
Criteria:

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

PICTURES





Looking at property from the rear. The shed's roof top can be viewed. Wooden privacy fence exists along the west and rear property lines.



Looking at property from the rear. The gazebo roof top can be viewed between tree line. Wooden privacy fence exists along the east and rear property line.



Looking at property from the east, a wooden privacy fence exists along the east side property line.



Recommended Action:

Approve, but for existing development only. The applicant and owner, Thomas Johnson of the Casa Montessori School is requesting a variance to build an addition to an existing rear building; and is also requesting to reduce the number of required parking spaces on the property. The subject property totals 1.01 acres and is zoned OI (Office Institutional). To the west, is the Sunbeam Bakery which is zoned CRC (Community Retail Commercial); and to the east and rear of the subject property is a residential condominium complex (Powers Ferry Manor) that is zoned RA-8 (Single Family Residential – Attached). According to the applicant’s petition, the school has been in existence for over 35 years in the present location, and was annexed and rezoned into the City of Marietta approximately 13 years ago. The school campus has 7 classrooms and serves children from preschool level through sixth grade.

The subject property was annexed and rezoned into the City of Marietta on August 13, 1997, from GC (General Commercial) in Cobb County to OI (Office Intuitional) in the City of Marietta. Along with the rezoning, variances were granted to allow the reduction of a side yard setback requirement from 15 ft. to 12.5 ft. along the western property line, and to reduce the required rear yard setback from 40 ft. to 20 ft. The approved variances addressed the existing buildings that were nearest to the western and southern property lines; and since the development was in place at the time of the rezoning, the City’s buffer requirement was not addressed.

Along the eastern side of the property line there is a playground and a school building that are approximately 35 ft. from the property line. A basketball court is located approximately 12 ft. from the eastern property line that abuts Powers Ferry Manor Condominiums. Although not shown on the plans, a shed and a gazebo appear to be located within the rear yard setback, between the wooden privacy fence and the existing buildings. It is unclear if either structure meets any setback requirements.

Although the school does not currently provide the required landscaped buffer, there is a 6 ft. wooden privacy fence that encloses the western, eastern, and southern sides of the property. The proposed addition (17.5’ X 21’) to the existing school building will be 30 ft. from the rear property line and more than 40 ft. from the side property line, and adjacent to the basketball court. The location of this addition is no closer to any property line than the existing building and will not adversely affect any of the surrounding property owners.

The other variance request is to reduce the required number of parking spaces from 19 to 18. According to the parking regulations, a total of 19 parking spaces are required for the Casa Montessori School. During a site visit Staff observed that the parking on site is slightly different than what is listed on the site plan. However, Staff was able to determine that there are 18 parking spaces, including 1 handicapped parking space. All of the parking is currently in place and no new parking is proposed. (It should be noted that the striping in the parking area is faded and will need to be repainted.) The school does not anticipate that the 735 sq. ft. addition will create the need for additional parking.



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The existing development was constructed when the property was in unincorporated Cobb County, and the locations of the existing buildings were approved when the City annexed the property in 1997. According to current regulations, the applicant could not build any additions to the existing buildings without obtaining a variance to the buffer regulations. Due to the circumstances, Staff concludes that neither the addition, nor the requested parking reduction, will be detrimental to any property or improvements in the vicinity of the school property. ***Therefore, Staff recommends approval of the requested variances for the existing development; however, should this property be redeveloped, the buffer should be re-established.***