

**SEPTEMBER 20, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM 050

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their August 10, 2016 Variance Hearing regarding Variance Application V-113 HENRY C. NYGREN III.

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 public road frontage, 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 August 10, 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 public road frontage as recommended by the Board of Zoning Appeals for Variance case V-113 HENRY C. NYGREN III.

ATTACHMENTS

Variance analysis.

APPLICANT: Henry C. Nygren, III

PETITION No.: V-113

PHONE: 404-625-5261

DATE OF HEARING: 8-10-2016

REPRESENTATIVE: Chrystie Nygren

PRESENT ZONING: R-30

PHONE: 678-383-1232

LAND LOT(S): 1030, 1043

TITLEHOLDER: Henry C. Nygren, III

DISTRICT: 19

PROPERTY LOCATION: On the south side of Hill Road, east of Defoors Farm Trail (5491 Hill Road).

SIZE OF TRACT: 3.5 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: Waive the minimum public road frontage from the required 75 feet to 73 feet for proposed lots 1 and 2.

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

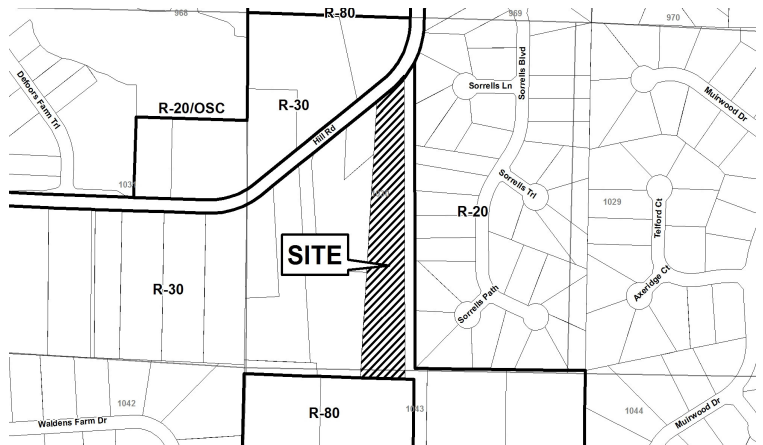
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Henry C. Nygren, III

PETITION No.: V-113

COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comment

STORMWATER MANAGEMENT: No comments.

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 for V-98 –V-113.

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: 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

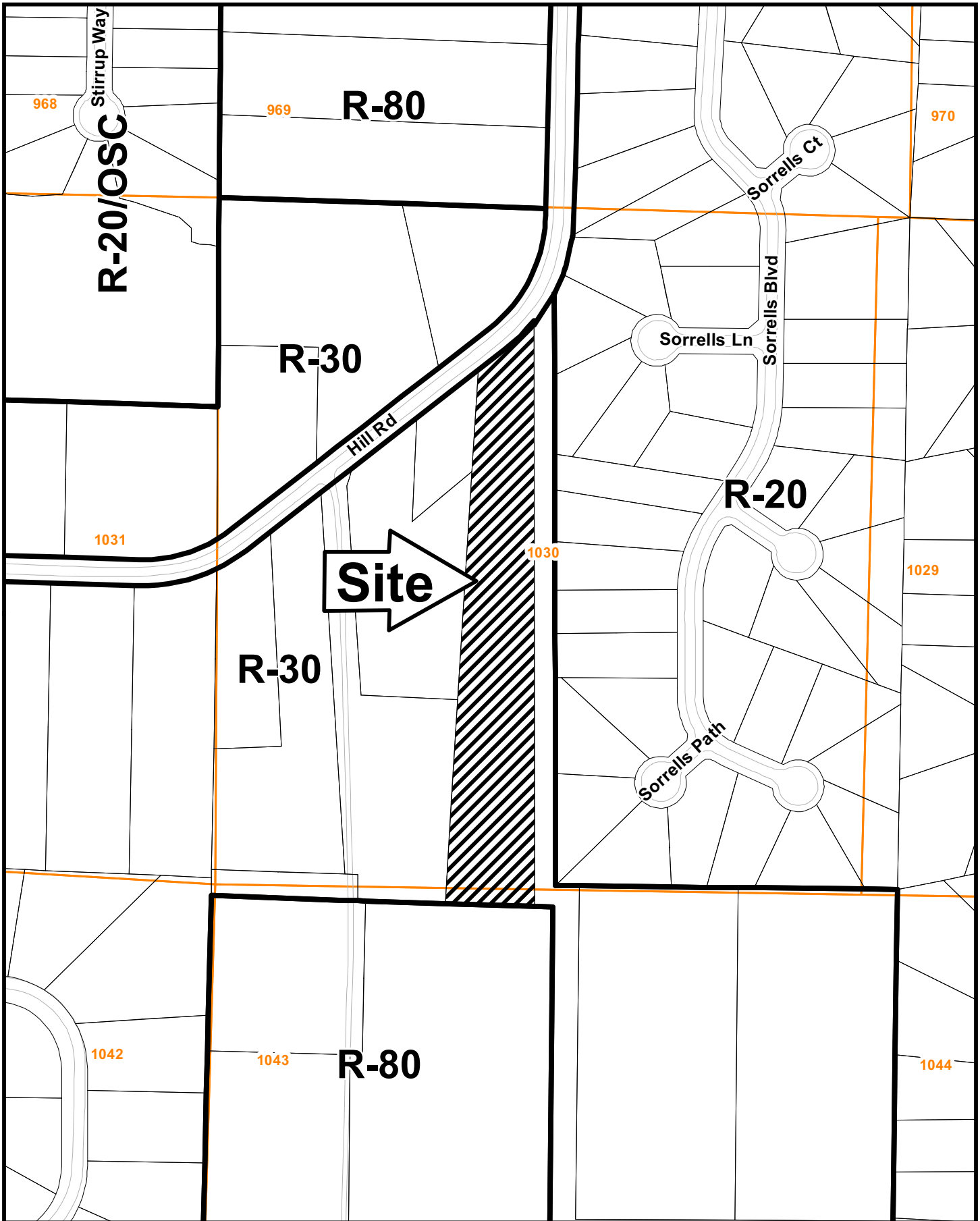
SEWER: No conflict

APPLICANT: Henry C. Nygren, III

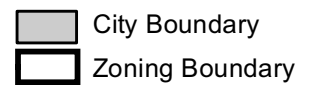
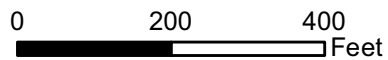
PETITION No.: V-113

FIRE DEPARTMENT: NO COMMENTS: 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-113-2016 GIS



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-113
Hearing Date: 8-10-16

Applicant HENRY C. NYGREN, III Phone # 404-625-5261 E-mail CHUCKNYGREN@HOTMAIL.COM

CHRISTIE NYGREN Address 5110 HILL RD.
(representative's name, printed) (street, city, state and zip code)

Christie Nygren Phone # 678-383-1232 E-mail chrystie.nygren@yahoo.com
(representative's signature)



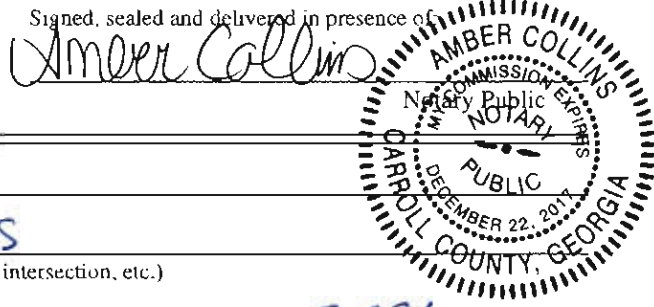
Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

My commission expires: My Commission Expires March 24, 2017

Titleholder HENRY C. NYGREN, III Phone # 404-625-5261 E-mail SAME

Signature Henry C. Nygren, III Address: 406 SINYARD CIR. HIRAM, GA 30141
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: December 22, 2017



Present Zoning of Property R-30

Location 5491 HILL RD. POWDER SPRINGS
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1030 & 1043 District 19 Size of Tract 3.496 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:

SLIGHTLY LESS THAN REQ'D MINIMUM FRONTAGE FOR TWO LOTS.

List type of variance requested: REDUCE REQ'D MIN. ROAD FRONTAGE FROM 75' TO 73.53'

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
AUGUST 10, 2016
PAGE 7**

CONSENT AGENDA (CONT.)

~~V-112~~ **MIDWAY PRESBYTERIAN CHURCH, INC** (Midway Presbyterian Church, Inc, owner) requesting a variance to waive the maximum height for a sign for a nonresidential use in a residential zone from the required eight (8) feet to 16 feet in Land Lots 12, 13, 62, and 63 of the 19th District. Located at the southwest intersection of Midway Road and Dallas Highway (4635 Dallas Highway).

To **approve** V-112, subject to:

- ~~1. Subject to the sign renderings contained in the variance analysis, with the Zoning Division Manager approving the final rendering (attached and made a part of these minutes)~~

V-113 **HENRY C. NYGREN, III** (Henry C. Nygren III, owner) requesting a variance to waive the minimum public road frontage from the required 75 feet to 73 feet for proposed lots 1 and 2 in Land Lots 1030 and 1043 of the 19th District. Located on the south side of Hill Road, east of Defoors Farm Trail (5491 Hill Road).

To **approve** V-113, subject to:

- 1. Final plat to be reviewed and approved by Community Development**

CONSENT VOTE: **ADOPTED 5-0**