

PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: January 9, 2013

DUE DATE: December 10, 2012

Distributed: November 16, 2012



Cobb County...Expect the Best!

40 0 40 80 120

GRAPHIC SCALE - FEET

AREA= 32,143 SQ.FT. / 0.7379 ACRE

V-1 (2013)

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APPLICANT: Larry and Bonnie Epstein

PHONE: 770-565-4955

REPRESENTATIVE: Larry and Bonnie Epstein

PHONE: 770-565-4955

TITLEHOLDER: Larry Joel and Bonnie Irlyn Epstein

PROPERTY LOCATION: On the northern end of
Wellington Lane, east of Johnson Ferry Road
(1963 Wellington Lane).

PETITION No.: V-1

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-20, R-15

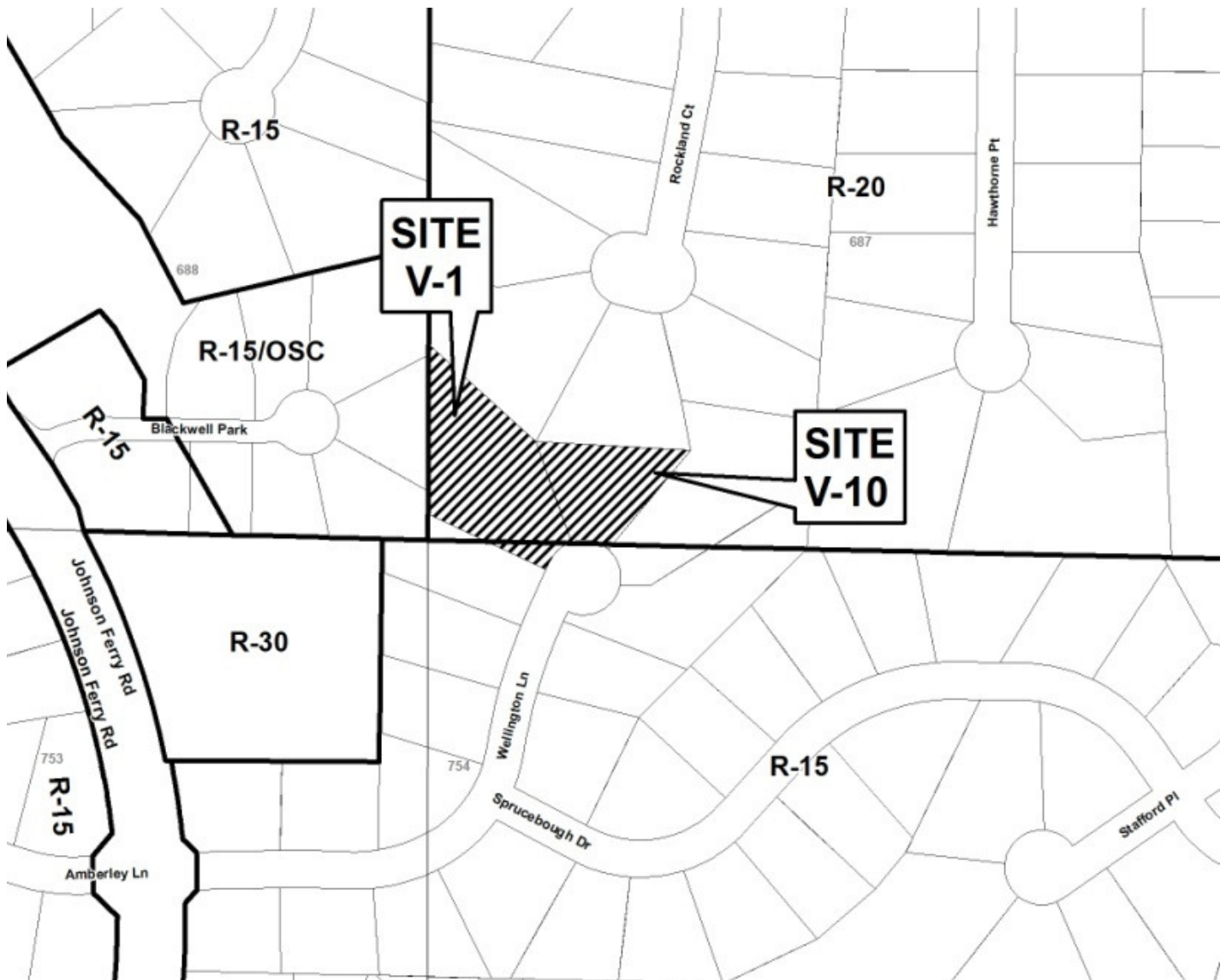
LAND LOT(S): 687, 754

DISTRICT: 16

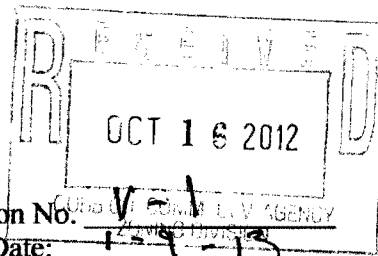
SIZE OF TRACT: 0.7379 acre

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: To permit poultry (ducks) on a lot containing less than two (2) acres.



Application for Variance Cobb County



(type or print clearly)

Application No. V-1

Hearing Date: 1-9-13

Applicant Larry Epstein Bonnie Epstein Phone # 770 565 4955 E-mail lary0409@bellsouth.net

(representative's name, printed)

Address 1963 Wellington Lane Marietta Ga
(street, city, state and zip code) 30062

Phone # _____ E-mail _____

(representative's signature)

Signed, sealed and delivered in presence of:

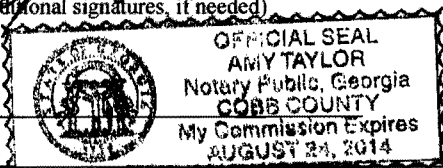
My commission expires: _____

Notary Public

Titleholder Larry Epstein Phone # 770 565 4955 E-mail lary0409@bellsouth.net

Signature [Signature] Address: 1963 Wellington Lane Marietta Ga
(attach additional signatures, if needed) (street, city, state and zip code) 30062

My commission expires: _____



Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Present Zoning of Property R-20

Location 1963 Wellington Lane Marietta, Ga. 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0687 District 16 Size of Tract 3/4 Acre(s) (0.7379 Acre)

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 moved here in 1986 and have had ducks ever since we moved here. Never a complaint. These ducks have been raised by Larry and will not survive in the wild. Ever since Larry's car accident (almost 15 yrs ago) - he is now disabled - he gets up every day to take care of his pets. (see back)

List type of variance requested: lot size - (hardship)
have lot size from 2 acres to 3/4 acre for
farm animals - Ducks - domesticated - they are not
livestock - not used for food or sale - used only as
pets and therapy for disabled owner.

Revised: December 6, 2005

15 Ducks since 1985.

RECEIVED

EXHIBIT
V-1 (2013)

Google earth

Eye alt 739 m

Wellington Ln, Marietta, GA 30062, USA

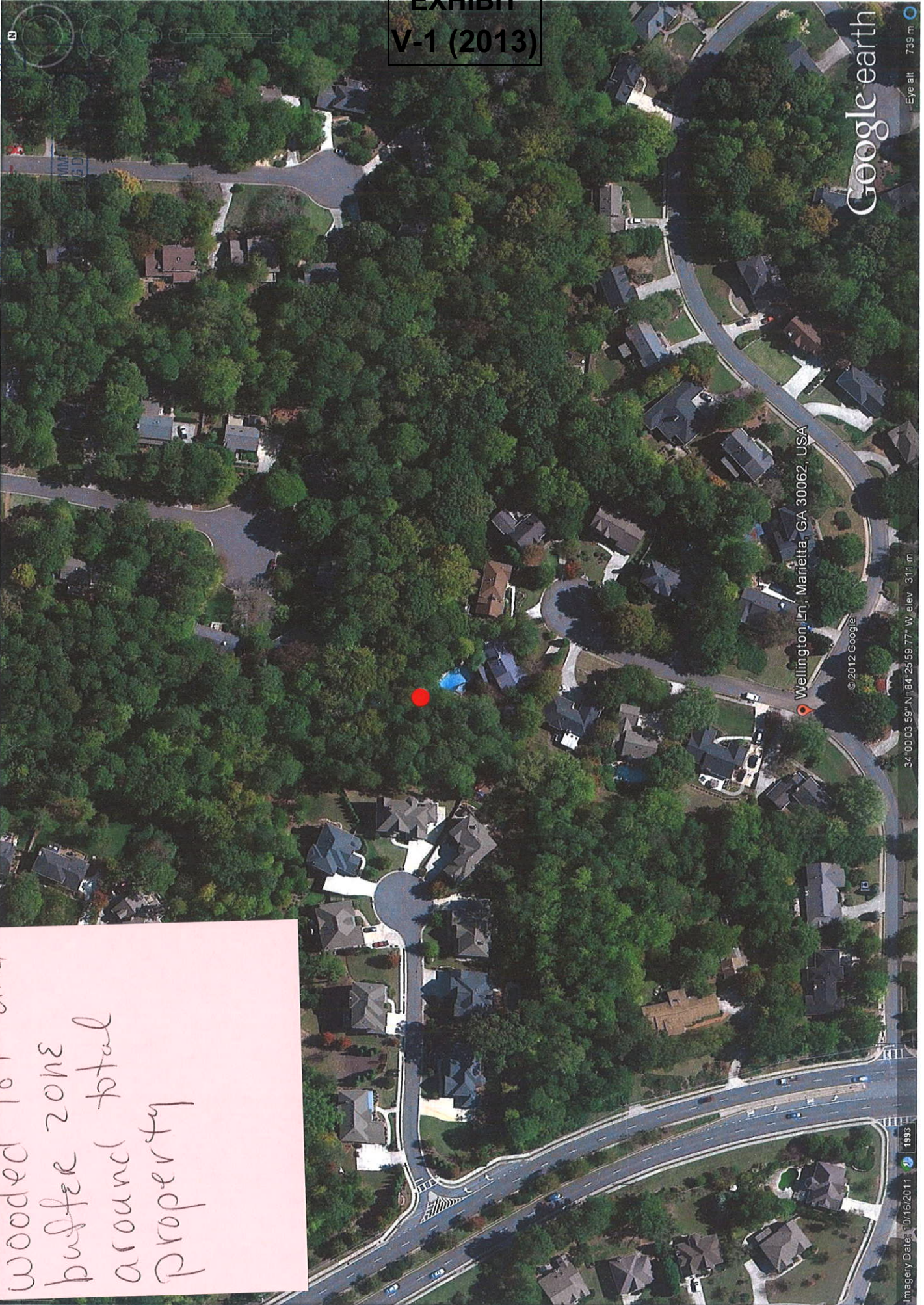
© 2012 Google

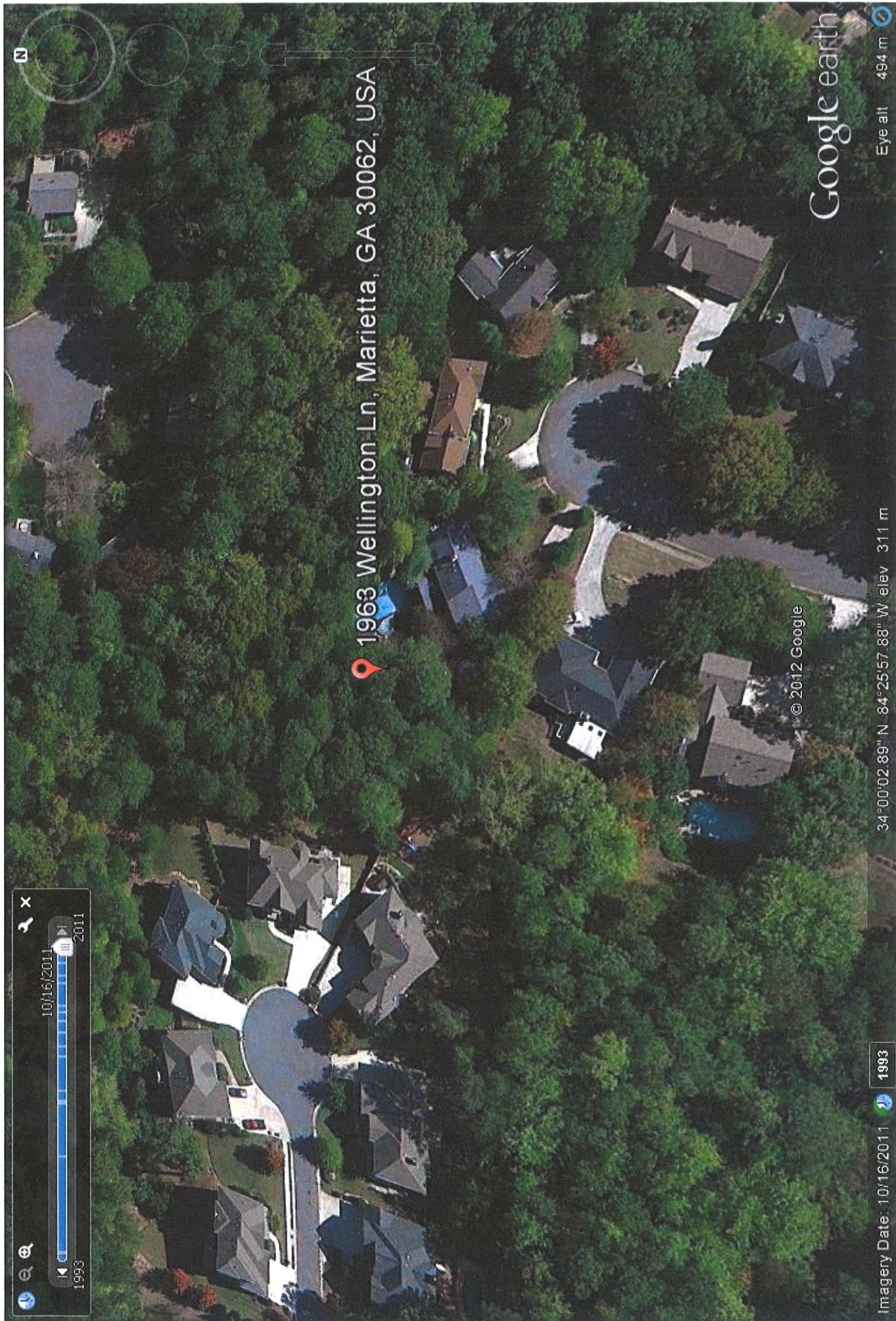
34°00'03.59"N 84°25'59.77"W, elev 311 m

Imagery Date: 10/16/2011

SUBJECT

This shows our wooded lot and buffer zone around total property





10/16/2011 2011

1993

10/16/2011

1993

1963 Wellington Ln, Marietta, GA 30062, USA

© 2012 Google

Google earth

34°00'02.89" N 84°25'57.88" W elev 311 m

Eye alt 494 m

Imagery Date: 10/16/2011 1993

EMORY HEALTHCARE
EMORY HEART & VASCULAR CENTER



November 5, 2012

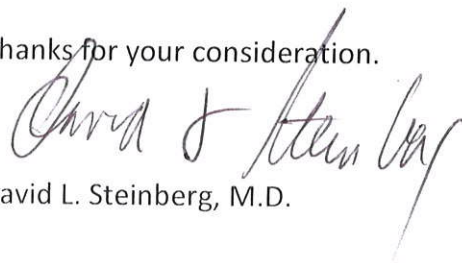
To Whom It May Concern:

Mr. Larry Epstein has been a patient of mine for the last twenty-five years. During that time he has had significant medical problems, including left testicular cancer and chronic severe back pain resulting from an automobile accident in 1998. The automobile accident necessitated several back surgeries. In spite of the surgeries he has had intractable severe chronic back pain, and has needed significant analgesic treatment in an attempt to control the pain. Having to live with this pain has been a persistent negative, both mentally and physically, in his daily existence.

Over the past fourteen years, he has been able to get some relief by spending time with his pets, which happen to be thirty-one ducks (for which he is the caregiver), which have lived on the back of his property for the past twenty-five years. These creatures have been a great source of pleasure to him. He knows them all by name, and they spend time with him, even sitting on his lap.

I am not familiar with the Cobb County laws governing pets, but I truly believe removing these ducks from Mr. Epstein's life would have a very negative effect on his health, as they are indeed very therapeutic for him.

Thanks for your consideration.

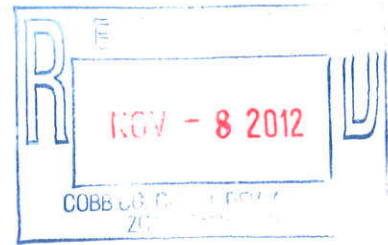

David L. Steinberg, M.D.

Advancing the Possibilities®

Over the years we have had many ducks - but as stated in our letter - we throw away the eggs so as the older ducks have died the number of ducks keep decreasing.

ROBERT & CYNTHIA MODUGNO
1977 Stafford Place
Marietta, GA. 30062.

November 6, 2012.



To whom it may concern.

This is to confirm that we have been neighbors and personal friends of Harry and Bonnie Epstein since December 1986.

In all those years Harry has always had pets, dogs and ducks. Our children who grew up with the Epstein children would go over a visit with the "pets".

Several years ago Mr. Epstein suffered debilitating injuries resulting from a car accident but throughout his convalescence his pets have been part of his therapy.

In all the 26 years that we have known them, there has never, to our knowledge, been any complaints about any of their pets. Since the animals have been his constant companions over the years, hopefully they will not be removed at this time when they are, often, the reason

2

Mr. Epstein gets motivated to get up and about, to take care of them.

If you need any further information or help in this matter, please call either of us at (770) 578-0765.

Yours sincerely,

Robert & Cynthia Rodugno.

November 7, 2012

To whom it may concern:



This letter is written regarding
to the Variance Issue for
Mr. & Mrs. Larry Epstein. We have
known the Epsteins for 28 years.
Mr. Epstein was in a major accident
13 years ago and been unable to
partake in activities. The ducks are
his therapy and very important to him.
It would be a mistake to take this
away from his well being that he
receive everyday from the animals.

Glenn and John Inge
Howard and Lynette Antonoff

Larry and Bonnie Epstein

1963 Wellington Lane

Marietta, Ga. 30062

770-565-4955



We are applying for a variance on our property to continue to have pet ducks.

We have lived here since 1985 and have had pet ducks ever since we moved here. Never once has there been a complaint.

A neighbor up the street has put in this complaint. He also has lived here since 1985. He was in an altercation with another neighbor which my husband witnessed for 10 seconds. My husband did not see what had started the fight and when questioned by the police, that is what he told them. This neighbor wanted Larry to state he saw the other neighbor hit first. Larry would not.

All the other neighbors on our street have signed the variance application form.

The ducks are my husband's pets. 13 years ago he was in an automobile accident (stopped for school bus and was hit from behind) and became disabled. He has had 4 back surgeries. These ducks—his pets—are his therapy. We do not eat them and we throw away the eggs. Therefore, as the ducks get older (die from old age) , they will not be replaced. The habitat that was built is a fenced in area (even fencing on top). The ducks do not fly or make noise. There is no odor from this area. It is cleaned on a daily basis. They eat out of his hands. There is also a play area (also fenced) that has a bench that my husband goes to every day. He is under dr. care monthly pain management . These hours during the day gives him the best therapy we could ask for.

The ducks are very well taken care of. They would not survive in the wild.

Thank you for your consid



Eric & Monica Haydock
1960 Wellington Lane
Marietta, GA 30062



November 6 2012

To whom it may Concern,

Please find attached a copy of a police report dated 9-19-2012. On this occasion while my wife and I were walking our dog and Mr. Lawrence and Mrs. Lawrence were walking their dog, Mr. Lawrence and I had a heated verbal altercation. Mr. Lawrence tried to punch me in the face (took a swing at me). I am much smaller than Mr. Lawrence and avoided it, I retaliated and pushed Mr. Lawrence and he fell backwards. My wife and I then left and went home.

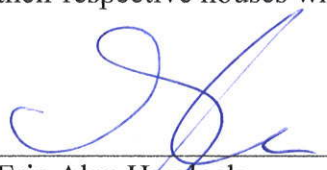
A short time later (10-15 minutes) a police officer knocked on my door and asked me what happened, I explained as per above. The police officer left and returned to inform me that one of the neighbors had verified what I had said and the officer then left.

The next I heard of the incident was later that evening, while walking to pick up the mail, I saw and heard Mr. Lawrence shouting very loudly at the front door of Mr. Epstein, who is our neighbor across the street. The next day, my wife, from our front lawn, saw Mr. Lawrence again banging very loudly at the neighbors door and then she heard more shouting from Mr. Lawrence. I do not know Mr. Epstein very well, but I called him to ask if everything was OK, he said yes.

The next I heard of the incident, mid-October when Mrs. Epstein, the wife of the neighbor across the street asked my wife and I if we knew that they had ducks as pets, we did not. Mrs. Epstein asked if we objected to their ducks and we said we did not and thus we were happy to sign the form she had stating same. Mrs. Epstein explained that Mr. Lawrence had threatened Mr. Epstein, as a result of the incident between me and Mr. Lawrence in September, and that he had also complained to the authorities about various things. Mr. Lawrence and Mr. Epstein were friends, so he knew of Mr. Epstein's pets as Mr. Epstein had previously told him.

I have never seen nor heard any noise whatsoever; from Mr. Epstein's pets in the time we have lived here. If I had not been informed by Mrs. Epstein we would not have known they existed.

We have lived in this house since for 22 years; both Mr. Lawrence and Mr. Epstein lived in their respective houses when we arrived in the subdivision.


Eric Alan Haydock

Date: Nov 6 - 2012


Monica White Haydock

Date: Nov. 6, 2012

By: SKELLM, 6447 09/21/2012 16:08

Page 3

Case# 12-102293

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

[illegible]

Assisting Officers

Suspect Hate / Bias Motivated:

NARRATIVE

On 09/18/2012 I responded to 1959 Wellington Ln in reference to an altercation that had already occurred. I met with the victim John Lawrence. He stated that he was out walking with his wife when a neighbor, Eric Haydock, attacked him over their dogs fighting. Lawrence did have a few bruises from the incident that took place. I conducted an investigation and spoke to all the involved parties. Also found an independent witness that gave a testimony similar to Haydock. Given the statements there was not an arrest made and I advised both parties on warrant procedures.

Nothing further.

Incident Report Suspect List

Cobb County Police

OCA: 12-102293

1	Name (Last, First, Middle) <i>Haydock, Eric Alan</i>						Also Known As				Home Address <i>1960 WELLINGTON LN MARIETTA, GA 30062 404-977-2193</i>																																									
	Business Address																																																			
	DOB. <i>05/07/1954</i>	Age <i>58</i>	Race <i>W</i>	Sex <i>M</i>	Eth	Hgt <i>510</i>	Wgt <i>165</i>	Hair <i>BRO</i>	Eye <i>HAZ</i>	Skin	Driver's License / State. <i>012317585 GA</i>																																									
	Sears, Marks, Tattoos, or other distinguishing features																																																			
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="2">SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="2">Veh Yr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="4">VIN</td> </tr> </table>														Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN		Weapon, Type	Feature	Make		Model			Color		Caliber	Dir of Travel Mode of Travel			Veh Yr/Make/Model		Drs	Style		Color		Lic/St		VIN			
Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																									
Weapon, Type	Feature	Make		Model			Color		Caliber	Dir of Travel Mode of Travel																																										
Veh Yr/Make/Model		Drs	Style		Color		Lic/St		VIN																																											
Notes							Physical Char																																													

V-2 (2013)



BEARINGS ARE BASED ON
REFERENCED PLAT

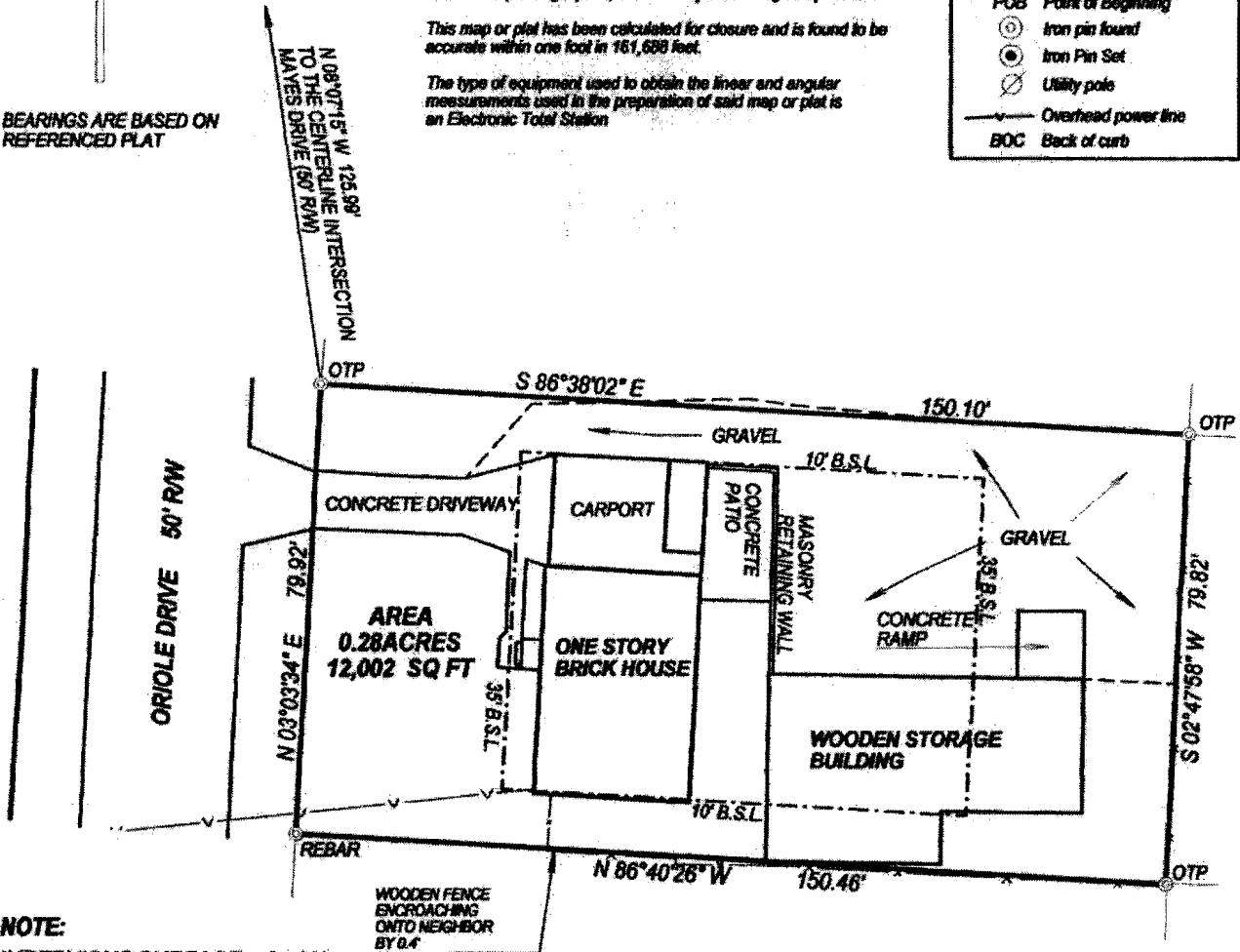
The field data upon which this map or plat is based has a closure
precision of less than one foot in 10,000 feet and an angular error of
3 seconds per angle point, and was adjusted using compass rule.

This map or plat has been calculated for closure and is found to be
accurate within one foot in 161,688 feet.

The type of equipment used to obtain the linear and angular
measurements used in the preparation of said map or plat is
an Electronic Total Station

LEGEND

- POC Point of Commencement
- POB Point of Beginning
- Iron pin found
- Iron Pin Set
- Utility pole
- Overhead power line
- BOC Back of curb



NOTE:

IMPERVIOUS SURFACE = 21.8%

REFERENCES

PLAT BOOK 19 PAGE 100

PROPERTY ADDRESS 411 ORIOLE DRIVE

PROPERTY ZONED R-20

SURVEY FOR:

DANA WOODALL

LOT 47, SECTION NO. 5, MEADOWBROOK SUBDIVISION, PART LAND LOT
719, 2ND SECTION, 17TH LAND DISTRICT, COBB COUNTY, GEORGIA



HARBUCK LAND SURVEYORS, INC.

WILLIAM G. HARBUCK

GEORGIA REGISTERED LAND SURVEYOR NO. 3006

GRAPHIC SCALE IN FEET

TELEPHONE 770-253-5585
GHARB@NUMAIL.ORG

35 MANSOUR CIRCLE
NEWNAN, GEORGIA 30263

10.09.2012
REVISED 10.19.2012

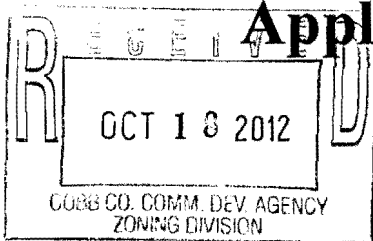


SCALE 1" = 30'

APPLICANT:	<u>Dana Woodall</u>	PETITION No.:	<u>V-2</u>
PHONE:	<u>770-565-7188</u>	DATE OF HEARING:	<u>1-9-13</u>
REPRESENTATIVE:	<u>Dana Woodall</u>	PRESENT ZONING:	<u>R-20</u>
PHONE:	<u>770-565-7188</u>	LAND LOT(S):	<u>719</u>
TITLEHOLDER:	<u>Dana Woodall</u>	DISTRICT:	<u>17</u>
PROPERTY LOCATION:	<u>On the east side of Oriole Drive, west of Powers Ferry Road</u>	SIZE OF TRACT:	<u>0.28 acres</u>
	<u>(411 Oriole Drive).</u>	COMMISSION DISTRICT:	<u>2</u>

TYPE OF VARIANCE: 1) Waive the side setback (existing footprint on southern side) from the required 10 feet to 9 feet; 2) waive the rear setback for an accessory structure over 650 square feet (existing 1,620 square foot wooden storage building) from the required 100 feet to 15 feet; 3) waive the side setback for an accessory structure over 650 square feet (existing 1,620 square foot wooden storage building) from the required 100 feet to 0 feet; 4) waive the setback for an accessory structure (1,620 square foot storage building) from the western property line from 100 feet to 80 feet; 5) allow parking and/or access to parking areas in a residential district on a non-hardened surface; and 6) increase the maximum allowable impervious surface from 35% to 70%.





Application for Variance Cobb County

(type or print clearly)

Application No. V-2
Hearing Date: 1/19/13

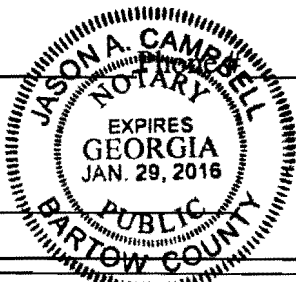
Applicant Dana Woodall Phone # 7565-7188 E-mail _____

Dana Woodall Address 411 Oriole Dr.
(representative's name, printed) (street, city, state and zip code)

Dana Woodall E-mail _____
(representative's signature)

GA DL 024851885

My commission expires: _____



Signed, sealed and delivered in presence of:

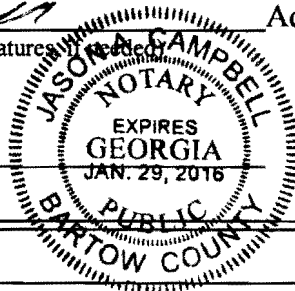
Jason A. Campbell
Notary Public

Titleholder Dana Woodall Phone # 7565-7188 E-mail _____

Signature Dana Woodall Address: 411 Oriole Dr.
(attach additional signatures) (street, city, state and zip code)

GA DL 024851885

My commission expires: _____



Signed, sealed and delivered in presence of:

Jason A. Campbell
Notary Public

Present Zoning of Property _____ R20

Location 411 Oriole Drive
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 719 District 17 Size of Tract .28 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.

Truck and Trailer stays in Building
Have to Drive across Rocks to get there

List type of variance requested: waive max impervious surface

APPLICANT: Rick Collett

PHONE: 404-512-9276

REPRESENTATIVE: Rick Collett

PHONE: 404-512-9276

TITLEHOLDER: Kristi A. Traylor

PROPERTY LOCATION: At the southwest corner of
Mars Hill Road and Nichols Road
(285 Mars Hill Road).

PETITION No.: V-3

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-30

LAND LOT(S): 308

DISTRICT: 20

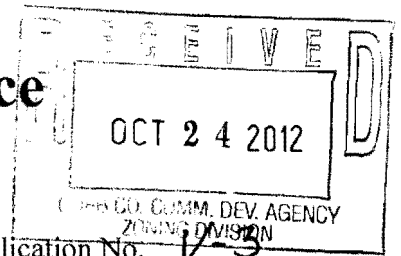
SIZE OF TRACT: 8.231 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 1) Allow a second electrical meter on a single-family residential lot.



Application for Variance Cobb County



(type or print clearly)

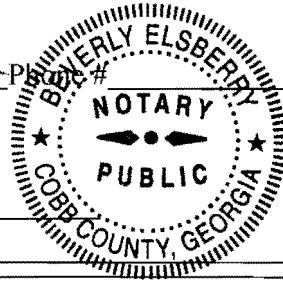
Application No. V-3
Hearing Date: 1/9/13

Applicant [Signature] Phone # 4045129276 E-mail _____

Rick Collett
(representative's name, printed)

Address 285 Marsh Hill Rd P.S. GA 30127
(street, city, state and zip code)

[Signature] E-mail _____
(representative's signature)



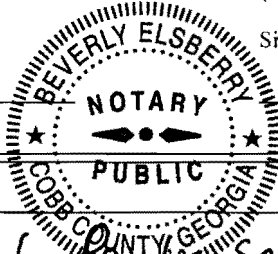
Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: 7-2016

Titleholder Kristi Collett Phone # 4045129277 E-mail collett@kristi.net

Signature [Signature] Address: _____
(attach additional signatures, if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: 7-2016

Present Zoning of Property A-30

Location 285 Marsh Hill Rd P.M. Springs GA 30127
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 308 District 20 Size of Tract 8.231 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 ☒

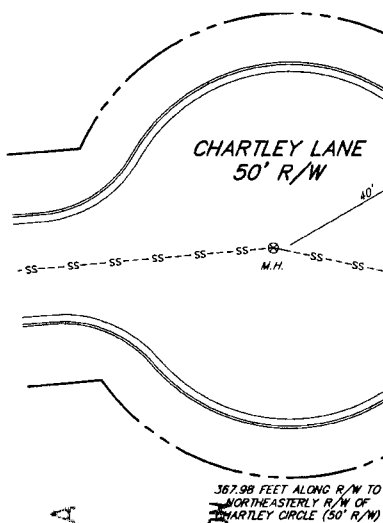
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the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

Existing meter and electrical panel cannot take any more electrical load.

List type of variance requested: Allow an extra electrical meter on this property

V-4 (2013)

MAGNETIC NORTH - PLAT BOOK 165, PAGE 55



COBB COUNTY GEORGIA
FILED IN OFFICE
2012 NOV 14 PM 12:24
COBB COUNTY ZONING DIVISION
Revised

LEGEND	
	P.P. - POWER POLE
	L.P. - LIGHT POLE
	F.H. - FIRE HYDRANT
	M.H. - SANITARY SEWER MANHOLE
	W.M. - WATER METER
	G.M. - GAS METER
	RBS - REINFORCING BAR SET
	RBF - REINFORCING BAR FOUND
	GTf - CRIMP TOP PIPE FOUND
	OTf - OPEN TOP PIPE FOUND
	R/W MON - RIGHT-OF-WAY MONUMENT
	TYPE OF FENCE
	J.B. - JUNCTION BOX
	D.I. - DROP INLET / YARD INLET
	C.B. - CATCH BASIN
	R.C.P. - REINFORCED CONCRETE PIPE
	C.M.P. - CORRUGATED METAL PIPE
	F.F.E. - FINISHED FLOOR ELEVATION
	WATER VALVE
	S.C.O. - SEWER CLEAN OUT
	TELEPHONE MANHOLE
	OVERHEAD POWER LINES
	HW - HEADWALL
	P.B.X. - POWERBOX
	STREET ADDRESS
	W-W - WATER LINE
	U-T - UNDERGROUND TELEPHONE LINE
	G - GAS LINE
	E - UNDERGROUND ELECTRICAL LINE

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X; ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER 130052, MAP NUMBER 13067 C 0088 G DATED DECEMBER 16, 2008.

THE FIELD WORK FOR THIS SURVEY WAS COMPLETED ON NOVEMBER 1, 2012.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/10,000+; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/108,028. MATTERS OF TITLE ARE EXCEPTED.



IMPERVIOUS AREA:

TOTAL LAND AREA: 20,101 SQ. FT.

EXISTING HOUSE FOOTPRINT: 2,545 SQ. FT.
EXISTING DRIVEWAY AND SIDEWALK: 1,886 SQ. FT.
EXISTING PATIO UNDER PROPOSED DECK: 181 SQ. FT.
PROPOSED BUILDING ADDITION: 270 SQ. FT.
PROPOSED STONE WALK ADDITION: 35 SQ. FT.

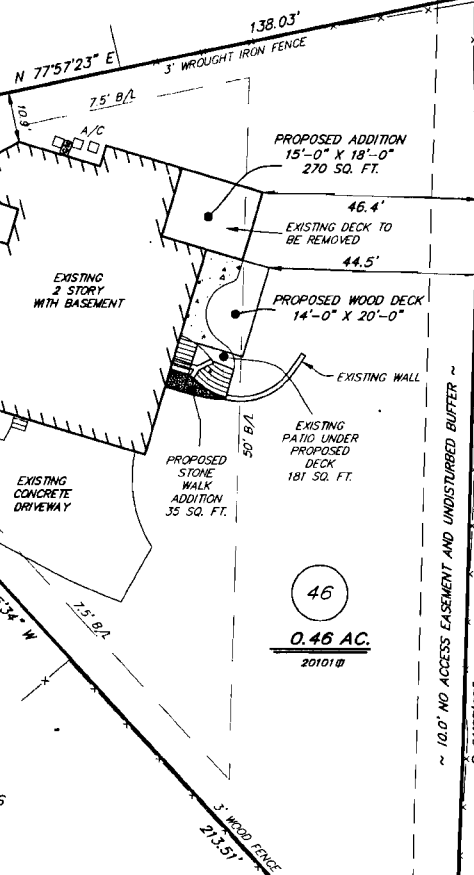
TOTAL IMPERVIOUS AREA: 4,917 SQ. FT.
TOTAL IMPERVIOUS AREA: 24.46%

BASED ON THE FINAL PLAT RECORDED IN PLAT BOOK 165, PAGE 55, THE PROPERTY IS ZONED PRD.

COBB COUNTY
REGISTERED
280
DEAN C. OLSON

N ~ F
TERRY DURAND
MARILYN B. DURAND
PB 165, PG 55

45



46

0.46 AC.
20101 @

47

N ~ F
ANTHONY R. BOGGS
CHERYL L. BOGGS
PB 165, PG 55

DATE	11/05/12	REVISIONS
SCALE	1"=20'	
DRAWN BY	DCO	
CHECKED BY	DCO	
FIELD BOOK	GRID	

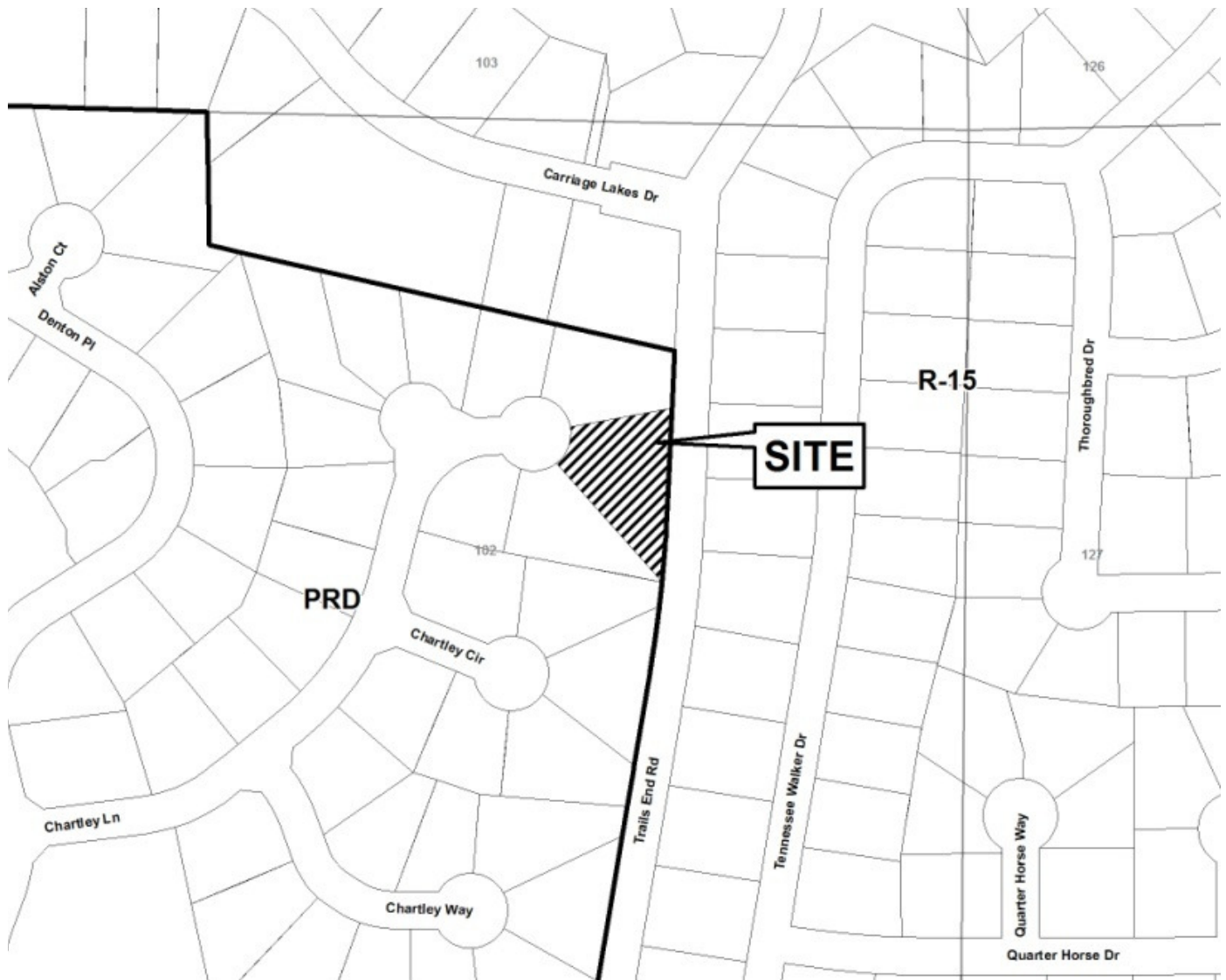
Gaskins
ENGINEERING • SURVEYING • LAND PLANNING • ENVIRONMENTAL
1266 Powder Springs Rd
Marietta, Georgia 30064
www.gascosurvey.com
Phone: (770) 424-7168
Fax: (770) 424-7393

BOUNDARY SURVEY PREPARED FOR:

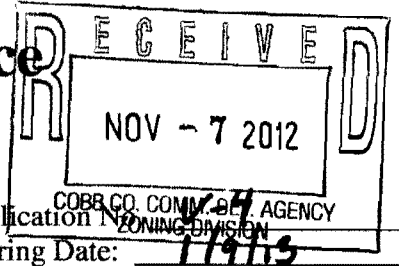
ROBERT W. GOLDEN
EDGEWATER COVE - UNIT 2
LOT 46
3442 CHARTLEY LANE

LOCATED IN L.L. 102
1st DISTRICT, 2nd SECTION
COBB COUNTY, GA.

APPLICANT:	<u>Rob Golden</u>	PETITION No.:	<u>V-4</u>
PHONE:	<u>404-966-5693</u>	DATE OF HEARING:	<u>1-9-13</u>
REPRESENTATIVE:	<u>Rob Golden</u>	PRESENT ZONING:	<u>PRD</u>
PHONE:	<u>404-966-5693</u>	LAND LOT(S):	<u>102</u>
TITLEHOLDER:	<u>Robert Warren and Rena S. Golden</u>	DISTRICT:	<u>1</u>
PROPERTY LOCATION:	<u>On the northeast side of</u>	SIZE OF TRACT:	<u>0.46 acres</u>
	<u>Chartley Lane, north of Shallowford Road</u>	COMMISSION DISTRICT:	<u>3</u>
	<u>(3442 Chartley Lane).</u>		
TYPE OF VARIANCE:	<u>Waive the rear setback from the required 50 feet to 46 feet.</u>		



Application for Variance Cobb County



(type or print clearly)

Application Number 119113
Hearing Date: 11/9/13

Applicant ROB GOLDEN Phone # 404 966 5693 E-mail ROB.GOLDEN@MINDSPRING.COM
ROB GOLDEN Address 3442 CHARTLEY LANE, ROSWELL, GA 30075
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # _____ E-mail _____
(representative's signature)

My commission expires: 8/21/2015
Signed, sealed and delivered in presence of: [Signature]
Notary Public

Titleholder ROB GOLDEN Phone # 404 966 5693 E-mail ROB.GOLDEN@MINDSPRING.COM
Signature [Signature] Address 3442 CHARTLEY LANE, ROSWELL 30075
(attach additional signatures, if needed) (street, city, state and zip code)

Rene Golden
Rene Isotau
My commission expires: 8/21/2015
Signed, sealed and delivered in presence of: [Signature]
Notary Public

Present Zoning of Property PRD
Location 3442 CHARTLEY LANE, ROSWELL GA 30075
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 102 District 1ST Size of Tract 0.46 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 ☒

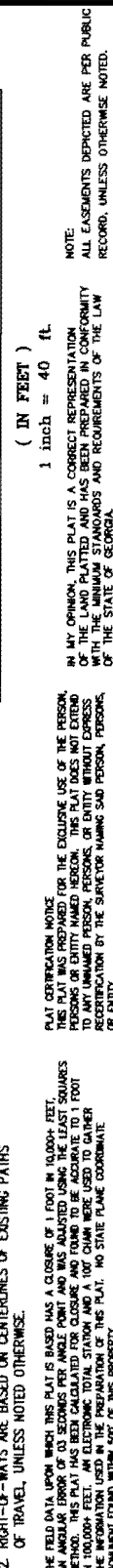
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the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

WANT TO CONSTRUCT ROOFED SUN ROOM AT FOOTPRINT OF PRESENT DECK FOR MY WIFE WHO IS GOING THROUGH CANCER TREATMENT & CANNOT BE IN THE SUN. PRESENT SETBACK LINE CUTS ACROSS CORNER OF DECK, PREVENTING THOSE PLANS.

List type of variance requested: SETBACK

V-5 (2013)

JOB NUMBER: 12--4073



NOTE:
ALL EASEMENTS DEPICTED ARE PER PUBLIC
RECORD, UNLESS OTHERWISE NOTED.

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

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS REIDENTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

THE FIELD DATA WERE CORRECTED FOR AN ANGULAR ERROR OF 0.3 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THE TOTAL STATION WAS FOUND TO BE ACCURATE TO 1 FOOT IN 100,000. THIS PLAT. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE SYSTEM OR DATUM WERE USED.

3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

4. ZONING: RSL

SETBACKS: FRONT = 20'
SIDE = 30'/MIN. 15' BETWEEN STITS

REAR = 30°
ALONG ROAD = 30°

6. NO DECKS, PATIO'S OR PERMANENT STRUCTURES PERMITTED ALONG ROAD = 20

IN BUFFERS OR EASEMENTS.

PLAT CERTIFICATION NOTICE
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE

PERSONS OR ENTITY NAMED HEREON, THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESSED INTENT TO THE CONTRARY.

OR ENTITY.

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER,

AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS

INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND

UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE

OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR

THIS AGENCY SHALL NOT BE RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERLYING INFORMATION

THE ORIGINATOR SHOULD FURNISH AS TO SUCH UNDERSTOOD INFORMATION,
NATURE OF WORK AND PLANT OR OTHER MEANS OF ECONOMIC DATA

2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 0.3 SECONDS PER ANGULAR POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

METHOD. THIS PLAY HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER

THE INFORMATION USED IN THE PREPARATION OF THIS PLAN, NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

APPLICANT: Acadia Homes and Neighborhoods

PHONE: 770-319-7424

REPRESENTATIVE: Mike Satterfield

PHONE: 770-633-3174

TITLEHOLDER: Acadia Homes & Neighborhoods, LLC

PROPERTY LOCATION: On the south side of Arbor Green Court, south of Stilesboro Road
(1535, 1539, 1543, 1547 Arbor Green Court).

PETITION No.: V-5

DATE OF HEARING: 1-9-13

PRESENT ZONING: RSL

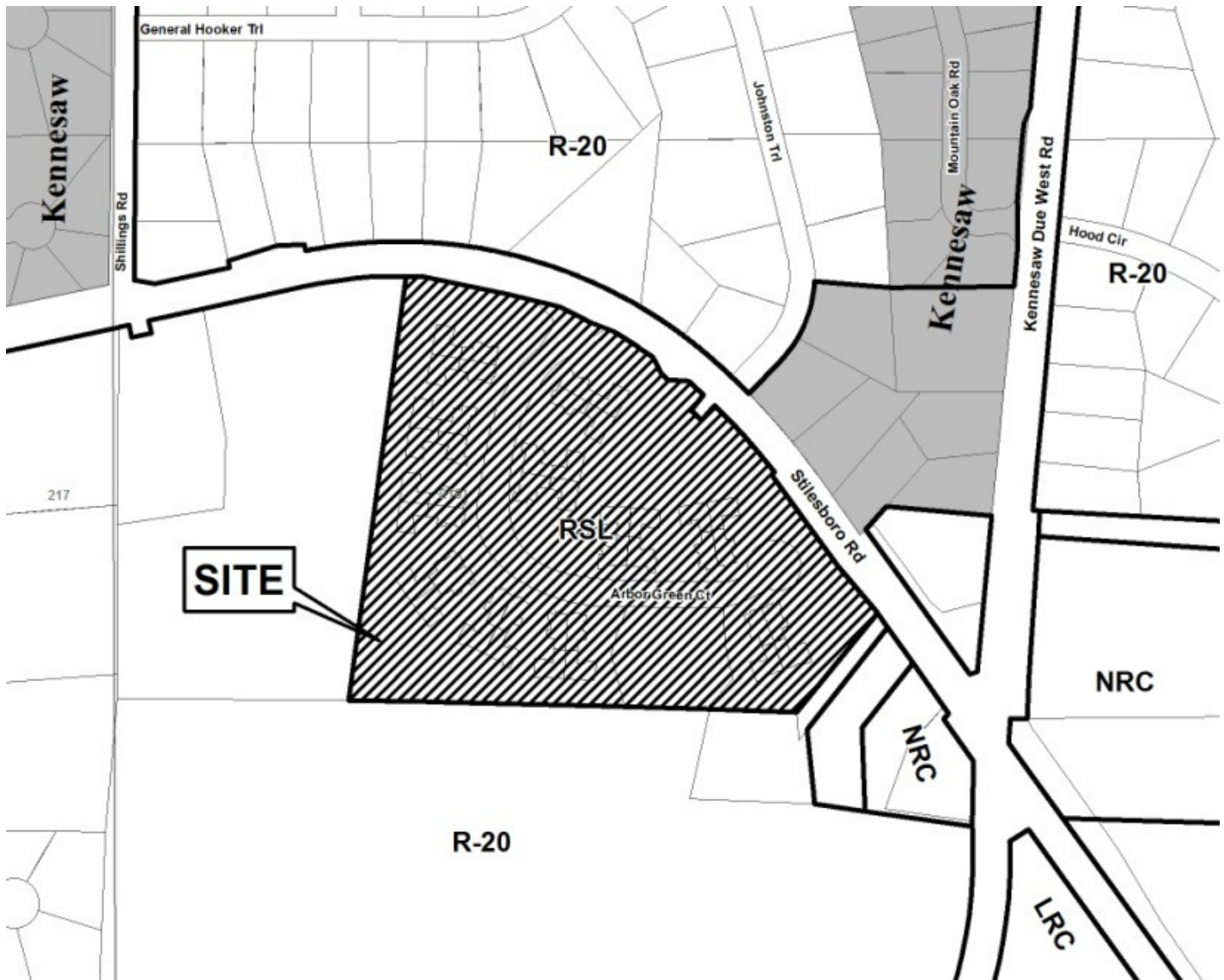
LAND LOT(S): 216

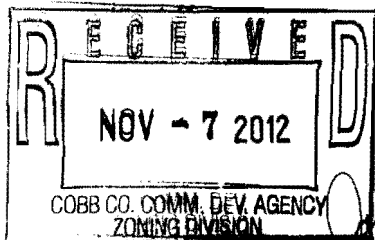
DISTRICT: 20

SIZE OF TRACT: 1.51 acres

COMMISSION DISTRICT: 1

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.





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 agoldenberg@acadiahomes.us

Mike Satterfield

(representative's name, printed)

Address 3573 Dwyer Rd Marietta GA 30064

(street, city, state and zip code)

Phone # 770-633-3174

E-mail buddy@satterfieldassoc.com

(representative's signature)

My commission expires: 1-2-16

Signed, sealed and delivered in presence of:

Titleholder Acadia Homes and Neighborhoods

Phone # 770-319-7424

E-mail agoldenberg@acadiahomes.us

Signature [Signature]

(attach additional signatures, if needed)

Address: 3200 Cobb Galleria Pkwy #150 Atlanta GA 30339

(street, city, state and zip code)

My commission expires: 1-2-16

Signed, sealed and delivered in presence of:

Present Zoning of Property R3

Location Building 6 (Arbor Green): 1535/1547/1539/1543 Arbor Green Court, Marietta, 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.

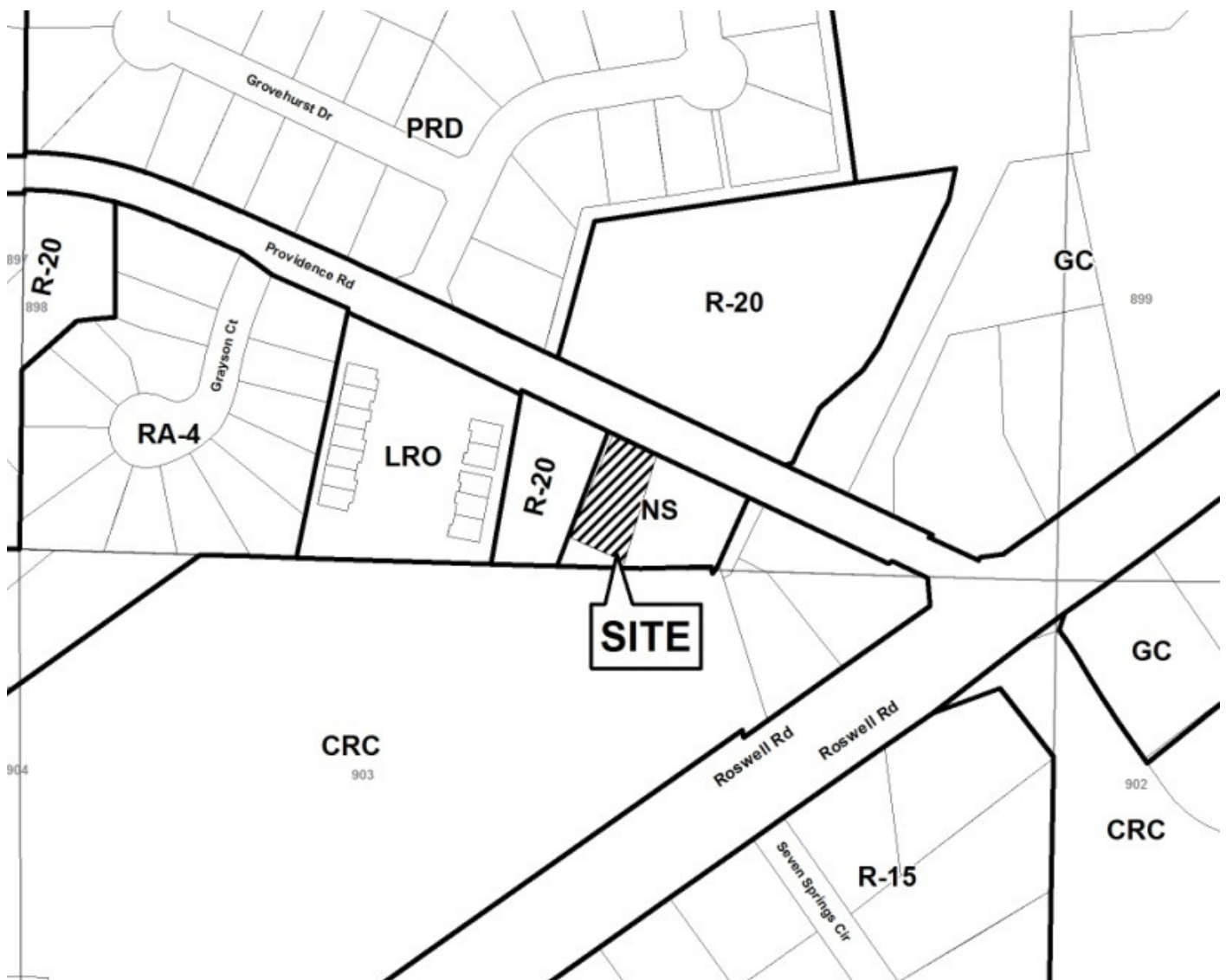
We discovered that the previous developer poured foundation walls for building 6; said walls are sitting over the building line. Acadia would need to tear out these existing concrete walls that match the current product already built in the community. In addition, the plans provided by previous developer 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 redesign plans to fit this shallow lot if we can't build over the setback.

Allow structure to encroach existing building setbacks.

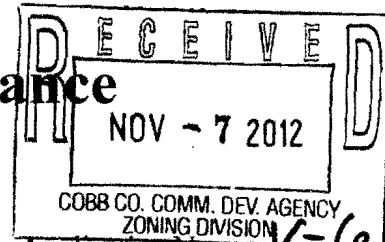
Child North

APPLICANT: <u>Motek, LLC</u>	PETITION No.: <u>V-6</u>
PHONE: <u>404-259-2000</u>	DATE OF HEARING: <u>1-9-13</u>
REPRESENTATIVE: <u>Erik Klein</u>	PRESENT ZONING: <u>NS</u>
PHONE: <u>404-259-2000</u>	LAND LOT(S): <u>898</u>
TITLEHOLDER: <u>MOTEK, LLC</u>	DISTRICT: <u>16</u>
PROPERTY LOCATION: <u>On the south side of</u> <u>Providence Road, west of Roswell Road</u> <u>(4200 Providence Road).</u>	SIZE OF TRACT: <u>0.235 acres</u>
	COMMISSION DISTRICT: <u>2</u>

TYPE OF VARIANCE: 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.



Application for Variance Cobb County



(type or print clearly)

Application No. V-6

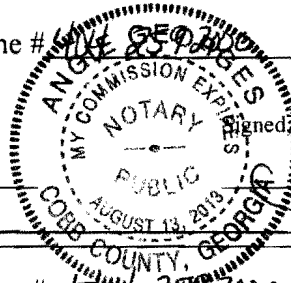
Hearing Date: 1/9/13

Applicant Motek, LLC Phone # 404 259 2000 E-mail doctor.klein@yahoo.com

Erik Klein Address 4200 Providence Rd Marietta GA 30062
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 404 259 2000 E-mail doctor.klein@yahoo.com
(representative's signature)

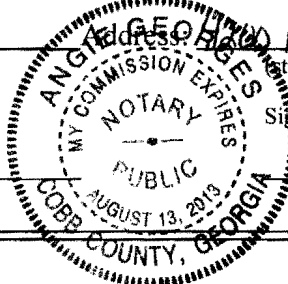
My commission expires: August 13th, 2013 Signed, sealed and delivered in presence of:



Titleholder Motek, LLC / Erik Klein Phone # 404 259 2000 E-mail doctor.klein@yahoo.com

Signature [Signature] Address 4200 Providence Rd Marietta GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: August 13th, 2013 Signed, sealed and delivered in presence of:



Present Zoning of Property NS

Location 4200 Providence Rd Marietta GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 898 District 16 Size of Tract .298 Acre(s)

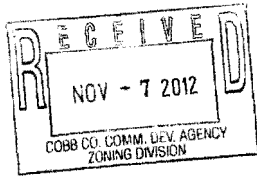
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

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.

The existing parking lot in front of our building has a total of 9 parking spaces. Because of the size and shape of the property we can not add anymore parking. It is essential to our business to have an exterior sign to promote our business. If we were to follow the original 42' from center of road ordinance, the sign would be placed in the center of our parking lot, at the door and would take away critical parking spaces and make our parking lot unusable. It has been brought to my attention that some years ago, a portion of our land was given to Cobb County for the expansion of Providence Rd. I feel that not allowing us to put our sign 30' from the center of the road would create an unnecessary hardship especially because other businesses on Providence Rd have their signs at 30' or less. - Pictures enclosed.

We would like to change zoning ordinance from 42' to 30' feet from center of road for this property



**EXHIBIT
V-6 (2013)**



Sign to be of 1/4" thick, 2" raised lexan, translucent painted pane face, image of mother and son to be a translucent laminated print mounted to front of pane face. 2" w x 3/16" thick black painted steel frame to be covered with .40 aluminum panels on lighted cabinet. Lighted cabinet, UL approved, flourescent tube lighting, 120V. Lighted cabinet to be bolted to brick using 18" long concrete bolts.

"4200" Address letters to be 6"h, 1/4" thick and stud mounted to brick.

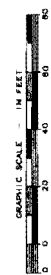
EAST COBB DENTIST - Acrylic Sign on Brick Base

November 5, 2012

GLADIATOR MARKETING, LLC
6040 Antioch Court • Powder Springs, GA 30127
Phone 678.354.4477 • Cell 404.931.9885
Email jadams@gladiatormarketing.net
www.GladiatorMarketing.net

[illegible]

1



1. **VARIANCE REQUEST:**
REQUEST FOR A WALKER OF THE REQUIRED FRONT SETBACK UNDER THE PDC DISTRICT FROM 100-FEET TO 70-FEET FOR THE CONSTRUCTION OF A NEW PATIO AND COVERED SEATING.
2. **VARIANCE REQUEST:**
REQUEST FOR A WALKER OF THE REQUIRED FRONT SETBACK UNDER THE PDC DISTRICT FROM 100-FEET TO 40-FEET TO ACCOMMODATE THE EXISTING BUILDING (AS-BUILT).

APPLICANT: CBC Restaurant Corp.

PHONE: 972-619-4182

REPRESENTATIVE: Grvis L. Sams, Jr.

PHONE: 770-422-7016

TITLEHOLDER: U.S. 41 & I 285 Company

PROPERTY LOCATION: On the north side of Cobb Parkway, between Akers Mill Road and Riverwood Parkway (2973 Cobb Parkway).

PETITION No.: V-7

DATE OF HEARING: 1-9-13

PRESENT ZONING: PSC

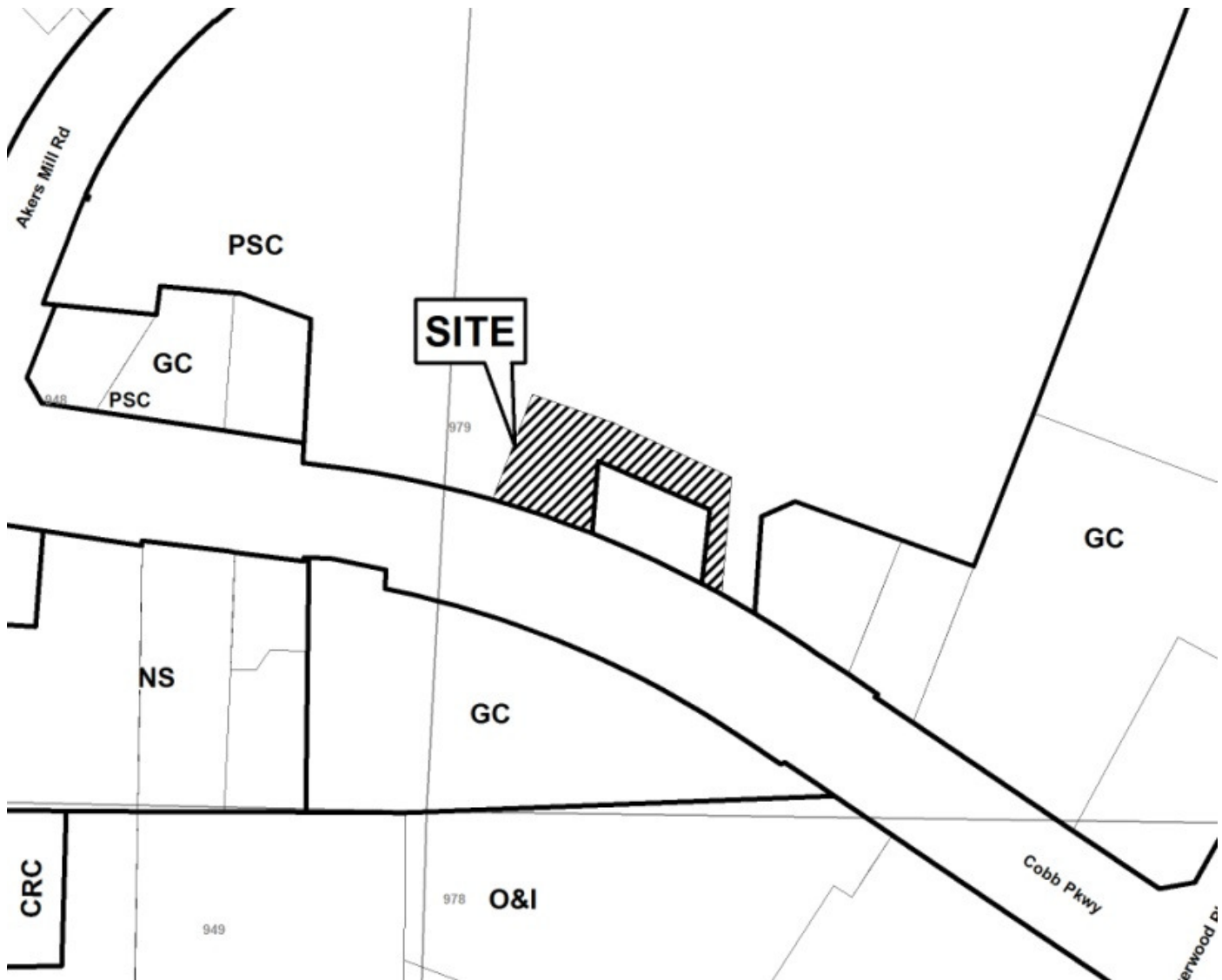
LAND LOT(S): 979

DISTRICT: 17

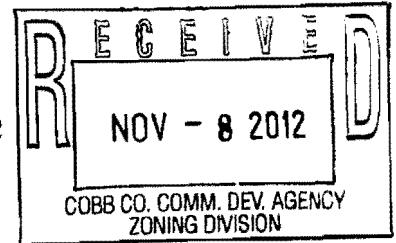
SIZE OF TRACT: 0.68 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 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).



Application for Variance Cobb County



(type or print clearly)

Application No. V-7
Hearing Date: 01/09/2013

Applicant CBC Restaurant Corp., a Delaware Corp. Phone # (972) 619-4182 E-mail david.lake@cornerbakerycafe.com

Garvis L. Sams, Jr., Sams, Larkin & Huff, LLP Address 376 Powder Springs St., Ste. 100, Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

Phone # (770) 422-7016 E-mail gsams@samslarkinhuff.com
(representative's signature)

My commission expires: 4/10/16

Signed, sealed and delivered in presence of:

Debbie S. Johnston
Notary Public

Titleholder U.S. 411, Inc. c/o Mail Properties, Inc. Phone # (212) 935-1330 E-mail pandresen@mpi-re.com
U.S. 411, Inc. c/o Mail Properties, Inc.

Signature X Address: 5500 New Albany Rd., E., 3rd Floor, New Albany, OH 43054
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 4/10/2016

Signed, sealed and delivered in presence of:

Debbie S. Johnston
Notary Public

Present Zoning Office of Property Planned Shopping Center (PSC)

Location 2973 Cobb Parkway

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

Land Lot(s) 979 District 17th Size of Tract .68 acres out of a total tract of 24.46 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 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.

Strict application of Section 134-255(4)(d) (minimum building setbacks) would cause an undue hardship on this property by holding a new commercial building planned for the property to stricter standards than those required on adjacent properties along this section of the Cobb Parkway Corridor. This hardship would result in poor visibility of the building by approaching vehicular traffic. Unfortunately, building setbacks will also result in the destruction of current traffic circulation patterns within the shopping center which could negatively impact public safety and welfare.

List type of variance requested: Waiver of the front setback from the required 100 feet under PSC to 50 feet as shown on the site plan being filed contemporaneously herewith.

EXHIBIT
V-7 (2013)

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

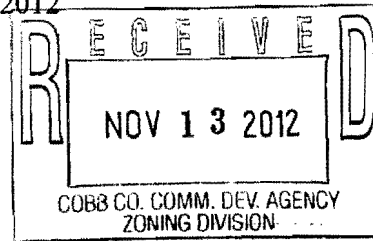
JUSTIN H. MEEKS

SAMSLARKINHUFF.COM

November 13, 2012

VIA EMAIL

Ms. Kim Swanson, Member
Cobb County Board of Zoning Appeals
4960 Hampton Farm Drive
Marietta, GA 30068



Re: Variance Application of CBC Restaurant Corp., Application No. V-7

Dear Kim:

This firm has been engaged by and represents CBC Restaurant Corp. concerning the above-captioned Variance Application which is scheduled to be heard and considered by you and the Cobb County Board of Zoning Appeals ("BZA") on January 9, 2013. You are no doubt familiar with the property which constitutes the subject matter of the Variance Application which is the Longhorn's Restaurant site adjacent to the tract which you and I worked on regarding the Pollo Tropical Variance Application last year.

With respect to the foregoing, attached please find a copy of the Variance Application package which was filed last week on November 8, 2012 which includes architectural renderings/elevations depicting the architectural style and composition of the proposed Corner Bakery Café ("CBC"). The Application seeks the following:

1. A waiver of the required front setback under the PSC District from 100 feet to 70 feet for the construction of a new patio and covered seating area.
2. A waiver of the required front setback under the PSC District from 100 feet to 49 feet to accommodate the existing building (as-built).

The Variance Application seeks to pave the way for the construction (rehabbing and retrofitting) of a Corner Bakery Café which has 144 locations throughout the United States, including four (4) locations within the Metropolitan Atlanta area. CBC is utilizing the same engineering firm (Travis Pruitt & Associates) which was selected by Pollo Tropical for its Variance Application. In that regard, David Blumenthal of Travis Pruitt and I would like to meet with you on the site at your convenience after Thanksgiving. More than likely, David Lake, CBC's Construction Project Manager will meet with us as well. Please let me know when it is convenient for you to do so. I look forward to working with you again in connection with this Variance Application.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

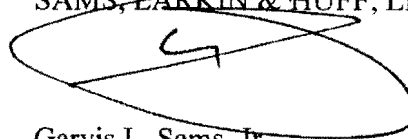
VIA EMAIL

Ms. Kim Swanson, Member
Cobb County Board of Zoning Appeals
November 13, 2012
Page 2

With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS/dsj

Attachment

cc: Mr. David Lake, Construction Project Manager
Corner Bakery Café (via email w/attachment)
Mr. David Blumenthal, PE, LEED AP, Project Manager
Travis Pruitt & Associates (via email w/attachment)
Mr. Terry L. Martin, MPA, Planner II
Cobb County Zoning Division (via email w/attachment)

1592 SANDPOINT DR.
ROSWELL, GA. 30075
(770) 655-5122



REVISION

DATE: 11-7-2012
PROJECT #
DESIGNED: SLR
DRAWN: SLR
CHECKED:

HARVEY RESIDENTIAL

1602 HAMPTON OAKS BEND, MARIETTA, GEORGIA

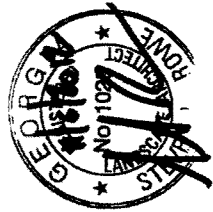
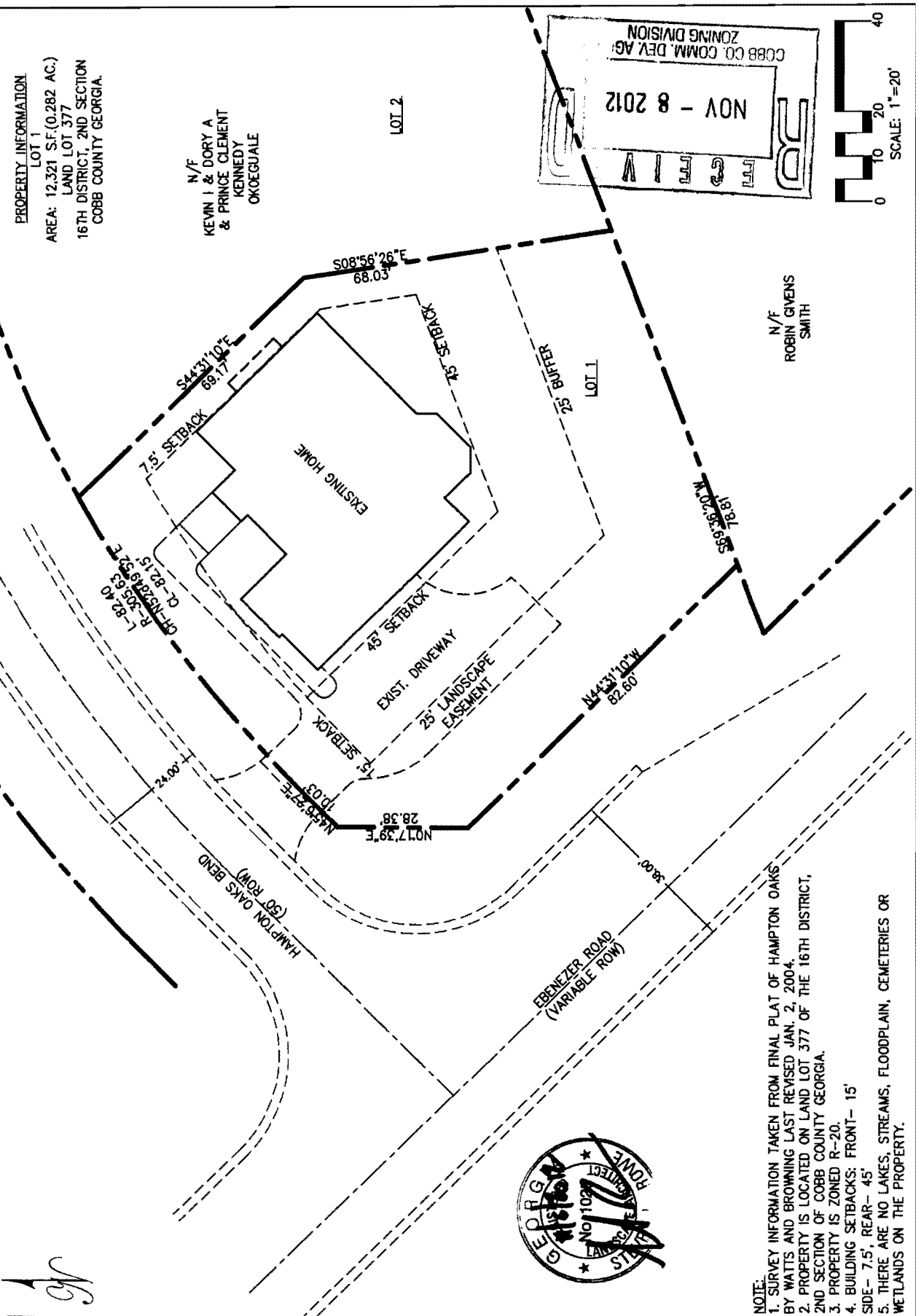
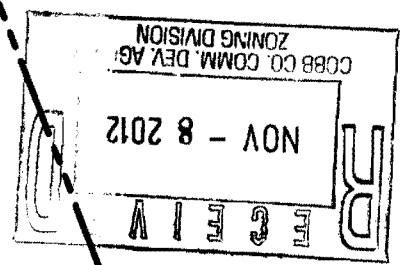
BASE SURVEY

PROPERTY INFORMATION

LOT 1
AREA: 12.321 S.F. (0.282 AC.)
LAND LOT 377
16TH DISTRICT, 2ND SECTION
COBB COUNTY GEORGIA

N/F
KEVIN I & DORY A
& PRINCE CLEMENT
KENNEDY
OKOEGUALE

N/F
ROBIN GIVENS
SMITH



- NOTE:
1. SURVEY INFORMATION TAKEN FROM FINAL PLAT OF HAMPTON OAKS BY WATTS AND BROWNING LAST REVISED JAN. 2, 2004.
 2. PROPERTY IS LOCATED ON LAND LOT 377 OF THE 16TH DISTRICT, 2ND SECTION OF COBB COUNTY GEORGIA.
 3. PROPERTY IS ZONED R-20.
 4. BUILDING SETBACKS: FRONT- 15' SIDE- 7.5', REAR- 45'
 5. THERE ARE NO LAKES, STREAMS, FLOODPLAIN, CEMETERIES OR WETLANDS ON THE PROPERTY.

APPLICANT: Deborah Harvey

PHONE: 770-579-5921

REPRESENTATIVE: Jonna Rowe

PHONE: 770-655-5122

TITLEHOLDER: Deborah A. Harvey

PROPERTY LOCATION: At the southeast corner of
Hampton Oaks Bend and Ebenezer Road
(1602 Hampton Oaks Bend).

PETITION No.: V-8

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-20 OSC

LAND LOT(S): 377

DISTRICT: 16

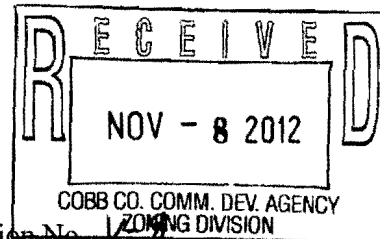
SIZE OF TRACT: 0.282 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 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.



Application for Variance Cobb County



(type or print clearly)

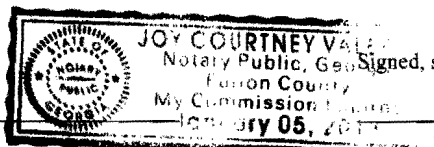
Application No. 178
Hearing Date: 1/9/12

Applicant DEBORAH HARVEY Phone # 770-579-5921 E-mail dh1003@aol.com

JONNA ROWE Address 1512 SANDPOINT DR., ROSWELL, GA. 30075
(representative's name, printed) (street, city, state and zip code)

Jonna Rowe Phone # 770-655-5122 E-mail SJrowe92@Bellsouth.net
(representative's signature)

My commission expires: 01/05/13

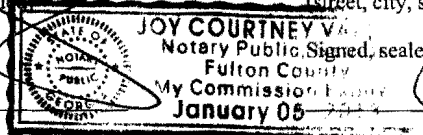


Joy Courtney Valerius
Notary Public

Titleholder DEBORAH HARVEY Phone # 770-579-5921 E-mail dh1003@aol.com

Signature [Signature] Address: 1602 HAMPTON OAKS BLVD, MARIETTA, GA. 30066
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 01/05/13



Joy Courtney Valerius
Notary Public

Present Zoning of Property R-20

Location 1602 HAMPTON OAKS BLVD, MARIETTA, GA. 30066
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 377 District 16TH Size of Tract 0.282 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 _____ 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.

GIVEN THE POSITION OF THE EXISTING HOME ON THE LOT, THE LARGE REAR SETBACK, AND LARGE SIDE SETBACK ON EBENEZER RD., MAKE THE PROSPECT OF A SMALL ADDITION IMPOSSIBLE WITHIN EXISTING SETBACKS. THE PROPOSED ADDITION WILL SERVE AS A KEEPING ROOM OFF THE KITCHEN DINING AREA AND IS POSITIONED NOT TO IMPACT OR BE SEEN BY SURROUNDING NEIGHBORS. THE LEVEL OF EXISTING LANDSCAPE SCREENING LANDSCAPE ADJACENT TO EBENEZER RD. WILL ALLOW THE PROPOSED ADDITION NOT TO BE SEEN.

List type of variance requested: ~~ENCROACHMENT~~ SIDE AND REAR SETBACK
ENCROACHMENT. (SEE ATTACHED PLAN)

SURVEY PLAT
PREPARED FOR:

STEVEN ABRAMS and
JOHANNA ZAMBROTTA

LAND LOTS: 39 DISTRICT: 16th SECTION: 2nd
COBB COUNTY, GEORGIA

LEGEND

IPS --- IRON PIN SET (1/2" REMARK)
R/W --- RIGHT OF WAY
PP --- POWER POLE
X --- FENCE
L --- LAND LOT
L.L. --- LAND LOT
C --- CONCRETE
R --- REINFORCED METAL PIPE
RCP --- REINFORCED CONCRETE PIPE
CB --- CATCH BASIN
JB --- JUNCTION BOX
SSMH --- SANITARY SEWER MANHOLE
B/L --- BUILDING LINE
D.G.T. --- DEPARTMENT OF TRANSPORTATION
P --- FIRE HYDRANT
G --- GAS METER
A.E. --- ACCESS EASEMENT
U.E. --- UTILITY EASEMENT
D.E. --- DRAINAGE EASEMENT
S.E. --- SANITARY SEWER EASEMENT

PLAT REFERENCE

LOT 62 BLOCK
INDIAN CREEK
UNIT TWO
RECORDED IN PLAT BK. 97 PG. 74
WARRANTY DEED AT DEED BOOK 14726, PAGE 916

V-9 (2013)



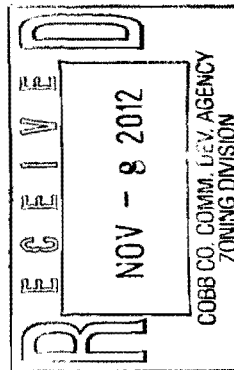
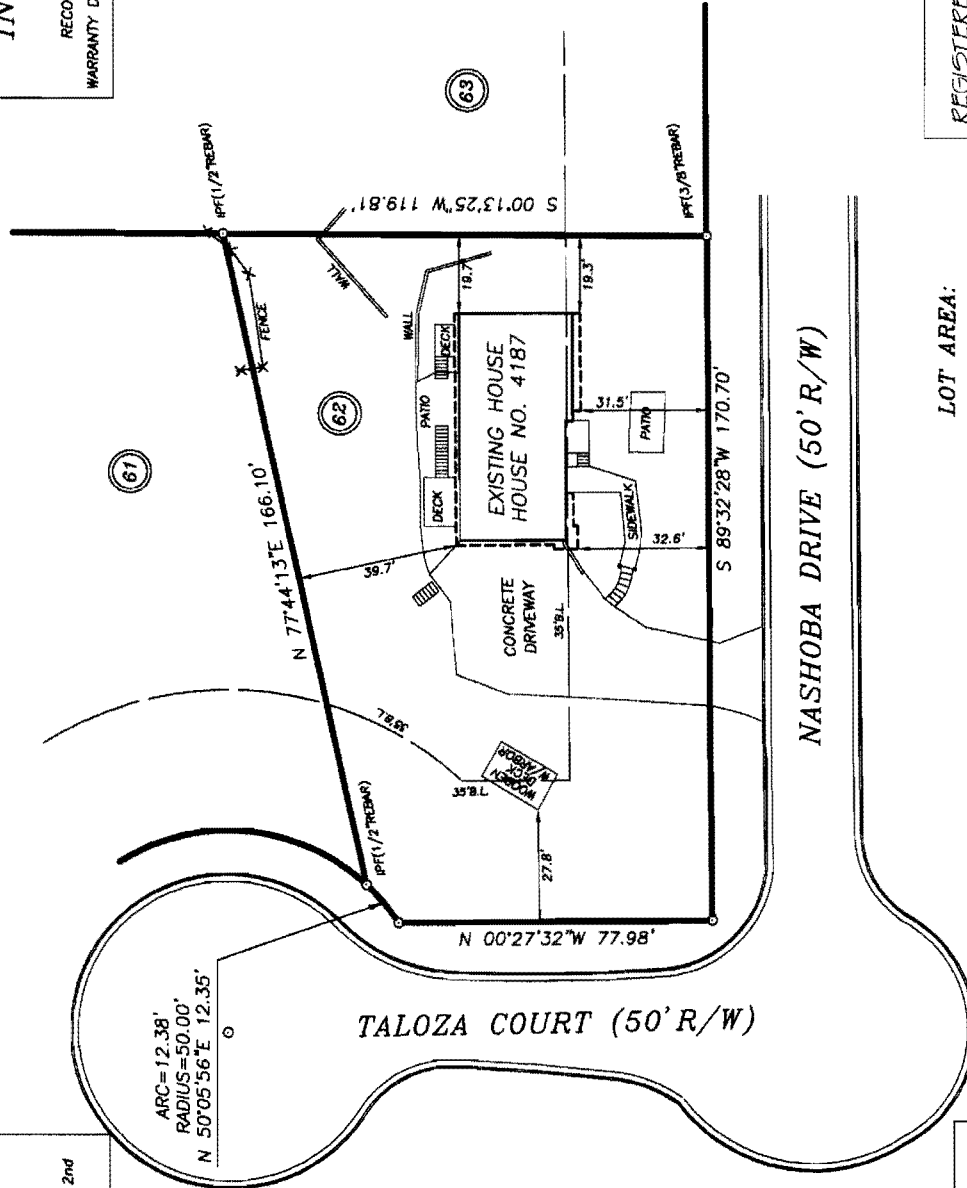
PREPARED BY:
REGISTERED LAND SURVEYORS, INC.
136 SAVANNA ESTATES DRIVE
CANTON, GEORGIA 30115
PHONE (770) 998-7676 FAX (770) 998-2745

GRAPHIC SCALE: 1" = 30'



JOB No. 2526 DATE: 10-17-2012

LOT AREA:
17,409 SQUARE FEET
0.40 ACRE



GENERAL NOTES:
(1) FIELD DATA CLOSURE IS ONE FOOT IN 45,153 FEET WITH AN ANGULAR ERROR OF 0.2 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
(2) THE EQUIPMENT USED WAS A TOPCON GPT-2003
(3) THE CALCULATED PLAT CLOSURE IS 1 FOOT IN 1,35,355 FEET.
(4) BEFORE YOU DIG, CALL THE UTILITIES PROTECTION CENTER, INC., AT 1-800-282-7411 FOR UNDERGROUND UTILITIES LOCATION.

APPLICANT: Steven Abrams & Johanna Zambrotta

PHONE: 770-926-7915

REPRESENTATIVE: Matthew M. Liss, Esq.

PHONE: 404-760-6004

TITLEHOLDER: Steven Abrams & Johanna Zambrotta

PROPERTY LOCATION: On the northeast corner of Nashoba Drive and Taloza Court, west of Alabama Road (4187 Nashoba Drive).

PETITION No.: V-9

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-15

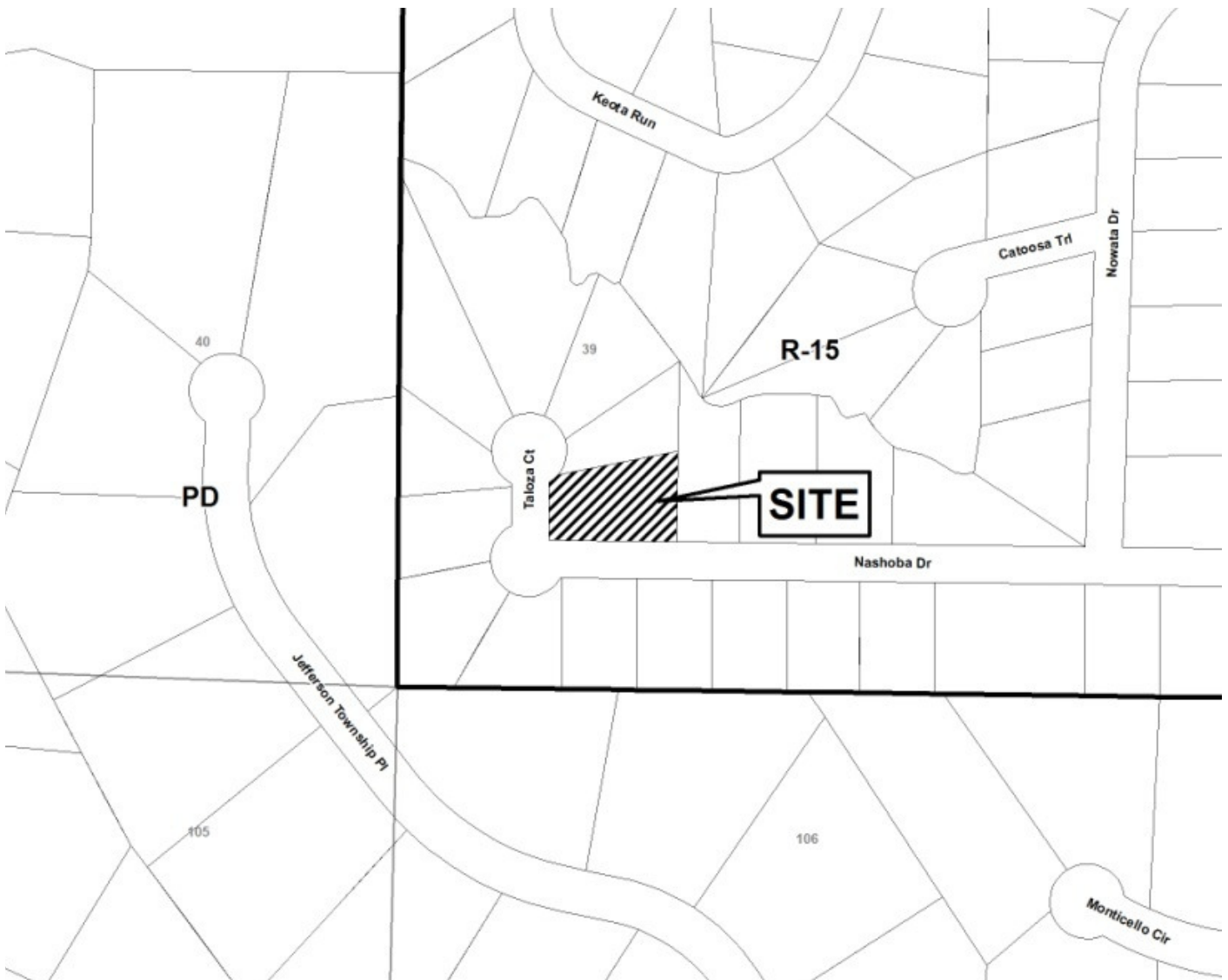
LAND LOT(S): 39

DISTRICT: 16

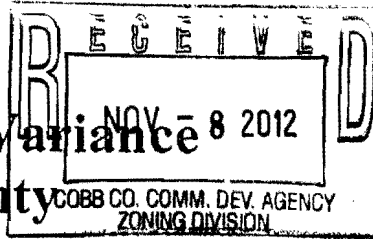
SIZE OF TRACT: 0.40 acre

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the major side setback from the required 35 feet to 31.5 feet on 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.



Application for Variance Cobb County



(type or print clearly)

Application No. V-9
Hearing Date: 01/09/2013

Applicant Steven Abrams & Johanna Zambrotta Phone # 770-926-7915 E-mail abrams@hotmail.com

Matthew M. Liss, Esq.
(representative's name, printed)

Address: 5 Concourse Parkway, Suite 2600, Atlanta, GA 30328
(street, city, state and zip code)

[Signature]
(representative's signature)

Phone # 770-6004

E-mail mliss@jtklaw.com

My commission expires: _____

Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Titleholder Steven Abrams
Johanna Zambrotta

Phone # 770-926-7915

E-mail abrams@hotmail.com

Signature [Signature]
(attach additional signatures if needed)

Address: 4187 Nashoba Drive, Roswell, GA 30075
(street, city, state and zip code)

My commission expires: 1-4-16

Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Present Zoning of Property _____

R - 15

Location 4187 Nashoba Drive, Roswell, Georgia 30075

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

Land Lot(s) 62 District 16ch Size of Tract 0.40 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 _____

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.

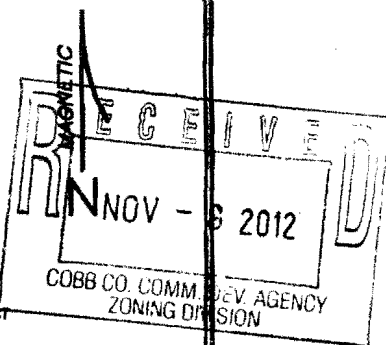
Financial hardship from having to dispose of pergola structure. Due to lot size and topography,
cannot move pergola behind property (see lot survey).

List type of variance requested: Allow pergola to be located on side of house, in its current location.

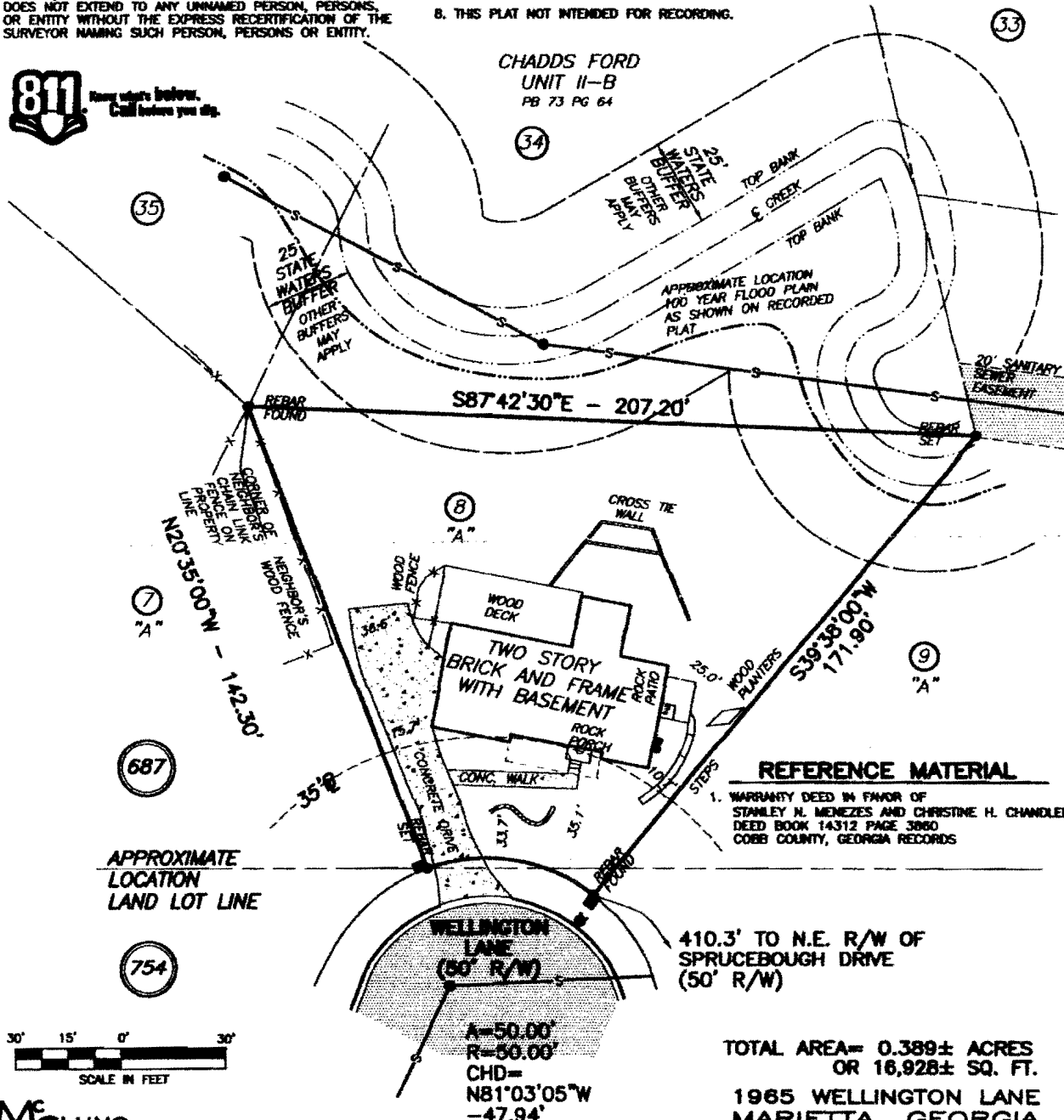
SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE FOLLOWING OFFICES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE AND TAKEN FROM RECORDED DOCUMENTS.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

4. 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 02" PER ANGLE POINT, AND WAS ADJUSTED BY THE METHOD OF LEAST SQUARES. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.
8. THIS PLAT NOT INTENDED FOR RECORDING.



Know what's below.
Call before you dig.

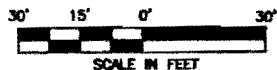


REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF STANLEY H. MENEZES AND CHRISTINE H. CHANDLER DEED BOOK 14312 PAGE 3880 COBB COUNTY, GEORGIA RECORDS

410.3' TO N.E. R/W OF SPRUCEBOUGH DRIVE (50' R/W)

TOTAL AREA= 0.389± ACRES
OR 16,928± SQ. FT.
1965 WELLINGTON LANE
MARIETTA, GEORGIA

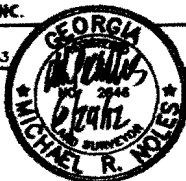


McLUNG
SURVEYING SERVICES, INC.

4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383

This property is located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps. ZONE "A"

In my opinion this plat is a correct representation of the land platted.



Michael R. Noles
Georgia RLS #2644
Member SAMSOG
JOB#232821

LEGEND

- | | |
|-----|--------------------------|
| RCP | REINFORCED CONCRETE PIPE |
| CMP | CORRUGATED METAL PIPE |
| ○ | POWER POLE |
| ○ | LIGHT POLE |
| ○ | POWER METER |
| ○ | POWER BOX |
| ○ | AIR CONDITION |
| ○ | TELEPHONE BOX |
| ○ | GAS METER |
| ○ | GAS VALVE |
| ○ | WATER METER |
| ○ | WATER VALVE |
| ○ | JUNCTION BOX |
| ○ | DROP INLET |
| ○ | SANITARY SEWER MANHOLE |

PROPERTY OF
STANLEY MENEZES
CHRISTINE CHANDLER
LOT 8, BLOCK "A"
KENSINGTON

LAND LOTS 687 AND 754
DISTRICT 16TH. SECTION 2ND
COUNTY COBB
GEORGIA

PLAT PREPARED: 10-24-12
FIELD: 10-22-12 SCALE: 1"=30'

PB 100
PG 4
DB
PG

APPLICANT: Raymond Tracey

PHONE: 404-424-9488

REPRESENTATIVE: Christine H. Chandler

PHONE: 678-595-1953

TITLEHOLDER: Stanley N. Menezes & Christine H. Chandler

PROPERTY LOCATION: On the north side of
Wellington Lane, east of Johnson Ferry Road
(1965 Wellington Lane).

PETITION No.: V-10

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-20

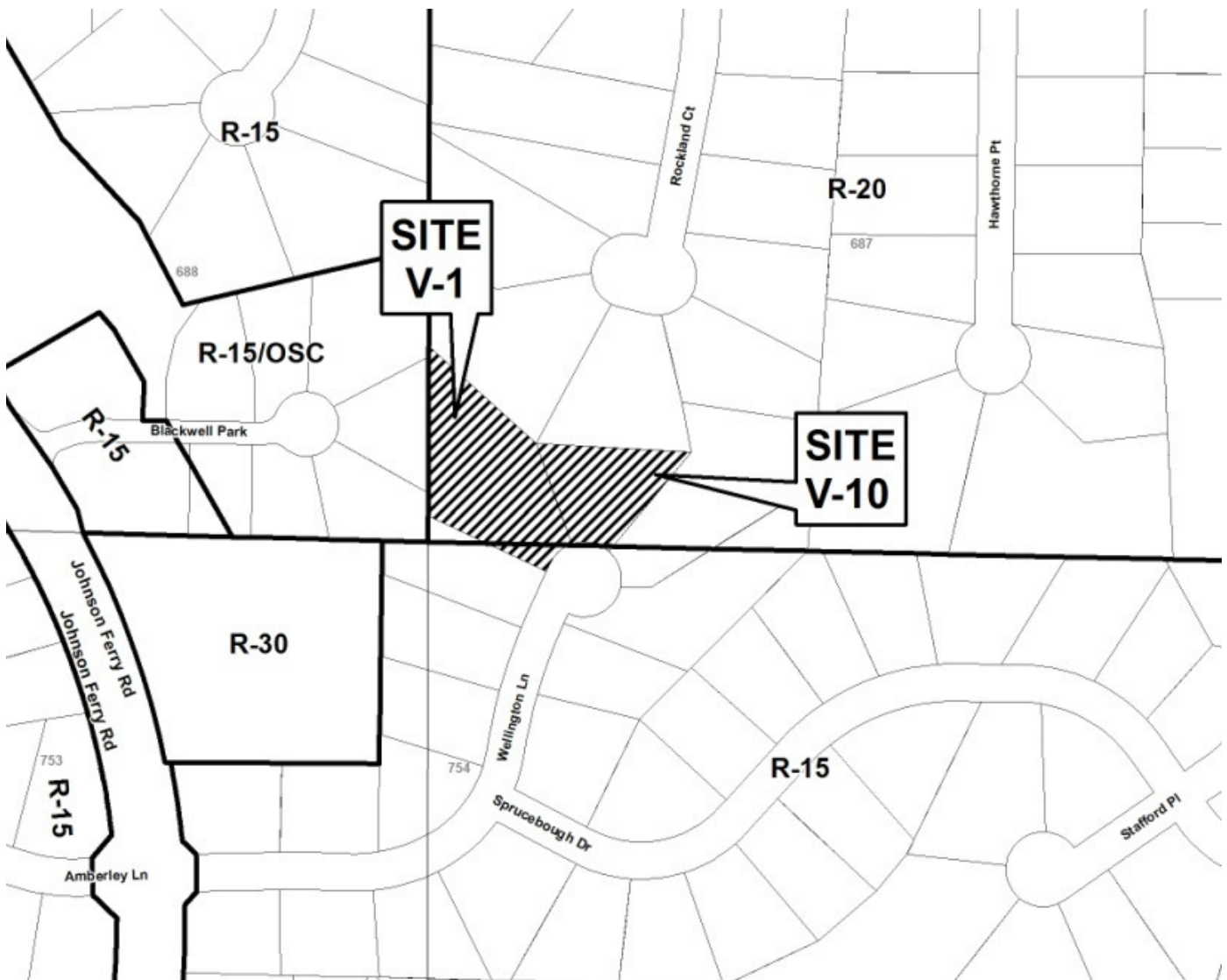
LAND LOT(S): 687, 754

DISTRICT: 16

SIZE OF TRACT: 0.389 acres

COMMISSION DISTRICT: 2

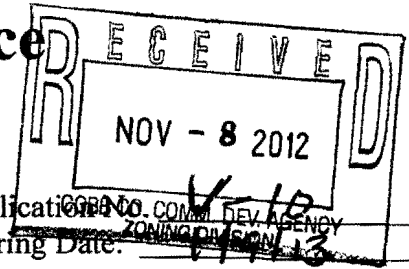
TYPE OF VARIANCE: Waive the front setback from the required 35 feet to 25 feet.



Application for Variance Cobb County

(type or print clearly)

Application No. V-10
Hearing Date: 11/13



Applicant RAYMOND TRACY Phone # 404 424 9488 E-mail antrac@ballsouth.net

Christine H. Chandler
(representative's name, printed)

Address 1965 Wellington Ln Marietta GA
(street, city, state and zip code) 30062

CHRISTINA THAI
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires August 17, 2016

Phone # 678 595 1953 E-mail Chandlerchristine@gmail.com

CH. H. CH.
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: August 17, 2016

Christina Thai

Notary Public

Titleholder STANLEY N MENEZES Phone # 770 971 8554 E-mail stanley.menezes@gmail.com

Signature [Signature] Address: 1965 Wellington Ln Marietta GA
(attach additional signatures, if needed) (street, city, state and zip code) 30062

My commission expires: August 17, 2016

CHRISTINA THAI
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires August 17, 2016

Signed, sealed and delivered in presence of:

Christina Thai

Notary Public

Present Zoning of Property R-20

Location 1965 Wellington Ln Marietta GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 647, 754 District 16 Size of Tract .389 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 A Shape of Property _____ Topography of Property _____ Other _____

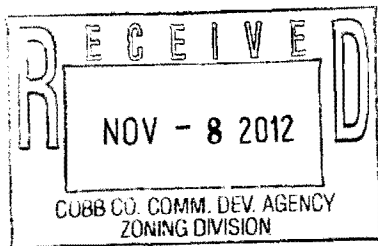
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the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

We would not be able to build the intended covered porch.

List type of variance requested: Build covered porch near/at setback boundary.

LEGEND

IPS=IRON PIN SET
RBF=REBAR FOUND
DW=DRIVEWAY
BL=BUILDING LINE
N/F=NOW OR FORMERLY
C.L.F.=CHAIN LINK FENCE
CON.=CONCRETE
CTF=CRIMP TOP FOUND
MH=MANHOLE
P/L=PROPERTY LINE
-X- =FENCE
PP=POWERPOLE
LLL=LAND LOT LINE



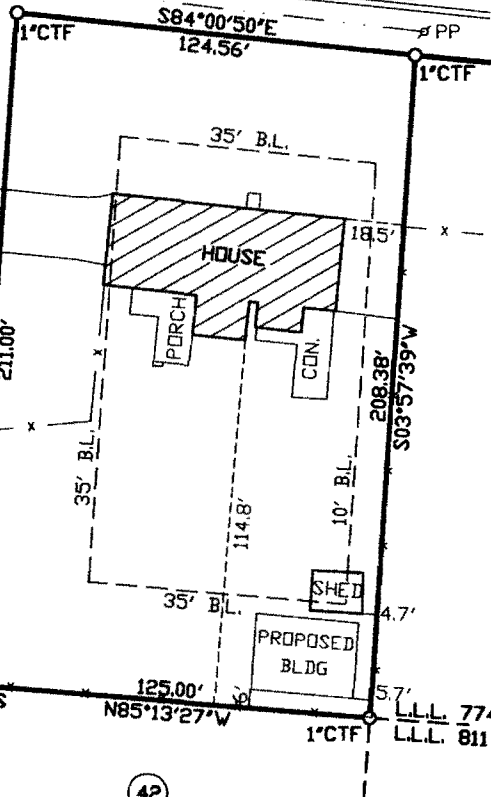
LLL 774
LLL 811

RUGBY ROAD 50' R/W
24' PAVED

NO PORTION OF THIS PROPERTY LIES WITHIN A FEDERALLY DESIGNATED 100 YEAR FLOOD ZONE PER FEMA PANEL 13071G EFFECTIVE DATE 12/16/2008.

V-11 (2013)

DIOR DRIVE 50' R/W
24' PAVED



(46)
STITH HOWARD

(42)
CULP CLINT



NOTES:

1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
2. BEARING BASIS TAKEN USING A MAGNETIC COMPASS.
3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,000 FEET AND AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 123,033 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR + DATA COLLECTOR AND A TOPCON 3005W TOTAL STATION.
6. FIELD WORK COMPLETED ON OCTOBER 17, 2012.

PROPERTY INFORMATION:
1860 Dior Drive
Marietta, Ga 30062
Sq. Feet: 26156.97
Acres: 0.600

GARMON 
Land Surveying
1920 RAILROAD ST STATHAM, GA 30666
PHONE (678)-776-3544



SURVEY FOR:	
EDDIE OLLIS	
HASTY ACRES - PHASE 1 - LOT 45	
LAND LOT 774 - 16TH DISTRICT - 2ND SECTION - COBB COUNTY, GEORGIA	
DATE : OCTOBER 22, 2012	JOB NO. : 2012-100
SCALE : 1"=60'	FILE NO : 1860 DIOR DR.DWG

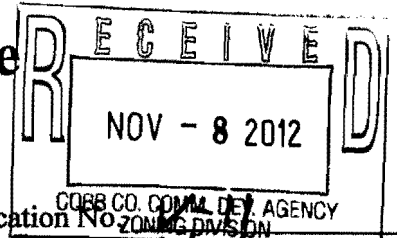
APPLICANT: Lona Flood
PHONE: 678-313-4158
REPRESENTATIVE: Eddie Ollis
PHONE: 770-570-7289
TITLEHOLDER: Lona Flood
PROPERTY LOCATION: On the southeast corner of
Dior Drive and Rugby Road
(1860 Dior Drive).

PETITION No.: V-11
DATE OF HEARING: 1-9-13
PRESENT ZONING: R-20
LAND LOT(S): 774
DISTRICT: 16
SIZE OF TRACT: 0.600 acres
COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the side setback for an accessory structure over 650 square feet (proposed 768 square foot building) from the required 100 feet to 5.7 feet; 2) waive the rear setback for an accessory structure over 650 square feet (proposed 768 square foot building) from the required 100 feet to 6 feet; 3) waive the setback for an accessory structure over 650 square feet from 100 feet to 85 feet adjacent to the west property line; and 4) waive the setback for an accessory structure over 144 square feet (existing 180 square foot shed) from 10 feet to 4.7 feet adjacent to the east property line and 35 feet to 30 feet adjacent to the south property line.



Application for Variance Cobb County




(type or print clearly)

Application No. 11913
Hearing Date: 11/9/13

Applicant Lona Flood Phone # 678-313-4158 E-mail lonaflood@yahoo.com

Eddie Ollis Address 1860 Dior Drive, Marietta, GA 30062
(representative's name, printed) (street, city, state and zip code)


(representative's signature)

Phone # 770-570-7289 E-mail eddieollis64@gmail.com

My commission expires: _____

Signed, sealed and delivered in presence of:

11/6/12 Mon' Mayes
Notary Public

Titleholder LONA FLOOD Phone # 678-313-4158 E-mail LONAFLOOD@YAHOO.COM

Signature  Address 1860 DIOR DR, MARIETTA GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: _____

Signed, sealed and delivered in presence of:

11/6/12 Mon' Mayes
Notary Public

Present Zoning of Property R20

Location 1860 Dior Drive, Marietta, GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 774 District 16th Size of Tract 0.600 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.

In order to follow the terms of the ordinance, I would have to erect the building in the middle of the backyard. This would require me to have two pear trees removed as well.

List type of variance requested: I currently have a small shed near the back of the property. There is a section behind that shed where I would like to place the storage building. It would be 5.7 feet from the north side property line and 6 feet from the east side property line.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 56,797 FEET, AN ANGULAR ERROR OF .4 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET, AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT.

NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMED SAID PERSON, PERSONS, OR ENTITY. THESE INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2012 FRONTLINE SURVEYING AND MAPPING, INC.

LEGEND:

- IRON PIN SET
- IRON PIN FOUND
- OPEN TOP PIN
- CONCRETE TOP PIN
- REINFORCING BAR
- CENTERLINE
- RIGHT-OF-WAY
- LAND LOT
- CONCRETE
- POWER POLE
- LAKE
- SANITARY SEWER
- FENCE CORNER
- ACCESS EASEMENT
- PROPOSED
- NOT TO SCALE
- BOLLARD
- CONCRETE MONUMENT FOUND
- CONCRETE UTILITY (LARGE)
- SANITARY SEWER MAN HOLE
- CATCH BASIN
- FUNCTION BOX
- DROP INLET
- HEAD WALL
- CORRUGATED METAL PIPE
- CONCRETE PLASTIC PIPE
- REINFORCED CONCRETE PIPE
- SANITARY SEWER EASEMENT
- FIRE HYDRANT
- DRAINAGE EASEMENT
- WATER VALVE
- SANITARY SEWER CLEANOUT
- POINT OF BEGINNING
- SINGLE WING CATCH BASIN
- UTILITY EASEMENT

GENERAL NOTES:

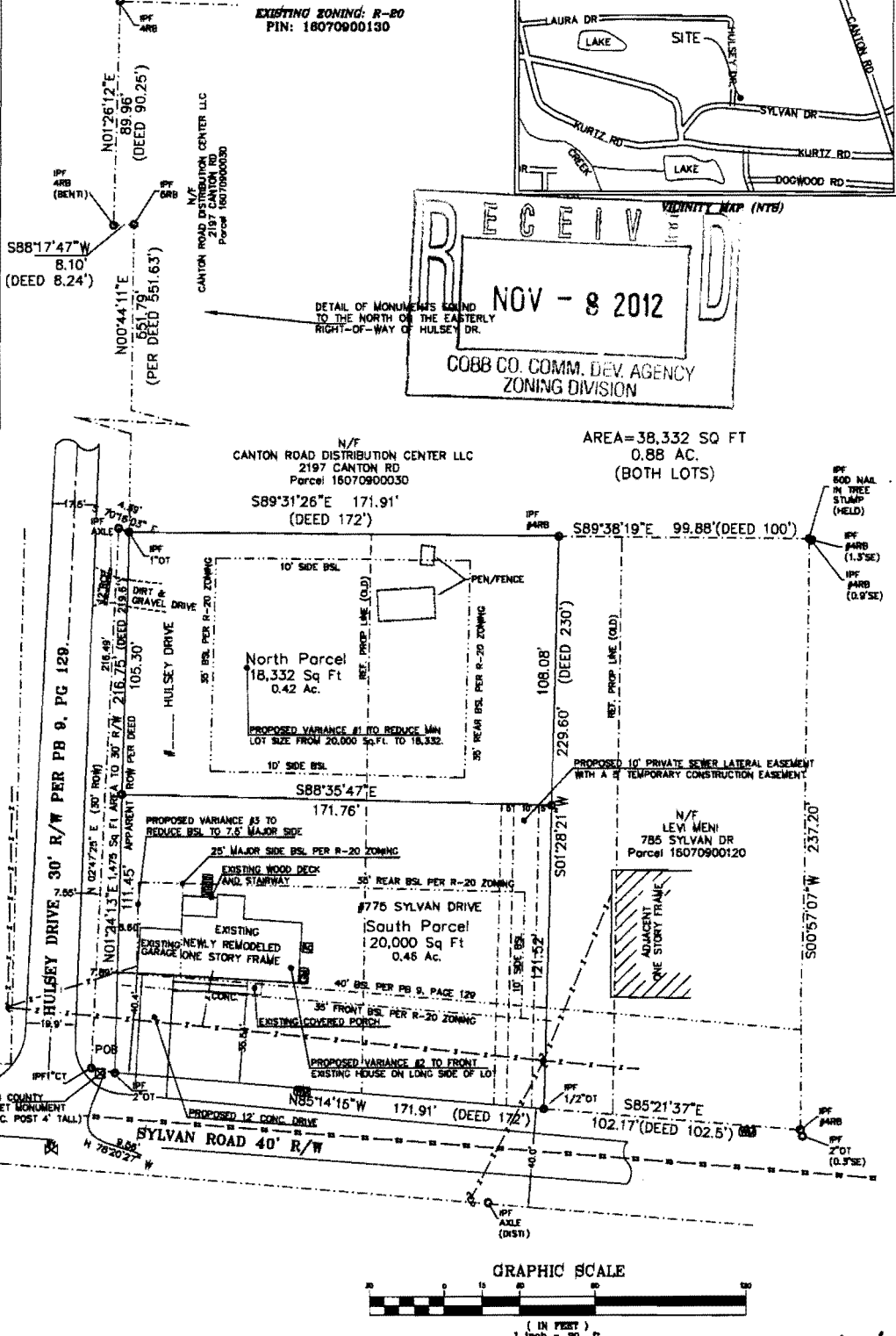
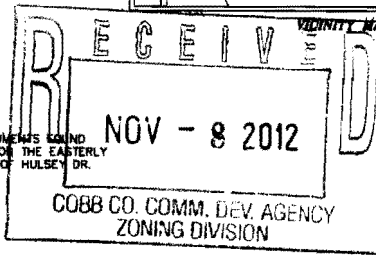
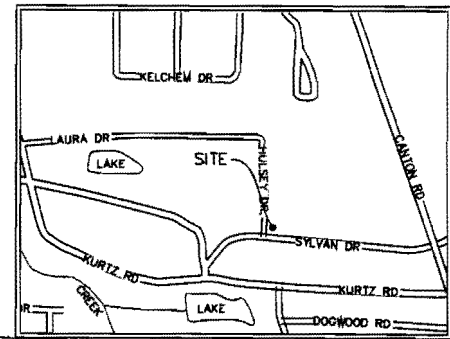
1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
5. DEED/PLAT DISCLAIMER: THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE ADVENT OF SATELLITE SURVEYING TECHNIQUES USING GPS AND "GLONASS" SATELLITE CONSTELLATIONS. SURVEYS USING SATELLITE OBSERVATIONS ARE CORRELATED TO THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM AND USE "GEODETIC" OR "GRID" NORTH AS OPPOSED TO "MAGNETIC" NORTH.

GLOBAL POSITIONING SYSTEMS INCORPORATION NOTE:

A PORTION OF THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED UTILIZING GLOBAL POSITIONING SYSTEMS (GPS). IT INCLUDES NAVD 1988 ELEVATIONS AND HARN (HIGH) GEORGIA STATE PLANES, WEST ZONE COORDINATES. THE EQUIPMENT USED WAS A TRIMBLE 5800 GPS RECEIVER WITH TRIMBLE DATA COLLECTOR AND A CELL PHONE MODEM. A NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY WAS PERFORMED USING CORRECTED MEASUREMENTS. THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY GPS SOLUTIONS, INC. POSITIONAL ACCURACY OF THE FIELD DATA UTILIZED IN THIS SURVEY IS 0.04 FEET HORIZONTAL AND 0.07 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.

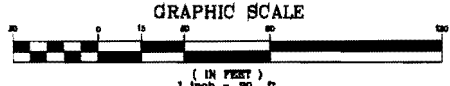
VARIANCE PLAN FOR 4035 CANTON ROAD LLC 775 SYLVAN ROAD LAND LOT 709, 16TH DISTRICT, 2ND SECTION OF COBB COUNTY, GEORGIA

EXISTING ZONING: R-20
PIN: 18070900130



CURRENT ZONING:
R-20

- FRONT SETBACK= 35'
- SIDE SETBACK= 10'
- MAJOR SIDE SETBACK= 25'/35'
- REAR SETBACK= 35'



3595 Canton Road
A-9, PMB 272
Marietta, GA 30066
Ph. (678) 355-9905
Fax (678) 355-9805

www.frontlinesurveying.com

VARIANCE PLAN 4035 CANTON ROAD, LLC

LAND LOT 709	16TH DISTRICT 2ND SECTION	COBB COUNTY, GEORGIA
LOT 13 AND PART 12 BLOCK A		
SUBDIVISION	SYLVAN HILLS	
FB 0 PC 129	I HAVE THIS DATE EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND THAT BY GRAPHIC PLOTTING ONLY, THE REFERENCE PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.	
DB 14855 PC 4358	MAP ID 13067C0044G	EFFECTIVE DATE: 12-16-08



APPLICANT: Shanki Itum

PHONE: 678-823-1528, 404-406-3331

REPRESENTATIVE: Thomas E. Peay, Jr.

PHONE: 678-355-9905

TITLEHOLDER: 4035 Canton Road, LLC

PROPERTY LOCATION: On the northeast corner of
Sylvan Road and Hulsey Drive
(775 Sylvan Drive).

PETITION No.: V-12

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-20

LAND LOT(S): 709

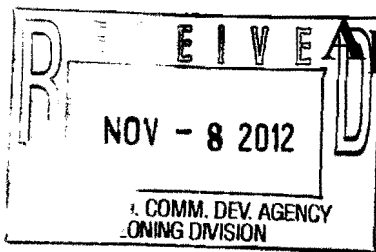
DISTRICT: 16

SIZE OF TRACT: 0.88 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the minimum lot size from the required 20,000 square feet to 18,332 for
proposed north parcel; and 2) waive the front setback from the required 35 feet to 7.5 feet on the western side
(existing) for the south parcel.





Application for Variance Cobb County

(type or print clearly)

Application No. V-12

Hearing Date: 1/9/13

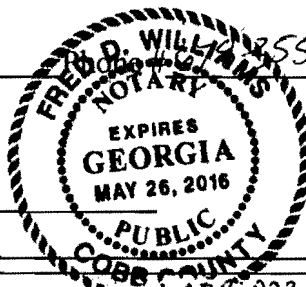
Applicant Shawnki Ifum Phone # 678-823-1528 E-mail TAHER Ifum @Gmail.com
404-406-3331

Thomas E Peay JR Address 812 Pine Manor Marietta GA 30066
(representative's name, printed) (street, city, state and zip code)

[Signature]
(representative's signature)

555-9905 E-mail Toma Frontline Surveying.com

My commission expires: 5-26-16



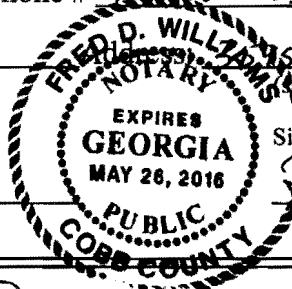
Signed, sealed and delivered in presence of:

Fred D. Williams

Notary Public

Titleholder 4035 Canton RD LLC Phone # 678-823-1528 E-mail TAHER Ifum @Gmail.com
404-406-3331 AKB Ifum @ AOL.com

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



4035 Canton Rd Marietta, GA
(street, city, state and zip code)

Signed, sealed and delivered in presence of:

Fred D. Williams

Notary Public

Present Zoning of Property R-20

Northeast Location CORNER OF SYLVAN ROAD & HULSEY DRIVE
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 709 District 16 Size of Tract 0.88 AC. 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.

#1 - Fronting lot on HULSEY gives a much better BUILDING
#2 SITE FOR New Lot AND would be less intrusive to
#3 NEIGHBORHOOD. ALSO EXISTING house already fronts
SYLVAN ROAD so it would not make any sense having
it front small side or HULSEY DRIVE.

List type of variance requested: 1. Reduce min Sq. Ft From 20,000 to 18,332.

2. Front EXISTING Dwelling To Front OF LONG SIDE OF LOT.

3. Reduce major SIDE SETBACK From 25' To 7.5' To

ACCOMMODATE EXISTING NON-CONFORMING GARAGE.

V-13 (2013)

GRID NORTH - GEORGIA WEST ZONE

THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES STATED ON THE FACE OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW



LEGEND	
⊕	P.P. - POWER POLE
⊗	L.P. - LIGHT POLE
⊙	F.H. - FIRE HYDRANT
⊕	M.H. - SANITARY SEWER MAINHOLE
⊗	W.M. - WATER METER
⊙	G.M. - GAS METER
-x-	TYPE OF FENCE
○	RBS - REINFORCING BAR SET
○	RBf - REINFORCING BAR FOUND
○	CTf - CRIMP TOP PIPE FOUND
○	OTf - OPEN TOP PIPE FOUND
○	J.B. - JUNCTION BOX
□	D.I. - DROP INLET / YARD INLET
□	C.B. - CATCH BASIN
==	R.C.P. - REINFORCED CONCRETE PIPE
==	C.M.P. - CORRUGATED METAL PIPE
F.F.E.	FINISHED FLOOR ELEVATION
---	OVERHEAD POWER LINES
—	HW - HEADWALL

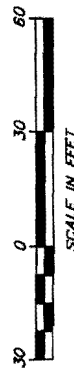
ZONING INFORMATION:

PER THE RECORDED SUBDIVISION PLAT, THIS PROPERTY IS CURRENTLY ZONED R-15.

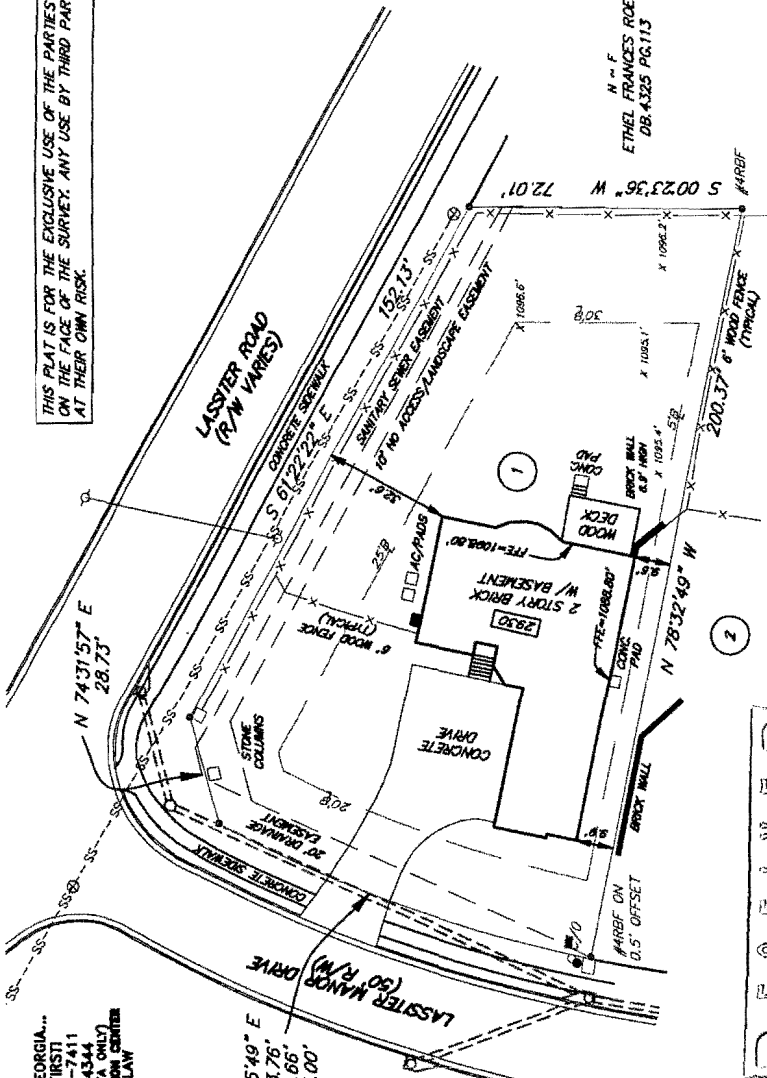
SETBACKS:
FRONT 20 FEET
SIDE (MAJOR): 25 FEET
(MINOR): 5 FEET
REAR: 30 FEET

MINIMUM LOT SIZE: 15,000 S.F.
MINIMUM FLOOR AREA: 2,500 S.F.
MAXIMUM COVERAGE: 35%
MAXIMUM IMPERVIOUS SURFACE: 35%
MAXIMUM BUILDING HEIGHT: 30 FEET

TOTAL IMPERVIOUS AREA ~ 4611 S.F.
PERCENT IMPERVIOUS ~ 25.8%
35% IMPERVIOUS AREA = 6261 S.F.
ADDITIONAL PERMISSIBLE IMPERVIOUS AREA = 1650 S.F.



THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X, ACCORDING TO FEMA (F.I.A.) COMMUNITY NUMBER 130058, MAP NUMBER 13007C 00086 DATED DECEMBER 15, 2008.



THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/10,000+; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/345,790. MATTERS OF TITLE ARE EXCEPTED.

RECEIVED
NOV - 8 2012
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

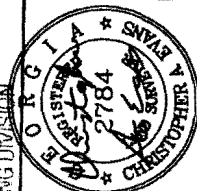
SITE AREA
17890 Φ
0.41 AC.

BOUNDARY SURVEY FOR:

CARLOS DOMATO
LASSITER MANOR SUBDIVISION
LOT 1

LOCATED IN L.L. 538
16th DISTRICT, 2nd SECTION
COBB COUNTY, GA.

askins
SURVEYING & ENGINEERING • LAND MARKERS • ENVIRONMENTAL
200 Peachtree-Dunwoody
Atlanta, Georgia 30328
Phone: 404-525-0400
Fax: 404-525-0400



APPLICANT: Carlos A. and Michelle R. DoMato

PHONE: 678-231-9286

REPRESENTATIVE: John H. Moore

PHONE: 770-429-1499

TITLEHOLDER: Carlos A. and Michelle DoMato

PROPERTY LOCATION: On the southeast corner of
Lassiter Manor Drive and Lassiter Road
(2930 Lassiter Manor Drive).

PETITION No.: V-13

DATE OF HEARING: 1-9-13

PRESENT ZONING: R-15

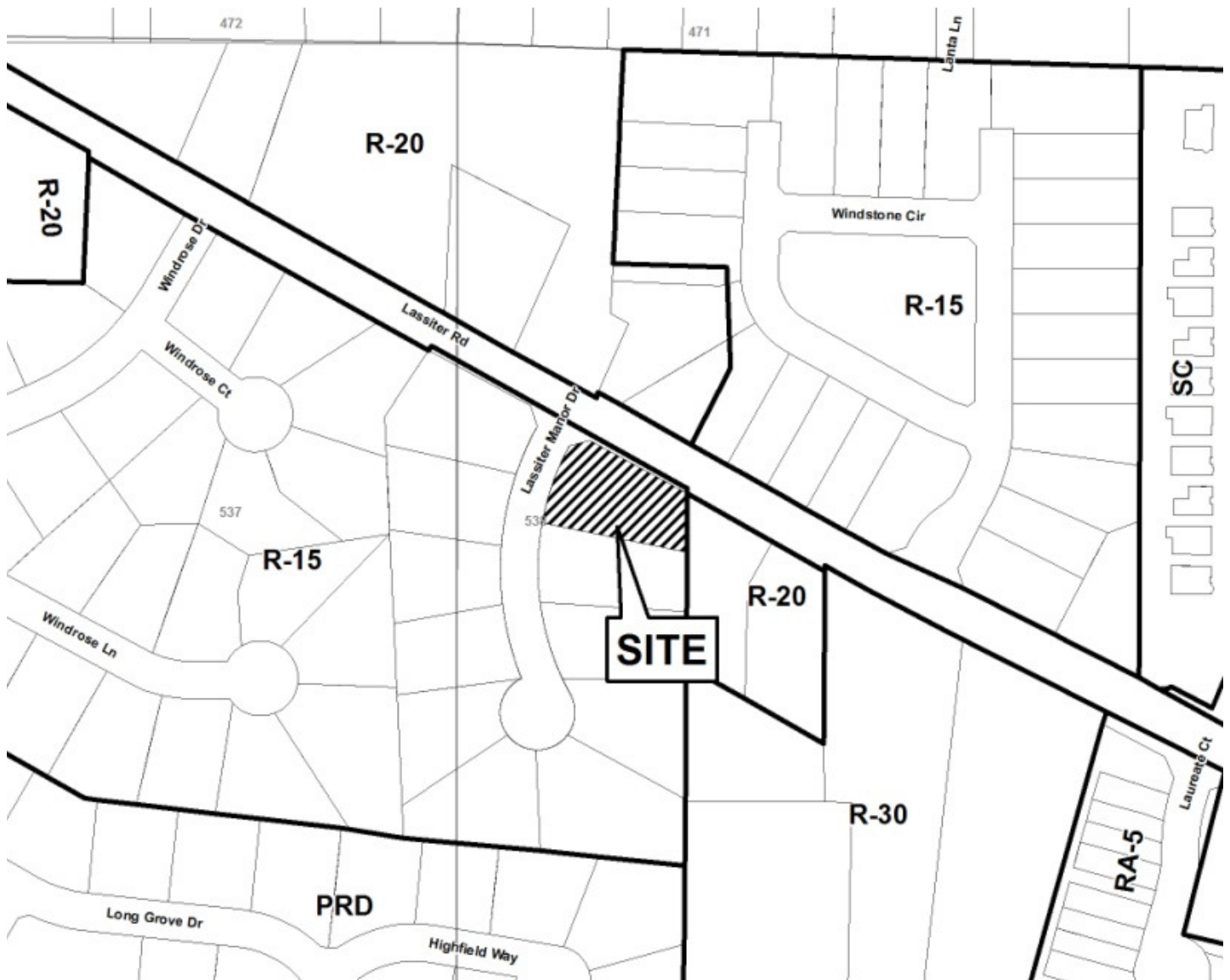
LAND LOT(S): 538

DISTRICT: 16

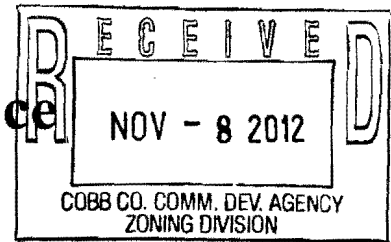
SIZE OF TRACT: 0.41 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 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.



Application for Variance Cobb County

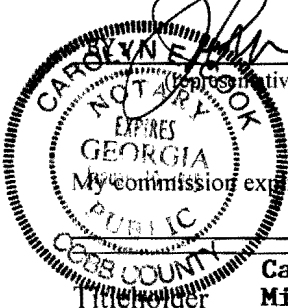


(type or print clearly)

Application No. V-13 (2013)

Hearing Date: 01/09/2013

Applicant Carlos A. DoMato and Michelle R. DoMato Phone # (678) 231-9286 E-mail carlos@ecm-atl.com
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
John H. Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)



[Signature] Phone # (770) 429-1499 E-mail jmoore@mijs.com
(representative's signature) Georgia Bar No. 519800 w7@mijs.com

Signed, sealed and delivered in presence of:

Carolyn E. Cook
Notary Public

Carlos A. DoMato and Michelle R. DoMato Phone # (678) 231-9286 E-mail carlos@ecm-atl.com
Titleholder See Attached Exhibit "A" for Applicants/Titleholders' Address: 2930 Lassiter Manor Drive
Signature Marietta, GA 30062
(attach additional signatures, if needed) Signatures (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Present Zoning of Property R-15

Location 2930 Lassiter Manor Drive
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 538 District 16th Size of Tract 0.41 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 _____ 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.

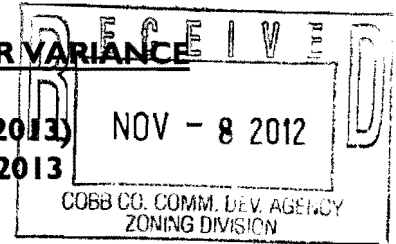
See Exhibit "B" attached hereto and incorporated herein by reference.

List type of variance requested: Waiver of required rear setback from thirty (30) feet to eighteen (18) feet (See § 134-198(4)(d)).

EXHIBIT
V-13 (2013)

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 13 (2013)
Hearing Date: January 9, 2013



BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicants/Property Owners **Carlos A. DoMato and Michelle DoMato**

Please state what hardship would be created by following the normal terms of the ordinance:

Pursuant to the R-15 zoning classification, Applicants request a waiver of the required minimum rear setback from thirty (30) feet to eighteen (18) feet, as more particularly shown and reflected on the site plan submitted with the Application for Variance. Applicants propose the addition of a patio area, pool, deck, and covered pool cabana and outdoor kitchen. The landscaping for the entire patio, pool, and kitchen areas will be professionally designed, implemented, and maintained.

The Subject Property is at the entrance to Lassiter Manor Subdivision and is bounded by Lassiter Road on the northerly side and Lassiter Manor Drive (entrance drive to the subdivision) on the westerly side. Additionally, a six (6) foot wooden privacy fence is located on the Subject Property along and adjacent to Lassiter Road and the rear property line. The adjacent property owner (2920 Lassiter Manor Drive) also has a six (6) foot wooden privacy fence between the backyard area of the two residences. The property to the east consists of two tracts, totaling approximately one acre, comprised of a single-residence and an undeveloped area with a concrete pad located thereon, which area is directly behind the Applicants' Property.

To allow the proposed additions into the rear setback area would result in minimal impact, if any at all, upon the Subject Property or any other adjacent or surrounding properties. The reduction of the rear setback by twelve (12) feet is very minor. Additionally, substantial and planned landscaping to not only the newly constructed area, but also the existing area, will be completed which will enhance and appropriately utilize the entire backyard area. With the planned additions, the Subject Property will remain within the allowable maximum pervious surface area for an R-15 development.

SHADED AREAS REPRESENT PROPOSED PAVEMENT
AND CURBING UNDER THE PROPOSED CONDITIONS.
2017 NOV 14 AM 8:05

**CALL
BEFORE
YOU DIG!**

[illegible]

SITE NOTES AND SPECIFICATIONS:

1. **ASBUILT AND BOUNDARY SURVEY** PROVIDED BY SURVEY DATED 11/21/09 BY WEST GEORGIA SURVEYORS, INC.
2. **ALL EXISTING CURB** TO BE RECONSTRUCTED TO MATCH EXISTING CURB AND GUTTER.
3. **ALL PROPOSED GRADING** IS TO BE GOOD 2" TYPE A CONCRETE CURB AND GUTTER.
4. **RELATIONSHIP TO ANY EXISTING SITE FEATURES** TO BE IDENTIFIED BY THE CONTRACTOR.
5. **PEDESTRIAN TRAIL** TO BE PAINTED WITH 4" WIDE WHITE STRIPE AT A 45 DEGREE ANGLE WITH THE FLOW OF TRAFFIC AT 2'-0" ON CENTER.
6. **HANDICAP ACCESSIBLE PARKING** TO COMPLY WITH DETAIL 1/04-11.
7. **THICK WITH STEEL REINFORCEMENT (ASTM A615) GRADE ROAD AND 4,000 PSY CONCRETE. SUBGRADE** IS TO BE COMPACTED TO 98% PROCTOR. CONTROL JOINTS ARE TO BE ON 12' CENTERS.
8. **NEW ASPHALT PAVEMENT** TO CONSIST OF 6" COMPACTED SUBGRADE, 4" ASPHALT PAVEMENT TO BE PLACED BETWEEN EXISTING ASPHALT SURFACE COURSE TOPPING, INTERLACE BETWEEN EXISTING ASPHALT AND PROPOSED PAVEMENT TO BE SEVEREES.
9. **CONTRACTOR TO PROVIDE AND MAINTAIN 12" TO 18" TOP OF CURB** TO BE NO CLOSER THAN 12" TO THE FACE OF CURB.
10. **LIMITS OF NEW PAVEMENT** TO MATCH EXISTING.
11. **NEW CONCRETE CURB** TO TRANSITION SMOOTH WITH EXISTING CURB.
12. **CONTRACTOR TO PROVIDE 18" MINIMUM** AS SHOWN. USE 2 COURTS OF YELLOW HIGHWAY MARKING PAINT.
13. **CONTRACTOR IS RESPONSIBLE** FOR STAKING PROPOSED IMPROVEMENTS BASED ON ENGINEER'S ELECTRONIC EASE FILE.
14. **APPROVED ARCHITECTURAL PLANS** TO BE USED FOR CONSTRUCTION.

GOLDEN ROSE AT POST OAK TRITT ROAD
2147 POST OAK TRITT RD.
LAND LOT 556, 16TH DISTRICT
COBB COUNTY, GA

[illegible]

JVG Civil Engineering
259 14th St. N.E., Suite 104
Atlanta, GA 30309
404-525-2451

DEVELOPER:
JUST RIGHT BUILDERS
404 ISLANDORA COVE
WOODSTOCK, CA 90188

CONTACT:
JANSON BROWDER
404-229-0118

Project	120924	Sheet	C3
Date	09/24/2012		
Scale	1" = 20'		

PROPERTY OWNER:
GOLDEN ROSE AT POST OAK TRITT
12147 POST OAK TRITT ROAD
MARIETTA, GA 30066
CONTACT:
JASON BROWDER
404-229-0118

ENGINEER CONTACT:
JONATHAN HICKS, P.E.
CIVIL ENGINEERING, INC.
239 14TH ST. N.E., SUITE 104
ATLANTA, GA 30309
PH: 770-402-3471
FAX: 404-487-8992
EMAIL: jhicks@ceconsult.com

24 HOUR EROSION
CONTROL CONTACT*
NAME: JASON BROWDER
CELL #: 404-229-0118

1 inch = 20 ft.
GRAPHIC SCALE

APPLICANT: Golden Rose of Post Oak, LLC

PHONE: 678-616-4822

REPRESENTATIVE: David Woghiren

PHONE: 678-616-4822

TITLEHOLDER: Golden Rose of Post Oak, LLC

PROPERTY LOCATION: On the north side of Post Oak Tritt Road, east of Sandy Plains Road
(2147 Post Oak Tritt Road).

PETITION No.: V-14

DATE OF HEARING: 1-9-13

PRESENT ZONING: OI

LAND LOT(S): 556

DISTRICT: 16

SIZE OF TRACT: 0.95 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 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).



Application for Variance

Cobb County

COBB COUNTY GEORGIA
FILED IN OFFICE

(type or print clearly)

2012 NOV 13 PM 2:20 V-14
Application No. 119/13
COBB COUNTY ZONING DIVISION

Applicant GOLDEN ROSE & POST OAK, LLC Phone (678) 616-4822 E-mail GOLDENROSE@COMCAST.NET
DAVID WOGHIREN Address 2147 POST OAK TRITT RD, MARIETTA, GA 30062
(representative's name, printed) (street, city, state and zip code)

(representative's signature)

TODD J. SCOTT
Notary Public
Cobb County
State of Georgia
My Commission Expires Aug 2, 2016

Signed, sealed and delivered in presence of:

My commission expires: 8/2/2016

Notary Public

Titleholder GOLDEN ROSE & POST OAK, LLC Phone (678) 313-4673 E-mail GOLDENROSE@COMCAST.NET
Signature [Signature] Address: 2147 POST OAK TRITT RD, MARIETTA, GA 30062
(attach additional signature) (street, city, state and zip code)

My Commission Expires Aug 2, 2016

Signed, sealed and delivered in presence of:

My commission expires: 8/2/2016

Notary Public

Present Zoning of Property GENERAL COMMERCIAL - O1 (TD)

Location 2147 POST OAK TRITT RD, MARIETTA, GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 556 District 16 Size of Tract .95 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.

List type of variance requested: EXISTING BUILDING (COPY ATTACHED) AT BACK OF PROPERTY IS EXTENDING ABOVE THE COUNTY SET BACK.