

# **PRELIMINARY VARIANCE ANALYSIS**

**HEARING DATE: August 12, 2009**

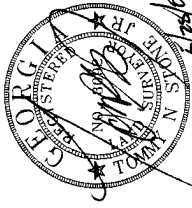
**DUE DATE: July 10, 2009**

Distributed: June 16, 2009
























*Cobb County...Expect the Best!*

ROYCE LEONARDSON  
SURVEY FOR:  
LL 889 & 912 / 16 TH DIST  
2ND SECTION  
COBB COUNTY  
05-28-2009



## LEGEND

- |   |                  |
|---|------------------|
|    | UTILITY POLE (   |
|    | GUY WIRE         |
|    | LIGHT POLE (LP)  |
|    | FLAG POLE (FP)   |
|    | FIRE HYDRANT     |
|    | SIGN             |
|    | JUNCTION BOX     |
|    | DROP INLET (DI)  |
|    | WATER VALVE (WV) |
|    | ROOF DRAIN (RD)  |
|   | CLEAN OUT (CO)   |
|  | WATER METER (WM) |
|  | SANITARY MANHOLE |
|  | IRON PIN FOUND   |
|  | CONCRETE         |
|  | WALL             |
|  | HEAD WALL (HW)   |
|  | FENCE LINE       |
|  | TREE LINE        |
|  | HANDICAP RAMP    |
|  | CURB AND GUTTER  |

**APPLICANT:** Royce E. Leonardson

**PETITION NO.:** V-62

**PHONE:** 770-973-2994

**DATE OF HEARING:** 08-12-09

**REPRESENTATIVE:** same

**PRESENT ZONING:** R-20

**PHONE:** same

**LAND LOT(S):** 889, 912

**PROPERTY LOCATION:** Located on the west side

**DISTRICT:** 16

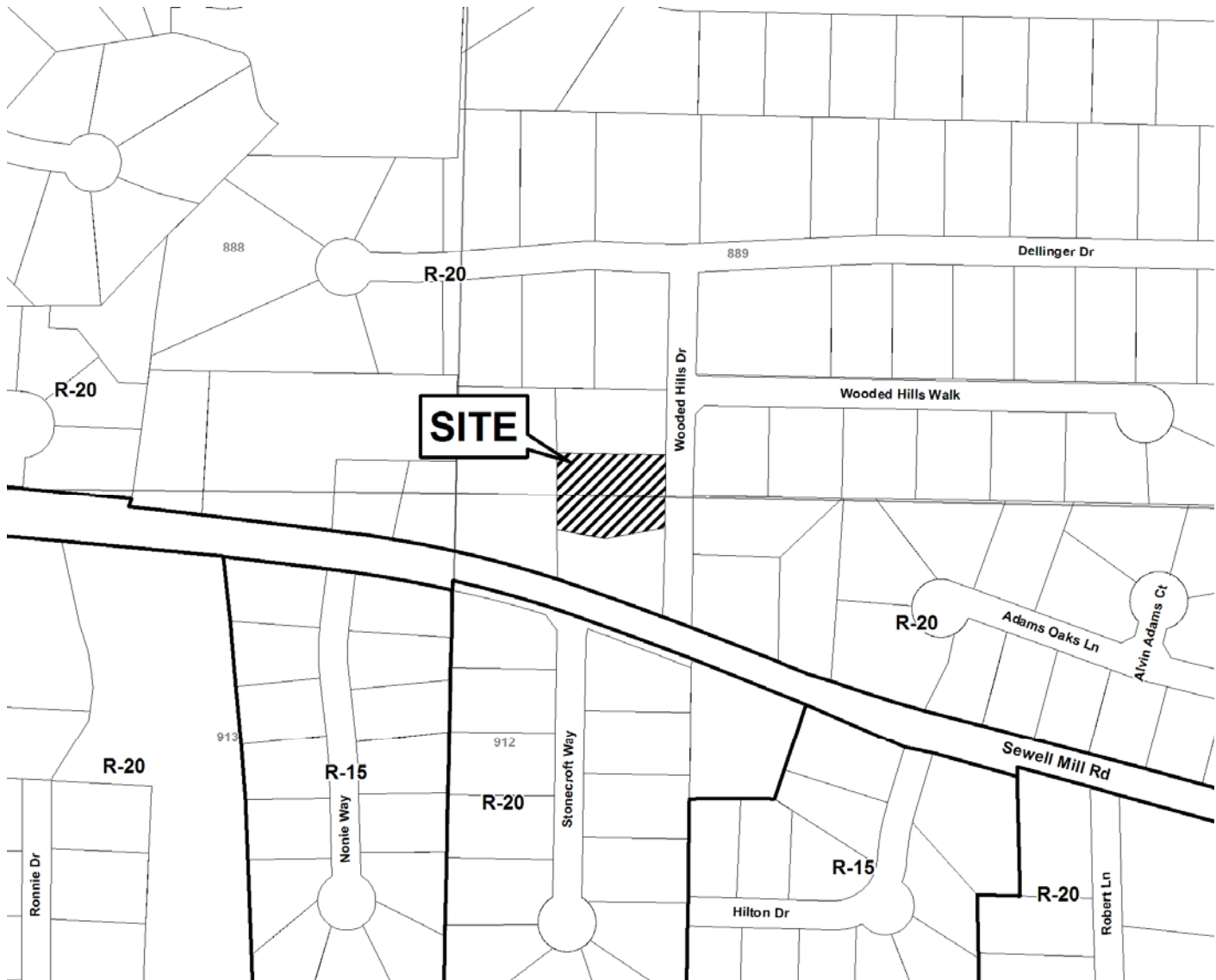
of Wooded Hills Drive, north of Sewell Mill Road

**SIZE OF TRACT:** .601 acre

(1349 Wooded Hills Drive).

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Waive the maximum allowable coverage of 35 percent to 47 percent; and 2) waive the required setback for an accessory structure over 650 square feet (existing 1,392 square foot detached garage) from the required 100 feet to 71 feet adjacent to the north property line, 36 feet adjacent to the west property line, and 38 feet adjacent to the south property line.



# Application for Variance Cobb County

(type or print clearly)

Application No. V-62

Hearing Date: 8-12-09

Applicant ROYCE E. LEONARDSON Business Phone N/A Home Phone 770-973-2994

Royce E. Leonardson Address 1349 WOODED HILLS DRIVE MARIETTA  
(representative's name, printed) (street, city, state and zip code) GA 30062  
678-571-3514

Royce E. Leonardson Business Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:

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

J. Bourn  
Notary Public

Titleholder ROYCE E. LEONARDSON Business Phone N/A Home Phone 770-973-2994

Signature Royce E. Leonardson Address: 1349 WOODED HILLS DRIVE, MARIETTA  
(attach additional signatures, if needed) (street, city, state and zip code) GA 30062  
Deborah R. Leonardson

My commission expires: NOV. 02, 2010  
NOTARY PUBLIC  
COBB COUNTY  
STATE OF GEORGIA  
Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public  
My Commission Expires Nov. 2, 2010

Present Zoning of Property R-20

Location 1349 WOODED HILLS DRIVE  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 889+912 District 16TH Size of Tract 0.601 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.

WE ARE RESPECTFULLY REQUESTING AN INCREASE TO 47% FOR  
THE EXSISTING IMPERVIOUS SURFACE AS IT PRESENTLY STANDS.  
OUR 4000 SQFT. HOME ALLOWS FOR A MAXIMUM OF 10 VEHICLES  
BUT WE ARE REQUESTING A MINIMUM OF 6 VEHICLES. 2 VEHICLES  
ARE FOR 2 ATTACHED RENTAL UNITS AND 4 VEHICLES FOR OCCUPANTS  
\*CONTINUED

List type of variance requested: WAIVE THE MAXIMUM ALLOWABLE  
COVERAGE OF 35% TO 47%

V-62  
2009

\* continued from page one of the Application for Variance

Parking consisted of 2 vehicles in the 2 car garage, 1 vehicle outside and to the left of the garage, 1 or more vehicles parked in the carport and a minimum of 2 vehicles on the front parking area adjacent to the 2 attached apartment. The additional driveway is for vehicle traffic.

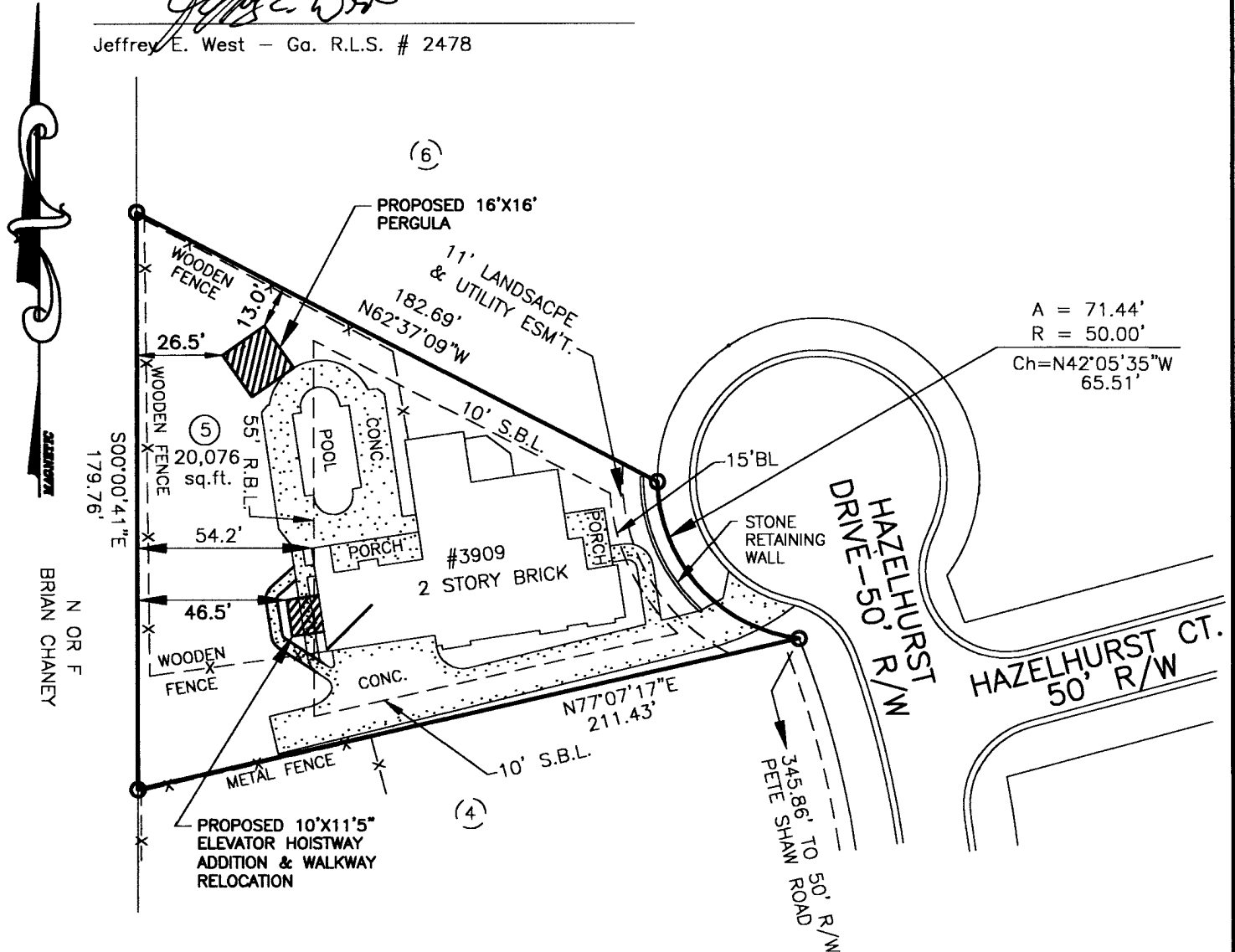
A parking pad was added in the rear of the property to accommodate the parking of a recreational vehicle belonging to my mother-in-law which will in the future be transferred to us. This arrangement was to keep the RV off the street to allow for better traffic flow on Wooded Hills Drive. This was a courtesy to our neighbors at great expense to my mother-in-law.

The garage and adjacent parking area was built in 2005 and inspected and passed by Cobb County on September 15, 2005.

In my opinion this plat is a correct  
of the land platted and has been pr  
with the minimum standards and requirements of law.

UNLESS SHOWN OTHERWISE, ALL  
IMPROVEMENTS ARE EXISTING.

Jeffrey E. West - Ga. R.L.S. # 2478

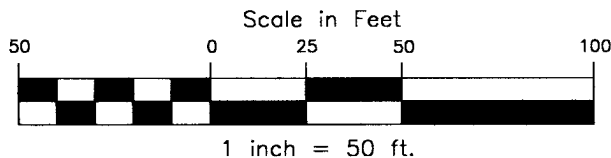


WEST, WEST & ASSOC., P.C.  
2205 RIVERSTONE BLVD.  
SUITE 301  
CANTON, GA. 30114  
770-720-5054

The field data upon which this map or plat is based  
has a closure precision of one foot in 54,293' feet,  
and an angular error of .02" per angle point, and  
was adjusted using Least Squares method.

This map or plat has been calculated for closure and  
is found to be accurate within one foot in 100,000+ feet.

I certify that the property shown on this map or plat is  
NOT in a flood hazard zone according to F.E.M.A. F.I.R.M.  
No. 13067C0015 F Dated: 8-18-92



Survey for:

CHRISTOPHER K. VONHOFFMANN

Subdivision:

HAZELHURST RIDGE

Land Lot - 264	Lot - 5
District - 16th	Section - 2nd
County - COBB	State - GEORGIA
Date - 06-08-09	Scale - 1"=50'
Revised -	P.B. 216 Pg. 84

IMPERVIOUS SURFACE. 35% MAX = 7027 #  
45% Shown = 9045 #

**APPLICANT:** Christopher K. Von Hoffmann

**PETITION NO.:** V-63

**PHONE:** 770-517-7792

**DATE OF HEARING:** 08-12-09

**REPRESENTATIVE:** Ryan Corley

**PRESENT ZONING:** R-20

**PHONE:** 770-517-7792

**LAND LOT(S):** 264

**PROPERTY LOCATION:** Located on the west side  
of Hazelhurst Drive, north of Pete Shaw Road

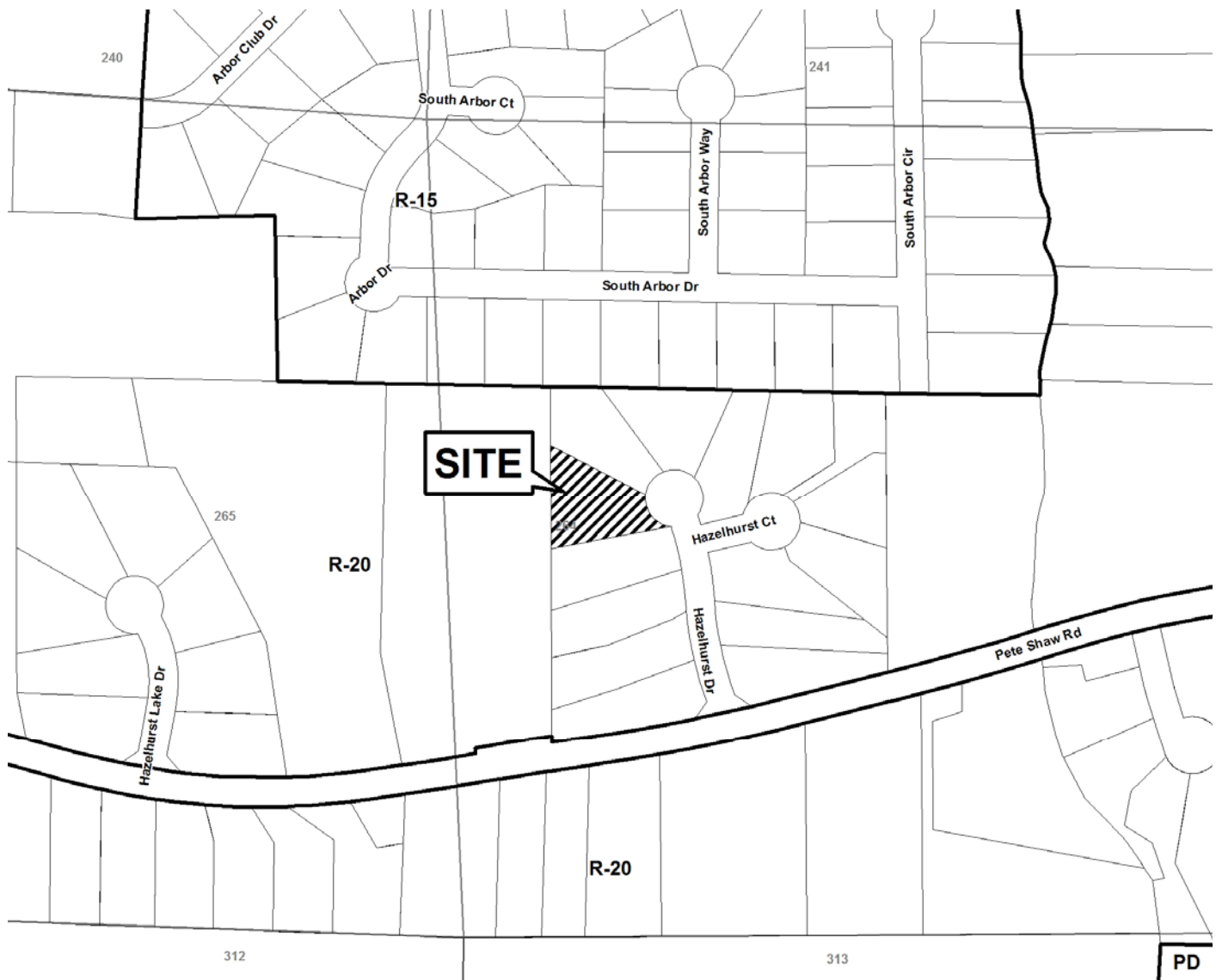
**DISTRICT:** 16

**SIZE OF TRACT:** .46 acre

(3909 Hazelhurst Drive).

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Waive the rear setback on lot 5 from the required 55 feet (per V-68 of 2000) to 46 feet; 2) Waive the rear setback for an accessory structure over 144 square feet (proposed 256 square foot pergola) from required the required 55 feet to 26 feet; and 3) waive the maximum allowable impervious surface from 35% to 45%.



# Application for Variance Cobb County

(type or print clearly)

Application No. V-63

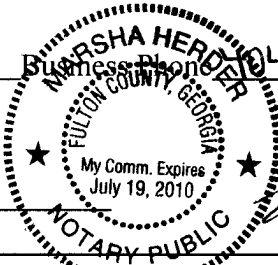
Hearing Date: 8-12-09

Applicant Christopher K. VonHoffmann Business Phone \_\_\_\_\_ Home Phone 770 517-7792

Ryan Corley Address 3909 Hazelhurst Dr  
(representative's name, printed) (street, city, state and zip code) Marietta 30066

[Signature] Business Phone 404 245-6179 Cell Phone 678 451-2121  
(representative's signature)

My commission expires: 07/19/2010



Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

Titleholder Christopher K. VonHoffmann Business Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature Christopher K VonHoffmann Address: 3909 Hazelhurst Dr  
(attach additional signatures, if needed) (street, city, state and zip code) Marietta

Signed, sealed and delivered in presence of:

My commission expires: 3/16/2013

[Signature]  
Notary Public

Present Zoning of Property R-20

Location 3909 Hazelhurst Dr/Marietta 30066  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) P46 264 District 16 Size of Tract less than 1 A. 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.

Because of our handicapped child, who is confined to a wheelchair, we need to install an elevator, for ease of movement between floors. The addition required for the elevator is an 11'x10' hoistway, to be built on the back of garage. The exterior finish will match the exterior of home (brick). Child

List type of variance requested: (age 9) has severe cerebral palsy.

WAIVE THE REAR SETBACK FROM REQUIRED 55FT TO 26 FEET



Page 2 of 2

APPLICATION NO.: V-68

ORIGINAL DATE OF APPLICATION: 4-12-00

APPLICANT'S NAME: SHOWCASE REAL ESTATE DEVELOPMENT, LLC.

**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 APRIL 12, 2000: SHOWCASE REAL ESTATE DEVELOPMENT, LLC.** requests a variance to: (1) waive the front setback from required 35 feet to 15 feet (Lots 2 through 13) and to 10 feet for Lots 1 and 14; (2) waive the design standards for street lights to allow decorative lantern style lights; (3) waive the design standard for sidewalks to allow the installation of brick sidewalks; (4) waive the rear setback on Lot 12 from required 35 feet to 10 feet in Land Lot 264 of the 16<sup>th</sup> District. Located on the north side of Pete Shaw Road, east of Steinhauer Road. The applicant's representative, Mr. Garvis Sams, Jr., reported that request #4 to waive the rear setback on Lot 12 was not needed. The representative then reviewed letter of agreeable conditions, submitted copies of architectural renderings, and stated agreement to departmental comments. Mr. Dennis Delahanty, of the East Cobb Civic Association, requested guarantee of house styles and asked that the Board provide guidance to the ECCA regarding hardship considerations and the association's review of variance requests. Following brief questioning of Mr. Sams, the Board of Zoning Appeals **approved** variance *requests 1, 2 and 3 as stated above* **subject to: 1) letter of agreeable conditions dated April 4, 2000, with addendum architectural renderings (attached and made a part hereof); 2) departmental comments and recommendations as contained in the analysis book.** Motion by Dawson, carried 4-0.

SAMS & LARKIN  
A LIMITED LIABILITY PARTNERSHIP  
ATTORNEYS AT LAW  
SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064

Meeting Date 4/12/2000

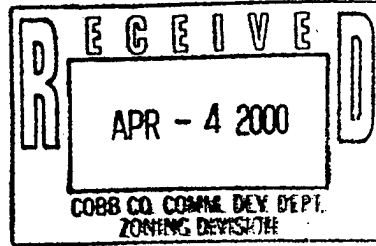
GARVIS L. SAMS, JR.  
JOEL L. LARKIN  
PARKS F. HUFF  
M. KYLE GREENE  
DAVID Y. KWON  
OF COUNSEL  
DAVID P. HARTIN

April 4, 2000

(770) 422-7016  
TELEPHONE  
(770) 426-6583  
FACSIMILE  
SAMSLARKIN@AOL.COM  
E-MAIL

VIA HAND DELIVERY

Ms. Linda Richardson, Zoning Analyst  
Cobb County Zoning Department  
191 Lawrence Street  
Suite 300  
Marietta, Georgia 30060-1661



Re: Variance Application of Showcase Real Estate Development, LLC  
(No. V-68)

Dear Linda:

As you know, I represent the applicant and property owners concerning the above-captioned Variance Application which is scheduled to be heard by the Cobb County Board of Zoning Appeals on April 12, 2000. During the pendency of the application, Tony Carlson of Showcase Real Estate Development, LLC, has been in discussions with the East Cobb Civic Association. To that end, I am authorized to advise you that Showcase is amenable to the following stipulations which shall become conditions and a part of the grant of the Variance Application and binding upon the subject property thereafter:

1. Landscaping theme to be established at the subdivision entrance and carried through the development in accordance with the landscape plan presented to the East Cobb Civic Association ("ECCA").
2. House elevations and architectural details shall be consistent with Stephen Fuller's plan book called "The Parkside Collection".
3. The applicant reserves the right to modify elevations and architectural details as needed to created a unique and non-redundant architectural street-scape, as shown in "The Parkside Collection".

VIA HAND DELIVERY

Ms. Linda Richardson, Zoning Analyst  
Cobb County Zoning Department  
Page 2  
April 4, 2000

Petition No. V-68  
Meeting Date 4/12/2000  
Continued

4. Minimum house size shall be 2,600 square feet with a range up to 3,500 square feet or greater.<sup>1</sup>
5. An agreement to increase rear setbacks from 35 feet to 55 feet to compensate for the difference in the distance the front setbacks have been moved forward. This agreement pertains only to perimeter lots where setbacks are adjacent to the Chaney property and the O'Dell property, as well as lots adjacent to Arbor Bridge Subdivision (R-15). Lot No. 7 will not be included because it is a cul-de-sac lot and is not deep enough to otherwise accommodate the house footprint and architectural styles in "The Parkside Collection".
6. Applicant will delete its request for a variance waiving the rear setback line on Lot 12 from 30 to 10 feet.

By copy of this letter, we are notifying Mr. Dennis Delehanty, President of the East Cobb Civic Association. In the interim, please do not hesitate to call should you or the staff have any questions whatsoever regarding these matters.

Very truly yours,

SAMS & LARKIN, LLP



Garvis L. Sams, Jr.

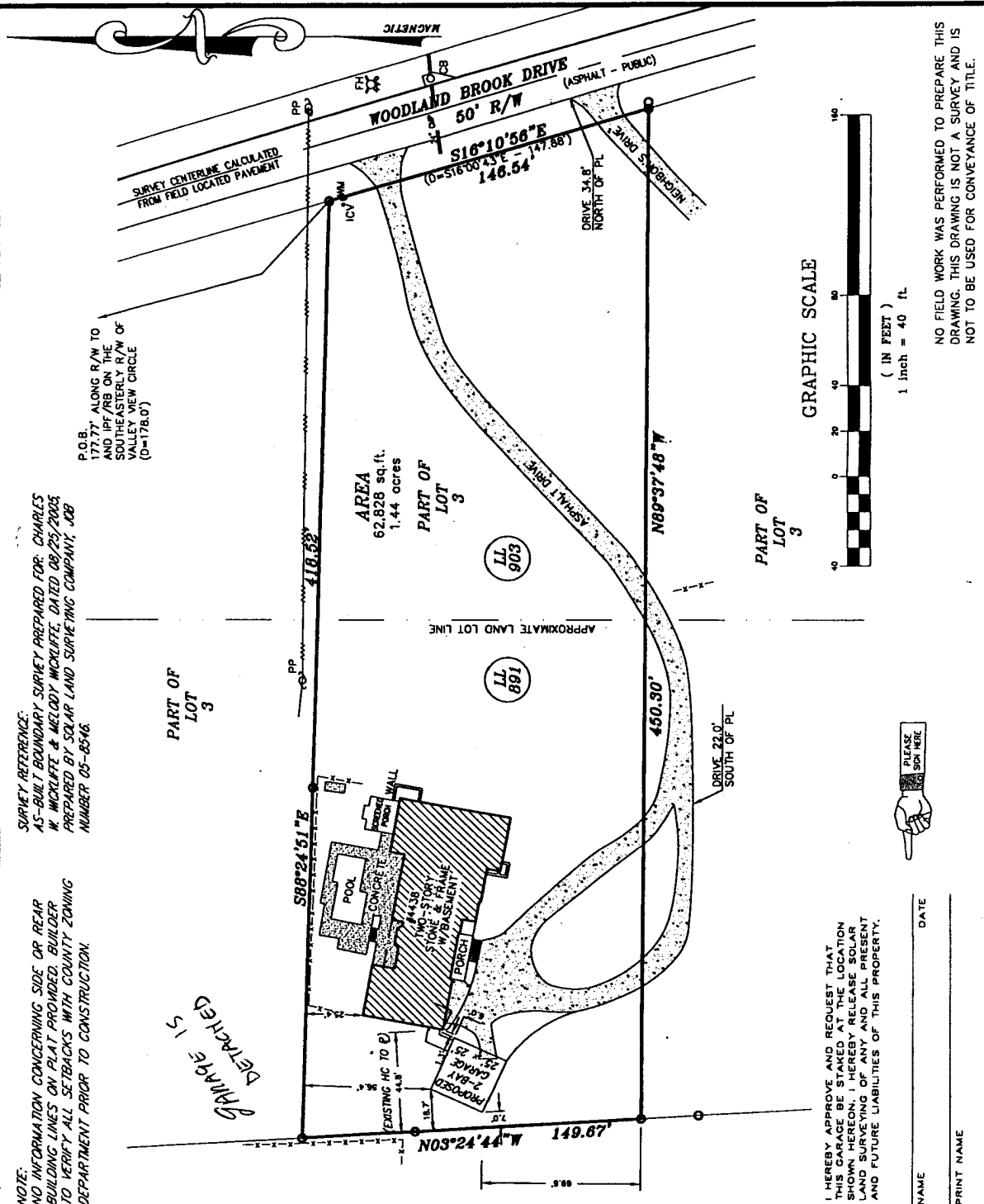
GLSjr/jbmc

cc: Mr. Dennis Delehanty, President  
East Cobb Civic Association  
Mr. Tony Carlson  
Showcase Real Estate Development, LLC

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<sup>1</sup>House size typically dictates price points and it is anticipated that the homes will sell at \$350,000 and up.

JOB NUMBER: 09-1612



**APPLICANT:** Tom Williams

**PHONE:** 404-392-3980

**REPRESENTATIVE:** same

**PHONE:** same

**PROPERTY LOCATION:** Located on the west side  
of Woodland Brook Drive, south of Bakers Farm Road  
(4438 Woodland Brook Drive).

**PETITION NO.:** V-64

**DATE OF HEARING:** 08-12-09

**PRESENT ZONING:** R-30

**LAND LOT(S):** 891, 903

**DISTRICT:** 17

**SIZE OF TRACT:** 1.44 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the rear setback for an accessory structure over 144 square feet  
(proposed garage at 625 square feet) from the required 40 feet to 7 feet; and 2) allow an accessory structure  
(proposed garage) to the front of the primary structure.



# Application for Variance

## Cobb County

(type or print clearly)

Application No. V-64

Hearing Date: 8-12-09

Applicant Tom Williams Residential Business Phone 404-869-0333 Home Phone same

Tom Williams Address 227 Sandy Springs Pl. Ste D-233 Sandy Springs GA 30328  
(representative's name, printed) (street, city, state and zip code)

[Signature] Business Phone 404-869-0333 Cell Phone 404-392-3980  
(representative's signature)

My commission expires: 6-26-09



Signed, sealed and delivered in presence of:

Melissa Garbutt

Notary Public

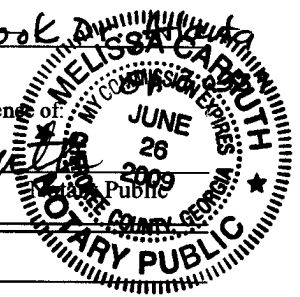
Titleholder Charles W. Wickliffe Business Phone 404-309-4912 Home Phone 404-355-0231  
Melody Wickliffe

Signature [Signature] Address: 4438 Woodland Brook Dr. Atlanta GA 30339  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 6-26-09

Signed, sealed and delivered in presence of:

Melissa Garbutt



Present Zoning of Property R-30

Location 4438 Woodland Brook Dr. Vinings GA 30339  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 891, 903 District 17th Size of Tract 1.44 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 1.44ac Shape of Property rectangular Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

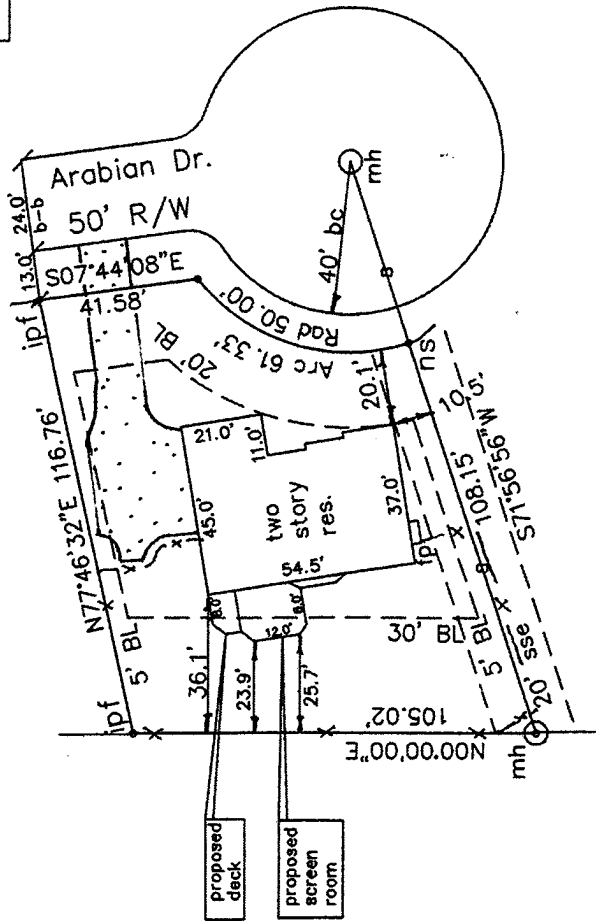
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance.

Medical Hardship - Homeowner has had knee & hip replacement, is unable to get up and down stairs. Therefore needs to convert existing garage into a family room resulting in need for new detached garage. Only other possible location for new garage is on opposite end of home where a septic field currently exists.

List type of variance requested: WAIVE THE REAR SETBACK FOR AN ACCESSORY STRUCTURE.

NO PORTION OF THIS PROPERTY  
LIES WITHIN A FEDERALLY DESIGNATED  
100 year flood zone

There are no buffer areas,  
parking spaces, lakes streams,  
100 yr flood plain, cemeteries,  
wetlands, access points,  
streams, on this property



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

*Jeffrey J. Johnson*

JEFFREY J. JOHNSON R.L.S. 2505

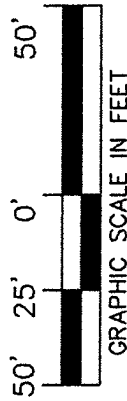
THE FIELD DATA WHICH THIS SURVEY  
IS BASED HAS A PRECISION OF ONE  
FOOT IN 10000+ FEET AND AN ANGULAR  
ERROR OF 3" PER ANGLE POINT

THE PLAT CLOSURE IS FOUND TO BE  
ACCURATE WITHIN ONE FOOT IN  
100000+ FEET

EQUIPMENT USED: TOPCON GTS-2

## 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  
WB=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



V-65  
(2009)

plot plan/boundary survey for

# Decksouth

## JOHNSON SURVEYING

804 Peachtree Forest Ave.  
Norcross Ga. 30092  
678-557-1449

LAND LOT 624  
DISTRICT 16, Sec 2  
Cobb County, Ga.  
Kings Farm  
Unit 1  
Lot 64  
2311 Arabian Dr.

DATE: 6-10-09

SCALE: 1"=50'

JOB NO: 09-50

**APPLICANT:** Michael & Heather Braun

**PETITION NO.:** V-65

**PHONE:** 770-421-6888

**DATE OF HEARING:** 08-12-09

**REPRESENTATIVE:** Michael R. Braun

**PRESENT ZONING:** PRD

**PHONE:** 770-421-6888

**LAND LOT(S):** 624

**PROPERTY LOCATION:** Located on the west side  
of Arabian Drive, south of Post Oak Tritt

**DISTRICT:** 16

(2311 Arabian Drive).

**SIZE OF TRACT:** 0.25 acres

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** Waive the rear setback on lot 64 from the required 30 feet to 23 feet.





# Application for Variance

## Cobb County

(type or print clearly)

Application No. V-65

Hearing Date: 8-12-09

Applicant MICHAEL & HEATHER BRAUN Business Phone 770) 421-6888 Home Phone 770) 321-6892

MICHAEL R. BRAUN  
(representative's name, printed)

Address 3225 SHALLOWFORD RD., STE 500, MARIETTA, GA 30062  
(street, city, state and zip code)

[Signature]  
(representative's signature)

Business Phone 770) 421-6888 Cell Phone 404) 519-6755

My commission expires: MARCH 13, 2012

KORI BELANGER  
NOTARY PUBLIC  
DOUGLAS COUNTY, GA  
MY COMM EXPIRES MARCH 13TH, 2012

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

Titleholder MICHAEL R. BRAUN Business Phone 770) 421-6888 Home Phone 770) 321-6892

Signature [Signature]  
(attach additional signatures, if needed)

Address: 2311 ARABIAN DR, MARIETTA, GA 30062  
(street, city, state and zip code)

KORI BELANGER  
NOTARY PUBLIC  
DOUGLAS COUNTY, GA  
MY COMM EXPIRES MARCH 13TH, 2012

Signed, sealed and delivered in presence of:

My commission expires: MARCH 13, 2012

[Signature]  
Notary Public

Present Zoning of Property ~~RESIDENTIAL~~ PRD

Location 2311 ARABIAN DR, MARIETTA, GA 30062  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 624 P17 District 16th Size of Tract 1/2 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.

Plaintiff desires to build a screened in porch, where an open deck currently sits. The screened in porch will encroach on the 30' set back. All neighbors agree.

List type of variance requested: encroach on 30' set back.

WAIVE THE REAR SETBACK ON LOT 64  
FROM REQUIRED 30FT TO 23FT