



STAFF REVIEW AND RECOMMENDATION

Variance Case #: V2016-04 **Legistar #:** 20160071
Board of Zoning Appeals Hearing: Monday, February 29th, 2016 – 6:00 p.m.
Property Owner: East Cobb Land Development & Investment Co LLLP
P.O. Box 6038
Marietta, GA 30065
Applicant: Advanced Pressure and Gutter Cleaning Inc.
1954 Roswell Road
Marietta, GA 30066
Address: 1827 Lower Roswell Road
Land Lot: 12060 **District:** 16 **Parcel:** 0020
Council Ward: 7A **Existing Zoning:** LI (Light Industrial)

Special Exception / Special Use / Variance(s) Requested:

1. Variance to allow gravel as the surface for parking. [§716.08 (B.)]

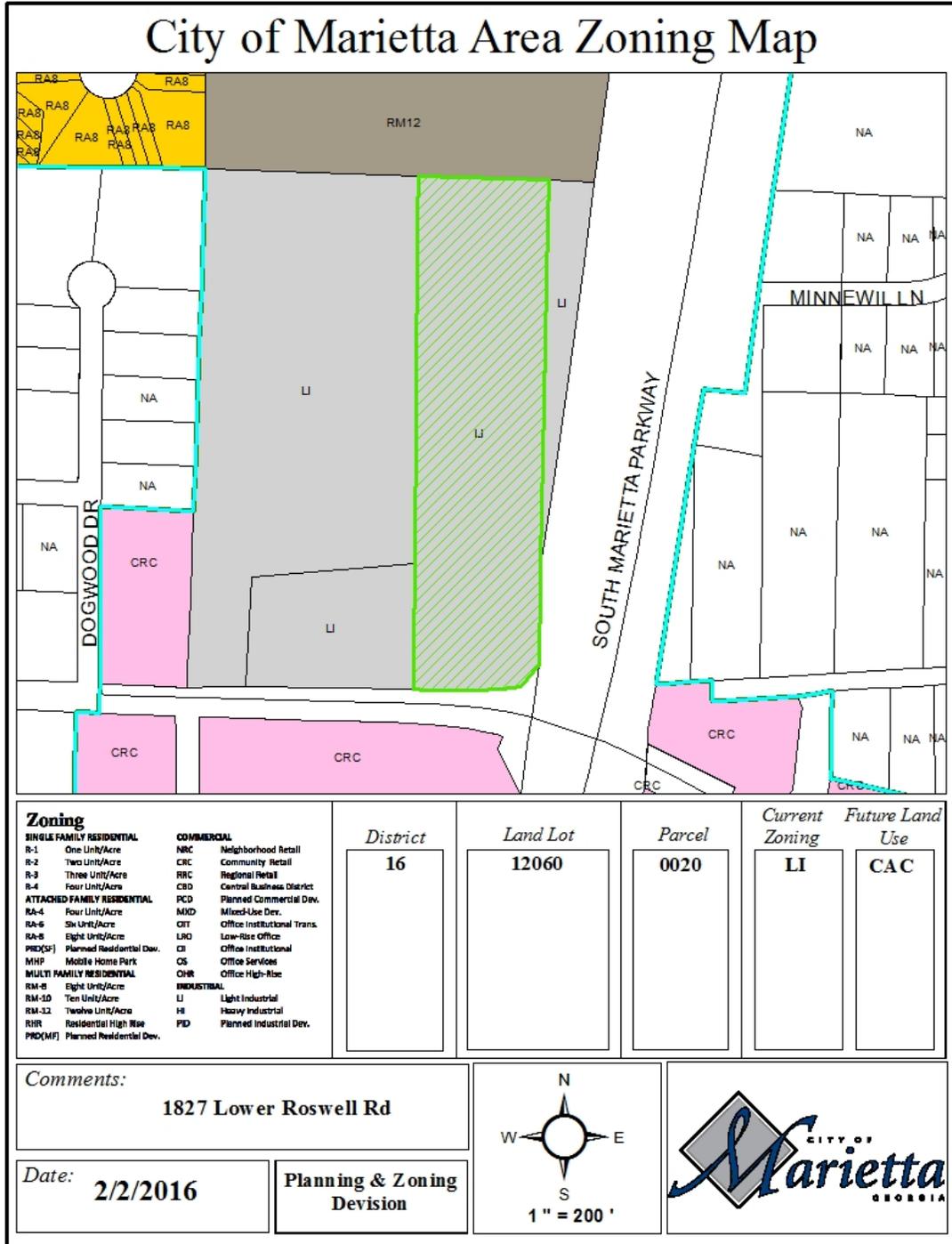
Statement of Fact

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

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.

- 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



1827 Lower Roswell Road



Existing structures and access way



Rear of the subject property

Recommended Action:

Approval, with stipulations. The applicant, Advanced Pressure and Gutter Cleaning Inc., is requesting a variance to allow gravel as a surface for parking and storage – on the property at 1827 Lower Roswell Road. The requested variance would allow the gravel to be used as a surface for driving and parking on the subject property. The subject property is 4.371 acres – zoned LI (Light Industrial). It is located at the northwest corner of the intersection of Lower Roswell Road – an arterial road – and State Route 120 Loop or South Marietta Parkway. The adjacent properties to the west and east are zoned LI; and the property to the north is zoned RM-12 (Multi-Family Residential – 12 units/acre). The property across Lower Roswell Road to the south is zoned CRC (Community Retail Commercial).

Section 716.08 (B) of the Zoning Ordinance states that only concrete, asphalt, or brick may be used as an allowable surface for parking and vehicular traffic. The applicant wishes to use gravel for parking and a driveway - an area of approximately 5,700 s.f. - located to the rear of the existing structures. It is intended to be used as overflow parking and for storage of equipment, trailers, and other material. North of the site is a residential apartment complex, and a 50 foot undisturbed buffer is required along that property boundary. The purpose of the buffer is to provide a visual screen of the rear of the subject property from the apartment complex. However, the applicant has indicated that there is approximately 500 feet of wooded area between the boundary of the apartment complex and the area that they will be utilizing for their business. This undisturbed area of the property will exceed the buffer area required by the zoning regulations.

According to the proposed plans, access to the gravel area would be from east of the property – which borders a vacant parcel of property (0.62 ac.) off of South Marietta Parkway. The applicant stated that the topography of the land slopes away from Lower Roswell Road toward the rear paved area. Therefore, vehicles leaving the gravel area would travel uphill and across approximately 150 feet of an asphalt driveway before exiting onto Lower Roswell Road – thereby minimizing the occurrence of gravel being deposited on to the public roads.

Although the proposed plan does not address the existing “U-shaped” driveway – the Public Works Department will required that the entire paved access must be a minimum of 14 feet in width to be used as a one-way drive; or it would have to be 20 feet in width to accommodate vehicular traffic both ways.

The applicant also plans to make improvements to the entire property, including but not limited to: landscaping, decorative fencing, new parking lot, rotten wood repair, and exterior building maintenance – such as, painting and new gutters. The applicant is attempting to use gravel as a driving/parking surface so that he can minimize the total area of impervious surface. The applicant may be subject to the City of Marietta’s Post Development Stormwater ordinance (Article 7-8-14) if an impervious surface area is “created, removed, rebuild, etc. that exceeds or equals 5000 square foot per parcel”. By utilizing gravel, the applicant is trying to alleviate costs associated with satisfying the Post Development Stormwater ordinance.

In order for the applicant to make improvements to the site for its business, *Staff recommends approval of the requested variance with the following stipulations;*

- 1. A minimum paved driveway access must be provided 14’ for one-way only or 20’ for two-way access.*
- 2. A 50’ undisturbed buffer must be maintained along the north property line.*
- 3. If applicable, the applicant will comply with the City of Marietta’s Post-Development Stormwater Ordinance (Article 7-8-14).*



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Brian Binzer, AICP, Director

APPLICATION FOR VARIANCE OR APPEAL
(Owner/Applicant/or Representative must be present at all public hearings)

For Office Use Only:

Application #: V2016-04 Registrar #: BZA Hearing Dt: 2-29-16
City Council Hearing Dt (if applicable) #: PZ #: 16-28

This is a variance/appeal application for:

[X] Board of Zoning Appeals [] City Council

Owner's Name East Cobb Land Development + Investment Co LLP
Address P.O. Box 6038 Zip Code: 30065
Telephone Number: 770-973-6725 Email Address: none

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant Advanced Pressure and Gutter Cleaning Inc
Address 1954 Roswell Rd, Marietta, GA Zip Code: 30066
Telephone Number 770-977-6653 Email Address: matt@advancedatl.com

Address of property for which a variance or appeal is requested:

1827 Lower Roswell Rd, Marietta GA 30069 Date of Acquisition: 1/01/2016
Land Lot (s) 12060 District 16 Parcel 0020 Acreage 4.297 Zoned LI Ward 7A FLU CAC

List the variance(s) or appeal requested (please attach any additional information):

Request for variance to install gravel as an acceptable driving surface.

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s). Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 25 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.
7. Documentation authorizing applicant to submit application by property owners if applicant is not owner.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER



1954 Roswell Rd. NE, Marietta, GA. 30062
O: 770.977.6653, F: 678-668-7929
Email: Info@AdvancedATL.com, web: AdvancedATL.com

Dear Members of the Board,

This is a request for variance to install gravel as an acceptable driving surface in a rear and isolated portion of the property located at 1827 Lower Roswell Rd. We are requesting this variance for the purpose of providing adequate parking and storage space for the business without adding additional impermeable asphalt surfaces, and therefore additional storm water runoff, and the costs associated with the storm water management which would then be necessary.

Advanced Pressure and Gutter Cleaning Inc. is a home service provider, based in Marietta for over 20 years. Our current office is located at 1954 Roswell Rd. NE., Marietta, GA 30062.

We make this application for zoning variance in an effort that we may proceed with our plan to rehabilitate and inhabit the existing building as our new office space.

We have leased this 4.3 acre property with a plan to immediately rehabilitate the property, cosmetically and functionally. A large majority of our customers are based in the immediate Marietta area, and we feel it important to have a positive presence in the community.

As part of a renovation plan for this property, and to accommodate our business at this location, we would like to submit this application for a proposed 5700 square-foot rear gravel or crush and run parking area for equipment, trailers, material, and other overflow parking which is less appealing to the eye, and could therefore be placed in the back lot and out of sight.

This rear parking pad would be mostly invisible to the public, located behind and slightly below the building. This area is hardly visible from public roadways.

The North side (rear) would be bordered by approximately 500' of woods, which is also part of this property (4.3 acres). The majority of this acreage is located behind the proposed parking area. It will therefore not be visible from the bordering property to the rear. The rear is bordered by RM-12 zoning (multi-family residential).

The South side/Front is bordered entirely on Lower Roswell Road.

The Left/West side of the property is bordered by LI zoning (light industrial) of the same landlord.

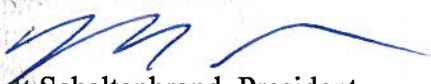
The East side (Marietta Parkway side) would be bordered by an existing thick natural wooded area, and a wood privacy fence and an additional small natural wooded lot also zoned LI, (light industrial), and again of the same landlord.

There would not be a concern with rocks or gravel carrying to the public road, as vehicles exiting the gravel area would be travelling slightly uphill as they enter the asphalt parking lot, and would cross more than 150 feet of private blacktop parking area and driveway to exit the property.

From an initial study of past cases, it appears to us that similar requests have been approved by the Board of Zoning Appeals, including the following cases; V-95052, V-96042, V-98023, V-98029, V2000-31, V2001-01, V2001-03, V2008-17, V2013-08 and V2013-15.

Other improvements to this property will include; a total cleanup of its current disorderly condition, total landscape cleanup, new decorative fencing around the front and east side of the property (all public road facing sides), exterior building cleaning, rotten wood repair, painting, new gutters, new asphalt parking lot, decorative street side fencing, landscape areas will be planted and mulched in an aesthetically pleasing manner, and other items as needed.

We sincerely appreciate your consideration of this variance.



Matt Schaltenbrand, President
Advanced Pressure & Gutter Cleaning Inc.
1954 Roswell RD NE
Marietta, GA. 30062

Cell 678-525-9953
Email: Matt@APGCInc.com

TO: Marietta Daily Journal
FROM: City of Marietta
RUN DATE: February 12, 2016

PUBLIC NOTICE OF VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following variance requests. The Board of Zoning Appeals will consider the following requests on **Monday, February 29, 2016 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

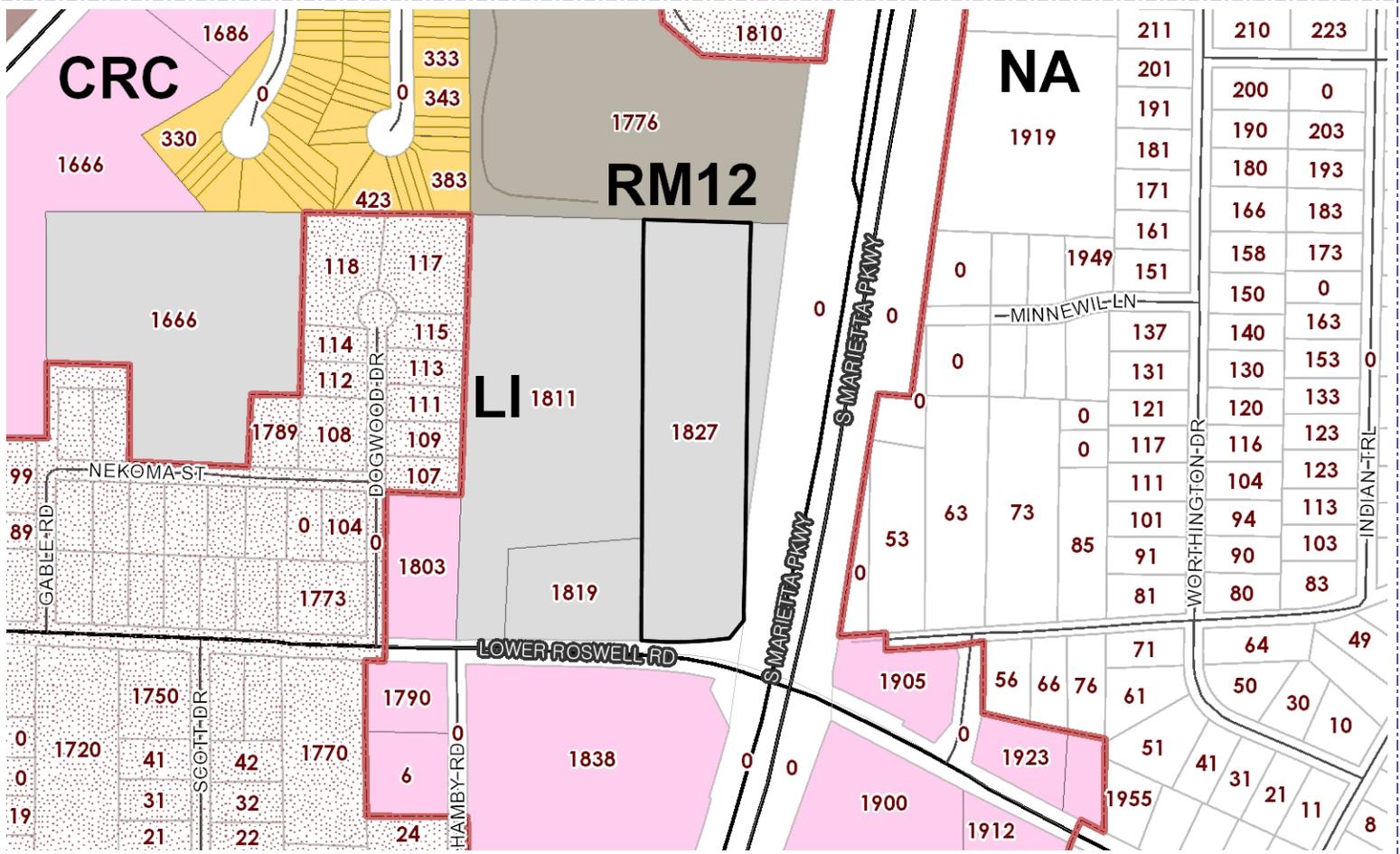
V2016-04 [VARIANCE] ADVANCED PRESSURE & GUTTER CLEANING INC. is requesting a variance for property located in Land Lot 1206, District 16, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia and being known as 1827 Lower Roswell Road. Variance to allow the use of gravel as an acceptable parking and/or driving surface. Ward 7A.

A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1827 LOWER ROSWELL RD	16120600020	4.371	7A	LI	CAC

Property Owner:	East Cobb Land Development	Zoning Symbols
Applicant:	Advanced Pressure & Gutter Cleaning	
BZA Hearing Date:	02/29/2016	
Acquisition Date:		
Case Number:	V2016-04	
City of Marietta Planning & Zoning		

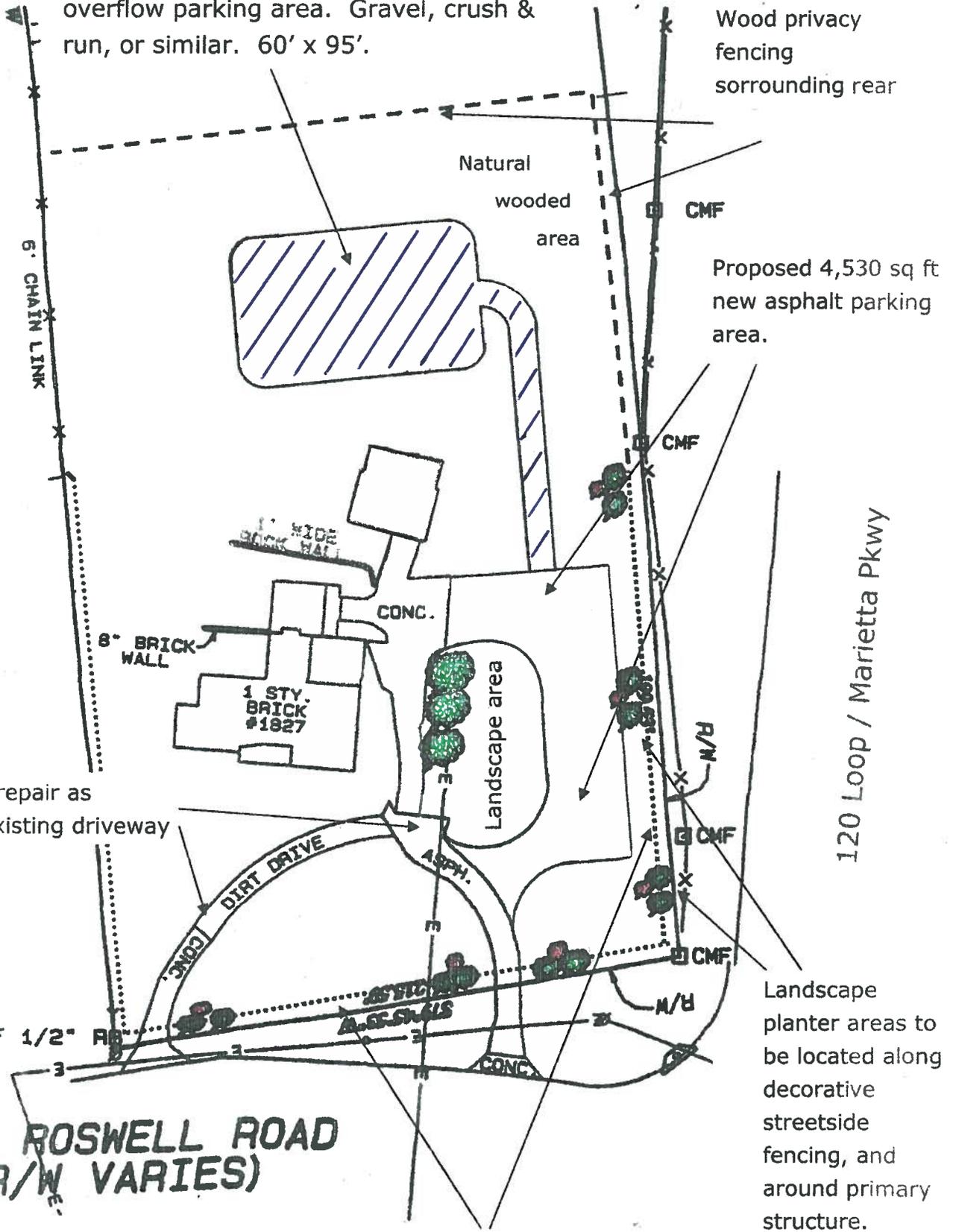
Detailed view

Proposed rear equipment, trailer, and overflow parking area. Gravel, crush & run, or similar. 60' x 95'.

Wood privacy fencing surrounding rear

Natural wooded area

Proposed 4,530 sq ft new asphalt parking area.



Resurface / repair as necessary existing driveway

Landscape planter areas to be located along decorative streetside fencing, and around primary structure.

4' Decorative "horse cross fence" on front and right streetsides.

Existing view of the property structure.



Proposed new look and paint scemes for exterior of building



Proposed deco horse fencing along road sides of property



