
VARIANCE ANALYSIS

July 10, 2013

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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Cobb County... Expect the Best!

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**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING AGENDA
JULY 10, 2013**

REGULAR CASES – NEW BUSINESS

- V-74** **ROBERT E. HEMBREE** (owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to 24 feet; 2) waive the rear setback for an accessory structure over 144 square feet (existing 358 square foot “storage building”) from the required 30 feet to zero feet; 3) allow an accessory structure (262 square foot “awning over slab”) to the side of the principal building; and 4) waive the rear setback for an accessory structure over 144 square feet (262 square foot “awning over slab”) from the required 30 feet to 2 feet in Land Lot 1016 of the 19th District. Located at the northern intersection of Wesley Way and Wesley Place (4474 Wesley Place).
- V-75** **TIM TONEY** (Timothy Scott Toney and Kenny Vidrine Toney, owners) requesting a variance to waive the front setback from the required 35 feet to 30 feet in Land Lots 839, 840, 889, and 890 of the 16th District. Located on the west side of Brookcliff Circle, west of Brookcliff Lane (1499 Brookcliff Circle).
- V-76** **ADAM HECK** (Adam C. Heck, owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to 28.5 feet; and 2) waive the setbacks for an accessory structure under 144 square feet (existing 120 square foot “wood shed”) from the required 5 feet to 1 foot from the northern property line and 3 feet from the eastern property line in Land Lot 232 of the 16th District. Located on the eastern terminus of Rosebay Court, east of Silver Fir Court (1469 Rosebay Court).
- V-77** **KRYSTAL MCCALL** (Krystal L. Velazquez, owner) requesting a variance to: 1) waive the front setback from the required 35 feet to 30 feet; and 2) waive the major side setback from the required 25 feet to 18 feet in Land Lot 721 of the 17th District. Located at the southwest intersection of Freydale Road and Clearwater Drive (2182 Freydale Road).

- V-78** **JOHN AND JENNIFER RISER** (John W. Riser, Jr. and Jennifer G. Riser, owners) requesting a variance to appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source in Land Lot 392 of the 16th District. Located on the northwest terminus of Old Sutton's Way, north of Dexter Way (3523 Old Sutton's Way).
- V-79** **PAUL F. AND BETTY C. RUSH** (Paul F. Rush and Betty C. Rush, owners) requesting a variance to waive the setbacks for an accessory structure over 650 square feet (780 square foot "garage under construction") from the required 100 feet to 10 feet from the southeast property line and 11 feet from the northeast property line in Land Lot 269 of the 20th District. Located on the east side of Mars Hill Road, north of Hadaway Road (834 Mars Hill Road).
- V-80** **JENNIFER AND JONATHAN TUCKER** (Jonathan Tucker, owner) requesting a variance to: 1) waive the front setback from the required 35 feet to 34.5 feet; and 2) appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source in Land Lot 1051 of the 16th District. Located on the east side of Fox Hollow Parkway, south of Robinson Road (822 Fox Hollow Parkway).
- V-81** **STEPHEN R. HUGHES** (Stephen R. Hughes and Karen Hughes, owners) requesting a variance to: 1) allow an accessory structure (720 square foot "new garage") to the side of the principal building; 2) waive the setbacks for an accessory structure over 650 square feet (720 square foot "new garage") from the required 100 feet to zero feet on the southeastern property line, and 14 feet on the northeastern property line; and 3) waive the rear setback from the required 30 feet to 28 feet in Land Lot 1247 of the 16th District. Located on the northeast terminus of Kenley Court, north of Lower Roswell Road (155 Kenley Court).

- V-82** **PHUOC NGUYEN** (Phuoc Nguyen and Michelle Q. Nguyen, owners) requesting a variance to: 1) waive the side setback from the required 7.5 feet to 4.6 feet on the northwestern side; and 2) waive the rear setback from the required 20 feet to 19.3 from the southwestern side in Land Lot 790 of the 16th District. Located on the west side of Jackson Ridge Cove, west of Shiloh Valley Circle (2042 Jackson Ridge Cove).
- V-83** **MARK A. NELKIN** (Majestic Lantern Ridge, LLC, owner) requesting a variance to waive the side setback from the required 35 feet to 10 feet from the western property line for the existing “Club House” in Land Lots 1134 and 1171 of the 16th District. Located on the southeast side of Roswell Road, west of North Marietta Parkway (1810 Roswell Road).
- V-84** **RICH HAGAN** (Richard J. Hagan and Lori L. Hagan, owners) requesting a variance to: 1) allow a second and third electrical meter on a single family residential lot; 2) waive the setback for an accessory structure over 650 square feet (existing tennis court) from the required 100 feet to 70 feet on the eastern side and 90 feet from the northern side; 3) waive the side setback for an accessory structure over 650 square feet (existing “1.5 story frame” pool house) from the required 100 feet to 60 feet on the northern side; 4) allow an accessory structure (existing “barn”) in front of the principal building; and 5) waive the setback for an accessory structure (existing “barn”) from the required 100 feet to 5 feet on the northern side in Land Lot 706 of the 16th District. Located on the north side of Kincaid Road, east of Addison Road (1487 Kincaid Road).
- V-85** **BRAD CARROLL** (Bradley Carroll and Betty Carroll, owners) requesting a variance to: 1) allow an accessory structure (proposed 3,322 square foot detached garage) in front of the principal building; and 2) waive the side setback for an accessory structure over 650 square feet (proposed 3,322 square foot detached garage) from the required 100 feet to 15 feet from the northern property line in Land Lots 278 and 279 of the 20th District. Located on the west side of Gordon Combs Road, north of Burnt Hickory Road (675 Gordon Combs Road).

- V-86** **TERENCE H. WHITE** (Terrence H. White and Janet B. White, owners) requesting a variance to waive the rear setback from the required 30 feet to 24 feet in Land Lot 767 of the 17th District. Located on the northwest side of Gateswalk Way, south of Gateswalk Drive (4208 Gateswalk Way).
- V-87** **BERCHER HOMES, LLC** (Donald W. Kirkpatrick and Betty Lou Kirkpatrick, owners) requesting a variance to: 1) waive the front setbacks from the required 35 feet to 15 feet for lots 1 through 4; and 2) waive the major side setback from the required 25 feet to 15 feet in Land Lots 120 and 169 of the 16th District. Located on the south side of Jims Road, west of Wigley Road (2798 Jims Road).
- V-88** **FACTORY DIRECT REMODEL** (Curtis F. Boyd and Martha S. Boyd, owners) requesting a variance to: 1) waive the setback for an accessory structure over 144 square feet (192 square foot “shed”) from the required 35 feet to 18 feet adjacent to the northern property line and from 10 feet to 3 feet adjacent to the western property line; and 2) waive the rear setback from the required 35 feet to 17 feet in Land Lot 164 of the 16th District. Located on the northern terminus of South Landing Drive, northeast of South Inlet (4333 South Landing Drive).
- V-89** **MT. ZION BAPTIST** (Mt. Zion Baptist Church, owner) requesting a variance to: 1) waive the minimum lot size for a church with an accessory cemetery from the required 7 usable acres to 3.63 acres (existing); and 2) waive the required setback for church structures from the required 50 feet to 3.9 feet (existing church building) and 36.5 feet (proposed sanctuary replacement) from the northern property line in Land Lots 401 and 402 of the 19th District. Located on the north side of MacLand Road, bounded by Powder Springs Road and John Ward Road (1752 Macland Road).

- V-90** **THE PROVIDENCE GROUP OF GEORGIA CUSTOM HOMES, LLC** (Walton Vinings Orchard, LLC, owner) requesting a variance to waive the rear setback from the required 40 feet to 35 feet in Land Lots 893 and 901 of the 17th District. Located on the east side of Vinings Orchard Circle, north of Log Cabin Drive (2738 Vinings Orchard Circle). **WITHDRAWN WITHOUT PREJUDICE**
- V-91** **PATRICK MALLOY COMPANIES, LLC** (Windworth Land, LLC and Windworth Ventures, LLC, owners) requesting a variance to waive the side setback from the required 5 feet with 15 feet between structures to 5 feet with 10 feet between structures for lots 18, 19, and 21 in Land Lot 696 of the 17th District. Located on the north side of Central Garden Court, south of Westwood Road (3948, 3942, and 3930 Central Garden Court).