



NEWNAN
GEORGIA • CITY OF HOMES

City of Newnan **Board of Zoning Appeals**

Agenda for July 11, 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. June 6, 2023 Meeting
3. Public Hearings
 - a. 2023-12 Special Exception - 19 Millard Farmer Industrial Boulevard
 - b. 2023-13 Variance Request 54 Murray Street
 - c. 2023-14 Variance Request 62 Murray Street
 - d. 2023-15 - Special Exception - 2 Belt Road
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
June 6, 2023
10:00 a.m.

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

Board Members Absent: Skin Edge

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

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

READING OF THE MINUTES

Chairman Lovell asked the Board if they had reviewed the May 2, 2023, meeting minutes. Hensley motioned to approve the minutes. Walton seconded the motion.

MOTION CARRIED (6-0)

Special Exception – 24 Burch Avenue

Chris Cole informed the board that since this application was submitted, the City Council approved a change to the ordinance which made the application for this Special Exception unnecessary. The applicant would like to withdraw the application at this time.

Motion to approve the withdrawal of the application for Special Exception at 23 Burch Avenue was made by Hensley and seconded by Walton.

MOTION CARRIED (6-0)

Variance Requests –70 Farmer Street and 72 Farmer Street - 2023-11

Chairman Lovell opened the public hearing.

Chris Cole presented the staff report. He stated 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). He listed the eight variances being requested:

- 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.

Chris Cole added the property owner wishes to construct a new grocery store and a new parking area. He mentioned the subject properties currently consist of two parcels that will be combined into one parcel. Cole said the applicant plans to construct a new grocery store on the future combined subject property (which will total 0.19 acre +/- once combined). He added, 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. Cole said the proposed square footage of the new grocery store is 2,520 square feet and the customer area will only be on the first floor and will consist of 1,728 square feet. He mentioned the second floor will only be used for inventory/storage, an office, and a bathroom. Cole stated the applicant proposes no dumpster and will still have to coordinate the placement of trash removal receptacles with Amwaste.

Cole informed the board that 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).

Cole stated the applicant received previous approval only for 72 Farmer Street from the Board of Zoning Appeals at the July 12, 2022 meeting. He added the 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. Cole stated that 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. He added the subject properties are extremely small at a combined 0.19 acre +/- . Cole said 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.

Cole reviewed his comments regarding the appropriateness of the request and the impact of granting the variances. He added the City's Landscape Architect, Mike Furbush, also met with the applicant, reviewed the conceptual site plan, and indicated he supports the proposal.

Cole mentioned that many of the older structures on Farmer Street have setbacks that are historically closer to front property lines. He stated the existing grocery store at 70 Farmer Street (built in 1940) is approximately 9 feet from the property line along Farmer Street and 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.

Cole stated that after reviewing the information presented by the applicant and comparing it to the basis for granting variances, staff recommends approval of the variance requests with the inclusion of the following staff-proposed 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.

Parker asked Cole about the variances and setbacks that were granted last year. Cole stated those setbacks were not accurate.

Hensley asked if the applicant owned both properties last year when they came before the board. Cole stated that yes they did own both properties last year, but only one was included in the request.

Dale Wilkin, representing the applicant, was sworn in by Brad Sears. Wilkin stated that they had been working on this project for quite a while and did not realize that the sewer line was there when they started the construction.

Flournoy asked the applicant if they intended to put a shower upstairs. Wilkin stated that there would be no shower upstairs - only offices.

Parker asked if the building being built now would have the same footprint as the previous building. Wilkin stated that the new building would be bigger than the previous building.

Hensley asked about the landscaping plan. Flournoy stated that Furbush will make them meet all of the landscape requirements.

Hensley asked if the upper floor would be just a huge open space as the space does not look like storage with all of the windows and light. Wilkin stated that apartments have never been part of the plan.

Hensley asked if the propane sales display could be placed on the side of the building. Dunnavant stated that the board could make that a condition of approval of the variance request.

Michael Painter was sworn in by Brad Sears. Painter stated that since he had been sitting here listening to the applicant, he noticed that a lot of answers were "I assume". He added these answers should have all been either "yes or no" by now.

Hensley asked Furbush what he told them would be acceptable in terms of landscaping. Furbush stated that this is an unusual site and with the preliminary work already being done, he had to work with the designer to get as much landscaping as possible. Hensley asked about shrubs and trees. Furbush stated that he does not believe that there will be any space for trees in front of the store. He said they could plant some on the backside of the building and above the parking lot. Hensley stated that she is afraid that there is going to be this big building with nothing but grass. Furbush stated that they will have to submit a landscape plan that he will review. Hensley asked if Furbush would make sure that they do a good job with the landscape plan. Dunnavant stated that it will be done right.

With no one else coming forward and no additional comments, Chairman Lovell closed the public hearing. He asked the board if anyone had additional comments.

Smith stated that it would be nice to have shutters added to the building for more curb appeal.

With no additional comments or discussion, a motion was made by Flournoy to approve the variance request at 70 and 72 Farmer Street with the following 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. There will not be apartments at any time proposed for the upstairs of the building.

5. Any outdoor sales, including propane-tank sales/storage, shall be located on the side of the building facing the parking lot.

Hensley seconded the motion.

MOTION CARRIED (6-0)

New Business

Dunnavant stated that there will be a July meeting.

ADJOURN

Smith motioned to adjourn the meeting at 10:54 a.m. Flourney seconded.

MOTION CARRIED (6-0)

Chairman Kris Lovell



City of Newnan, Georgia – Board of Zoning Appeals

Date: July 11, 2023

Application Number: 2023-12

Agenda Item: Special Exception Request-19 Millard Farmer Industrial Boulevard

Prepared and presented by: Dean Smith, Senior Planner

Purpose: Special exception request by Bohler Engineering GA, LLC pursuant to Article 1-7 (g) to increase the degree of an existing non-conforming rear building setback

Applicant: Bohler Engineering GA, LLC
211 Perimeter Center Parkway NW, Suite 425
Atlanta, GA 30346

Property Owner: HRP Newnan, LLC
3 Keel Street, Unit 2
Wrightsville Beach, NC 28480

Zoning: Heavy Commercial District (CHV)

Present Use: Commercial Shopping Center

Proposed Use: Commercial Shopping Center

Pertinent Regulations: Article 1, Section 7 (g)

Applicant's Position: The applicant has submitted plans for a building expansion, parking lot/circulation area improvements, and exterior façade improvements for the commercial shopping center at 19 Millard Farmer Industrial Boulevard. The building's existing rear setback is 19.4 feet at the closest point. Current zoning ordinance has a requirement for the Heavy Commercial Zoning District (CHV) that buildings must have a rear setback of 40 feet. At the time the shopping center was initially built, the rear setback line was 12 feet. The existing building was in compliance with the former zoning ordinance and is now considered a legal non-conformity due to the fact that the rear building setback is less than 40 feet. The proposed renovations seek to expand the building's footprint at the closest point to the rear property line to a distance of 11.7 feet.

"...With this being an existing non-conformity, we are attempting to work with an existing structure and re-use as much as possible...reusing an existing structure can have several benefits over building new, including: sustainability-reusing an existing structure reduces the environmental impact of construction by reducing the need for new materials and minimizing waste; Cost-effectiveness-re-purposing an existing structure can be more cost-effective than building new, as the basic structure and some infrastructure are already in place; Time-saving-renovating an existing structure can be quicker than building new...."

The applicant further stipulates, "...The proposed adjustment leaves 11 feet +/- of room and does not encroach into the 10 foot landscape buffer against the property line, allowing for the neighboring parcel to remain undisturbed by the adjustment...."

Enclosed are materials provided by the applicant illustrating the scope of the proposed renovation work, which will include adding more landscaping to the existing site, including landscape islands in the parking lot.



Issues for consideration for the expansion, continuation, alteration or major repair of Non-Conformities:

The BZA shall not approve the proposed expansion, alteration, or major repair unless and until it finds, based on the evidence and testimony received at the hearing or otherwise appearing in the record of the case, that the proposed expansion, alteration, or major repair meets the standards set forth in this section, as well as the following:

(1) Intent.

- a. The intent of this subsection is to allow the continuation of any nonconformity and the normal maintenance and repair thereof, but to require any expansion, alteration, or major repair of a nonconformity to obtain a special exception to determine whether it will substantially injure the value, use, and enjoyment of neighboring properties.

- b. For the purpose of this Subsection, “normal maintenance and repair” shall mean:
 - 1. Repairs that are necessary to maintain and to correct any damage or deterioration to the structural soundness of interior appearance of a building or structure without expanding or altering the building or structure;
 - 2. Maintenance of land areas to protect against health hazards and promote the safety of surrounding land uses;
 - 3. Repairs which are required to remedy unsafe conditions which cause a threat to public safety; and
 - 3. Repairs which are required to bring a structure up to the standards of the Americans with Disabilities Act (ADA).

(2) Special Exception Procedure.

- a. Unless this Section expressly provides otherwise, the expansion, alteration, or major repair of any nonconformity shall require a special exception and shall occur only as approved by the BZA in accordance with the procedures and standards set forth in the Procedures and Permits Article.
- b. In considering a special exception application, the BZA shall include in its analysis the following factors in addition to the standards outlined in the Procedures and Permits Article:
 - 1. The possible detriment or benefit to the owner of the nonconformity resulting from denying the approval, from approving the request but requiring that the nonconformity be brought wholly or partially into compliance, or from approving the request;
 - 2. The possible detriment or benefit to the owners of nearby properties resulting from denying the approval, from approving the request but requiring that the nonconformity be brought wholly or partially into compliance, or from approving the request; and
 - 3. The possible detriment or benefit to the general public resulting from denying the approval, from approving the request but requiring that the nonconformity be brought wholly or partially into compliance, or from approving the request.
- c. The BZA may impose any conditions on approval in accordance with the Procedures and Permits Article.
- d. If the BZA permits a nonconforming use to expand, then the area of such expansion shall not exceed 25% percent of the area of the existing nonconforming use.
- e. In acting upon a special exception application, the BZA shall not order the discontinuation or termination of a nonconformity. If an application is denied, then the continuation, maintenance, and minor repair of the nonconformity shall still be allowed in accordance with the terms of this Article.

Planning Department's Review and Findings:

The issue before the BZA is whether or not the City should allow the applicant to make improvements to the site and expand the building without having to come into full compliance with the current zoning regulations. The expansion of the building is within the 25% threshold. Staff has reviewed the application and visited the site. Staff does not believe that expanding the non-conforming setback will be detrimental to the adjoining property owners, nor to the general public.

The BZA has ruled similarly in 2 prior cases: 66 Jefferson Parkway in 2014 and 13 McBride Street in 2017

Recommendation:

Options:

- A. Approve the special exception request.
- B. Approve the special exception request with proffered conditions.
- C. Deny the special exception request.

Staff recommends Option A, to approve the special exception request and allow for the expansion of the existing non-conforming rear building setback to the extent illustrated in the applicant's exhibit provided as a part of this application.

Attachments:

Application

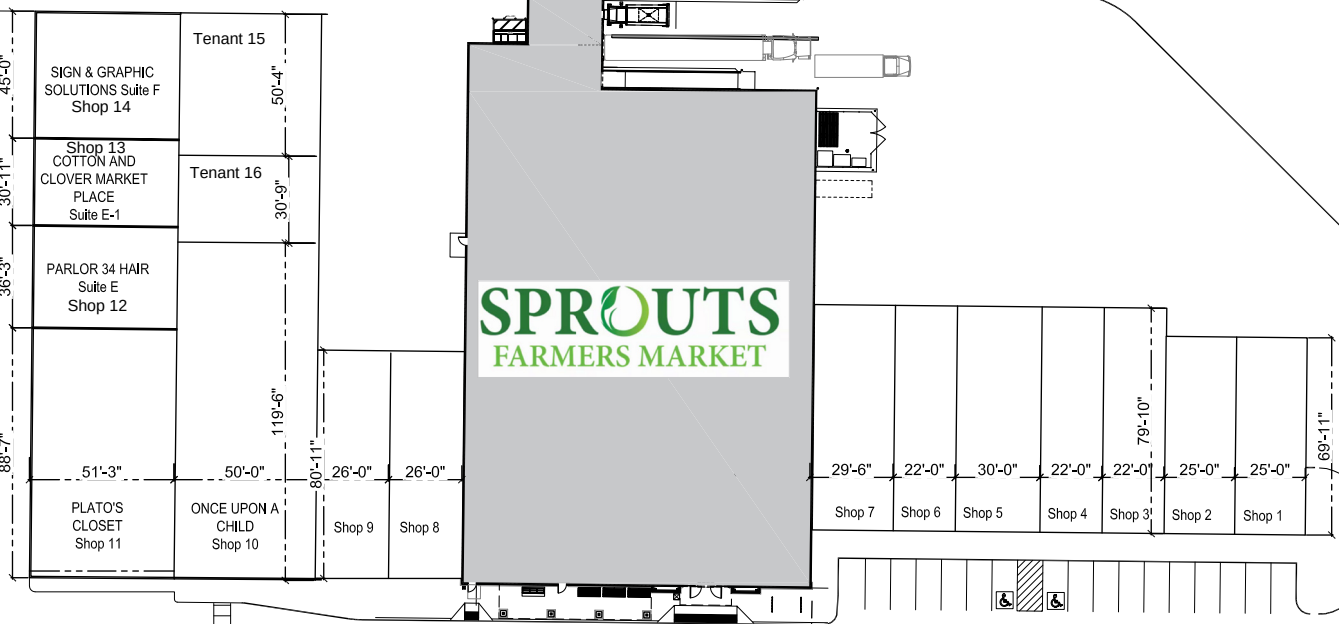
OVERALL SITE PLAN

Existing/Proposed monument signs

WERZ INDUSTRIAL DRIVE

MILLARD FARMER INDUSTRIAL BOULEVARD

SPROUTS
FARMERS MARKET



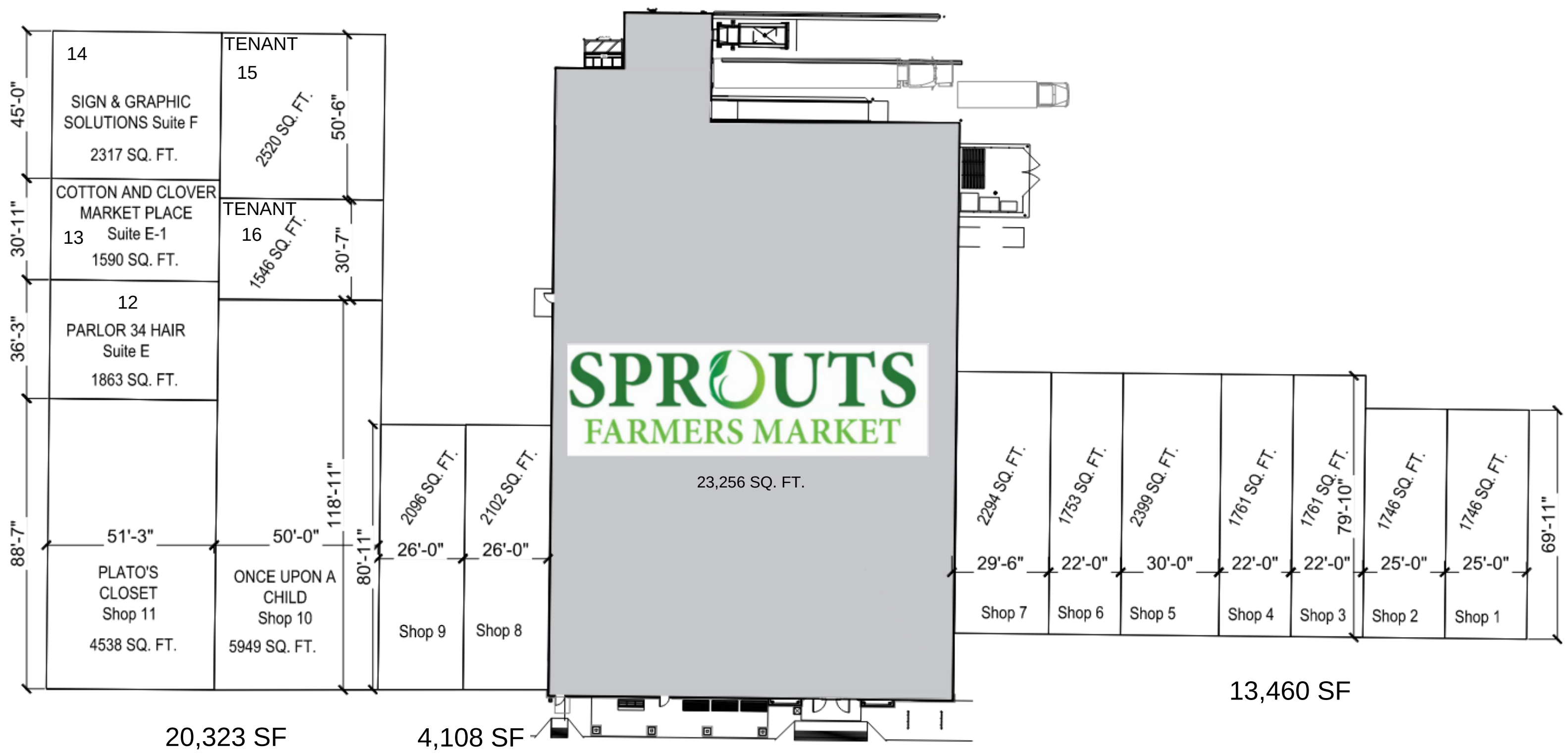
EXISTING R/O ACCESS DRIVE

EXISTING CROSS ACCESS DRIVE



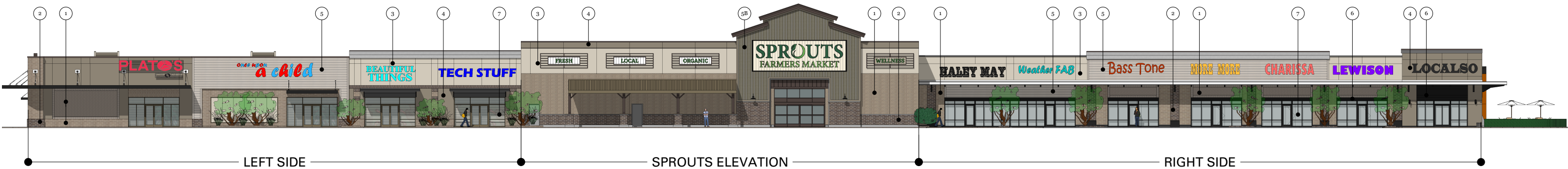
Existing/Proposed pole sign

OVERALL FLOOR PLAN



ELEVATIONS

Materials



MATERIAL #	DESCRIPTION	AREA
1	Light Brick	795 sq.ft.
2	Dark Brick	95 sq.ft.
3	Light Stucco	466 sq.ft.
4	Dark Stucco	775 sq.ft.
5	Horizontal Siding	531 sq.ft.
6	Dark Metal Panel	0 sq.ft.
7	Glazing	394.8 sq.ft.

MAT. #	DESCRIPTION	AREA	% of Total Actual
1	PRIMARY :Brick +Glazing	1285 sq.ft.	42%
2			
7			
3	SECONDARY : all else	1772 sq.ft.	58%
4			
5			
6			

MATERIAL #	DESCRIPTION	AREA
1	Light Brick	1062 sq.ft.
2	Dark Brick	389 sq.ft.
3	Light Stucco	670 sq.ft.
4	Dark Stucco	218 sq.ft.
5B	VERTICAL Siding	764 sq.ft.
6	Dark Metal Panel	28 sq.ft.
7	Glazing	191 sq.ft.

MAT. #	DESCRIPTION	AREA	% of Total Actual
1	PRIMARY :Brick +Glazing	1642 sq.ft.	49%
2			
7			
3	SECONDARY : all else	1680 sq.ft.	51%
4			
5			
6			

MATERIAL #	DESCRIPTION	AREA
1	Light Brick	635 sq.ft.
2	Dark Brick	194 sq.ft.
3	Light Stucco	593 sq.ft.
4	Dark Stucco	428 sq.ft.
5	Horizontal Siding	850 sq.ft.
6	Dark Metal Panel	154 sq.ft.
7	Glazing	773 sq.ft.

MAT. #	DESCRIPTION	AREA	% of Total Actual
1	PRIMARY :Brick +Glazing	1602 sq.ft.	44%
2			
7			
3	SECONDARY : all else	2025 sq.ft.	56%
4			
5			
6			

1 SOUTH ELEVATION

NTS

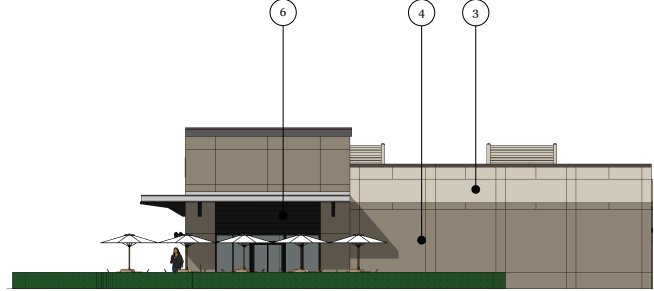


2 EAST ELEVATION

NTS

MATERIAL #	DESCRIPTION	AREA
1	Light Brick	99 sq.ft.
2	Dark Brick	14 sq.ft.
3	Light Stucco	1417 sq.ft.
4	Dark Stucco	1811 sq.ft.
5	Horizontal Siding	525 sq.ft.
6	Dark Metal Panel	0 sq.ft.
7	Glazing	271 sq.ft.

MAT. #	DESCRIPTION	AREA	% of Total Actual
1	PRIMARY :Brick +Glazing	384 sq.ft.	9%
2			
7			
3	SECONDARY : all else	3776 sq.ft.	91%
4			
5			
6			



3 WEST ELEVATION

NTS

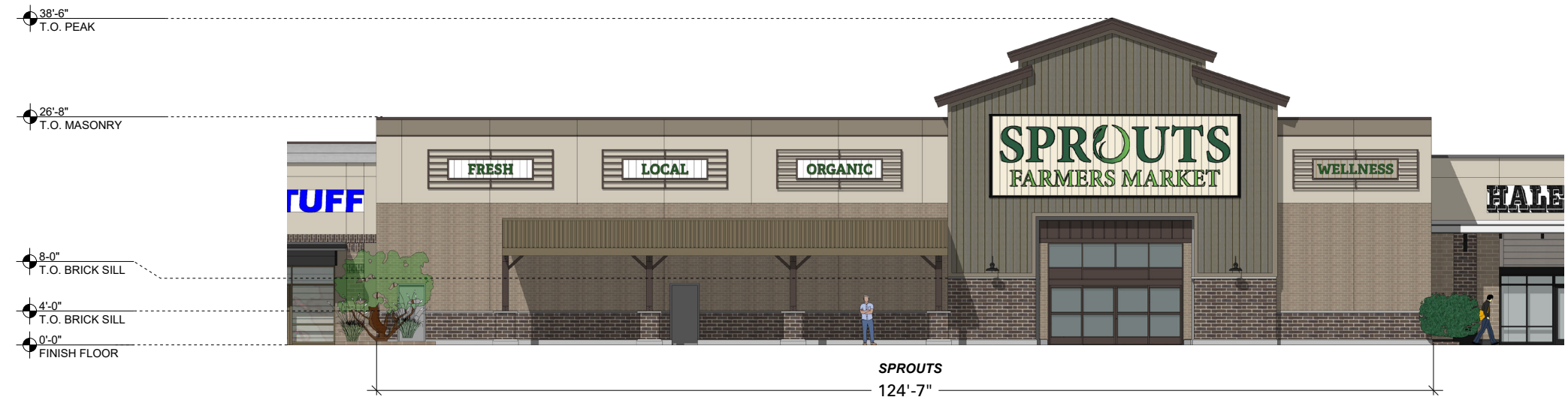
MATERIAL #	DESCRIPTION	AREA
1	Light Brick	0 sq.ft.
2	Dark Brick	0 sq.ft.
3	Light Stucco	264 sq.ft.
4	Dark Stucco	961 sq.ft.
5	Horizontal Siding	0 sq.ft.
6	Dark Metal Panel	67 sq.ft.
7	Glazing	100 sq.ft.

MAT. #	DESCRIPTION	AREA	% of Total Actual
1	PRIMARY :Brick +Glazing	100 sq.ft.	7%
2			
7			
3	SECONDARY : all else	1292 sq.ft.	93%
4			
5			
6			

ELEVATIONS
Signage



1 SOUTH ELEVATION_ RIGHT OF SPROUTS
NTS



2 SPROUTS
NTS



3 SOUTH ELEVATION_ LEFT OF SPROUTS
NTS

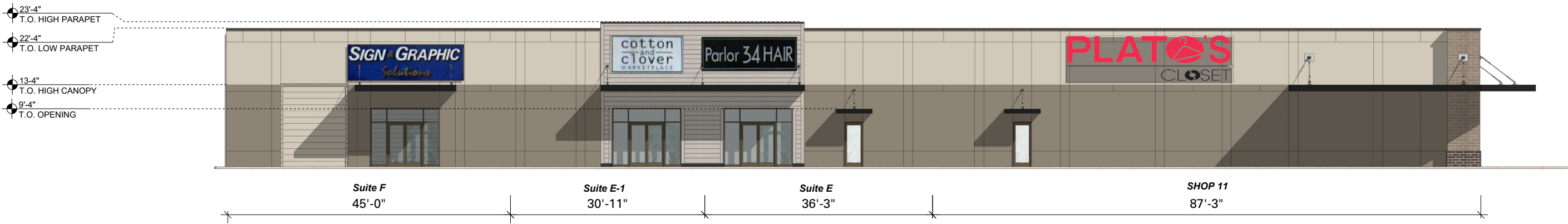
SHOP #	STOREFRONT AREA	SIGNAGE (10%)
1	608.33 sq.ft.	61 sq.ft.
2	558.33 sq.ft.	56 sq.ft.
3	520.66 sq.ft.	52 sq.ft.
4	520.66 sq.ft.	52 sq.ft.
5	710 sq.ft.	71 sq.ft.
6	491.33 sq.ft.	49 sq.ft.
7	659 sq.ft.	66 sq.ft.
SPROUTS	3322 sq.ft.	332 sq.ft.
8	624 sq.ft.	62 sq.ft.
9	624 sq.ft.	62 sq.ft.
10	1100 sq.ft.	110 sq.ft.
11	1126.5 sq.ft.	113 sq.ft.

ELEVATIONS

Signage



2 WEST ELEVATION
NTS



1 EAST ELEVATION
NTS

SHOP	STOREFRONT AREA	SIGNAGE (10%)
F	1005 sq.ft.	105 sq.ft.
E1	690 sq.ft.	69 sq.ft.
E	809.58 sq.ft.	81 sq.ft.
11 (Side)	1948.58 sq.ft.	195 sq.ft.

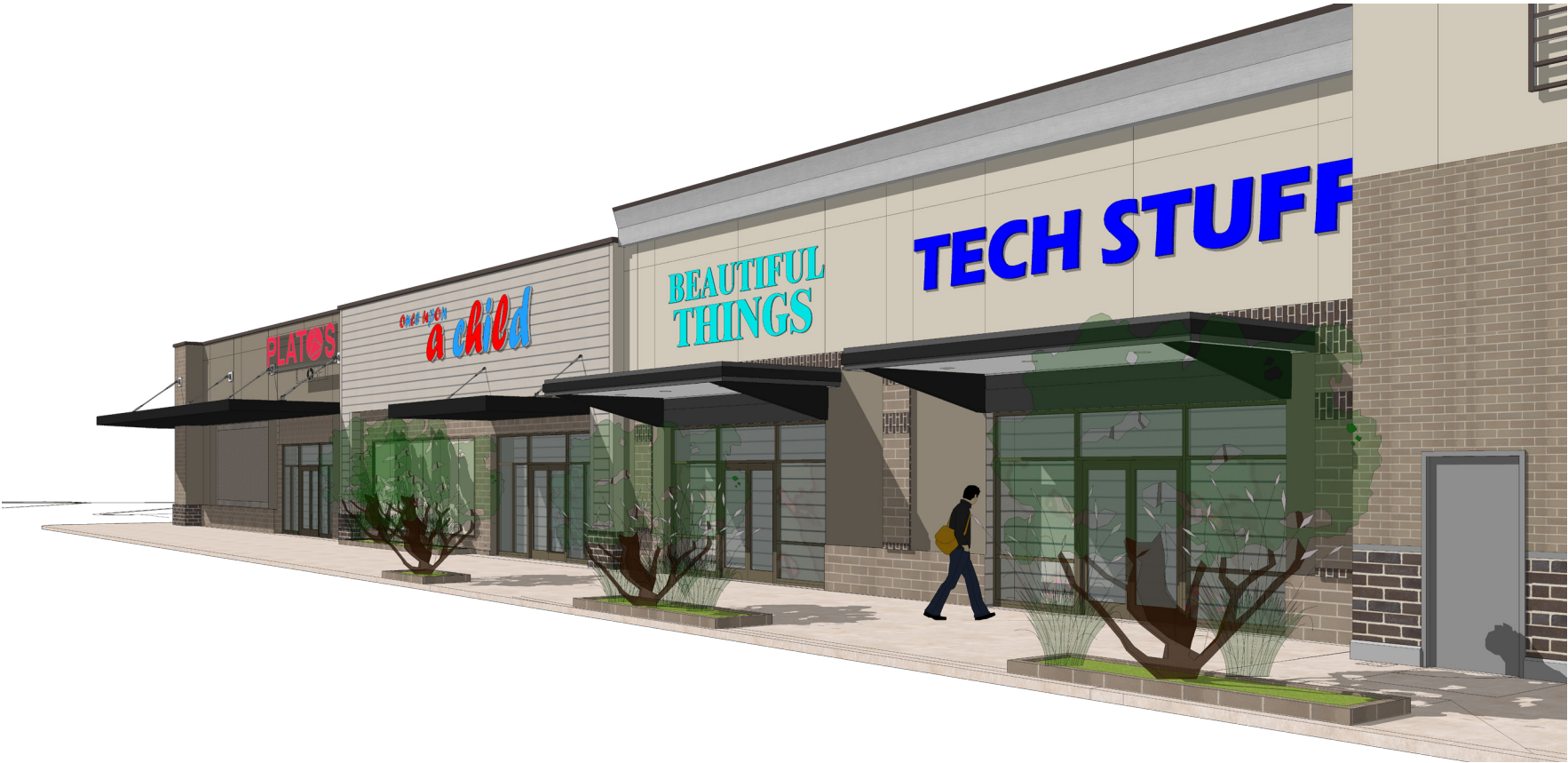
VIEWS



VIEWS



VIEWS



NEIGHBORING PROPERTIES 1 of 2



NEIGHBORING PROPERTIES 2 of 2





VARIANCE 1: SECTION 4-32 (TABLE 4-B)

- "40' REAR SETBACK (FROM STREET)" APPROVAL OF THE REQUESTED VARIANCE WOULD ALLOW THE APPLICANT TO MAINTAIN AND MATCH THE EXISTING DRIVE AISLE AND RELATED PARKING IN A STRAIGHT LINE. AS THE PROPERTY WAS ORIGINALLY DEVELOPED WITH STRIP RETAIL, ITS CONTINUED USE (OR RECONSTRUCTION) WOULD BE BENEFICIAL TO THE PUBLIC. THE PROPOSED ADJUSTMENT TO THE MAIN DRIVE AISLE, THE PROPOSED ADJUSTMENT LEAVES ± 11' OF ROOM AND DOES NOT ENROACH INTO THE 10' LANDSCAPE BUFFER AGAINST THE PROPERTY LINE, ALLOWING FOR THE NEIGHBORING PARCEL TO REMAIN UNDISTURBED BY THIS ADJUSTMENT.

**Know what's below.
Call before you dig.**
ALWAYS CALL 811
It's fast. It's free. It's the law.

FOR CONCEPT
PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	GA212008
DRAWN BY:	MJN
CHECKED BY:	CR
DATE:	05/12/23
CAD I.D.:	

PROJECT:

**VARIANCE SITE
PLAN**

FOR —



PROPOSED
GROCERY STORE AND RETAIL

19 MILLARD FARMER
INDUSTRIAL BOULEVARD
COWETA COUNTY
NEWNAN, GA 30263

211 PERIMETER CENTER PKWY NE,
SUITE 425
ATLANTA, GEORGIA 30346
Phone: (678) 695-6800
GA@BohlerEng.com



SHEET NUMBER

1

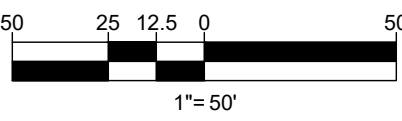
ORG. DATE - 05/12/23

ZONED: CHV (HEAVY COMMERCIAL)
OVERLAY DISTRICT: QDC (QUALITY DEVELOPMENT CORRIDOR)

PROPOSED USE: STRIP RETAIL WITH GROCERY STORE
TOTAL PARCEL SIZE: ± 7.57 AC
PROPOSED DENSITY: ± 8,100 SF / AC

WATER AND SEWER FACILITIES AVAILABLE AND EXISTING ON
PROPERTY.

		ALLOWED/ REQUIRED	PROPOSED
PARKING REQUIREMENTS			
	1 SPACE / 250 SF GFA	235 SPACES	292 SPACES (5 SPACES/ 1000 SF) (116 WITHIN TENANT'S PROTECTED AREA)
MIN. PARKING SPACE DIMENSIONS		9' X 18'	9' X 18'
MIN. DRIVE AISLE		24'	24'
MAX. BUILDING HEIGHT		40'	40'



May 12, 2023
 142021G24212009/DRAWINGS/EXHIBITS/EXHIBIT B - VARIANCE SITE PLAN20510, NEWMAN RETAIL CONCEPT_G24212008 - VARIANCE SITE PLAN---->LAYOUT CONCEPT

CITY OF NEWNAN, GEORGIA



Application Form

For

Special Exception

July, 2000
Revised June, 2003
Application revised July, 2007



CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR SPECIAL EXCEPTION

Date Received _____

Name of Applicant Bohler Engineering GA, LLC

Mailing Address 211 Perimeter Center Parkway NW, Suite 425 Atlanta GA, 30346

Telephone 678-695-6800 E-Mail: CRiddle@bohlereng.com

Property Owner (Use back if multiple names) HRP Newnan LLC

Mailing Address 3 Keel Street Unit 2, Wrightsville Beach, NC 28480

Telephone _____

Address of Property 19 Millard Farmer Industrial Blvd Newnan, GA 30263

Tax Parcel No.: N57A 065 Present Zoning Classification C-4 Commercial

Proposed Special Exception Use Rear Setback Relief

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?

The current rear setback is an existing non-conformity.

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?

Approving this special exception to allow this shopping center to be developed can benefit surrounding neighborhoods by providing convenient access to a variety of goods and services, which can save residents time and money. They can also create job opportunities for local residents, attract other businesses to the area, and increase property values. Additionally, shopping centers can serve as community gathering places and support local events and initiatives.

3. why are such conditions appropriate generally but an exception should be made in this individual circumstance?

With this being an existing non-conformity, we are attempting to work with an exiting structure and re-use as much as possible. Reusing an existing structure can have several benefits over building new, including:

- Sustainability: Reusing an existing structure reduces the environmental impact of construction by reducing the need for new materials and minimizing waste.

- Cost-effectiveness: Re-purposing an existing structure can be more cost-effective than building new, as the basic structure and some infrastructure are already in place.

- Time-saving: Renovating an existing structure can be quicker than building new.

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

This special exception, to reduce the rear setback is required indefinitely.

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

Additional buffer vegetation can be used to minimize the impact on surrounding properties.

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 greater 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* (**\$250.00**)

FOR OFFICIAL USE ONLY

RECEIVED BY _____

DATE OF FILING _____

BZA MEETING DATE _____

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____

REVIEW OF APPLICATION

An application for a special exception shall be filed with the Zoning Administrator to be considered by the Board of Zoning Appeals and shall contain such material and be processed pursuant as described below.

If you have any questions concerning this process, you may call The Planning 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.

1. Pre-Application Conference

Prior to filing an application, an applicant shall meet with the Planning Department and discuss his/her intentions with regard to a given application and questions regarding the procedures. A request for a pre-application conference shall be made in writing to the Planning Department and shall be accompanied by a sketch map of the site, a description of the proposed project or use, and a list of the issues to be discussed at the conference. No matters discussed at meeting shall be binding on either the applicant or the City. The Planning Department shall respond to each written request for a pre-application conference within fifteen (15) calendar days.

2. Review of Application for Completeness

No application shall be accepted and reviewed unless determined by the Planning Department to be complete.

3. Acceptance of Completed Application

Within seven (7) calendar day of receipt of an application, the Planning Department shall either accept the application if it is complete and forward to the applicant a notice of acceptance or reject the application if it is incomplete and forward to the applicant a notice of incompleteness specifying those areas of additional information necessary for review.

- a) If neither a notice of acceptance nor incompleteness is sent, the application shall be deemed accepted for the purposes of beginning the time limits of the Ordinance twenty-one (21) calendar days after the filing of the application.
- b) If notice of incompleteness is sent, the applicant may resubmit the application with the additional data required.
- c) If the application is not resubmitted, the Planning Department shall notify the applicant that the original application has been rejected as incomplete.

NOTE: The applicant may withdraw an application any time prior to the action on the request by the Board of Zoning Appeals.

After the official denial of an application, substantially the same application concerning any or all of the same property shall not be filed within twelve (12) months of the date of denial.



City of Newnan, Georgia

Attachment B

Property Owner's Authorization

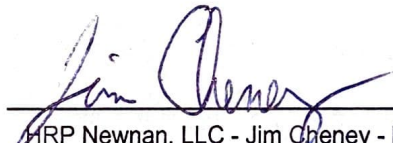
The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a special exception of the property.

Name of Property Owner HRP Newnan, LLC

Telephone Number 910-619-7600 or 770-377-4109

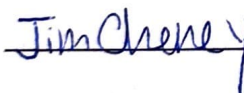
Address of Subject Property 19 Millard Farmer Industrial Boulevard, Newnan, GA 30263

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.



HRP Newnan, LLC - Jim Cheney - Manager
Signature of Property Owner

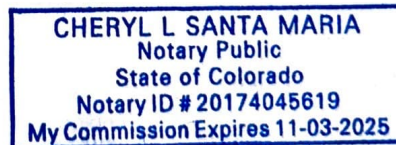
Personally appeared before me



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



Notary Public



(Affix Raised Seal Here)

5/9/23

Date



City of Newnan, Georgia

Attachment A

Disclosure of Campaign Contributions & Gifts

Application filed on May , 2023 for action by the Board of Zoning Appeals on a special exception requiring a public hearing on property described as follows:
19 Millard Farmer Industrial Boulevard, Newnan, GA 30263

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:

HRP Newnan, LLC - 3 Keel Street, Unit #2, Wrightsville Beach, NC 28480

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

Jim Cheney - Manager
Type or Print Name and Title

Signature of Applicant's Representative

Type or Print Name and Title


Signature of Notary Public Date

(Affix Raised Seal Here)
CHERYL L SANTA MARIA
Notary Public
State of Colorado
Notary ID # 20174045619
My Commission Expires 11-03-2025

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 – Board of Zoning Appeals

Date: July 11, 2023

Application Number: 2023-13 and 2023-14

Agenda Item: Variance Requests-2023-13 – 54 Murray Street and 2023-14 – 62 Murray Street

Prepared and presented by: Dean Smith, Senior Planner

Purpose: To hear two requests for variances to reduce rear building setbacks for 54 and 62 Murray Street for the purpose of building new housing.

Applicant: Tracy Dunnavant, on behalf of Newnan Urban Redevelopment Agency
25 LaGrange Street
Newnan, GA 30263

Property Owner: City of Newnan
25 LaGrange Street
Newnan, GA 30263

Primary Zoning: RU-I – Urban Residential Dwelling District-Historical and Infill

Overlay District(s): None

Present Use: Vacant–Formerly used for a residence that has since been demolished

Proposed Use: New residential workforce housing

Pertinent Regulations: Article 4, Section 4-29 of the Zoning Ordinance – Minimum Setbacks; Principal Buildings

Staff Note: Since both properties involve the same property owner and applicant and are similar in the nature of their requests, the staff report has been consolidated for both properties in one report. These two properties are a part of a program funded through ARPA (American Rescue Plan Act of 2021) and previously approved by Newnan City Council. The total number of proposed homes in the project is 7. 5 out of 7 will meet all dimensional requirements, including building setbacks.

Applicant's Position: “...RU-I zoning requires usage of building setbacks determined using the average of adjacent units or block average...This requirement presents difficulty in placing a structure on the presented size of the lot under the current setbacks...This is a non-uniform or oddly shaped parcel(s) that present difficulty to build a unit [meeting] the required square footage....”

Basis for Granting Variance

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.

Planning Department's Review and Findings:

Within the RU-I zoning, building setbacks are determined by the average of adjacent units or the block average if adjacent units are not present. In this scenario, the average rear building setbacks are 20 feet. This necessitated the variance requests to reduce the rear building setbacks down to the measurements illustrated in the house location plans provided as a part of this application.

The subject property is located within an established neighborhood where surrounding properties frequently have varying setbacks. This is due to several reasons, including smaller lots, no setback requirements at time of construction, and unusual property subdivision. This particular zoning district of the City has had several requests for variances where property owners wish to update their homes. Since the lots were subdivided and the homes were built under previous and different requirements, remodeling and new construction often proves to be difficult under current standards. These requests are not so general or recurring in nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance, as the current regulations can be met in most cases. However, in instances where a property owner wishes to create a home to suit their desires and needs a

variance from the Ordinance that is not blatantly against its purposes and intents, staff feels that these requests can meet some “Bases for Granting a Variance” as provided in the Ordinance.

Staff recommends approving the variance due to extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its shape. Such conditions are peculiar to this particular piece of property and such conditions were not imposed by the action or will of the owner of the property.

Specifically, Staff recommends the following:

Variance Request Case No. 2023-13 – 54 Murray Street – Reduce the rear building setback from 20 to 14 feet.

Variance Request Cas No. 2023-14 – 62 Murray Street – Reduce the rear building setback from 20 to 5 feet.

Recommendation:

Options:

- A. Grant the variance requests.
- B. Deny the variance requests.

In summary, staff does not have any objection to granting the requests, should the Board members deem it appropriate to do so. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intend of the Ordinance and would be attributable to the lot configuration of the subject property.

Attachments:

Application



VARIANCE REQUESTED
PUBLIC HEARING
NEWNAN CITY HALL
25 LAGRANGE STREET

07/11/23 10:00 A.M.



CITY OF NEWNAN, GEORGIA

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

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Newnan Urban Redevelopment Agency

Mailing Address 25 LaGrange St. Newnan, GA, 30263

Telephone (678) 673-5481 E-Mail: TDunnivant@newnanga.gov

Property Owner (Use back if multiple names) City of Newnan

Mailing Address 25 LaGrange St. Newnan, GA, 30263

Telephone (678) 673-5481

Address/Location of Property 54 Murray St. Newnan, GA, 30263

Tax Parcel No: NIS 0001 003

Present Zoning Classification: RU-1

Present Land Use Vacant

Intended Use Workforce Housing

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 forty-five (45) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) 4-29 of the Zoning Ordinance/Subdivision Regulations: Minimum Rear Setback

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:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
RU-1 Zoning requires usage of building setbacks determined using the average of adjacent units or block average. This requirement presents difficulty in placing a structure of the presented size on this lot under the current setbacks.
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
The existing zoning is RU-1

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?
This is an oddly shaped parcel that present difficulty placing a structure to the South, North and East.
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?
Current setbacks would not permit a unit of the required size.
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?
Rear Setback at 14'

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 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.
- ✓ 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.

✓ Check for applicable fees (\$250.00).

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.

TRACY S. DUNNARANT

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

[Signature]

Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY DS

DATE OF FILING 5/15/23

BZA MEETING DATE 7/11/23

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 City of Newnan

Telephone Number (678) 673 - 5481

Address of Subject Property 54 Murray 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

Cleatus Phillips

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

Notary Public

5/15/2023
Date



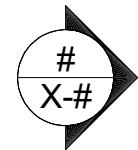
(Affix Raised Seal Here)

[illegible]

54 MURRAY STREET
NEWNAN, GEORGIA 30263



SYMBOL LEGEND

- 

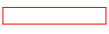
ELEVATION/SECTION KEY
- 

PROJECT NORTH
- 

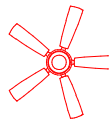
RECESSED CAN LIGHT
- 

WALL SCONCE
- 

VANITY LIGHT
- 

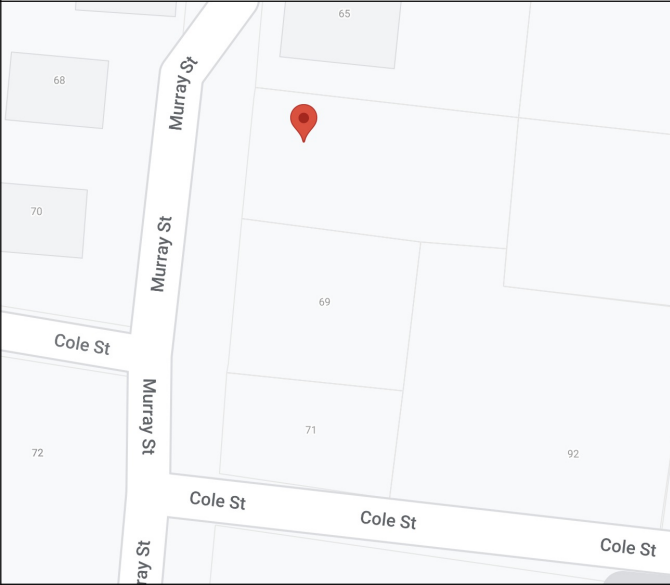
CHANDELIER
- 

4' UTILITY LIGHT
- 

EXHAUST FAN/LIGHT
- 

CEILING FAN/LIGHT

PROJECT LOCATION



PROJECT SCOPE

NEW 1,026 SF ONE STORY SINGLE FAMILY RESIDENCE. 2BR/2BA

APPLICABLE CODES:
2018 INTERNATIONAL RESIDENTIAL CODE, WITH GA AMENDMENTS

2015 INTERNATIONAL ENERGY CONSERVATION CODE. WITH GA AMENDMENTS

GENERAL NOTES

THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY WORK KNOWINGLY PERFORMED CONTRARY TO SUCH LAWS, ORDINANCES, OR REGULATIONS. THE CONTRACTOR SHALL ALSO PERFORM COORDINATION WITH ALL UTILITIES AND SERVICE AUTHORITIES.

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS (INCLUDING ROUGH OPENINGS) AND CONDITIONS ON THE JOB AND MUST NOTIFY THE OWNER AND ARCHITECT OF ANY VARIATIONS FROM THESE DRAWINGS.

THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND PROPER FUNCTION OF PLUMBING, HVAC AND ELECTRICAL SYSTEMS. THE GENERAL CONTRACTOR SHALL NOTIFY ARCHITECT OF ANY PLAN CHANGES REQUIRED FOR DESIGN AND FUNCTION OF PLUMBING, HVAC AND ELECTRICAL SYSTEMS.

THE ARCHITECT IS NOT RESPONSIBLE FOR CONSTRUCTION MEANS AND METHODS, ACTS OR OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTOR, OR FAILURE OF ANY OF THEM TO CARRY OUT WORK IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS.

INSTALL POLYISOCYANURATE FOAM TYPE INSULATION AT FLOOR AND PLATE LINES, OPENINGS IN PLATES, CORNER STUD CAVITIES AND AROUND DOOR AND WINDOW ROUGH OPENING CAVITIES.

INSTALL WATERPROOF GYPSUM BOARD AT ALL WET AREAS TO MINIMUM 70" ABOVE SHOWER DRAINS.

ALL RECESSED LIGHTS IN INSULATED CEILINGS TO HAVE THE I.C. LABEL.

PROVIDE SOLID BLOCKING UNDER ALL BEARING WALLS PERPENDICULAR TO JOISTS AND OTHER BEARING POINTS NOT OTHERWISE PROVIDED WITH SUPPORT.

CONTACTS

OWNER:
NEWNAN URBAN REDEVELOPMENT AGENCY
25 LAGRANGE ST
NEWNAN, GA 30263
EMAIL: TDUNNAVANT@NEWNANGA.GOV
PHONE: 770-254-2354 X4
CONTACT: TRACY DUNNAVANT

ARCHITECT:
LOCUS DESIGN + CONSULTING, INC.
17 KNIGHT DR
NEWNAN, GA 30263
EMAIL: LCUNANAN@LOCUSDC.COM
PHONE: 404-680-4083
CONTACT: LORRAINE CUNANAN, AIA

DRAWING LIST

- G-1

G-2

A-1

A-2

A-3

A-4

A-5

A-6
- PROJECT DATA

SITE PLAN

FLOOR PLAN

FOUNDATION/FRAMING

ROOF FRAMING PLAN

ELEVATIONS

ELEVATIONS

WALL SECTIONS



NEWNAN, GA 30263

PREPARED FOR:
NEWNAN URBAN REDEVELOPMENT AGENCY

THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING, INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/29/22

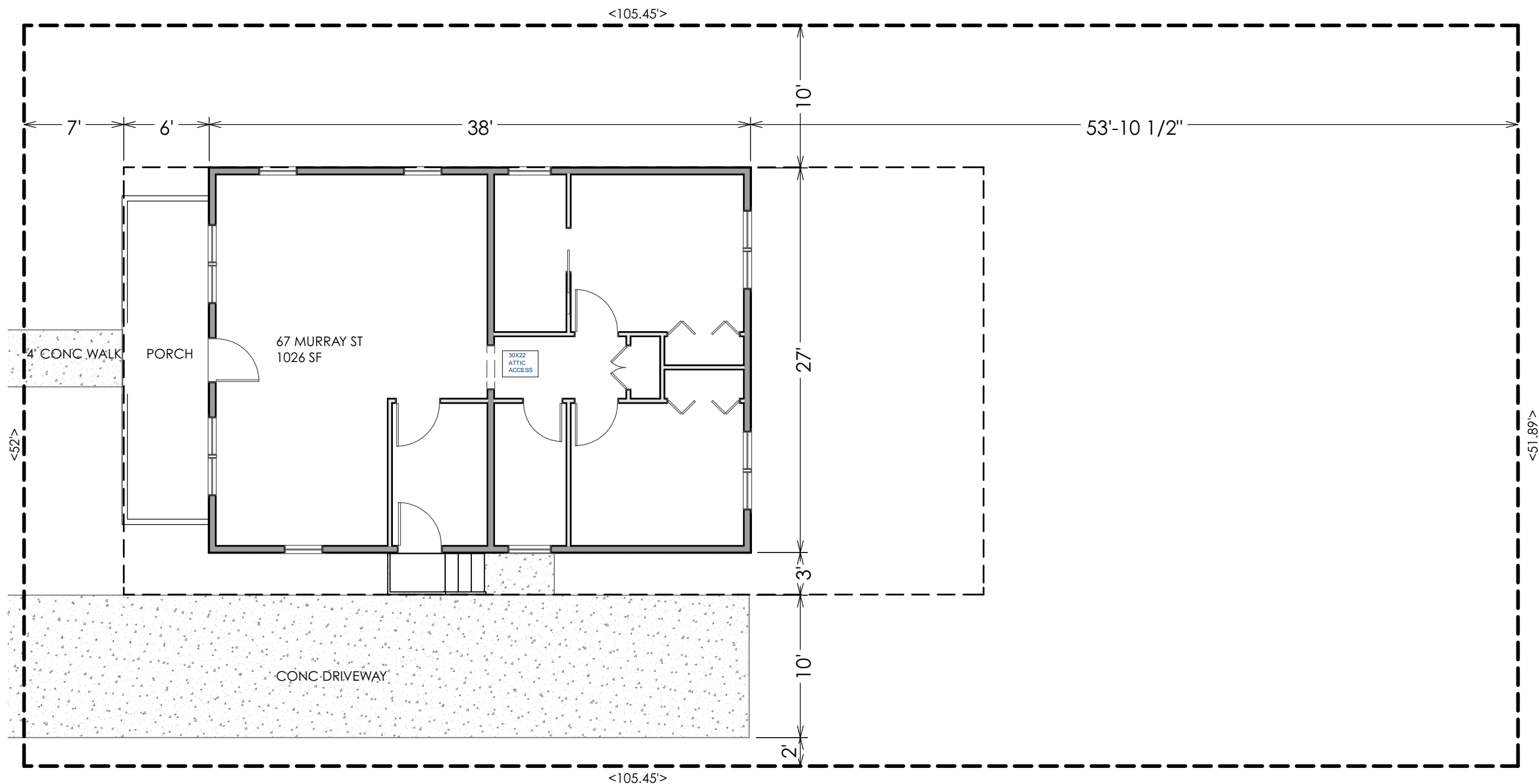
PROJECT NO.
2022-07

SHEET NO.

G-1

PROJECT DATA

ISSUED FOR
CONSTRUCTION



1 SITE PLAN
1/8 in = 1 ft



NEWNAN, GA 30263
PREPARED FOR:
NEWNAN URBAN REDEVELOPMENT AGENCY

THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/29/22

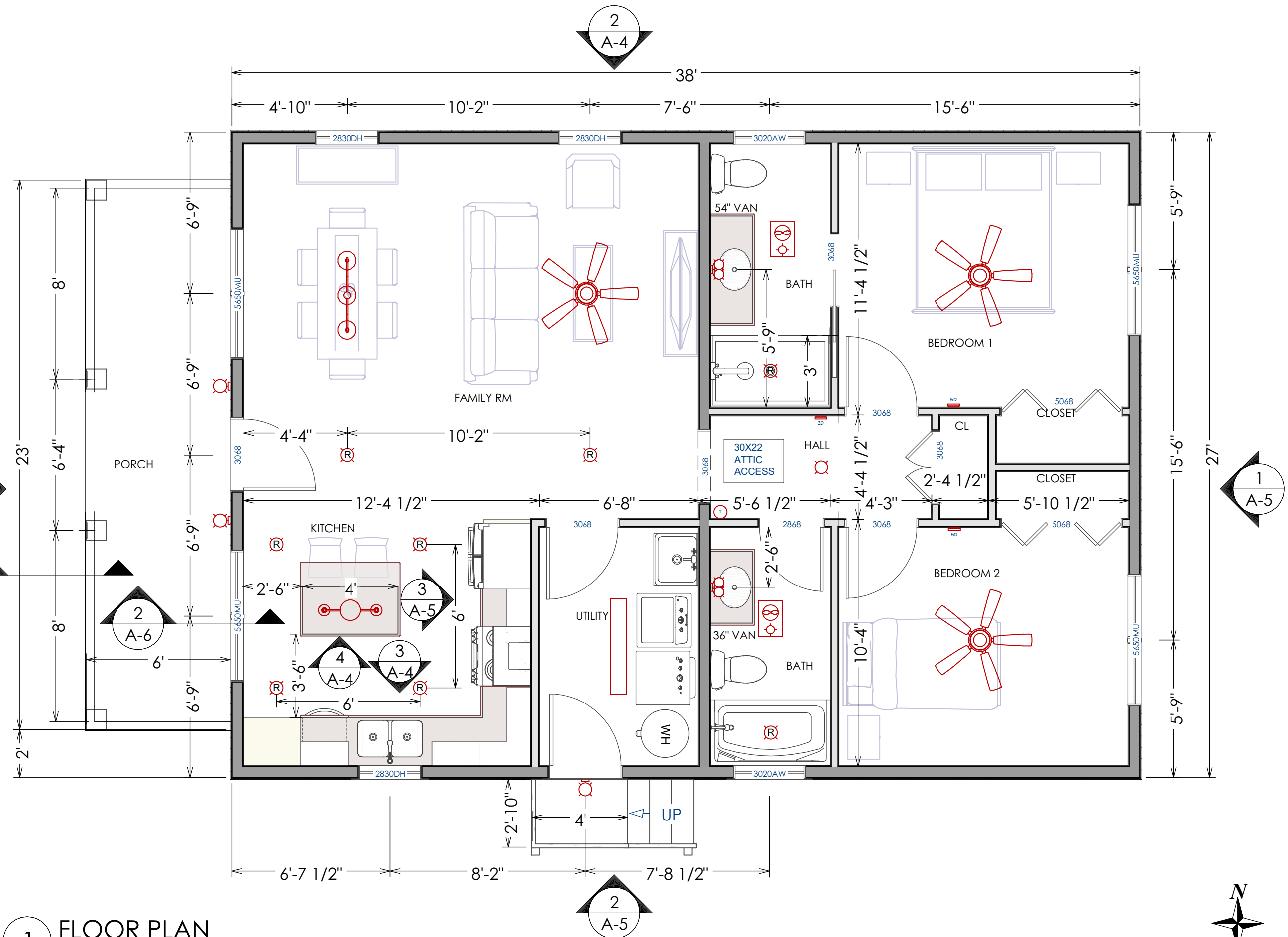
PROJECT NO.
2022-07

SHEET NO.

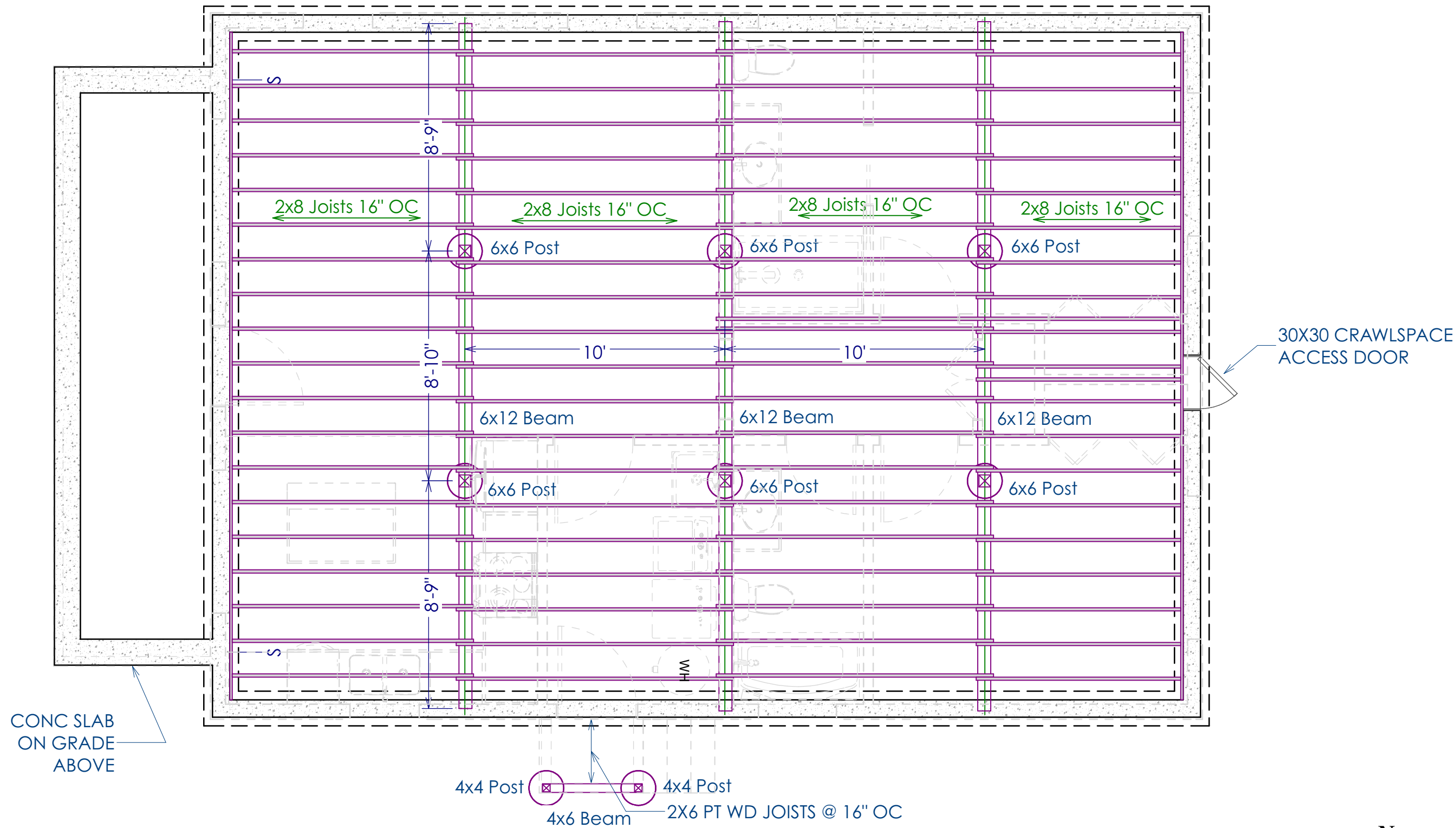
G-2

SITE PLAN

ISSUED FOR CONSTRUCTION



1 FLOOR PLAN
1/4 in = 1 ft



1 FOUNDATION/FRAMING PLAN
1/4 in = 1 ft



THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING, INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/29/22

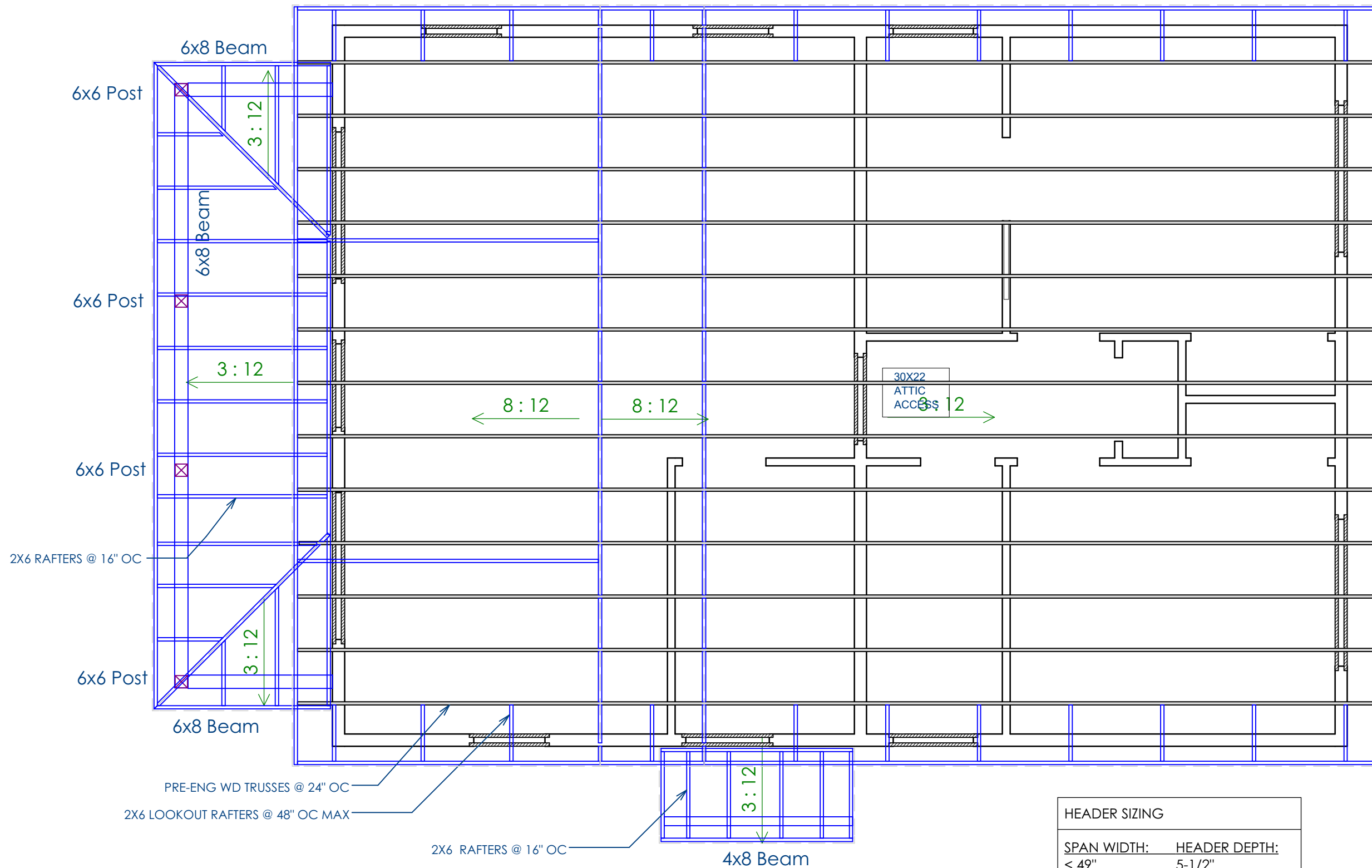
PROJECT NO.
2022-07

SHEET NO.

A-3

ROOF FRAMING PLAN

ISSUED FOR CONSTRUCTION

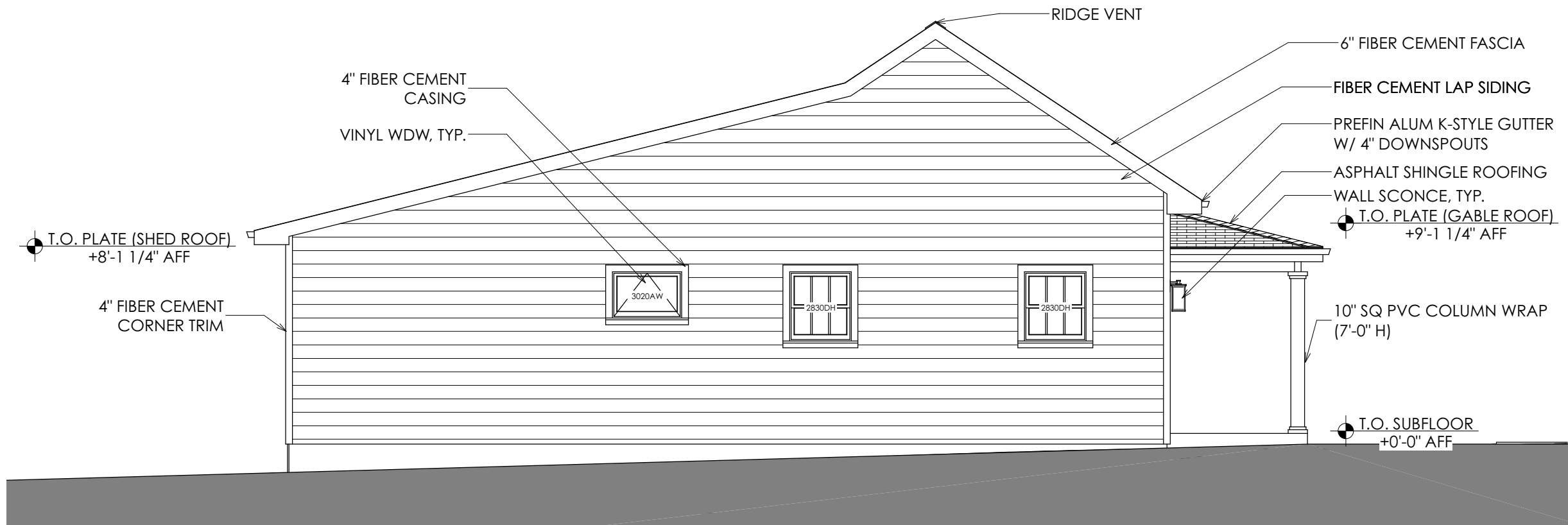


HEADER SIZING	
SPAN WIDTH:	HEADER DEPTH:
< 49"	5-1/2"
<73"	7-1/4"
<97"	9-1/4"
<121"	11-1/4"

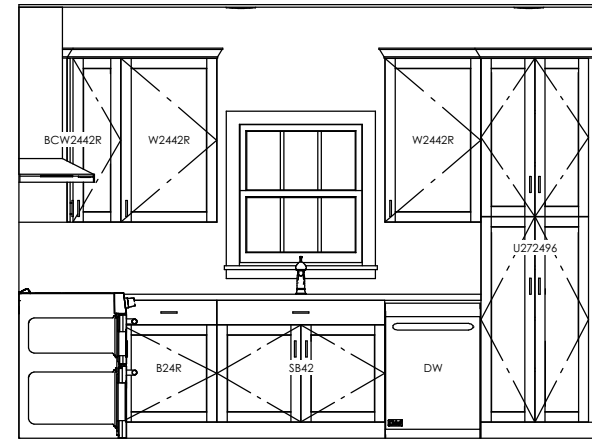
1 ROOF FRAMING PLAN
1/4 in = 1 ft



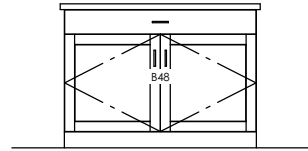
1 FRONT ELEV
3/16 in = 1 ft



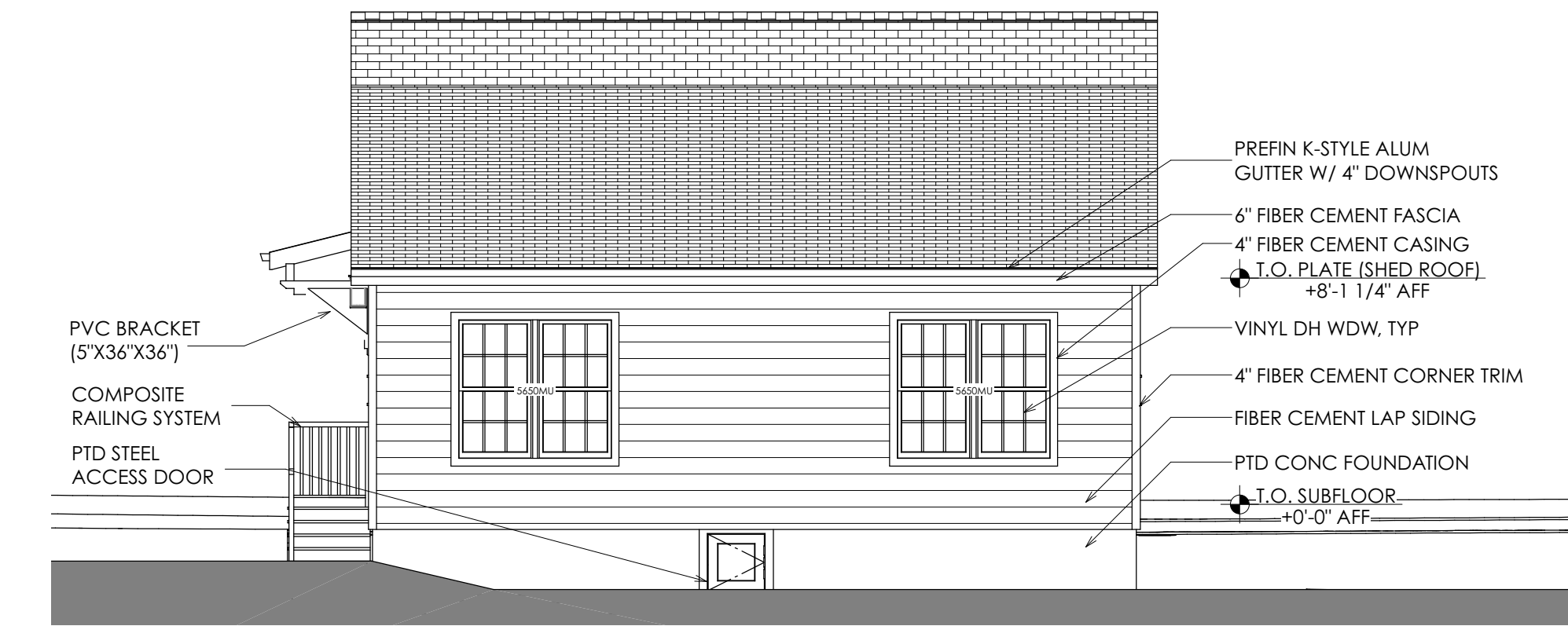
2 SIDE ELEV
3/16 in = 1 ft



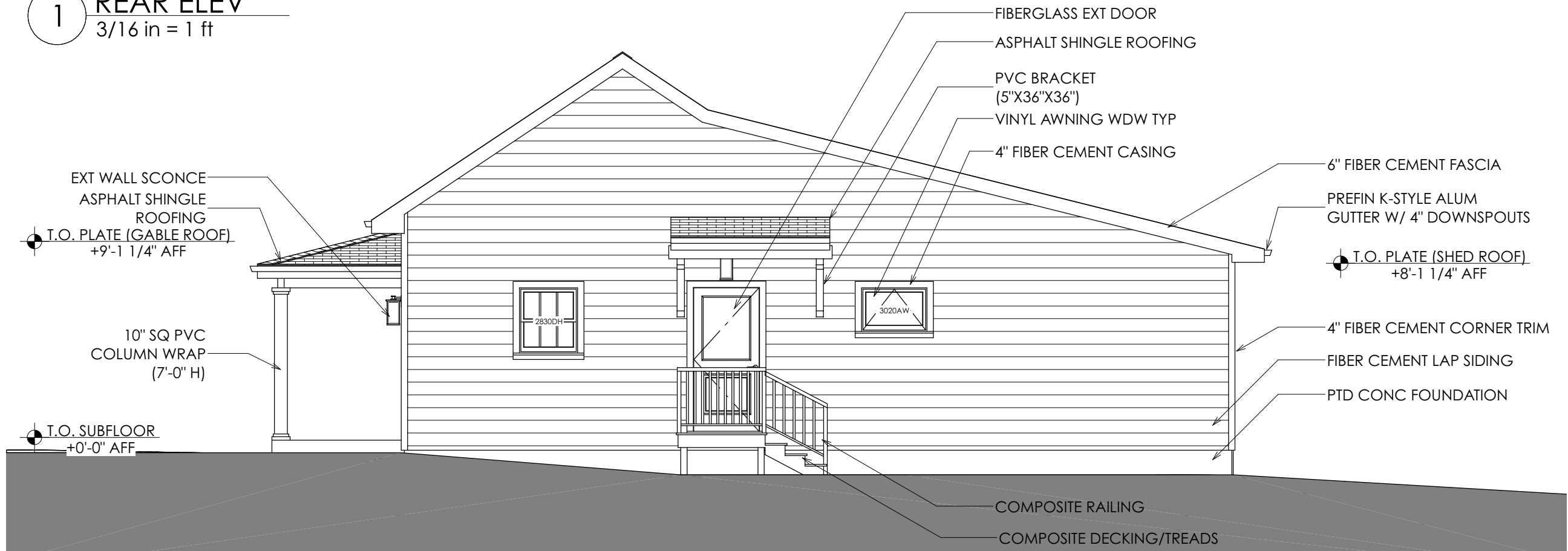
3 INT ELEV @ KITCHEN
1/4 in = 1 ft



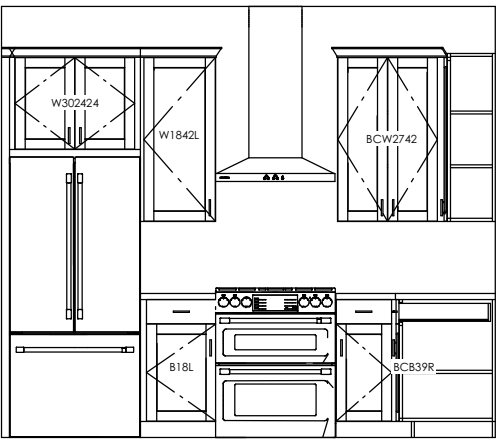
4 INT ELEV @ KITCHEN
1/4 in = 1 ft



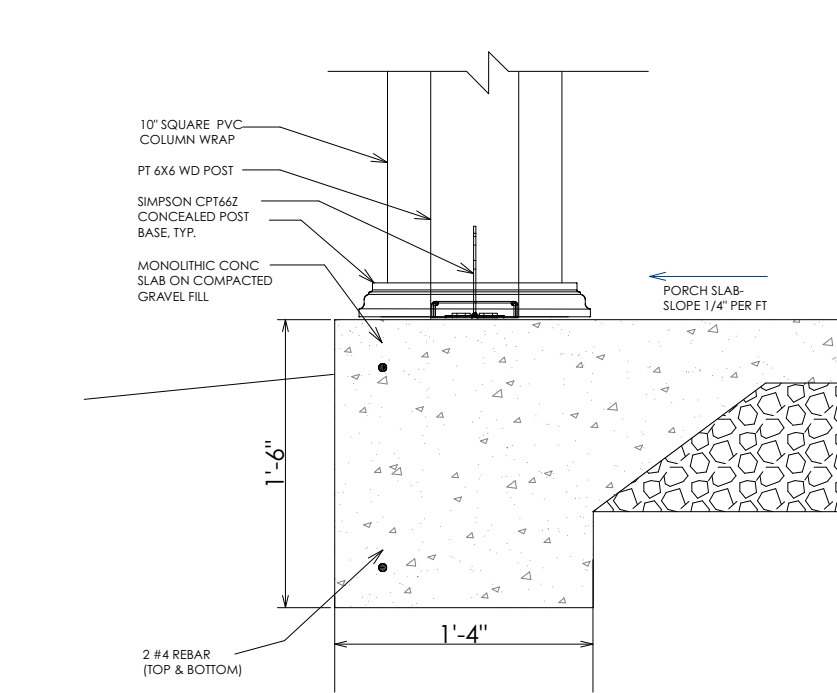
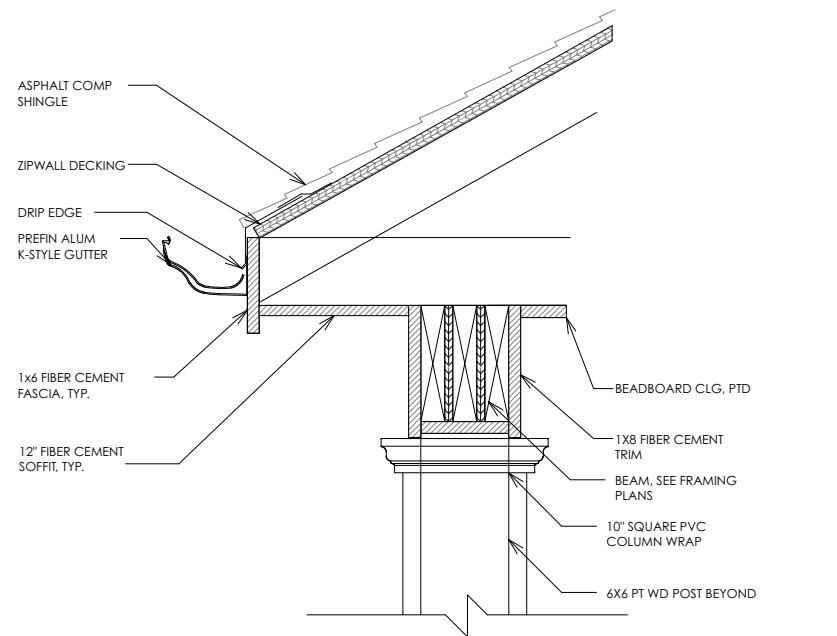
1 REAR ELEV
3/16 in = 1 ft



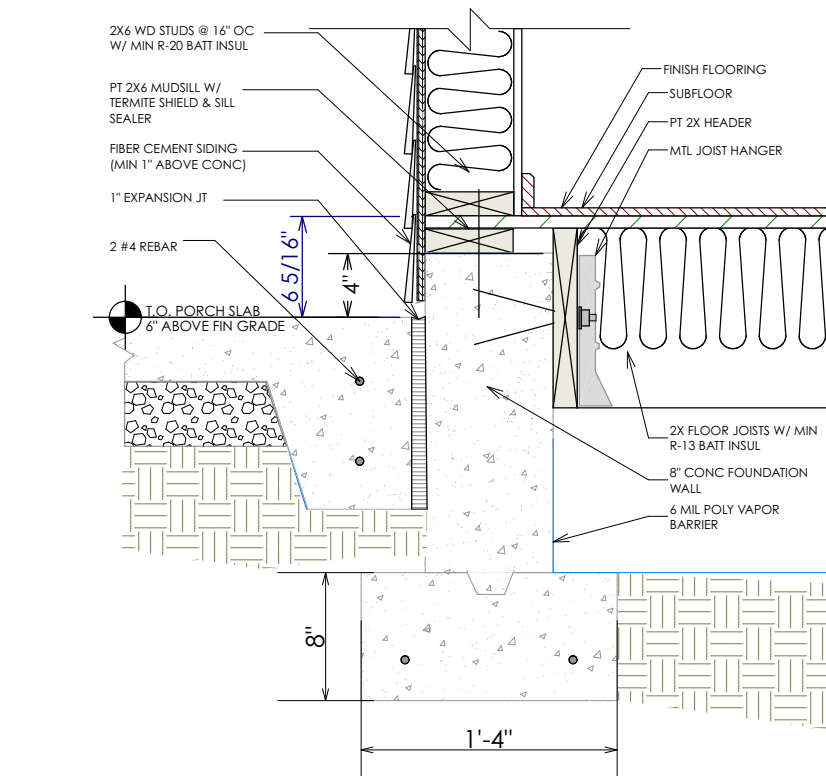
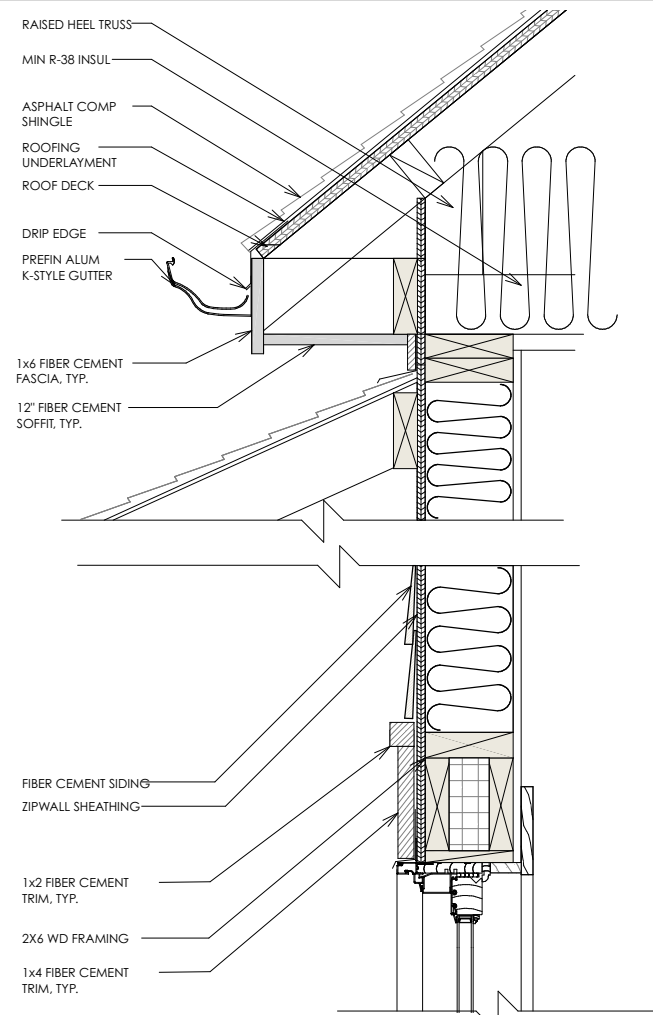
2 SIDE ELEV
3/16 in = 1 ft



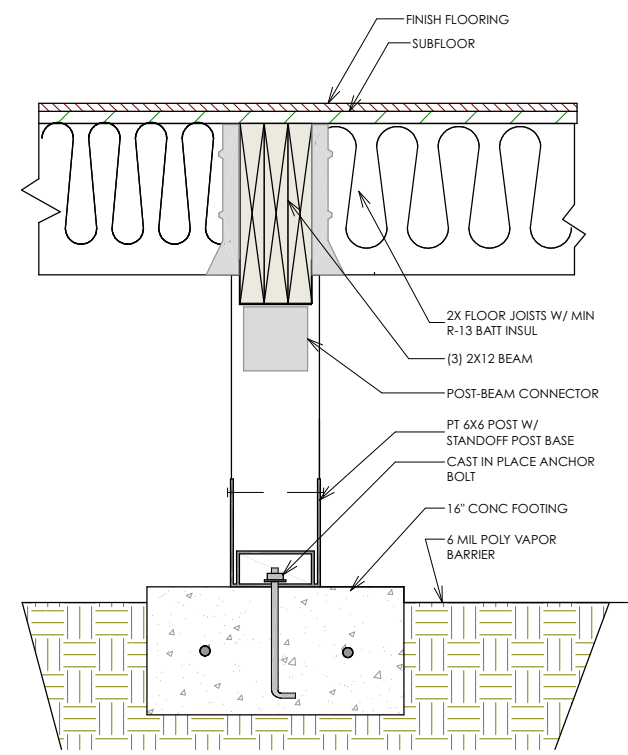
3 INT ELEV @ KITCHEN
1/4 in = 1 ft



1 SECTION @ PORCH POST
1 in = 1 ft



2 SECTION @ EXT WALL
1 in = 1 ft



3 SECTION @ INT FOOTING
1 in = 1 ft



VARIANCE REQUESTED
PUBLIC HEARING
NEWNAN CITY HALL
25 LAGRANGE STREET
07/11/23 10:00 A.M.



CITY OF NEWNAN, GEORGIA

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

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Newnan Urban Redevelopment Agency

Mailing Address 25 LaGrange St. Newnan, GA, 30263

Telephone (678) 673-5481 E-Mail: TDunnavant@newnanga.gov

Property Owner (Use back if multiple names) City of Newnan

Mailing Address 25 LaGrange St. Newnan, GA, 30263

Telephone (678) 673-5481

Address/Location of Property 62 Murray St. Newnan, GA 30263

Tax Parcel No: NIS 0002 009

Present Zoning Classification: RU-1

Present Land Use Vacant

Intended Use Workforce Housing

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 forty-five (45) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) 4-29 of the Zoning Ordinance/Subdivision Regulations: Minimum Rear Setback

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:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
RU-1 zoning requires usage of building setbacks determined using the average of adjacent units or block average. This requirement presents difficulty in placing a structure of the presented size on this lot under the current setbacks.
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
The existing zoning is RU-1

3. What are the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance?
The property has a non-uniform shape in the rear, the current setback in the rear will make it extremely difficult to build a unit of the required square footage.
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?
All rear setbacks create a tightly constrained buildable area, a structure is not feasible to be placed under the current requirement
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?

Rear Setback to 5'

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 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.
- ✓ 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.

✓ Check for applicable fees (\$250.00).

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.


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


Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Dean Smith

DATE OF FILING 5/15/23

BZA MEETING DATE 7/11/23

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 City of Newnan

Telephone Number (678) 673 - 5481

Address of Subject Property 62 Murray 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

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

Notary Public

5/15/2023
Date



62

MURRAY STREET
NEWNAN, GEORGIA 30263



SYMBOL LEGEND

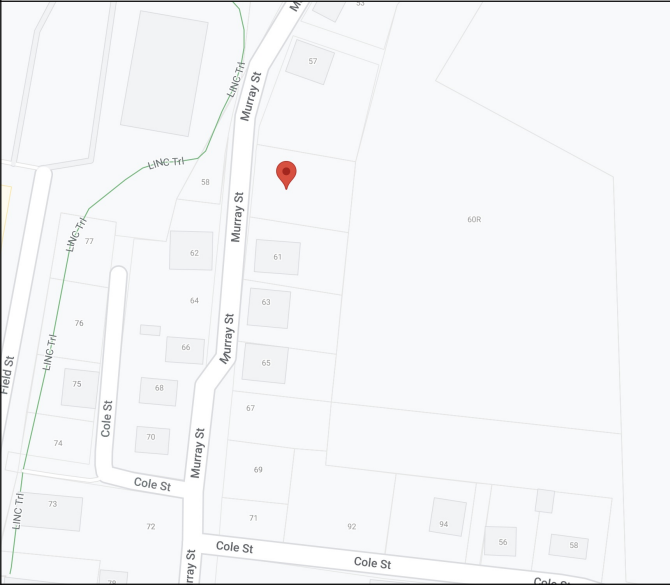
- #
X-#

ELEVATION/SECTION KEY
- N

PROJECT NORTH
- R

RECESSED CAN LIGHT
- WALL SCONCE
- VANITY LIGHT
- CHANDELIER
- 4' UTILITY LIGHT
- EXHAUST FAN/LIGHT
- CEILING FAN/LIGHT

PROJECT LOCATION



PROJECT SCOPE

NEW 1,154 SF ONE STORY SINGLE FAMILY RESIDENCE. 2BR/2BA

APPLICABLE CODES:
2018 INTERNATIONAL RESIDENTIAL CODE, WITH GA AMENDMENTS

2015 INTERNATIONAL ENERGY CONSERVATION CODE. WITH GA AMENDMENTS

GENERAL NOTES

THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY WORK KNOWINGLY PERFORMED CONTRARY TO SUCH LAWS, ORDINANCES, OR REGULATIONS. THE CONTRACTOR SHALL ALSO PERFORM COORDINATION WITH ALL UTILITIES AND SERVICE AUTHORITIES.

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS (INCLUDING ROUGH OPENINGS) AND CONDITIONS ON THE JOB AND MUST NOTIFY THE OWNER AND ARCHITECT OF ANY VARIATIONS FROM THESE DRAWINGS.

THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND PROPER FUNCTION OF PLUMBING, HVAC AND ELECTRICAL SYSTEMS. THE GENERAL CONTRACTOR SHALL NOTIFY ARCHITECT OF ANY PLAN CHANGES REQUIRED FOR DESIGN AND FUNCTION OF PLUMBING, HVAC AND ELECTRICAL SYSTEMS.

THE ARCHITECT IS NOT RESPONSIBLE FOR CONSTRUCTION MEANS AND METHODS, ACTS OR OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTOR, OR FAILURE OF ANY OF THEM TO CARRY OUT WORK IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS.

INSTALL POLYISOCYANURATE FOAM TYPE INSULATION AT FLOOR AND PLATE LINES, OPENINGS IN PLATES, CORNER STUD CAVITIES AND AROUND DOOR AND WINDOW ROUGH OPENING CAVITIES.

INSTALL WATERPROOF GYPSUM BOARD AT ALL WET AREAS TO MINIMUM 70" ABOVE SHOWER DRAINS.

ALL RECESSED LIGHTS IN INSULATED CEILINGS TO HAVE THE I.C. LABEL.

PROVIDE SOLID BLOCKING UNDER ALL BEARING WALLS PERPENDICULAR TO JOISTS AND OTHER BEARING POINTS NOT OTHERWISE PROVIDED WITH SUPPORT.

CONTACTS

OWNER:
NEWNAN URBAN REDEVELOPMENT AGENCY
25 LAGRANGE ST
NEWNAN, GA 30263
EMAIL: TDUNNAVANT@NEWNANGA.GOV
PHONE: 770-254-2354 X4
CONTACT: TRACY DUNNAVANT

ARCHITECT:
LOCUS DESIGN + CONSULTING, INC.
17 KNIGHT DR
NEWNAN, GA 30263
EMAIL: LCUNANAN@LOCUSDC.COM
PHONE: 404-680-4083
CONTACT: LORRAINE CUNANAN, AIA

DRAWING LIST

- G-1

PROJECT DATA
- G-2

SITE PLAN
- A-1

FLOOR PLAN
- A-2

FOUNDATION/FRAMING
- A-3

ROOF FRAMING PLAN
- A-4

ELEVATIONS
- A-5

ELEVATIONS
- A-6

WALL SECTIONS



NEWNAN, GA 30263

PREPARED FOR:
NEWNAN URBAN REDEVELOPMENT AGENCY

THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING, INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/23/22

PROJECT NO.
2022-07

SHEET NO.

G-1

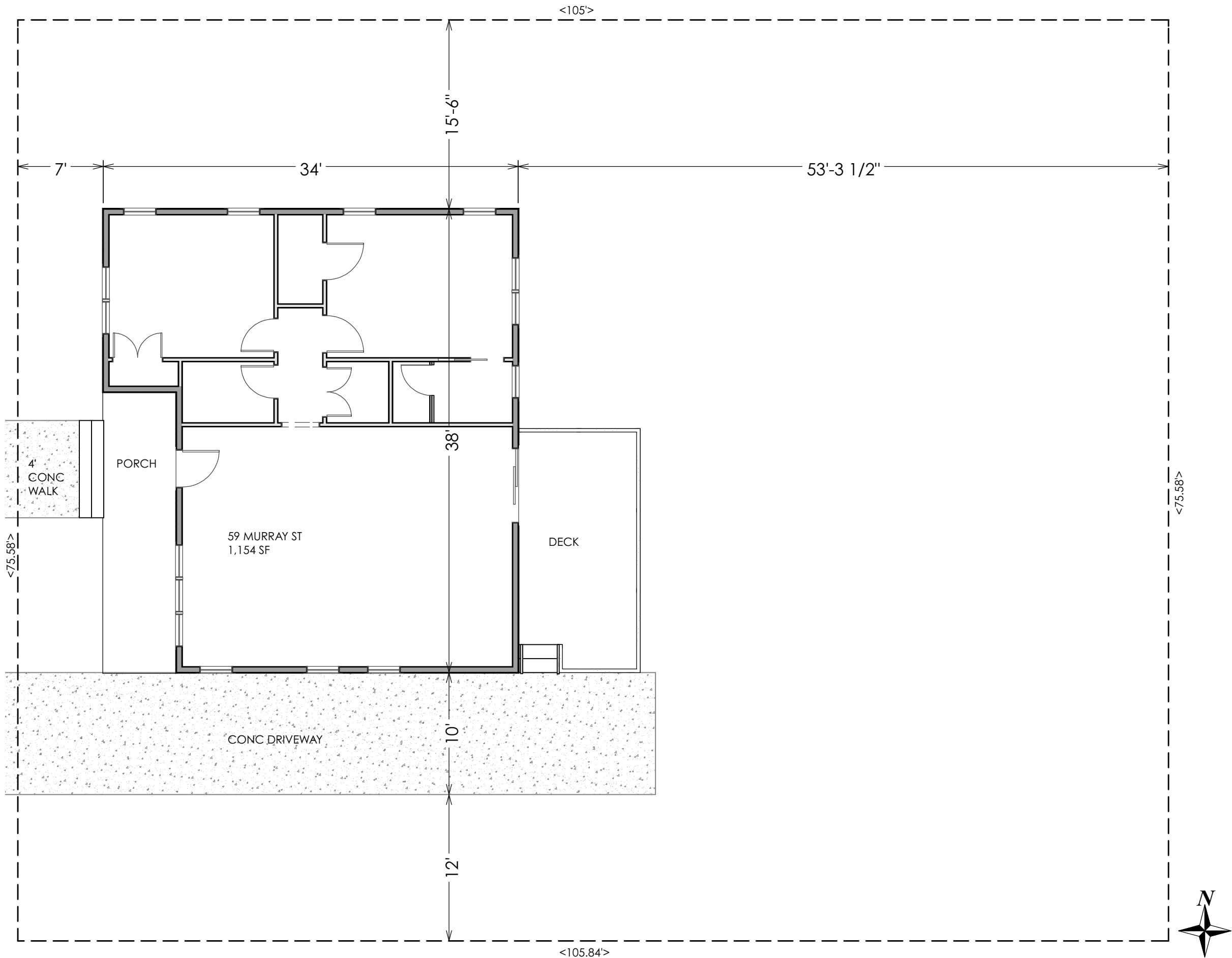
PROJECT DATA

ISSUED FOR
CONSTRUCTION

1

SITE PLAN

1/8 in = 1 ft



THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/23/22

PROJECT NO.
2022-07

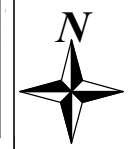
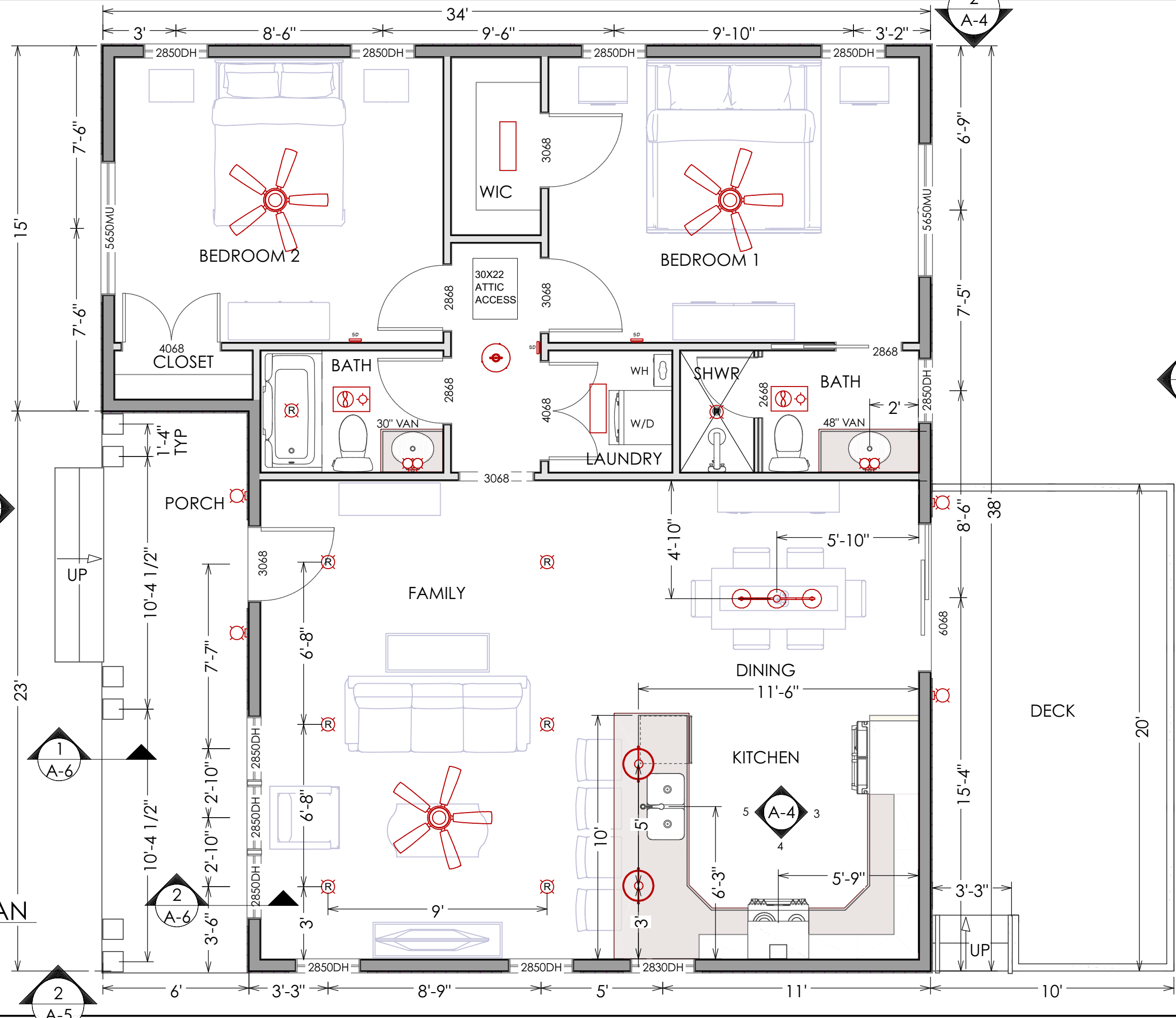
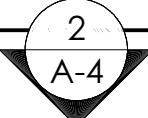
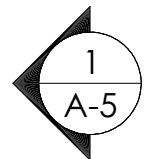
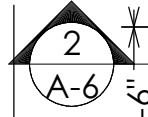
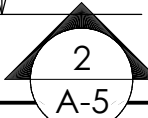
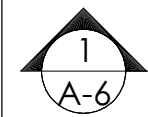
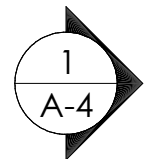
SHEET NO.

G-2

SITE PLAN

ISSUED FOR
CONSTRUCTION

1 FLOOR PLAN
1/4 in = 1 ft



NEWNAN, GA 30263
PREPARED FOR:
NEWNAN URBAN REDEVELOPMENT AGENCY

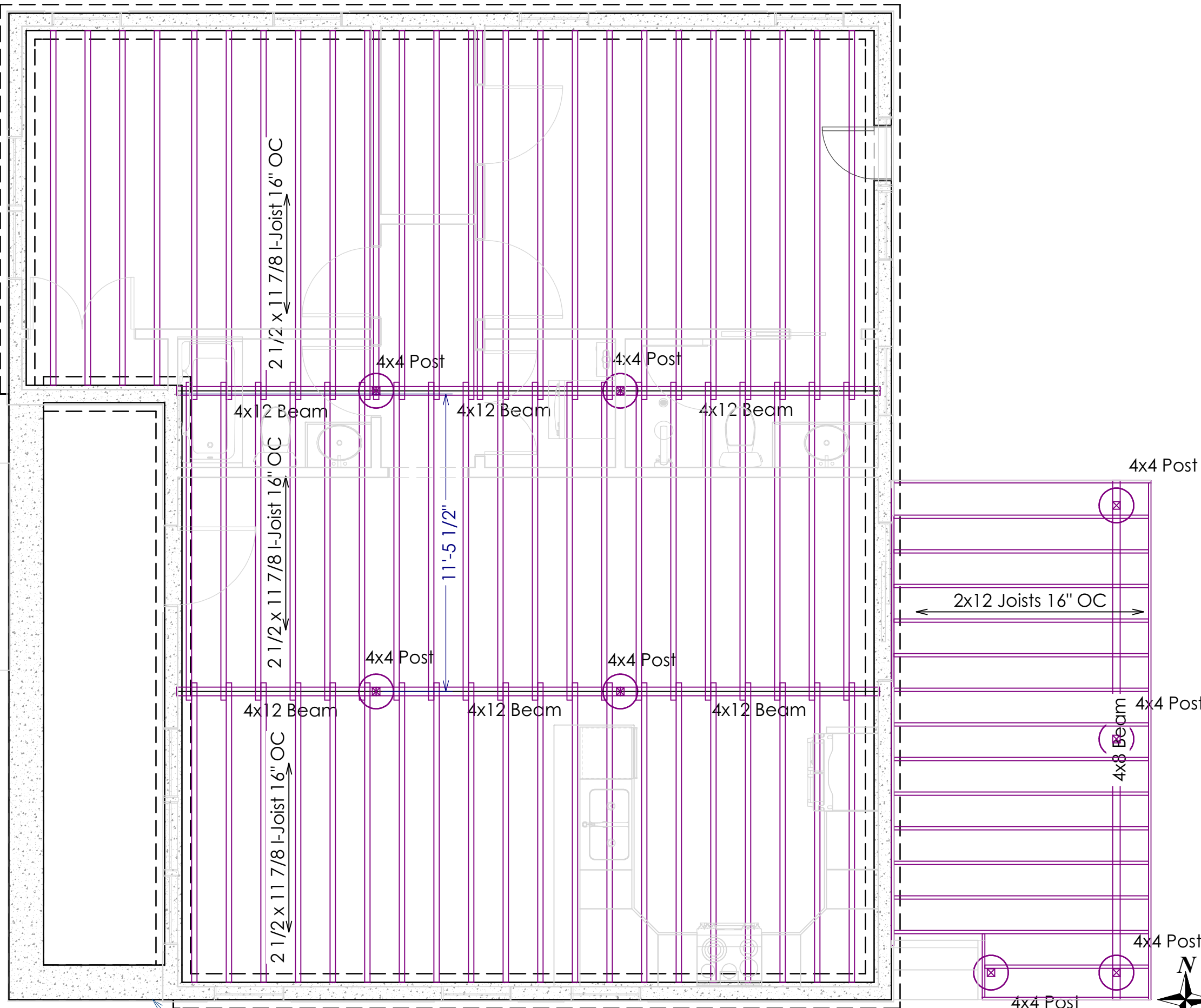
THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING, INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/23/22

PROJECT NO.
2022-07

SHEET NO.
A-1
FLOOR PLAN

ISSUED FOR CONSTRUCTION



1

FOUNDATION/FRAMING PLAN

1/4 in = 1 ft

CONC SLAB ON GRADE @ PORCH



NEWNAN, GA 30263

PREPARED FOR:
NEWNAN URBAN REDEVELOPMENT AGENCY

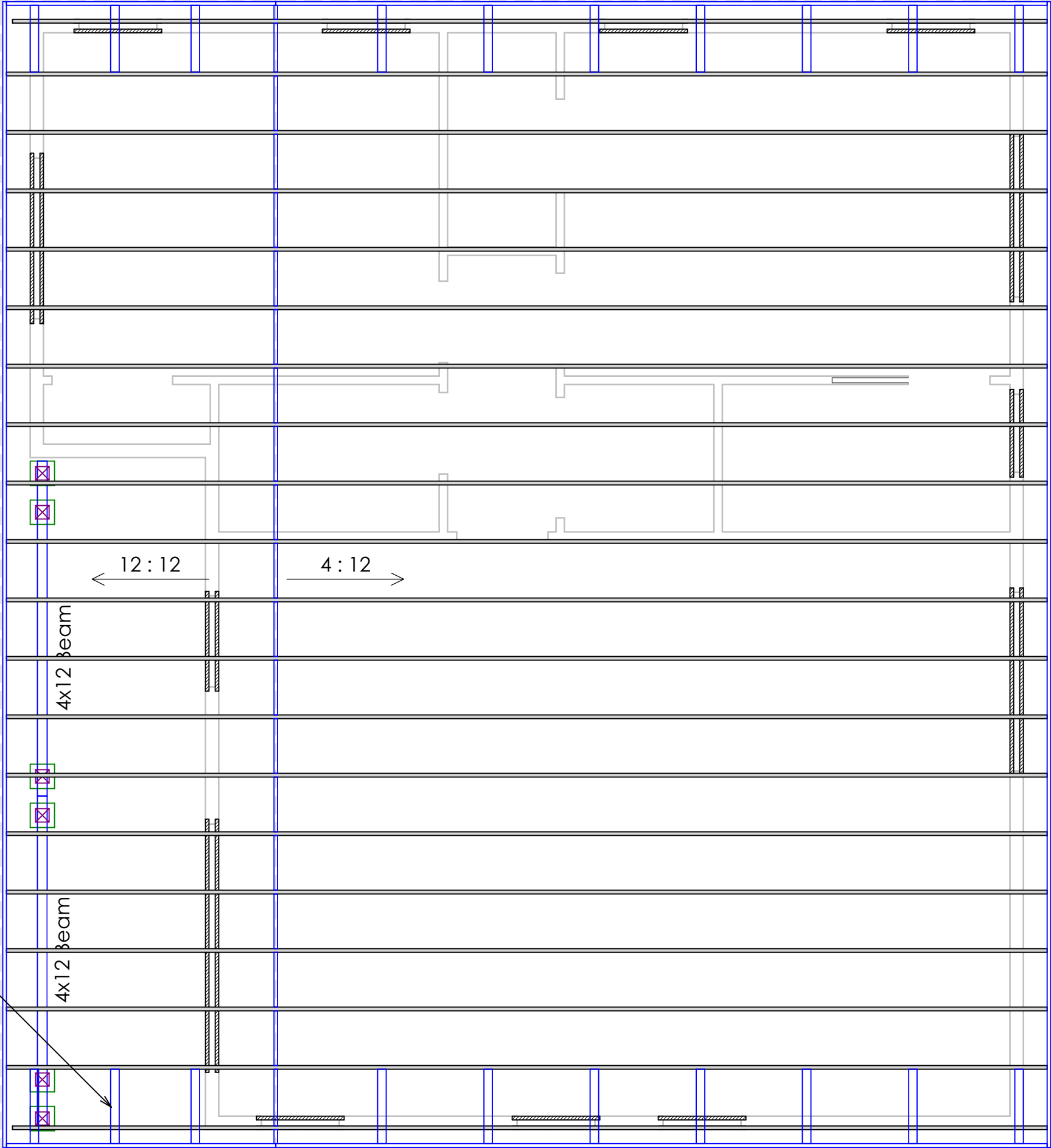
THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING, INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/23/22

PROJECT NO.
2022-07

SHEET NO.
A-2
FOUNDATION/FRAMING

ISSUED FOR CONSTRUCTION



6x6 Post
(6 TOTAL)

12 : 12 4 : 12

4x12 beam

4x12 beam

HEADER SIZING	
SPAN WIDTH:	HEADER DEPTH:
< 49"	5-1/2"
< 73"	7-1/4"
< 97"	9-1/4"
< 121"	11-1/4"

PRE-ENG WD TRUSSES @ 24" OC
2X6 LOOKOUT RAFTERS @ 48" OC MAX

1

ROOF FRAMING PLAN
1/4 in = 1 ft



THIS DRAWING IS PROPERTY OF LOCUS DESIGN + CONSULTING, INC. AND MAY NOT BE REPRODUCED OR USED WITHOUT THE ARCHITECT'S PERMISSION. COPYRIGHT 2022

ISSUE/DATE:
CONSTRUCTION DOCUMENTS
11/23/22

PROJECT NO.
2022-07

SHEET NO.
A-3
ROOF FRAMING PLAN

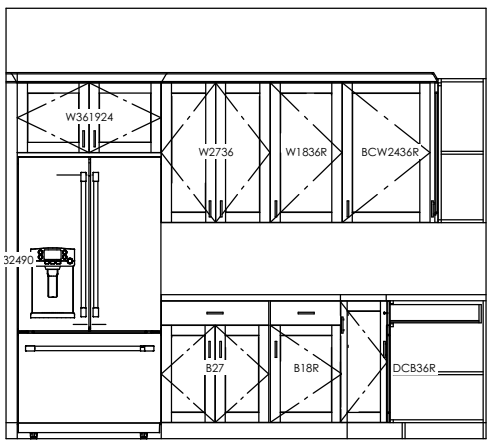
ISSUED FOR
CONSTRUCTION



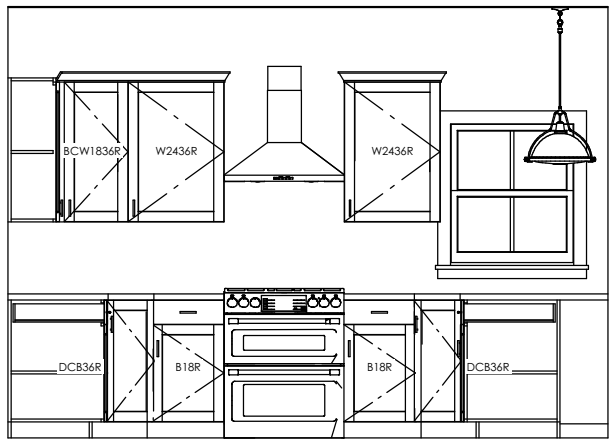
1 FRONT ELEV
3/16 in = 1 ft



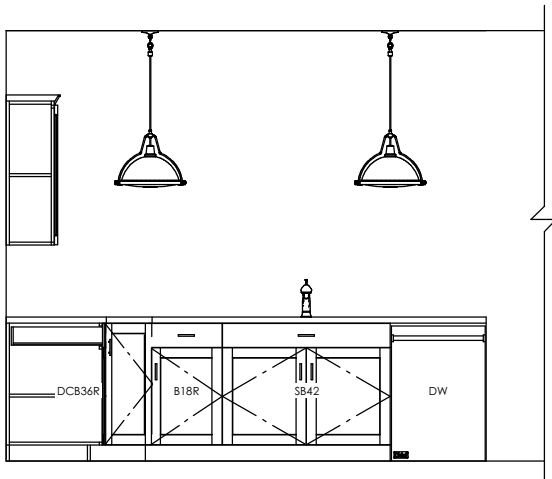
2 SIDE ELEV
3/16 in = 1 ft



3 INT ELEV @ KITCHEN
1/4 in = 1 ft



4 INT ELEV @ KITCHEN
1/4 in = 1 ft



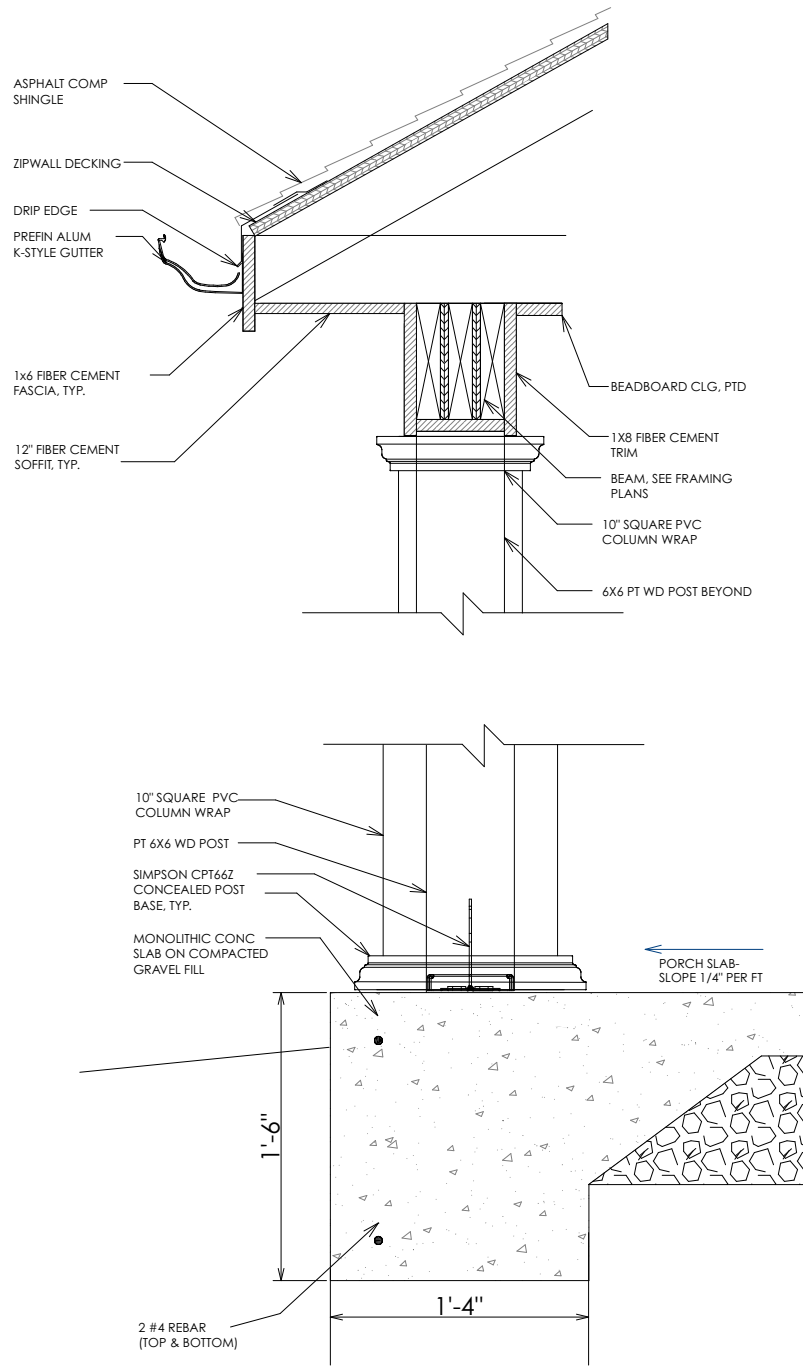
5 INT ELEV @ KITCHEN
1/4 in = 1 ft



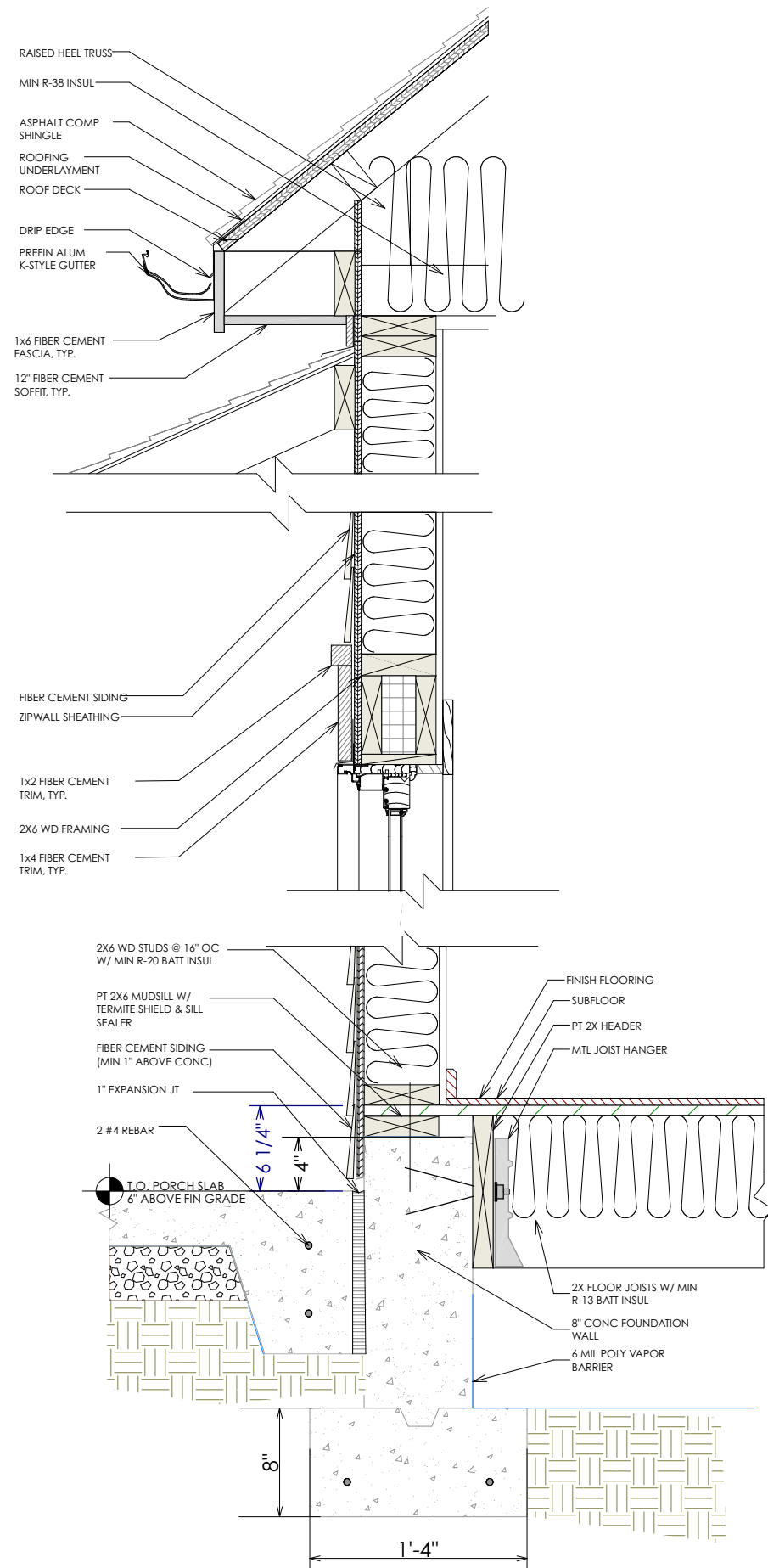
1 REAR ELEV
3/16 in = 1 ft



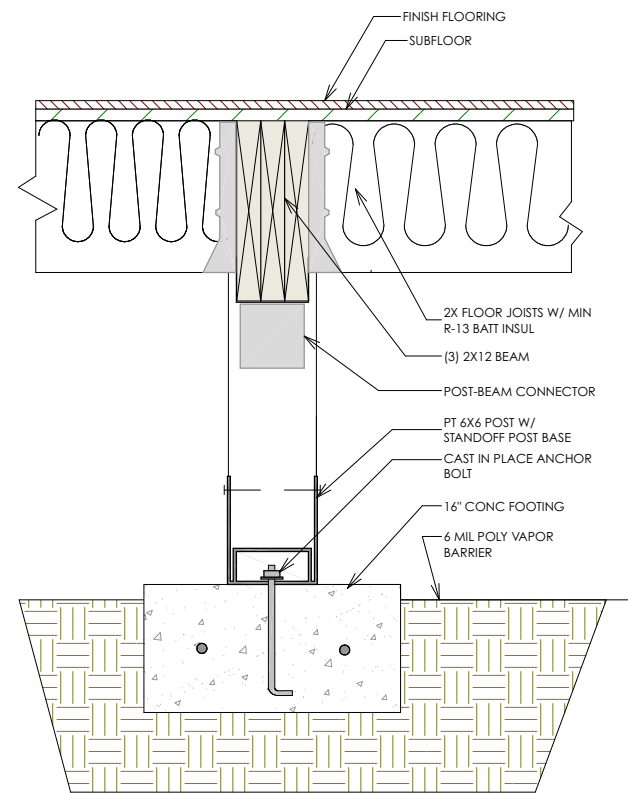
2 SIDE ELEV
3/16 in = 1 ft



1 SECTION @ PORCH POST
1 in = 1 ft



2 SECTION @ EXT WALL
1 in = 1 ft



3 SECTION @ INT FOOTING
1 in = 1 ft









City of Newnan, Georgia – Board of Zoning Appeals

Date: July 11, 2023

Application Number: 2023-15

Agenda Item: Special Exception Request – 2 Belt Road

Prepared and Presented by: Chris Cole, Senior Planner

Purpose: The purpose is to hear a request for a special exception use to operate an outdoor riding range for motorcycle safety training.

Applicant: Two Wheel Adventures/Sowatha Uk
235 Field Road
Griffin, GA 30223

Property Owner: Bob Williams
PO Box 832
Newnan, GA 30264

Zoning: General Commercial (CGN)

Present Use: Vacant unimproved land

Proposed Use: Outdoor riding range for motorcycle safety training

Pertinent Regulations: Article 2, Section 2-19, Table 2-B of the City of Newnan’s Zoning Ordinance

Applicant’s Position: The applicant indicated in the narrative the following, in part, “The property located on 2&4 Belt Rd in Newnan would be used by Two Wheel Adventures Motorcycle school which has been in business since 2012. The school is accredited by the State of Georgia and the Motorcycle Safety Foundation (MSF) and would provide motorcycle enthusiasts with the ability to acquire the necessary skills and knowledge to safely operate a motorcycle on the road and to get their motorcycle license since the school is also the testing facility working on behalf of the DDS.

The Course is called the “Basic Riders Course” which was created by the MSF in 1975 and is widely used by 31 facilities in Georgia which include 12 sites owned by the GA DDS and 19 by privately owned facilities. There are over 2000 facilities currently operating throughout the country using the same curriculum. The course, which would be taught by Georgia/MSF certified coaches, is recognized by many insurance companies who offer discounts to riders who successfully complete the course. The course is geared towards low-speed maneuvers with most exercises not exceeding 15-20 miles/hour and limited to 2nd gear. In addition, our fleet is composed of small engines not exceeding 300cc.

Clientele: According to our month of May Digital presence report and past bookings, our audience age group is between 45-55. It is a group who considers motorcycling as pastime and has the means to afford a second form of transportation and motorcycle training. Moreover, our clientele is “safety” conscious as one can actually obtain a motorcycle license without taking our course by just being tested by the DDS without any safety training. The projected hours of operation would be Saturday-Sunday from 8:30 am to 5 pm and occasionally a 2 day-weekday class as needed.

The school has been operating in Buford for many years; however, with the increased number of students on our waiting lists (up to 58 for one weekend) coming from different parts of Georgia and as far as Peachtree City, Savannah, Thomaston but also Alabama and Tennessee, we feel confident that Newnan would be a great location. In addition, there has also been an increased number of celebrities taking the course due to the movie industry in Fayetteville. The 2-acre lot is currently vacant and has been taken over by overgrown vegetation.

Benefits of having the school:

- Provide motorcycle safety training to the community; hence, saving lives.
- Turning a vacant lot into a thriving business facility which would benefit other surrounding businesses such as gas stations by purchasing fuel for the motorcycles, local grocery stores by buying snacks, waters and ice for our students, auto parts and motorcycle garages to maintain/repair our motorcycles, restaurants where our students and coaches would go have lunch and hotels/Airbnb when our students can stay when they want to avoid the commute.
- In addition to bringing revenues to the local businesses, the school would also bring tax revenue to the city, pay for city utilities and provide jobs to local contractors who would develop the site.
- Finally, transforming the vacant lot into a useful space would eliminate the trash dumping, and deter criminal activities. The gate and fence along with the addition of lighting would also create a safer environment for the area.

The school would fall under the category of education/technical and trade school.

Project:

- 120'X 30' lot to accommodate 15 cars
- 110'x 250' asphalt motorcycle range for 7-10 students
- 40'x 50' foundation for a motorcycle storage building/office (40W x 50X 11H)

The proposed period of time for the special exception: Over 5 years.

Buffer: The property already has natural buffers such as trees and bushes/shrubs, that we intend to keep and manicure, on all 3 sides of the property. In addition, the school will only be using small engine motorcycles (less than 300cc) which provide enough engine power to perform the exercises without the loud rumbling and revving noises. There used to be two buildings on site, therefore utilities such as water/sewer are still available, electricity will need to be restored as well. We are hoping that this letter will give the community some peace of mind as far as the intended use of the lot and how mindful we are going to be to keep the area active and respectful of our neighbors.”

Staff Note – The applicant indicated in a phone call on June 28, 2023 that the minimum number of students for any session would be 4 students and the maximum number of students for any session would be 10 students. The applicant’s complete narrative can also be found in the application packet.

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:

- a. Whether the proposed special exception is consistent with the Comprehensive Plan.
- b. Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.
- c. 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.

- d. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
- e. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.
- f. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.
- g. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.
- h. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.
- i. The timing and phasing of the proposed development and the duration of the proposed use.
- j. 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.
- k. Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.
- l. 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.
- m. Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of the City of Newnan.
- n. Whether the proposed special exception will be served adequately by essential public facilities and services.
- o. The effect of the proposed special exception on groundwater supply.
- p. The effect of the proposed special exception on the structural capacity of the soils.
- q. Whether the proposed use will facilitate orderly and safe road development and transportation.
- r. The effect of the proposed special exception on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.
- s. 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.
- t. Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.
- u. The effect of the proposed special exception use in enhancing affordable shelter opportunities for residents of the City.
- v. The location, character, and size of any outdoor storage.
- w. The proposed use of open space.
- x. The location of any major floodplain and steep slopes.
- y. The location and use of any existing nonconforming uses and structures.
- z. The location and type of any fuel and fuel storage.
- aa. The location and use of any anticipated accessory uses and structures.
- bb. The area of each use; if appropriate.
- cc. The proposed days/hours of operation.
- dd. The location and screening of parking and loading spaces and/or areas.
- ee. The location and nature of any proposed security features and provisions.
- ff. A description of any features above the roof line of any structures.
- gg. The number of employees.
- hh. The location of any existing and/or proposed adequate on and off-site infrastructure.
- ii. Any anticipated odors which may be generated by the uses on site.

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

Options:

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

Planning Department's Review and Findings:

The subject property consists of a 2.29 +/- acre tract. Staff has reviewed the request and visited the site. Staff believes that the location of the proposed outdoor riding range for motorcycle safety training is appropriate as it promotes a service that is needed by various stakeholders. Each training session will have between 4 to 10 students being trained on the course. It is staff's belief that the proposed use will not negatively impact others. The applicant has made efforts to minimize noise in order to address a potential negative effect of such a facility. In addition, the intersection where the subject property is located is already a high-traffic area (with even a gas station across the road from the subject property). The subject property is also adjacent to an active Norfolk Southern railroad that produces occasional noise. The current noise level in this area is already elevated due to these factors and staff believes the addition of smaller-engine motorcycles will not significantly increase the overall existing noise levels.

The applicant is also proposing a 2,000 square foot building to use a motorcycle storage building and office. The applicant will have to provide 1 off-street parking space per 250 square feet of Gross Floor Area. This would equate to approximately 8 required off-street parking spaces. It should also be pointed out that the subject property is zoned General Commercial (CGN) and this would allow for a variety of commercial uses that would potentially have a much larger impact, particularly related to traffic. There are also three homes in a row just south of the subject property. The adjacent residential property located directly to the south of the subject property is 10 Belt Road. The property at 10 Belt Road is also zoned General Commercial (CGN) and is considered to be a "grandfathered" residential use. The Future Land Use category for 10 Belt Road is Business/Office.

The other two residences mentioned earlier (part of the "three homes in a row") are at 14 Belt Road and 16 Belt Road (see attached Location Map). The properties at 14 Belt Road and 16 Belt Road are also each zoned General Commercial (CGN) with Business/Office Future Land Use designations (and are also considered to be "grandfathered" residential uses). It should also be noted that if this Special Exception is approved, the applicant must obtain Certificate of Appropriateness approval from the Planning Commission (in relation to building materials) since the subject property falls in the Building Exterior Quality Design Overlay District (BEQ).

The City has not received any formal objections as of the date of this report. Staff believes that utilizing the small-engine motorcycles and restricting the training to certain hours will also help reduce the impact of the proposal. Staff does not feel that granting this request will cause any detriment to the surrounding neighborhood in terms of noise, traffic, compatibility of use, and other relevant factors. Staff recommends approving the request with three conditions:

- The applicant shall only utilize small engine motorcycles (less than 300cc) for training purposes to reduce noise levels.
- The applicant shall only conduct motorcycle safety training on the outdoor riding range from 8:30 a.m. to 5 p.m.
- The natural buffer on the subject property's southern border that adjoins 10 Belt Road must be maintained unless the property at 10 Belt Road ever becomes a nonresidential use.

Attachments:

Application
Site Plan



CITY OF NEWNAN



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

Project Location

1 = 1,320 feet

Date: 7/6/2023 7:47 AM



Project Location



City Limits

Parcel # N41 0001 002

ADDRESS

2 Belt Rd

Page 60 of 85

2 Belt Road – Special Exception

View of subject property (railway shown on the left side)



Alternate view of subject property



2 Belt Road – Special Exception

Alternate view of subject property



View of nearby intersection at Franklin Road and Temple Avenue



2 Belt Road – Special Exception

View of adjacent intersection at Belt Road and Franklin Road



View of Gas Station/Convenience Store across Belt Road from the subject property



2 Belt Road – Special Exception

View to the southwest on Belt Road. The ReStored Boutique is shown across Belt Road.



View of “grandfathered” adjacent residence at 10 Belt Road (also zoned CGN)





CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR SPECIAL EXCEPTION

Date Received 5-25-2023

Name of Applicant Two Wheel Adventures / Sowatha UK
Mailing Address 235 Field Rd Griffin GA 30223
Telephone (404) 512-9474 E-Mail: Sowathauk@hotmail.com
Property Owner (Use back if multiple names) Bob Williams
Mailing Address Box 832 Newnan GA 30264
Telephone (678) 378 0672
Address of Property 2 1/2 Belt rd Newnan GA *per Applicant,* 2 Belt Road (C)
Tax Parcel No.: N41 0001 002 Present Zoning Classification C2 CGN (C)
Proposed Special Exception Use outdoor riding range for motorcycle safety training

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 letter

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 letter

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 letter

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

See letter

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

See letter

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* (\$250.00)

FOR OFFICIAL USE ONLY

RECEIVED BY Chris Cole

DATE OF FILING 5-25-2023

BZA MEETING DATE 7-11-2023

DATE OF NOTICE PUBLICATION 6-7-2023

ACTION TAKEN (DATE) _____

REVIEW OF APPLICATION

An application for a special exception shall be filed with the Zoning Administrator to be considered by the Board of Zoning Appeals and shall contain such material and be processed pursuant as described below.

If you have any questions concerning this process, you may call The Planning 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.

1. Pre-Application Conference

Prior to filing an application, an applicant shall meet with the Planning Department and discuss his/her intentions with regard to a given application and questions regarding the procedures. A request for a pre-application conference shall be made in writing to the Planning Department and shall be accompanied by a sketch map of the site, a description of the proposed project or use, and a list of the issues to be discussed at the conference. No matters discussed at meeting shall be binding on either the applicant or the City. The Planning Department shall respond to each written request for a pre-application conference within fifteen (15) calendar days.

2. Review of Application for Completeness

No application shall be accepted and reviewed unless determined by the Planning Department to be complete.

3. Acceptance of Completed Application

Within seven (7) calendar day of receipt of an application, the Planning Department shall either accept the application if it is complete and forward to the applicant a notice of acceptance or reject the application if it is incomplete and forward to the applicant a notice of incompleteness specifying those areas of additional information necessary for review.

- a) If neither a notice of acceptance nor incompleteness is sent, the application shall be deemed accepted for the purposes of beginning the time limits of the Ordinance twenty-one (21) calendar days after the filing of the application.
- b) If notice of incompleteness is sent, the applicant may resubmit the application with the additional data required.
- c) If the application is not resubmitted, the Planning Department shall notify the applicant that the original application has been rejected as incomplete.

NOTE: The applicant may withdraw an application any time prior to the action on the request by the Board of Zoning Appeals.

After the official denial of an application, substantially the same application concerning any or all of the same property shall not be filed within twelve (12) months of the date of denial.

01298
0342

Exhibit B

FILED IN OFFICE
CLERK OF
SUPERIOR / STATE / JUVENILE
COURT
DATE 9-22-98 TIME 10:08am
COWETA COUNTY, GA
JOAN G. GRIFFES, CLERK

BOOK 1298 PAGE 0342

✓ Paid \$ 115.10
Date 9-22-98
Rene Estate Transfer Tax
John P. Higgins
Clerk of Superior Court, Coweta Co., Ga.

Prepared by and return to:
✓ Sidney Pope Jones, Jr. of
Rosenzweig, Jones & MacNabb
32 South Court Square
Newman, Georgia 30263

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COWETA

THIS INDENTURE, made the 21st day of September, 1998, between

Johnny R. Estep, as Trustee pursuant to trust under Item 4
of the Last Will & Testament of Maude Lee Rogers

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

Robert R. Williams

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

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

A certain tract or parcel of land being Lot No. 11 in Block "B" of
the Joe H. Dent Estate property located West of the City of Newman,
Georgia as shown by plat recorded in the Clerk's Office, Superior
Court, Coweta County, Georgia in Deed book 37, Page 550, reference
to which is had. Said tract containing 5.1 acres of land.

Said tract of land fronting what is known as the Belt Road 200 feet
running 1215 feet along the side of the Central Georgia railroad
right of way; thence in a southwesterly direction 210 feet; thence
running in a northwesterly direction 1248 feet to the said Belt
Road.

Except a tract of land fronting north on the Central Georgia right
of way 500 feet at the rear of the property which was previously
conveyed by the heirs at law of D. H. Rogers to the Central Georgia
railroad company by Warranty Deed of record in Clerk's Office,
Coweta Superior Court in Deed book 63, at page 312, a plat of said
excepted portion being of record in the same office in Deed Book 63,
at page 477, and EXCEPT a tract of land deeded by Lee Rogers to the
William L. Bonnell Company, Inc. by deed recorded in Deed Book 158,
Page 388, in the Office of the Clerk of the Superior Court of Coweta
County, Georgia.

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

RL

AND THE SAID Grantor well warrant and forever defend the said Grantor and his heirs and assigns from all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this 21st day of September, 1908, at the place and year above written.

Signed, sealed and delivered this 21st day of September, 1908, in the presence of:

John R. Estep
Witness

John R. Estep
Notary Public, Cowley County
State of Georgia
My Commission Expires 11/1/10

File #39860-1

John R. Estep
SEAL
Johnny R. Estep, as Trustee pursuant
to Trust under Item 4 of the last
Will & Testament of Henry Lee Rogers

SEAL



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 Robert R. Williams.

Telephone Number 678-378-0672

Address of Subject Property 244 Belt rd 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.

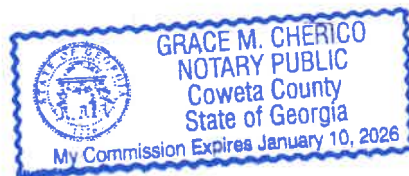

Signature of Property Owner

Personally appeared before me

Grace M. Cherico

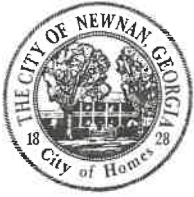
who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Grace M. Cherico
Notary Public



(Affix Raised Seal Here)

5-15-2023
Date



City of Newnan, Georgia

Attachment A

Disclosure of Campaign Contributions & Gifts

Application filed on May 15th, 2023 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:

Sowatha UK

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]

Signature of Applicant

SOWATHA UK

Type or Print Name and Title

N/A

Signature of Applicant's Representative

N/A

Type or Print Name and Title

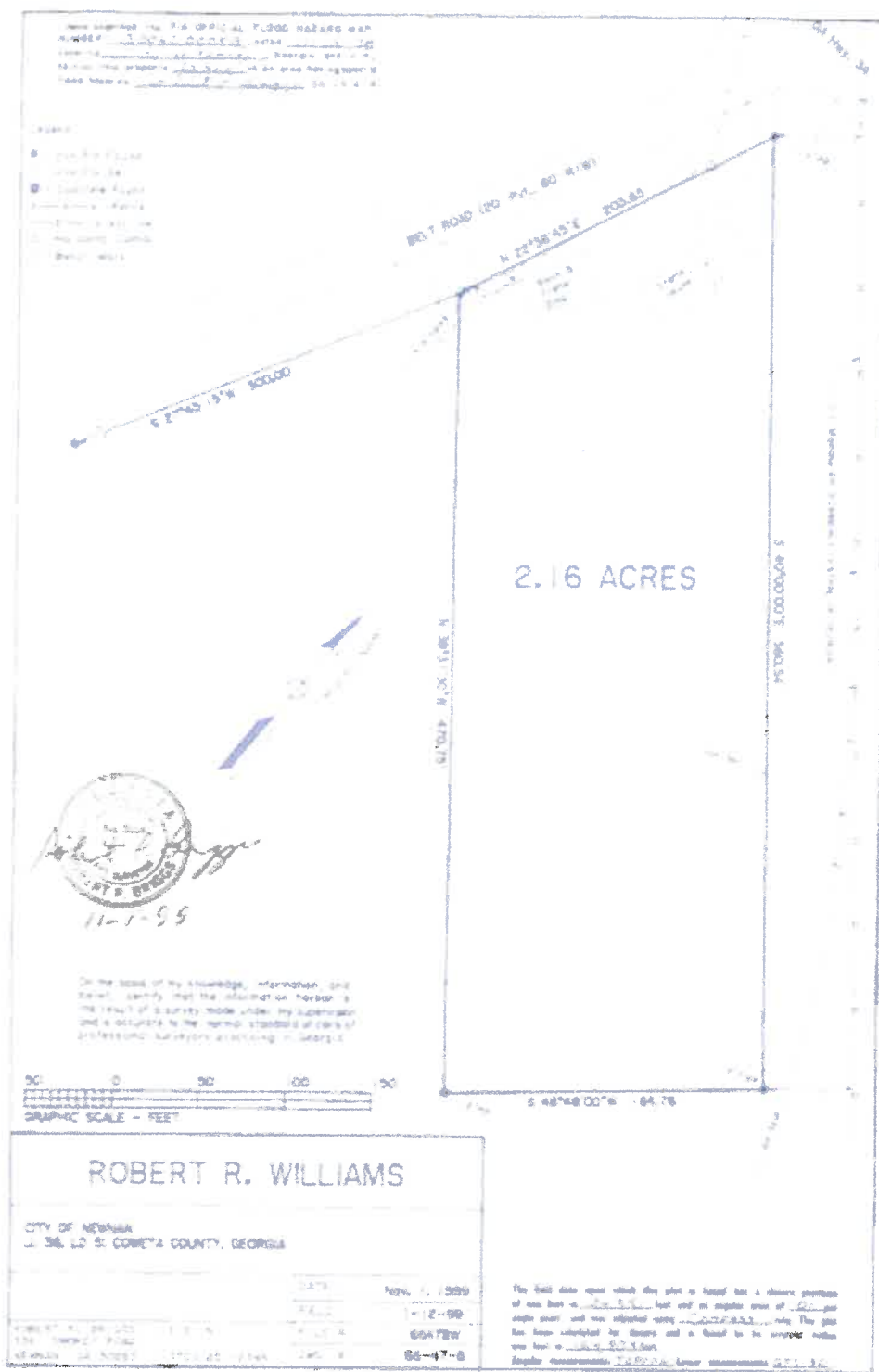
Grace M. Cherico 5-15-2023

Signature of Notary Public

Date



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.





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 July 11 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: SOWATTA UK
(Please Print)

Applicant's Signature: [Signature]

Date: 5/25/23

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

Sowatha Uk
Two Wheel Adventures LLC.
184 Covington Rd., Griffin GA 30223

May 14, 2023

City of Newnan Board of Zoning Appeals
25 LaGrange St.
Newnan GA 30263

RE: Application for special exception for the outdoor range

The property located on 2&4 Belt Rd in Newnan would be used by Two Wheel Adventures Motorcycle school which has been in business since 2012. The school is accredited by the State of Georgia and the Motorcycle Safety Foundation (MSF) and would provide motorcycle enthusiasts with the ability to acquire the necessary skills and knowledge to safely operate a motorcycle on the road and to get their motorcycle license since the school is also the testing facility working on behalf of the DDS.

The Course is called the "Basic Riders Course" which was created by the MSF in 1975 and is widely used by 31 facilities in Georgia which include 12 sites owned by the GA DDS and 19 by privately owned facilities. There are over 2,000 facilities currently operating throughout the country using the same curriculum.

The course, which would be taught by Georgia/MSF certified coaches, is recognized by many insurance companies who offer discounts to riders who successfully complete the course. The course is geared towards low-speed maneuvers with most exercises not exceeding 15-20 miles/hour and limited to 2nd gear. In addition, our fleet is composed of small engines not exceeding 300cc.

Clientele: According to our month of May Digital presence report and past bookings, our audience age group is between 45-55. It is a group who considers motorcycling as pastime and has the means to afford a second form of transportation and motorcycle training. Moreover, our clientele is "safety" conscious as one can actually obtain a motorcycle license without taking our course by just being tested by the DDS without any safety training.

The projected hours of operation would be Saturday-Sunday from 8:30 am to 5 pm and occasionally a 2 day-weekday class as needed.

The school has been operating in Buford for many years; however, with the increased number of students on our waiting lists (up to 58 for one weekend) coming from different parts of Georgia and as far as Peachtree city, Savannah, Thomaston but also Alabama and Tennessee, we feel confident that Newnan would be a great location. In addition, there has also been an increased number of celebrities taking the course due to the movie industry in Fayetteville.

The 2-acre lot is currently vacant and has been taken over by overgrown vegetation.

Benefits of having the school:

- Provide motorcycle safety training to the community; hence, saving lives.
- Turning a vacant lot into a thriving business facility which would benefit other surrounding businesses such as gas stations by purchasing fuel for the motorcycles, local grocery stores by buying snacks, waters and ice for our students, auto parts and motorcycle garages to maintain/repair our motorcycles,

restaurants where our students and coaches would go have lunch, and hotels/Airbnb when our students can stay when they want to avoid the commute.

-In addition to bringing revenues to the local businesses, the school would also bring tax revenue to the city, pay for city utilities, and provide jobs to local contractors who would develop the site.

-Finally, transforming the vacant lot into a useful space would eliminate the trash dumping and deter criminal activities. The gate and fence, along with the addition of lighting, would also create a safer environment for the area.

The current zoning classification is C2. The school would fall under the category of Education/technical and trade school.

Project: 120'X30' lot to accommodate 15 cars

110'x250' asphalt motorcycle range for 7-10 students

40'x50' foundation for a motorcycle storage building/office (40Wx50X11H)

The proposed period of time for the special exception: Over 5 years.

Buffer: The property already has natural buffers such as trees and bushes/shrubs that we intend to keep and manicure on all 3 sides of the property. In addition, the school will only be using small-engine motorcycles (less than 300cc) which provide enough engine power to perform the exercises without the loud rumbling and revving noises.

There used to be two buildings on site, therefore utilities such as water/sewer are still available. Electricity will need to be restored as well.

We are hoping that this letter will give the community some peace of mind as far as the intent use of the lot and how mindful we are going to be to keep the area active and respectful of our neighbors.

Sowatha Uk
Owner of Two Wheel Adventures
TwoWheelAdventures.com

