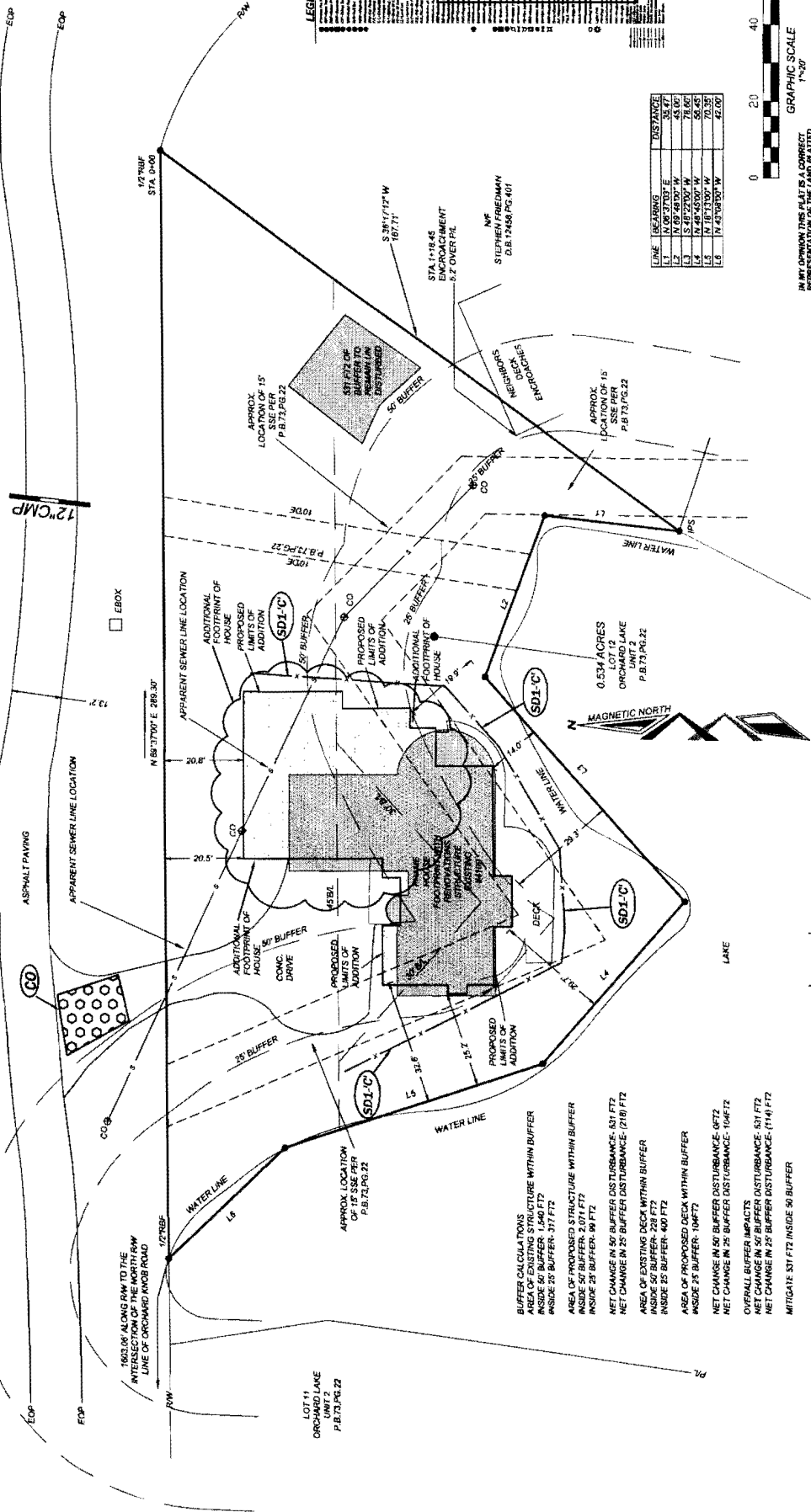


ORCHARD LAKE COURT 50'RW (ROAD NOT CENTERED) P.B.73, PG.22

V-45 (2013)



EarthPro
LAND SURVEYING & PLANNING
678-640-5500
P.O. BOX 340
BRACKETT, GA. 30627

STATE OF GEORGIA
SURVEYOR GENERAL
BARRY S. HARRIS
2017/11/13

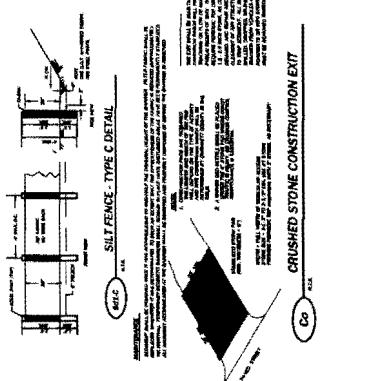
VARIANCE APPLICATION PLAN FOR:
MAARTEN KUIJK
4508 ORCHARD LAKE COURT
LOT 12, ORCHARD LAKE UNIT 2
LAND LOT 889, 17TH DISTRICT, 2ND SECTION COBB COUNTY, GEORGIA
TAX PARCEL ID# 1708900490

2013 FEB 19 PM 12:08

COBB COUNTY ZONING DIVISION

COBB COUNTY GEORGIA
PLANNING OFFICE

DATE: FEBRUARY 11, 2013
SCALE: 1"=30'
APPROVED: [Signature]
PROJECT # 2213



- NOTES:
- REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO PLAT BOOK 73, PAGE 22 OF COBB COUNTY RECORDS.
 - NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL NO. 13067C 0286C, DATED 12/16/2008.
 - THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM THE INFORMATION SHOWN HEREON. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
 - AS AN ABSTRACT OF TITLE, THIS CONVEYANCE DOES NOT REVEAL TO THE SEAGUAGES WERE SUPPLIED TO THE SURVEYOR. THERE MAY BE OTHER MATTERS OF RECORD THAT AFFECT THIS PROPERTY.
 - BUILDING SETBACK INFORMATION SHOWN HEREON IS PER THE CURRENT R-30 ZONING CLASSIFICATION. SIDE SETBACK IS 12' AND REAR SETBACK IS 40'.
 - TOPOGRAPHIC INFORMATION SHOWN HEREON TAKEN FROM COBB GIS.

BUCKET CALCULATIONS
AREA OF PROPOSED STRUCTURE WITHIN BUFFER
INSIDE 50' BUFFER: 1140 FT²
INSIDE 25' BUFFER: 317 FT²
NET CHANGE IN 50' BUFFER DISTURBANCE: 823 FT²
NET CHANGE IN 25' BUFFER DISTURBANCE: 181 FT²

AREA OF EXISTING DECK WITHIN BUFFER
INSIDE 50' BUFFER: 400 FT²
INSIDE 25' BUFFER: 106 FT²
NET CHANGE IN 50' BUFFER DISTURBANCE: 300 FT²
NET CHANGE IN 25' BUFFER DISTURBANCE: 194 FT²

OVERALL BUFFER IMPACTS
NET CHANGE IN 50' BUFFER DISTURBANCE: 531 FT²
NET CHANGE IN 25' BUFFER DISTURBANCE: 1141 FT²
MITIGATE: 531 FT² INSIDE 50' BUFFER

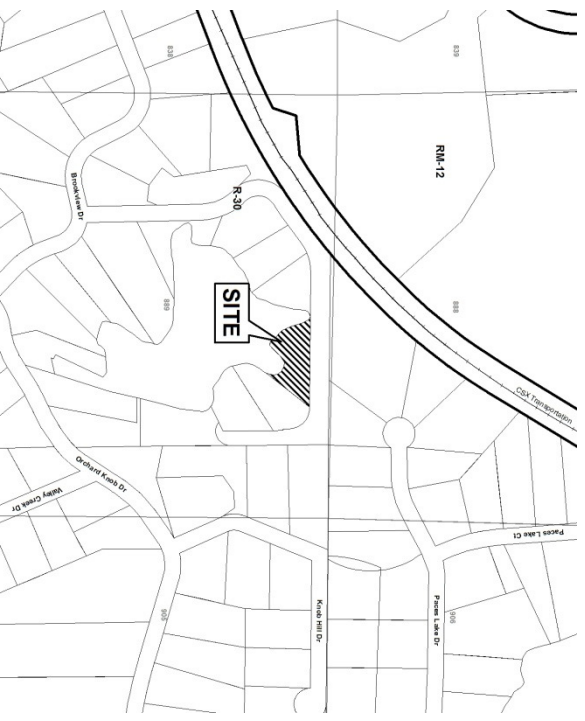
APPLICANT: Anna Maria Kuik _____ **PETITION No.:** V-45 _____
PHONE: 404-285-3057 _____ **DATE OF HEARING:** 04-10-13 _____
REPRESENTATIVE: Richard M. Sibly _____ **PRESENT ZONING:** R-30 _____
PHONE: 404-274-1241 _____ **LAND LOT(S):** 889 _____
TITLEHOLDER: Anna Maria Petronella Kuik _____ **DISTRICT:** 17 _____
Wijisman _____
PROPERTY LOCATION: On the south side of _____ **SIZE OF TRACT:** 0.53 acre _____
Orchard Lake Court, north of Brookview Drive _____ **COMMISSION DISTRICT:** 2 _____
(4109 Orchard Lake Court). _____

TYPE OF VARIANCE: 1) Waive the rear setback from the required 15 feet (previous variance case #110 of 1983) to 14 feet; and 2) waive the front setback from the required 30 feet (previous variance case #110 of 1983) to 20 feet.

OPPOSITION: No. **OPPOSED** _____ **PETITION No.** _____ **SPOKESMAN** _____

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____
STIPULATIONS: _____



APPLICANT: Anna Maria Kuik

PETITION No.:

V-45

COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comment.

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: As indicated on the proposed site plan, a stream buffer variance will be required.

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.

CEMETERY PRESERVATION: No comment.

WATER: No conflict.

SEWER: No conflict. Note: sewer line and easement are privately owned and maintained.

APPLICANT: Anna Maria Kuik

PETITION No.: V-45

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-45

RM-12

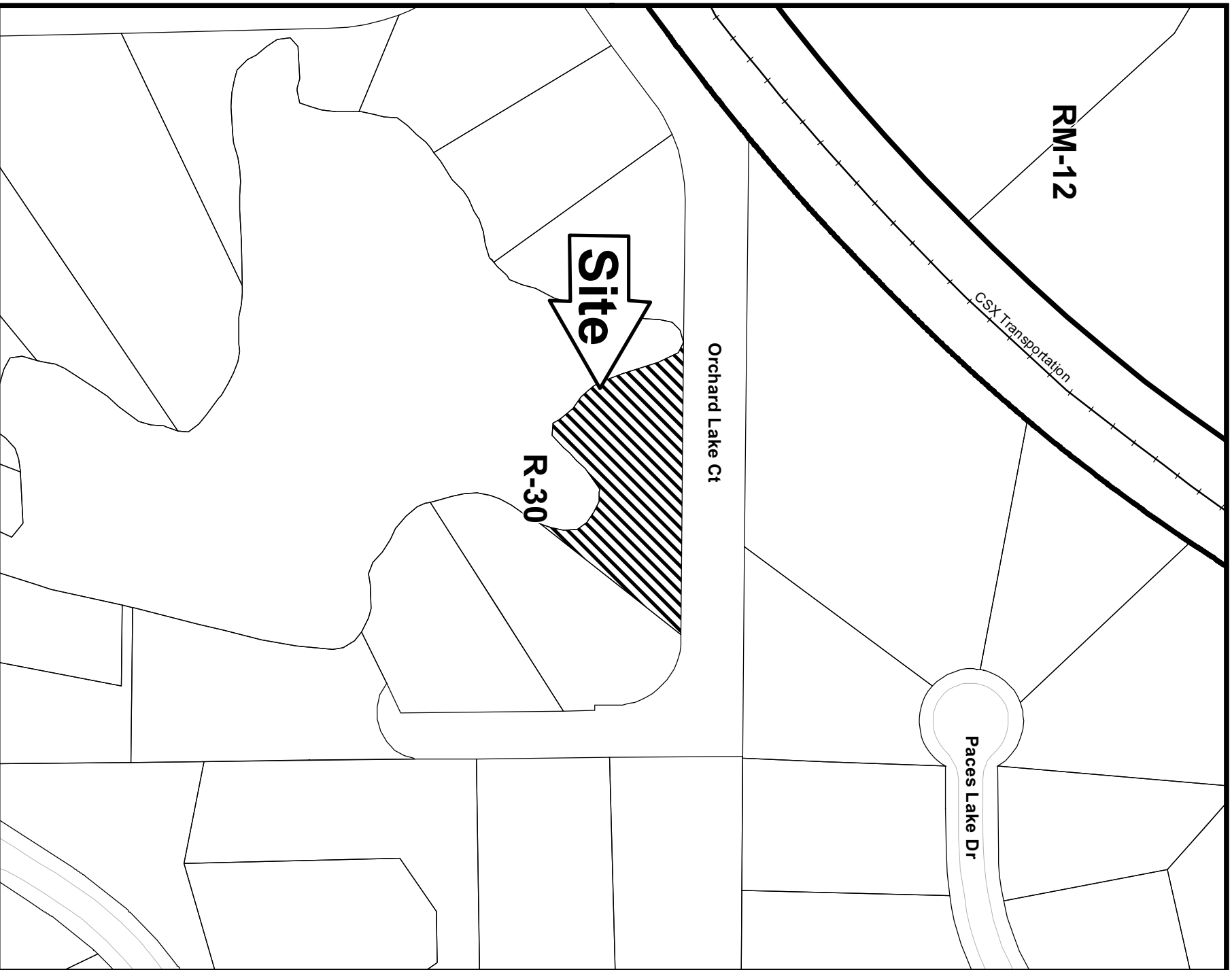
CSX Transportation

Paces Lake Dr

Orchard Lake Ct

Site

R-30



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-45
 Hearing Date: 4/10/15

Applicant ANNA MARIA KUIK Phone # 404-285-3057 E-mail AMPKUIK@BELLSOUTH.NET

RICHARD M. SIBLY Address 1372 GREENWOOD DR. ATLANTA GA 30306
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 404 274 1241 E-mail PRMSIBLY@aol.com
(representative's signature)

KRISTINA MINNIS
 NOTARY PUBLIC
 COBB COUNTY
 STATE OF GEORGIA
 My commission expires: MY COMMISSION EXPIRES JUNE 5, 2015
 Signed, sealed and delivered in presence of: Kristina Minnis
 Notary Public

Titleholder ANNA MARIA KUIK Phone # 404-285-3057 E-mail AMPKUIK@BELLSOUTH.NET

Signature [Signature] Address: 3669 LOCUSTS DRIVE ATLANTA GA 30339
(attach additional signatures if needed) (street, city, state and zip code)

My commission expires: STATE OF GEORGIA
MY COMMISSION EXPIRES JUNE 5, 2015
 Signed, sealed and delivered in presence of: Kristina Minnis
 Notary Public

Present Zoning of Property R-30

Location 4109 DECHARD LAKE COURT, ATLANTA, GA 30339
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 889 District 17th 2nd SECTION Size of Tract 0.534 Acre(s)

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

Size of Property 0.534 Shape of Property IRREGULAR TOPOGRAPHY OF PROPERTY SLOPING TO LAKE
 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.

COBB COUNTY BOARD OF ZONING APPEALS
 1000 W. BUCKLEBOURNE DR. ATLANTA, GA 30339
 PHONE: 404-521-1500
 FAX: 404-521-1501
 WWW.COBBGA.GOV

List type of variance requested: FRONT YARD TO ALLOW FOR THREE CAR GARAGE & BEDROOM ABOVE - REAR YARD TO ALLOW CONSTRUCTION OF MASTER BEDROOM WITH THE SETBACKS THE EXISTING BUILDING IS ALREADY IN VIOLATION OF BOTH SETBACKS WHICH WAS BUILT IN 1986 AND IS NOW TOO SMALL FOR THE PURCHASER AND HER FAMILY

THIS

PAGE

INTENTIONALLY

LEFT

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V-45 (2013)

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 MAR -6 AM 10: 57

COBB COUNTY ZONING DIVISION

February 28, 2013

COBB COUNTY COMMUNITY DEVELOPMENT

Attn: Terry Martin, MPA

Zoning Division

Planner 2

P. O. Box 649

Marietta, Georgia 30061-0649

Via email: terry.martin@cobbcounty.org

Dear Mr. Martin,


At the request of our architect, Richard Sibly, I would like to add the following considerations to the hardship paragraph of our application:

We bought the house at 4109 Orchard Lake Court in good faith that it was in compliance with all building codes and zoning regulations. There are no variances concerning the house on file with the county. Now it seems that I cannot increase the footprint of this house for my family without going vertical and only in the triangle area that is in compliance with the zoning. This really presents another problem for my wife and me in that it adds another flight of stairs to climb.

Now I am not in the financial position to try to sell this house, at a discount, because this situation means that I now have the knowledge of the non-compliance, which means I would have to disclose that fact. We would not have purchased the house if we would have been informed of this problem. Was there some problem in the county, back in the mid eighties when the house was built, to permit the construction of the house, apparently not in accordance with the zoning rules and regulations? Somehow this building was built in violation of the zoning and now without some relief it is a real problem to complete a quality renovation for my family's home.

Thank you for your attention to this matter.

Sincerely,



Maarten Kuik
3825 Paces Walk SE, Ste 300
Atlanta, GA 30339
770-544-0273

APPLICATION FOR VARIANCE REQUEST
COBB COUNTY BOARD OF APPEALS

DATE OF APPLICATION March 15, 1983 DATE OF HEARING May 4, 1983 1:00 P.M.
NAME OF TITLEHOLDER Robert E. Shields /s/ Robert E. Shields
ADDRESS 100 Peachtree St., Atlanta, GA 30043 PHONE 572-6347
NAME OF APPLICANT Same /s/ Robert E. Shields
ADDRESS Same PHONE Same
ACRES _____
TYPE OF VARIANCE waiver front setback from 45 ft. to 30 ft.;
waiver rear setback from 40 ft. to 15 ft.

LOCATION OF PROPERTY FOR WHICH VARIANCE IS REQUESTED _____ located on the
south side of Orchard Lake Rd., 1,023.16 ft. north of Brookview Dr.

LAND LOT 889 DISTRICT 17th SECTION 2nd COBB COUNTY

LEGAL DESCRIPTION

See Attached

DECISION OF BOARD OF APPEALS 5/4/83 - Board of Appeals approved
request. Motion by Diemer, seconded by Weeks, carried 7-0.


SECRETARY

GENERAL ANALYSIS

449 (2013) Previous Case V-110 of 1983

PETITION NO. 110

PRESENT ZONING: R-30

APPLICANT: ROBERT E. SHIELDS

LAND LOT: 889

PROPERTY LOCATION: Located on the south side of Orchard Lake Rd., 1,023.16 ft. north of Brookview Dr.

DISTRICT: 17th

SIZE OF TRACT:

DATE OF HEARING: 5/4/83

TYPE OF VARIANCE: waiver front setback from 45 ft. to 30 ft.; waiver rear setback from 40 ft. to 15 ft.

COMMENTS:

TRAFFIC:

FIRE:

TAXES:

ADDITIONAL COMMENTS:

OPPOSITION AT HEARING _____ SPOKESMAN _____

PETITION: _____

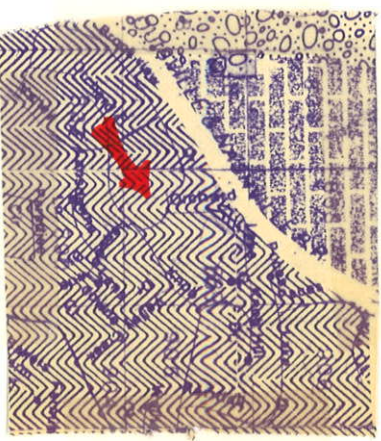
BOARD OF APPEALS DECISION:

APPROVE _____ MOTION BY _____

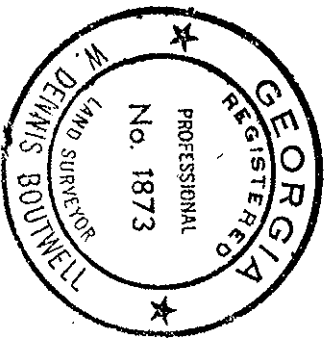
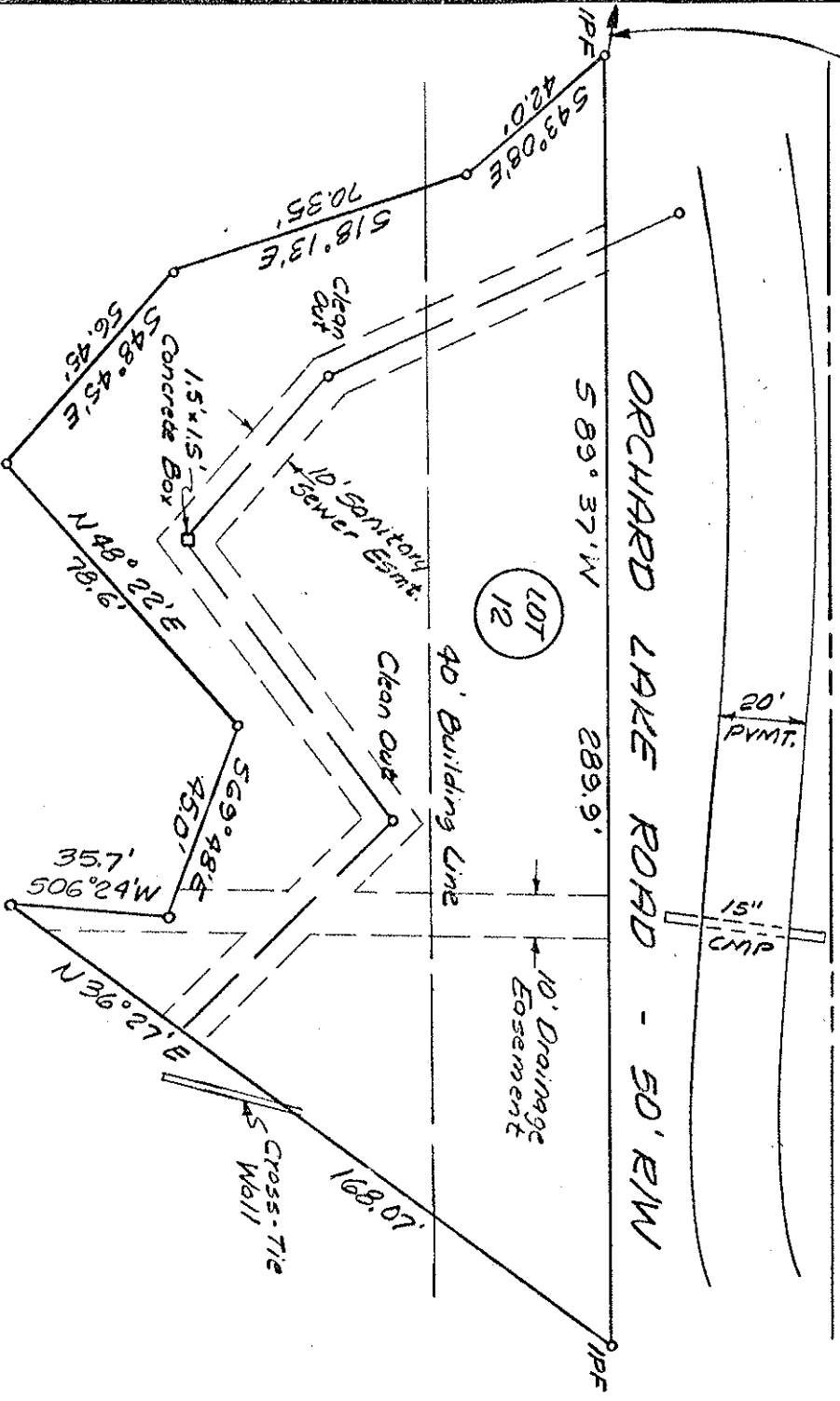
STIPULATION _____

REJECT _____ SECONDED _____

HOLD _____ CARRIED _____



1023.16' Along R/W to
Intersection R/W of
Brookview Drive (50' R/W)



Plat For
BOB SHIELDS
 BLOCK 'B'
 LOT 12

ORCHARD LAKE
 UNIT NO. 2
 LAND LOT 889
 17TH DISTRICT 2ND SECTION
 COBB COUNTY, GEORGIA

SCALE: 1" = 40'
 OCTOBER 15, 1979

Prepared By
BENCHMARK ENGINEERING CORP.
 Atlanta, Georgia

ORCHARD LANE ROAD

RELOCATE 12' SANITARY SEWER EASEMENT

58° 37' W

12' CONC. DRIVE

LOT 12

53'-0"

73'-0"

10' SANITARY SEWER EASEMENT EXIST.

38'-0"

27'-4"

GARAGE

WOOD DECK W/RAILINGS

FIN. FL.

HEIN

GREENHOUSE

24'-0"

STAIR SALES

PATIO

36° 45' E

72° 30' E

56° 45' E
45'-0"

EROSION CONTROL STRALI SALES LOCATED AS SHOWN

FACE OF DECK

37'-0"

FACE OF FINWALL

