

**APRIL 19, 2011 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 2**

**ITEM #2**

**PURPOSE**

To consider granting a Special Exception for reducing the required lot size as recommended by the Board of Zoning Appeals from their April 13, 2011 Variance Hearing regarding Variance Application:

V-27 Robinson Road Development, LLC

**BACKGROUND**

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on September 12, 2000, and amended on July 8, 2003, Section 134-271(8), any use proposed for a parcel or tract of land which does not have the minimum lot size required, approval of a Special Exception by the Board of Commissioners is required after approval by the Board of Zoning Appeals. Attached is the Variance Analysis and recommendation of the Board of Zoning Appeals for the cases that were considered at the April 13, 2011 Variance Hearing that required a Special Exception.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider granting a Special Exception for reduction in the required minimum lot size as recommended by the Board of Zoning Appeals for Variance case:

V-27 Robinson Road Development, LLC

**ATTACHMENTS**

Preliminary analysis documents



**Centerline Surveying Systems, Inc.**  
 01 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144  
 PHONE: (770) 424-0028 FAX: (770) 424-2399

ROBINSON GARDENS  
 CONCEPT PLAN FOR  
 LAND LOT

NO.	DATE	REVISION DESCRIPTION
1	11-29-10	PER COUNTY COMMENTS
BY		MSF

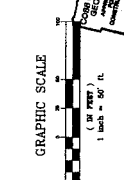
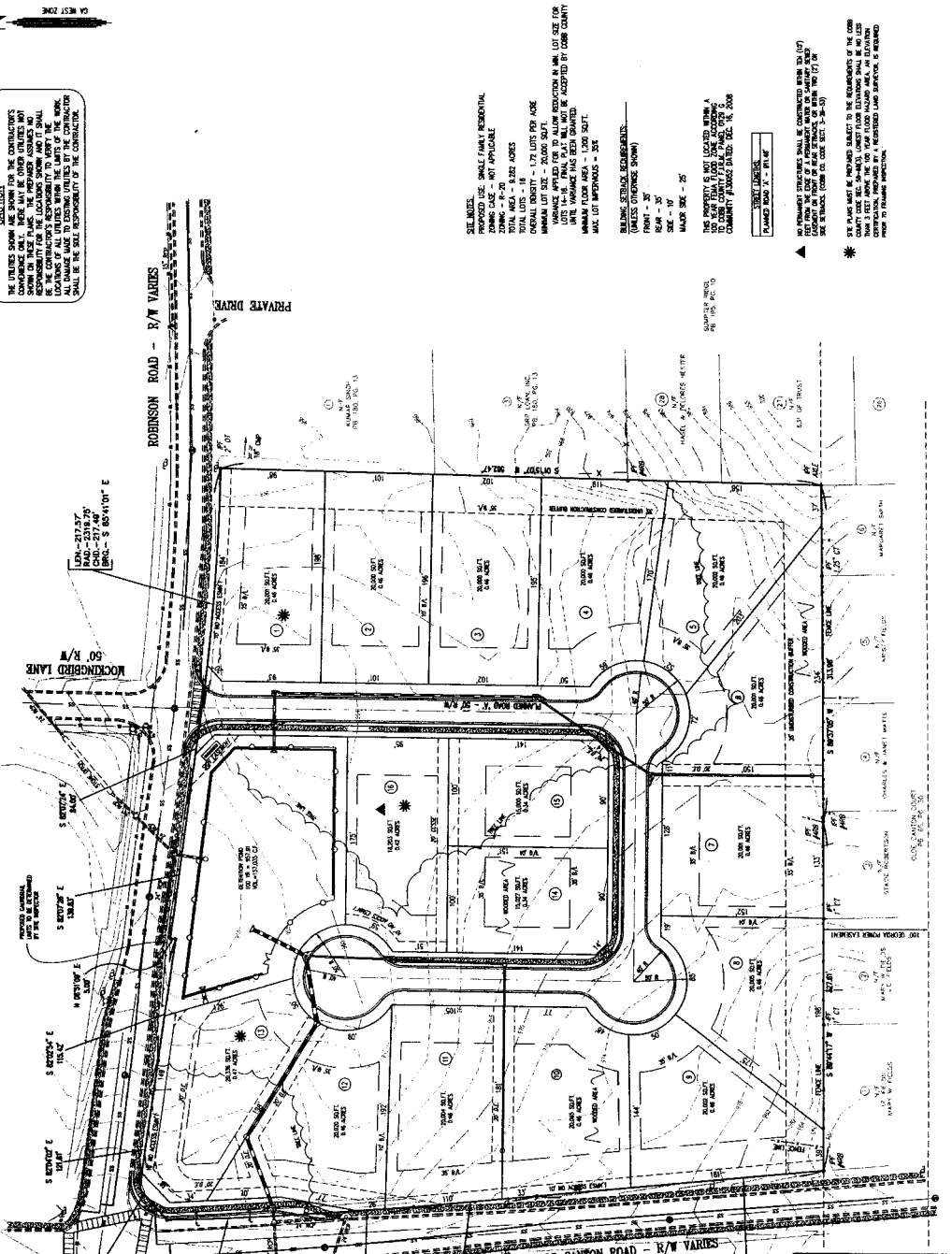
DESIGNED BY	MSF
CHECKED BY	MSF
DATE	10-20-10
PROJECT NO.	100000000
SCALE	1" = 50'
PROJECT	ROBINSON GARDENS
DATE	10-20-10

C-2

**CAUTION**  
 THE UTILITIES SHOWN ARE BASED ON THE CONTRACTOR'S INVESTIGATION AND FIELD SURVEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCALITIES CONCERNED AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE LOCALITIES CONCERNED OF THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ALL DAMAGE CAUSED TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



IF YOU ARE SMOOKING...  
 PLEASE SMOKE IN A DESIGNATED AREA.  
 NO SMOKING IN THE CONSTRUCTION AREA.



NAME: GARDEN - 12.48  
 ADDRESS: 12.48  
 AREA: 12.48  
 PERMITS: 12.48  
 COMMENTS: 12.48  
 ALL UTILITIES TO BE LOCATED AND DEPTHS TO BE VERIFIED BY THE CONTRACTOR.

**DEVELOPER/OWNER:**  
 TONY THOMASER  
 STEVE EDMONSON ROAD DEVELOPMENT, LLC (604) 581-4064  
 MARIETTA, GEORGIA 30067

**24 HR. CONTACT NO.:**  
 TONY THOMASER  
 STEVE EDMONSON ROAD DEVELOPMENT, LLC (604) 581-4064  
 MARIETTA, GEORGIA 30067

**PRELIMINARY CERTIFICATE STATEMENT**  
 I, THE ENGINEER, HEREBY CERTIFY THAT THE PROPOSED PRELIMINARY PLAT CORRECTLY REPRESENTS THE PRELIMINARY PLAT AND THE PROVISIONS OF THE PRELIMINARY PLAT HAVE BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH THE PROVISIONS OF THE PRELIMINARY PLAT.  
 THIS CERTIFICATE SHALL EXPIRE \_\_\_\_\_  
 DEVELOPMENT AND INSPECTIONS DIVISION  
 ZONING DIVISION

**GENERAL NOTES:**  
 1. ALL UTILITIES ARE TO BE LOCATED AND DEPTHS TO BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCALITIES CONCERNED AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE LOCALITIES CONCERNED OF THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.  
 3. ALL DAMAGE CAUSED TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.  
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCALITIES CONCERNED AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE LOCALITIES CONCERNED OF THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.  
 5. ALL DAMAGE CAUSED TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

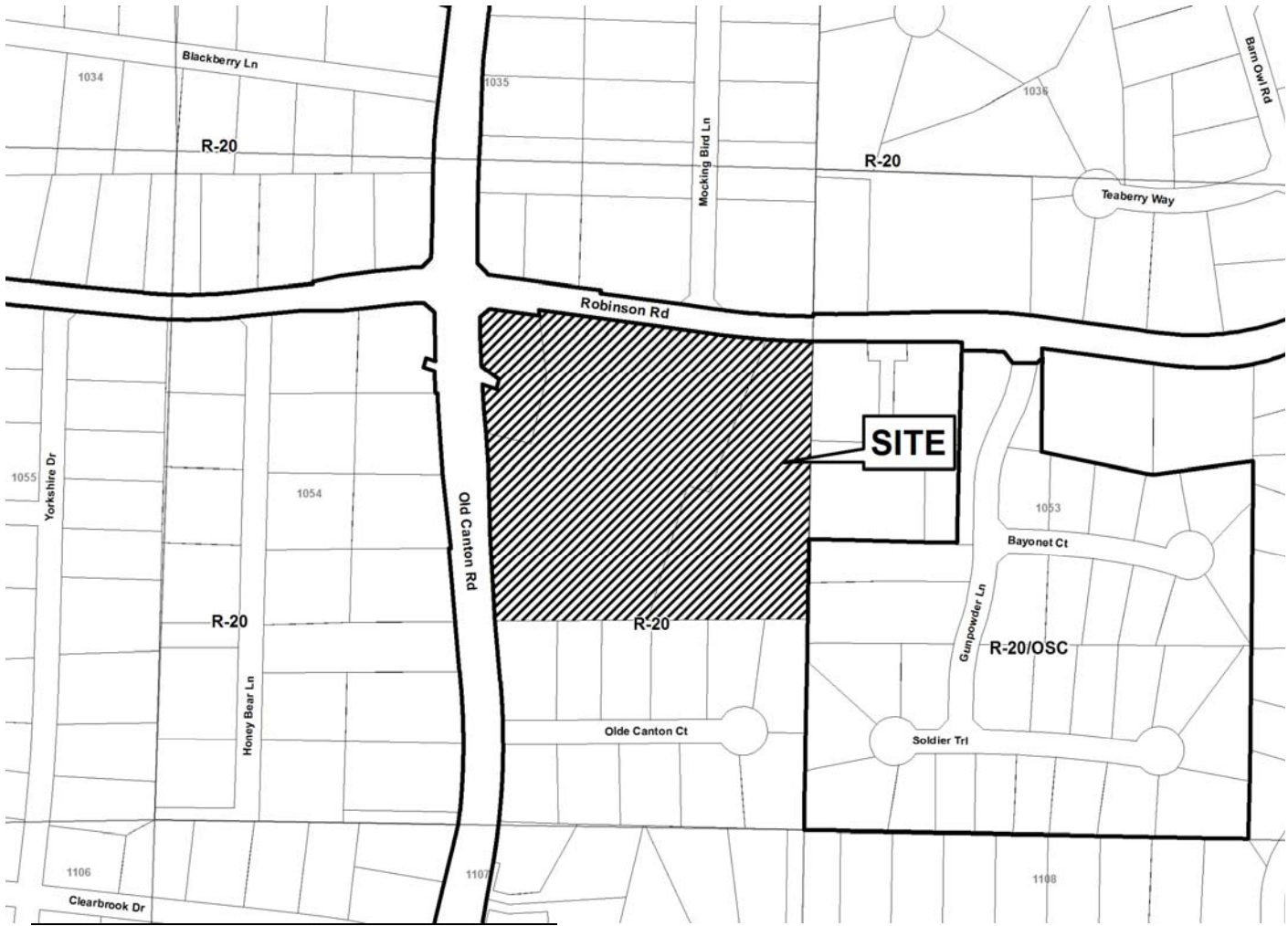
**LEGEND**

POWER POLE	W/CHY WIRE	TRAFFIC CONTROL	FENCE LINE	FIRE HYDRANT	SANITARY SEWER	WATER MAIN	WATER VALVE	STORM PIPE	GRATE INLET	CATCH BASIN	SPECIMEN TREE
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THE COME COUNTY CREDIT PRESERVATION COMMISSION RESERVES THE RIGHT TO REVIEW AND APPROVE ANY CHANGES TO THE PRELIMINARY PLAT. ANY CHANGES TO THE PRELIMINARY PLAT MUST BE SUBMITTED TO THE COME COUNTY CREDIT PRESERVATION COMMISSION AND APPROVED BY THE COME COUNTY CREDIT PRESERVATION COMMISSION PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCALITIES CONCERNED AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE LOCALITIES CONCERNED OF THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ALL DAMAGE CAUSED TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

**APPLICANT:** Robinson Road Development, LLC      **PETITION NO.:** V-27  
**PHONE:** 404-281-4554      **DATE OF HEARING:** 04-13-11  
**REPRESENTATIVE:** Todd Thrasher      **PRESENT ZONING:** R-20  
**PHONE:** 404-281-4554      **LAND LOT(S):** 1054  
**PROPERTY LOCATION:** Located at the southeast      **DISTRICT:** 16  
intersection of Old Canton Road & Robinson Road.      **SIZE OF TRACT:** 9.28 acres  
**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** Waive the lot size of lot 14 & 15 from required 20,000 square feet to 15,000 square feet, and lot 16 from required 20,000 square feet to 18,000 square feet..



# Application for Variance Cobb County

(type or print clearly)

Application No. V-27  
Hearing Date: 4-13-11

Applicant Robinson Road Development LLC Phone # 404-281-4554 E-mail Todd@brooks.chodwick.com

TODD THRASHER Address 4121 Thunderbird Dr. Marietta, GA 30067  
(representative's name, printed) (street, city, state and zip code)

Todd Thrasher, Member Phone # (404) 281-4554 E-mail \_\_\_\_\_  
(representative's signature)

Notary Public  
Cherokee County, Georgia  
My commission expires: \_\_\_\_\_  
My Commission Expires  
May 31, 2012

Signed, sealed and delivered in presence of:  
Douglas B. Patton  
Notary Public

Titleholder Robinson Road Development LLC Phone # (404) 281-4554 E-mail Todd@brooks.chodwick.com

Signature Todd Thrasher, Member Address: 4121 Thunderbird Dr. Marietta, GA 30067  
(attach additional signatures, if needed) (street, city, state and zip code)

Notary Public  
Cherokee County, Georgia  
My commission expires: \_\_\_\_\_  
My Commission Expires  
May 31, 2012

Signed, sealed and delivered in presence of:  
Douglas B. Patton  
Notary Public

Present Zoning of Property R-20

Location corner of Robinson Rd and old Canton Rd (S.E. corner) Robinson Gardens  
(street address, if applicable; nearest intersection, etc.) Subdivision  
SPR 2010-00230

Land Lot(s) 1054 District 16 Size of Tract 9.28 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

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.

During the plan review process for this proposed subdivision, Cobb stormwater asked us to over detain stormwater from the site due to an undersized pipe under Robinson Rd. In order to do this, the detention pond was increased in size and lots 14, 15 and 16 were reduced. Cobb Stormwater agreed to support this reduction in lot size in order to install the larger pond and help reduce the flooding potential down stream.

List type of variance requested: Reduction of Lots 14, 15 + 16 from the min. 20,000 sq. ft. to 15,000, 15,000 and 18,000 respectively.