



DOUGLAS COUNTY ZONING VARIANCE HEARING AGENDA

September 21, 2026

Call to Order - Planning & Zoning Board

APPROVAL of MINUTES

Approve the minutes from the July 20, 2026 Variance Meeting.

AGENDA

- V2026-11** **Andrew Wiseman/ Providential Signworks** – a request for a special exception variance for the size and placement of a sign for Foamworks Auto Space at 369 West Fork Ct, Lithia Springs, 30122. Land lot(s) 314, District 18, Section 2, Parcel 1. Lot size 1.46 acres. Application signed by Andrew Wiseman. Commission District #2.
- V2026-12** **Jodi Bellam** – a request for hardship variance at 1394 East Stoneybrook Drive, Douglasville, 30134. Land lot(s) 726, District 18, Section 2, Parcel 31. Lot size 8.71 acres. Application signed by Jodi Bellam. Commission District #1.

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The Douglas County Variance Board met on the above date.

The following members were present.

Variance Board

Brig Simmons, Chairman was absent

Brandon Pennamon

Melissa Polk

Orrick Curry

Chris Small

Frank Payne

Larry Toney

Staff

Allison Duncan, Planning & Zoning Manager

Austin Cronan, Zoning Administrator

Johannah Womack, Clerk of the Planning & Zoning Board

Bruce Mercer – Traffic Operations

Tabitha Turner, Department of Transportation

Travis McDonald – Deputy Director of Development Services

Minutes

Mr. Pennamon called for a motion for the June 15, 2026 minutes.

Mr. Payne made a motion to approve the minutes from the June 15, 2026 meeting. Mr. Curry seconded the motion.

Motion carries 6-0.

The minutes from the June 15, 2026 meeting are approved.

Application V2026-07

Derek Nichols – a request for a special exception variance to reduce the side setback from 15' to 13' for a 1,400 square feet, metal sided accessory structure located at 3050 Autumn Woods Court, Douglasville, 30135. Land lot(s) 127, District 1, Section 5 & Parcel(s) 105. Lot size: .46 acre(s). Application signed by Derek Nichols. Commission District #2.

Mr. Cronan presented this application.

- Existing Conditions:

- o A 1,545 sq. ft., single-family detached structure is sited.
- o A 1,400 sq. ft., metal-sided, accessory structure is sited that is located approximately 2' from the side property line and 20' from the front property line.

- Discussion:

- o The metal-sided structure would require approval by the Director of Development Services or escalation to the Board of Commissioners for its metal siding. Additionally, the maximum amount of square footage permitted for accessory structures in the R-LD zoning district on lots less than 1 acre is 1,000 sq. ft. without approval by the Board of Commissioners as a Special Use to exceed 1,000 sq. ft.
- o The subject of this request is for setback reduction only. Additional requests for administrative variance or Special Use Permit would follow hereafter if approved.
- o The location of the structure deviates substantially from the existing character of principal and accessory structures within the Autumn Woods neighborhood, and no hardship that is unique to this particular piece of property is demonstrated.

Staff is recommending denial of the proposed variance based upon the following findings:

1. The variance would impair the intent, purpose, or spirit of the Unified Development Code.
2. The variance would represent a substantial deviation from the existing character of the Autumn Woods neighborhood.
3. The variance would adversely impact the public health, safety, and welfare.

Mr. Joe Fowler represented the applicant. Mr. Nichols is heavily involved in youth sports and his commitment for a long time. His initial plan was to put up a roof structure only and suspend a net for a batting cage so that the youth could use it either in or out of season. The installer had mentioned to him that screening from the property by putting up walls was appropriate. It would not require a permit and not be expensive. Unfortunately, he did not get good information when all of that was communicated to him.

He completed the batting cage a couple of years ago. He's been doing instruction for 50 or more youth. You can see many of them are here. No neighbors have complained to Derek about this. As you know from the ordinance in Section 1303(c) that it would not cause detriment to the public good and would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity. It would not diminish and impair property values within the surrounding neighborhood; and would not impair the purpose and intent of the Development Code.

We respectfully submit no opposition from the neighbors and because he is maintaining it appropriately it would be appropriate to grant the variance.

Mr. Derek Nichols also represented this application. In 2017 I became the Director of Youth Sports for Lithia Springs Park. I inherited the 36 acres behind me and there are challenges with my siblings to divide that land. In 2020 I began clearing land next to my home, removing dirt, large trees that many hollowed-out and dangerous to the neighbor's property and leveled the site. In that same year I was diagnosed with Stage 2 melanoma and also had an 85% blockage in an artery that required an emergency stint. This all happened when COVID had shut down every park in Douglas County. In 2021 and 2022 I had a retaining wall established due to the steep location of the neighbors and the property behind me. After the retaining wall was in, due to the red clay, there was a lot of erosion occurring. I looked into a service for the water run-off from eroding the hill on the property. In 2022 I realized the clay would be a constant mud problem and so I investigated a service option. I ended up ordering a concrete pad and began searching for a batting cage structure initially just looking for a roof to cover it. A company led me to believe that an enclosed structure was a better option for the same price and simple to move and not permanent. What started as a simple roof became a fully enclosed building standing there today.

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Since 2023 the batting cage has been a continuous use free to our West Georgia Youth athletes, my former players, my students from Lithia Springs, Chapel Hill High School and Harvester Christian Academy. Not one neighbor has filed a complaint to my knowledge in two years. Several of my neighbors are here today to show support for the benefit of our youth to the community.

Ms. Pansey Griffin of 3065 Autumn Woods Court spoke in favor of this application.

Mr. Robert Berenyi of 3035 Autumn Wood Court spoke in favor of this application.

Mr. Michael Garcia of Fairburn, Georgia spoke in favor to this application.

Ms. Andrea Young of Chapel Hill Road spoke in favor to this application.

Mr. Maddox Fragoso 4035 Westview Street spoke in favor of this application.

Mr. Joshua Lahaie of 3460 Pope Road spoke in favor to this application.

Mr. Antoine Rivera of Lithia Springs spoke in favor of this application.

Mr. Michael Farley of 3040 Autumn Woods Court spoke in favor of this application.

Ms. Tifanie Riggs of 5015 Lake Greystone Road spoke in favor of this application.

Mr. Grayson Smith of Lithia Springs spoke in favor of this application.

Miss Marley Mungo of 4370 Pipemaker Bluff spoke in favor of this application.

Ms. Shevander Dikes of 7048 Branch Crossing Way spoke in favor of this application.

No one else spoke in favor of this application.

No one spoke in opposition to this application.

Mr. Curry asked Mr. Nichols first of all thank you for what you have done for the youth to be able to hone in on their craft. It seems like your intentions were good when you first started. What we're looking at is the setbacks and the metal siding. I know you said that they sold you something without coming to Planning & Zoning to make sure the requirements from the county met the criteria. I know you have other land there. This is a big decision that we have to make here. We see the impact that your batting cages have. The structure is the issue that we have. Could you explain that if denied what would that look like for you?

Mr. Nichols explained that if denied I would take it down and put it in the backyard of our home on the 36 acres. The 36 acres was left to me by my mother. Since that time my brother and sister are lifelong methamphetamine addicts. My brother is not mentally sound. He's in the Douglas County Jail for violating a restraining order against me. Because the property was left to the three of us I'm at a state of trying to transition that land into my name even though I have a letter of testamentary,

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he's not in a state where he can talk coherently. I'm going to retain Mr. Fowler but I don't know how long all this will take. My brother has a lot of creditors after him due to the methamphetamine and the business that he ran. A lot of creditors are attempting to sue him which would put the property at risk if I put it in his name. Having no experience with probate and estates, I've really been nervous about what to do, which was partly about the building which was going to be just a roof but ended up being a building. I wanted to put it next to the house because I felt the property was not attainable in any type of time frame that was acceptable.

Mr. Curry asked Mr. Cronan I know we have to look at the setbacks in the variance. We also have to look at the structure because it's metal.

Mr. Cronan explained that the metal would be outside of this. The Director of Development Service would have to say yes or no and refer this to the Board of Commissioners.

Mr. Curry asked is our biggest issue the visibility.

Mr. Cronan explained that the development pattern of the Autumn Woods neighborhood hasn't followed this and then the square footage in general was initially a concern but again it's outside the scope of this request. The setbacks of this request don't represent orderly in the Autumn Woods neighborhood.

Mr. Curry asked if this was an HOA community.

Mr. Nichols no.

Mr. Toney stated as your neighbors and the folks that have used the cage talked, I wrote down some names and what you have to say quickly. You have no opposition from your neighbors which is incredible. They say that your structure may be an extension of parks. They say that your batting cage is an asset to the community to the kids off the street and allow them to train. The neighbors approve the batting cage. A 26-year neighbor supports you and if anyone would have opposed it would have been him. The army vet says this is an asset to the community. The batting cage is free of charge for the kids to hone their skills in a structure that is valued to the community. Someone said it provides a safe space for kids. Someone said the batting cage is a fantastic place to go. Someone said we need to keep it. We have used the facility many times. Please keep it available because of no cost and the proximity. The benefits outweigh the risks.

Mr. Toney asked what do you think would happen if you have to tear it down.

Mr. Nichols replied I think there would be no alternative to these players in the community. As some of them said if they did pursue a facility outside of the one that I have provided, they would have to leave the county. Furthermore, it would be expensive for the players.

Mr. Toney asked do you believe it's a real asset to the county.

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Mr. Nichols replied yes, sir. This is why I coach baseball. I'm the president of West Georgia Youth Sports. I was the executive director before that. For 12 years I coached Tracy Ivey.

Mr. Payne asked Mr. Nichols have you investigated the cost if you had to move the facility.

Mr. Nichols stated that I haven't gotten any quotes but my suspicion is it would cost as much to take it down and reassemble as it would to buy a new building. I would have to have a new location with a concrete slab. The challenge with this is having to deal with my siblings. That's the biggest unknown for me. If I get a building permit to move it then I would have to get this building in my name. There's also an acre and half in front of that property where my grandparents first house was that they sold to my parents that's in my name but doesn't solve the problem. The house burned so it's not live able and you can't have an accessory structure without a dwelling. Everywhere I turned there was an obstacle.

Mr. Payne asked about parking.

Mr. Nichols explained that they will park in the driveway. Maybe one or two on the road. Parking is not an issue. Most of the time the parents will drop off their kids and come back. There are a lot of people in my neighborhood that park on the street. I usually have four or five at a time so that they are not on top of each other.

Mr. Payne asked Mr. Cronan if approved will there be any conditions.

Mr. Cronan stated that there weren't any conditions. It would be up to the Board if conditions were proposed.

Mr. Toney asked if something could be done about the landscaping. If we put plants in it would make it look better. Is that something that we could think about.

Mr. Cronan stated that if it's about the view shed then I would think it would be appropriate to mitigate landscaping.

Ms. Polk asked Mr. Cronan in reading the staff recommendations it states how it adversely impacts public health and welfare. Can you advise us on exactly what we're talking about and why that makes it one of your reasons for denial?

Mr. Cronan explained that staff's primary concern would be the orderly development of the neighborhood and then the hardship isn't really demonstrated. You can have accessory structures on your property. You just have to put them within your setbacks. There's other room on the property other than the septic area where construction can be set. If there's additional traffic going to the property we usually reserve that for commercial. Areas for home-based businesses we usually only allow for personal services at a rate of one per hour.

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In general, it doesn't seem like an orderly kind of style development. It's more like planting a commercial use even though it's not transactional. With additional traffic it affects all residents.

Ms. Polk asked what disconnects this from being commercial if there is no monetary value being exchanged.

Mr. Cronan explained that there is no transaction is how we would see it. Home base businesses are reserved for personal services for example someone who wants to cut their hair or nails.

Ms. Polk asked what does it mean that it's not in the Unified Development Code.

Mr. Cronan explained what we're essentially saying is that there is no hardship demonstrated here. The deviation from the standards which would be the setbacks, 35' from the front and 15' on the side, doesn't justify because there's no hardship made. A hardship would mean if a strict application of the Unified Development Code, say if there was a 35' setback and a creek in the middle of the property and you had to put the structure right in front of the creek. A hardship would demonstrate that however, here it seems like there is room on the property for the structure between the setbacks. In general, this size structure is allowed on these size lots without additional Board of Commissioner approval.

Ms. Polk to Mr. Nichols I can appreciate the availability of training. Our children played in travel sports and it's expensive. I can appreciate as a parent of an athlete. I hope on the flip side you can also appreciate us being on the Planning & Zoning Board Committee and that these codes have been set for a reasons and purposes.

Ms. Polk asked Mr. Nichols I've heard we would have to travel 45 minutes to an hour to the next batting cage. There is a batting cage called Base to Base Sports fourteen minutes from your location. With that information is the distinguished difference between what you are offering and what they are offering monetary?

Mr. Nichols replied it's not just monetary. Coach Wells, his father works at Base to Base. You can take your children there and they would tell you we don't have room. They are A trainers. It's 5,000 square feet. We do train there but that doesn't replace the at homework and especially since they are very limited and it's costly. They train a lot of the high school players.

Ms. Polk explained that the question today here is not the appreciation for what you have done for the community. The conversation is not about how wonderful you have built for the kids and athletes. I do hope you have and others in the audience have given the opportunity to take in that, that we're here as the Planning & Zoning committee and we have to consider the codes and ordinances that are in place. There's reasonings why they are recommending denial. Those have to be in consideration because in the event we approve this, your neighbor don't care and they are fine with this. But, what happens when there is another business without monetary transactions and

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another home has batting cages and people come and train. What happens when we have another neighborhood and the neighbors don't want that next to my home and then they say well you approved Mr. Nichols.

Mr. Nichols replied I understand that but that's why we have these hearings so that you guys can hear the circumstances and hopefully make a decision. You have the power to make decision. Also, there was no other place for this building. I didn't know all these rules. I wish I had. Right next to the building is a big easement that the county has put on my property. It's a big 6' by 6' drain that the county has put in my yard. If even move the building 5' it would take on the water. The back is septic lines on both sides.

Ms. Polk asked if you had stayed with just the netting for the batting and not were not persuaded to purchase this building, would you have to ask for this variance for the netting?

Mr. Nichols replied that was one of the questions I asked. Originally I did the roof to have the net over. I was told that it's still a structure. If that's the case then there's no way to approve this through the county even without the sides. I'm willing to do whatever not to have to tear it down. It will cost me \$20,000 to move I don't have the money.

Mr. Small asked Mr. Cronan just for clarification the setback is from 15' to 13'.

Mr. Cronan explained that it would be from 15' to 2'. There might be a typo on the agenda.

Mr. Small asked if he had to move it, it would be based on 2'.

Mr. Cronan replied it would be from 15' to 2'. It would be more than a 2' reduction.

Mr. Small asked so what' on the agenda is incorrect.

Mr. Cronan replied yes, sir.

Mr. Pennamon to Mr. Nichols you recognize the hard place we're in as a board. Obviously it's supported but it's not safe or conducive to the neighborhood. Considering that your neighbors are here and totally fine with it, that plays a big roll.

Mr. Pennamon asked Mr. Nichols are you willing to be creative to mitigate.

Mr. Pennamon to staff tell me if this is possible. Is it possible for us to put in a condition where the current structure stays until we give him a set time to come back before us while he has time to mitigate with this family to get the 36 acres then move the structure to the 36 acres. This way the kids can be serviced or at least come back in a year to see where you stand with the legal process.

Mr. Nichols stated that I'm willing to do whatever it takes. What I was hoping to do was take a step backwards and the least amount of monetary cost to me because at some point it will be cost

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prohibited for me. Moving it to the property is a big cost and that's assuming that I can get the land moved into my name and locate a spot and get a building permit.

Mr. Pennamon stated that my ask to you would be to make an effort between now and whatever time period we put in place with some type of answer.

Mr. Nichols replied yes, I will. I will clad the front. If I have to move it over and don't know how that will work because of the water.

Ms. Duncan suggested to table this item until the end of the meeting and give me an opportunity to talk with the applicant and their representative if you are inclined to get creative with some of these conditions. I would want to think through some of the other issues that are involved such as the oversized accessory building but those are reserved for the powers of the Board of Commissioners.

Mr. Pennamon called for a motion to table this application until the end of the meeting.

Mr. Curry made a motion to table Application V2026-07 until the end of the meeting. Ms. Polk seconded the motion.

Motion carries 6-0.

Application V2026-07 is tabled until the end of the meeting.

Application V2026-08

Gaskins & LeCraw – a request for a Special Exception Variance to reduce the side setbacks from 15' to 10' for lots 2, 6-12, 26, 49 & 57 located at 2391 Mt. Vernon Road, Lithia Springs, 30122. Land lot(s) 978, District 18, Section 2 & Parcel(s) 1. Land lot(s) 979, District 18, Section 2 & Parcel(s) 19. Land lot(s) 981, District 18, Section 2 & Parcel(s) 8. Land lot(s) 1006, District 18, Section 2 & Parcel(s) 6. Lot size: 85.8 acre(s). Application signed by Michelle McCauley. Commission District #2

Mr. Cronan presented this application.

Existing Conditions:

The site is encumbered by a 200'-wide powerline easement, state waters and wetlands present on the property, and steep slopes. These are factors not necessarily shared by the neighboring, developed neighborhoods and are generally site-specific (where the powerline easement continues east-west).

Discussion:

The property has unique encumbrances on the site, and the reduction in square footage of the individual lots was the primary motivator for the request for the R-MD zoning district.

A hardship is demonstrated given the unique circumstances of the site.

The reduction in the side setbacks would give the lots ten additional feet to site single-family detached homes and all appurtenances.

Recommendation and Findings: Special Exception Variance to Reduce the Side Setback from 15' to 10':

Staff is recommending approval of the Special Exception Variance based upon the following findings:

1. The reduction would not impair the intent, purpose, or spirit of the Unified Development Code.
2. The reduction would allow for orderly development of single-family detached homes while providing relief from the hardship(s) demonstrated on the subject site.
3. The reduction would not adversely affect the public health, safety, or welfare.

Ms. Michelle McCauley of 3475 Corporate Way, Canton represented this application. Our rezoning was recently approved at your July meeting. We knew that this land was heavily constrained with Georgia Power transmission line, slopes and wetlands. When we applied for the rezoning we also applied for these variances. We will be reducing lots for a variety of homes: ranches, town homes, some homes with two masters. The variance provide for additional streetscape. At the time of the hearing, we've had additional research done on the property. Initially what was being classified as a ditch is now being classified as a stream where there will be additional buffers on the site. What we're asking for is the corner lots to have a reduced setback on the sides. This will allow for additional rooms. We will continue to provide for houses and elevations.

No one spoke in favor or in opposition of this application.

Mr. Curry asked Mr. Mercer from Douglas County DOT if the variances would cause any issues with the sidewalks or vehicle parking.

Mr. Mercer replied not at all.

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Mr. Mercer explained that what they are discussing is outside of the right-of-way. The sidewalks and the roadway are within the right-of-way.

Mr. Curry asked Ms. McCauley if this would be an HOA community.

Ms. McCauley replied it will be an HOA community.

Mr. Curry asked are you trying to put a house on a smaller lot.

Ms. McCauley replied these lots have a certain width and so what we're asking for is a reduction in size so that a wider house can fit on that lot. The future homeowner will have a wide variety of homes that they can pick out once they choose their lot.

Mr. Curry asked will the elevations change.

Ms. McCauley replied the elevations that we presented would give more options within those elevations.

There were no more questions from the Variance Board.

Mr. Pennamon called for a motion for Application V2026-08.

Ms. Polk made a motion to approve Application V2026-08. Mr. Curry seconded the motion.

Motion carries 6-0.

Application V2026-08 is approved.

Application V2026-09

Dennis Wynn – a request for a hardship variance for a second driveway due to the topography of the property located at 6822 Cowan Mill Road, Winston, 30187. Land lot(s) 124, District 2, Section 5 & Parcel(s) 7. Lot size: .53 acre(s). Application signed by Dennis Wynn. Commission District #4.

Mr. Cronan presented this application.

Existing Conditions:

A 1,506 sq. ft., single-family detached dwelling is sited. The originally permitted driveway allows for an entrance onto the property from the westerly side of the property.

An accessory structure is located behind the single-family detached dwelling and, owed to the topography of the site, the structure is set approximately 10' lower than the westerly driveway. The driveway is located on a drop-off point of the

property with a retaining wall constructed.

The westerly driveway appears to be encroaching onto the neighboring property which is an existing condition to be noted but outside of the scope of this request.

Summary of Proposal:

The applicant intends to utilize a second driveway to access the accessory structure at the rear of the property while keeping the original driveway from which the main access to the existing house is derived.

Discussion:

The lot is fairly constrained, and it is served by a private septic system.

The Sheriff's Department and DOT do not take issue with the request. Staff's concern is that the current septic area may be impacted with a legitimized traversal route to the rear of the property via an unanticipated (at least when the septic system was first installed as this is a fairly recent development) vehicle route and storage area.

If there are findings from Environmental Health that no negative impacts to the existing septic system and infrastructure or replacement area are found via a driveway permit process that would involve this reviewing department, staff is favorable to the request owed to the hardship demonstrated on the property.

The existing stormwater runoff concerns may be compounded or, at the very least, concentrated along a more-definite route if additional impervious surface is added. The property is located in the Dog River Primary watershed protection district, so a maximum limit of 18% of impervious surface should be observed.

Recommendation and Findings: Hardship Variance to Allow a Second Driveway

Staff is recommending denial of the request based upon the following findings:

1. The request may introduce conditions where existing stormwater concerns are not addressed but made worse by the addition of impervious surface without a mitigation

plan or measures proposed that are suitable to the Douglasville-Douglas County Water & Sewer Authority.

2. The second driveway will adversely affect the public health, safety, and welfare without a guarantee that the construction of it and any ancillary vehicle storage area will not impact the existing septic system or any replacement area viability.

If the Planning & Zoning Board is inclined to approve, staff is recommending the following conditions:

1. The second driveway shall be permitted through the relevant reviewing departments and built to Douglas County standards. Additionally, Environmental Health shall have discretion to approve or deny the permit request based upon their findings of impact of the proposal to the existing septic system or the viability of any replacement area on the property.

Mr. Dennis Wynn of 6822 Cowan Mill Road, Winston, represented this application. I bought the property in 81 and I built the garage in 1994. I moved into the house in 1985. I actually have the permit for the garage. The only thing that was told to me at that time was that I couldn't build it any bigger than 850 square feet. My garage is 840 square feet. I've been going down that driveway, which is gravel, all this time. The only reason I wanted to pour the driveway is because I was getting stuck when it rained. The elevation of the property is such that the water run down and I was getting stuck in my truck. I wanted to pour a driveway for that reason. Not any other reason. When I built the garage they even noted the garage was behind my house and there was a mention of the septic system when I made an addition to the house as well. The septic system was moved from where it was originally to accommodate the new addition.

Mr. Alex Szecsey of 6800 Cowan Mill Road spoke in favor of this application.

Mr. Freddie Thomas of 6823 Cowan Mill Road spoke in favor of this application.

No one spoke in opposition to this application.

Ms. Polk asked Mr. Cronan can you give us information on what constitutes hardship.

Mr. Cronan explained that if there was a strict application in the Unified Development Code that would introduce that could not do what they wanted to do outside of things that are necessities, we would consider that a hardship.

Mr. Cronan explained that on this property they have an existing driveway that serves as their access point. What they are asking for now is an accessory to what they have not necessity . It's more of a want. That wouldn't constitute a hardship. The imposition of one driveway for a residential lot rule if we were to observe it has been observed and they have that already. They have their primary meet.

Ms. Polk asked Mr. Mercer does the new driveway create new issues of traffic,

Mr. Mercer stated that there won't be any additional trips generated for the family if they are using the left or the right. Our code has a minimum driveway distance between property owners which is 10'. I don't see that as a problem.

Ms. Polk asked Mr. Mercer do you think the new driveway will be in conflict to the neighbor to the left of them.

Mr. Mercer replied correct.

Ms. Polk asked Mr. Wynn after hearing the definition of a hardship variance and your ask doesn't complement each other. Have you considered making access from your existing driveway that you can go up and then to your garage?

Mr. Wynn explained that if I did I would have to go all the way across to the other driveway. The cross in front is about 125' and I've been going down through there all this time and it's not been paved. I have a little gravel. One of the problems I had was the water. A lot of times when it rains, water actually goes down into my garage. From the standpoint it seemed like more of a necessity to me that I need to do something. For 20 something years I've been going back and forth. There was no desire to do anything until I got to a point where the water was coming through there and I needed to do something. Yes, I could have gone across the whole front yard to get to other driveway. It just seemed logical for me to put a driveway where I could channel the water away from my garage.

Ms. Polk asked Mr. Wynn you felt that if you could make that concrete driveway from the street to your garage and it will offset your water issue.

Mr. Wynn stated that's the biggest problem I have. Water was going in the garage. I submitted a picture that shows the trail of water coming down through there. I don't see it. Use to I could get the water out but now mud and silt are there and I can't get my truck out.

Ms. Polk asked normally driveways are flat to the ground. How will you having the approval of putting down a concrete driveway that is typically flat to the ground help you not have water.

Mr. Wynn explained the location of his home and the garage.

Ms. Polk asked by putting down a concrete driveway how will that help you not have a water problem.

Mr. Wynn explained that I can channel the water. When you pour a driveway and it's flat, water just sits. If you pour a driveway that's downhill, you can slope the concrete that way so that the water doesn't go that way.

Ms. Patricia Wynn of 6822 Cowan Mill Road, Mr. Wynn's spouse explained that it would create a ditch and we would get stuck there. The water had washed a ditch all the way down the hill and the ditch was getting deeper. Therefore, it caused a hardship and then being able to get in and out. He works in his garage on regular basis and parks his truck there and can't get out of the ditch.

Ms. Polk explained that what I'm trying to do here is with the hardship being explained and defined, I'm trying to see where you have the hardship. I'm asking you if by building this concrete driveway how is it going to stop the water if it's flat, but you are saying it has to be at an elevation.

Mr. Wynn explained it's not that it has to be flat. The garage is in an elevation down below the house. The water is running downhill. By pouring the driveway, you can slope the driveway one way or the other and water will go that way. You can't do that very well with dirt because it erodes. Concrete will stay there.

Mr. Curry asked County Engineer, Mr. McDonald were in a situation with this garage in the back, the water issue. Is it something that we need to look at closely to further because if we add this driveway, is it going to help or make the problem still be there and just have another driveway?

Mr. McDonald explained that I understand what the applicant was saying about being able to grade the driveway and pour concrete in order to make the water go where it needs to go. What he was saying is true. If you are trying to direct the water a certain direction you can do that on a concrete driveway and would be a lasting solution better than a dirt driveway that will constantly be changing as water runs over it.

There were no more questions from the Variance Meeting.

Mr. Pennamon asked if there were any conditions if this were approved.

Mr. Cronan stated the one condition:

The second driveway shall be permitted through the relevant reviewing departments and built to Douglas County standards. Additionally, Environmental Health shall have discretion to approve or deny the permit request based upon their findings of impact of the proposal to the existing septic system or the viability of any replacement area on the property.

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Mr. Pennamon asked so if approved he would have to go through Environmental Health to make sure they aren't over any lines.

Mr. Cronan replied essentially they would talk to Environmental before they pour the driveway.

Mr. Pennamon called for a motion for Application V2026-09.

Ms. Polk made a motion to approve Application V2026-09 with one condition. Mr. Curry seconded the motion.

Motion carries 6-0.

Application V2026-09 is approved with one condition.

Mr. Pennamon asked for a motion to untable Application V2026-07.

Ms. Polk made a motion to untable Application V2026-07. Mr. Payne seconded the motion.

Motion carries 6-0.

Ms. Duncan stated that if I understand the intent of the Board there is a question about if the variance were to be approved are there safeguards that we can build into the approval to make sure that the time for the applicant to sort out the probate issues with the adjacent property so that at least you would have the ability to consider at some point in the future whether it's appropriate to keep the building where it currently is or to move it to another area.

If you want to approve we have conditions:

1. All needed Special Use Permits must be applied for and granted by the Board of Commissioners within 90 days. If the Special Use Permit(s) are denied by the Board of Commissioners, the variance will be returned to the Planning & Zoning Board for a show-cause hearing to extend or rescind the variance.
2. The applicant shall return to the Planning & Zoning Board no later than January 31st, 2028 for a show-cause hearing to extend or rescind the variance. If the variance is rescinded, the structure will be required to be removed or relocated.

Mr. Pennamon asked Mr. Nichols are you in agreement with the conditions.

Mr. Nichols replied yes, sir.

July 20, 2026

Mr. Pennamon called for a motion for Application V2026-07.

Mr. Toney made a motion to approve Application V2026-07 with conditions. Mr. Curry seconded the motion.

Motion carries 6-0.

Application V2026-07 is approved with conditions.

Meeting adjourned.

Brandon Penammon, Vice Chairman of the Variance Board

Johannah Womack, Clerk of the Planning & Zoning Board.

**DOUGLAS COUNTY PLANNING AND ZONING
SPECIAL EXCEPTION VARIANCE STAFF RECOMMENDATION**

Application Number	V2026-11
Applicant Name	Andrew Wiseman of Providential Signworks
Property Owner Name	Foamworks Lithia Springs, LLC
Property Address	369 Westfork Ct, Lithia Springs, GA 30122
Land Lot, District, Section, Parcel	Land Lot(s): 0313, 0314, 0371, 0372; District: 18; Section: 2; Parcel: 0001; Parcel ID: 0314-182-0001
Current Zoning	PUD
Future Land Use Classification	Commerce Center
Character Area Classification	Westfork
Request	Request for an Increase in the Permitted Maximum Sign Area from 15 square feet to 37.5 sq. ft.
Associated Rezoning	N/A
Associated Special Use	N/A
Associated Future Land Use Map Amendment	N/A
Size (in acres)	1.46 acres
Commissioner District	2
Subject to an HOA, POA, or similar?	N/A
Proposed Use	Canopy Signage
Recommendation	Denial
Meeting Date	09/21/2026

Relevant Code Sections:

Article	Section	Description
7	708(d), Table. 7.2	For free-standing canopies, signage is limited to a maximum size of 15 square feet

Prior Zoning Actions:

Year	Case #	Summary of Action
2002	Z2002-118	Rezoning from PUD with a base of M-1 (LI) to PUD with a base of C-4 (C-H)

Variance Criteria Analysis:

Number	Variance Criteria	Supports Requested Use
1.	Will the proposed Variance cause substantial detriment to the public good?	No
	The proposed variance will cause substantial detriment to the public good. The proposal can be accommodated as a building-face, wall sign at the size specified. The modification of the intent of the Unified Development Code may introduce a	

	precedent whereby the distinction between wall and canopy signage is not adhered, and signage can have off-site impacts.	
2.	Would the proposed Variance be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity?	Yes
	The proposed variance would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity.	
3.	Would the proposed Variance not diminish and impair property values within the surrounding neighborhood?	Yes
	The proposed variance would not diminish or impair property values within the surrounding neighborhood.	
4.	Would the proposed Variance not impair the purpose and intent of the Unified Development Code?	No
	The proposed variance would impair the intent, purpose, or spirit of the Unified Development Code.	

Planning Concerns:

- Existing Conditions:
 - The property has an active Occupational Tax certificate for an automatic car washing facility. A monument sign faces Thornton Rd and has space for each of the tenants within 236 Thornton Rd as well as the tenant at 369 Thornton Rd.
 - The canopy is currently unmarked, and the canopy is oriented perpendicular to Thornton Rd. The proposed canopy signage would be viewable by vehicles heading north along Thornton Rd.
 - A 3,200 sq. ft., nonresidential building that is the automatic car wash building is sited.
- Summary of Proposal:
 - The applicant is proposing a 37.5 sq. ft. canopy sign to be installed on the existing face of the self-detailing canopy station.
- Discussion:
 - The Unified Development Code makes a distinction between free-standing canopy signage and building-face signage. The Unified Development Code permits a maximum size of 15 square feet for canopy signage on free-standing canopies. The Unified Development Code permits a maximum of 20% of the area of the wall facing a street for a building-face, wall sign.
 - Thornton Rd is a state route with vehicular traffic reaching speeds typical of a state route.
 - A hardship does not appear to be present owed to the distinction between building-face, wall signs and canopy signs. The building-face, wall sign, if the option is pursued by the applicant and property owner, would accommodate the request.

Recommendation and Findings: Special Exception Variance to Increase the Maximum Sign Area from 15 sq. ft. to 37.5 sq. ft.

Staff is recommending **denial** of the request based upon the following findings:

1. The use will modify the intent, purpose, or spirit of the Unified Development Code.
2. The use will adversely affect the public health, safety, or welfare.

Technical Impact Statements (Attachments)

- DC DOT
- Environmental Health
- Water and Sewer Authority
- Fire Department
- Sheriff's Department
- Tax Assessor's Office
- Engineering/ Arborist/ Development Control
- Code Enforcement
- Board of Education
- Cemetery Commission

Attachments

- Zoning Map
- Aerial Image
- Photo Log
- Site Plan
- Future Land Use Category and Description
- Character Area and Description
- Draft Ordinance

**DOUGLAS COUNTY PLANNING AND ZONING
HARDSHIP VARIANCE STAFF RECOMMENDATION**

Application Number	V2026-12
Applicant Name	Jodi Bellam
Property Owner Name	Charles & Jodi Bellam
Property Address	0 Mckown Rd, Douglasville, GA 30134
Land Lot, District, Section, Parcel	Land Lot: 0726; District: 18; Section: 2; Parcel: 0031; Parcel ID: 0726-182-0031
Current Zoning	R-LD, Residential, Low-Density
Future Land Use Classification	Urban Residential
Character Area Classification	Traditional Neighborhood
Request	Request for a Reduction in the Minimum Lot Frontage Requirement from 50' to 0' and a Request for a Reduction in the Acreage Requirements for a Lot to be Served by an Access Easement (from >5 acres to 1 acre).
Associated Rezoning	N/A
Associated Special Use	N/A
Associated Future Land Use Map Amendment	N/A
Size (in acres)	10.1850 acres
Commissioner District	1
Subject to an HOA, POA, or similar?	N/A
Proposed Use	Residential, Single-Family Detached Lot
Recommendation	Approval with Condition
Meeting Date	09/21/2026

Relevant Code Sections:

Article	Section	Description
4	Division I, Section 4.05(B)	A minimum of 50' of road frontage is required for new lots created in the R-LD zoning district
10	1011(c)(6)	An access easement may be utilized by lots within a minor subdivision when said lots are over 5 acres in size

Prior Zoning Actions:

Year	Case #	Summary of Action
N/A	N/A	N/A

Variance Criteria Analysis:

Number	Variance Criteria	Supports Requested Use
1.	Are there extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size,	Yes

	shape, or topography?	
	The shape of the property is likely owed to the phased approach of the Stoneybrook subdivision. The property would be the logical next phase for the Stoneybrook subdivision (Unit 2 shown at Plat Book 7, Page 94, Douglas County records) had it developed. What has resulted is the further subdivision of the subject site to allow for two lots without public road frontage access. Where the property does have road frontage along E Stoneybrook Dr, the topography varies and slopes to a greater degree than the westerly portion of the property where the topography is less varied. This property is unique in how it is situated to where location of the home lot along the existing frontage may be less feasible than location of the home lot along the westerly portion of the site. The utilization of an access easement, if the document is executed, recorded, and referenced on the lot-split plat, would grant the proposed home lot adequate access to meet the intent of the Unified Development Code.	
2.	Would the application of the zoning or subdivision ordinance to this particular piece of property create an unnecessary hardship?	No
	The application of the Unified Development Code would not create an unnecessary hardship absent additional information such as a level-3 soils report or additional site-design work that would determine that the immediate-frontage portion along E Stoneybrook Dr is not feasible for development. Development along the immediate-frontage portion may be more challenging, but there is insufficient evidence submitted as a part of the application to definitively prove that development along this portion is not feasible.	
3.	Are conditions peculiar to the particular piece of property involved?	Yes
	The property appears to be the logical, final unit of the Stoneybrook subdivision (Unit 2 originally platted in 1971), and its shape appears to be owed to that as it fronts the current terminus of E Stoneybrook Dr as a public right-of-way. The property also abuts the quarry to the East, and the quarry has water features and topography that appear to influence the topography of the subject site along the easterly, immediate-frontage portion. The lot also appears to only have approximately 50' of road frontage along the existing E Stoneybrook Dr public right-of-way, and there are two single-family lots abutting the site that derive access from a private easement that eventually accesses E Stoneybrook Dr. The creation of a home lot that is approximately 1 acre in size that derives access from a private easement would not be out of character for this area. Important to consider is that there may need to be limits on the amount of lots that derive access from a single easement. The Unified Development Code contemplates, at max, 5 lots shall derive access from a single easement (provided that all other frontage and minimum-dimensional standards are met).	
4.	Would relief, if granted, not cause substantial detriment to the public good or impair the purposes and intent of the UDC?	Yes
	Relief would not cause substantial detriment to the public good or impair the purpose or intent of the Unified Development Code.	

Planning Concerns:

- Existing Conditions:
 - The property is 10.1850 acres in size and derives access onto E Stoneybrook Dr along its current terminus point as a public right-of-way.
 - The site abuts the quarry to the East.
 - The topography of the site is more varied and steep along the easterly portion than the westerly portion.
- Summary of Proposal:
 - The applicant intends to split 1 acre out of the existing 10 acres for a home site. The location of the lot is proposed to be along the westerly portion of the site and adjacent to 1402 W Stoneybrook Dr. The lot is proposed to be served by a private easement.
- Discussion:
 - The site appears to be the logical continuation of the Stoneybrook subdivision should it have developed further. Both E Stoneybrook and W Stoneybrook drives terminate at the site or at a location which would suggest a continuation was contemplated.
 - The Unified Development Code permits residential lots to be served by a private easement provided that the lots are greater than 5 acres in size. The proposal is for a 1-acre lot to be served by a private easement.
 - Lot frontage for the subject site is limited, and it appears that two, single-family home lots derive access through the subject site to E Stoneybrook Dr possibly through an easement.
 - The easterly side of the property borders the quarry, and this section has more-varied topography than the easterly side. No level-3 soils test has been submitted that would suggest either side is more suitable for residential development.
 - The Unified Development Code limits the amount of lots to be served by a private easement at 5 lots. If the proposal is approved, 3 lots may be potentially served by a private easement, but the use of a private easement would not be out of character for the lots to the south of the Stoneybrook, Unit 2 subdivision.

Recommendation and Findings: Hardship Variance to Reduce the Minimum Lot Frontage from 50' to 0' and to Reduce the Acreage Requirement for a Residential Lot to be Served by a Private Easement

Staff is recommending **approval with condition** of the request based upon the following findings:

1. The reduction in lot frontage and minimum acreage requirements will not impair the intent, purpose, or spirit of the Unified Development Code.
2. The reduction in lot frontage and minimum acreage requirements will not adversely affect the public health, safety, or welfare.

Staff is recommending the following **condition**:

1. The lot shall be permitted to undergo a two-lot split and no further unless the property complies with the major subdivision procedures of the Douglas County Unified

Development Code. This statement shall be present on the lot-split plat presented before Douglas County for review and consideration.

Technical Impact Statements (Attachments)

- DC DOT
- Environmental Health
- Water and Sewer Authority
- Fire Department
- Sheriff's Department
- Tax Assessor's Office
- Engineering/ Arborist/ Development Control
- Code Enforcement
- Board of Education
- Cemetery Commission

Attachments

- Zoning Map
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