific that a broad amendment to the zoning ordinance would not be appropriate. The requested relief addresses a rare and individualized situation involving existing structures and site constraints and therefore is best resolved through the variance process rather than through a general regulatory change.



CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR SPECIAL EXCEPTION

Date Received 1-21-2026

Case # BZA 2026-03

Name of Applicant DANA Freeman
Mailing Address 26 Brisbane Ct Newnan, GA 30263
Telephone 407-702-8937 E-Mail: dcuzfreeman@gmail
Property Owner (Use back if multiple names) DANA Freeman
Mailing Address 26 Brisbane Ct Newnan, GA 30263
Telephone 407-702-8937
Address of Property 106 SUNSET LN Newnan, GA 30263
Tax Parcel No.: N24 0003 005 @ Present Zoning Classification RU-7@
Proposed Special Exception Use Personal Care Home (veteran)

The special exception procedure is designed to provide an opportunity for discretionary review of requests to establish or construct uses or structures which have the potential for a deleterious impact upon the health, safety, and welfare of the public or where the impact of the use on the immediate area or the city in general related to traffic, utilities, or other factor requires additional review criteria; and, in the event such uses or structures are approved, the authority to impose such conditions that are designed to avoid, minimize, or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure.

Applicants applying for special exceptions must provide a completed application. Please answer the following criteria questions:

1. Why is the use proposed as a special exception appropriate for the district and area for which it is being applied for?

see attached (cc)

2. How is the proposed special exception a benefit to the surrounding neighborhood and city in general rather than a special privilege to an individual property owner?

see attached (cc)

3. How do the existing zoning district regulations prevent the establishment of the proposed special exception use, and why are such conditions appropriate generally but an exception should be made in this individual circumstance?

see attached (cc)

4. What is the proposed period of time the special exception is requested for?

see attached (c)

5. What additional criteria will you proffer to minimize the impact of the special exception on surrounding properties?

see attached (c)

The following information must be attached to the completed application and must also be furnished in digital, pdf format:

- a) A letter of intent giving the details of the proposed use of the property which should include, at a minimum, the following information:
- ✓ What the property is to be used for
 - ✓ The size (in acres if one acre or more and in square feet if less than one acre) of the parcel or tract
 - ✓ The zoning classification which exists at the time of the filing of this application
 - ✓ The number of lots expected (if subsequent subdivision is planned) and/or the number of dwelling units proposed
 - ✓ Dwelling unit size (if applicable)
 - ✓ For non-residential projects, provide the density of development in terms of gross square footage per acre
 - ✓ The number of parking spaces to be provided
 - ✓ The height of buildings
 - ✓ Any proposed buffers and modification to existing buffers
 - ✓ Availability of water and sewer facilities including existing distance to property
- b) Names and mailing addresses of all owners of all property within 250 feet of the subject property. This information can be obtained from the County Tax Assessor records, and this information is encouraged to be submitted in a MS Word mail merge data file format.
- c) Legal description of property with a metes and bounds description. This description must establish a point of beginning and from the point of beginning give each dimension bounding the property, which the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate application and legal description must be submitted for each district requested. A copy of the deed may substitute for a separate description.
- d) A certified plat (stamped and dated) drawn to scale by a registered engineer, architect, land planner, land surveyor, or landscape architect registered in the State of Georgia, that includes the following information:
- Boundary survey showing property lines with lengths and bearings
 - Adjoining streets, existing and proposed, showing right-of-way
 - Locations of existing buildings dimensioned and to scale, paved areas, dedicated parking spaces, and other improvements on the property

- North arrow and scale
- Adjacent land ownership, zoning and current land use
- Total and net acreage of property
- Proposed building locations
- Existing and proposed driveways
- Lakes, ponds, streams, and other watercourses
- Floodplain, wetlands, and slopes equal to or great than 20 percent
- Cemeteries, burial grounds, and other historic or culturally significant features
- Required and/or proposed setbacks and buffers
- Other elements as may be requested by the Planning Department Staff to explain application

Submit one (1) copy if the plat is 11" x 17" or smaller. For larger plats up to 36" x 48", submit twenty-five (25) folded copies or one (1) at the larger size plus twenty-five (25) clear copies at 8.5" x 11".

- e) Completed Disclosure of Campaign Contributions and Gifts form.
 - f) If the applicant and the property owner are not the same, complete a Property Owner's Authorization form and/or Authorization of Attorney form.
 - g) For multiple owners, an attached sheet with signatures duly notarized may be attached.
 - h) A community impact study must be submitted if the development meets any of the following criteria:
 - Office proposals in excess of 2000,000 gross square feet
 - Commercial proposals in excess of 250,000 gross square feet
 - Industrial proposals which would employ over 500 persons
 - Multi-family proposals in excess of 150 units
- Note:** This study shall provide a narrative and include tabular data on the proposed development's impact on schools, roads and streets, and public services including police, fire protection, sanitation, and taxes.
- i) A Development of Regional Impact (DRI) form shall be completed and submitted to the City to be transmitted to the Chattahoochee Flint Regional Development Center for review and comment. To determine whether the proposed use is a DRI, call the Planning Department at 770-254-2354.
 - j) Filing fee payable to the *City of Newnan* (\$350.00)

FOR OFFICIAL USE ONLY

RECEIVED BY Chris Cole

DATE OF FILING 1-21-2026

BZA MEETING DATE 3-3-2026

DATE OF NOTICE PUBLICATION 1-28-2026

ACTION TAKEN (DATE) _____



City of Newnan, Georgia
Attachment A

Disclosure of Campaign Contributions & Gifts

Application filed on Jan 21, 2026 for action by the Board of Zoning Appeals on a special exception requiring a public hearing on property described as follows:

The undersigned below, making application for the BZA action, has complied with the Official Code of Georgia Section 36-67A-1, et.seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided

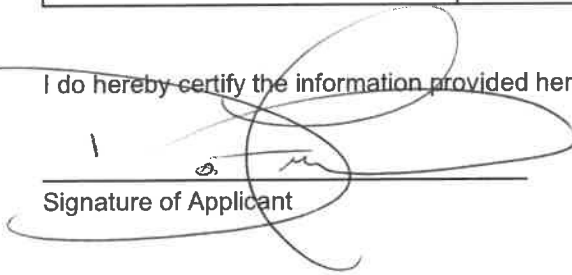
All individuals, business entities, or other organizations¹ having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Board of Zoning Appeals? ☐ Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.


Signature of Applicant

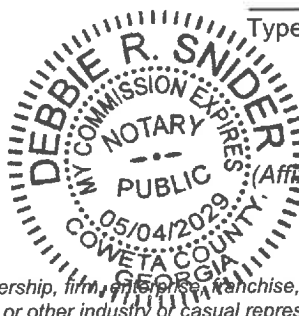
DANA FREEMAN
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title

Debbie R. Snider
Signature of Notary Public

Date



(Affix Raised Seal Here)

¹Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia

Attachment B

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 special exception of the property.

Name of Property Owner

Dana Freeman

Telephone Number

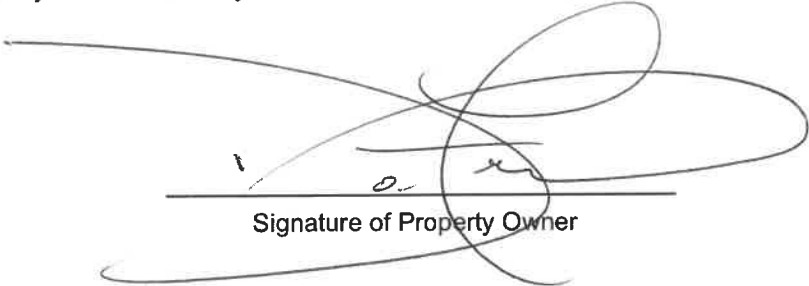
407 - 702 - 8937

Address of Subject Property

106 Sunset Ln

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.


Signature of Property Owner

Personally appeared before me

Dana Freeman

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

Debbie R. Snider

Notary Public



(Affix Raised Seal Here)

1-21-26

Date

1. Why is the use proposed as a special exception appropriate for the district and area for which it is being applied for?

Due to its residential nature, compatibility with nearby land uses, and ability to be effectively regulated through conditions to ensure protection of the public's health, safety, and welfare, the proposed personal care home for veterans is suitable as a special exception within this district. Instead of being an institutional or high-intensity commercial use, a personal care home operates similarly to a single-family home, with residents living together in a stable, supervised environment. Because residents do not conduct commercial activities on-site and staffing levels are modest and predictable, the proposed use is expected to generate minimal traffic, noise, and place no significant strain on public infrastructure.

2) How is the proposed special exception a benefit to the surrounding neighborhood and city in general rather than a special privilege to an individual property owner?

The proposed special exception benefits both the surrounding neighborhood and the City of Newnan by addressing a documented community need while remaining consistent with the area's residential character. The personal care home for veterans provides stable, supervised housing for people who have served in the community and now need supportive living arrangements, thereby contributing to public health, safety, and social well-being.

The special exception creates a use that is specifically anticipated by the zoning rule and subject to discretionary review and constraints, as opposed to granting a unique privilege to a single property owner. If approved, the request would only be permitted under particular operational guidelines, occupancy restrictions, and site-specific requirements intended to safeguard nearby properties and the community at large, rather than granting an exclusive or unlimited right.

3) How do the existing zoning district regulations prevent the establishment of the proposed special exception use, and why are such conditions appropriate generally but an exception should be made in this individual circumstance?

By restricting uses mostly to single-family homes and other low-intensity residential uses allowed by right, the current zoning district laws aim to maintain the residential character of the district. Higher-intensity, institutional, or commercial uses that might produce excessive traffic, noise, or infrastructure needs incompatible with residential districts are suitably restricted by these laws. Because of this, personal care facilities are not legally allowed in the district; instead, they must be reviewed as a special exception to guarantee that any possible effects are thoroughly assessed.

Since not all personal care or group living arrangements are appropriate for every residential setting, certain requirements are generally relevant. If such uses include excessive occupancy, inadequate parking, or insufficient operational controls, they may have a negative impact on nearby properties without further regulation. Through site-specific analysis and enforced requirements, the special exception procedure gives the City a way to differentiate between uses that could be incompatible and those that can be successfully incorporated into a residential area.

Because the proposed personal care home is residential in size and operation, produces little traffic, and is intended to operate in a way consistent with a single-family neighborhood, an

exemption is justified in this particular situation. To ensure that the use won't negatively affect neighborhood character or public safety, the proposed use includes limited occupancy, on-site monitoring, and compliance with all applicable building, fire, and licensing regulations. The acceptability of the use at this location is further supported by the size, layout, and accessibility of the property.

4) What is the proposed period of time the special exception is requested for?

The request for a permanent special exception is contingent upon continued adherence to all relevant zoning laws, licensing specifications, and any criteria set forth in the approval. The proposed personal care facility is meant to function as a long-term, stable residential usage that offers veterans reliable accommodation and supportive services.

Since the use is neither seasonal nor transient and does not involve activities that might change over time or necessitate regular reevaluation, a permanent approval is acceptable. According to the zoning legislation, failure to abide by the terms of approval or any applicable rules would result in corrective action or revocation, and continued operation would be subject to City enforcement authorities.

5) What additional criteria will you proffer to minimize the impact of the special exception on surrounding properties?

1. **Occupancy Limits:** To maintain the use's residential scale and compatibility with the neighborhood, the number of occupants will be restricted in compliance with state licensing standards and city zoning rules.
2. **On-Site Supervision:** As mandated by state regulations, trained personnel will be on site to supervise, uphold order, and quickly resolve any issues, thereby lowering the possibility of nuisance conditions.
3. **Traffic and Parking Management:** In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.
4. **Noise and Activity Controls:** To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.
5. **Property Maintenance and Appearance:** Regular gardening, waste containment, and building repair are all part of maintaining the home's appearance to reflect the character of the neighborhood. No more external signage than is allowed for residential premises will be put up.
6. **Lighting:** To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.
7. **Compliance and Enforcement:** All relevant building, fire, health, and state license requirements will be met by the usage. Enforcement action or the revocation of the special exemption may follow noncompliance with the terms of approval or relevant rules.

Thanks, and have a wonderful day.

Kelly Lynn, RN, BSN

Special Exception Criteria Answers from Applicant in Red:

Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The facilities currently have adequate safety from fire hazards and effective measures of fire control on site through fire access and on site hydrants.

The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

To protect the peaceful enjoyment of nearby homes, all activities will take place indoors throughout the evening and night, and the property will abide by all relevant noise restrictions.

The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

To avoid light spillage, any external lighting must be domestic in size, shielded, and oriented away from nearby properties.

The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

The allowance of the proposed uses would be compatible with existing or proposed uses in the neighborhood and on adjacent parcels.

Height of proposed buildings, structures, walls, and fences on the site.

A fence will be installed that will be 8 feet in height located within the required parameters of the front corner outside or rear yard of the lot.

The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

The proposed uses will not change the existing site and no development is proposed with this application. Existing landscaping, screening and buffering on the site and in the neighborhood adequately screen surrounding uses.

The timing and phasing of the proposed development and the duration of the proposed use.

Not Applicable

Whether the proposed special exception will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

No land disturbance is proposed with the application. As such, all topographic or physical, natural, scenic, archaeological or historic feature of significant importance, if any exists, will be preserved.

Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

By allowing the property to continue to operate, the tax revenue generated from this development will further discuss diversify the economy of Coweta County thus reducing the tax burden on individual residents.

The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.

In accordance with city regulations, off-street parking will be offered. During peak neighborhood hours, staff scheduling will be designed to minimize overlapping shifts and lessen the impact of traffic.

Whether the proposed special exception will be served adequately by essential public facilities and services.

The proposed uses will adequately be served by essential public facilities and services.

The effect of the proposed special exception on groundwater supply.

As no land disturbance is anticipated, there will be no effect on groundwater supply.

The effect of the proposed special exception on the structural capacity of the soils.

As no land disturbance is anticipated, there will be no effect on structural capacity of the soils.

Whether the proposed use will facilitate orderly and safe road development and transportation.

The proposed uses will not adversely impact orderly and safe road development and transportation.

The effect of the proposed special exception on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

No land disturbance is proposed with the application. Therefore, there will be no damage to existing animal habitat, vegetation, water quality (including groundwater closed parentheses or air quality.

Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Not Applicable

Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The proposed use will directly contribute to the needs of agriculture, industry, and business and future growth by providing essential services in the area.

The location, character, and size of any outdoor storage.

Not Applicable

The proposed use of open space.

Not Applicable

The location of any major floodplain and steep slopes.

Not Applicable

The location and type of any fuel and fuel storage.

Not Applicable

The location and use of any anticipated accessory uses and structures.

Not Applicable

The proposed days/hours of operation.

The business hours of operation will be from 09:00am to 06:00pm EST, Monday-Friday.

The location and screening of parking and loading spaces and/or areas.

The two parking spaces are located directly in front of the building.

The location and nature of any proposed security features and provisions.

Not applicable

A description of any features above the roof line of any structures.

There are, nor will be any features or additions added above the roof line.

The number of employees.

There will be 2 assigned employees for the proposed use.

The location of any existing and/or proposed adequate on and off-site infrastructure.

Adequate on and off-site infrastructure is available for the proposed uses.

Any anticipated odors which may be generated by the uses on site.

The proposed special exception will not result in the generation of any noise, light, glare, odor or any emissions that would negatively impact surrounding uses.

Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

As no land disturbance is proposed with this application, no construction traffic is anticipated that would impact existing neighborhoods and school areas.

EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): N24 0003 005

Land situated In the County of Coweta in the State of GA

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED, LYING AND BEING IN LAND LOT 27 OF THE 5TH LAND DISTRICT IN THE CITY OF NEWNAN, COWETA COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS LOT NO. 13, BLOCK 7, WESTSIDE PROJECT NO.1 ON THAT CERTAIN SURVEY OF DEXTER AND LINDA BRIDGES HUNTER, SAID SURVEY BEING PREPARED BY MELVIN D. COLLINS, REGISTERED LAND SURVEYOR, DATED MAY 5, 1987, AND BEING OF RECORD IN PLAT BOOK 42, PAGE 203, OFFICE OF THE CLERK, COWETA SUPERIOR COURT, REFERENCE TO SAID PLAT IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY HEREIN DESCRIBED. SAID PROPERTY IS MORE PARTICULARLY DESCRIBED ACCORDING TO THE AFORESAID PLAT AS FOLLOWS:

BEGIN AT A CERTAIN IRON PIN FOUND ON THE WESTERLY RIGHT OF WAY OF SUNSET LANE, SAID IRON PIN BEING A DISTANCE OF 100.14 FEET SOUTH OF THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF SUNSET LANE AND THE SOUTHERLY RIGHT OF WAY OF WEST WASHINGTON STREET AS MEASURED ALONG THE WESTERLY RIGHT OF WAY OF SUNSET LANE; THENCE RUN ALONG THE WESTERLY RIGHT OF WAY OF SUNSET LANE SOUTH 07 DEGREES 49 MINUTES WEST A DISTANCE OF 95 FEET TO AN IRON PIN FOUND; THENCE LEAVING SAID RIGHT OF WAY RUN NORTH 81 DEGREES 59 MINUTES WEST A DISTANCE OF 127.46 FEET TO A CERTAIN IRON PIN FOUND; THENCE RUN NORTH 06 DEGREES 33 MINUTES EAST A DISTANCE OF 45.30 FEET TO AN IRON PIN FOUND; THENCE RUN NORTH 08 DEGREES 06 MINUTES EAST A DISTANCE OF 49.7 FEET TO A CERTAIN IRON PIN FOUND; THENCE RUN SOUTH 82 DEGREES 01 MINUTES EAST A DISTANCE OF 128.23 FEET TO A CERTAIN IRON PIN LOCATED ON THE WESTERLY RIGHT OF WAY OF SUNSET LANE AND THE TRUE POINT OF BEGINNING.

NOTE: The Company is prohibited from insuring the area or quantity of the land. The Company does not represent that any acreage or footage calculations are correct. References to quantity are for identification purposes only.

Commonly known as: 106 Sunset Ln, Newnan, GA 30263-2839

THE PROPERTY ADDRESS AND TAX PARCEL IDENTIFICATION NUMBER LISTED ARE PROVIDED SOLELY FOR INFORMATIONAL PURPOSES.

Niki Sewell

NIKI SEWELL
CLERK OF SUPERIOR COURT
COWETA COUNTY
Real Estate Transfer Tax
Paid : \$ 0.00
PT-61 038-2025-005216

RECORD AND RETURN TO:

Dana Freeman
26 Brisbane Ct
Newnan, GA 30263

Prepared by:
Cook & James, LLC
295 W Crossville Road
Building 400, Suite 430
Roswell, GA 30075

Order Number: 75017351
Tax Parcel ID: N24 0003 005

Space Above for Recorder's Use

State of Georgia
County of Coweta

QUITCLAIM DEED

THIS INDENTURE, made this 10th day of October, 2025

BETWEEN D Free Investment Group LLC, a Georgia Limited Liability Company, whose address is 26 Brisbane Ct, Newnan, GA 30263 (hereinafter called "Grantor"), and Dana Freeman, a married man, whose address is 26 Brisbane Ct, Newnan, GA 30263 (hereinafter called "Grantee").

(The words "Grantor" and "Grantee" shall include their respective heirs, successors, and assigns, where the context requires or permits, and shall include the singular and plural, and the masculine, feminine, and neuter as the context requires.)

WITNESSETH that Grantor, for and in consideration of the sum of Ten (10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, has bargained, sold, and does by these presents, bargain, sell, remise, release, and forever quitclaim to Grantee all the right, title, interest, claim or demand which the Grantor has or may have in and to the following described Property, to wit:

SEE EXHIBIT "A" ATTACHED HERETO,

Subject to: all covenants, conditions, reservations, limitations, easements and restrictions or agreements of record, if any, and to all applicable zoning ordinances and/or governmental restrictions, if any, affecting the same.

TOGETHER WITH all the rights, members, and appurtenances to the said described Property in anywise appertaining or belonging.



481 75617351 QC101 01 0383

TO HAVE AND TO HOLD said described premises to Grantee, so that neither Grantor nor any person or persons claiming under or through Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

This instrument was prepared from information provided by the parties. Cook & James, LLC makes no representation as to title or accuracy.

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

D Free Investment Group LLC

By: [Signature] (Seal)
Dana Freeman, Managing Member

Signed, sealed and delivered
In the presence of:

[Signature]
Unofficial Witness

Print Name: Shelby Freeman

[Signature]
Notary Public

Print Name: Rebecca Alexander
My commission expires 7/16/27



401 75017931 QC101 01 0303