



CITY OF NEWNAN
Board of Zoning Appeals
Meeting Minutes
July 12, 2022
10:00 a.m.

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

Board Members Absent: Kris Lovell, Ken Parker

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

CALL TO ORDER

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

READING OF THE MINUTES

Chairman Edge asked the Board if they had reviewed the minutes from the June 7, 2022 meeting. After no questions or discussion, Hensley motioned to accept the minutes. Smith seconded the motion.

MOTION CARRIED (5-0)

Variance Request - 72 Farmer Street - 2022-10

Chris Cole presented the applicant's case. 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).

Cole stated 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.

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, Cole said 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, Cole said the applicant indicated that he could not do a building addition as the existing building does not meet the current setback requirements.

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, Cole said 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.

Cole added 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 lessened the need for the variance requests. However, there is an existing sewer line that crosses the lot and this sewer line severely limits the amount of usable land. Cole stated staff also reviewed parking requirements and four spaces are needed. He added the applicant can meet this requirement.

Hensley asked staff if there is a tree planting/landscape requirement for the parking lot? Dean Smith said that if it is a separate parking lot, a landscape plan will have to be in place.

Chairman Edge opened a public hearing on the issue and Dale Wilkin was sworn in by Brad Sears. Wilkin spoke on behalf of the applicant. He stated that the current building will be coming down and that is where the parking will be placed. He showed how the only parking that will fit in the space is six slanted spaces.

With no further discussion, Chairman Edge closed the public hearing and asked for a motion.

Flournoy made a motion to approve both variance requests. Smith seconded the motion.

MOTION CARRIED (5-0)

Variance Request – 39 Jackson Street – 2022-11

Dean Smith presented the case for the applicant. The applicant is wanting to add an addition to his garage and in turn raise its height by six feet. Smith said all standards were met and staff has no objection to the granting of the variance request.

Chairman Edge opened a public hearing and Gary Martin was sworn in by Brad Sears. Martin explained that his home is a cogenerational home. They are wanting this space to accommodate a caregiver for their special needs grandson.

Chairman Edge asked who the contractor would be for the project. Martin said that Roger Miles will most likely be the contractor.

With no further discussion, Chairman Edge closed the public hearing.

A motion was made by Flournoy to approve the variance request. Hensley seconded the motion.

MOTION CARRIED (5-0)

Variance Request – 94 LaGrange Street – 2022-12

Dean Smith presented the applicant's case. The applicant is seeking to build a porch to help divert rain that is causing damage to his steps. Smith also stated that the property is located within an established neighborhood where surrounding properties frequently have varying setbacks.

Smith stated that staff recommends granting the variance request with the condition that the applicant and the contractor comply with City Building Department 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.

Smith let the Board know that there have been no objections received as of the date of the hearing and that one letter in support of this variance was received.

Chairman Edge opened a public hearing and Brent Misutka was sworn in by Brad Sears. Misutka explained to the Board about the rain runoff rotting the steps to the house. He added that the porch would eliminate that problem.

There being no further discussion, Chairman Edge closed the public hearing.

Flournoy made a motion to approve the variance request with the noted conditions set by staff. Smith seconded the motion.

MOTION CARRIED (5-0)

New Business

Dunnavant let the board know that they will have an August meeting.

ADJOURN

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

MOTION CARRIED (5-0)



Chairman Skin Edge