

**NOVEMBER 15, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM 069

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their October 12, 2016 Variance Hearing regarding Variance Application V-143 Elbert Griffin and Heidi Griffin.

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 October 12, 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.

ATTACHMENTS

Variance analysis.

V-143
(2016)

360' TO S.E. R/W
OF VINING ROAD
(80' R/W) (IF EXTENDED)

MAGNETIC
N

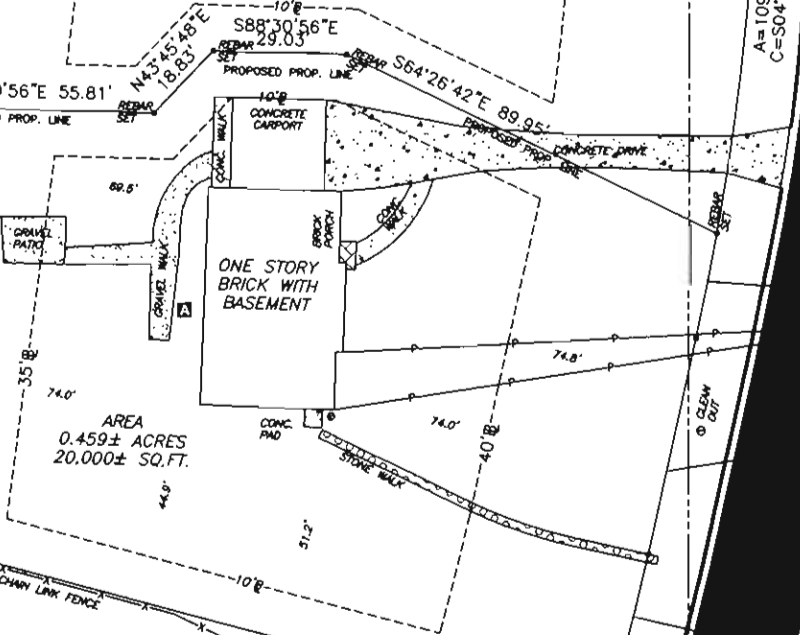
N/F
LEON CANTRELL
DB 10800 PG 371

N/F
ARTHUR L. GREENBERG
MARGARET R. GREENBURG
DB 14900 PG 5381-5382

ZONING INFORMATION

COBB COUNTY ZONING R-20
MINIMUM LOT AREA = 20,000 SQ.FT.
MINIMUM FLOOR AREA = 1,000 SQ.FT.
MINIMUM LOT WIDTH AT FRONT SET BACK = 75 OR 50 FEET
MINIMUM FRONT SET BACKS
ARTERIAL = 40 FEET
COLLECTOR = 40 FEET
LOCAL = 35 FEET
MINIMUM SIDE SET BACKS
MAJOR SIDE = 25 OR 35 FEET
INTERIOR SIDE = 10 FEET
MINIMUM REAR SET BACK = 35 FEET
MAXIMUM LOT COVERAGE = 35%
MAXIMUM BUILDING HEIGHT = 35 FEET
ALL ZONING MATTERS MUST BE APPROVED+
BY COBB COUNTY PRIOR TO CONSTRUCTION

AREA
0.417± ACRES
18,144± SQ.FT.



LEGEND

R	DENOTES PROPERTY LINE
R/W	DENOTES RIGHT-OF-WAY
BC	DENOTES BACK-OF-CURB
C	DENOTES CURB
X	DENOTES FENCE
PP	DENOTES POWER POLE
P	DENOTES POWER LINE
PM	DENOTES POWER METER
PE	DENOTES POWER BOX
A/C	DENOTES AIR CONDITION
TB	DENOTES TELEPHONE BOX
GB	DENOTES GAS METER
BSM	DENOTES BELL SOUTH MANHOLE
WH	DENOTES WATER METER
TH	DENOTES FIRE HYDRANT
S	DENOTES SANITARY SEWER LINE
SSM	DENOTES SANITARY SEWER MANHOLE
CO	DENOTES CLEAN OUT

SURVEY NOTES

- STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, PLEASE CALL ALL LOCAL UTILITY PROVIDERS.
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AND OPEN TRAVERSE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 65,879 FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
- BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
- THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
- THIS PLAT IS NOT INTENDED FOR RECORDING.



2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH WOULD DISCLOSE.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RE-CERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.



No.	Revision	Date
1.	PROPOSED PROPERTY LINES	8-11-18

McLUNG
SURVEYING SERVICES, INC.

4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383

This property is not located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.

COMMUNITY PANEL NO. 1306700228 G
EFFECTIVE DATE: DECEMBER 18, 2008
COBB COUNTY, GEORGIA RECORDS



Michael R. Niles
Georgia RLS #2648
Member SAMSOG
JOB#242908

TOTAL AREA= 0.876± ACRES
OR 38,144± SQ. FT.

3820 HILLCREST DRIVE
SMYRNA, GEORGIA

PROPOSED LOT SPLIT FOR
ELBERT N. GRIFFIN
HEIDI L. GRIFFIN

LOT 20
RIDGWOOD HEIGHTS
SECTION NO.2

LAND LOTS 769 AND 816
DISTRICT 17TH. SECTION 2ND
COUNTY COBB
GEORGIA

PLAT PREPARED: 2-1-13
FIELD: 1-30-13 SCALE: 1"=20'

DATE 13

APPLICANT: Elbert Griffin and Heidi Griffin

PETITION No.: V-143

PHONE: 678-296-9355

DATE OF HEARING: 10-12-2016

REPRESENTATIVE: Elbert N. Griffin

PRESENT ZONING: R-20

PHONE: 678-296-9355

LAND LOT(S): 769, 816

TITLEHOLDER: Elbert N. Griffin, III and Heidi L. Griffin

DISTRICT: 17

PROPERTY LOCATION: On the west side of

SIZE OF TRACT: 0.88 acres

Hillcrest Drive, south of Paces Ferry Road

COMMISSION DISTRICT: 2

(3820 Hillcrest Drive).

TYPE OF VARIANCE: Waive the minimum lot size from the required 20,000 square feet to 18,144 square feet for proposed lot.

OPPOSITION: No. OPPOSED PETITION No. SPOKESMAN

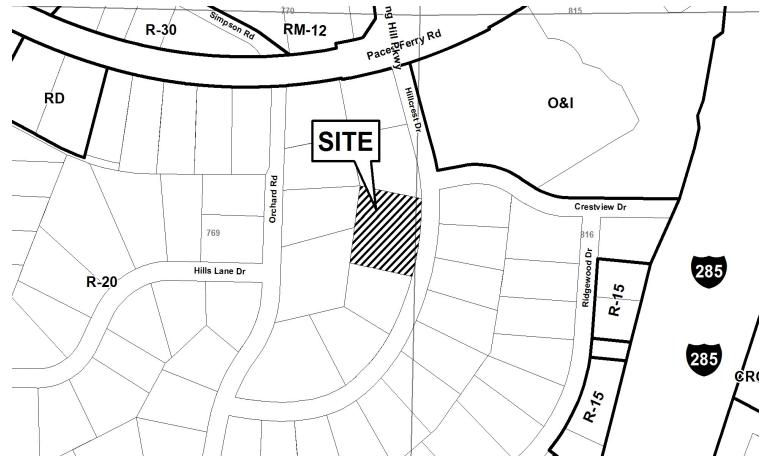
BOARD OF APPEALS DECISION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



APPLICANT: Elbert Griffin and Heidi Griffin

PETITION No.: V-143

COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comments

SITE PLAN REVIEW: No comments

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 for V-134 –V-146.

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

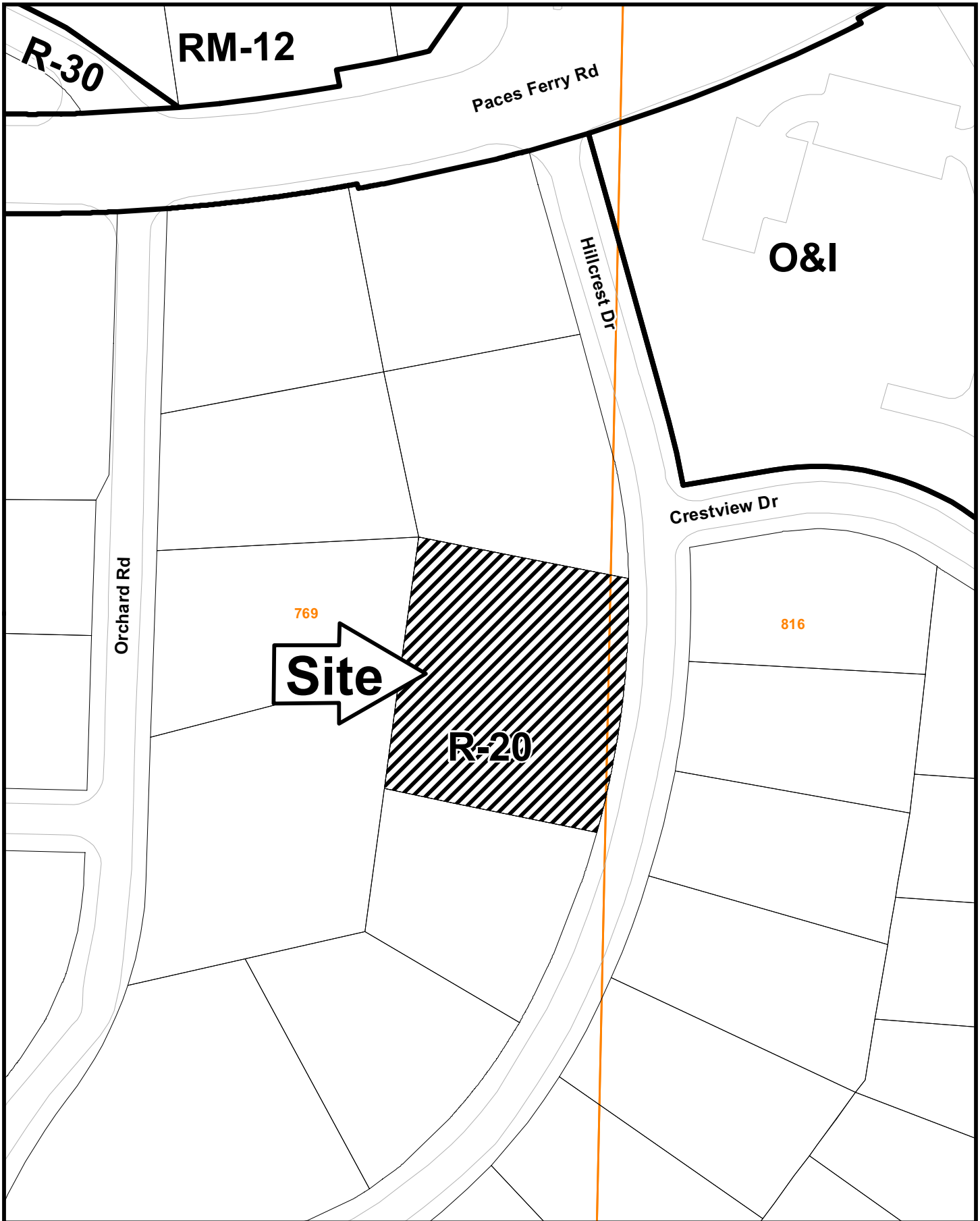
SEWER: No conflict. New lot is subject to Hillcrest Drive Sewer Extension fee of \$2,300 + SDF

APPLICANT: Elbert Griffin and Heidi
Griffin

PETITION No.: V-143

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-143-2016 GIS



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

0 100 200 Feet

City Boundary
Zoning Boundary



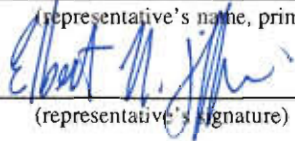
Application for Variance Cobb County

(type or print clearly)

Application No. V-143
Hearing Date: 10-12-16

Applicant Elbert Griffin & Heidi Griffin Phone # 678 296-9355 E-mail budgriffin@charter.net

Elbert N. Griffin Address 3820 Hillcrest Drive, Smyrna, GA 30080
(representative's name, printed) (street, city, state and zip code)


(representative's signature)


Phone # 678 296-9355 E-mail budgriffin@charter.net

Signed, sealed and delivered in presence of

My commission expires: 1/31/2019




Titleholder Elbert N. & Heidi L. Griffin Phone # 678 296-9355 E-mail budgriffin@charter.net

Signature  Address: 3820 Hillcrest Drive, Smyrna, GA 30080
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of

My commission expires: 1/31/2019




Present Zoning of Property R-20

Location 3820 Hillcrest Drive, Smyrna, GA 30080
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 769 & 816 District 17 Size of Tract 38,144 sq ft - 0.9Acre(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:
The Rigewood Heights neighborhood was platted and developed prior to the adoption of a zoning ordinance. 3820 Hillcrest Dr. is an oversized lot being 38,144 sf, which can be subdivided into two lots, one being 20,000 sf meeting R-20 regulations, and one lot being 18,144 sf or 9% under the R-20 requirements. Of 97 lots in the R-20 zoning area, 21 lots are smaller than the required 20,000 sf with some lots smaller than 17,000 sf. Another lot (3856 Hillcrest Dr.) was recently approved for subdivision into two lots smaller than 20,000 sf.

List type of variance requested: Reduce the R-20 required lot size of 20,000 sf to be 18,000 sf for 3820 Hillcrest Dr. so that the 0.9 acre lot can be subdivided, retain the existing residence on one lot, and have one reduced size 18,144 sf lot available for a new residence.