

**SEPTEMBER 20, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM 050

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their August 10, 2016 Variance Hearing regarding Variance Application V-113 HENRY C. NYGREN III.

BACKGROUND

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on July 28, 2015, Section 134-94(a)(5), the Board of Commissioners shall consider granting a Special Exception for reduction of public road frontage, 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 August 10, 2016 Variance Hearing and recommended approval of the Special Exception.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider granting a Special Exception for reduction of public road frontage as recommended by the Board of Zoning Appeals for Variance case V-113 HENRY C. NYGREN III.

ATTACHMENTS

Variance analysis.

PLAT TO ACCOMPANY ZONING VARIANCE APPLICATION

HENRY C. NYGREN, III

LOCATED IN LAND LOTS 1030 AND 1043, 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA

5491 HILL ROAD

TOTAL AREA = 3.496 ACRES
152307 SQ. FT.

V-113
(2016)

SURVEY NOTES:
THERE IS A 2' NON-OBSTACLE BARRIERS (WATER STRINGS) AND A 12" CONC. CURB (12" HIGH) AT THE STREAM. THE STRINGS ARE TO BE ADJUSTED TO ANY STREAM OR BODY OF WATER MAINTAINED BY THE STATE AND THERE MAY BE ENHANCED BY THE STATE. THE STRINGS SHOULD BE CONTACTED BEFORE BEGINNING A DISTURBANCE NEAR THESE AREAS.
THIS PLAT WAS PREPARED FOR EXCLUSIVE USE BY THE PERSONS AND ORGANIZATIONS NAMED AND SHOULD NOT BE REPRODUCED TO OTHERS WITHOUT THE PERMIT OF THE SURVEYOR.
ORIGINAL PLATS, NOTES AND OTHER DRAWINGS PREPARED BY THE SURVEYOR AND HIS ASSOCIATES, INCLUDING ELECTRONIC FILES, ARE THE PROPERTY OF THE SURVEYOR.
THE BUILDING SETBACKS SHOWN ON THIS PLAT ARE THE SETBACKS SHOWN ON THE SURVEYOR'S BEST INFORMATION AND SHOULD BE RELEASD ONLY AFTER AFFIRMATION BY THE COBB COUNTY ZONING DEPARTMENT.
THERE MAY BE OTHER UTILITIES COSTING ON THIS PROPERTY THAT ARE NOT SHOWN.
ALL DISTANCES SHOWN ARE MEASUREMENTS TAKEN AT THE TIME OF THE SURVEY.

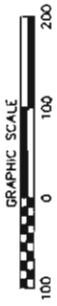
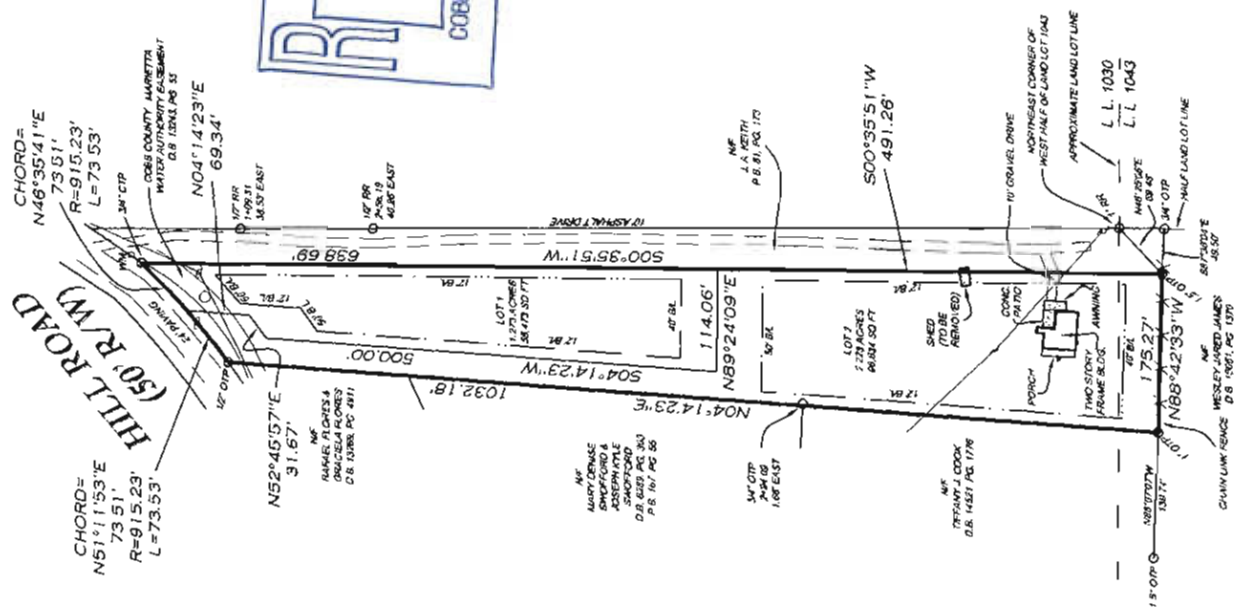
DATE	DESCRIPTION



PLAT NO. 006110 FILE: 006110.DWG
FIELD SURVEY DATE: 06/09/15 SCALE: 1" = 30'
PLAT DATE: 06/09/15



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN THE STATE OF GEORGIA AS SET FORTH IN THE REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PUBLIC ACT 10-1-0-15-0607



ZONING NOTES

- CURRENT ZONING: R-30
- BUILDING SETBACKS: FRONT - 30'
- REAR - 12'
- SIDE - 12'
- UNIMPAVED AREAS: UNIMPAVED AREAS
- PUBLIC ROAD FRONTAGE: 67.75 TO 75.65
- TRAVELER PROVISION: 11.70-39'
- ANGLE EMBANK: 1:5 (SLOPE)
- CONCRETE CURB: 12" HIGH
- PLAT PRECISION: 1/8" (1:240)

SURVEY REFERENCES

- 1. PLAT OF SURVEY FOR HENRY C. NYGREN, III BY FERRY E. McCLELL, DATED FEBRUARY 19, 1996
- 2. NYGREN - D.B. 9447, PG. 79

FLOOD STATEMENT

I HAVE INSURE DATE EXAMINED THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 130002D1770, EFFECTIVE DATE: DECEMBER 18, 2009. THE PROPERTY TO BE SURVEYED IS NOT SUBJECT TO FLOODING. THE CHARACTERISTIC OF THIS ZONE IS AN AREA ABOVE THE 100 YEAR FLOOD ZONE.

LEGEND

- CORNER:
 - CONCRETE SET WITH A 1/2" STEEL
 - REINFORCED CONCRETE
 - UNMARKED CORNER
 - CORNER TO BE SET WHEN CONSTRUCTION PERMITS
- X --- RENCE LINE
- RR = STEEL REINFORCED RAILROAD
- PP = POWER POLE
- CC = CENTERLINE
- MC = BUILDING
- LL = LAND LOT LINE
- WATER MAINS:
 - W — WATER MAIN
 - S — SANITARY SEWER MAIN
 - C — CEMENT
 - G — GROUND
- NS40 = NAIL SET AT BASE
- NS45 = NAIL SET AT FLANGE
- D.B. = DEED BOOK
- RM MON = CONCRETE FRONT OF WAY MONUMENT

APPLICANT: Henry C. Nygren, III

PETITION No.: V-113

PHONE: 404-625-5261

DATE OF HEARING: 8-10-2016

REPRESENTATIVE: Chrystie Nygren

PRESENT ZONING: R-30

PHONE: 678-383-1232

LAND LOT(S): 1030, 1043

TITLEHOLDER: Henry C. Nygren, III

DISTRICT: 19

PROPERTY LOCATION: On the south side of Hill Road, east of Defoors Farm Trail (5491 Hill Road).

SIZE OF TRACT: 3.5 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: Waive the minimum public road frontage from the required 75 feet to 73 feet for proposed lots 1 and 2.

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

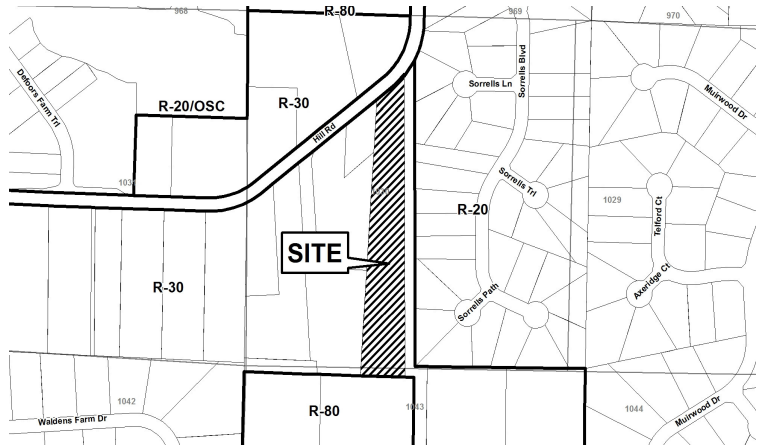
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Henry C. Nygren, III

PETITION No.: V-113

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 comments.

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 for V-98 –V-113.

DESIGN GUIDELINES: Staff has determined that the subject site is not within the boundaries of approved design guidelines study areas; therefore does not have to comply with design guidelines requirements. No comments.

CEMETERY PRESERVATION: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

WATER: No conflict

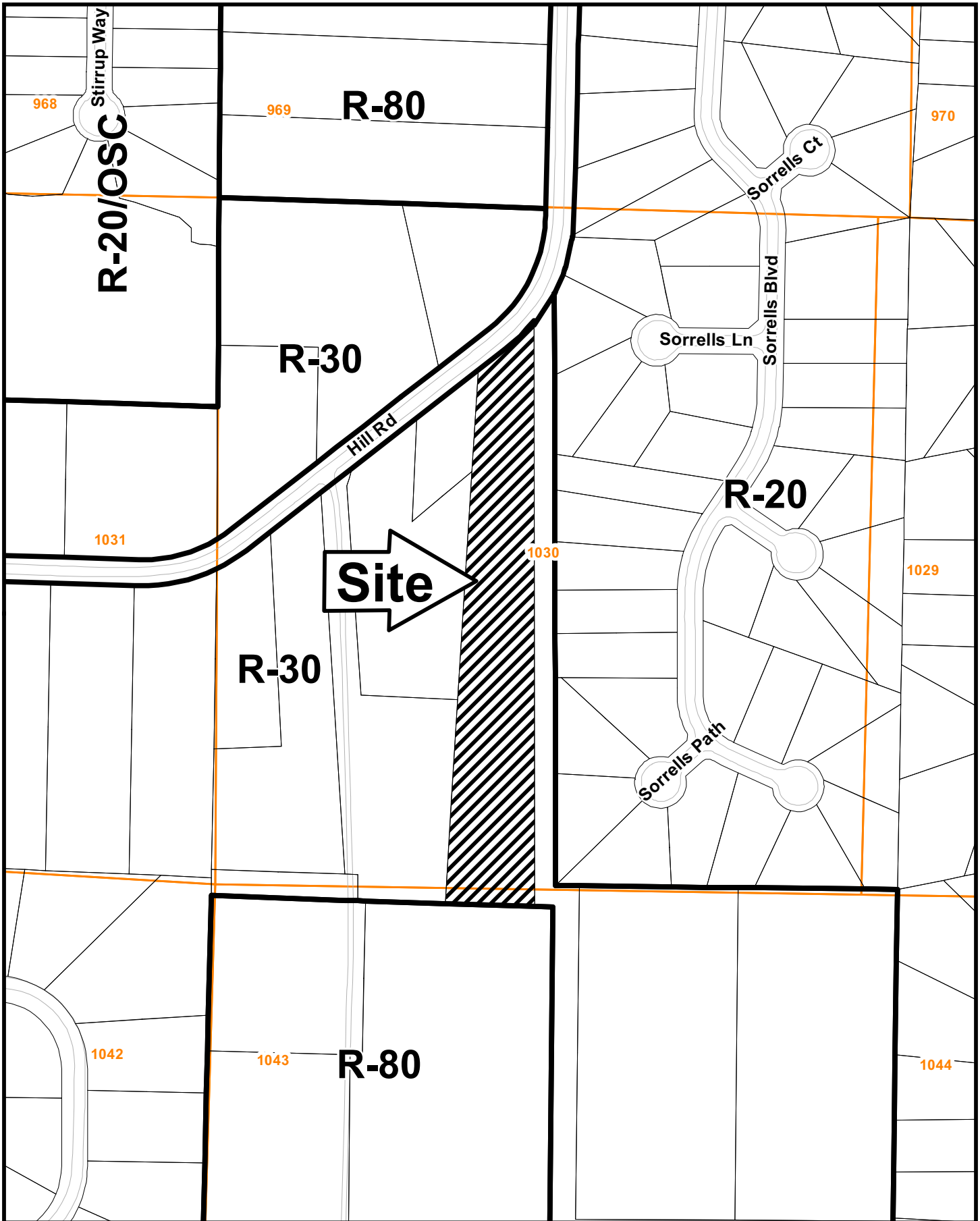
SEWER: No conflict

APPLICANT: Henry C. Nygren, III

PETITION No.: V-113

FIRE DEPARTMENT: NO COMMENTS: 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-113-2016 GIS



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

0 200 400 Feet

City Boundary
Zoning Boundary



Application for Variance Cobb County

(type or print clearly)

Application No. V-113
Hearing Date: 8-10-16

Applicant HENRY C. NYGREN, III Phone # 404-625-5261 E-mail CHUCKNYGREN@HOTMAIL.COM

CHRISTIE NYGREN Address 5110 HILL RD.
(representative's name, printed) (street, city, state and zip code)

Christie Nygren Phone # 678-383-1232 E-mail chrystie.nygren@yahoo.com
(representative's signature)



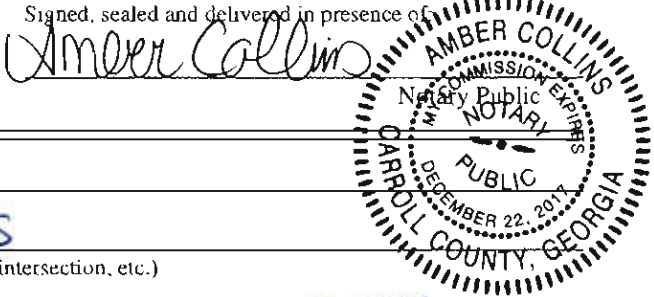
My Commission Expires March 24, 2017

Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

Titleholder HENRY C. NYGREN, III Phone # 404-625-5261 E-mail SAME

Signature Henry C. Nygren, III Address: 406 SINYARD CIR. HIRAM, GA 30141
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: December 22, 2017



Present Zoning of Property R-30

Location 5491 HILL RD. POWDER SPRINGS
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1030 & 1043 District 19 Size of Tract 3.496 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 _____

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:

SLIGHTLY LESS THAN REQ'D MINIMUM FRONTAGE FOR TWO LOTS.

List type of variance requested: REDUCE REQ'D MIN. ROAD FRONTAGE FROM 75' TO 73.53'