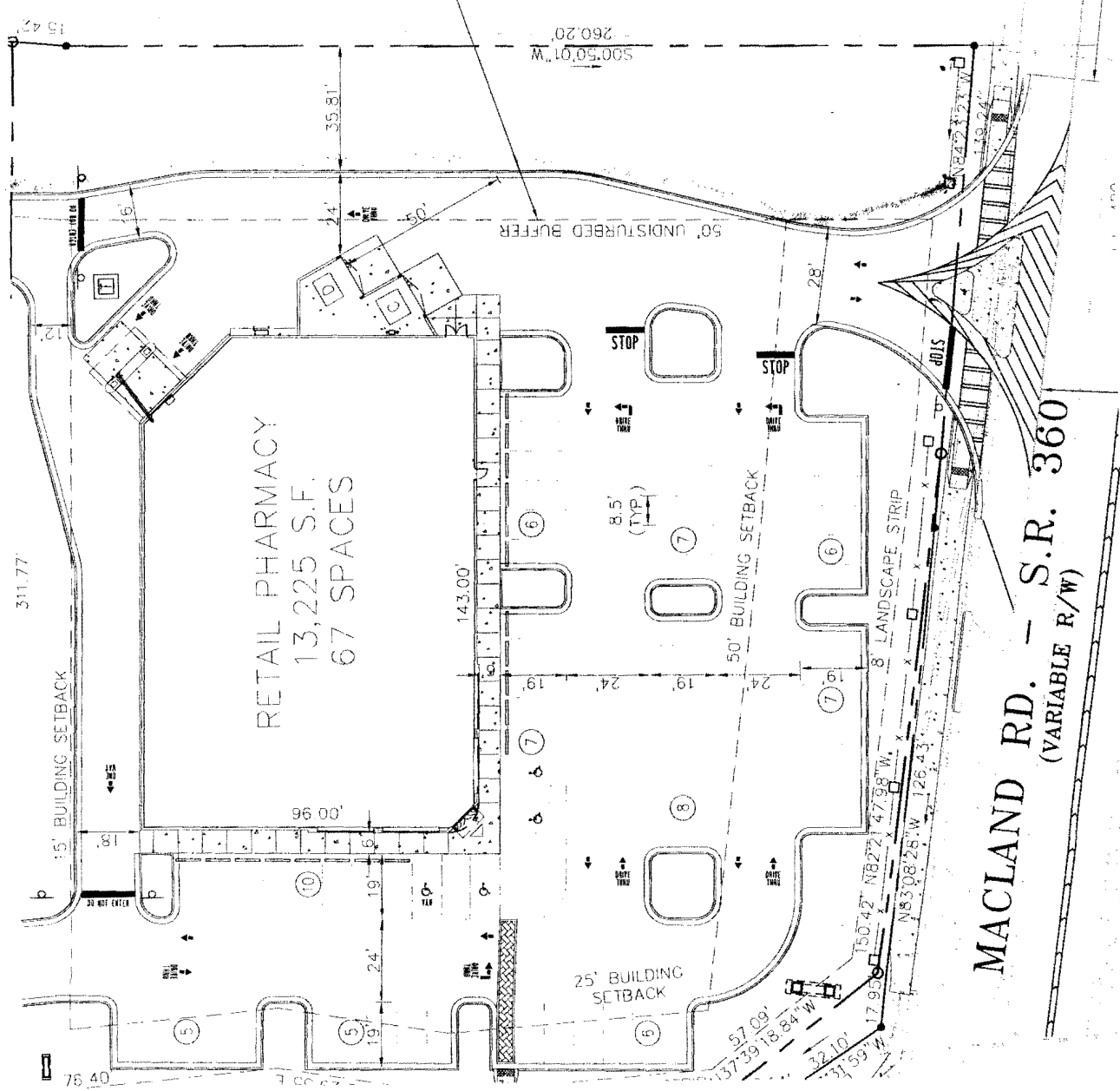


V-44 (2012)

Plan
5-24-12



50' UNDISTURBED BUFFER ZONE
CONVERTED TO PARKING AREA
REQUIRED TO REDUCE THE BUFFER
35' FOR A DISTANCE OF 300'

CONVERTED TO PARKING AREA
REQUIRED TO REDUCE THE BUFFER
35' FOR A DISTANCE OF 300'

311.77'

500'50.01' W
260.20'

MACLAND RD. - S.R. 360
(VARIABLE R/W)

DO NOT ENTER

STOP

STOP

8.5' (TYP)

50' BUILDING SETBACK

8' LANDSCAPE STRIP

25' BUILDING SETBACK

15' BUILDING SETBACK

50' UNDISTURBED BUFFER

76.40'

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APPLICANT: Metrogroup Development II, LLC

PHONE: 770-641-1671

REPRESENTATIVE: Zach Middlebrooks

PHONE: 770-641-1671

TITLEHOLDER: Bill Jones Holdings, LLC

PROPERTY LOCATION: At the northeastern corner

of Macland Road and Lost Mountain Road.

TYPE OF VARIANCE: Waive the required 50 foot undisturbed buffer adjacent to a cemetery to 22 feet.

OPPOSITION: No. OPPOSED PETITION No. _____ SPOKESMAN _____

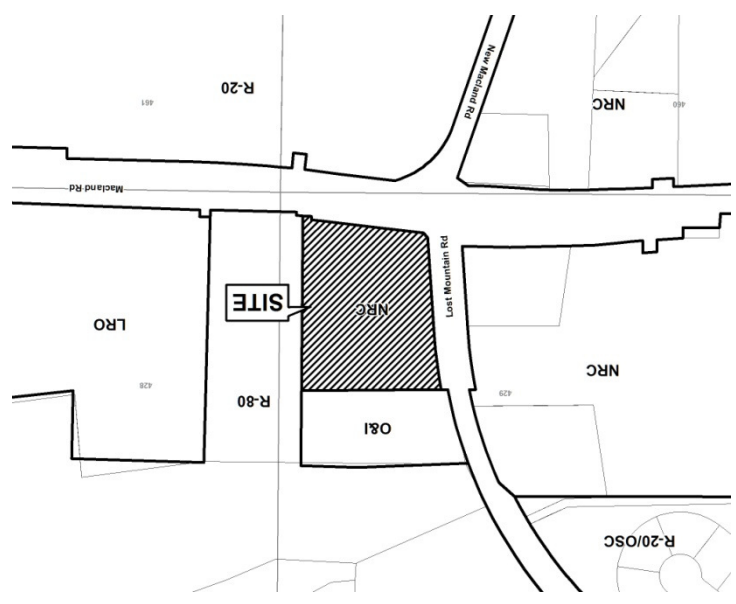
BOARD OF APPEALS DECISION

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 Georgia DOT prior to development plan approval to ensure compatibility with the SR360/Macland Road project, PI 0006049.

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: The undisturbed buffer encroachment should to the plan provided and all detention and stormwater management must be located outside the buffer.

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 Macland Road Design Guidelines. No action is required at this time. However, the applicant may be subject to compliance with the Macland Road Design Guidelines at Site Plan Review.

CEMETERY PRESERVATION: Variance petition V-44, 2012 (in Land Lot 429 in the 19th District) shows the presence of Macland cemetery on the western boundary of the development. The Cobb Cemetery Preservation Ordinance and the County Development Standards for Cemeteries call for:

A. Provide and install an orange protective fence on the outer perimeter of the maintained natural buffer as detailed on the plan submitted May 24, 2012 before beginning construction. The protective fence to be maintained in good repair throughout the development phase of the project. At completion of the project, the orange protective fence shall be removed from the premises.

B. The applicant shall construct and erect a fence which shall match the architectural style of the development and which shall be located on the southern boundary of the cemetery.

C. Provide and install a permanent six (6) foot chain link fence outside the maintained natural buffer as detailed on the plan submitted May 24, 2012. Fence must be 9 gauge with top and bottom rails and fence posts must be set in concrete. Fence to be black vinyl coated chain link.

D. Permanent signs stating CEMETERY PRESERVATION BUFFER – DO NOT DISTURB shall be attached to the fence at fifty (50) foot intervals along the outer perimeter of the maintained natural cemetery preservation buffer.

E. Compliance with all State and local laws and ordinances.

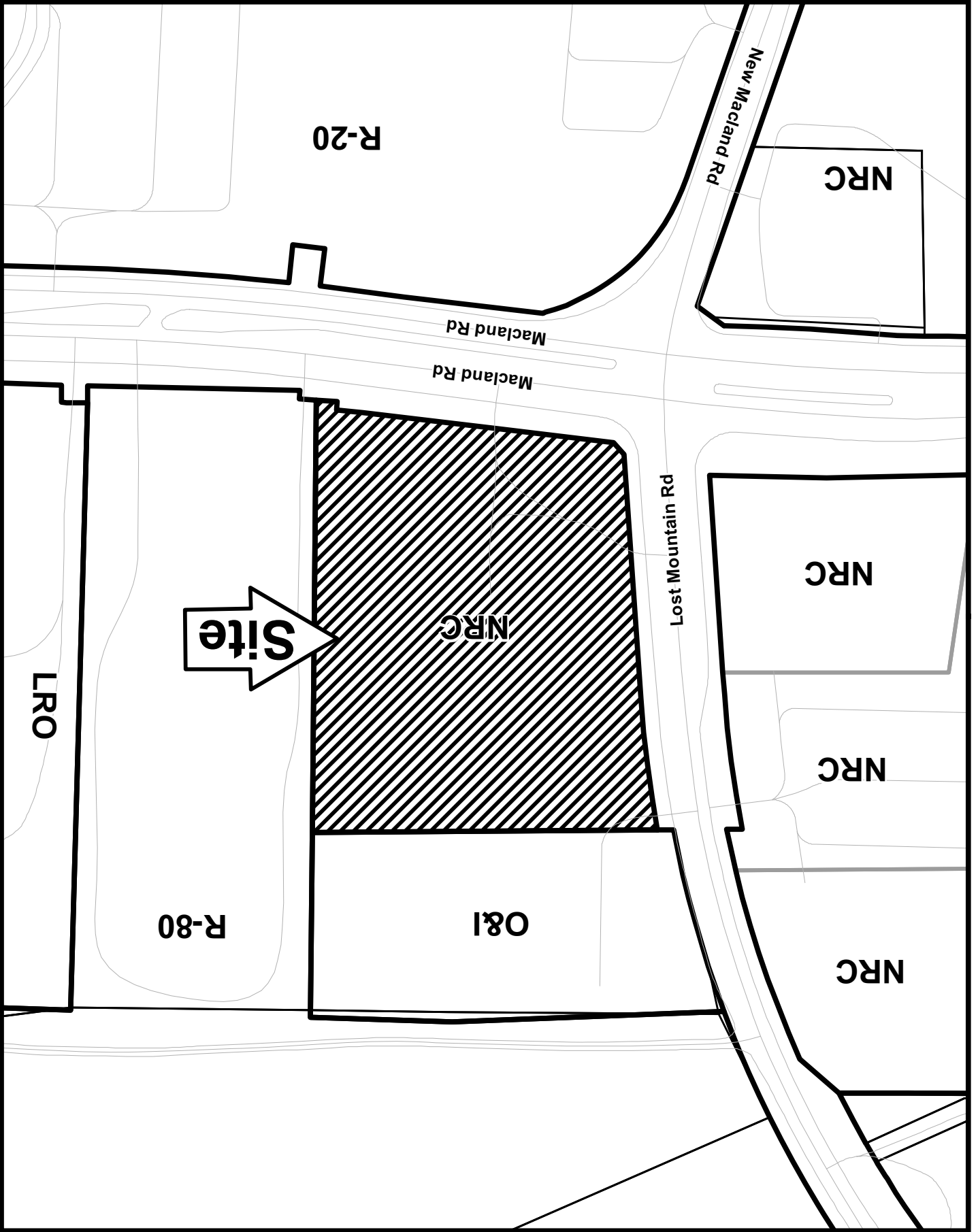
F. All Cemetery Preservation requirements must be Site Plan specific.

WATER: No conflict.

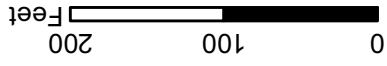
SEWER: No conflict.

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.

APPLICANT: Metrogrouop Development II, LLC **PEITION No.:** V-44



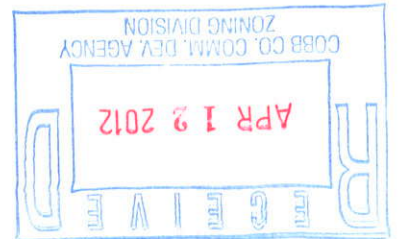
This map is provided for display and planning purposes only. It is not meant to be a legal description.



City Boundary
Zoning Boundary

Application for Variance

Cobb County



(type or print clearly)

Application No. V-44

Hearing Date: 6-13-12

Applicant Metrogroup Development II, LLC
 zmidllebrooks@metrogroupdevelopment.com Phone # 770-641-1671 E-mail

Zach Middlebrooks Address 500 Abbey Court, Alpharetta, GA 30004

(representative's name, printed)

(representative's signature)

Phone # 770-641-1671 E-mail zmidllebrooks@metrogroupdevelopment.com

Signed, sealed and delivered in presence of:



Notary Public

My commission expires: 7/14/2013

Titleholder Bill Jones Holdings, LLC Phone # 770-971-0392 E-mail jones737@bellsouth.net

Signature Bill Jones Address: 633 Indian Hills Parkway, Marietta, GA 30068

(attach additional signatures, if needed)

(street, city, state and zip code)



DEMETRI J GANTI
 NOTARY PUBLIC
 COBB COUNTY, GEORGIA
 MY COMM. EXPIRES
 03/30/2015

Notary Public

My commission expires: 03-30-2015

Present Zoning of Property NRC and Macland Road Corridor Overlay District

Location Northeast corner of Macland Road and Lost Mountain Road

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 429

District 2nd

Size of Tract 2.96

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 2.96 acres Shape of Property Rec 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 proposed site plan has been designed to fall within the bounds of the property and meet the required number of parking spaces per code. However, there is a 50' buffer against the residentially zoned cemetery property and a future road widening project that requires right of way along both frontages and reduces the

buildable area. GDOT also requires the Macland driveway constructed furthest from the intersection which requires the driveway installed within the buffer.

List type of variance requested: Reduce the 50' undisturbed buffer to 22' for a

distance of 356' along the eastern side of the property for construction of a rear

drive aisle and dumpster enclosure.