

**SEPTEMBER 19, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM 043

To consider granting a Special Exception for a reduction of lot size and public road frontage as recommended by the Board of Zoning Appeals from their August 9, 2017 Variance Hearing regarding Variance Application V-79 Russell A. Mullins.

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 lot size and/or 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 9, 2017 Variance Hearing and recommended approval of the Special Exception.

STAFF COMMENTS

See variance analysis.

RECOMMENDATION

The Board of Commissioners consider granting a Special Exception for the reduction of lot size and public road frontage as recommended by the Board of Zoning Appeals.

ATTACHMENTS

Variance analysis and minutes.

V-79
(2017)

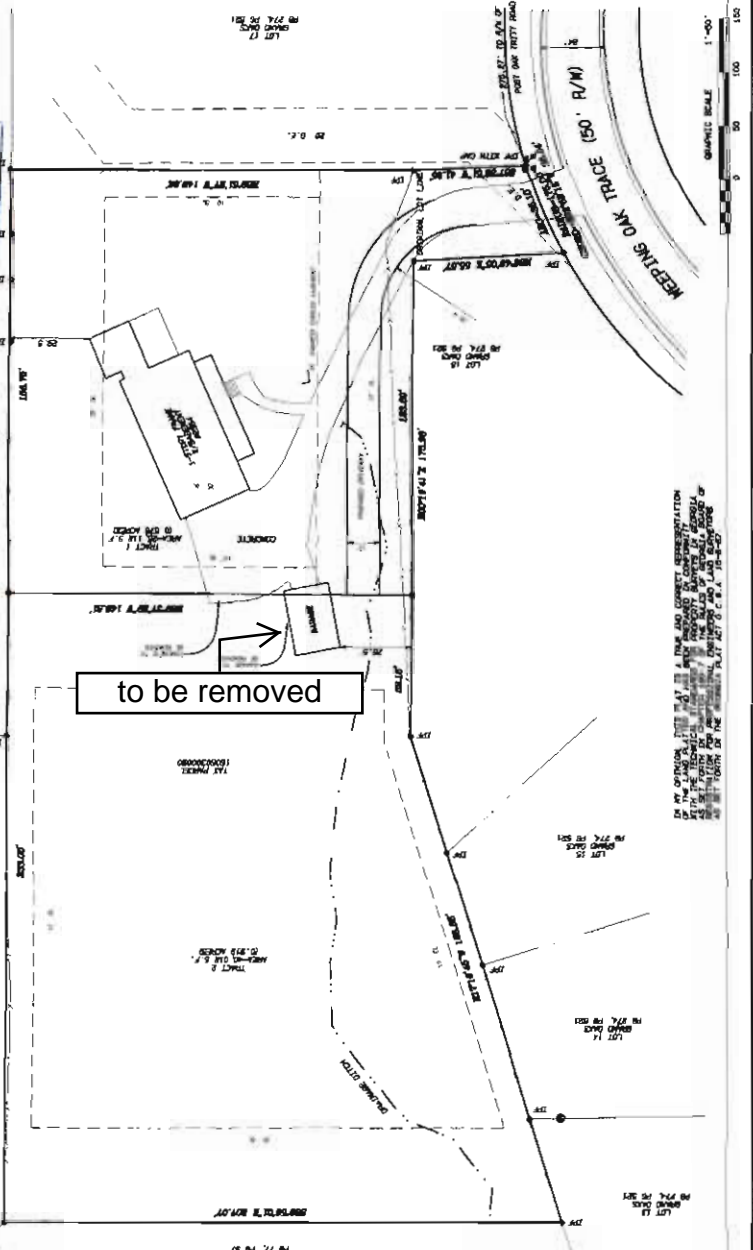
BRTTRTON
SURVEYING & DESIGN, INC.
180 WEST SANDHORN ROAD
MARIETTA, GEORGIA 30064
(770) 493-5545

LOT SPLIT PLAT
WHEPPING OAK TRACE
LOCATED IN
16TH DISTRICT, 2ND SECTION OF
COBB COUNTY, GEORGIA, CITY OF
RUSS MULLINS

1 OF 1
DATE: 06/01/17
BY: [Signature]
SCALE: 1" = 50'

- SURVEY REFERENCES**
1. APPROVED PLAT, 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, CITY OF RUSS MULLINS, DATED 05/15/17.
 2. APPROVED PLAT, 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, CITY OF RUSS MULLINS, DATED 05/15/17.
 3. APPROVED PLAT, 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, CITY OF RUSS MULLINS, DATED 05/15/17.
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 7. APPROVED PLAT, 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, CITY OF RUSS MULLINS, DATED 05/15/17.

CALL BEFORE YOU DIG
811
ITS THE LAW



PROPERTY RECORD

OWNER	NAME	DATE
1	COBB COUNTY	05/15/17
2	COBB COUNTY	05/15/17
3	COBB COUNTY	05/15/17
4	COBB COUNTY	05/15/17
5	COBB COUNTY	05/15/17
6	COBB COUNTY	05/15/17
7	COBB COUNTY	05/15/17

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5	COBB COUNTY	05/15/17
6	COBB COUNTY	05/15/17
7	COBB COUNTY	05/15/17

OWNER/DEVELOPER
NAME: [Blank]
ADDRESS: [Blank]
CITY: [Blank]
STATE: [Blank]
ZIP: [Blank]

THIS PLAT WAS PREPARED BY THE SURVEYOR IN ACCORDANCE WITH THE GEORGIA SURVEYING ACT OF 1967, AS AMENDED. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SURROUNDING AREA AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SURROUNDING AREA AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

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NOTES

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APPLICANT: Russell A. Mullins
PHONE: 770-616-2357
REPRESENTATIVE: Russell A. Mullins
PHONE: 770-616-2357
TITLEHOLDER: Russell A. Mullins
PROPERTY LOCATION: On the east side of Weeping Oak Trace, north of Post Oak Tritt Road (2564 Weeping Oak Trace).
PETITION No.: V-79
DATE OF HEARING: 08-09-2017
PRESENT ZONING: R-20
LAND LOT(S): 603
DISTRICT: 16
SIZE OF TRACT: 1.5 acres
COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the minimum public road frontage from the required 75 feet to 35 feet for proposed Tract 1 and to zero feet for proposed Tract 2; 2) waive the minimum lot size for a parcel that has no public road frontage from the required 80,000 sq. ft. to 40, 012 sq. ft; and 3) waive the rear setback on proposed Tract 1 from the required 35 feet to 29 feet (existing).

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

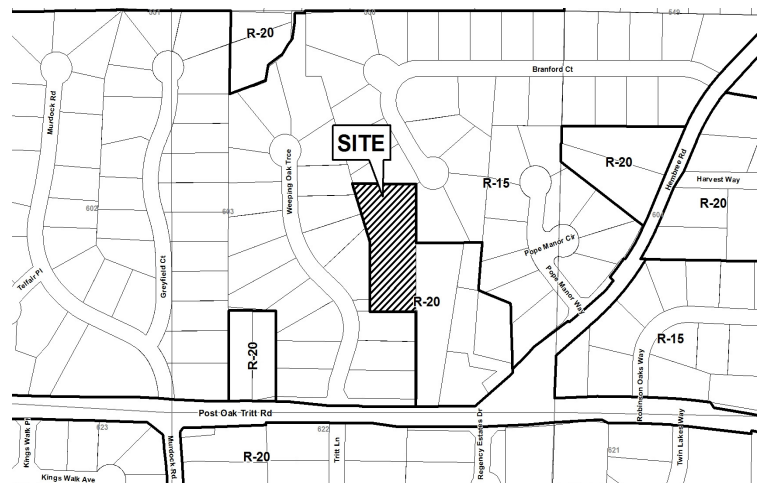
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Russell A. Mullins

PETITION No.: V-79

COMMENTS

TRAFFIC: Recommend a no access easement to Branford Court.

Recommend an access easement for Tract 2 access through Tract 1.

DEVELOPMENT & INSPECTIONS: No comments.

SITE PLAN REVIEW: If this variance request is approved, a subdivision plat revision must be recorded prior to the issuance of the certificate of occupancy showing all improvements on the lot along with any approved setback reductions, and referencing the variance case in the standard plat revision note. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

STORMWATER MANAGEMENT: If approved, site grading plans approved by Stormwater Management Division will be required prior to permitting.

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 comments.

CEMETERY PRESERVATION: No comments.

WATER: No conflict.

SEWER: No conflict.

APPLICANT: Russell A. Mullins

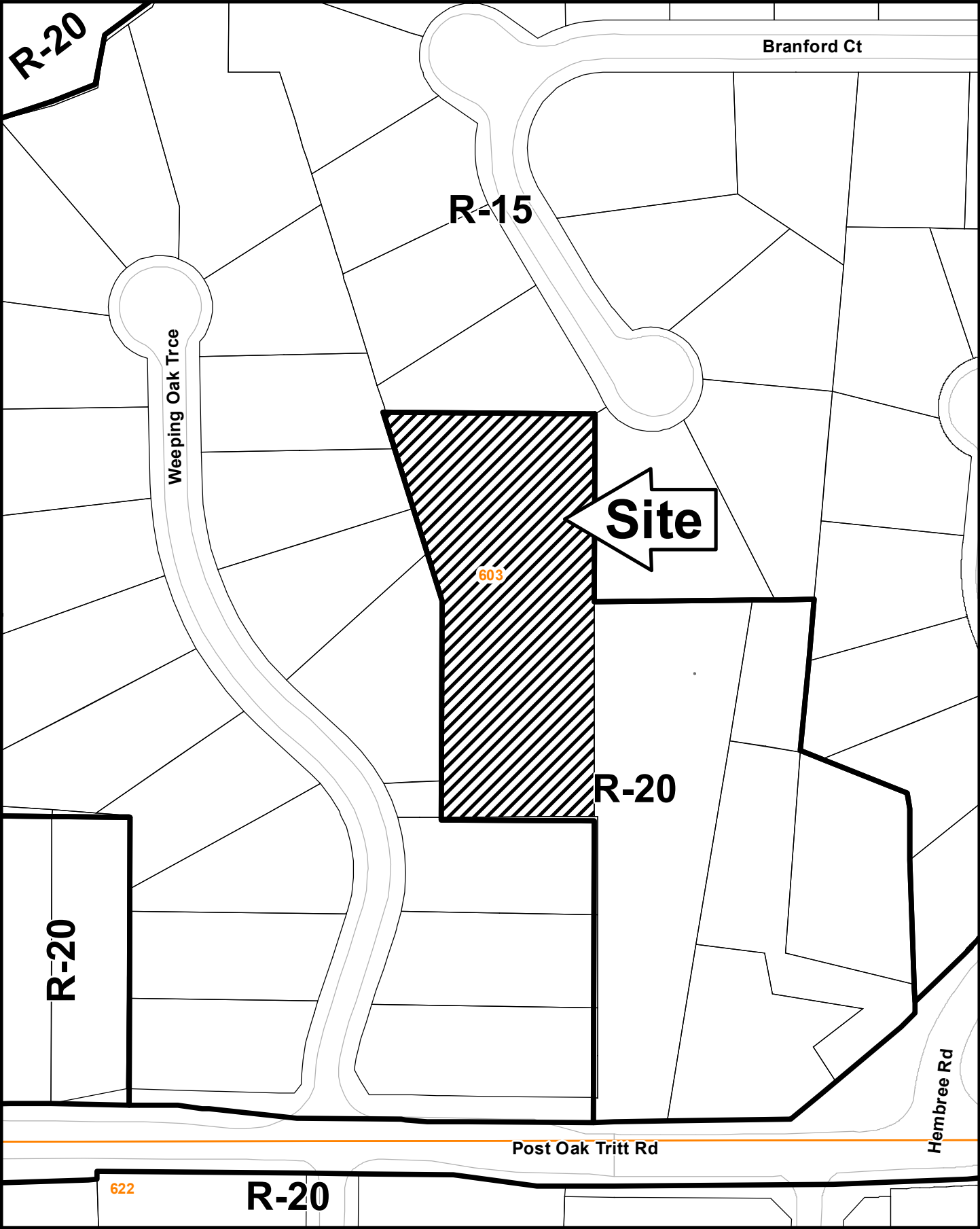
PETITION No.: V-79

- 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)

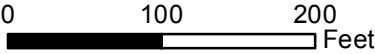
* An alternate equivalency for the above hydrant/flow test requirements, subject to approval by the Cobb County Fire Marshal's Office is one of the following:



- 1.) 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.
- 2.) Non-Combustible construction.

V-79 2017-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)

Application No. V-79
Hearing Date: 8-9-17

Applicant Russell A. Mullins Phone # 770-616-2357 E-mail rsrmullins@gmail.com

Russell A. Mullins Address 2523 HEMBREE ROAD MARIETTA 30062
(representative's name, printed) (street, city, state and zip code)

Russell A. Mullins Phone # 770-616-2357 E-mail rsrmullins@gmail.com
(representative's signature)

My commission expires: 01/28/2020
VICTORIA DOLLAR
Notary Public - State of Georgia
Fulton County
My Commission Expires Jan 28, 2020

Signed, sealed and delivered in presence of:

Victoria Dollar
Notary Public

Titleholder Russell A. Mullins Phone # 770-616-2357 E-mail rsrmullins@gmail.com

Signature Russell A. Mullins Address: 2523 HEMBREE ROAD MARIETTA, 30062
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 01/28/2020
VICTORIA DOLLAR
Notary Public - State of Georgia
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Notary Public

Present Zoning of Property R-20

Location 2564 Weeping Oak Trace
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 603 District 16th Size of Tract 1.5 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 X Shape of Property X Topography of Property _____ Other _____

Does the property or this request need a second electrical meter? YES _____ NO X

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:

A literal interpretation or enforcement of provisions of
the Cobb County Zoning Ordinance would disallow
the proposed development of the subject property

List type of variance requested: To waive the required minimum 75'
public road frontage.

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