



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