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Steve Horton, Mayor  
Scott Andrews, City Manager

**City of Covington**  
**BOARD OF ADJUSTMENTS AND APPEALS**

**June 21<sup>st</sup>, 2022 @ 2:00 PM**

**Meeting Minutes**

Zoom Link: <https://us06web.zoom.us/j/85716360464>  
Dial in: +1 646 558 8656 Member ID: 857 1636 0464

**I. ROLL CALL**

**MEMBERS PRESENT**

Buddy Adams  
Bill Campbell  
Lakeisha Thurman

**STAFF PRESENT**

Marc Beechuk/ P&D Director  
Renee Criswell/ Planner

**MEMBERS ABSENT**

Lucinda Faulkner  
Elizabeth Harwell

**II. DETERMINATION OF QUORUM**

Acting Chair, Director Beechuk, confirmed quorum.

**III. OPENING REMARKS**

Acting chair determined a quorum with three presiding members, two via zoom.

**IV. CALL TO ORDER**

After quorum was determined, Acting Chair called the meeting to order at 2:30 PM.

**V. OLD BUSINESS**

- A. Approval of the called, March 15<sup>th</sup>, 2022 Minutes.
- B. Bill Campbell motioned to approved. Buddy Adams seconded. Motion carried unanimously.

**VI. NEW BUSINESS**

**A. CASE# PVA22-0003**

**Request:** *Variance to the gas canopy setback under city ordinance 16.20.330.F – Allowance to reduce the required 50' Gas Canopy Setback to 36.49'*

Location: 10150 Alcovy Road

Tax Map Parcel Number: **Co80 038B**

Applicant: Jones Petro/Jeremy Crosby

Owner: William (Bill) Jones

**STAFF PRESENTATION**

Director Beechuk presented to board that the applicant was requesting a variance to the required 50-foot gas canopy setback. That the applicant's site plan presented a rear sitting convenience store with the rectangular piece up front being the proposed gas canopy. Canopy would encompass six pumps, the underground supplying tanks with the ordinance required standard being 50-feet. Those standards are in place for safety purposes. Director continued to explain there was not any severe topo changes that would appear to lend any difficulties to meeting this standard. Staff felt the applicant could find a better design solution to meet the required canopy setback, given vacant parcels can be redesigned and this issue is a safety issue not a warranted hardship.

#### **STAFF RECOMMENDATION**

Due to the reasons previously presented by P&D Director Beechuk, staff recommended BOAA deny presented variance request.

#### **APPLICANT PRESENTATION**

Authorized agent for applicant, Jeremy Crosby, presented to the board that GDOT moved back the original right-of-way, which would have given the allowable 50-feet of required canopy setback. Due to GDOT making that adjustment, they are requesting the reduction of canopy setback from the required 50-feet to 36-feet. Crosby continued that the Shell gas station, within the same vicinity, had an approximate 15-foot canopy and the owner of the Chevron station reported to him to be in favor of the request, so not to have the proposed JP station's backside of building facing his frontside. Crosby also mentioned that GDOT taking that additional right-of-way was their decision and not the fault of JP Petroleum. That space would have otherwise allowed them to meet that requirement and changing the design plan now in order to do so, would cause quite a bit of additional cost. Crosby ended with stating the canopy would not cause for the safety concern, it would be the gas pumps, which all will meet state requirements. Those state requirements are most stringent and would not allow if otherwise unsafe that JP meeting those state requirements should ease any unsafe concerns.

#### **PUBLIC COMMENT**

Chair opened floor for public comment.

Via zoom, presented attorney representation for the super 8 Hotel and Chevron, Sandra Fuller (3715 Northside Parkway, Ste. 100 Bldg. 500, ATL 30327). Ms. Fuller reported that her client was concerned about the safety risk for canopy setback reduction. She also stated that there were state and local ordinances / requirements in place for a reason and that was to promote safety. Allowing the variance would jeopardize the safety of the citizens.

Presented Brin Anderson, in support of variance, stating that a personally conversation between the Chevron owner, Mr. Ali, and himself went very different that the one his attorney reported. Anderson stated the conversation he had with Ali, Mr. Ali was in favor of the reduced setback so not to cause blocked views of his

gas station. Mr. Anderson stated that Mr. Ali's station did not meet the 50' feet canopy either and that extra 10 feet taken by GDOT was the reason for the request.

### **MOTION**

Bill Campbell motioned to deny requested variance. Lakiesha Thurmon seconded. Motion carried 2/1 (Adams against motion).

B. **CASE# PVA22-00004**

**Request: Variance to building design standards under city ordinance 16.28.020.A.1 – Allowance of vinyl siding on all four sides of building**

Location: 7153 Turner Lk Cir.,

Tax Map Parcel Number: **C040 0002 023**

Applicant: Housing Authority/Shamica Tucker

Owner: Brad Construction/Jameel Hanif

### **STAFF PRESENTATION**

Director presented to the board that the applicant was seeking to a variance request to remove the requirement in Sec. 16.28.020 A. for an exterior wall visible from a public street from being that of brick, glass, wood, stucco, stone or cement siding to vinyl in order to renovate the property that was damaged by a tornado in 2020.

### **STAFF RECOMMENDATION**

Director explained the site had three buildings in a grouping owned by the Housing Authority of Covington and operated by the Rainbow Community Center. There were three structures having a Special Use permit to operate the facility. The subject building was damaged in the Fall of 2020 by heavy weather activity. The code required reconstruction be completed within 12 months or that a building meet the current standards in the zoning code. Subject property was in discussion with their insurance company and putting out bids for design and contracting when the 12-month period expired. Director continued to add that the operation of the structure and use was debated by the leadership of the city adding multiple months to the process prior to submitting for this application.

Director stated that given all information submitted and within this report, staff recommended **approval with condition** of the variance for not requiring the materials and design.

### **Condition**

1. This variance shall apply to only this structure as it is currently arranged. If future expansion or demolition occurs, the property shall meet the zoning standards at that time of renovation or reconstruction.

### **APPLICANT PRESENTATION**

Presented Shamica Tucker, Housing Authority Rep., with explanation to the board that due to additional engineering documents needing to be presented to insurance adjustor, the time-frame used to get that done and documents needed to also ensure the funds from insurance were applicable to cover the repairs warranted, the time ran over for the Housing Authority to get the permit in. She also stated that HUD funds would not assist with this repair and the cost for ordinance required material

would be way over cost affordable, where vinyl would meet that cost and fit in with existing structures.

**PUBLIC COMMENT**

Chair opened floor for public comment. None. Floor closed.

**MOTION**

Buddy Adams motioned to approve requested variance. Bill Campbell seconded. Motion carried unanimously.

C. **CASE# PVA22-0005**

**Request:** Variance to the sidewalk requirement under city ordinance 16.28.050

Location: 11300 Hazelbrand Road

Tax Map Parcel Number: **C097 035B**

Owner/Applicant: Ashley Cap./Covington Logistics Park 1 LLC/Harrison Steele

**STAFF PRESENTATION**

Director presented to board that the applicant proposed to develop the property with 2 industrial buildings, one was currently proposed as a logistics center totaling 701,648 sq ft. He continued to report that the variance request would remove the requirement for the installation of a sidewalk and due to the natural topography and floodplain that surrounds the property, was a feasible request.

Director continued that property was bordered by floodplain area, Cornish Creek to the east and an unnamed creek to the west that covered the southernmost point of the property. There currently existed no drainage or gutters along Hazelbrand Road, and there was natural drainage hill existing right outside of the right of way. The site originally was forested, but had been cleared around construction with Tree save areas to the rear and to the northeast.

**STAFF RECOMMENDATION**

Director followed up presentation by stating the site was unique in shape, size and location making sidewalk installation a feature of this project that would not serve a greater good. The parcel did border other city properties, but also abuts county properties without the same requirements. Topography and Tree Save areas added issues making sidewalk installation an additional hurdle to site development. Allowing the request would not further the city's goals and due to the distance from other pedestrian networks and patchwork of other similar infrastructure in the area, staff recommended approval of the variance for removing the sidewalk requirement.

**APPLICANT PRESENTATION**

Applicant representative, Harrison Steele, approached the board and reiterated the reasoning for request, stating the Director summed up all issues for request and was available to the board / public for any questions.

**PUBLIC COMMENT**

Chair opened floor for public comment. None. Floor closed.

**MOTION**

Bill Campbell motioned to approve requested variance. Buddy Adams seconded. Motion carried unanimously.

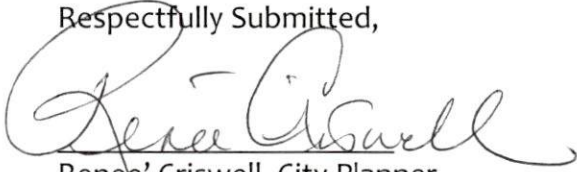
**VII. ANNOUNCEMENTS/DISCUSSION**

P&D Manager, Beechuk, discussed with board's upcoming training sessions with to be determined date and times.

**IX ADJOURNMENT**

Bill Campbell motioned to adjourn. Buddy Adams seconded. Motion carried unanimously.

Respectfully Submitted,



Renee Criswell, City Planner  
Planning & Development



Marc Beechuk, Presiding Chair  
Planning Commission Board