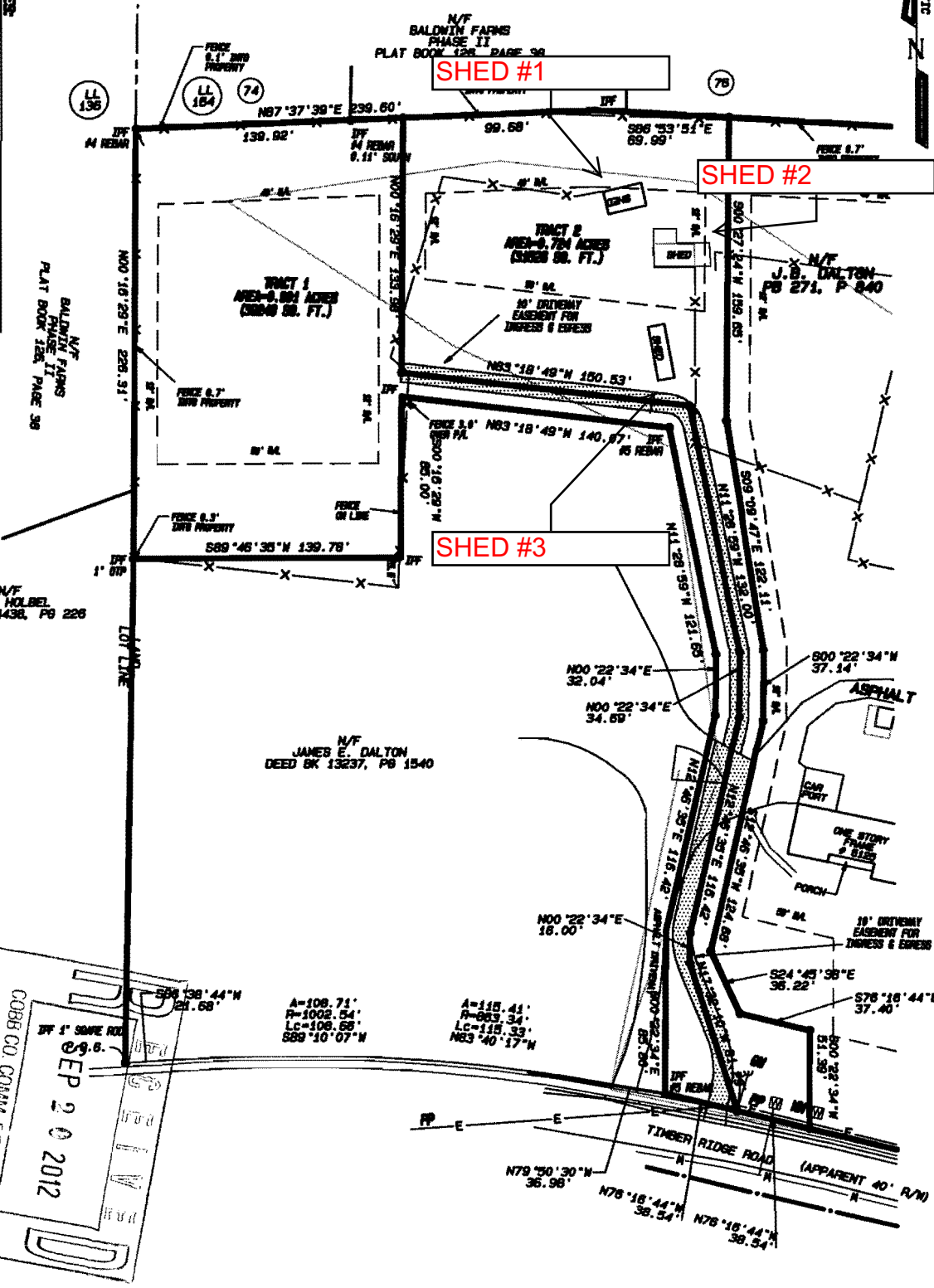


# V-91 (2012)



**SURVEY NOTES:**  
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS A  
 CLOSE PRECISION OF 1 FOOT IN 30,000 FEET AND WAS  
 ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSE AND  
 HAS BEEN FOUND TO BE ACCURATE WITHIN 1 FOOT IN  
 30,000 FEET.

EQUIPMENT USED: TOPCON 673-303 TOTAL STATION  
 DATE OF SURVEY: MARCH 3, 2003  
 MADE AT CORNERS UNLESS NOTED OTHERWISE NOTED.

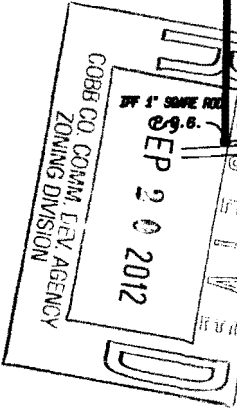
REFERENCE: SURVEY FOR J. BARTLETT DALTON  
 BY CHARLES C. JONES, R.S. DATED 2-19-1972 &  
 SURVEY FOR SWITH-DAVIS BUILDERS, INC., BY  
 JACK N. BERRY, L.S. #18795

I HAVE, THIS DATE, EXAMINED THE FIA OFFICIAL FLOOD  
 HAZARD MAP, COMMUNITY NO. 13007 C, PANEL NO. 0040 F,  
 DATED AUGUST 15, 1982, AND HAVE DETERMINED THAT THIS  
 PROPERTY IS NOT IN AN AREA NAVYING SPECIAL FLOOD HAZARDS.

**ZONING NOTES:**  
 EXISTING ZONING: R-30  
 LOT SIZE: 50,000 SQ FT  
 LOT WIDTH: 75'  
 FRONT SETBACK: 50'  
 REAR YARD: 40'  
 SIDE YARD: 12'  
 ACCESSORY BUILDING  
 SIDE/REAR SETBACK: 9'

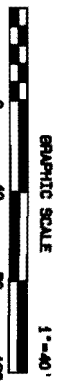
**SITE AREA: 1.825 ACRES**

- THE PURPOSE OF THIS VARIANCE IS TO:
1. REZONE THE MIDDLE LOT FRONTAGE ALONG THE ROAD
  2. ALLOW THE EXISTING SIZES TO REMAIN WITHOUT A
- MAIN RESIDENCE ON THE PROPERTY.



A=108.71'  
 R=1003.54'  
 LC=106.68'  
 S89°10'07"W

A=115.41'  
 R=683.34'  
 LC=115.33'  
 N83°40'17"W



<p><b>12125</b></p>	<p><b>VARIANCE PLAT</b>  <b>5125 TIMBER RIDGE ROAD</b></p>	<p>08-17-12</p>	<p><b>BETTERTON</b>  <b>SURVEYING &amp; DESIGN, INC.</b>                  LAND SURVEYOR PLANNING                  SUBDIVISION &amp; COMMERCIAL SITE DESIGN                  1111 SOUTH MARIETTA PARKWAY, SUITE A                  MARIETTA, GEORGIA 30060                  (678) 483-0242</p>	<p>DATE: 08-17-12</p>
	<p>LOCATED IN LAND LOT 184                  SECTION 28                  TOWNSHIP 32 N                  RANGE 8 E                  COBB COUNTY, GEORGIA</p> <p><b>DONALD &amp; NOBUKO MAC KAY</b></p>	<p>12125913.PRO</p>	<p>SEPTEMBER 17, 2012</p>	<p>12125</p>

**APPLICANT:** Nobuko Mackay **PETITION No.:** V-91  
**PHONE:** 404-406-4925, 678-314-7443 **DATE OF HEARING:** 11-14-12  
**REPRESENTATIVE:** Gary L. Smith **PRESENT ZONING:** R-30  
**PHONE:** 770-605-7152 **LAND LOT(S):** 164  
**TITLEHOLDER:** Nobuko Mackay **DISTRICT:** 1  
**PROPERTY LOCATION:** On the north side of **SIZE OF TRACT:** 1.625 acres  
 Timber Ridge Road **COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Waive the minimum lot width at front setback line from the required 75 feet to 20 feet for Tract 1; 2) waive the minimum lot width at front setback line from the required 75 feet to 55 feet for Tract 2; 3) waive the minimum public road frontage from the required 75 feet to 38.54 feet for Tracts 1 and 2; 4) allow accessory structures (existing sheds 1, 2, and 3) on a lot with no principal building; 5) waive the rear setback for an accessory structure over 144 square feet (existing 240 square foot shed #1) from the required 40 feet to 37 feet; 6) waive the side setback for an accessory structure over 144 square feet (existing 456 square foot shed #2) from the required 12 feet to 8 feet; and 7) waive the front setback for an accessory structure over 144 square feet (existing 300 square foot shed #3) from the required 50 feet to 10 feet.

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

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

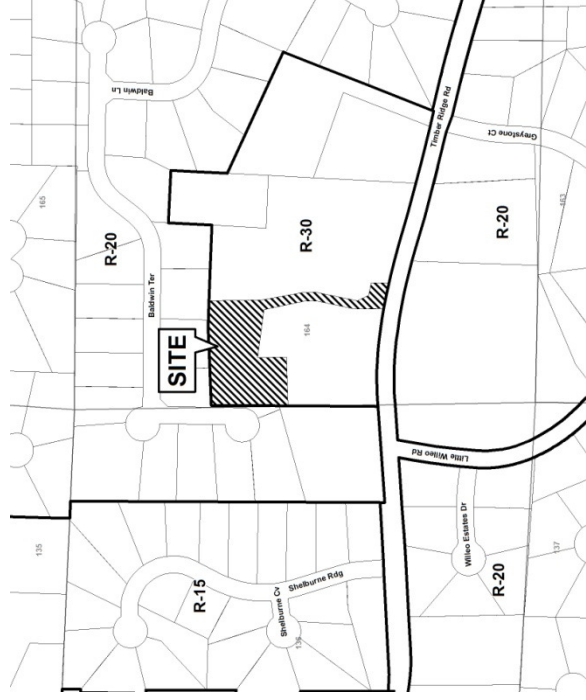
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



\*\*\*\*\*

**COMMENTS**

**TRAFFIC:** Recommend one shared driveway for the proposed subdivided lots.

Recommend driveway meet the Residential Driveway Standard, Cobb County Detail 116R.

**DEVELOPMENT & INSPECTIONS:** No comment.

**SITE PLAN REVIEW:** No comments regarding the accessory structure setbacks; however, the subdivision of Tracts 1 and 2 shown constitutes a 3 lot subdivision based on the previous lot split that was recorded in Plat Book 271, Page 840. Such a subdivision is subject to full site plan review prior to any plat recording.

**STORMWATER MANAGEMENT:** The original single-lot split is acceptable. However, the proposed additional lot split is effectively creating a subdivision outside the requirements of the County's Development Standards and Stormwater Management Regulations. If this variance is approved, the development would be required to meet those requirements. The required detention pond must be placed on a separate parcel with direct access to the public right-of-way. It appears that this would require purchase of additional property from the adjacent parcel owner at 5138 Baldwin Terrace. Also, the pond lot requirement will significantly impact the layout for Tract 1 due to the reduced setbacks and possibly require a rezoning if the necessary pond area results in the remaining lots sizes to fall below the R-30 requirement.

**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 comment.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

**SEWER:** Two lot subdivision requires connection to public sewer. Easements to public sewer will be required, which are the responsibility of the owner.

\*\*\*\*\*

**FIRE DEPARTMENT:**

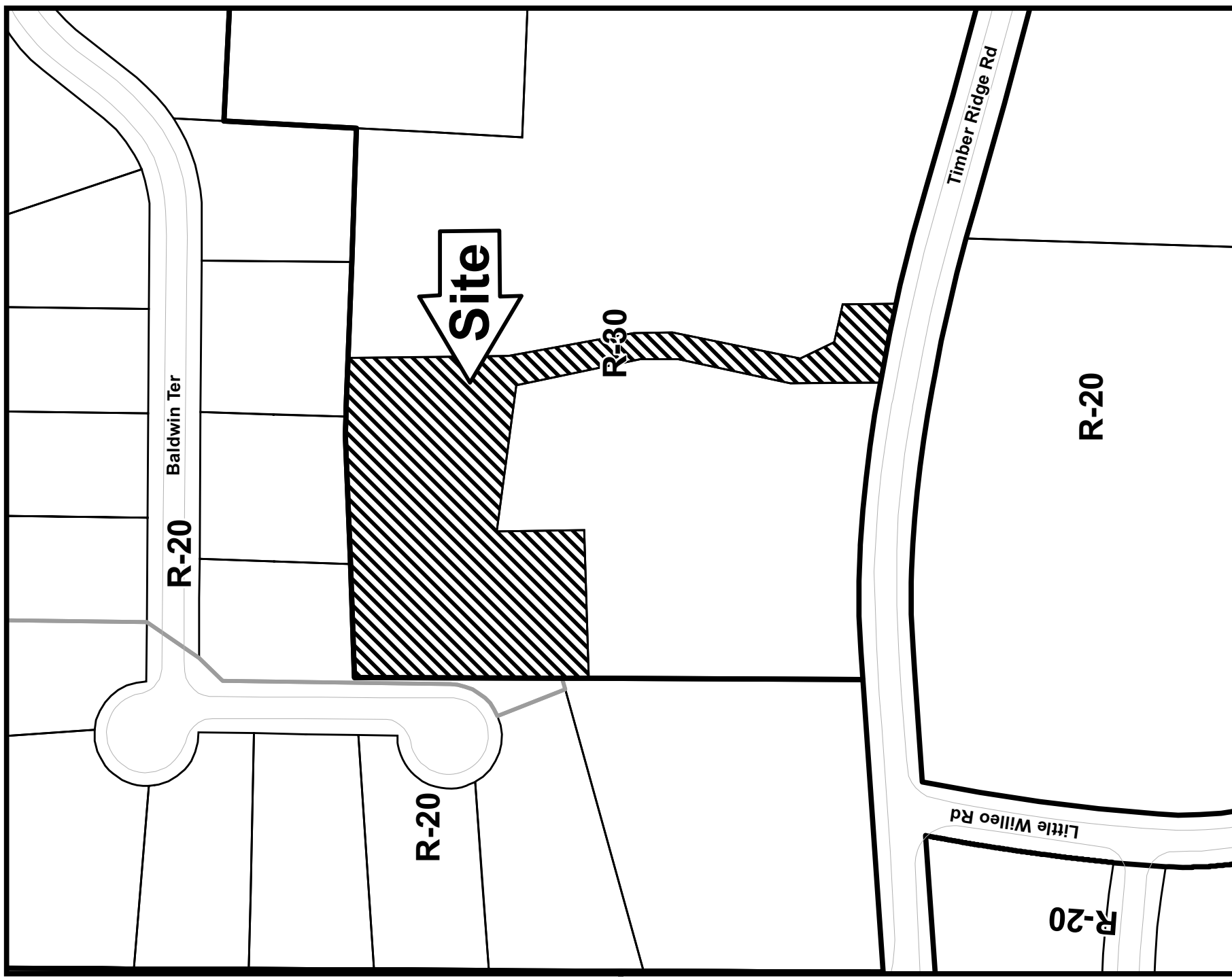
Fire Apparatus access shall meet the following:

- Driveway must have a minimum 12 foot driving surface width (CCDS 402.07.01) with minimum 25' inside turning radius.
  - Driveway must have a minimum 12 foot driving surface width (CCDS 402.07.01) with minimum 25' inside turning radius.
  - Fully developed landscaping shall be at least 7 feet 0 inches from center of drive (14 foot clear width) and 13 feet 6 inches vertical clearance.
  - Maximum grade shall not exceed 18%, angle of departure shall not exceed 8.5%.
  - Driveway must extend within 150 feet of the most remote portion of the structure.
  - Driveway is limited to 1,000 foot maximum from roadway unless an approved turn-around is provided
- a) Residential cul-de-sac without an island shall have a 38 foot outside radius. A cul-de-sac with an island reverts to the commercial standards, refer to [www.cobbfire.org](http://www.cobbfire.org) for dimensions.
  - b) Hammerhead turn-around: total of 102 feet needed (45 feet + 12 foot drive + 45 feet) with the turn-around leg to be a minimum of 20 feet wide.
- Driveway must support 25 Tons (50,000 lbs.)
  - Provide emergency access through all gates securing Fire Dept. access with a minimum 12 feet 0 inch clear width and approved means of operation ([www.knoxbox.com](http://www.knoxbox.com).)

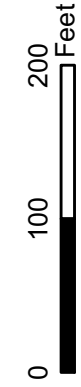
Fire Hydrant access and flow shall meet the following:

- Hydrant location within 500 feet of the most remote portion of the structure\*
- Fire Flow Test from closest existing hydrant shall be provided meeting the minimum\*  
(Required Flow: 1000 gpm @ 20 psi)

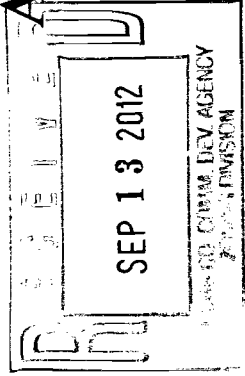
# V-91



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

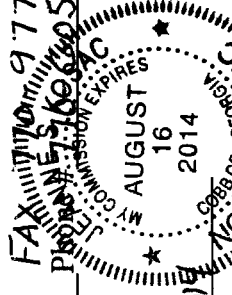
(type or print clearly)

Application No. V-91  
Hearing Date: 11/14/12

Applicant Nobuko Mac Kay Phone # 404-406-4925 E-mail drmac45@gmail.com  
678-314-7443 E-mail nmacatl@gmail.com

Gary L. Smith Address 5043 Lakeland Dr. Marietta, GA  
(representative's name, printed) (street, city, state and zip code) 30068-4328

Gary L. Smith Phone # 770-977-1153 E-mail gsmith5043@bellsouth.net  
(representative's signature) (representative's signature)



My commission expires: August 16, 2014 Signed, sealed and delivered in presence of: Jeanne S. Kosac  
Notary Public

Titleholder Nobuko Mac Kay Address: 6810 Black Fox Ln, Cumming, GA  
Phone # 404-406-4925 E-mail drmac45@gmail.com  
678-314-7443 E-mail nmacatl@gmail.com

Signature Nobuko Mac Kay Address: 6810 Black Fox Ln, Cumming, GA  
(attach additional signatures, if needed) (street, city, state and zip code) 30040  
Nobuko Mac Kay Signed, sealed and delivered in presence of: Jeanne S. Kosac

My commission expires: August 16, 2014 Notary Public

Present Zoning of Property R-30 Residential  
Location Between + Behind 5121 + 5125 Timber Ridge Rd, Marietta, GA  
(street address, if applicable; nearest intersection, etc.) 30068

Land Lot(s) 164 District 1st 2nd Section 1 Size of Tract 1.625 Acre(s) 1.625

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 1.625 ac. Shape of Property L Topography of Property slope Other to property Level to mild 700' driveway

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.

- By dividing the existing R-30 1.625 acres into two 30,000' + lots would require an additional 75 ft. (beyond current 75 ft.) frontage on Timber Ridge Rd which is unavailable for purchase.
- Existing accessory sheds have been on property for over 40 years and were part of adjoining property with main dwelling and additional accessory sheds. The three sheds will be used for storage. List type of variance requested: 1 of building materials while constructing new home(s)
- Divide the property into two R-30 lots of 30,000' + ft. that will share common driveway. Reduce the 150 ft road frontage to the existing 75 ft. to service both lots.
- Leave existing (3) accessory sheds in place for building materials. Revised: December 6, 2005 storage. Do these sheds qualify for any grandfather consideration for being in place before the current zoning code?

Regulation