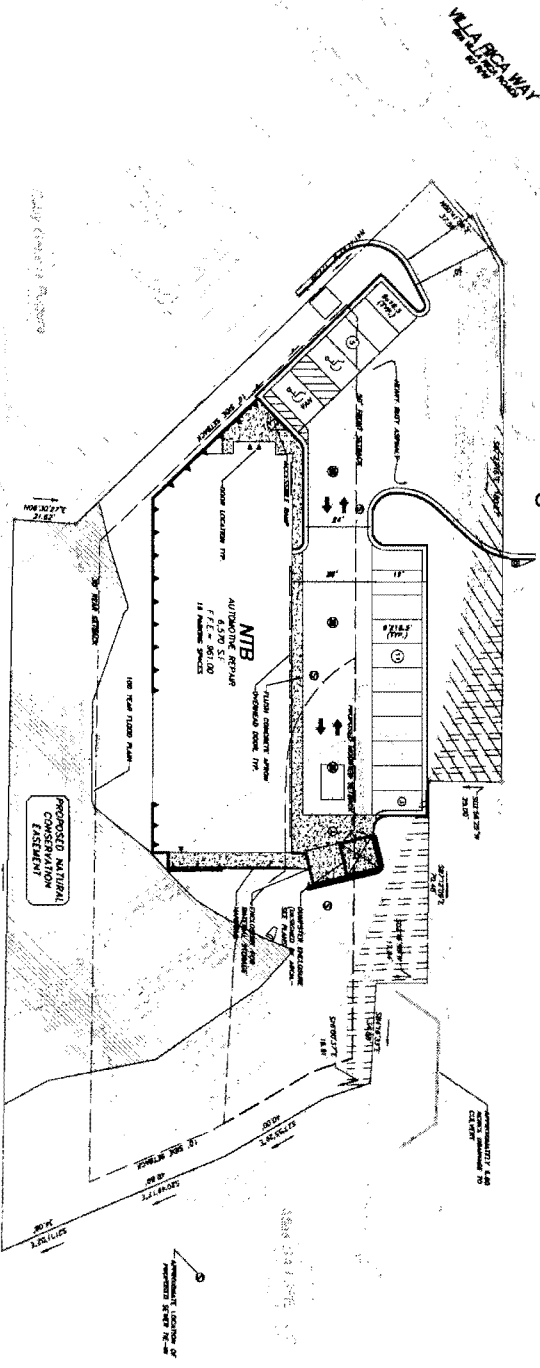


MARIETTA-DALLAS HIGHWAY - GA SR 120
(MARIETTA SIDE)



PROJECT NARRATIVE

PROJECT NAME: NTB - DALLAS HIGHWAY
 OWNER: NTB DEVELOPMENT COMPANY
 PROJECT NO.: 120-10000-0000
 DATE: 10/2012

PREPARED BY: LAI ENGINEERING
 DATE: 10/2012

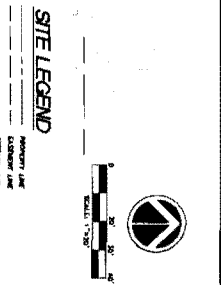
PARKING SUMMARY

TYPE	NUMBER OF SPACES	PERCENTAGE OF TOTAL
STANDARD	100	100%
TOTAL	100	100%

VARIANCE REQUESTED

- 1) VARIANCE TO PARKING FROM 20 TO 14 SPACES
- 2) VARIANCE TO CONSTRUCTION PERMITS TO BE OBTAINED AT THE MARIETTA SIDE OF THE HIGHWAY
- 3) VARIANCE TO CONSTRUCTION PERMITS TO BE OBTAINED AT THE MARIETTA SIDE OF THE HIGHWAY

- SITE NOTES**
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL BUILDING CODE, INTERNATIONAL CODES, AND LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL MAINTAIN EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF MARIETTA.
 3. THE CONTRACTOR SHALL MAINTAIN EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF MARIETTA.
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 24. THE CONTRACTOR SHALL MAINTAIN EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF MARIETTA.



VARIANCE PLAN

DATE: 10-2-2012

BY: LAI ENGINEERING

LAI ENGINEERING

1800 PARKWAY PL. - STE. 720
 MARIETTA, GA 30067
 PH: 770.423.0807
 FAX: 770.423.1262
 WWW.LAIENGINEERING.COM

NTB - DALLAS HIGHWAY
 VILLA RICA WAY AT MARIETTA-DALLAS HIGHWAY

PREPARED FOR
PAVILION DEVELOPMENT COMPANY

SCALE: 1"=30'

DATE: 10-2-2012

APPLICANT: LAI Engineering

PETITION No.: V-35

PHONE: 770-423-0807

DATE OF HEARING: 05-09-12

REPRESENTATIVE: C. Doug Day

PRESENT ZONING: GC

PHONE: 770-423-0807

LAND LOT(S): 28

TITLEHOLDER: Leon Reeves and Herchel E. Cook

DISTRICT: 19

PROPERTY LOCATION: On the southeastern corner of Dallas Highway and Villa Rica Way

SIZE OF TRACT: 1 acre

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 1) Waive the minimum number of required parking spaces from 28 to 16; 2) allow the dumpster enclosure to be in front of the building and within front setback; and 3) waive the front setback from the required 50 feet to a step-down of as little as 5 feet.

OPPOSITION: No. OPPOSED PETITION No. SPOKESMAN

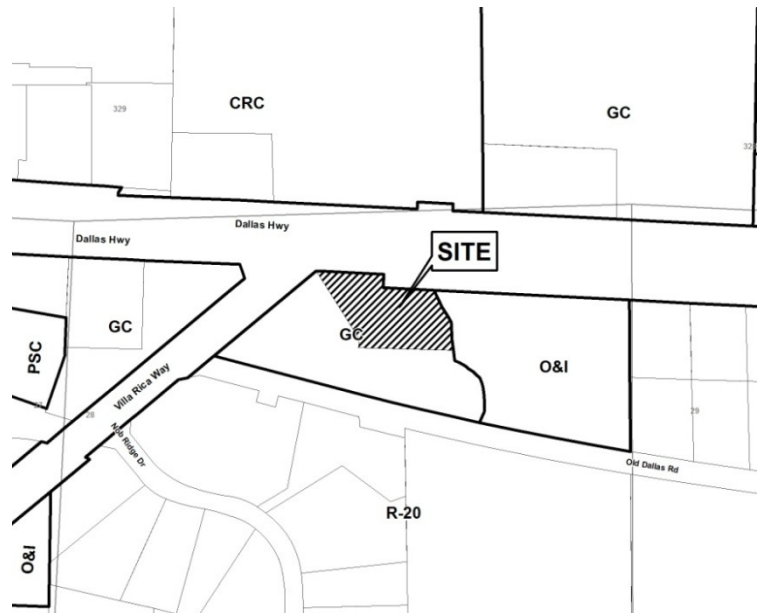
BOARD OF APPEALS DECISION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



COMMENTS

TRAFFIC: Recommend GDOT permits for all work that encroaches upon State right-of-way; recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the SR120 Dallas Highway Pedestrian Improvements, Phase 2, project number D11C0; and recommend access to Villa Rica Way be restricted to right in/right out only.

DEVELOPMENT & INSPECTIONS: No comment.

STORMWATER MANAGEMENT: All the proposed improvements are located above/outside the 100-year floodplain; however, there is significant encroachment into the adjacent stream buffer. The dumpster enclosure, a small portion of the last parking space, the dumpster approach and sidewalk are located in the 75-foot undisturbed stream buffer (~370 square feet). Approximately 1,900 square feet of impervious surface, including the corner of the building, the dumpster pad and the last 2 ½ parking spaces and associated drive and walkway, are within the 25-foot impervious setback (from the undisturbed stream buffer). The plan should be revised to eliminate these encroachments.

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

DESIGN GUIDELINES: This property is within the boundaries of the Dallas Highway Design Guidelines. The guidelines state the following concerning the location of dumpsters: “Areas to be located at the rear of building and not visible from public view. Should be screened/enclosed with a wall at a height of 6 feet and constructed of masonry with metal or wood gates.” The applicant may be subject to further compliance with the Dallas Highway Design Guidelines at Site Plan Review.

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.

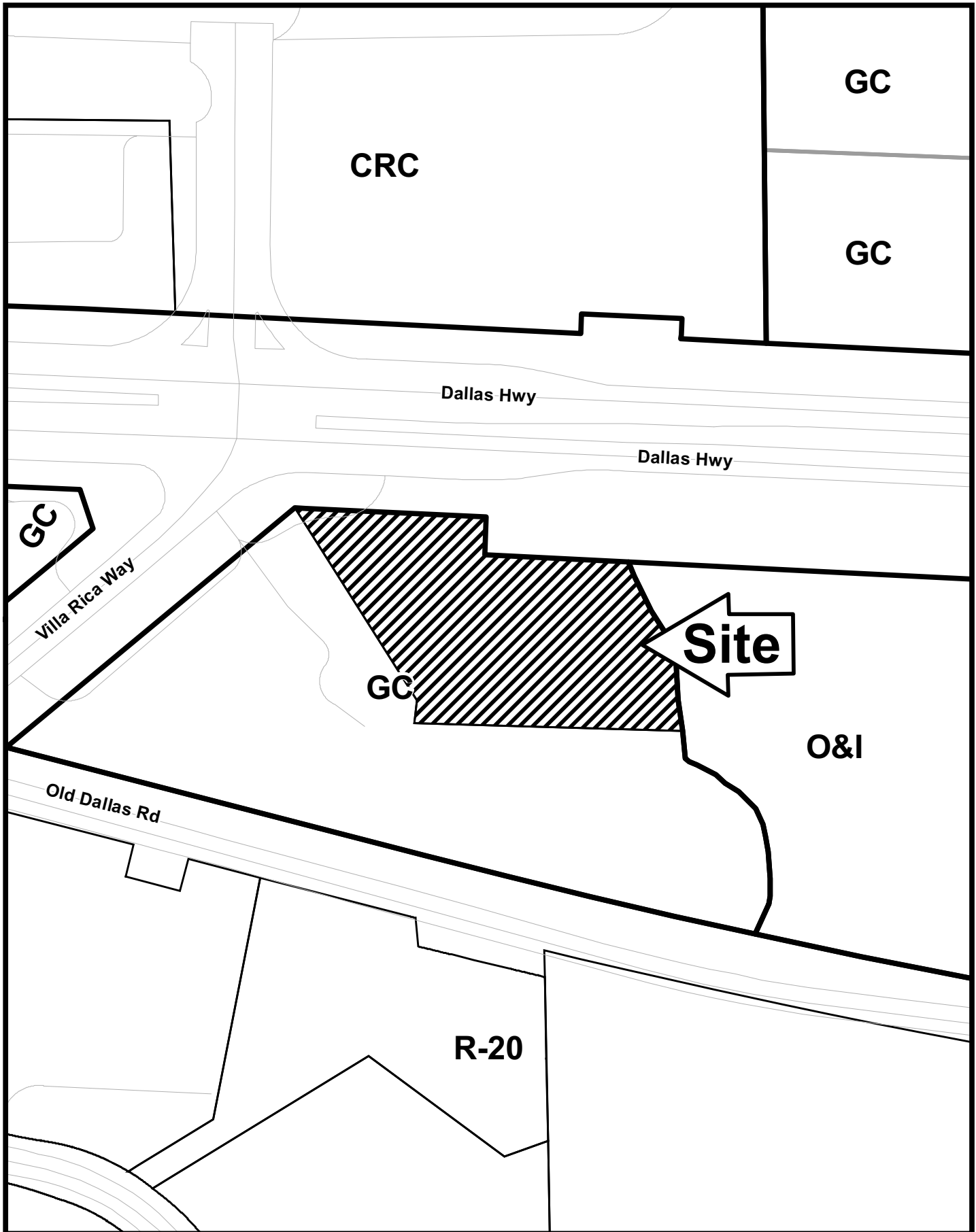
WATER: County Code requires a minimum 10 foot setback from the edge of the water easement.

SEWER: No conflict.

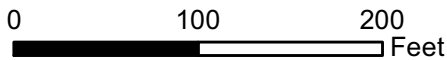
APPLICANT: LAI Engineering **PETITION No.:** V-35



FIRE DEPARTMENT: 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-35



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-35
Hearing Date: 5-9-12

Applicant LAI Engineering Phone # 770 423 0807 E-mail doug@laiengineering.com

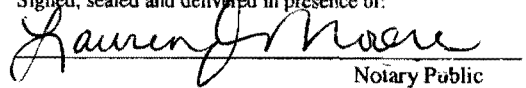
C. Doug Day Address 1800 Parkway Place, Suite 720, Marietta, GA
(representative's name, printed) (street, city, state and zip code) 30067



Phone # 770 423 0807 E-mail doug@laiengineering.com

Signed, sealed and delivered in presence of:

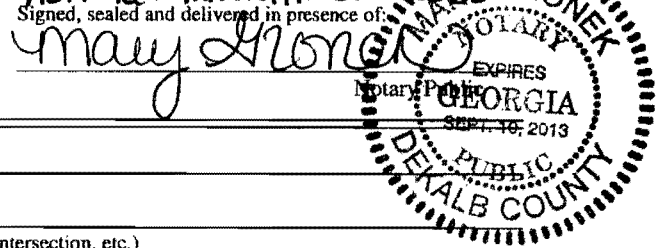
My commission expires: 12-02-2014


Notary Public

Titleholder Leon Reeves and Herchel G. Cook Leon Phone # 770-973-8589
Herchel G. Cook Phone # 706-625-7235 E-mail H.G.

Signature Herchel G. Cook Address: 2733 Safford Rd. Fairmount, Ga, 30139
(attach additional signatures, if needed) (street, city, state and zip code)
155 Holt Rd. MARIETTA GA 30068

My commission expires: 09/10/2013



Present Zoning of Property General Commercial

Location Dallas Highway at Villa Rica Way
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 28 District 19th Size of Tract 1.0 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.

Due to the shape, topography, and presence of buffers and floodplain, the eastern and southern sides of the property are undevelopable.

List type of variance requested: 1. Reduction in parking from 28 to 16 spaces
2. Allowance for dumpster within building setback
3. Reduction in front setback at the northeast corner of the site, to match 50' setback along majority of the property line.