

**MAY 19, 2009 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2**

ITEM #2

PURPOSE

To consider granting a Special Exception for reducing the required lot size as recommended by the Board of Zoning Appeals from their May 13, 2009 Variance Hearing regarding Variance Application:

V-33 William B. Barbee

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 May 13, 2009 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-33, William B. Barbee.

ATTACHMENTS

Variance Analysis
Board of Zoning Appeals Recommendations

APPLICANT: William B. Barbee **PETITION NO.:** V-33
PHONE: 770-386-8738 **DATE OF HEARING:** 05-13-09
REPRESENTATIVE: same **PRESENT ZONING:** GC
PHONE: same **LAND LOT(S):** 1243
PROPERTY LOCATION: Located at the northeast **DISTRICT:** 16
intersection of Hamby Road and Hazelwood Drive **SIZE OF TRACT:** .356 acre
(15 Hamby Road). **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: 1) Waive the lot size from the required 20,000 square feet to 15,542 square feet; and 2) waive the side setback from the required 25 feet to 17 feet adjacent to the southern property line.

COMMENTS

TRAFFIC: Recommend paved driveway aprons.

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

STORMWATER MANAGEMENT: There is limited stormwater infrastructure in this older residential neighborhood. If this variance is approved to allow commercial use of this property, any increase in impervious area needed to provide adequate parking will need to be approved by the Stormwater Management Division. Any additional runoff must be directed to the northeast corner of the site away from adjacent homes and will likely require some type of stormwater measure to mitigate offsite impacts.

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: City of Marietta Service Area.

SEWER: City of Marietta Service Area.

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

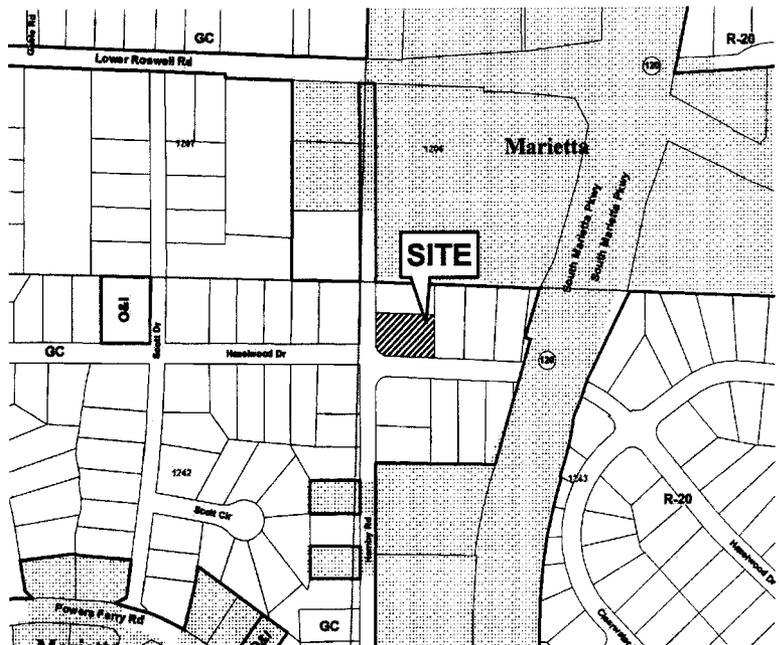
BOARD OF APPEALS DECISION

APPROVED X **MOTION BY** K. Swanson

REJECTED _____ **SECONDED** B. Hovey

HELD _____ **CARRIED** 5 - 0

STIPULATIONS: (See draft minutes attached)



**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
MAY 13, 2009**

V-33 **WILLIAM B. BARBEE** (owner) requesting a variance to: 1) waive the lot size from the required 20,000 square feet to 15,542 square feet; and 2) waive the side setback from the required 25 feet to 17 feet adjacent to the southern property line in Land Lot 1243 of the 16th District. Located at the northeast intersection of Hamby Road and Hazelwood Drive (15 Hamby Road).

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

MOTION: Motion by Swanson, second by Hovey, to approve variance request **subject to:**

- **final ratification of lot size reduction by the Board of Commissioners at their zoning hearing of May 19, 2009 at 9:00 a.m.**
- **property to be brought up to commercial standards, per requirements at Plan Review**

VOTE: **ADOPTED** unanimously