

**MARCH 17, 2009 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**

This item was originally considered by the Board of Commissioners at their July 15, 2008 Zoning Hearing under Other Business. The Board of Commissioners denied the request for a Special Exception. Mr. and Mrs. Snyder are asking the Board of Commissioners to consider approving the request for a Special Exception.

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

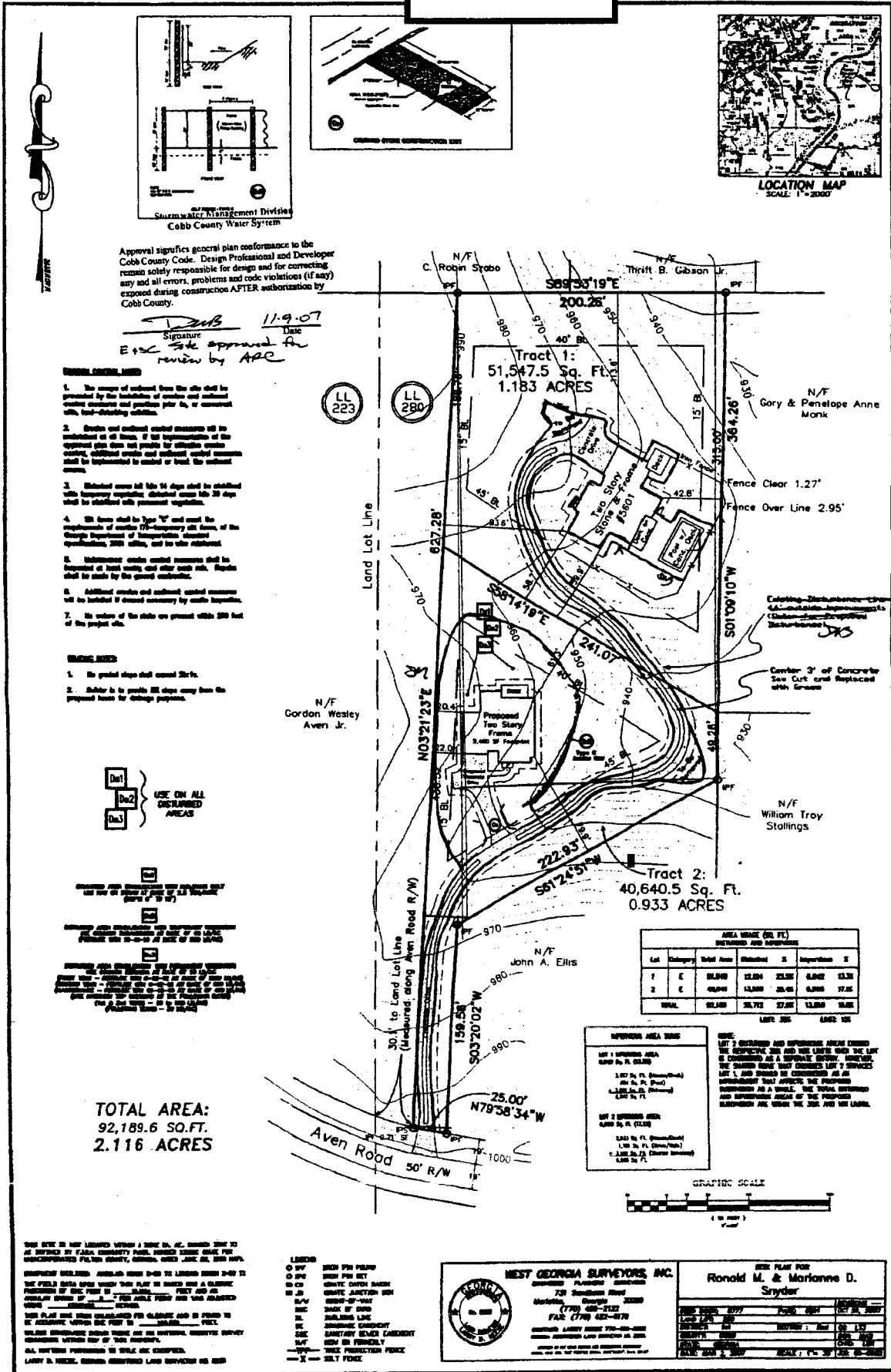
**RECOMMENDATION**

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

V-69  
(2008)



Approval signifies general plan conformance to the Cobb County Code. Design Professional and Developer remain solely responsible for design and for correcting any and all errors, problems and code violations (if any) exposed during construction AFTER authorization by Cobb County.

Signature: *[Signature]* Date: 11-9-07  
EPC Site approved for review by APC

- GENERAL NOTES:**
- The owner of subject tract shall be responsible for the installation of water and sanitary sewer lines and gas lines, and for the installation of all other utility lines.
  - Erosion control measures shall be implemented to control or limit the sediment from the site.
  - Erosion control measures shall be installed at all times, if no implementation of the approved plan does not provide for effective erosion control, sediment control and erosion control measures shall be implemented to control or limit the sediment from the site.
  - All trees shall be type 'A' and must be replaced with trees of similar size, species and quantity.
  - Utility lines shall be installed in accordance with the Georgia Department of Transportation standard specifications, 2007 edition, and to the satisfaction of the utility companies.
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- GRADING NOTES:**
- The graded slope shall exceed 20%.
  - Grades shall be provided to prevent water from the proposed basin for drainage purposes.

**LEGEND:**

- LL 223
- LL 290
- USE ON ALL OBTAINED AREAS
- 30' to Land Lot Line (Measured along Aven Road R/W)
- 159.53'
- 603'20.02' W
- 25.00'
- N79°58'34" W
- 1000'
- 50' R/W

**AREA TABLE (SQ. FT.)**

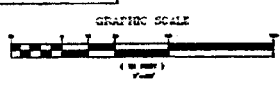
Lot	Category	Total Area	Subtotal	%	Improvement	%
1	C	51,547.5	23,804	46.37	0.000	0.000
2	C	40,640.5	13,800	33.96	0.000	0.000
<b>TOTAL</b>		<b>92,188.0</b>	<b>37,604</b>	<b>40.79</b>	<b>0.000</b>	<b>0.000</b>

**IMPROVED AREA TABLE**

LOT 1 IMPROVED AREA  
LAND IN P. (2008)  
1.00 to Ft. (2008)  
1.00 to Ft. (2008)  
1.00 to Ft. (2008)  
1.00 to Ft. (2008)

LOT 2 IMPROVED AREA  
LAND IN P. (2008)  
1.00 to Ft. (2008)  
1.00 to Ft. (2008)  
1.00 to Ft. (2008)

**NOTE:**  
LET'S DISTURBED AND IMPROVED AREAS SHOWN ON THIS PLAN ARE BASED ON THE LATEST AVAILABLE DATA AND THE LATEST AVAILABLE DATA. THE SHOWN AREAS MAY BE SUBJECT TO CHANGE. THE SHOWN AREAS MAY BE SUBJECT TO CHANGE. THE SHOWN AREAS MAY BE SUBJECT TO CHANGE.



**THIS SITE IS NOT LINED WITH A DRAINAGE SYSTEM AND IS NOT TO BE LINED WITH A DRAINAGE SYSTEM. THE DRAINAGE SYSTEM SHALL BE THE RESPONSIBILITY OF THE OWNER. THE DRAINAGE SYSTEM SHALL BE THE RESPONSIBILITY OF THE OWNER. THE DRAINAGE SYSTEM SHALL BE THE RESPONSIBILITY OF THE OWNER.**

- LEGEND:**
- 12" DRAINAGE
  - 18" DRAINAGE
  - 24" DRAINAGE
  - 30" DRAINAGE
  - 36" DRAINAGE
  - 42" DRAINAGE
  - 48" DRAINAGE
  - 54" DRAINAGE
  - 60" DRAINAGE
  - 66" DRAINAGE
  - 72" DRAINAGE
  - 78" DRAINAGE
  - 84" DRAINAGE
  - 90" DRAINAGE
  - 96" DRAINAGE
  - 102" DRAINAGE
  - 108" DRAINAGE
  - 114" DRAINAGE
  - 120" DRAINAGE
  - 126" DRAINAGE
  - 132" DRAINAGE
  - 138" DRAINAGE
  - 144" DRAINAGE
  - 150" DRAINAGE
  - 156" DRAINAGE
  - 162" DRAINAGE
  - 168" DRAINAGE
  - 174" DRAINAGE
  - 180" DRAINAGE
  - 186" DRAINAGE
  - 192" DRAINAGE
  - 198" DRAINAGE
  - 204" DRAINAGE
  - 210" DRAINAGE
  - 216" DRAINAGE
  - 222" DRAINAGE
  - 228" DRAINAGE
  - 234" DRAINAGE
  - 240" DRAINAGE
  - 246" DRAINAGE
  - 252" DRAINAGE
  - 258" DRAINAGE
  - 264" DRAINAGE
  - 270" DRAINAGE
  - 276" DRAINAGE
  - 282" DRAINAGE
  - 288" DRAINAGE
  - 294" DRAINAGE
  - 300" DRAINAGE

**WEST GEORGIA SURVEYORS, INC.**  
Professional Surveyors  
720 Southside Blvd  
Marietta, Georgia 30060  
(770) 426-2122  
FAX: (770) 426-6770

**DEED PLAN FOR**  
Ronald M. & Marianne D. Snyder

DATE: 11-9-07  
SCALE: 1" = 200'

**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.

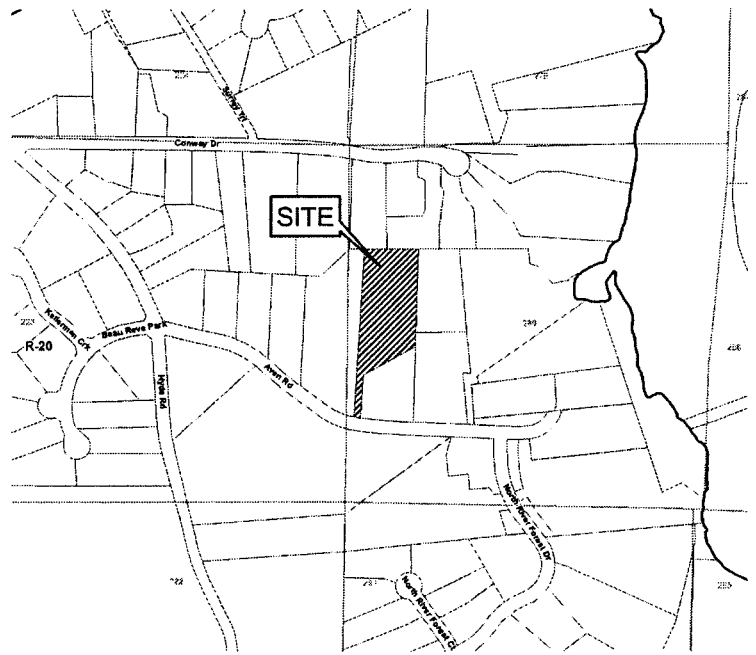
**SEWER:** Available in road, but individual pump required because elevation too high for gravity flow. Tract size is large enough to be eligible for septic system consideration. Health Department approval required for building permit.

**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:

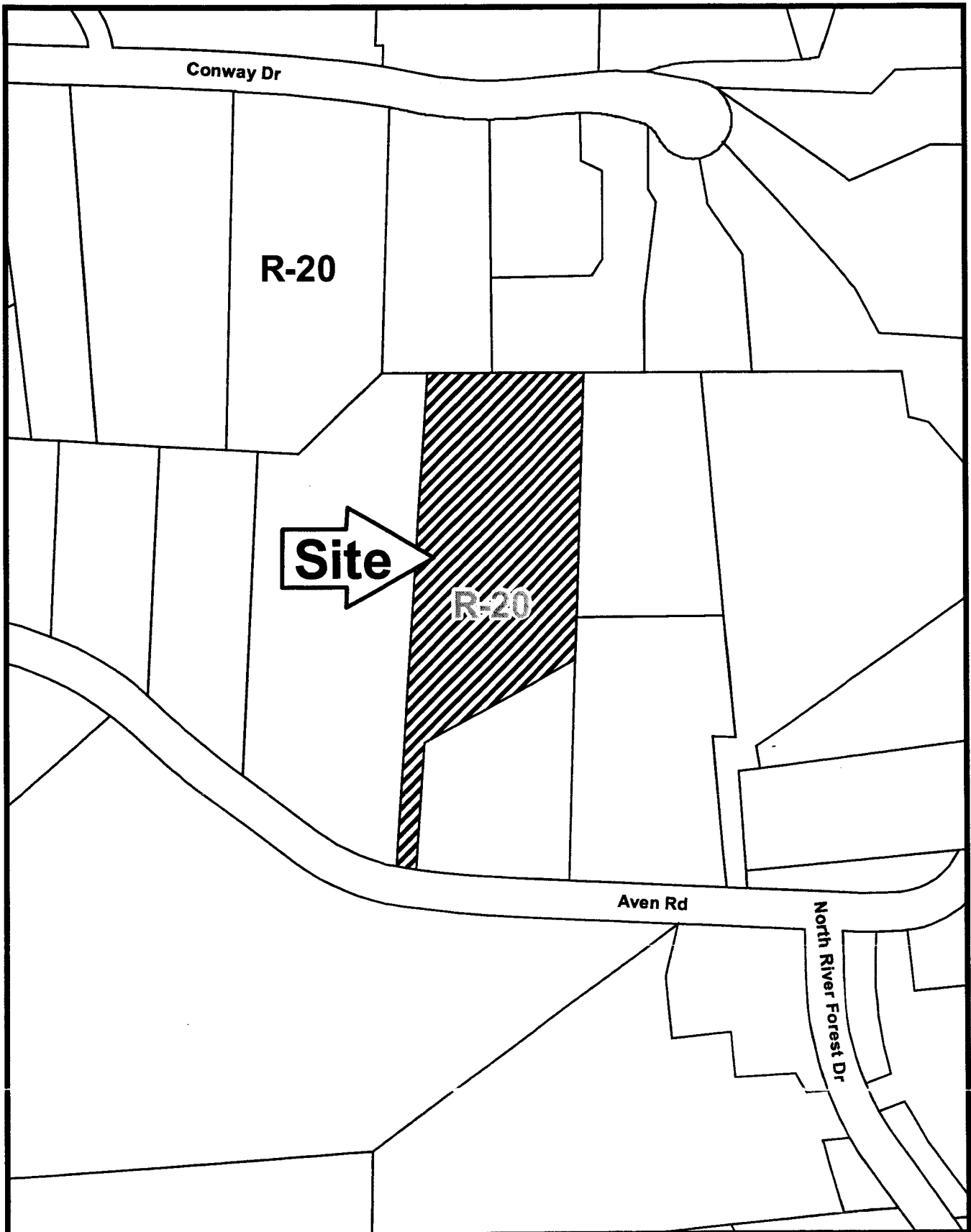
Residential subdivision: Cul-de-sac with an island – minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet **or** Cul-de-sac without an island – 38 foot outside radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45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

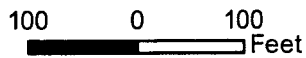
### Fire Hydrant

Residential: Fire hydrant within 500 feet of structure.

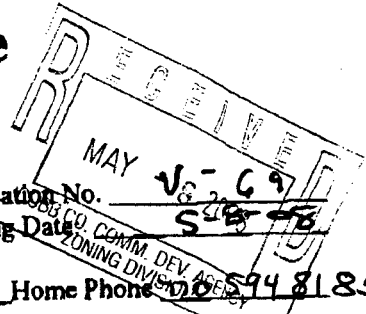
# V-69



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)

Application No. 06-69  
Hearing Date 5-28-08

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)

Don M Snyder Business Phone 770 434-7083 Cell Phone 770 265-5002  
(representative's signature)

My commission expires: July 2, 2011

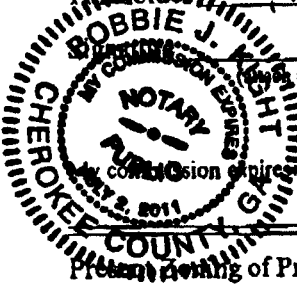
Signed, sealed and delivered in presence of:  
Leanne J. Keck  
Notary Public

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

Marianne Snyder Address: 5601 AVEN RD MARIETTA GA 30068  
(representative's signature) (street, city, state and zip code)

My commission expires: July 2, 2011

Signed, sealed and delivered in presence of:  
Leanne J. Keck  
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.

Due 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'

ORIGINAL DATE OF APPLICATION: 07-09-08

APPLICANT'S NAME: RONALD M. SNYDER AND MARIANNE D. SNYDER

**THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB  
COUNTY BOARD OF ZONING APPEALS**

**THE BELOW STYLED VARIANCE WAS HEARD BY THE COBB COUNTY  
BOARD OF ZONING APPEALS ON JULY 9, 2008**

**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 1<sup>st</sup> 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

ORIGINAL DATE OF APPLICATION: 07-09-08

APPLICANTS NAME: RONALD M. SNYDER AND MARIANNE D. SNYDER

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 07-15-08 ZONING HEARING:

OTHER BUSINESS ITEM #3 – 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

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. 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 1<sup>st</sup> District. Located on the north side of Aven Road, west of North River Forest Drive (5601 Aven Road).

Mr. Mark Danneman, Zoning Division Manager, provided information regarding V-69 (Ronald M. Snyder and Marianne D. Snyder). Following presentation and discussion, the following motion was made:

MOTION: Motion by Thompson, second by Lee, to **reject** Special Exception for Ronald M. Snyder and Marianne D. Snyder (V-69 of 2008) to waive the lot size on Tract 1 from the required 80,000 square feet to 51,546 square feet in Land Lot 280 of the 1<sup>st</sup> District, located on the north side of Aven Road, west of North River Forest Drive (5601 Aven Road).

VOTE:            **ADOPTED** unanimously