

APPLICANT: Thomas S. Rogers

PETITION No.: V-48

PHONE: 404-457-7349

DATE OF HEARING: 06-13-2018

REPRESENTATIVE: Stephanie Ives

PRESENT ZONING: R-20

PHONE: 678-428-2166

LAND LOT(S): 1185

TITLEHOLDER: Thomas S. Rogers and Susan L. Rogers

DISTRICT: 16

PROPERTY LOCATION: On the west side of Dickerson Road, south of Lower Roswell Road (275 Dickerson Road).

SIZE OF TRACT: 1.43 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the side setback from the required 10 feet to two (2) feet adjacent to the north property line.

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

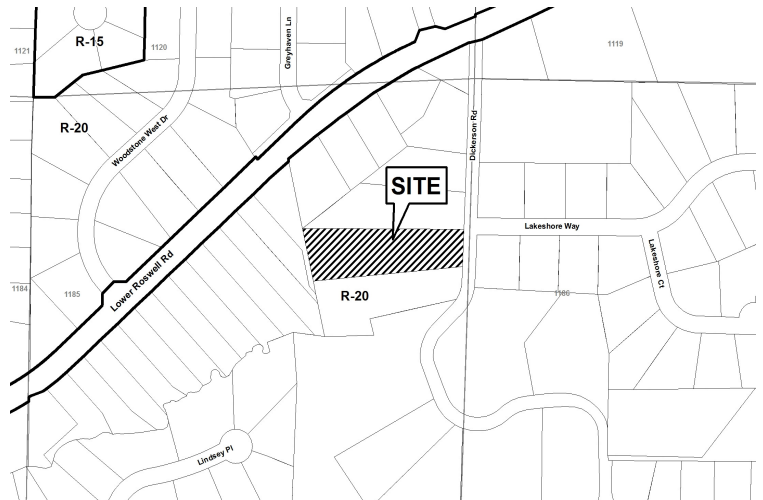
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Thomas S. Rogers

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COMMENTS

TRAFFIC: Recommend moving the fence on Dickerson Road out of the right-of-way.

DEVELOPMENT & INSPECTIONS: Permit and inspections required. Walls closer than 5 feet to property line require 1 hour fire rating.

SITE PLAN REVIEW: If this variance request is approved, a subdivision plat revision must be recorded prior to the issuance of the certificate of occupancy showing all improvements on the lot 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: No adverse stormwater management impacts are anticipated. The majority of the proposed garage will be located over the existing driveway.

HISTORIC PRESERVATION: No comments.

DESIGN GUIDELINES: No comments.

CEMETERY PRESERVATION: No comments.

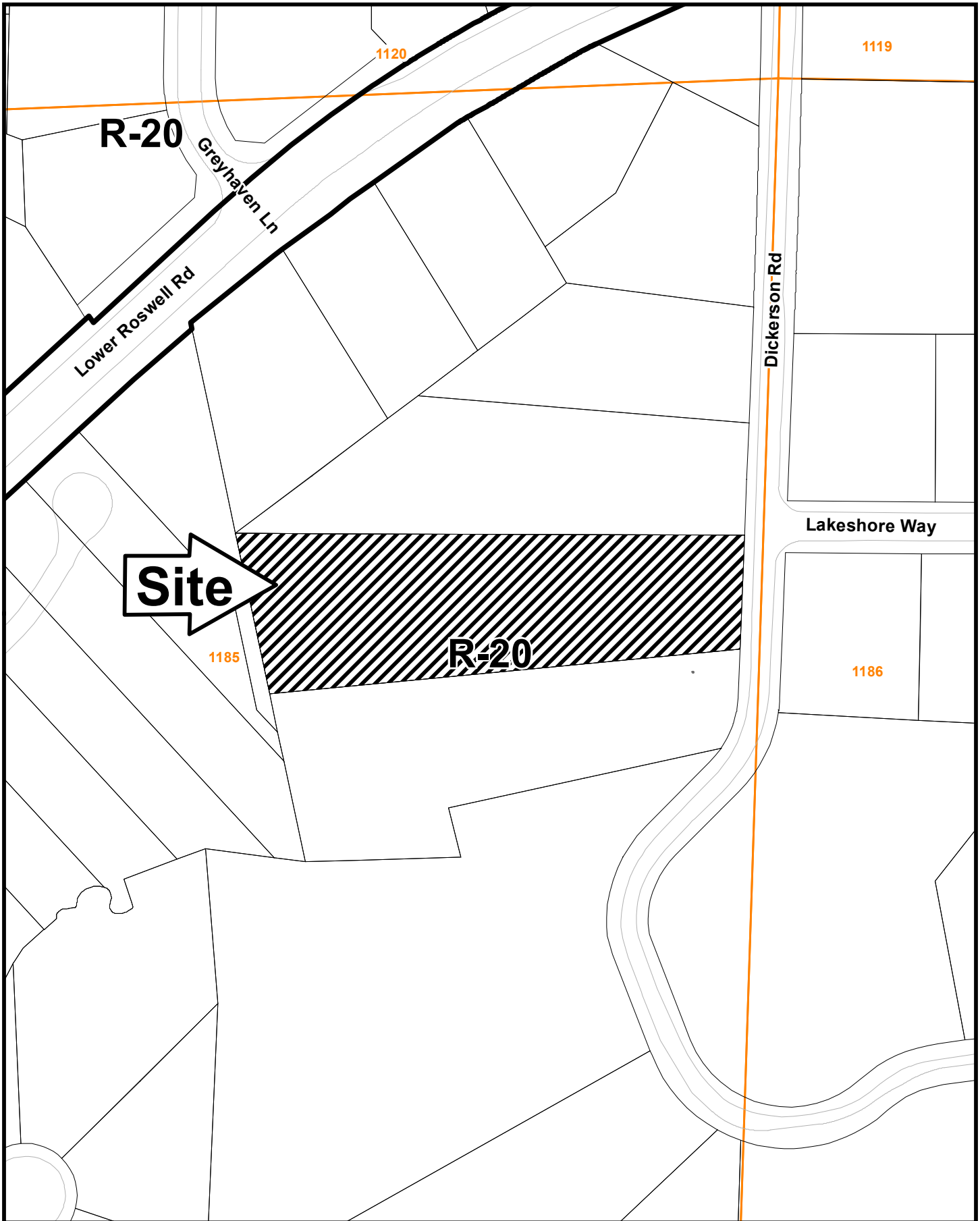
WATER: No comments.

SEWER: No comments.

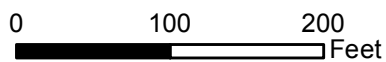
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FIRE DEPARTMENT: No comments.

V-48 2018-GIS



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



-  Zoning Boundary
-  City Boundary

Application for Variance

Cobb County

(type or print clearly)

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APR 13 2018
COBB CO. COMM. DEVELOPMENT & ZONING DIVISION

Application No. V-48

Hearing Date: 6-13-18

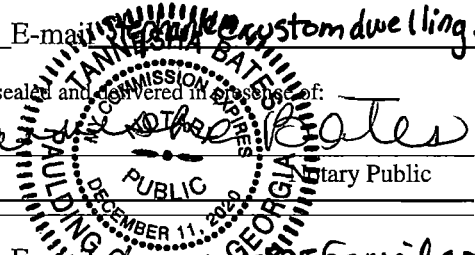
Applicant THOMAS S. ROGERS Phone # 404-457-7349 E-mail tomrogers3256@gmail.com

Stephanie Ives Address 3595 Canton Rd Ste 116 #128 Marietta GA 30066
(representative's name, printed) (street, city, state and zip code)

Stephanie Ives Phone # 6784282166 E-mail stephanie@customdwellings.com
(representative's signature)

My commission expires: 12/11/2020

Signed, sealed and delivered in presence of:
Jay Bates
Notary Public

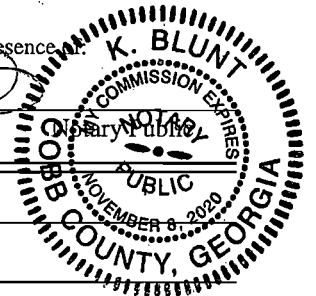


Titleholder THOMAS S. and SUSAN L. ROGERS Phone # 404-457-7349 E-mail tomrogers3256@gmail.com

Signature [Signature] Address: 275 Dickerson Rd NE, Marietta, GA 30067
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

K. Blunt
Notary Public



My commission expires: November 8, 2020

Present Zoning of Property R20

Location 275 Dickerson Rd NE, MARIETTA, GA 30067
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1185 District 16th Size of Tract _____ 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 1.3 AC Shape of Property _____ Topography of Property X Other _____

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 (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

SEE ATTACHED

List type of variance requested: SIDE YARD REDUCTION

V-48
(2018)
Exhibit

JUSTIFICATION FOR VARIANCE
ROGERS RESIDENCE
275 DICKERSON ROAD, MARIETTA GA 30067

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COURT CLERK
ZONING DIVISION

The property owner is seeking a revision to the side yard reduction which was granted on July 13, 2016. The variance request at that time was unanimously approved for a side yard reduction from 10'-0" to 1'-0" for the addition of a two car attached garage with storage and living space above. After living in the home for almost two years, the owners have re-evaluated their long term needs and the proposed floorplan is an alteration to the original proposed footprint of the structure. The new request is for a reduction from the required ~~10'-0"~~ to 2'-6". By extending further forward, the new structure will allow for additional storage space for bikes and recreational items currently housed in a temporary shed at the end of the driveway along with three vehicles.

The existing driveway extends to the property line in all locations relevant to the variance request. The driveway is located to the right side of the home on the highest portion of the rear yard. The adjoining property owner to the right has an accessory structure positioned in close proximity to the shared property line, setting precedent for side yard encroachment. The proposed garage would be somewhat shielded from the neighbor's direct view by the neighbor's existing accessory structure.

The existing home is on a crawlspace foundation with limited storage and does not have a garage. While there is space within the buildable area of the lot to construct one, due to topography we do not believe it is the best solution for the owners or the neighborhood. A garage within the buildable area would fully encroach upon the open green space in the backyard, result in additional mature trees needing to be removed, require an excessive amount of fill, new retaining walls to support a driveway extension, and a substantial amount of impervious surface area would be created to make a side entry garage accessible from the existing driveway. By positioning the proposed front entry garage within the side yard at the existing driveway, the amount of new impervious area can be minimized and as many trees and as much open green space would be preserved as possible.

Due to the topography of this particular lot and functional space required to maneuver vehicles, strict application of the zoning ordinance would deny the property owner a garage amenity that their adjoining neighbors enjoy. Garages increase property value while allowing for secure storage of personal items, bikes and the other daily necessities of family life which would otherwise be located in plain view in the side yard. We thank you for your thoughtful consideration of this application.