## ITEM OB-76

## <u>PURPOSE</u>

To consider a reduction of minimum public road frontage for Richard G. Gabriel and Judith W. Gabriel for property located on the south side of Old Trace Road, in Land Lots 20 and 55 of the 19<sup>th</sup> District (Old Trace Road).

## BACKGROUND

The Board of Commissioners considers all reductions to minimum public road frontage pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-30 which requires 75' of public road frontage. The applicant has 0' of frontage for this 3-acre lot. Approval of this request would allow the applicant to build one house on this estate lot. All other zoning criteria would be met.

## **STAFF COMMENTS**

**Stormwater Management**: Subject to Stormwater Management approval of lot grading plan for new residence.

## **RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum public road frontage.

## **ATTACHMENT**

Other Business application.

(Site Plan Approval)
<b>Application for "Other Business"</b>
Cobb County, Georgia OB Application No. 76 -2018
(Cobb County Zoning Division – 770-528-2035) BOC Hearing Date Requested: December 18, 2018
Angliante Bisbard C. Cabriel and Indith M. Cabriel D. MOV 1.3 2018
Applicant: Richard G. Gabriel and Judith W. Gabriel 1111 Phone #: (678). 787-5165
Address: <u>555 Old Trace Road</u> , Marietta, GA 30064 COM dgat1989@yahoo.com
MOORE INGRAM JOHNSON & STEELE, LLP
<u>J. Kevin Moore</u> (representative's name, printed) Address: <u>Emerson Overlook, Suite 100, 326 Roswell Street</u> Marietta, GA 30060
BY: Phone #: (770) 429-1499 E-Mail:jkm@mijs.com
JAN 10. 2019
Signed, sealed and delivered in presence of:
Carelan E. Cook My commission expires: January 10, 2019
Notary Public
Judith W. Gabriel, Trustee, or Successor Trustee(s) of the   Titleholder(s) : Judith W. Gabriel Living Trust Dated December 5, Phone #:   (678) 787-7838
(property owner's name printed) 2000
Address: 555 Old Trace Road, Marietta, GA 30064 E-Mail: dgat1989@yahoo.com
See Attached Exhibit "A"
(Property owner's signature)
Signed, sealed and delivered in presence of:
My commission expires:
Notary Public
Commission District: 4 (A/ - the fact) Zoning Cogot - No. 4 - 15 - 14
Commission District: 1 (Weatherford) Zoning Case: Not Applicable
Size of property in acres: <u>3.0 +/-</u> Original Date of Hearing: Not Applicable
Legetient Coutbarts of Auroine of OULT Doub
Location: Southerly of terminus of Old Trace Road (street address, if applicable; nearest intersection, etc.)
Land Lot(s): 20, 55 District(s): 19th
State <u>specifically</u> the need or reason(s) for Other Business:
See Exhibit "B" attached hereto and incorporated herein by reference.

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#### <u>EXHIBIT "A"</u> - <u>ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"</u> (SITE PLAN APPROVAL)

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

OB Application No.: Current Hearing Date: OB-\_\_\_\_-2018 December 18, 2018



Applicants: Titleholder: COBB CO. C Richard G. Gabriel and Judith W. Gabriel ZONNO UNICON Judith W. Gabriel, Trustee, or Successor Trustee(s) of the Judith W. Gabriel Living Trust Dated December 5, 2000

JUDITH W. GABRIEL, Trustee, or Successor Trustee(s) of the Judith W. Gabriel Living Trust Dated December 5, 2000

Sobrief Isustee R W.-ΒY Judia W. Gabriel, Trustee

Date Executed:

Address:

Nevember <u>12</u>, 2018

555 Old Trace Road Marietta, Georgía 30064

Telephone No.:

(678) 787-7838

Signed, sealed, and delivered in the presence of: ech V Netary Public -10-Commission E bire "TANALSA"

#### <u>EXHIBIT "B"</u> - <u>ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"</u> (SITE PLAN APPROVAL)

**OB Application No.: Current Hearing Date:** 

OB--2018 December 18, 2018

Applicants: Titleholder: Richard G. Gabriel and Judith W. Gabriel Judith W. Gabriel, Trustee, or Successor Trustee(s) of the Judith W. Gabriel Living Trust Dated December 5, 2000

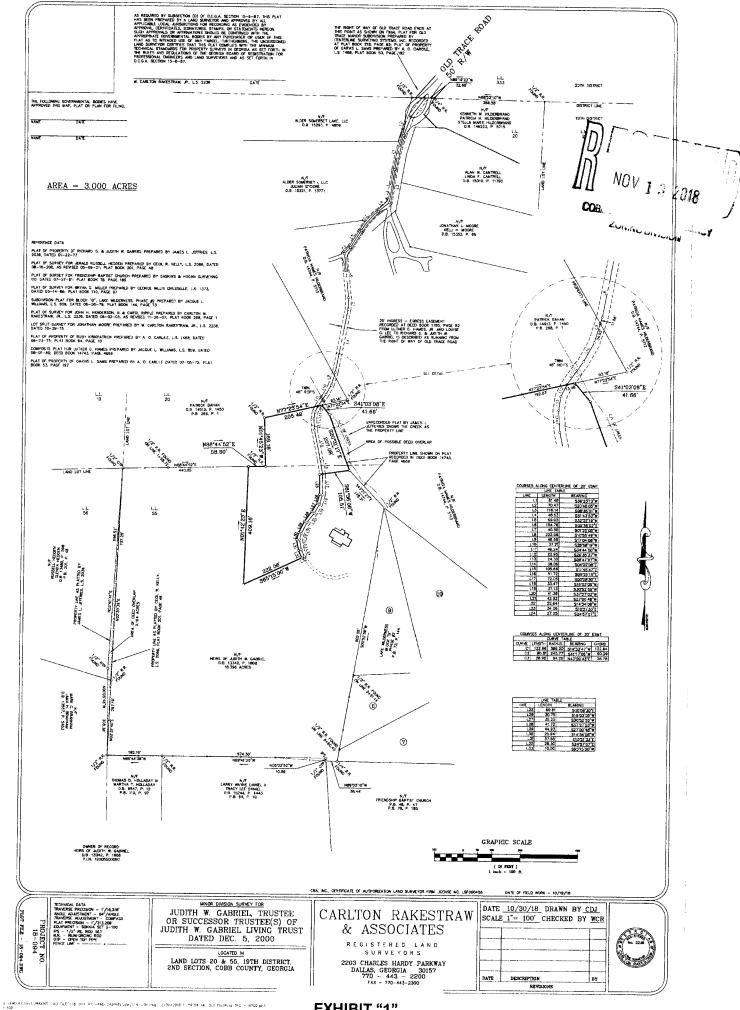
#### **BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

The Applicants, Richard G. Gabriel and Judith W. Gabriel (hereinafter collectively "Applicants"), reside on approximately 21 acres with a street address of 555 Old Trace Road, which is located southerly of the terminus of Old Trace Road (hereinafter "Overall Tract"). The property which is the subject of this Application for "Other Business" is approximately 3.0 acres and is part of the larger tract owned by the Property Owner, and upon which Applicants reside (said 3.0 acres hereinafter referred to as the "Property" or the "Subject Property"). The Subject Property is undeveloped and is zoned R-30. Access to the Overall Tract, including the Subject Property, is limited to a twenty (20) foot ingress/egress easement – private drive from the terminus of Old Trace Road. The Property has no frontage on a public roadway. For future construction of a single-family residence on the Property, approval must be obtained to waive the minimum public road frontage requirement. The requested approval results in very minimal, if any, impact on surrounding properties and would allow an otherwise reasonable use of the Subject Property; especially, given that adjoining properties are zoned to the R-30 and R-20 zoning classifications.

Applicants present the Minor Division Survey for approval by the Cobb County Board of Commissioners, same being prepared by Carlton Rakestraw & Associates, dated October 1, 2018, a reduced copy of which is attached hereto as Exhibit "1" and incorporated herein by reference.

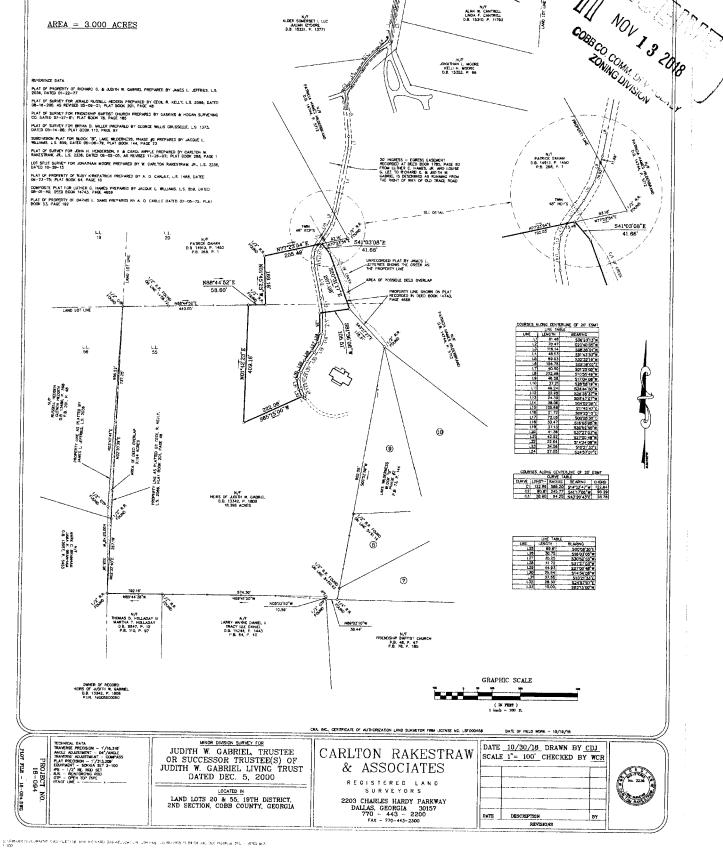
The approval of the Survey presented herein in no way adversely impacts or affects the quality or integrity of any adjacent or surrounding properties or neighborhoods.

### **EXHIBIT "1"**



NOV 1 3 2018

## SURVEY/SITE PLAN PRESENTED FOR APPROVAL IN APPLICATION FOR "OTHER BUSINESS" AT DECEMBER 18, 2018, BOARD OF COMMISSION ZONING HEARING



## THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FLUING:

NATE

SUCH APPRI PLAT LAND TECHN THE S PROFE W. CARLTON RAKESTRAW, JR., L.S. 2236

ROAD

1.L 3.53 8852'10'W N/F KENNETH W. HLDERBRAND PATRICIA H. HLDERBRAND STELLA MARIE HLDERBRAN D.9. 146223, P. 5715 LL. 20 N/F ALAN W. CANTRELL LINDA F. CANTRELL D.B. 15310, P. 11793

20TH DISTRIC

21

The ROAT DF WAY HE VLD INALE WAND LINUA IN THIS POINT AS SHOWN ON PRIVAL, PLAT FOR OLD TRACE MANOR SUBDIVISION PREPARED BY CONTENNES. SINCE RECORDED AT PLAT BOOK 298, PAGE 92; PLAT OF PROPER OF CARRYS L. SAMS PREPARED BY A. O. CARCHE, L.S. 1468, PLAT BOOK 53, PAGE 192, PLAT

N/F ALDER SOMERSET LAKE, LLC D.8 15293, P. 4809



# 2018 PAID AD VALOREM PROPERTY TAX RECIEPT FOR SUBJECT PROPERTY (TAX PARCEL NO. 19005500060)

CARLA JACKSON HEATHER WALKER Phone:	TAX COMMISSION CHIEF DEPUTY 770-528-8600	ER	Printed: 11/13/2018 Cobb County Online Tax Receipt Thank you for your payment!				
GABRIEL JUD SUCCESSOR	TTO-528-8679			G & JUDY W GABI Payment Date		4/1/ NOV 1 3 20 COBBCO COBBCO CONTROL 15/2018	17 18 
Tax Year	Parcel ID	Due Date		Appeal Amount	n op e Xa	Taxes Due	
2018	19005500060	10/15/2018	Pay:	N/A	or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid		Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$1,753.50		\$0.00	



Scan this code with your mobile phone to view this bill!