

# **PRELIMINARY VARIANCE ANALYSIS**

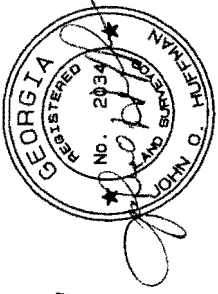
**HEARING DATE: May 9, 2012**

**DUE DATE: April 9, 2012**

Distributed: March 16, 2012



*Cobb County...Expect the Best!*



ACCESSORY  
STRUCTURE  
@ 1444 SOUT  
SINGLE STORY

V-30 (2012)

SURVEY FOR

**JOSEPHINE FITZGERALD  
STANLEY & DONNA  
FITZGERALD**

LOCATED IN LAND LOTS 152 & 153  
20th. DISTRICT, 2nd. SECTION  
COBB COUNTY, GEORGIA

**H. B. & P.**

**SURVEYING, INC.**

850 KENNESAW AVE. 8  
MARIETTA, GA. 30060  
PHONE (770) 425-0141  
FAX (770) 425-8579

JOB # 10-066

**CHEATHAM CT.**  
(60' RM)

S35°58'10"E  
LC=102.11'  
A=102.41'  
R=351.91'

S19°43'28"E LC=252.78'  
A=260.76' R=302.84'

N/F  
RAYMOND C. &  
SUSAN M. LEWIS  
DB. 7934 PG. 291

1.67 ACRES

1 STORY FRAME  
W/ BASEMENT  
# 2701

Garage

Garage

N32°05'41"W 479.49'

N/F

MICHAEL & SUSAN REABOLD  
DB. 10500 PG. 401

SCALE: 1" = 40'



GRAPHIC SCALE

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS  
PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY  
OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE  
SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POS-  
SIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF  
MAKING OF THIS SURVEY; BUILDING SETBACK LINES;  
RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS;  
ZONING OR OTHER LAND USE REGULATIONS, AND ANY  
OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE  
SEARCH MAY DISCLOSE.

DATE OF SURVEY: NOVEMBER 19, 2010  
DATE OF DRAWING: NOVEMBER 19, 2010

ACCORDING TO AN EXAMINATION OF THE OFFICIAL  
F.I.R.M. FLOOD MAPS, THIS PROPERTY DOES NOT  
HAVE ANY SPECIAL FLOOD HAZARD CONDITIONS.

EQUIPMENT USED: TOPCON GPT-9205A

THE FIELD DATA UPON WHICH THIS PLAT IS BASED  
HAS A CLOSURE PRECISION OF ONE FOOT IN 26,298 FEET,  
AND AN ANGULAR ERROR OF 7" PER ANGLE POINT,  
AND WAS ADJUSTED USING: NO ADJUSTMENT

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE  
AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN  
514,407 FEET.

**LEGEND**

- IPF - IRON PIN FOUND
- IPS - IRON PIN SET
- RB - REBAR
- OT - OPEN TOP
- CT - CRIMP TOP
- SR - SOLID ROD
- CB - CATCH BASIN
- JB - JUNCTION BOX
- MH - MANHOLE
- PP - POWER POLE
- MON - MONUMENT

**APPLICANT:** Stan Fitzgerald

**PHONE:** 770-249-7221

**REPRESENTATIVE:** Stan Fitzgerald

**PHONE:** 770-249-7221

**TITLEHOLDER:** Josephine Fitzgerald, Donna

Fitzgerald and Stanley Fitzgerald

**PROPERTY LOCATION:** At the northwestern

corner of Cheatham Rd. and Cheatham Ct.

(2701 Cheatham Ct.).

**PETITION No.:** V-30

**DATE OF HEARING:** 05-09-12

**PRESENT ZONING:** R-30

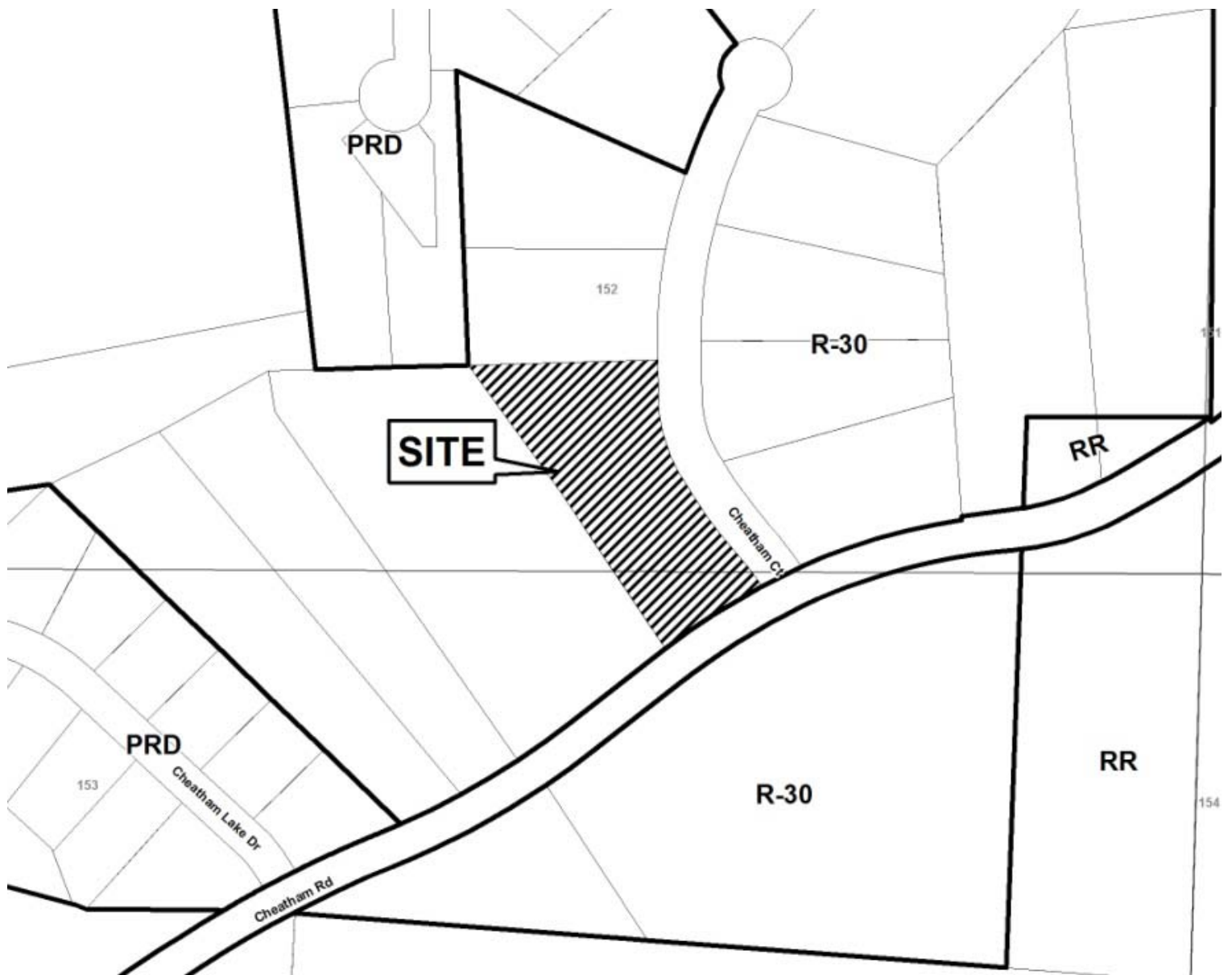
**LAND LOT(S):** 152, 153

**DISTRICT:** 20

**SIZE OF TRACT:** 1.6 acres

**COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** 1) Waive the front setback for an accessory structure over 650 square feet (existing 1,444 square feet garage) from the required 100 feet to 95 feet; 2) waive the rear setback for an accessory structure over 650 square feet from the required 100 feet to 25 feet; 3) waive the side setback for an accessory structure over 650 square feet from the required 100 feet to 75 feet; and 4) allow two accessory structures (garage and shed) to be located closer to the side street right-of-way line than the principal building.



# Application for Variance Cobb County

(type or print clearly)

Application No. V-30

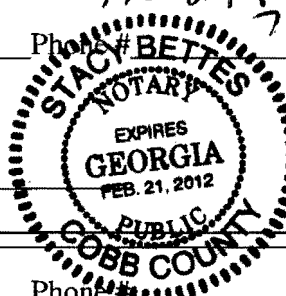
Hearing Date: 5-9-12

Applicant STAN FITZGERALD Phone # 770 249-7221 E-mail FORGETTHEGOUGE@AOL.COM

STAN FITZGERALD Address 2701 CHEATHAM CT. NW ACWORTH  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770-249-7221 E-mail FORGETTHEGOUGE@AOL.COM  
(representative's signature)

My commission expires: 2-21-12



Signed, sealed and delivered in presence of:

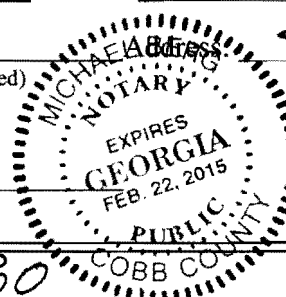
[Signature]

Notary Public

Titleholder STAN FITZGERALD Phone # [blank] E-mail SAME

Signature [Signature] Address SAME AS ABOVE  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 2-22-15



Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Present Zoning of Property R-30

Location 2701 CHEATHAM COURT  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 152, 153 District 20 Size of Tract 1.6 ACRES 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.

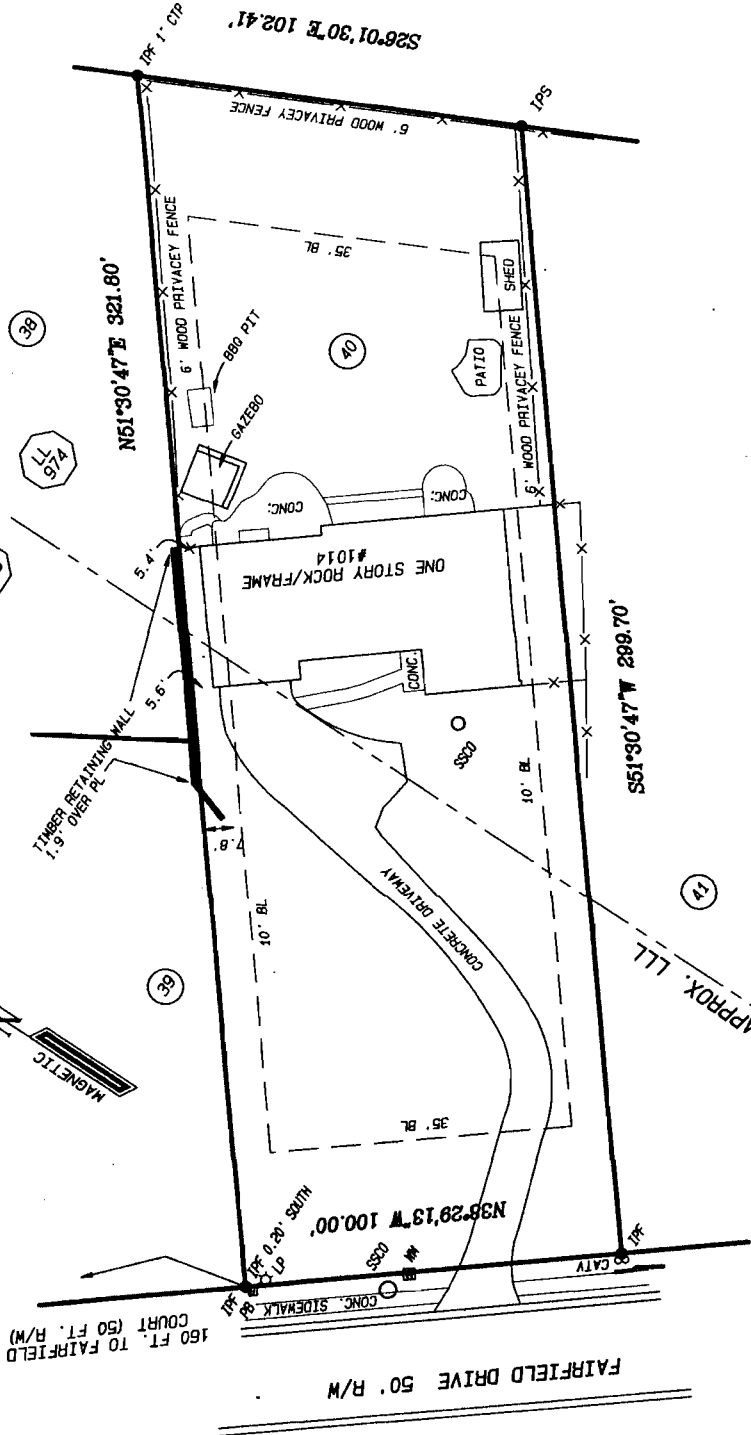
FINANCIAL HARDSHIP - 2 EXISTING STRUCTURES WOULD HAVE TO BE ALTERED. FIRST THE GARAGE WHICH WAS PERMITTED AND PASSED FINAL INSPECTION BY COBB COUNTY WOULD HAVE TO ADD AN EXPENSIVE BREEZEWAY WHICH IS UNSIGHTLY AND 2ND THE SHED ON BLOCKS WHICH CONTAINS MY SICK MOTHER'S BELONGINGS WOULD HAVE TO BE MOVED BACK CAUSING NEARLY STRESS AND FINANCIAL BURDEN TO A SENIOR

List type of variance requested: PERMISSION TO HAVE GARAGE AND SHED CLOSER TO THE SIDE STREET THAN MY PRIMARY STRUCTURE (HOME) WITHOUT MAKING THEM ATTACKED

SEE ATTACHED STATEMENT 3 PAGES PLUS PHOTOS + EXHIBITS

IN MY OPINION, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

- SURVEY NOTES:**
1. EQUIPMENT - TOPCON 6TP 820SR ROBOTIC STATION
  2. DATE OF SURVEY - 01-12-12
  3. DATE OF THIS PLAT - 01-12-12
  4. HAZARD - MAP COMMUNITY NUMBER 130052, DATED 12-16-2008, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
  5. #4 BEGAR AT ALL CORNERS UNLESS OTHERWISE NOTED.



CURRENT ZONING: R-20  
MIN. FRONT SETBACK: 35 FT.  
MIN. SIDE SETBACK: 10 FT.  
MIN. REAR SETBACK: 35 FT.

REF: PLAT BOOK 57, PAGE 128

**BETTERTON**  
**SURVEYING & DESIGN, INC.**  
LAND SURVEYING/PLANNING  
SUBDIVISION & COMMERCIAL SITE DESIGN

950 WEST SANDTOWN ROAD  
MARIETTA, GEORGIA 30064  
(678) 483-0242

DRAWN BY  
RBB  
CHECKED BY  
RBB  
DRAWING SCALE  
1" = 30'  
FILE NUMBER  
5891.PRO  
JOB NUMBER  
5891



REVISION RECORD  
DATE PURPOSE

**FINAL SURVEY**  
LOT #40, BLOCK "O"  
INDIAN HILLS COUNTRY CLUB  
UNIT SEVEN  
LOCATED IN: LAND LOTS 974 & 975  
16TH DISTRICT, 2ND SECTION,  
COBB COUNTY, GEORGIA  
SCALE: 1" = 30 FT.  
DATE: 01-12-12  
PREPARED FOR:  
**BRUCE & DEIDRE BENNETT**

**APPLICANT:** Timothy Bryce Bennett

**PETITION No.:** V-31

**PHONE:** 678-538-7698

**DATE OF HEARING:** 05-09-12

**REPRESENTATIVE:** Timothy Bryce Bennett

**PRESENT ZONING:** R-20

**PHONE:** 678-538-7698

**LAND LOT(S):** 974, 975

**TITLEHOLDER:** T. Bryce Bennett and Deidre

**DISTRICT:** 16

Dawn Bennett

**PROPERTY LOCATION:** On the eastern side of

**SIZE OF TRACT:** .69 acres

Fairfield Dr. (1014 Fairfield Dr.).

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the side setback from the required 10 feet to 5 feet on the western side of the existing house; and 2) waive the side setback for an accessory structure over 144 square feet from the required 10 feet to two (2) feet (existing shed).



# Application for Variance

## Cobb County

(type or print clearly)

Application No. V-31

Hearing Date: 5-9-12

Applicant Timothy Byrle Bennett Phone # 678 538 7698 E-mail ddawn27@aol.com

(representative's name, printed)

Address 1014 Fairfield Dr Marietta Ga 30068  
(street, city, state and zip code)

Timothy Byrle Bennett Phone # 678 538 7698 E-mail ddawn27@aol.com  
(representative's signature)

My commission expires:

Genie B. Brummett  
1-30-2014

Signed, sealed and delivered in presence of:

Genie B. Brummett  
Notary Public

Titleholder Timothy Byrle Bennett Phone # 678 538 7698 E-mail ddawn27@aol.com

Signature Timothy Byrle Bennett Address: 1014 Fairfield Dr. Marietta Ga 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires:

1-30-2014

Signed, sealed and delivered in presence of:

Genie B. Brummett  
Notary Public

Present Genie B. Brummett R-20

Location 1014 FAIRFIELD DRIVE  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 975 District 16 Size of Tract \_\_\_\_\_ 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.

X Our current house was originally built over the set backs. In order to improve the house we would need to build over these setbacks. Additionally, there is a railroad tie retaining wall that is original to the lot that needs to be replaced with a poured concrete retaining wall as it is deteriorating. With out the wall improvements we are concerned the ties may give way. We would also like to keep work shed closer than 5' to property line

List type of variance requested: WAIVE THE SIDE SETBACK  
FROM REQUIRED 10FT TO 5FT.



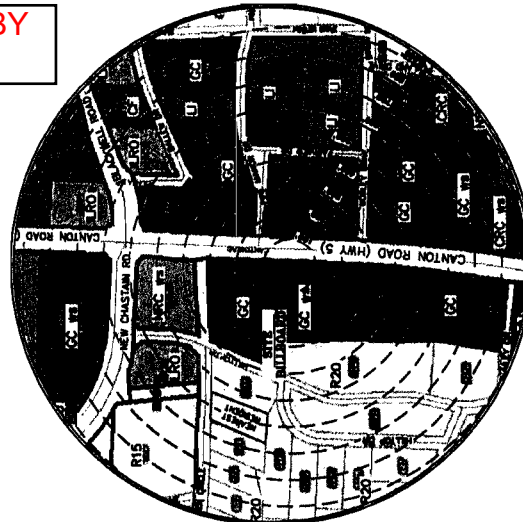




**APPLICANT:** Bryan Gaylor **WITHDRAWN BY STAFF** **ION No.:** V-32  
**PHONE:** 678-309-7684 **OF HEARING:** 05-09-12  
**REPRESENTATIVE:** Bryan Gaylor **PRESENT ZONING:** GC  
**PHONE:** 678-309-7684 **LAND LOT(S):** 444  
**TITLEHOLDER:** 3205 Tyson's Corner, LLC **DISTRICT:** 16  
**PROPERTY LOCATION:** On the western side of **SIZE OF TRACT:** 2.1 acres  
Canton Rd. (HWY 5) south of New Chastain/Blackwell Rd. **COMMISSION DISTRICT:** 3  
(3205 Canton Rd.).  
**TYPE OF VARIANCE:** Waive the minimum distance of a billboard sign from a residence from the required 500 feet to 478 feet.



**SIGN NOTE**  
SITE BILLBOARD:  
DOUBLE BILLBOARD  
TOP HEIGHT = 41'  
DIMENSIONS (14'x48')  
AREA = 672 SF EACH



**JOE # 45125**

[illegible]

**FRONTLINE**  
SURVEYING, INC.  
3595 Canton Road  
A-9, PMB 272  
Marietta, GA 30067  
Ph. (678) 355-9800  
Fax (678) 355-9800  
[www.frontlinesurveying.com](http://www.frontlinesurveying.com)

DATE 05/20/2011 SCALE 1" = 30'		2nd SECTION 16TH DISTRICT LAND LOT 421 & 444		16TH DISTRICT MAP BLOCK PHASE		I HAVE THE DATE CHANGED TO THE OFFICIAL FLOOD HAZARD MAP (SEE NOTE) IN THE AREA SPECIAL FLOOD HAZARD MAP MAP IS UNCHANGED EFFECTIVE DATE	
COBB COUNTY JTP 2/23/2006 ANAL HOUSES FOR ZONING		2nd SECTION 16TH DISTRICT LAND LOT 421 & 444		16TH DISTRICT MAP BLOCK PHASE		I HAVE THE DATE CHANGED TO THE OFFICIAL FLOOD HAZARD MAP (SEE NOTE) IN THE AREA SPECIAL FLOOD HAZARD MAP MAP IS UNCHANGED EFFECTIVE DATE	

**CURRENT ZONING:**  
GC

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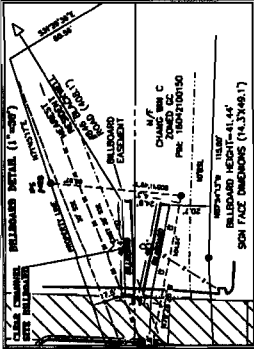
FRONT SETBACK = 40' or 50'  
MIN SIDE SETBACK = 10'  
MAJOR SIDE SETBACK = 25' or 35'  
REAR SETBACK = 30'  
MIN LOT SIZE = 20,000 FT<sup>2</sup>

1. The above information was obtained from a review of the files of the FBI, New York Office, and the files of the FBI, New York Office, and the files of the FBI, New York Office.
2. The above information was obtained from a review of the files of the FBI, New York Office, and the files of the FBI, New York Office, and the files of the FBI, New York Office.
3. The above information was obtained from a review of the files of the FBI, New York Office, and the files of the FBI, New York Office, and the files of the FBI, New York Office.
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9. The above information was obtained from a review of the files of the FBI, New York Office, and the files of the FBI, New York Office, and the files of the FBI, New York Office.
10. The above information was obtained from a review of the files of the FBI, New York Office, and the files of the FBI, New York Office, and the files of the FBI, New York Office.

**PLAY OF NIGHT FOR**  
**CLEAR CHANNEL OUTDOORS**

**CHANNEL OUT**  
3284 CANTON ROAD  
LAWD LOT 481 & 444  
618 DISTRICT, 2ND SECTION  
DY COBB COUNTY, GEORGIA  
PIN: 188-03150150  
EXISTING ZONING: CC

ONE STORY BLOCK  
N/F  
WMA C. CHANG  
ZONED CC  
DB B288 PG 177  
PNA: 16042100150  
(GOOD TIMES  
PACKAGE)

[illegible]

### GENERAL NOTES:

1. Students of previous years are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.
2. Students are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.
3. Students are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.
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7. Students are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.
8. Students are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.
9. Students are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.
10. Students are advised to consult the course catalog for the current year for a complete listing of courses and their prerequisites.

[illegible]

**SITE NOTE:**

- 1) NEAREST RESIDENT IS 4081 FEET FROM NEAREST SIGN EDGE TO THE NEAREST BUILDING CORNER, 845 BLACKWELL ROAD, NW 1804210070
- 2) THERE IS NOT ANOTHER ELECTRIC OFF PREMISE SIGN (BILLBOARD) LOCATED WITHIN 5,000 FEET OF THIS SIGN
- 3) NEAREST ELECTRIC OFF PREMISE SIGN (BILLBOARD) LOCATED WITHIN 1,050 FEET FACING THE SAME DIRECTION OF THIS SIGN

GRAPHIC SCALE

( IN FEET )

0 10 20 30 40 50 60 70 80 90 100

1 inch = 20 feet

### STATE NOTE:

**APPLICANT:** Bryan Gaylor **WITHDRAWN BY** **ION No.:** V-33  
**PHONE:** 678-309-7684 **STAFF** **OF HEARING:** 05-09-12  
**REPRESENTATIVE:** Bryan Gaylor **PRESENT ZONING:** GC  
**PHONE:** 678-309-7684 **LAND LOT(S):** 444  
**TITLEHOLDER:** Win Chuan Chang **DISTRICT:** 16  
**PROPERTY LOCATION:** On the eastern side of **SIZE OF TRACT:** .87 acres  
Canton Rd. (HWY 5) south of New Chastain/Blackwell Rd. **COMMISSION DISTRICT:** 3  
(3284 Canton Rd.)  
**TYPE OF VARIANCE:** Waive the minimum distance of a billboard sign from a residence from the required 500 feet to 408 feet.

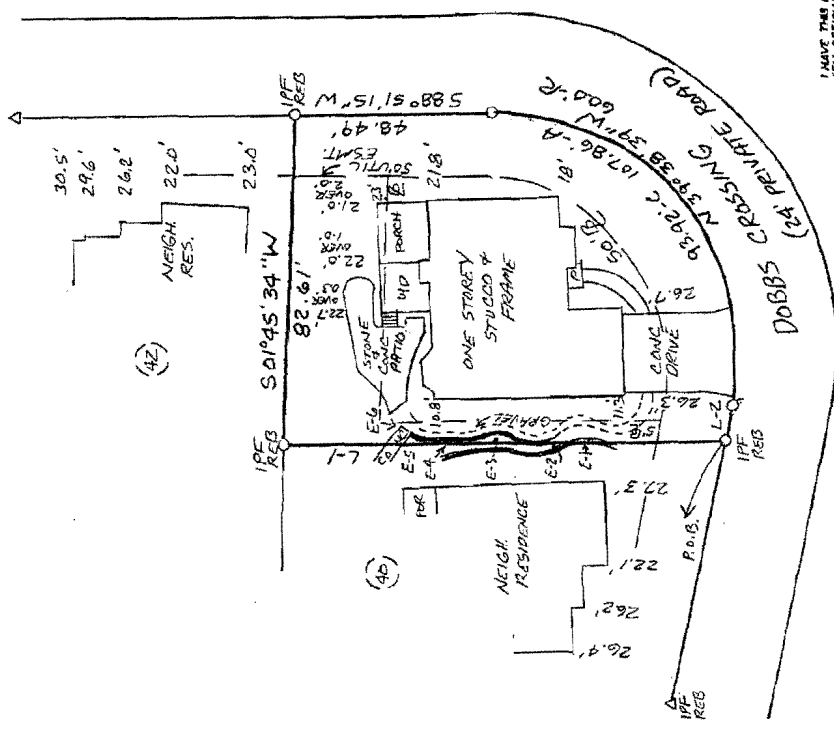
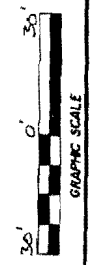


MAGNETIC



**V-34 (2012)**

23' SETBACK PER VARIANCE  
 # V-5 DATED 1-11-12  
 PRESENT ZONING= RA-4 WS  
 FRONT SETBACK=50 FT.  
 SIDE SETBACK=5 FT.  
 REAR SETBACK= 30 FT.  
 MINIMUM 15 FT. BETWEEN HOUSES  
 AREA= 0.1910 ACRE  
 #4477 DOBBS CROSSING



P.O.B.  
 180-8 TO DOBBS  
 CROSSING  
 (RECORD TIE)

PANEL NO. 1306700131G  
 LOCATION CDBB  
 ZONE 11X

I HAVE, THIS DATE, EXAMINED THE  
 FIA OFFICIAL FLOOD HAZARD MAP  
 AND FOUND REFERENCED HOUSE #107  
 IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS  
 A CLOSURE PRECISION OF ONE FOOT IN ONE HUNDRED FEET AND AN  
 ADJUSTED LUNAR COMPASS BEARING. THIS MAP OR PLAT HAS  
 BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCUR-  
 ATE WITHIN ONE FOOT IN 2,000 FEET.

EQUIPMENT USED:  
 TOPCON GTS-10B

IN MY OPINION, THIS PLAT IS A CORRECT  
 REPRESENTATION OF THE LAND PLATTED AND  
 THE ADJACENT LANDS AND INTERESTS OF LAW  
 THE ADJACENT STRAINS AND INTERESTS OF LAW

*James A. Evans, Jr.*  
**J.A. EVANS**  
 SURVEYING CO., INC.  
 POWDER SPRINGS, GEORGIA  
 PH. 770-943-0000

**SURVEY FOR:**

**RACHEL FUGLIO**

LOT	41	BLK.	UNIT	REVISIONS
				1222-97
				2-28-12
LAND LOT	13			
DISTRICT	1 ST		SECTION 2 ND	
CDBB			COUNTY, GEORGIA	
PLAT BOOK	122		PAGE 67	
DATE:	9-29-11		SCALE: 1" = 30'	360-11

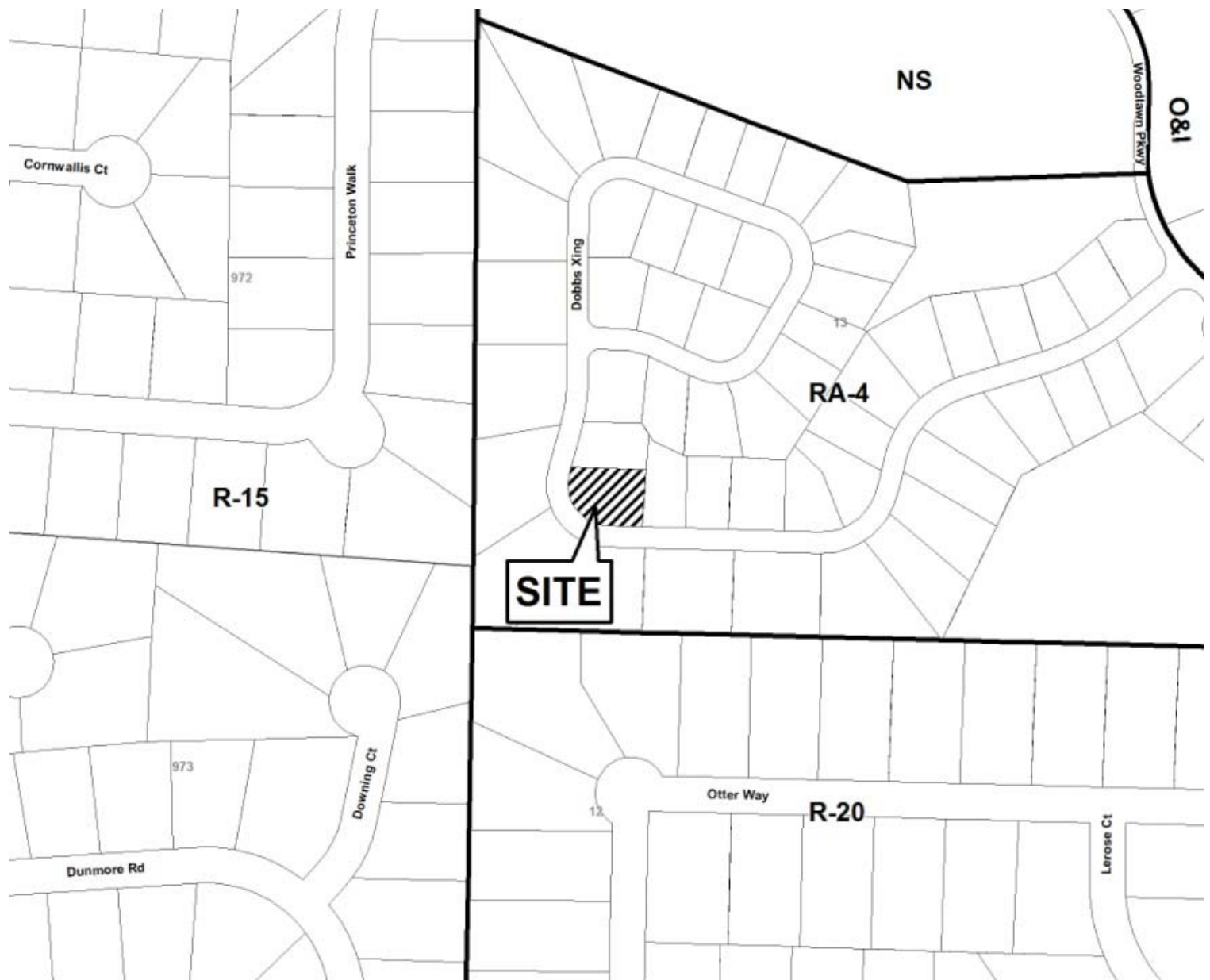
L-1= N 88° 51' 15" E 109.06'  
 L-2= N 11° 51' 11" E 9.24'

**ENCROACHMENTS:**

- E-1= NEIGHBORS WALL OVER PROPERTY LINE 0.6'
- E-2= NEIGHBORS WALL OVER PROPERTY LINE 0.9'
- E-3= NEIGHBORS WALL OVER PROPERTY LINE 2.4'
- E-4= NEIGHBORS WALL OVER PROPERTY LINE 1.5'
- E-5= NEIGHBORS WALL AND CONC. WALK OVER PROPERTY LINE 2.3'
- E-6= END CONC. WALK OVER PROPERTY LINE 4.3

JND

**APPLICANT:** Rachael E. Foglio  
**PHONE:** 770-509-5204, 770-578-9039  
**REPRESENTATIVE:** Rachael E. Foglio  
**PHONE:** 770-509-5204, 770-578-9039  
**TITLEHOLDER:** Rachel E. Foglio (a/k/a Rachael E. Foglio) and Anthony P. Foglio, as Co-Trustees of the Rachel E. Foglio Trust  
**PROPERTY LOCATION:** On the northeastern side of Dobbs Crossing (4477 Dobbs Crossing).  
**PETITION No.:** V-34  
**DATE OF HEARING:** 05-09-12  
**PRESENT ZONING:** RA-4  
**LAND LOT(S):** 13  
**DISTRICT:** 1  
**SIZE OF TRACT:** .1910 acres  
**COMMISSION DISTRICT:** 2  
**TYPE OF VARIANCE:** Waive the rear setback from previously granted 23 feet (V-5 of 2012) to 20 feet.





# Application for Variance Cobb County

(type or print clearly)

Application No. V-34

Hearing Date: 5-9-12

Applicant Rachael E. Faglio Phone # 770 569-5204 E-mail \_\_\_\_\_

David Whitmire Address 4477 Dobbs Crossing Marietta, Ga. 30068  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770 345-3500 E-mail dwhitmire@southeastrestoration.com  
(representative's signature)

My commission expires: 6/7/14 sealed and delivered in presence of: \_\_\_\_\_  
Notary Public

Titleholder Rachael E. Faglio Phone # 770 569-5204 E-mail \_\_\_\_\_

Signature Rachael Faglio Address 4477 Dobbs Crossing Marietta, Ga. 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 6/7/14 Signed, sealed and delivered in presence of: \_\_\_\_\_  
Notary Public

Present Zoning of Property Residential RA-4

Location 4477 Dobbs Crossing, Marietta, Ga. 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 13 1<sup>st</sup> District 9 Cobb County Size of Tract 0.1910 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 0.1910 Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

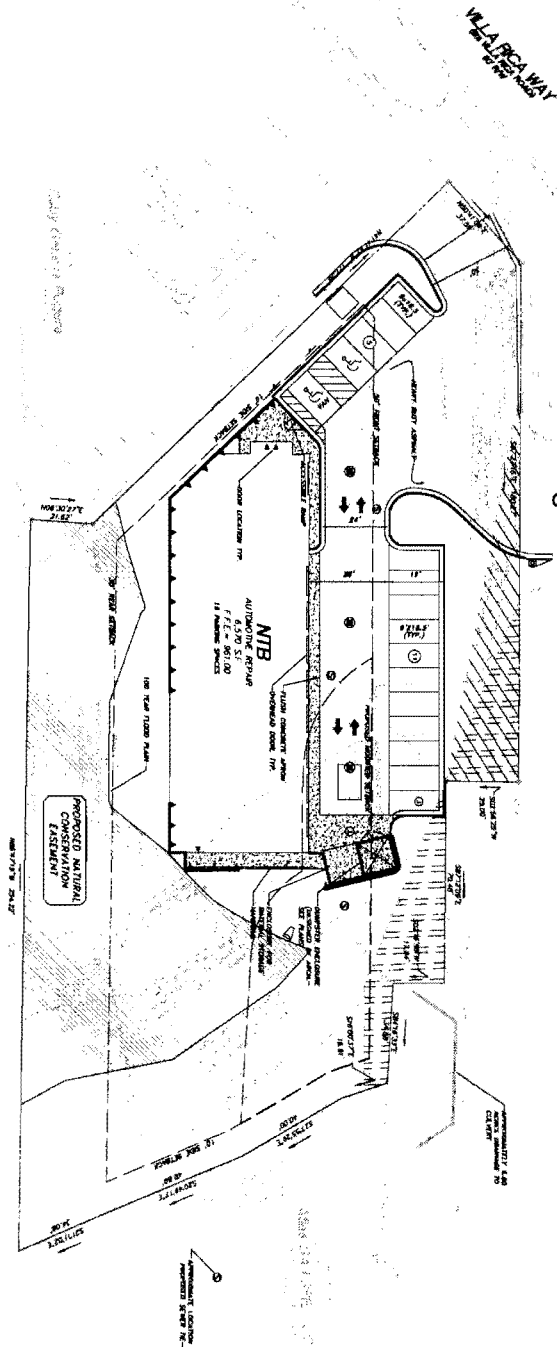
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the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

Replace Deck from tree impact and add roof for deck

List type of variance requested: Waive rear setback from 23 ft to 20 ft.



MARETTA-DALLAS HIGHWAY - GA SR 120  
(MARETTA RDM)



## PROJECT NARRATIVE

PROJECT NAME:	MT - BALLS IMPROV
LEAD NAME, COMPANY:	DAVID DAVIS, 404-421-2008
TOTAL EST. AMOUNT:	1,000,000.00
ESTIMATED AMOUNT:	9,400,000.00
COUNTRY:	IN COLOMBIA, COLOMBIA, DISTRICT
ESTIMATED:	FROM: 50'
	DATE: 10'
	DATE: 30'
PROJECT BY:	1. INVESTMENT
APPROVED PROJECT:	15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100

## PARKING SUMMARY

[illegible]**VARIANCE REQUESTED**

- 1.) REDUCTION IN FURNING FROM 25 TO 14 SPACES
- 2.) ALTIMETER FOR MEASURES IN BUILDING SETBACK.
- 3.) REDUCTIONS IN FLOOR SETBACK AT THE NORTH-EAST CORNER OF BLDG. TO AVOID 50' SETBACK ALONG IMMUNITY OF THE PROPERTY.

## SITE NOTES

### SITE LEGEND

- [illegible]



## PREVISIONS

NTB - DALLAS HIGHWAY  
VILLA RICA WAY AT MARIETTA-DALLAS HIGHWAY  
PREPARED FOR  
PAVILION DEVELOPMENT COMPANY

COBB COUNTY, GEORGIA

LANDLOT 22, WITH ENTRANCE

**LAI ENGINEERING**  
PARKWAY CENTER -  
1800 PARKWAY PL. - STE. 720  
MARIETTA, GA 30067  
PHONE: 770.423.0807  
FAX: 770.423.1262  
WWW.LAIENGINEERING.COM



VARIANCE  
PLAN

 $\Omega$ 

DATE 3-4-2012

**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

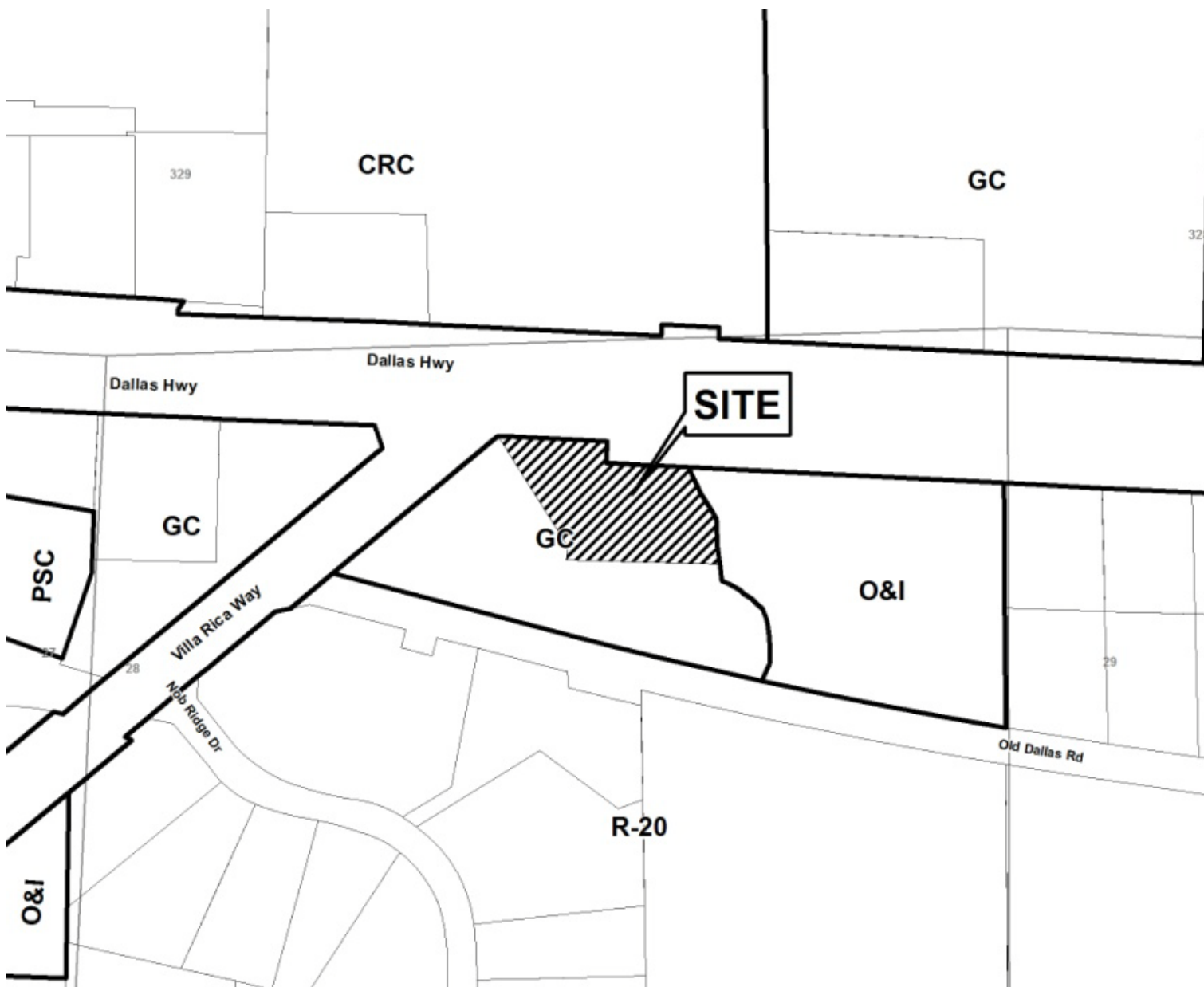
**SIZE OF TRACT:** 1 acre

corner of Dallas Hwy. (GA SR 120) and Villa Rica Way

**COMMISSION DISTRICT:** 1

(no address assigned)

**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.



# 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

(representative's name, printed)

Address 1800 Parkway Place, Suite 720, Marietta, GA  
(street, city, state and zip code) 30067

[Signature]

(representative's signature)

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

Signed, sealed and delivered in presence of:

[Signature]

Notary Public

My commission expires: 12-02-2014

Titleholder Leon Reeves and  
Herchel B. Cook

Lev. 770-973-8589

Phone # 706-625-7235 E-mail H.C.

Signature [Signature]

(attach additional signatures, if needed)

Address: 2733 S. Lake Rd. Fairmont, Ga, 30139  
(street, city, state and zip code)

155 Holt Rd. Marietta GA 30068

Signed, sealed and delivered in presence of:

[Signature]

Notary Public

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 19<sup>th</sup> 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 X Topography of Property X 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.

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.

GENERAL PLAT NOTES:

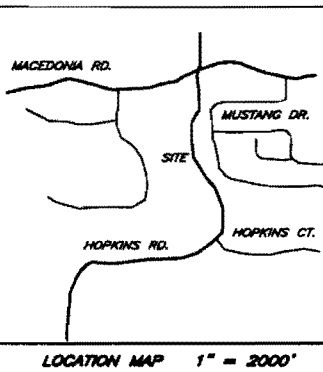
V-36 (2012)

1. THE FIELD DATA DATED 2-27-12 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 112,079 FEET AND AN ANGULAR ERROR OF 2 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 228,530 FEET. TOPCON GTS-225 WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.

2. A PORTION OF THIS PARCEL OF LAND IS IN THE 100 YEAR FLOOD PLAIN; ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY PANEL #13067C0181G DATED DECEMBER 16, 2008.

3. THE 100-YEAR FLOOD LINE WAS SCALED FROM F.E.M.A. (F.I.A.) COMMUNITY PANEL #13067C0181G DATED DECEMBER 16, 2008, AND IS NOT MEANT TO BE EXACTING IN LOCATION.

4. TO REACH THE RECORD TIE FROM THE P.O.B. PROCEED 1100.91' ALONG THE WESTERLY R/W TO THE INTERSECTION OF THE WESTERLY R/W OF HOPKINS RD. AND THE SOUTHERLY R/W OF MACEDONIA RD. (RECORD TIE)



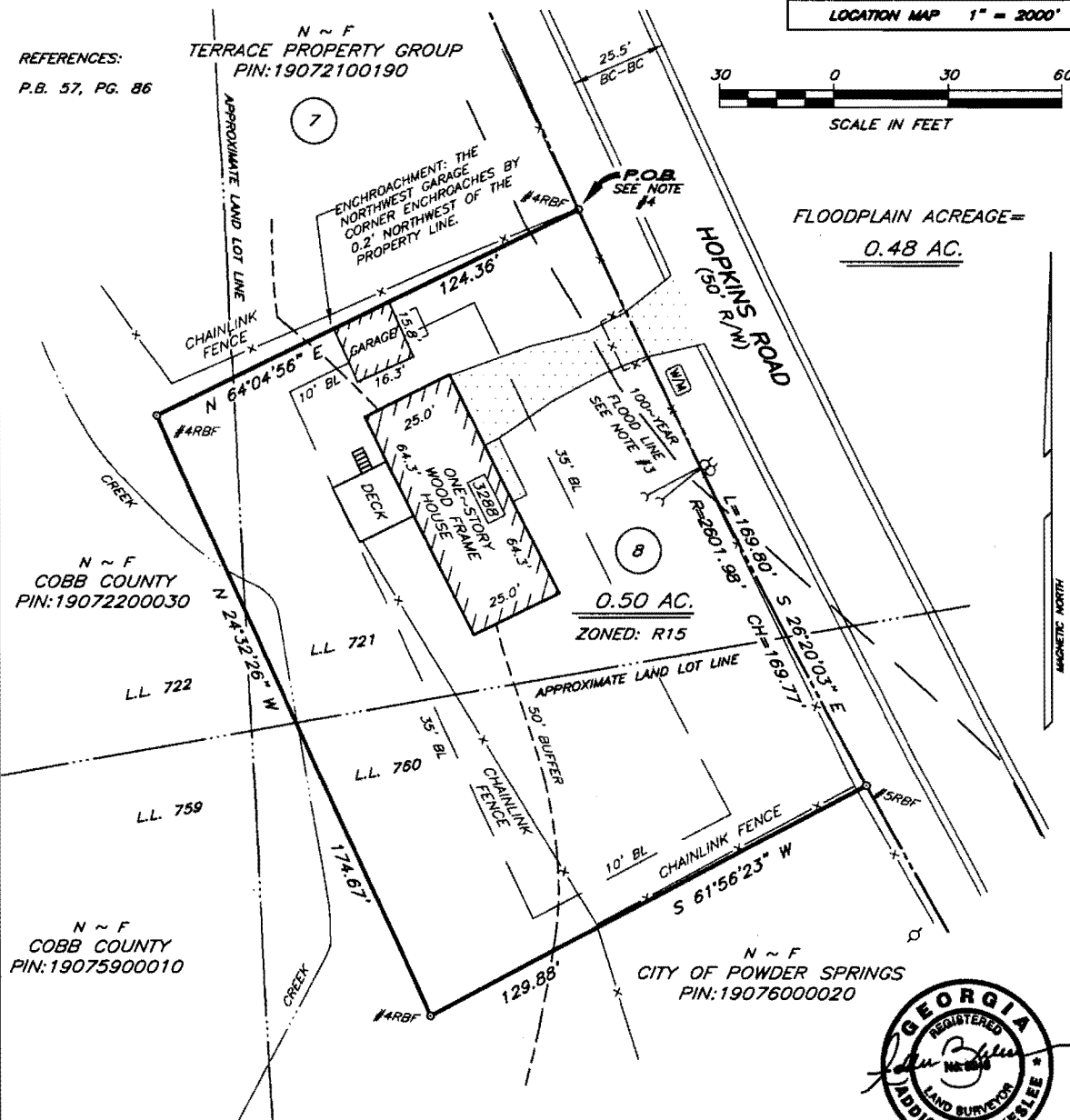
REFERENCES:

P.B. 57, PG. 86

N ~ F  
TERRACE PROPERTY GROUP  
PIN:19072100190



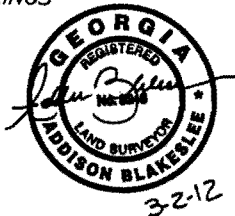
FLOODPLAIN ACREAGE=  
0.48 AC.



LEGEND

- ⊙ P.P. - POWER POLE
- W/M W.M. - WATER METER
- RBF - REINFORCING BAR FOUND
- X- TYPE OF FENCE
- BL - BUILDING LINE

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, NOT RECORDED, OR NOT DISCLOSED IN THE TITLE ABSTRACT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.



PRISTINE

LAND SERVICES  
Land Surveys • Landscapes • Environmental  
4121 Bellingbrook Dr.  
Marietta, Georgia 30062  
Phone 404.382.1088  
www.pristineandservices.com

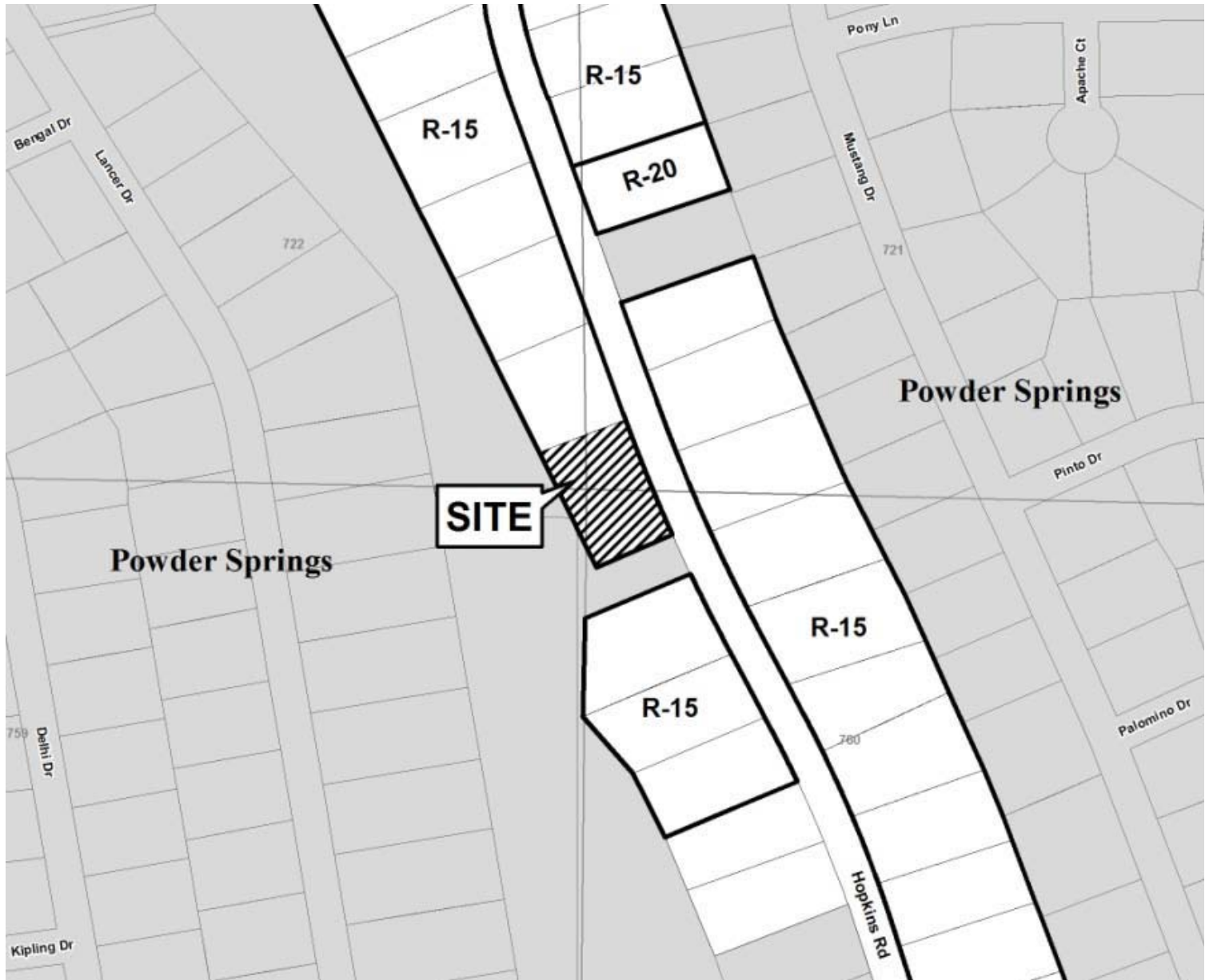
DATE: 2-28-12  
SCALE: 1"=30'  
DRAWN BY: KAB  
JOB NUMBER: 2012008  
HOPKINS.DWG

LOT SURVEY FOR  
**JIM & PAT HARBUCK**

BEING LOT 6, ALLYSON PARK S/D  
UNIT II, SECTION II  
LAND LOTS 721, 722 & 760  
19TH DISTRICT, 2nd SECTION, COBB COUNTY, GEORGIA

<b>APPLICANT:</b>	<u>James Harbuck</u>	<b>PETITION No.:</b>	<u>V-36</u>
<b>PHONE:</b>	<u>770-943-9528</u>	<b>DATE OF HEARING:</b>	<u>05-09-12</u>
<b>REPRESENTATIVE:</b>	<u>James Harbuck</u>	<b>PRESENT ZONING:</b>	<u>R-15</u>
<b>PHONE:</b>	<u>770-943-9528</u>	<b>LAND LOT(S):</b>	<u>721, 722, 760</u>
<b>TITLEHOLDER:</b>	<u>James E. Harbuck</u>	<b>DISTRICT:</b>	<u>19</u>
<b>PROPERTY LOCATION:</b>	<u>On the western side of Hopkins Rd. (3288 Hopkins Rd.).</u>	<b>SIZE OF TRACT:</b>	<u>.48 acres</u>
		<b>COMMISSION DISTRICT:</b>	<u>4</u>

**TYPE OF VARIANCE:** 1) To allow an accessory structure (existing approx. 257 square feet garage) to the side of the principal building; and 2) waive the side setback for an accessory structure from the required 10 feet to zero (0) feet.



# Application for Variance Cobb County

(type or print clearly)

Application No. V-36

Hearing Date: 5-9-12

Applicant James Harbuck Phone # 770 943-9538 E-mail JimBuck46GGMA.L.com

Address \_\_\_\_\_  
(representative's name, printed) (street, city, state and zip code)

+ James E Harbuck Phone # \_\_\_\_\_ E-mail \_\_\_\_\_  
(representative's signature)

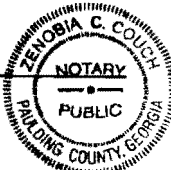
My commission expires: + 06-30-2014

Signed, sealed and delivered in presence of:

Lenobia C. Couch

My Commission Expires  
June 30, 2014

Notary Public



Titleholder + JAMES E. HARBUCK Phone # \_\_\_\_\_ E-mail \_\_\_\_\_

Signature James E. Harbuck Address: \_\_\_\_\_  
(attach additional signatures, if needed) (street, city, state and zip code)

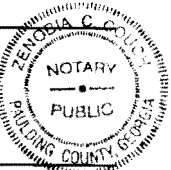
My commission expires: + 06-30-2014

Signed, sealed and delivered in presence of:

Lenobia C. Couch

My Commission Expires  
June 30, 2014

Notary Public



Present Zoning of Property R-15

Location 3288 HOPKINS ROAD  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 721, 722, 760 District 19 Size of Tract .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.

+ This building was built here due to Flood Plain Issue.

List type of variance requested: ALLOW AN ACCESSORY STRUCTURE  
TO THE SIDE OF THE MUNICIPAL BUILDING.  
WAVE THE SETBACK FOR AN ACCESSORY STRUCTURE  
FROM REQUIRED 10FT TO ZERO FT.



# D&S LAND SURVEYING

V-37 (2012)

100 CHEROKEE ST., PO BOX 4988, CANTON, GA 30114  
770 720-4443 FAX: 770 720-7539

THIS DOCUMENT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON. EDITING OR REPRODUCTION OF THIS DOCUMENT WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

HEYWARD SQUARE PLACE  
VARIABLE R/W

## NOTES:

EQUIPMENT = NIKON DTM 310  
FIELD E/C = 1' IN 20,250  
COMPASS RULE ADJUSTMENT  
PLAT E/C = 1' IN 66,265  
CREW = K.S. / J.M.  
DRAWN = D.W.S.  
MAP DATE: 08-24-2007  
FIELD DATE: 08-23-2007

Swimming Pool Contractor:  
Aqua Design Pools & Spas  
PO Box 219  
Marietta GA 30028  
770-517-1117

Homeowner:  
Scott & Kathy Jacobs  
485 Heyward Square Place  
Marietta GA 30068  
770-993-6128

Scale: 1" = 30'

21

1245 SF. Pavers  
proposed patio

proposed firepit

## LEGEND

MONUMENTED  
PROPERTY CORNER  
RIGHT OF WAY  
LAND LOT  
BUILDING LINE

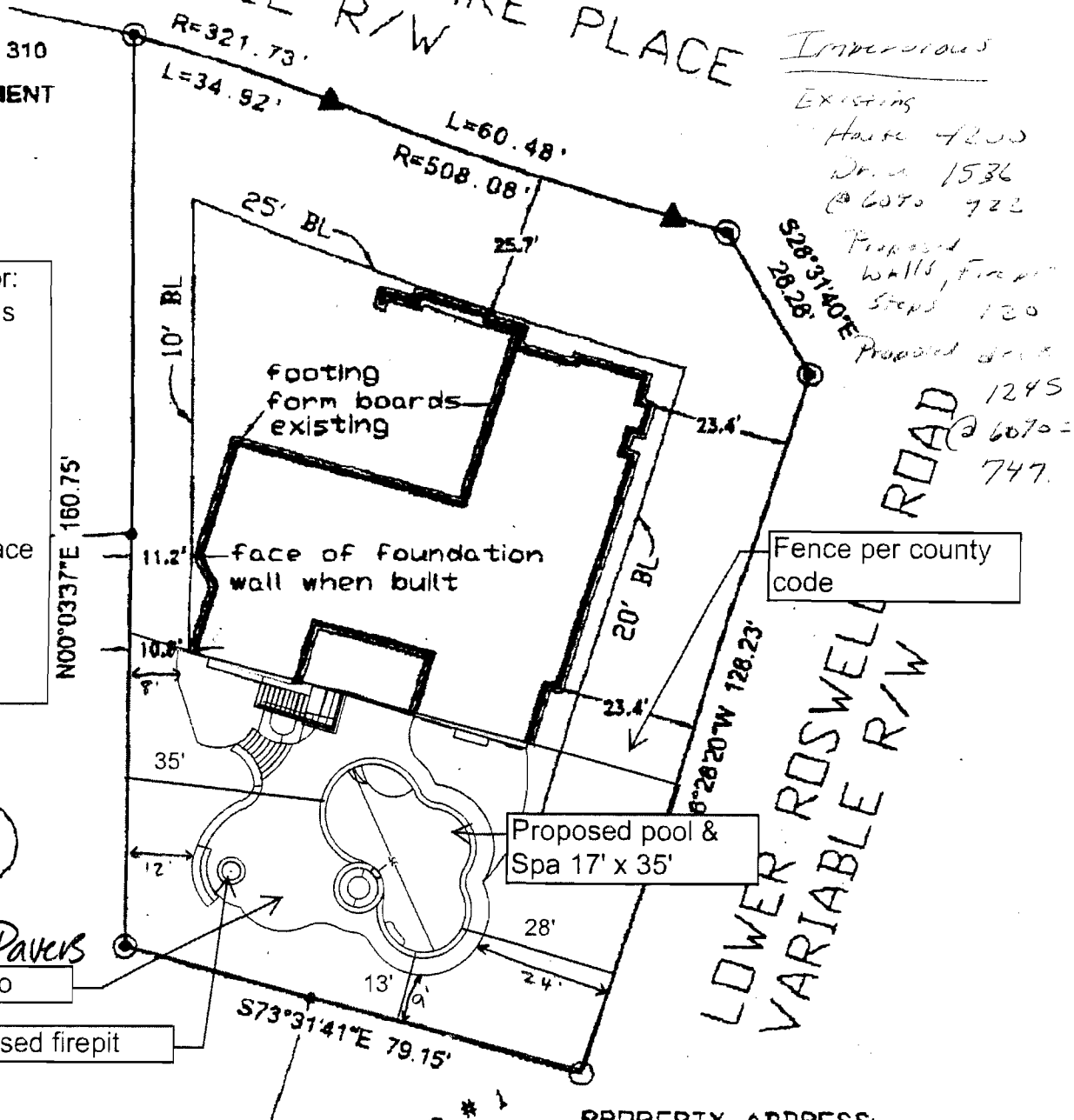
GRAPHIC SCALE:  
1" = 30'  
60'



PROPERTY ADDRESS:  
5485 HEYWARD SQ. PLACE  
MARIETTA, GA.

FOUNDATION / FOOTING SURVEY FOR:  
**MIKE DEPPE**

HEYWARD SQUARE  
PLAT BOOK 234, PAGE 29  
LOT 23, LOCATED IN LAND LOT 226  
DISTRICT 1, SECTION 2  
COBB COUNTY GEORGIA  
AREA = 15,014 SQ. FT.



**APPLICANT:** Aqua Design Pools & Spas

**PHONE:** 770-517-1117

**REPRESENTATIVE:** Mark Umberger

**PHONE:** 770-517-1117

**TITLEHOLDER:** Scott R. Jacobs and Katherine A.

Jacobs, as Joint Tennants with Rights of Survivorship

**PROPERTY LOCATION:** On the southwestern corner

of Lower Roswell Rd. and Heyward Square Place (5485

Heyward Square Pl.).

**PETITION No.:** V-37

**DATE OF HEARING:** 05-09-12

**PRESENT ZONING:** R-15

**LAND LOT(S):** 226

**DISTRICT:** 1

**SIZE OF TRACT:** .3447 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** To increase the maximum allowable impervious surface from 35% to 45%.



# Application for Variance Cobb County

(type or print clearly)

Application No. V-37

Hearing Date: 5-9-12

Applicant Aqua Design Pools & Spas Phone # 770-517-1117 E-mail sales@aquadesignpools.com

Mark Umberger  
(representative's name, printed) Address: 5620 Jot-em-Down Road Cumming GA 30041  
(street, city, state and zip code)

[Signature] 3-8-12  
(representative's signature) Phone # 770-517-1117 E-mail \_\_\_\_\_

My commission expires: 6-22-2013 Signed, sealed and delivered in presence of: [Signature] 3-8-12  
Notary Public

Titleholder Scott Jacobs Phone # 770-993-6128 E-mail sri@mindspring.com

Signature [Signature] Address: 5485 Heyward Square Place GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: Jan 31, 2013 SHARON FLAMON  
NOTARY PUBLIC  
COMMISSION # NP-009-09  
ST THOMAS/ST. JOHN  
U. S. VIRGIN ISLANDS  
EXPIRES JANUARY 30, 2013  
Signed, sealed and delivered in presence of: [Signature]  
NP 009-09 Notary Public

Present Zoning of Property R-15

Location 5485 Heyward Square Place Marietta GA 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0226 District 2nd 1 Size of Tract .3447 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.

Without the variance, the property owner will not be able to install any deck around the swimming pool. There is a detention pond adjoining the property, many of the neighbors with similar lots have been allowed to exceed the impervious restrictions. The proposed pool deck would be pavers.

List type of variance requested: Increase to the maximum percentage of impervious surface allowed from 35% to 45%

# GENERAL NOTES

1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.
2. CARTER LAND SURVEYORS IS UNABLE TO WARRANT THE ACCURACY OF BOUNDARY INFORMATION, STRUCTURES, EASEMENTS, AND BUFFERS THAT ARE ILLUSTRATED ON THE SUBDIVISION PLAT.
3. UTILITY EASEMENT HAS NOT BEEN FIELD VERIFIED BY SURVEYOR. CONTACT UTILITY CONTRACTOR FOR LOCATION PRIOR TO CONSTRUCTION. (IF APPLICABLE)
4. BUILDING SETBACKS: FRONT 25', SIDE 10', REAR 45'.
5. THIS PLAT IS FOR EXCLUSIVE USE BY CLIENT. USE BY THIRD PARTIES IS AT THEIR OWN RISK.
6. DIMENSIONS FROM HOUSE TO PROPERTY LINES SHOULD NOT BE USED TO ESTABLISH FENCES.
7. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET.
8. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 7 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
9. EQUIPMENT USED: TOPCON APLI TOTAL ROBOTIC STATION.

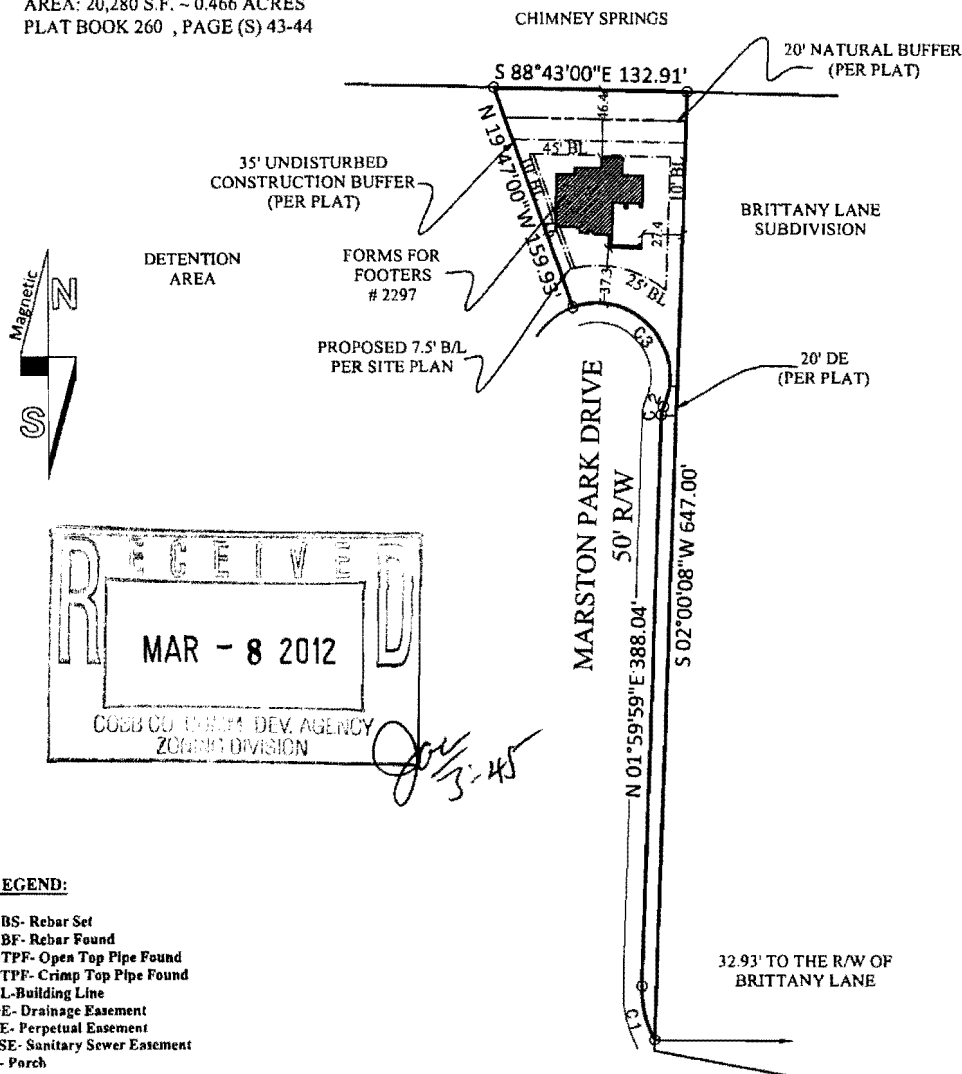
SCALE: 1" = 100'

100' 0' 100'

GRAPHIC SCALE - FEET

Curve	Radius	Length	Chord	Chord Bear.
C1	75.00'	39.11'	38.67'	N 12°56'30" W
C2	15.00'	5.92'	5.88'	N 13°18'34" E
C3	50.00'	117.30'	92.19'	N 42°34'55" W

AREA: 20,280 S.F. ~ 0.466 ACRES  
PLAT BOOK 260 , PAGE (S) 43-44



## LEGEND:

RBS- Rebar Set  
RBF- Rebar Found  
OTPF- Open Top Pipe Found  
CTPF- Crimp Top Pipe Found  
BL- Building Line  
DE- Drainage Easement  
PE- Perpetual Easement  
SSE- Sanitary Sewer Easement  
P- Porch  
UE- Utility Easement  
-X- Fence  
-D- Drainage Easement  
-S- Sewer Easement  
CB- Catch Basin  
R/W- Right of Way  
CONC- Concrete  
Dk- Deck  
Pat- Patio  
S- Stoop

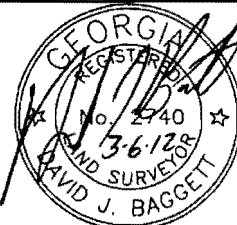
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED WITHIN THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

## SURVEY FOR:

**TRATON HOMES**  
SUBDIVISION: MARSTON PARK  
LOT: 8  
LAND LOT: 684  
16TH DISTRICT  
COBB COUNTY, GEORGIA  
FIELD WORK DATE: 03/02/2012  
2012020627 TRATON

## CARTER LAND SURVEYORS AND PLANNERS

2780 Peachtree Industrial Boulevard  
Duluth, GA 30097  
Ph: 770.495.9793  
Toll Free: 866.637.1048  
www.carterland.com  
Atlanta • Charlotte • Houston • Dallas  
Galveston • Beaumont



**APPLICANT:** Traton Homes

**PHONE:** 770-427-9064

**REPRESENTATIVE:** Richard Foster

**PHONE:** 770-527-1095

**TITLEHOLDER:** Traton Homes, LLC, a Georgia  
limited liability company

**PROPERTY LOCATION:** On the northmost  
end of Marston Park Dr. (2297 Marston Park Dr.).

**PETITION No.:** V-38

**DATE OF HEARING:** 05-09-12

**PRESENT ZONING:** R-20

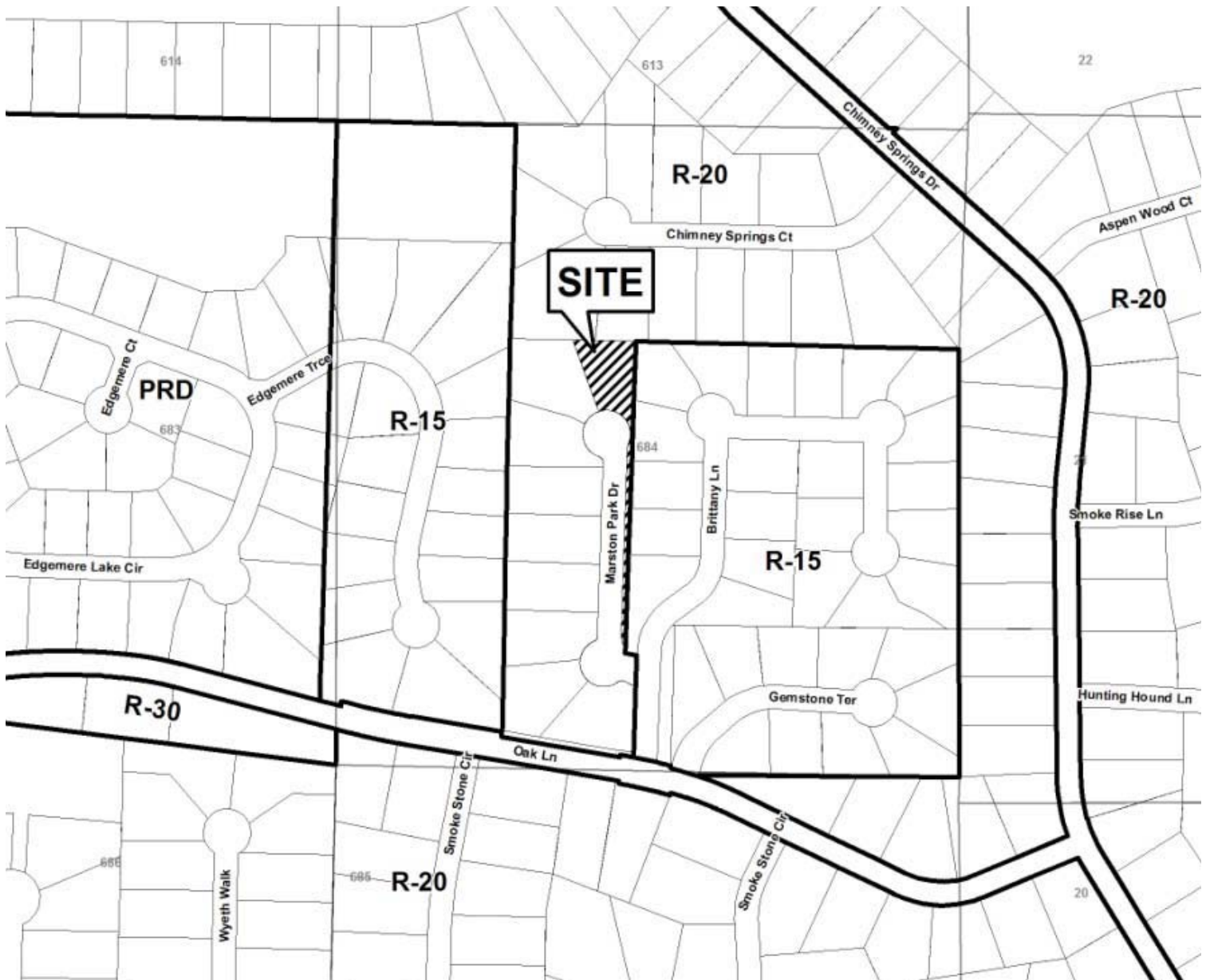
**LAND LOT(S):** 684

**DISTRICT:** 16

**SIZE OF TRACT:** .4655 acres

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** Waive the side setback from the required 10 feet to 7.5 feet adjacent to the west property  
line.



# Application for Variance Cobb County

MAR - 8 2012

(type or print clearly)

Application No. V-38

Hearing Date: 5-9-12

Applicant TRATON HOMES

Phone # 7704279064 E-mail TRATONHOMES.COM

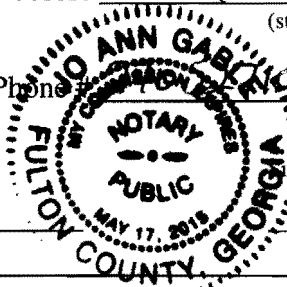
Richard Foster  
(representative's name, printed)

Address 720 Kennesaw Ave, Marietta GA 30060  
(street, city, state and zip code)

[Signature]  
(representative's signature)

Phone # 7704279095 E-mail Rfoster@TratonHomes.com

My commission expires: 5-17-15



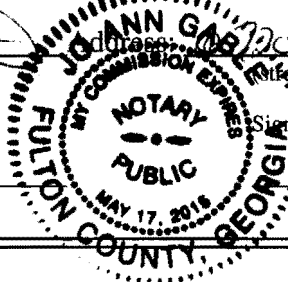
Signed, sealed and delivered in presence of

[Signature]  
Notary Public

Titleholder Traton Homes LLC

Phone # 7704279064 E-mail Chas@tratonhomes.com

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



Address 720 Kennesaw Ave, Marietta, GA, 30060  
(street, city, state and zip code)

My commission expires: 5-17-15

Signed, sealed and delivered in presence of

[Signature]  
Notary Public

Present Zoning of Property R-20

Location 2297 MARSTON PARK DRIVE, MARIETTA 30062  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 684 District 16 Size of Tract .4655 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.

IN ORDER TO MAINTAIN THE BEST BUFFER BETWEEN EXISTING HOME OWNERS  
and in order to keep as many existing trees as possible we need to  
use an existing 10' buffer to the detention pond as an  
acceptable vehicle for reduction as there is no home owner on property  
List type of variance requested: Reduction of SIDE BUILDING LINE side,  
SETBACK FROM 10'0" to 7'6". (ADJACENT TO  
DETENTION POND)