



Coweta County Board of Zoning Appeals

Public Hearing

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~ Minutes ~

Lisa Eschman
770.254.2635

Thursday, March 28, 2024

6:00 PM

Commission Chambers

I. Call to Order

Attendee Name	Title	Status	Arrived
Delia Crouch	District 5 - Chairman	Present	
Lisa Mitchum	District 1 - Vice-Chairman	Present	
Royce Williams	District 2	Absent	
Russell Berry	District 3	Present	
Billy Cranford	District 4	Present	
Jonathan Amason	Community Development Director	Present	
Ben Sewell	Assistant Community Development Director	Present	
Lisa Eschman	Zoning Manager	Present	
Nicole Blackwell	Zoning Associate	Present	
Linda Ham	Office Manager	Present	

II. Minutes Approval

1. Board of Zoning Appeals - Public Hearing - Feb 29, 2024 6:00 PM

On motion of Board member Cranford, seconded by Board member Mitchum, passing by a vote of 4 to 0, with Board member Williams absent, the Board voted to approve the minutes from the Public Hearing held on Thursday, February 29, 2024.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Cranford, District 4
SECONDER:	Lisa Mitchum, District 1 - Vice-Chairman
AYES:	Lisa Mitchum, Delia Crouch, Russell Berry, Billy Cranford
ABSENT:	Royce Williams

III. Petitions

1. Petition # CUP 24-02 Filed by Demetrius Beard Requesting a Conditional Use Permit for Property

Located at Emory Phillips Road, Sharpsburg

Tax I.D. 134-6095-008

Commission District Commissioner Poole

Zoning Associate Nicole Blackwell presented Petition # CUP 24-02 filed by Demetrius Beard requesting a *Conditional Use Permit (CUP)* under Article 6. *Exceptions and Modifications. Sec 67. Parking, Storage or use of certain vehicles and equipment which states "No recreational vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use"* for property located on Emory Phillips Road, Sharpsburg (Parcel # 134-6095-008). She explained that the subject property consists of 19.71± acres zoned *RC (Rural Conservation)*. She further explained that the subject property is under contract with Demetrius Beard, preparations are underway for construction of a personal residence, and Single-Family Site Prep (RES-SFS-24-0051) is currently in the Inspection Phase. The applicant would like to

remain on-site during the construction, therefore, is requesting to utilize a recreational vehicle (RV) as a temporary residence for a period of twelve (12) months.

The Community Development Department submits the following factors for consideration in reviewing the Conditional Use Request:

1. The use of the recreational vehicle (RV) is temporary for twelve (12) months while a permanent home is constructed on the subject site.
2. The temporary use of the recreational vehicle (RV) should have little impact on the county or the surrounding areas.
3. The temporary use of a recreational vehicle (RV) shall create no additional impact or service requirement as it serves as a temporary residence.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration:

1. The use of the recreational vehicle (RV) on a temporary basis shall be permitted for a maximum period of twelve (12) months, beginning April 24, 2024, and ending April 25, 2025, or 30 days after the Certificate of Occupancy (CO) 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. Park the recreational vehicle (RV) at least 10-feet away from the primary residential structure.
4. Ensure the recreational vehicle (RV) has a working smoke and carbon monoxide detector.
5. If the recreational vehicle (RV) does not already have one in place, the Fire Marshal recommends installing a multipurpose dry chemical fire extinguisher.
6. The applicant shall meet all applicable requirements of the Environmental Health Department.

There were no questions from the Board for Staff.

Applicant Demetrius Beard 3380 Vintate Circle, Smyrna, Ga introduced himself and stated that he and his family look forward to being a part of the community while they build their dream home.

Chairman Crouch called for any comments in support of or in opposition to the proposed Conditional Use Permit (CUP). There were none.

On motion of Board member Cranford, seconded by Board member Mitchum, passing by a vote of 4 to 0, with Board member Williams absent, the Board voted to close the Public Hearing regarding Petition # CUP 24-02.

RESULT: PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER: Lisa Mitchum, District 1 - Vice-Chairman
SECONDER: Billy Cranford, District 4
AYES: Lisa Mitchum, Delia Crouch, Russell Berry, Billy Cranford
ABSENT: Royce Williams

Petition # CUP 24-02 Filed by Demetrius Beard Requesting a Conditional Use Permit for Property Located at Emory Phillips Road, Sharpsburg
Tax I.D. 134-6095-008
Commission District Commissioner Poole

On motion of Board member Cranford, seconded by Board member Berry, passing by a vote of 4 to 0, with Board member Williams absent, the Board voted to recommend that the Board of Commissioners grant the request of Petition # CUP 24-02, 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 April 24, 2024, and ending April 25, 2025, or 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. Park the recreational vehicle (RV) at least 10-feet away from the primary residential structure.
4. Ensure the recreational vehicle (RV) has a working smoke and carbon monoxide detector.
5. If the recreational vehicle (RV) does not already have one in place, the Fire Marshal recommends installing a multipurpose dry chemical fire extinguisher.
6. The applicant shall meet all applicable requirements of the Environmental Health Department.

RESULT: RECOMMEND APPROVAL [UNANIMOUS] **Next: 4/23/2024 6:00 PM**
MOVER: Billy Cranford, District 4
SECONDER: Russell Berry, District 3
AYES: Lisa Mitchum, Delia Crouch, Russell Berry, Billy Cranford
ABSENT: Royce Williams

2. VAR 24-02 Alfred Glenn Griffin- Reduction of Acreage for Guest House 10-acres to 4.342- acres- Reduction of 6.00-acres
Tax I.D. 165-1271-013
Commission District Commissioner Poole

Zoning Manager Lisa Eschman presented Petition # VAR 24-02 filed by Alfred Griffin requesting a reduction of acreage for a guest house variance for property located at 25 Fox Hollow Drive, Senoia (Parcel # 165-1271-013). She explained that the subject property is a vested lot created in 1972 as indicated on the final plat recorded in Plat Book 65 Page 165, consists of 4.36± acres (Tract # 10) in the Fox Hollow Subdivision, and is zoned *RC (Rural Conservation)*. She further explained that because of a disabled parent, the applicant wishes to construct a guest house on

the property. Currently, the *Coweta County Zoning and Development Ordinance* requires a minimum of ten (10) acres for the principal dwelling and guest house. The applicant is requesting a reduction of six (6) acres from the required ten (10) acres to construct a 576 square feet residence for the disabled family member. The proposed guest house will be located in the rear yard approximately 50-feet from the eastern property line with a proposed access to the guest home off Hutchinson Road via a gravel driveway.

Ms. Eschman also explained that while researching the history of the vested lot, it was discovered that the Fox Hollow Subdivision does have restrictions recorded on the final plat. It is important to note that Coweta County does not get involved with private matters which involve subdivision covenant restrictions. This request only pertains to the matters of zoning and the possible reduction of acreage for the construction of a 576-square feet guest house on the same parcel. Should this request be approved, it could still be enjoined by private enforcement of the covenant restriction.

The Community Development Department submits the following factors for consideration in reviewing the Variance Request:

1. The intent of the ordinance is to provide independent living to family members while meeting all current zoning requirements.
2. The Guest House Ordinance provides a Deed Restriction to protect against any rental activity.
3. The proposed guest home will be compatible with single family residences in the neighborhood.
4. The Board should consider if this request is justified by a hardship.

Should the Board of Zoning Appeals recommend approval for the request, the Community Development Department is submitting the following conditions for consideration:

1. The applicant shall obtain an addition letter/existing septic system evaluation letter from the Environmental Health Department before construction of the proposed guest home.
2. The applicant shall comply with all other guest house ordinance requirements under Article 7, Section 72.
3. Applicant understands that the Guest House shall be maintained according to the Ordinance/Deed and shall not be established as an independent residence outside of the Guest House Ordinance.
4. The Community Development Department shall review and approve the Deed of Use Restriction prior to recording with the Clerk of Superior Court.
5. A driveway permit shall be obtained from Coweta County if separate driveway connection is needed for logical access.

In response to a question from Board member Cranford, Ms. Eschman explained that in accordance with Condition # 2, the Deed of Use Restriction that will be recorded states that the guest house materials will have to match those of the existing residence on site.

Applicant Alfred Griffin stated that he would like to add that if the request is

approved, the existing chain link fence will be extended to enclose the guest house for his mother-in-law so it will be an extension of the back yard.

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

On motion of Board member Cranford, seconded by Board member Mitchum, passing by a vote of 4 to 0, with Board member Williams absent, the Board voted to close the Public Hearing regarding Petition # VAR 24-02.

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Billy Cranford, District 4
SECONDER:	Lisa Mitchum, District 1 - Vice-Chairman
AYES:	Lisa Mitchum, Delia Crouch, Russell Berry, Billy Cranford
ABSENT:	Royce Williams

VAR 24-02 Alfred Glenn Griffin- Reduction of Acreage for Guest House 10-acres to 4.342- acres- Reduction of 6.00-acres

Tax I.D. 165-1271-013

Commission District Commissioner Poole

On motion of Board member Cranford, seconded by Board member Mitchum, passing by a vote of 4 to 0, with Board member Williams absent, the Board voted to recommend that the Board of Commissioners grant the request of Petition # VAR-24-02, subject to the following conditions:

1. The applicant shall obtain an addition letter/existing septic system evaluation letter from the Environmental Health Department before construction of the proposed guest home.
2. The applicant shall comply with all other guest house ordinance requirements under Article 7, Section 72.
3. Applicant understands that the Guest House shall be maintained according to the Ordinance/Deed and shall not be established as an independent residence outside of the Guest House Ordinance.
4. The Community Development Department shall review and approve the Deed of Use Restriction prior to recording with the Clerk of Superior Court.
5. A driveway permit shall be obtained from Coweta County if separate driveway connection is needed for logical access.

RESULT:	RECOMMEND APPROVAL [UNANIMOUS]	Next: 4/23/2024 6:00 PM
MOVER:	Billy Cranford, District 4	
SECONDER:	Lisa Mitchum, District 1 - Vice-Chairman	
AYES:	Lisa Mitchum, Delia Crouch, Russell Berry, Billy Cranford	
ABSENT:	Royce Williams	

IV. Adjournment

1. Adjourn

On motion of Board member Cranford, seconded by Board member Berry, passing by a vote of 4 to 0, with Board member Williams absent, the Board voted to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Cranford, District 4
SECONDER:	Russell Berry, District 3
AYES:	Lisa Mitchum, Delia Crouch, Russell Berry, Billy Cranford
ABSENT:	Royce Williams