

**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING AGENDA SUMMARY
JANUARY 9, 2013**

CONSENT CASES

- V-100^{'12}** **CUMBERLAND MALL, LLC** *(Previously continued by the Board of Zoning Appeals from their December 12, 2012 hearing)*
- V-3** **RICK COLLETT**
- V-4** **ROB GOLDEN**
- V-5** **ACADIA HOMES & NEIGHBORHOODS, LLC**
- V-6** **MOTEK, LLC**
- V-7** **CBC RESTAURANT CORP.**
- V-8** **DEBORAH HARVEY**
- V-9** **STEVEN ABRAMS AND JOHANNA ZAMBROTTA**
- V-10** **RAYMOND TRACEY**
- V-13** **CARLOS A. DOMATO & MICHELLE R. DOMATO**
- V-14** **GOLDEN ROSE OF POST OAK, LLC**

REGULAR CASES

- V-1** **LARRY JOEL EPSTEIN & BONNIE IRLYN EPSTEIN**
- V-2** **DANA H. WOODALL**
- V-11** **LONA FLOOD**
- V-12** **SHANKI ITUM**

HELD CASES

- V-86^{'12}** **RONALD G. LOWE** *(Previously held by the Board of Zoning Appeals from their November 14, 2012 and December 12, 2012 hearings)*

**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING *CONSENT* AGENDA
JANUARY 9, 2013**

V-100^{'12} **CUMBERLAND MALL, LLC** (owner) requesting a variance to: 1) increase the allowable message portion of a sign from 32 square feet to 377.5 square feet; 2) increase the height of a free standing sign within 660 feet of an interstate from 35 feet to 54.5 feet; 3) allow a pole mounted sign within 660 feet of an interstate highway; and 4) increase the copy area for freestanding signs from 968.25 square feet (per V-162 of 1995) to 1,540.14 square feet in Land Lots 881, 882, 912, 913, 948 and 949 of the 17th District. Located in the boundary of Cobb Parkway, Akers Mill Road, Cumberland Boulevard and Interstate 285. (*Previously continued by the Board of Zoning Appeals from their December 12, 2012 hearing.*) Staff recommends **approval** of variance request subject to:

- **Letters from Wendy S. Butler dated October 11, 2012 for signs A-1, B-1 and D-1**
- **Email from Wendy S. Butler dated January 9, 2013**
- **Exhibits A-F from the applicant contained in the Variance Analysis**
- **Applicant is agreeable to allowing Cobb County to use the reader board on I-285 for emergency messages**
- **Cobb DOT comments**
- **Cobb County Water system comments**

V-3 **RICK COLLETT** (Kristi A. Traylor, owner) requesting a variance to allow a second electrical meter on a single-family residential lot in Land Lot 308 of the 20th District. Located at the southwest corner of Mars Hill Road and Nichols Road (285 Mars Hill Road). Staff recommends **approval** of variance request subject to:

- **No dwelling or commercial use of accessory structure**

V-4 **ROB GOLDEN** (Robert Warren Golden and Rena S. Golden, owners) requesting a variance to waive the rear setback from the required 50 feet to 46 feet in Land Lot 102 of the 1st District. Located on the northeast side of Chartley Lane, north of Shallowford Road (3442 Chartley Lane). Staff recommends **approval** of variance request subject to:

- **Site Plan Review comments**
- **Only for encroachment shown on the site plan received by the Zoning Division on November 14, 2012**

V-5 **ACADIA HOMES & NEIGHBORHOODS, LLC** (owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to 18.5 feet on the southern side; and 2) waive the landscape buffer from the required 20 feet to 18.5 feet on the southern side in Land Lot 216 of the 20th District. Located on the south side of Arbor Green Court, south of Stilesboro Road (1535, 1539, 1543 and 1547 Arbor Green Court). Staff recommends **approval** of variance request subject to:

- **Site Plan Review comments**
- **Stormwater Management comments**

V-6 **MOTEK, LLC** (owner) requesting a variance to: 1) waive the minimum lot size from the required 20,000 square feet to 10,248.6 square feet (existing); 2) waive the side setback from the required 15 feet to 2.1 feet on the western side (existing); 3) waive the side setback from the required 15 feet to 7.8 feet on the eastern side (existing); 4) waive the rear setback from the required 30 feet to 27.5 feet on the southern side (existing); and 5) allow a sign to be located 30 feet from the centerline of a road right-of-way in lieu of the required 42 feet in Land Lot 898 of the 16th District. Located on the south side of Providence Road, west of Roswell Road (4200 Providence Road). Staff recommends **approval** of variance request subject to:

V-6 MOTEK, LLC (continued)

- **The sign will be placed on a timer and can only be lit from 8:00 a.m. - 8:00 p.m.**
- **Add 5' sidewalk between the site drives per request from Cobb DOT**
- **The setback variance is for this sign only**
- **The sign design received by the Zoning Division on November 7, 2012**
- **The temporary sign on the office building will be immediately removed once the permanent sign is erected.**
- **Landscape around signage**
- **Cobb DOT comments**
- **Stormwater Management comments**

V-7 CBC RESTAURANT CORP. (U.S. 41 & I 285 Company, owner) requesting a variance to: 1) waive the front setback from the required 100 feet to 70 feet on the southern side (proposed patio and covered seating area); and 2) waive the front setback from the required 100 feet to 49 feet on the southern side (existing building) in Land Lot 979 of the 17th District. Located on the north side of Cobb Parkway, between Akers Mill Road and Riverwood Parkway (2973 Cobb Parkway). Staff recommends **approval** of variance request subject to:

- **Cobb DOT comments**
- **Only for encroachment shown on the site plan received by the Zoning Division on November 8, 2012**

V-8 DEBORAH A. HARVEY (owner) requesting a variance to: 1) waive the rear setback from the required 45 feet to 30 feet; and 2) waive the major side setback from the required 45 feet to 35 feet in Land Lot 377 of the 16th District. Located at the southeast corner of Hampton Oaks Bend and Ebenezer Road (1602 Hampton Oaks Bend). Staff recommends **approval** of variance request subject to:

- **Site Plan Review comments**
- **Only for encroachment shown on the site plan dated November 12, 2012**

V-8 **DEBORAH A. HARVEY** (owner) requesting a variance to: 1) waive the rear setback from the required 45 feet to 30 feet; and 2) waive the major side setback from the required 45 feet to 35 feet in Land Lot 377 of the 16th District. Located at the southeast corner of Hampton Oaks Bend and Ebenezer Road (1602 Hampton Oaks Bend). Staff recommends **approval** of variance request subject to:

- **Site Plan Review comments**
- **Only for encroachment shown on the site plan dated November 12, 2012**

V-9 **STEVEN ABRAMS AND JOHANNA ZAMBROTTA** (owners) requesting a variance to: 1) waive the major side setback from the required 35 feet to 31.5 feet on the southern side; 2) waive the rear setback from the required 30 feet to 19.3 feet on the eastern side; 3) waive the front setback for an accessory structure from the required 35 feet to 27.8 feet on the western side; and 4) allow an accessory structure on a corner lot to be located closer to the side street right-of-way line than the principal building in Land Lot 39 of the 16th District. Located on the northeast corner of Nashoba Drive and Taloza Court, west of Alabama Road (4187 Nashoba Drive). Staff recommends **approval** of variance request subject to:

- **Site Plan Review comments**
- **Only for improvements shown on the site plan received by the Zoning Division on November 8, 2012**

V-10 **RAYMOND TRACEY** (Stanley N. Menezes and Christine H. Chandler, owners) requesting a variance to waive the front setback from the required 35 feet to 25 feet in Land Lots 687 and 754 of the 16th District. Located on the north side of Wellington Lane, east of Johnson Ferry Road (1965 Wellington Lane). Staff recommends **approval** of variance request subject to:

- **Site Plan Review comments**
- **Only for encroachments shown on the site plan received by the Zoning Division on November 8, 2012**

V-13 **CARLOS A. DOMATO & MICHELLE R. DOMATO** (owners) g a variance to waive the rear setback for an accessory structure over 144 square feet (proposed outdoor kitchen and cabana) from the required 30 feet to 18 feet in Land Lot 538 orequestinf the 16th District. Located on the southeast corner of Lassiter Manor Drive and Lassiter Road (2930 Lassiter Manor Drive). Staff recommends **approval** of variance request subject to:

- **Stormwater Management comments**
- **Only for improvements shown on the site plan last revised October 10, 2012**

V-14 **GOLDEN ROSE OF POST OAK, LLC** (owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to 23 feet on the northern side (existing); and 2) waive the side setback from the required 15 feet to 11 feet on the western side (existing) in Land Lot 556 of the 16th District. Located on the north side of Post Oak Tritt Road, east of Sandy Plains Road (2147 Post Oak Tritt Road). Staff recommends **approval** of variance request subject to:

- **Stormwater Management comments**
- **Fire Department comments**