

NOTES:

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, ZONING ORDINANCES, COVENANTS, RIGHT OF WAYS AND ALL MATTERS OF TITLE.

THIS SURVEY WAS DONE BASED ON THE PLAT RECORDED IN PLAT BOOK 58 PAGE 140. THERE WAS NO TITLE SEARCH REQUESTED BY CLIENT.

A TITLE SEARCH SHOULD BE DONE TO OBTAIN INFORMATION SUCH AS EASEMENTS, RIGHT OF WAYS, OR OTHER DOCUMENTS THAT MAY AFFECT THIS PROPERTY. THIS SURVEY DOES NOT CERTIFY OR GUARANTEE THE TITLE TO THIS PROPERTY. THIS FIRM ACCEPTS NO LIABILITY IN REGARDS TO ANY TITLE ISSUES FOR THIS PROPERTY.

V-57 (2013)

UNDERGROUND UTILITIES, STRUCTURES OR DEBRIS, IF ANY EXIST, WAS NOT FIELD LOCATED DUE TO GROUND COVERAGE.

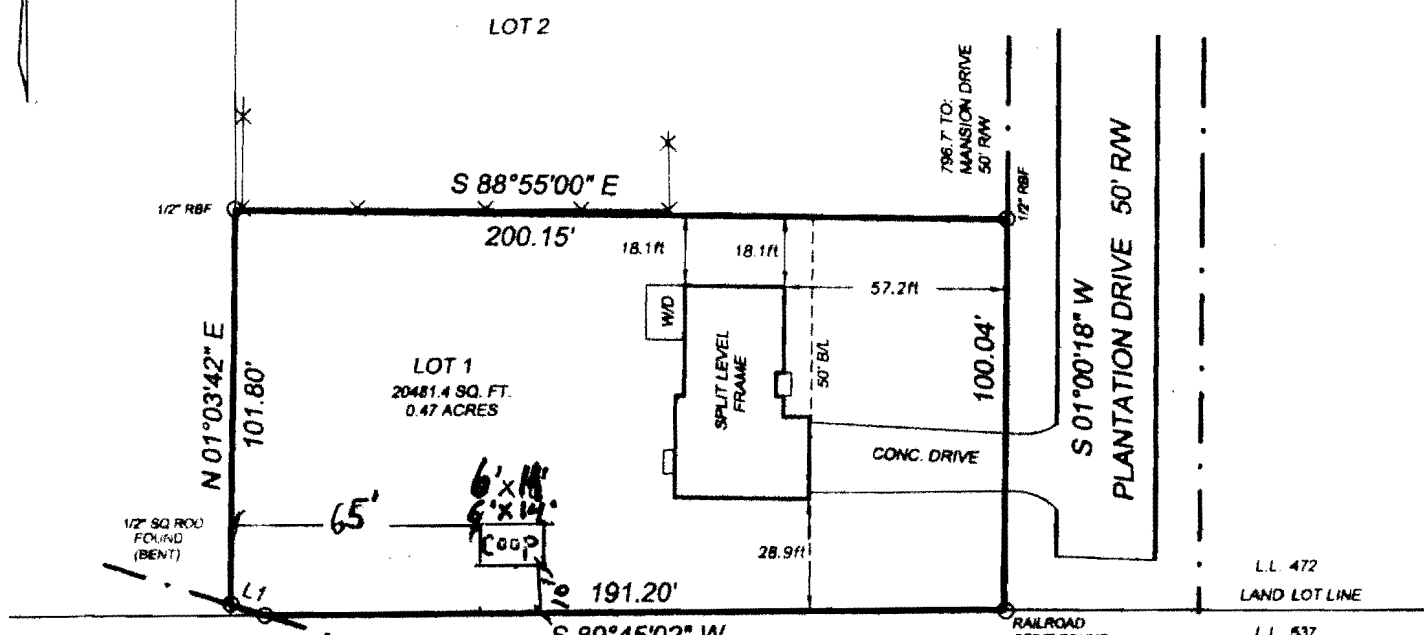
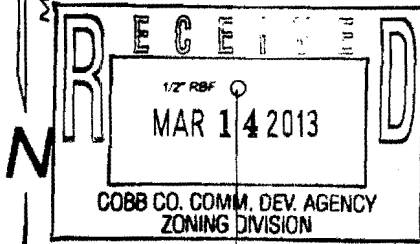
1/2" REBAR PLACED AT ALL CORNERS UNLESS OTHERWISE NOTED.

HOUSE TIES SHOWN SHOULD NOT BE USED TO DETERMINE PROPERTY LINES FOR CONSTRUCTING FENCES, WALLS, DRIVEWAYS, LANDSCAPING OR ANY OTHER STRUCTURE.

LEGEND

- B/L BUILDING LINE
- CTF CRIMP TOP FOUND
- D.E. DRAINAGE ESMT
- M.H. MANHOLE
- OTP OPEN TOP PIPE
- P.P. POWER POLE
- S.S.E. SANITARY SEWER ESMT
- RBF REBAR FOUND
- RBP REBAR PLACED
- R/W RIGHT OF WAY
- X-X FENCE LINE

MAGNETIC



LINE	BEARING	DISTANCE
L1	N 72°27'22\" W	9.49'

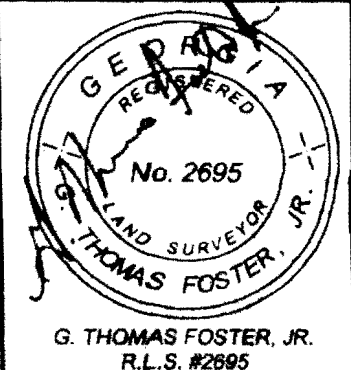
GRAPHIC SCALE -- SCALE: 1"=50' THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,000± FEET AND AN ANGULAR ERROR OF ±3" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000± FEET. DRAWING # 06-EP0440 JOB# 06-0440

SURVEY PREPARED FOR:
ELIZABETH J. POND
JOSEPH T. POND
 4112 PLANTATION DRIVE
 LOT NUMBER 1 BLOCK "F"
 MAR-LANTA UNIT TWO
 LAND LOT 472
 DISTRICT 16TH - SECTION 2ND
 COBB COUNTY, GEORGIA
 DATE: 10-10-06

ALL MATTERS OF TITLE EXCEPTED

SURVEY PREPARED BY:
FOSTER SURVEYING, INC.
 SURVEYING - LAND PLANNING
 1007 WEATHERSTONE PKWY SUITE 130
 WOODSTOCK, GEORGIA 30188
 770-592-4145 FAX 770-592-2472

THIS PROPERTY IS NOT IN A FEDERAL FLOOD AREA AS INDICATED GRAPHICALLY BY OFFICIAL FLOOD HAZARD MAPS.
 COMM. PANEL NO.: 10367C0035F
 DATED: 08-18-1992



APPLICANT: Joseph Pond

PETITION No.: V-57

PHONE: 678-300-8947

DATE OF HEARING: 05-08-13

REPRESENTATIVE: Joseph Pond

PRESENT ZONING: R-20

PHONE: 678-300-8947

LAND LOT(S): 472, 537

TITLEHOLDER: Joseph T. Pond and Elizabeth J. Pond

DISTRICT: 16

PROPERTY LOCATION: On the west side of Plantation Drive, south of Manor House Drive; and on the north side of Lassiter Road (4112 Plantation Drive).

SIZE OF TRACT: 0.47 acre

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: Request for appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source.

OPPOSITION: No. OPPOSED PETITION No. SPOKESMAN

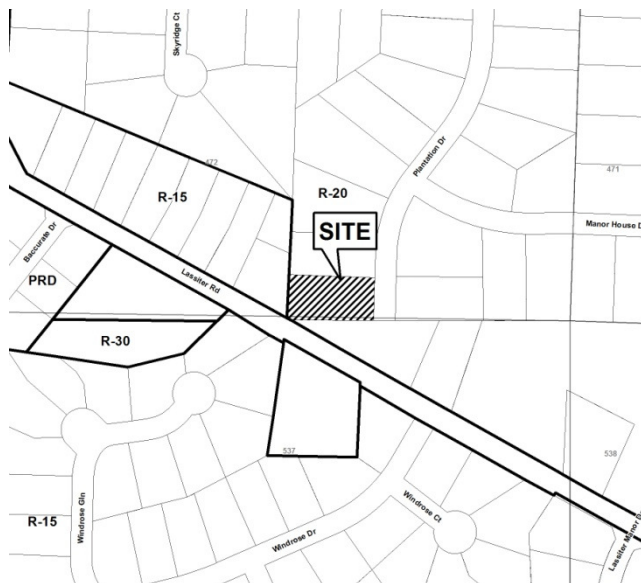
BOARD OF APPEALS DECISION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



APPLICANT: Joseph Pond

PETITION No.: V-57

COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: No comment.

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.

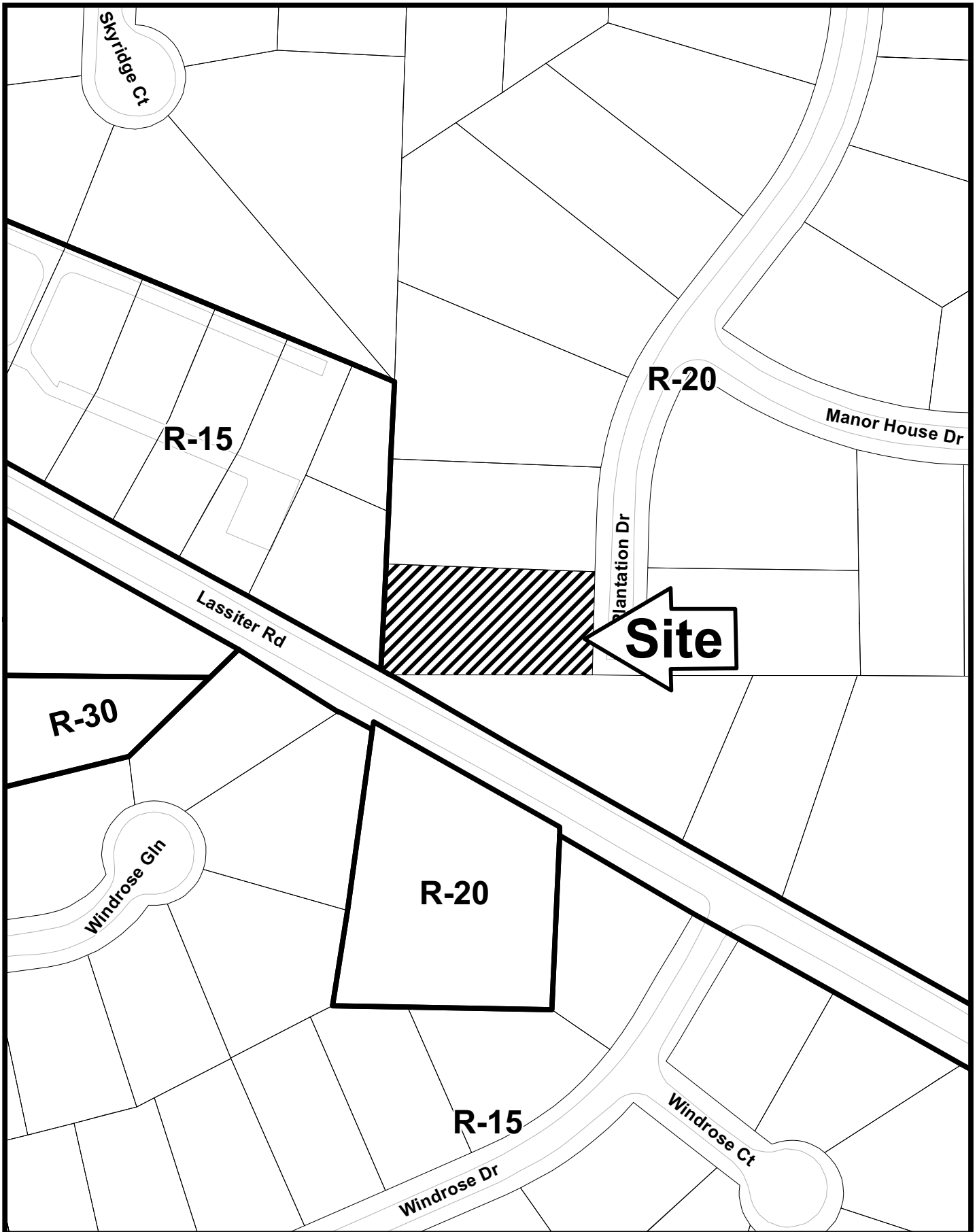
WATER: No conflict.

SEWER: No conflict.

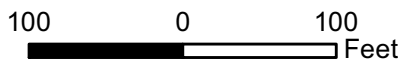
APPLICANT: Joseph Pond **PETITION No.:** V-57



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.

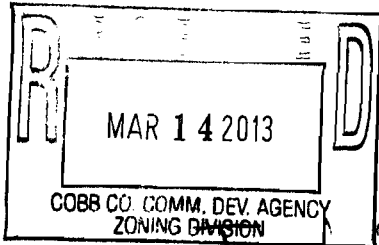
V-57



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-57
Hearing Date: 5-8-13

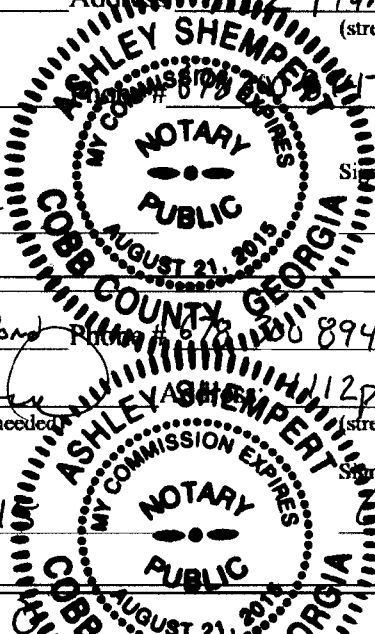
Applicant Joseph Pond Phone # 678-300-8947 E-mail jtpond@hotmail.com

Joseph Pond Address 4112 Plantation DR Marietta GA 30062
(representative's name, printed) (street, city, state and zip code)

[Signature]
(representative's signature)

Phone # 678-300-8947 E-mail jtpond@hotmail.com

My commission expires: 8/21/2015

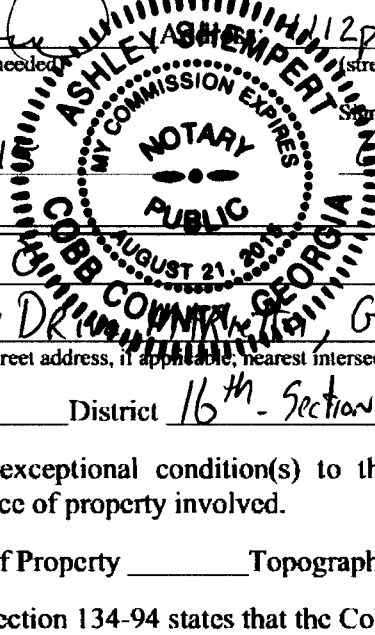


Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Titleholder Joseph Pond, Elizabeth Pond Phone # 678-300-8947 E-mail jtpond@hotmail.com

Signature *[Signature]* Address 4112 Plantation Drive, Marietta GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 8/21/2015



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

Present Zoning of Property R-2

Location 4112 Plantation DR, Marietta, GA 30062
(street address, if applicable, nearest intersection, etc.)

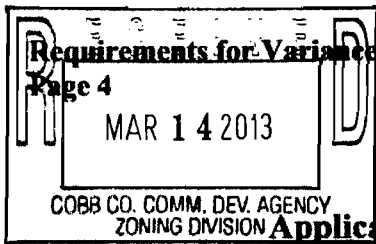
Land Lot(s) 472 District 16th - Section 2nd Size of Tract 0.47 Acre(s)

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 X 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 (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

List type of variance requested: Requesting BACKYARD CHICKENS



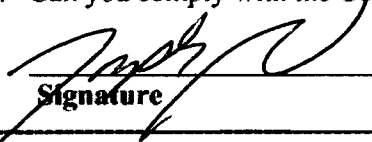
V-57 (2013)

Application No. _____

Hearing Date: _____

Applicant's information for requesting backyard chickens

- 1. Is there a Homeowners Association (HOA) that oversees the property or subdivision? YES ____; NO .
- 2. Does the HOA support your request? YES ____; NO ____; N/A- No HOA .
- 3. Are there valid covenants or restrictions on the property that prohibit backyard chickens? YES ____ NO .
(If there are valid covenants or restrictions prohibiting backyard chickens, then this application will not be heard by the Board of Zoning Appeals; This application will not be accepted, or will be withdrawn).
- 4. How many hens do you propose (no male birds allowed)? 4 .
- 5. Can you comply with the County Code Sec-134-94(4)(a-j) below? YES NO ____ .


Signature

Joseph Pond
Print Name

County Code adopted by the Board of Commissioners February 26, 2013:

Sec. 134-94 (4) Authorize upon appeal in specific cases related to the minimum lot size of two acres required to maintain poultry as pets or food source.

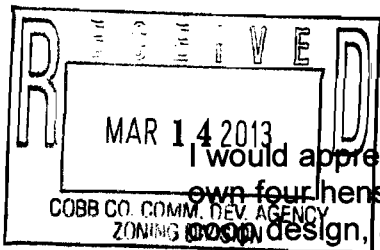
Poultry meaning a female pullet or hen of the Gallus gallus domesticus; also referred to as backyard chickens which are or may be raised for the purpose of providing food or companionship as a pet considering the following minimum conditions:

- (a) Written consent or opposition of adjacent property owners, including the homeowners association, if applicable;
- (b) The poultry shall be kept/ maintained within a fenced area;
- (c) Coops, or other buildings used for the poultry shall be located at least ten feet off any property line and/or in compliance with the accessory structure requirements in each zoning district;
- (d) The owner of the poultry shall keep the property maintained in a fashion that eliminates odors, pollution or other negative effects resulting from the poultry;
- (e) The poultry shall not cause a nuisance, as defined by State Law;
- (f) There shall be a maximum ratio of one bird per 5,000 square foot of lot area on any lot less than two acres;
- (g) The slaughter of any hen on site is strictly prohibited;
- (h) The fee for the variance application shall be \$150.00;
- (i) The duration of any Variance approved for Poultry as Pets or Food Source shall not exceed 2 years; renewable for subsequent 2 year terms thereafter;
- (j) Any Variance approved for Poultry as Pets or Food Source shall be considered by the Board of Commissioners' in accordance with Section 134-271(8).

IMPORTANT NOTE: The following announcement concerns variance applications requesting backyard chickens relating to the Official Code of Cobb County, Chapter 134-94(4), adopted by the Board of Commissioners on February 26, 2013. Applicants are advised that variance applications requesting backyard chickens which are approved by the Board of Zoning Appeals take the form of a recommendation to the Board of Commissioners (BOC), who makes a final determination whether to grant a special exception for the backyard chickens. The BOC determination will take place the following month at the scheduled Zoning Hearing.

(page revised 03-06-2013)

V-57 (2013)

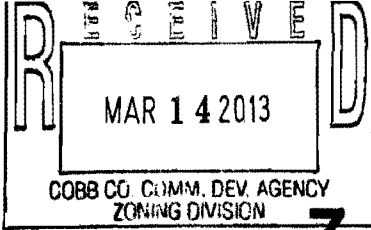


I would appreciate your positive consideration of my application for a variance to own four hens on my half acre property. I have included a copy of my proposed coop design, a document titled '7 Urban Chicken Myths', and a petition from my neighbors supporting my efforts. I also included an email to my neighbor on the backside- she did not respond to the email. I will point out that in the July 22, 2011 edition of the AJC, my neighbor is quoted as saying, "I don't want to get involved in this," Kell said. "I will probably just invest in some Leyland cypress and plant them so I cannot see into his yard."

I do not believe that the manure produced by the four hens will have any impact on the water table. As a responsible pet owner, I will keep the coop clean. I own three dogs and they produce far more waste than four hens ever could.

Stormwater Management has never expressed a concern about the dog waste, or the waste produced by birds indigenous to the area, so I am certain that they would agree that the hen manure will only be an asset to the keeping of a nice lawn.

Thank you for your time and consideration. Please contact me with any questions.



V-57 (2013)

7 Urban Chicken Myths

Myth 1. Chickens carry diseases communicable to humans.

Fact: The truth is that small flocks have literally no risk of avian flu transmission to humans. The 2006 Grain Report states: *"When it comes to bird flu, diverse small-scale poultry is the solution, not the problem."* Avian flu has been in the press as a concern to commercial poultry production where birds are raised in monster-size flocks confined in over-crowded environments. This causes high stress and compromised immune systems in the birds. Any sign of disease, including a sneeze, could result in a huge number of birds getting sick; and this puts at risk a large amount of profit. As many experts have stated publicly, the solution to avian flu is in small-scale poultry.

Myth 2. Chickens are too noisy.

Fact: Laying hens—at their loudest—have about the same decibel level as human conversation (60 to 70 decibels). Hens are so quiet that there have been cases of family flocks being kept for years without the next door neighbors knowing it.

To some, noise is a concern with roosters and their pre-dawn heralding of sunrises. Many urban codes ban roosters, or only allow them to be kept with special permits. The noise level of a rooster's crow is about the same as a barking dog; 90 decibels. But there are ways to keep roosters quiet throughout the night. Many folks regard crowing as a pleasant sound.

Myth 3. Chickens cause waste and odor.

Fact: A 40-pound dog generates more solid waste than 10 chickens. To be more specific, one 40-pound dog generates about .75 pounds of poop every day. Ten chickens generate about .66 pounds daily poop.

The advantage to chicken poop is that it can be used as valuable, high-nitrogen fertilizer. Unlike dog or cat poop, chicken poop can be combined with yard and leaf waste to create compost. Just as valuable, about 40% of the chicken manure is organic matter necessary for building fertile, healthy topsoil.

Myth 4. Chickens attract predators, pests and rodents.

Fact: Predators and rodents are already living in urban areas. Wild bird feeders, pet food, gardens, fish ponds, bird baths and trash waiting to be collected all attract raccoons, foxes, rodents and flies. Modern micro-flock coops, such as chicken tractors, arks, and other pens are ways of keeping, and managing, family flocks that eliminate concerns about predators, rodents and other pests.

Indeed, chickens are part of the solution to pesky problems. Chickens are voracious carnivores and will seek out and eat just about anything that moves including ticks (think Lyme disease), fleas, mosquitoes, grasshoppers, stink bugs, slugs, and even mice, baby rats and small snakes.

Myth 5. Property values will decrease.

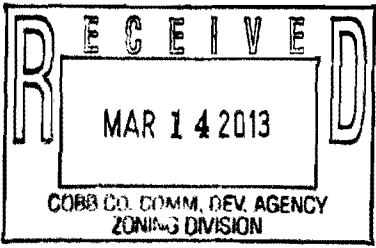
Fact: There is not one single documented case that we know of about a next door family flock that has decreased the value of real estate. On the contrary, local foods and living green is so fashionable, that some Realtors and home sellers are offering a free chicken coop with every sale.

Myth 6. Coops are ugly.

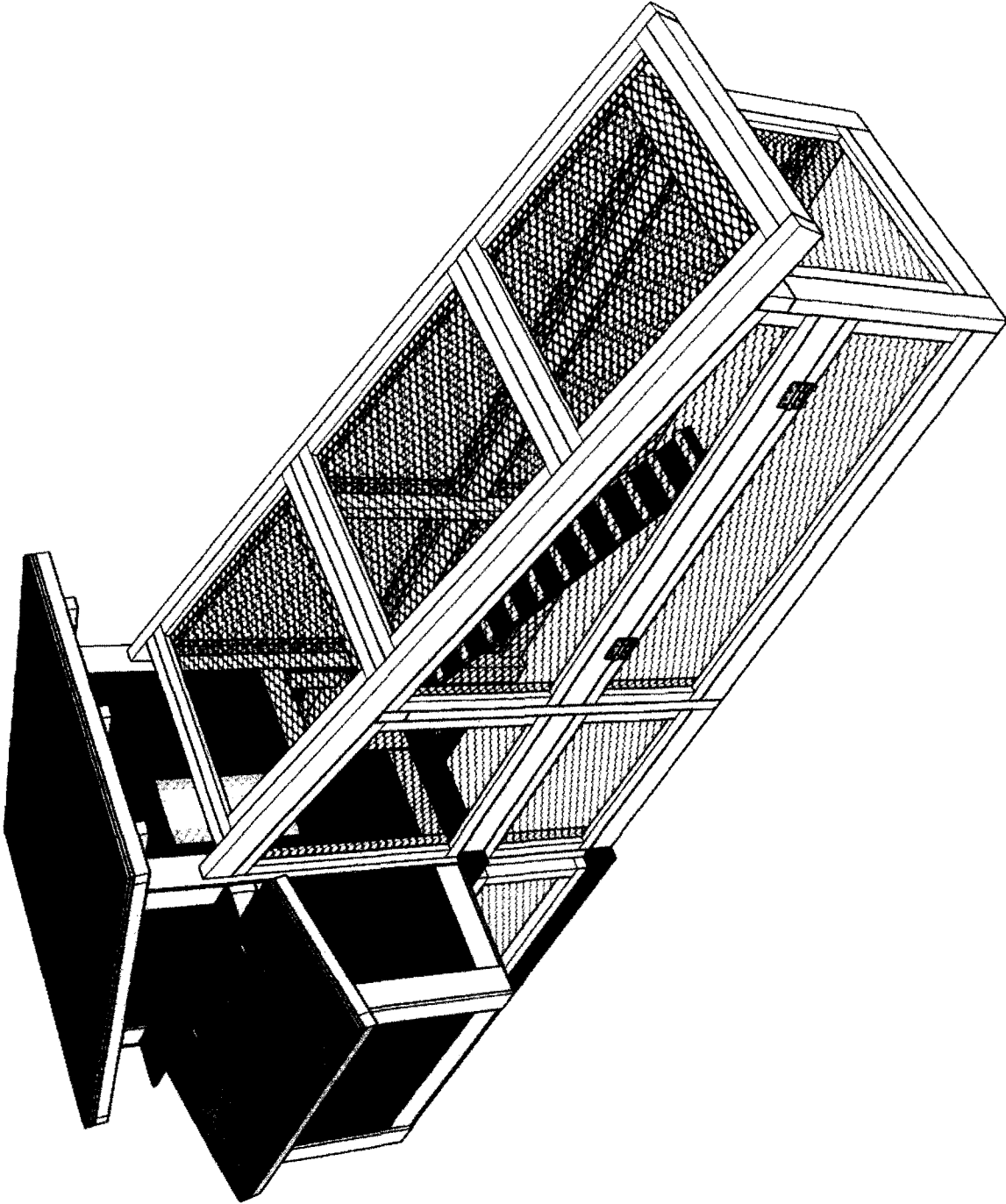
Fact: Micro-flock coop designs can be totally charming, upscale and even whimsical. Some of them are architect designed and cost thousands of dollars. Common design features include blending in with the local architectural style, matching the slope of the roof and complementing color schemes.

Myth 7. What will neighbors think?

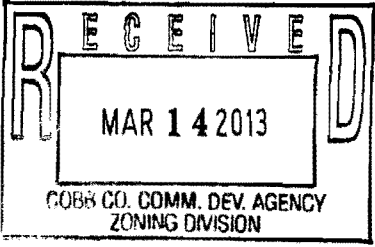
Fact: You can't control what anyone thinks, much less your neighbor. Once folks gain more experience with the advantages and charms of chickens, most prejudice and fear evaporates; especially when you share some of those fresh, heart-healthy, good-for-you eggs from your family flock.



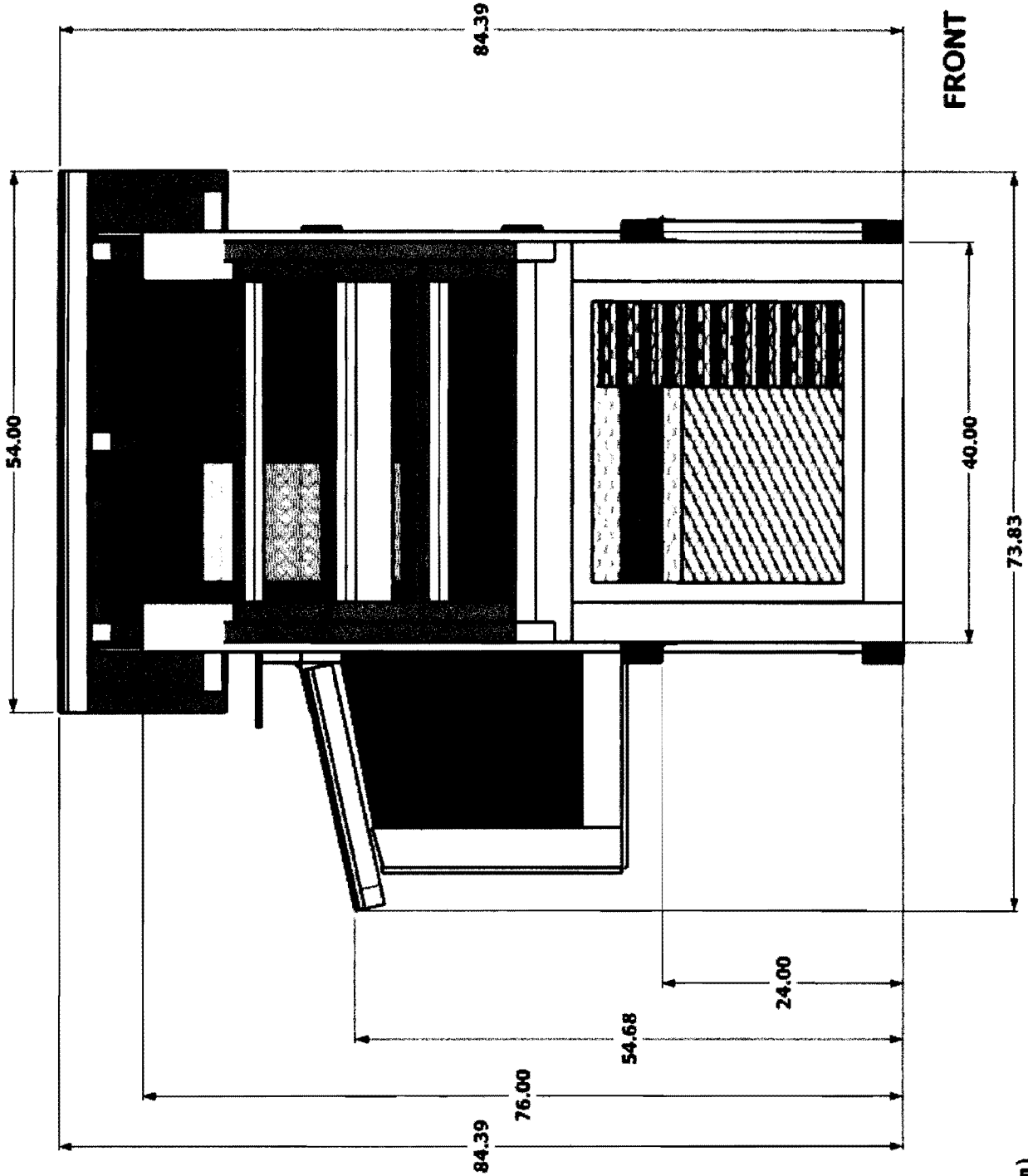
V-57 (2013)



Timber section:
a: 4" x 4"
b: 2" x 4"
c: 2" x 2"
d: 0.5" x 4"
e: 0.5" x 8"
f: 1" x 2"

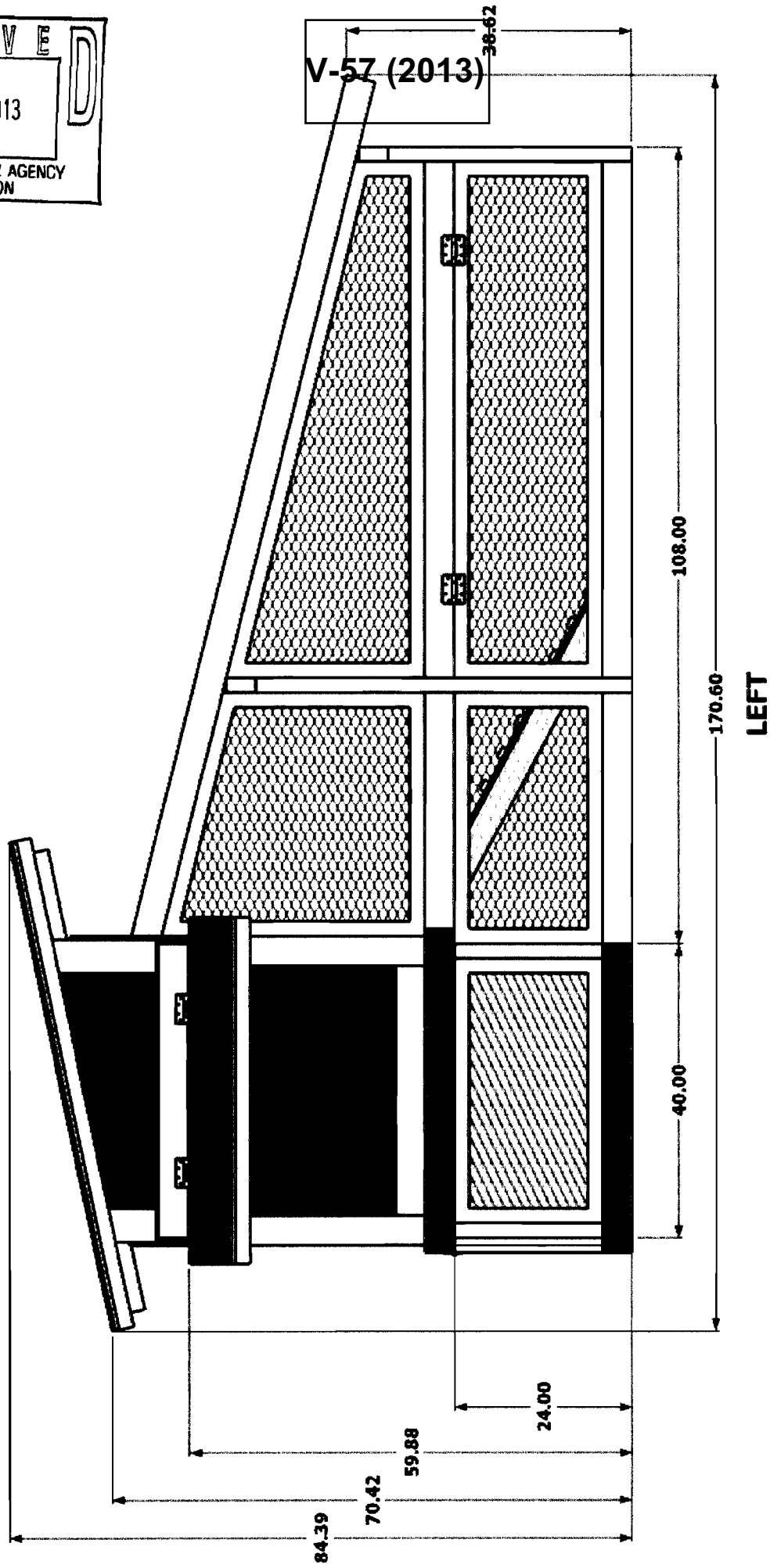
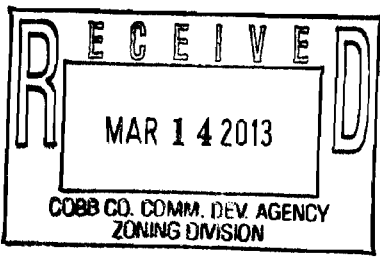


V-57 (2013)



- a: 4x4 (section)
 - b: 2x4 (section)
 - c: 2x2 (section)
 - d: 0.5x4 (section)
 - e: wooden sheet thickness 0.5
- Units: Inches (decimal format)

<http://homegardenplans.blogspot.com/>



- a: 4x4 (section)
 - b: 2x4 (section)
 - c: 2x2 (section)
 - d: 0.5x4 (section)
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