



NEWNAN
GEORGIA • CITY OF HOMES

City of Newnan **Board of Zoning Appeals**

Agenda for June 6, 2023 Board of Zoning Appeals Meeting
10:00 AM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. Minutes from the May 2, 2023 meeting
3. Public Hearings
 - a. Special Exception Request - 24 Burch Avenue
 - b. Variance Request - 70 Farmer Street & 72 Farmer Street
4. Other Business
5. Adjourn

Any questions prior to the meeting
should be directed to the Planning and Zoning Department.

Phone: 770-254-2354

E-mail: tdunnavant@newnanga.gov



CITY OF NEWNAN
Board of Zoning Appeals
Meeting Minutes
May 2, 2023
10:00 a.m.

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

Board Members Absent: Kris Lovell

Others in Attendance: Tracy Dunnavant, Planning & Zoning Director
Samantha Wood, Planning & Zoning Administrative Assistant
Dean Smith, Senior Planner
Brad Sears, City Attorney

CALL TO ORDER

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

READING OF THE MINUTES

Vice-Chairman Edge asked the Board if they had reviewed the March 7, 2023, meeting minutes. Hensley motioned to approve the minutes. Walton seconded the motion.

MOTION CARRIED (6-0)

Variance Request – 73 Canyon View Drive – 2023-09

Vice-Chairman Edge opened a public hearing on the variance request.

Dean Smith, Senior Planner, gave the staff report. He stated the applicant is seeking to reduce the minimum rear setback from the required 30 feet to 20 feet to allow for the continuation of the construction of a covered patio. Dean Smith added the applicants had already initiated the construction project; however, the work was being performed without a permit and the City of Newnan's Code Enforcement personnel stopped work and summarily issued a citation. He said in order to bring the existing work into compliance with the City's requirements, a building setback variance reduction would be necessary.

Dean Smith discussed the applicant's position that it was their first time doing anything to their home and they were unaware that they had to obtain approval before beginning construction. He stated that staff believes the request is appropriate and will present no negative impacts to the surrounding neighbors since there will be no encroachment at all towards any side property line. Dean Smith reminded the Board that they had ruled in favor of similar rear building setback requests in the recent past; with two of them being within the same neighborhood as the applicant's home - The Highlands at Newnan Crossing. He concluded by stating staff recommends approval of the variance request based on the following reasons: 1) The strict application of the terms of the Ordinance would *unreasonably* restrict utilization of the property because the application of the Ordinance to the particular piece of property would create a non-financial, *unnecessary* hardship. 2) Relief from the Ordinance would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

Vice-Chairman Edge asked if there were any questions for staff. There being none, Vice-Chairman Edge asked the applicant to come forward and present their case.

Sears swore in the applicant, Dishad Lalani.

Lalani explained to the Board that they did not realize they had to get a permit. He added this is the first time they have owned a home and were unaware of the requirement. Lalani apologized to the Board.

Vice-Chairman Edge asked if there was anyone present to speak in favor/opposition in the matter. With no one coming forward, Vice-Chairman Edge closed the public hearing.

Flournoy made a motion to approve the variance request for a reduction in the rear setback from 30 feet to 20 feet at 73 Canyon View Drive. Hensley seconded the motion.

MOTION CARRIED (6-0)

New Business

Dean Smith stated there will be a June meeting.

ADJOURN

Hensley motioned to adjourn the meeting at 10:05 a.m. Flournoy seconded.

MOTION CARRIED (6-0)

Chairman Kris Lovell



May 30, 2023

Re: Update on the special exception request by Coweta Force for 24 Burch Avenue, which is zoned RU-I. Coweta Force applied for a special exception in order to construct a duplex on the subject property.

Dear Board of Zoning Appeals Member:

On May 23, 2023, the Newnan City Council approved changes to the Zoning Ordinance, including allowing a duplex as a Permitted Use in the RU-I zoning category.

Accordingly, the applicant now does not have to obtain a special exception to construct a duplex at 24 Burch Avenue. Therefore, staff is requesting that the Board withdraw this item at the June 6th meeting.

If you have any questions, please call 678-673-5488.

Sincerely,

Chris Cole

Senior Planner



NEWMAN
GEORGIA

City of Newnan, Georgia – Board of Zoning Appeals

Date: June 6, 2023

Application Number: 2023-11

Agenda Item: Variance Requests –70 Farmer Street and 72 Farmer Street

Prepared and Presented by: Chris Cole, Senior Planner

Purpose: The purpose of the hearing is to receive public comment on variance requests by Dale Wilkin for 70 Farmer Street and 72 Farmer Street, which are each zoned General Commercial (CGN). Below is a listing of the eight variance requests:

- 1) The applicant is asking for a variance to build a grocery store that will be located 6.5 feet from the front property line along Farmer Street, instead of the required 35 feet.
- 2) The applicant is asking for a variance for the grocery store to be located 6 feet from the front property line along Wilcoxon Street, instead of the required 35 feet.
- 3) The applicant is asking for a variance for the grocery store to be located 8 feet from the western side property line, instead of the required 12 feet.
- 4) The applicant is asking for a variance from a 10-foot perimeter landscape strip along the Northern Property line to a 5-foot strip.
- 5) The applicant is asking for a variance from a 10-foot perimeter landscape strip along the Western property line to an 8.5-foot strip.
- 6) The applicant is asking for a variance from a 10-foot perimeter landscape strip along Wilcoxon Street to a 6-foot strip.
- 7) The applicant is asking for a variance from a 10-foot perimeter landscape strip along Farmer Street to a 5-foot strip adjacent to the driveway and a 6.5-foot strip in front of the building.
- 8) The applicant is asking for a variance to reduce the required minimum off-street parking spaces from the required 7 spaces to 4 spaces.

Applicant/Property Owner: Dale Wilkin – Applicant / Jose & Enriqueta Morales - Property Owners (72 Farmer Street)/ Jose Morales - Property Owner (70 Farmer Street)

Zoning: CGN (General Commercial) for both 70 Farmer Street and 72 Farmer Street

Present Use: Grocery Store in Existing Building at 70 Farmer Street on a 0.06 acre +/- tract; Vacant lot at 72 Farmer Street (site of a former structure that was recently demolished) on a 0.13 acre +/- tract

Proposed Use: The property owner wishes to construct a new grocery store and a new parking area. The subject properties currently consist of two parcels that will be combined into one parcel.

Pertinent Regulations: The Setback Requirements are outlined in Section 4-29(a)(b) and Table 4-B of the City of Newnan's Zoning Ordinance. The Landscape Planting Strip Requirements are outlined in Section 10-86 of the City of Newnan's Tree Conservation and Landscape Ordinance. The Parking and Loading Requirements are outlined in Article 7, Section 7-5, Table 7-A of the City of Newnan's Zoning Ordinance.

Applicant's Position: The applicant plans to construct a new grocery store on the future combined subject property (which will total 0.19 acre +/- once combined). The applicant owns the existing grocery store at 70 Farmer Street and if the variance requests are approved, this building will be demolished in order to build the new grocery store and parking areas. The proposed square footage of the new grocery store is 2,520 square feet (as shown on the Conceptual Site Plan). The customer area will only be on the first floor and will consist of 1,728 square feet. The second floor will only be used for inventory/storage, an office, and a bathroom. The applicant proposes no dumpster. Per the City's requirements, the property owner will still have to coordinate the placement of trash removal receptacles with Amwaste (the City's sanitation service provide).

Note – In order to demolish the existing grocery store at 70 Farmer Street, the property owner will have to receive approval from the City Council since the building is over 50 years old (built in 1940). In addition, the applicant has also submitted a Conceptual Site Plan and an exterior rendering of the proposed building (see attached).

Regarding the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property, the applicant indicated, "Reduction in parking and setbacks would not be able to complete project." Regarding the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance, the applicant indicated, "Sewer line thru property." Regarding the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property, the applicant indicated, "Could not complete project." Regarding the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property, the applicant indicated, "See site with setbacks and parking."

Basis for Granting Variances:

The Board of Zoning Appeals shall base its required findings of fact upon particular evidence presented to it in each specific case where the property owner can show all of the following to be true:

- A. The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict utilization of the property because of all of the following:
 - ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and,
 - ✓ Such conditions are peculiar to the particular piece of such property involved; and,
 - ✓ Such conditions were not imposed by the action or will of the owner of the property; and,
 - ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship in which the applicant would receive a lower rate of financial return on the use of the property if the variance is denied; and,
 - ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.

B. In addition, the Board of Zoning Appeals shall affirmatively determine that:

- ✓ The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.
- ✓ The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

Recommendation:

The applicant received previous approval only for 72 Farmer Street from the Board of Zoning Appeals at the July 12, 2022 meeting. This previous request involved setback reductions to reduce the minimum front setback from the required 35 feet to 30 feet 6 inches and to reduce the minimum street side setback from the required 35 feet to 28 feet to allow for the construction of a new grocery store.

Since that time, the property owner has incorporated the adjacent lot at 70 Farmer Street (the site of the existing grocery store) into the concept and included an enhanced parking area with a loading zone. The subject properties are extremely small at a combined 0.19 acre +/- . The applicant had planned to place the proposed building closer to 70 Farmer Street (the site of the existing grocery store) and this would have possibly lessened the need for the variance requests. However, as the attached map shows, there is an existing sewer line that crosses 72 Farmer Street and this sewer line severely limits the amount of usable land.

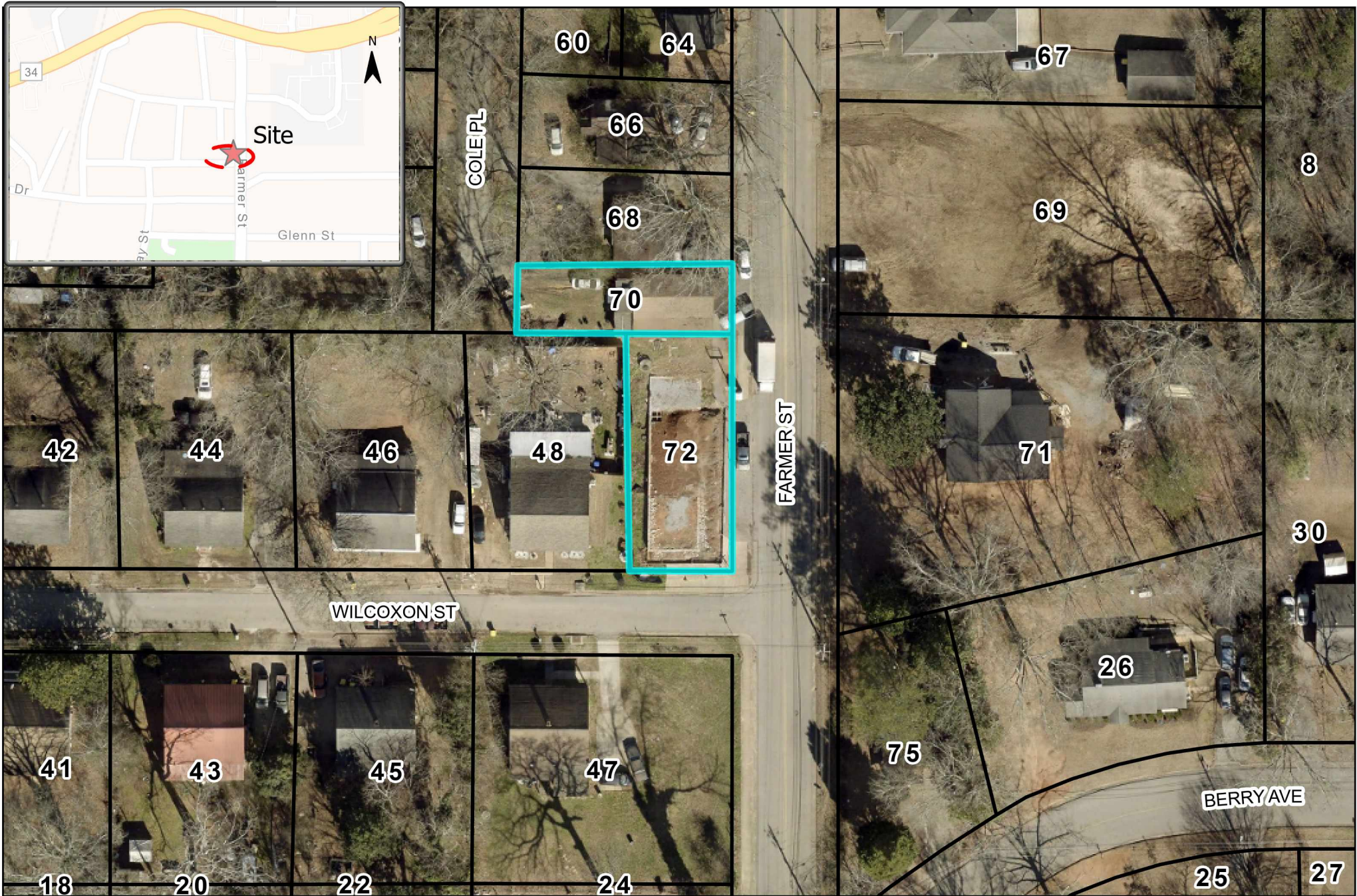
Regarding the setback-related variance requests numbered 1, 2, and 3 on page one to allow for the construction of a new grocery store, staff believes the placement of the proposed building is appropriate and will present no negative impacts. Regarding the landscape strip-related variance requests numbered 4, 5, 6, and 7 on page one to allow for the construction of a new grocery store, staff believes the proposal is appropriate and will also present no negative impacts. The City's Landscape Architect Mike Furbush also met with the applicant, reviewed the Conceptual Site Plan, and indicated he supports the proposal. It should also be noted that many of the older structures on Farmer Street have setbacks that are historically closer to front property lines. For example, the existing grocery store at 70 Farmer Street (built in 1940) is approximately 9 feet from the property line along Farmer Street (instead of the 35-foot front setback now required with CGN zoning). In addition, the former building at 72 Farmer Street (built in 1964) was approximately 5 feet from the property line along Farmer Street and approximately 4 feet from the property line along Wilcoxon Street. Staff believes the proposed building will be in keeping with the historic front setbacks of this site and in this area.

Regarding the parking space-related variance request numbered 8 on page one, the applicant is seeking a variance from the required 7 off-street parking spaces to 4 off-street parking spaces. Staff believes the proposal is appropriate and will present no negative impacts. Staff is also confident that the proposed number of parking spaces is appropriate for a community-based grocery store. Regarding all the variance requests, staff believes the proposal works within the restrictions of the subject properties' size, shape, and topography. In addition, the existing sewer line that crosses 72 Farmer Street severely limits the amount of usable land. It should also be noted that once the lots are combined, the proposed maximum building coverage will be 30% of the lot area. This is below the maximum building coverage requirement of 35% for development in the CGN zoning classification.

After reviewing the information presented by the applicant and comparing it to the basis for granting variances, as outlined in the Zoning Ordinance, staff recommends approval of the variance requests (with the inclusion of the staff-proposed Conditions listed below) based on the following reasons. The strict application of the terms of the Ordinance would *unreasonably* restrict utilization of the property because the application of the Ordinance to the particular piece of property would create a non-financial, *unnecessary* hardship. Also, relief from the Ordinance would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

Conditions:

- 1) The variances are approved for this project only and development will be consistent with the Conceptual Site Plan provided as part of this application.
- 2) The property owner will coordinate with the City of Newnan Planning and Zoning Department to combine 70 Farmer Street and 72 Farmer Street before any permits are issued.
- 3) The parking lot (as demonstrated on the Conceptual Site Plan) must be completed before a Certificate of Occupancy is issued.
- 4) The property owner must receive approval from the Board of Zoning Appeals in order to add any “Apartments above commercial properties” due to insufficient parking for additional uses.



CITY OF NEWNAN

Project Location

1" = 720 feet

Date: 4/20/2023 4:07 PM



Project Location

City Limits

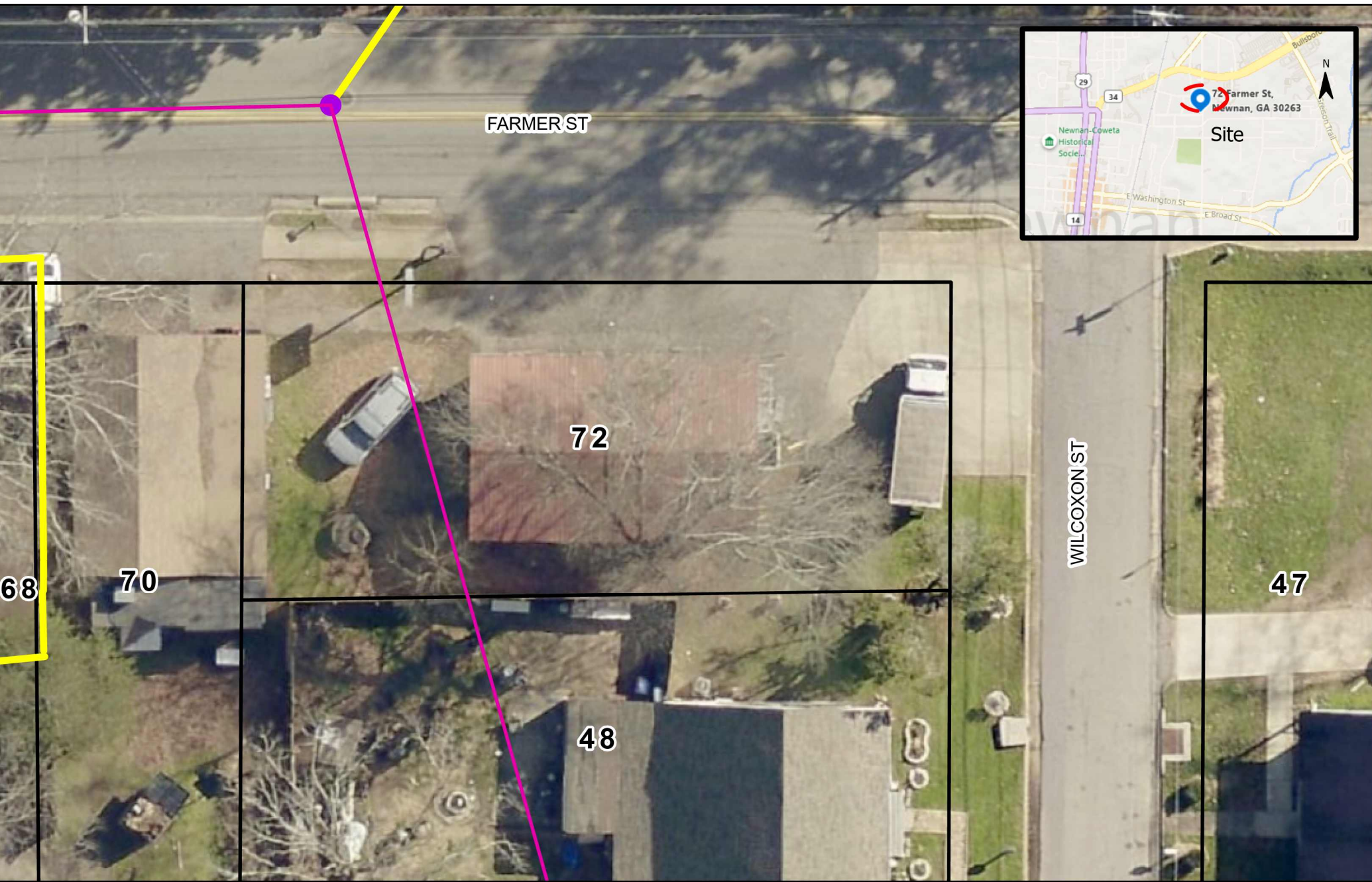
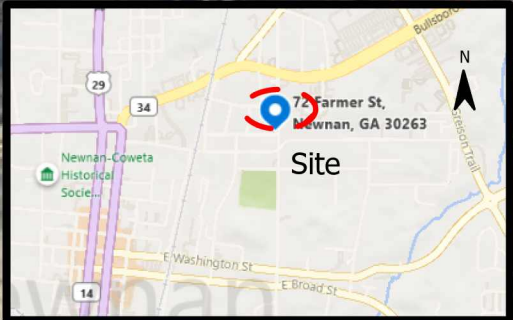
Parcel # N16 0008 005 & N16 0008 006

ADDRESS
70-72 Farmer Street
Newnan, GA 30263
Page 6 of 30



NEWNAN
GEORGIA

CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.NewnanGa.gov



CITY OF NEWNAN



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.org

Project Location

1" = 240 feet

Date: 6/27/2022 12:11 PM



-  Project Location
-  City Limits

-  Sewer GravityMains
-  Sewer Manholes
-  ssLateralline

Parcel # N16 0008 006

ADDRESS

72 Farmer Street
Newnan, GA 30263
Page 10 of 30

70 and 72 Farmer Street - Variance

View of subject property at 70 Farmer Street



View of subject property at 72 Farmer Street



70 and 72 Farmer Street - Variance

View of adjacent property at 48 Wilcoxon Street



View to the west on Wilcoxon Street



70 and 72 Farmer Street - Variance

View of 47 Wilcoxon Street (across from 72 Farmer Street)



View to the south on Farmer Street



70 and 72 Farmer Street - Variance

View across Farmer Street towards 71 Farmer Street



View across Farmer Street towards 69 Farmer Street



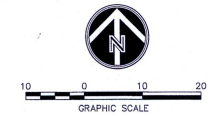
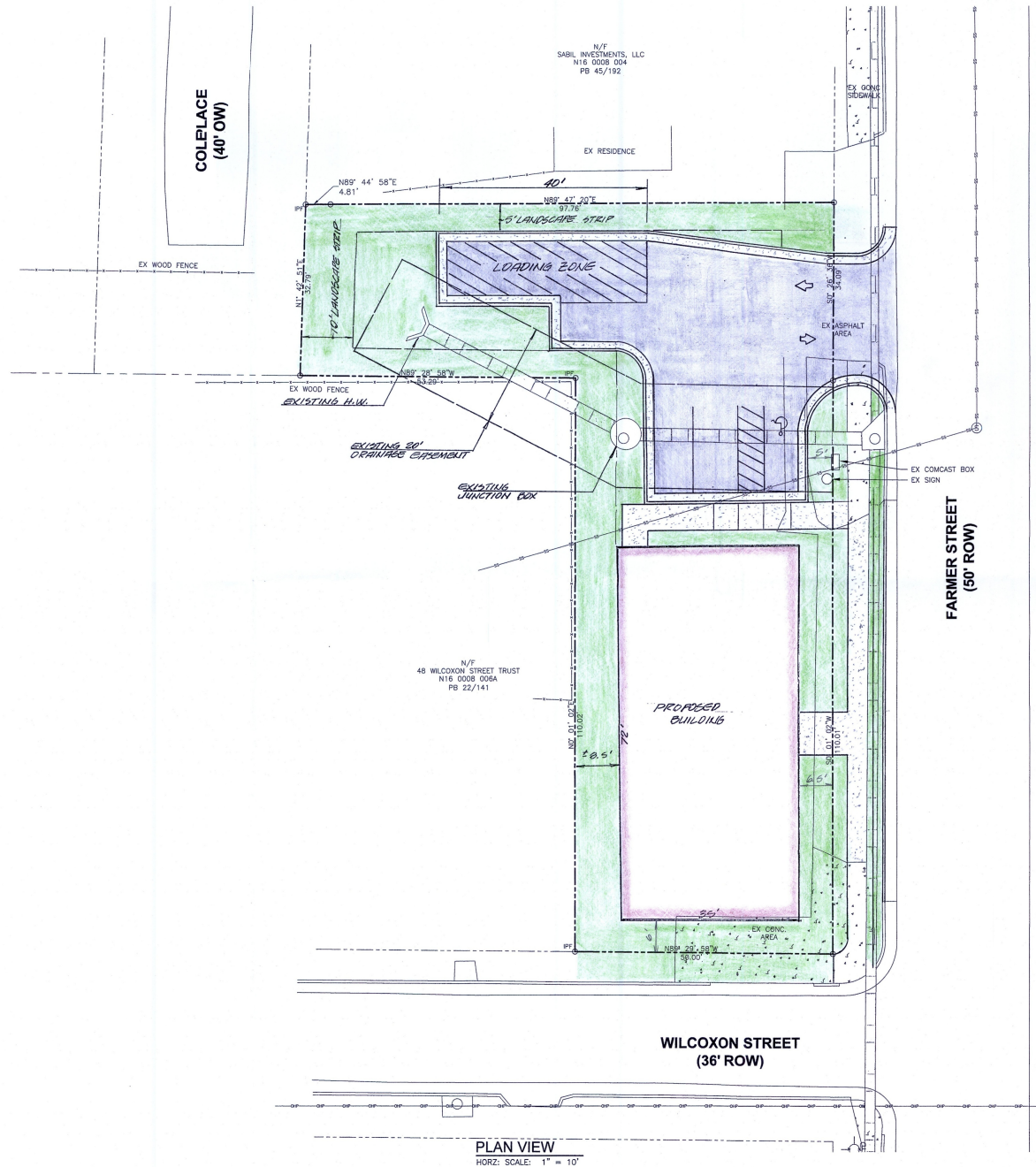
70 and 72 Farmer Street - Variance

View to the north on Farmer Street



View of adjacent property at 68 Farmer Street





CONSTRUCTION NOTES:

- SEE SHEET C1.2 (PAGE NO. 2) FOR GENERAL SITE NOTES / SURVEY AND FLOOD NOTES / LEGEND / SYMBOLS / ABBREVIATIONS

Variance Request:

Building Lines:

- *Front Setback reduction from 35 feet to 6.5 feet along Farmer Street.
- *Front Setback reduction from 35 feet to 6 feet along Wilcoxon Street.
- *Rear & Side setback reduction from 12 feet to 8 feet.

Landscape Buffers:

- *Variance from 10 ft. perimeter landscape strip along Northern Property line to a 5 ft. strip.
- *Variance from 10 ft. perimeter landscape strip Along western property line to a 8.5 ft. strip.
- *Variance from 10 ft. perimeter landscape strip along Wilcoxon Street to a 6 ft. strip.
- *Variance from 10 ft. perimeter landscape strip along Farmer Street to a 5 ft. strip adjacent to the driveway and a 6.5 ft. in front of the building.

Parking Spaces:

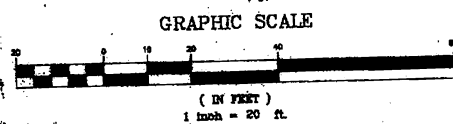
- *Variance from the required 1 space/250 sq. ft. of Customer service area to a total of 4 spaces (including H.C. space) as shown on this plan.

Conceptual Site Plan for:

Jose Morales

(Parcel #s N16 0008 006 & N16 0008 005)
(72 Farmer Street) (70 Farmer Street)

AS PER OFFICIAL F.I.R.M. MAP 130062 0005 B, DATED NOVEMBER 15, 1978
THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA



FILED IN OFFICE
CLERK SUPERIOR COURT
95 AUG 14 AM 9:00
COWLEY COUNTY, GA
DEBORAH GLOVER, CLERK

CLARENCE A. FREEMAN

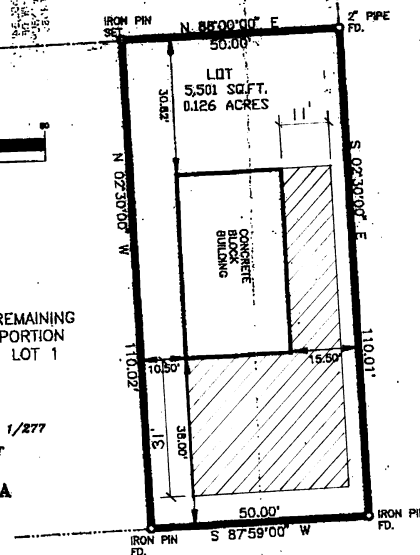
PORTION OF LOT 1, MAP NO.5, NEWNAN COTTON MILLS P.B. 1/277
LOCATED IN LAND LOT 25 OF THE 5th LAND DISTRICT

CITY OF NEWNAN
COWETA COUNTY GEORGIA

SCALE: 1" = 20' DATE: AUGUST 7, 1995

JOB NUMBER: 95-154

REFERENCE PLAT: PLAT BOOK 36 PAGE 105



FARMER STREET ~ 50' R/W

WILCOXON STREET ~ 36'

LEGEND

LEGEND

R/W	-----	RIGHT OF WAY
I.P.F.	-----	IRON PIN FOUND
I.P.P.	-----	IRON PIN PLACED
C.T.	-----	CRIMPED TOP PIPE
R.B.	-----	REINFORCING BAR
O.T.	-----	OPEN TOP PIPE
N/F	-----	NOW OR FORMERLY
B.L.	-----	BUILDING LINE

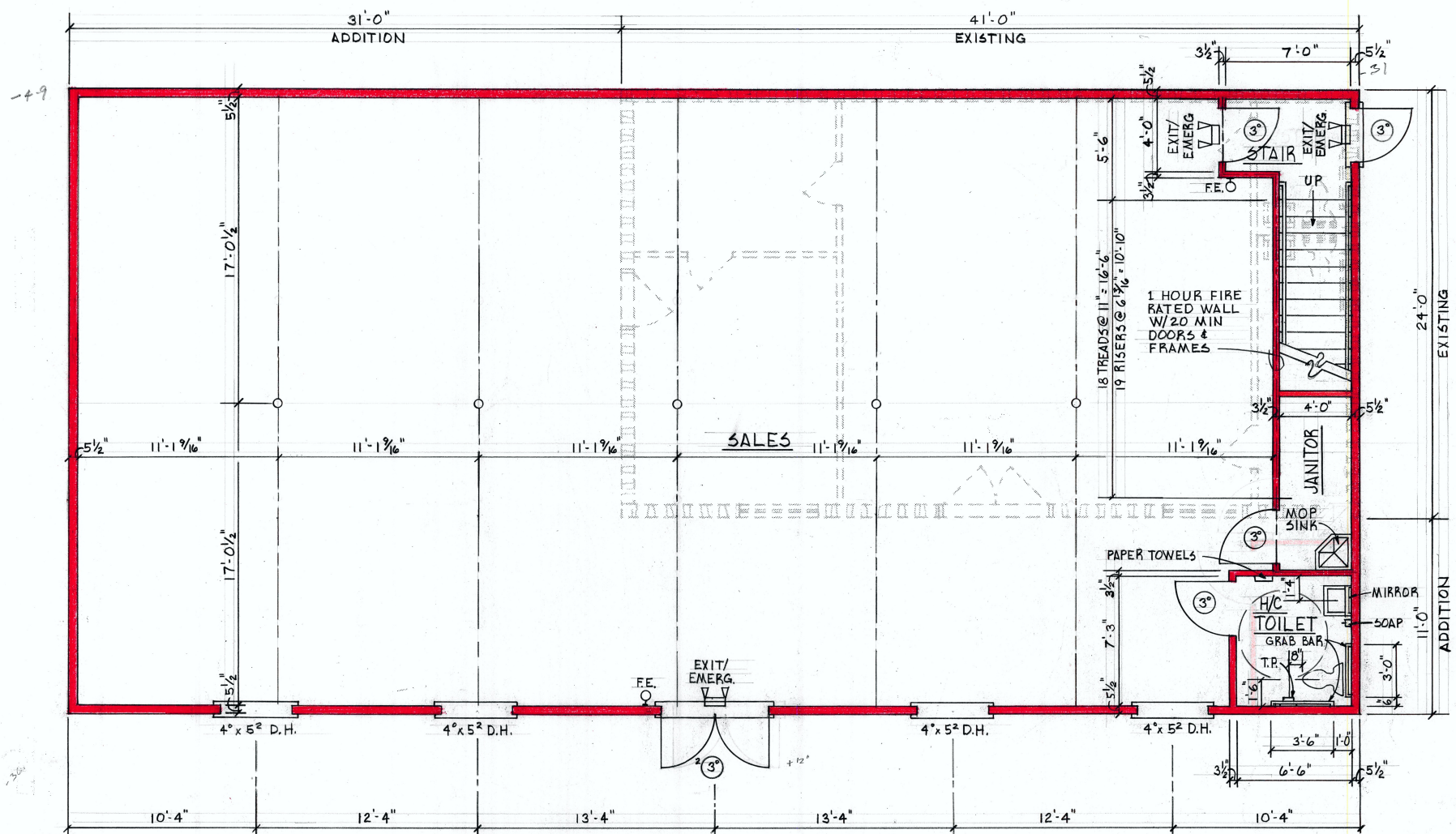
PLAT. BOOK. 120 PA. 195

PREPARED BY:
CAMPBELL, STEELE & ASSOCIATES
LAND SURVEYING LAND PLANNING ENGINEERING SERVICES
10 JACKSON STREET MEMPHIS, GEORGIA 30663 PH. (404) 251-3853



THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND
IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN
70.405 FEET.

TYPE OF EQUIPMENT USED: TOPCON GTS 3C-MCII



LEGEND

MAIN LEVEL FLOOR PLAN

- = EXISTING TO REMAIN
- = EXISTING TO BE REMOVED
- = NEW WALL
- F.E. = FIRE EXTINGUISHER
- = NEW CONSTRUCTION
- = 1 HOUR FIRE RATED WALL

NOTES:

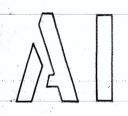
1. ALL FRAMING TO BE 2x6's & 2x4's AS SHOWN
2. ALL ANGLES WILL BE 45° UNLESS NOTED OTHERWISE
3. EVERY EFFORT HAS BEEN MADE TO ASSURE THAT DIMENSIONS ON ALL PLANS ARE CORRECT. BUILDER TO VERIFY ALL DIMENSIONS.
4. DO NOT SCALE DIMENSIONS FROM DRAWINGS.

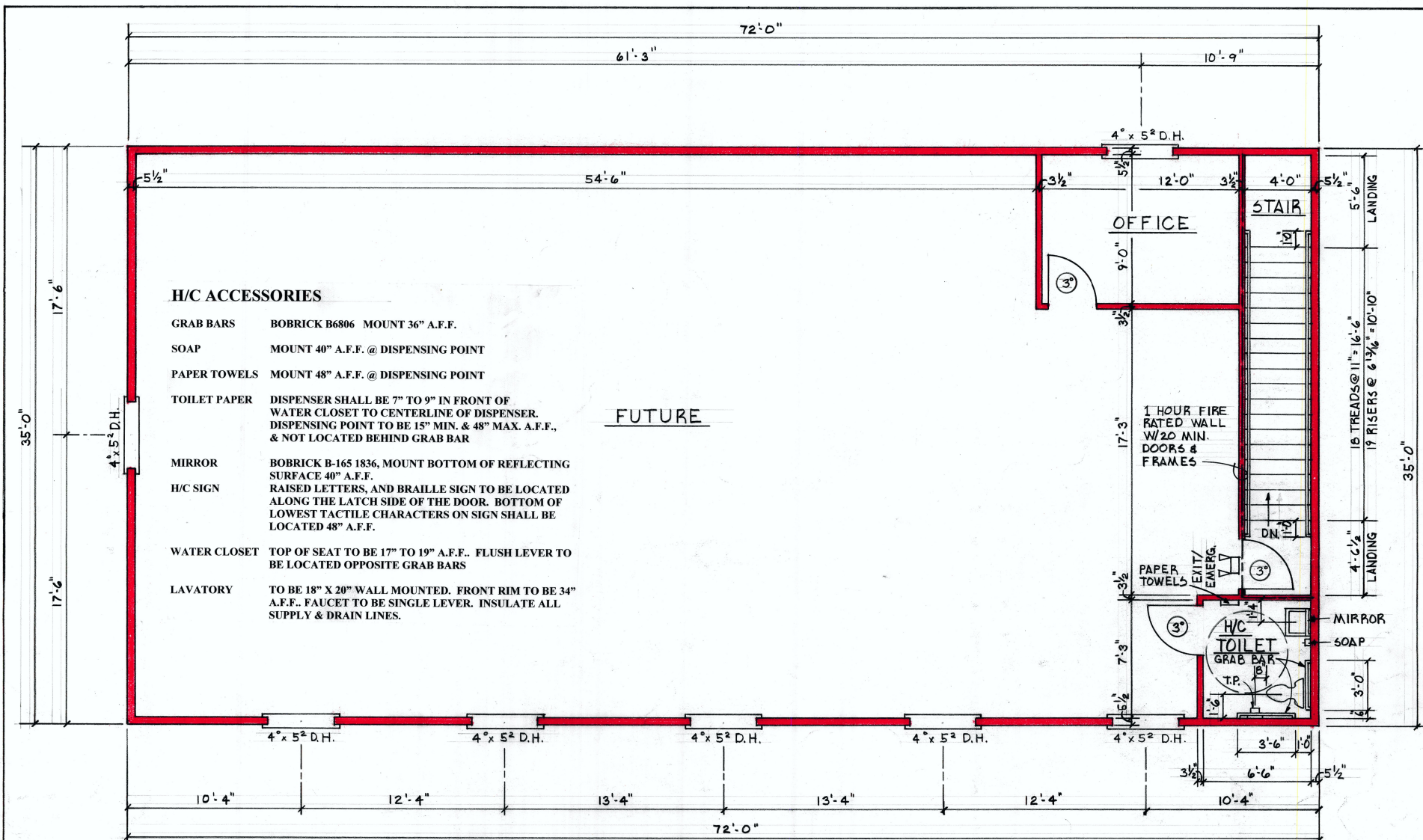
DATE:

ADDITIONS AND ALTERATIONS FOR:
MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

R. DALE WILKIN
ARCHITECTURAL SERVICES
200 HIDDEN FALLS DRIVE HULL, GEORGIA 30646 (404) 457-9891





NOTES:

1. ALL FRAMING TO BE 2x6's & 2x4's AS SHOWN.
2. ALL ANGLES WILL BE 45° UNLESS NOTED OTHERWISE.
3. EVERY EFFORT HAS BEEN MADE TO ASSURE THAT DIMENSIONS ON ALL PLANS ARE CORRECT. BUILDER TO VERIFY ALL DIMENSIONS.
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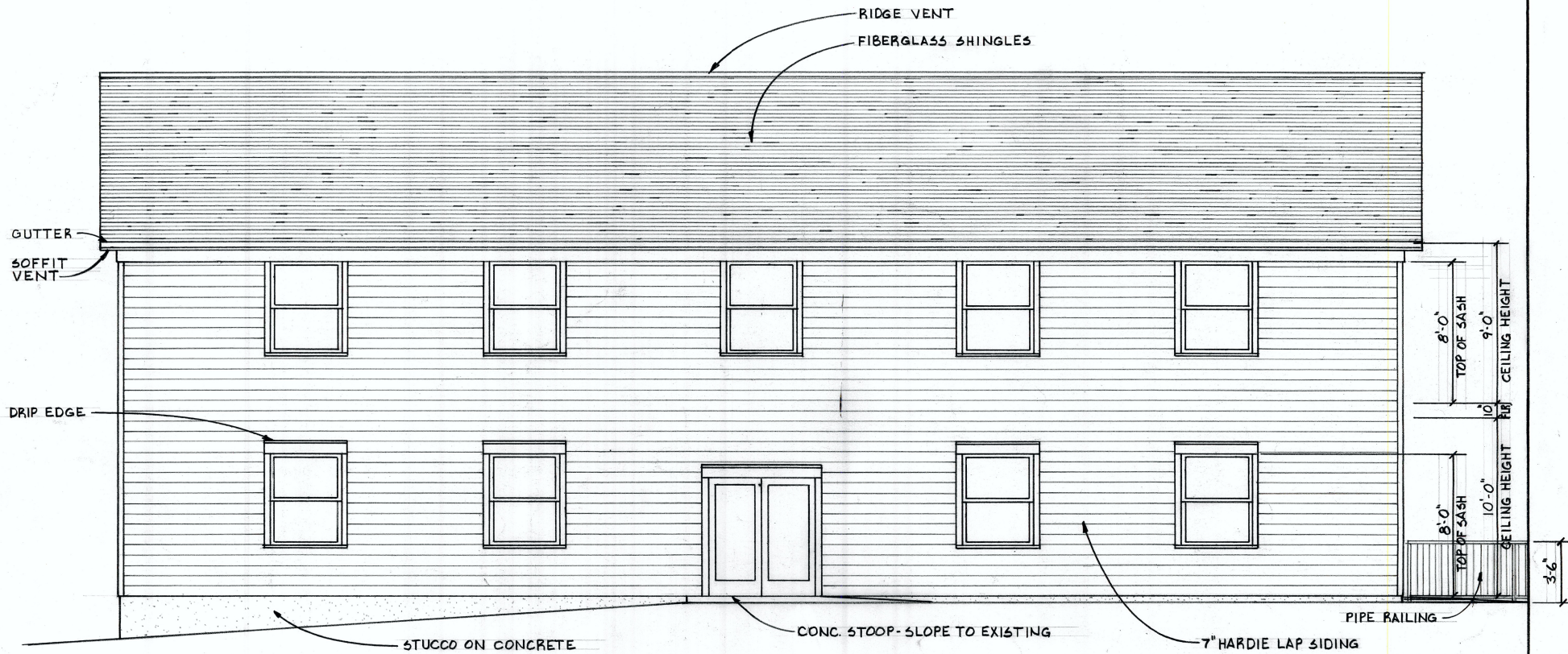
DATE:

ADDITIONS AND ALTERATIONS FOR: MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

R. DALE WILKIN
ARCHITECTURAL SERVICES
200 HIDDEN FALLS DRIVE HULL, GEORGIA 30646 (404) 457-9891

A2



Staff Note - Will Face Farmer Street

FRONT ELEVATION

1/4" = 1'-0"

R.D.W.

ADDITIONS AND ALTERATIONS FOR:

MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

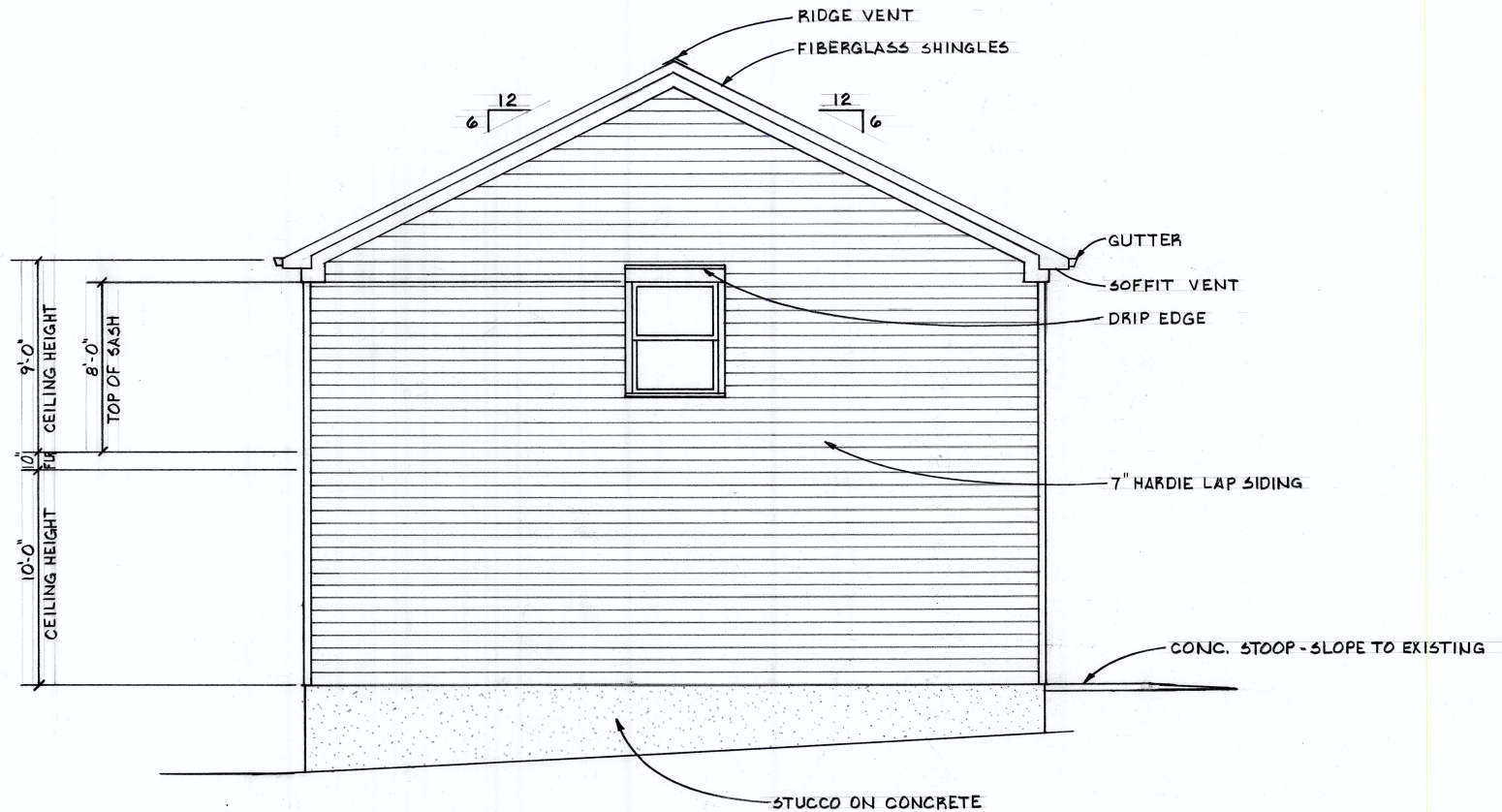
R. DALE WILKIN

ARCHITECTURAL SERVICES

200 HIDDEN FALLS DRIVE HULL, GEORGIA 30646 (404) 457-9891

DATE:

A3



Staff Note - Will Face Existing Grocery Store at 70 Farmer Street (that is proposed to be demolished)

LEFT SIDE ELEVATION

1/4" = 1'-0"

R.D.W.

ADDITIONS AND ALTERATIONS FOR:

MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

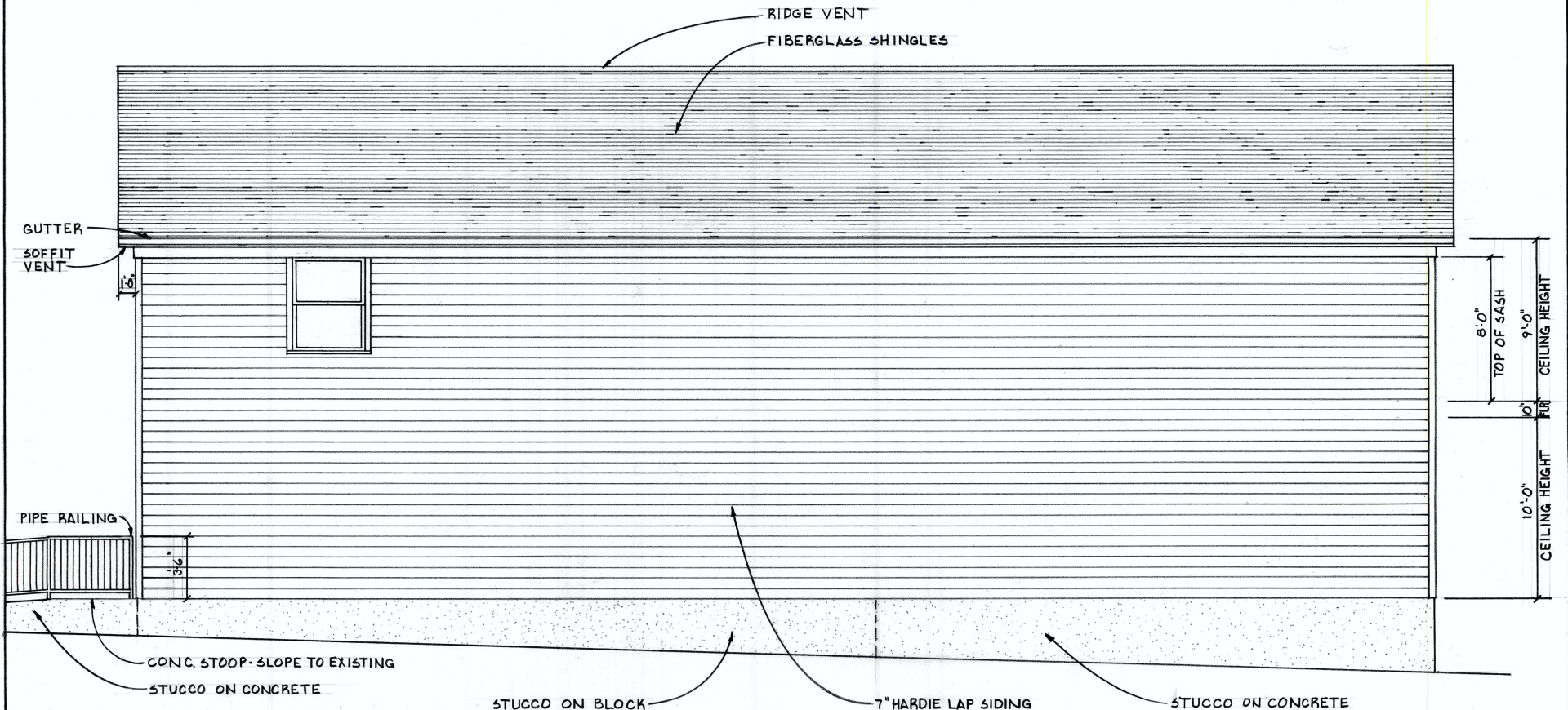
R. DALE WILKIN

ARCHITECTURAL SERVICES

200 HIDDEN FALLS DRIVE HULL, GEORGIA 30646 (404) 457-9891

DATE:





Staff Note - Will Face Adjacent
Property at 48 Wilcoxon Street

REAR ELEVATION

1/4" = 1'-0"

R.D.W.

ADDITIONS AND ALTERATIONS FOR:

MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

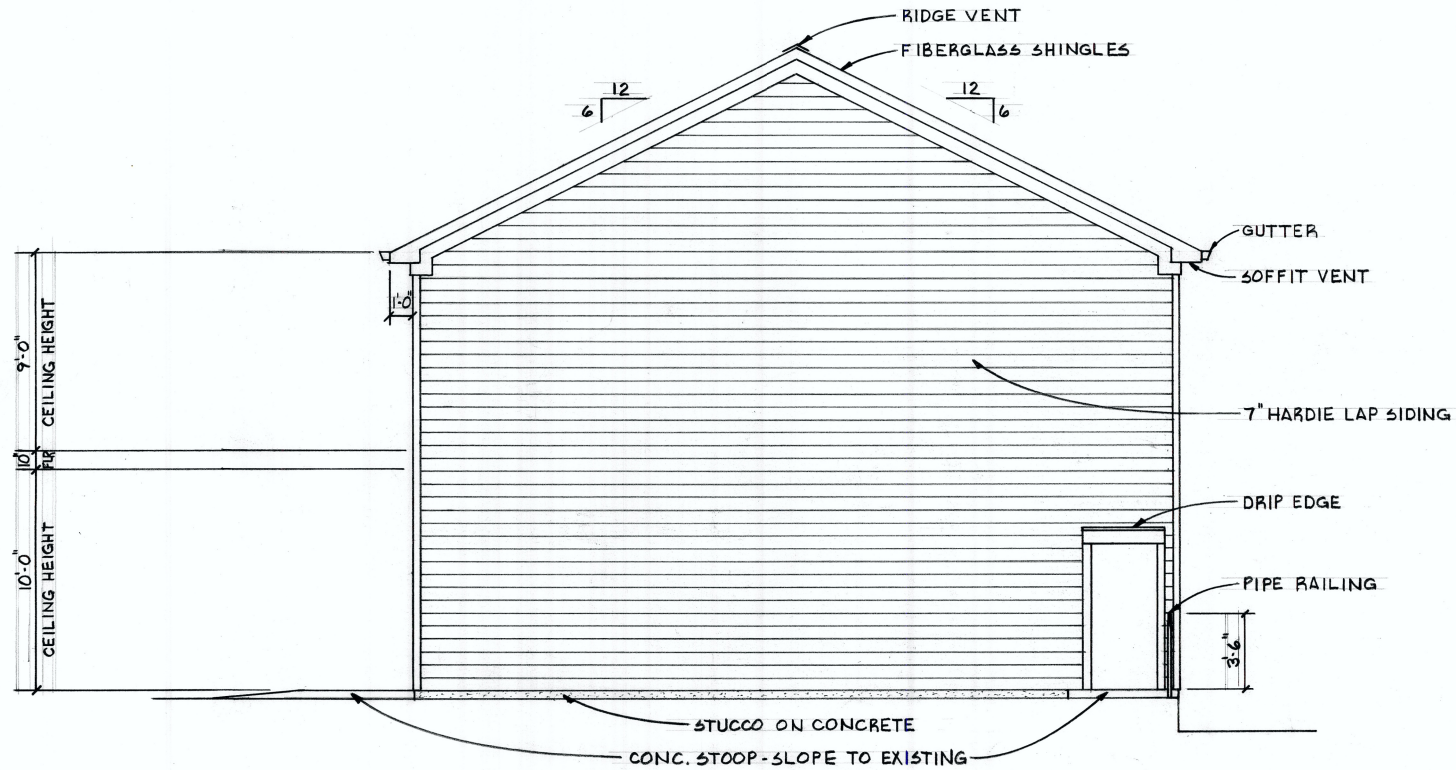
R. DALE WILKIN

ARCHITECTURAL SERVICES

200 HIDDEN FALLS DRIVE HULL, GEORGIA 30646 (404) 457-9891

DATE :

A5



Staff Note - Will Face
Wilcoxon Street

RIGHT SIDE ELEVATION

1/4" = 1'-0"

R.D.W.

ADDITIONS AND ALTERATIONS FOR:

MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

R. DALE WILKIN

ARCHITECTURAL SERVICES

200 HIDDEN FALLS DRIVE HULL, GEORGIA 30646 (404) 457-9891





CITY OF NEWNAN, GEORGIA

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

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant DALE WILKIN

Mailing Address 200 HIDDEN FALLS DRIVE HOLL GA 30646

Telephone (404) 457-9891 E-Mail: ARCHITECTDWILKIN@GMAIL.COM

Property Owner (Use back if multiple names) JOSE MORALES

Mailing Address 70 FARMER STREET

Telephone 404 556 1822 DELVALE. NEWNAN @ Gmail. Com

Address/Location of Property 70 & 72 FARMER STREET

Tax Parcel No: _____

Present Zoning Classification: _____

Present Land Use _____

Intended Use MINI MART & PARKING LOT

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 in regard to 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 thirty (30) 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, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

- What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
REDUCTION IN PARKING & SETBACKS WOULD NOT BE ABLE TO COMPLETE PROJECT
- What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
C G N PREVIOUS VARIANCE
6/12/2022 HOLDING ON SETBACKS

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?
SEWER LINE THRO PROPERTY
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?
COULD NOT COMPLETE PROJECT
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 SITE W/ SETBACKS & PARKING

The Board of Zoning Appeals shall base its required findings upon the particular evidence presented in each specific case where the property owner can show:

A. The strict application of the terms of the Ordinance would effectively prohibit or unreasonably restrict utilization of the property because:

- ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
- ✓ Such conditions are peculiar to the particular piece of such property involved.
- ✓ Such conditions were not imposed by the action or will of the owner of the property.
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized.
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

C. The condition or situation of the property, which give rise to the need for such variance, is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.

Included with the application, the following information is required:

- ✓ Plat of property, illustrating existing development and requested variance.
- ✓ Plans or drawings necessary to illustrate the requested variance.
- ✓ Check for applicable fees (**\$250.00 Per Variance Requested**).
- ✓ Legal description of property.
- ✓ List of all the names and addresses of all property owners within 250 feet of subject property. This information can be found at the Coweta County Tax Assessors Office.

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.

R DALE WILKIN

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

R. Dale Wilkin

Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Dean SmithDATE OF FILING 4/14/23BZA MEETING DATE 6-6-23

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____



City of Newnan, Georgia
Attachment A

Property Owner's Authorization

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

Name of Property Owner Jose Morales

Telephone Number 404 556-1822

Address of Subject Property 70 & 72 Farmer 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.

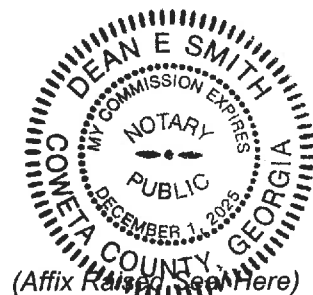
Jose Morales
Signature of Property Owner

Personally appeared before me

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

[Signature]
Notary Public

5/2/23
Date





APPEARANCE STATEMENT

Public Hearing Attendance Requirements

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

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

The Board of Zoning Appeals will hear your request on June 6, 2023 at 10:00 AM

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

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

IMPORTANT

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

Applicant's Name: Jose Morales
(Please Print)

Applicant's Signature: Jose Morales

Date: 4-14-23

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