

**OCTOBER 18, 2016 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 4**

**ITEM 065**

To consider granting a Special Exception for a reduction of public road frontage and lot size as recommended by the Board of Zoning Appeals from their September 14, 2016 Variance Hearing regarding Variance Application V-126 Angela Melonie Conn Haders.

**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 and lot size, 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 September 14, 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-126 Angela Melonie Conn Haders.

**ATTACHMENTS**

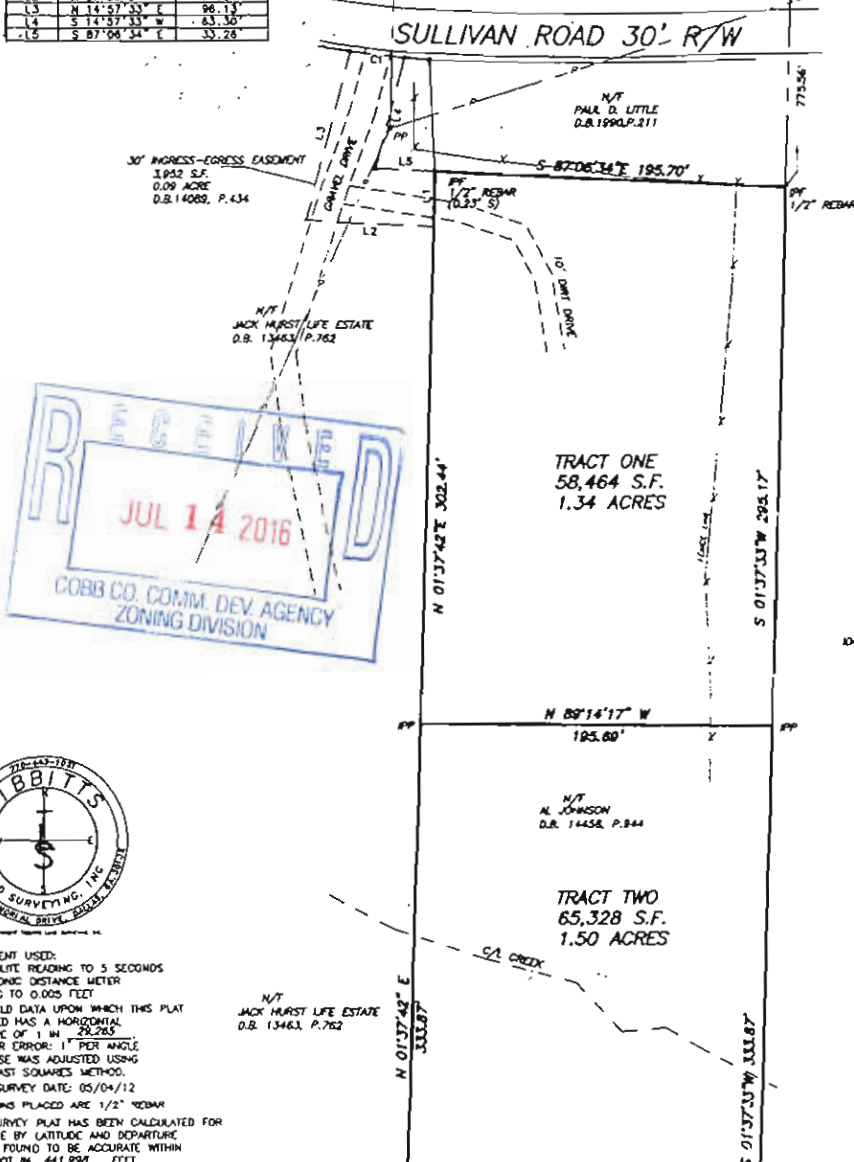
Variance analysis.

V-126  
(2016)



Curve	Radius	Length	Chord	Chord Bear.
C1	794.42'	30.30'	30.30'	S 85° 08' 20" E

Course	Bearing	Distance
L1	S 01° 37' 42" W	30.01'
L2	N 87° 08' 34" W	71.01'
L3	N 14° 57' 33" E	98.13'
L4	S 14° 57' 33" W	83.30'
L5	S 87° 08' 34" E	33.26'



- LEGEND
- U.P.F. IRON PIN FOUND
  - L.P.P. IRON PIN PLACED
  - L.L. LAND LOT LINE
  - L.L. LAND LOT
  - P.P. POWER POLE
  - F.N.D. FOUND
  - D.B. DED BOOK
  - P.B. PLAT BOOK
  - P. PAGE
  - COR. CORNER
  - C.L. CENTERLINE
  - R.W. RIGHT-OF-WAY
  - F.M. FIRE HYDRANT
  - B.L. BUILDING LINE
  - W.V. WATER VALVE
  - W.M. WATER METER
  - G.V. GATE VALVE
  - M.H. MANHOLE
  - S.E. SANITARY EASEMENT
  - S.S. SANITARY SEWER
  - D.E. DRAINAGE EASEMENT
  - H.W. HEADWALL
  - C.B. CATCH BASIN
  - D.I. DROP INLET
  - M.F. MOW OR FORBIDENLY
  - O.T. - OPEN TOP
  - C.T. - CROPPED TOP
  - G.M.D. - GEORGIA MATH DISTRICT
  - P.P. - POWER POLE
  - P- - POWER LINE
  - X- - FENCE LINE
  - R. - RANGLES
  - C.H. - CHORD
  - TAK. - TANGENT
  - PC. - PAGE
  - Q.-999.0 - ORIGINAL SPOT ELEVATION
  - E.-999.0 - EXISTING SPOT ELEVATION
  - P.-999.0 - PROPOSED SPOT ELEVATION
  - F.F.E. - FINISHED FLOOR ELEVATION
  - - - - - DIRECTION OF SURFACE DRAINAGE



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

\*THIS PLAT SUPERSEDES A PORTION OF THE PLAT RECORDED IN PLAT BOOK 228, PAGE 99. THE PURPOSE OF THIS REVISION IS TO SPLIT THE PARENT TRACT INTO TRACT ONE AND TRACT TWO. IMPROVEMENTS NOT SHOWN ON REVISION.

APPROVED BY: COBB COUNTY WATER SYSTEM DATE  
 COBB COUNTY ZONING DIVISION DATE  
 COBB COUNTY DEVELOPMENT & INSPECTIONS DIVISION DATE

\*NOTE: A NON-SPECIFIC CONTINUATION OF THE 30' INGRESS/EGRESS EASEMENT SHOWN ON THIS PLAT EXISTS ACROSS THIS PROPERTY AS CONVEYED IN D.B. 14456, P. 944.

GRAPHIC SCALE - FEET 1" = 50'

HURST CRD F:\SU-DWG\12057\RD0RY.DWG

DIVISION SURVEY FOR:

**JOAN CONN**

LAND LOT	DISTRICT	SECTION	COUNTY	GEORGIA
126	18TH	2ND	COBB	

DATE:	DRAWN BY:	CHECKED	JOB NO.	DISK SERVER
07-01-16	JRT		12057 92053	

**TIBBITTS LAND SURVEYING, INC.**  
 362 WEST MEMORIAL DRIVE, DALLAS, GEORGIA 30132  
 (770)443-1021



EQUIPMENT USED:  
 THEODOLITE READING TO 5 SECONDS  
 ELECTRONIC DISTANCE METER READING TO 0.005 FEET  
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A HORIZONTAL CLOSURE OF 1 IN 29,785  
 ANGULAR ERROR: 1" PER ANGLE  
 TRAVERSE WAS ADJUSTED USING THE LEAST SQUARES METHOD.  
 FIELD SURVEY DATE: 05/04/12  
 IRON PINS PLACED ARE 1/2" REBAR  
 THIS SURVEY PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDE AND DEPARTURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 411,892 FEET

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE; THEREFORE, THE UNDERSIGNED AND TIBBITTS LAND SURVEYING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS AND OTHER SIMILAR MATTERS.

THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENT'S CONVENIENCE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN. THE SURVEYOR ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE OWNER OR OWNER'S AGENT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER, OR OWNER'S AGENT.

THIS PLAT IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. TIBBITTS LAND SURVEYING, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OF LIABILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE PERSON, OR PERSONS, NAMED IN THE TITLE BLOCK.

**APPLICANT:** Angela Melonie Conn Haders and Joan Conn

**PETITION No.:** V-126

**PHONE:** 678-939-7592

**DATE OF HEARING:** 9-14-2016

**REPRESENTATIVE:** Joan Conn

**PRESENT ZONING:** R-30

**PHONE:** 678-939-7592

**LAND LOT(S):** 126

**TITLEHOLDER:** Angela Melanie Conn

**DISTRICT:** 18

**PROPERTY LOCATION:** Accessed by private easement located off the south side of Sullivan Road, west of Stout Parkway (4969 Sullivan Road).

**SIZE OF TRACT:** 1.34 acres

**COMMISSION DISTRICT:** 4

**TYPE OF VARIANCE:** 1) Waive the minimum public road frontage from the required 75 feet to zero feet for tracts 1 and 2; and 2) waive the minimum lot size from the required 80,000 square feet to 58,464 square feet for tract 1 and to 65,328 square feet for tract 2.

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

**BOARD OF APPEALS DECISION**

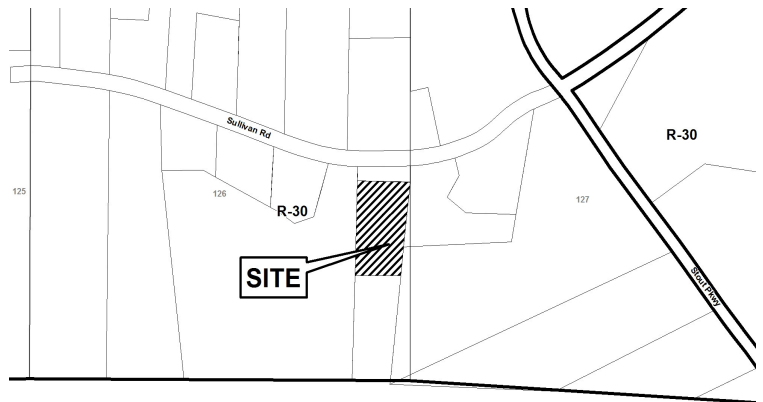
**APPROVED**        **MOTION BY**       

**REJECTED**        **SECONDED**       

**HELD**        **CARRIED**       

**STIPULATIONS:**       



**APPLICANT:** Joan Conn **PETITION No.:** V-126

\*\*\*\*\*

**COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** No comments

**SITE PLAN REVIEW:** No comments

**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 site is not within the boundaries of approved designed guidelines study areas; therefore does not have to comply with design guidelines requirements. No comments.

**CEMETERY PRESERVATION:** No comment

**WATER:** No conflict

**SEWER:** No conflict

**APPLICANT:** Joan Conn

**PETITION No.:** V-126

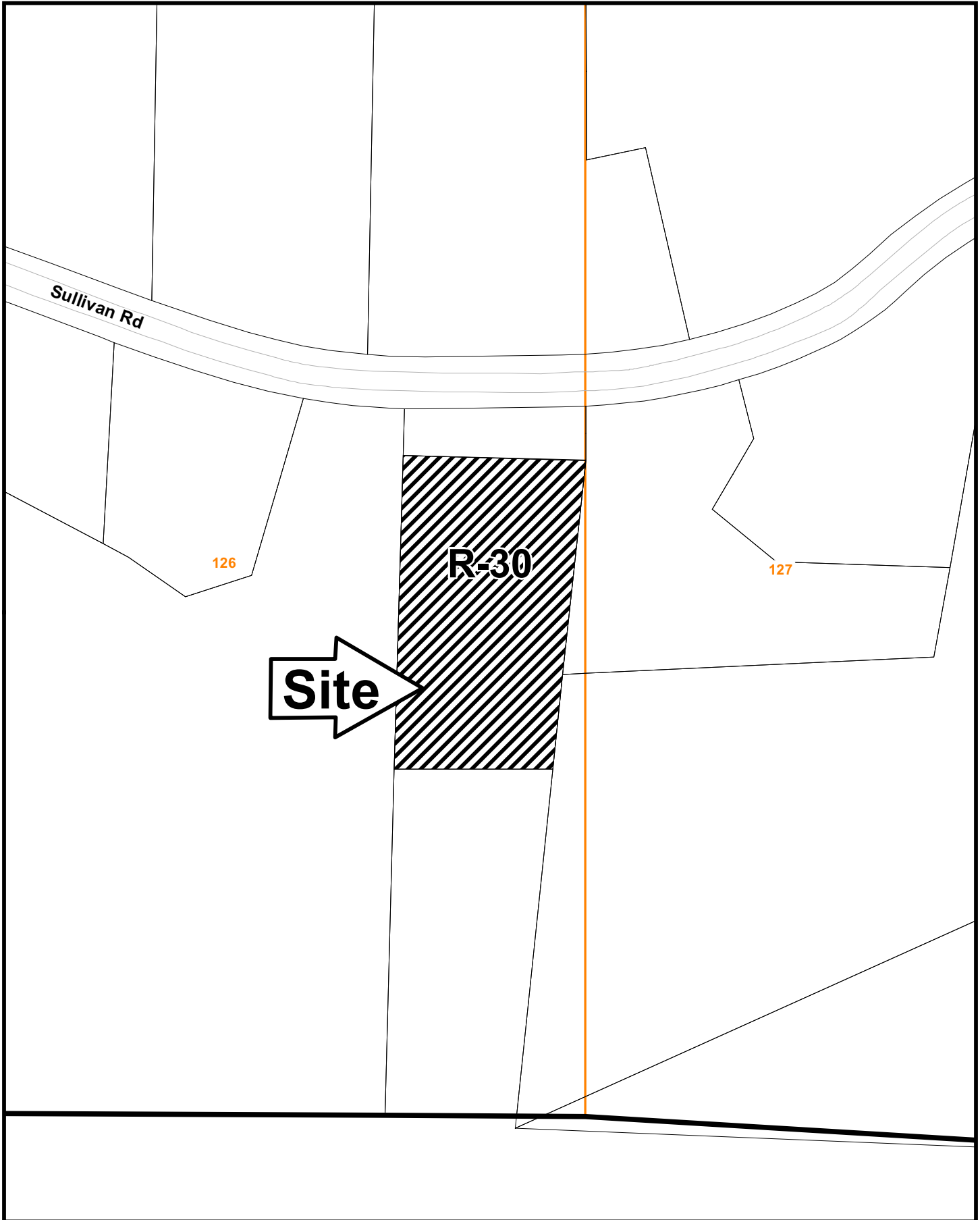
\*\*\*\*\*

- FIRE DEPARTMENT:**
1. Driveway must have a minimum 20' driving surface width with minimum 25' inside turning radius where serving 3 or more residence and 12' where serving 2 or less residence.
  2. Fully developed landscaping shall be at least 7'0" from center of drive (14' clear width) and 13'6" vertical clearance. (Indicate on plan minimum setbacks).
  3. Maximum grade shall not exceed 18%.
  4. Driveway must extend within 150' of the most remote portion of the structure.
  5. Driveway is limited to 1000' maximum from roadway unless an approved turn-around is provided. (See note below.)
  6. Driveway must support 25 Tons (50,000 lbs.)
  7. Provide emergency access to all gates securing Fire Dept. access with a minimum 12'-0" clear width
  8. Hydrant within 500' of remote structure, minimum 6" main\*  
(Required Flow: 1000 gpm @ 20 psi)

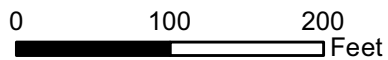
\* An alternate equivalency for the above hydrant/flow test requirements, subject to approval by the Cobb County Fire Marshal's Office is one of the following:



- 1.) NFPA 13D Sprinkler System
- 2.) Complete structure treated with a Class-A Fire Retardant spray meeting a flame spread of 25 or less and smoke development of 450 or less.
- 3.) Non-Combustible construction.

# V-126-2016 GIS



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)  
Angela Melonie Conn Haders

Application No. V-126  
Hearing Date: 9-14-10

Applicant Joan Conn Phone # \_\_\_\_\_ E-mail \_\_\_\_\_

Joan Conn Address 4815 Hickory Mill Dr Smyrna Ga 30082  
(representative's name, printed) (street, city, state and zip code)

Joan Conn Phone # 678-939-7592 E-mail the2j@yahoo.com  
(representative's signature)

My commission expires: July 17, 2016

Signed, sealed and delivered in presence  
[Signature]

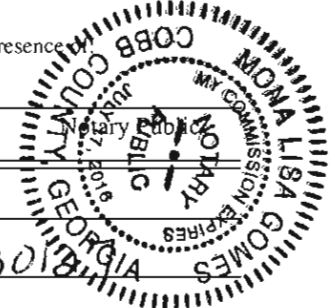


Titleholder Angela M. Haders Phone # (678) 360-1786 E-mail Copper7919@hotmail.com

Signature Angela M. Haders Address: 4815 Hickory Mill Dr. Smyrna, GA 300  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: July 17, 2016

Signed, sealed and delivered in presence  
[Signature]



Present Zoning of Property A-30

Location 4969 Sullivan Rd Powder Springs Ga 30128  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 126 District 18<sup>th</sup> Size of Tract 1.3 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:

lots have already been split and we are trying to build a house.

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

Waive the minimum road frontage requirement.

**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
SEPTEMBER 14, 2016  
PAGE 6**

**CONSENT AGENDA (CONT.)**

**V-126**      **ANGELA MELONIE CONN HADERS** (Angela Melonie Conn and Joan Conn, owners) requesting a variance to 1) waive the minimum public road frontage from the required 75 feet to zero feet for tracts 1 and 2; and 2) waive the minimum lot size from the required 80,000 square feet to 58,464 square feet for tract 1 and to 65,328 square feet for tract 2 in Land Lot 126 of the 18<sup>th</sup> District. Accessed by private easement off Sullivan Road. Located off the south side of Sullivan Road, west of Stout Parkway (4969 Sullivan Road).

To **approve** V-126, subject to:

- 1. Plat to be reviewed and approved by Cobb County prior to recording**
- 2. Fire Department comments and recommendations**

~~**V-127**      **RYAN MONETTE** (Ryan C. Monette and Kathryn Monette, owners) requesting a variance to 1) waive the minimum public road frontage from the required 75 feet to zero feet; 2) waive the front setback from the required 35 feet to five feet; 3) waive the minimum lot size from 80,000 square feet to 43,562 square feet for a home off of a private easement; and 4) allow an accessory structure (existing approximately 120 square foot wood shed) to the side and in front of the principal building in Land Lots 1185 and 1192 of the 16<sup>th</sup> District. Accessed by a private easement from the eastern terminus of Lindsey Place, east of Lindsey Road (4050 Lindsey Road).~~

~~To **approve** V-127, subject to:~~

- ~~- 1. Site plan received by the Zoning Division on July 14, 2016 for the shown encroachments *only* (attached and made a part of these minutes)**
  - 2. Fire Department comments and recommendations**
  - 3. Stormwater Management Division comments and recommendations**~~

**V-128**      **SARAH DEXTER** (Lataryn U. Dexter and Sarah L. Dexter, owners) requesting a variance to waive the rear setback from the required 30 feet to 17 feet in Land Lot 1070 of the 19<sup>th</sup> District. Located at the eastern terminus of Foxhall Place, east of Santee Trail (1350 Foxhall Place).

To **approve** V-128, subject to:

- 1. Site plan received by the Zoning Division on July 14, 2016 for the shown encroachments *only* (attached and made a part of these minutes)**