

**FEBRUARY 19, 2008 ZONING HEARING  
"OTHER BUSINESS"  
COMMISSION DISTRICT 4**

**ITEM #7**

**PURPOSE**

To consider granting a Special Exception for reducing the required lot size as recommended by the Board of Zoning Appeals from their January 10, 2008 Variance Hearing regarding Variance Application:

V-4 Bible Baptist Church

**BACKGROUND**

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on September 13, 2000, and amended on July 8, 2003, Section 134-271 (8), any use proposed for a parcel or tract of land which does not have the minimum lot size required, approval of a Special Exception by the Board of Commissioners is required after approval by the Board of Zoning Appeals. Attached is the Variance Analysis and recommendation of the Board of Zoning Appeals for the case that was considered at the January 10, 2008 Variance Hearing that required a Special Exception.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider granting a Special Exception for reduction in the required minimum lot size as recommended by the Board of Zoning Appeals for V-4 Bible Baptist Church.

**ATTACHMENTS**

Variance Analysis  
Board of Zoning Appeals Recommendations

**ROSS CONSULTING ENGINEERS, P.C.**  
 111 Peachtree Centre Drive  
 Marietta, GA 30067  
 TEL: 770-592-2888 FAX: 770-418-4887  
 URL: www.ross-engineers.com

**PROJECT DATA**  
 COMMERCIAL/INDUSTRIAL  
 ADDRESS: 2025 EULA ROAD  
 CITY: MARIETTA, GA 30067  
 CLIENT: BIBLE BAPTIST CHURCH  
 PROJECT NO: 07-001  
 SHEET NO: V-1

**DESIGNER:** JAMES W. ROSS  
**DATE:** 11/15/07  
**SCALE:** AS SHOWN  
**NORTH:** [North Arrow]

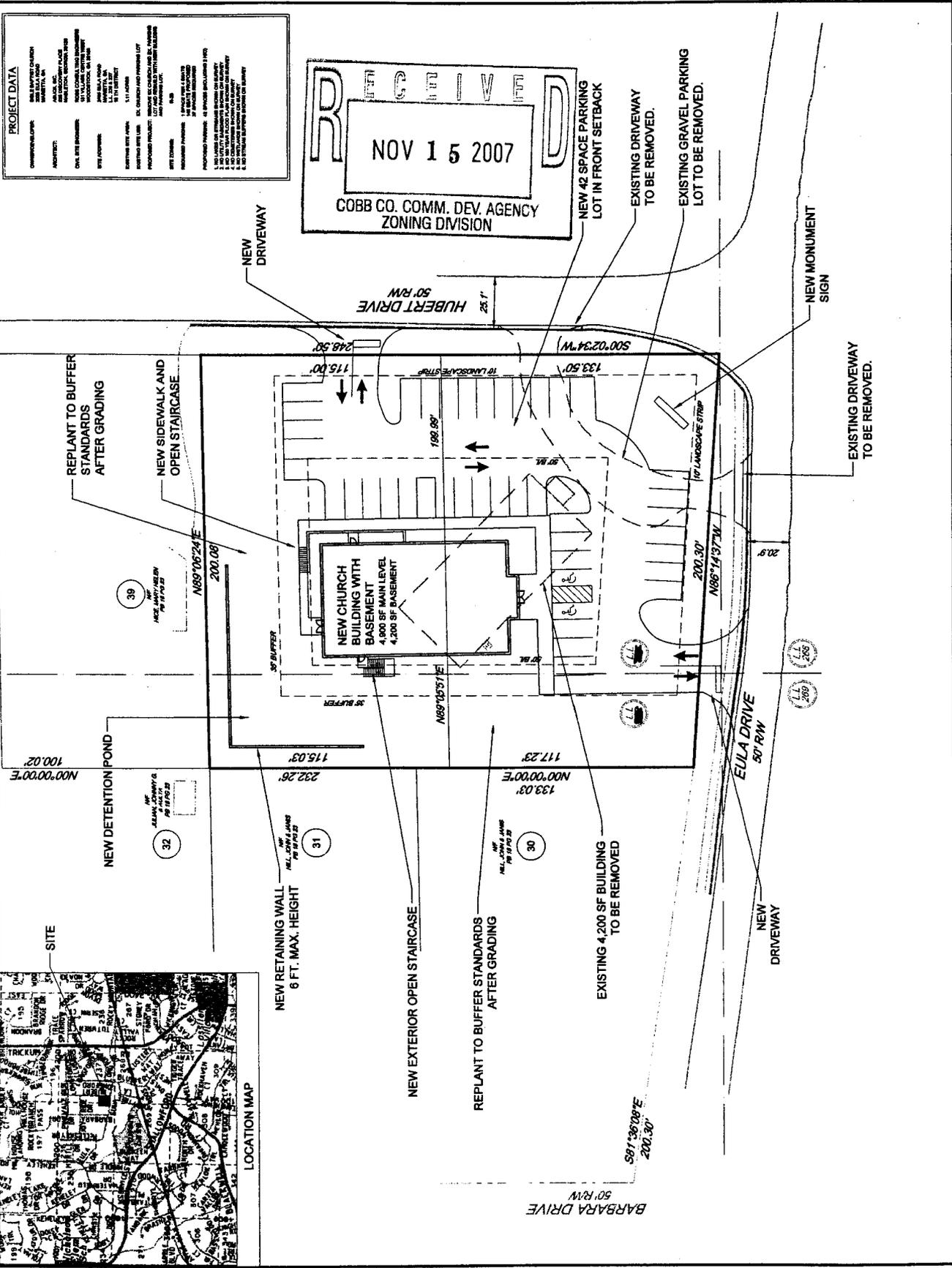
**PROJECT MANAGER:** AMT  
**DESIGNED BY:** JRM  
**DRAWING DATE:** 11/15/07  
**PROJECT NO:** 07-001  
**SHEET NO:** V-1



**V-4**  
 ROSS CONSULTING ENGINEERS, P.C.  
 111 Peachtree Centre Drive  
 Marietta, GA 30067  
 TEL: 770-592-2888 FAX: 770-418-4887  
 URL: www.ross-engineers.com

**PROJECT NAME:** BIBLE BAPTIST CHURCH  
**SITE:** 2025 EULA ROAD  
 MARIETTA, GA  
 L.L. 238 & 237  
 16TH DISTRICT  
**CLIENT:** BIBLE BAPTIST CHURCH  
 2025 EULA ROAD  
 MARIETTA, GA

**SHEET TITLE:** VARIANCE SITE PLAN  
**SHEET NUMBER:** V-1



DATE PLOTTED: 11/15/07 10:50 AM  
 PLOT SCALE: 1" = 100'-0"

**APPLICANT:** Bible Baptist Church  
**PHONE:** 770-592-2660  
**REPRESENTATIVE:** D. L. Cooper  
**PHONE:** 770-592-2660  
**PROPERTY LOCATION:** Located at the northwest  
intersection of Hubert Drive and Eula Drive  
(2025 Eula Drive).

**PETITION NO.:** V-4  
**DATE OF HEARING:** 01-10-08  
**PRESENT ZONING:** R-20  
**LAND LOT(S):** 236, 237  
**DISTRICT:** 16  
**SIZE OF TRACT:** 1.11 acres  
**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Waive the minimum lot size for a church from the required 5 acres to 1.11 acres; 2) waive the impervious surface from a maximum allowable of 35 percent to 50 percent; 3) waive the landscape screening buffer from the required 35 feet to 10 feet; and 4) waive the primary access for a church from the required arterial or major collector to a local road.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** Based on the design shown on the submitted plan, a reduction of the buffer requirement only appears to be necessary behind the proposed detention pond wall. It is not recommended that the entire buffer be reduced.

**STORMWATER MANAGEMENT:** This property is located in an older subdivision, with stormwater infrastructure having limited capacity. The site discharges to an existing swale along the northern property line which has no recorded drainage easement. However, a prescriptive easement is inferred since all street runoff is conveyed via this channel. The current church parking area is grassed and development of the proposed layout will significantly increase runoff volume downstream. Unless a pervious pavement system is utilized for the parking spaces, the detention pond must be designed such that each design storm discharge is controlled not to exceed the allowable discharge of the next lower, more frequent storm event (i.e.: 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc., to 100-year event at 50-year rate).

**HISTORIC PRESERVATION:** After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

**CEMETERY PRESERVATION:** No comment.

**WATER:** Available.

**SEWER:** Connection to sewer required for nonresidential building. Sewer extension by church necessary. Nearest sewer is 235 feet west in Barbara Drive; easements required.

**OPPOSITION:** NO. OPPOSED PETITION NO. SPOKESMAN

**BOARD OF APPEALS DECISION**

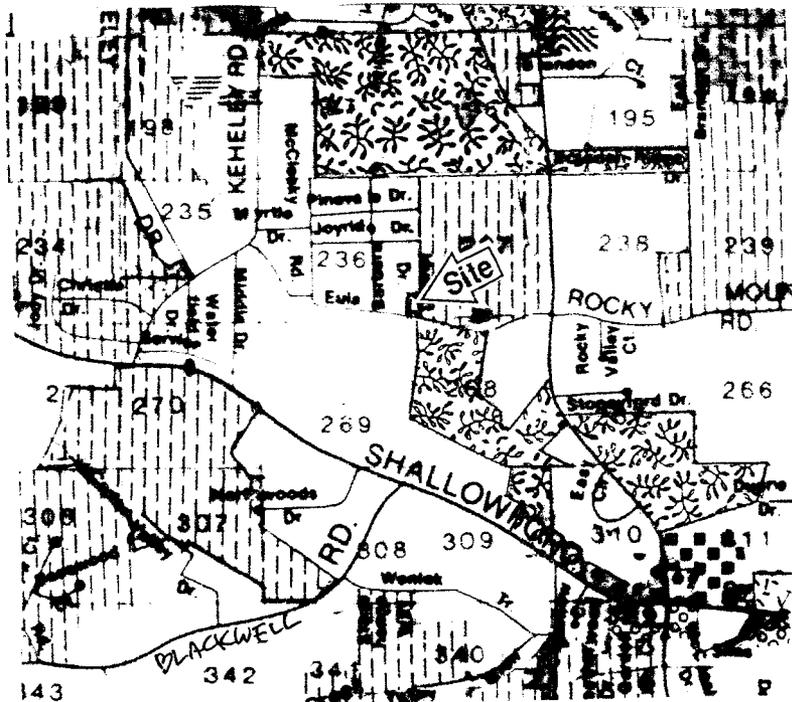
**APPROVED**          **MOTION BY** C. Trombetti

**REJECTED**          **SECONDED** J. Williams

**HELD**          **CARRIED** 5-0

**STIPULATIONS:** Subject to Board of Commissioners  
granting a special exception of reduction in lot size.

(See minutes attached)



# Cobb County Fire and Emergency Services

Applicant Name: Bible Baptist Church

Petition Number: V-4

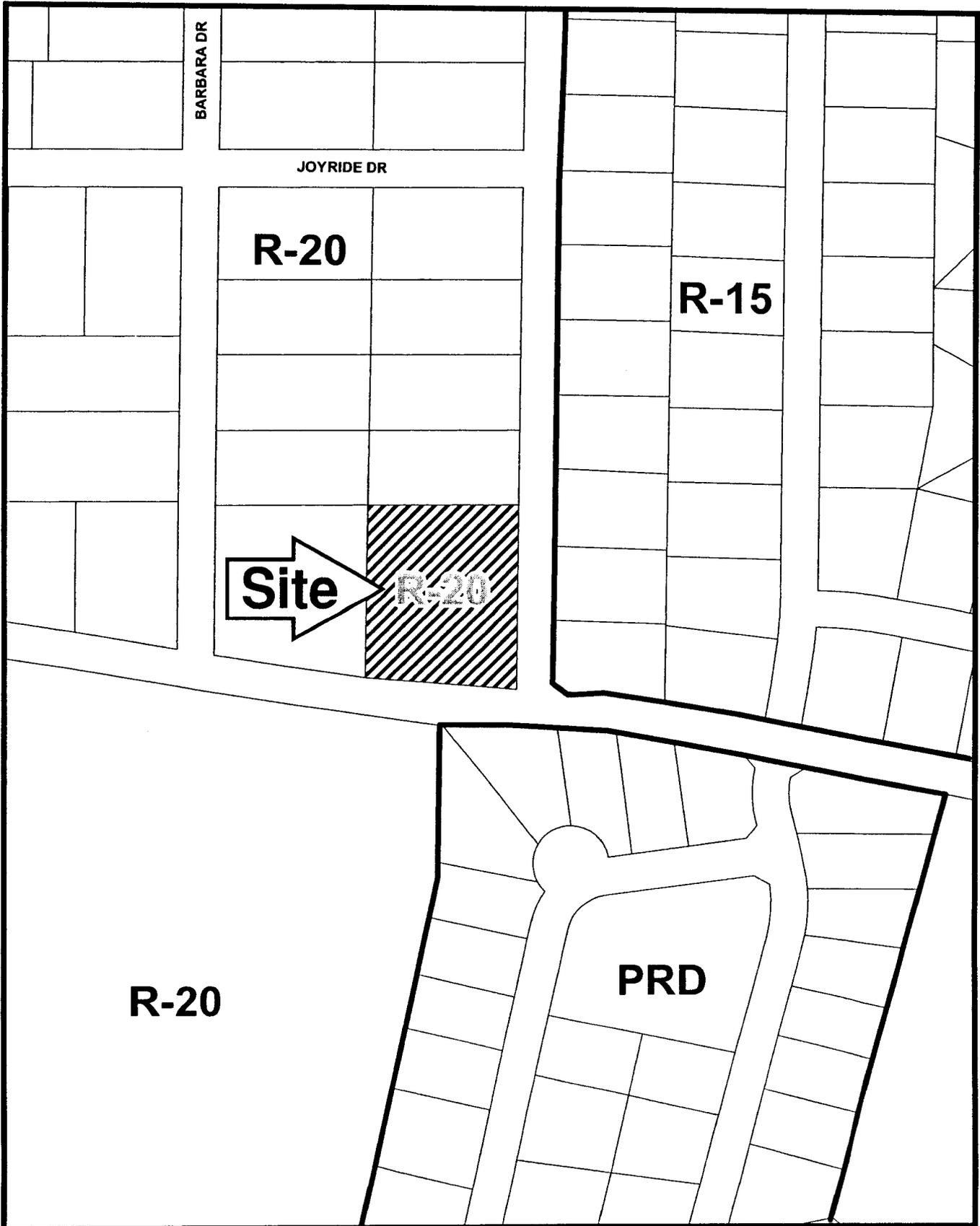
Date: 11.19.2007

## *Fire Marshal Comments*

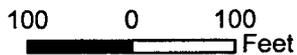
### Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

# V-4



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  Draft Parcel Boundary
-  Approximate Zoning Boundary

# Application for Variance Cobb County

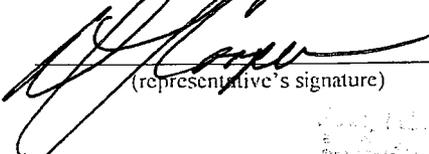
(type or print clearly)

Application No. V-4

Hearing Date: 1-10-08

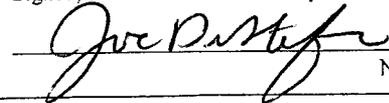
Applicant BIBLE BAPTIST CHURCH Business Phone 770 592 2660 Home Phone \_\_\_\_\_

D. L. Cooper Address 2025 EULA ROAD, MARIETTA, GA 30066  
(representative's name, printed) (street, city, state and zip code)

 Business Phone 770 592 2660 Cell Phone \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

  
Notary Public

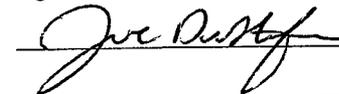
Titleholder Bible Baptist Ch. Business Phone 770-592-2660 Home Phone \_\_\_\_\_

Signature  Address: 2025 EULA ROAD, MARIETTA, GA 30066  
(attach additional signatures, if needed) (street, city, state and zip code)

DAVID L. COOPER

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

  
Notary Public

Present Zoning of Property R-20

Location 2025 EULA Rd MARIETTA, GA, 30066  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 236 & 237 District 16+h Size of Tract 1.11 Acre(s)

Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property X Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance.

The existing church building is very old and was built on a lot that by current standards is too small. In order to remove the existing building and replace it, the church will need a variance to reduce the required lot size. Because of the small lot size, a variance is needed to allow parking in the front setback and increase the impervious area limit to 50%. In order to provide stormwater management, a variance is needed to construct the detention pond in the landscape buffer. The existing lot fronts a local road. A variance is needed to allow new church to front local road.

List type of variance requested: 1. WAIVE REQUIRED 5 ACRE MINIMUM LOT SIZE 2. ALLOW PAVED PARKING IN THE FRONT SETBACK 3. ALLOW FOR IMPERVIOUS SURFACE OF 50% 4. ALLOW A DETENTION POND AND GRADING IN THE 35 FT LANDSCAPE BUFFER 5. ALLOW NEW CHURCH TO BE CONSTRUCTED FRONTING A LOCAL ROAD

**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
JANUARY 10, 2008  
PAGE 3**

**V-4**            **BIBLE BAPTIST CHURCH** (owner) requesting a variance to: 1) waive the minimum lot size for a church from the required 5 acres to 1.11 acres; 2) waive the impervious surface from a maximum allowable of 35 percent to 50 percent; 3) waive the landscape screening buffer from the required 35 feet to 10 feet; and 4) waive the primary access for a church from the required arterial or major collector to a local road in Land Lots 236 and 237 of the 16<sup>th</sup> District. Located at the northwest intersection of Hubert Drive and Eula Drive (2025 Eula Drive).

The public hearing was opened and Mr. Andrew Halloran addressed the Board. Following presentation and discussion, the following motion was made:

MOTION:      Motion by Trombetti second by Williams, to **approve** variance request **subject to:**

- **final ratification of lot size reduction by the Board of Commissioners at the zoning hearing on February 19, 2008, at 9:00 a.m.**
- **approval for request number three applies only to area needed to construct a detention pond**
- **landscape buffer to be replanted with suitable vegetation as approved by County Arborist**
- **Fire Marshall comments and recommendations**
- **Development and Inspections Division comments and recommendations**
- **Stormwater Management Division comments and recommendations, as required in Plan Review**
- **Sewer Division comments and recommendations, as required in Plan Review**

VOTE:            **ADOPTED** unanimously