

PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: February 11, 2009

DUE DATE: January 16, 2009

Distributed: December 17, 2008



Cobb County...Expect the Best!

APPLICANT: Patrick M. Magrum **PETITION NO.:** V-11
PHONE: 678-591-6803 **DATE OF HEARING:** 02-11-09
REPRESENTATIVE: same **PRESENT ZONING:** RA-4
PHONE: same **LAND LOT(S):** 903, 904
PROPERTY LOCATION: Located on the east side of **DISTRICT:** 16
Chattooga Trail, east of Nantahala Trail **SIZE OF TRACT:** .67 acre
(3975 Chattooga Trail). **COMMISSION DISTRICT:** 2
TYPE OF VARIANCE: Waive the side setback on lot 33 from the required 40 feet to 20 feet adjacent to the
eastern property line.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

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

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance

Cobb County

(type or print clearly)

Application No. V-11
Hearing Date: 2-11-09

Applicant Patrick M. Magnum Business Phone 678-591-6803 Home Phone 678-591-6803

Patrick M. Magnum Address 3975 Chattahoochee Trail Marietta, Ga 30062
(representative's name, printed) (street, city, state and zip code)

Patrick Magnum Business Phone 678-591-6803 Cell Phone 678-591-6803
(representative's signature)

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

Signed, sealed and delivered in presence of:

J. Yarn

Notary Public

Titleholder Patrick M. Magnum Business Phone 678-591-6803 Home Phone 678-591-6803

Signature Patrick M. Magnum Address: 3975 Chattahoochee Trail Marietta, Ga 30062
(attach additional signatures, if needed) (street, city, state and zip code)

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

Signed, sealed and delivered in presence of:

J. Yarn

Notary Public

Present Zoning of Property Residential RA-4

Location 3975 Chattahoochee Trail Marietta, Ga 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 903 & 904 District 16 Size of Tract 0.67 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 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.

Do to the shape of the property and hill in the back corner
I am requesting that the property setback line from 40' be
moved to 20'

List type of variance requested: to build a storage building

WAIVE THE SIDE SETBACK ON LOT 33 FROM
REQUIRED 40FT TO 20FT

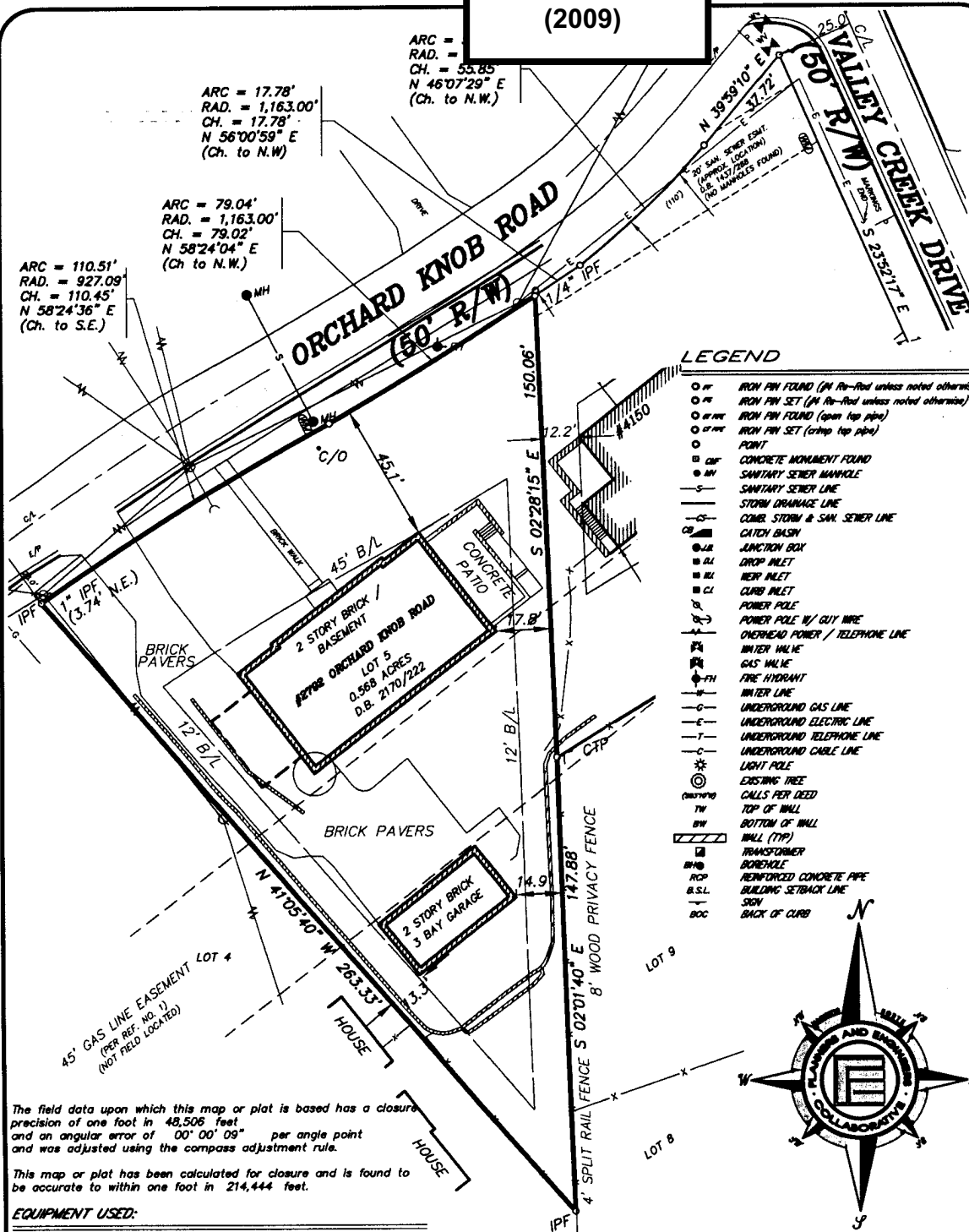
V-12
(2009)

ARC = 17.78'
RAD. = 1,163.00'
CH. = 17.78'
N 56°00'59" E
(Ch. to N.W.)

ARC =
RAD. =
CH. = 55.85
N 46°07'29" E
(Ch. to N.W.)

ARC = 79.04'
RAD. = 1,163.00'
CH. = 79.02'
N 58°24'04" E
(Ch. to N.W.)

ARC = 110.51'
RAD. = 927.09'
CH. = 110.45'
N 58°24'36" E
(Ch. to S.E.)



The field data upon which this map or plat is based has a closure precision of one foot in 48,506 feet and an angular error of 00° 00' 09" per angle point and was adjusted using the compass adjustment rule.

This map or plat has been calculated for closure and is found to be accurate to within one foot in 214,444 feet.

EQUIPMENT USED:

ANGULAR: TOPCON GTS-302

LINEAR: TOPCON GTS-302

REFERENCES:

1. Above The Ground As Built Survey prepared for Carroll W. Harper by Solar Land Surveying Company, dated December 26, 2002.

2. Plat of James E. Edwards, Jr. Subdivision - No. 1, prepared by J.B. Carey, C.E. and R.L.S., dated June 1, 1968.

3. Plat of Valley Creek Subdivision prepared by A.C. Carlile, Surveyor, dated January, 1971, last revised August 30, 1971, recorded in Plat Book 52, Page 156.

LAND LOT 889
17th DISTRICT
2nd SECTION
COBB COUNTY, GEORGIA



DATED: 11/25/08
William H. Kelly, Jr., Ga. R.L.S. No.2489

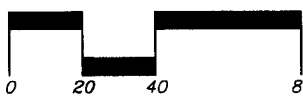
**PLANNERS AND ENGINEERS
COLLABORATIVE**

"WE PROVIDE SOLUTIONS"

site planning - landscape architecture - civil engineering - land surveying
350 research court - norcross, georgia - 30092 - (770) 451-2741
www.pecall.com

BOUNDARY SURVEY

DRAWN BY: WHK
CHECKED BY: CS
FILE NO.: 04114.01
DATE: 11/25/08
SCALE: 1"=40'



APPLICANT: Richard A. Denny, III **PETITION NO.:** V-12
PHONE: 770-818-4056 **DATE OF HEARING:** 02-11-09
REPRESENTATIVE: same **PRESENT ZONING:** R-30
PHONE: same **LAND LOT(S):** 889
PROPERTY LOCATION: Located on the south side **DISTRICT:** 17
of Orchard Knob Road, west of Valley Creek Drive **SIZE OF TRACT:** .568 acre
(2792 Orchard Knob Road). **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: Waive the setback for an accessory structure over 800 square feet (existing garage @ 1600 square foot) from the required 100 feet to 14 feet adjacent to the eastern property line and 13 feet adjacent to the western property line on lot 5.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance Cobb County

(type or print clearly)

Application No. V-12

Hearing Date: 2-11-09

Applicant RICHARD A. DENNY III Business Phone 770-818-4056 Home Phone 770-436-7071

RICHARD A. DENNY III Address 2792 ORCHARD KNOB RD ATLANTA, GA
(representative's name, printed) (street, city, state and zip code) 30339

[Signature] Business Phone 770-818-4056 Cell Phone 404-456-1894
(representative's signature)

My commission expires: 1-01-08-2009

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

Titleholder RICHARD A. DENNY III Business Phone 770-456-1894 Home Phone 770-436-7071

Signature [Signature] Address 2792 ORCHARD KNOB RD ATLANTA, GA
(attach additional signatures, if needed) (street, city, state and zip code) 30339

My commission expires: 1-01-08-2009

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

Present Zoning of Property R-30

Location 2792 ORCHARD KNOB ROAD
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 20 0889 District 17 Size of Tract .568 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.

Need additional storage above garage with safe permanent stairs vs. drop down stairs. Storage need for off season yard, gardening, and automobile equipment

List type of variance requested: Increase size of allowable floor area to exceed 8000 by using existing floor/ceiling assembly in place to increase storage area by approx. 750 sq ft

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 0.3 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 10,000+ 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.

APPLICANT: <u>James & Dianna Wagner</u>	PETITION NO.: <u>V-13</u>
PHONE: <u>770-973-2792</u>	DATE OF HEARING: <u>02-11-09</u>
REPRESENTATIVE: <u>same</u>	PRESENT ZONING: <u>R-20</u>
PHONE: <u>same</u>	LAND LOT(S): <u>146</u>
PROPERTY LOCATION: <u>Located at the northeast intersection of Oak Glen & Riverhill Road (354 Oak Glen).</u>	DISTRICT: <u>1</u>
	SIZE OF TRACT: <u>.5 acre</u>
	COMMISSION DISTRICT: <u>2</u>
TYPE OF VARIANCE: <u>Waive the rear setback on lot 25 from the required 35 feet to 12 feet.</u>	

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

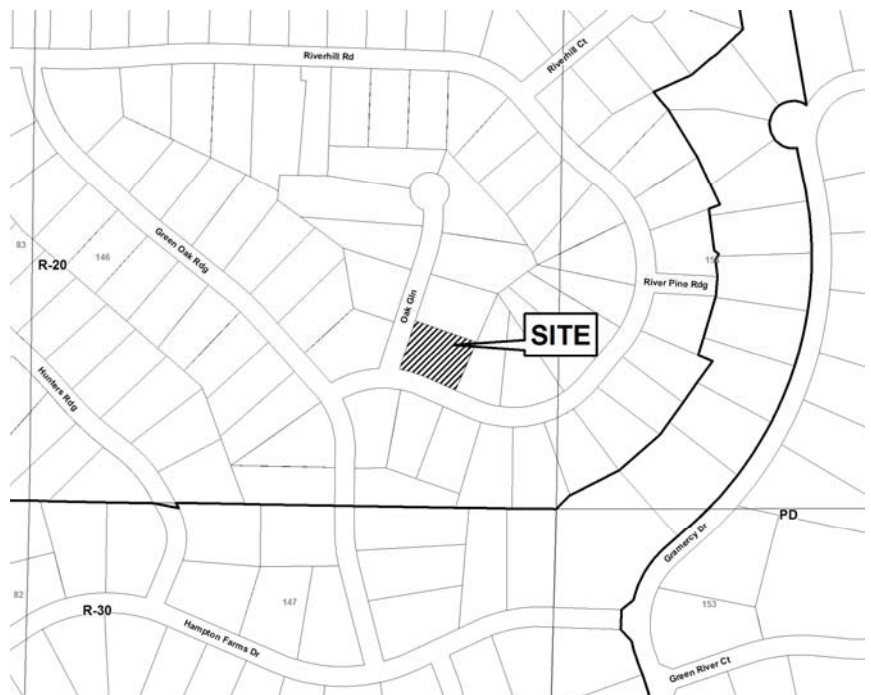
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance Cobb County

(type or print clearly)

Application No. U-13

Hearing Date: 2-11-09

Applicant James & Dianna Wagner Business Phone _____

Home Phone 770-953-3507

TS Winans
(representative's name, printed)

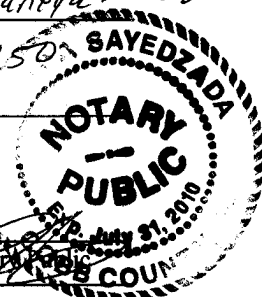
Address 4925 Hampton Farms Dr. Marietta 30068
(street, city, state and zip code)

TS Winans
(representative's signature)

Business Phone 770-973-2792 Cell Phone 404-787-6150

Signed, sealed and delivered in presence of _____

My commission expires: 07/31/2010



Titleholder James & Dianna Wagner Business Phone _____

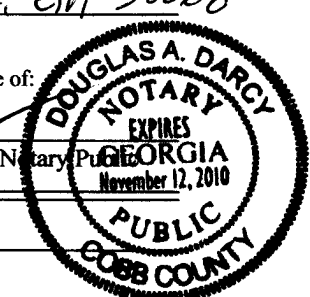
Home Phone 770-973-3507

Signature Dianna Wagner
(attach additional signatures, if needed)

Address: 354 Oak Glen Marietta, GA 30068
(street, city, state and zip code)

My commission expires: November 12 2010

Signed, sealed and delivered in presence of _____



Present Zoning of Property R-20

Location 354 Oak Glen
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 045 HT 146 District 1st Size of Tract .5 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.

* This variance is need in order for the
Shed to be built.

List type of variance requested: WAIVE THE REAR SETBACK
FROM REQUIRED 35FT TO 12FT ON
LOT 25.

Preliminary Plan - Variance Request

Burke Lake Enclave

Cobb County, Georgia Land Lot(s) 276, 20th District, 2nd Section

prepared for:

Mr. Marcus Head

DGM
LAND PLANNING
CONSULTANTS

9755 Glen Road
Buckhead, Georgia 30318
770-514-9006
770-514-9401



December 09, 2008

Revisions:

12-09-08	1. Initial Plan
12-09-08	2. Final Plan
12-09-08	3. Final Plan
12-09-08	4. Final Plan
12-09-08	5. Final Plan
12-09-08	6. Final Plan
12-09-08	7. Final Plan
12-09-08	8. Final Plan
12-09-08	9. Final Plan
12-09-08	10. Final Plan

Site Data

Total Site Area: 12.5 AC
Total Lots Shown: 4
Net Density: .32 UN/AC
Present Zoning: R-30
Minimum Lot Size: 30,000 SF
Building Setbacks:

front: 50' major
45' local
rear: 40'
side: 12'

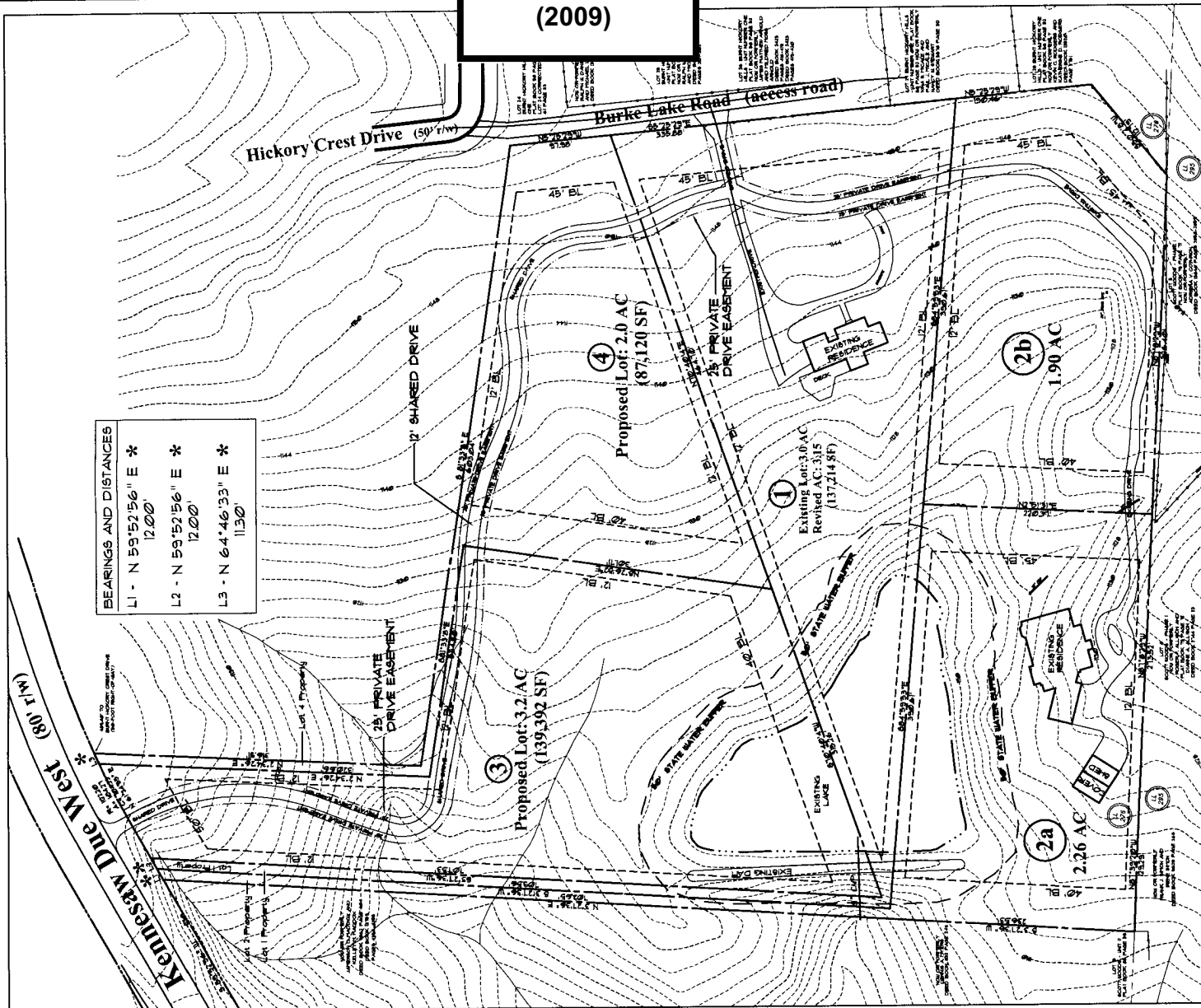
*Variance Request:

1. To create lot 2b with no public road frontage. (25' access easement already in place)

Notes:

1. Boundary survey provided by Braeuel Engineering, Inc. and topographic information provided by Cobb County GIS.
2. According to Flood Insurance Rate Map (FIRM) #13061C0045 F, August 18, 1992, no portion of this site lies within the 100 year intermediate flood plain.
3. No cemeteries are known to exist on site.
4. Stream and wetland classifications are to be determined.
5. No archeological or architectural landmarks are known to exist on site.
6. No utility easements exist on site.
7. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.

V-14
(2009)



BEARINGS AND DISTANCES

L1 - N 59°52'56" E *	12.00'
L2 - N 59°52'56" E *	12.00'
L3 - N 64°46'33" E *	11.30'

APPLICANT: <u>D. Eric Hammett</u>	PETITION NO.: <u>V-14</u>
PHONE: <u>678-232-6540</u>	DATE OF HEARING: <u>02-11-09</u>
REPRESENTATIVE: <u>Deborah Hammett</u>	PRESENT ZONING: <u>R-30</u>
PHONE: <u>678-232-6540</u>	LAND LOT(S): <u>276</u>
PROPERTY LOCATION: <u>Located off a private easement on the south side of Kennesaw Due West Road.</u>	DISTRICT: <u>20</u>
	SIZE OF TRACT: <u>1.9 acres</u>
	COMMISSION DISTRICT: <u>1</u>
TYPE OF VARIANCE: <u>Waive the public road frontage to allow 1 home off a private easement for Lot 2b.</u>	

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____



Application for Variance

Cobb County

(type or print clearly)

Application No. V-14

Hearing Date: 2-11-09

Applicant D. Eric Hammett

Business Phone 770-426-4122

Home Phone 770-921-0636

Address 101 Burke Lake Rd. Marietta, GA 30064

(street, city, state and zip code)

Business Phone _____

Cell Phone 678-232-6540

(representative's name, printed)

(representative's signature)

My commission expires: _____

Signed, sealed and delivered in presence of:

Notary Public

Titleholder D. Eric Hammett

Business Phone 770-426-4122

Home Phone 770-921-0636

Signature D. Eric Hammett

Address: 101 Burke Lake Rd. Marietta, GA 30064

(street, city, state and zip code)

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: _____

Present Zoning of Property R-30

Location Burke Lake Rd. near Lenoir Ave. & Hickory Crest

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

Land Lot(s) 276

District 20th

Size of Tract 12.5

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.

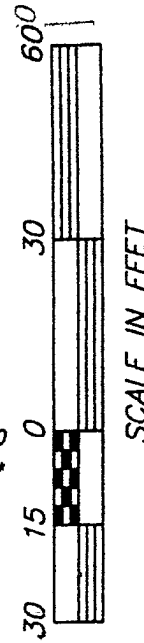
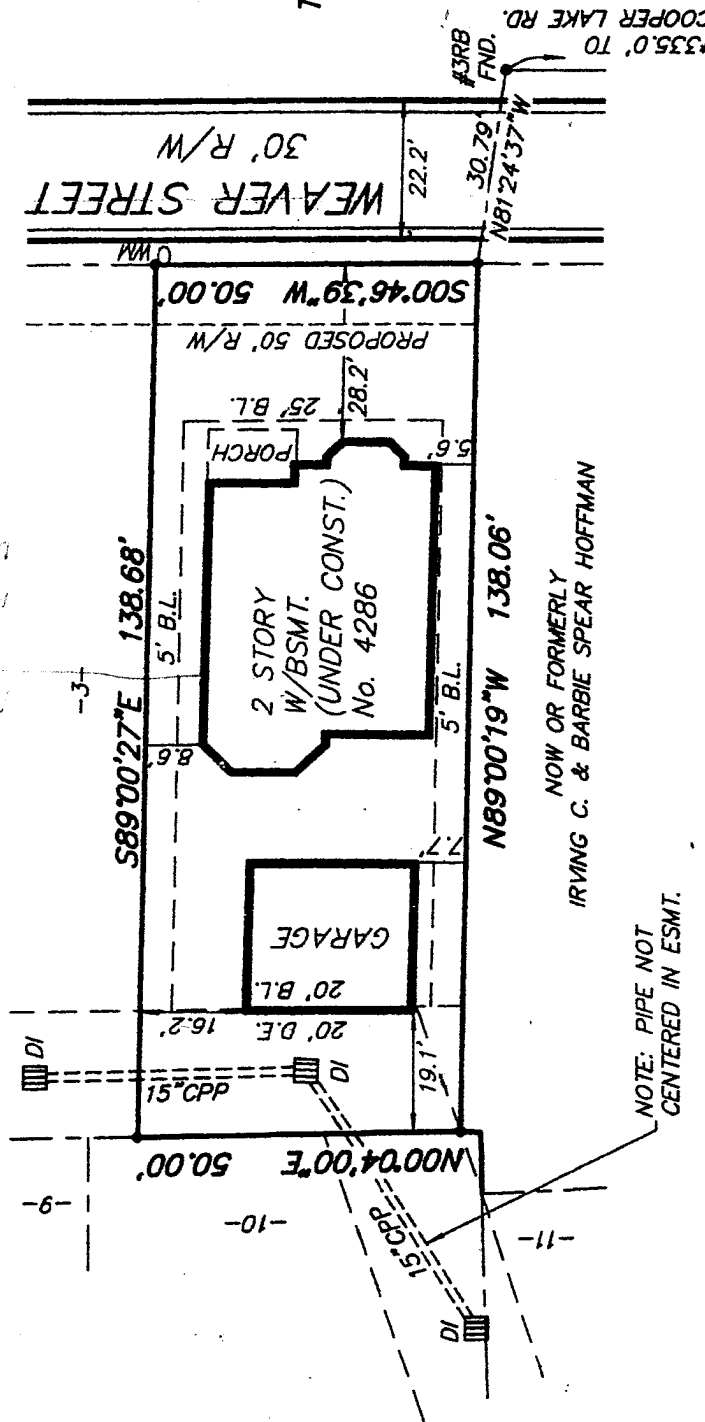
Size of Property 12.5 Shape of Property L Topography of Property _____ Other 5/10

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.

Without variance lot 26 would not have any public frontage without constructing public road

List type of variance requested: to create lot 26 with no public road frontage (25' access easement already in place)

GRID NORTH (GA. WEST ZONE)



SCALE IN FEET

GENERAL NOTES--

ANG. ERROR: 11" PER TURN
FIELD PRECISION: 1 IN 24,882
COMPASS RULE ADJUSTMENT
EQUIPMENT: TOPCON GTS-303.
PLAT PRECISION: 1 IN 418,600

ALL MATTERS OF TITLE ARE
EXCEPTED.

ALL I.P.'s ARE 1/4" REBARS.

THIS SURVEY WAS PREPARED
WITHOUT THE BENEFIT OF A
TITLE SEARCH. THERE MAY BE
EASEMENTS OR OTHER
ENCUMBRANCES NOT SHOWN.

TOTAL AREA= 6,918 SQ. FT.
0.159 ACRE

V-15
(2009)

ACCORDING TO THE CURRENT "F.I.A. OFFICIAL
FLOOD HAZARD MAP", COMMUNITY PANEL NO.
13067C 0075 F DATED AUGUST 18, 1992,
THIS PROPERTY IS NOT IN AN AREA HAVING
SPECIAL FLOOD HAZARDS.

FOUNDATION LOCATION SURVEY OF

LOT 2 BLOCK

WEAVER STREET AT MANER STREET

L.I. 694, 17th DISTRICT 2nd SECTION V

COBB COUNTY, GEORGIA

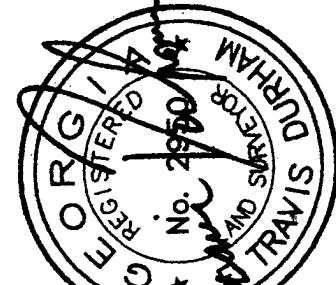
DATE: 4-2-08 SCALE: 1"= 30'

KEYSTONE CONSTRUCTION
MADE FOR AND DESIGN

BARTON SURVEYING
INC.



1500 PALM STREET
CANTON, GEORGIA 30115
(770) 345-2810



APPLICANT: Keystone Construction & Design **PETITION NO.:** V-15
PHONE: 404-783-4566 **DATE OF HEARING:** 02-11-09
REPRESENTATIVE: Sonny Lee **PRESENT ZONING:** RA-5
PHONE: 404-783-3566 **LAND LOT(S):** 694
PROPERTY LOCATION: Located on the west side **DISTRICT:** 17
of Weaver Street, north of Cooper Lake Road **SIZE OF TRACT:** .319 acre
(4280 & 4286 Weaver Street) **COMMISSION DISTRICT:** 2
TYPE OF VARIANCE: Waive the side setback for lots 2 & 3 from the required 15 feet between dwellings to 14.6 feet between dwellings.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance

Cobb County

(type or print clearly)

Application No. V-15

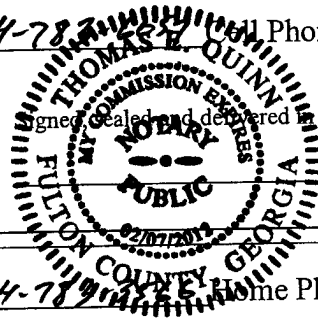
Hearing Date: 2-11-09

Applicant KEYSTONE CONSTRUCTION AND DESIGN Business Phone 404-783-3566 Home Phone -

SUNNY LEE + CARLA LEE Address 595 PEEDMONT AVE, SUITE 320-124
(representative's name, printed) (street, city, state and zip code) ATLANTA, GA 30308

[Signature] Business Phone 404-783-3566 Home Phone -
(representative's signature)

My commission expires: _____



Witnessed, sealed and delivered in presence of:

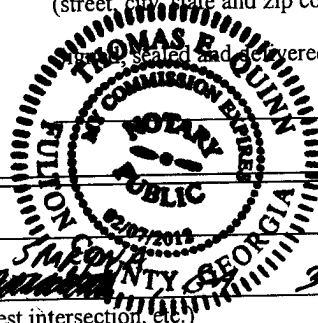
Notary Public

12/11/08

Titleholder KEYSTONE CONSTRUCTION AND DESIGN Business Phone 404-783-3566 Home Phone -

Signature [Signature] Address: 595 PEEDMONT AVE, SUITE 320-124
(attach additional signatures, if needed) (street, city, state and zip code) ATLANTA GA 30308

[Signature] SUNNY LEE
My commission expires: _____



Witnessed, sealed and delivered in presence of:

Notary Public

12/11/08

Present Zoning of Property RA-5

Location 4280 AND 4286 WEAVER ST., ATLANTA, GA 30308
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 694 District 17 Size of Tract 4280 -> 0.160 ACRES
4286 -> 0.159 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.

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.

4280 AND 4286 ARE BUILT 14.6 FEET APART AND 15 FEET IS REQUIRED.

List type of variance requested:

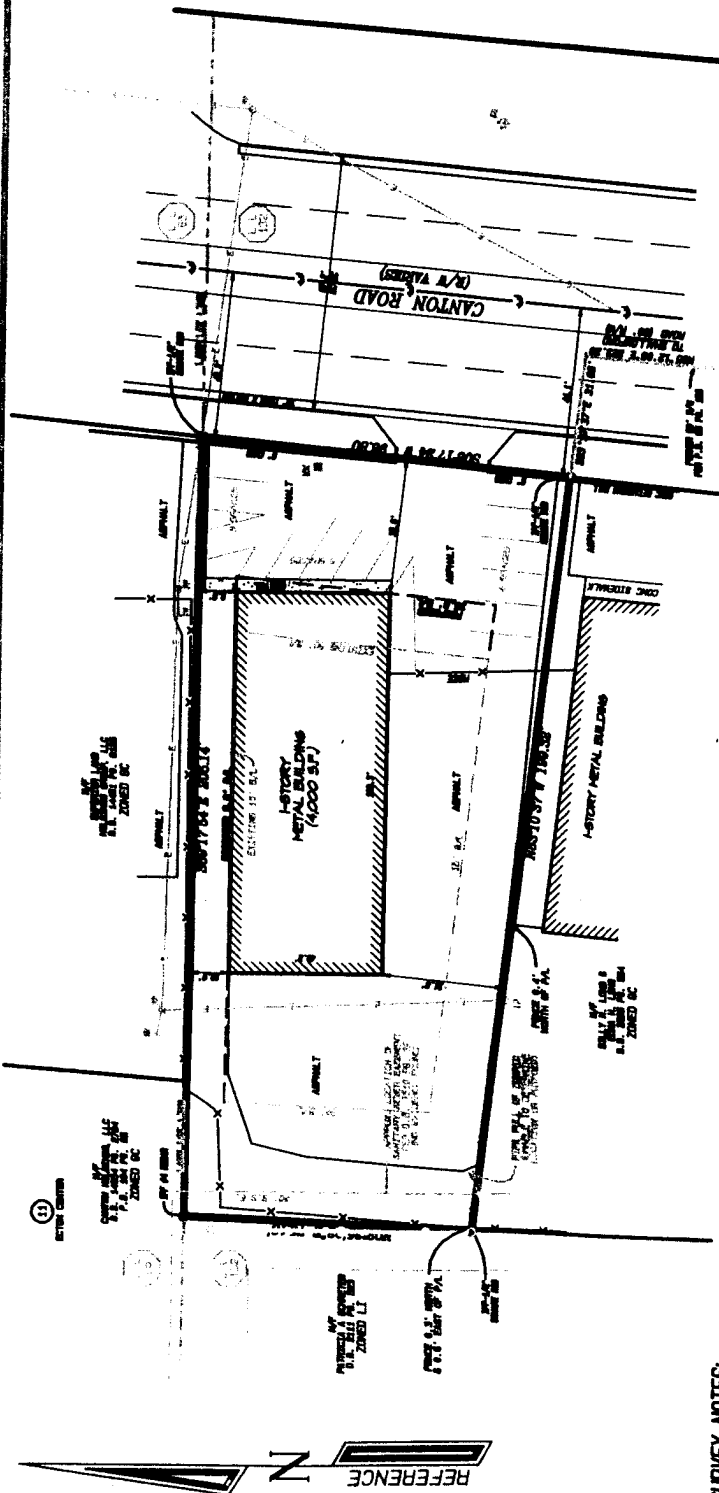
WAIVE THE SIDE SETBACK FOR LOTS 2 + 3 FROM REQUIRED 15 FT BETWEEN DWELLINGS TO 14.6 FT.

VARIANCE PLAT
4655 CANTON ROAD
LOCATED IN:
LAND LOT 132
16TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA
SCALE: 1" = 50'
DATE: 12-12-2008
PREPARED FOR:
TOM D'ANNA



BETTERTON
SURVEYING & DESIGN, INC.
LAND SURVEYING,
LAND PLANNING,
SUBDIVISION & COMMERCIAL
SITE DESIGN
1111 SOUTH MARIELLA PARKWAY, SUITE A
MARIELLA, GEORGIA 30060
(678) 483-0242

12-15-08



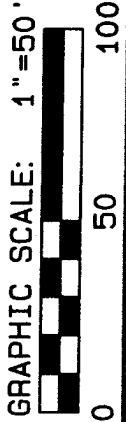
VARIANCE PLAT NOTES:

THE PURPOSE OF THIS PLAT IS TO:

- 1) REDUCE THE MINIMUM LOT AREA FROM 20,000 S.F. TO 17,348 S.F.,
- 2) REDUCE THE FRONT BUILDING SETBACK FROM 50' TO 35.6', AND
- 3) REDUCE THE SIDE BUILDING SETBACK ALONG THE NORTH PROPERTY LINE FROM 10' TO 9.8'.

ZONING NOTES:

ZONING: GC
TOTAL AREA: 0.398 ACRES (17,348 S.F.)
AREA INSIDE FLOOD PLAIN: 0.000 ACRES
MINIMUM LOT AREA: 20,000 S.F.
TOTAL NUMBER OF LOTS: 1
SITE DENSITY: 2.5 UNITS/ACRE
MINIMUM LOT WIDTH: 60'
MINIMUM FLOOR AREA: N/A
MINIMUM SETBACK REQUIREMENTS:
(CANTON ROAD CLASSIFIED AS ARTERIAL)
FRONT: 50'
SIDE: 10'
MAJOR SIDE: N/A
REAR: 30'
MAXIMUM BUILDING HEIGHT: 4 STORIES
MAXIMUM LOT COVERAGE: N/A



SURVEY NOTES:

1. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN 1 FOOT IN 128,492 FEET.
2. 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 02" PER ANGLE AND WAS ADJUSTED USING THE COMPOUND RULE.
3. EQUIPMENT = TOPCON GTS 303 TOTAL STATION
4. DATE OF SURVEY: NOVEMBER 7, 2008
5. I HAVE, THIS DATE, EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130052, PANEL 0015 F, DATED AUGUST 18, 1992, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
6. #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.
7. ALL FENCES ARE 6" CHAIN-LINK WITH BARBED-WIRE.
8. BEARINGS SHOWN HEREON ARE BASED ON REFERENCE #1.

SURVEY REFERENCES:

1. SURVEY FOR JUNIOR HIGDON, DATED DECEMBER 15, 1977, PREPARED BY WEST GEORGIA ENGINEERS & SURVEYORS, RECORDED IN PLAT BOOK 69 PAGE 156
2. WARRANTY DEED TO TED AND ESTER KIM, DATED JULY 8, 2005, RECORDED IN DEED BOOK 14400 PAGE 5965
3. GRANT OF EASEMENT FROM G. SHELTON MILES, DATED MAY 13, 1993, RECORDED IN DEED BOOK 7510 PAGE 22
4. GRANT OF EASEMENT FROM G. SHELTON MILES, DATED JULY 22, 1994, RECORDED IN DEED BOOK 8423 PAGE 186
5. RIGHT-OF-WAY DEED FROM G. SHELTON MILES, DATED SEPTEMBER 4, 1991, RECORDED IN DEED BOOK 6305 PAGE 318
6. RIGHT-OF-WAY DEED FROM G. SHELTON MILES, DATED SEPTEMBER 16, 1991, RECORDED IN DEED BOOK 524 PAGE 49
7. DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR PROJECT #9018(9), DATED MARCH 10, 1986

APPLICANT: Tom D'Anna **PETITION NO.:** V-16
PHONE: 770-448-5515 **DATE OF HEARING:** 02-11-09
REPRESENTATIVE: Parks F. Huff, Esq. **PRESENT ZONING:** GC
PHONE: 770-422-7016 **LAND LOT(S):** 132
PROPERTY LOCATION: Located on the west side **DISTRICT:** 16
of Canton Road, north of Shallowford Road **SIZE OF TRACT:** .398 acre
(4655 Canton Road, formerly 4647 Canton Road) **COMMISSION DISTRICT:** 3
TYPE OF VARIANCE: Waive the lot size from required 20,000 square feet to 17,348 square feet to allow applicant to apply for rezoning to NRC.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

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

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance

Cobb County

(type or print clearly)

 Application No. V- 16
 Hearing Date: 2/11/09

 Applicant Tom D'Anna Business Phone 770/448-5515 Home Phone 770/527-6651
SAMS, LARKIN & HUFF, LLP 376 Powder Springs Street, Suite 100
Parks F. Huff, Esq. Address Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

(representative's signature)

 Business Phone 770/422-7016 Cell Phone 770/426-6583

My commission expires: _____

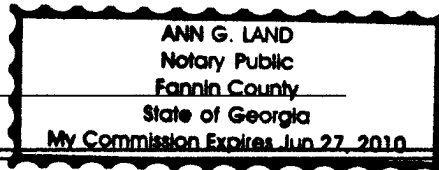
Signed, sealed and delivered in presence of:

Julia B. McCarson
 Notary Public

 Titleholder Mary Landsiedel Shaw Business Phone 706/258-2607 Home Phone 706/258-2607

 Signature Mary Landsiedel Shaw Address: 450 STILLWATER RD Blue Ridge GA. 30513
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: _____



Signed, sealed and delivered in presence of:

Ann G. Land
 Notary Public
Present Zoning of Property GC
 Location formerly 1647 Canton Road — Current 4655 CANTON ROAD
(street address, if applicable; nearest intersection, etc.)

 Land Lot(s) 132 District 16 Size of Tract 17,348 sq. ft/ 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 X 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 is a non-conforming subdivided lot.

 List type of variance requested: Reduce the size of tract required from 20,000 square feet to 17,348 square feet to allow for a rezoning application to the NRC zoning category.