

**FEBRUARY 15, 2011 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 4**

**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 January 12, 2011 Variance Hearing regarding Variance Application:

V-4 Sonko Tires Surplus

**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 cases that were considered at the January 12, 2011 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-4 SONKO TIRES SURPLUS.

**ATTACHMENTS**

Variance Analysis  
Board of Zoning Appeals Recommendation

ACME AMERICAN, L.L.C.  
 200 Peach Street, Suite 200, Atlanta, Georgia 30303  
 Architects, Construction Managers, Engineers  
 Phone: (770) 455-8888 Fax: (770) 455-8777

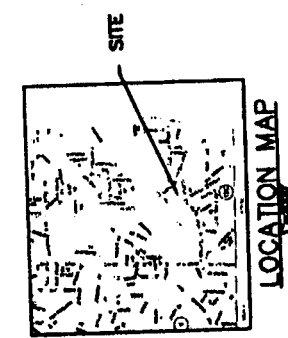
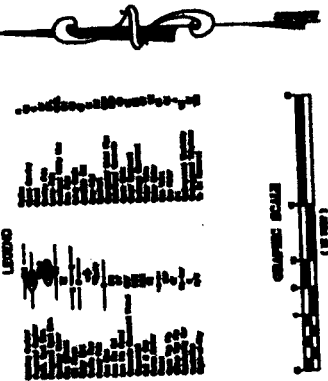
Project: 608 VETERANS MEDICAL HWY.  
 LAND LOT 37, 17TH DISTRICT, 2ND SECTION  
 COBB COUNTY, GEORGIA

Sheet: 11-10-10

Scale: 1" = 100'

DATE: 11-10-10  
 DRAWN BY: JWP  
 CHECKED BY: JWP

8-1



**SUMMARY FOR VARIANCE**

608 VETERANS MEDICAL  
 LAND LOT 37  
 17TH DISTRICT, 2ND SECTION  
 COBB COUNTY, GEORGIA  
 CURRENT ZONING: GC

**OWNER:**  
 SACARY SONKO  
 5457 MOLLE LN SW  
 MARLETON, GA 30128  
 404-787-0388

**ENGINEER/SURVEYOR:**  
 J. WAYNE PROCTOR  
 318 ATLANTA STREET, SE  
 SUITE 240  
 MARIETTA, GA 30060  
 (770) 425-6880

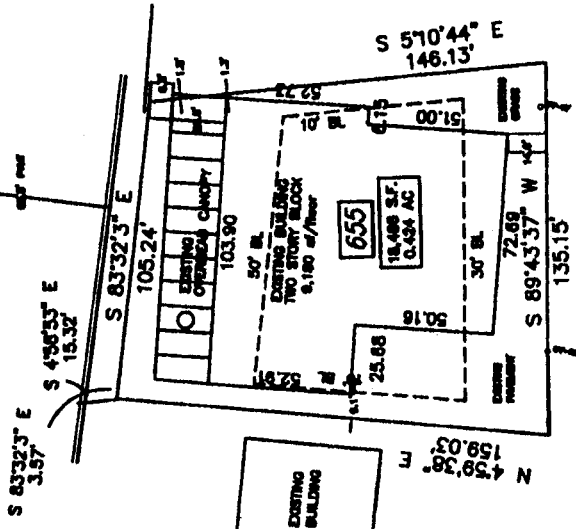
14 HOUR POST-OP CORRECTION  
 PROJECT NUMBER  
 PL 2011-001-0000

THIS IS THE ONLY COPY OF CORRECTION  
 TO BE KEPT ON FILE.

NOV 10 2010

*J. Wayne Proctor*

**BANKHEAD HIGHWAY**

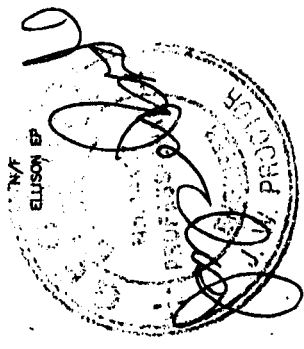


637.5' ALONG N/W CORNER  
 BANKHEAD HIGHWAY  
 TO THE TANGENT OF THE R/W  
 OF PUCKETT DRIVE

N/F  
 HAWWARI ALI

THIS IS THE ONLY COPY OF CORRECTION  
 TO BE KEPT ON FILE.

ACCORDING TO PLAT, COMMUNITY PANEL  
 NUMBER 11-10-10-001, DATED 10-10-10  
 THIS PROPERTY IS NOT LOCATED IN AN AREA  
 REQUIRING SPECIAL FLOOD INSURANCE.



11-10-10

**NOTICE TO ORDER:**  
 THIS IS A SUMMARY OF THE INFORMATION CONTAINED IN THE PLAT. THE INFORMATION IS FOR YOUR INFORMATION ONLY. IT IS NOT A SUBSTITUTE FOR THE PLAT. THE PLAT IS THE ONLY COPY OF CORRECTION TO BE KEPT ON FILE.

**NOTICE TO ORDER:**  
 THIS IS A SUMMARY OF THE INFORMATION CONTAINED IN THE PLAT. THE INFORMATION IS FOR YOUR INFORMATION ONLY. IT IS NOT A SUBSTITUTE FOR THE PLAT. THE PLAT IS THE ONLY COPY OF CORRECTION TO BE KEPT ON FILE.

**APPLICANT:** Sonko Tires Surplus  
**PHONE:** 770-745-9082  
**REPRESENTATIVE:** Bacary Sonko  
**PHONE:** 404-797-0369  
**PROPERTY LOCATION:** On the south side of  
Veterans Memorial Highway, west of Puckett Drive  
(655 Veterans Memorial Highway).

**PETITION NO.:** V-4  
**DATE OF HEARING:** 01-12-11  
**PRESENT ZONING:** GC  
**LAND LOT(S):** 37  
**DISTRICT:** 17  
**SIZE OF TRACT:** .424 acre  
**COMMISSION DISTRICT:** 4

**TYPE OF VARIANCE:** 1) Waive the lot size from the required 20,000 square-feet to 18,488 square-feet; 2) waive the side setback from the required 10 feet to 9 feet adjacent to the western property line and from the required 10 feet to zero feet adjacent to the eastern property line; 3) waive the rear setback from the required 30 feet to 14 feet; and 4) waive the front setback from the required 50 feet to 8.5 feet.

**COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** On 10/20/10, a Stop Work Order was issued for interior renovation work being performed without a permit. If the variance is approved, a permit and applicable inspections will be required prior to commencing any renovations or work to the structure. If this variance request is approved, a subdivision plat revision must be recorded prior to the issuance of the certificate of occupancy showing all improvements on the lot; the lot reconfiguration from Deed Book 14797 Page 6000 and referencing the variance case conditions in the standard plat revision note. 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:** These variances should be for the existing conditions only. Any redevelopment will be required to meet full stormwater management requirements.

**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:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

**WATER:** No conflict.

**SEWER:** There is an existing sanitary sewer easement along the property rear. No development or redevelopment without properly identifying the sewer line and easement.

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

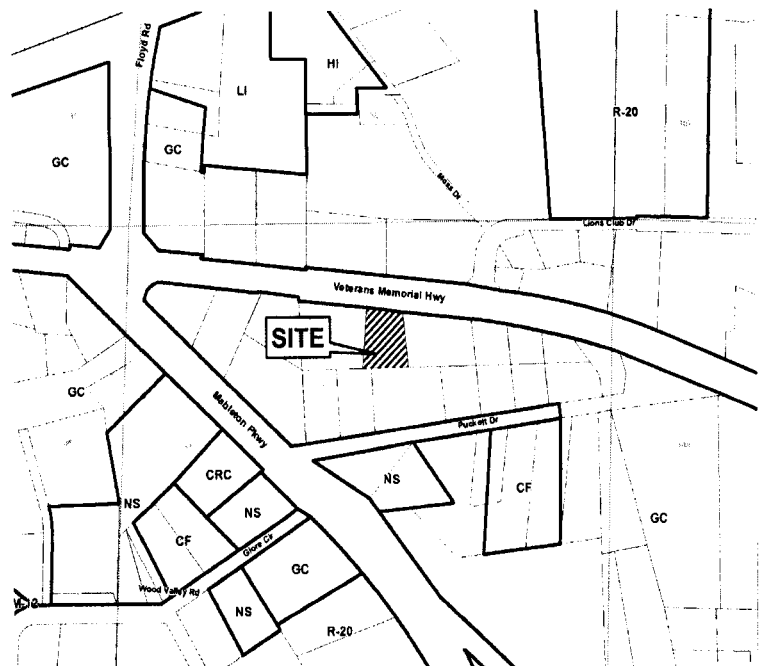
**BOARD OF APPEALS DECISION**

**APPROVED** X **MOTION BY** J. Williams

**REJECTED**        **SECONDED** B. Hovey

**HELD**        **CARRIED** 5 - 0

**STIPULATIONS:** 1. for existing improvements only, as shown on submitted site plan, 2. new construction/redevelopment to meet building code requirements, 3. Development and Inspections Division comments and recommendations, 4. Stormwater Management Division comments and recommendations, 5. Sewer Division comments and recommendations, 6. Fire Department comments and recommendations, 7. final ratification of lot size reduction by the Board of Commissioners at the zoning hearing on February 15, 2011 at 9:00 a.m.



# Cobb County Fire and Emergency Services

Applicant Name: Sonko Tires Surplus

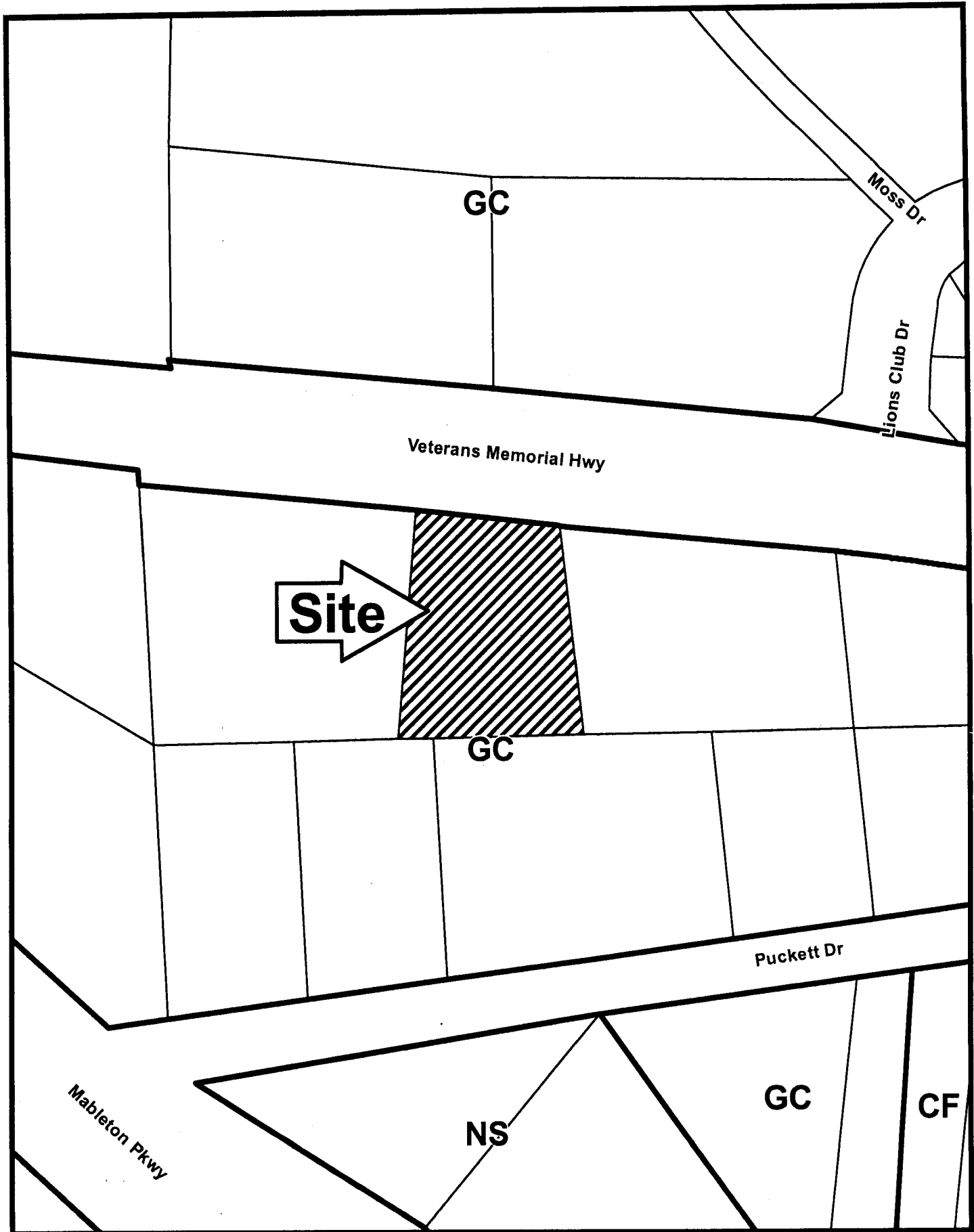
Petition Number: V-4

Date: 12/27/2010

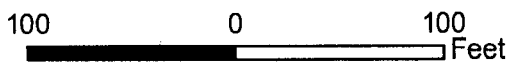
## *Fire Marshal Comments*



Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

# V-4



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

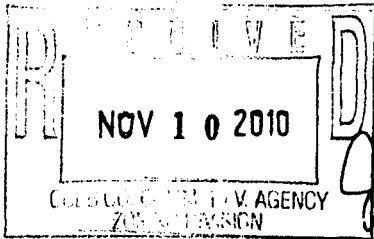


 City Boundary  
 Zoning Boundary

FTS # 20-111017-01

Sales tax # 201-148

State tax # 2001828304



# Application for Variance Cobb County

(type or print clearly)

Application No. V-4  
Hearing Date: 1-12-11

Applicant SONKO TIRES SURPLUS Phone # 770-745 9082 E-mail \_\_\_\_\_

BACARY SONKO Address 655 VETERANS MEMORIAL HWY  
(representative's name, printed) (street, city, state and zip code) Mableton, GA 30126

Bacary Sonko Phone # 404-797-0369 E-mail sonkotires.com  
(representative's signature)



Signed, sealed and delivered in presence of:

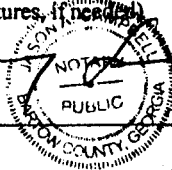
My commission expires: \_\_\_\_\_

My Commission Expires  
October 31, 2011

Jessica Campbell  
Notary Public

Titleholder BACARY SONKO Phone # 404-797-0369 E-mail sonkobacary@hotmail.com

Signature Bacary Sonko Address: 5457 MOLLIE LN SW Mableton GA 30126  
(attach additional signatures, if necessary) (street, city, state and zip code)



Signed, sealed and delivered in presence of:

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

Jessica Campbell  
Notary Public

Present Zoning of Property GC  
My Commission Expires  
October 31, 2011

Location 655 VETERANS MEMORIAL HIGHWAY  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 37 District 17TH Size of Tract 0.424 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.

THE DOT WIDENED THE ROAD AND MADE LOT SIZE AND SETBACK TO BE INADEQUATE. BUILDING WAS BUILT IN 1954. THIS WAS BEFORE ZONING REGULATIONS.

List type of variance requested: 1) LOT AREA 2) SETBACKS (3) PARKING  
LOT AREA IS 18,499 SQFT. ZONING REQUIRES 20,000 SQFT. FRONT SETBACK IS 20.5'. ZONING REQUIRES 50'. SIDE SETBACK IS 1.3 FT. ZONING REQUIRES 10'. REAR SETBACK IS 14.0'. ZONING REQUIRES 30'. PARKING IS 55 SPACES ZONING REQUIRES 48. FRONT CANOPY SETBACK IS 8.5'.