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**To:** Coweta County Board of Zoning Appeals

**From:** Lisa J Eschman, Zoning Coordinator

**Re:** Variance Request – *Art. 23. Dimensional Requirements. Road Frontage*  
Michael & Karen Nalewako  
Smokey Road, Newnan, GA  
Petition # ZA 014-21  
Tax ID #: 028-3097-007  
“2<sup>nd</sup>” Commission District

**Date:** April 16, 2021

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The subject property is 14.03 ± acres located on Smokey Rd, approximately 1200-ft from the intersection of Bruce Jackson Road, and 600-ft from the intersection of JD Walton Rd., Newnan.

The applicants are interested in subdividing the property for a 5.253-acre tract, a 5.243-acre tract both to sale and the remaining acreage of 3.716 acreage would then be combined with the Nalewako’s property to the east for existing farm property.

The existing parcel has 115.72’ road frontage on Smokey Rd. Under the current regulations, 220-ft is required. The applicant is requesting a vested road frontage for the lot with the reduction of 104.28’.

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

**Public Works**

*Engineering & Transportation:*

The Public Works Department has no objection to the requested variance but would ask that the following condition be placed on the variance:

1. The applicant shall verify that adequate intersection sight distance, based on AASHTO requirements, is available from the proposed driveway location.

## Community Development

### *Development Review:*

After review of this request the development team offers the following:

1. This lot was created in 1982 when the minimum requirement was 30-ft. There are many tracts in Coweta County that were created prior to the frontage increase of 1997 that are now nonconforming in terms of road frontage.
2. We checked the sight distance at the drive location, and it appears to meet the needed 500-ft needed at 45-mph.

In summary this office does not object to this variance request.

### *Zoning Division:*

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

1. Whether the variance will permit a use that is suitable in view of the use and development of adjacent and nearby property. Surrounding the property along the eastern, southern and western property boundaries are rural lots ranging

*Response: The subject property consists of 14.03± acres with road frontage along Smokey Road located between Bruce Jackson Road and JD Walton Road. The applicant owns the adjacent properties to the north and northeast that contain their private residence and existing farm. All surrounding properties are established residential lots which range in size of 2.50-acres to 20-acres, zoned RC (Rural Conservation).*

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

*Response: The usability of the adjoining parcels would not be impacted, and the proposal will be compatible to the rural character of the surrounding properties.*

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

*Response: The subject tract and current road frontage measurement of 115.72' have been established for over thirty years. This request would provide vested rights to allow creation of two additional lots which meet the current minimum acreage requirement while providing direct road access off of Smokey Road*

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

*Response: According to the Public Works Director, the sight distance must be verified at the proposed driveway location.*

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 variance.

*Response: The vacant 14.03± acre tract has existed since 1982 and is currently being utilized as a hay field for the applicants farming operations. A drive access exists on the property but is used for minimal purposes. Additional property can't be acquired by the applicant to meet the current 220' road frontage requirements.; therefore, this request will provide the opportunity to be vested at the current road frontage measurement of 115.72-ft.*

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

*Response: N/A*

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*

**The Community Development Department submits the following Factors for Consideration in reviewing the Variance Request:**

1. The subject property and current road frontage have been established since 1982. (Factors 3, 5)
2. Based on staff comments, the proposed use should not have impact on public facilities or on the surrounding area. (Factors 1, 2, 4, 5)

**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 must verify that adequate intersection sight distance, based on AASHTO requirements, is available from the proposed driveway location.
2. The road frontage reduction along Smokey Road shall not exceed the requested 104.28-feet.
3. The road frontage shall remain the current measurement of 115-72-feet as depicted on survey by Christopher Brothers, LLC #3195, Drawing # CF=77085, Disk # February-2021.

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: Michael & Karen Nalewako – mnk01@bellsouth.net