



CITY OF NEWNAN
Board of Zoning Appeals
Meeting Minutes
July 11, 2023
10:00 a.m.

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

Board Members Absent: Ken Parker

Others in Attendance: Tracy Dunnavant, Planning & Zoning Director
Samantha Wood, Planning & Zoning Administrative Assistant
Dean Smith, Senior Planner
Chris Cole, Senior Planner
Carson Sears, Acting 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 June 6, 2023, meeting minutes. Hensley motioned to approve the minutes. Walton seconded the motion.

MOTION CARRIED (6-0)

Special Exception – 19 Millard Farmer Industrial Boulevard 2023-12

Chairman Lovell opened a public hearing on a variance request for the rear setback at 19 Millard Farmer Industrial Boulevard.

Dean Smith summarized the staff report. He stated 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. Dean Smith said the building's existing rear setback is 19.4 feet at the closest point and the current zoning ordinance has a requirement for the Heavy Commercial Zoning District (CHV) that buildings must have a rear setback of 40 feet. Dean Smith explained at the time the shopping center was initially built, the rear setback line was 12 feet. He stated the existing building complied with the former zoning ordinance and is now considered a legal

nonconformity due to the fact that the rear building setback is less than 40 feet. Dean Smith added 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. Dean Smith concluded by saying staff does not believe that expanding the non-conforming setback will be detrimental to the adjoining property owners, nor to the general public and recommends approval. He reminded the Board that they have ruled similarly in 2 prior cases: 66 Jefferson Parkway in 2014 and 13 McBride Street in 2017.

Dean Smith added that no public comment has been received to date.

Chairman Lovell asked if there were any questions for staff.

Hensley asked if the Board could require trees be planted on the site.

Dean Smith stated that there are trees already planned for the redevelopment project.

Chad Riddle, representing the applicant, was sworn in by Carson Sears. Riddle stated that the landscape is an important part of the application that was submitted. He said they are not asking for any variances regarding the landscaping and showed a rendering of the proposed landscaping compared to the existing landscaping.

Tom Grimes, Tomco Construction, stated he was representing the adjacent land owners and they are excited about the project.

With no further comments or questions, Chairman Lovell closed the public hearing and asked for a motion.

Hensley made a motion to approve the Special Exception at 19 Millard Farmer Industrial Boulevard to expand the degree of nonconformity on the rear setback to 11.7 feet. Flournoy seconded the motion.

MOTION CARRIED (6-0)

Variance Request 54 Murray Street & 62 Murray Street – 2023-13 & 2023-14

Chairman Lovell opened a public hearing on a variance request for the properties located at 54 and 62 Murray Street.

Dean Smith stated these two properties are a part of a program funded through ARPA (American Rescue Plan Act of 2021) and previously approved by the Newnan City Council. He added the total number of proposed homes for the project is 7; with 5 meeting all dimensional requirements, including building setbacks.

Dean Smith explained how setbacks were determined in an RU-I zoning designation. He said two of the homes will be built on oddly shaped parcels, which is the reason for the variance requests. Dean Smith added in this scenario, the average rear building setbacks are 20 feet, which 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. Dean Smith stated the house to be located at 54 Murray Street will require a reduction of the rear building setback from 20 feet to 14 feet and the house to be located at 62 Murray Street will require a reduction of the rear building setback from 20 to 5 feet.

Dean Smith mentioned the subject property is located within an established neighborhood where surrounding properties frequently have varying setbacks. He concluded by stating Staff recommends approving the variances due to extraordinary and exceptional conditions pertaining to the particular pieces of property in question because of their shape and such conditions are peculiar to this particular piece of property and were not imposed by the action or will of the owner of the property.

Andrew Moody, Special Project Manager for the City of Newnan, was sworn in by Carson Sears. He provided background on the ARPA project.

Edge asked if the contractor had been chosen for the project yet. Moody stated that one has not been chosen yet and added that the bid opening would be later this month.

Hensley asked if these homes will be leased or sold. Moody stated that The Housing Authority would be in charge of qualifying the person(s) that will be occupying the homes. He added that they lease the home while they are training to be home owners and then a portion of the money they paid to lease is used as a down payment when they purchase the home.

Edge asked if the price is set at the beginning or if it changes with the market. Moody said the price is either the appraised value or the amount of funds spent on the home; whichever is less.

Hensley asked what the price was for the homes. Moody stated that the price will be around \$275,000 and is geared toward providing work force housing.

Dunnavant stated the money that is received for the homes will be used as a revolving fund to build additional homes on City owned lots in the future.

With no further comments or questions, Chairman Lovell closed the public hearing and asked for a motion.

A motion was made by Edge to approve the Variance Request for 54 Murray Street. Hensley seconded the motion.

MOTION CARRIED (6-0)

Hensley made a motion to approve the Variance Request for 62 Murray Street. Edge seconded the motion.

MOTION CARRIED (6-0)

Chairman Lovell opened a public hearing on a Special Exception request for a motorcycle school to be located at 2 Belt Road.

Chris Cole gave the staff report. He stated that the property would be used by Two Wheel Adventures Motorcycle school, which has been in business since 2012. Cole added 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.

Cole gave background information regarding the business, courses and clientele. He stated the course is geared towards low-speed maneuvers with most exercises not exceeding 15-20 miles/hour and limited to 2nd gear. Cole added their fleet is composed of small engines not exceeding 300cc. He stated 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. Cole mentioned the school has been operating in Buford for many years; however, with the increased number of students coming from different parts of Georgia, Alabama and Tennessee, they wanted to expand their operation to the Newnan area.

Cole stated the property already has natural buffers such as trees and bushes/shrubs, on all 3 sides of the property. He added 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. Cole informed the Board that there used to be two buildings on site, therefore utilities such as water/sewer and electricity are still available. He mentioned 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.

Cole stated the City has not received any formal objections to date. He added that utilizing the small-engine motorcycles and restricting the training to certain hours will help reduce the impact of the proposal. Cole concluded by stating 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.

Cole showed videos depicting the decibel readings of the bikes as well as a video of the current noise conditions at 2 Belt Road.

Edge asked if the hours of operation would be just Saturday and Sunday. Cole stated that the staff has recommended that the hours be 8:30 a.m. to 5:00 p.m., but was not limiting it to just the two days.

Sowatha Uk was sworn in by Carson Sears. Uk stated that the hours of operation at their Buford location are 8:30 a.m. to 6:00 p.m., but the class normally ends at 3:00 p.m. She also stated that she would like to operate on at least 2 week days as well as on weekends.

Edge asked if she provided the bikes for the classes. Uk stated that she does provide the bikes and they are all 300cc or less.

Hensley asked if there would be any additional trees planted. Uk stated that there are a lot of trees already on the property and they are not planning to remove any at this time.

Edge asked if there would be any training done on public roads. Uk stated all training would be done on their property at the training facility.

Smith asked if the class attendees were able to get their license upon completion of the course. Uk stated that there are 2 skills tests given at the end of the course along with a written exam. Smith asked if people actually failed the course. Uk stated that she has failed people before. She stated that if she or the other instructors felt someone was a danger to themselves or others, then they are asked to leave. Uk stated that most students that take her course are beginners and added there are other advanced courses that she does not provide. She stated that there are 4 bikes outside that they brought in order for the Board to actually hear the bikes and fully understand how much noise they will make.

The Board, Staff and hearing attendees went outside to listen to the bikes.

The Board returned to the Council Chambers and Chairman Lovell closed the public hearing and asked for a motion.

Hensley made a motion to approve the Special Exception request to allow for a motorcycle school at 2 Belt Road with the following conditions:

- 1) All bikes will be less than 300 ccs
- 2) Hours of operation will be 8:30 a.m. to 5:00 p.m.
- 3) The natural buffer is to remain on the 10 Belt road side, be maintained in perpetuity, and enhanced with evergreen trees.

Flournoy seconded the motion.

MOTION CARRIED (6-0)

New Business

Dunnavant stated that there will be an August meeting.

ADJOURN

Flournoy motioned to adjourn the meeting at 10:57 a.m. Walton seconded.

MOTION CARRIED (6-0)

Chairman Kris Lovell