

**AUGUST 15, 2017 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 1**

**ITEM 033**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-66 Eric Wallace.

**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 public road frontage as recommended by the Board of Zoning Appeals.

**ATTACHMENTS**

Variance analysis





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**COMMENTS**

**TRAFFIC:** Recommend driveway on West Sandtown Road be paved with a treated hardened surface for a minimum of 25’ from the edge of pavement or to the County right-of-way, whichever is greater in length. Recommend an access easement for construction of driveway on private property.

**DEVELOPMENT & INSPECTIONS:** No comments.

**SITE PLAN REVIEW:** If this variance request is approved, a Land Disturbance Permit must be obtained to the issuance of any building permits. The engineer must submit the civil engineering plans for this lot to the Site Plan Review Section, Community Development Agency for review and approval. Call 77-528-2147. A lot reconfiguration plat must also be recorded prior to the issuance of any building permits to allow for the construction of the house in the proposed location. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Per Cobb GIS and the deed and construction plans for Dowell Elementary School, the R/W for Old Marietta-Macland Road extends no further than the northeastern corner of 2137 West Sandtown Road. The Cobb County School District and Macland Road Church of Christ must therefore each grant an access easement for the encroachment of the proposed gravel drive through their respective properties. Evidence of these easements must be provided to the Site Plan review Section prior to the approval of any plats, land disturbance permits, or building permits.

**STORMWATER MANAGEMENT:** No adverse stormwater 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.

**DESIGN GUIDELINES:** The subject site is in the Macland Road Design Guidelines area. The requested variance is not significant; therefore, the applicant does not need to meet the requirements of the guidelines. No action is requested.

**CEMETERY PRESERVATION:** No comments.

**WATER:** No conflict.

**SEWER:** No conflict.

**APPLICANT:** Eric Wallace

**PETITION No.:** V-66

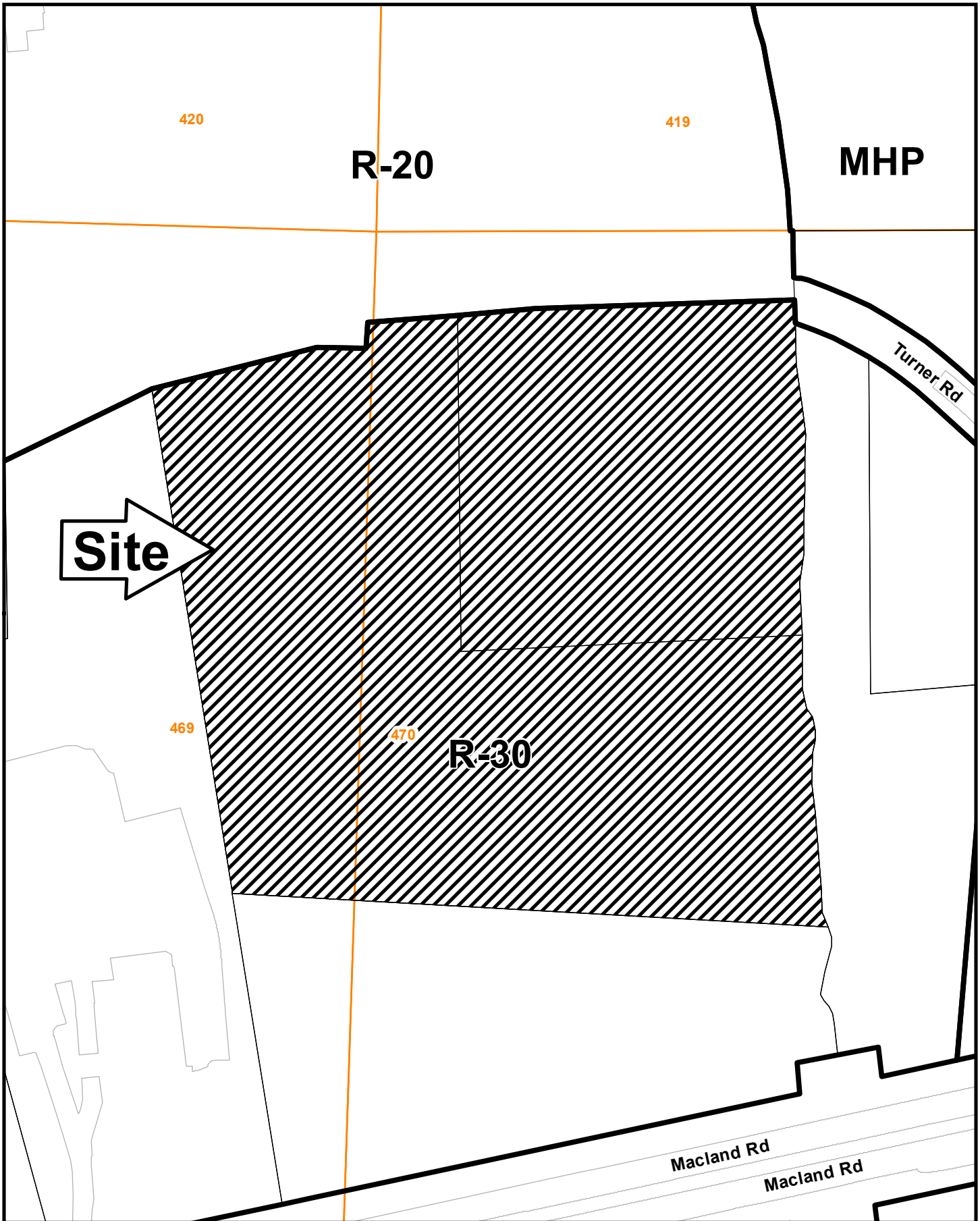
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- FIRE DEPARTMENT:**
1. Driveway must have a minimum 20' driving surface width with minimum 25' inside turning radius where serving 3 or more residence and 12' where serving 2 or less residence.
  2. Fully developed landscaping shall be at least 7'0" 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-66 2017-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

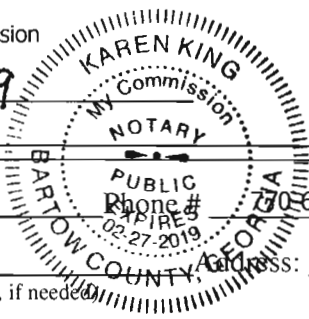
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Application No. V-66  
Hearing Date: July 12, 2017

Applicant Eric Wallace Phone # 770-639-0179 E-mail ericwallace@advout.com  
SAMS, LARKIN, HUFF & BALLI, LLP  
by: Garvis L. Sams, Jr. Address 376 Powder Springs Street, Suite 100, Marietta, GA 30064  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770-422-7016 E-mail gsams@slhb-law.com  
(representative's signature)  
Parks F. Huff, Esq., with express permission

My commission expires: 2-27-19



Signed, sealed and delivered in presence of:  
[Signature: Karen L. King]  
Notary Public

Titleholder Eric Wallace Phone # 770-639-0179 E-mail ericwallace@advout.com

Signature See Attached Address: 1705 Rifle Ridge, Marietta, GA 30064  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: \_\_\_\_\_  
Notary Public

Present Zoning of Property R-30

Location On the south side of Old Marietta - Macland Road  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 469 & 470 District 19th Size of Tract 10.644 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 County ROW X - access to

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

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:  
A literal interpretation or enforcement of provisions of the Cobb County Zoning Ordinance would disallow the development of the Subject Property.

List type of variance requested: Waive the required public road frontage to construct a driveway within the ROW of Old Macland Road to connect to West Sandtown Road.