

**NOVEMBER 20, 2018 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2**

ITEM OB-060

PURPOSE

To consider a reduction of public road frontage for Ruby-Collins. Inc. for property located on the northeast side of Kenwood Road and off a private easement on the east side of Martin Court, in Land Lot 679 of the 17th District (4875 Martin Court).

BACKGROUND

The Board of Commissioners considers all reductions to public road frontage pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned HI and does not have the minimum amount of public road frontage of 50' for the 1.79125-acre lot; this lot is served by a private driveway easement to Martin Court. The applicant cites the irregular shape and size of the lot as the reason for the variance, as well as the need to protect the company's assets by dividing this lot into two lots. The 2.44729-acre lot meets the zoning requirements for road frontage.

STAFF COMMENTS

Stormwater Management: Subject to Plan Review comments and approval of site grading plan.

Water and Sewer: Easements for the private water and sewer are required. Future development of Lot 2 as a separate parcel may necessitate upgrade of a portion of the sewer/sewer easement to public standards.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of public road frontage.

ATTACHMENT

Other Business application.

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

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OB-60

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

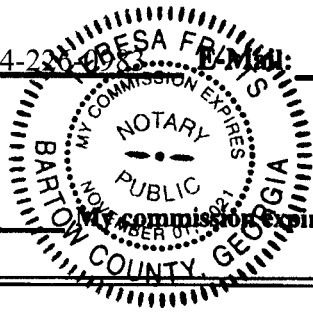
BOC Hearing Date Requested: November 20, 2018

Applicant: Ruby-Collins, Inc. **Phone #:** 770-432-2900
(applicant's name printed)

Address: 4806 Wright Drive Building B Smyrna GA 30082 **E-Mail:** dwestrick@ruby-collins.com

David Westrick **Address:** 4806 Wright Drive Building B Smyrna, GA 30082
(representative's name, printed)

 **Phone #:** 404-226-0983 **E-Mail:** dwestrick@ruby-collins.com
(representative's signature)

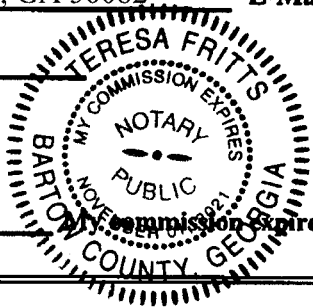


Signed, sealed and delivered in presence of:
Teresa Fritts
Notary Public **My Commission Expires:** November 1, 2021

Titleholder(s): Ruby-Collins, Inc. **Phone #:** 404-226-0983
(property owner's name printed)

Address: 4875 Martin Court SE Smyrna, GA 30082 **E-Mail:** dwestrick@ruby-collins.com


(Property owner's signature)



Signed, sealed and delivered in presence of:
Teresa Fritts
Notary Public **My Commission Expires:** November 1, 2021

Commission District: 2 **Zoning Case:** Not Applicable

Size of property in acres: 4.23 **Original Date of Hearing:** Not Applicable

Location: 4875 Martin Court, SE Smyrna, Georgia 30082
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 679 **District(s):** 17th, 2nd Section

State specifically the need or reason(s) for Other Business:
See Attachment 1

(List or attach additional information if needed)

Attachment 1

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Attachment 1

COBB CO. COMM. DEV. AGENCY
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Ruby-Collins, Inc owns 4.23 acres that fronts Kenwood Road and fronts Martin Court at 4875 Martin Court, SE, Smyrna, Georgia 30082 (through a Permanent Easement granted by R.F. Knox (see Attachment 2)). Ruby-Collins received a Land Disturbance Permit to allow grading, piping and preparation for the Construction of their new Headquarters on December 18, 2017 and revised on February 16, 2018. Ruby-Collins has been headquartered in Smyrna since the late seventies and desires to remain a Cobb County Business.

In discussion with our Attorney and Accountant, Ruby-Collins, Inc was advised that it would be in our best business interest to own the Building in a Limited Liability Corporation to help protect the assets of Ruby-Collins and the three Owners of Ruby-Collins, Inc. Therefore, we formed Martin Investment Group, LLC (also owned by the same three owners) which will own the Building and 1.79125 acres with a street address of 4875 Martin Court, SE, Smyrna, Georgia 30082.

Our request of the Board of Commissioners is that we be granted a variance allowing us to divide the current 4.23 acres into two tracts (see Attachment 3 for the drawings). The request for this variance is caused by the irregular shape and size of the Property and Ruby-Collins promise to the neighbors of Kenwood Road not to use that entrance as our main entrance to the Property.

This variance will allow the 1.79125-acre parcel (see Attachment 4 for the Legal Description Lot 1) to be transferred into Martin Investment Group, LLC with the Permanent Easement granted by R.F. Knox as the road frontage. As a major portion of the variance, we ask that the public road frontage be reduced from fifty feet to zero feet as the Road frontage required by the current Zoning requirements.

The 2.44729-acre parcel will remain the property of Ruby-Collins, Inc and will continue to have its public road frontage on Kenwood Drive (see Attachment 5 for the Legal Description Lot 2) as it has for the past 30 plus years. However, as part of the division both Ruby-Collins, Inc and Martin Investment, LLC will only use the Martin Court entrance to access either property.

Attachment 6 is a copy of our paid Property Tax bill for the referenced Property.

The owners of Ruby-Collins, Inc and Martin Investment Group, LLC sincerely appreciate your consideration of this variance.

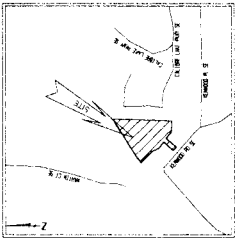
EXHIBIT FOR
RUBY-COLLINS, INC.
 LOCATED IN
 LAND LOT 679
 17TH DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA



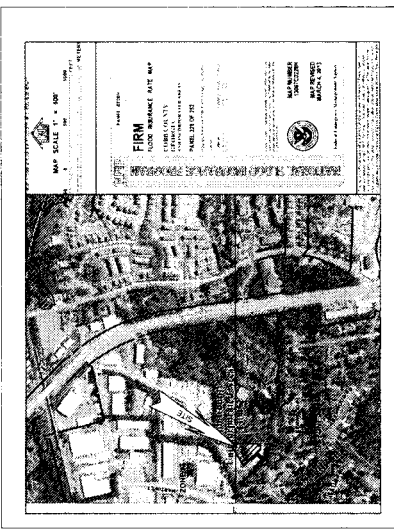
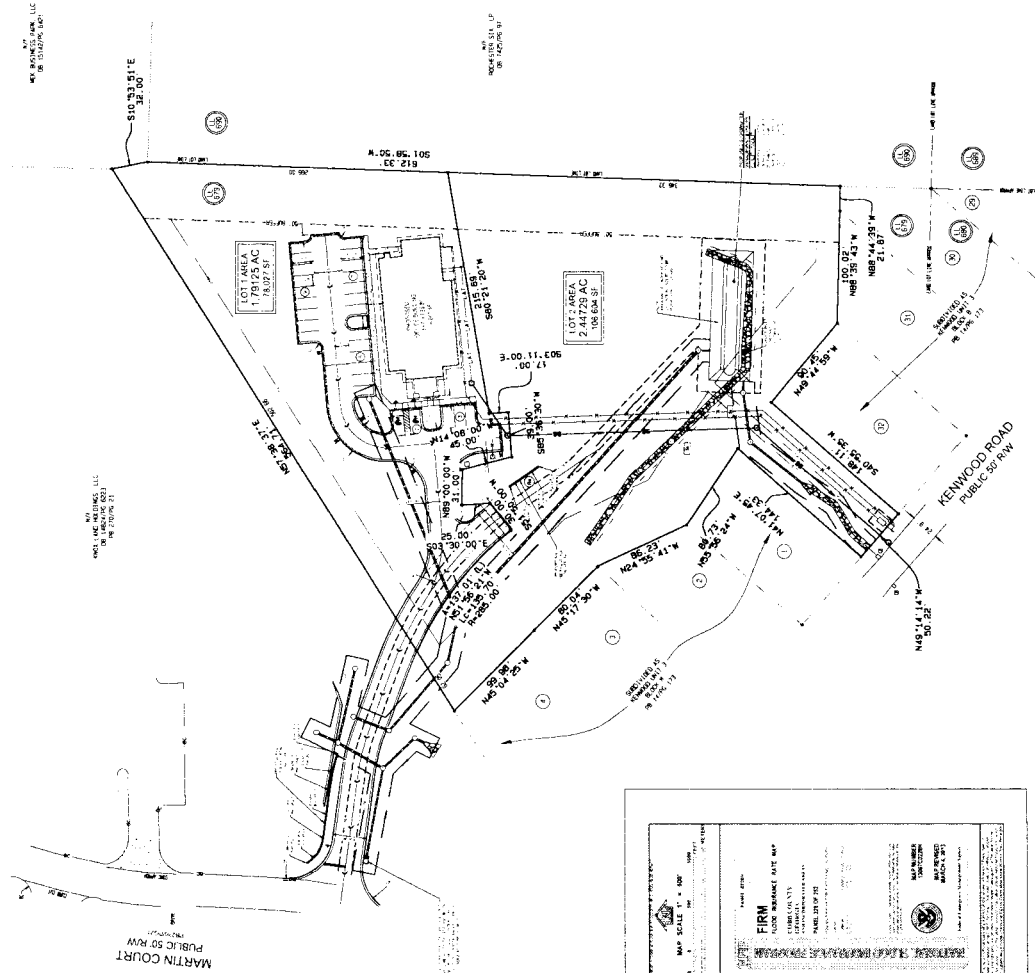
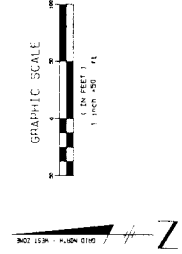
W&B ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 1700 WOODBRIDGE DRIVE
 MARIETTA, GEORGIA 30066-8030
 PHONE: 770-421-8888
 FAX: 770-421-8888
 LICENSE NO. 157000420 - 251090714

SCALE:	1" = 50'
DESIGNED BY:	ZK
DRAWN BY:	JIT
CHECKED BY:	DRG
DATE:	10/15/18
PROJECT NO.:	179423
SHEET NUMBER:	1 OF 1

*OB-60
 Proposed
 Site Plan*



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