

APPLICANT: Rhonda Gilbert **PETITION NO.:** V-58
PHONE: 770-671-1533 **DATE OF HEARING:** 06-11-08
REPRESENTATIVE: Richard Calhoun **PRESENT ZONING:** R-20, R-30
PHONE: 770-422-1776 **LAND LOT(S):** 73, 74
PROPERTY LOCATION: Located on the south side of Paper Mill Road, west of Johnson Ferry Road (4682 Paper Mill Road). **DISTRICT:** 1
SIZE OF TRACT: 1.9 acres
COMMISSION DISTRICT: 2
TYPE OF VARIANCE: Waive the height of a fence/wall on lot 1 from the maximum allowable of 8 feet to 14 feet.

COMMENTS

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

DEVELOPMENT & INSPECTIONS: If any portion of this fence will be retaining soil on one side to a depth of 30 inches or greater, that portion of the "fence" will require a retaining wall permit from the Cobb County Community Development Agency.

STORMWATER MANAGEMENT: The construction of this wall has created several significant stormwater issues. First, there is approximately 2 acres of area that drain naturally from the adjacent parcel to the west through this rear yard that is now blocked by the wall. This runoff will either pond in the low area just west of the house or be diverted by the wall onto the adjacent property to the south at 4651 Gateside Lane at a concentrated point. Georgia Law does not allow the obstruction or diversion of runoff without the permission of the affected property owners. Secondly, the interior of this walled area will impound runoff from approximately 1.88 acres. During a heavy rain event there is not a sufficient number of relief openings provided to keep the wall from acting as a dam. The wall is not designed to withstand the hydrostatic pressure of impounded water. Even if the height of this wall is reduced these design issues must be addressed.

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** _____

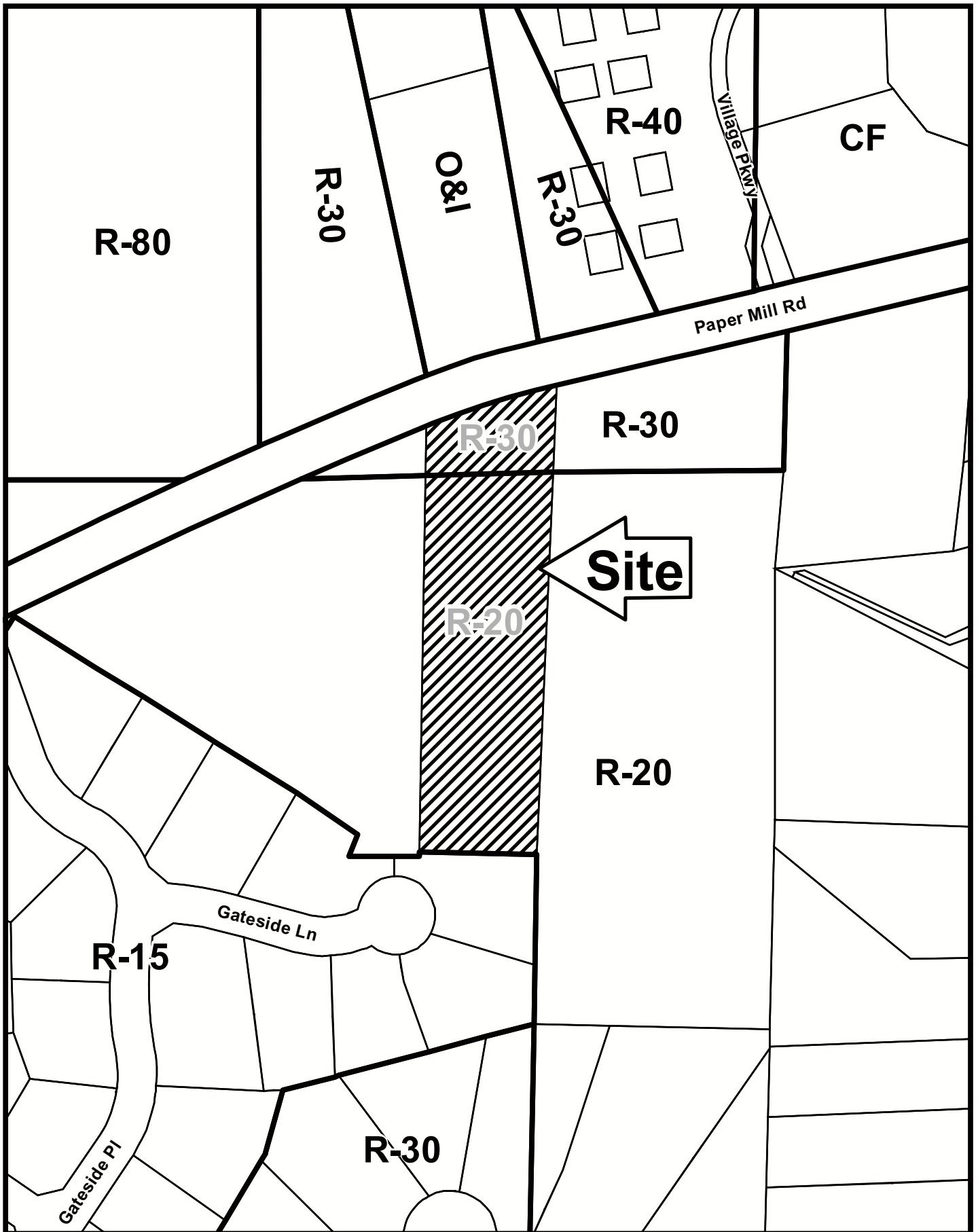
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

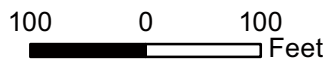
STIPULATIONS: _____



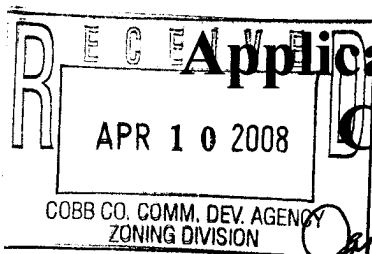
V-58



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

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION (type or print clearly)
10:20

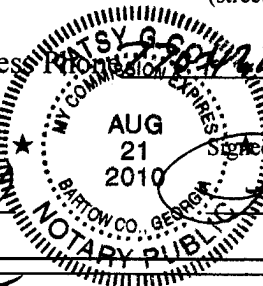
Application No. V-58
Hearing Date: 6-11-08

Applicant Rhonda Gilbert Business Phone 770-671-1533 Home Phone 770-541-1508

Richard W. Calhoun Address 49 Atlanta St. Marietta, Ga.
(representative's name, printed) (street, city, state and zip code) 30060

Richard W. Calhoun Business Phone 770-671-1776 Cell Phone 770-605-3511
(representative's signature)

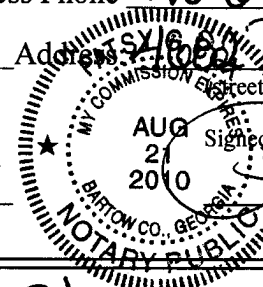
My commission expires: August 21, 2010
Signed, sealed and delivered in presence of: Patricia J. Cox
Notary Public



Titleholder P. Jimmy & Rhonda Gilbert Business Phone 770-671-1533 Home Phone 770-541-1508

Signature P. Gilbert Address 41682 Paper Mill Road Marietta, GA
(attach additional signatures, if needed) (street, city, state and zip code) 30067

My commission expires: August 21, 2010
Signed, sealed and delivered in presence of: Patricia J. Cox
Notary Public



Present Zoning of Property Residential R-20, R-30

Location 41682 Paper Mill Road Marietta, GA 30067
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 73 & 74 District P10 Size of Tract 1.9 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.

Shape & Topography of Subject property require a height greater than code requirements in order to provide adequate privacy.

List type of variance requested: Height Variance from 6 and 8 foot maximums to 8 and 12 feet in various locations