

**DECEMBER 19, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM 066

To consider granting a Special Exception for a reduction of minimum lot size as recommended by the Board of Zoning Appeals from their November 15, 2017 Variance Hearing regarding Variance Application V-121 Hurt Road Baptist Church.

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 November 15, 2017 Variance Hearing and recommended approval of the Special Exception.

STAFF COMMENTS

Cobb DOT: 1) Recommend monument sign be placed off the right-of-way.
2) Recommend the sign be installed where it will not impede the line of sight for the driveways or roadways.

RECOMMENDATION

The Board of Commissioners consider granting a Special Exception for the proposed reduction as recommended by the Board of Zoning Appeals.

ATTACHMENTS

Variance analysis.

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 OCT -3 PM 3:11

COBB COUNTY ZONING DIVISION

SUBJECT PROPERTY

DIMES HURT ROAD BAPTIST CHURCH, INC. ET AL.
SITE ADDRESS: 17 HURT ROAD S.E., SUITING, GA 30052
PARCEL ID: 17019500140

AREA: 4.52 ACRES

ZONING: R40

REFERENCE: PLAT BOOK 60 PAGE 05

N/F
CHARSHA L. REASON &
ANNE COOKREASON
PIN: 17019500150
DB 14530 PG 568

N/F
COBB NICKALACK
CREEK TRUST
PIN: 17019500330
DB 14488 PG 5618

N/F
CHRIS LAURENS
PIN: 17019500210
DB 14619 PG 6029

N/F
WYNNE T. HUFF
PIN: 17019500260

N/F
WYNNE T. HUFF
PIN: 17019500220

N/F
BAPTIST CHURCH, INC.
PIN: 17023900370
DB 13295 PG 2349

N/F
RAYMOND CHISHAM
PIN: 17023900360
DB 15008 PG 5956

N/F
PAMELA M. BENSON
PIN: 17023900390
DB 14875 PG 4574

N/F
C/A PROPOSED 20'
INGRESS-EGRESS &
UTILITY EASEMENT
(SEE DETAIL SHEET 2 OF 3)

N/F
HURT ROAD
BAPTIST CHURCH, INC.
PIN: 17023900350
FB 60 PG 98

N/F
HERIBERTO RODRIGUEZ
PIN: 17023900360
DB 11740 PG 3



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

THIS EASEMENT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF DIMES HURT ROAD BAPTIST CHURCH, INC. AND DIMES HURT ROAD BAPTIST CHURCH, INC. AND EXCLUSIVELY FOR THE TRANSFER TO THE LANDSOLD AND THE SURVEYOR'S OFFICE. THIS EASEMENT SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSES AND THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY CLAIMS OR DAMAGES ARISING FROM THE USE OF THIS SURVEY FOR ANY OTHER PURPOSES.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT, WHICH MAY REVEAL ADJACENT EASEMENTS, ENCUMBRANCES, OR INTERESTS NOT SHOWN HEREON. THE FIELD DATA FROM WHICH THIS EASEMENT SURVEY IS BASED WAS OBTAINED BY MEASUREMENTS OF ONE FOOT IN 100.000 FEET AND AN ANGULAR ERROR OF SIX PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES.

THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 100,000 FEET.

THE 2 CONTROLS SHOWN ON THIS EASEMENT SURVEY ARE ADJUSTED TO MATCH THE DATA AND HAVE A TOTAL ACCURACY OF 3.1' CONTIGUOUS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

NO PORTION OF THIS EASEMENT SURVEY ARE BASED ON GEODESIC WEST ZONE GRID SURVEYS SHOWING IN THE COBB COUNTY RECORDS.

THE UNDEVELOPED UTILITIES SHOWN HAVE BEEN LOCATED FROM ASSESSOR'S FIELD SURVEYS AND THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE AREAS SHOWN TO BE UNDEVELOPED UTILITIES. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE AREAS SHOWN TO BE UNDEVELOPED UTILITIES. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE AREAS SHOWN TO BE UNDEVELOPED UTILITIES.

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-3 OF THE RULES OF THE BOARD OF SURVEYING AND MAPPING IN THE GEORGIA STATUTE CODE, TITLE 18, CHAPTER 180-3.

LEGEND

1. LOT

2. CORNER

3. EASEMENT

4. ENCUMBRANCE

5. ADJACENT PROPERTY

6. PROPERTY LINE

7. ROAD

8. UTILITY

9. FENCE

10. TREE

11. ROCK

12. SAND

13. GRAVEL

14. ASPHALT

15. CONCRETE

16. BRICK

17. STONE

18. METAL

19. WOOD

20. PLASTER

21. GYPSUM

22. LIME

23. CEMENT

24. SAND

25. GRAVEL

26. ASPHALT

27. CONCRETE

28. BRICK

29. STONE

30. METAL

31. WOOD

32. PLASTER

33. GYPSUM

34. LIME

35. CEMENT

LEGEND

1. LOT

2. CORNER

3. EASEMENT

4. ENCUMBRANCE

5. ADJACENT PROPERTY

6. PROPERTY LINE

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28. BRICK

29. STONE

30. METAL

31. WOOD

32. PLASTER

33. GYPSUM

34. LIME

35. CEMENT

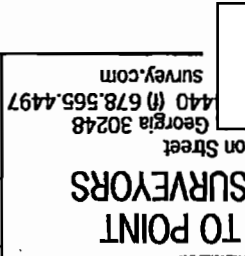
GRAPHIC SCALE IN FEET
SCALE 1" = 80'

COBB COUNTY ZONING DIVISION

POINT TO POINT LAND SURVEYORS
810 Jackson Street
Georgia 30248
440 (678) 565-4497
survey.com

V-121
(2017)

NO.	DATE	REVISION	PRELIMINARY
1	10/01/2013		



Infinigy Solutions, LLC.
2285 SEWELL HILL RD., STE 130
MARIETTA, GA 30062

"AUTUMN LANE"

LAND LOT 155
17TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

REASON FOR: 1. WALL

CHECKED BY: C. CASSIDY
APPROVED: C. MEB
DATE: JULY 17, 2013
P22 JOB 6 2013.057

SHEET: **1**
OF 3

BASEMENT SURVEY PREPARED FOR:
POINT TO POINT LAND SURVEYORS

APPLICANT: Hurt Road Baptist Church

PETITION No.: V-121

PHONE: 770-435-8164

DATE OF HEARING: 11-15-2017

REPRESENTATIVE: Mark Denyse, Denyse Companies, Inc.

PRESENT ZONING: R-20

PHONE: 770-942-0688

LAND LOT(S): 195

TITLEHOLDER: Hurt Road Baptist Church, Inc.

DISTRICT: 17

PROPERTY LOCATION: On the south side of Hurt Road, across from Brooks Court (17 Hurt Road).

SIZE OF TRACT: 4.64 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Allow an illuminated electronic sign for a church on a major collector roadway; 2) waive the maximum allowable sign area from 32 square feet to 35; and 3) waive the minimum lot size for a church from the required 5 acres to 4.639 acres.

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

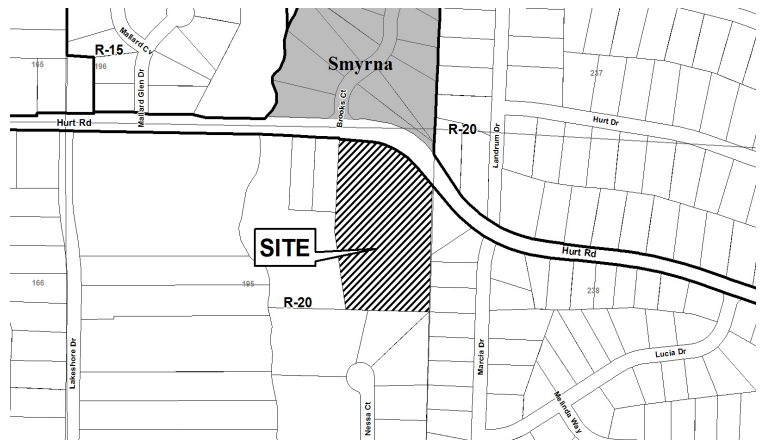
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Hurt Road Baptist Church **PETITION No.:** V-121

COMMENTS

TRAFFIC: This request will not have an adverse impact on the transportation network. Recommend the sign be installed where it will not impede the line of sight for the driveways or roadways..

DEVELOPMENT & INSPECTIONS: No building permits on general inquiries.

SITE PLAN REVIEW: No comments.

STORMWATER MANAGEMENT: No comments.

HISTORIC PRESERVATION: No comments.

DESIGN GUIDELINES: No comments.

CEMETERY PRESERVATION: No comments.

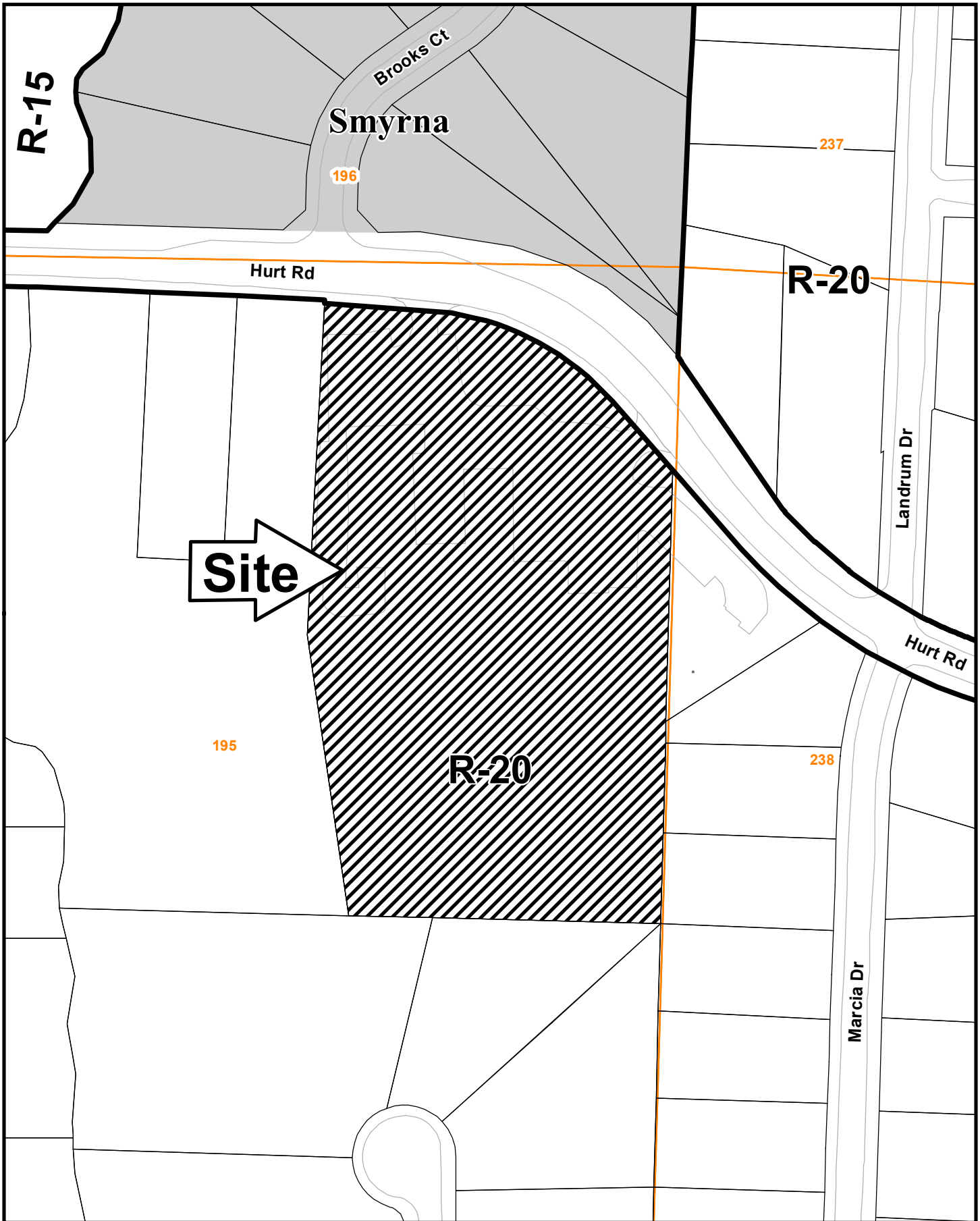
WATER: No conflict.

SEWER: No conflict.

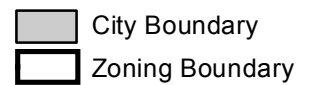
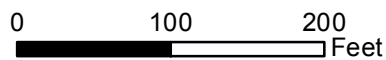
APPLICANT: Hurt Road Baptist Church **PETITION No.:** V-121

FIRE DEPARTMENT: Address Numbers: Address numbers must be at least 6 inches in height or larger to be visible from the roadway.

V-121 2017-GIS



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



Application for Variance Cobb County

(type or print clearly)

Application No. V-121
Hearing Date: 11-15-17

Applicant Hurt Road Baptist Church Phone # 770-435-8164 E-mail pastormikeparker@gmail.com

Mark Denyse - Denyse Companies, Inc. Address 4521 Industrial Access Rd, Douglasville, GA 30134
(representative's name, printed) (street, city, state and zip code)

Mark Denyse Phone # 770-942-0688 E-mail mdenyse@denyse.com
(representative's signature)

My commission expires: 18-04-2018

Signed, sealed and delivered in presence of [Signature]
Notary Public
COMMISSION EXPIRES AUGUST 9, 2018
DOUGLAS COUNTY, GEORGIA

Titleholder Hurt Road Baptist Church, Inc. Phone # 770-435-8164 E-mail pastormikeparker@gmail.com

Signature _____ Address: 17 Hurt Road, Smyrna GA 30082
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of _____

My commission expires: _____

Notary Public

Present Zoning of Property R-20

Location 17 Hurt Road
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 195, 238 District 17 Size of Tract 4.639 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.

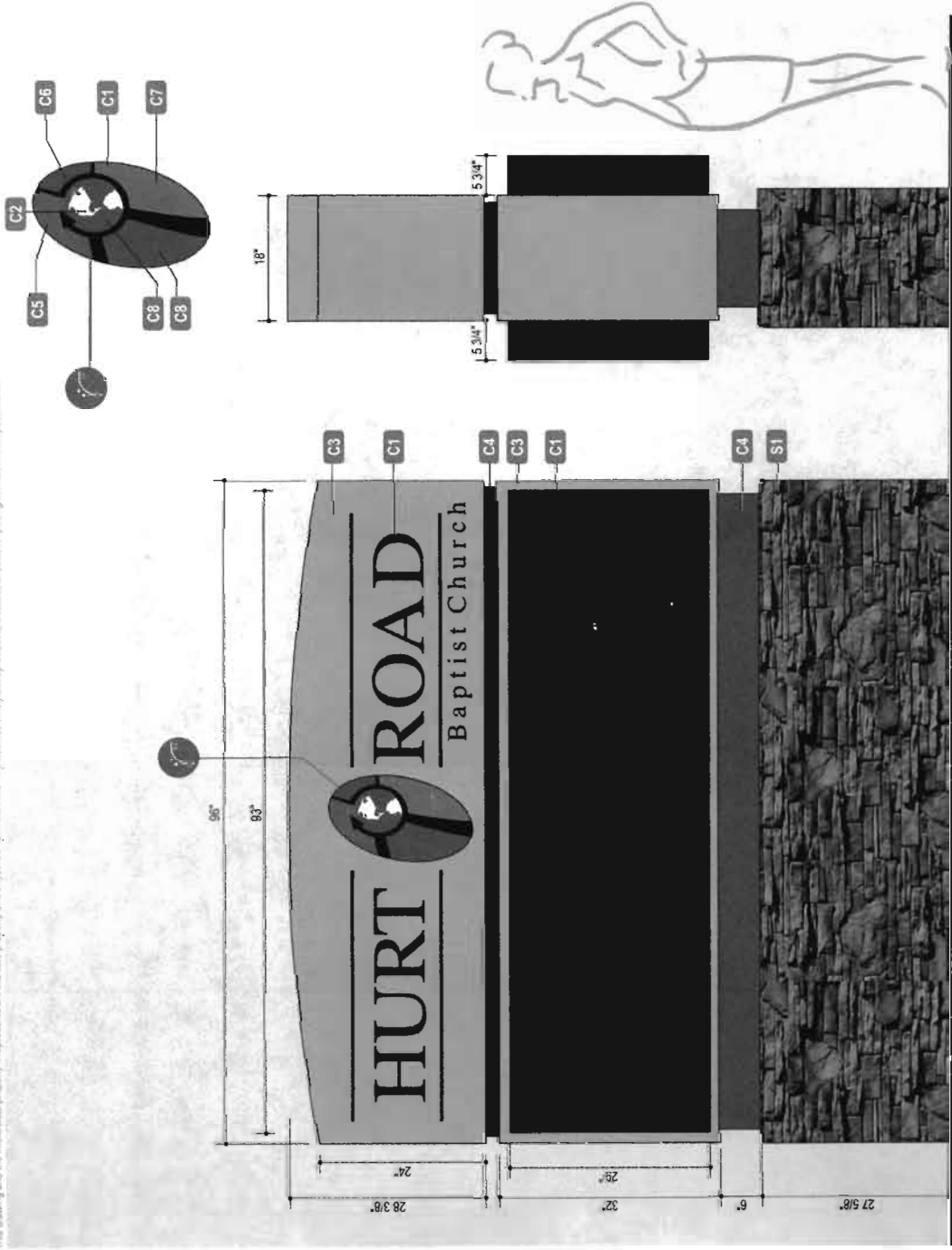
Size of Property _____ Shape of Property _____ Topography of Property _____ Other X

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:
In order to beautify the front of our property and the community, we would like to update our freestanding sign to include an electronic message board. This would allow us to get multiple messages to the community to let them know about social and charitable events taking place, in addition to our regular services.

List type of variance requested: Allow electronic sign at a place of religious worship located on major collector
Allow 35 square foot sign in lieu of allowable 32 square feet
of sign area

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Colors & Finishes

Colors shown here are for informational purposes only. Final results are subject to change. Colors may vary due to lighting conditions, printer calibration, and other factors. Colors are not guaranteed to match the physical product.

- C1** ● Day/Night Perforated Vinyl
 - C2** ○ White
 - C3** ● SW 6219 Rain
 - C4** ● SW 6225 Still Water
 - C5** ● PMS 1788c
 - C6** ● PMS 2728c
 - C7** ● PMS 123c
 - C8** ● PMS 355c
 - S1** ● Centurion Stone Veneer - Mesa Appalachian
- Actual Colors to be determined by logo and confirmed by client

Construction Specifications

- A** Fabricated aluminum monument sign with illuminated top and LED message board
- B** Internally illuminated cabinet with copy and logo to be routed and backed with acrylic. Logo to have digital vinyl print. Copy to have Day/Night perforated vinyl
- C** (2) LED message boards to be refurbished and retrofit into new monument
- D** Aluminum base to have stacked stone veneer

Electrical Notes

- ⊗ Disconnect switch(es) UL & ID listed Vent - 2" Dia. Louvered
- FINAL ELECTRICAL HOOK UP BY OTHERS
- Suitable for Wet Location
- Electrical Requirements:
- Connection Type: permanent continuous operation
- Number of Circuits: 2 (1 amp Dedicated Branch Circuit(s))
- Primary Wire Size: 12 awg / (default size: 12)
- Secondary Wire Size: 16 awg
- Max. Line Current:

Installed and tested in accordance with UL Standards for Electric Signs Installed in U.S. listed and approved materials and components in accordance with Article 600 of the National Electrical Code and other applicable local codes. This includes proper grounding and bonding.

This signed product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

LORD® This sign is fabricated using U.S. approved LORD® adhesive for long-term performance.

Scale
3/4" = 1'-0"

Customer Signature Required

DENYSE
S. CHARLES A. WACHTEL, III
ARCHITECTURAL
ELEMENTS
1.800.941.7446
denyseco.com

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Management Company
N/A

Property Name & Address
Hurt Road Baptist Church
City, State ZIP

V-121
(2017)
Exhibit

2354
Date: 08.30.2017
Mark:
Detail:
By:
Date:
08.30.2017
Revision Date: NA
0

Design Time
4

Filepath
V:\DS Graphics\Drawings and Photos\Hurt Rd Baptist Church - Smyrna, GA\ Preliminary Main ID 1\1

○ Concept
● Preliminary
○ Production

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
NOVEMBER 15, 2017
PAGE 5**

CONSENT AGENDA (CONT.)

~~V-120 **IMPACT WORSHIP CENTER** (Impact Worship Center, Inc., owner) requesting a variance to allow an electronic sign on a lot with less than 200 feet of public road frontage on one road in Land Lots 405 and 498 of the 18th District. Located on the north side of Mableton Parkway and on the east side of Queen Mill Road, northwest of Hunnicut Road (6925 Mableton Parkway).~~

~~To approve V-120, subject to:~~

~~1. **Department of Transportation comments and recommendations**~~

V-121 **HURT ROAD BAPTIST CHURCH** (Hurt Road Baptist Church, Inc., owner) requesting a variance to 1) allow an illuminated electronic sign for a church on a major collector roadway; 2) waive the maximum allowable sign area from 32 square feet to 35 square feet; and 3) waive the minimum lot size for a church from the required five acres to 4.639 acres in Land Lot 195 of the 17th District. Located on the south side of Hurt Road, across from Brooks Court (17 Hurt Road).

To approve V-121, subject to:

1. **Fire Department comments and recommendations**

CONSENT VOTE: **ADOPTED** 5-0

REGULAR AGENDA

~~V-117 **EDWARD T. WHITELEY** (Ed Whiteley and Lisa Whiteley, owners) requesting a variance to 1) waive the rear setback from the required 35 feet to 30 feet (existing); 2) allow an accessory structure (700 square foot proposed garage) to be located to the side of the principal structure; and 3) waive the required setbacks for an accessory structure over 650 square feet (700 square foot proposed garage) from the required 100 feet to 12 feet adjacent to the side property line and to 31 feet adjacent to the rear property line in Land Lot 581 of the 19th District. Located on the western side of Konawa Court, south of Tonkawa Bend (2606 Konawa Court).~~