

**AUGUST 15, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM 032

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-65 Santos L. Guardado.

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 and/or 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 July 12, 2017 Variance Hearing and recommended approval of the Special Exception.

STAFF COMMENTS

See variance analysis.

RECOMMENDATION

The Board of Commissioners consider granting a Special Exception for the reduction of lot size as recommended by the Board of Zoning Appeals.

ATTACHMENTS

Variance analysis and minutes.

PLAT OF RETRACEMENT SURVEY FOR

SANTOS LUCRESIA GUARDADO

LOCATED IN LAND LOT 150, 18TH DISTRICT,
2ND SECTION, COBB COUNTY, GEORGIA

BEING LOT 15
LANDERS FARM SUBDIVISION
PLAT BOOK 22, PAGE 126
1435 THUNDERWOOD LANE

AREA = 0.459 ACRES
19,999 SQ. FT.

V-65
(2017)

SURVEY REFERENCES
1. FINAL PLAT OF LANDERS FARM SUBDIVISION
PREPARED BY ROBERT T. WEAVER LAST REVISIED
JUNE 1980 RECORDED IN P.B. 22, PG. 126
2. DEED IN FAVOR OF SANTOS LUCRESIA GUARDADO
RECORDED IN D.B. 14102, PG. 5303



SURVEY NOTES

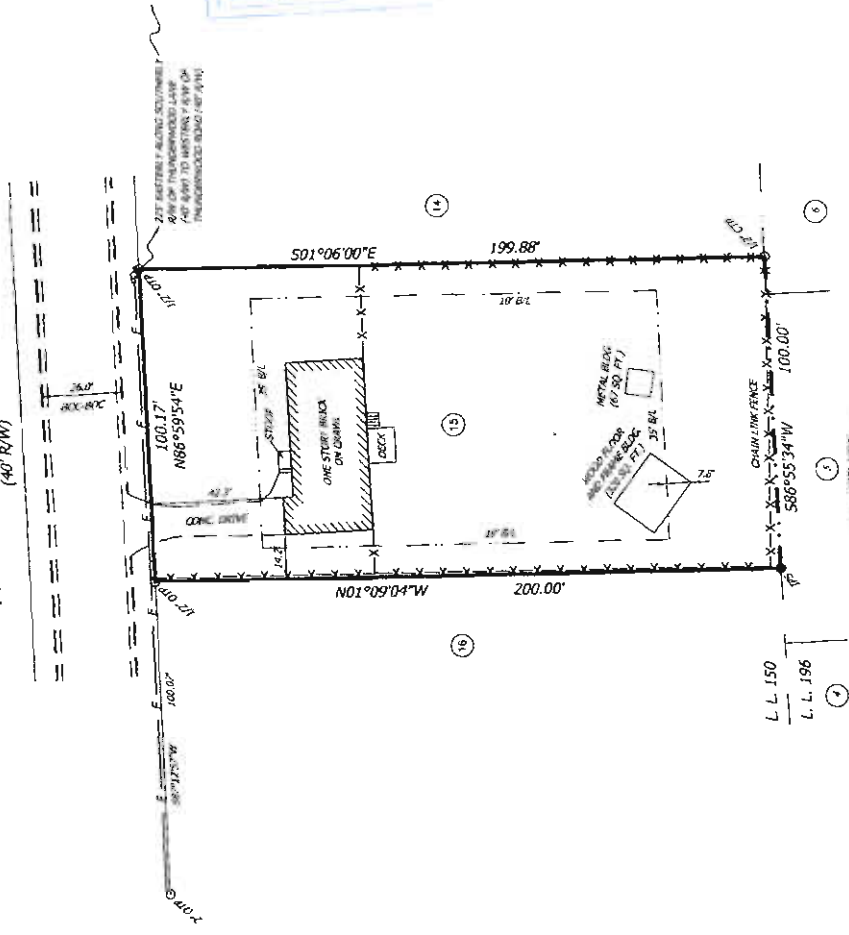
THERE IS A 25' MIN. DISTANCE
SEPARATING THE POWER LINES AND A 30'
ADJUSTMENT IN THE POWER LINES
WAS MADE BY THE SURVEYOR TO
MAINTAIN THE 25' MIN. DISTANCE
MAY BE MAINTAINED BY THE OWNER
THESE NOTES ARE FOR THE OWNER'S
INFORMATION ONLY AND DO NOT
WARRANT ANY LIABILITY TO THE
SURVEYOR.

THE BUILDING SETBACKS SHOWN HEREON ARE
BASED ON THE SURVEY AND MUST
INTERFERE WITH THE POWER LINES
UPON ONLY AFTER APPROVAL BY THE COBB
COUNTY ZONING DEPARTMENT.

THERE MAY BE OTHER UTILITIES EXISTING ON
THIS PROPERTY THAT ARE NOT SHOWN
ON THIS SURVEY.

ALL DISTANCES BETWEEN ARE HORIZONTAL
GROUND DISTANCES.

THUNDERWOOD LANE
(40' R/W)



REVISIONS	DATE	DESCRIPTION

RUSSELLE COMPANY
3811 POWDER SPRINGS ROAD
MARIETTA, GEORGIA 30066
(770) 443-3883
E-MAIL: RUSSELLE@RUSSELLE.COM

PROJECT NO.: 038008
FIELD SURVEY DATE: 08/20/17
FILE: COBB15.DWG
PLAT DATE: 08/20/17
SCALE: 1" = 30'



THIS SURVEY WAS PREPARED IN
COMPLIANCE WITH THE
STANDARDS FOR PROFESSIONAL SURVEYING
AS SET FORTH IN CHAPTER 50A
OF THE RULES OF THE GEORGIA BOARD OF
SURVEYING AND LAND SURVEYING AS
SET FORTH IN THE GEORGIA PLAT ACT
O.C.G.A. § 44-5-47.

FLOOD STATEMENT
I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE
RATE MAPS, COUNTY MAP NO. 15602021/H
EFFECTIVE DATE: MARCH 9, 2011
AND GRAPHICALLY INDICATED THE SUBJECT
PROPERTY TO BE IN ZONE: "1"
"1" - AREAS DETERMINED TO BE OUTSIDE THE
100-YEAR FLOOD PROTECTION

LEGEND

- CORNER MONUMENTATION:
 - P.S. = CORNER SET WITH A 1/2" STEEL REINFORCING ROD
 - CONCRETE FOUNDATION
 - △ UNMONUMENTED CORNER
- CORNER TO BE SET WHEN CONSTRUCTION PERMITS:
 - X --- X --- FENCE LINE
 - RR = STEEL REINFORCING ROD
 - CLIP = CHANGED TO WATER PIPE
 - PP = POWER POLE
 - CL = CENTERLINE
 - BL = BELONGING TO
 - LL = LAND LOT LINE
 - WATER MAINS
 - OVERHEAD POWER LINES
 - GRASS MARKS
 - NEW = NOW UNDEVELOPED OWNERS
 - N.B.A.R. = NOT FOUND AT BENCH
 - W.B.A.R. = NOT FOUND AT BENCH
 - D.B. = DRAINAGE
 - R.W. MON. = CONCRETE RIGHT OF WAY MONUMENT
 - B.C. = BACK OF CURB

APPLICANT: Santos L. Guardado

PETITION No.: V-65

PHONE: 678-933-7547

DATE OF HEARING: 7-12-2017

REPRESENTATIVE: Santos L. Guardado

PRESENT ZONING: R-20

PHONE: 678-933-7547

LAND LOT(S): 150

TITLEHOLDER: Santos Lucrecia Guardado

DISTRICT: 18

PROPERTY LOCATION: On the south side of Thunderwood Lane, west of Thunderwood Road (1435 Thunderwood Lane).

SIZE OF TRACT: 0.46 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Waive the rear setback for an accessory structure under 650 square feet (320 square foot wood floor and frame building) from the required 35 feet to 27 feet; and 2) waive the minimum lot size from the required 20,000 square feet to 19,999 square feet.

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

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____



APPLICANT: Santos L. Guardado

PETITION No.: V-65

COMMENTS

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

DEVELOPMENT & INSPECTIONS: Construction inspector issued a notice of violation for building without a permit on 4-7-17.

SITE PLAN REVIEW: No comments.

STORMWATER MANAGEMENT: All roof downspouts must be discharged to the ground at the structure to maximize overland flow of roof runoff.

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 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.

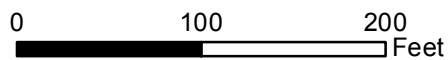
APPLICANT: Santos L. Guardado **PETITION No.:** V-65



FIRE DEPARTMENT: No comments..

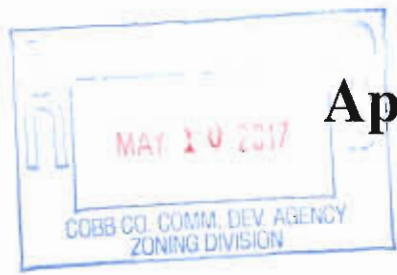
V-65 2017-GIS



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

(type or print clearly)

Application No. V-65
Hearing Date: 7-12-17

Applicant Santos L. Guardado Phone # 678-933-7547 E-mail _____

Address 1435 Thunderwood Lane SW
(representative's name, printed) (street, city, state and zip code) Mableton GA 30126

x Santos L Guardado Phone # 678-933-7547 E-mail _____
(representative's signature)

My commission expires: 5/2/2020 Maricela Avila Signed, sealed and delivered in presence of:
NOTARY PUBLIC Cobb County, GEORGIA [Signature]
My Commission Expires 5/2/2020 Notary Public

Titleholder Santos L. Guardado Phone # 678-933-7547 E-mail _____

Signature Santos L Guardado Address: 1435 Thunderwood Lane Mableton GA
(attach additional signatures, if needed) (street, city, state and zip code) 30126

My commission expires: 5/2/2020 Maricela Avila Signed, sealed and delivered in presence of:
NOTARY PUBLIC Cobb County, GEORGIA [Signature]
My Commission Expires 5/2/2020 Notary Public

Present Zoning of Property R-20

Location 1435 Thunderwood Lane SW Mableton GA 30126
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 150 District 15th Size of Tract 0.459 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:

There is a tree in the way of where the house was to originally be built; The shed is also on cement & no way for use to move it.

List type of variance requested: Set Backs

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
JULY 12, 2017
PAGE 3**

CONSENT AGENDA (CONT.)

~~V-63~~ **HEATHER BAUER** (Nicholas John Bauer and Heather Michelle Bauer, owners) requesting a variance to 1) waive the front setback from the required 35 feet to 30 feet; 2) allow an accessory structure (existing approximately 72 square foot shed) to the side of the principal building; and 3) waive the side setback for an accessory structure under 144 square feet (existing approximately 72 square foot shed) from the required five feet to zero feet adjacent to the east property line in Land Lots 157 and 158 of the 1st District. Located on the southern terminus of Charlise Drive, east of Bedford Oaks Drive (5120 Charlise Drive).

~~To approve V-63.~~

~~V-64~~ **ROBERT KNIGHT** (Robert Knight, owner) requesting a variance to 1) allow an accessory structure (existing approximately 640 square foot carport) to the side of the principal building; 2) allow an accessory structure (carport) to be located closer to the side street right-of-way line than the principal building; 3) waive the major side setback for an accessory structure under 650 square feet (carport) from the required 25 feet to five feet; and 4) waive the side setback for an accessory structure under 144 square feet (existing approximately 80 square foot dilapidated metal shed) from the required five feet to three feet adjacent to the north property line in Land Lots 511 and 512 of the 16th District. Located on the northeast corner of Rockbridge Road and Hunt Cliff Drive (2888 Hunt Cliff Drive).

~~To approve V-64, subject to:~~

- ~~1. Stormwater Management Division comments and recommendations~~

~~V-65~~ **SANTOS L. GUARDADO** (Santos Lucrecia Guardado, owner) requesting a variance to 1) waive the rear setback for an accessory structure under 650 square feet (320 square foot wood floor and frame building) from the required 35 feet to 27 feet; and 2) waive the minimum lot size from the required 20,000 square feet to 19,999 square feet in Land Lot 150 of the 18th District. Located on the south side of Thunderwood Lane, west of Thunderwood Road (1435 Thunderwood Lane).

~~To approve V-65, subject to:~~

- ~~1. Applicant to permit the structure~~
- ~~2. Stormwater Management Division comments and recommendations~~