

City of Newnan Georgia



Board of Zoning Appeals

Agenda Book

July 12, 2022



City of Newnan
Board of Zoning Appeals

Agenda for July 12, 2022 Board of Zoning Appeals Meeting
10:00 AM, Richard A. Bolin Council Chambers, City Hall

TAB NUMBER	AGENDA CATEGORY / ITEM
TAB #1	Minutes of the June 7, 2022 Board of Zoning Appeals Meeting
TAB #2	Variance Request – 72 Farmer Street - 2022-10
TAB #3	Variance Request – 39 Jackson Street - 2022-11
TAB #4	Variance Request – 94 LaGrange Street - 2022-12
	Other Business and Comments by Members of Staff
	Public Comments
	Adjourn

Unless otherwise posted, all Board of Zoning Appeals Meetings
are held in the:

Richard A. Bolin Council Chambers, City Hall
25 LaGrange Street, Newnan, Georgia 30263

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

Phone: 770-254-2354

E-mail: tdunnavant@cityofnewnan.org



CITY OF NEWNAN
Board of Zoning Appeals
Meeting Minutes
June 7, 2022
10:00 a.m.

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

Board Members Absent: Skin Edge

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

CALL TO ORDER

Vice-Chairman Lovell called the meeting to order at 10:01 a.m. in the Richard A. Bolin Council Chambers, City Hall, 25 LaGrange Street.

READING OF THE MINUTES

Vice-Chairman Lovell asked the Board if they had reviewed the minutes from the May 3, 2022 meeting. After no questions or discussion, Flournoy motioned to accept the minutes. Hensley seconded the motion.

MOTION CARRIED (6-0)

Sign Variance Request – 166 Temple Avenue – 2022-08

Dean Smith stated the applicant originally was seeking variances to allow for a wall sign in excess of 150 square feet, to waive architectural material requirements for a monument sign, and to increase the height of the monument sign. He said the applicant, Anchor Signs, has made changes to their request and the monument sign is now in compliance with the standards. Dean Smith added they have also decreased the square footage of the wall sign and staff is good with the new size (reducing the proposed wall sign size from 286.67 square feet to 176.03 square feet).

Vice-Chairman Lovell opened the public hearing.

Gerald Chichester, Fox Rothschild, LLP, came forward to speak on behalf of the applicant. He stated that the wall sign visibility would be obstructed by the trees that are already planted.

Chichester said the variance would help with visibility of the store as cars pass by. Hensley stated that there is another Dollar Tree in town and their wall sign complies. Chichester stated that store is not a corporate store and is in a strip mall so the sign can be smaller. Hensley asked if the sign would be backlit. Dean Smith stated that it will be backlit.

After further discussion, Vice–Chairman Lovell closed the public hearing.

A motion was made by Flournoy to approve the sign variance request to allow the wall sign to be 176.03 square feet. Parker seconded.

MOTION CARRIED (4-2) (Smith & Hensley)

Variance Request – 8 Alpine Drive – 2022-09

Dean Smith stated the applicant would like a variance to reduce the front and rear setbacks for a house they are constructing on the lot at 8 Alpine Drive. He added the lot is unusually small and the previous home was damaged during the tornado and had to be demolished. Dean Smith stated that staff has no objections to the granting of the variances.

Vice–Chairman Lovell opened the public hearing on the variance requests.

Stephanie Skinner was sworn in by Brad Sears. Skinner stated they are just asking for the variances so they can rebuild their home. She added that they were in the final stages of purchasing the previous house when it was destroyed by the tornado.

Hensley stated she loves the look of the proposed home.

Vice–Chairman Lovell closed the public hearing.

A motion was made by Hensley to approve the application for variance requests to reduce the front setback by 20 feet and the rear setback by 6. Flournoy seconded.

MOTION CARRIED (6-0)

New Business

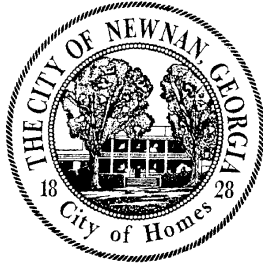
Brad Sears spoke to the Board about the lawsuit filed by Jerri White regarding the 34 Carmichael Street case. Sears stated the entire record of the case has been presented to the judge.

ADJOURN

Flournoy motioned to adjourn the meeting at 10:26 a.m. Hensley seconded.

MOTION CARRIED (6-0)

Chairman Skin Edge



City of Newnan, Georgia – Board of Zoning Appeals

Date: July 12, 2022

Application Number: 2022-10

Agenda Item: Variance Requests – 72 Farmer Street

Prepared and Presented by: Chris Cole, Planner

Purpose: To reduce the minimum front setback from the required 35 feet to 30 feet 6 inches and a variance 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.

Applicant/Property Owner: Jose Morales – Applicant / Jose & Enriqueta Morales - Property Owners

Zoning: CGN (General Commercial)

Present Use: Vacant Commercial Building

Proposed Use: Grocery Store in a New Building

Pertinent Regulations: Section 4-29(a) and Table 4-A of the City of Newnan's Zoning Ordinance

Applicant's Position: The applicant plans to construct a new building on the subject property, which is 0.13 acre +/- . The subject property currently contains a shell of the former building (constructed in 1964) that will be razed in order to construct the new building. The applicant owns the existing grocery store adjacent to the proposed site. If the variance requests are approved, the applicant will relocate the grocery store operation to the new building on the subject property (that will encompass the existing pad plus some additional land).

The applicant is asking for a variance to reduce the minimum front setback from the required 35 feet to 30 feet 6 inches and a variance 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. The applicant indicated that the proposed grocery store will be 984 square feet. The applicant has also submitted an exterior rendering of the proposed building (see attached).

Regarding the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property, the applicant indicated that the setback requirements limit the proposed construction. Regarding the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance, the applicant indicated that the lot's size and the sewer line running through the lot are the key issues.

Regarding the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property, the applicant indicated that he could not do a building addition as the existing building does not meet the current setback requirements.

Regarding the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property, the applicant indicated, "None." Note – The applicant has included a site plan that illustrates the request (see attached).

Basis for Granting Variances:

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

- A. The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict utilization of the property because of all of the following:
 - ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and,
 - ✓ Such conditions are peculiar to the particular piece of such property involved; and,
 - ✓ Such conditions were not imposed by the action or will of the owner of the property; and,
 - ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship in which the applicant would receive a lower rate of financial return on the use of the property if the variance is denied; and,
 - ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.
- B. In addition, the Board of Zoning Appeals shall affirmatively determine that:
 - ✓ The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.
 - ✓ The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

Recommendation:

Regarding the variance request to reduce the minimum front setback from the required 35 feet to 30 feet 6 inches and the variance request 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, staff believes the placement of the proposed building is appropriate and will present no negative impacts. Staff believes this proposal works within the restrictions of the lot's size, shape, and topography.

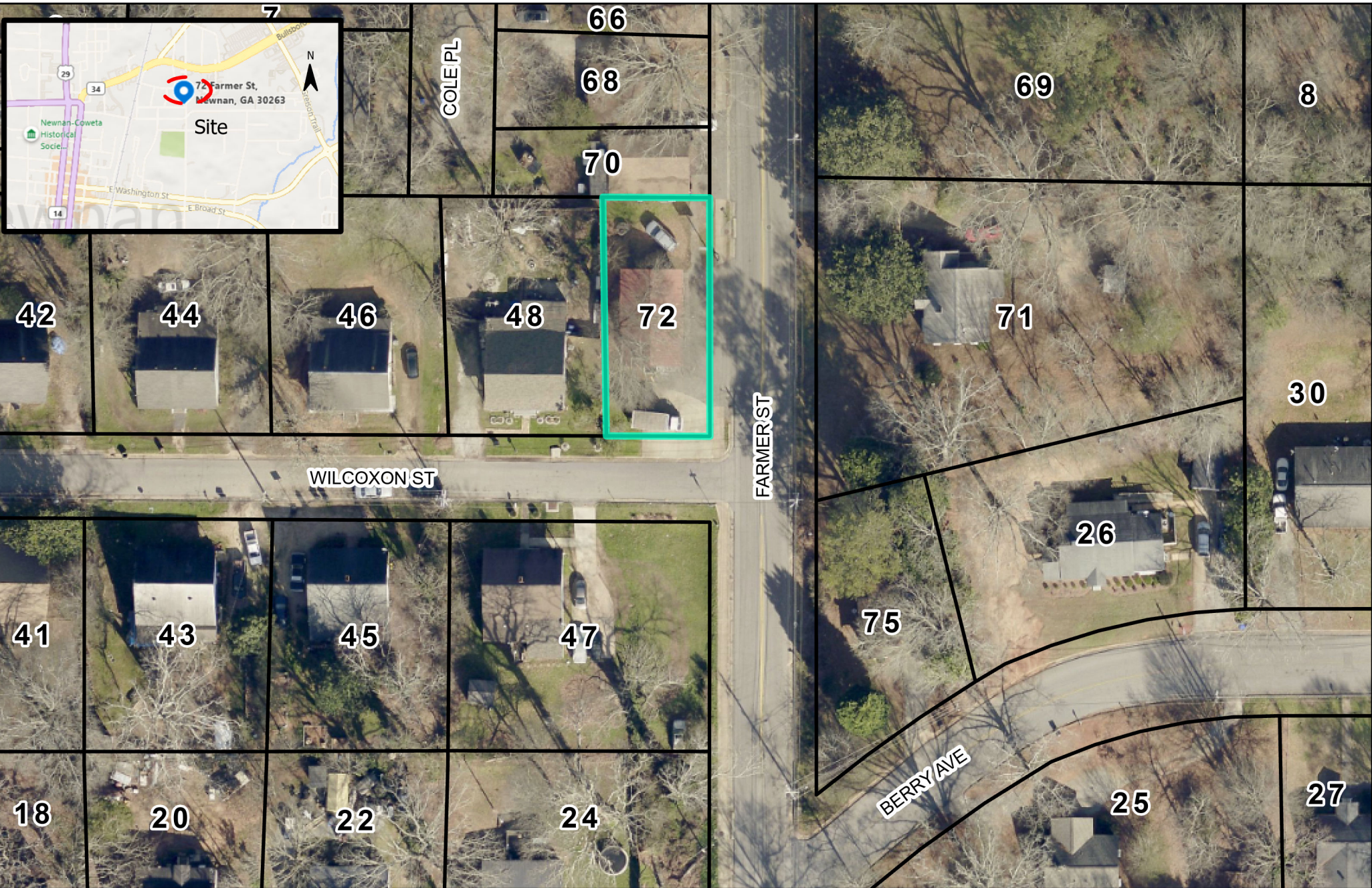
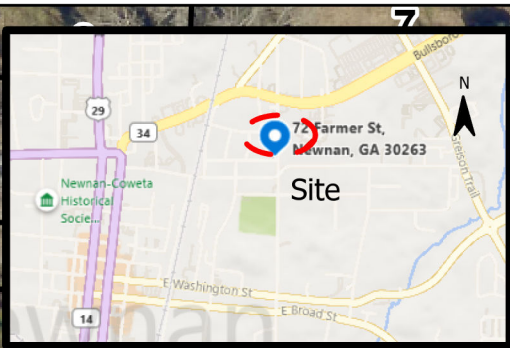
The subject property itself is extremely small at 0.13 acre +/- . The applicant had planned to place the proposed building closer to 70 Farmer Street (the site of the existing grocery store) and this would have possibly lessened the need for the variance requests. However, as the attached map shows, there is an existing sewer line that crosses the lot and this sewer line severely limits the amount of usable land. To remedy this situation, the applicant submitted the variance requests in regards to the front and street side setback requirements.

Staff also discussed the parking situation and determined that the applicant will need four off-street parking spaces. After further review, it was determined the applicant will have enough space to meet the parking requirement.

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

Attachments:

Application
Site plan



CITY OF NEWNAN

Project Location

1 = 720 feet

Date: 6/22/2022 7:41 AM



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



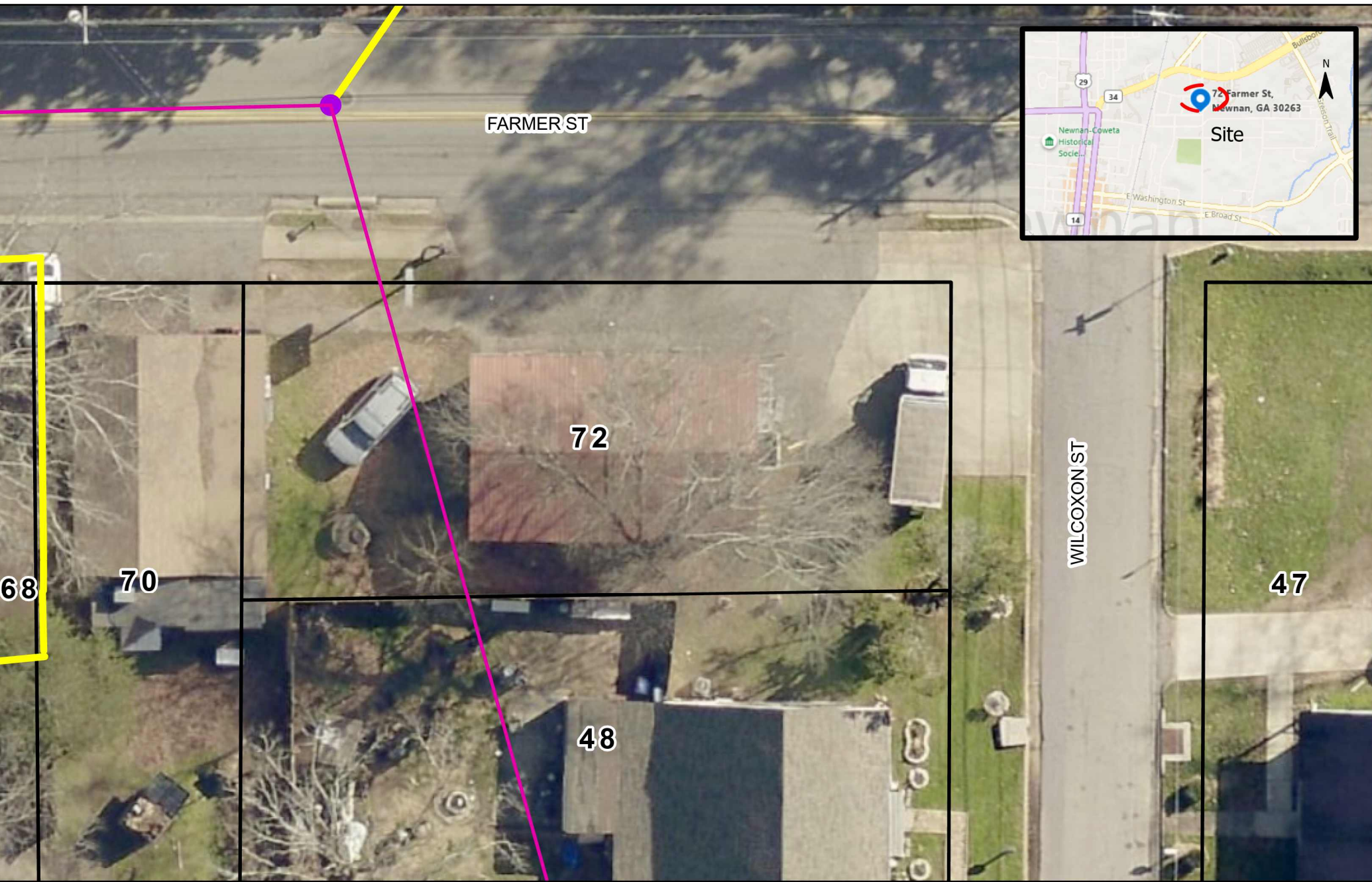
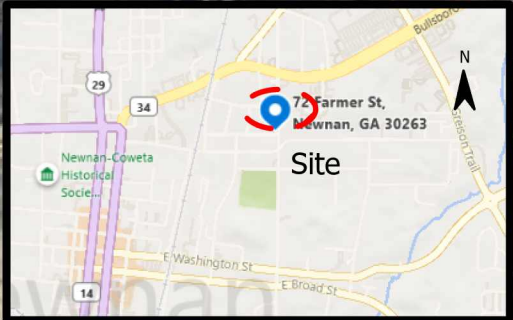
 Project Location

 City Limits

Parcel # N16 0008 006

ADDRESS

72 Farmer Street
Newnan, GA 30263



CITY OF NEWNAN



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

Project Location
1" = 240 feet

Date: 6/27/2022 12:11 PM



 Project Location
 City Limits

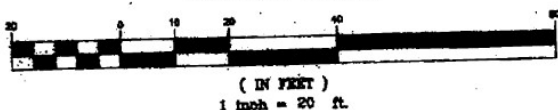
 Sewer GravityMains
 Sewer Manholes
 ssLaterallLine

Parcel # N16 0008 006

ADDRESS
72 Farmer Street
Newnan, GA 30263

AS PER OFFICIAL F.I.R.M. MAP 134082 0065 B DATED NOVEMBER 15, 1978
THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA

GRAPHIC SCALE



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

SURVEY FOR
CLARENCE A. FREEMAN
PORTION OF LOT 1, MAP NO. 5, NEWNAN COTTON MILLS P.B. 1/277
LOCATED IN LAND LOT 25 OF THE 5th LAND DISTRICT
CITY OF NEWNAN
COWETA COUNTY GEORGIA
SCALE: 1" = 20' DATE: AUGUST 7, 1995
JOB NUMBER: 95-154
REFERENCE PLAT: PLAT BOOK 38 PAGE 105

REMAINING
PORTION
LOT 1

WILCOX STREET ~ 36'

LEGEND

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

PLAT BOOK 102 PG 105

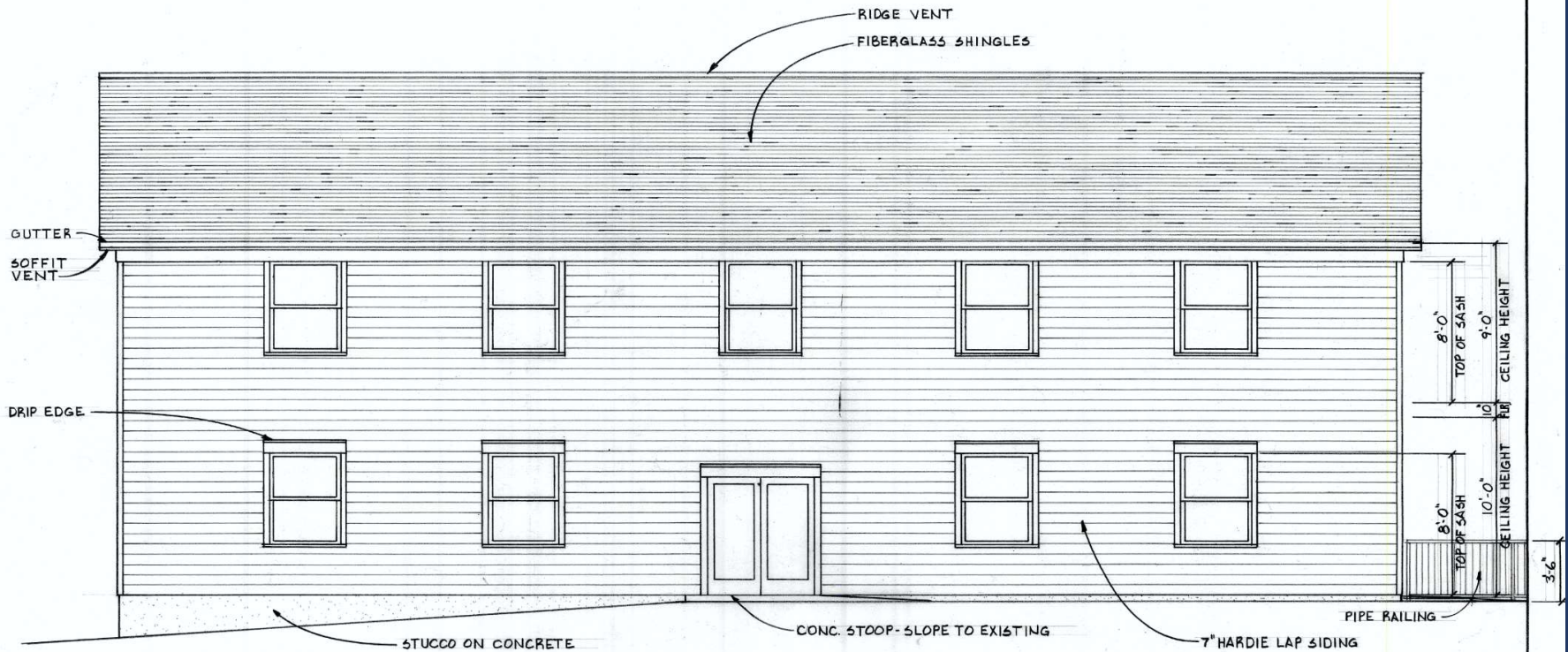
PREPARED BY
CAMPBELL, STEELE & ASSOCIATES
LAND SURVEYING LAND PLANNING ENGINEERING SERVICES
10 JACKSON STREET NEWNAN, GEORGIA 30843 PH. (404) 231-2023

FARMER STREET ~ 50' R/W

Staff Note - The proposed building will be comprised approximately of the area indicated as Concrete Block Building (plus the shaded areas). The blue arrow points to the yard requested for a front-yard setback reduction from 35 feet to 30 feet 6 inches. The green arrow points to the yard requested for a street side setback reduction from 35 feet to a 28 feet.



THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 70,405 FEET.
TYPE OF EQUIPMENT USED: TOPCON GTS 3C-MCII



Staff Note - Will Face Farmer Street

FRONT ELEVATION

1/4" = 1'-0"

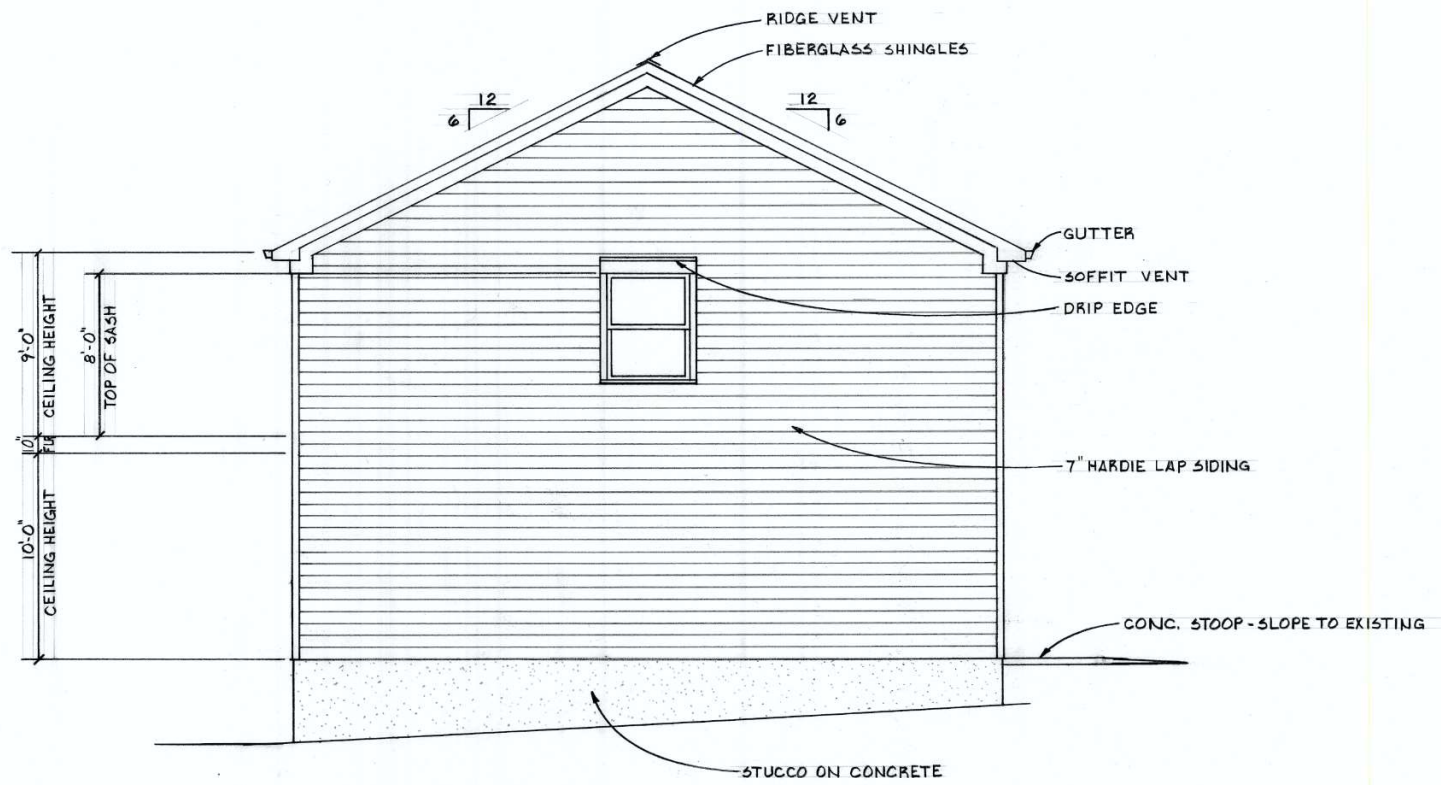
R.D.W.

ADDITIONS AND ALTERATIONS FOR:
MORALES MINI-MART
 72 FARMER STREET NEWNAN, GEORGIA 30263

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

A3

DATE:



Staff Note – Will Face Existing Grocery
At 70 Farmer Street

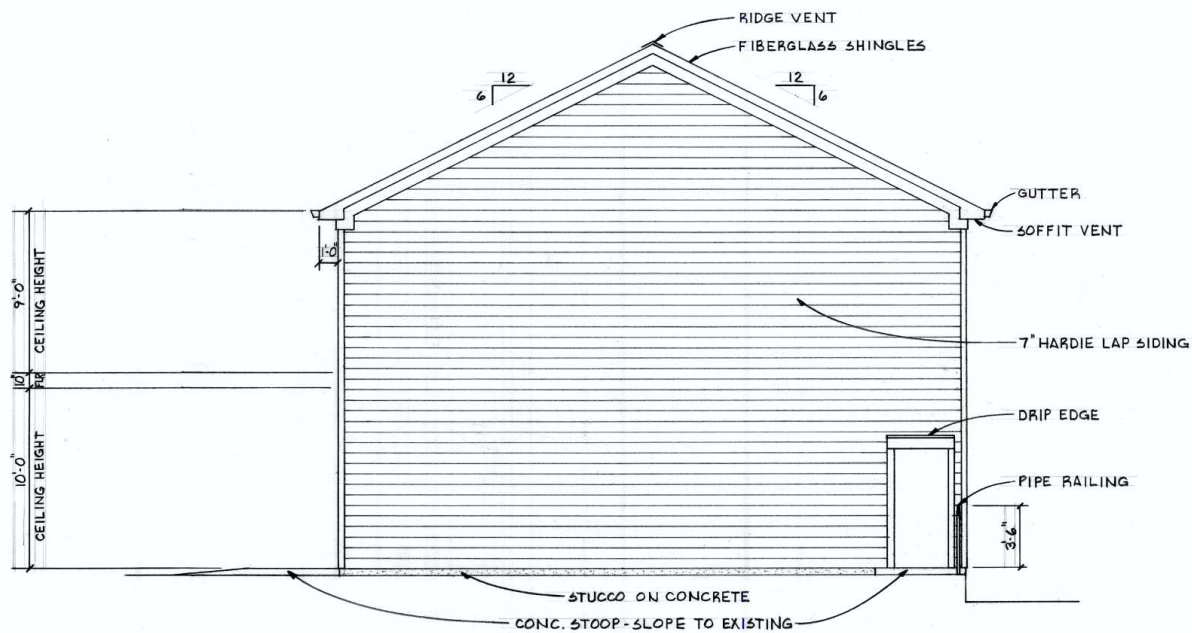
LEFT SIDE ELEVATION
1/4" = 1'-0" R.D.W.

ADDITIONS AND ALTERATIONS FOR:
MORALES MINI-MART
72 FARMER STREET NEWNAN, GEORGIA 30263

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



DATE:



Staff Note – Will Face Wilcoxon Street

RIGHT SIDE ELEVATION

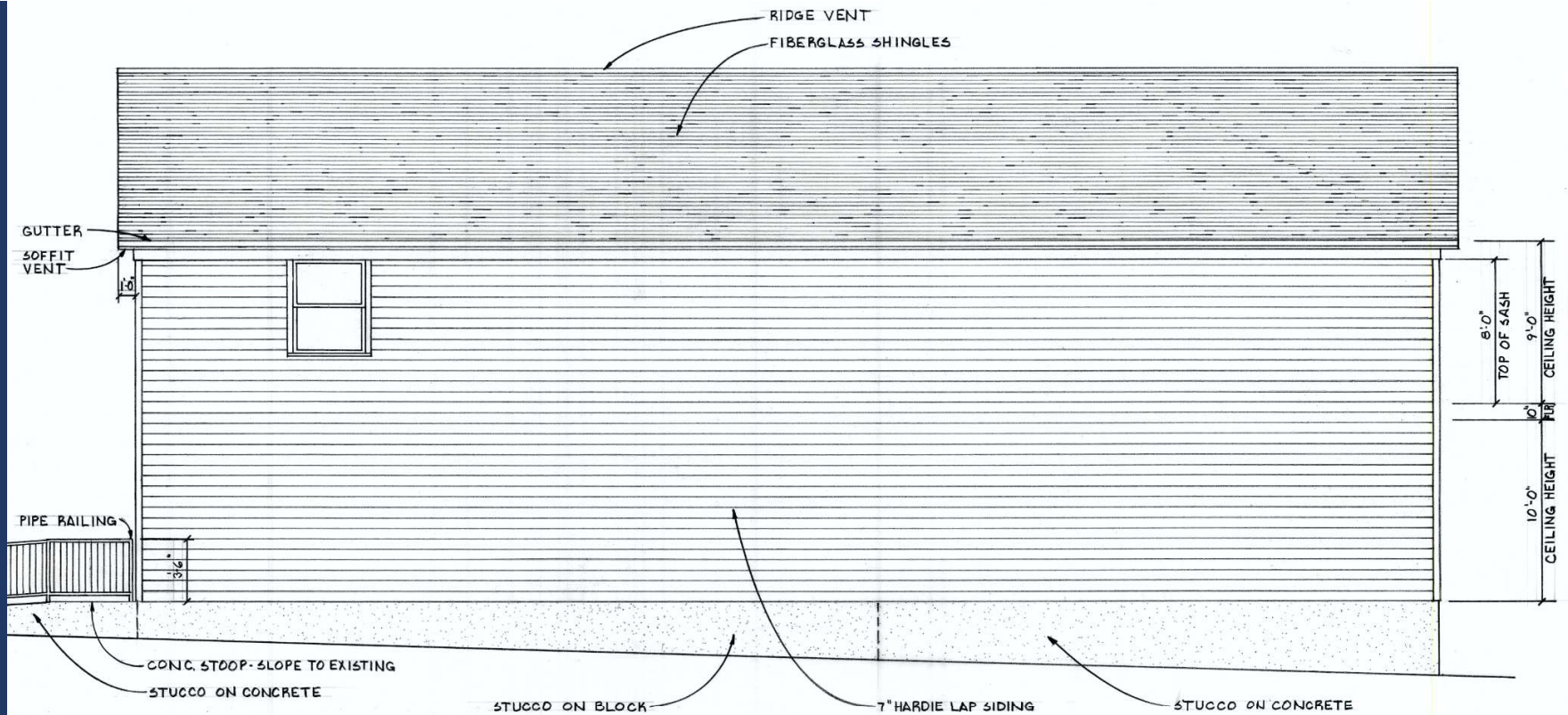
1/4" = 1'-0"

R.D.W.

ADDITIONS AND ALTERATIONS FOR:
MORALES MINI-MART
72 FARMER STREET NEWNAN, GEORGIA 30263

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





Staff Note – Will Face Adjacent Property
At 48 Wilcoxen Street

REAR ELEVATION

1/4" = 1'-0" R.D.W.

ADDITIONS AND ALTERATIONS FOR:

MORALES MINI-MART

72 FARMER STREET NEWNAN, GEORGIA 30263

R. DALE WILKIN

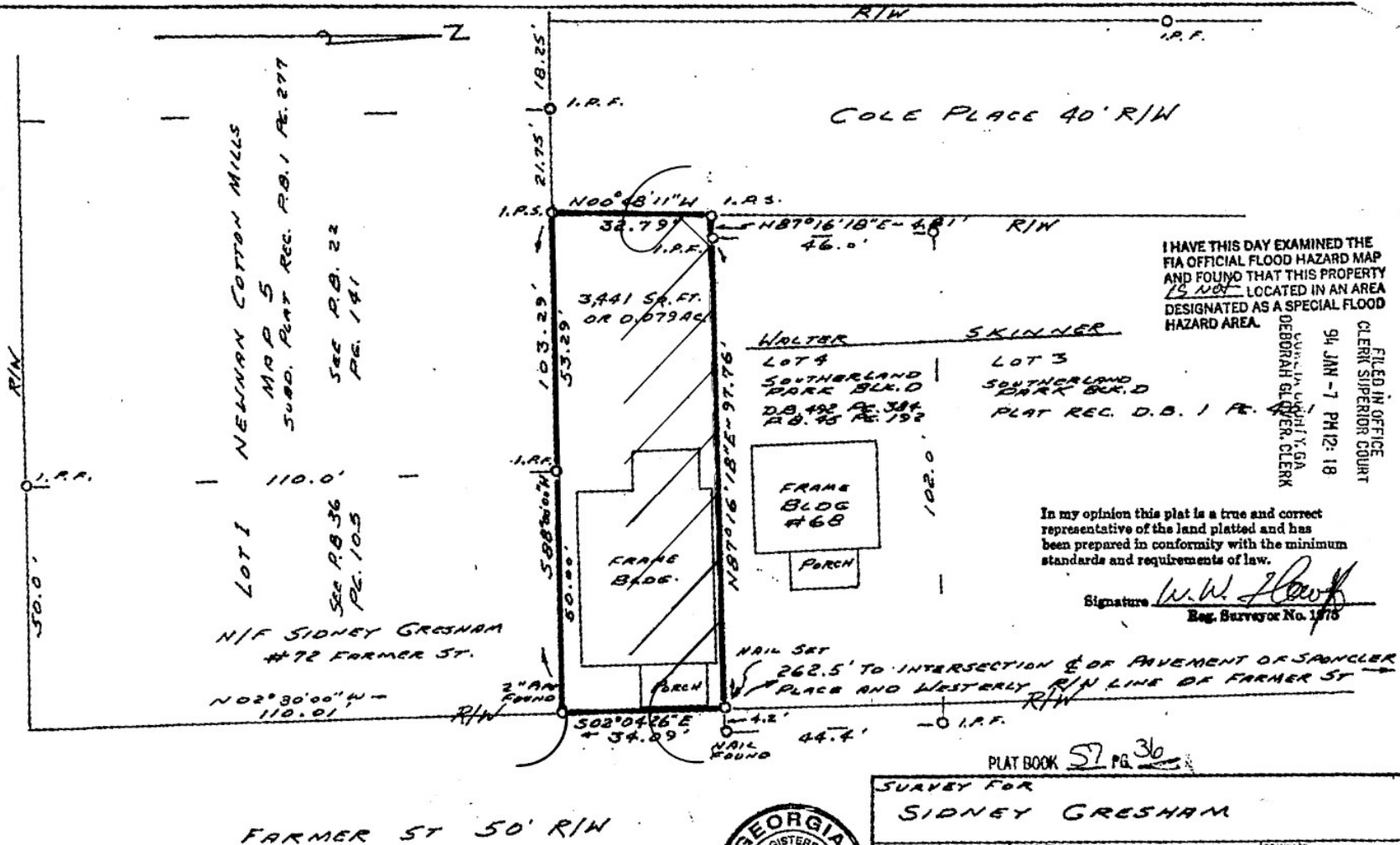
ARCHITECTURAL SERVICES

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

DATE :

A5

WILCOXON ST. 36' R/W



I HAVE THIS DAY EXAMINED THE
FIA OFFICIAL FLOOD HAZARD MAP
AND FOUND THAT THIS PROPERTY
IS NOT LOCATED IN AN AREA
DESIGNATED AS A SPECIAL FLOOD
HAZARD AREA.

FILED IN OFFICE
CLERK SUPERIOR COURT
94 JAN - 7 PM 12: 18
DEBORAH GLENN, CLERK

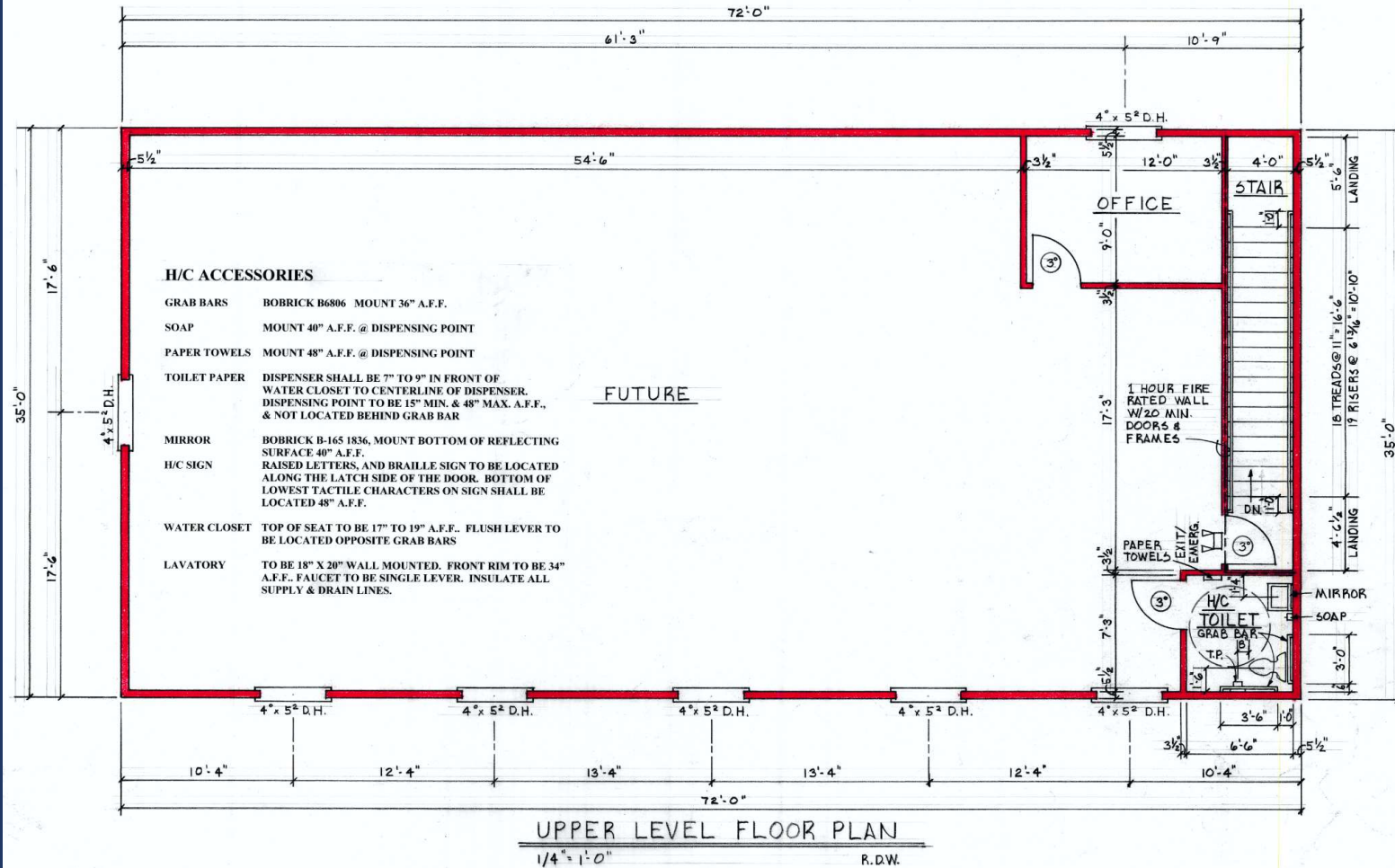
In my opinion this plat is a true and correct
representative of the land platted and has
been prepared in conformity with the minimum
standards and requirements of law.

Signature W. W. Flowers, Jr.
Reg. Surveyor No. 1975

PLAT BOOK 57 PG 36



SURVEY FOR SIDNEY GRESHAM	
SCALE: 1"=20'	APPROVED BY:
DATE: 1-1-94	REVIEWED:
CITY OF NEWNAN CONETA COUNTY, GEORGIA	
DRAWING NUMBER	



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

DATE:

ADDITIONS AND ALTERATIONS FOR:
MORALES MINI-MART
72 FARMER STREET NEWNAN, GEORGIA 30263

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

A2

72 Farmer Street - Variance

View of subject property from Farmer Street



View of subject property from the corner of Farmer Street and Wilcoxen Street



72 Farmer Street - Variance

View of adjacent property at 48 Wilcoxen Street (to the rear of subject property)



View to the west on Wilcoxen Street



72 Farmer Street - Variance

View across Wilcoxon Street from the subject property



View to the south on Farmer Street



72 Farmer Street - Variance

View across Farmer Street from subject property



View to the north on Farmer Street



72 Farmer Street - Variance

View of adjacent property to the north at 70 Farmer Street (the existing grocery store owned by the applicant)



Alternate view of subject property from Farmer Street



72 Farmer Street - Variance

Alternate view of subject property from Farmer Street



Alternate view of subject property - Applicant's rear portion of the lot (to the right) and the neighbor at 48 Wilcoxen Street (to the left)





CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR VARIANCE

Name of Applicant Jose Morales
Mailing Address 22 Coles Walk NEWNAN GA 30265
Telephone 404 556-1822 E-Mail: DelValleNEWNAN@gmail.com
Property Owner (Use back if multiple names) _____
Mailing Address _____
Telephone _____
Address/Location of Property 72 Farmer ST NEWNAN GA 30263
Tax Parcel No: N16 0008 006 @
Present Zoning Classification: CGN @
Present Land Use _____
Intended Use Grocery store

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

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least thirty (30) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) _____ of the Zoning Ordinance/Subdivision Regulations: _____

In order for the Board to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
SETBACK REQUIREMENTS LIMIT PROPOSED CONSTRUCTION
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
CGN

Application For Variance

City of Newnan, Georgia

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?

SIZE OF LOT + CITY SEWER RUNNING
THRU LOT

4. What is the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property?

COULD NOT ADD TO EXISTING NOT
IN COMPLIANCE

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?

NONE

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

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

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

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

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

Included with the application, the following information is required:

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

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

Jose Morales

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

Jose Morales

Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Chris Cole

DATE OF FILING 5/24/2022

BZA MEETING DATE 7/12/2022

DATE OF NOTICE PUBLICATION 6/22/2022

ACTION TAKEN (DATE) _____



City of Newnan, Georgia
Attachment A

Property Owner's Authorization

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

Name of Property Owner Jose Morales

Telephone Number 404 556-1822

Address of Subject Property 72 Farmer St NEWNAN GA 30263

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

Jose Morales

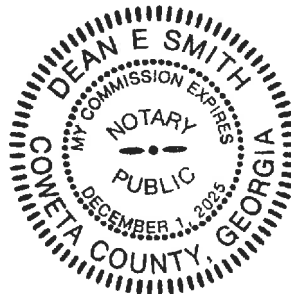
Signature of Property Owner

Personally appeared before me

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

[Signature]

Notary Public



(Affix Raised Seal Here)

5-24-22
Date



APPEARANCE STATEMENT

Public Hearing Attendance Requirements

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

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

The Board of Zoning Appeals will hear your request on July 12 at 10:00 AM

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

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

IMPORTANT

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

Applicant's Name: Jose Morales
(Please Print)

Applicant's Signature: Jose Morales

Date: 5-24-22

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



City of Newnan, Georgia – Board of Zoning Appeals

Date: July 12, 2022

Application Number: 2022-11

Agenda Item: Variance Request-39 Jackson Street.

Prepared and Presented by: Dean Smith, Planner

Purpose: To hear a request for a variance to allow for an increase in the height of an existing detached structure.

Applicant/Property Owner: Gary Martin
39 Jackson Street
Newnan, GA 30263

Zoning: Urban Residential Dwelling District-Historical and Infill (RU-I)

Present Use: Single Family Residence

Proposed Use: Single Family Residence

Pertinent Regulations: Article 4, Section 4-32 of the Zoning Ordinance.

Applicant's Position: The following are excerpts from the applicant's variance petition: "...Our home is a co-generation household...Specifically, we need more room in our home to accommodate current and future needs for [our] grandchild...We anticipate that we will need for a part-time and most likely full time care giver for this child for years to come...This expansion (carriage house) will be that valuable answer to our need, which cannot be accomplished any other way on our property...The existing structure was constructed in 2007...We would be required to lower the current ceiling height of the existing garage which would require the contractor to completely modify the existing structure...The entire attic floor joist system and existing flooring would have to be removed and rebuilt once more to achieve a lower ceiling height for the current garage and to provide sufficient height for the added apartment above...This would make it impossible to retain the current garage racking/storage system in place...the current storage is necessary for our home and we have no other space to utilize for storage of family goods...Additionally, the cost of removing the current floor joist and flooring system in place now would be prohibitively expensive for the project...." The applicant is requesting that the height of the detached garage be increased by 6 feet.

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.

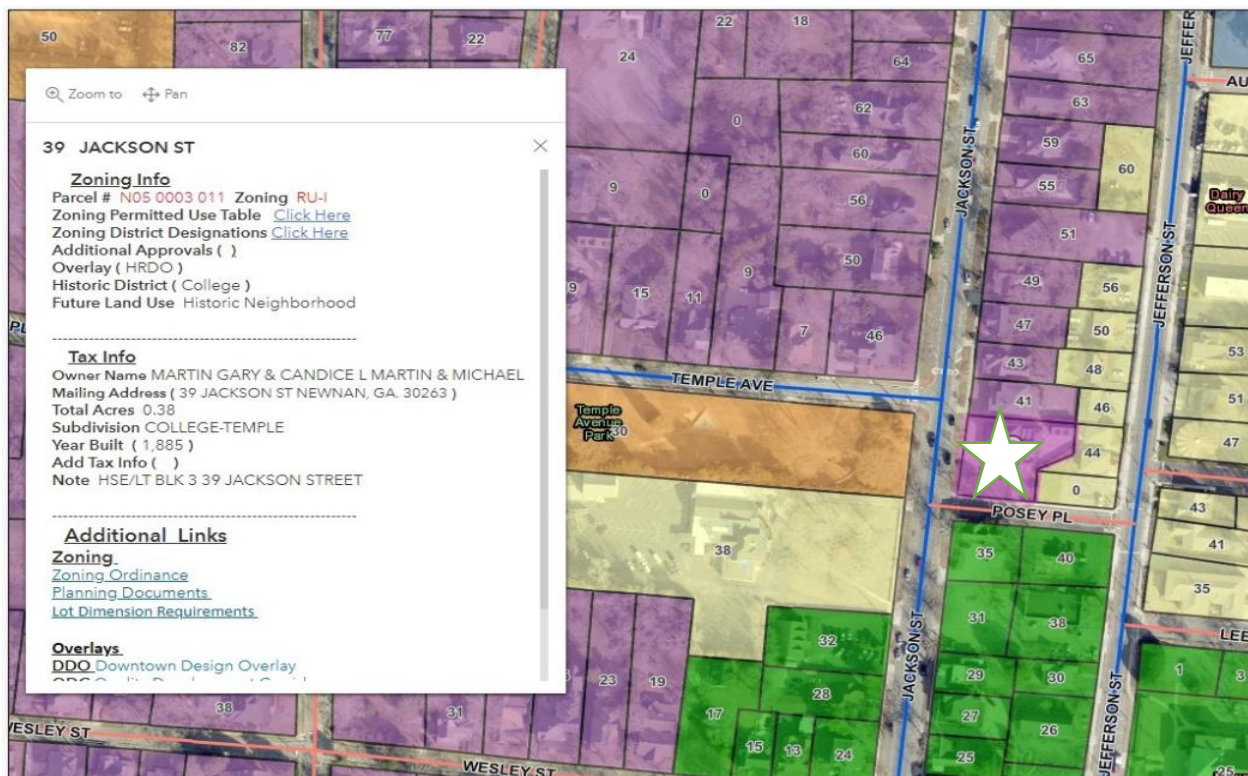
B. In addition, the Board of Zoning Appeals shall affirmatively determine that:

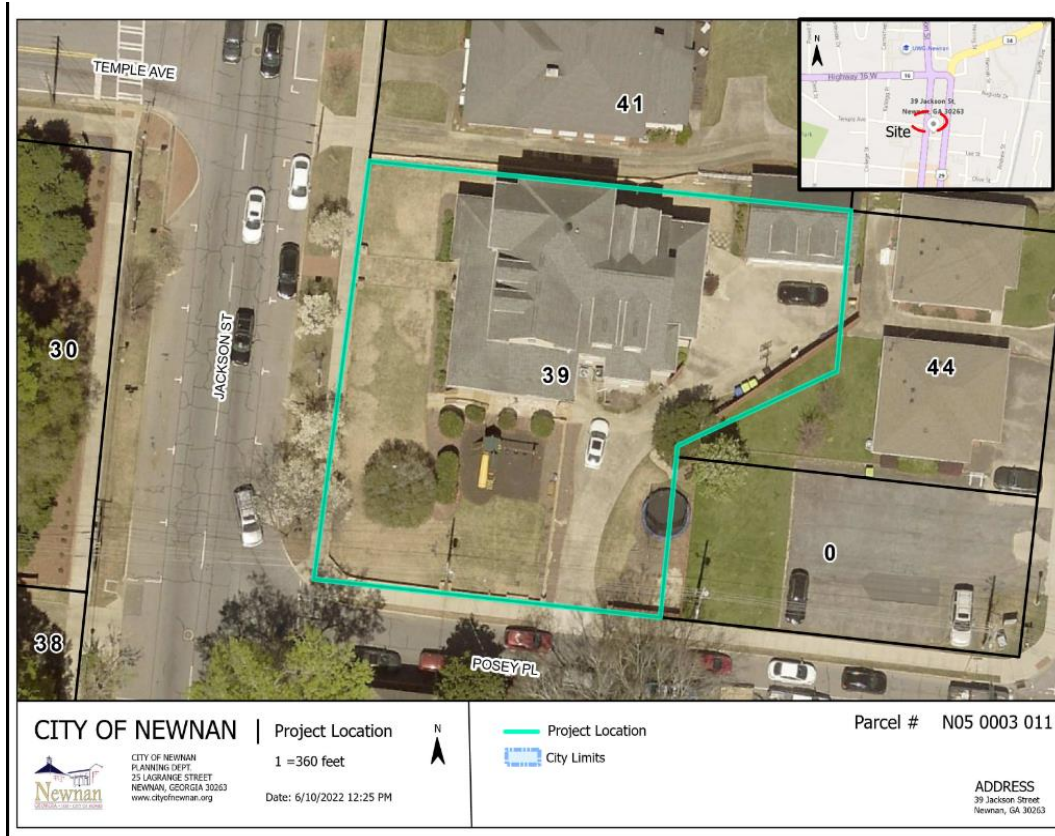
- ✓ The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

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.

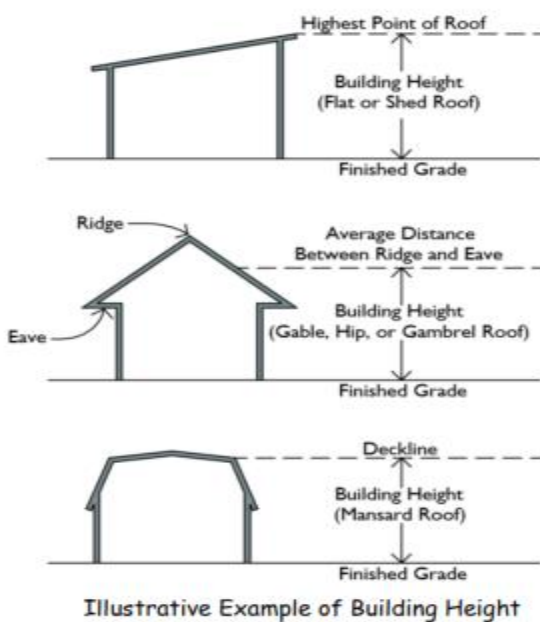
Planning Department's Review and Findings:

The Board of Zoning Appeals has heard similar requests for increase in size and height of detached garage structures in the past. The property is adjoined by commercially zoned properties to the east and south; an Open Conservation zoning to the west (Temple Avenue Park) and similarly residentially zoned property to the north.





City regulations currently limit the height of a detached garage with an apartment above to 18 feet. The applicant is seeking a variance to increase that height to not exceed 24 feet. City regulations determine the method of measuring building height with a pitched roof. The height is not measured from the peak or ridge of the roof, but from the mid-point between the ridge and the eaves (see illustration below):





Staff have received no objections from the public as of the date of this report. The increase in height for the detached structure will not raise the height of the detached structure over the height of the primary residence.

Recommendation:

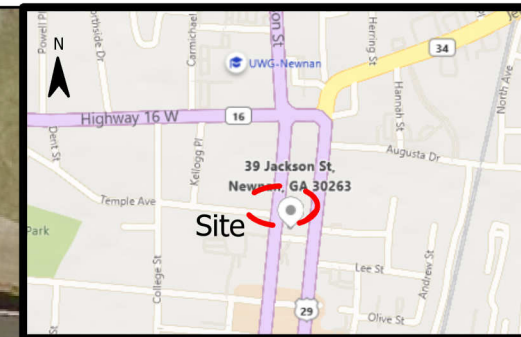
Options:

- A. Grant the variance request, with the condition that construction will be consistent with the elevations and plans provided as part of this application.
- B. Deny the variance request

In summary, staff does not have any objection to granting the request, should the Board members deem it appropriate to do so. Staff recommends Option A. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance and are limited based upon the subject property's location and restrictions of the property lines making it burdensome to add to the existing structure.

Attachments:

Application



CITY OF NEWNAN

Project Location

1" = 360 feet

Date: 6/10/2022 12:25 PM



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



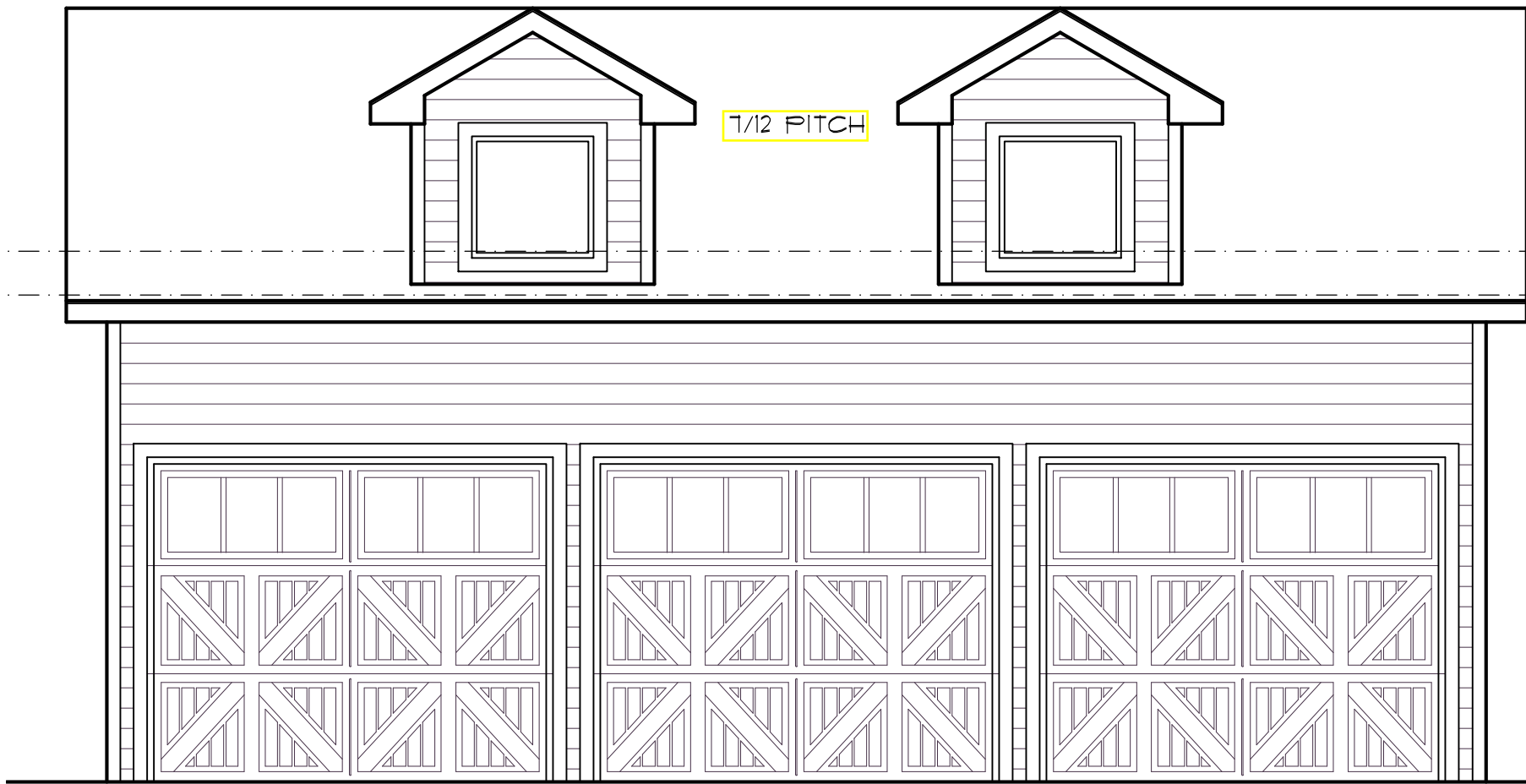
Project Location

City Limits

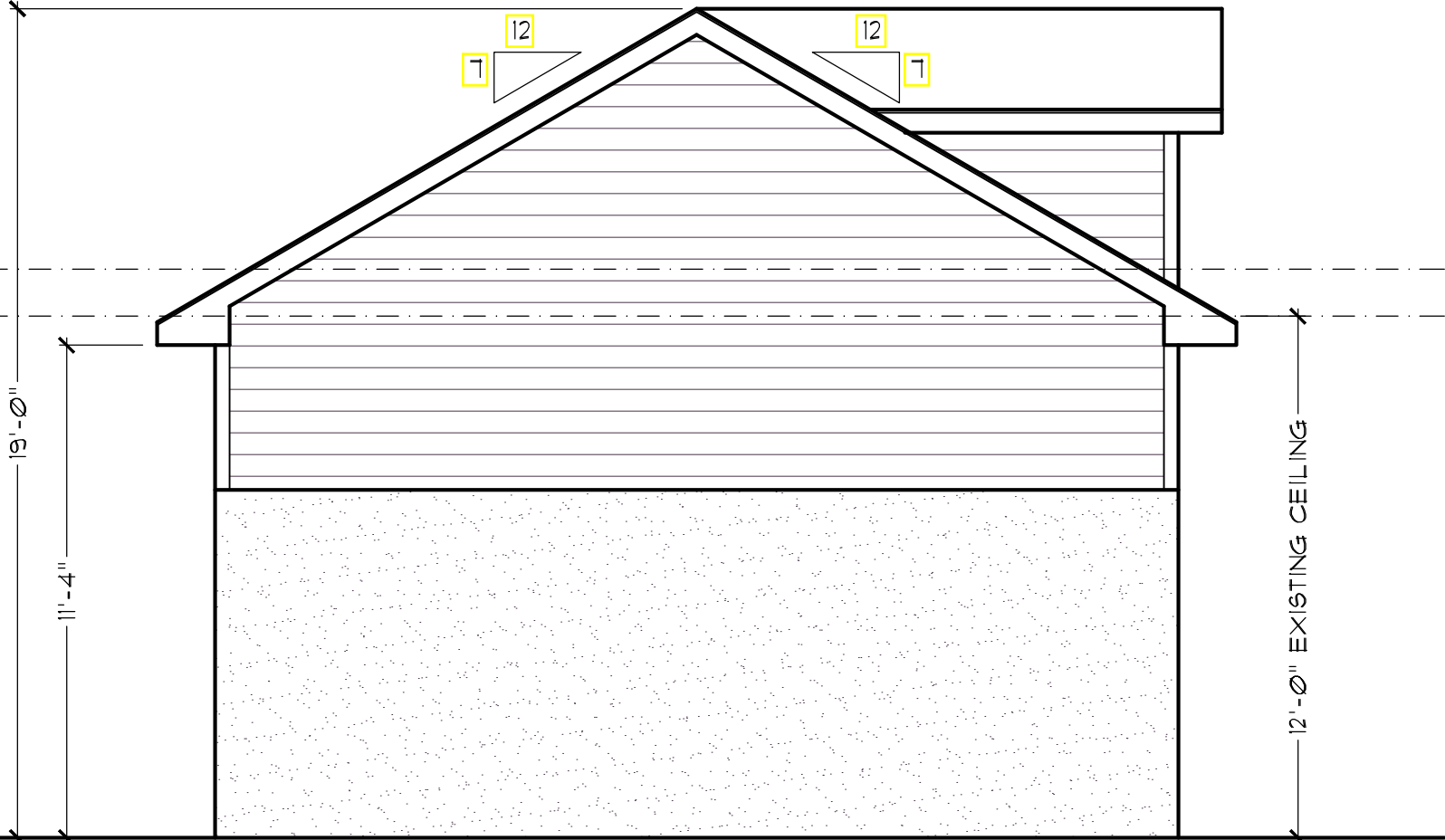
Parcel # N05 0003 011

ADDRESS
39 Jackson Street
Newnan, GA 30263

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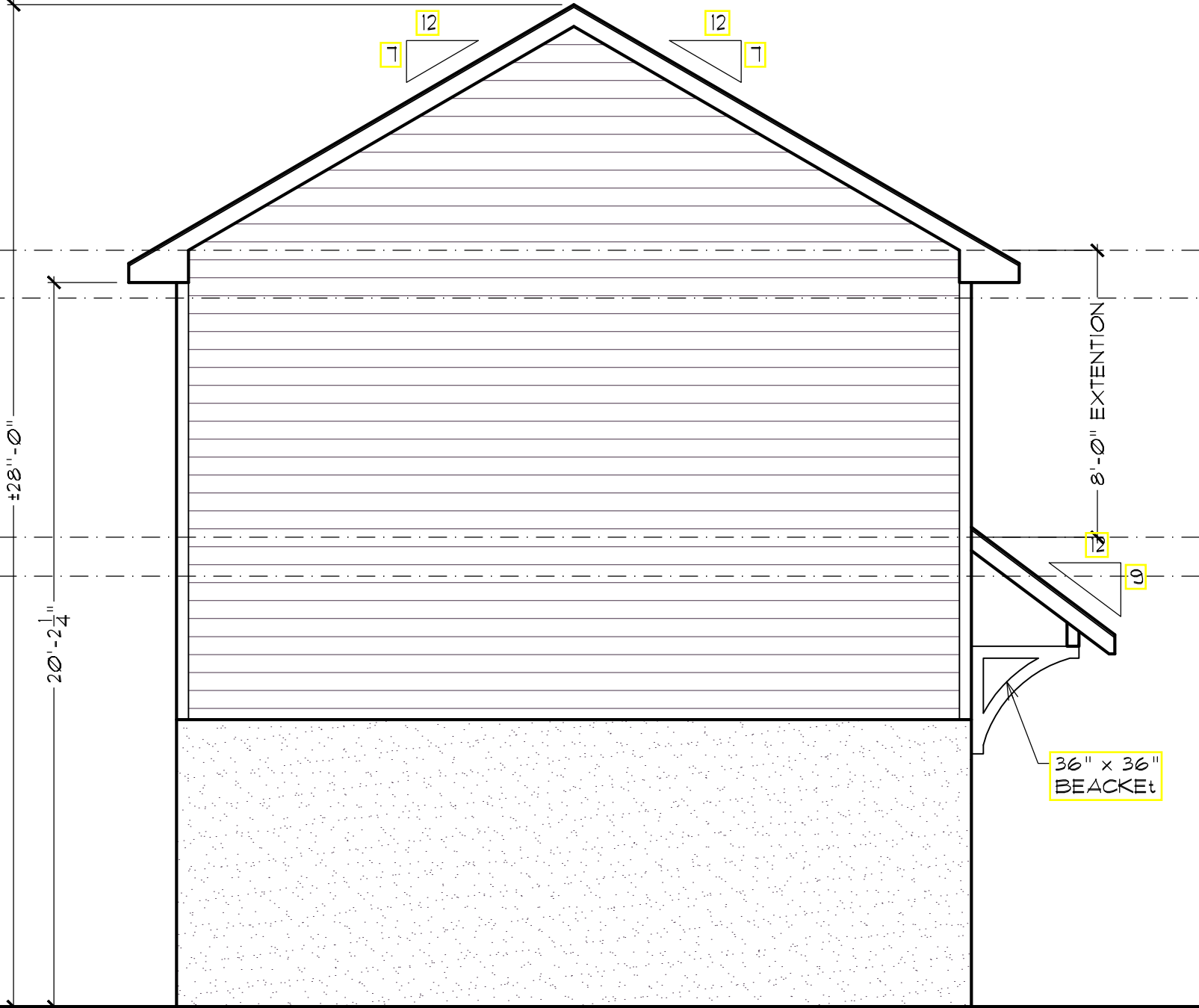
EXISTING FRONT ELEVATION



EXISTING LEFT ELEVATION



NEW FRONT ELEVATION



NEW LEFT ELEVATION

These drawings, for this design, have been developed and issued without structural engineering by Brian Riede Design, Inc. Upon beginning construction, the referenced use of this design's working drawings waives all responsibility from the designer and/or draftspersons of Brian Riede Design, Inc. to be held responsible for inadvertent discrepancies, construction interpretations and/or construction results. Therefore, supplemental to these documents, is the owner, and his builder(s) responsibility for following material and equipment manufacturer's instructions, structural analysis (unless otherwise stipulated), and using recognized standards for each building craft trade, as well as compliance in full with all governing code requirements.

Brian Riede Design, Inc.
1241 Smokey Road Newnan, GA, 30263
678-361-2356 bmriede@yahoo.com

PROJECT: JACKSON STREET GARAGE	
DRAWN BY: RIEDE	DRAWING: ELEVATIONS
DRWG. DATE: 6/14/22	
SCALE: 1/4" = 1'-0"	
PLAN NUMBER: BRD220072	
DRWG. NO. 1	

RELEASE DATE:



NEWMAN
GEORGIA

CITY OF NEWMAN, GEORGIA

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

APPLICATION FOR VARIANCE

Name of Applicant GARY N. MARTIN
Mailing Address 39 JACKSON ST., Newnan, GA 30263
Telephone 404-317-7233 E-Mail: gm6962@gmail.com
Property Owner (Use back if multiple names) GARY & CANAICE MARTIN & MICHAEL & LINDSEY WISELY
Mailing Address 39 JACKSON ST., Newnan, GA 30263
Telephone 404-317-7233
Address/Location of Property 39 JACKSON ST., Newnan, GA 30263
Tax Parcel No: N 05 0003 011
Present Zoning Classification: RESIDENTIAL - NEWMAN CITY - RU-1
Present Land Use RESIDENTIAL HOME
Intended Use " "

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

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least thirty (30) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) 4-32, Table 4-A of the Zoning Ordinance/Subdivision Regulations:

In order for the Board to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

*** SEE ATTACHED ADDENDUM!**

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

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

Residential Newnan City

1. **What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?**
 - a. The height restriction for the unattached amended structure requested will not provide an internal ceiling height for the requested living space so as to achieve at least a 9' ceiling height.
2. **What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?**
 - a. Residential Newnan City
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.**
 - a. NA
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?**
 - a. The existing structure / garage was constructed in 2007 (22'x33'). We would be required to lower the current ceiling height of the existing garage which would require the contractor to completely modify the overall structure. The entire attic floor joist system and existing flooring would have to be removed and rebuilt once more to achieve a lower ceiling height for the current garage, and to provide sufficient height for the added apartment above. This would make it impossible to retain the current garage racking / storage system in place, which is attached to the existing upper level floor joist / rafter system. This current storage space is very necessary for our home, and we have no other space to utilize for storage of family goods. Additionally, the cost for removing the current floor joist and flooring system in place now would be prohibitively expensive for the project.
 - b. Our home is a co-generation household. It is occupied by Gary & Candice Martin, along with daughter and son-in-law Lindsey and Michael Wisely and their three children, ages 8, 5 and 6 months. This latest child is our surprise grandchild for us all. Joseph Richard Allen Wisely (Rip) was born to Lindsey and Mike with Downs Syndrome. I will not try to cover all the details surrounding this event. We are incredibly engaged and happy with the family challenges in front of us. Specifically, we need more room in our home to accommodate current and future needs for this grandchild. We anticipate that we will have need for a part-time and most likely full time care giver for this child for years to come. This expansion (carriage house) will be that valuable answer to our need, which cannot be accomplished any other way on our property. We humbly and whole heartedly request your positive approval of this request.
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?**
 - a. The current height restriction would need to be exceeded by 6 feet.
6. **Legal description of property**
 - a. HSE/LT BLK 3 39 JACKSON STREET
 - b. R3-Residential Newnan City

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?
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?
5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?

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

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

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

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

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

Included with the application, the following information is required:

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

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

GARY N. MARTIN

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

Gary N. Martin

Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Den Smith

DATE OF FILING 6/9/22

BZA MEETING DATE 07/12/2022

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 GARY & Candice Martin

Telephone Number 404-317-7233

Address of Subject Property 39 JACKSON ST.
NEWNAN, GA. 30263

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

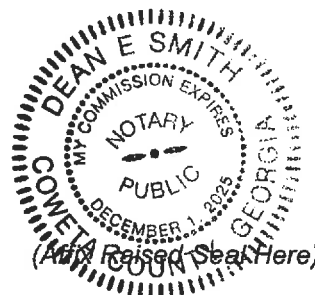
[Signature]
Signature of Property Owner

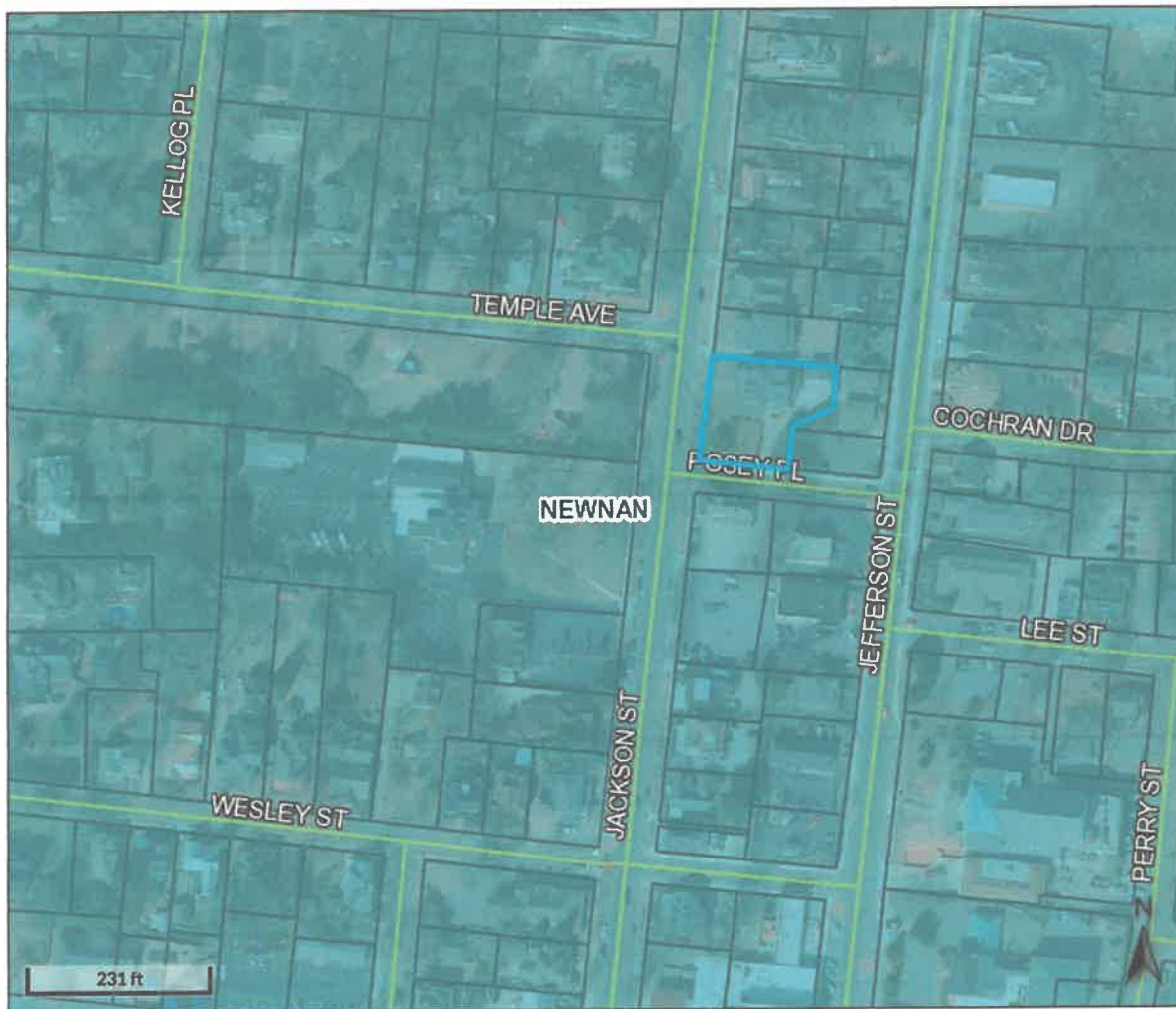
Personally appeared before me

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

[Signature]
Notary Public

6-9-22
Date





Overview



Legend

- Parcels
- Roads
- Municipalities**
 - CHATTAHOOCHE HILLS
 - GRANTVILLE
 - HARALSON
 - MORELAND
 - NEWNAN
 - PALMETTO
 - SENOIA
 - SHARPSBURG
 - TURIN

Parcel ID N05 0003 011
Class Code Residential
Taxing District NEWNAN 02
Acres 0.34

Owner MARTIN GARY & CANDICE L MARTIN & MICHAEL
 WISELY & LINDSEY WISELY
 39 JACKSON ST
 NEWNAN, GA 30263
Physical Address 39 JACKSON ST

Assessed Value Value \$547669

Last 2 Sales

Date	Price	Reason	Qual
5/24/2018	\$549900	FM	Q
3/18/2015	\$377500	FM	Q

(Note: Not to be used on legal documents)

Date created: 5/13/2022
 Last Data Uploaded: 5/13/2022 6:19:39 AM

Developed by  **Schneider**
 GEOSPATIAL



Coweta County, GA

Summary

Parcel Number	N05 0003 011
Location Address	39 JACKSON ST
Legal Description	HSE/LT BLK 3 39 JACKSON STREET
	(Note: Not to be used on legal documents)
Class	R3-Residential
	(Note: This is for tax purposes only. Not to be used for zoning.)
Tax District	NEWNAN 02 (District 02)
Millage Rate	26.876
Acres	0.34
Neighborhood	UL-Newnan HS-Newnan City (224041)
Homestead Exemption	Yes (LC)
Landlot/District	0 / 5

[View Map](#)

Owner

MARTIN GARY & CANDICE L MARTIN &
MICHAEL
WISELY & LINDSEY WISELY
39 JACKSON ST
NEWNAN, GA 30263

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	Res-Newnan City	Acres	12,870	60	100	0.34	1

Residential Improvement Information

Style	1 Family (Detached)
Heated Square Feet	5434
Interior Walls	Sheetrock
Exterior Walls	Cement Fiber Siding
Foundation	Part Basement/Crawl
Attic Square Feet	0
Basement Square Feet	0
Year Built	1885
Roof Type	Architectural (310)
Flooring Type	Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	0
Number Of Bedrooms	5
Number Of Full Bathrooms	5
Number Of Half Bathrooms	1
Number Of Plumbing Extras	21
Value	\$445,120
Condition	Average
House Address	39 JACKSON

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite Imp: 3 Avg	2019	0x0 / 1	0	\$5,000
Garage (detached)	2007	22x31 / 0	1	\$12,549

Permits

Permit Date	Permit Number	Type	Description
04/22/2019	00000102	FENCE	FENCE
05/03/2007	2007-0073	ELECTRIC	Daniel Wible Electrical
04/11/2007	2007-0075	GENERAL MAINT.	general repair
03/06/2007	2007-0047	GENERAL MAINT.	Richler Remodeling general repairs
05/31/2001	01-01665	GENERAL MAINT.	GENERAL REPAIR CAR DAMAGE

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
5/24/2018	4707 783	83 31	\$549,900	QUALIFIED IMPROVED	DELOACH JOHN T & SYLVIE J DELOACH	MARTIN GARY & CANDICE L MARTIN & MICHAEL
3/18/2015	4194 416	83 31	\$377,500	QUALIFIED IMPROVED	RS9 LLC	DELOACH JOHN T & SYLVIE J DELOACH
3/28/2014	4069 824	83 31	\$315,000	QUALIFIED IMPROVED	RICHTER JOHN	RS9 LLC

2/28/2007	3154 855	83 31	\$160,000	UNQUALIFIED IMPROVED	AURORA LOAN SERVICES LLC	RICHTER JOHN
9/5/2006	3055 570	83 31	\$0	UNQUALIFIED IMPROVED	THOMPSON STUART G	AURORA LOAN SERVICES LLC
2/1/2005	2688 179		\$345,000	QUALIFIED IMPROVED	JOHNS PHILLIP K	THOMPSON STUART G
3/31/2004	2465 224		\$340,000	UNQUALIFIED MULTIPLE	WILLIAMS ALFRED ESTATE	JOHNS PHILLIP K
11/5/2003	MB125 468		\$0	UNQUALIFIED IMPROVED	WILLIAMS ALFRED	WILLIAMS ALFRED ESTATE
5/21/1993	758 112		\$0	UNQUALIFIED IMPROVED		WILLIAMS ALFRED
11/30/1991	WILL		\$0	UNQUALIFIED IMPROVED		WILLIAMS ALFRED
4/30/1979	304 200		\$0	UNKNOWN STATUS		WILLIAMS LOUISE MAGI

Valuation

	2021	2020	2019	2018	2017
Previous Value	\$547,669	\$549,900	\$620,569	\$564,663	\$377,500
Land Value	\$85,000	\$85,000	\$73,762	\$83,228	\$83,228
+ Improvement Value	\$445,120	\$445,120	\$462,359	\$521,791	\$465,885
+ Accessory Value	\$17,549	\$17,549	\$13,779	\$15,550	\$15,550
= Current Value	\$547,669	\$547,669	\$549,900	\$620,569	\$564,663

Assessment Notices 2019

[32421 \(PDF\)](#)

Assessment Notices

[2020 \(PDF\)](#)
[2021 Assessment Notice \(PDF\)](#)

Sketches

NORTH ↑

TEMPLE AVE ↔

← WEST

SOUTH ↓

EAST →

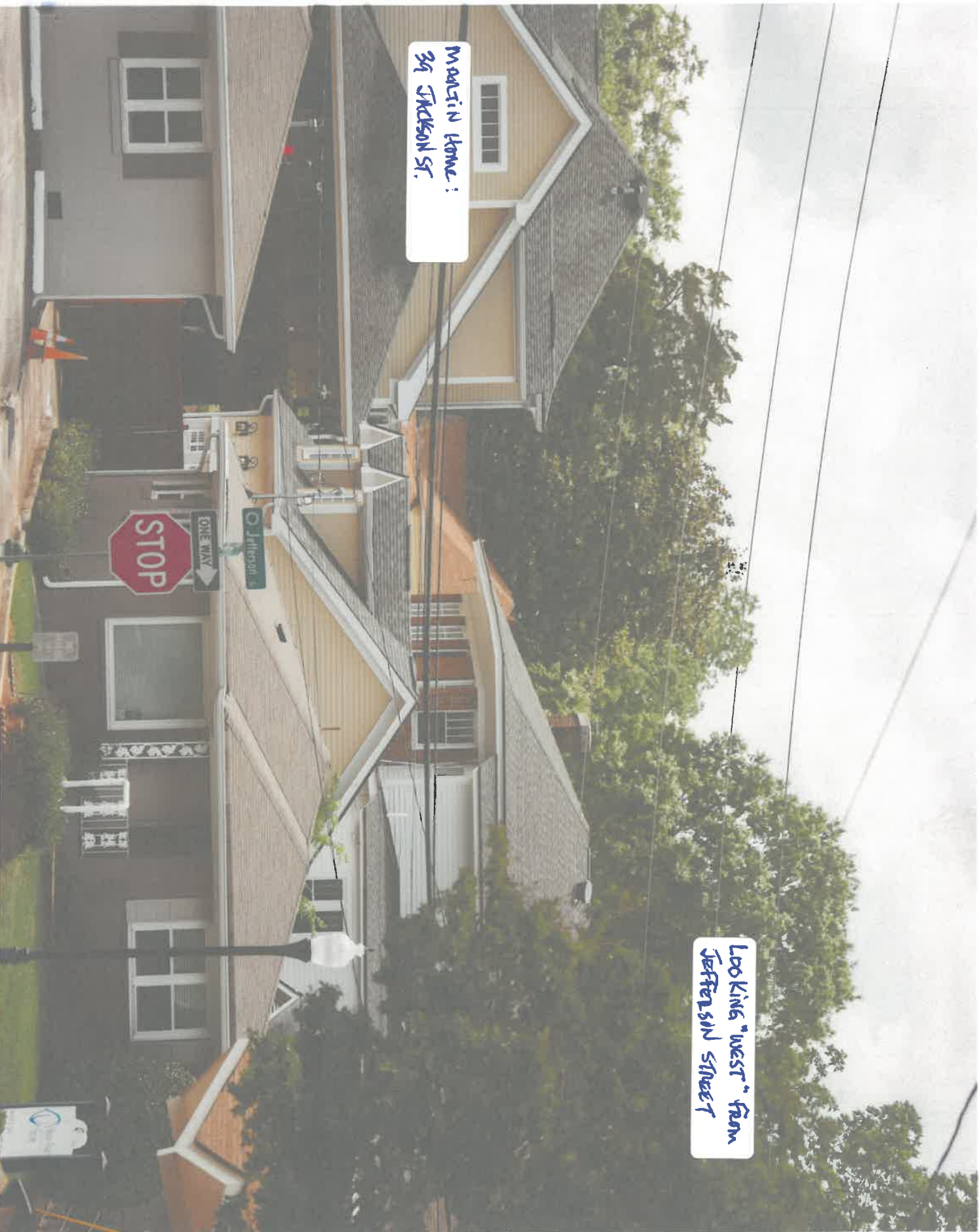


Looking East from
Temple Ave
and Jackson St.



Looking "west" from
Jefferson Street

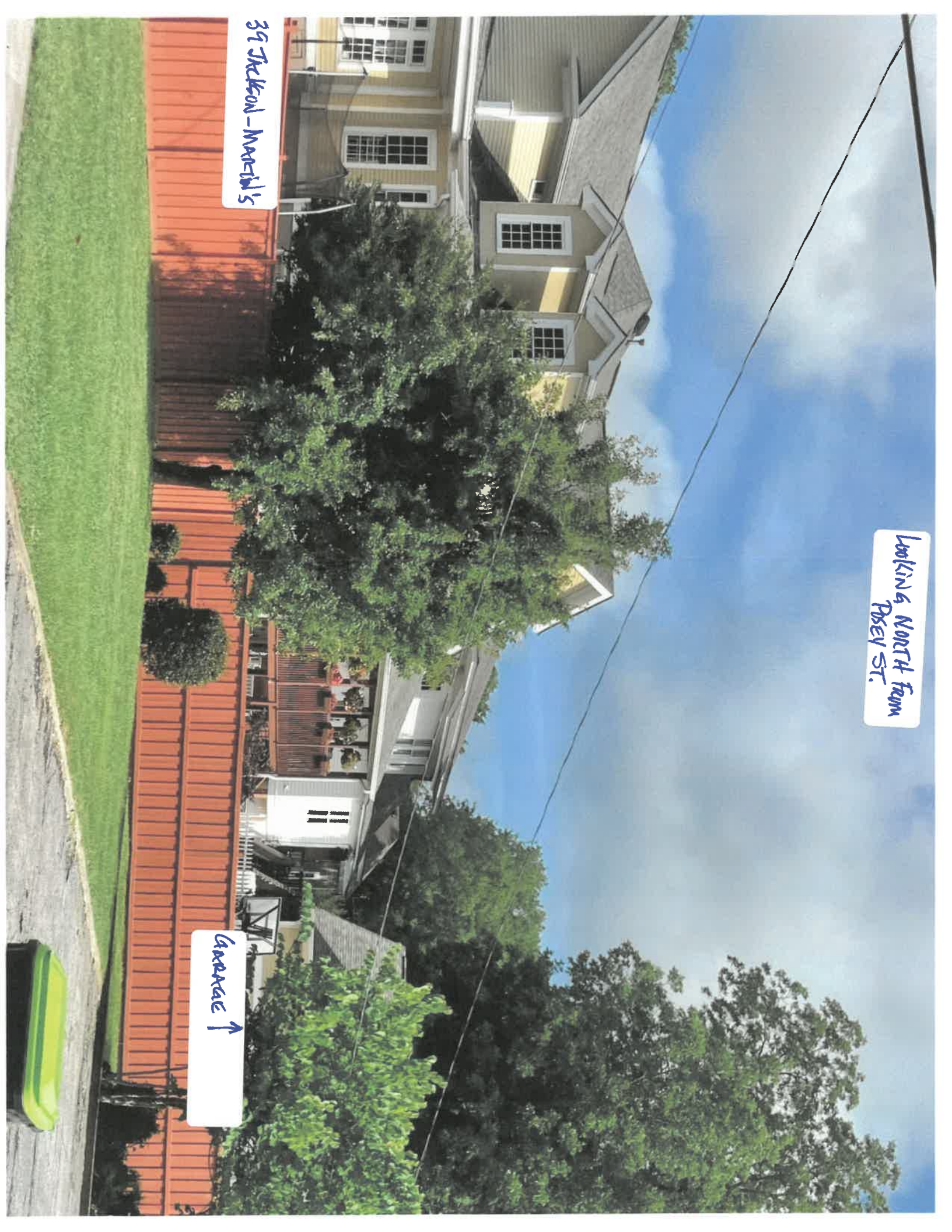
Martin home:
34 Jackson St.



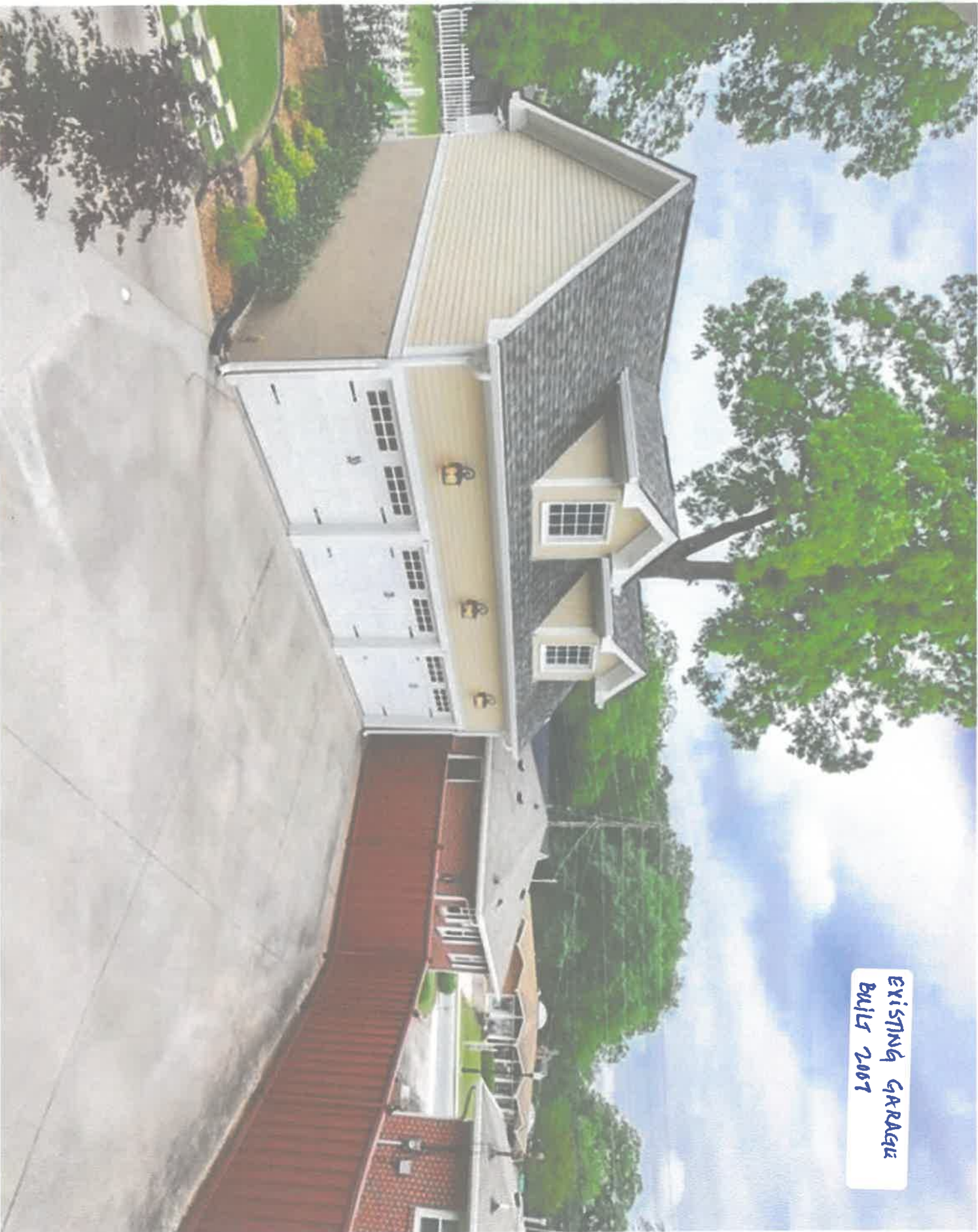
Looking NORTH from
Pine ST.

39 Jackson - Martini's

Garage ↑

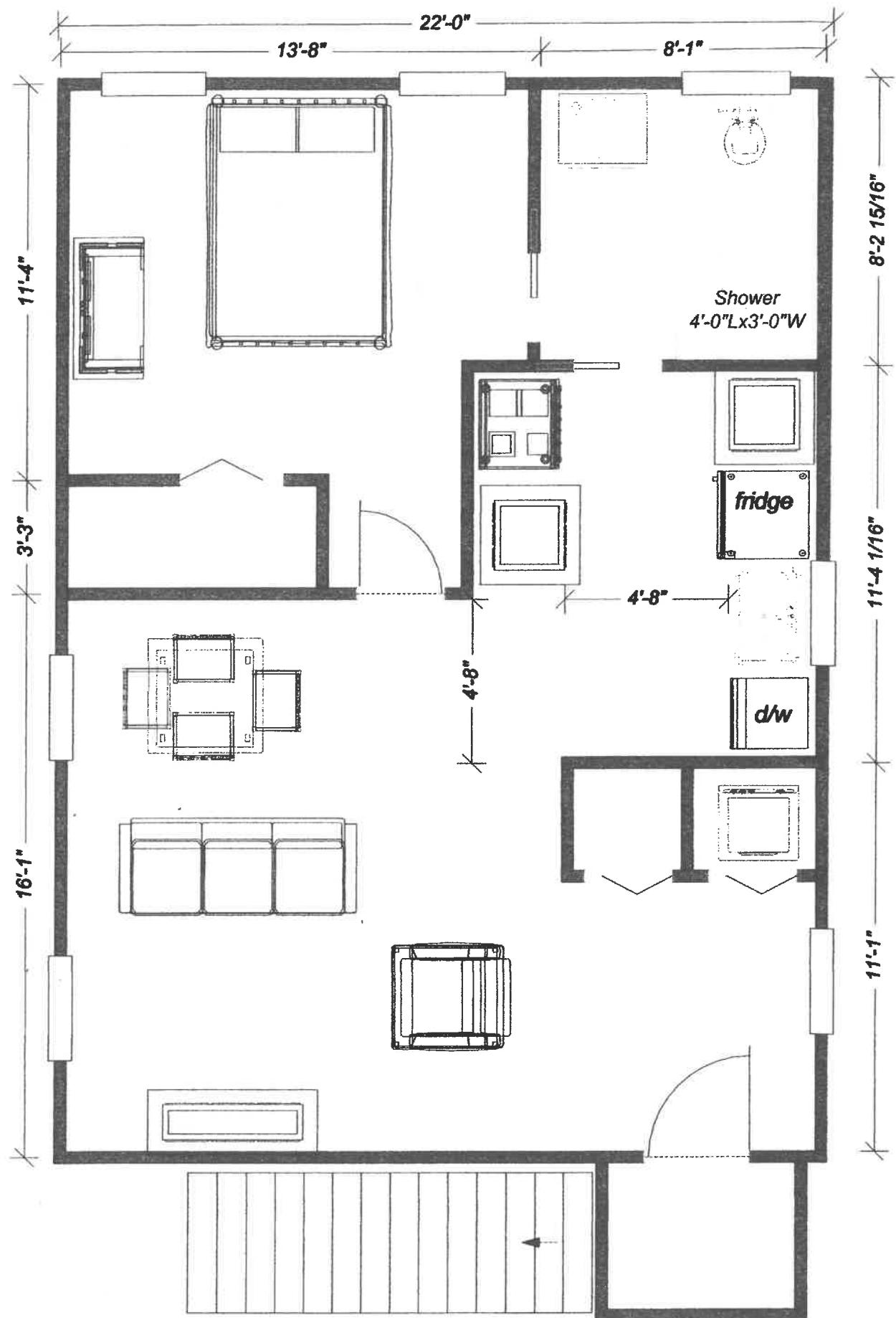


EXISTING GARAGE
BUILT 2007



↑ GARAGE CEILING







City of Newnan, Georgia – Board of Zoning Appeals

Date: July 12, 2022

Application Number: 2022-12

Agenda Item: Variance Request- 94 Lagrange Street

Prepared and Presented by: Dean Smith, Planner

Purpose: To hear a request for a variance to reduce a front building setback.

Applicant/Property Owner: Donovan & Wendy Hindle
94 Lagrange Street
Newnan, GA 30263

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

Present Use: Single Family Residence

Proposed Use: Single Family Residence

Pertinent Regulations: Article 4, Section 4-32, Table 4-A of the Zoning Ordinance.

Applicant's Position: "...Build a covered porch on the front of house and divert rain that is causing rotting at the door and along the brick stairs that touch the house and both sides of the entrance.... I am asking for a reduction in distance from the house frontage to the street that currently exists at 28ft and be reduced to 18ft....The reason for this request is to build a covered porch along the 42ft of frontage of my house on Lagrange street. This porch will protect the front of the house from the water damage that will be repaired prior to the porch being erected due to sloping issues with both the current stoop and ground...."



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 case, the average front building setback averaged to 48.7 feet.



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 often proves 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.

Recommendation:

Options:

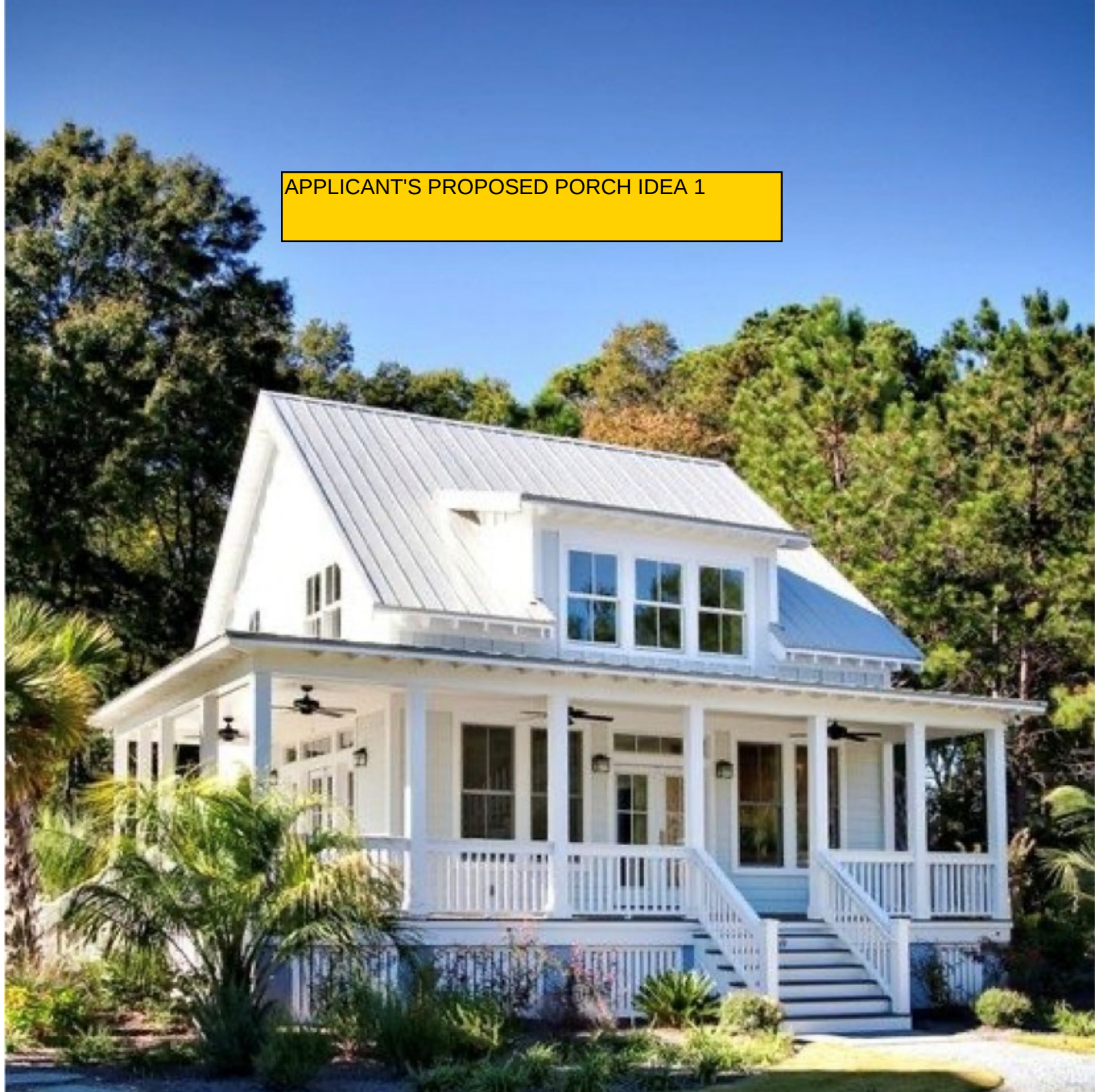
- A. Grant the variance request.
- B. Deny the variance request

In summary, staff recommends Option A to grant the variance request with the condition that the applicant and their contractor comply with the City's Building Department's requirements and that the porch would be consistent with the examples provided by the applicant and would be keeping in character with the architectural designs and patterns of the existing neighborhood.

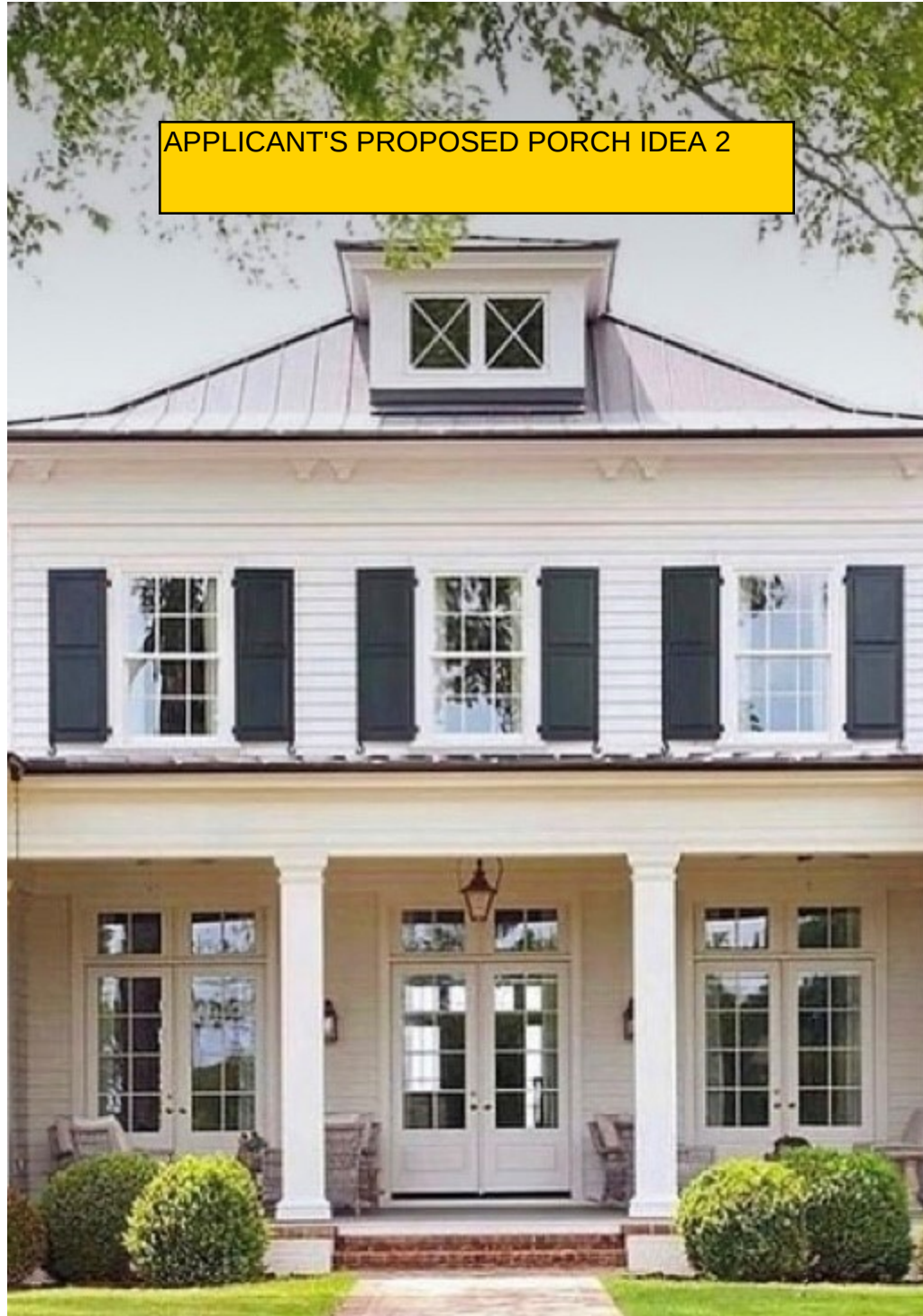
Attachments:

Application
Photographs

APPLICANT'S PROPOSED PORCH IDEA 1



APPLICANT'S PROPOSED PORCH IDEA 2





CITY OF NEWNAN, GEORGIA

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

APPLICATION FOR VARIANCE

Name of Applicant Donovan Hindle
Mailing Address 94 Lagrange St
Telephone 404 213 8707 E-Mail: dwrooster¹⁰@gmail.com
Property Owner (Use back if multiple names) Donovan Hindle
Mailing Address 94 Lagrange St
Telephone 404 213 8707
Address/Location of Property _____
Tax Parcel No: N11-0004-002
Present Zoning Classification: RV-1
Present Land Use _____
Intended Use _____

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

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least thirty (30) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) Article 4 Sec 4-32, Table A of the Zoning Ordinance/Subdivision Regulations: _____

In order for the Board to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
Build a covered porch on the front of house to divert rain that is causing rotting a the door and along the brick stairs that touch the house on both side of the entrance
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

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?

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?

after the sub floor + Joist are repaired they will
rot again due to the sloping of the brick steps +
no over hang

5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?

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

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

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

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

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

Included with the application, the following information is required:

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

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

Donovan Hindle

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



Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Dean SmithDATE OF FILING 6/10/22BZA MEETING DATE 7/12/22

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 Donovan Hindle

Telephone Number 404 213 8207

Address of Subject Property 94 Lagrange 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.

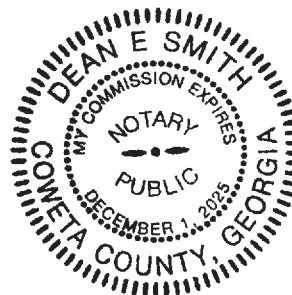
Signature of Property Owner

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

6/10/22
Date



(Affix Raised Seal Here)

**LAW OFFICE OF
PATRICK W. MCKEE, LLC**

19 SPRING STREET
NEWNAN, GEORGIA 30263

Telephone
(770) 683-8900
Telecopier
(770) 683-8905

Patrick W. McKee
pwmckee@mckeelaw.com

Friday, June 17, 2022

Dean Smith, Planner
Planning & Zoning Department
City of Newnan
P.O. Box 1193
Newnan, GA 30264

RE: Variance Request
Donovan Hindle
94 LaGrange Street

Dear Mr. Smith:

My wife and I are the owners of 88 LaGrange Street, next-door to Mr. Hindle. Please accept this letter as our statement that we have NO OBJECTION to Mr. Hindle's proposed variance and FULLY SUPPORT his request.

Please let me know if I can do anything further to assist in this matter.

Sincerely,



Patrick W. McKee

cc:

Donovan Hindle
94 LaGrange Street
Newnan, GA 30363

