

**AUGUST 15, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM 035

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-69 2045 Anderson, LLC.

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.

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See variance analysis.

RECOMMENDATION

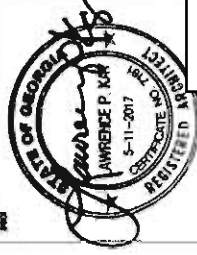
The Board of Commissioners consider granting a Special Exception for the reduction of lot size as recommended by the Board of Zoning Appeals.

ATTACHMENTS

Variance analysis



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V-69
(2017)

4-7-2017 PRELIM

5-11-2017 WORKING

date description

ISSUES REVISIONS

drawn project no.

checked

title

2045
ANDERSON
R-20

sheet

R-20



TRACT DATA

ZONED: R-20

TRACT SIZE: 0.78AC +/-

MIN. LOT WIDTH: 90'

MIN. BLDG. SEPERATION: 20'

MIN. SIDE SETBACK: 10'

VARIANCES:

1. LOT SIZE REDUCTION TO 16,000SF
2. FRONT SET BACK REDUCTION TO 15'

FOR MORE INFORMATION CONTACT:

DANNY KAY

404.558.3558



ANDERSON DRIVE

APPLICANT: 2045 Anderson, LLC

PETITION No.: V-69

PHONE: 404-558-3558

DATE OF HEARING: 7-12-2017

REPRESENTATIVE: Danny Kay

PRESENT ZONING: R-20

PHONE: 404-558-3558

LAND LOT(S): 697, 698

TITLEHOLDER: Raymond K. Davis and Carolyn F. Davis

DISTRICT: 17

PROPERTY LOCATION: On the north side of Anderson Drive, west of Atlanta Road (2045 Anderson Drive).

SIZE OF TRACT: 0.78 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the minimum lot size from the required 20,000 square feet to 16,988 square feet for proposed lots 1 and 2; and 2) waive the front setback from the required 35 feet to 15 feet for proposed lots 1 and 2.

OPPOSITION: No. OPPOSED PETITION No. SPOKESMAN

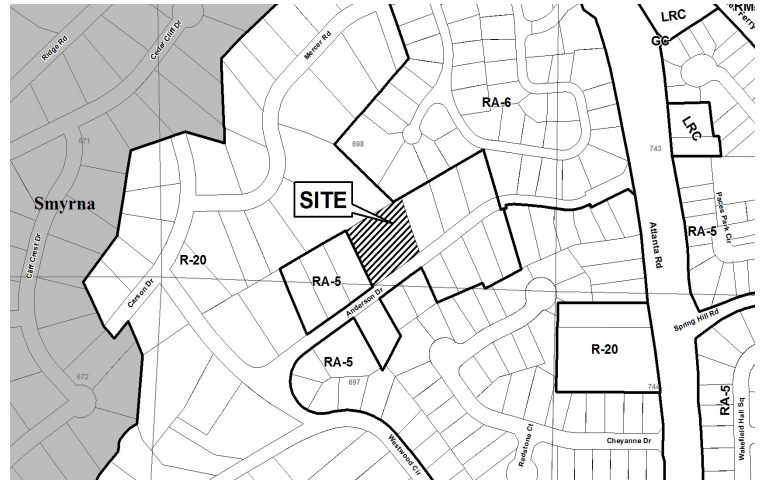
BOARD OF APPEALS DECISION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



APPLICANT: 2045 Anderson, LLC

PETITION No.: V-69

COMMENTS

TRAFFIC: Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Anderson Drive, a minimum of 25' from the roadway centerline.

DEVELOPMENT & INSPECTIONS: No comments

SITE PLAN REVIEW: If this variance request is approved, a subdivision must be recorded prior to the issuance of any building permits showing all improvements on the lots along with any approved setback reductions, 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: If approved, site grading plans approved by Stormwater Management Division will be required prior to permitting.

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: No comments.

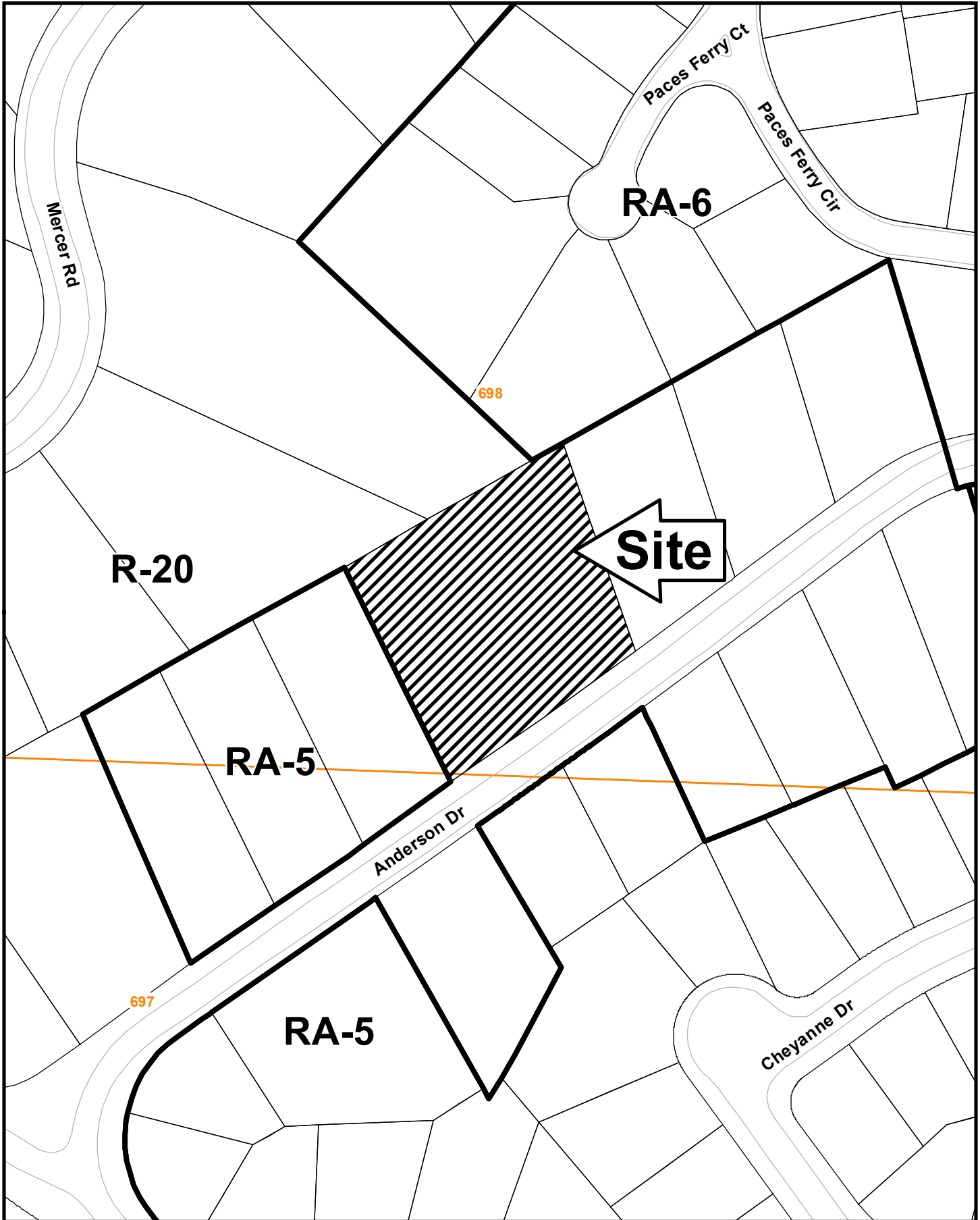
WATER: No conflict.

SEWER: No conflict.

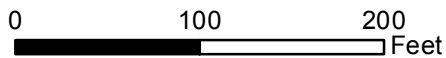
APPLICANT: 2045 Anderson, LLC **PETITION No.:** V-69



FIRE DEPARTMENT: No comments.

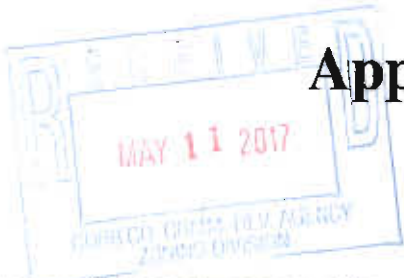
V-69 2017-GIS



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-69
Hearing Date: 7-12-17

Applicant 2045 Anderson, LLC. Phone # 404.558.3558 E-mail danny@idiarchitects.com

Danny Kay Address: 2045 Anderson Drive SE Ste 550
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 404.558.3558 E-mail danny@idiarchitects.com
(representative's signature)



Signed, sealed and delivered in presence of:
[Signature]
Notary Public

My commission expires: 3/13/20

Titleholder Raymond K Davis Phone # 404.1059.1059 E-mail CRD@AV925@CARTER.NET
Signature Raymond K Davis Address: 2045 Anderson Drive Smyrna 30080
(attach additional signatures, if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:
[Signature]
Notary Public

My commission expires: 3/13/20

Present Zoning of Property R-20

Location 2045 Anderson Drive SE Smyrna, GA 30080
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 697 & 698 District 17TH Size of Tract .78 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:

Unable to split the lot, negatively impacting property value for the owner.

List type of variance requested:
1. Lot size reduction to 16,000sf minimum
2. Front setback reduced to 15ft

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
JULY 12, 2017
PAGE 4**

CONSENT AGENDA (CONT.)

At the call of V-66 (Eric Wallace), opposition was present; therefore, V-66 was pulled from the Consent Agenda and moved to the Regular Agenda to be heard in its numerical order (see page 6 of these minutes for the final decision).

V-67 **RUSSELL ALION, JR.** (Russell G. Alion, Jr. and Sarah S. Alion, owners) requesting a variance to waive the rear setback for an accessory structure under 650 square feet (proposed 216 square foot two-story playhouse) from the required 35 feet to five feet in Land Lot 1041 of the 17th District. Located on the southern terminus of Inman Hill, west of Denards Mill (3480 Inman Hill).

To approve V-67, subject to:

1. Development and Inspection comments and recommendations

V-68 **NARDEN KALDANI** (Leona Badalian and Narden Kaldani, owners) requesting a variance to 1) waive the minimum lot size from the required 20,000 square feet to 16,401 square feet for Lot 2 and; 2) waive the rear setback from the required 35 feet to 25 feet for Lot 2 in Land Lot 985 of the 16th District. Located on the south side of Roswell Road, east of Hood Road, across from Sterling Ridge Chase (2650 Roswell Road).

To approve V-68, subject to:

1. Stormwater Management Division comments and recommendations

V-69 **2045 ANDERSON, LLC** (Raymond K. Davis and Carolyn F. Davis, owners) requesting a variance to 1) waive the minimum lot size from the required 20,000 square feet to 16,988 square feet for proposed lots 1 and 2; and 2) waive the front setback from the required 35 feet to ~~45~~ **20** feet for proposed lots 1 and 2 in Land Lots 697 and 698 of the 17th District. Located on the north side of Anderson Drive, west of Atlanta Road (2045 Anderson Drive).

To approve V-69, subject to:

- 1. Front setback approval revised to 20 feet for lots 1 and 2**
- 2. Stormwater Management Division comments and recommendations**
- 3. Department of Transportation comments and recommendations**