
VARIANCE ANALYSIS

June 10, 2009

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING AGENDA
JUNE 10, 2009**

CONTINUED CASE

- V-28** **MARIETTA FISH MARKET, LLC** (3205 Tyson's Corner, LLC and MFS Properties, LLC, owners) requesting a variance to: 1) reduce the landscape buffer adjacent to residentially zoned property from the required 40 feet to as low as 5 feet; 2) allow temporary parking on a gravel lot on tract A during construction only; 3) waive the width of a drive aisle for 60° parking from 18.5 feet to 13 feet; and 4) waive the front setback on tract C from 50 feet to 37 feet (existing) in Land Lots 443 and 444 of the 16th District. Located on the west side of Canton Road, south of Blackwell Road and on the east side of Hilltop Drive. *(Previously continued by the Board of Zoning Appeals from their April 8, 2009 and May 13, 2009 hearings)*
- V-39** **DEAN CONSTRUCTION COMPANY** (Craig Robson and Angelia Robson, owners) requesting a variance to: 1) waive the rear setback for an accessory structure over 144 square feet on lot 9 from the required 35 feet to 10 feet (proposed 225 square foot pavilion); and 2) waive the maximum allowable impervious surface from 35% to 38% in Land Lots 954 and 973 of the 17th District. Located on the west side of Lemons Ridge Drive, west of Paces Ferry Road (3150 Lemons Ridge Drive). *(Previously continued by Staff from the May 13, 2009 Board of Zoning Appeals hearing)*

REGULAR CASES – NEW BUSINESS

- V-44** **PABLO ATRIAN** (Silbiano Garcia, owner) requesting a variance to: 1) waive the side setback from the required 10 feet to zero feet adjacent to the eastern property line (to allow existing swimming pool to remain); and 2) waive the rear setback from the required 35 feet to zero feet (to allow existing chicken house/dog house to remain) on lot 1 in Land Lot 710 of the 16th District. Located at the northwest intersection of Laura Drive and Hulsey Drive (731 Laura Drive).

- V-45** **THELMA J. EVANS** (owner) requesting a variance to: 1) allow an accessory structure (existing boat shed) to the front of the primary structure; 2) waive the front setback for an accessory structure (boat shed) over 144 square feet from the required 35 feet to 23 feet; 3) waive the side setback for an accessory structure (boat shed) over 144 square feet from the required 10 feet to 5 feet; and 4) waive the side setback for an accessory structure (existing shed) over 144 square feet from the required 10 feet to zero feet adjacent to the western property line on lot 2 in Land Lot 371 of the 16th District. Located on the south side of Blackwell Circle, west of Canton Road (732 Blackwell Circle).
- V-46** **FRANCES MARIE WALKER** (owner) requesting a variance to: 1) waive the setback for an accessory structure over 650 square feet (proposed 900 square foot garage) from the required 100 feet to zero feet adjacent to the northern property line, 26 feet from the western property line and zero feet from the eastern property line on lot 4; 2) waive the front setback from the required 35 feet to 26 feet; 3) waive the side setback adjacent to the eastern property line from the required 10 feet to 2 feet; and 4) waive the maximum allowable impervious surface from 35% to 47% in Land Lot 40 of the 17th District. Located on the north side of Barnes Drive, east of Floyd Road (692 Barnes Drive).
- V-47** **MARY R. SPEARS** (Mary Rozilee Spears and Mary Jill Spears, owners) requesting a variance to: 1) allow an accessory structure (existing carport) to the side of the primary structure; 2) allow an accessory structure closer to the side street than the primary structure; and 3) allow parking of vehicles on a non-hardened surface in Land Lot 371 of the 16th District. Located on the northeast side of Blackwell Circle, west of Canton Road (725 Blackwell Circle).

- V-48** **JOSHUA K. HARRELL** (Joshua K. Harrell and Sherry A. Harrell, owners) requesting a variance to: 1) waive the setback for an accessory structure over 650 square feet (proposed 720 square foot garage) from the required 100 feet to 10 feet adjacent to the northern property line and 11 feet adjacent to the western property line on lot 2; and 2) waive the required amount of public road frontage from the required 75 feet to 62 feet (existing) in Land Lot 49 of the 17th District. Located on the west side of Russell Street, north of Donna Drive (3790 Russell Street).
- V-49** **RAHIM AND MARI N. DAVOUDPOUR** (owners) requesting a variance to waive the rear setback from the required 30 feet to 19 feet on lot 54 in Land Lot 610 of the 16th District. Located on the south side of Jordan Lake Drive, east of Johnson Ferry Road (4014 Jordan Lake Drive).
- V-50** **LUCILLE D. REILLY** (owner) requesting a variance to waive the rear setback from the required 35 feet to 25 feet on lot 30 in Land Lot 994 of the 17th District. Located on the north side of Belmont Crest Drive, east of Terrell Mill Road (634 Belmont Crest Drive).
- V-51** **DONALD GENTRY** (owner) requesting a variance to: 1) allow an accessory structure (existing) to the front of the primary structure; and 2) waive the front setback for said structure from the required 35 feet to 26 feet and the side setback from the required 10 feet to zero feet on lot 6 in Land Lot 371 of the 16th District. Located on the west side of Blackwell Circle, southeasterly of New Chastain Road (720 Blackwell Circle).
- V-52** **ELROY O. SUTHERLAND** (owner) requesting a variance to waive the side setback adjacent to the eastern property line from the required 10 feet to 7 feet on lot 24 in Land Lot 1057 of the 16th District. Located on the north side of Willow Ridge Drive, east of Cedar Hill Way (612 Willow Ridge Drive).

V-53 **OLIVE SPRINGS BAPTIST CHURCH** (owner) requesting a variance to: 1) waive the landscape screening buffer from the required 35 feet to zero feet on the north property line common with the Chandler property (shown as Variance A-1 on the site plan); 2) waive the landscape screening buffer from the required 35 feet to 5 feet on the west property line common with the Chandler property (shown as Variance A-2 on the site plan); 3) waive the required 35 foot landscape screening buffer on the north common property line with the Shepherds Walk Owners Association to 10 feet (shown as Variance B on the site plan); 4) waive the building setback from the required 50 feet to 8 feet along the north common property line with the Chandler property (shown as Variance C on the site plan); 5) waive the building setback from the required 50 feet to 7 feet adjacent to the right-of-way of Sandtown Road (shown as Variance D on the site plan); 6) waive the setback from the required 50 feet to 27 feet adjacent to Austell Road (shown as Variance E on the site plan); and 7) waive the 35 foot screening buffer from the required 35 feet to zero feet in the area between the Chandler property and the Shepherds Walk Owners Association property (shown as Variance F on the site plan) in Land Lots 208, 209, 224 and 225 of the 17th District. Located at the northwest intersection of Austell Road and Sandtown Road and at the southeasterly intersection of Sandtown Road and Osborne Road (1528 Austell Road).

HELD CASE

V-43 **JOHN E. SWINEY** (Maria S. Lowenstein, owner) requesting a variance to: 1) waive the side setback adjacent to the eastern property line from the required 25 feet to 19 feet for the principal structure; 2) waive the front setback from 35 feet to 30 feet; 3) allow an accessory structure over 650 square feet (existing 720 square foot garage) from the required 100 feet to 80 feet adjacent to the northern property line, 39 feet adjacent to the eastern property line, 4 feet adjacent to the southern property line and 7 feet adjacent to the western property line; and 5) waive the maximum allowable impervious surface from 35% to 50% in Land Lot 219 of the 17th District. Located at the southwest intersection of Garrison Road and Carnes Drive (90 Garrison Road). *(Previously held by the Board of Zoning Appeals from their May 13, 2009 hearing)*