SEPTEMBER 21, 2010 ZONING HEARING "OTHER BUSINESS" COMMISSION DISTRICT 2

ITEM #4

PURPOSE

To consider granting a Special Exception for reducing the required lot size as recommended by the Board of Zoning Appeals from their September 8, 2010 Variance Hearing regarding Variance Applications:

V-66 NANCY SAVAGE LYNAH

BACKGROUND

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on September 12, 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 September 08, 2010 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 Variance case V-66 NANCY SAVAGE LYNAH

ATTACHMENTS

Variance Analysis Board of Zoning Appeals Recommendation

APPLICANT:	Nancy Savage Lynah	PETITION NO.:	V-66
PHONE:	912-354-8382	DATE OF HEARING:	09-08-10
REPRESENTATIVE: Jim Glover		PRESENT ZONING:	R-20
PHONE:	404-974-4420	LAND LOT(S):	745
PROPERTY LOCATION: Located on the west side of		DISTRICT:	17
Atlanta Road, north of Lee Road		SIZE OF TRACT:	.43 acre
(3932 Atlanta Road).		COMMISSION DISTRICT:	2

TYPE OF VARIANCE: Waive the lot size from the required 20,000 square feet to 18,683 square feet to allow applicant to apply for rezoning to LRO.

COMMENTS

TRAFFIC: Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to the project improvements.

DEVELOPMENT & INSPECTIONS: No comments.

STORMWATER MANAGEMENT: This property is completely surrounded by existing residential parcels. The existing site drains by overland sheet flow to the west and south through existing residential yards. There is no defined conveyance to accommodate the concentrated discharge and increased volume of runoff that will result from the commercial development of this parcel. If the lot size variance is approved to allow for re-zoning of this parcel, the drainage issues must be addressed during the re-zoning process.

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: No conflict.

SEWER: No permanent structures shall be constructed within 10 feet of the <u>edge</u> of a permanent water or sewer easement on front and rear setbacks, or within 2 feet on side setbacks, per Code 122-123.

BOARD OF APPEALS DECISION

APPROVED ____MOTION BY _K. Swanson

REJECTED ___SECONDED _B. Hovey

HELD __CARRIED __5 - 0

STIPULATIONS: 1) if approved by the Board of

Commissioners, plat to be re-recorded; 2) final

ratification of lot size reduction by the Board of

Commissioners at the zoning hearing on September

21, 2010 at 9:00 a.m.

MINUTES OF VARIANCE HEARING COBB COUNTY BOARD OF ZONING APPEALS SEPTEMBER 9, 2010

V-66 NANCY SAVAGE LYNAH (owner) requesting a variance to waive the lot size from the required 20,000 square feet to 18,683 square feet to allow applicant to apply for rezoning to LRO in Land Lot 745 of the 17th District. Located on the west side of Atlanta Road, north of Lee Road (3932 Atlanta Road).

The public hearing was opened and Ms. Nancy Lynah, Mr. Jim Glover, Ms. Mary Rose Barnes, Ms. Sandra Hembree, and Mr. David Bunch addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Swanson, second by Hovey, to <u>approve</u> variance request for R-20 residential use only subject to:

- if approved by the Board of Commissioners, plat to be re-recorded
- final ratification of lot size reduction by the Board of Commissioners at the zoning hearing on September 21, 2010 at 9:00 a.m.

VOTE: **ADOPTED** unanimously