

V-43  
(2016)

# Variance Request

## 601 Burke Lake Road

Cobb County, Georgia Land Lot(s) 276, 20th District, 2nd Section

prepared for:

**Robert and Christy Hayes**



DGM  
LAND PLANNING  
CONSULTANTS  
3775 Oak Haze  
Buckhead  
Atlanta, GA 30344  
770 514-8006  
FAX 514-8181



January 14, 2016



### \*Variance Request:

1. Accessory structure (975'- detached garage) located in front of primary structure.
2. Reduction in side setback to accommodate accessory structure (detached garage) from 100' to 5'

### Site Data

Subdivision Site Area (lot #2): 4.16 AC

Present Zoning: R-30

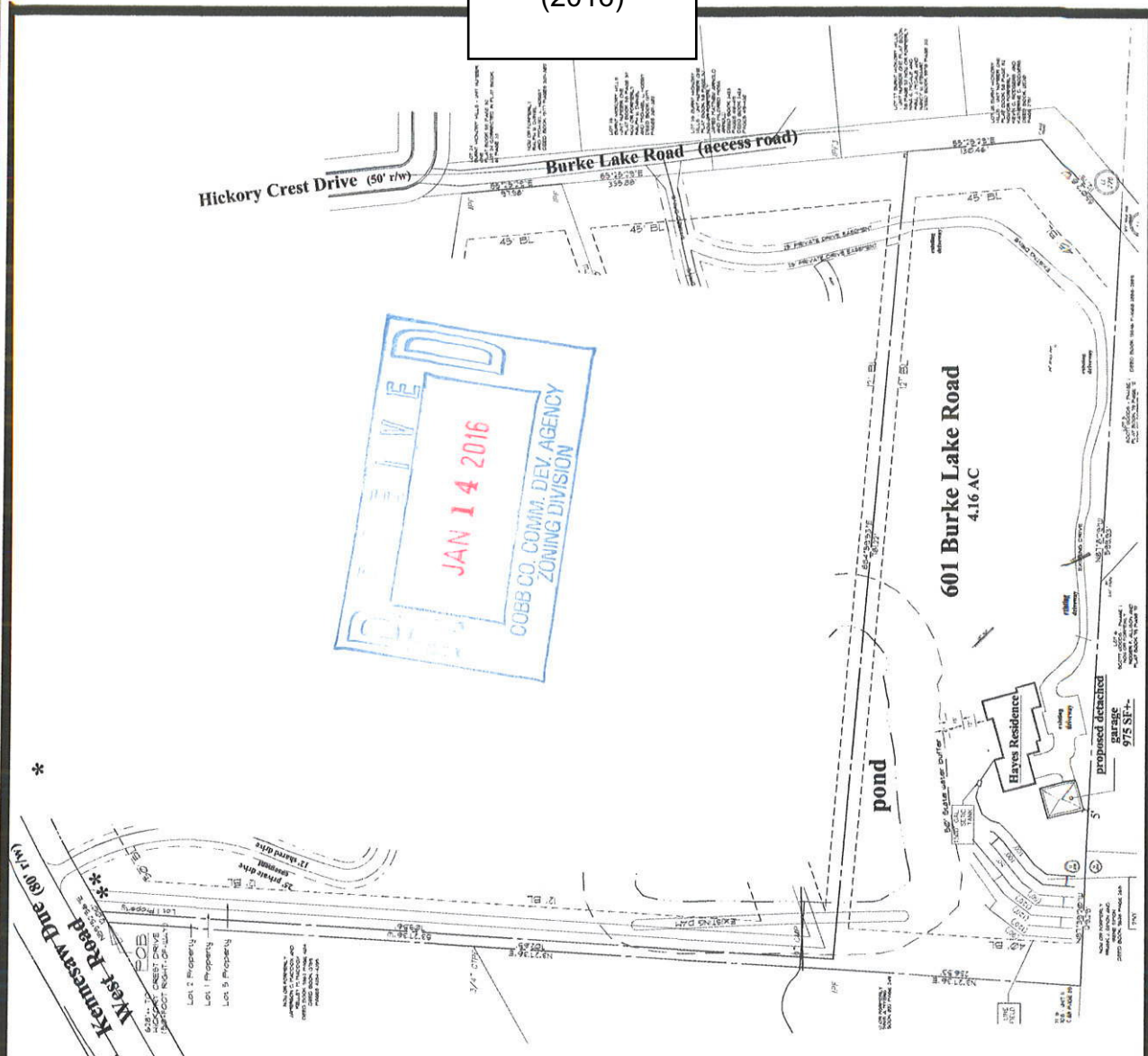
Minimum Lot Size: 30,000 SF

### R-30 Building Setbacks:

front: 50' major  
45' local  
rear: 40'  
side: 12'

### Notes:

1. Boundary survey provided by Braswell Engineering, Inc. and topographic information provided by Cobb County GIS.
2. According to Flood Insurance Rate Map (FIRM) #2203100045 E, August 16, 1991, no portion of this site lies within the 100 year intermediate flood plain.
3. No cemeteries are known to exist on site.
4. Stream and wetland classifications are to be determined.
5. No archaeological or architectural landmarks are known to exist on site.
6. No utility easements exist on site.
7. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.



**APPLICANT:** Robert A. Hayes

**PETITION No.:** V-43

**PHONE:** 678-644-7095

**DATE OF HEARING:** 03-09-16

**REPRESENTATIVE:** Todd A. Byrd

**PRESENT ZONING:** R-30

**PHONE:** 770-527-4585

**LAND LOT(S):** 276

**TITLEHOLDER:** Robert A. Hayes and Christy L. Hayes

**DISTRICT:** 20

**PROPERTY LOCATION:** On the south side of Kennesaw Due West Road, west of Hickory Crest Drive and Burke Lake Road (601 Burke Lake Road).

**SIZE OF TRACT:** 4.16 acres

**COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** 1) Allow an accessory structure (proposed 975 square foot garage) to be located in front of the principal structure; 2) waive the rear setback for an accessory structure over 650 square feet (proposed 975 square foot garage) from the required 100 feet to five feet; and 3) allow a second electrical meter on a residential lot.

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

**BOARD OF APPEALS DECISION**

**APPROVED**        **MOTION BY**       

**REJECTED**        **SECONDED**       

**HELD**        **CARRIED**       

**STIPULATIONS:**       



**APPLICANT:** Robert A. Hayes **PETITION No.:** V-43

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**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 adverse stormwater management impacts are anticipated.

**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:** Staff has determined that the subject sites are not within the boundaries of approved design guidelines study areas; therefore do not have to comply with design guidelines requirements. No comments.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

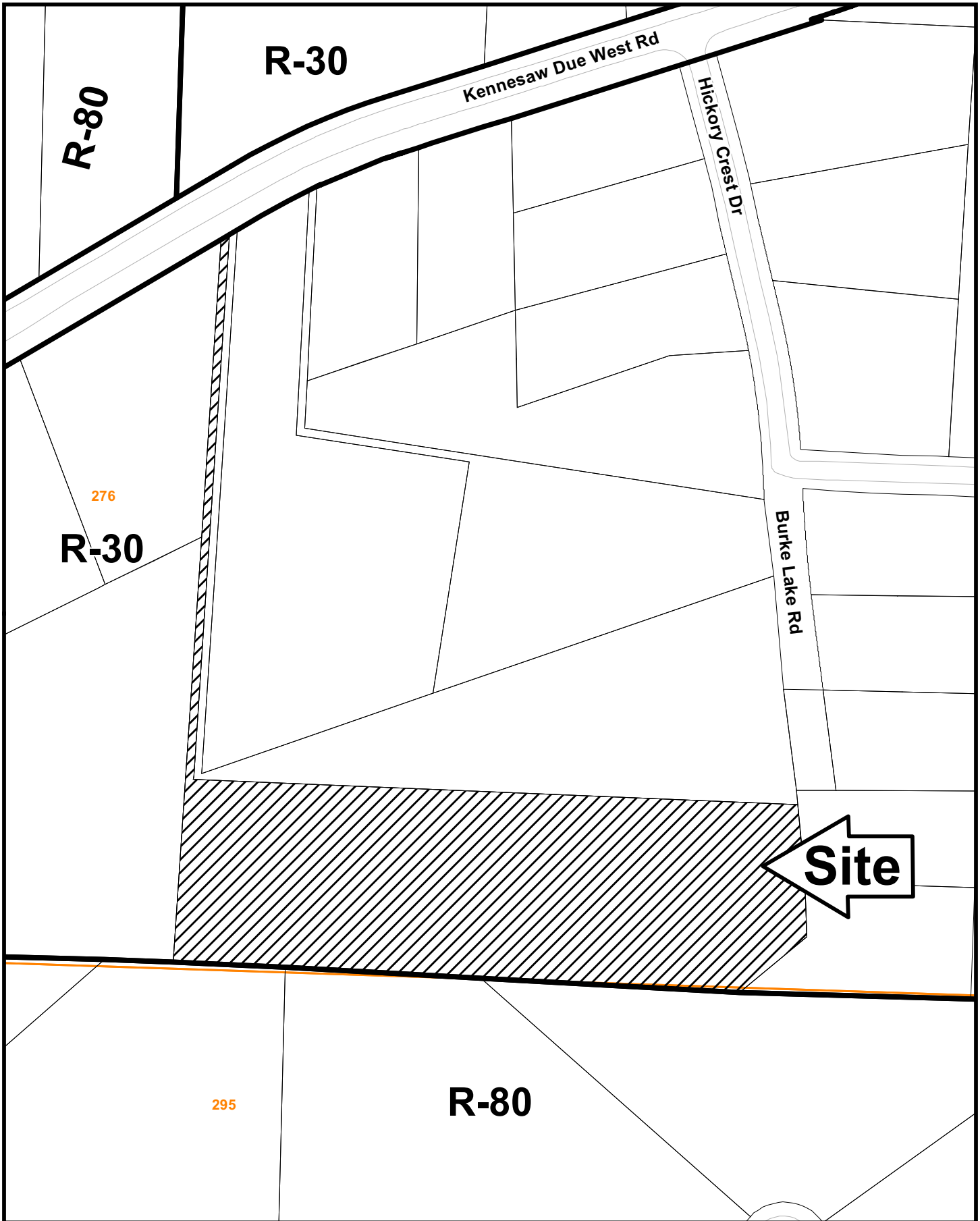
**SEWER:** No conflict.

**APPLICANT:** Robert A. Hayes **PETITION No.:** V-43

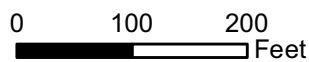
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

# V-43



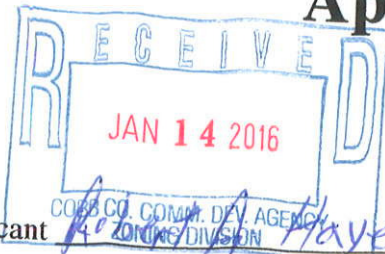
This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

# Application for Variance

## Cobb County



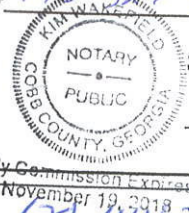
(type or print clearly)

Application No. V-43  
 Hearing Date: 3-9-14

Applicant Hayes Phone # 678-644-7095 E-mail robhayes@6073@cox.net  
 Address 601 Burke Lake Rd NW, Marietta, GA 30064  
(street, city, state and zip code)

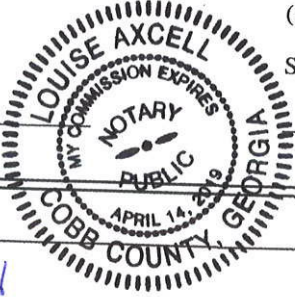
Todd A. Byrd  
(representative's name, printed)  
 Phone # 770-277-4585 E-mail twbyrd2@comcast.net  
Todd A. Byrd  
(representative's signature)

My commission expires: 11/19/18  
 Signed, sealed and delivered in presence of: [Signature]  
 Notary Public



Titleholder Robert A. Christy L. Hayes Phone # 678-644-7095 E-mail robhayes@6073@cox.net  
 Signature [Signature] Address: 601 Burke Lake Rd. NW, Marietta, GA 30064  
(attach additional signatures, if needed)  
Christy Hayes  
(street, city, state and zip code)

My commission expires: April 14th 2019  
 Signed, sealed and delivered in presence of: [Signature]  
 Notary Public



Present Zoning of Property R30  
 Location 601 Burke Lake Rd  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 276 District 20th Size of Tract 4.16 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 4.16ac Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES  NO \_\_\_\_\_

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).

Due to our septic field location, house location, and stream buffers around the pond, we are very limited in where we can functionally locate the detached garage. We are asking for it to be located where what we believe to be the optimal locations.

List type of variance requested:  
Accessory structure (975' Detached Garage) located in front of Primary Structure.  
Reduction in setback to accommodate accessory structure (detached garage) from 100' to 5'