



NEWNAN

GEORGIA • CITY OF HOMES

City of Newnan **Board of Zoning Appeals**

Agenda for January 7, 2025 Board of Zoning Appeals Meeting
10:00 AM, Richard A. Bolin Council Chambers, City Hall

1. Call to Order
2. Approval of Minutes
 - a. December 3, 2024, Meeting Minutes
3. Public Hearings
 - a. Public Hearing-Variance Request-16 Wheat Street-Dwight Parks-#2024-17
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
December 3, 2024
10:00 a.m.

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

Board Members Absent: Skin Edge

Others in Attendance: Dean Smith, Senior Planner
Tracy Dunnivant, Planning and Zoning Director
Brad Sears, City Attorney
Debbie Snider, Planning & Zoning Administrative Assistant

CALL TO ORDER

Vice 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

Vice Chairman Lovell asked the Board if they had reviewed the November 5, 2024, meeting minutes. Hensley motioned to approve the minutes. Frank Flournoy seconded the motion.

MOTION CARRIED (6-0)

Special Exception and Variance Request Withdrawal – 9 Lee Street – 2024-22

Vice Chairman Lovell informed the Board that the city had received a letter from the applicant withdrawing their request for variance at the December 3, 2024, meeting. Hensley made a motion to withdraw. Seconded by Flournoy.

MOTION CARRIED (6-0)

Two Variance Requests – 1240 Newnan Crossing Boulevard East – 2024-24

Dean Smith gave the staff report. He stated that the requests concerned 1. To allow a dumpster to be in a front yard on a corner lot and 2. To allow a reduction in the minimum number of parking spaces. Dean Smith noted that corner lots present design challenges, and there has been one previously approved variance to locate a dumpster in a front or side yard in

2021. He also noted that the city has granted several requests for a reduction in parking spaces. Dean Smith concluded by stating that staff recommends approval of the requests.

Vice Chairman Lovell opened the public hearing. Ronak Patel, the applicant representing the property owner, was sworn in by Brad Sears. Patel stated there is a community need for another childcare facility, and these variance approvals will address that need and create a safe environment for the childcare facility. He added that due to the buffer requirements, building size and parking, there is no room to place a dumpster in the rear.

Parker asked if there really was a need for a 35-foot buffer next to open space. Dean Smith replied that they had to follow the requirements of the Zoning Ordinance.

Vice Chairman Lovell asked if there was anyone else in attendance to speak in favor/opposition of the application. With no one coming forward, Vice Chairman Lovell closed the public hearing.

Flournoy made a motion to approve both variances at 1240 Newnan Crossing Boulevard East. Smith seconded the motion.

MOTION CARRIED (6-0)

Variance Request – 19 Millard Farmer Industrial Boulevard – 2024-25

Dean Smith gave the staff report. He stated that the request concerned allowing a dumpster to be in the front or side yards. He noted that corner lots present design challenges, especially when it comes to redevelopment projects. Dean Smith concluded by stating that staff recommends approval of the requests.

Parker asked if the applicant was creating his own issue by expanding the structure. Dean Smith asked the applicant's representative to address the question.

Vice Chairman Lovell opened the public hearing. Joanna Patrick, representing Fuller Engineering, was sworn in by Brad Sears. Patrick stated the building was already sitting that far back. She added that the dumpster will be utilized by Sprouts and other tenants that would have to either drive or walk their trash to the other end of the building. Patrick said the proposal includes a screen of evergreens and a gate to help prevent an unsightly view.

Roger Young was sworn in by Brad Sears. He discussed the project details and stated that dumpster placement can be a safety issue and a cleanliness issue. Young said allowing the variance for placement of the proposed dumpster would be in the best interest of the tenants.

Vice Chairman Lovell asked if there was anyone else in attendance to speak in favor/opposition of the application. With no one coming forward Vice Chairman Lovell closed the public hearing.

Hensley made a motion to approve the variance at 19 Millard Farmer Boulevard. Parker seconded the motion.

MOTION CARRIED (6-0)

New Business

None

ADJOURN

Hensley made a motion to adjourn the meeting at 10:47 a.m. Parker seconded.

MOTION CARRIED (6-0)

Chairman Edge



City of Newnan, Georgia – Board of Zoning Appeals

Date: January 7, 2025

Application Number: 2024-17

Agenda Item: 16 Wheat Street

Prepared and presented by: Dean Smith, Senior Planner

Purpose: To hear a variance request seeking approval for a rear building setback reduction at 16 Wheat Street.

Applicant: Dwight Parks
58 Willie Parks Road
Newnan, GA 30263

Property Owner: Neal P O’Callaghan
28 N. Almaden Avenue, Apt. 528
San Jose, CA 95110

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

Overlay Districts: None

Present Use: Vacant, wooded lot

Proposed Use: New single-family residence

Pertinent Regulations: Article 4, Table 4-A Residential Dimensional Requirements

Applicant’s Position:

“...I am Dwight Parks, a state-licensed General Contractor who has been serving Coweta County for over 40 years. During my career, I have constructed many beautiful homes across the county, including my most recent project located at 16 Watson Drive, near Newnan High School. Our primary aim is to provide high-quality housing for the residents of Coweta County....Currently, I am planning to build a new house on 16 Wheat Street, which I intend to sell and contribute to the beautification of Newnan. However, we require a rear setback variance to fit a standard 1,256-square-foot home. It has been determined that we need a total of 75.7 feet for a rear setback based on the average setbacks of the neighboring properties. However, our current house plan only provides 48.7 feet. Therefore, we need an additional 26.1 feet, give or take, to build the home on this property as per the plan. Thus, we are seeking a variance for our rear setback of approximately 27 feet to enable us to construct this home on this property....

...Here are the setbacks according to the average neighboring lots:

Front – 26 ft.; Sides – 10.8 ft.; Rear – 75.7 ft. ; and 19 ft. needed for driveway....”

Basis for Granting Variances: - Responses in **Red** indicate staff's analysis of the request and where it meets a particular hardship standard.

The Board of Zoning Appeals shall base its required findings of fact upon particular evidence, such as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, but where the spirit of the ordinance shall be observed and substantial justice done. No variance shall be considered to allow the use of land or structures which are not permitted by the ordinance in the zoning district involved. The hearing authority will base its findings on facts and information presented to it in each specific case where the applicant and/or property owner can demonstrate that it meets the majority of the following variance/hardship conditions or standards:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; **RU-I zoning is unique and not every lot in an RU-I zoned district is the same size or shape. Such is the case with 16 Wheat Street and when compared to other lots in the same block with the same zoning, it is shorter than some (Currently 124.7 ± deep compared to 17 ½ Wheat Street which is 210 ± feet in depth), thus reducing the area for a possible new house.**
2. Such conditions are peculiar to the particular piece of such property involved; **Subject property is located within an established neighborhood where surrounding properties frequently have varying setbacks. This zoning district has had several requests for setback variances for this reason.**
3. Such conditions were not imposed by the action or will of the owner of the property; **Agree, this zoning requirement and existing lot size are not the result of any actions by the ordinance.**
4. The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship;
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance, and furthermore, will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City and is the minimum variance that will make possible the reasonable use of the land, building or structures; **.A new residence in this area would contribute to an identified need for more workforce housing options and would not be detrimental to the ordinance or to the community.**
6. There must be a proved hardship by showing beyond a doubt the inability to make a reasonable use of the land if the zoning ordinance were applied literally; and
7. The circumstances affecting the property necessitating the variance are sufficiently unique or infrequent that it is not feasible to create a broad regulation to amend this Ordinance.

Planning Department's Review and Findings:

This applicant previously filed a variance and then withdrew the request in July 2024 due to the fact that the City was changing the hardship standards in our ordinance. 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

Options:

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

The issue before the Board of Zoning Appeals is whether or not a variance should be granted giving permission to reduce the rear building setback for the purpose of building a new single-family detached dwelling. The staff's assessment of this request coincides with Option A, to approve the variance request as presented by the applicant.

Attachments: Application





I am Dwight Parks, a state-licensed General Contractor who has been serving Coweta County for over 40 years. During my career, I have constructed many beautiful homes across the county, including my most recent project located at 16 Watson Drive, near Newnan High School. Our primary aim is to provide high-quality housing for the residents of Coweta County.

Currently, I am planning to build a new house on 16 Wheat Street, which I intend to sell and contribute to the beautification of Newnan. However, we require a rear setback variance to fit a standard 1,256-square-foot home. It has been determined that we need a total of 75.7 feet for a rear setback based on the average setbacks of the neighboring properties. However, our current house plan only provides 48.7 feet. Therefore, we need an additional 26.1 feet, give or take, to build the home on this property as per the plan. Thus, we are seeking a variance for our rear setback of approximately 27 feet to enable us to construct this home on this property.



CITY OF NEWNAN, GEORGIA

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

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Dwight Parks
Mailing Address 58 Willie Parks Rd Newnan, GA 30263
Telephone 678-469-9699 E-Mail: parksdwright@gmail.com
Property Owner (Use back if multiple names) _____
Mailing Address _____
Telephone _____
Address/Location of Property 16 Wheat Street
Tax Parcel No: 1108 - 0004 - 004
Present Zoning Classification: RU-I
Present Land Use Vacant lot
Intended Use New single Family Residence

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) 4-32 of the Zoning Ordinance/Subdivision Regulations: zoning 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?
The method of determining building setbacks in the RU-1 zoning district that restricts building on this particular lot
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
RU-1. No previously approved modifications to our knowledge.

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?
See attached letter
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?
Lot would remain vacant, because a house meeting the required square footage could not be built due to the rear setback average of 75.7 feet being applied to lot.
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 reduction of 48.7 feet, reducing the rear building setback to 27 feet.

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.

Application For Variance

City of Newnan, Georgia

✓ 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.

Dwight Parks

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

[Signature]

Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY _____

DATE OF FILING _____

BZA MEETING DATE _____

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____



NEWMAN
CITY OF HOMES

City of Newnan, Georgia

Attachment C

Disclosure of Campaign Contributions & Gifts

Application filed on _____ for action by the Board of Zoning Appeals on a variance requiring a public hearing on property described as follows:

None

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:

None

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

Dwight Parks
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)

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
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 NIALL O'CALLAGHAN

Telephone Number 510 - 499 - 3758

Address of Subject Property 16 WHEAT STREET, 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.

SEE THE STAMPED CERTIFICATE
Notary Public

Date AM 05/21/2024

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

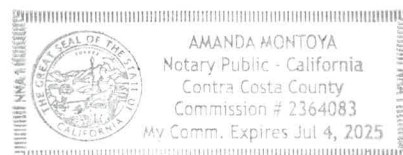
County of CONTRA COSTA ss. MARTINEZ

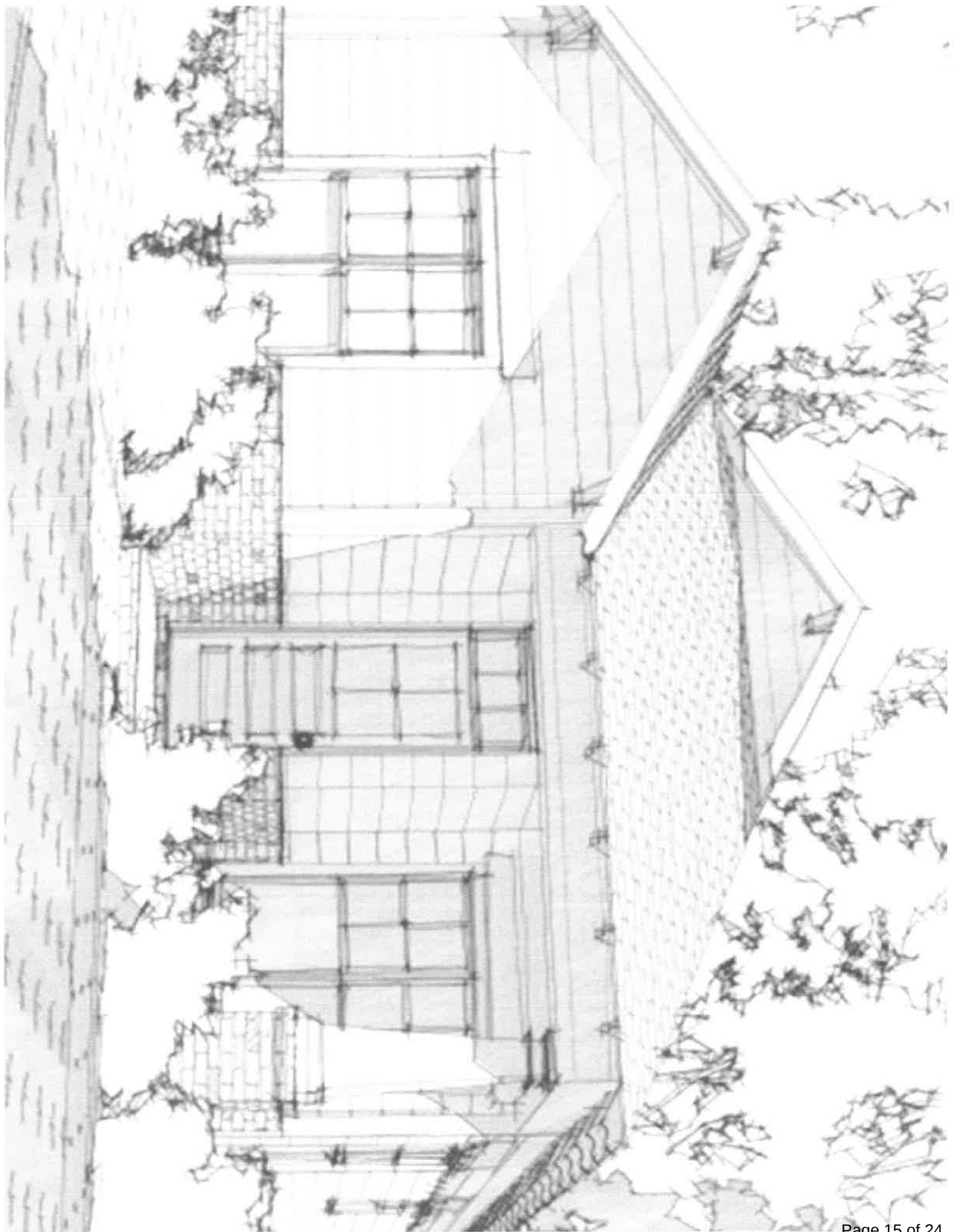
Subscribed and sworn to (or affirmed) before me on this 21ST day MAY, 2024, by NIALL

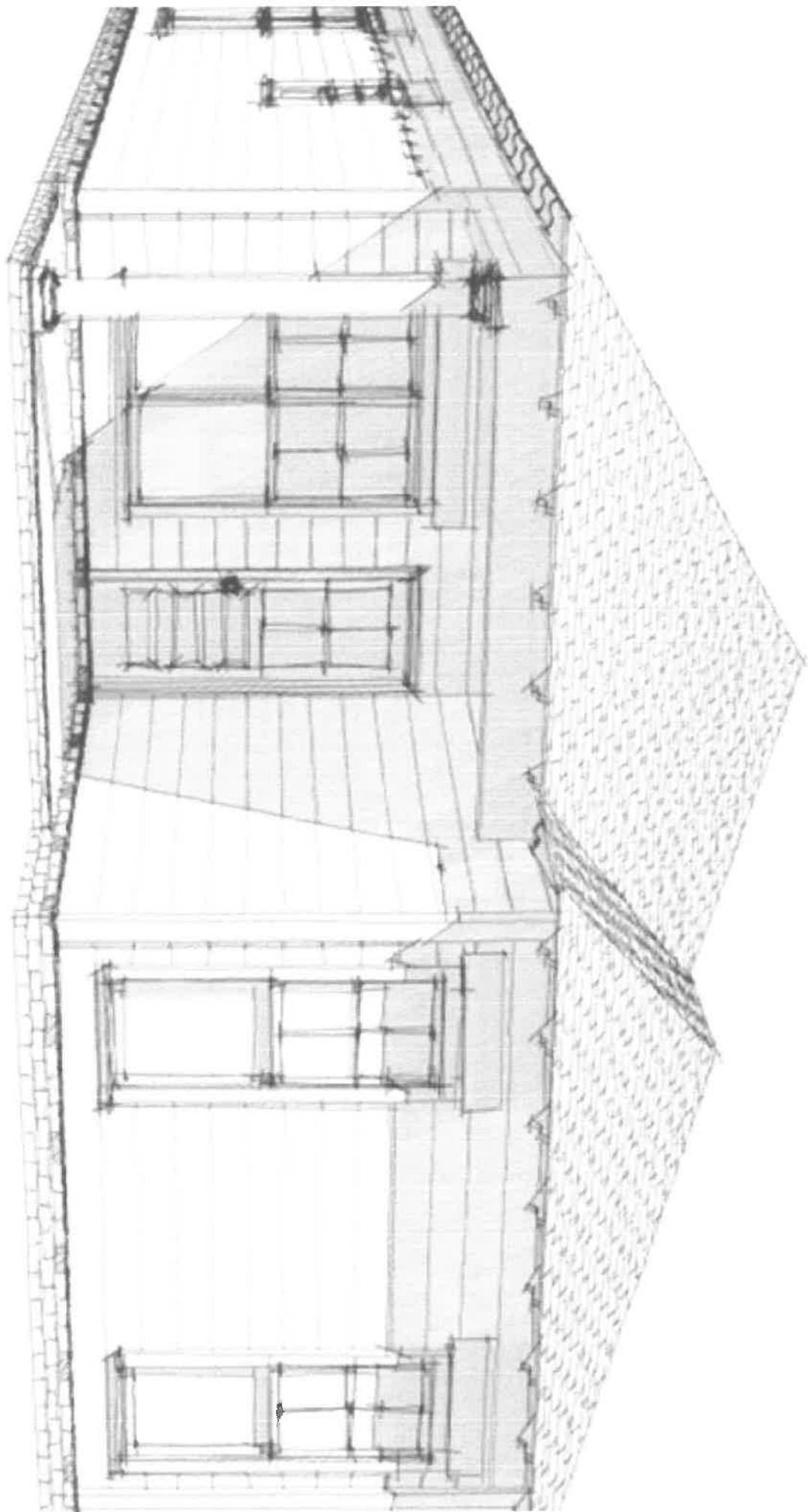
O'CALLAGHAN proved to me on the basis of satisfactory evidence to the person (X) who appeared before me.

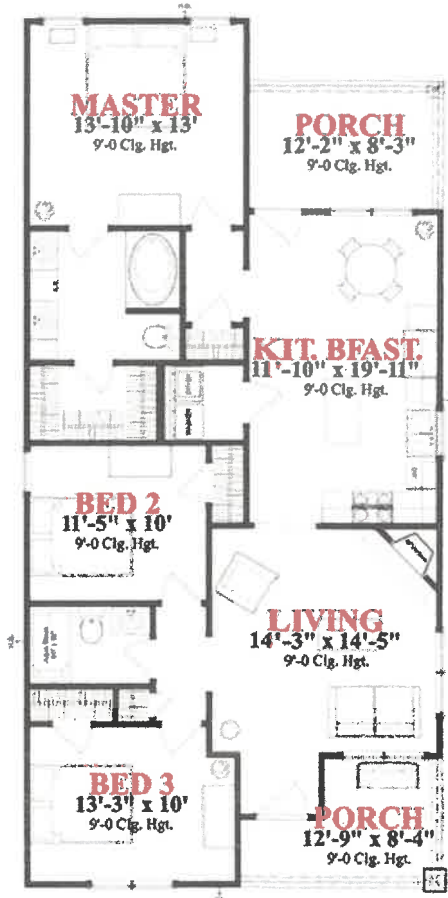
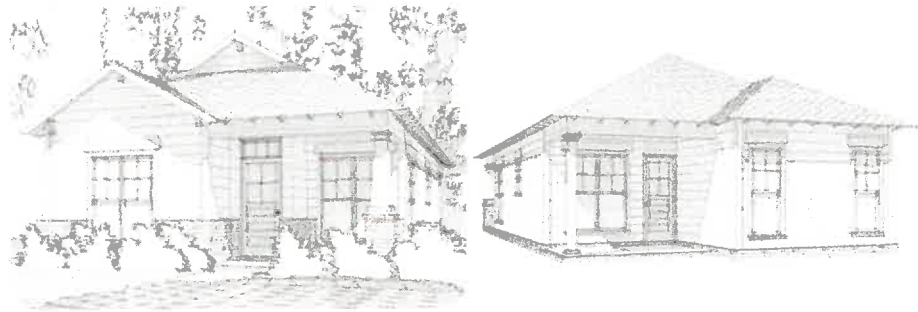
Signature Amanda Montoya

(Affix Raised Seal Here)









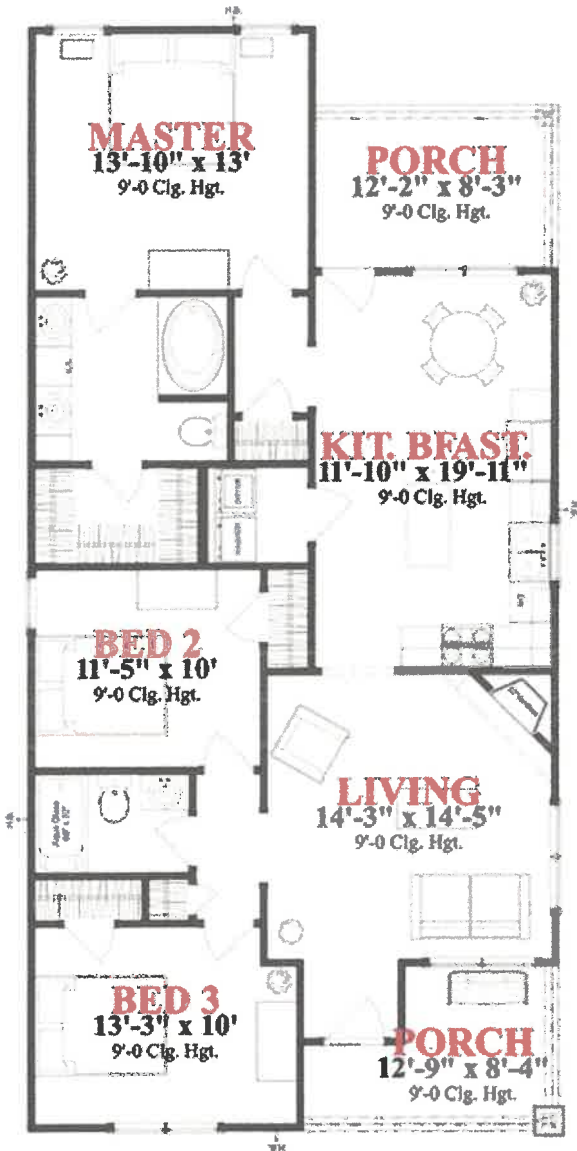
FLOOR PLANS

EXTERIOR

Images copyrighted by the designer. Photographs may reflect a homeowner modification.

SQ FT	BEDS	BATH	1/2 BATHS	CAR	STORIES	WIDTH	DEPTH
1,256	3	2	0	0	1	26' 8"	56' 4"

FLOORPLAN 1



Images copyrighted by the designer.



CUSTOMIZE THIS PLAN

Our designers can customize this plan to your exact specifications. Requesting a quote is easy and fast!

MODIFY THIS PLAN

FEATURES



Master On Main Floor



Breakfast Nook



Laundry On Main Floor



Front Porch
Rear Porch



Shop



Sign In



Favorites



Cart



Chat

DETAILS

HEATED SQ FT		BATHROOMS:	2
TOTAL HEATED AREA:	1,256 sq. ft.	WIDTH:	26ft.-8in.
FIRST FLOOR:	1,256 sq. ft.	DEPTH:	56ft.-4in.
UNHEATED SQ FT		FOUNDATION:	Slab Foundation
		MAIN ROOF PITCH:	6:12
FLOORS:	1	CEILING HEIGHTS	
BEDROOMS:	3	FIRST FLOOR:	9 feet

WHAT'S INCLUDED IN THESE PLANS?

-  **Cover**
 Sheet: Including 3-D perspectives of the exterior of the house. Also protects the rest of the documents within the project set.
-  **Foundation:** Complete with dimensions, dimensioned plumbing and referenced details
-  **Elevations:** Complete with dimensions, ridge heights and special notes and materials
-  **Floor Plan(s):** Complete with dimensions of all elements including plumbing, appliances and cabinet sizes. Applicable notes of special conditions are tailored with the tradesmen in mind.



Shop



Sign In



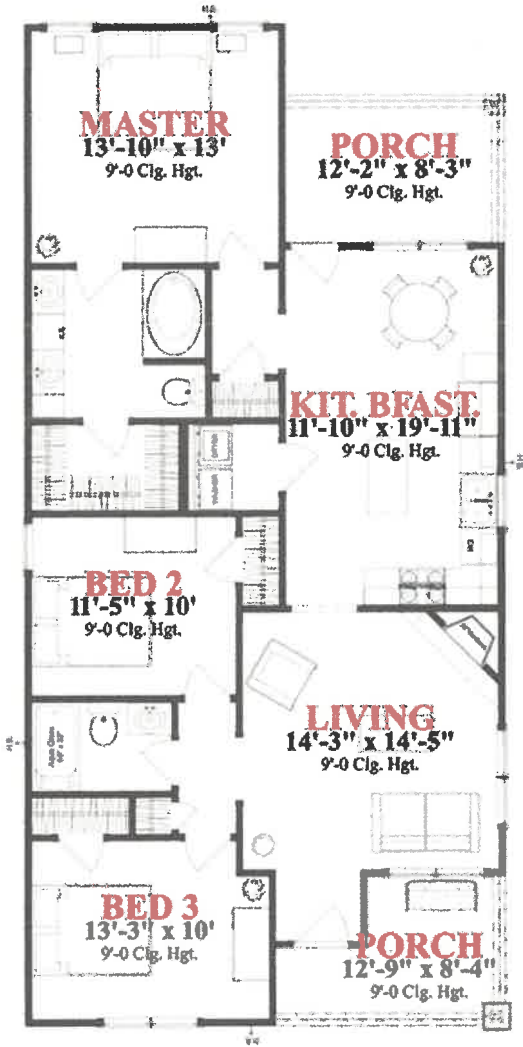
Favorites

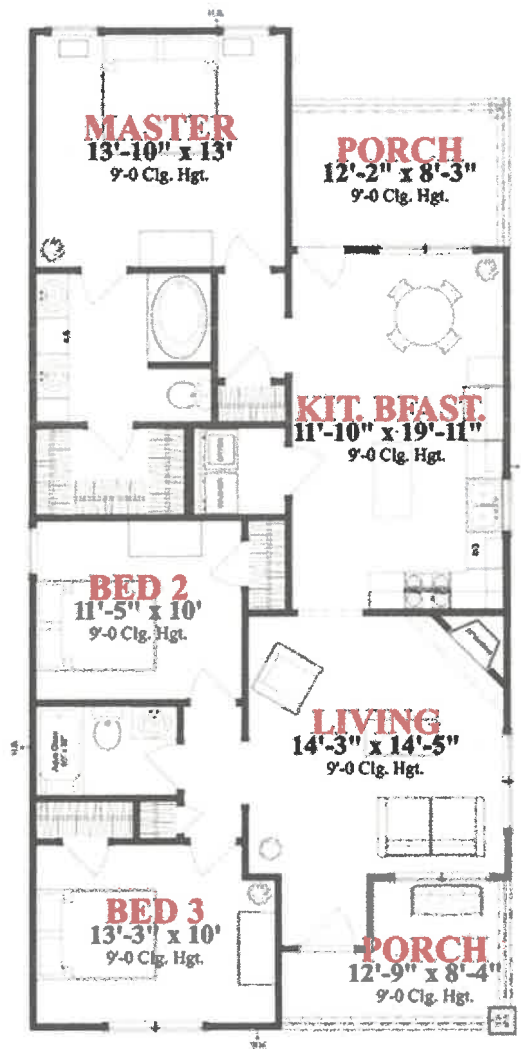


Cart



Chat





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Currently, I am planning to build a new house on 16 Wheat Street, which I intend to sell and contribute to the beautification of Newnan. However, we require a rear setback variance to fit a standard 1,256-square-foot home. We need a total of 75.7 ft. for a rear setback according to the average setbacks located on both sides of this property. Our current house plan provides 49.6 ft., and we need an additional 26.1 ft. to build this home plan on this property. Therefore, we are requesting a variance for our rear setback of 26.1 ft to construct this home plan on this property.

I am Dwight Parks, a state-licensed General Contractor who has been serving Coweta County for over 40 years. During my career, I have constructed many beautiful homes across the county, including my most recent project located at 16 Watson Drive, near Newnan High School. Our primary aim is to provide high-quality housing for the residents of Coweta County.

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Coweta County, GA

Summary

Parcel Number N08 0004 004
Location Address 16 WHEAT ST
Legal Description L 16 WHEAT ST LT 3 BLK A
 (Note: Not to be used on legal documents)
Tax District NEWNAN 02 (District 02)
Millage Rate 22.85
Acres 0.15
Homestead Exemption No (50)
Landlot/District N/A

[View Map](#)

Owner

[O CALLAGHAN NEIL P](#)
 630 FRANCIS DR
 LAFAYETTE, CA 94549

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	Res-Rocky Hill	Acres	6,600	50	132	0.15	1

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
6/28/2019	4882 317		\$3,840	UNQUALIFIED VACANT	COWETA COUNTY GA	O CALLAGHAN NEIL P
4/3/2018	4699 819		\$2,207	Tax Sale	CONNELLY JAMES	COWETA COUNTY GA
2/27/2013	3919 782		\$14,800	B/S - IMPROVED (AFTER FORECLOSURE)	C BASS MORTGAGE LOAN ASSET BAC	CONNELLY JAMES
10/2/2012	3898 368		\$33,767	F/C - IMPROVED	HOLLINS PAMELA RENE	C BASS MORTGAGE LOAN ASSET BACKED
9/11/1998	1295 187		\$0	UNQUALIFIED IMPROVED		HOLLINS PAMELA RENE
11/13/1992	721 123		\$10,000	UNQUALIFIED IMPROVED		HOLLINS PERRY F & PA
7/31/1986	412 077		\$0	UNKNOWN STATUS		WILCOXON WILLIAM RIC

Valuation

	2023	2022	2021	2020	2019	2018
Previous Value	\$4,500	\$4,500	\$4,500	\$8,330	\$8,330	\$8,330
Land Value	\$4,500	\$4,500	\$4,500	\$4,500	\$8,330	\$8,330
+ Improvement Value	\$0	\$0	\$0	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0	\$0	\$0	\$0
= Current Value	\$4,500	\$4,500	\$4,500	\$4,500	\$8,330	\$8,330

Assessment Notices

[2020 \(PDF\)](#)

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

[2022 Assessment Notice \(PDF\)](#)

[2023 Assessment Notice \(PDF\)](#)

No data available for the following modules: Online Appeal, Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Accessory Information, Prebill Mobile Homes, Permits, Assessment Notices 2019, Septic Drawings, Photos, Sketches.