

APPLICANT: Madison Hills, LLC **PETITION NO.:** V-9
PHONE: 404-949-0180 **DATE OF HEARING:** 02-10-10
REPRESENTATIVE: Margaret Stagmeier **PRESENT ZONING:** RM-12, OI, CF
PHONE: 404-949-0180 **LAND LOT(S):** 799, 800, 856, 857
PROPERTY LOCATION: Located on the south side of Delk Road, west of Powers Ferry Road (2560 Delk Road). **DISTRICT:** 17
SIZE OF TRACT: 37.57 acres
COMMISSION DISTRICT: 2
TYPE OF VARIANCE: Waive the size of this site from the required 50 acres to 37.57 acres to allow applicant to file for rezoning to PVC.

COMMENTS

TRAFFIC: This request will not have an adverse impact on traffic.

DEVELOPMENT & INSPECTIONS: No comment.

STORMWATER MANAGEMENT: Redevelopment must comply with all current stormwater management requirements.

HISTORIC PRESERVATION: After examining Civil War trench maps, Cobb County historic property surveys, county maps and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

CEMETERY PRESERVATION: No comment.

WATER: Available.

SEWER: Available.

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

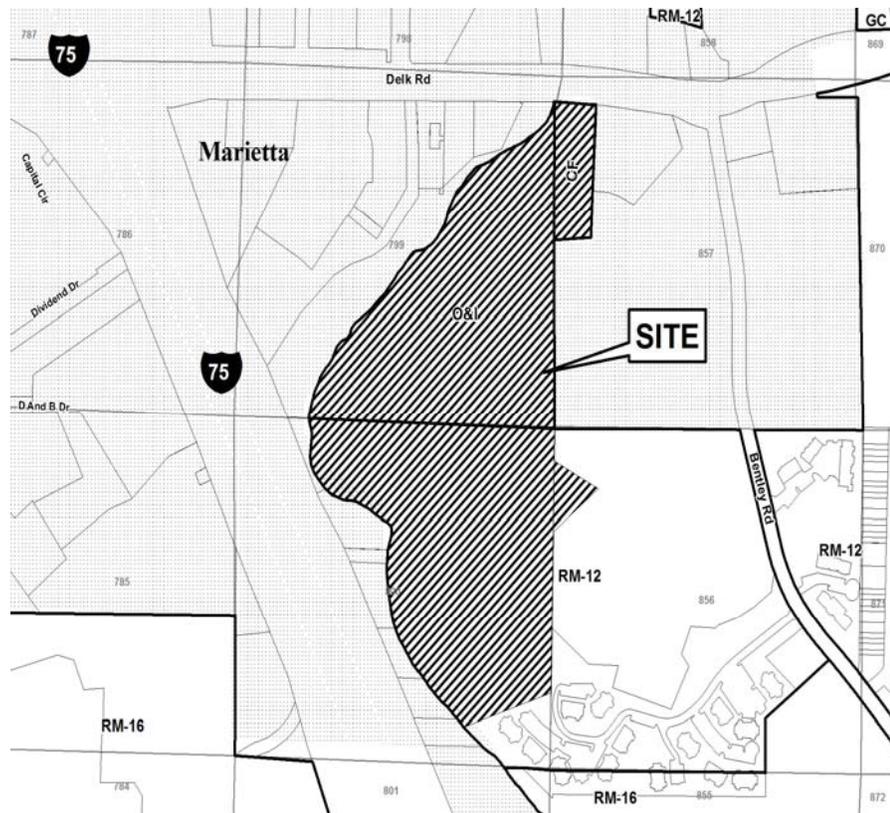
BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

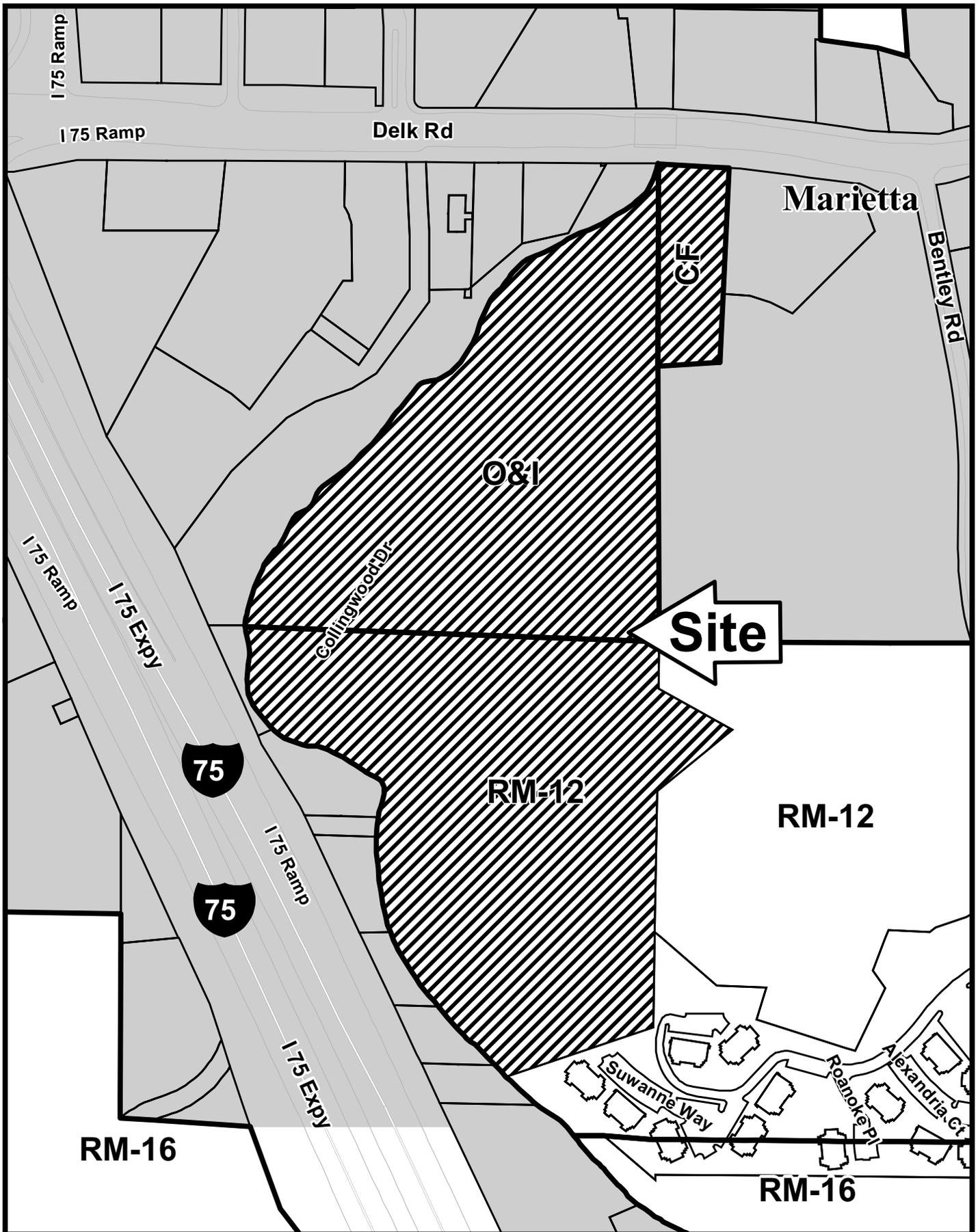
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

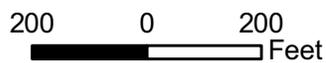
STIPULATIONS: _____



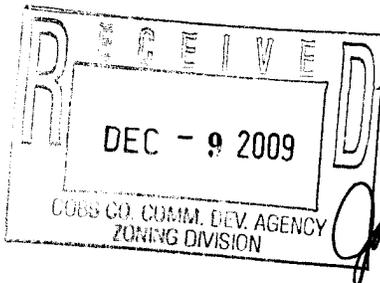
V-9



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-9
Hearing Date: 2-10-10

Applicant Madison Hills, LLC Business Phone (404) 999-0180 Home Phone (404) 861-1261

Margaret A. Stagmaier Address 550 Pharr Rd, Ste 550, Atlanta, GA
(representative's name, printed) (street, city, state and zip code) 30305

Margaret A. Stagmaier
(representative's signature)

Business Phone (404) 999-0180 Cell Phone (404) 861-1261



My commission expires: _____

Signed, sealed and delivered in presence of:

Dandie Bowen
Notary Public

Titleholder Madison Hills, LLC Business Phone (404) 999-0180 Home Phone (404) 861-1261

Signature Margaret Stagmaier Address: 550 Pharr Rd, Ste 550, Atlanta, GA
(attach additional signatures, if needed) (street, city, state and zip code) 30305

MARGARET STAGMAIER

Signed, sealed and delivered in presence of:

Dandie Bowen
Notary Public

My commission expires: _____

Present Zoning of Property RM-12, OI & CF

Location 2560 Delk Rd, Marietta, GA 30007
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 799, 800, 856, 857 District 17 Size of Tract 37.57 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.

THE APPLICANT County is encouraging redevelopment on the applicants site, however existing zoning does not allow us to create the mixed use development desired by state holders in the Belt Corridor. The applicant has determined that PUC provides the flexibility required to achieve the goals and the redevelopment effort therefore necessitates a reduction in the ACRE requirement to facilitate redevelopment.

List type of variance requested:

WAIVE THE LOT SIZE FROM REQUIRED 50 ACRES TO 37.5 ACRES TO ALLOW APPLICANT TO FILE FOR REZONING TO PUC