



Jonathan Amason, P.E., Director
22 East Broad St.
Newnan, GA 30263
www.coweta.ga.us
770-254-2635

To: Coweta County Board of Zoning Appeals

From: Lisa J Eschman, Zoning Coordinator

Re: Conditional Use Permit – *Art 6. Sect.67. Parking of certain vehicles*
Richard Cantu
582 Andrew Bailey Road, Sharpsburg, GA
Petition # ZA 010-21
Tax ID #: 133-6090-010
“4th” Commission District

Date: April 15, 2021

The subject property is 5.00 ± acres, Tract 7 of “The Homestead” development, located at 852 Andrew Bailey Road, zoned **RC (Rural Conservation)**.

A modular home is currently located on the site. The applicant plans to remove the existing structure and begin construction on a new residence. The applicant would like to remain on the premise to oversee the removal of the existing structure and the construction of the permanent home.

In 2020, the applicant was granted a twelve (12) month period to utilize a RV (camper) for temporary living purposes during the demolition/construction process. The applicant contacted this office in March and requested an extension. He advised that the COVID-19 pandemic rendered he and his wife unemployed and they were unable to get the financing for the loan. During this time, the applicant was residing within the modular home. According to the applicant, a loan has recently been secured and the initial plan of demolition and then construction can begin; therefore, the applicant would appreciate the Board’s consideration of a twelve (12) months.

A zoning verification has been submitted and approved by the Community Development Department in 2020. However, after a brief review from the Development Review Division the zoning verification is still valid; therefore, the applicant can proceed to pull the appropriate permits, for the demolition phase and construction of the new home.

At this time, there have been no permits pulled at the property, and the RV (camper) is parked in the side yard next to the existing structure. It is certainly the option of the applicant to proceed with plans to construct a new home on the subject property. However, with the proposed request to extend the RV (camper) for an additional twelve (12) months as a temporary residence; the applicant must be prepared to begin all work immediately upon approval of the request. All work shall be actively ongoing until construction of the new home is complete.

Brief descriptions of staff comments regarding this request are as follows:

Public Safety

Fire Department:

We have no objections to this request. However, I recommend the following conditions:

1. If possible, park the RV at least 10 feet away from any structures, including the proposed new residential home being constructed.
2. Ensure the RV has a working smoke alarm and carbon monoxide detector.
3. If the RV does not already have one in place, we recommend installing a multipurpose dry chemical fire extinguisher.
4. If not already been done, the property shall be addressed in accordance with the Coweta County Address Ordinance.

Public Utilities

Environmental Health Department:

The CCEHD has no objection to the above referenced CUP. The RV would need to connect to the existing septic system or install a holding tank. If a holding tank is used, owner will need to obtain a contract with a state approved portable sanitation company to adequately maintain the holding tank during construction. If you have any questions, please contact our office.

Community Development

Building Department:

The Building Department would have no issue with this during the construction of the home, but with an unknown time to the start and completion of construction it presents a concern since these RV's are not designed for long term occupation. I would suggest that they reapply, when the applicant has a known construction timeline to avoid filing extensions for the temporary living situation.

Otherwise, our Division has no issue with an extension of twelve (12) months.

Zoning Division:

The consideration for a Conditional Use Request must be reviewed through the following eleven factors as provided under *Article 28. Section 284.1 of the Coweta County Zoning and Development Ordinance.*

1. Whether the conditional use will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Response: The subject property is currently zoned RC (Rural Conservation) along with surrounding properties. The Temporary RV approval will be limited such that a permanent residential structure can be established on the property. At which time, the applicant acknowledges the removal of the RV as an active residence.

2. Whether the conditional use will adversely affect the existing use or usability of adjacent or nearby property.

Response: This request is of a temporary nature and the RV will be removed from usage upon completion of the home.

3. Whether or not the special circumstances contribute to the request are peculiar to the particular property involved.

Response: The applicant was unable to secure a financial loan for the construction of a permanent home due to unemployment from the COVID-19 pandemic. Fortunately, the applicant has obtained a loan and can now move forward with the construction.

4. Whether the conditional use will result in a use, which will or could cause an excessive, or burdensome use of existing streets, transportation facilities, utilities, or schools.

Response: No. The placement of the temporary RV (camper) will only be used as residence during the construction of a permanent residence.

5. Whether there is existing or changing conditions affecting the use and development of the property, which gives supportive grounds for either approval, or disapproval of the conditional use permit request.

Response: At this time, the applicant can begin demolition on the existing structure and construction on the permanent home. The proposed twelve (12) month extension will allow the family to remain on the subject property during the construction process. In addition, the applicant is aware that the RV (camper) can no longer be utilized as a residence once the permanent home is built.

6. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant.

Response: The proposed twelve (12) month extension for use of the temporary RV (camper) will allow the family to live on the premises while the new home is being constructed.

7. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance.

Response: N/A

8. The available existing street system is adequate to efficiently and safely accommodate the traffic, which will be generated by the proposed use or development.

Response: The proposed request is no different than a single-family residence.

9. The existing public utilities, facilities and services are adequate to accommodate the proposed use or development.

Response: The existing services are adequate to serve the temporary RV, as well as the new home.

10. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance.

Response: N/A

11. The proposed building(s) are not out of character with the surrounding area and zoning district in terms of building construction and general aesthetic appearance to the extent that the proposed building will have a detrimental impact on the value of nearby homes, businesses, or other properties.

Response: RV's are allowed to be stored in the side/rear yard of properties. In this case, the RV will be utilized as a residence for an additional twelve (12) months, if approved.

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. (Factors 1, 2, 3, 5, 6)
2. The temporary use of the recreational vehicle (RV) should have little impact on the county or the surrounding areas. (Factors 1, 2, 4, 5, 11)
3. The temporary use of a recreational vehicle (RV) shall create no additional impact or service requirement as it serves as a temporary residence. (Factors 4, 5, 8, 9)

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 as a temporary basis shall be permitted for a maximum period of twelve (12) month, beginning May 5, 2021 and ending May 4, 2022 at which time the recreational vehicle (RV) shall no longer be used as the residence.
2. Upon approval of the request, the applicant must apply for the demolition and site prep permits within 30 days or revoke the Conditional Use Permit request.
3. No more than one (1) recreational vehicle shall be parked on the site.
4. If possible, park the recreational vehicle (RV) at least 10-feet away from the primary residential structure.
5. Ensure the recreational vehicle (RV) has a working smoke and carbon monoxide detector.
6. If the RV does not already have one in place, the Fire Marshal recommends installing a multipurpose dry chemical fire extinguisher.
7. The applicant shall meet all applicable requirements of the Environmental Health Department.

The Public Hearing for this request is scheduled for **Thursday, April 22, 2021 at 6:00PM** in the Commission Chambers located at 37 Perry Street, Newnan, GA 30263.

The applicant or his/her designated representative's presence is recommended to attend the Public Hearing.

c: Richard Cantu – racantu99@gmail.com