

## Memo

TO: Mayor and Council  
FROM: Curtis Hindman, Community Development Director  
DATE: October 2, 2023  
RE: 27 Coweta Street  
**Rezone from R40 to RH**  
Located within Historic District

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## Background

The applicant requests to amend the zoning of the above referenced address from Residential (R-40) to Residential (RH).

R40 – Front – 40 feet, Side – 20 feet, and Rear - 40 feet

RH – Front – 15 feet, Side – 20 feet, and Rear – 10 feet (recommended)

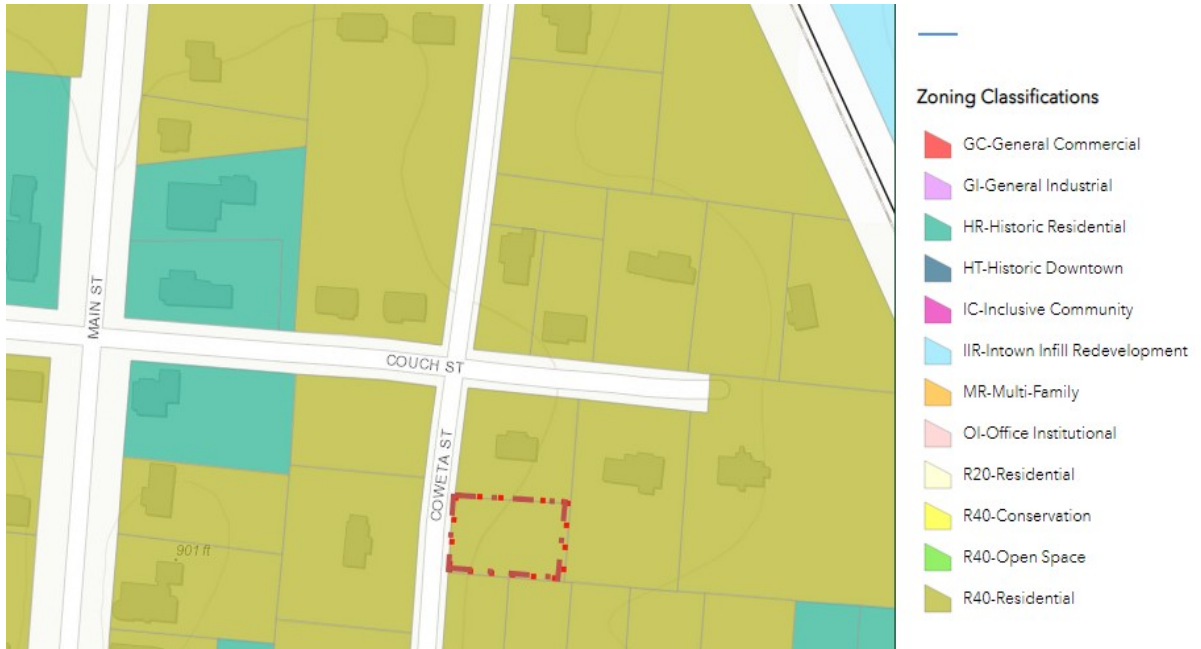
The applicant asserts that rezoning to RH will allow the new house to meet the setbacks without a variance. The lot size 0.25 acres which does not meet the minimum lot size for RH but it is an existing lot of record.

## Planning Commission Recommendation

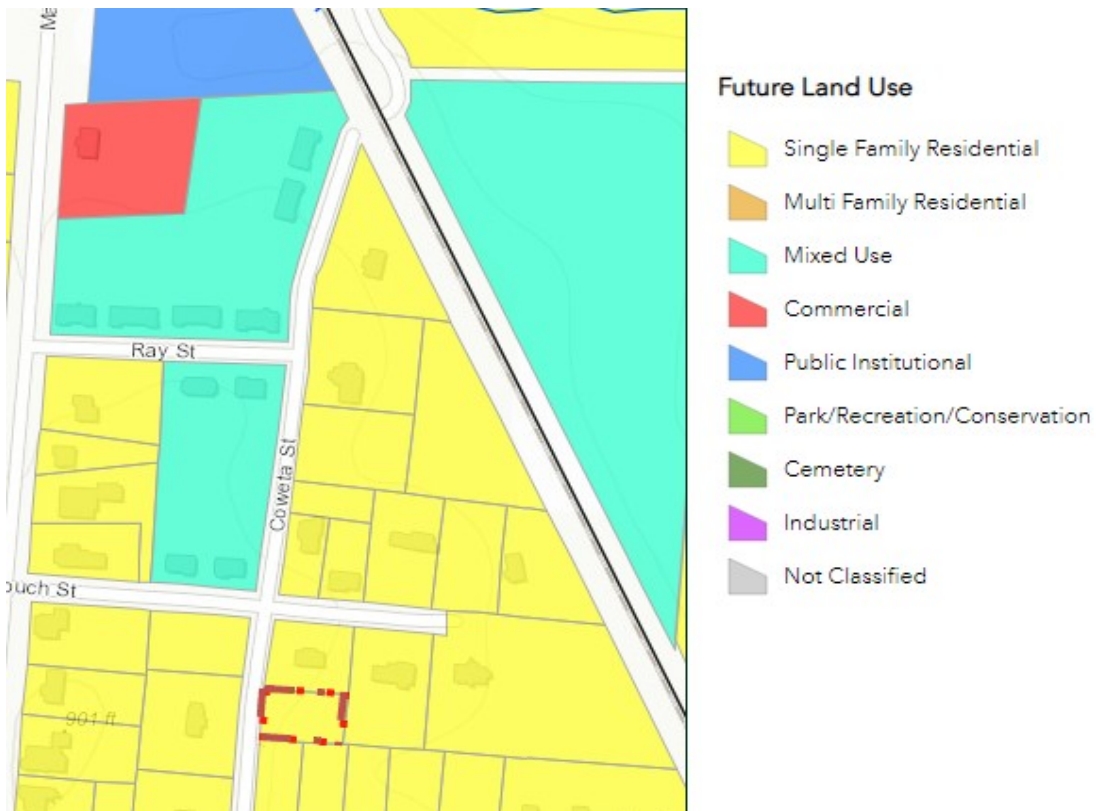
Commission Williams made a motion to approve the rezoning from R40 to RH with staff recommendations of a 10 foot setback on the rear. Commissioner Krabel 2<sup>nd</sup> the motion and with all in favor motion carried 4-0.



Zoned R40:



According to the Comprehensive Plan amended and adopted in 2021 this property has been shown in the "Future Land Use Plan" as Single Family Residential and within the Suburban Residential Character Area.





## ***SUBURBAN RESIDENTIAL***

This area is the largest character area within the City of Senoia. Suburban residential style development is located adjacent to the traditional residential area and moves outward into the edges of the city limits. The area includes established residential neighborhoods developed in curvilinear street patterns. Limited connectivity exists between developments but cart paths are becoming more common. These paths create increased connectivity for multiple users.

Land uses appropriate in this area are limited to single family residential, parks, and other institutions.

### Implementation strategies:

- ❖ Promote the use of conservation subdivisions to preserve greenspace and rural setting
- ❖ Continue multi-use paths between neighborhoods
- ❖ Encourage sidewalk connections to existing network where appropriate.
- ❖ Tree canopy preservation
- ❖ Encourage road network connectivity, if possible connections to existing grid
- ❖ Utilize buffers and to protect rural setting where appropriate.
- ❖ Promote a mix of housing types and price points

### **Administrator's Report**

In consideration of the requested zoning change, the Planning Commission should consider the zoning ordinance, section 74-46, which lists the following twelve standards governing the exercise of the zoning power of the City of Senoia.

1. The existing land uses and zoning classification of nearby property.

*The subject property is currently zoned R40 and located within the city limits and lies within the historic downtown overlay district. The subject property is surrounded by RH and R40 zoning.*

2. The suitability of the subject property for the zoned purpose.

*The land is suitable for residential use as proposed. The current lot size does not meet the minimum lot size for RH.*

3. The extent to which the property values of the subject property are diminished by the zoning restrictions.

*There is no reduction in value of the land due to the existing or proposed residential zoning.*

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

*The application represents no gain to the public. There is a recognized hardship for the property owner if not rezoned due to the size of the lot and the setbacks of R40.*

5. Whether the subject property has a reasonable economic use as currently zoned.

*The subject property does not have a reasonable economic use for residential as currently zoned due to the lot size and setbacks.*

6. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.

*The proposed zoning and use as residential are both suitable and similar to the existing uses adjacent to the subject property.*

7. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

*The zoning of RH will not negatively impact the adjacent properties existing use or usability. The setbacks in RH are smaller than in R40 but remain adequate for the intended use and lot size.*

*The ordinance allows a rear setback of zero and **staff recommend that a minimum rear setback of 10 feet** be imposed as a condition of the rezoning request.*

8. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan.

*The future character map shows this property as Residential.*

9. Whether the zoning proposal will result in a use, which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

*There is no excessive use or burden to streets, transportation facilities, utilities or schools recognized by approving this application.*

10. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

*There is none.*

11. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.

*There is none.*

12. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.

*The development is not big enough to qualify.*



**APPLICATION TO AMEND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF SENOIA**



City of Senovia  
P.O. Box 310  
Senovia, GA 30276  
770.599.3679

**FEES: (due upon submission)**

- \$500 (0-5 acres)
- \$550 (6-20 acres)
- \$600 (21-99 acres)
- \$600 (100+ acres)
- plus \$10 per acre over 100 acres)

Name of Applicant Hunter Gillam Contact # 404 580 6970  
 Mailing Address 545 Chappell Rd. Fay. 30215 Email huntergillam@comcast.net  
 Name of Property Owner Roger Gillam Contact # 678 612 5065  
 (Attach additional page if there is more than one owner)  
 Address of Property 27 Coweta St. Senovia 30276  
 Zoning Classification: Present R40 Requested RH  
 Use of Property: Present Vacant lot Requested SFD

- If the requested change is to extend an existing adjacent zoning district to include this property, explain below why the proposed change should be made.
- If the requested change is not to extend an adjacent zoning district, explain below why this property should be placed in a different zoning district than all adjoining property. (How does it differ from adjoining property, and why should it be subject to different restrictions than those applying to adjoining property?)

The lot is small and with the current zoning designation the buildable area is nearly too small for a house, RH would expand the front and rear setbacks. This would allow a more suitable plan.

Attach the following documents:

1. Written legal description of the property (copy of deed) – full metes and bounds description rather than plat reference.
2. Plat showing property lines and lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale. Submit 3 copies if the plat and a PDF of the plat.
3. List of adjacent property owners
4. Disclosure of Campaign Contributions and Gifts Form.
5. If Property Owner and Applicant are not the same, Authorization by Property Owner Form or Authorization of Attorney Form.
6. Filing fee payable to the City of Senovia.
7. Letter of Intent, conceptual plan

I hereby authorize the staff of City of Senovia to inspect the premises of the above – described property. I hereby depose and say that all statements herein and attached statements submitted are true and correct to the best of my knowledge and belief.

Sworn to subscribed before me  
 This 21 day of July, 2023.

[Signature]  
 Notary Public



Signature of Applicant

**RECEIVED**  
 AUG 21 2023  
 BY: [Signature]  
 Pd \$500  
 ck 222

**Planning Commission Action:**

Date of Hearing: 9-19-23

Commission's Recommendation: \_\_\_\_\_

Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Mayor and Council of the City of Senoia:**

Date of Hearing: 10-2-23

Council's Decision: \_\_\_\_\_

Conditions required: \_\_\_\_\_  
\_\_\_\_\_

# DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Reference: Application filed on \_\_\_\_\_, 20\_\_\_\_, to rezone real property described as follows:

Within two years preceding the above filing date, the Applicant has made campaign contributions aggregating \$250.00 or more to each member of the City Council of the City of Senoia who will consider the Application and is listed below. List (1) the name and official position of the local government official and (2) the dollar amount, description, and date of each such campaign contribution.

N/A

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Applicant

Sworn to and subscribed before me

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**DISCLOSURE OF FINANCIAL INTERESTS**  
**(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)**

Reference: Application filed on \_\_\_\_\_, 20\_\_\_\_, to rezone real property described as follows:

N/A

- \_\_\_\_\_ The undersigned official of the City of Senoia has a property interest (Note 1) in said property as follows:
- \_\_\_\_\_ The undersigned official of the City of Senoia has a financial interest (Note 2) in a business entity (Note 3) which has a property interest in said property, which financial interest is as follows:
- \_\_\_\_\_ The undersigned official of the City of Senoia has a member of the family (Note 4) having a property interest in said property of a financial interest in a business entity in said property, which family member and property interest or financial interest are as follows:

- \_\_\_\_\_  
Note 1: Property interests – Direct ownership of real property, including and percentage of ownership less than total ownership.
- \_\_\_\_\_  
Note 2: Financial interest – All direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent (10%) or more.
- \_\_\_\_\_  
Note 3: Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust.
- \_\_\_\_\_  
Note 4: Member of family – Spouse, mother, father, brother, sister, son or daughter.

\_\_\_\_\_ I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public





August 15, 2023

City of Senoia  
Building and Zoning  
80 Main St.  
Senoia, GA 30276

Letter of Intent: 27 Coweta St.

To Whom It May Concern:

Hunter Gillam with Craft Design Build Inc. is submitting this Letter of Intent on behalf of Roger Gillam

27 Coweta St. is roughly a quarter acre lot, currently zoned R40. The front and rear setbacks are 40' and the sides are 20'. Given the square footage of the lot and the current zoning the available house plans with a garage are very limited and we have been unsuccessful at finding a suitable plan.

It is my understanding that the Residential Historic (RH) zoning has a front and rear setback of 20' which will be more accommodating to a house plan with a garage. Attached is the conceptual building plan and plat overlaid with the plan dimensions. If approved this plan will fit within the buildable area. It has been expressed to us that there are neighboring properties with this zoning designation as well.

Thank you for your consideration. If you have any questions pertaining to this matter contact Hunter Gillam at 404-580-6970

Sincerely,

Hunter Gillam



August 15, 2023

City of Senoia  
Building and Zoning  
80 Main St.  
Senoia, GA 30276

Adjacent property owners:

1. Lin Wen & Fang Chen Duan  
Mailing address: 11644 Waterbury Ln. Johns Creek, GA 30022  
Property address: 37 Couch St.
2. Eddie & Juanita Sherman  
Mailing & Property address: 145 Couch St.
3. Charlene & Benjamin Redding  
Mailing & Property address: 56 Middle St.
4. Cora McCrary & Tammy Harris  
Mailing address: 109 Barnes St. Senoia 30276  
Property address: 5 Middle St.
5. Eddie & Judith Maynard  
Mailing & Property address: 22 Coweta St.

AS PER F.I.R.M. FLOOD MAPS FOR COWETA COUNTY, GEORGIA, MAP NUMBER 13027200291D, EFFECTIVE DATE FEB. 06, 2013, THIS PROPERTY IS NOT LOCATED IN A FEDERALLY DESIGNATED FLOOD HAZARD AREA.



**Know what's below.  
Call before you dig.**



BASE BEARING OF S 89°46'00"E TAKEN FROM PLAT RECORDED PLAT BOOK 48 PAGE 199. ALL OTHER BEARINGS CALCULATED FROM ANGLES TURNED.

- LEGEND:**
- PP = IRON PIN FOUND
  - DP = DEED BOOK
  - D.B. = DEED BOOK
  - P.A. = PLAT BOOK
  - PL. = PLAT BOOK
  - R/W = RIGHT-OF-WAY
  - RCP = REINFORCE CONCRETE PIPE
  - PP = POWER POLE
  - SEWER MAINLINE
  - SEWER LATERAL
  - OVERHEAD POWER LINE
  - = SANITARY SEWER LINE

**SURVEYORS CERTIFICATION**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The retracement is based on the original survey documents, maps, plans, or other instruments which created the parcel or parcels shown hereon. THIS SURVEY DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY PARTICULAR USE. THE SURVEYOR HAS CONDUCTED A VISUAL SURVEY AND CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF SURVEYORS AND PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-47.

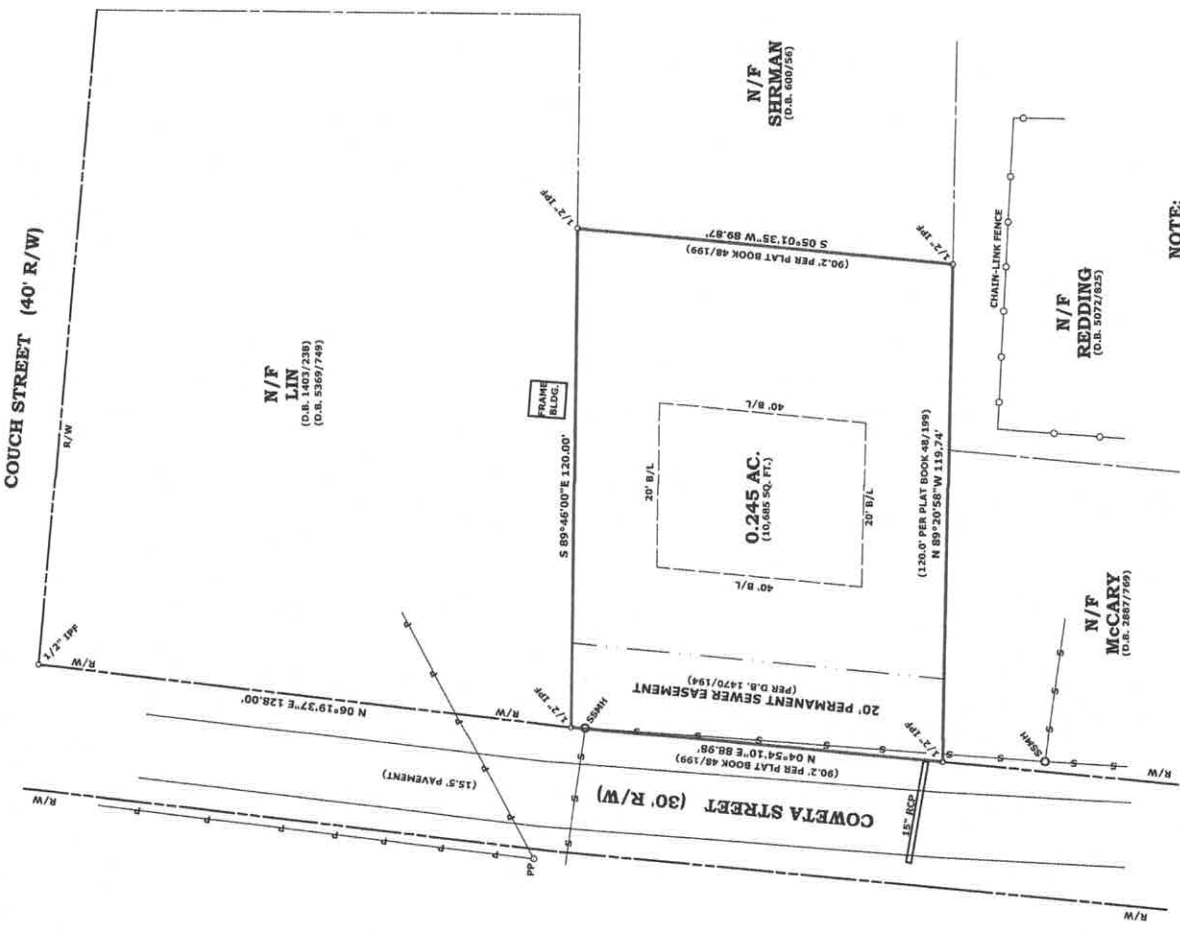
Jason D. Turner, GA. R.L.S. # 2795  
Date: 02-17-2022



**TURNER & ASSOCIATES LAND SURVEYORS, P.C.**  
10 SHACK HUNTER RD., SHARPSBURG, GA. 30291  
TEL: (770) 682-5300 EMAIL: turnerlandsurveyors@gmail.com  
JASON D. TURNER, GEORGIA REGISTERED LAND SURVEYOR NO. 2795

**RETRACEMENT SURVEY FOR:  
RANDY FARRELL**

PLAT FOR SQUARES E. 1/4 SEC. 48/199 LOCATED IN CITY OF SUMMIT COWETA COUNTY, GEORGIA	
SCALE: 1" = 20'	PLAT DATE: 02-17-2022
REVISED:	
DATES OF FIELD WORK:	
02-16-2022	DRAWING #: 2022021



**NOTE:**  
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT & ACCURATE TITLE REPORT. EASEMENTS & OTHER ENCUMBRANCES OF RECORD MAY EXIST THAT ARE NOT SHOWN HEREON. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.

**BUILDING SETBACKS:**  
FRONT = 40'  
REAR = 40'  
SUBJECT PROPERTY  
ZONED R40  
(HISTORIC DISTRICT)

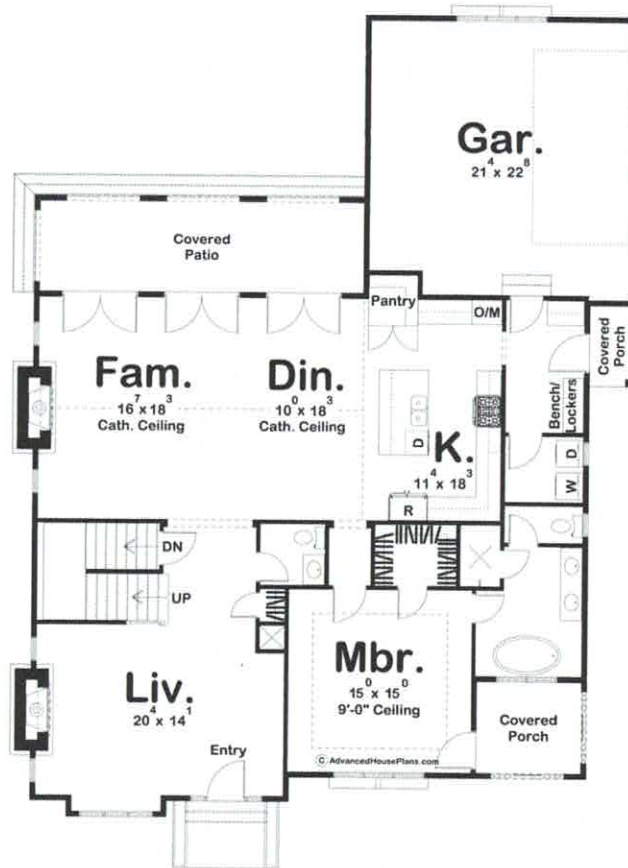
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 250,000 FEET OR BETTER AND WAS OBTAINED FROM AN ANGLE POINT, AND HAS BEEN ADJUSTED USING THE LEAST SQUARES RULE.  
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 132,822 FEET OR BETTER.  
ANGULAR AND LINEAR MEASUREMENTS WERE OBTAINED BY USING A GEOMAX ZOOM 3S PRO TOTAL STATION.

This block is reserved for the Clerk of the Superior Court.

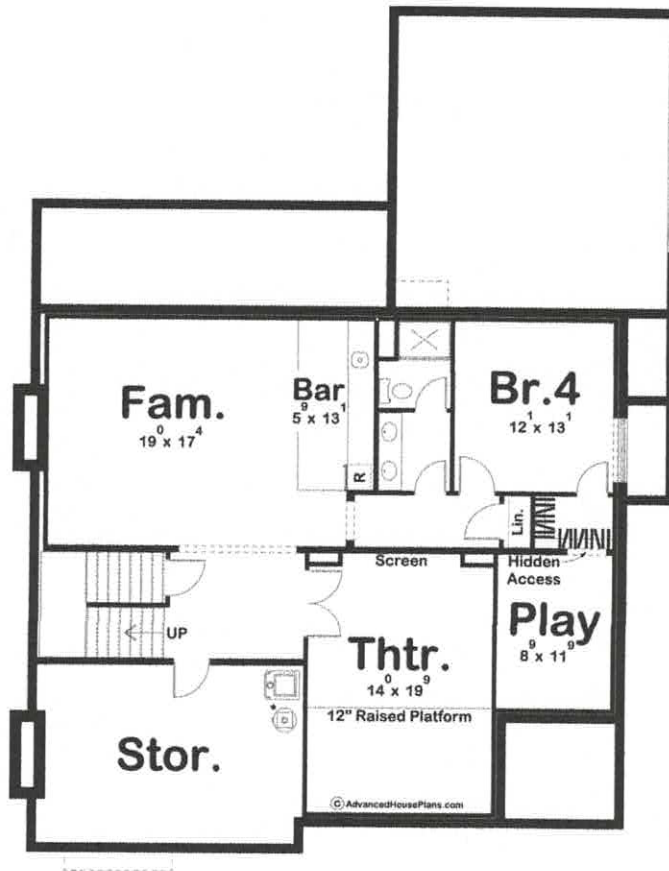
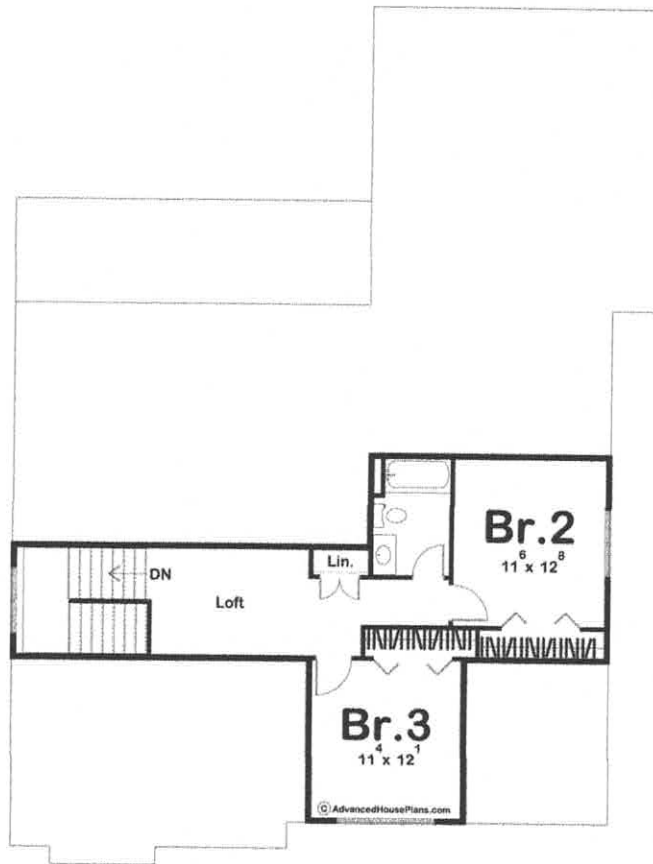


**29853 - Fox Hills Data Sheet**

2369 SQ FT	3 BEDS	3 BATHS	2 BAYS	50' 0" WIDE	66' 0" DEEP
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Construction Specs

PP

**COWETA STREET (30' R/W)**

(90.2' PER PLAT BOOK 48/199)  
N 04°54'10"E 88.98'

**20' PERMANENT SEWER EASEMENT**  
(PER D.B. 1470/194)

21'-0 7/8"

HWSS

1/2" IPF

1/2" IPF

(120.0' PER PLAT BOOK 48/199)  
N 89°20'58"W 119.74'

S 89°46'00"E 120.00'

FRAME  
BLDG.

40' B/L

**0.245 AC.**  
(10,685 SQ. FT.)

20' B/L

20' B/L

40' B/L

19'-11 3/4"

19'-6 1/2"

28'-9 1/2"

(90.2' PER PLAT BOOK 48/199)  
S 05°01'35"W 89.87'

1/2" IPF

1/2" IPF

CITY OF SENOIA  
CASH RECEIPT

Receipt No: 312037

Date: 08/22/2023

Time: 10:40:57 AM

Received From: \_\_\_\_\_

MICHAEL GILLAM

Amount: 500.00

Paid: 500.00

Change: 0.00

For:

REZONING 500.00

REZONING AT 27 COWETA STREET FROM  
R-40 TO RH

CHECKS  
222: 500.00

Received By: SCC