

**JULY 16, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

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 June 12, 2013 Variance Hearing regarding Variance Application:

V-64 William G. DeMonye

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. The Variance Analysis is attached for review. The Board of Zoning Appeals considered this variance at the June 12, 2013 Variance Hearing and recommended approval of the 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:

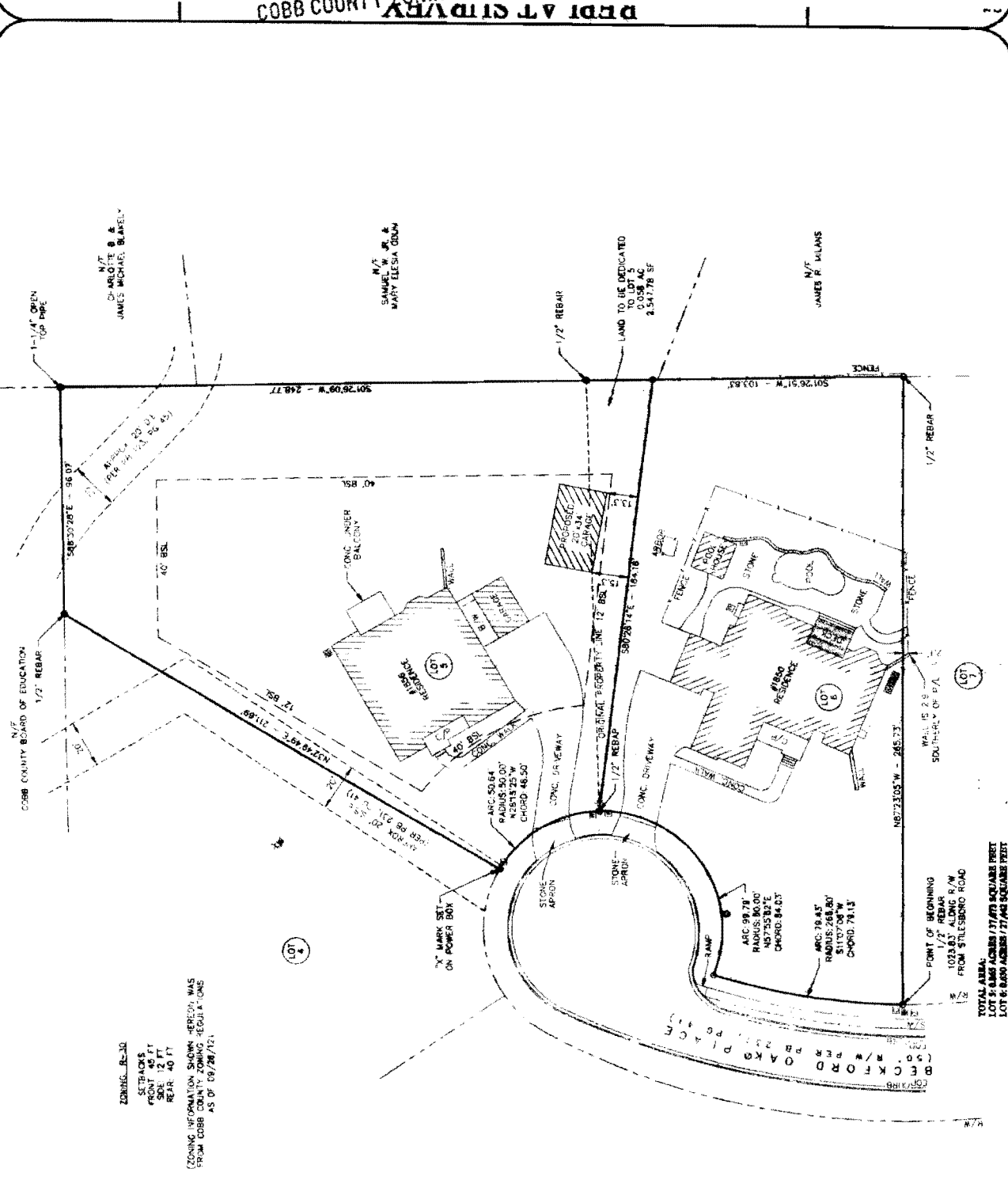
V-64 William G. DeMonye

ATTACHMENTS

Variance Analysis

2013 APR -4 AM 11:23

COBB COUNTY ZONING DIVISION
DEPT. AT CIVIL



ZONING: R-30
SETBACKS:
FRONT 45 FT
SIDE 12 FT
REAR 40 FT

(ZONING INFORMATION SHOWN HEREON WAS
FROM COBB COUNTY ZONING REGULATIONS
AS OF 08/28/12)

- LEGEND:
- PROPERTY CORNER
 - FOUNDED (AS NOTED)
 - 1/2" REBAR WITH
 - CAP SET, SEE # B39
 - R/W MONUMENT
 - ▲ FIRE HYDRANT
 - ▲ WATER METER
 - ▲ WATER VALVE
 - ▲ GAS VALVE
 - LIGHT POLE
 - GUY WIRE
 - POWER METER
 - POWER METER
 - POWER BOX
 - A/C UNIT
 - MANHOLE
 - CLEAN OUT
 - JUNCTION BOX
 - BOTTOM STRUCTURE
 - DOWN SPUR
 - GAS METER
 - GAS VALVE
 - CABLE BOX
 - TELEPHONE BOX
 - POOL EQUIPMENT
 - SIGN
 - W- WATER LINE
 - U- OVERHEAD UTILITY LINE
 - D- DRAIN LINE
 - S- SEWER LINE
 - C- CABLE LINE
 - T- TELEPHONE LINE
 - X- FENCE LINE
 - K- CONTIGUOUS LINE
 - SS- BUILDING SETBACK LINE
 - C- CONC. CONCRETE
 - OP- EDGE OF PAVEMENT
 - L- LAND LOT
 - R- ROW OR FORMERLY
 - W- RIGHT-OF-WAY
 - A- ALLEYWAY
 - C- CATCH BASIN
 - B- BRICK APPROXIMATE
 - A/C- APPROXIMATE
 - FTE- FINISHED FLOOR ELEVATION
 - FBE- BASEMENT FLOOR ELEVATION
 - DE- DEED BOOK
 - PB- PLAT BOOK
 - PG- PAGE
 - L/W- BRICKWAY
 - C/W- CONCRETE PORCH
 - S/W- CONCRETE SIDEWALK

4190 SCOTTSBURY STREET, SUITE 1 & 2, DUNWOOD, GEORGIA 30118
ATLANTA
250 PRACERULUS STREET NE, SUITE 404, ATLANTA, GEORGIA 30308
BALDWIN
2284-C CALDWAY DRIVE, AVILA, NORTH CAROLINA 27520

BOUNDARY ZONE, INC.
WWW.BOUNDARYZONE.COM
(770) 271-5772 / (919) 363-9226

TOTAL AREA: SEE TABLE ABOVE
BOUNDARY ZONE, INC. HAS BEEN EMPLOYED AS A CONSULTANT TO THE SURVEYOR AND HAS BEEN FIELDWORK PERFORMED ON 08/11/12.
THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS BOUND TO BE ACCORDANT WITHIN ONE FOOT IN 10,000 FEET.
THIS PLAN HAS BEEN PREPARED USING A TRIMBLE S68 SURVEY TOTAL STATION.
THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE PERCENT OF ONE FOOT IN 10,000 FEET, AND AN ANGULAR ERROR OF 18 SECONDS PER ANGULAR POINT, AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAN WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE EXAMINATION AND THE SURVEYOR HAS NO KNOWLEDGE OF ANY ENCUMBRANCES OR UNRECORDED INTERESTS AFFECTING THE PROPERTY.
THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON.
THIS PLAN HAS BEEN PREPARED BY THE SURVEYOR USING THE BEST AVAILABLE DATA AND IT IS THE SURVEYOR'S OBLIGATION TO OBTAIN THE NECESSARY DATA TO PREPARE THIS PLAN.
THE SURVEYOR HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN, AND THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY DATA TO PREPARE THIS PLAN.
THE SURVEYOR HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN, AND THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY DATA TO PREPARE THIS PLAN.



APPLICANT: William G. deMonye **PETITION No.:** V-64

COMMENTS

TRAFFIC: This request will not have an adverse impact on the transportation network.

DEVELOPMENT & INSPECTIONS: Any setback of less than 5 feet from a property line would require a 1 hour fire rated wall.

SITE PLAN REVIEW: 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 and referencing the variance case 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: No adverse stormwater management impacts are anticipated.

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.

DESIGN GUIDELINES: No comment.

CEMETERY PRESERVATION: No comment.

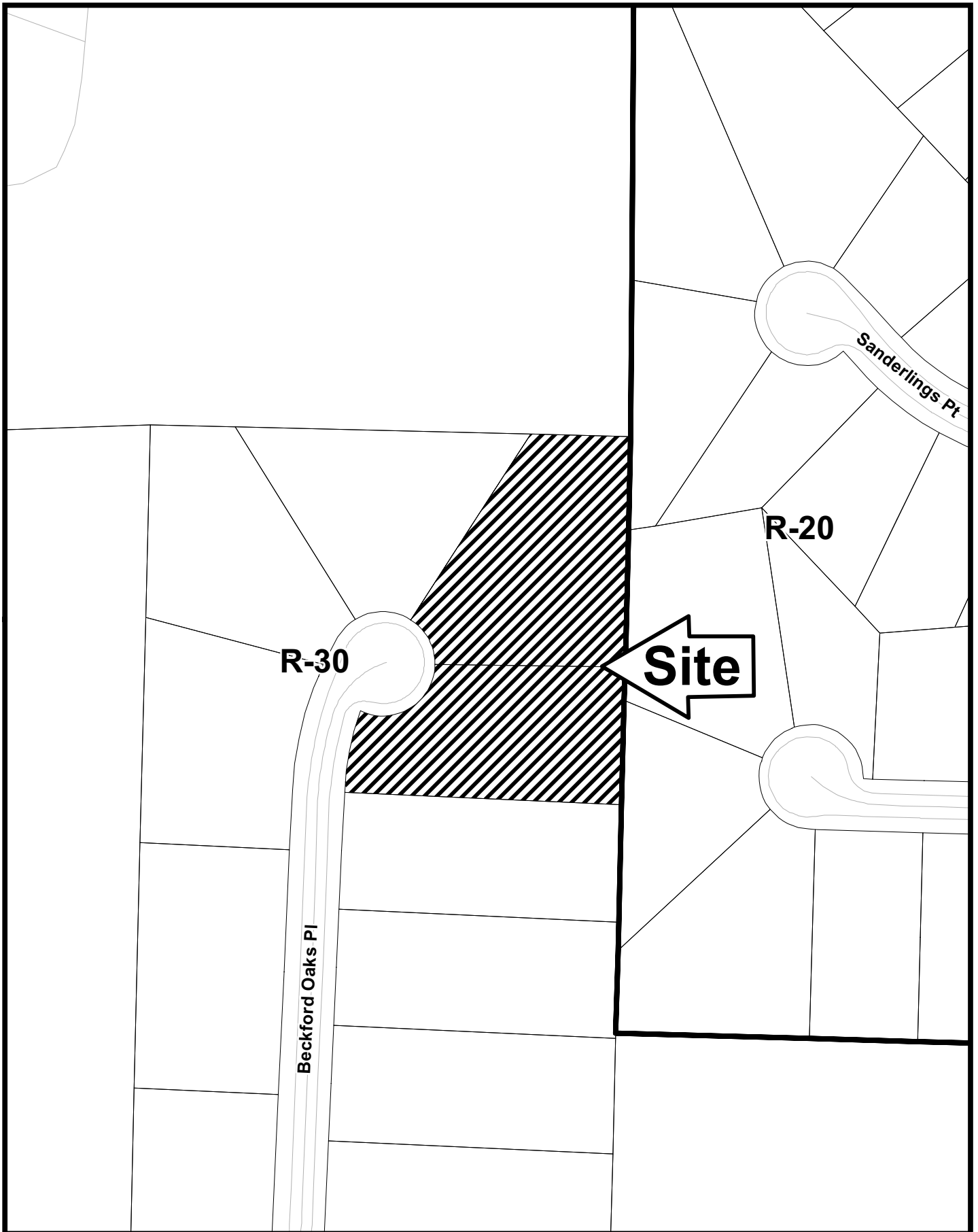
WATER: No conflict.

SEWER: No conflict.

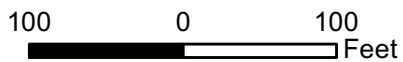
APPLICANT: William G. de Monye **PETITION No.:** V-64



FIRE DEPARTMENT: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

V-64



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



-  City Boundary
-  Zoning Boundary

Application for Variance

COBB COUNTY GEORGIA
FILED IN OFFICE

Cobb County

2013 APR -4 AM 11:22

(type or print clearly)

Application No. V-64

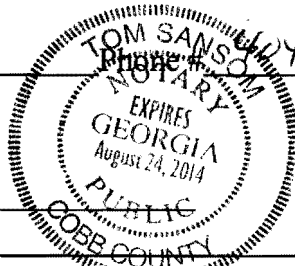
Hearing Date: 6/12/13

COBB COUNTY ZONING DIVISION

Applicant William de Monye Phone # 404-580-0914 E-mail wscga@aol.com

William de Monye Address 1856 Beckford Oaks Place Kennesaw
(representative's name, printed) (street, city, state and zip code) 30152

William de Monye
(representative's signature)
Pamela de Monye



404-580-0914 E-mail wscga@aol.com

My commission expires: 9/24/14

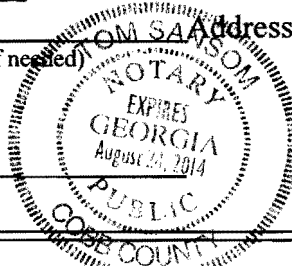
Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Titleholder William de Monye Phone # 404-580-0914 E-mail wscga@aol.com

Signature Pamela de Monye Address: 1856 Beckford Oaks Place Kennesaw
(attach additional signatures, if needed) (street, city, state and zip code) 30152



My commission expires: 9/24/14

Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Present Zoning of Property _____

Location 1856 Beckford Oaks Place
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 200 District 20th Size of Tract 0.865 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 reason for the location of garage is due to slope of property & proper location of garage.

List type of variance requested: garage on side of house, Waive setback for proposed garage, Waive lot size on Lot 6