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# VARIANCE ANALYSIS

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July 8, 2009

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

***COBB COUNTY BOARD OF COMMISSIONERS***

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***COMMUNITY DEVELOPMENT DEPARTMENT***

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



*Cobb County... Expect the Best!*

**COBB COUNTY BOARD OF ZONING APPEALS  
VARIANCE HEARING AGENDA  
JULY 08, 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 16<sup>th</sup> 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, May 13, 2009 and June 10, 2009 hearings)*

**REGULAR CASES – NEW BUSINESS**

- V-54**      **JOHN A. ASCIUTTO** (owner) requesting a variance to allow an accessory structure (existing 8 foot x 12 foot shed) to the front of the primary structure in Land Lot 81 of the 20<sup>th</sup> District. Located on the north side of Summit Drive, north of Ivey Lane (3648 Summit Drive).
- V-55**      **JAIME CAMARENA** (owner) requesting a variance to waive the rear setback from the required 35 feet to 27 feet (existing) in Land Lot 79 of the 18<sup>th</sup> District. Located on the south side of Old Powder Springs Road, west of Pisgah Road (857 Old Powder Springs Road).
- V-56**      **JOE F. TILLMAN, SR.** (Joe Floyd Tillman and Shirley Tillman, owners) requesting a variance to: 1) waive the side setback for an accessory structure (existing 640 square foot RV carport) from the required 10 feet to zero feet adjacent to the eastern property line; 2) allow an accessory structure (existing RV carport) to the side of the primary structure; 3) waive the rear setback for an accessory structure over 144 square feet (existing 200 square foot shed) from the required 35 feet to 19 feet; and 4) waive the side setback for an accessory structure (existing 200 square foot shed) from the required 10 feet to zero feet adjacent to the western property line in Land Lot 261 of the 16<sup>th</sup> District. Located on the north side of Vinson Drive, west of Pete Shaw Road (3051 Vinson Drive).

- V-57**      **JEAN MICHAELS** (Jean G. Michaels, A.K.A. Wilma Jean Gross, A.K.A. Jean Gross Blackwood, A.K.A. Jean Gross Buker, A.K.A. Jean Gross Santos to the Revocable Trust dated October 12, 2007, owner) requesting a variance to: 1) waive the major side setback from the required 25 feet to 23 feet for lot 64; 2) waive the side set back adjacent to the southerly property line from the required 10 feet to 3 feet; and 3) waive the maximum height of a wall adjacent to a public road from 6 feet to 9 feet in Land Lot 721 of the 17<sup>th</sup> District. Located at the southeasterly intersection of Freydale Road and Clearwater Drive (2181 Freydale Road).
- V-58**      **DANIEL T. RUNNION AND FAY M. RUNNION** (owners) requesting a variance to waive the rear setback from the required 30 feet to 18 feet on lot 7 in Land Lots 8 and 71 of the 1<sup>st</sup> District. Located on the east side of Declaire Way, north of Marseilles Place (355 Declaire Way).
- V-59**      **ANGEL E. CARDENAS** (Lilliam Diaz, owner) requesting a variance to: 1) allow an accessory structure to the front of the primary structure (existing 504 square foot boat shed); 2) waive the front setback for an accessory structure over 144 square feet (existing 504 square foot boat shed) from the required 35 feet to 22 feet; 3) waive the rear setback for an accessory structure over 144 square feet (existing 192 square foot frame shed) from the required 35 feet to 3 feet; and 4) waive the setback for an accessory structure over 650 square feet (proposed 1,584 square foot detached garage) from the required 100 feet to 3 feet adjacent to the north property line and to 29 feet adjacent to the east property line in Land Lot 862 of the 17<sup>th</sup> District. Located on the north side of Princess Lane, east of Little Road (2647 Princess Lane).
- V-60**      **JOHN T. GLOVER** (owner) requesting a variance to: 1) waive the rear setback on lot 15 from the required 30 feet to 16 feet; and 2) waive the maximum allowable impervious surface from 40% to 47% in Land Lot 420 of the 16<sup>th</sup> District. Located on the north side of Leeds Castle Way, west of Runnymede Drive (968 Leads Castle Way).

- V-61**      **EYAL POSTELNIK** (owner) requesting a variance to waive the maximum impervious surface from the required 35% to 38.5% in Land Lot 1100 of the 17<sup>th</sup> District. Located on the south side of Winged Foot Circle, east of Atlanta Country Club Drive (4486 Winged Foot Circle).

**HELD CASE**

- 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 16<sup>th</sup> District. Located at the northwest intersection of Laura Drive and Hulsey Drive (731 Laura Drive). *(Previously held by the Board of Zoning Appeals from their June 10, 2009 hearing)*