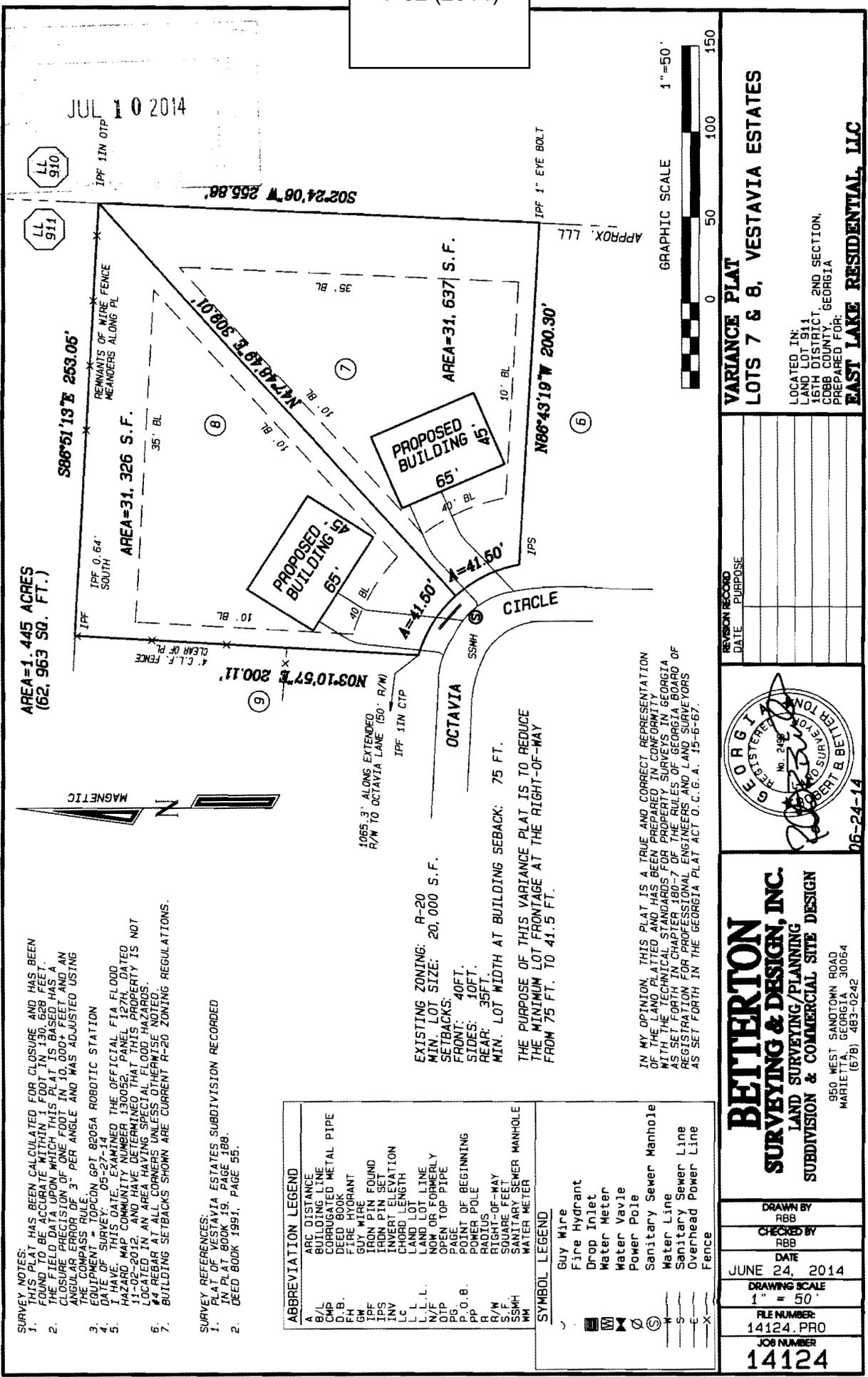


V-82 (2014)

JUL 10 2014



**SURVEY NOTES:**  
 1. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN 1 FOOT IN 130,628 FEET.  
 2. 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 3" PER ANGLE AND WAS ADJUSTED USING THE LEAST SQUARES RULE.  
 3. THE PLAT WAS MADE BY GPT 8205A ROBOTIC STATION.  
 4. DATE OF SURVEY: 05-27-14  
 5. I HAVE, THIS DATE, EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130052, PANEL 127H, DATED 11-02-2012, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.  
 6. #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.  
 7. BUILDING SETBACKS SHOWN ARE CURRENT R-20 ZONING REGULATIONS.

**SURVEY REFERENCES:**  
 1. PLAT OF VESTAVIA ESTATES SUBDIVISION RECORDED IN PLAT BOOK 19, PAGE 188.  
 2. DEED BOOK 1991, PAGE 55.

**ABBREVIATION LEGEND**

A	ARC DISTANCE
B/L	BUILDING LINE
CMB	CORRUGATED METAL PIPE
D.B.	DEED BOOK
F.H.	FIRE HYDRANT
GW	GUY WIRE
IPF	IRON PIN FOUND
IPS	IRON PIN SET
INV	INVERT ELEVATION
Lc	CHORD LENGTH
L	LAND LOT
L.L.	LAND LOT
N/E	NEW OR FORMERLY
O.T.P.	OPEN TOP PIPE
PAGE	PAGE
P.G.O.B.	POINT OF BEGINNING
PP	POWER POLE
R	R/W
R/W	RIGHT-OF-WAY
S.F.	SQUARE FEET
SSMH	SANITARY SEWER MANHOLE
WM	WATER METER

**SYMBOL LEGEND**

(Symbol)	Guy Wire
(Symbol)	Fire Hydrant
(Symbol)	Drop Inlet
(Symbol)	Water Meter
(Symbol)	Water Valve
(Symbol)	Power Pole
(Symbol)	Sanitary Sewer Manhole
(Symbol)	Water Line
(Symbol)	Sanitary Sewer Line
(Symbol)	Overhead Power Line
(Symbol)	Fence

EXISTING ZONING: R-20  
 MIN. LOT SIZE: 20,000 S.F.  
 SETBACKS: 40FT.  
 FRONT: 40FT.  
 SIDES: 10FT.  
 REAR: 35FT.  
 MIN. LOT WIDTH AT BUILDING SETBACK: 75 FT.  
 THE PURPOSE OF THIS VARIANCE PLAT IS TO REDUCE THE MINIMUM LOT FRONTAGE AT THE RIGHT-OF-WAY FROM 75 FT. TO 41.5 FT.

IN MY OPINION, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

**REVISION RECORD**

DATE	PURPOSE

06-24-14

**BETTERTON SURVEYING & DESIGN, INC.**  
 LAND SURVEYING/PLANNING  
 SUBDIVISION & COMMERCIAL SITE DESIGN

950 WEST SANTOWN ROAD  
 MARIETTA, GEORGIA 30064  
 (678) 493-0242

**DRAWN BY**  
RBB

**CHECKED BY**  
RBB

**DATE**  
JUNE 24, 2014

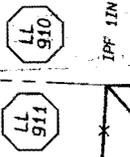
**DRAWING SCALE**  
1" = 50'

**FILE NUMBER**  
14124.PRO

**JOB NUMBER**  
14124

**VARIANCE PLAT**  
**LOTS 7 & 8, VESTAVIA ESTATES**

LOCATED IN:  
 LAND LOT 911  
 16TH DISTRICT, 2ND SECTION,  
 CDBB COUNTY, GEORGIA  
 PREPARED FOR:  
**EAST LAKE RESIDENTIAL, LLC**



AREA=1.445 ACRES  
 (62,963 SQ. FT.)

886°51'19" E 253.05'

AREA=31,326 S.F.

AREA=31,637 S.F.

886°43'10" W 200.30'

OCTAVIA CIRCLE

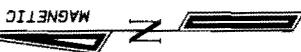
1065.3' ALONG EXTENDED R/W TO OCTAVIA LANE (50' R/W)

REMNANTS OF WIRE FENCE MEANDERS ALONG PL

IPF 1IN OTP

IPF 3" EYE BOLT

APPROX. LLL



**APPLICANT:** East Lake Residential, LLC      **PETITION No.:** V-82  
**PHONE:** 404-921-0240      **DATE OF HEARING:** 09-10-2014  
**REPRESENTATIVE:** J. Kevin Moore      **PRESENT ZONING:** R-20  
**PHONE:** 770-429-1499      **LAND LOT(S):** 911  
**TITLEHOLDER:** Judy Humphreys      **DISTRICT:** 16  
**PROPERTY LOCATION:** On the north side of      **SIZE OF TRACT:** 1.45 acres  
Octavia Circle, north of Vester Drive      **COMMISSION DISTRICT:** 3  
(2996 Octavia Drive).

**TYPE OF VARIANCE:** 1) Waive the minimum public road frontage from the required 75 feet to 41.5 feet for each of proposed lots 7 and 8; and 2) waive the minimum lot width at front setback line from the required 75 feet to 65 feet.

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

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_  
**STIPULATIONS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



\*\*\*\*\*

**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 a building permit showing the removal of the existing house from 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:** A site grading plan will be required at permitting to demonstrate that all impervious runoff is discharged to the existing stormwater swale located within the Octavia Circle right-of-way.

**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:** East Lake Residential, LLC

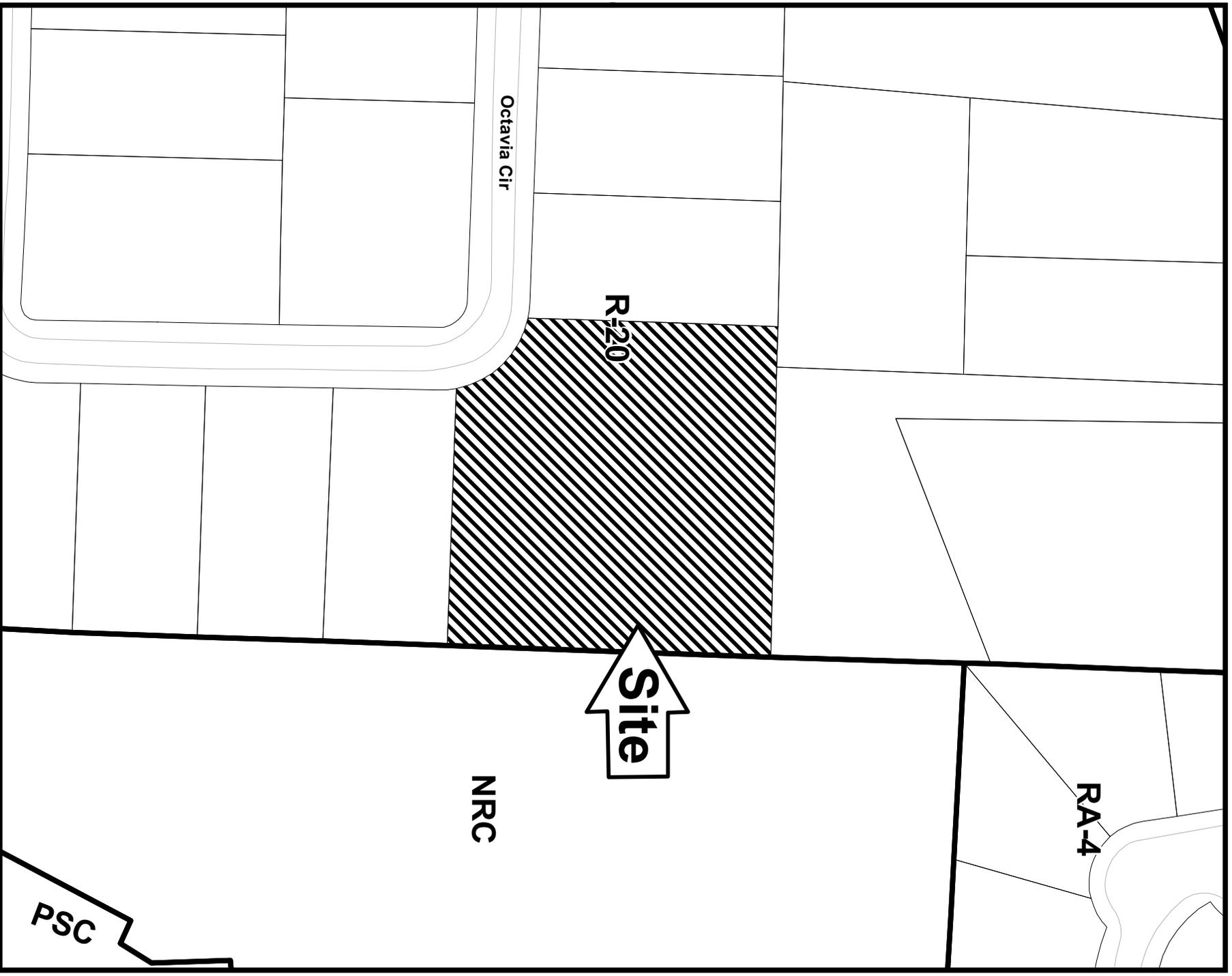
**PETITION No.:**

V-82

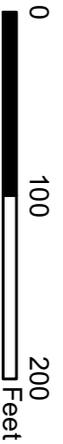
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

V-82



This map is provided for display and planning purposes only. It is not meant to be a legal description.



 City Boundary  
 Zoning Boundary

JUL 10 2014

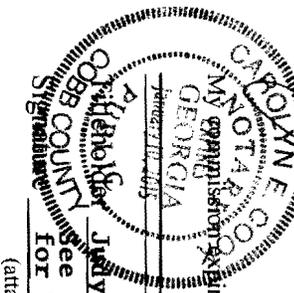
(type or print clearly)

Application No. V-82 (2014)  
Hearing Date: 09/10/2014

# Application for Variance Cobb County

Applicant East Lake Residential, LLC Phone # (404) 921-0240 E-mail gene.kelly@backnineventures.com  
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street  
J. Kevin Moore Address Marietta, GA 30060 (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jkmi@iis.com  
(representative's name, printed) Representative's signature) Georgia Bar No. 519728



Commission Expires: January 10, 2015 Signed, sealed and delivered in presence of:  
J. Kelly Moore Phone # (404) 374-1672 E-mail [Signature] Notary Public  
See Attached Exhibit "A" Address: 1990 Ridge Road, Cumming, GA 30041  
for Titleholder's Signature (street, city, state and zip code)  
(attach additional signatures, if needed)

My commission expires: \_\_\_\_\_ Signed, sealed and delivered in presence of: \_\_\_\_\_  
Notary Public

Present Zoning of Property R-20

Location Northeasterly side of Octavia Circle (being Lots 7 and 8, Vestavia Estates)  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 911 District 16th Size of Tract 1.445 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.

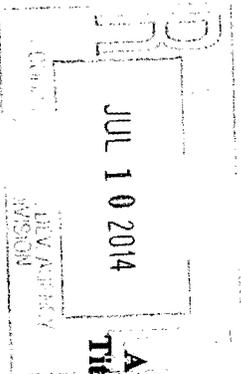
Size of Property \_\_\_\_\_ Shape of Property X Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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

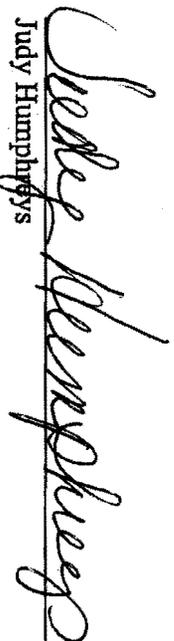
List type of variance requested: Reduction of the required road frontage for a single-family residential lot from seventy-five (75) feet (fifty (50) feet on a cul-de-sac) to forty-one and one-half (41.50) feet. (See § 134-197(4)(c)).

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE**

Application No.: V- 82 (2014)  
Hearing Date: September 10, 2014



**Applicant:** East Lake Residential, LLC  
**Titleholder:** Judy Humphreys

  
Judy Humphreys

**Address:** 1990 Ridge Road  
Cumming, Georgia 30041

**Telephone No.:** (404) 374.1672

Signed, sealed, and delivered in the presence of:

  
**Notary Public**  
Commission Expires: 12.10.2016

[Notary Seal]



**EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE**

Application No.: V- 82 (2014)  
Hearing Date: September 10, 2014

JUL 10 2014

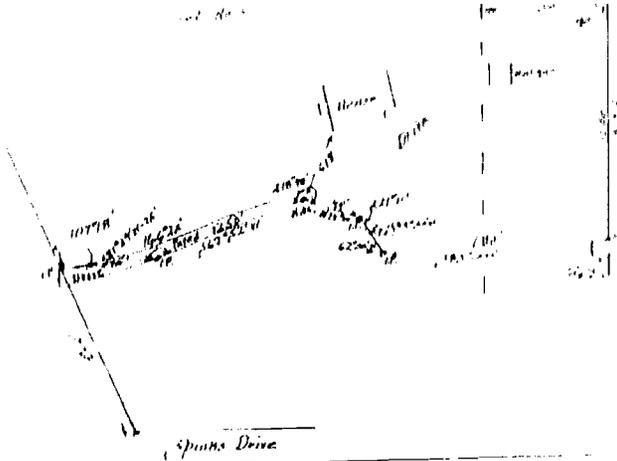
**BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS**

Applicant: East Lake Residential, LLC  
Property Owner: Judy Humphreys

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

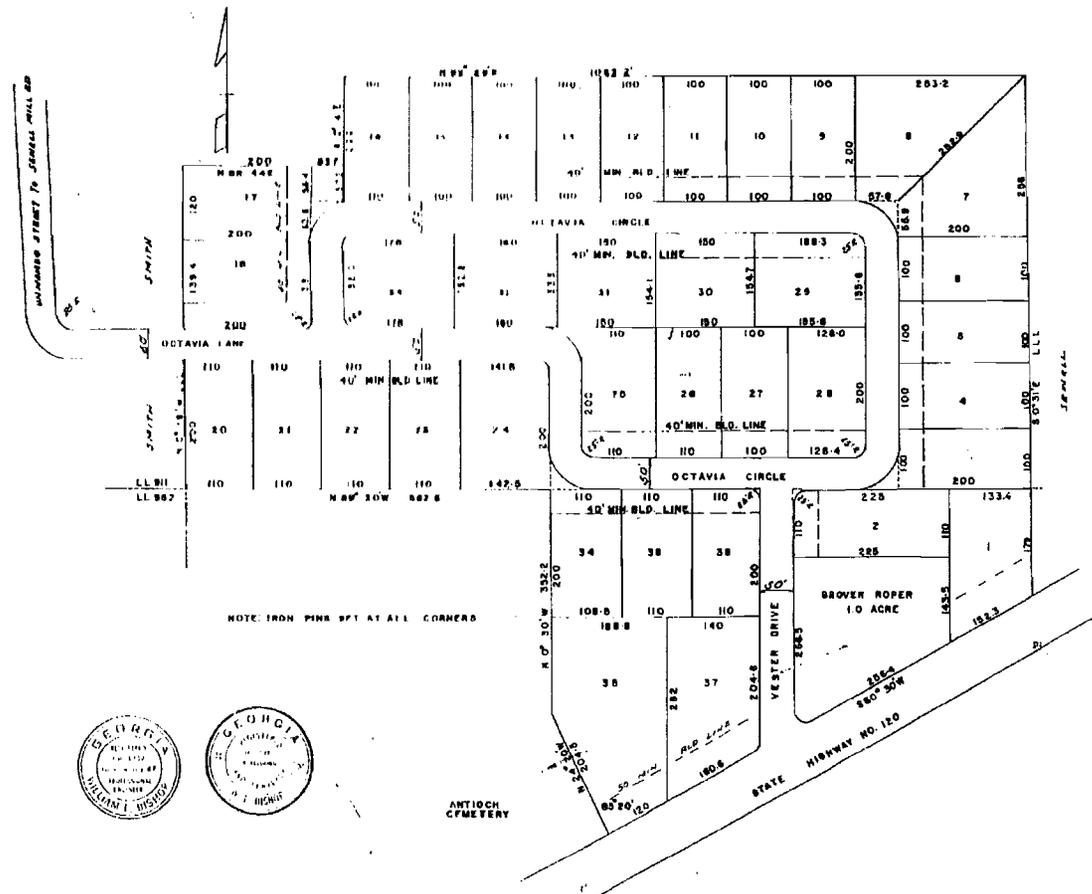
Applicant requests a reduction of the required road frontage for a single-family residential lot from the required seventy-five (75) feet (fifty (50) feet on a cul-de-sac), as set forth under the R-20 zoning classification, to forty-one and one-half (41.50) feet. The property for which this request is made is a 1.445 acre tract and is located at 2996 Octavia Circle, Land Lot 911, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). Originally, the Property was platted as two separate lots, being designated as Lots 7 and 8, Vestavia Estates; however, only one home was constructed. Applicant proposes to return the Property to its original, two separate lots for construction of two single-family homes.

The Subject Property is situated along a very sharp left-hand curve of Octavia Circle, which substantially decreases the frontage along the roadway. Additionally, the subdivision in which the Property is located is an older development in East Cobb, the final subdivision plat being recorded in the Cobb County Deed Records in 1959, and was developed and platted prior to the enactment of the current R-20 Zoning Ordinance and allows for development of the Subject Property as two separate lots (*see attached copy marked as Exhibit "1"*). By reducing the required minimum road frontage for each proposed lot, while keeping all other setbacks and guidelines required under the R-20 zoning classification, new residences may be constructed which are consistent with the existing, surrounding neighborhoods and which are aesthetically appealing in location, size, and quality of construction. The variance requested herein is not substantial and would allow an otherwise reasonable and marketable residential use of the Subject Property; especially, given that, the remaining setbacks and minimum lot requirements for the proposed development meet or exceed the minimum requirements as set forth in the Cobb County Zoning Ordinance.



PROPERTY FOR MAP  
 CLASS - 1 CLAY  
 COBB COUNTY GEORGIA  
 WAREETA, GEORGIA  
 T-90  
 Oct 1959

Exhibit "j"



IT IS HEREBY CERTIFIED THAT THIS MAP IS TRUE AND CORRECT AND HAS BEEN PREPARED FROM AN ORIGINAL SURVEY OF THE PROPERTY HERE SHOWN BY SUPERVISION ON THE GROUND.  
 BY W. R. Beal REG. C.E. NO. 1762  
W. R. Beal LAND SURVEYOR IN GA.

STATE OF GEORGIA  
 COBB COUNTY  
 THE OWNER OF THE LAND SHOWN ON THIS MAP AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT ACKNOWLEDGES THAT THIS MAP HAS BEEN MADE FROM AN ORIGINAL SURVEY AND DEDICATED TO THE USE OF THE PUBLIC FOREVER. ALL STREETS, ALLEYS, PAVES, WALKS, SQUARES, DRIVE EASEMENTS AND PUBLIC PLACES THEREON SHALL BE FOR THE PURPOSES AND CONSIDERATIONS THEREON EXPRESSED.

Robert S. Roper OWNER  
 THIS MAP HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF COBB COUNTY, GEORGIA, AND IS APPROVED BY SUCH COMMISSION.

DATE THIS 22 DAY OF NOV 1959  
 THE PLANNING COMMISSION OF COBB COUNTY, GEORGIA,  
 BY W. R. Beal CHAIRMAN  
W. R. Beal SECRETARY

THIS MAP HAS BEEN SUBMITTED TO AND CONSIDERED BY THE COMMISSIONER OF ROADS AND REVENUE OF COBB COUNTY, GEORGIA, AND IS APPROVED SUBJECT TO THE PROTECTIVE COMMENTS HEREON.  
 DATED THIS 22 DAY OF NOV 1959

CHIEFMAN AND BOARD OF Robert S. Roper  
 COMMISSIONER OF ROADS AND REVENUE COBB COUNTY, GEORGIA

VESTAVIA ESTATES' SUBDIVISION  
 LL 911 & 962 16TH DIST. 2ND SECTION  
 COBB COUNTY, GEORGIA  
 W. L. BROVER SURVEYOR LIT 2349  
 AUG. 6, 1959 SCALE 1" = 100'

NOTE: LOTS 17 THROUGH 24 REVISED AS SHOWN NOV. 6, 1959  
 LOT 19 OBTAINED FROM EARLIER PLAT JULY 2, 1959