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# VARIANCE ANALYSIS

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May 14, 2008

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

**Sam Olens, Chairman  
Helen Goreham, District 1  
Joe Thompson, District 2  
Tim Lee, District 3  
Annette Kesting, District 4**

***COUNTY MANAGER***

**David Hankerson**

***COBB COUNTY BOARD OF ZONING APPEALS***

**Murray Homan, Chairman  
Bob Hovey  
Tom McCleskey  
Christi Trombetti  
Judy Williams**

***COBB COUNTY ZONING DIVISION  
COMMUNITY DEVELOPMENT DEPARTMENT***

**Robert Hosack, Director, Community Development  
Mark A. Danneman, Manager, Zoning Division**



*Cobb County... Expect the Best!*

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**COBB COUNTY BOARD OF ZONING APPEALS  
VARIANCE HEARING AGENDA  
MAY 14, 2008**

**REGULAR CASES – NEW BUSINESS**

- V-35**      **DAVID AND KATRINA BLAUVELT** (owners) requesting a variance to: 1) allow an accessory structure (proposed 810 square foot garage) to the side of the primary structure; 2) waive the setback for an accessory structure over 800 square feet (proposed 810 square foot garage) from the required 100 feet to 85 feet adjacent to the eastern property line and 90 feet adjacent to the northern property line; 3) allow an accessory structure (existing frame barn/art studio) to the front of the primary structure; 4) waive the setback for an accessory structure over 800 square feet (existing 1,055 square foot barn/art studio) from the required 100 feet to 65 feet adjacent to the eastern property line and 15 feet adjacent to the southern property line; and 5) waive the rear setback for an accessory structure over 144 square feet (existing shed) from the required 40 feet to 8 feet and the side setback from the required 12 feet to 7 feet in Land Lot 809 of the 16<sup>th</sup> District. Located on the north side of Holcomb Lake Road, west of Wingate Drive (1545 Holcomb Lake Road).
- V-36**      **STEPHEN PAGANUCCI** (owner) requesting a variance to allow an accessory structure to the side of the primary structure in Land Lot 1258 of the 16<sup>th</sup> District. Located on the north side of River Cliff Chase, north of Paper Mill Road (4139 River Cliff Chase).
- V-37**      **CHRISTOPHER E. WILLIAMS** (owner) requesting a variance to waive the side setback from the required 12 feet to 6 feet adjacent to the western property line on lot 20 in Land Lot 958 of the 17<sup>th</sup> District. Located on the south side of Bakers Farm Road, east of Woodland Brook Drive (2970 Bakers Farm Road).
- V-38**      **GARY L. JONES** (owner) requesting a variance to waive the setback for an accessory structure over 1,000 square feet (1,500 square foot work shop/garage) from the required 100 feet to 16 feet adjacent to the eastern property line, 49 feet adjacent to the southern property line and 55 feet adjacent to the western property line in Land Lot 309 of the 19<sup>th</sup> District. Located on the south side of Bullard Road, east of Lost Mountain Road (1585 Bullard Road).

- V-39**      **DONALD R. BARBEE** (Donald R. Barbee and Carol J. Barbee, owners) requesting a variance to waive the rear setback for an accessory structure over 144 square feet from the required 35 feet to 16 feet on lot 12 in Land Lot 90 of the 17<sup>th</sup> District. Located on the south side of White Oak Drive, east of Favor Road (575 White Oak Drive).
- V-40**      **MAJESTIC LANTERN RIDGE, LLC** (owner) requesting a variance to: 1) waive the front setback from the required 75 feet to 50 feet; 2) waive the side setback from the required 35 feet to 20 feet adjacent to the western property line and the side setback adjacent to the eastern property line from the required 35 feet to 25 feet; 3) waive the rear setback from the required 40 feet to 20 feet; and 4) allow an accessory structure (existing metal building plus a dumpster pad) to the front of the primary structure in Land Lots 1134 and 1171 of the 16<sup>th</sup> District. Located near the southwesterly intersection of Roswell Road and Marietta Parkway (a/k/a the 120 Loop) (1810 Roswell Road).
- V-41**      **CHAMPION WINDOWS** (Sharon F. Tucker, owner) requesting a variance to waive the side setback adjacent to the southern property line on lot 8 from the required 10 feet to 5 feet in Land Lot 1057 of the 16<sup>th</sup> District. Located on the western side of Willow Ridge Court, east of Willow Ridge Drive (725 Willow Ridge Court).
- V-42**      **LYLES R. MATTHEWS** (Lyles R. Matthews and Susan M. Matthews, owners) requesting a variance to: 1) allow an accessory structure (proposed gazebo) to the front of the primary structure; 2) waive the side setback adjacent to the north property line from 10 feet to 0.6 feet (existing); and 3) waive the minimum amount of public road frontage from 75 feet to 68 feet (existing) in Land Lot 1079 of the 19<sup>th</sup> District. Located on the western side of Seayes Road, east of Garrett Drive (1663 Seayes Road).

- V-43**      **FRANKLIN M. BARRER** (Franklin Barrer and Nancy P. Barrer, owners) requesting a variance to waive the setback for an accessory structure over 800 square feet (proposed 925 square foot garage) from the required 100 feet to 12 feet adjacent to the southern property line, 12 feet adjacent to the eastern property line and 60 feet adjacent to the northern property line on lot 14 in Land Lot 277 of the 19<sup>th</sup> District. Located on the eastern side of Uncle Ben Drive, north of North Cook Road (1455 Uncle Ben Drive).
- V-44**      **FRANK M. LEGATE, III** (owner) requesting a variance to: 1) waive the public road frontage to allow one home off of a private easement; 2) waive the lot size for a lot without public road frontage from the required 80,000 square feet to 40,271 square feet; 3) waive the front setback on lot 2 from the required 35 feet to 25 feet and the rear setback from the required 35 feet to 10 feet; and 4) waive the width of an easement from 25 feet to 20 feet in Land Lots 70 and 163 of the 18<sup>th</sup> District. Located on the southern side of Collett Avenue, west of Anne Drive (520 Collett Avenue).
- V-45**      **JOHNSON FERRY BAPTIST CHURCH, INC.** (owner) requesting a variance to: 1) waive the landscape screening buffer from the required 35 feet to 10 feet adjacent to the northern and eastern property lines; and 2) waive the setback from the required 50 feet to 10 feet adjacent to the northern and eastern property lines in Land Lot 67 of the 1<sup>st</sup> District. Located on the west side of Johnson Ferry Road and east side of Woodlawn Drive, north of Lower Roswell Road (955 Johnson Ferry Road).
- V-46**      **SUNSHINE ASSETS, LLC** (owner) requesting a variance to waive the front setback from the required 40 feet to 29 feet in Land Lot 869 of the 19<sup>th</sup> District. Located on the east side of Hopkins Road, north of Powder Springs Road (3801 Hopkins Road).

- V-47**      **JUD WHITLOCK** (Judson L. Whitlock and REES 648, LLC, owners) requesting a variance to waive the front setback (rear setback for lot) from the required 50 feet to 41 feet adjacent to lot 35 in Land Lots 975, 976, 951 and 952 of the 17<sup>th</sup> District. Located at the northeasterly intersection of Stillhouse Road and Paces Mill Road (33 Pointe Terrace).
- V-48**      **FRANK CRAMER AND TERENCE LEWIS** (Portico Palmer, LLC, owner) requesting a variance to waive the rear setback on lot 4 from the required 35 feet to 23 feet in Land Lot 1275 of the 16<sup>th</sup> District. Located on the east side of Palmer Oaks Lane, north of Lower Roswell Road (155 Palmer Oaks Lane).

**HELD CASES**

- V-136<sup>07</sup>**      **PLATINUM AUTO SPA** (Kanbur Properties, LLC, owner) requesting a variance to waive the front setback from the required 50 feet to 18 feet in Land Lot 67 of the 1<sup>st</sup> District. Located on the west side of Johnson Ferry Road, north of Shetland Avenue (1075 Johnson Ferry Road). *(Continued by the Board of Zoning Appeals from their November 14, 2007 hearing, held by the Board of Zoning Appeals from their December 12, 2007 hearing and at their January 10, 2008 hearing, the Board of Zoning Appeals held this case until their June 11, 2008 hearing; therefore it will not be considered at this hearing)*
- V-27**      **BRUCE C. SCHUFRIEDER AND BELINDA L. SCHUFRIEDER** (owners) requesting a variance to: 1) allow an accessory structure (proposed swimming pool) to the side of the primary structure on lot 1; 2) reduce the front setback on lot 1 from 32 feet (as previously approved from V-12 of 1996) to 31 feet; and 3) reduce the side setback on lot 1 from 9 feet (as previously approved from V-12 of 1996) to 8 feet in Land Lot 172 of the 1<sup>st</sup> District. Located on the north side of Oak Chase Drive, south of Shallowford Road (3099 Oak Chase Drive). *(Previously held by the Board of Zoning Appeals from their April 9, 2008 hearing)*

**V-29**

**LARRY MICHAEL PERMENTER AND TERESA FAYE PERMENTER** (owners) requesting a variance to: 1) waive the front setback on lot 12 from the required 45 feet to 18 feet; 2) waive the side setback from the required 12 feet to 7 feet adjacent to the northern property line; 3) waive the rear setback on lot 12 from the required 40 feet to 27 feet; 4) waive the side setback on lot 12 from the required 12 feet to zero feet adjacent to the southern property line; 5) waive the side setback on lot 13 from the required 12 feet to zero feet adjacent to the northern property line; and 6) waive the rear setback on lot 13 from the required 40 feet to 27 feet in Land Lot 756 of the 16<sup>th</sup> District. Located on the east side of Country Squire Road, east of Bishop Lake Road (1990 Country Squire Road). *(Previously held by the Board of Zoning Appeals from their April 9, 2008 hearing)*

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**APPLICANT:** David and Katrina Blauvelt **PETITION NO.:** V-35  
**PHONE:** 770-384-5103 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** R-30  
**PHONE:** same **LAND LOT(S):** 809  
**PROPERTY LOCATION:** Located on the north side of **DISTRICT:** 16  
Holcomb Lake Road, west of Wingate Drive **SIZE OF TRACT:** 1.4 acres  
(1545 Holcomb Lake Road). **COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Allow an accessory structure (proposed 810 square foot garage) to the side of the primary structure; 2) waive the setback for an accessory structure over 800 square feet (proposed 810 square foot garage) from the required 100 feet to 85 feet adjacent to the eastern property line and 90 feet adjacent to northern property line; 3) allow an accessory structure (existing frame barn/art studio) to the front of the primary structure; 4) waive the setback for an accessory structure over 800 square feet (existing 1,055 square foot barn/art studio) from the required 100 feet to 65 feet adjacent to the eastern property line and 15 feet adjacent to southern property line; and 5) waive the rear setback for an accessory structure over 144 square feet (existing shed) from the required 40 feet to 8 feet and the side setback from the required 12 feet to 7 feet.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** No comments.

**STORMWATER MANAGEMENT:** The proposed improvements will still be under the maximum allowable impervious coverage limit of 35%.

**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.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

**SEWER:** Not available to property without private easement.

**OPPOSITION:** NO. OPPOSED          **PETITION NO.**          **SPOKESMAN**         

**BOARD OF APPEALS DECISION**

**APPROVED**          **MOTION BY**         

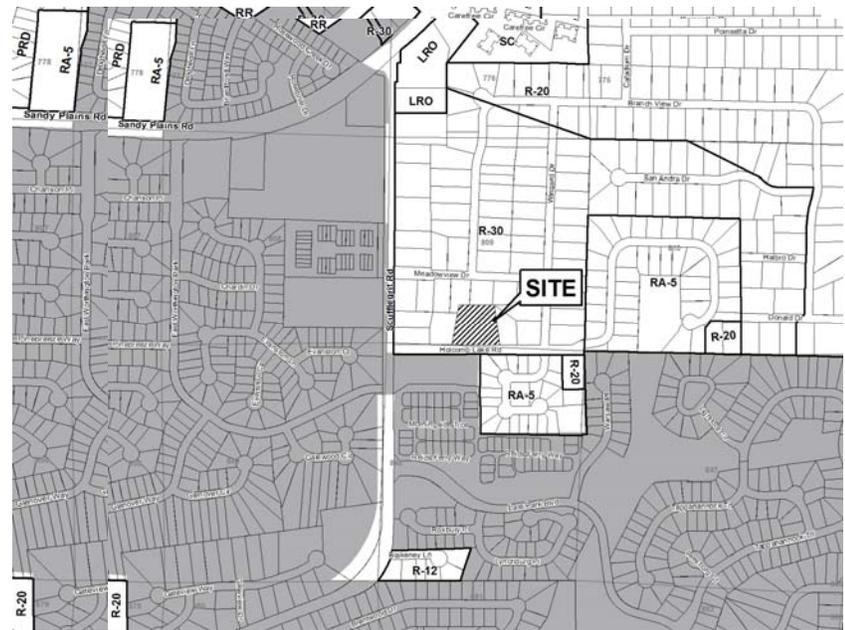
**REJECTED**          **SECONDED**         

**HELD**          **CARRIED**         

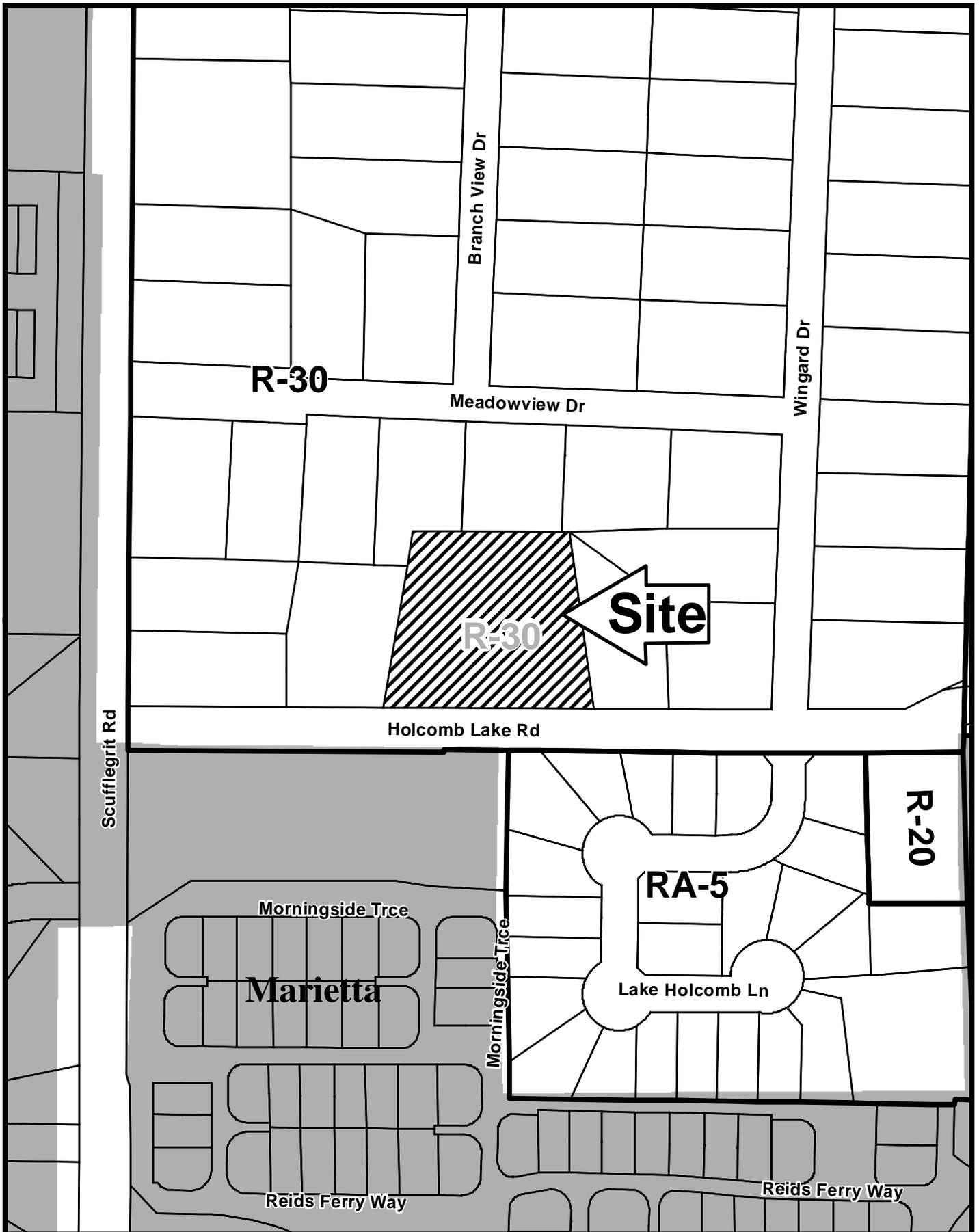
**STIPULATIONS:**         



# V-35



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-35

Hearing Date: 5-14-08

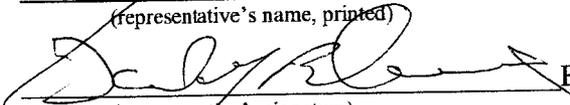
Applicant David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678 622 5669

David & Katrina Blauvelt

Address 1545 Holcomb Lake Road, Marietta, GA 30062

(representative's name, printed)

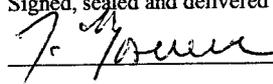
(street, city, state and zip code)

  
(representative's signature)

Business Phone 770-384-5103 Cell Phone 678-358-3874

Signed, sealed and delivered in presence of:

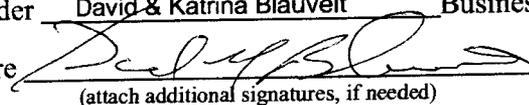
Notary Public, Cobb County, Georgia  
My commission expires My Commission Expires February 3, 2011



Notary Public

Titleholder David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678-622-5669

Signature

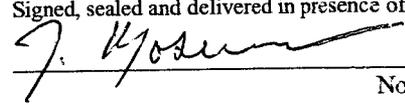
  
(attach additional signatures, if needed)

Address: 1545 Holcomb Lake Road, Marietta, GA 30062

(street, city, state and zip code)

Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:



My commission expires: \_\_\_\_\_

Notary Public

Present Zoning of Property R30

Location 1545 Holcomb Lake Road, Marietta, GA 30062, off of Scufflegrit  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 809 District 16th Size of Tract 1.40 acres 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. historical farmhouse

Size of Property 1.40 acres Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

To build an accessory structure - a garage- to the side of the primary structure . The garage would accomodate two cars.  
The detached garage would be in character with the primary, historic home. It would look like an old-fashioned garage/carriage house.  
The style would be in keeping with historic Marietta.  
We request a maximum size of 810 square feet as the garage is on 1.40 acres. Drawing shows 650 sq ft garage.  
The location is in the middle of the property, farther than all of the required setbacks.

List type of variance requested:

Variance to build a maximum 810 sq.ft. detached garage to the side of the primary structure.

Drawing shows 650 sq ft garage -- the patio on the back would be closed in for an additional 160 sq ft of storage for tools etc.

See Exhibit A

# Application for Variance Cobb County

(type or print clearly)

Application No. U-35

Hearing Date: 5-14-08

Applicant David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678 622 5669

David & Katrina Blauvelt Address 1545 Holcomb Lake Road, Marietta, GA 30062  
(representative's name, printed) (street, city, state and zip code)

[Signature]  
(representative's signature)

Business Phone 770-384-5103 Cell Phone 678-358-3874

Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

[Signature]

Notary Public

Titleholder David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678-622-5669

Signature [Signature] Address: 1545 Holcomb Lake Road, Marietta, GA 30062  
(attach additional signatures, if needed) (street, city, state and zip code)

Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

[Signature]

Notary Public

Present Zoning of Property R30

R-30

Location 1545 Holcomb Lake Road, Marietta, GA 30062, off of Scufflegrit  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 809 P1 District 16th Size of Tract 1.3 Acres ~~1.40 acres~~ 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. No room to move existing barn behind the house.

Size of Property \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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. This variance request is for an existing barn on the property that was built circa 1910. The barn is 16.4 feet from the road. We would like to save this post and beam structure that is now becoming unique to our area.

We would like to use it as a art/craft studio/workshop for ourselves and our two daughters.

Moving the existing barn further back on the property would be cost prohibitive and would cause an economic hardship.

Use of the barn as a studio would be incidental to the permitted R-30 zoning.

This use would not impact the neighborhood as it is an existing building with rural character.

List type of variance requested: \_\_\_\_\_

Zoning variance for an existing structure that is in front of the primary structure.

Footprint as drawn is the same as the original barn.

see Exhibit B

Revised: December 6, 2005

Use of the barn as a studio would be incidental to the permitted R-30 zoning.



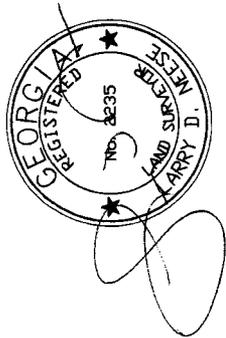


THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS, MAP NO. 13067C 0055 F., DATED AUGUST 18, 1992.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 2.1" PER ANGLE POINT AND WAS ADJUSTED USING COMPEASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 300,000 FEET. EQUIPMENT UTILIZED: ANGULAR: SOKKIA SETBOR LINEAR: SOKKIA SETBOR

UNLESS OTHERWISE SHOWN THERE ARE NO NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500 FEET OF THIS PROPERTY.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.



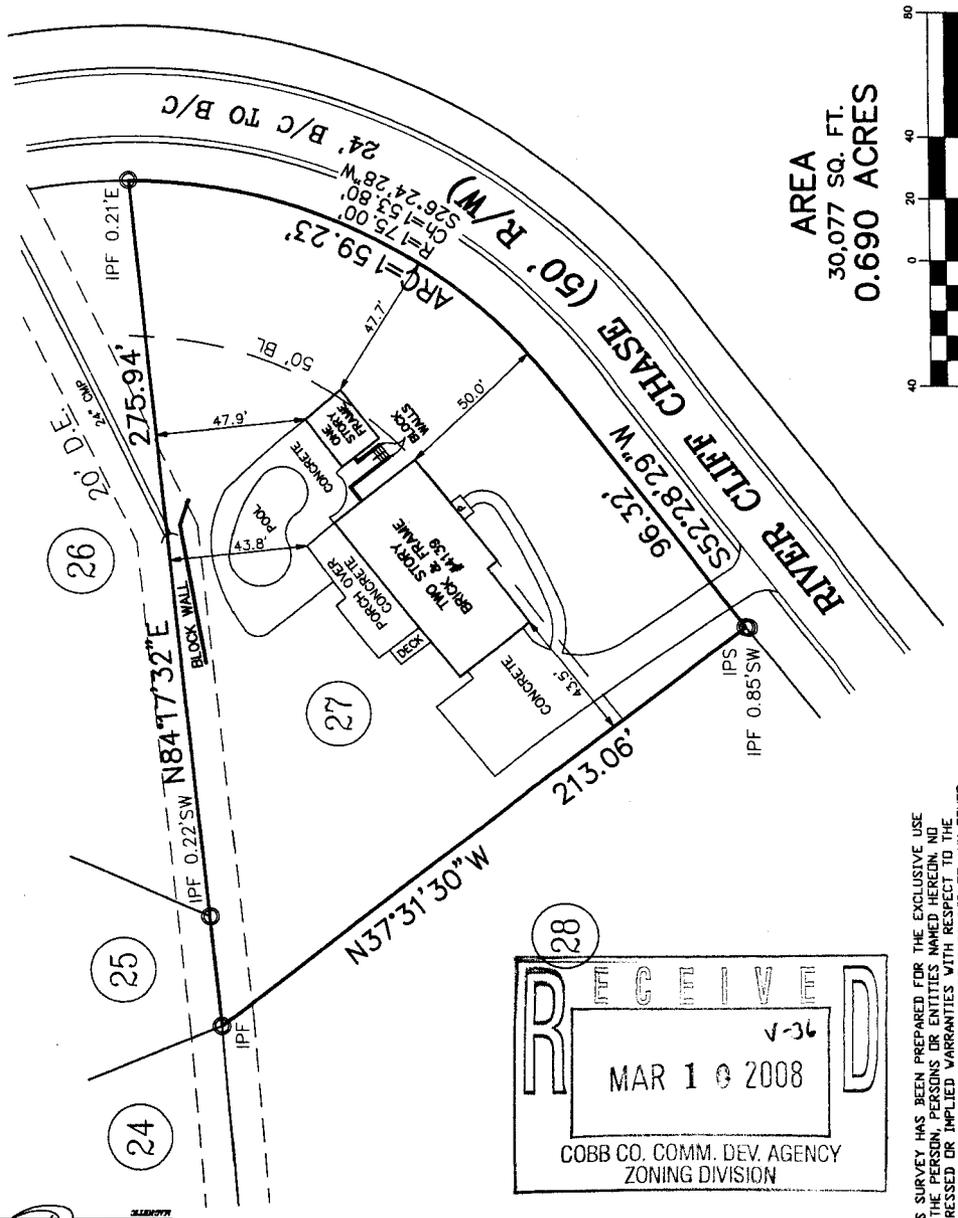
**WEST GEORGIA SURVEYORS, INC.**  
 ENGINEERS PLANNERS SURVEYORS  
 731 Sandtown Road  
 Marietta, Georgia 30008  
 770-428-2122  
 FAX: 770-422-9178

LARRY D. NEESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2235.  
 CURSED IS HE WHO MOVES HIS NEIGHBOR'S BOUNDARY  
 MARK, AND ALL THE PEOPLE SHALL SAY, "AMEN". Deut. 27:17

LOT SURVEY FOR

**STEPHEN E. & BETSY M. PAGANUCCI**

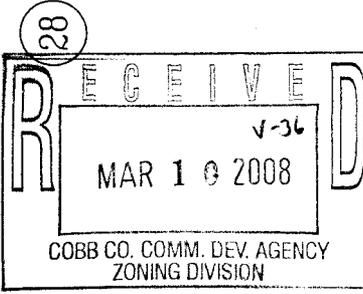
REVISIONS	
LOT 27, RIVERMILL SUBDIVISION	
UNIT ONE, SECTION TWO, BLOCK A	
PLAT BOOK -- 74	PAGE -- 72
LAND LOT -- 1258	CC LT
DISTRICT -- 16th	Dwn MS
COUNTY -- COBB	SECTION -- 2nd
STATE -- GEORGIA	Chkd LDN
DATE -- MARCH 6, 2008	FILE: 08-0026
	SCALE -- 1"=40'



AREA  
 30,077 SQ. FT.  
 0.690 ACRES



SCALE IN FEET

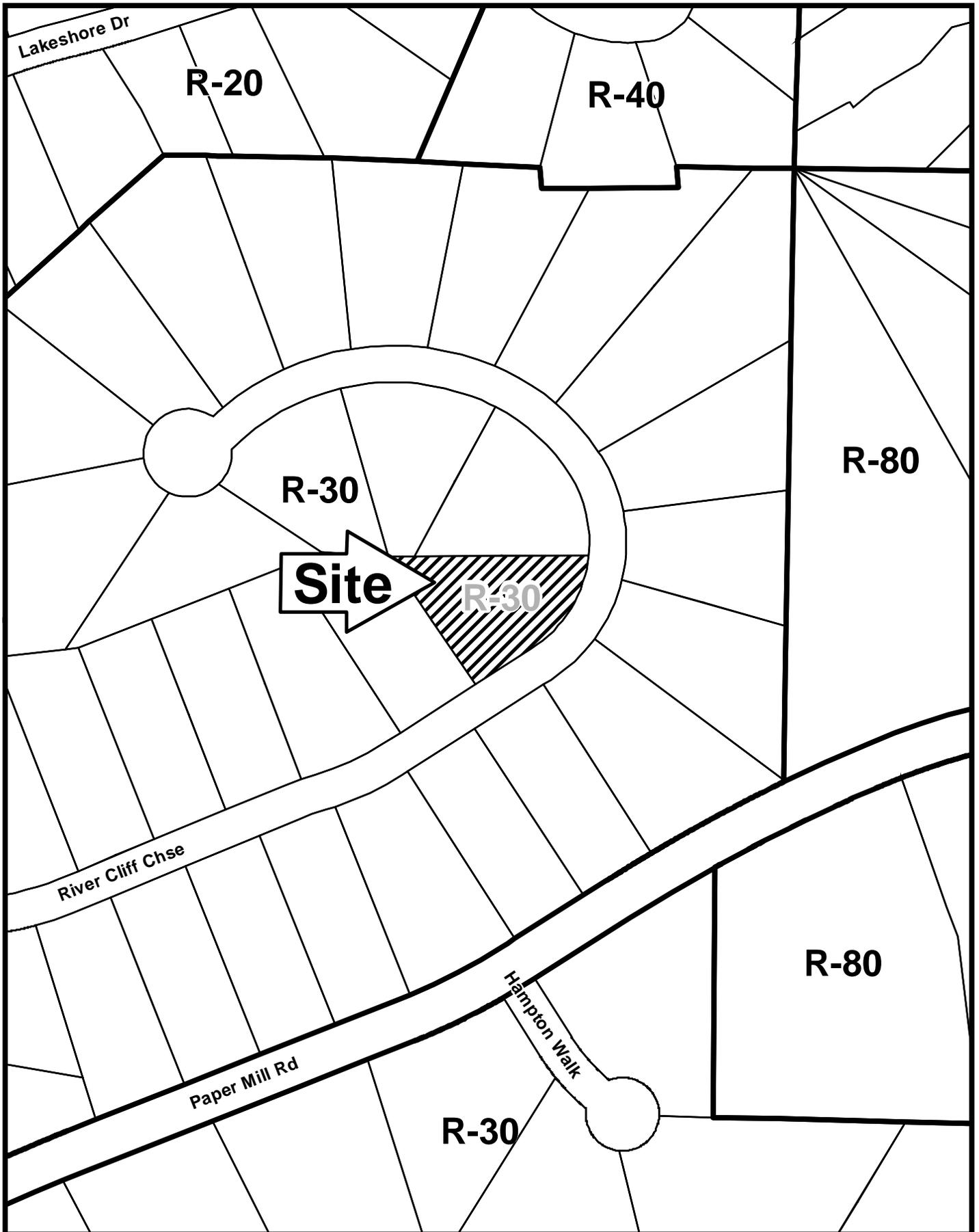


THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITIES NAMED HEREON. NO EXPRESSED OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY OTHER PERSON, PERSONS OR ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR. SURVEY PERFORMED WITHOUT THE BENEFIT OF CURRENT TITLE REPORT.

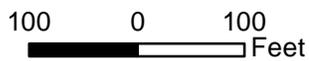
V-36



# V-36



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# Application for Variance Cobb County

(type or print clearly)

Application No. V-36

Hearing Date: 5-14-08

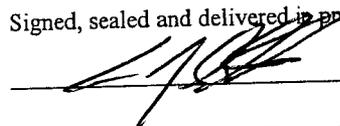
Applicant STEPHEN PAGANUCCI Business Phone 404 392 2507 Home Phone 770 541 6844

STEPHEN PAGANUCCI Address 4139 RIVER CLIFF CHASE, MARIETTA, GA  
(representative's name, printed) (street, city, state and zip code) 30067

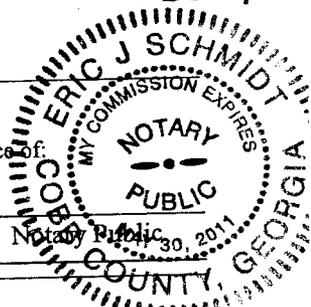
  
(representative's signature)

Business Phone 404 392 2507 Cell Phone \_\_\_\_\_

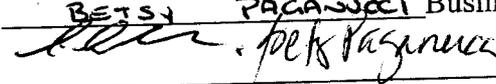
Signed, sealed and delivered in presence of:



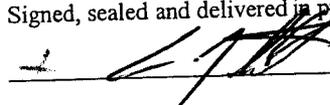
My commission expires: 5/30/2011



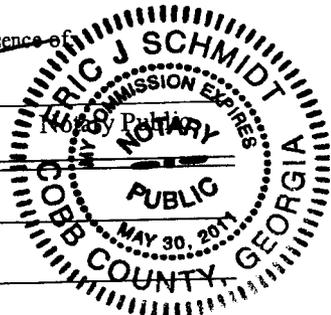
Titleholder STEPHEN PAGANUCCI Business Phone 404 392 2507 Home Phone 770 541 6844  
BETSY PAGANUCCI

Signature  Address: 4139 RIVER CLIFF CHASE, MARIETTA 30067.  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:



My commission expires: 5/30/2011



Present Zoning of Property R-30  
Location 4139 RIVER CLIFF CHASE  
(street address, if applicable; nearest intersection, etc.)  
Land Lot(s) 1258 District D35 District 16 Size of Tract 0.69 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 \_\_\_\_\_

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.

REQUESTING THE CONSTRUCTION OF A POOL HOUSE THAT WILL BE LOCATED TO THE RIGHT OF THE HOME. HOMEOWNER WAS IGNORANT THAT VARIANCE WAS NEEDED AND THE MAJORITY OF CONSTRUCTION WAS COMPLETED. THE STRUCTURE WAS BUILT AROUND SITE OF EXISTING POOL FLUATION EQUIPMENT. THE POOL IS LOCATED TO THE RIGHT OF THE HOME, IN FULL VIEW OF THE STREET. THE POOL HOUSE WOULD PROVIDE NECESSARY PRIVACY TO BATHERS.

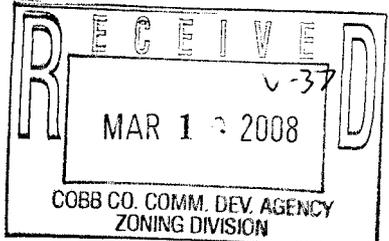
List type of variance requested: ALLOW AN ACCESSORY STRUCTURE TO THE SIDE OF THE PRIMARY STRUCTURE

BAKER'S FARM 50' R/W

CHD = 61.15'  
S 69° 13' 00" E  
RAD. = 50.00'

V-37

NOTE:  
THIS RESIDENCE  
IN THE STATED  
AREA.



580.0' ALONG  
BAKER'S  
R/W - 50' R/W

50' W  
0'

(21)

(19)

20' DEPT

BL

ADDITION

ADDITION

11.6' TIE

6 FT. YETBACK

S 16° 45' 30" W  
174.40'

MEADOW  
R/W

SITE PLAN

1" = 30' - 0"

FOR:

TAYLOR  
BLOCK "A"  
BAKER'S FARM  
58 17TH DIST. 2ND SECT.  
COUNTY, GEORGIA  
60' DATE AUG. 12, 1992

UNIT TWO

CUL DE SAC

APPROX. LOCAL  
FLOOD LINE

BL VARIES

(20)

S 18° 30' 30"  
285.40

REVISED &  
DEC 10, 2

PARTE  
COCHERE

2 STY. FRAME  
GARAGE / APT.

40'

ASPHALT

35.6'

47.9'

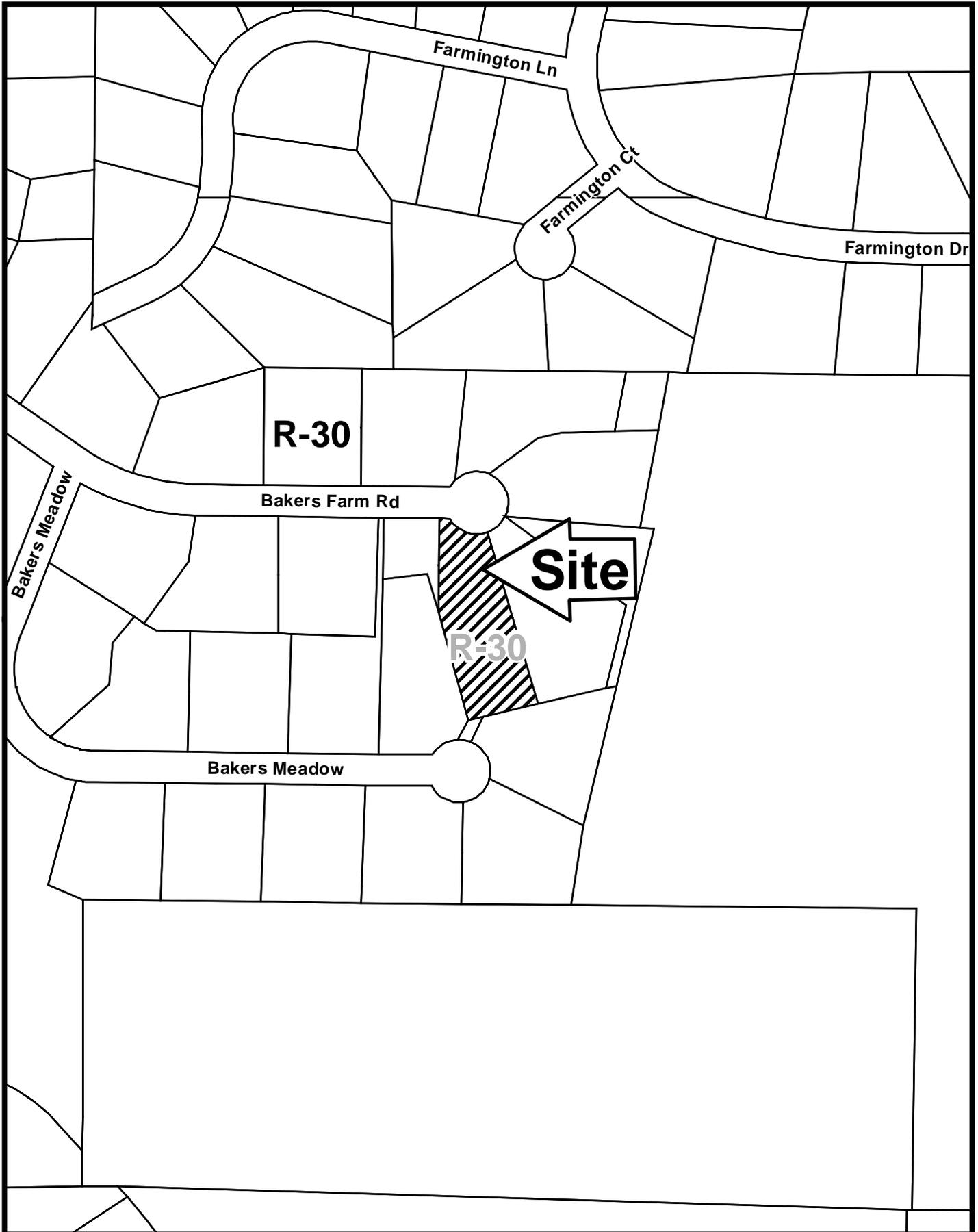
S 77° 22' 6"  
115.00

REF. PB 77, PG. 74





# V-37



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

100 0 100  
Feet

[ City Boundary  
Zoning Boundary

# Application for Variance Cobb County

(type or print clearly)

Application No. V-37  
Hearing Date: 5-14-08

Applicant Christopher E. Williams Business Phone 770-433-2282 Home Phone 404-352-4616

Christopher E Williams Address 2970 Bakus Farm Rd  
(representative's name, printed) (street, city, state and zip code)

Christopher E Williams Business Phone 770-433-2282 Cell Phone \_\_\_\_\_  
(representative's signature)

Notary Public, Douglas County, Georgia

My commission expires: My Commission Expires July 7, 2010

Signed, sealed and delivered in presence of:

Shirley C. Chastain  
Notary Public

Titleholder Christopher E Williams Business Phone 770-433-2282 Home Phone 404-352-4616

Signature Christopher E Williams Address: 2970 Bakus Farm Rd  
(attach additional signatures, if needed) (street, city, state and zip code)

Notary Public, Douglas County, Georgia

My commission expires: My Commission Expires July 7, 2010

Signed, sealed and delivered in presence of:

Shirley C. Chastain  
Notary Public

Present Zoning of Property R-30

Location 2970 Bakus Farm Rd Atlanta, GA 30339  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 958 P10 District 17 Size of Tract 1 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 \_\_\_\_\_

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.

\* SEE ATTACHED SHEET

List type of variance requested: REDUCTION OF WEST SIDEYARD FROM 12 FT REQUIRED TO 6 FT. FOR A RESIDENTIAL ADDITION WAIVE THE SIDE SETBACK FROM REQUIRED 12 FT TO 6 FT ADJACENT TO THE WESTERN PROPERTY LINE ON LOT 20

**Statement of Hardship; Cobb County Zoning Variance  
Re: Williams residence 2970 Bakers Farm Rd Unic. Cobb Co., GA  
30339**

The applicant requests that the R30 side yard requirement of 12 ft. be reduced to 6 ft. along the West property line for the purpose of constructing an addition to an existing home.

The owners wish to add to their home to provide a family room and kitchen expansion on the first floor and a playroom, bedroom, laundry, and bath addition on the second floor. The only practical area to expand the home is along the side where the kitchen and bedrooms are now located.

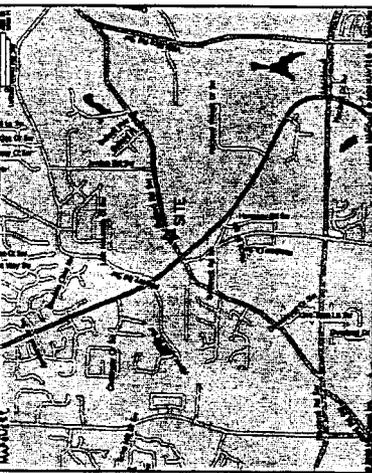
The residence at present is a partial 2-story home without a basement. The owners have a growing family and need additional living space and another bedroom. The owners are planning to have an additional child and wish to complete these improvements to accommodate their future needs for the family. If they are unable to expand their home they may need to sell and relocate and they much prefer to remain in this home, in a neighborhood and property that they enjoy.

The distance between the existing house and the West property line is presently 11.6 ft according to survey. The addition as planned will be within the required 12 ft setback on the front corner. However, due to the location of the house and the fact that the house and property line are not parallel, the distance to the property line from the corner at the rear of the planned addition will be about 7 ft.; allowing for footing and roof extensions results in an absolute structural setback of 6 ft.

**We feel that this request meets the criteria of hardship for a variance in that:**

- 1. There are exceptional conditions pertaining to this property due to the existing property conditions, lot shape, and topography of the land.**
- 2. A hardship exists in the constraints of the existing lot and home design precludes resolving the expansion needs of the owners in any other solution that might meet the ordinance requirements. The property affords no better remedies for an addition.**
- 3. The owners might be compelled to move from this home if relief from the zoning ordinance is not granted. They wish to remain in this home and neighborhood.**
- 4. Relief will not cause any detriment to the public good nor impair the purposes and intent of the zoning ordinance.**

End.  
1/10/08



CARLTON RAKESSTRAW & ASSOCIATES  
 REGISTERED LAND SURVEYORS  
 2203 MARBETTA HIGHWAY, DALLAS, GEORGIA 30157  
 770 - 443 - 2200

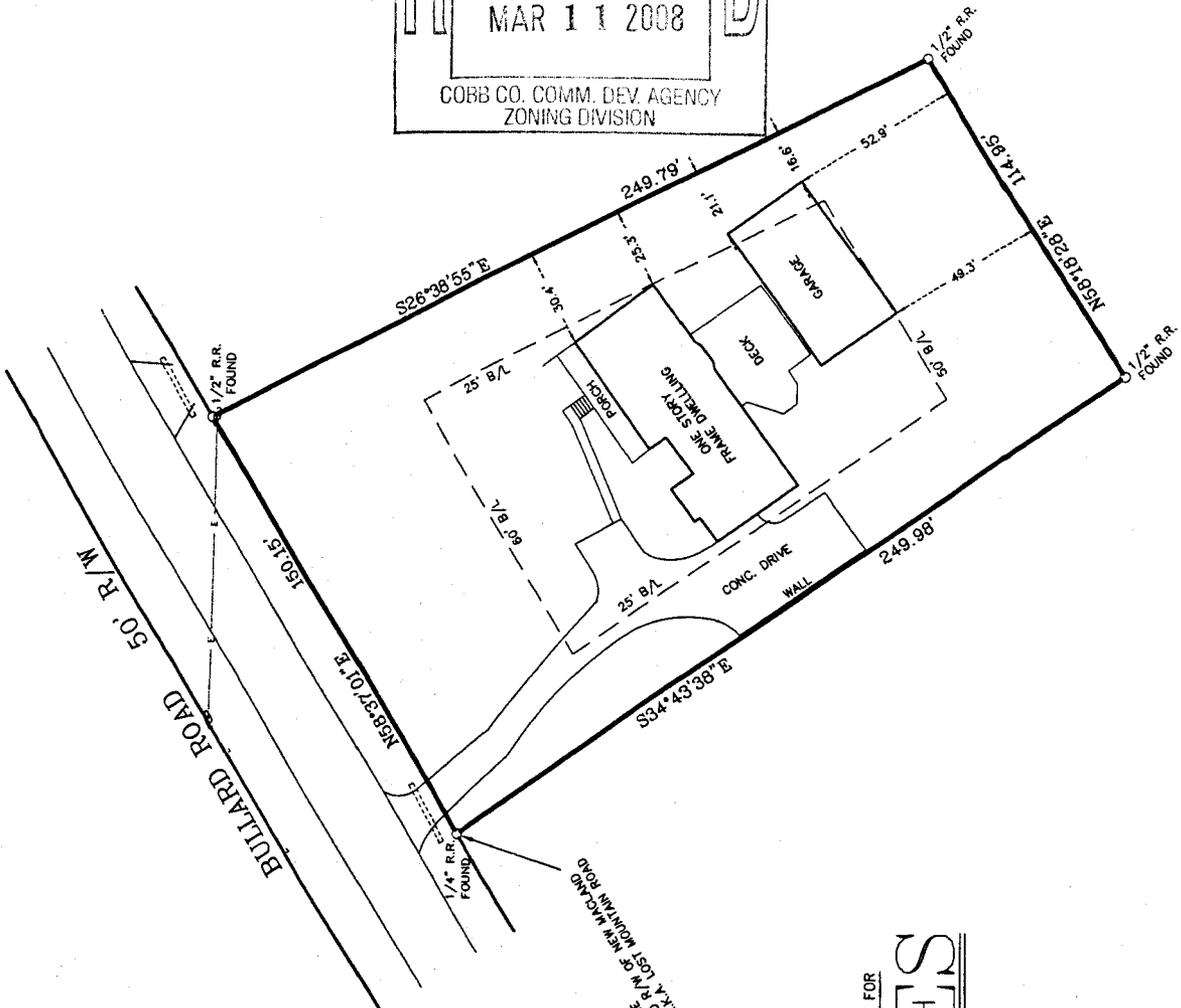
**V-38**

LAND LOT 308  
 COB

PROJECT NO. - 08-021  
 PLOT FILE - 08-021.DWG  
 DATE - 03/11/08

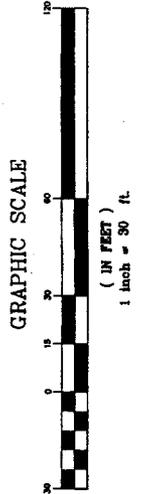


**RECEIVED**  
 MAR 11 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



BOUNDARY INFORMATION WAS BASED ON PLAT OF SURVEY FOR JOE EDWARD SLAY PREPARED BY CARLTON RAKESSTRAW & ASSOCIATES, DATED MAY 8, 1987, RECORDED AT PLAT BOOK 11, PAGE 50. THIS INFORMATION DOES NOT REPRESENT A BOUNDARY SURVEY BY CARLTON RAKESSTRAW & ASSOCIATES AT THIS DATE. THE PURPOSE OF THIS PLAT IS TO SHOW THE AS-BUILT LOCATION OF IMPROVEMENTS ON SUBJECT PROPERTY.

PLAT TO ACCOMPANY APPLICATION FOR ZONING VARIANCE FOR  
**GARY JONES**



**APPLICANT:** Gary L. Jones **PETITION NO.:** V-38  
**PHONE:** 770-262-4848 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** R-80  
**PHONE:** same **LAND LOT(S):** 309  
**PROPERTY LOCATION:** Located on the south side of **DISTRICT:** 19  
Bullard Road, east of Lost Mountain Road **SIZE OF TRACT:** .75 acre  
(1585 Bullard Road). **COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** Waive the setback for an accessory structure over 1,000 square feet (1,500 square foot work shop/garage) from the required 100 feet to 16 feet adjacent to the eastern property line, 49 feet adjacent to the southern property line and 55 feet adjacent to the western property line.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** Violation notice was issued 1/24/08 for building without a permit.

**STORMWATER MANAGEMENT:** This large structure is located directly adjacent to the neighbor's driveway and garage. If approved, gutters should be installed and the downspouts directed to drain to the rear of the lot and away from the adjacent neighbor's house.

**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.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

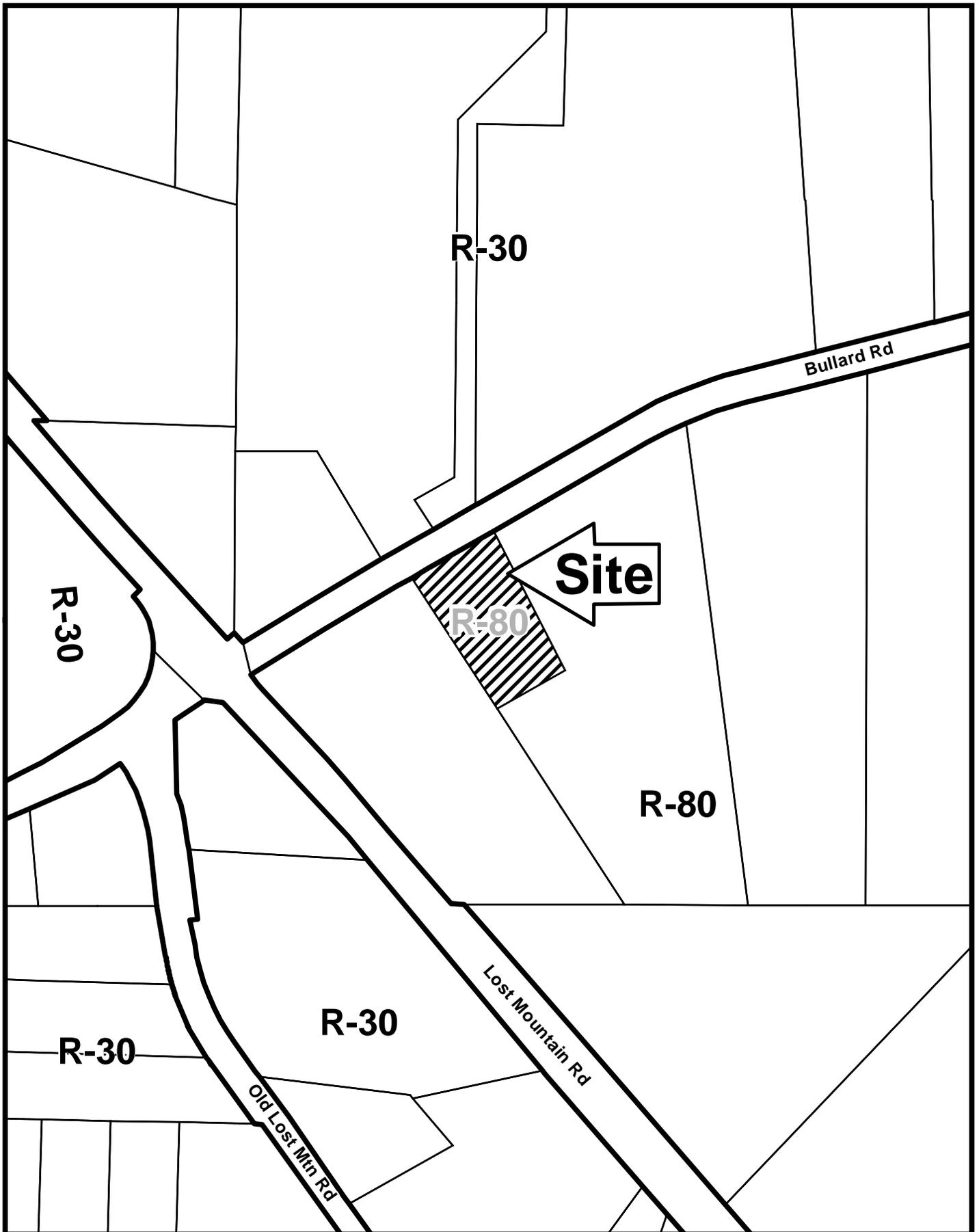
**SEWER:** Not available to property. Any conflict with septic system could require Health Department approval to resolve.

**OPPOSITION:** NO. OPPOSED **PETITION NO.**  **SPOKESMAN**

**BOARD OF APPEALS DECISION**  
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# V-38



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-38

Hearing Date: 5-14-08

Applicant *[Signature]* Business Phone 770-262-4848 Home Phone \_\_\_\_\_  
Gary L. Jones  
(representative's name, printed) Address \_\_\_\_\_  
(street, city, state and zip code)

*[Signature]* Business Phone 1 Cell Phone \_\_\_\_\_  
(representative's signature)

My commission expires: Oct 4<sup>th</sup>, 2010  
Signed, sealed and delivered in presence of: *[Signature]* Notary Public

Titleholder *[Signature]* Business Phone 770-262-4848 Home Phone \_\_\_\_\_  
Signature *[Signature]* Address: 1585 Bullard Rd. Powder Springs, Ga. 30127  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: Oct 4<sup>th</sup>, 2010  
Signed, sealed and delivered in presence of: *[Signature]* Notary Public

Present Zoning of Property R-80  
Location 1585 BULLARD ROAD  
(street address, if applicable; nearest intersection, etc.)  
Land Lot(s) 309 District 13 Size of Tract .75 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 \_\_\_\_\_

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.

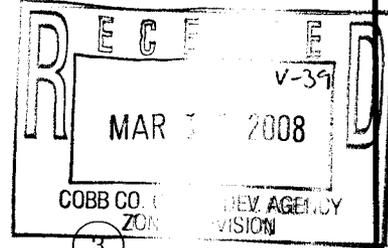
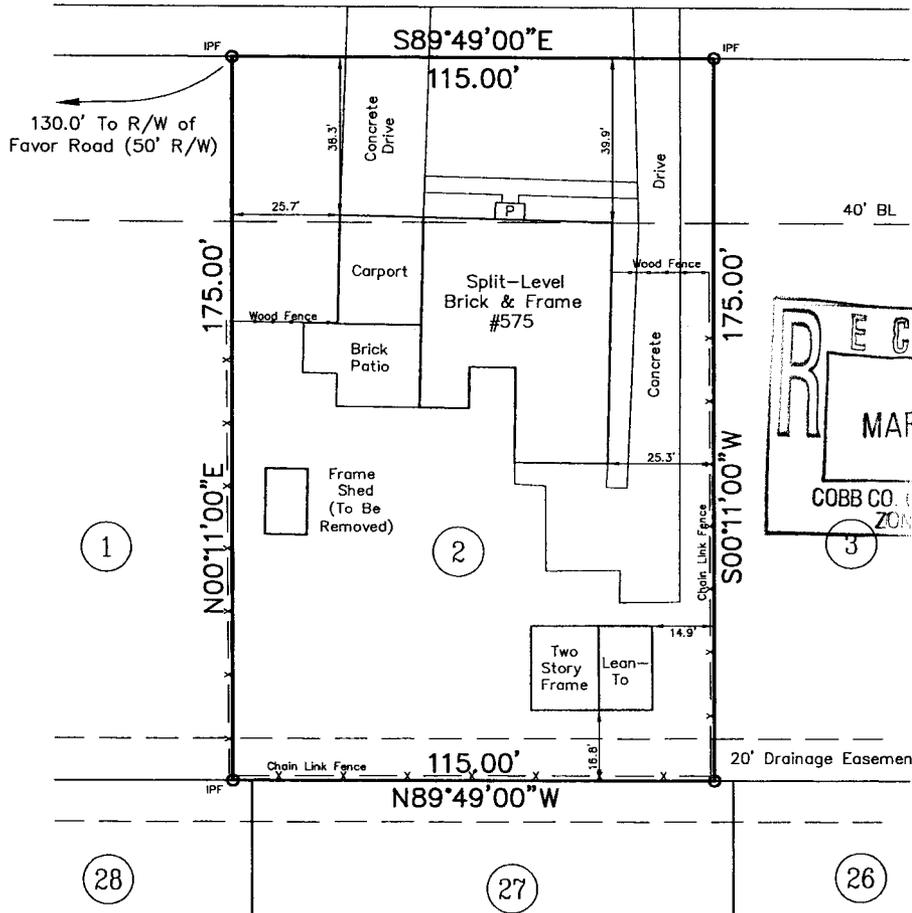
The garage (wood shed) was built in the location due to the  
drain field that I was not aware of until I started building it  
this is a history of my side 1976. I want her to make it I  
could not have a shop on the property.

List type of variance requested: SETBACK FOR ACCESSORY STRUCTURE

V-39

# White Oak Drive

26' Pavement



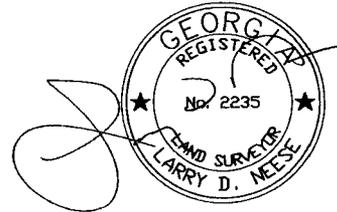
THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS. MAP # 13067C0070 F, DATED August 18, 1992

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24,787 FEET AND AN ANGULAR ERROR OF 1.7 " PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 400,210.0 FEET.

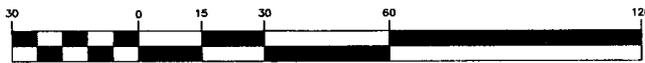
EQUIPMENT UTILIZED: ANGULAR SokkiaSet60R  
LINEAR SokkiaSet60R

UNLESS OTHERWISE SHOWN THERE ARE NO NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500 FEET OF THIS PROPERTY. ALL MATTERS PERTAINING TO TITLES ARE EXCEPTED. LARRY D. NEESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2235.



**TOTAL AREA**  
**20,125.0 SQ. FT.**  
**0.462 Acres**

### GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITIES NAMED HEREON. NO EXPRESSED OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY OTHER PERSON, PERSONS OR ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR. SURVEY PERFORMED WITHOUT THE BENEFIT OF CURRENT TITLE REPORT.

SURVEY FOR:

## Donald R. Barbee

CURSED IS HE WHO MOVES HIS NEIGHBOR'S BOUNDARY MARK, AND ALL THE PEOPLE SHALL SAY, "AMEN". Deut. 27:17

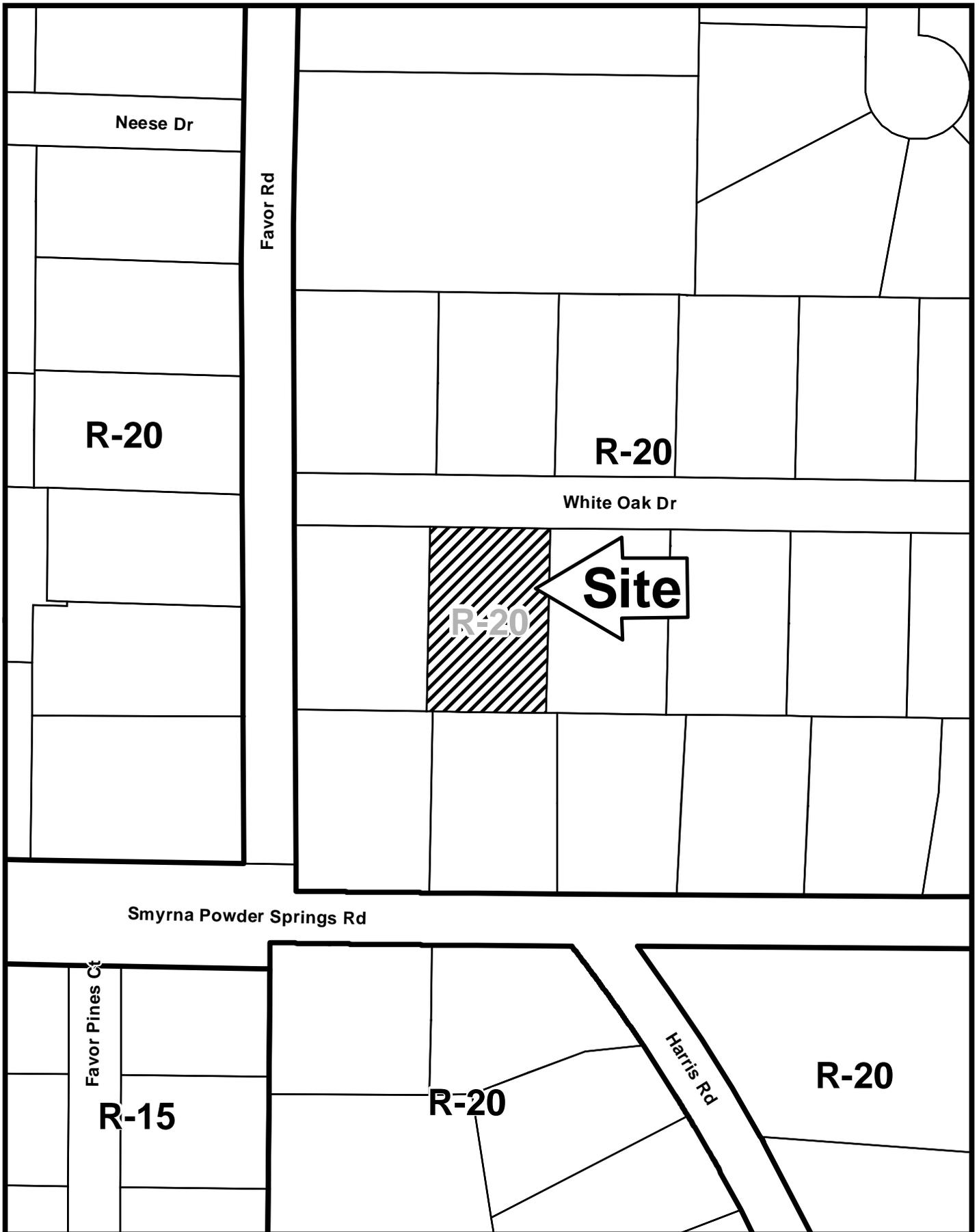
Lot 2 Block B Unit Two	REVISIONS --
White Oak Farms Subdivision	
PLAT BOOK 27	PAGE 91
LAND LOT: 90	CC: LT
DISTRICT: 17th	SECTION : 2nd
COUNTY: Cobb	CHKD: LDN
STATE: Georgia	SURVEY/2008
DATE: March 5, 2008	SCALE : 1"=30'
	JOB: 08-0027

### WEST GEORGIA SURVEYORS, INC.

731 Sandtown Road  
Marietta, Georgia 30008  
(770) 428-2122  
FAX: (770) 422-9178



# V-39



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

100 0 100 Feet

[ City Boundary  
Zoning Boundary

# Application for Variance Cobb County

(type or print clearly)

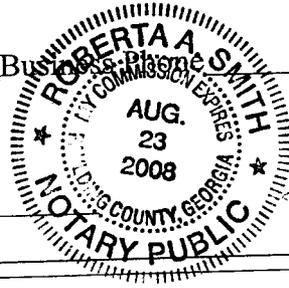
Application No. V-39

Hearing Date: 5-14-08

Applicant Donald R BARBEE Business Phone 770/313-0329 Home Phone 770/801-8967  
[Signature] Address 575 WHITE OAK DR. SW MARIETTA GA 30160  
(representative's name, printed) (street, city, state and zip code)

Donald R BARBEE Business Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
(representative's signature)

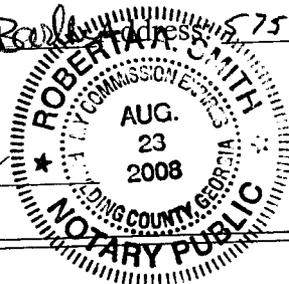
My commission expires: Aug 23, 2008



Signed, sealed and delivered in presence of:  
[Signature] Notary Public

Titleholder Donald R + Carol T BARBEE Business Phone 770/313-0329 Home Phone 770/801-8967  
Signature [Signature] Address 575 WHITE OAK DR. SW MARIETTA GA 30160  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: Aug 23, 2008



Signed, sealed and delivered in presence of:  
[Signature] Notary Public

Present Zoning of Property R-20 R-20

Location 575 WHITE OAK DR. SW MARIETTA 30160 (1 Block off FAVOR RD)  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 90 District 1774 Size of Tract 374.462 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 \_\_\_\_\_

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.

① I didn't realize I need a permit to build a storage building before I built it, now moving it would be difficult. ② The purpose for the larger building is to eliminate 2 smaller buildings.

List type of variance requested: WAVE THE REAR SETBACK FOR AN ACCESSORY STRUCTURE OVER 144 SQ FT FROM REQUIRED 35 FT TO 16 FT ON LOT 2



**APPLICANT:** Majestic Lantern Ridge, LLC                      **PETITION NO.:** V-40  
**PHONE:** 770-455-3101    **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** Mark Nelkin                                      **PRESENT ZONING:** RM-12  
**PHONE:** 770-455-3101    **LAND LOT(S):** 1134, 1171  
**PROPERTY LOCATION:** Located near the south-                      **DISTRICT:** 16  
westerly intersection of Roswell Road and Marietta                      **SIZE OF TRACT:** 12.098 acres  
Parkway (a/k/a the 120 Loop) (1810 Roswell Road).                      **COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the front setback from the required 75 feet to 50 feet; 2) waive the side setback from the required 35 feet to 20 feet adjacent to the western property line and the side setback adjacent to the eastern property line from the required 35 feet to 25 feet; 3) waive the rear setback from the required 40 feet to 20 feet; and 4) allow an accessory structure (existing metal building plus a dumpster pad) to the front of the primary structure.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** No comments.

**STORMWATER MANAGEMENT:** No significant drainage impact anticipated.

**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.

**CEMETERY PRESERVATION:** No comment.

**WATER:** City of Marietta Service Area.

**SEWER:** City of Marietta Service Area.

**OPPOSITION:** NO. OPPOSED      **PETITION NO.**      **SPOKESMAN** \_\_\_\_\_

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

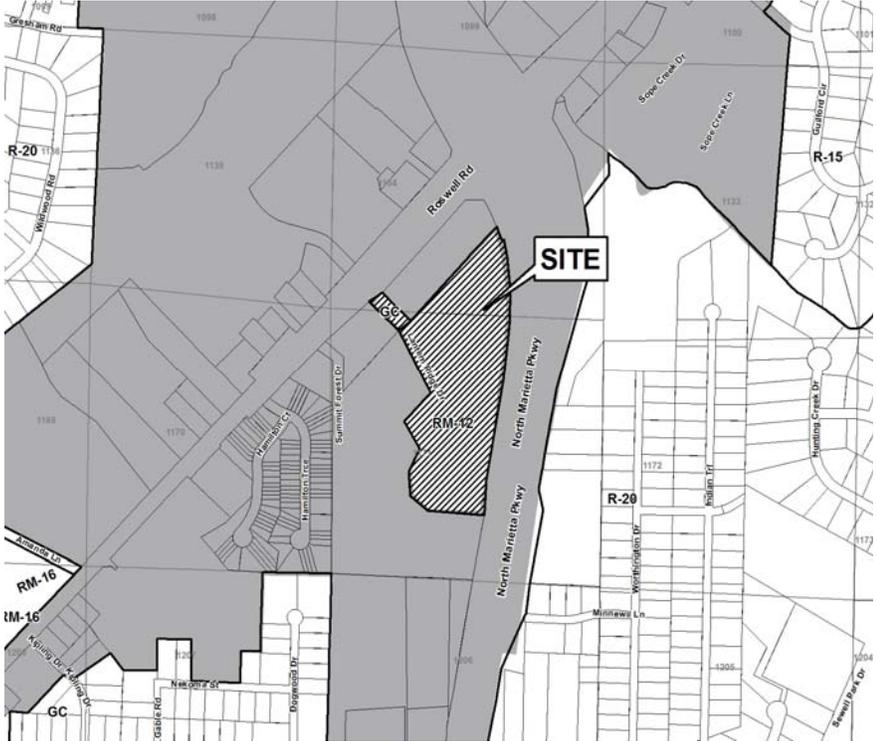
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

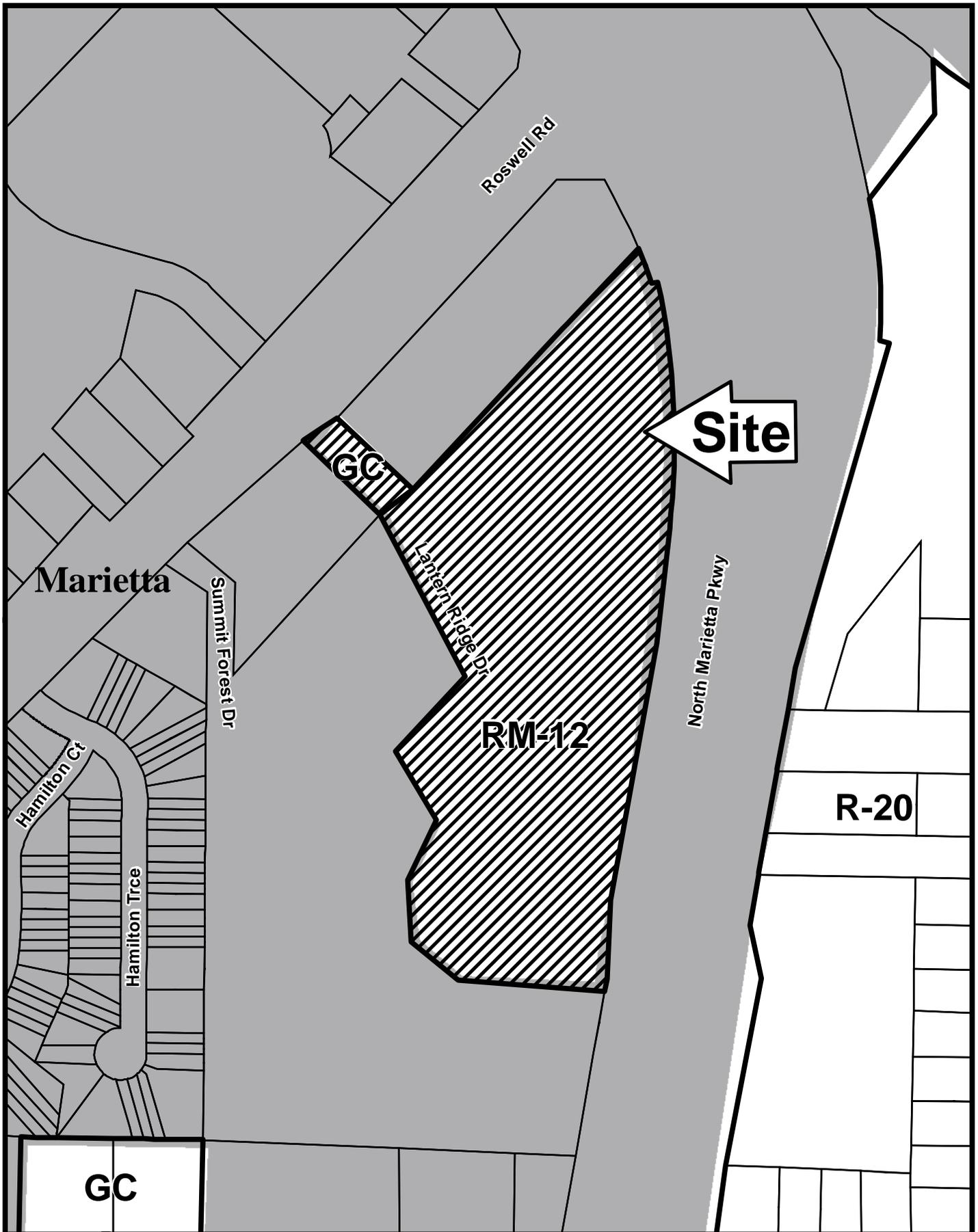
**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# V-40

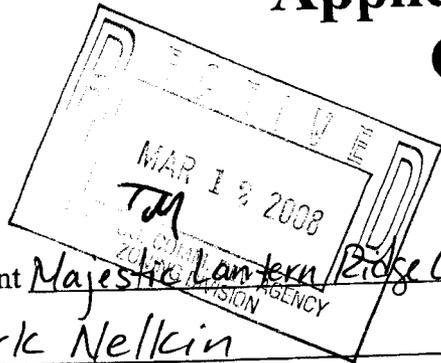


This map is provided for display and planning purposes only. It is not meant to be a legal description.

100 0 100  
Feet

[ City Boundary  
Zoning Boundary

# Application for Variance Cobb County



(type or print clearly)

Application No. V-40  
Hearing Date: 5-14-08

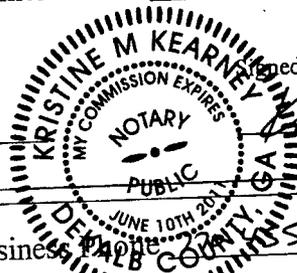
Applicant Majestic Lantern Ridge LLC Business Phone 770 455 3101 Home Phone 770 455 3101

Mark Nelkin Address 8335 Jett Ferry Rd Atlanta GA 30350  
(representative's name, printed) (street, city, state and zip code)

*[Handwritten signature of Mark Nelkin]*  
(representative's signature)

Business Phone 770 455 3101 Cell Phone 678 508 0275

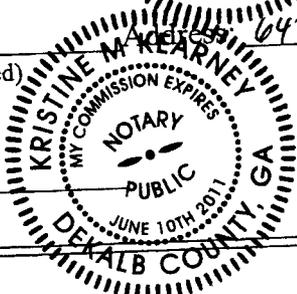
My commission expires: June 10<sup>th</sup> 2011  
SIGNED, SEALED AND DELIVERED IN PRESENCE OF: *[Signature]* Notary Public



Titleholder Majestic Lantern Ridge LLC Business Phone 770 455 3101 Home Phone \_\_\_\_\_

Signature *[Handwritten signature]* 6477 Peachtree Ind. Blvd. Ste C Doraville GA 30360  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: June 10<sup>th</sup> 2011  
SIGNED, SEALED AND DELIVERED IN PRESENCE OF: *[Signature]* Notary Public



Present Zoning of Property RM-12

Location 1810 Roswell Rd Marietta GA 30062  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 113 4/4 1171 District 16<sup>th</sup> Size of Tract 12.098 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 \_\_\_\_\_

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.

WE WILL NOT BE ABLE TO PUT A  
ROOF COVER OVER THE DECKS TO PREVENT  
ROT & WATER PENETRATION INTO PATIO DOORS.

List type of variance requested: SETBACK FOR FRONT SIDE DECK

REFERENCE  
 PLAT BOOK 54 PAGE 201

Platted 5/17/1972

NO. PO  
 LIES V  
 100 Y

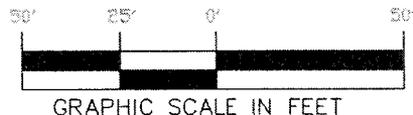
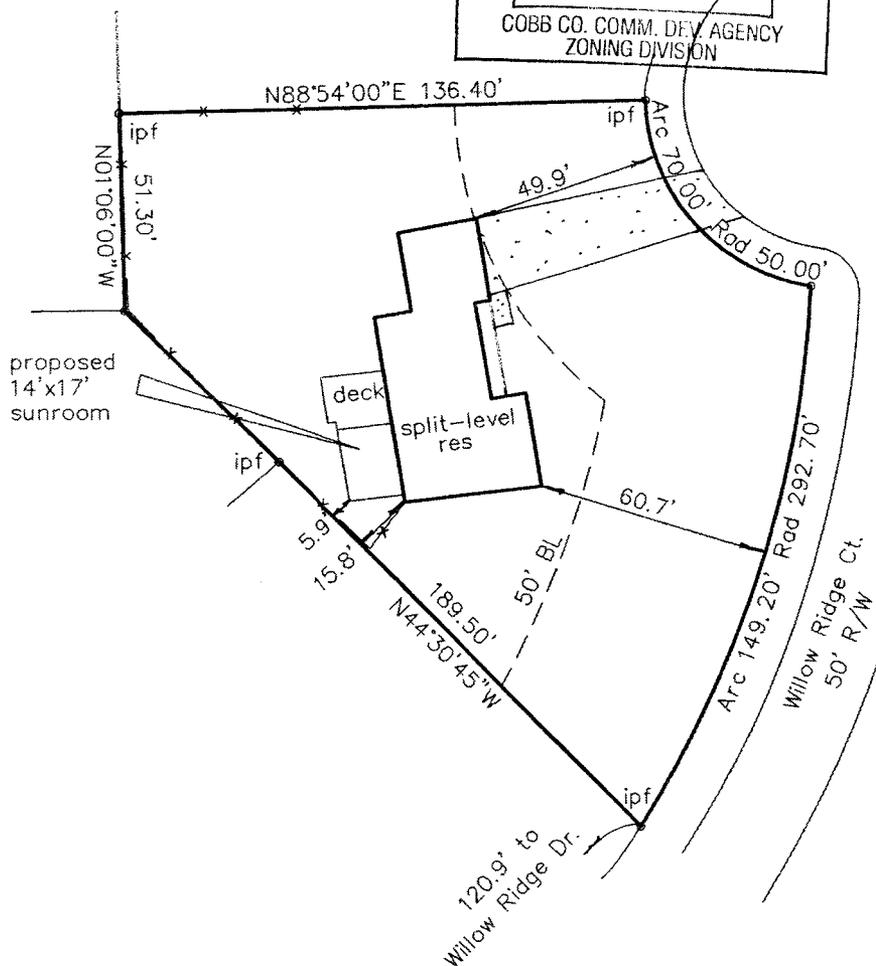
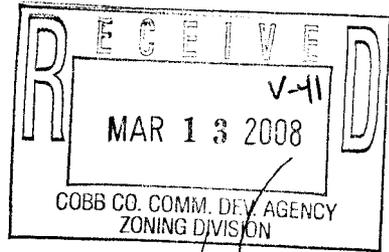
V-41

ED

**LEGEND**

- IPS=IRON PIN SET
- IPF=IRON PIN FOUND
- CL=CENTER LINE
- BL=BUILDING LINE
- N/F=NOW OR FORMERLY
- MH=MAN HOLE
- S=SANITARY
- P=POWER
- W=WATER
- G=GAS
- X-=FENCE
- BC=BACK OF CURB
- WM=WATER METER
- WV=WATER VALVE
- PB=POWER BOX
- GM=GAS METER
- SSE=SANITARY SEWER ESM'T
- DE=DRAINAGE ESM'T
- ESM'T=EASEMENT
- CB=CATCH BASIN
- HW=HEAD WALL
- DI=DROP INLET
- JB=JUNCTION BOX
- LLL=LAND LOT LINE

MAG  
N



THE FIELD DATA WHICH THIS SURVEY IS BASED HAS A PRECISION OF ONE FOOT IN 10000+ FEET AND A ANGULAR ERROR OF 3" PER ANGLE POINT

THE PLAT CLOSURE IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10000+ FEET

EQUIPMENT USED: TOPCON GTS-2



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED

*Jeffrey J. Johnson*

JEFFREY J JOHNSON R.L.S. 2505

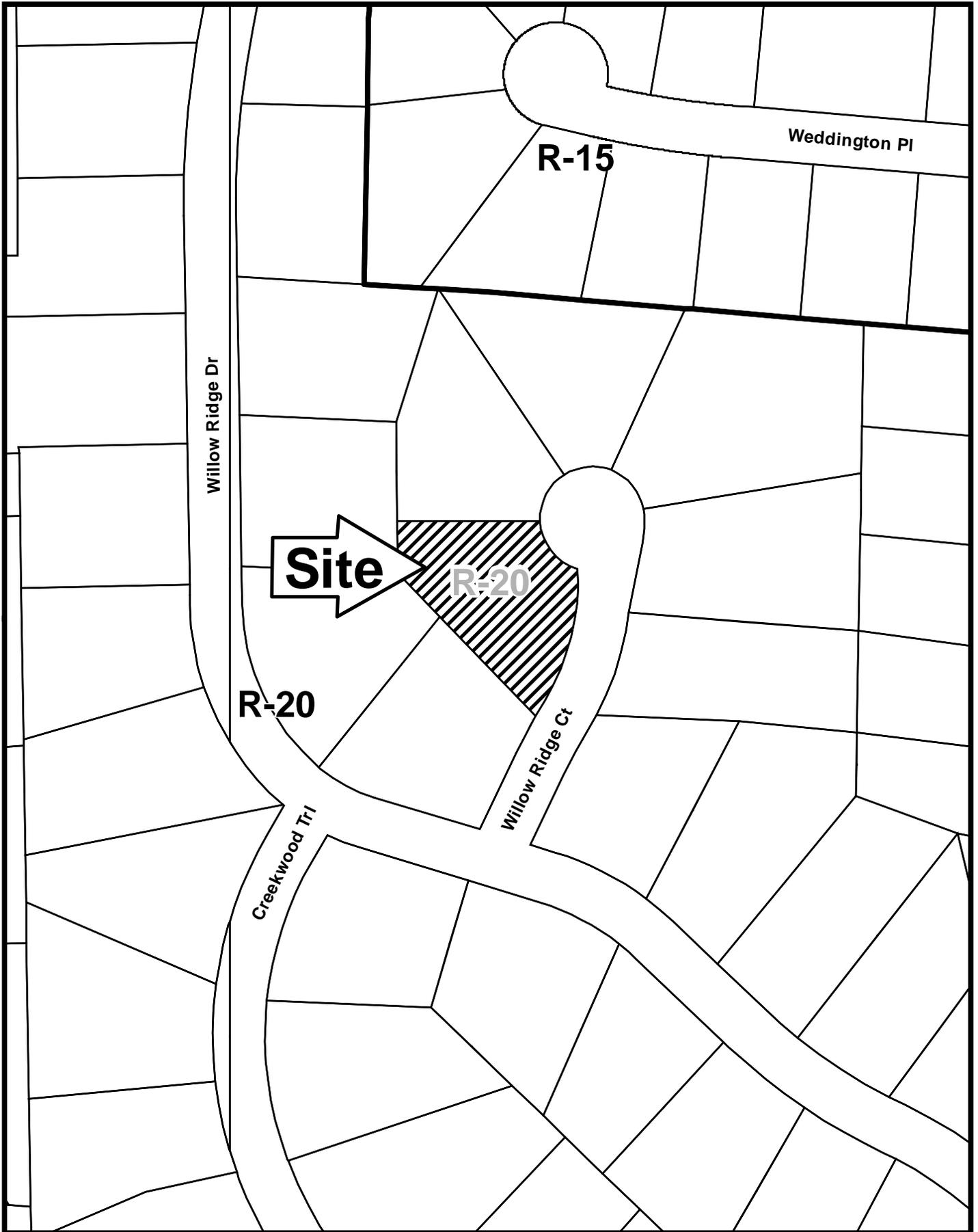
survey for

Champion Window Co.

<p><b>JOHNSON</b> <b>SURVEYING</b></p> <p>804 Peachtree Forest Ave.        Norcross Ga. 30092        678-557-1449</p>	<p>LAND LOT 1057          DISTRICT 17, Sec. 2          Cobb County, Ga.          Willow Ridge          Block B          Lot 8          725 Willow Ridge Ct</p>	
DATE: 3-11-08	SCALE: 1"=50'	JOB NO: 08-27



# V-41



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

100 0 100 Feet

[ City Boundary  
Zoning Boundary

# Application for Variance Cobb County

(type or print clearly)

Application No. V-41

Hearing Date: 5-14-08

Applicant Champion Windows (Andy Burton) Business Phone 770 454 7323 Home Phone 678 410 6724

Andy Burton Address 3700 DeKalb Tech Pkwy Atlanta GA 30340  
(representative's name, printed) (street, city, state and zip code)

[Signature] Business Phone 770 454 7323 Cell Phone 678 410 6724  
(representative's signature)

My commission expires: March 2<sup>nd</sup> 2012

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

Titleholder SHARON F. TUCKER Business Phone 678-594-8267 Home Phone 770-971-8695

Signature [Signature] Address: 725 Willow Ridge Ct. Marietta, GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: October 13, 2011

Signed, sealed and delivered in presence of:  
Lynn A. Hulleher  
Notary Public

Present Zoning of Property R-20

Location 725 Willow Ridge Court Marietta GA 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1057 (P) 62 District 16 Size of Tract 1/4? Acre(s)

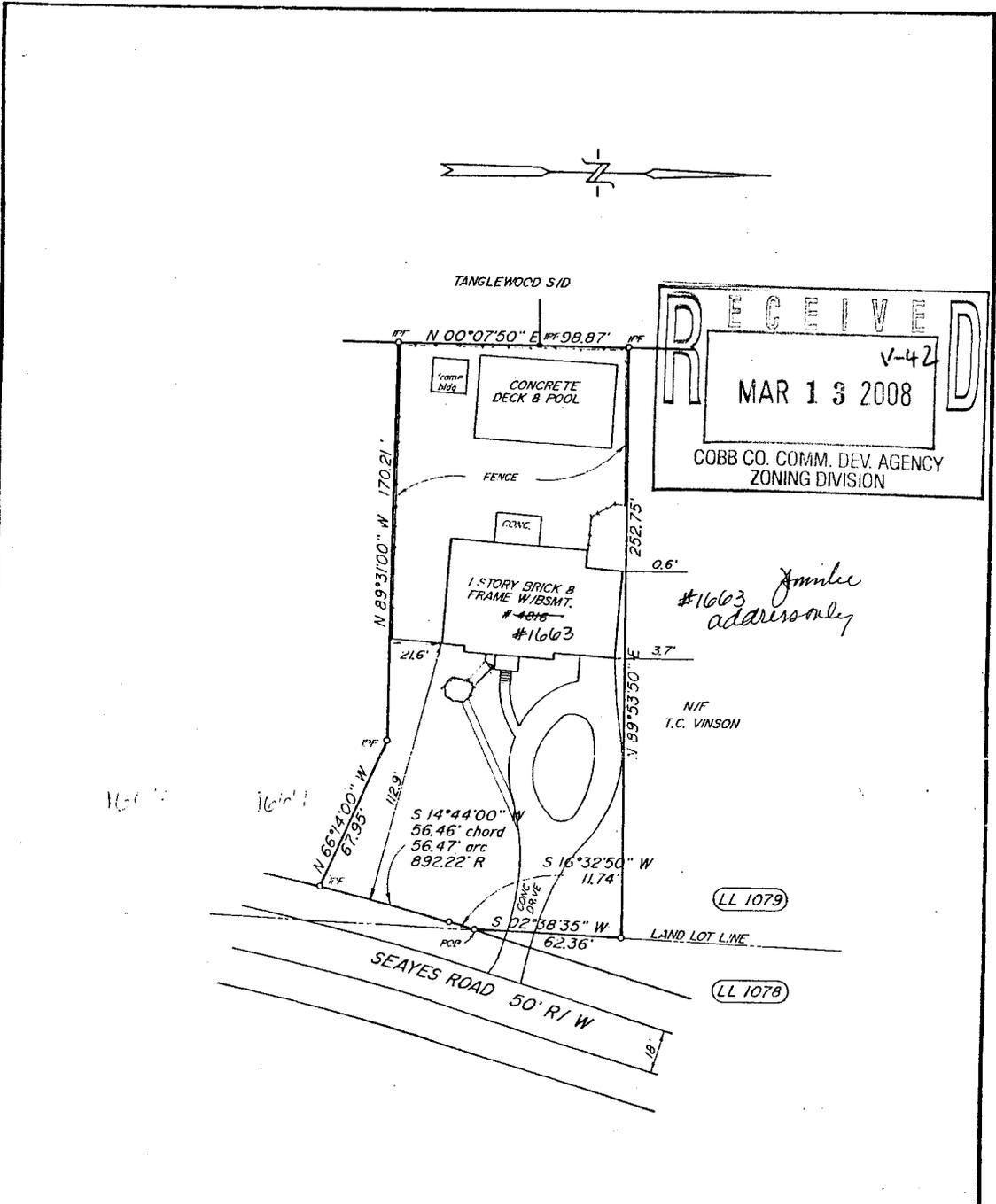
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property 1/4? Shape of Property Gen-Tri Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

Homeowner has severe allergies that require her to be indoors the majority of times.

List type of variance requested: Encroach side setback 4.1' feet to reduce setback to 5.9' feet from 10' feet.



THIS PROPERTY IS NOT LOCATED WITHIN AN F.I.A. FLOOD HAZARD ZONE.

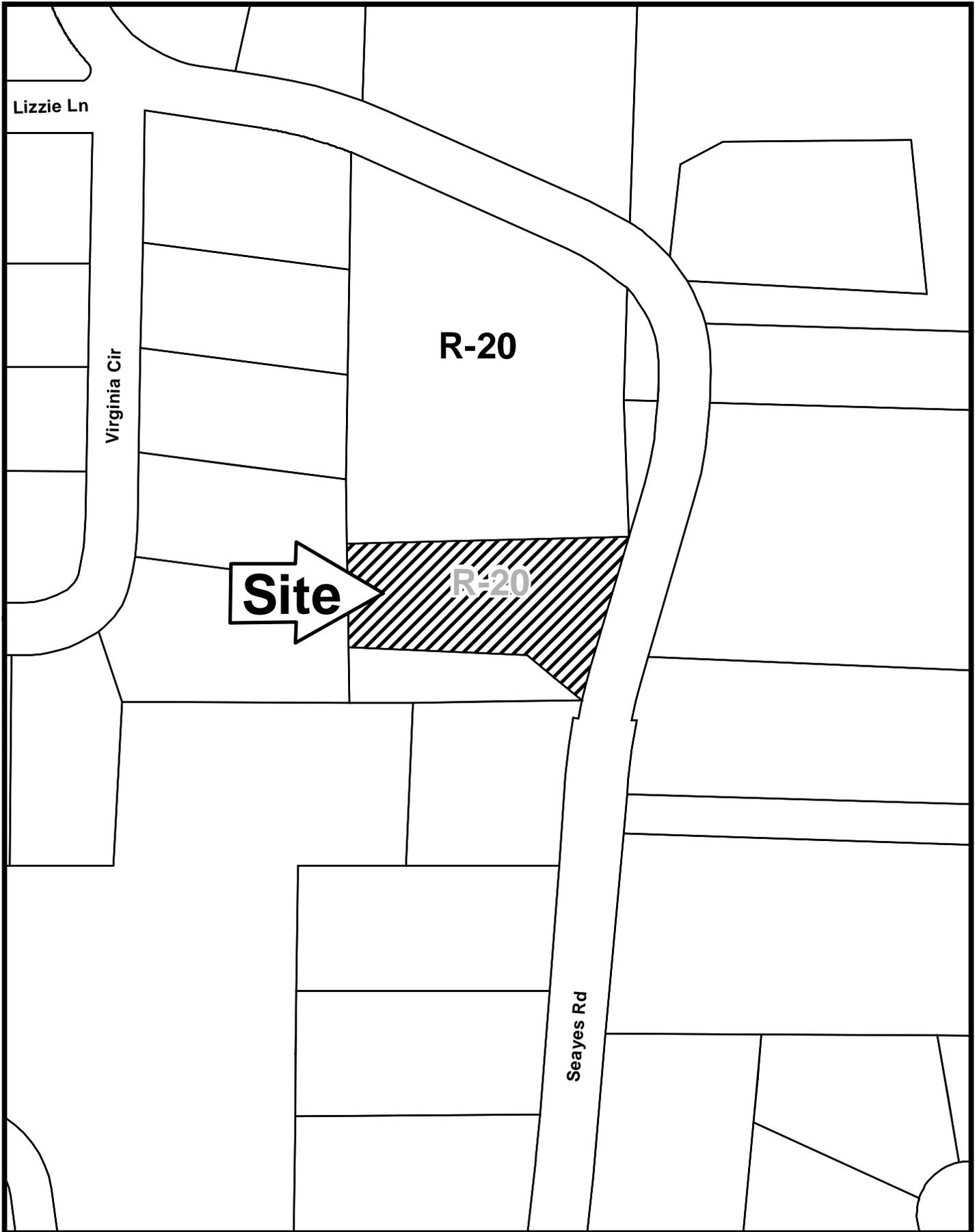
**TRU-LINE SURVEYING INC.**  
1074 Wind Hill Lane  
Marietta, Ga 30064  
Office (404) 919-8732  
Fax (404) 919-8731

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE SURVEYING STATUTES AND REGULATIONS OF GA.

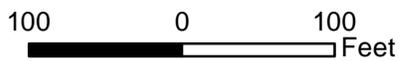
SURVEY FOR	
LYLE R. MATTHEWS & SUSAN M. MATTHEWS 1663 SEAYES Rd, Mableton, Ga 30126	
LAND LOT: 1079	SCALE: 1" = 40'
DISTRICT: 19th	DATE: 07/25/96
SECTION: 2nd	DRAWN BY: WEC
COUNTY: COBB	CHECKED BY: KC
STATE: GEORGIA	JOB NO. FT62 96/259



# V-42



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. U-42  
Hearing Date: 5-14-08

Applicant Lyles R. MATTHEWS Business Phone 678-245-2259 Home Phone 770-819-5472

Address \_\_\_\_\_  
(representative's name, printed) (street, city, state and zip code)

[Signature] Business Phone + Cell Phone \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:  
[Signature] Notary Public

My commission expires: 4/11/2009

Titleholder Lyles R. Matthews / Susan M. Matthews Business Phone 678-245-2259 Home Phone 770-819-5472

Signature [Signature] Address: 1663 SEAYES ROAD Marietta, GA 30066  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:  
[Signature] Notary Public

My commission expires: 1/11/2009

Present Zoning of Property R-20

Location 1663 SEAYES ROAD  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1079 (P) 71 District 19 Size of Tract .38 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 \_\_\_\_\_

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.

My wife, daughter, and I are the caregivers for my 86 years old mother. My mother is primarily wheelchair bound. We need to construct a handicap ramp from our front porch to the driveway to allow us to get her from the house to the car. Without a ramp my mother will be primarily homebound. We also wish to construct a gazebo that the ramp will pass through so that she can enjoy the outdoors on warm pleasant days.

List type of variance requested: ALLOW AN ACCESSORY STRUCTURE (PROPOSED GAZEBO) TO THE FRONT OF THE PRIMARY STRUCTURE.



**APPLICANT:** Franklin M. Barrer

**PETITION NO.:** V-43

**PHONE:** 404-723-7059

**DATE OF HEARING:** 05-14-08

**REPRESENTATIVE:** same

**PRESENT ZONING:** R-30

**PHONE:** same

**LAND LOT(S):** 277

**PROPERTY LOCATION:** Located on the eastern side of Uncle Ben Drive, north of North Cook Road (1455 Uncle Ben Drive).

**DISTRICT:** 19

**SIZE OF TRACT:** .69 acre

**COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** Waive the setback for an accessory structure over 800 square feet (proposed 925 square foot garage) from the required 100 feet to 12 feet adjacent to the southern property line, 12 feet adjacent to the eastern property line and 60 feet adjacent to the northern property line on lot 14.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** No comments.

**STORMWATER MANAGEMENT:** This structure can be located within the building setback if it is attached to the house. The structure should at least be located closer to the existing driveway to limit the increase in impervious area.

**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.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

**SEWER:** No conflict.

**OPPOSITION:** NO. OPPOSED **PETITION NO.**            **SPOKESMAN**           

**BOARD OF APPEALS DECISION**

**APPROVED**            **MOTION BY**           

**REJECTED**            **SECONDED**           

**HELD**            **CARRIED**           

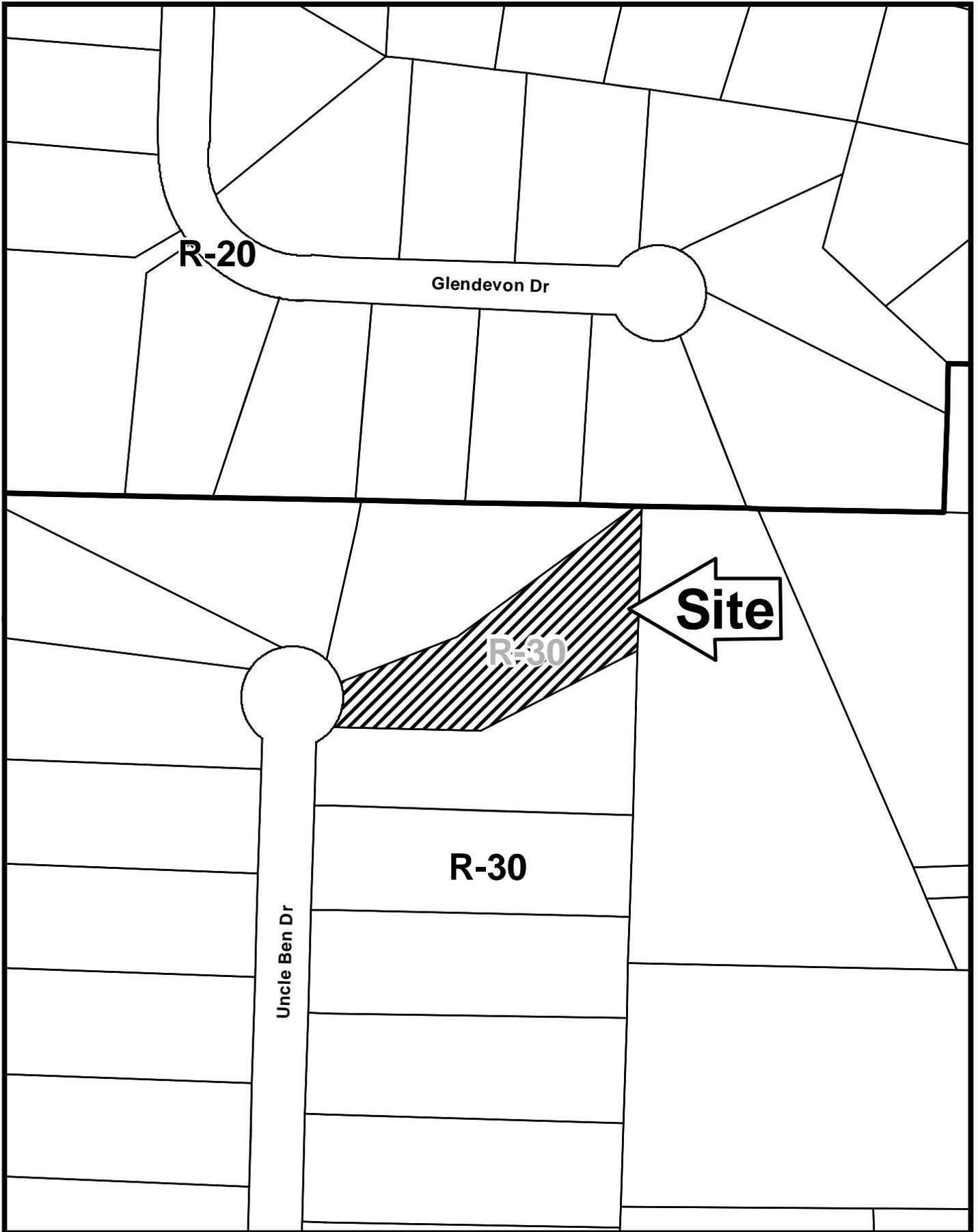
**STIPULATIONS:**           

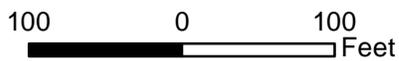
          

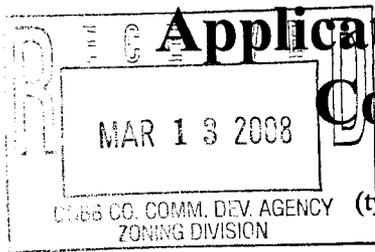


# V-43



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





# Application for Variance Cobb County

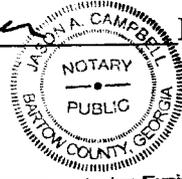
(type or print clearly)

Application No. V-43  
Hearing Date: 5-14-08

Applicant FRANKLIN M BARRER Business Phone 404 723 7059 Home Phone \_\_\_\_\_

Address 1455 Uncle Ben Dr Powder Springs, GA 30127  
(representative's name, printed) (street, city, state and zip code)

Franklin M Barrer  
(representative's signature)



Business Phone 770 425 8876 Cell Phone 404 723-7059

Signed, sealed and delivered in presence of:  
Wanda Campbell  
Notary Public

My commission expires: X  
My Commission Expires October 31, 2011

Titleholder FRANKLIN M BARRER Business Phone 404 723 7059 Home Phone 770 425-8876  
Nancy P. Barrer

Signature Franklin M Barrer Address: 1455 Uncle Ben Dr P.S. 30127  
(attach additional signatures, if needed) (street, city, state and zip code)

Nancy P Barrer

Signed, sealed and delivered in presence of:  
Robbie Cochran  
Notary Public

My commission expires: X 7/21/08

Present Zoning of Property R-30

Location 1455 UNCLE BEN DRIVE  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 277 (P) 37 District 19 Size of Tract .69 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 \_\_\_\_\_

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.

I need an additional 3 car-garage to house work vehicles due to subdivision covenants stating these type vehicles are not to be seen. I will match color, exterior siding, shingles of existing house.

List type of variance requested: I need a 12 foot setback from the rear property line.

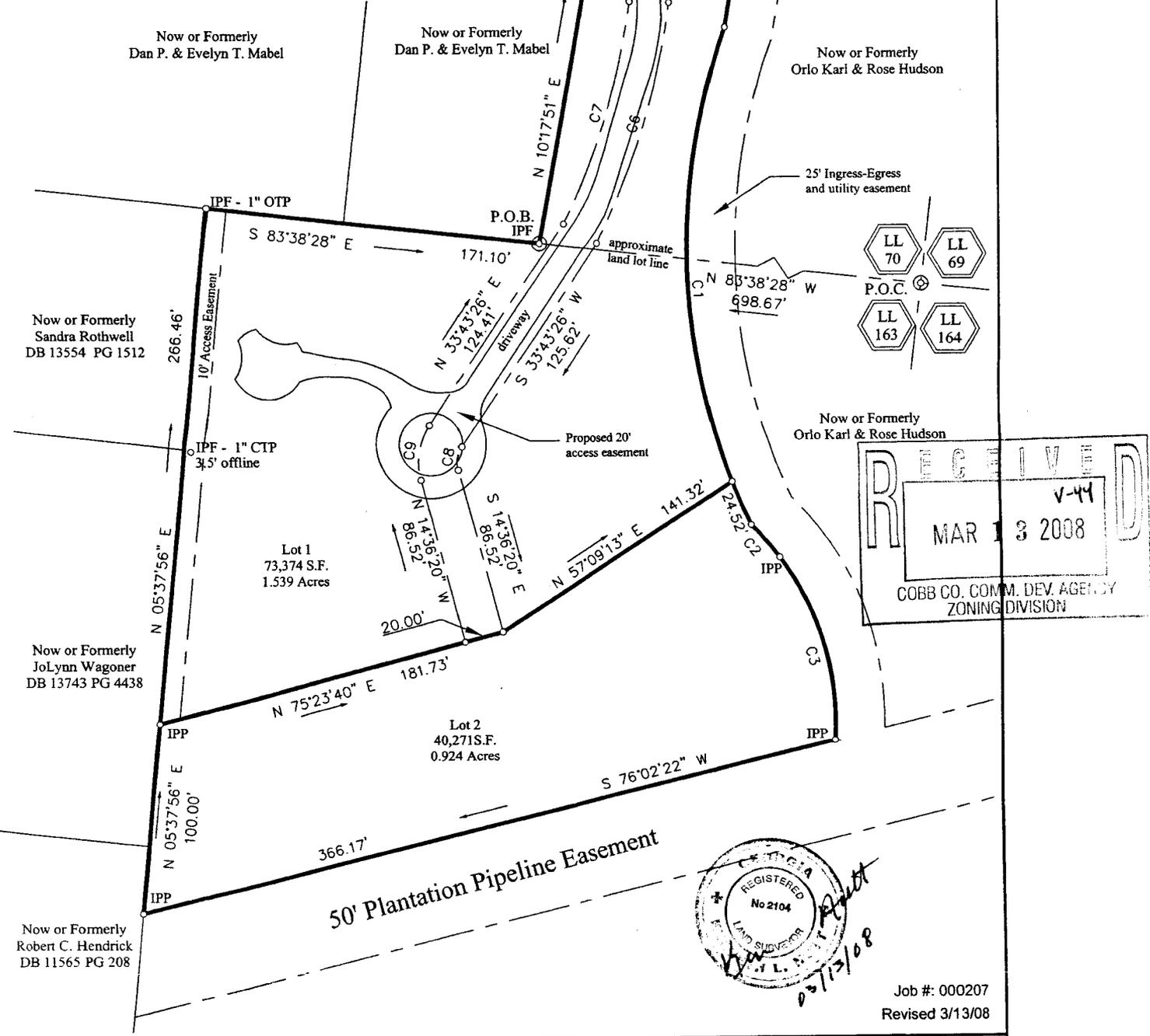
V-44

NUMBER	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD
C1	S 02°39'22" E	332.02	264.14	231.14
C2	S 40°23'59" E	142.96	22.24	22.24
C3	S 15°54'14" E	142.96	100.00	97.97

Boundary based on plat by James M. McNeely, GRLS #2301, for Robert Hershell Turner, Jr. dated May 1, 1986.

**LEGEND**  
 O IPP = Iron Pin Placed  
 O IPF = Iron Pin Found  
 POB = Point of Beginning  
 CTP = Crimp Top Pin Found

NOTE: Other than driveway, no improvements located.



- All iron pins are 1/2" Rebar unless otherwise noted.  
 - Equipment used: Topcon GTS Total Station  
 - The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 03 seconds per angle point, and was adjusted using Compass Rule.  
 - This plat has been calculated for closure and is found accurate within one foot in 20,000+ feet.  
 - This plat subject to all easements public and private.

**Survey for Guest House for Frank Legate**

520 Collett Drive  
 Land Lot 70 & 163, 18th District, 2nd Sect.  
 Cobb County, Georgia

Area = 107,320 Sq. Ft. (2.464 Acres)

This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.

According to F.I.R.M. Community Panel # 130052 0085F, dated 08-18-1992, this property is not located in an area having special flood hazards.

Computed by: JMC  
 Drawn by: JMC  
 Checked by: KLN

**Perimeter Surveying & Development Co.**  
 1065 Sandtown Road, Marietta, GA 30008  
 Phone: (770) 425-6824 Fax: (770) 425-6768

Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_  
 Deed Book: \_\_\_\_\_ Page: \_\_\_\_\_

Party Chief: KN-CP  
 Date Surveyed: 04/17/07  
 Date Drawn: 05/09/07

**GRAPHIC SCALE**  
 0 25 50 100  
 SCALE: 1" = 100'

**APPLICANT:** Frank M. LeGate, III **PETITION NO.:** V-44  
**PHONE:** 770-941-2229 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** R-20  
**PHONE:** same **LAND LOT(S):** 70, 163  
**PROPERTY LOCATION:** Located on the southern side **DISTRICT:** 18  
of Collett Avenue, west of Anne Drive **SIZE OF TRACT:** 2.463 acres  
(520 Collett Avenue). **COMMISSION DISTRICT:** 4

**TYPE OF VARIANCE:** 1) Waive the public road frontage to allow one home off of a private easement; 2) waive the lot size for a lot without public road frontage from the required 80,000 square feet to 40,271 square feet; 3) waive the front setback on lot 2 from the required 35 feet to 25 feet and the rear setback from the required 35 feet to 10 feet; and 4) waive the width of an easement from 25 feet to 20 feet.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** If this variance request is approved, a lot split plat must be recorded reflecting the conditions of the variance. 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:** No objection.

**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.

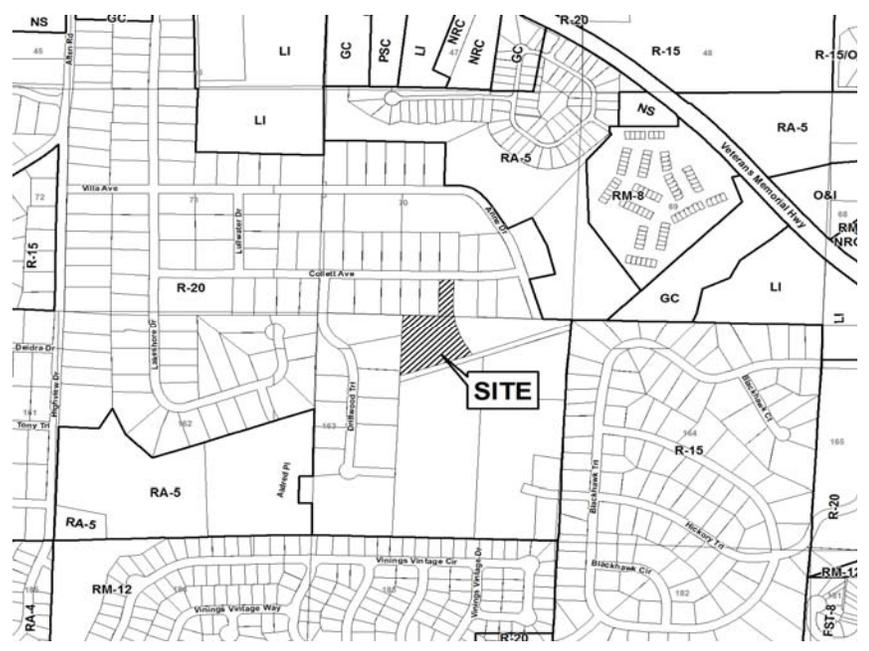
**CEMETERY PRESERVATION:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

**WATER:** Available. Meter must be set on Collett Avenue right-of-way.

**SEWER:** Sewer not available to property. Health Department approval/permit required for guest house septic system.

**OPPOSITION: NO. OPPOSED**          **PETITION NO.**          **SPOKESMAN**         

**BOARD OF APPEALS DECISION**  
**APPROVED**          **MOTION BY**           
**REJECTED**          **SECONDED**           
**HELD**          **CARRIED**           
**STIPULATIONS:**           
          
        



# Cobb County Fire and Emergency Services

Applicant Name: Frank LeGate

Petition Number: V-44

Date: 4.1.2008

## *Fire Marshal Comments*

### Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Residential subdivision: Cul-de-sac with an island – minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet **or** Cul-de-sac without an island – 38 foot outside radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

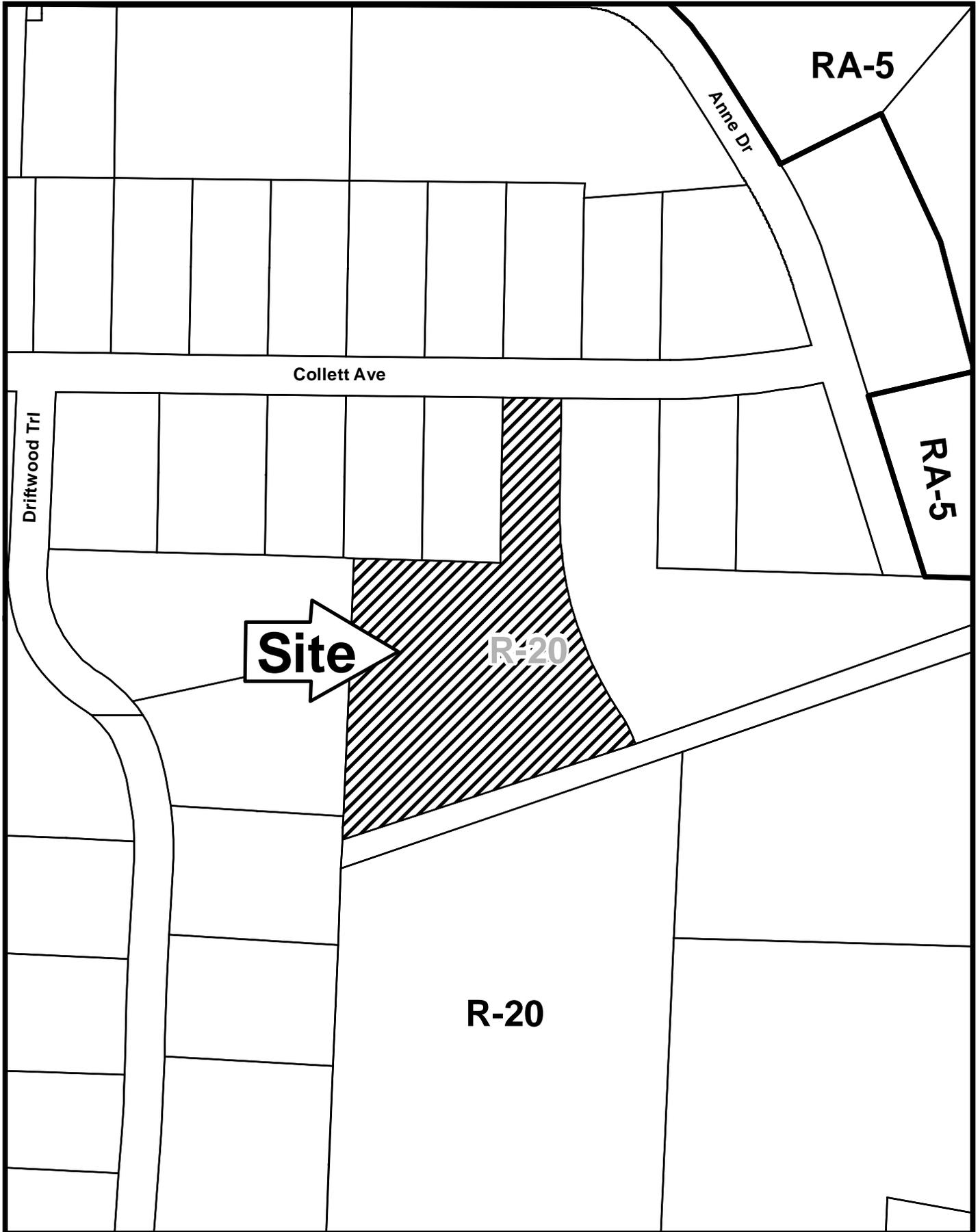
Driveway access to a single family home must be 10 feet wide. A hammer head turnaround or cul-de-sac is required when a driveway exceeds 1000 feet. (See requirements for dimensions under residential subdivision).

### Fire Hydrant

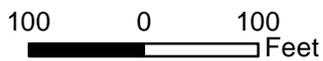
Residential: Fire hydrant within 500 feet of structure.

**“No comments for this request, however, not to be used for a group home or personnel care home without Fire Department approval.”**

# V-44



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-44  
Hearing Date: 5-14-08

Applicant FRANK M. LECATE III Business Phone 770-941-2229 Home Phone 770-941-2229

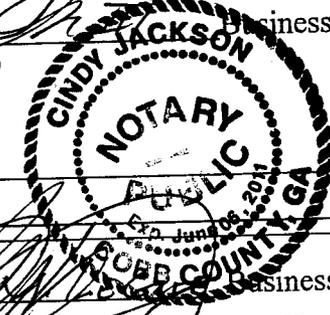
FRANK M. LECATE Address 520 COLLETT AVE. S.W. MARLBOROUGH, GA  
(representative's name, printed) (street, city, state and zip code) 30126

[Signature] Business Phone 770-941-2229 Cell Phone NA  
(representative's signature)

Signed, sealed and delivered in presence of:

Cindy Jackson  
Notary Public

My commission expires: \_\_\_\_\_



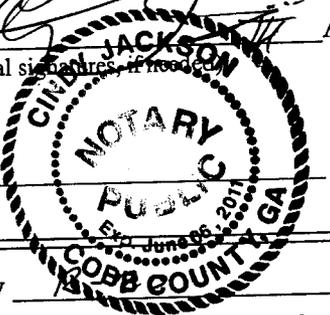
Titleholder FRANK M. LECATE III Business Phone 770-941-2229 Home Phone 770-941-2229

Signature [Signature] Address: 520 COLLETT AVE. S.W. MARLBOROUGH, GA 30126  
(attach additional signatures if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

Cindy Jackson  
Notary Public

My commission expires: \_\_\_\_\_



Present Zoning of Property R-20

Location 520 COLLETT AVE. SW MARLBOROUGH, GEORGIA 30126  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 163,0070 P7 District 1B Size of Tract 2.463 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 2.463 Acres Shape of Property See Plat Topography of Property See Topo Other \_\_\_\_\_

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.

SEE ATTACHED SHEET (EXHIBIT A)

List type of variance requested: VARIANCE FOR EASEMENT ACCESS TO PROPERTY AND  
MODIFICATION OF BUILDING SETBACK LINES  
WAIVE THE REAR SETBACK ON LOT 2 FROM REQUIRED  
35 FT TO TEN FEET, WAIVE THE FRONT SETBACK  
FROM 35 FT TO 25 FT

Exhibit A  
V-44/2008

ATTACHMENT: APPLICATION FOR VARIANCE IN COBB COUNTY

Applicant: Frank M. LeGate

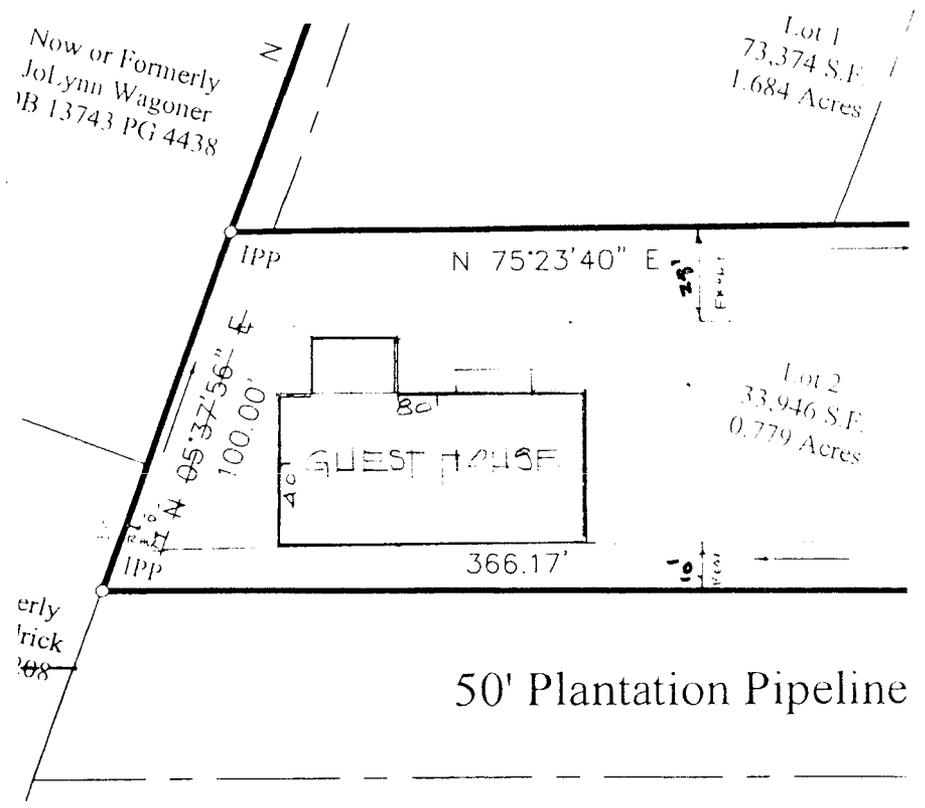
The hardship problem appertaining to the attached Application for Variance in Cobb County concerns mainly the existing physical condition of the site. The greater area of the site has steep topography, many boulder outcroppings and is heavily wooded with hardwood trees.

The most logical location for the Guest House is on a portion of the site where the contours are gentle in slope and there are no trees or boulder outcroppings. The site is adjacent to a fifty foot wide pipeline easement. The twenty feet of the pipeline easement nearest to the site will never have pipelines installed because the pipeline easement narrows to only thirty feet in width as it continues over my previous address at 6059 Driftwood Trail. By modifying the setback lines as requested, adequate area to construct the Guest House will be possible. There is no imposition to light and air accessibility for adjacent residential properties. The requested modification to the setback lines is for a 25' front setback and a 10' rear setback adjacent to the 50' pipeline easement.

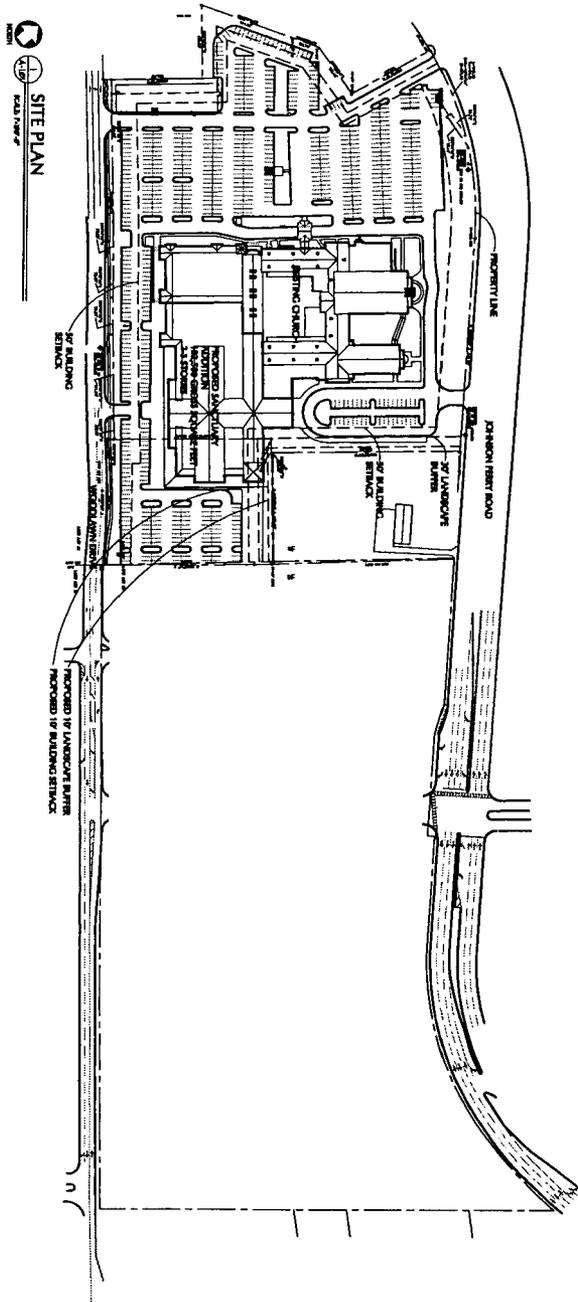
The existing residence on the subject property is of non-combustible construction. It is earth sheltered with a geothermal heating and cooling system. The proposed Guest House when designed will also be of non-combustible construction.

The greater area of the total 2.463 acre site is committed as a wildlife preserve and will never be disturbed.

Frank M. LeGate, Architect



V-45



RECEIVED  
 V-45  
 MAR 13 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS

Architects  
 Planning  
 Facilitation Design

<p>A-1.01</p>	<p>PROJECT TITLE          SITE PLAN</p>	<p>PROJECT TITLE  <b>JOHNSON FERRY BAPTIST CHURCH          SANCTUARY ADDITION</b></p>	<p>DATE          NO. DESCRIPTION</p>		<p>FOR ALLIED PROFESSIONALS          STATE OF GEORGIA          PROFESSIONAL SEAL</p>	
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**APPLICANT:** Johnson Ferry Baptist Church, Inc. **PETITION NO.:** V-45  
**PHONE:** 770-973-6561 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** John Moore **PRESENT ZONING:** R-20  
**PHONE:** 770-429-1499 **LAND LOT(S):** 67  
**PROPERTY LOCATION:** Located on the west side of Johnson Ferry Road and east side of Woodlawn Drive, north of Lower Roswell Road (955 Johnson Ferry Road). **DISTRICT:** 1  
**SIZE OF TRACT:** 15.76 acres **COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the landscape screening buffer from the required 35 feet to 10 feet adjacent to the northern and eastern property lines; and 2) waive the setback from the required 50 feet to 10 feet adjacent to the northern and eastern property lines.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** If the variance is granted to reduce the landscape buffer on the east property line, a plan must be submitted showing how the new buffer is to be planted and showing mitigation for the loss of any specimen trees resulting from the reduced buffer.

**STORMWATER MANAGEMENT:** The area impacted by the proposed church expansion will continue to drain to the existing onsite stormwater management facilities.

**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.

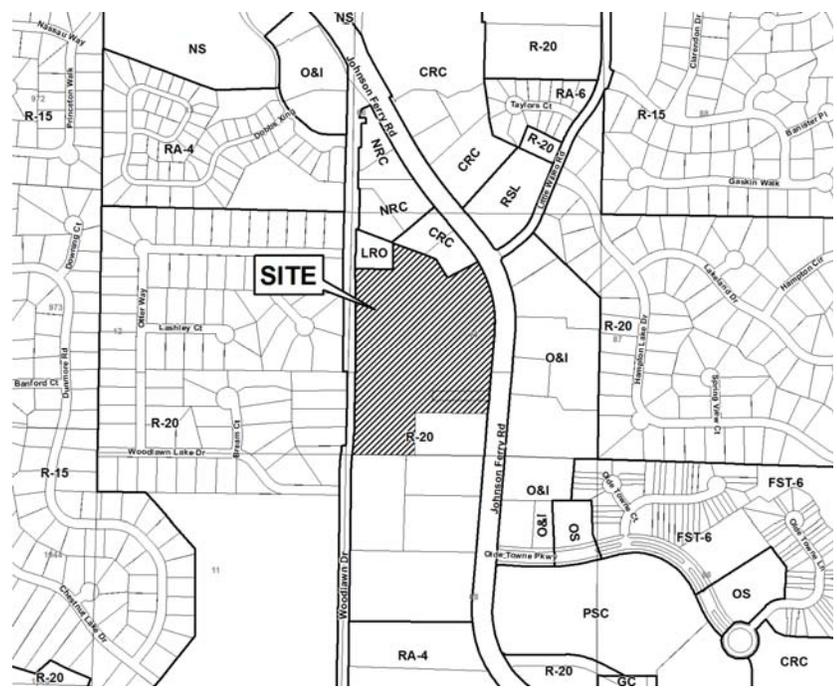
**CEMETERY PRESERVATION:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

**WATER:** No conflict.

**SEWER:** Existing sewer may have to be relocated by developer for building addition.

**OPPOSITION:** NO. OPPOSED **PETITION NO.**            **SPOKESMAN**           

**BOARD OF APPEALS DECISION**  
**APPROVED**            **MOTION BY**             
**REJECTED**            **SECONDED**             
**HELD**            **CARRIED**             
**STIPULATIONS:**             
            
          



# Cobb County Fire and Emergency Services

Applicant Name: Johnson Ferry Baptist Church

Petition Number: V-45

Date: 4.1.2008

## *Fire Marshal Comments*

### Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

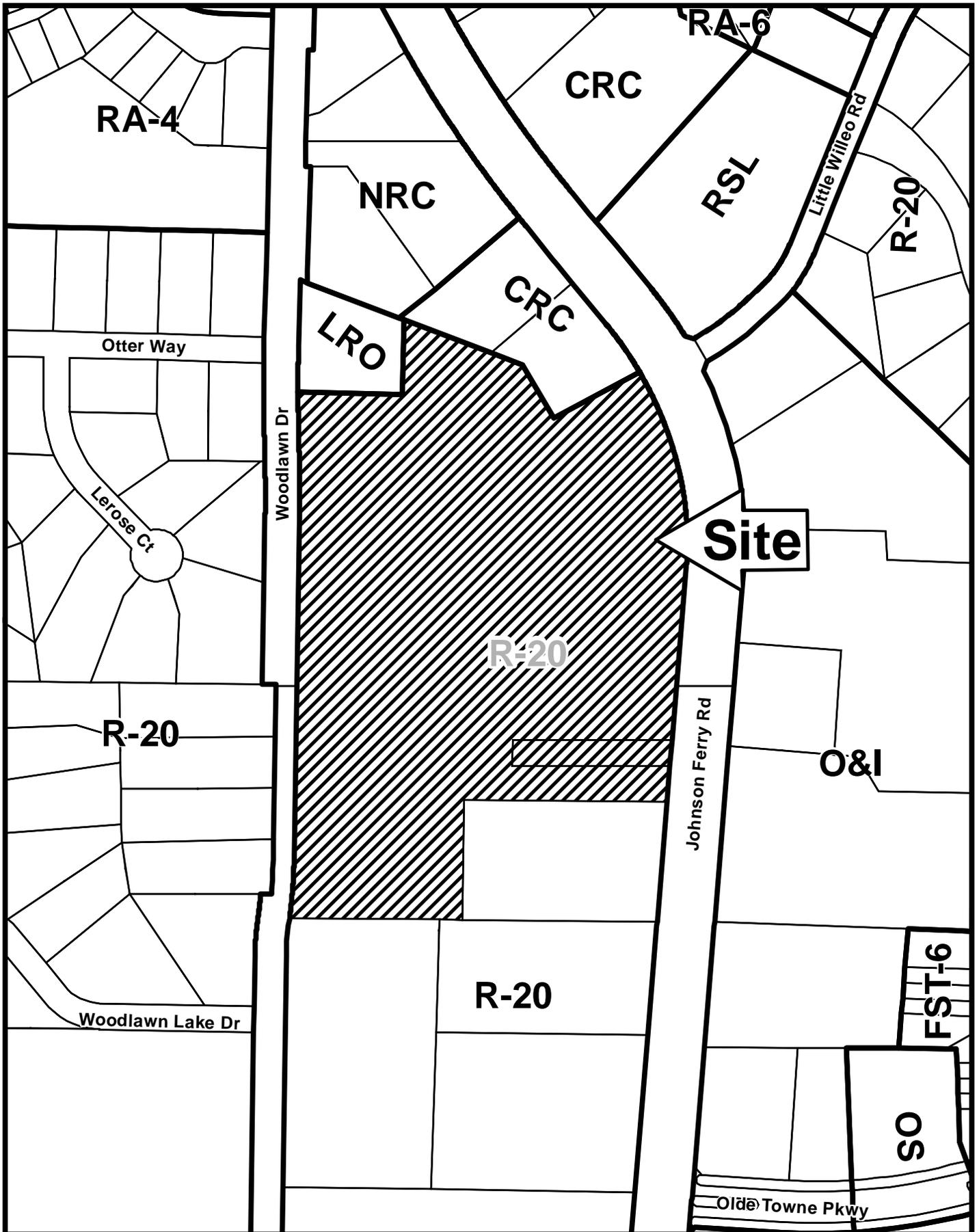
Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – total of 110-feet needed (45 feet + 20 foot wide roadway + 45 feet).

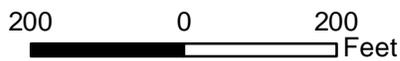
### Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

# V-45



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-45 (2008)  
Hearing Date: 05/14/2008

Applicant Johnson Ferry Baptist Church, Inc. Business Phone (770) 973-6561 Home Phone Not Applicable  
Moore Ingram Johnson & Steele, LLP

John H. Moore Address 192 Anderson Street, Marietta, GA 30060  
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Business Phone (770) 429-1499 Cell Phone (404) 313-5664  
(representative's signature) Georgia Bar No. 519800 Telefax (770) 429-8631

My commission expires: January 10, 2011

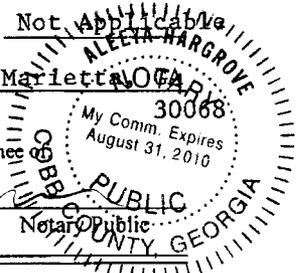
Signed, sealed and delivered in presence of  
[Signature]  
Notary Public

Titleholder Johnson Ferry Baptist Church, Inc. Business Phone (770) 973-6561 Home Phone Not Applicable

Signature BY: [Signature] Address: 955 Johnson Ferry Road, Marietta, GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)  
Jerry Maxfield  
Business Manager

My commission expires: Aug. 31, 2010

Signed, sealed and delivered in presence of  
[Signature]  
Notary Public



Present Zoning of Property R-20

Location 955 Johnson Ferry Road  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 67 District 1st Size of Tract 15.76± 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

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.  
See Exhibit "A" attached hereto

List type of variance requested: (1) Waiver of portion of thirty (30) foot Landscape Buffer to ten (10) feet (Cobb County Zoning Ordinance § 134-271(4)(e); and (2) Waiver of portion of fifty (50) foot building setback to ten (10) feet (Cobb County Zoning Ordinance § 134-271(4)(c). (See Exhibit "A")

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE**

Application No.: V- 45 (2008)  
Hearing Date: May 14, 2008

**BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS**

**Applicant/  
Titleholder: Johnson Ferry Baptist Church, Inc.**

Please state what hardship would be created by following the normal terms of the ordinance:

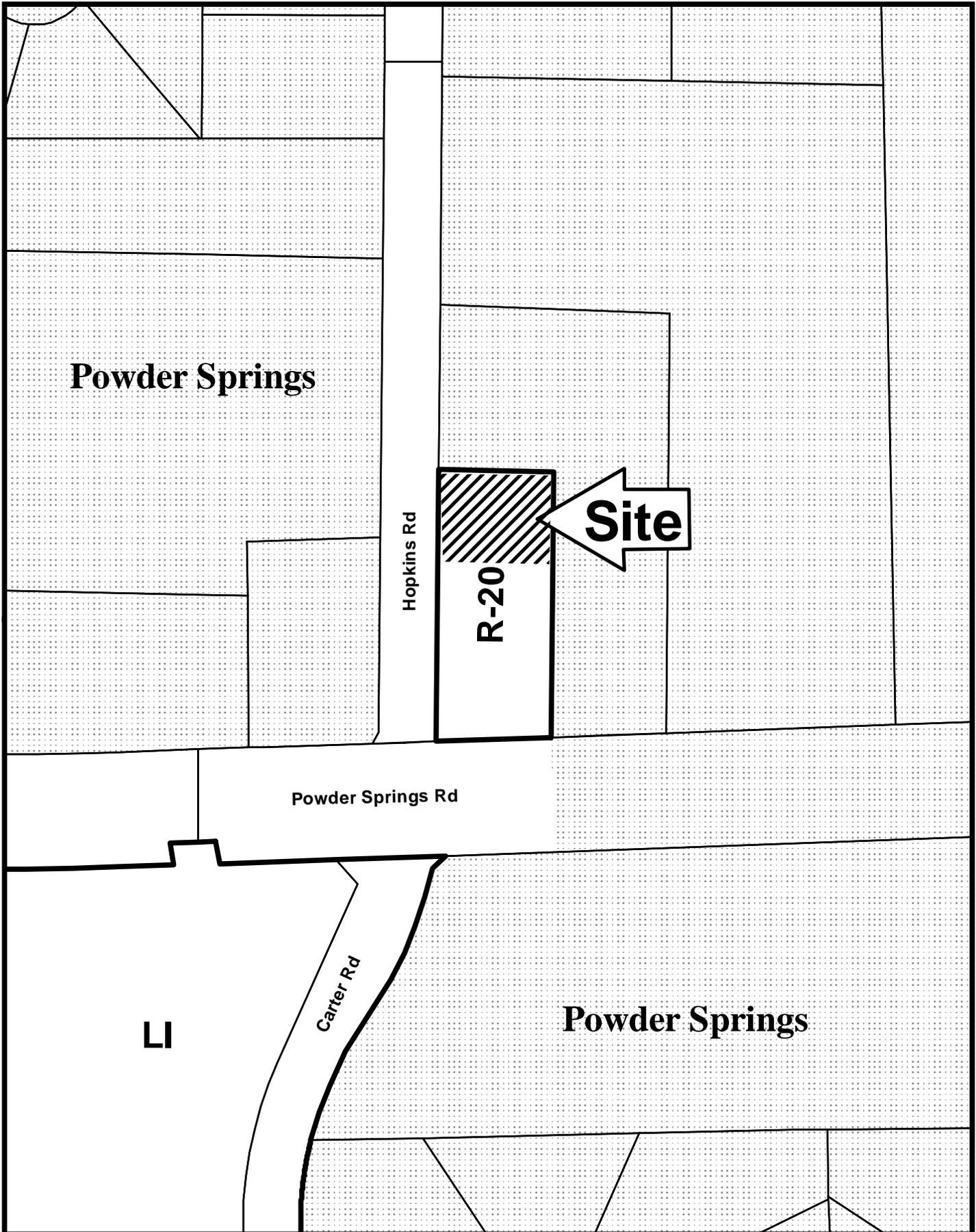
Applicant is seeking to expand its existing Church facilities with an approximately 182,500 square foot sanctuary addition. In order to blend the new sanctuary addition with the existing church facilities, and thus have all church operations within one building, Applicant has proposed the addition to be located to the rear and side of its existing facilities. The waivers sought by Applicant are necessitated in the fact that Applicant's campus was purchased and assembled throughout the years and there remains one residence fronting Johnson Ferry Road which is in the middle of the campus. If the required thirty (30) foot landscape buffer and the fifty (50) foot building setback are not waived to accommodate the affected corner of the proposed sanctuary addition, Applicant would not be permitted to construct the type of facility to accommodate its future needs. Applicant is not seeking to waive the entire perimeter landscape buffer and building setback adjacent to the single-family residence; only that portion located on one corner which is required to be waived to construct the proposed addition. The remaining landscape buffer and building setback will be adhered to by Applicant. Further, the residence is located more easterly on the property and is closer to Johnson Ferry Road and less impacted by any waiver of either the landscape buffer or building setback.

List type of variances requested:

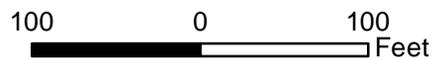
- (1) Waiver of a portion of the thirty (30) foot Landscape Buffer along the easterly property line to ten (10) feet, as more particularly shown and reflected on the Site Plan. (§ 134-271(4)(e).
- (2) Waiver of a portion of the fifty (50) foot building setback along the easterly property line to ten (10) feet, as more particularly shown and reflected on the Site Plan. (§ 134-271(4)(c).







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-46

Hearing Date: 5-14-08

Applicant Sunshine Assets, LLC Business Phone 678 463 4266 Home Phone 770 575 0705

Mark Cooley, Managing Member Address 758 Chelsea Park Lane Marietta, GA. 30068  
(representative's name, printed) (street, city, state and zip code)

Mark Cooley Business Phone 770 575 0705 Home Phone 678 463-4266  
(representative's signature)

Mark Cooley

My commission expires: 05/09/08

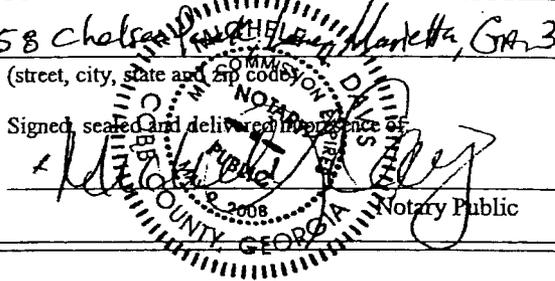


Titleholder Sunshine Assets, LLC Business Phone 678 463 4266 Home Phone 770 575-0705

Signature Mark Cooley Address: 758 Chelsea Park Lane Marietta, GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

Mark Cooley

My commission expires: 05/09/08



Present Zoning of Property R-20

Location 3801 HOPKINS ROAD  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 869 District 19 Size of Tract .66 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 \_\_\_\_\_

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.

The house I have spent \$70,000 on would not be able to be sold or currently occupied.

The house is within the new setback requirements is why I need this variance.

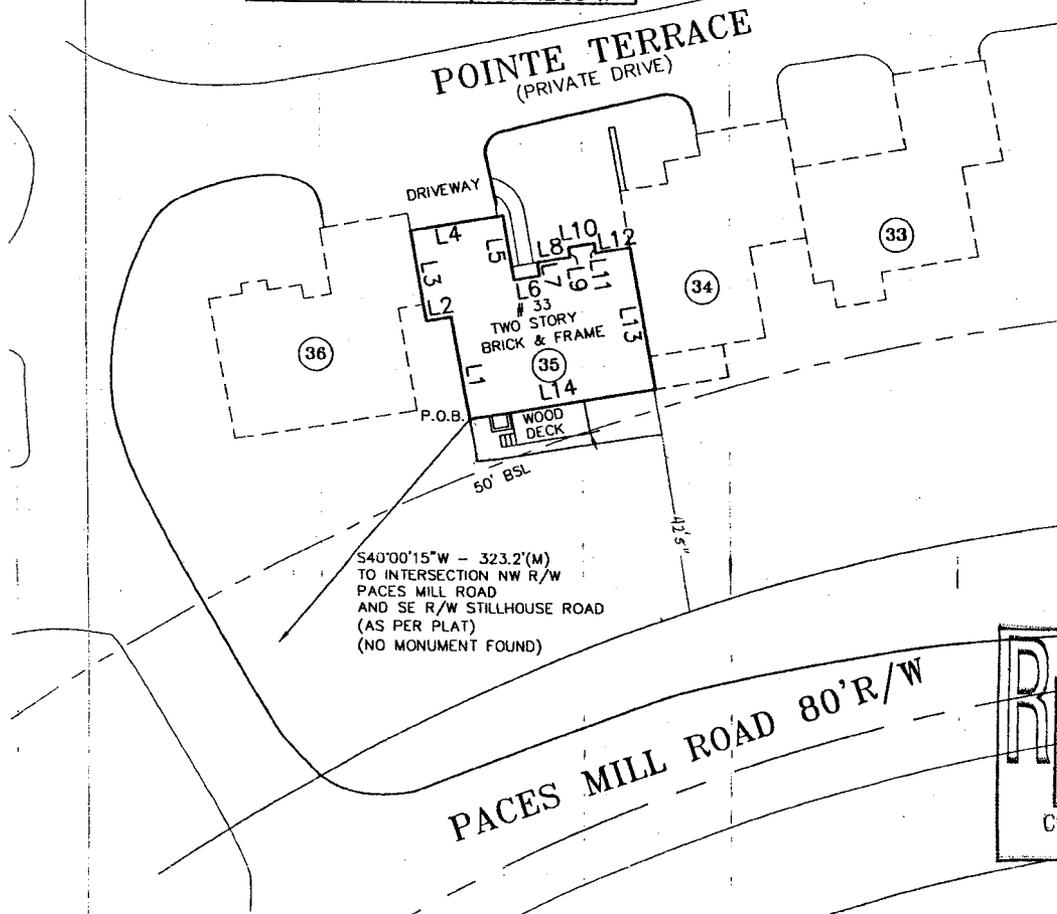
List type of variance requested: Allow for house to be in setback

Setback Variance WAIVE THE FRONT SETBACK FROM REQUIRED 40FT TO 29FT

- LEGEND**
- CMP CORRUGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - BSL BUILDING SETBACK LINE
  - REB REBAR FOUND
  - IPP IRON PIN PLACED
  - IPF IRON PIN FOUND
  - OTF OPEN TOP FOUND
  - CTF CRIMP TOP FOUND
  - RB REBAR
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - LL LAND LOT
  - M MEASURED
  - D DEED
  - P PLAT

LINE TABLE			
LINE	LENGTH	BE	
L1	25.40'	N09°48'00"W	(P=M)
L2	6.08'	S80°12'00"W	(M) (6.1' P)
L3	22.32'	N09°48'00"W	(M) (21.5' P)
L4	22.39'	N80°12'00"E	(M) (22.1' P)
L5	15.83'	S09°48'00"E	(M) (16.1' P)
L6	6.39'	N80°12'00"E	(M) (6.7' P)
L7	3.30'	N09°48'00"W	(P=M)
L8	8.00'	N80°12'00"E	(P=M)
L9	2.40'	N09°48'00"W	(P=M)
L10	6.00'	N80°12'00"E	(P=M)
L11	2.40'	S09°48'00"E	(P=M)
L12	8.10'	N80°12'00"E	(P=M)
L13	35.18'	S09°48'00"E	(M) (34.1' P)
L14	44.80'	S80°12'00"W	(M) (44.5' P)

V-47



PACES MILL ROAD 80'R/W

RECEIVED  
 MAR 14 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

NOTE:  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

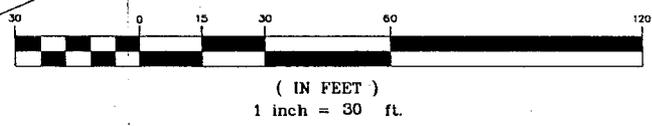
**PLAT CERTIFICATION NOTICE**

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AN ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

**GRAPHIC SCALE**



FIELD DATE 02/29/08

	ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR:		DATE	
	JUDSON L. WHITLOCK		03/03/08	
	OWNER / PURCHASER		SCALE	
	JUDSON L. WHITLOCK		1" = 30'	
	LAND LOT 976	17th DISTRICT	2nd SECTION	COBB COUNTY, GEORGIA
	LOT 35	BLOCK	UNIT	FIRST FLOOR AREA OF LOT: 1,910 S.F.
SUBDIVISION GLENRIDGE POINTE				
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		SOLAR LAND SURVEYING COMPANY		
P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770) 794-9052				

**APPLICANT:** Jud Whitlock **PETITION NO.:** V-47  
**PHONE:** 404-250-5333 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** RM-8  
**PHONE:** same **LAND LOT(S):** 975, 976, 951, 952  
**PROPERTY LOCATION:** Located at the northeasterly **DISTRICT:** 17  
intersection of Stillhouse Road and Paces Mill Road **SIZE OF TRACT:** 8.34 acres  
(33 Pointe Terrace). **COMMISSION DISTRICT:** 2  
**TYPE OF VARIANCE:** Waive the front setback (rear setback for lot) from the required 50 feet to 41 feet adjacent to lot 35.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** If this variance request is approved, a plat revision must be recorded reflecting the conditions of the variance. The surveyor must submit the revised subdivision plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

**STORMWATER MANAGEMENT:** No significant drainage impact anticipated. This condominium unit sits well above Paces Mill Road and is well screened.

**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.

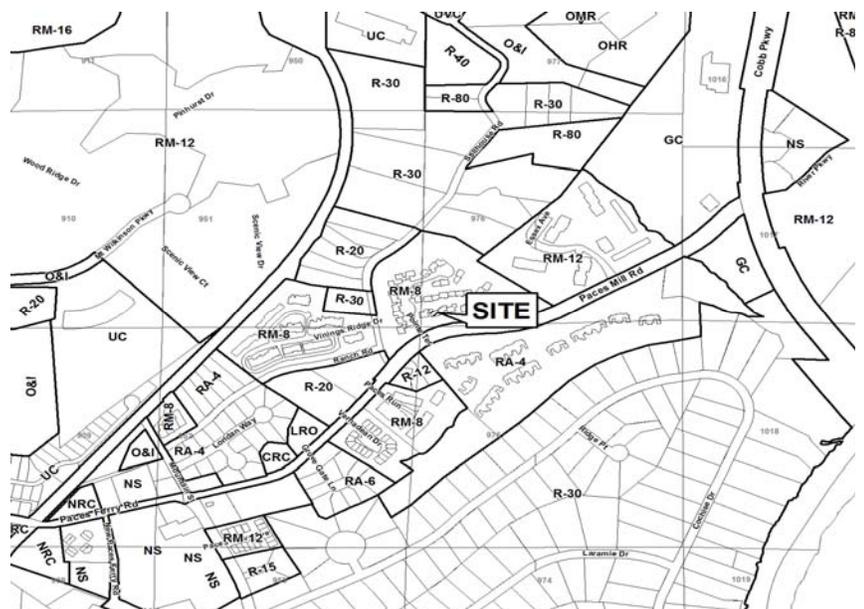
**CEMETERY PRESERVATION:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

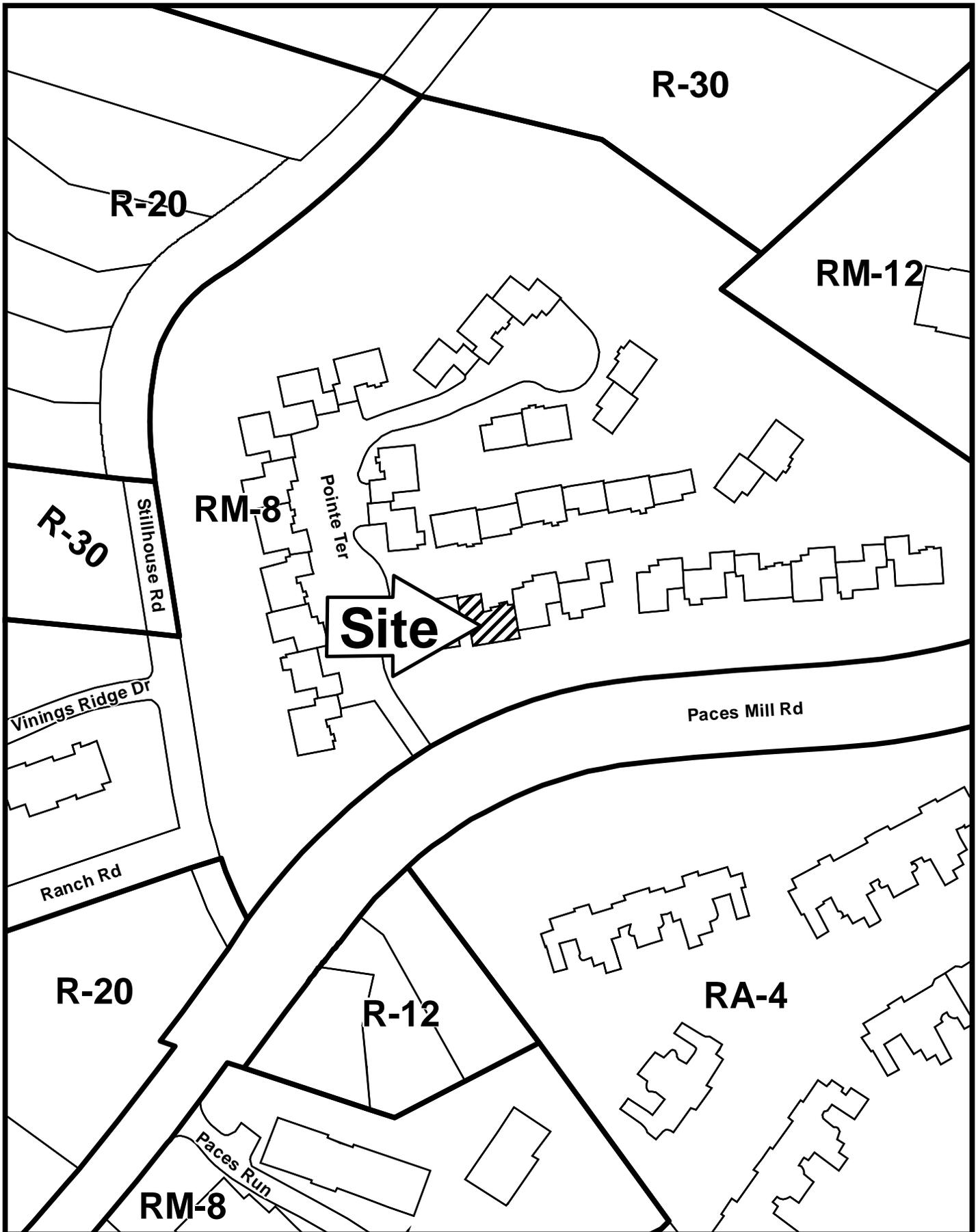
**WATER:** Private water. From CCWS record of line location, there appears to be no conflict, per site survey.

**SEWER:** Private water. From CCWS record of line location, there appears to be no conflict, per site survey.

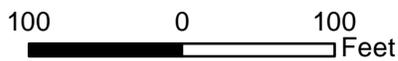
**OPPOSITION:** NO. OPPOSED PETITION NO. SPOKESMAN

**BOARD OF APPEALS DECISION**  
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_





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-47

Hearing Date: 5-14-08

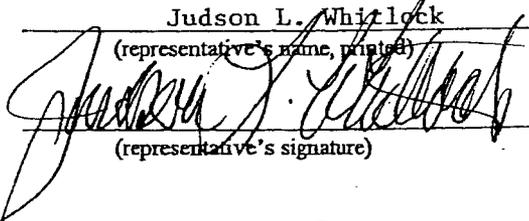
Applicant Jud Whitlock Business Phone 404-250-5333 Home Phone 404-713-0796

Judson L. Whitlock

(representative's name, printed)

Address 33 Pointe Terrace, Atlanta, GA 30339

(street, city, state and zip code)



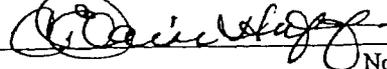
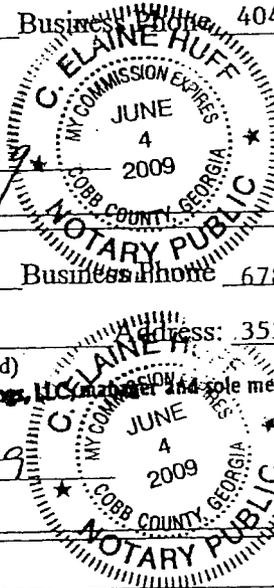
(representative's signature)

Business Phone 404-250-5333

Cell Phone 404-713-0796

Signed, sealed and delivered in presence of:

My commission expires: June 4, 2009



Notary Public

Titleholder REES 648, LLC

Business Phone 678-403-4218

Home Phone \_\_\_\_\_

Signature Alan S. Buchalter

(attach additional signatures, if needed)

Address: 3535 Roswell Rd #63, Marietta, GA 30062

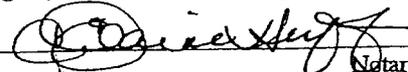
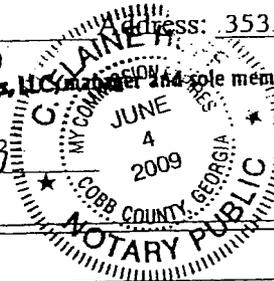
(street, city, state and zip code)

Alan Buchalter

By: REES Holdings, LLC manager and sole member

Signed, sealed and delivered in presence of:

My commission expires: June 4, 2009



Notary Public

Present Zoning of Property RM-8

Location 33 Pointe Terrace

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 976

District 17th

Size of Tract \_\_\_\_\_

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 \_\_\_\_\_

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.

Adding 12' across the rear 1st floor only of the townhouse to create a dining/family room and covered porch with skylights which will open via glass doors from the existing master bedroom and family/dining room addition. A portion of the addition will extend into the 50' set back due to the curvature of the line.

List type of variance requested: Waive the rear setback from the required 50' to 48' 5"

# Application for Variance Cobb County

(type or print clearly)

Application No. V-47  
Hearing Date: 5-14-08

Applicant JUD WAITLOCK Business Phone 404-250-5333 Home Phone 404-713-0796  
Address 33 POINTE TERRACE ATL GA 30339  
(street, city, state and zip code)

(representative's name, printed)

Business Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

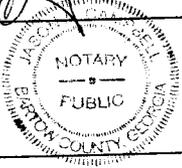
(representative's signature)

Signed, sealed and delivered in presence of:

Jason D. Campbell  
Notary Public

My commission expires: \_\_\_\_\_

My Commission Expires  
October 31, 2011



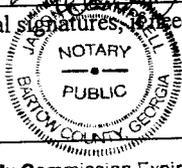
Titleholder JUDSON W. WAITLOCK Business Phone 404-250-5333 Home Phone 404-713-0796  
Signature Judson Waitlock Address: 33 POINTE TERRACE ATL GA 30339  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

Jason D. Campbell  
Notary Public

My commission expires: \_\_\_\_\_

My Commission Expires  
October 31, 2011



Present Zoning of Property Rm-8

Location 33 Pointe Terrace  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 976 District 17 Size of Tract \_\_\_\_\_ 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.

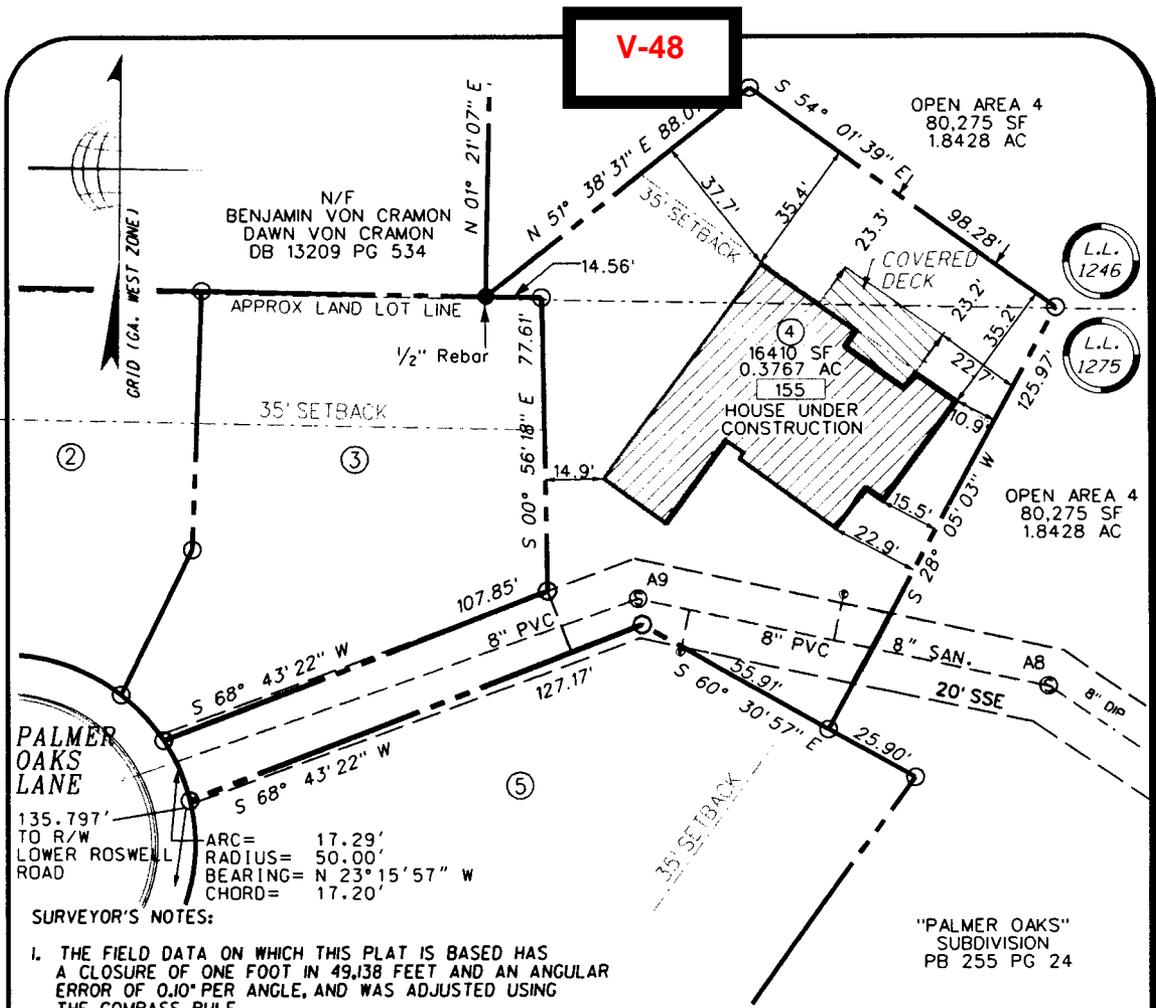
Size of Property \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

ADDING 12' ACROSS THE REAR LOT FLOOR OF THE TOWNHOUSE TO CREATE A DINING ROOM/FAMILY ROOM AND COVERED PORCH OFF MASTER BEDROOM & FAMILY ROOM TAKE ME INTO THE 50' SET BACK DUE TO THE CURVATURE OF THE LINE

List type of variance requested: Waiver rear setback from the required 50' to 42' 5"

V-48



L.L.  
1246

L.L.  
1275

ARC= 17.29'  
RADIUS= 50.00'  
BEARING= N 23° 15' 57" W  
CHORD= 17.20'

**SURVEYOR'S NOTES:**

1. THE FIELD DATA ON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 49,138 FEET AND AN ANGULAR ERROR OF 0.10" PER ANGLE, AND WAS ADJUSTED USING THE COMPASS RULE.
2. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY FIELD SURVEY USING A TOPCON GTS-223 TOTAL STATION.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 394,925'.
4. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD PRONE AREA AS SHOWN ON BARTOW COUNTY, GEORGIA F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13067C0055 F, DATED: AUGUST 18, 1992.
5. THE BEARINGS SHOWN ON THIS PLAT WERE COMPUTED FIELD ANGLES BASED ON GEORGIA STATE PLANE GRID (WEST ZONE).
6. LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES ARE PROVIDED BY ACCESSIBLE FIELD EVIDENCE. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS SURVEY. UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THIS SURVEYOR IS NOT RESPONSIBLE FOR THE SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION PROVIDED HEREON.
7. FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON 2/11/08.

**SURVEYOR'S CERTIFICATE:**

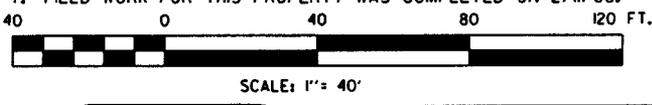
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (a) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR THE STATE OF GEORGIA AND (b) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION).



WILLIAM WOHLBERG, P.E.  
GEORGIA REGISTERED LAND SURVEYOR  
NO. 2577

**SITE PLAN FOR  
PORTICO PALMER, LLC  
LOT 4, PALMER OAKS  
LOCATED IN LAND LOTS 1246  
AND 1275 16TH DISTRICT, 2ND SECTION,  
COBB COUNTY, GEORGIA**

PATHSURVEY\2004-207\LOTS FND\LOT 4 2D.DGN



Proj. • 2004-207  
Survey Crew: JK  
Drawn By: ATA  
Aproved By: WCW  
Date: 02/12/08  
Scale: 1" = 40'  
Drawing# FILE



TerraMark Land Surveying, Inc.  
1396 Bells Ferry Road  
Marietta, Georgia 30066  
Phone No. (770) 421-1927  
Fax No. (770) 421-0552

**APPLICANT:** Frank Cramer and Terence Lewis      **PETITION NO.:** V-48  
**PHONE:** 770-952-5310 and 770-971-9356      **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** Terence Lewis      **PRESENT ZONING:** R-20 OSC  
**PHONE:** 770-617-1009      **LAND LOT(S):** 1275  
**PROPERTY LOCATION:** Located on the east side of      **DISTRICT:** 16  
Palmer Oaks Lane, north of Lower Roswell Road      **SIZE OF TRACT:** .3767 acre  
(155 Palmer Oaks Lane).      **COMMISSION DISTRICT:** 2  
**TYPE OF VARIANCE:** Waive the rear setback on lot 4 from the required 35 feet to 23 feet.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** If this variance request is approved, a plat revision must be recorded reflecting the conditions of the variance. The surveyor must submit the revised subdivision plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

**STORMWATER MANAGEMENT:** No significant drainage impact anticipated. The proposed roof will be placed over an existing deck. This lot abuts the open space area of this subdivision which provides significant buffering from the adjacent subdivision.

**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.

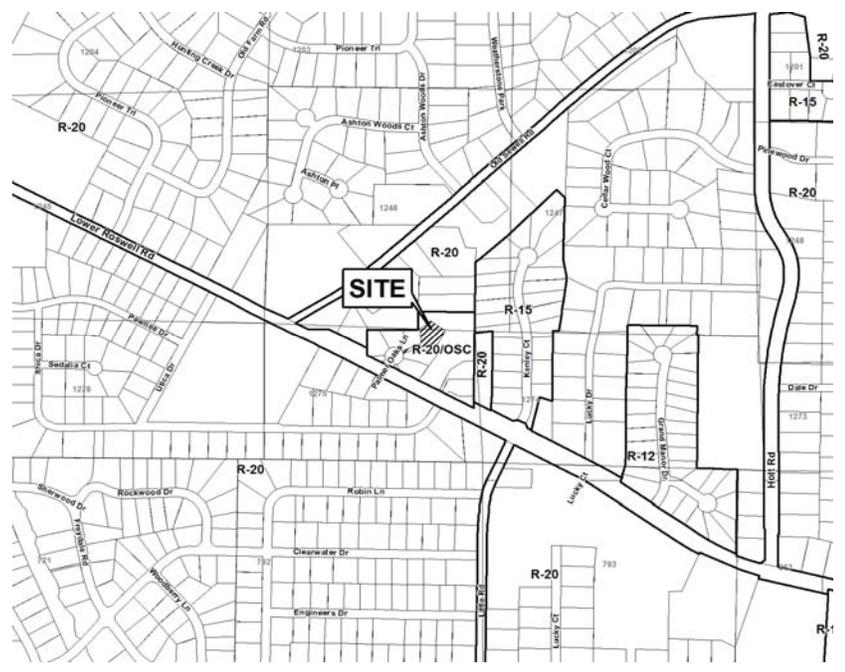
**CEMETERY PRESERVATION:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

**WATER:** City of Marietta Service Area.

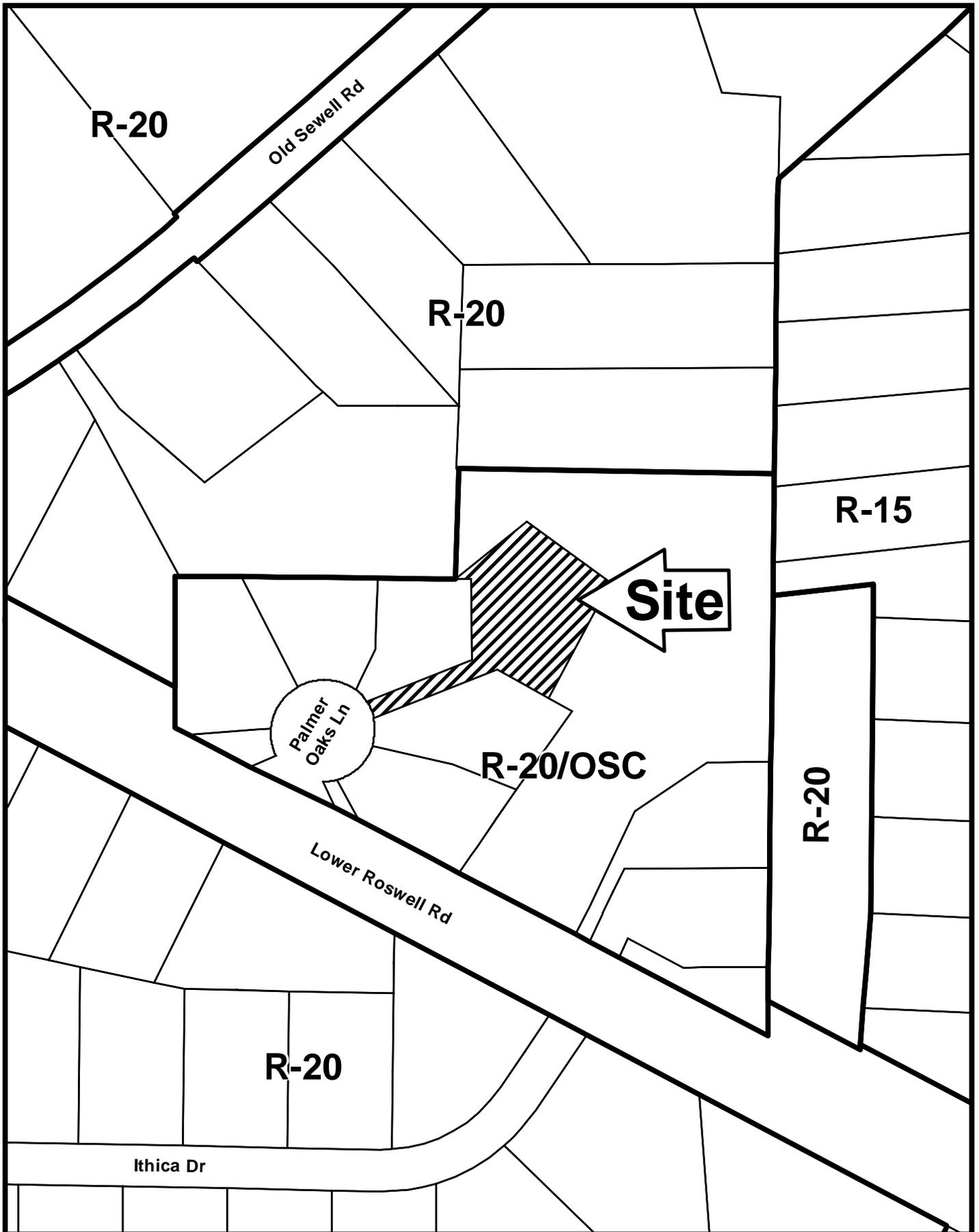
**SEWER:** City of Marietta Service Area.

**OPPOSITION:** NO. OPPOSED      **PETITION NO.** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

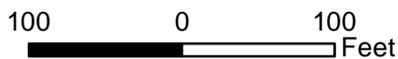
**BOARD OF APPEALS DECISION**  
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# V-48



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-48  
Hearing Date: 5-14-08

Applicant Frank Craven Frank Craven Business Phone \_\_\_\_\_ Home Phone 770-952-5310

Terence Lewis Portico Palmer LLC Address 2389 Carrington Way Marietta GA 30067  
(representative's name, printed) (street, city, state and zip code)

Terence Lewis Business Phone 770-971-9356 Cell Phone 770-617-1009  
(representative's signature)

My commission expires: \_\_\_\_\_  
Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

J. Boswell  
Notary Public

Titleholder Portico Palmer LLC Business Phone 770-617-1009 Home Phone 770-971-9356  
*cell*

Signature Terence Lewis Managing Member Address: 2389 Carrington Way Marietta GA 30067  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: \_\_\_\_\_  
Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

J. Boswell  
Notary Public

Present Zoning of Property OSC (R-20)

Location 155 Palmer Oaks Lane  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1275 District 16 Size of Tract .3767 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 \_\_\_\_\_

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.

Began as an open porch, but customer requested a roof over it due to the lot situation with exposure to sun.

List type of variance requested: + WAIVE THE REAR SETBACK ON LOT 4 FROM REQUIRED 35FT TO 23FT.

**H  
E  
L  
D  
  
C  
A  
S  
E  
S**



APPLICANT: Platinum Auto Spa  
PHONE: 678-560-6060  
REPRESENTATIVE: Robert E. Burrows, Pres.  
PHONE: 678-560-6060  
PROPERTY LOCATION: Located on the west side of  
of Johnson Ferry Road, north of Shetland Avenue  
(1075 Johnson Ferry Road).  
TYPE OF VARIANCE: Waive the front setback from the required 50 feet to 18 feet.

PETITION NO.: V-136  
DATE OF HEARING: 11-14-07  
PRESENT ZONING: CRC  
LAND LOT(S): 67  
DISTRICT: 1  
SIZE OF TRACT: .793 acre  
COMMISSION DISTRICT: 2

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**HELD UNTIL THE  
JUNE 11, 2008 HEARING**

**OPPOSITION:** NO. OPPOSED \_\_\_\_\_ PETITION NO. \_\_\_\_\_ SPOKESMAN \_\_\_\_\_

**BOARD OF APPEALS DECISION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

STIPULATIONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



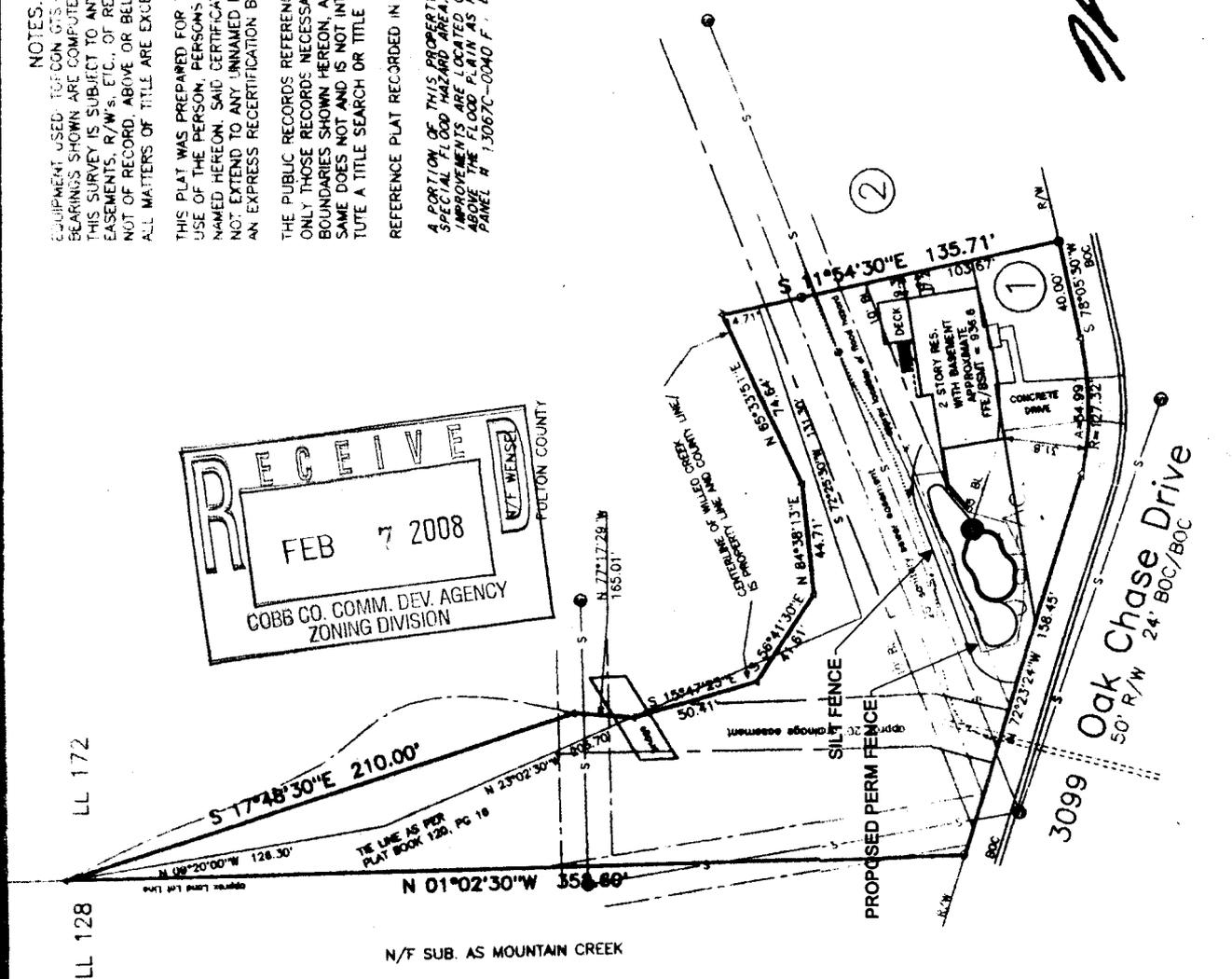
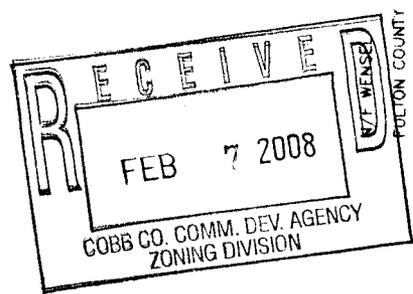
When I looked up, and there before me was a man with a measuring line in his hand. With it I

**LEGEND:**

- ☉ METAL PIPE
- CONCRETE METAL PIPE
- COMPUTED POINT
- SURVEY POINT
- PROPERTY CORNER
- METAL PIPE
- GAS METER
- WELL
- CONCRETE MOUNTAIN
- PROPERTY LINE
- BUILDING LINE
- CENTER LINE
- SW RIGHT-OF-WAY
- LAND LOT LINE
- LAND LOT CORNER
- FENCE
- NOT TO SCALE
- CREEK OR BRANCH
- CORRUGATED METAL PIPE
- REINFORCED CONCRETE PIPE
- BACK OF CURB
- SIDEWALK

**NOTES:**

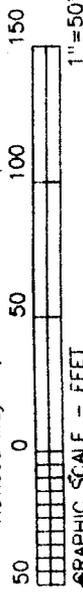
EQUIPMENT USED: TIECON GTS-35, SMT, MC, ...  
 BEARINGS SHOWN ARE COMPUTED FROM ANGLES ...  
 THIS SURVEY IS SUBJECT TO ANY AND ALL ...  
 EASEMENTS, R/W'S, ETC., OF RECORD OR ...  
 NOT OF RECORD, ABOVE OR BELOW GROUND ...  
 ALL MATTERS OF TITLE ARE EXCEPTED ...  
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE ...  
 USE OF THE PERSON, PERSONS OR ENTITY ...  
 NAMED HEREON. SAID CERTIFICATION DOES ...  
 NOT EXTEND TO ANY UNNAMED PERSON WITHOUT ...  
 AN EXPRESS RECERTIFICATION BY THE SURVEYOR ...  
 THE PUBLIC RECORDS REFERENCED HEREON REFLECT ...  
 ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE ...  
 BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE ...  
 SAME DOES NOT AND IS NOT INTENDED TO CONSTI- ...  
 TUTE A TITLE SEARCH OR TITLE OPINION ...  
 REFERENCE PLAT RECORDED IN PLAT BOOK 120, PAGE 15 ...  
 A PORTION OF THIS PROPERTY LIES WITHIN A ...  
 SPECIAL FLOOD HAZARD AREA, HOWEVER ...  
 MOVEMENTS ARE LOCATED OUT OF AND ...  
 PANEL N 13067C-0040 F, EFFECTIVE DATE 5-18-92



V-27

**PLAT FOR**  
**Bruce C. Schufreider &**  
**Belinda L. Schufreider**

Lot 1  
 Oak Chase Subdivision  
 Located in Land Lot 172  
 1st District \*\*\* 2nd Section  
 Cobb County, Georgia  
 August 31, 1995  
 JOB 96364 \* SF 95583 \* CF 95358  
 Revised May 10, 1996 to show improvements



**AIPALAOHILIANI**  
**SURVEY CO.**  
 889-4691  
 P.O. Box 1648  
 Cumming, GA  
 30128

Survey is for who moves his neighbor's boundary mark, and all the people shall say, "Amen" Plat. 27:17

**APPLICANT:** Bruce C. Schufrieder and Belinda L. Schufrieder      **PETITION NO.:** V-27  
**PHONE:** 770-263-6440      **DATE OF HEARING:** 04-09-08  
**REPRESENTATIVE:** Mark Steeves      **PRESENT ZONING:** R-20  
**PHONE:** 770-263-6440      **LAND LOT(S):** 172  
**PROPERTY LOCATION:** Located on the north side of      **DISTRICT:** 1  
Oak Chase Drive, south of Shallowford Road      **SIZE OF TRACT:** .81 acre  
(3099 Oak Chase Drive).      **COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Allow an accessory structure (proposed swimming pool) to the side of the primary structure on lot 1; 2) reduce the front setback on lot 1 from 32 feet (as previously approved from V-12 of 1996) to 31 feet; and 3) reduce the side setback on lot 1 from 9 feet (as previously approved from V-12 of 1996) to 8 feet.

**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on traffic.

**DEVELOPMENT & INSPECTIONS:** If the variance is granted, this project will require a land disturbance permit (including compliance with the tree ordinance), a pool permit and retaining wall permits.

**STORMWATER MANAGEMENT:** This lot is constrained by topography, floodplain and sanitary sewer easements. The proposed location is the only suitable space for a pool. However, a portion of the proposed pool area is located within the 50 foot stream buffer. The site plan should be updated to include the stream buffer and plan modified to show all proposed land disturbance outside the buffer.

**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.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

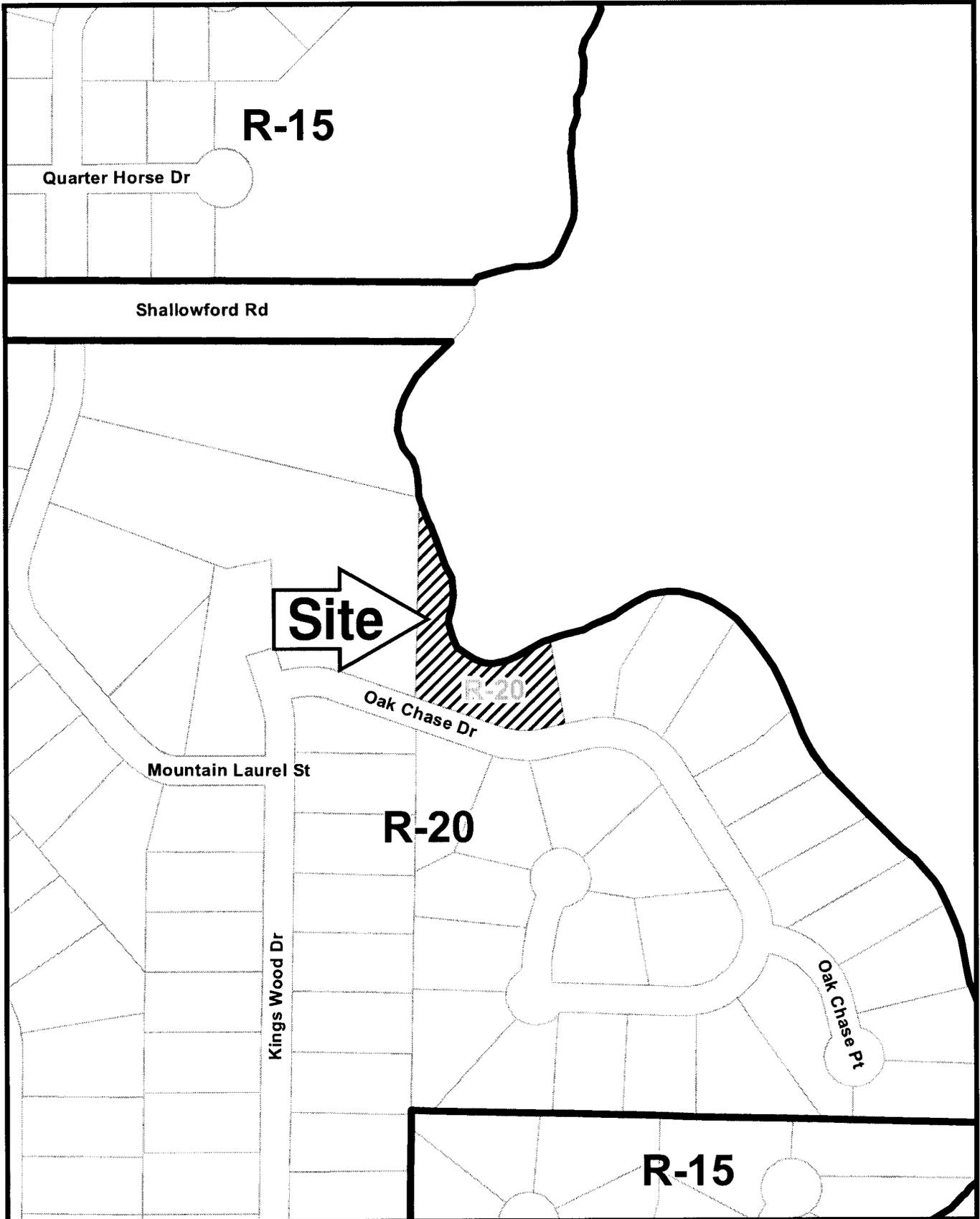
**SEWER:** Pool and apron must be at least 10 feet from edge of sanitary sewer easement (Code 122-123) at rear setback. Pool location on applicant's survey does not appear to comply. Location must be changed or Hold Harmless Agreement requested and approved by CCWS.

**OPPOSITION:** NO. OPPOSED \_\_\_\_\_ **PETITION NO.** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

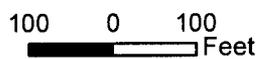
**BOARD OF APPEALS DECISION**  
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# V-27



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. U-27  
Hearing Date: 4-9-08

Applicant BRUCE SCHUFREIDER Business Phone \_\_\_\_\_ Home Phone 71993-8222

MARK STEELES Address 6475 JIMMY CARTER BLVD NORCROSS 30071  
(representative's name, printed) (street, city, state and zip code)

Mark Steeles Business Phone 770-263-6440 Cell Phone 770-352-4937  
(representative's signature)

My commission expires: 3/1/2008

Signed, sealed and delivered in presence of:  
Michelle Akin  
Notary Public

× Titleholder BRUCE SCHUFREIDER Business Phone \_\_\_\_\_ Home Phone 71993-8222

× Signature Bruce Schufreider Address: 3099 Oak Chase Dr Roswell 30075  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: \_\_\_\_\_

Signed, sealed and delivered in presence of:  
Michelle Akin  
Notary Public

Present Zoning of Property R-20

Location: 3099 OAK CHASE DRIVE, ROSWELL GA 30075  
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 172 District 1ST Size of Tract .81 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 blaw Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other

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.

DUE TO SANITARY SEWER EASEMENT ONLY FEASIBLE LOCATION IS AS SHOWN ON SITE PLAN.

List type of variance requested: POOL IN SIDE YARD

# Application for Variance Cobb County

(type or print clearly)

Application No. V-27  
Hearing Date: 4-9-08

Applicant BELINDA SCHUFREIDER Business Phone --- Home Phone 770-993-8222

Mark STEEVES Address 6475 Jimmy Carter Blvd  
(representative's name, printed) (street, city, state and zip code)

Mark Steeves Business Phone 712-63-6440 Cell Phone 713-52-4437  
(representative's signature)

My commission expires: 3/4/2008  
Signed, sealed and delivered in presence of: [Signature]  
Notary Public

Titleholder BELINDA SCHUFREIDER Business Phone --- Home Phone 71993-8000

Signature Belinda Schufreider Address: 3099 Oak Chase Dr Roswell  
(attach additional signatures, if needed) (street, city, state and zip code) 30075

My commission expires: 3/4/2008  
Signed, sealed and delivered in presence of: [Signature]  
Notary Public

Present Zoning of Property ---

Location 3099 OAK CHASE DRIVE ROSWELL GA 30075  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 172 (P) 3 District 13<sup>1</sup> Size of Tract .81 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 8 acres Shape of Property --- Topography of Property --- Other

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List type of variance requested: Pool in side yard.

\_\_\_\_\_  
\_\_\_\_\_

# Application for Variance Cobb County

V-12/1956  
1 of 3

(type or print clearly)

Application No. V-12  
Hearing Date: 2-14-96

Applicant D.W. Millen & Assoc., Inc. Day Phone 442-9912 Home Phone 237-3489  
Don. W. Millen Address 1400 Epping Forest Drive, Atlanta, GA 30319  
(representative's name, printed) (street, city, state and zip code)  
[Signature] Day Phone 442-9912  
(representative's signature)

My commission expires: 3/13/98

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

Titleholder D.W. Millen & Assoc., Inc. Day Phone 442-9912 Home Phone 237-3489  
Signature [Signature] Address 1080 Upper Hembree Road, Roswell, GA 30076  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 3/13/98

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

Present Zoning of Property \_\_\_\_\_  
Location 3099 Oak Chase Drive  
(street address, if applicable; nearest intersection, etc.)  
Land Lot(s) 172 District 1 Size of Tract .81 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 x Topography of property \_\_\_\_\_ Other \_\_\_\_\_

The Cobb County Zoning Ordinance Section 3-28-9.12A 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. The house is slightly in violation of the front and right side lines. The building area on the lot is very small and the builder/foundation subcontractor made a small error. The house is on a curve and basically does not adversely affect anyone.

List type of variance requested: Side line variance from 10' to 9.5'  
Front line variance from 35' to 32'3"

PAGE 2 OF 2

APPLICATION NO. V-12

ORIGINAL DATE OF APPLICATION: 2/96

APPLICANTS NAME: D.W. MILLEN & ASSOC., INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF ZONING APPEALS

THE BELOW STYLED VARIANCE WAS HEARD BY THE COBB COUNTY BOARD OF ZONING APPEALS ON FEBRUARY 14, 1996

V-12            D. W. MILLEN & ASSOC., INC. requests a variance to: (1) waive the side (eastern) setback from required 10 feet to 9 feet; (2) waive the front setback from required 35 feet to 32 feet in Land Lot 172 of the 1st District. 0.81 acre. Located on the north side of Oak Chase Drive, east of Kingswood Drive, (3099 Oak Chase Drive).

BZA DECISION OF 2-14-96 The Board of Zoning Appeals, as part of the Consent Agenda, approved application subject to: 1) Stormwater Management comment which states the owner/applicant is to verify that house is in compliance with the Cobb County Flood Damage Prevention Ordinance; 2) Sewer Division comment which states that no permanent structures are to be constructed within ten (10) feet of the edge of a permanent water or sanitary easement on front or rear setbacks, or within two (2) feet on side setbacks (ref. Cobb County Code, Section 3-26-53). Motion by Homan, second by Paetau, carried 4-0.

When I look up, and there before me was a man with a measuring line in his hand! -Zerb. 2:1

**LEGEND:**

- IRON PIN FOUND
- IRON PIN PLACED (24 RE-BAR)
- △ COMPUTED POINT
- UTILITY POLE
- UTILITY LINE
- CTP CRIMP TOP PIPE
- ⊕ WATER METER
- ⊕ GAS METER
- ⊕ WELL
- ⊕ CONCRETE MONUMENT
- P PROPERTY LINE
- ⊕ BUILDING LINE
- C CENTER LINE
- R/W RIGHT-OF-WAY
- LLL LAND LOT LINE
- LLC LAND LOT CORNER
- X — FENCE
- NOT TO SCALE
- CREEK OR BRANCH
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- BOC BACK OF CURB
- SMK SIDEWALK

**NOTES:**

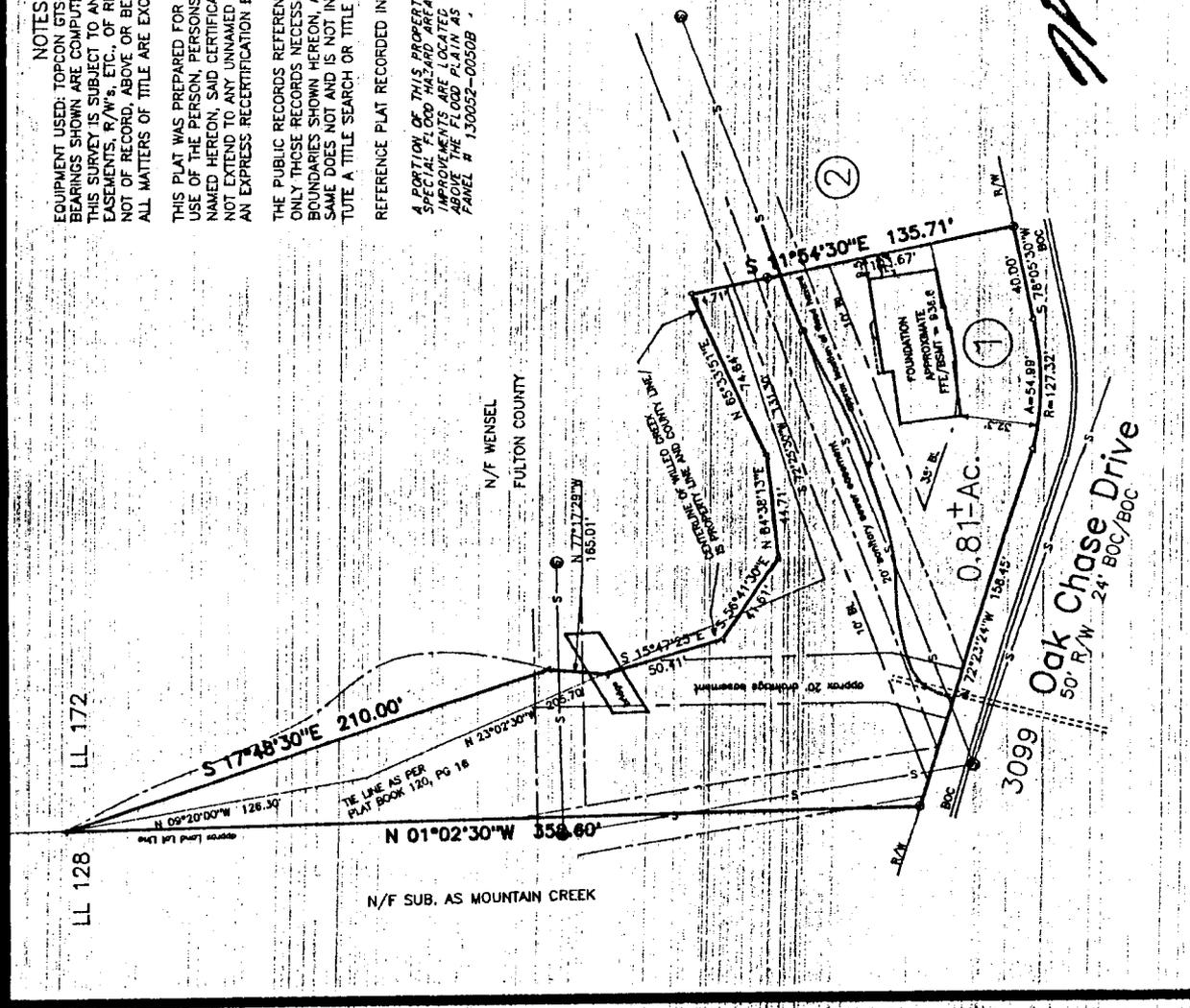
EQUIPMENT USED: TOPCON GTS-3B, CMT MC V BEARINGS SHOWN ARE COMPUTED FROM ANGLES TURNED THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, R/W'S, ETC., OF RECORD OR NOT OF RECORD, ABOVE OR BELOW GROUND. ALL MATTERS OF TITLE ARE EXCEPTED.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON, SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR.

THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION.

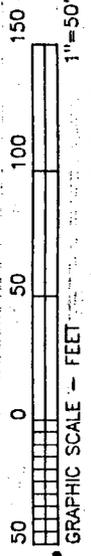
REFERENCE PLAT RECORDED IN PLAT BOOK 120, PAGE 16.

A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA, HOWEVER, IMPROVEMENTS ARE LOCATED OUT OF AND ABOVE THE FLOOD PLAIN AS PER FIRM PANEL # 130052-0050B - EFFECTIVE DATE 1-3-79



PLAT FOR  
**Millen & Assoc., Inc.**

Lot 1  
Oak Chase Subdivision  
Located in Land Lot 172  
1st District 2nd Section  
Cobb County, Georgia  
August 31, 1995  
JOB 95583 \* SF 95583 \* CF 95358



**SUPALAOHIAN SURVEY CO.**

889-4691  
P.O. Box 1648  
Cumming, GA 30128



Guard is for who enours his neighbor's boundary mark, and all the propir shall say, 'Amn'. -Bral. 27:17

B 12-172.1



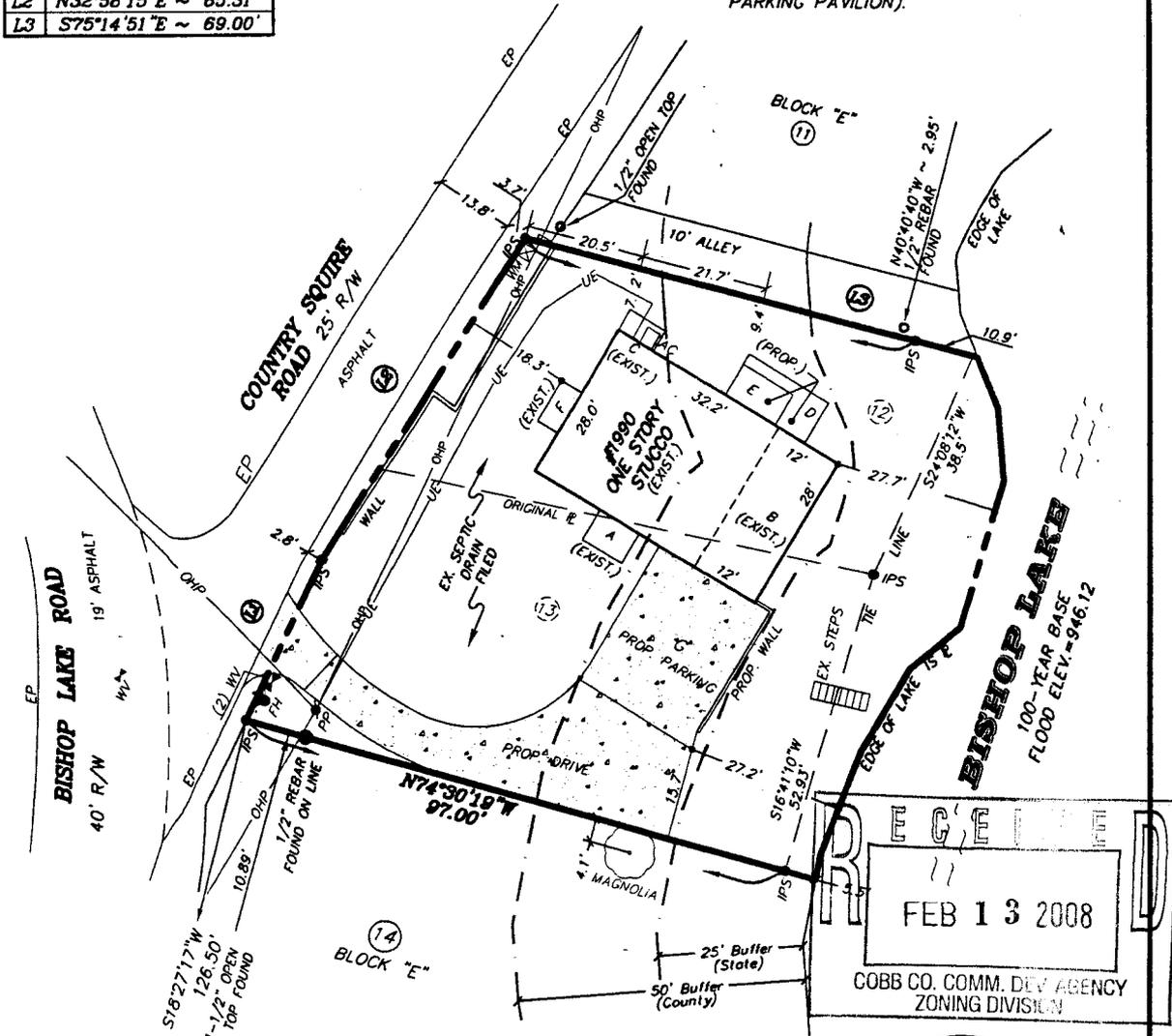
**ZONING (R-30)**

FRONT: 45'  
 SIDE: 12'  
 REAR: 40'  
 34% TOTAL IMPERVIOUS SURFACES  
 (EXISTING & PROPOSED).

CALL TABLE	
L1	N26°07'33"E ~ 30.60'
L2	N32°58'15"E ~ 65.31'
L3	S75°14'51"E ~ 69.00'

**TABLE OF IMPROVEMENTS**

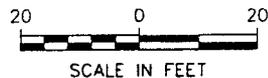
- A: EXIST. 4x8 COVERED FRONT STOOP
- B: EXIST. ENCLOSE EXISTING DECK
- C: EXIST. 4x7 CANTILEVERED BAY WINDOW
- D: PROP. 8x16 LOWER DECK
- E: PROP. 6x10 UPPER DECK
- F: EXIST. 4x8 HC ACCESS DOOR WITH WOOD AWNING.
- G: PROP. PARKING PAD & DRIVE (FUTURE PARKING PAVILION).



FIELD CLOSURE: OPEN  
 ANG. ERROR: -----  
 ADJUSTED BY: LEAST SQUARES  
 EQUIPMENT USED: TOPCON GTS-303  
 W/ MCV DATA COLLECTOR  
 PLAT CLOSURE: > 1/35642

AREA TO THE LINE=0.187 ACRES  
 OR 8144 SQ. FT.  
 AREA THE LINE TO LAKE=0.022 ACRES  
 OR 959 SQ. FT.  
 TOTAL AREA=0.209 ACRES  
 OR 9103 SQ. FT.

A PORTION OF THIS PROPERTY IS WITHIN A 100 YEAR FLOOD HAZARD AREA ACCORDING TO THE FEMA/FIRM OF COBB COUNTY, GEORGIA. PANEL NO. 13067 0040F DATED: AUGUST 18, 1992. 1st FLOOR ELEV=966.32 BASEMENT ELEV.=957.61



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

VARIANCE DRAWING FOR:

**FAYE PERMENTER**

1990 COUNTRY SQUIRE ROAD  
 PB 6 PG 23 DB 14511 PG 4816

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, RECORDED, OR DISCLOSED.

<b>SURVEYS PLUS INC.</b> 3545 SOUTH COBB DR., S.E. SMYRNA, GEORGIA 30080 PHONE: (770) 444-9236 FAX: (770) 444-9239	JOB NO.	4191	REVISIONS	DATE	LOCATED IN
	DRAWN BY:	SG	ADDED PROPOSED ADDITIONS & DR	2/04/08	LAND LOTS 756
	CHECKED BY:	DP	ADDED COUNTY COMMENTS	2/11/08	16th DISTRICT
	DATE	9/04/07	ADDED COUNTY COMMENTS	2/13/08	2nd SECTION
	SCALE	1"=20'			COBB COUNTY,
FIELD DATE	8/10/07				CITY OF GEORGIA

**APPLICANT:** Larry Michael Permenter and Teresa      **PETITION NO.:** V-29  
**PHONE:** Faye Permenter 864-704-5696      **DATE OF HEARING:** 04-09-08  
**REPRESENTATIVE:** same      **PRESENT ZONING:** R-30  
**PHONE:** same      **LAND LOT(S):** 756  
**PROPERTY LOCATION:** Located on the east side of      **DISTRICT:** 16  
Country Squire Road, east of Bishop Lake Road      **SIZE OF TRACT:** .209 acre  
(1990 Country Squire Road).      **COMMISSION DISTRICT:** 3

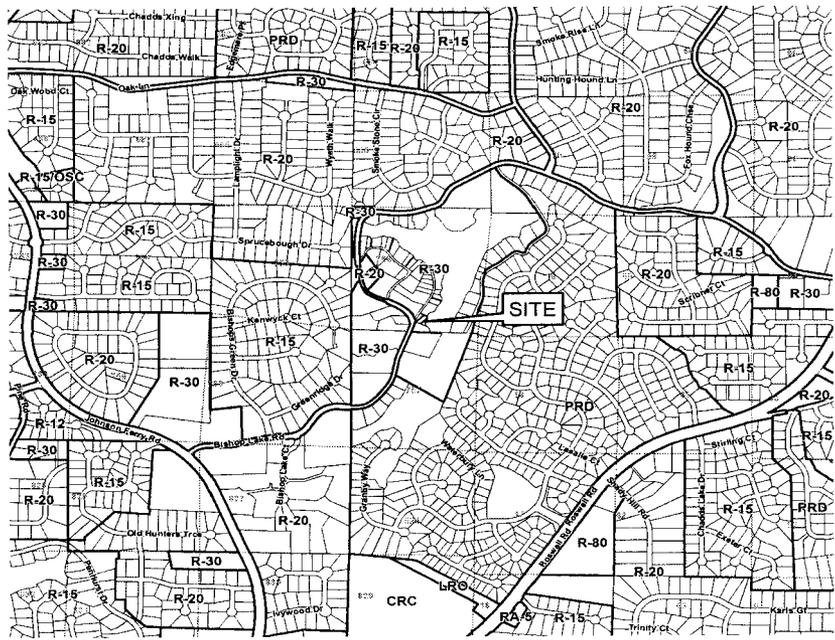
**TYPE OF VARIANCE:** 1) Waive the front setback on lot 12 from the required 45 feet to 18 feet; 2) waive the side setback from the required 12 feet to 7 feet adjacent to the northern property line; 3) waive the rear setback on lot 12 from the required 40 feet to 27 feet; 4) waive the side setback on lot 12 from the required 12 feet to zero feet adjacent to the southern property line; 5) waive the side setback on lot 13 from the required 12 feet to zero feet adjacent to the northern property line; and 6) waive the rear setback on lot 13 from the required 40 feet to 27 feet.

**COMMENTS**

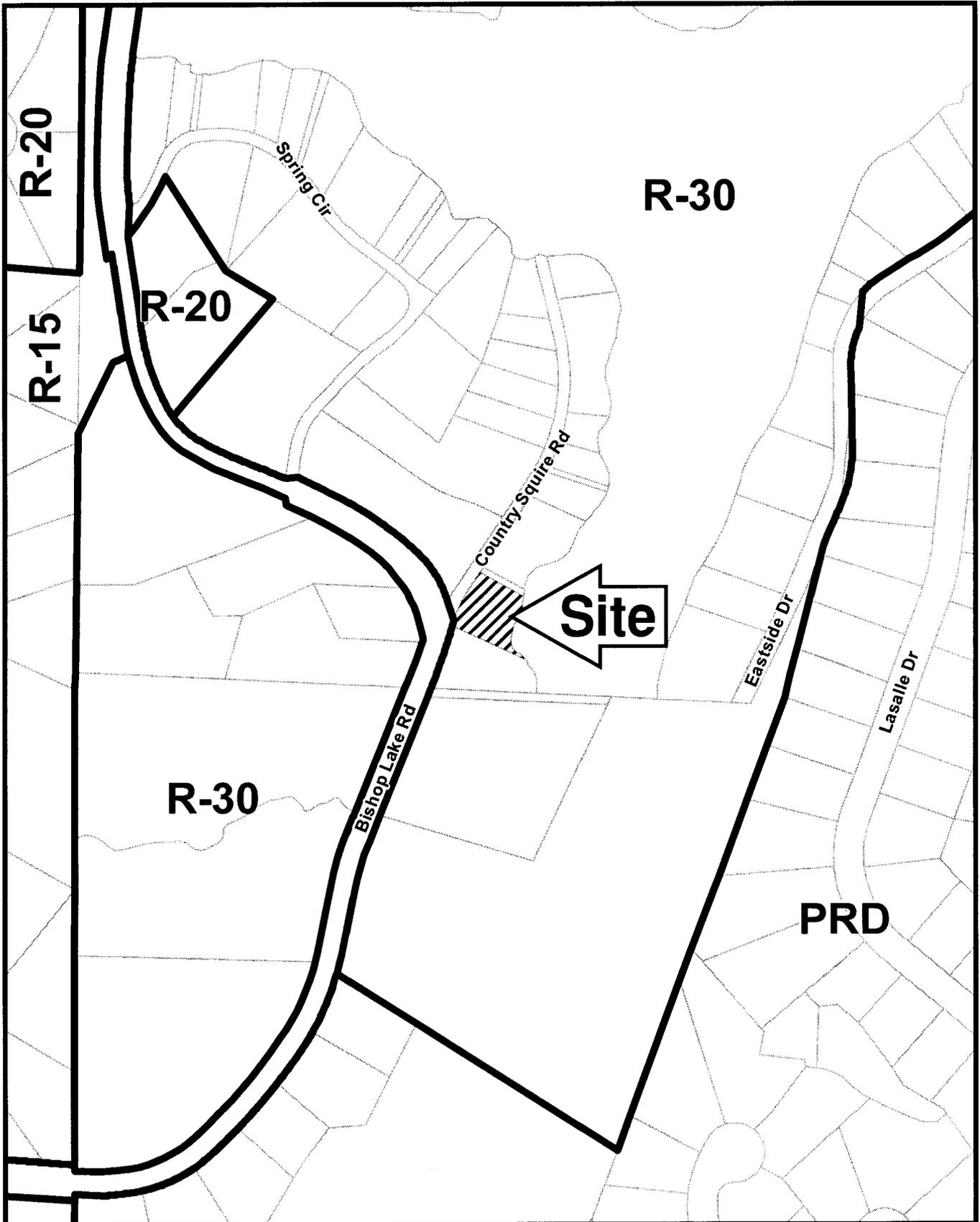
**TRAFFIC:** This request will not have an adverse impact on traffic.  
**DEVELOPMENT & INSPECTIONS:** A Stop Work Order was issued 2/1/08 for building outside the scope of the approved permit. Permit 07-12757 stated no new exterior construction or expansion. Inspector noted additions on all four sides of existing structure. Exterior walls with a fire separation distance of less than 5 feet shall be one hour fire rated per table R302.1 of the 2006 International Residential Code.  
**STORMWATER MANAGEMENT:** The existing structure is in the process of being remodeled with minor entrance “bump-outs”, enclosure of the rear deck and the addition of a new two-story deck. The total proposed impervious coverage including the expanded structure and the new drive and parking pad is approximately 3,060 square feet (33.6%). This is just under the maximum allowable (35%). The house and proposed drive are located just outside of the 25 foot stream buffer. Due to the close proximity of the adjacent lake, additional erosion control measures should be provided.  
**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.  
**CEMETERY PRESERVATION:** No comment.  
**WATER:** No permanent structures shall be constructed within 10 feet of the edge of a permanent water or sewer easement on front and rear setbacks, or within 2 feet on side setbacks, per Code 122-123.  
**SEWER:** Sewer not available to property.

**OPPOSITION:** NO. OPPOSED      **PETITION NO.** \_\_\_\_\_      **SPOKESMAN** \_\_\_\_\_

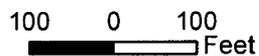
**BOARD OF APPEALS DECISION**  
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# V-29



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-29

Hearing Date: 4-9-08

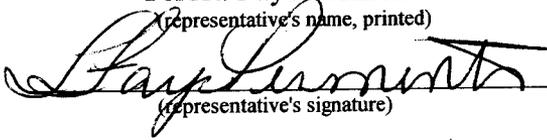
Applicant **Larry Michael Permenter & Teresa Faye Permenter**

Business Phone (864)704-5696

Home Phone (864)704-5696

Teresa Faye Permenter  
(representative's name, printed)

Address (Temporary) 348 W Oaks Trail, Woodstock, GA 30188  
(street, city, state and zip code)

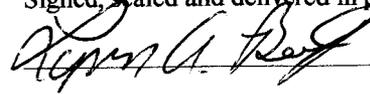
  
(representative's signature)

Business Phone (864)704-5696

Cell Phone (864)704-5696

Signed, sealed and delivered in presence of:

My commission expires: 05/08/2008

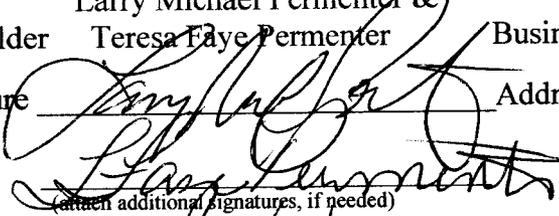


Notary Public

Titleholder **Larry Michael Permenter & Teresa Faye Permenter**

Business Phone (864)704-5696

Home Phone (864)704-5696

Signature   
(attach additional signatures, if needed)

Address: (Temporary) 348 W Oaks Trail, Woodstock, GA 30188  
(street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: 05/08/2008



Notary Public

Present Zoning of Property R-30

Location 1990 Country Squire Road, Marietta, Georgia 30062 (Bishop Lake Community)  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 756

District 16th

Size of Tract .209 (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

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.

**Current Setbacks can not be met due to:** (1) Residence does not face street-affects side/rear/front setbacks. (2) Working with existing structure built & abandoned in 1993 - Cobb County had started "abatement" proceedings when we purchased in July '07. (3) Septic System (New High Capacity Fill Lines & ATU) approved & installed utilizes large portion of property. (4) Size, Shape & Topography does not allow standard setbacks. (5) Small lots in Community developed in 1930's. (6) Existing structure built under different setbacks of the time. (7) Residence interior/exterior adapted for future handicap use (H/C Side Door, Bath & Bedroom and Kitchen required movement of some walls) extra space for H/C took up approximately 50% of existing kitchen, enclosed deck to extend kitchen to reasonable standards. (8) Due to Fire Hydrant on property (not in road right of way) & Septic Field, Parking Pad location was limited to one option - as shown on survey. (9) Front porch extended to cover new stoop and stairs-stairs never constructed. (10) Location of new barbecue deck placed in only area available (keep new footings as far from Lake buffer as possible).

List type of variance requested: Reduce 40' Rear Setback to 25' (from Lake's edge)  
Reduce 12' Side Setback to 7' (along Community Alley)  
Reduce 45' Front Setback to 18' (along Country Squire Road)  
Reduce 12' Side Setback to 0' (along shared Property Line of two Lots)