



**APPLICANT:** Meritex Atlanta Industrial I, LLC      **PETITION NO.:** V-32  
**PHONE:** 404-966-8160      **DATE OF HEARING:** 05-11-11  
**REPRESENTATIVE:** Daniel F. Ward, Jr.      **PRESENT ZONING:** LI  
**PHONE:** 404-966-8160      **LAND LOT(S):** 823  
**PROPERTY LOCATION:** On the west side of      **DISTRICT:** 17  
North Church Lane, south of Atlanta Road      **SIZE OF TRACT:** 6.48 acres  
(4850 North Church Lane).      **COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the number of parking spaces from the required 116 parking spaces to 82 parking spaces; and 2) waive the landscape buffer from the required fifty feet to as little as three feet adjacent to the south property line.

**COMMENTS**

**TRAFFIC:** Recommend no parking on the right-of-way.

**DEVELOPMENT & INSPECTIONS:** Staff has no objection to the reduction of the buffer width as long as it is reflective of current conditions, and is not to allow the destruction of existing buffer vegetation.

**STORMWATER MANAGEMENT:** No comment.

**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:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

**WATER:** No Conflict.

**SEWER:** No Conflict.

**OPPOSITION:** NO. OPPOSED \_\_\_\_\_ **PETITION NO.** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**BOARD OF APPEALS DECISION**  
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
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# **Cobb County Fire and Emergency Services**

## **Fire Marshal Comments**

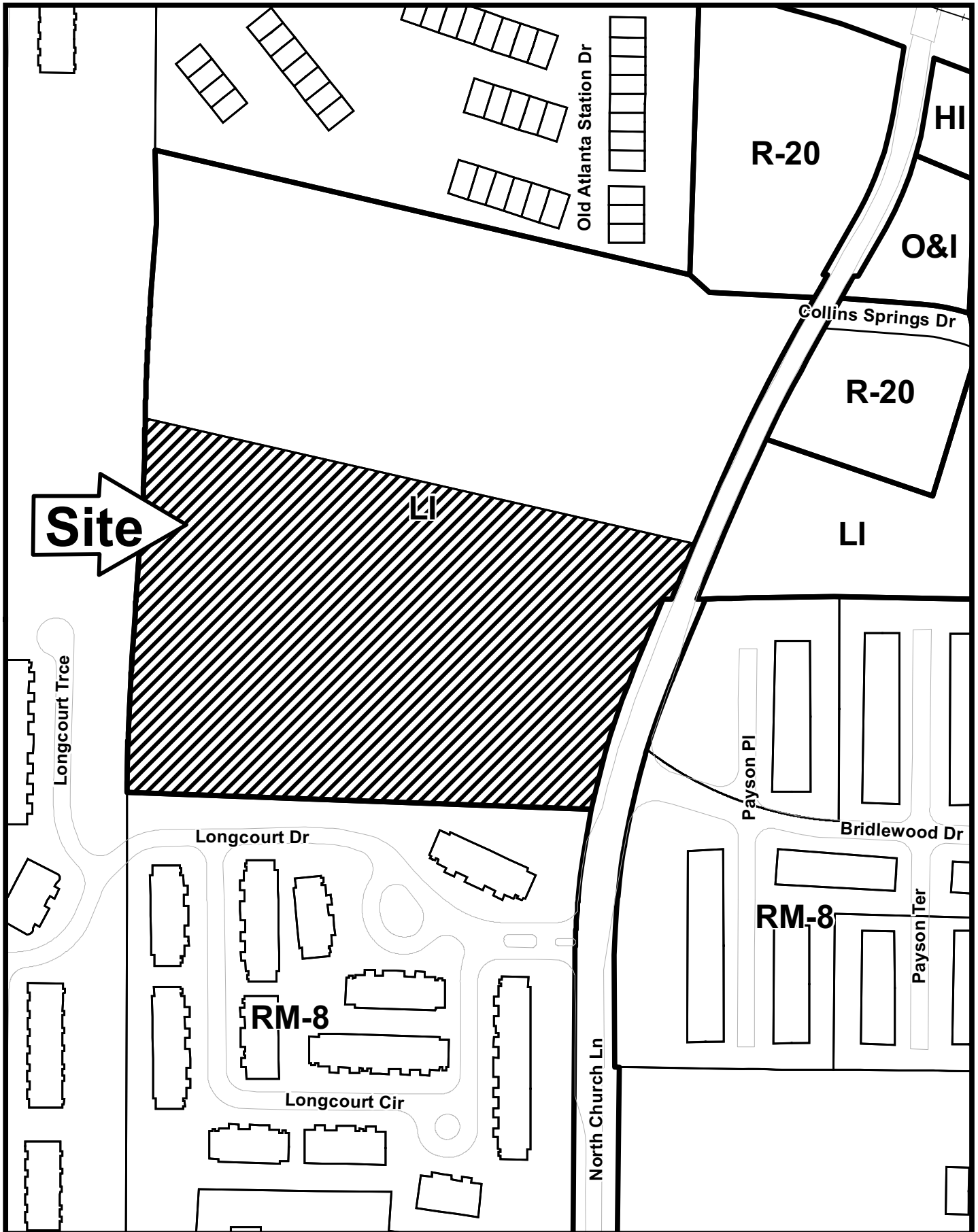
Applicant Name: **Metritex Atlanta Industrial**

Petition Number: V-32

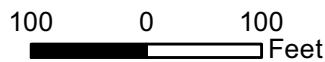
Date: 5/3/2011

**NO COMMENTS:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

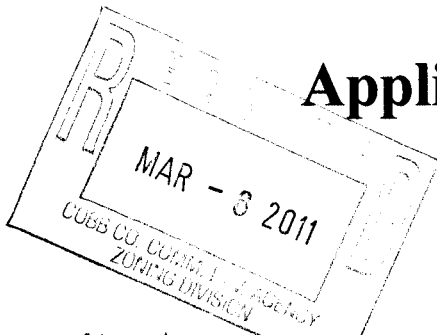
# V-32



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-32  
Hearing Date: 5-11-11

Applicant Meritex Atlanta Industrial I, LLC Phone # 404-966-8160 E-mail dward@meritex.com

Daniel F. Ward, Jr. Address 5238 Royal Woods Pkwy, Suite 150, Tucker, GA 30084  
(representative's name, printed) (street, city, state and zip code)

Daniel F. Ward, Jr. Phone # 404-966-8160 E-mail dward@meritex.com  
(representative's signature)

**CLYDE WILLIAMSON**  
Notary Public

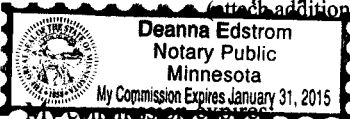
Signed, sealed and delivered in presence of:

My commission expires: STATE OF GEORGIA  
My Commission Expires 03-16-2014

Clyde Williamson  
Notary Public

Titleholder By: Meritex Atlanta Industrial I, LLC Phone # (651) 855-9708 E-mail apovilartise@meritex.com  
Arvid Povilaitis 24 University Ave NW, Suite 200  
Industrial Operating Division Minneapolis, MN 55413

Signature X Address: Minneapolis, MN 55413  
(attach additional signatures, if needed) (street, city, state and zip code)



1-31-15

Signed, sealed and delivered in presence of:

Deanna Edstrom  
Notary Public

Present Zoning of Property LI - Light Industrial

Location 4850 North Church Lane, Smyrna, GA 30080  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 823 District 17<sup>th</sup> Size of Tract 6.48 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.

Our tenant, Alside, requires outside storage to be able to continue its business at the Property. Alside requires about 9,000 square feet of paving area for its outside storage. The only feasible location for this is in the front parking lot. Such use would delete 34 car parking spaces, which would place the remaining parking space count under the required minimum spaces. IF outside storage cannot be acomodated at the Property, Alside will have to vacate.  
List type of variance requested: Alside has been a tenant here since 1989. \*  
Request Variance to provide for minimum allowable parking to be set at 82 spaces.

Revised: December 6, 2005 \*Historically the car parking has not been fully utilized and we believe there will still be ample parking available with this use.