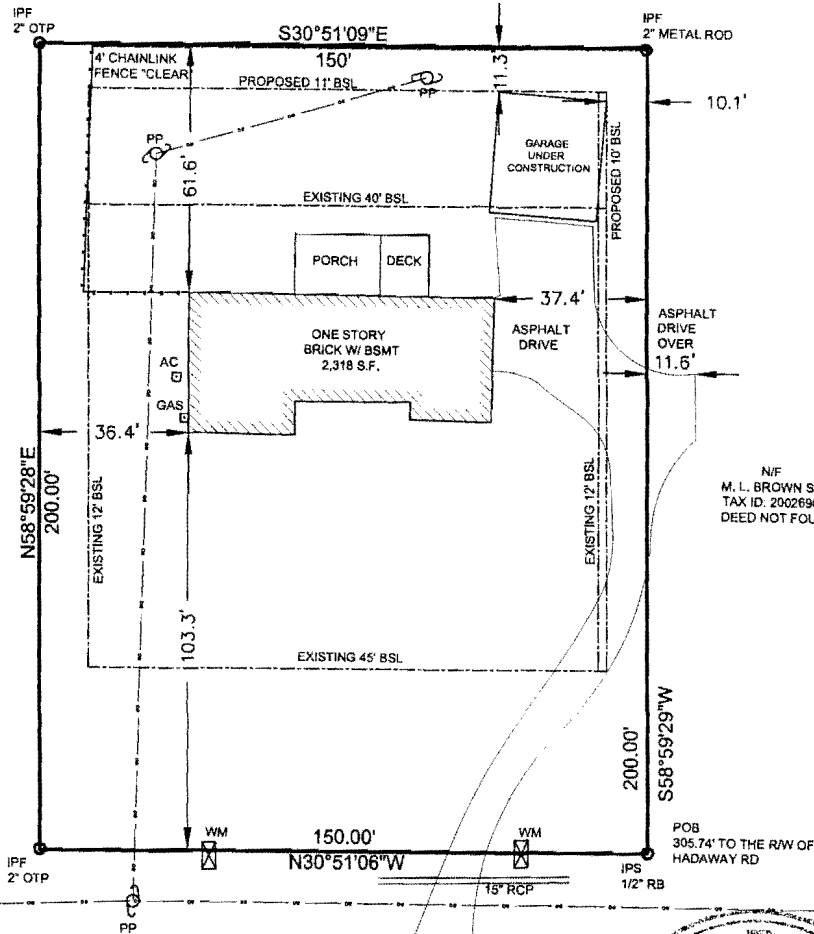


V-79 (2013)

LEGEND	
SS	= Sanitary Sewer
PP	= Power Pole
O IPP	= Iron Pin Placed
O IPF	= Iron Pin Found
POB	= Point of Beginning
B/C	= Back of Curb
SSMH	= Sewer Manhole
SSE	= Sanitary Sewer Easement
PL	= Property Line
DE	= Drainage Easement
WM	= Water Meter
WV	= Water Valve
FH	= Fire Hydrant
RW	= Right of Way
BL	= Bulking Setback Line

M. L. BROWN SR
TAX ID: 20026900020
DEED NOT FOUND

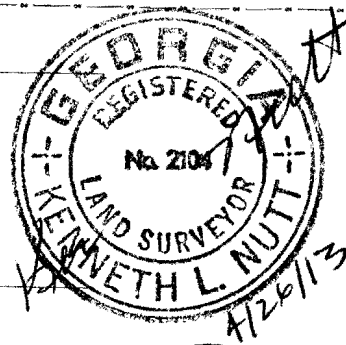


N/F
M. L. BROWN SR
TAX ID: 20026900020
DEED NOT FOUND

N/F
M. L. BROWN SR
TAX ID: 20026900020
DEED NOT FOUND

COBB COUNTY GEORGIA
 FILED IN OFFICE
 2013 MAY -8 PM 12: 20
 COBB COUNTY ZONING DIVISION

MARS HILL ROAD
(VARIABLE RIGHT-OF-WAY)



ZONING INFORMATION

Property Zoned R-30
Single Family Residential District
Min. Lot Area = 30,000 S.F.
Min Street Frontage = 75/50 Feet
Max Lot Coverage = N/A

Setbacks:
Front - 45 Feet
Sides - 12 Feet
Rear - 40 Feet

AREA
 30,000 Square Feet Total
 (0.69 Acres)

Job #: 001213

- All iron pins are 1/2" Rebar unless otherwise noted.
- Equipment used: Topcon GTS Total Station
- The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 03 seconds per angle point, and was adjusted using Compass Rule.
- This plat has been calculated for closure and is found accurate within one foot in 59,200 feet.
- This plat subject to all easements public and private.

Proposed Variance Survey for PAUL F. & BETTY C. RUSH

TAX ID: 20026900140
834 MARS HILL ROAD
Land Lot 269 20th District 2nd Section
Cobb County, Georgia

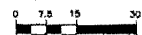
This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.

According to F.I.R.M. Community Panel # 13067C0077G, dated 12/16/2008 this property is not located in an area having special flood hazards.

Computed by: JF
Drawn by: JF
Checked by: KN

Party Chief: JF
Date Surveyed: 4/25/13
Date Drawn: 4/26/13

GRAPHIC SCALE



SCALE: 1" = 30'



Perimeter Surveying Co., Inc
1065 Sandtown Road, Marietta, GA 30008
Phone: (770) 425-8824 Fax: (770) 425-8768

Plat Book: 52
Deed Book: 14889

Page: 161
Page: 3942

APPLICANT: Paul F. and Betty C. Rush

PETITION No.: V-79

PHONE: 770-948-5756

DATE OF HEARING: 07-10-13

REPRESENTATIVE: Betty C. Rush

PRESENT ZONING: R-30

PHONE: 770-948-5756

LAND LOT(S): 269

TITLEHOLDER: Paul F. Rush and Betty C. Rush

DISTRICT: 20

PROPERTY LOCATION: On the east side of Mars Hill Road, north of Hadaway Road (834 Mars Hill Road).

SIZE OF TRACT: 0.69 acre

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 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.

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

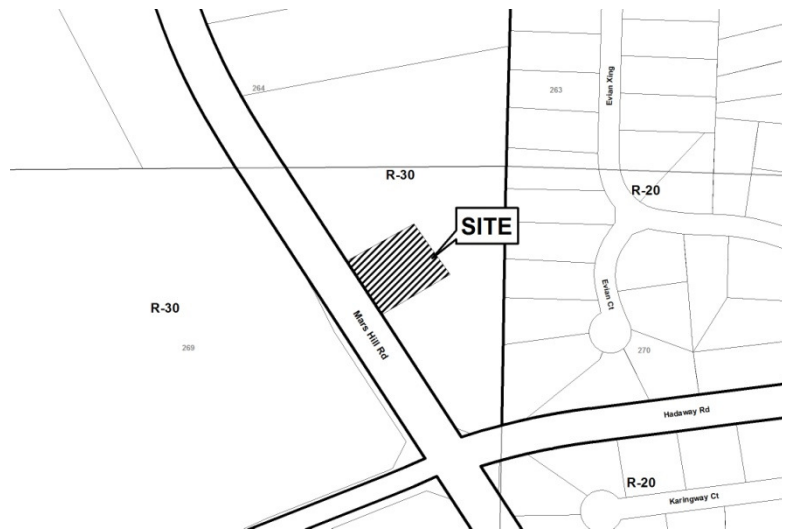
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Paul F. and Betty C. Rush **PETITION No.:** V-79

COMMENTS

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

DEVELOPMENT & INSPECTIONS: Notice of Violation was issued for building without a permit on 4-17-13.

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: No adverse stormwater management impacts are anticipated.

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.

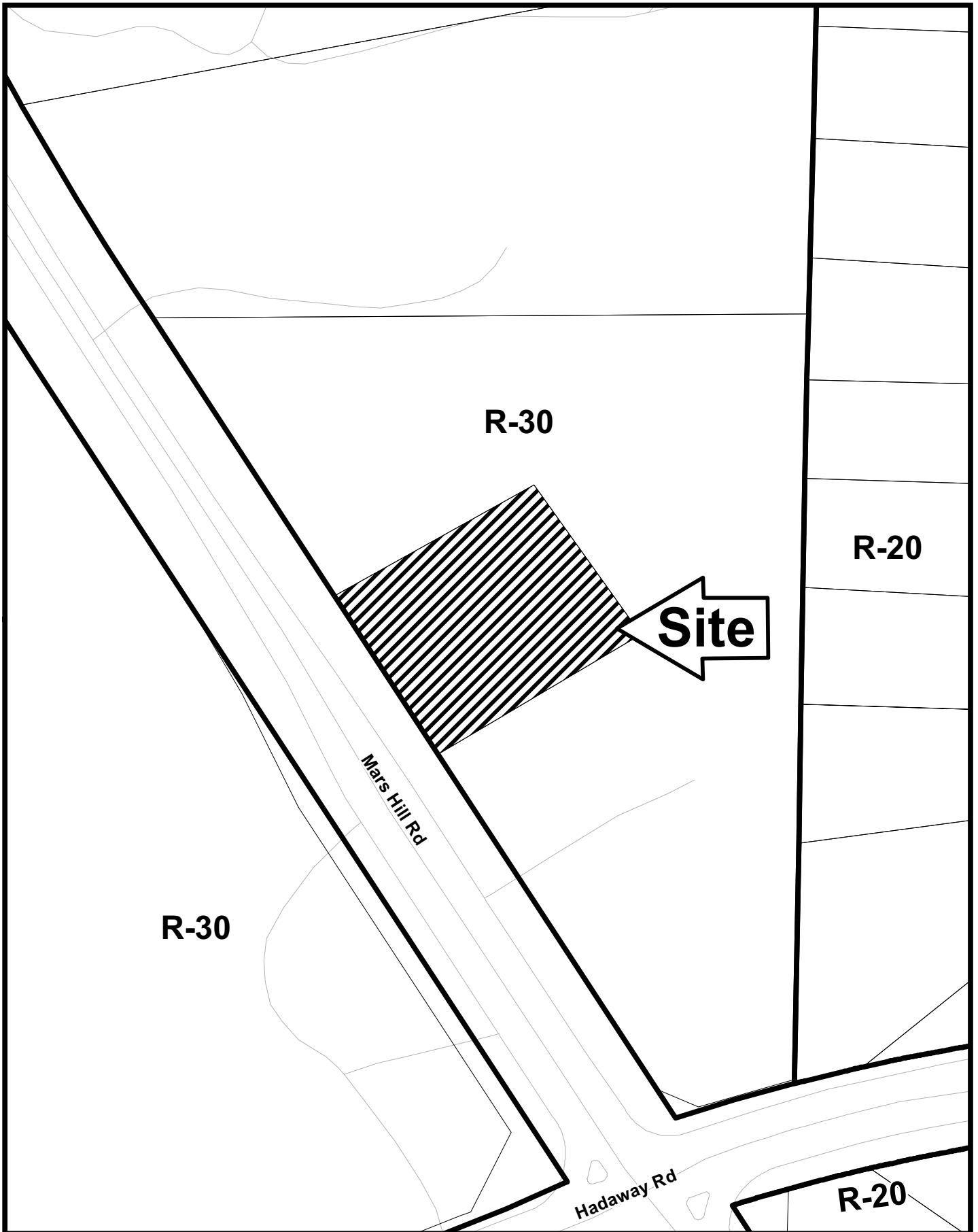
WATER: No conflict.

SEWER: No conflict.

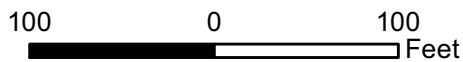
APPLICANT: Paul F. and Betty C. Rush **PETITION No.:** V-79



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-79



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

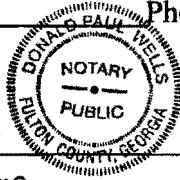
(type or print clearly)

Application No. V-79
Hearing Date: 7-10-13

Applicant Paul F. & Betty C. Rush Phone # 770-948-5756 E-mail N/A

Paul F. Rush
(representative's name, printed) Address _____
(street, city, state and zip code)

Betty C. Rush
(representative's signature) Phone # _____ E-mail _____

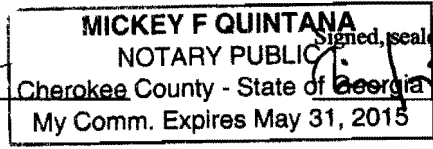


My commission expires: 3/24/17 Signed, sealed and delivered in presence of:
Paul F. Rush Notary Public
My Commission Expires March 24, 2017

Titleholder Paul F. Rush and Betty C. Rush Phone # 770-948-5756 E-mail N/A

Signature Paul F. Rush Address: 834 Mars Hill Rd., NW, Kennesaw, GA
(attach additional signatures, if needed) (street, city, state and zip code) 30152

Betty C. Rush



My commission expires: 05-31-15 Signed, sealed and delivered in presence of:
[Signature] Notary Public
Cherokee County - State of Georgia

Present Zoning of Property R-30

Location 834 Mars Hill Rd., NW, Kennesaw, GA 30152
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 269 District 20th 2nd Section Size of Tract .60 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 if applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

See Attachment A

COBB COUNTY ZONING DIVISION
MAY - 8 PM 12:25
FILED IN OFFICE
COBB COUNTY GEORGIA

List type of variance requested: We are requesting a variance for a 26' x 36' garage which will be handicap accessible and which will be deep enough to store a riding lawnmower and tools. We are requesting a variance for the rear setback of 11.3' and a side setback of 10.1'.

Revised: March 5, 2013

* The lot has a slightly gradual slope down from the driveway.

V-79 (2013)

Attachment A

Applying the terms of the Zoning Ordinance without the requested variances would create an unnecessary hardship for us because:

First

We are elderly residents with failing health. My husband, Paul, is 80 years old and I am 77. Right now we are parking outside. We really need a garage so we can take our time getting in and out of our vehicles and not be subjected to inclement weather while doing so - one that is wide enough to be handicap accessible and deep enough to store a riding lawnmower and tools. Last year Paul suffered three strokes - the last one being severe. It affected his equilibrium. Most days he can walk almost normal; but some days it leaves him very dizzy and he has to use a walker with the possibility of a wheelchair in the near future. Earlier this year he had an implant to close a hole in his heart and is still recovering from that surgery. In addition he suffers from high blood pressure and cholesterol problems. I have heart problems (pacemaker), asthma, high blood pressure and am unsteady on my feet - prone to falling.

Second

We bought this house about a year and a half ago, to be near our daughter who lives in this area. We have no usable place to park our vehicles out of the weather. The house

Attachment A Continued

does have a single carport which is not handicap accessible and the previous owners put in a drainage system at the end of the carport and covered it with a plastic grid which is not strong enough to drive a car over anyway.

Third

Our lot has a slightly gradual slope down from the driveway. We have to get in and out of the vehicles on an uneven slope which always has the possibility of losing our balance and falling, which at our age would be disastrous. Having a garage with a level floor would be much safer for us and would prevent the hardship of us having to be out in rainy weather or out trying to clean ice and snow from our vehicles in the winter, again preventing falls and broken bones. It also takes a lot of time and energy cleaning pine straw, pollen, sweetgum balls, etc, from the vehicles the rest of the year.

The house is not in a subdivision. It's rather isolated. There are only two houses near us actually. There is a wooded buffer area behind and to the left of our house. There is a house on the lot to the right which has been vacant for the year and a half we've lived here. Across the street from the vacant house is the second house mentioned; and directly across the street from us is a beautiful pasture with a good size lake ^{and} beautiful grazing horses.

The variance approval would allow us to have a garage and would make our lives much safer and better.