

**MAY 17, 2016 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 3**

**ITEM 024**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-52 SHIRLEY CARTER.

**BACKGROUND**

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on July 28, 2015, Section 134-94(a)(5), the Board of Commissioners shall consider granting a Special Exception for reduction of lot size, after approval by the Board of Zoning Appeals. The Variance Analysis is attached for review. The Board of Zoning Appeals considered this appeal at the April 13, 2016 Variance Hearing and recommended approval of the Special Exception.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider granting a Special Exception for reduction of lot size as recommended by the Board of Zoning Appeals for Variance case V-52 SHIRLEY CARTER.

**ATTACHMENTS**

Variance analysis.

PREPARED BY:



**Vaughn & Melton**  
Consulting Engineers, Inc.

Engineering - Surveying  
300 Chastain Center Blvd, Suite 325  
Kennesaw, Georgia 30144  
Tel: 770-627-3590  
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www.VAUGHNMELTON.com

**SHIRLEY P. CARTER**

3443 WILLIAMS RD  
MARIETTA, GA 30062

V-52  
(2016)

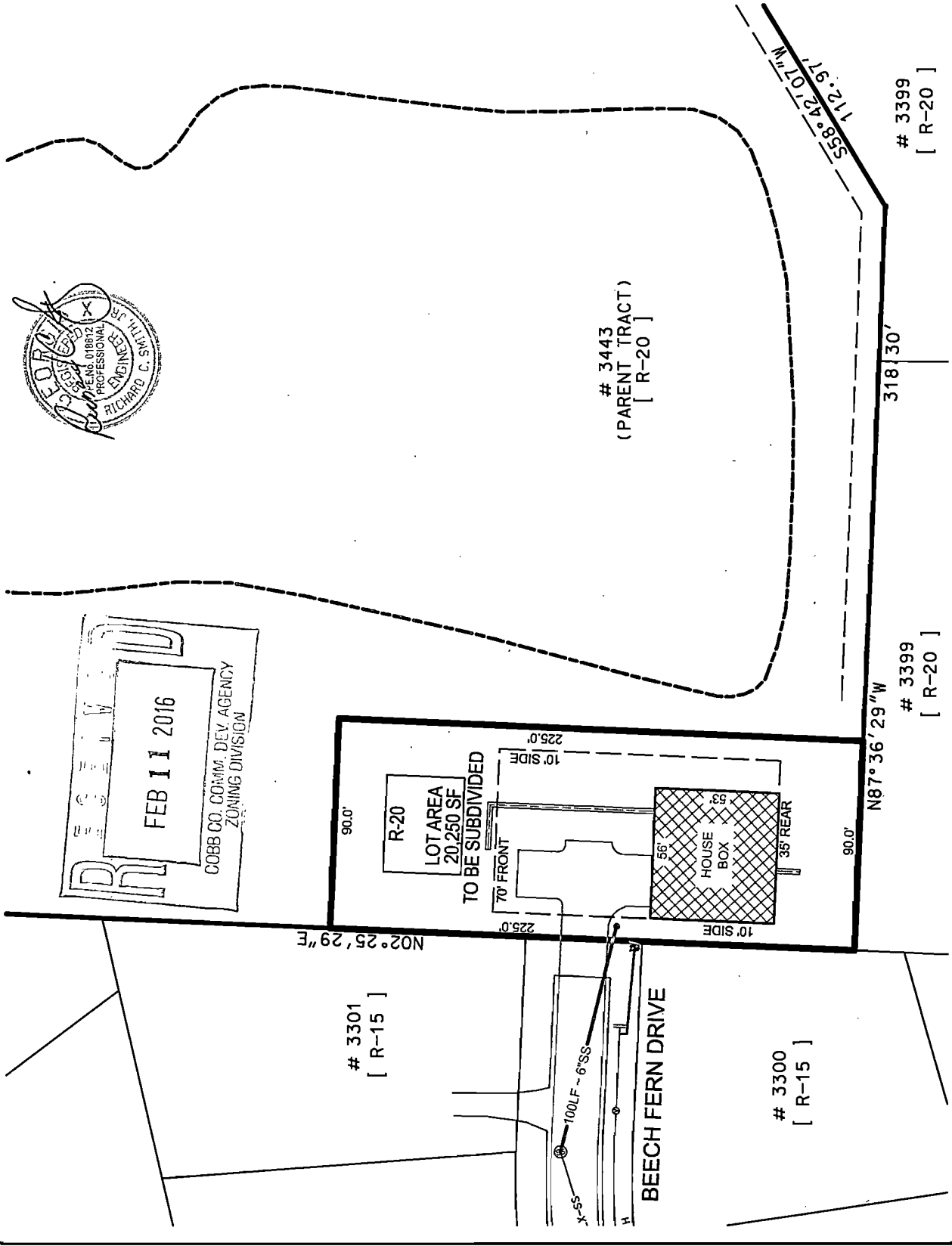
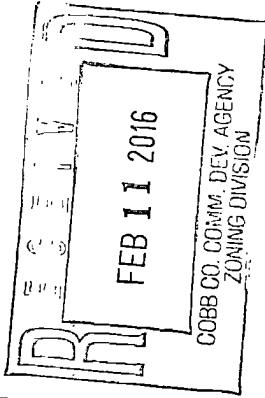
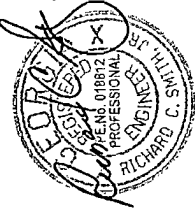
**CARTER RESIDENCE**

3443 WILLIAMS RD  
PROJECT ADDRESS  
16th, 404  
DIST / LAND LOT  
COBB COUNTY, GEORGIA  
CITY, COUNTY, STATE  
SETBACK VARIANCE

DESIGN	FVL	SHEET	01/04/16	PROJECT No.
DRAWN	FVL			
CHECKED			DATE	

**C-01**

40' 0 40' GRAPHIC SCALE



# 3301  
[ R-15 ]

# 3300  
[ R-15 ]

# 3399  
[ R-20 ]

# 3399  
[ R-20 ]

N02°25'29"E

N87°36'29"W

S58°42'07"W  
112.97'

R-20  
LOT AREA  
20,250 SF  
TO BE SUBDIVIDED

# 3443  
(PARENT TRACT)  
[ R-20 ]

BEECH FERN DRIVE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

10' SIDE

**APPLICANT:** Shirley Carter

**PETITION No.:** V-52

**PHONE:** 770-633-3174

**DATE OF HEARING:** 04-13-16

**REPRESENTATIVE:** Shirley Carter

**PRESENT ZONING:** R-20

**PHONE:** 770-633-3174

**LAND LOT(S):** 404

**TITLEHOLDER:** Bobby Carter and Shirley Carter

**DISTRICT:** 16

**PROPERTY LOCATION:** On the east side of Woodleaf Way, at the terminus of Beech Fern Drive (3443 Williams Road).

**SIZE OF TRACT:** 7.90 acres

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Waive the minimum public road frontage from the required 75 feet to 50 feet; and 2) waive the front and rear setbacks from the required 35 feet to 10 feet.

**OPPOSITION:** No. OPPOSED        **PETITION No.**        **SPOKESMAN**       

**BOARD OF APPEALS DECISION**

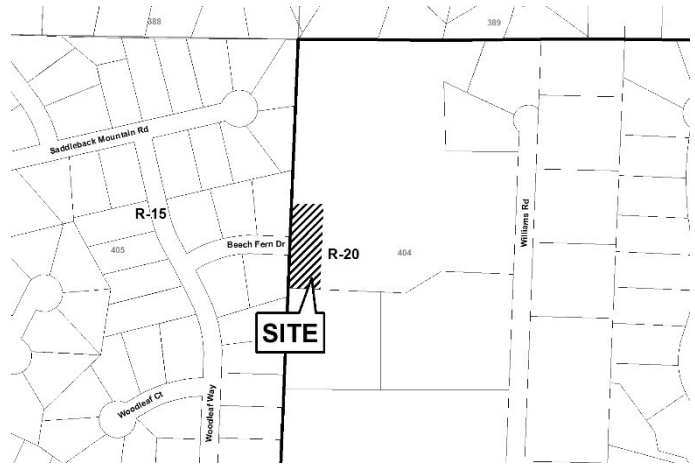
**APPROVED**        **MOTION BY**       

**REJECTED**        **SECONDED**       

**HELD**        **VOTE**       

**STIPULATIONS:**       



**APPLICANT:** Shirley Carter

**PETITION No.:** V-52

\*\*\*\*\*

**COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** No comment.

**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:** Subject to Stormwater Management Division approval of final grading plan and minimum finished floor elevation to be 3 feet above top-of-dam. An elevation certificate will be required.

**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:** Staff has determined that the subject site is not within the boundaries of approved design guidelines study areas; therefore does not have to comply with design guidelines requirements. No comments.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict

**SEWER:** Submitted plan shows proposed 100' sewer lateral. It is likely that CCWS will instead require extension of the public sewer to nearer the property line.

**APPLICANT:** Shirley Carter

**PETITION No.:** V-52

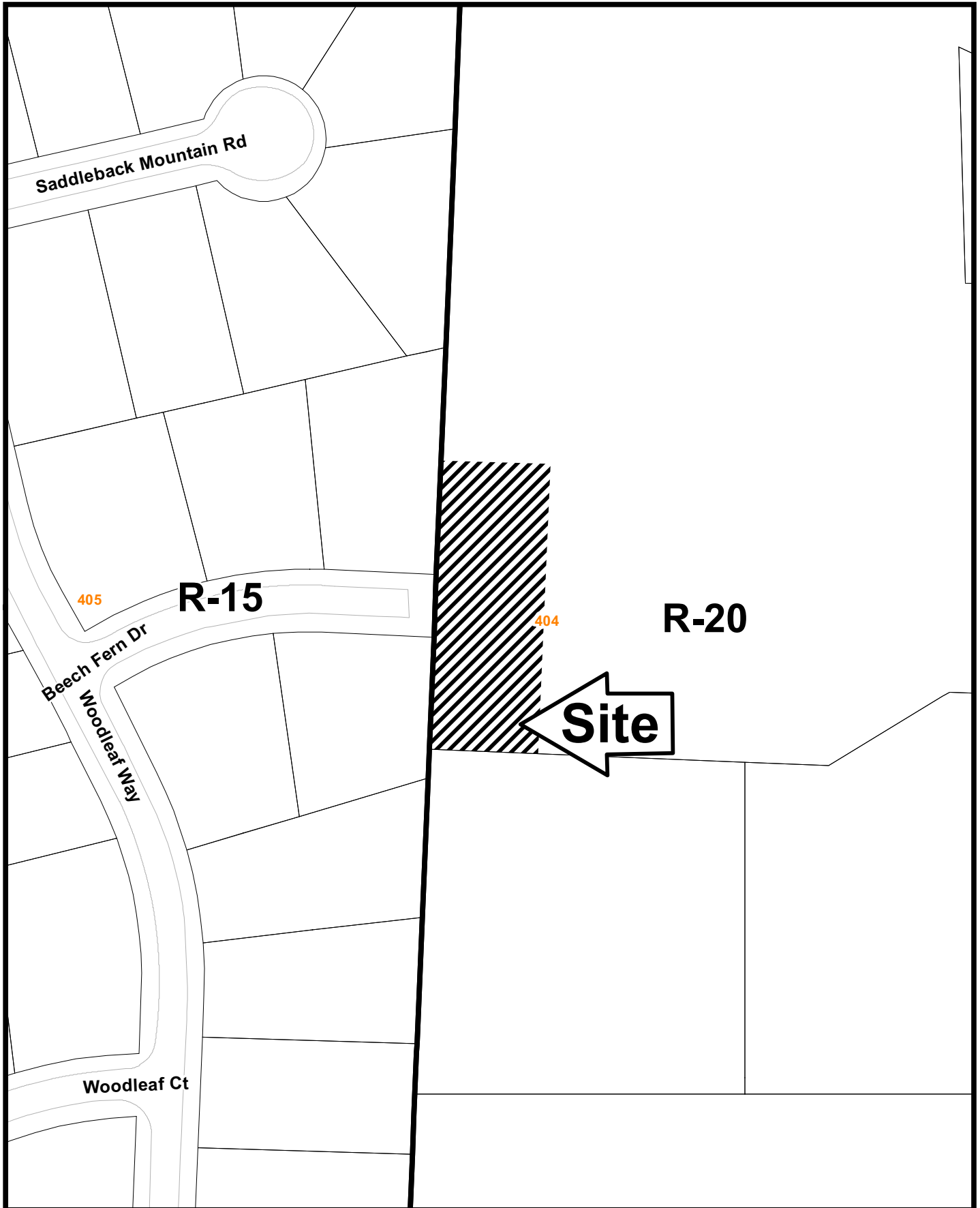
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- FIRE DEPARTMENT:**
1. Driveway must have a minimum 20' driving surface width with minimum 25' inside turning radius where serving 3 or more residence and 12' where serving 2 or less residence.
  2. Fully developed landscaping shall be at least 7'0" from center of drive (14' clear width) and 13'6" vertical clearance. (Indicate on plan minimum setbacks).
  3. Maximum grade shall not exceed 18%.
  4. Driveway must extend within 150' of the most remote portion of the structure.
  5. Driveway is limited to 1000' maximum from roadway unless an approved turn-around is provided. (See note below.)
  6. Driveway must support 25 Tons (50,000 lbs.)
  7. Provide emergency access to all gates securing Fire Dept. access with a minimum 12'-0" clear width
  8. Hydrant within 500' of remote structure, minimum 6" main\*  
(Required Flow: 1000 gpm @ 20 psi)

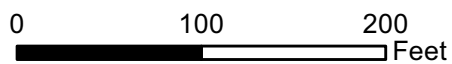
\* An alternate equivalency for the above hydrant/flow test requirements, subject to approval by the Cobb County Fire Marshal's Office is one of the following:

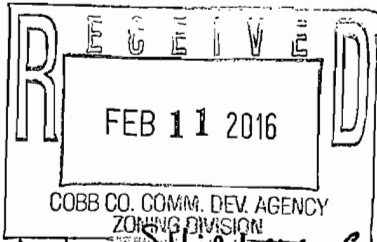
- 1.) NFPA 13D Sprinkler System
- 2.) Complete structure treated with a Class-A Fire Retardant spray meeting a flame spread of 25 or less and smoke development of 450 or less.
- 3.) Non-Combustible construction.

# V-52



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. V-52  
Hearing Date: 4-13-16

Applicant Shirley Carter Phone # 770-633-3174 E-mail \_\_\_\_\_

Shirley Carter Address 3443 Williams Road Marietta GA 30062  
(representative's name, printed) (street, city, state and zip code)

Shirley Carter Phone # 770-633-3174 E-mail \_\_\_\_\_  
(representative's signature)

JEANNE P. COOPER  
NOTARY PUBLIC  
Cherokee County  
State of Georgia  
My Comm. Expires Feb. 26, 2019

Signed, sealed and delivered in presence of:  
Jean P Cooper  
Notary Public

My commission expires: 02262019

Titleholder Shirley Carter Phone # 770-633-3174 E-mail \_\_\_\_\_

Signature Shirley Carter Address: 3443 Williams Road Marietta GA 30062  
(attach additional signatures, if needed) (street, city, state and zip code)

JEANNE P. COOPER  
NOTARY PUBLIC  
Cherokee County  
State of Georgia  
My Comm. Expires Feb. 26, 2019

Signed, sealed and delivered in presence of:  
Jeanne P Cooper  
Notary Public

My commission expires: 02262019

Present Zoning of Property R-20

Location 3443 Williams Road (Parent Tract) / End of Beech Fern Drive (Subject Tract)  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 404 District 16<sup>th</sup> Size of Tract 20,250 SF 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 \_\_\_\_\_

Does the property or this request need a second electrical meter? YES  NO \_\_\_\_\_

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 (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

Due to the Shape AND Topography of The Lot We Request A Variance to Reorient the Setbacks to the location shown on the Attached Plat. The sizes of the published Setbacks remain the same.

List type of variance requested: Setback Variance