

concealed spaces will be utilized for roof construction.

Administrator Fouts confirmed that the County's current ordinances associated with the *Residential Retirement Community & Care District* require non-combustible building materials.

Chairman Blackburn called for any comments in support of or in opposition to the proposed rezoning. There were none.

The Board voted to close the Public Hearing regarding Petition # 017-21 filed by JHP Family Investments, LLLP requesting to rezone property located between SR 34 E and Garden Walk, Newnan (Parcel # 109-5081-005A).

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

10411 Public Hearing Regarding Petition # 017-21 Filed by JHP Family Investments, LLLP Requesting to Rezone Property Located Between SR 34E and Garden Walk, Newnan

The Board voted to rezone 11.71± acres located between SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) from *C-6 (Minor Commercial Shopping District)* to *RRCC (Residential Retirement Community & Care District)* as requested in Petition # 017-21 filed by JHP Family Investments, LLLP, subject to the following conditions:

1. The applicant shall meet all requirements of *Article 9A RRCC (Residential Retirement Community & Care District)* unless a variance is granted through the normal variance procedure.
2. The Deed Restriction and Homeowner's Association Requirements as stated in *Sections 96A and 97A* must be submitted and approved by the County Attorney.
3. The applicant shall comply with all requirements of Coweta County's *Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances*.
4. All applicable requirements of the Fire, Environmental Management, and Building Departments shall be met.
5. The applicant shall install a 6-foot opaque, decorative privacy fence along the eastern property line within the 50-foot buffer. The decorative fence shall be constructed with either composite wood or vinyl and the final material and design must be approved by the Development Review Committee.
6. The applicant shall obtain all necessary permits from the Georgia Department of Transportation (GDOT) for all required improvements within the GDOT right-of-way.
7. The applicant should design the proposed access to have a decel lane off SR 34.
8. All internal streets and drives shall be privately owned and maintained.
9. The existing secondary emergency ingress/egress drive shall be maintained from the Wisteria Gardens development.
10. The development shall meet the Quality Development Corridor District requirements unless a variance is granted through the normal procedures.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Reidelbach, District 4
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

Chairman Blackburn called for comments regarding any items on the agenda.

Mr. Scott Gullledge, Hwy. 54, Sharpsburg, expressed his support for Petition # ZA 032-21 (agenda item #12) filed by Autosmith (Nextcar) requesting to eliminate a landscape island on property located at 8867 Hwy 54, Sharpsburg. He explained that the required landscape island at the northwest corner impedes safety within the site for pedestrian, vehicle traffic and commercial deliveries and requests to eliminate it.

Mr. Justin Gibson, Meadow Way, Sharpsburg, expressed his support for Petition # ZA 032-21 (agenda item # 12) filed by Autosmith (Nexcar) requesting to eliminate a landscape island on property located at 8867 Hwy 54, Sharpsburg. He explained that he owns the property and buildings located at 8861 Hwy 54 (Heirloom Market Company) and 8867 Hwy 54 (Autosmith) which share an ingress/egress driveway. At certain times of the day, there is heavy traffic at the location because of business and a nearby school day. He also explained that there are alternatives to the required concrete barrier such as eliminating six (6) parking spaces at the front or moving them 5-feet into the GDOT right-of-way.

Recommendations from Community Development and/or the Board of Zoning Appeals

7. 10410 Recommend Approval of Petition # ZA 035-21 Filed by JHP Family Investments, LLLP Requesting a Conditional Use Permit for Property Located at SR 34 East/Garden Walk, Newnan

Assistant Community Development Director White presented Petition # ZA 035-21 filed by JHP Family Investments, LLLP requesting a Conditional Use Permit (CUP) for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant is requesting a CUP for a proposed seventy-nine (79) unit assisted living facility located within a 3-story structure, and a thirty-two (32) unit memory care facility located within a 1-story structure. In closing, she highlighted the factors considered by staff during the application process and presented eleven (11) conditions for consideration by the Board should they choose to grant the Conditional Use Permit.

The Board voted to grant a Conditional Use Permit for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005A) as requested in Petition # ZA 035-21 filed by JHP Family Investments, LLLP, subject to the following conditions:

1. This facility will fall under the jurisdiction of the Georgia State Fire Marshal's Office. Reference O.C.G.A. § 25-2-13.
2. There shall be a staff person on site 24 hours a day, 7 days a week at the facility to coordinate with emergency response personnel as to the number of people in the facility and the number of people assigned to each individual room. This person shall be responsible for the accountability of the occupants.
3. The development shall not exceed the seventy-nine (79) units in Assisted

- Living and thirty-two (32) units in Memory Care as proffered in the application.
4. All applicable Environmental Health regulations shall be met.
 5. Pedestrian circulation shall meet all applicable requirements set forth in *Section 94A*.
 6. All applicable requirements of *Article 26 Quality Development Corridor District* shall be met.
 7. A detailed architectural package shall be submitted based upon the proffered renderings. However, it shall meet all requirements of the Quality Development Corridor Ordinance, including landscaping, unless a variance is granted through the normal review process.
 8. All applicable requirements of *Article 9A RRCC* shall be met including pedestrian circulation and deed restrictions.
 9. All applicable requirements of the Georgia Department of Transportation (GDOT) shall be met.
 10. All applicable parking requirements shall be met unless a variance is granted.
 11. The owner/developer shall agree to work with the County, in good faith, to address any concerns such as noise, odor, glare, or other objectionable features.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	John Reidelbach, District 4
SECONDER:	Bob Blackburn, District 3 - Chairman
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

8. 10408 Recommend Approval of Petition # ZA 034-21 filed by JHP Family Investments, LLLP Requesting a Building Height Variance for Property Located at SR 34 East/Garden Walk, Newnan

Assistant Community Development Director White presented Petition # ZA 034-21 filed by JHP Family Investments, LLLP requesting a building height variance for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant wishes to construct a 55-foot high independent and assisted living residential structure consisting of three (3) stories on property zoned *RRCC (Residential Retirement Community & Care District)*. The proposed site is located east of the Newnan Chrysler Car Dealership, north of SR 34, west of the Chatsworth Place subdivision and south of Wisteria Gardens, another *RRCC (Residential Retirement Community & Care District)* development. Although there is a provision for an administrative height variance, staff decided to present the 20-foot, 1-inch building height increase variance (from 34-feet, 11-inches to 55-feet) to the Board because the applicant also filed a rezoning application for a Conditional Use Permit. In closing, she highlighted the factors considered by staff during the application process and presented two (2) conditions for consideration by the Board should they choose to grant the variance request.

The Board voted to grant a 20-foot, 1-inch building height increase (from 34-feet, 11 inches to 55-feet) for property located at SR 34 East and Garden Walk, Newnan (Parcel # 109-5081-005) as requested in Petition # ZA 034-21 filed by JHP Family Investments, LLLP, subject to the following

conditions:

1. The facility shall meet all applicable requirements of the State and County Fire Marshals.
2. The overall height of the building shall not exceed the 55-feet.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	John Reidelbach, District 4
SECONDER:	Bob Blackburn, District 3 - Chairman
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

9. 10405 Recommend Approval of Petition # ZA 030-21 Filed by Edward and Valerie Higginbotham Requesting a Conditional Use Permit for Lot 3 at McKoy Farms Lane, Newnan

Zoning Coordinator Lisa Eschman presented Petition # ZA 030-21 filed by Edward and Valerie Higginbotham requesting a Conditional Use Permit (CUP) for Lot 3 located in McKoy Farms Subdivision, Newnan (Parcel # 025-4058-004) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property consists of 5.18± acres zoned *RC (Rural Conservation)*. The applicants are requesting to utilize a temporary camper (RV) as a residence for a period of twelve (12) months because they wish to remain on the site during construction of their new home. In closing, she highlighted the factors considered by staff during the application process and presented six (6) conditions for consideration by the Board should they chose to grant the Conditional Use Permit.

The Board voted to grant a Conditional Use Permit for Lot 3 located in McKoy Farms Subdivision, Newnan (Parcel # 025-4058-004) as requested in Petition # ZA 030-21 filed by Higginbotham, subject to the following conditions:

1. The use of the recreational vehicle (RV) as a temporary basis shall be permitted for a maximum period of twelve (12) months, beginning September 10, 2021 and ending September 11, 2022 or thirty (30) days after the Certificate of Occupancy is granted, whichever is less; at which time the recreational vehicle (RV) shall no longer be used as the residence.
2. No more than one (1) recreational vehicle (RV) shall be parked on the site.
3. The recreational vehicle (RV) shall be parked at least 10-feet away from the primary residential structure.
4. The recreational vehicle (RV) shall have a working smoke and carbon monoxide detector.
5. The recreational vehicle (RV) shall have a working multipurpose dry chemical fire extinguisher.
6. The applicant shall meet all applicable requirements of the Environmental Health Department.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith