

**FEBRUARY 17, 2015 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 3**

**ITEM OB-01**

**PURPOSE**

To consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals from their December 10, 2014 Variance Hearing regarding Variance Application:

V-119          David and Katrina Blauvelt

**BACKGROUND**

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on February 26, 2013, and amended on March 11, 2014, Section 134-94(4), the Board of Commissioners shall consider granting a Special Exception for backyard chickens, as pets or food source, 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 December 10, 2014 Variance Hearing and recommended approval of the Special Exception.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals for Variance case:

V-119          David and Katrina Blauvelt

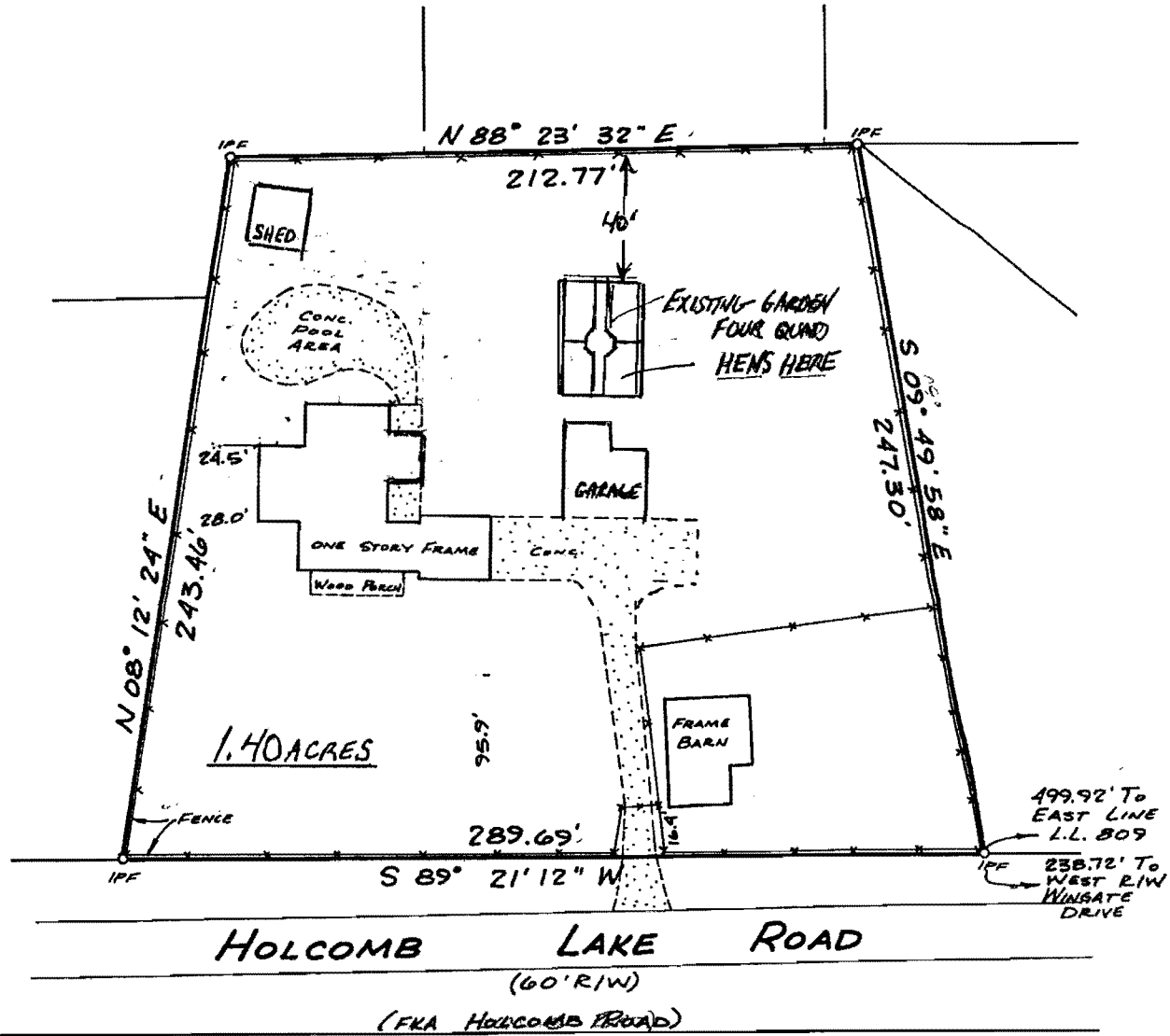
**ATTACHMENTS**

Variance analysis and minutes.

V-119  
(2014)

THE FIELD DATA UPON WHICH THIS SURVEY WAS BASED WERE OBTAINED BY MEASUREMENTS OF ONE FOOT BY 10,000  
 CLOSURE PERCENTAGE OF ONE FOOT BY 10,000  
 FEET, AND AN ANGULAR ERROR OF ONE FOOT BY 10,000  
 FEET, AND WAS ADJUSTED BY USING CRANWELL'S RULE.  
 THESE MEASUREMENTS HAVE BEEN CALCULATED FOR CLOSURE AND IT  
 FOUND TO BE ACCURATE WITHIN ONE FOOT BY 10,000  
 FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED  
 BY USING A TOPCON TOTAL STATION.  
 BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM  
 A SINGLE MAGNETIC OBSERVATION.

OCT - 9 2014



McLUNG SURVEYING INC.

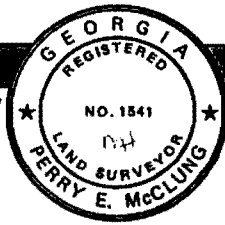
1545 HOLCOMB LAKE ROAD

PROPERTY OF  
DAVID M. BLAUVELT  
KATRINA D. BLAUVELT

This property (is not) located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.

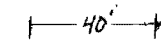
In my opinion this plat is a correct representation of the land platted.

*Perry E. McClung*  
Perry E. McClung, Surveyor



J. 11/27/14 10

Fences should not be placed using side dimensions from house.



LAND LOT 809  
DISTRICT 16TH, SECTION 2ND,  
COUNTY COBB  
GEORGIA

DATE 7-28-95 SCALE 1" = 40'

DB 6102 PG 314  
PB PG  
MM

**APPLICANT:** David and Katrina Blauvelt

**PETITION No.:** V-119

**PHONE:** 404-200-6998

**DATE OF HEARING:** 12-10-2014

**REPRESENTATIVE:** Katrina Blauvelt

**PRESENT ZONING:** R-30

**PHONE:** 404-200-6998

**LAND LOT(S):** 809

**TITLEHOLDER:** David M. Blauvelt and Katrina D. Blauvelt

**DISTRICT:** 16

**PROPERTY LOCATION:** On the north side of  
Holcomb Lake Road, east of Scufflegrit Road  
(1545 Holcomb Lake Road).

**SIZE OF TRACT:** 1.4 acres

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** An authorization upon appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source.

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

**BOARD OF APPEALS DECISION**

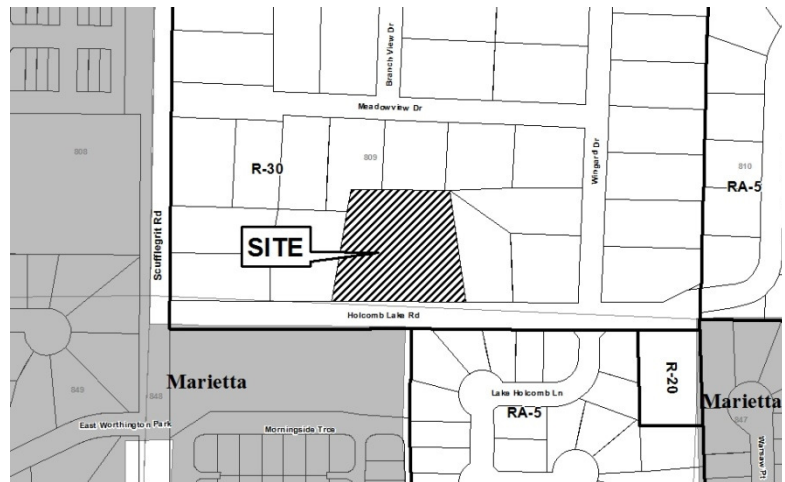
APPROVED        MOTION BY       

REJECTED        SECONDED       

HELD        CARRIED       

STIPULATIONS:       



**APPLICANT:** David and Katrina Blauvelt **PETITION No.:** V-119

\*\*\*\*\*

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on the transportation network.

**DEVELOPMENT & INSPECTIONS:** No comment.

**SITE PLAN REVIEW:** No comment.

**STORMWATER MANAGEMENT:** No comment.

**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.

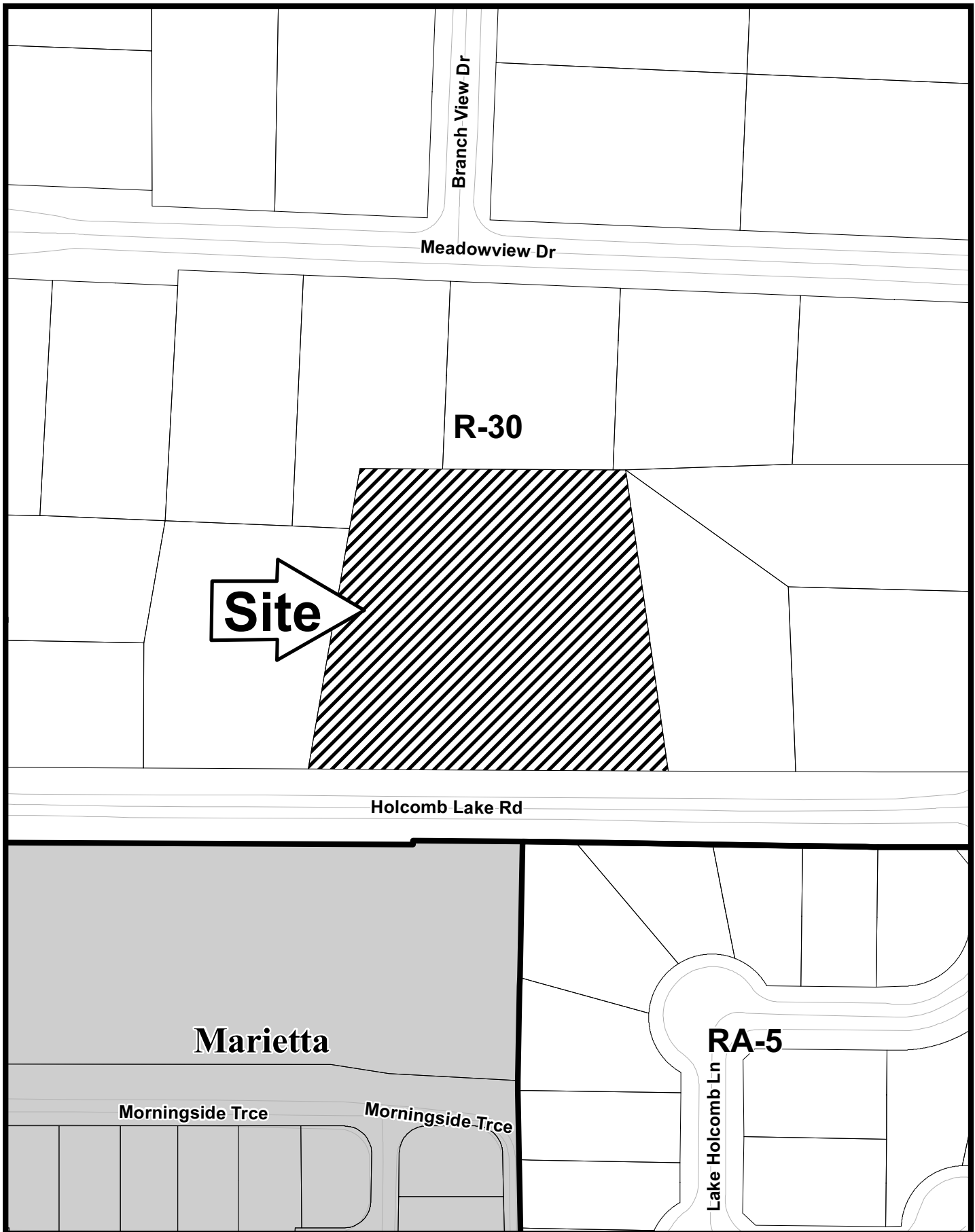
**SEWER:** No conflict.

**APPLICANT:** David and Katrina Blauvelt **PETITION No.:** V-119

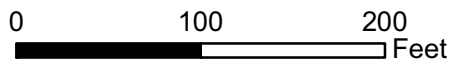
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

# V-119



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)

OCT - 9 2014

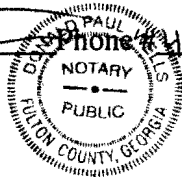
Application No. V-719

Hearing Date: 12-10-14

Applicant David + Katrina Blumett Phone # 404-200-6998 E-mail Katrina.Blumett@gmail.com

Katrina Blumett Address 1545 Holcomb Lk Rd Marietta GA 30062  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 404-200-6998 E-mail Katrina.Blumett@gmail.com  
(representative's signature)



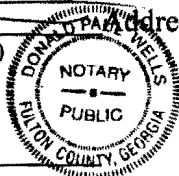
Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: \_\_\_\_\_  
My Commission Expires March 24, 2017

Titleholder Katrina Blumett Phone # 404-200-6998 E-mail Katrina.BLAUMETT@gmail.com

Signature [Signature] Address: 1545 Holcomb Lk Rd Marietta GA 30062  
(attach additional signatures, if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: \_\_\_\_\_  
My Commission Expires March 24, 2017

Present Zoning of Property R30

Location 1545 Holcomb Lk Rd Marietta GA 30062 off of Suffrage  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 809 District 16th Size of Tract 1.40 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 1.4 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 (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List type of variance requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Applicant's information for requesting backyard chickens**

1. How many hens do you propose (no male birds allowed)? 2-4.
2. Have you mailed a notice of your application and its information to your Homeowners Association (if such exists. Instructions for identifying whether or not Homeowners Associations exist are available for downloading via the Community Development webpage. YES \_\_\_ NO NO HOA
3. Can you comply with the County Code Sec-134-94(4)(a-i) below? YES  NO \_\_\_.

[Signature]  
Signature

Katrina Blauvelt  
Print Name

**County Code adopted by the Board of Commissioners March 11, 2014:**

Sec. 134-94 (4) Authorize upon appeal in specific cases related to the minimum lot size of two acres required to maintain poultry as pets or food source.

Poultry meaning a female pullet or hen of the Gallus gallus domesticus; also referred to as backyard chickens which are or may be raised for the purpose of providing food or companionship as a pet considering the following minimum conditions:

- (a) The poultry shall be kept/ maintained within a fenced area to the rear of the house;
- (b) Coops, or other buildings used for the poultry shall be located at least ten feet off any property line and/or in compliance with the accessory structure requirements in each zoning district;
- (c) The owner of the poultry shall keep the property maintained in a fashion that eliminates odors, pollution or other negative effects resulting from the poultry;
- (d) The poultry shall not cause a nuisance, as defined by State Law;
- (e) There shall be a maximum ratio of one bird per 5,000 square foot of lot area on any lot less than two acres;
- (f) The slaughter of any hen on site is strictly prohibited;
- (g) The fee for the variance application shall be \$150.00; renewal fees shall be \$100.00
- (h) The duration of any Variance approved for Poultry as Pets or Food Source shall not exceed 2 years; renewable for up to 2 year terms thereafter;
- (i) Any Variance approved for Poultry as Pets or Food Source shall be considered by the Board of Commissioners' in accordance with Section 134-271(8). The board of commissioners may add, delete or modify any of the board of zoning appeals stipulations pertaining to this section.

**IMPORTANT NOTE:** The following announcement concerns variance applications requesting backyard chickens relating to the Official Code of Cobb County, Chapter 134-94(4), adopted by the Board of Commissioners on March 11, 2014. Applicants are advised that variance applications requesting backyard chickens which are approved by the Board of Zoning Appeals take the form of a recommendation to the Board of Commissioners (BOC). The board of commissioners may add, delete or modify any of the board of zoning appeals stipulations pertaining to this section. The BOC determination will take place the following month at the scheduled Zoning Hearing.



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OCT - 9 2014  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

V-119  
(2014)



V-119  
(2014)

RECEIVED  
OCT - 9 2014  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



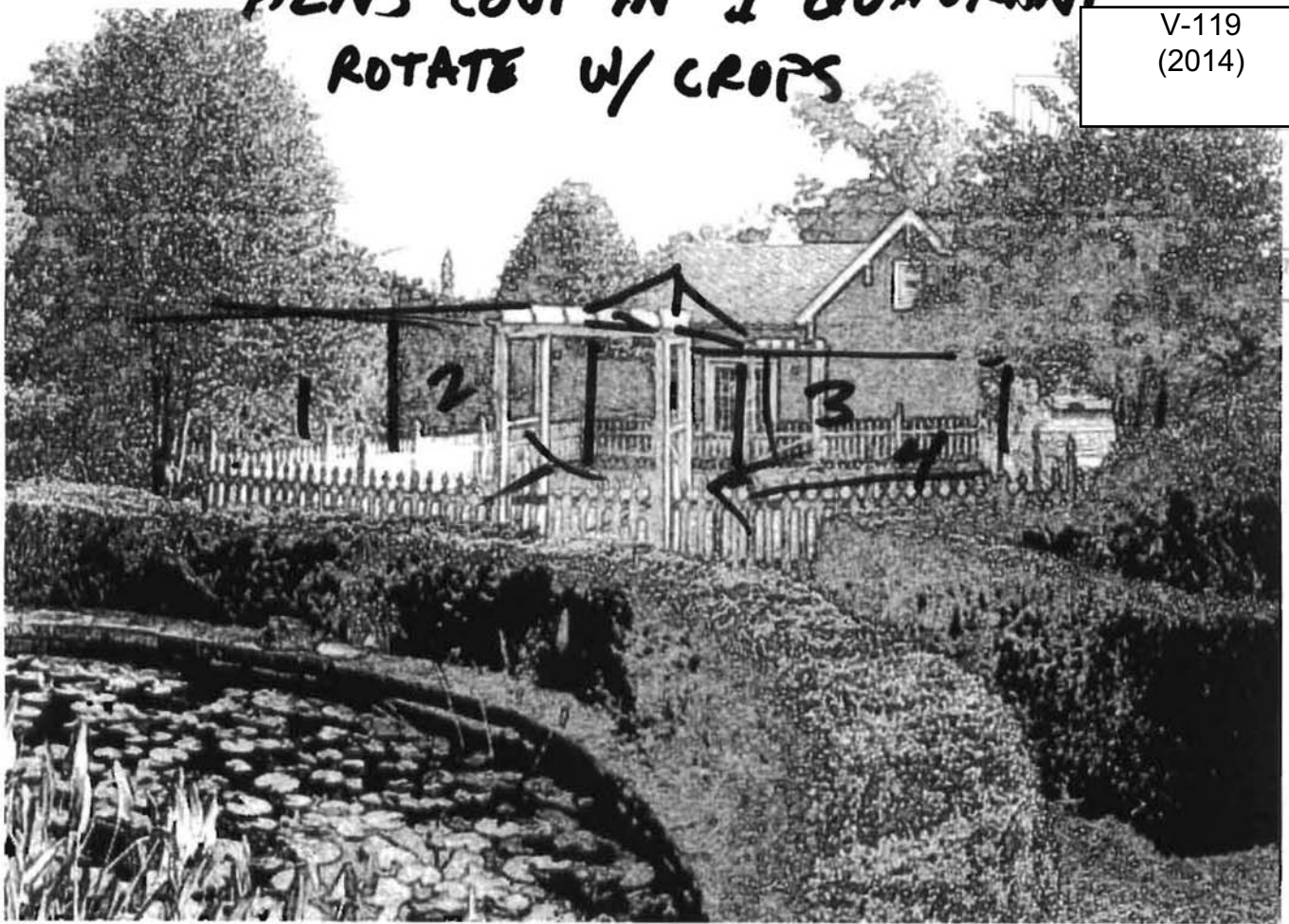
RD  
OCT - 9 2014  
COBBS CO. COMM. DEV. AGENCY  
ZONING DIVISION

V-119  
(2014)

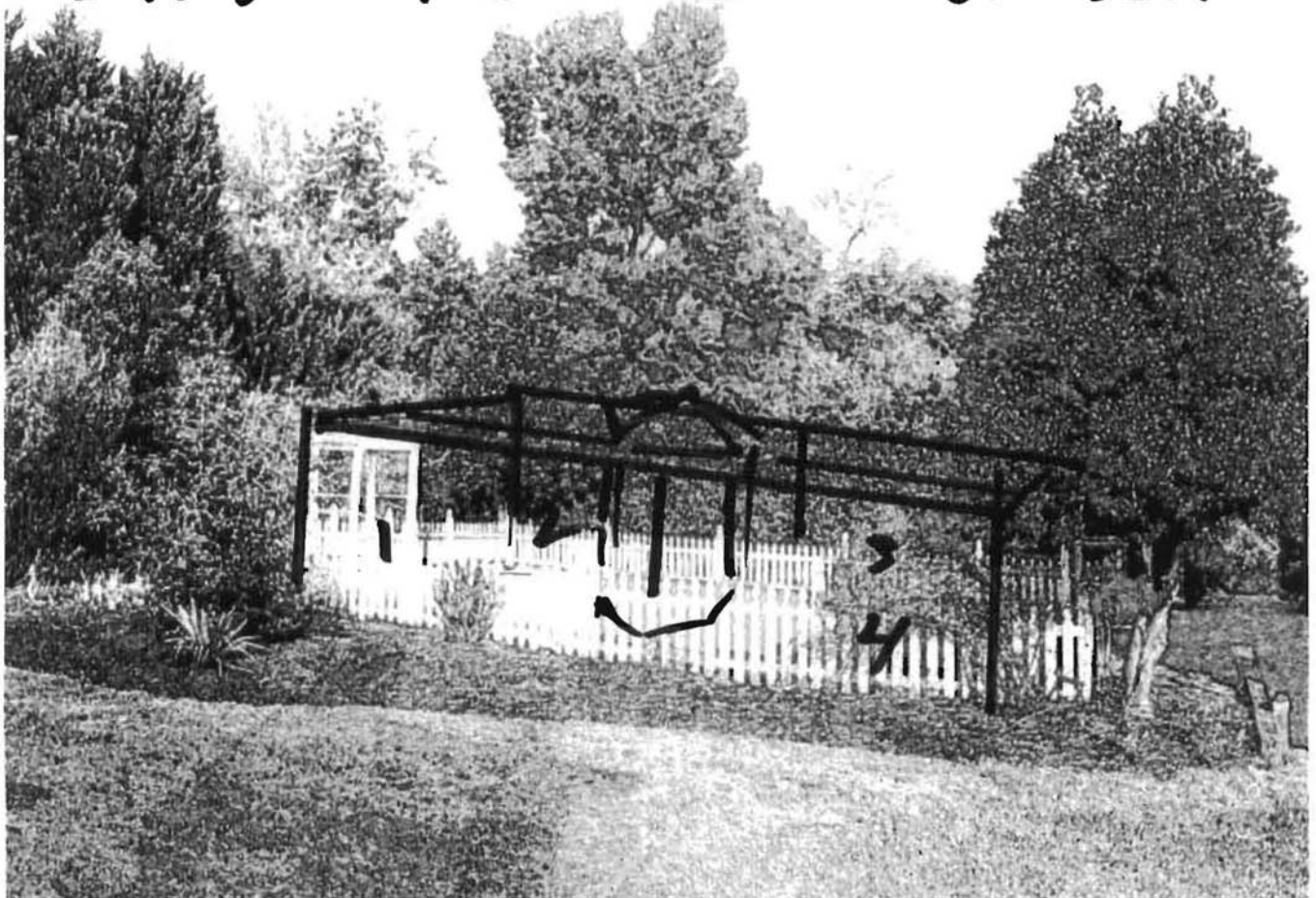


HENS COUP IN 4 QUADRANT  
ROTATE W/ CROPS

V-119  
(2014)



ENCLOSED 4 QUAD VEGGIE GARDEN



**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
DECEMBER 10, 2014  
PAGE 3**

**CONSENT AGENDA ( CONT.)**

**V-119**      **DAVID AND KATRINA BLAUVELT** (David M. Blauvelt and Katrina D. Blauvelt, owners) requesting a variance to an authorization upon appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source in Land Lot 809 of 16<sup>th</sup> District. Located on the north side of Holcomb Lake Road, east of Scufflegrit Road (1545 Holcomb Lake Road).

To **approve** variance request subject to:

- **Approval is for 24 months**
- **No roosters**
- **Maximum of four hens**
- **Hen house is to be located in existing garden area**

~~**V-120**      **SHANNON C. SMITH** (Grant J. Smith and Shannon C. Smith, owners)~~

~~requesting a variance to waive the major side setback from the required 25 feet to 21.4 feet adjacent to the north property line in Land Lot 194 of the 20<sup>th</sup> District. Located at the southwest corner of Haydenbrook Drive and Haydenbrook Trail (1971 Haydenbrook Trail).~~

~~To **approve** variance request subject to:~~

- ~~**Site plan dated July 18, 2014 (attached and made part of these minutes)**~~
- ~~**Use of existing driveway location**~~
- ~~**Proposed garage equipment *only***~~
- ~~**Garage architecture and color to be in keeping with the house**~~
- ~~**Stormwater Management Division comments and recommendations**~~

**V-121**      **GERALD J. KRESKE** (Gerald John Kreske and Janet C. Kreske, owners) requesting a variance to: 1) waive the side setback from the required 5 feet to 3 feet adjacent to the north property line; and 2) waive the rear setback from the required 30 feet to 28.5 feet in Land Lot 774 of the 19<sup>th</sup> District. Located at the northwest corner of Velvet Creek Way and Velvet Creek Drive (3412 Velvet Creek Drive).

To **approve** variance request subject to:

- **Site plan dated July 15, 2014 (attached and made part of these minutes)**
- **Stormwater Management Division comments and recommendations**