

**JULY 15, 2008 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2**

ITEM #3

PURPOSE

To consider granting a Special Exception for reducing the required lot size as recommended by the Board of Zoning Appeals from their July 9, 2008 Variance Hearing regarding Variance Application:

V-69 Ronald M. and Marianne D. Snyder

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 July 9, 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-69 Ronald M. and Marianne D. Snyder

ATTACHMENTS

Variance Analysis
Board of Zoning Appeals Recommendations

APPLICANT: Ronald M. Snyder and Marianne D. Snyder **PETITION NO.:** V-69
PHONE: 770-434-7083 **DATE OF HEARING:** 07-09-08
REPRESENTATIVE: Ron M. Snyder **PRESENT ZONING:** R-20
PHONE: 770-265-5002 **LAND LOT(S):** 280
PROPERTY LOCATION: Located on the north side of **DISTRICT:** 1
Aven Road, west of North River Forest Drive **SIZE OF TRACT:** 2.11 acres
(5601 Aven Road). **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: 1) Waive the public road frontage to allow one home off of a private easement; 2) waive the lot size on tract 1 from the required 80,000 square feet to 51,546 square feet; 3) waive the width of an easement from the required 25 feet to 20 feet; and 4) waive the public road frontage at the front setback on tract 2 from the required 75 feet to 25 feet.

COMMENTS

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

DEVELOPMENT & INSPECTIONS: If this variance request is approved, a lot split plat must be recorded reflecting the conditions of the variance. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

STORMWATER MANAGEMENT: This lot split has already received Atlanta Regional Commission approval and meets stormwater management and impervious coverage limits.

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: Available in road, but individual pump required because elevation too high for gravity flow. Tract size is large enough to be eligible for septic system consideration. Health Department approval required for building permit.

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

BOARD OF APPEALS DECISION

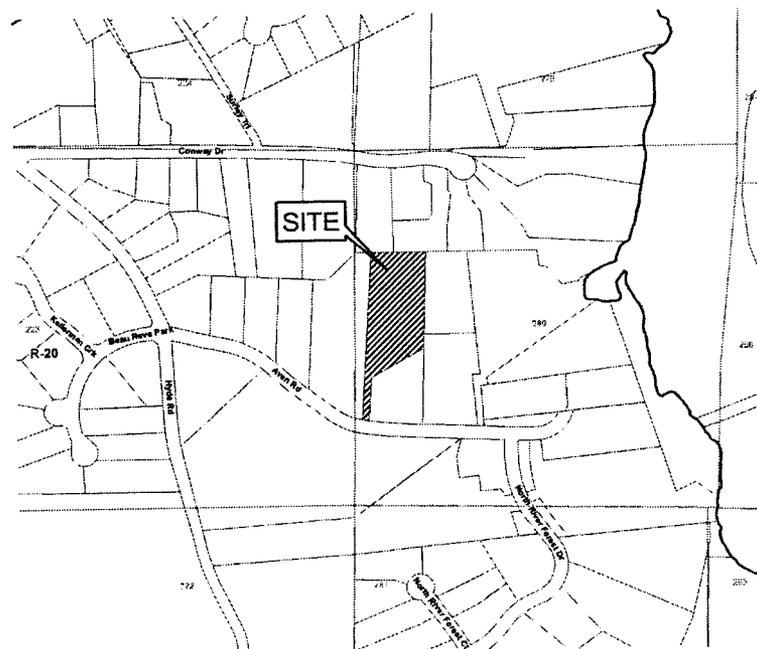
APPROVED X MOTION BY T. McCleskey

REJECTED _____ SECONDED J. Williams

HELD _____ CARRIED 5 - 0

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

(See draft minutes attached).



Cobb County Fire and Emergency Services

Applicant Name: Ron Snyder
Petition Number: V-69
Date: 5.19.2008

Fire Marshal Comments

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

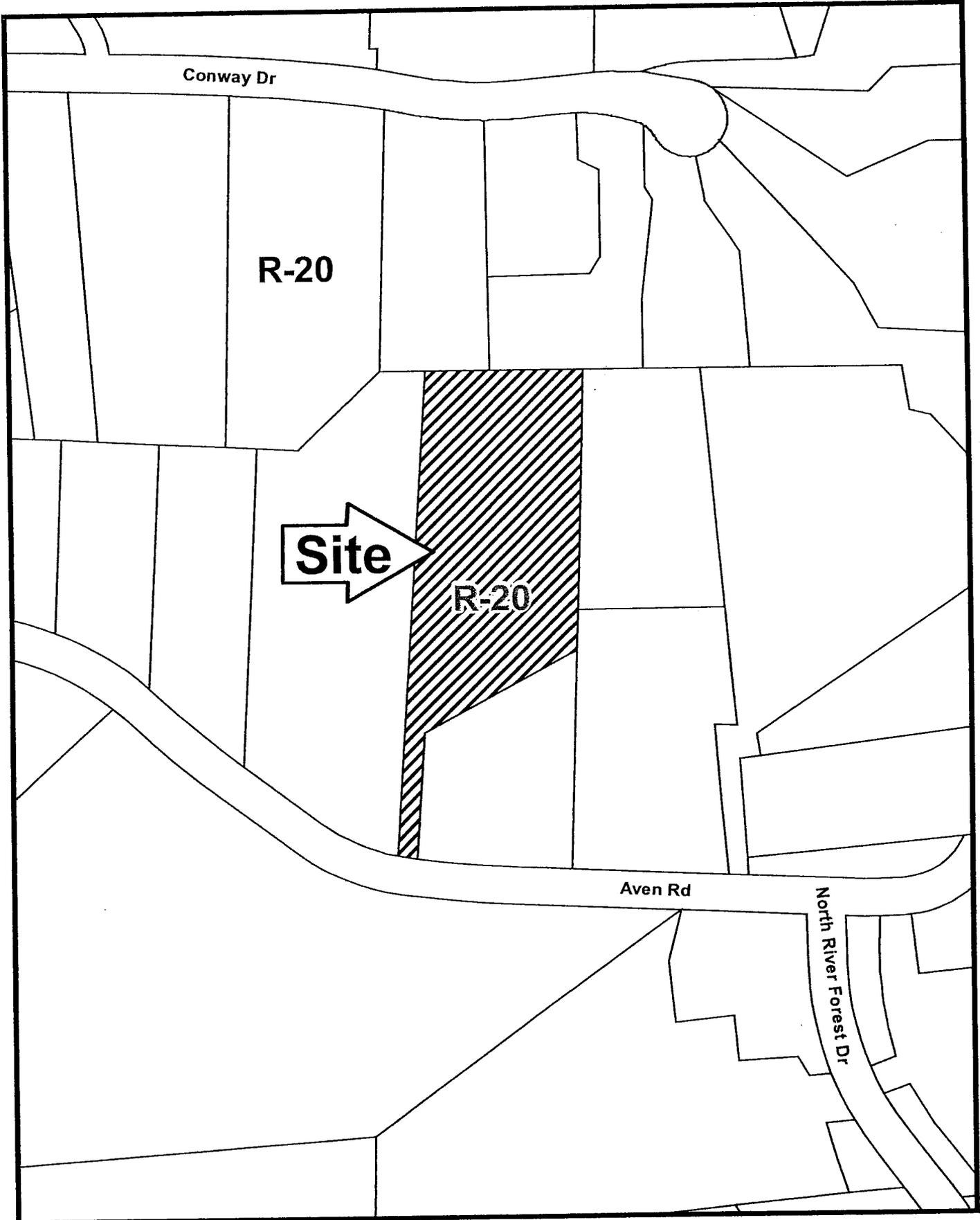
Residential subdivision: Cul-de-sac with an island – minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet or Cul-de-sac without an island – 38 foot outside radius or Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Driveway access to a single family home must be 10 feet wide. A hammer head turnaround or cul-de-sac is required when a driveway exceeds 1000 feet. (See requirements for dimensions under residential subdivision).

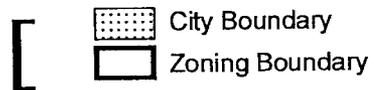
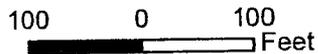
Fire Hydrant

Residential: Fire hydrant within 500 feet of structure.

V-69

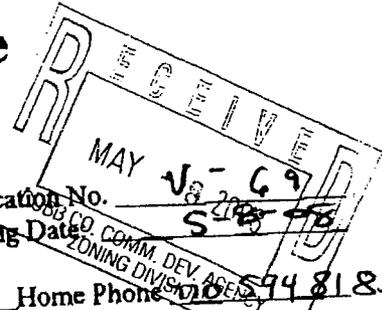


This map is provided for display and planning purposes only. It is not meant to be a legal description.



Application for Variance Cobb County

(type or print clearly)



Applicant RON + MARIANNE SNYDER Business Phone 770 434-7083 Home Phone 770 594-8185

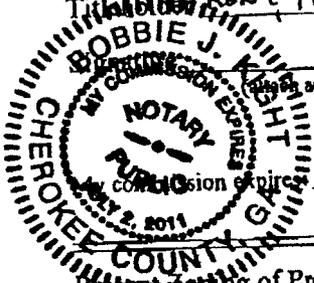
RON M. SNYDER Address 5601 AVEN RD, MARIETTA, GA 30068
(representative's name, printed) (street, city, state and zip code)

[Signature] Business Phone 770 434-7083 Cell Phone 770 265-5002
(representative's signature)

My commission expires: July 2, 2011

Signed, sealed and delivered in presence of:
[Signature] Notary Public

Titular RON + MARIANNE SNYDER Business Phone 770 434-7083 Home Phone 770 594-8185
[Signature] Address: 5601 AVEN RD, MARIETTA, GA 30068
(street, city, state and zip code)



[Signature]
[Signature]
July 2, 2011

Signed, sealed and delivered in presence of:
[Signature] Notary Public

Present zoning of Property R-20

Location 5601 AVEN RD, MARIETTA, GA 30068
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 280 D9 District 1E Size of Tract 2.116 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 _____ 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.

Ave to existing road frontage, need to utilize existing easement for driveway

- List type of variance requested: #1 ALLOW ONE HOUSE OFF A PRIVATE EASEMENT
- #2 Reduce the lot size FROM 80K TO 51,547
- #3 Reduce the EASEMENT width FROM 25' TO 20'
- TRACT #2 Reduce PUBLIC ROAD FRONTAGE FROM 75' TO 25'

COBB COUNTY PLANNING COMMISSION
ZONING HEARING MINUTES
JULY 1, 2008

DRAFT

V-69

RONALD M. SNYDER AND MARIANNE D. SNYDER (owners) requesting a variance to: 1) waive the public road frontage to allow one home off of a private easement; 2) waive the lot size on Tract 1 from the required 80,000 square feet to 51,546 square feet; 3) waive the width of an easement from the required 25 feet to 20 feet; and 4) waive the public road frontage at the front setback on Tract 2 from the required 75 feet to 25 feet in Land Lot 280 of the 1st District. Located on the north side of Aven Road, west of North River Forest Drive (5601 Aven Road).

MOTION: Motion by McCleskey, second by Williams, as part of the Consent Agenda, to approve variance request **subject to:**

- **final ratification of lot size reduction by the Board of Commissioners at the zoning hearing on July 15, 2008, at 9:00 a.m.**
- **Fire Marshall comments and recommendations**
- **Development and Inspections Division comments and recommendations**
- **Sewer Division comments and recommendations**

VOTE: **ADOPTED** unanimously