

Cobb County Fire and Emergency Services

Applicant Name: A & S Hospitality, LLC

Petition Number: V-81

Date: 9/30/2009

Fire Marshal Comments

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupiable floor level. Aerial fire apparatus roads shall be a minimum width of 24 feet face of curb to face of curb maximum of 40 feet from the structure and be positioned parallel to the long side of the building for its entire length. No overhead utility and power lines shall be located within the aerial apparatus access.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

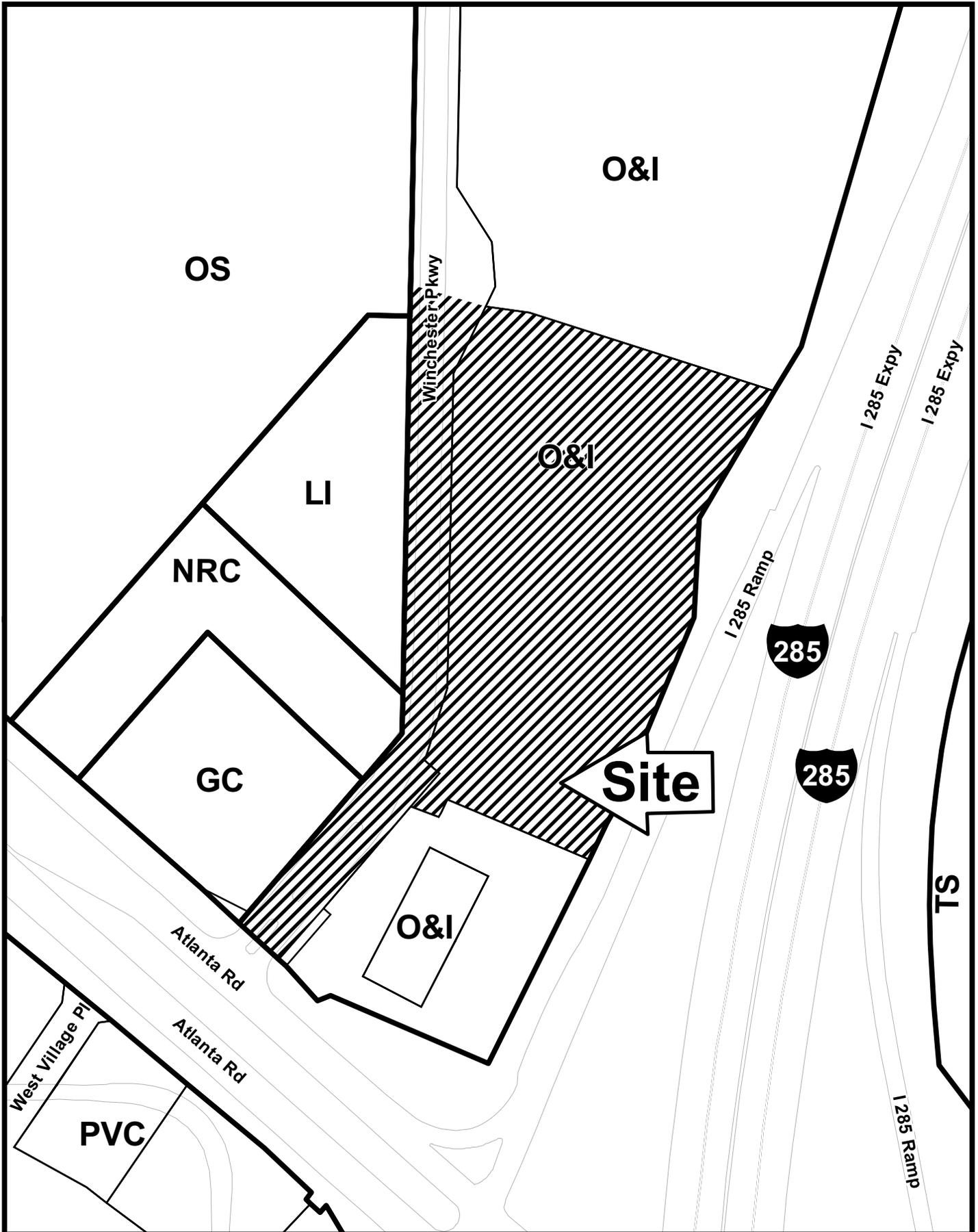
Commercial: Cul-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – total of 110-feet needed (45 feet + 20 foot wide roadway + 45 feet).

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

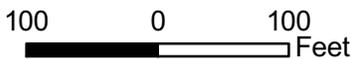
Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

V-81



This map is provided for display and planning purposes only. It is not meant to be a legal description.



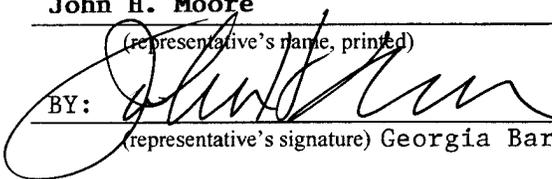
City Boundary
Zoning Boundary

Application for Variance Cobb County

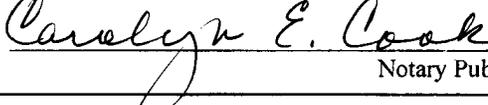
(type or print clearly)

Application No. v-81 (2009)
Hearing Date: 10/14/2009

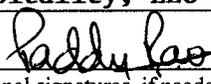
Applicant A & S Hospitality, LLC Business Phone (770) 333-9910 Home Phone Not Applicable
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
John H. Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

BY:  Business Phone (770) 429-1499 Cell Phone (404) 313-5664
(representative's signature) Georgia Bar No. 519800

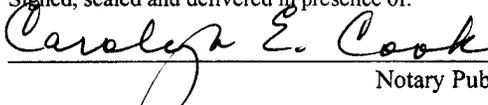
Signed, sealed and delivered in presence of:


Notary Public

My commission expires: January 10, 2011

Titleholder A & S Hospitality, LLC Business Phone (770) 333-9910 Home Phone Not Applicable
Signature BY:  Address: 1200 Winchester Parkway
(attach additional signatures, if needed) Smyrna, GA 30080
Paddy Rao, Managing Member (street, city, state and zip code)

Signed, sealed and delivered in presence of:


Notary Public

My commission expires: January 10, 2011

Present Zoning of Property OI
Location Easterly side of Winchester Parkway; Westerly side of Interstate 285; Northeastly of Atlanta Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 765 District 17th Size of Tract 1.03 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 X 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.
See Exhibit "A" attached hereto and made a part hereof by reference.

List type of variance requested: See Exhibit "A" attached hereto and made a part hereof by reference.

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V-81 (2009)
Hearing Date: October 14, 2009

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant/Titleholder: A & S Hospitality, LLC

Please state what hardship would be created by following the normal terms of the ordinance:

The property which is the subject of this Application for Variance (being hereinafter referred to as the "Subject Property") is a 1.03 acre tract and is located immediately westerly of Interstate 285 and the access ramp and easterly of Winchester Parkway. Additionally, an existing five-story hotel is located adjacent to the Subject Property on its southerly boundary, with a developed area to the north as well. The Subject Property is presently zoned to the Office and Institutional ("OI") zoning classification, and Applicant is seeking variances which would allow for the development of a four-story, 80 room hotel on the Subject Property. The location, size, and shape of the Subject Property contribute to the challenges in developing it to a use permitted within the existing Office and Institutional ("OI") zoning category. Also, the location of the Subject Property restricts its use. The variances requested herein would allow for the Property to be developed to a use allowed under the existing OI zoning classification; as well as a use which is complementary to the adjacent, developed tracts. Without granting the requested variances, development cannot occur and Applicant would be forced to forego its expansion plans for the proposed new hotel, as well as renovations to the existing hotel building.

List type of variances requested:

- (1) Waiver and reduction in required minimum rear setback from 30 feet to 15 feet (Sec. 134-215(4)(d));
- (2) Waiver of minimum parking requirements to allow for shared parking arrangement with existing, adjacent hotel building (Sec. 134-272(d));
- (3) Vary the percent of impervious area related to the proposed improvements for each tract to exceed the allowable 70 percent (the proposed hotel building tract will have 78.5 percent impervious surface and the existing hotel building tract has a 73.5 percent impervious surface);
- (4) Reduction in the required minimum public road frontage from 50 feet to zero (0) feet. (See § 134-215(4))