
VARIANCE ANALYSIS

January 14, 2015

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
JANUARY 14, 2015**

CONTINUED CASE

- V-123¹⁴** **WILLIAM A SHEARIN, JR.** (owner) requesting a variance to waive the front setback from the required 35 feet to 29 feet in Land Lot 831 of the 16th District. Located on the north side of Penhurst Drive, east of Bradbury Drive (4048 Penhurst Drive). *(Previously continued by Staff)*

REGULAR CASES – NEW BUSINESS

- V-1** **MARTIN RODRIGUEZ** (Martin Rodriguez Lopez and Violeta Perez Pacheco, owners) requesting a variance to waive the front setback from the required 35 feet to 29.64 feet in Land Lot 623 of the 19th District. Located on the west side of Bay Berry Drive, south of Burfurdi Drive (2796 Bay Berry Drive).
- V-2** **PATRICIA S. MEDLIN** (owner) requesting a variance to: 1) waive the minimum public road frontage from the required 75 feet to 26.75 feet; and 2) waive the setback for an accessory structure over 650 square feet (frame accessory building with lean to sheds) from the required 100 feet to 34.1 feet adjacent to the eastern property line in Land Lot 38 of the 18th District. Located on the north side of Whispering Pines Circle (Private), east of Whispering Pines Road, and at the western terminus of Pine Valley Road (5835 Whispering Pines Circle).
- V-3** **TOTAL IMAGING** (Desh Enterprises, Inc., owner) requesting a variance to allow an electronic sign on a property with less than 200 feet of road frontage on one road (171.64 feet on Roswell Road) in Land Lot 899 of the 16th District. Located on the southwest corner of East Cobb Drive and Roswell Road (4360 Roswell Road).
- V-4** **ANITA WHALEN** (owner) requesting a variance to waive the rear setback from the required 30 feet to 20 feet in Land Lot 305 of 16th District. Located on the southwest corner of Tulip Tree Road and Tulip Tree Court (1768 Tulip Tree Court).

- V-5** **CARLETON ENGELBERT** (Carl W. Engelbert and Mary Kathleen Engelbert, owners) requesting a variance to waive the rear setback from the required 30 feet to 20 feet in Land Lot 843 of the 16th District. Located on the south side of Wood Thrush Way, east of Kinglet Lane (1496 Wood Thrush Way).
- V-6** **MITCHELL AND MARLA JOHNSON** (Mitchell S. Johnson and Marla B. Johnson, owners) requesting a variance to waive the rear setback from the required 40 feet to 35 feet in Land Lot 71 of the 1st District. Located on the south side of Declaire Way, east of Marseilles Place (320 Declaire Way).
- V-7** **BILLY DANIEL AND MARY LOU CAUGHRON** (Billy Daniel Caughron and Mary Lou Caughron, owners) requesting a variance to: 1) allow an accessory structure (577 square foot carport awning) to the front of the principal structure, 2) waive the front setback for an accessory structure over 144 square feet (577 square foot carport awning) from the required 50 feet to 34.5 feet; 3) waive the side setback for an accessory structure over 144 square feet (577 square foot carport awning) from the required 10 feet to 5.5 feet adjacent to the eastern property line; and 4) waive the minimum lot size from the required 20,000 square feet to 19,978 square feet in Land Lot 1138 of the 19th District. Located on the north side of Clay Road, east of Flint Hill Road (2320 Clay Road).
- V-8** **ARIEL SCOTT** (Ann Marie Hombordy, owner) requesting a variance to: 1) an authorization upon appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source; 2) waive the rear setback for an accessory structure under 650 square feet (approximately 221 square foot frame shed #1) from the required 30 feet to 5 feet; and 3) waive the side setback for an accessory structure under 650 square feet (approximately 221 square foot frame shed #1) from the required 10 feet to 3 feet adjacent to the western property line in Land Lot 270 of the 17th District. Located on the north side of Norton Circle, east of Biggern Avenue (283 Norton Circle).

- V-9** **PETER LIMERI** (owner) requesting a variance to: 1) waive the maximum impervious surface from the required 35% to 39.87%; 2) waive the side setback from the required 10 feet to 9 feet adjacent to the northern property line; 3) waive the setback from a sanitary sewer easement from the required 2 feet to 1 foot adjacent to the northern property line; and 4) waive the setback from a drainage easement from the required 10 feet to 1 foot adjacent to the western property line in Land Lot 458 of the 16th District. Located at the northern terminus of Ashmore Hall Drive, north of Davis Road (3263 Ashmore Hall Drive).
- V-10** **MICHAEL LEINGANG** (Leingang Dental Real Estate, LLC, owner) requesting a variance to: 1) waive the requirement that a sign be located 42 feet from the centerline of the right-of-way to 25 feet; 2) allow a sign to be located closer than one foot behind the public right-of-way; and 3) waive the side yard setback for a sign from the required 15 feet to 1 foot adjacent to the northern property line in Land Lot 963 of the 16th District. Located on the east side of Taliwa Trail, south of Roswell Road (1136 Taliwa Trail).
- V-11** **LONNIE A. BACON** (Lonnie A. Bacon and Miriam W. Bacon, owners) requesting a variance to: 1) waive the front setback from the required 25 feet to 20 feet; and 2) waive the side setback from the required 10 feet to 9.7 feet adjacent to the northern property line in Land Lot 543 of the 16th District. Located on the west side of Ashleigh Terrace, east of Heartwood Drive (185 Ashleigh Terrace).
- V-12** **JOHN D. CRESSLER** (John D. Cressler and Maria G. Cressler, owners) requesting a variance to: 1) waive the front setback from the required 20 feet to 13 feet; 2) allow an accessory structure (30 square foot plastic shed) to the side of the principal structure; 3) waive the rear setback for an accessory structure over 650 square feet (proposed 968 square foot 2 story garage) from the required 100 feet to 2.5 feet; 4) waive the side setback for an accessory structure over 650 square feet (proposed 968 square foot 2 story garage) from the required 100 feet to 2.5 feet adjacent to the western side; and 5) waive the maximum impervious surface from the required 40% to 54.42% in Land Lots 893 and 901 of the 17th District. Located on the west side of Vinings Oak Drive, east of Log Cabin Drive (2705 Vinings Oak Drive).

- V-13** **KEVIN AND WHITNEY MANNING** (Kevin N. Manning and Whitney S. Manning, owners) requesting a variance to: 1) waive the rear setback from the required 30 feet to 20 feet; 2) waive the side setback from the required 5 feet to 1.3 feet adjacent to the eastern property line; and 3) waive the maximum impervious surface from the required 45% to 70.9% in Land Lot 907 of the 17th District. Located on the north side of Courtyard Drive, south of Kingsland Court (3824 Courtyard Drive).
- V-14** **SCOTT CROSBY** (Geoffrey S. Crosby and Natalka C. Crosby, owners) requesting a variance to allow an accessory structure (480 square foot proposed garage) to the side of the principal structure in Land Lot 327 of the 20th District. Located on the east side of Battlefield Creek Drive, north of Dallas Highway (384 Battlefield Creek Drive).
- V-15** **T. WAYNE DAVIS** (Tine Wayne Davis, Jr., owner) requesting a variance to: 1) waive the minor side setback from the required 10 feet to 9 feet adjacent to the southern property line; 2) waive the major side setback from the required 35 feet to 34.81 feet adjacent to the northern property line; and 3) waive the maximum impervious surface from the required 35% to 35.48% in Land Lot 681 of the 16th District. Located on the west side of Chelsea Landing Way, south of Chelsea Lane, and east of Johnson Ferry Road (2395 Chelsea Landing Way).
- V-16** **WINDCREST HOMES ATLANTA, LLC** (owner) requesting a variance to waive the rear setbacks on proposed lots 3, 4, 5 and 6 from the required 35 feet to 20 feet in Land Lot 377 of the 16th District. Located on the southeast corner of Shaw Road and Ebenezer Road (3461 Ebenezer Road).
- V-17** **DIANA S. VASQUEZ** (Diana C. Vasquez, owner) requesting a variance to waive the front setback from the required 50 feet to 43.82 feet in Land Lot 102 of the 17th District. Located on the north side of Nickajack Road, across from Saint Patrick Drive, east of Benson Hurst Drive (460 Nickajack Road). **WITHDRAWN WITHOUT PREJUDICE**

- V-18 GENII WALTON-HAGOOD** (Genii Walton-Hagood and Roy L. Hagood, owners) requesting a variance to waive the side setback from the required 10 feet to 2 feet adjacent to the eastern property line in Land Lot 227 of the 1st District. Located on the north side of Willow Point Parkway, west of Lower Roswell Road (5501 Willow Point Parkway).
- V-19 GREG AND JOANNE HAMMERMASTER** (Greg Richard Hammermaster and JoAnne Hammermaster, owners) requesting a variance to: 1) waive the rear setback for an accessory structure under 144 square feet (existing 30 square foot fireplace) from the required 5 feet to zero feet; 2) allow an accessory structure (proposed approximately 240 square foot pergola) to the side of the principal building; 3) waive the rear setback for an accessory structure over 144 square feet (approximately 200 square foot frame shed) from the required 40 feet to 3 feet; and 4) waive the rear setback from the required 40 feet to 12 feet in Land Lots 1091 and 1092 of the 17th District. Located at the northeastern bend of Glen Eagles Circle, east of Pine Valley Road (541 Glen Eagles Circle).

HELD CASE

- V-110^{'14} CECILIA DIAZ** (Cecilia Diaz-Molina, owner) requesting a variance to waive the side setback from the required 10 feet to 1.6 feet adjacent to the north property line in Land Lot 154 of the 17th District. Located on the west side of Oak Haven Drive, south of Privette Road (1696 Oak Haven Drive). *(Previously held by the Board of Zoning Appeals from their November 1, 2014 and December 10, 2014 hearings)*
- V-122^{'14} TP-KENNESAW, LLC** (Danny Kapro Yun, owner) requesting a variance to waive the maximum total sign area from the required 120 square feet to 153.21 square feet in Land Lot 646 of the 16th District. Located on the north side of Ernest Barrett Parkway, west of George Busbee Parkway, east of Interstate 75 (2475 George Busbee Parkway). *(Previously held by the Board of Zoning Appeals from their December 10, 2014 hearing)* **WITHDRAWN WITHOUT PREJUDICE**