



**APPLICANT:** Acadia Homes & Neighborhoods LLC

**PETITION No.:** V-5

**PHONE:** 770-319-7424

**DATE OF HEARING:** 01-09-13

**REPRESENTATIVE:** Mike Satterfield

**PRESENT ZONING:** RSL

**PHONE:** 770-633-3174

**LAND LOT(S):** 216

**TITLEHOLDER:** Acadia Homes & Neighborhoods, LLC

**DISTRICT:** 20

**PROPERTY LOCATION:** On the south side of Arbor

**SIZE OF TRACT:** 1.51 acres

Green Court, south of Stilesboro Road

**COMMISSION DISTRICT:** 1

(1535, 1539, 1543, 1547 Arbor Green Court).

**TYPE OF VARIANCE:** 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.

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

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



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**COMMENTS**

**TRAFFIC:** This request will not have an adverse impact on the transportation network.

**DEVELOPMENT & INSPECTIONS:** It does not appear that foundation walls mentioned were ever permitted.

**SITE PLAN REVIEW:** If this variance request is approved, a subdivision plat revision must be recorded prior to the issuance of the certificate of occupancy showing all improvements on the lot and referencing the variance case in the standard plat revision note. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

**STORMWATER MANAGEMENT:** The builder must demonstrate how positive drainage can be provided behind the proposed building to the east along the rear of the parcel within the landscape buffer. In addition, the lowest allowable finished floor elevation for these quad units, due the adjacent detention pond, is 1,130.23. No basements will be allowed for Units 603 and 604 as it appears intended by the existing foundation walls. This area must either be filled or utilized an unfinished crawlspace.

**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:** No comment.

**CEMETTERY PRESERVATION:** No comment.

**WATER:** No conflict.

**SEWER:** No conflict.

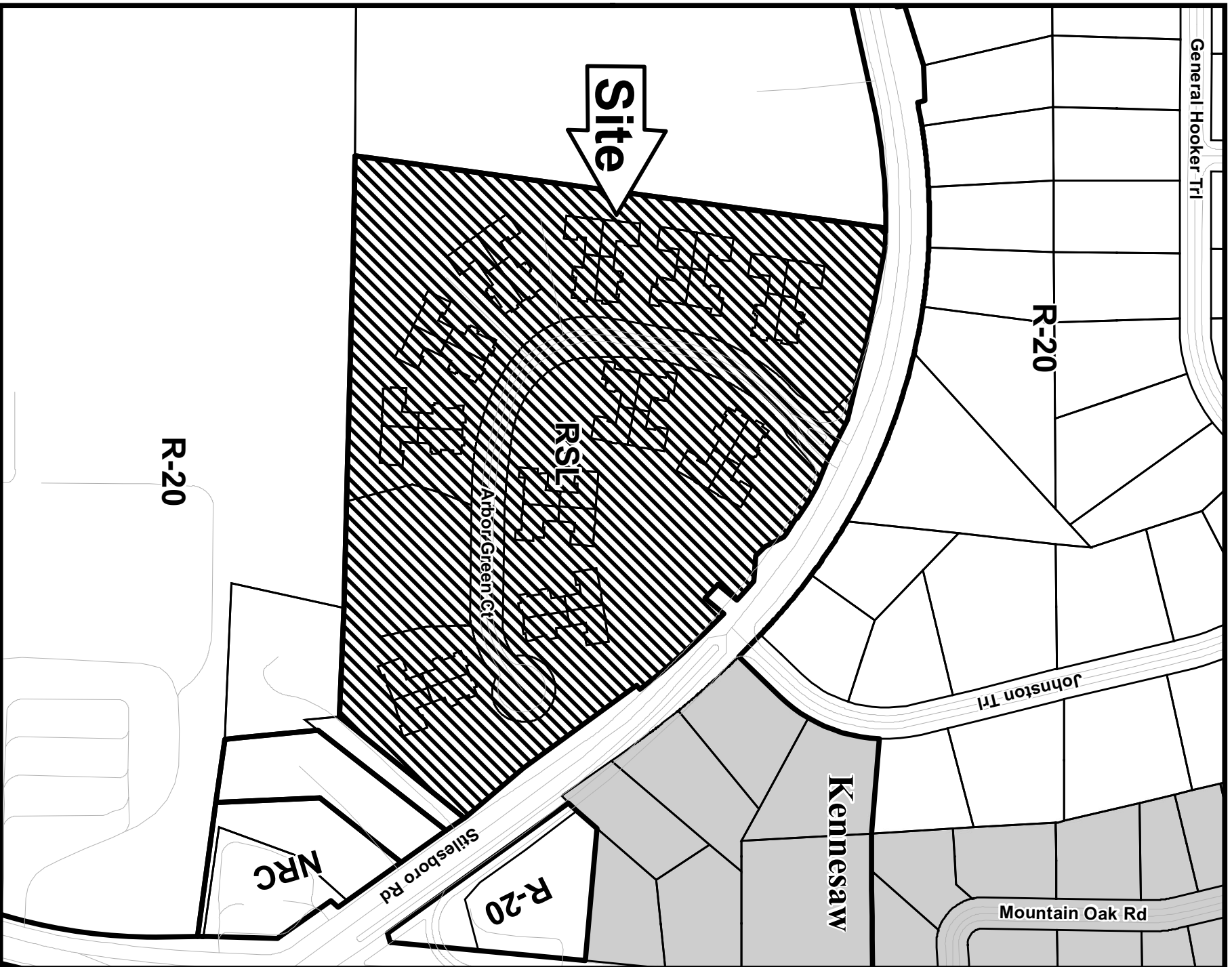
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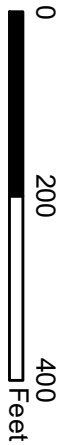
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

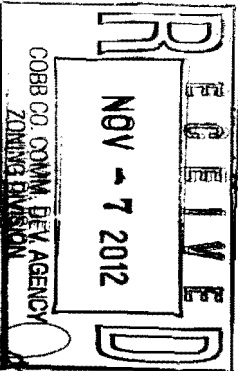
V-5



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)

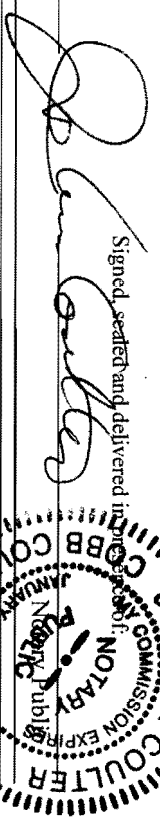
Application No. V-5  
Hearing Date: 1-9-13

Applicant Acadia Homes and Neighborhoods Phone # 770-319-7424 E-mail ggoldenberg@acadiahomes.us

Applicant Mike Satterfeld Address 3573 Dur westfield manor dr sp 3004  
(representative's name - printed) (street, city, state and zip code)

[Signature]  
(representative's signature)

Address 3573 Dur westfield manor dr sp 3004 Phone # 770-633-3174 E-mail buddy@saturnhobbyassoc.com  
(street, city, state and zip code)



My commission expires: 1-2-16

[Signature]  
Signed, sealed and delivered in presence of:

Titleholder Acadia Homes and Neighborhoods Phone # 770-319-7424 E-mail ggoldenberg@acadiahomes.us

Signature [Signature] Address: 3200 Cobb Galleria Pkwy #150 Atlanta GA 30339  
(attach additional signatures, if needed) (street, city, state and zip code)

[Signature]  
Signed, sealed and delivered in presence of:

My commission expires: 1-2-16  
Present Zoning of Property R3  
Location Building @ (Arbor Green); 1535/1547/1539/1543 Arbor Green Circle NW Atlanta, GA  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 216 District 20 Size of Tract 1.51 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.

We discovered that the previous developer poured foundation walls for building 6; said walls are sitting over the building line. Acadia would need to tear out these existing concrete walls that match the current product already built in the community. In addition, the plans provided by previous developer will not fit within the exist. setbacks for the lot due to its small size. In order to complete the community and provide residents with something comparable, we would have to re-design plans to address setback if we can't build over the list type of variance requested:  
Allow structure to encroach existing building setbacks.