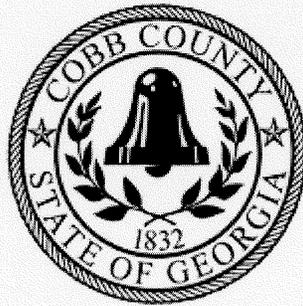


PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: February 11, 2015

DUE DATE: January 12, 2015

Distributed: December 22, 2014



Cobb County... Expect the Best!

V-20
(2015)

ED FOR
LSON

LOT 10, HOLCOMB LAKE VILLAGE SUBDIVISION, IN LAND LOT
848, 16TH. DISTRICT, 2ND. SECTION, COBB COUNTY, GEORGIA

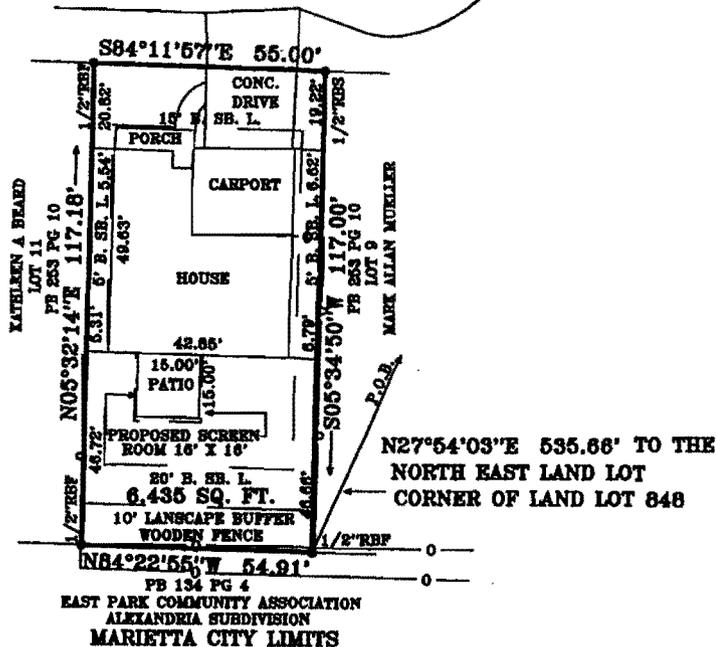
DATE OF PLAT 12-06-2014 SCALE 1" = 30'

DATE OF FIELD WORK 12-05-2014

REFERENCE PLAT BOOK 253, PAGE 9-10

DEC 10 2014

LAKE HOLCOMB LANE
50' R. W.



IMPERVIOUS SURFACE:

- EXISTING HOUSE: 1,062 SQ. FT.
- EXISTING PATIO: 225 SQ. FT.
- EXISTING FRONT PORCH: 104 SQ. FT.
- EXISTING 2 CAR GARAGE: 402 SQ. FT.
- EXISTING WALK: 52 SQ. FT.
- EXISTING CONC. DRIVE: 402 SQ. FT.
- EXISTING AC PADS: 18 SQ. FT.

ZONING INFORMATION:

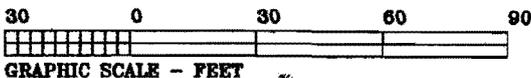
- PROPERTY ZONED: R-3
- FRONT SETBACK: 15 FEET
- SIDE SETBACK: 5 FEET
- REAR SETBACK: 25 FEET
- LANDSCAPE BUFFER: 10 FEET
- MAXIMUM LOT COVERAGE: 40%

TOTAL = 2857 SQ. FT.
 LOT AREA = 6,435 SQ. FT.
 LOT COVERAGE = 44.40%

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR
 PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES
 OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND
 SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 18-9-67.
 AUTHORITY O.C.G.A.

THIS PLAT IS MADE FOR THE SOLE USE AND BENEFIT
 OF THE PERSON OR PERSONS NAMED HEREON. THIS FIRM
 ASSUMES NO LIABILITY TO PERSONS NOT NAMED HEREON
 AND ANY USE BY UNNAMED PARTIES WILL BE DONE AT THEIR
 OWN RISK.

FIELD DATA:
 CLOSURE: 1" IN 18,438'
 EQUIPMENT: SOKKIA SETS
 ANGULAR ERROR 91" PER ANGLE POINT
 READINGS ARE MAG. CAL. FROM ANGLES
 TURNED.
 ADJUSTED USING LEAST SQUARES
 PLAT CLOSURE 1" IN 76,446'



KNIGHT & KNIGHT LAND SURVEYORS, LLC
 116 CENTER ROAD
 CARTERSVILLE, GEORGIA 30121
 TELEPHONE (770) 382-7975
 or (770) 382-5525

FEMA FLOOD HAZARD MAP 13067C0107E,
 DATED NOVEMBER 02, 2010, SHOWS THIS
 PROPERTY OUT OF FLOOD ZONE.

APPLICANT: Richard and Ann Olson

PETITION No.: V-20

PHONE: 817-718-5355

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Richard and Ann Olson

PRESENT ZONING: RA-5

PHONE: 817-718-5355

LAND LOT(S): 848

TITLEHOLDER: Richard C. and Cleo A. Olson

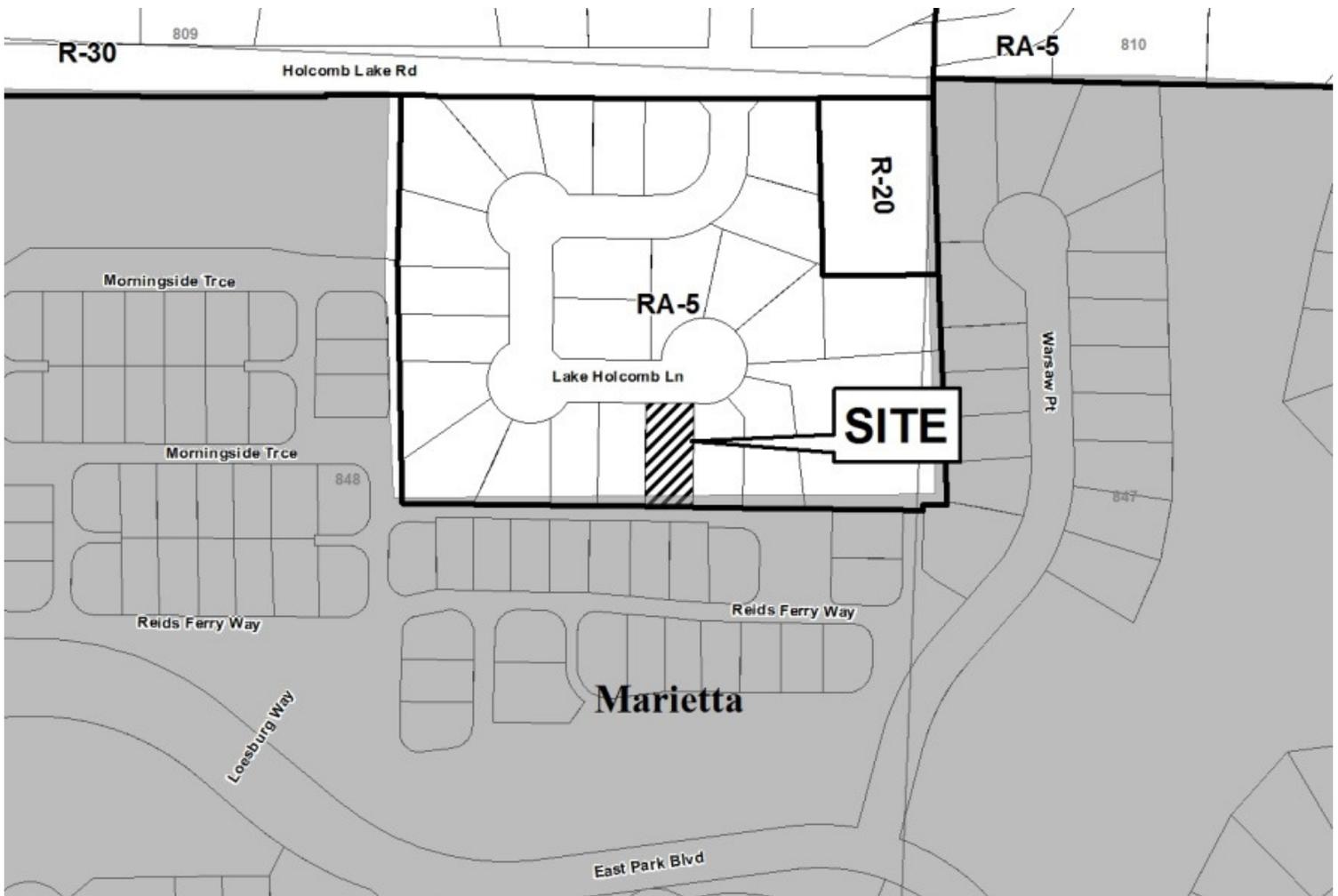
DISTRICT: 16

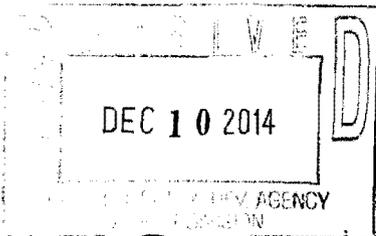
PROPERTY LOCATION: On the south side of Lake
Holcomb Lane, south of Holcomb Lake Road
(1561 Lake Holcomb Lane).

SIZE OF TRACT: 0.15 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: Waive the impervious surface from a maximum of 40% to 50%.





Application for Variance Cobb County

(type or print clearly)

Application No. V-20
Hearing Date: 2-11-15

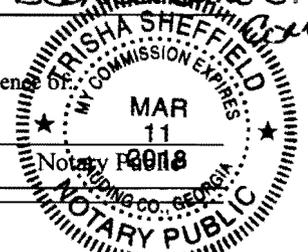
Applicant RICHARD & ANNE OLSON Phone # 817-718-5355 E-mail _____

THOMAS INGRAM Address 2031 BAKER CT. - KENNESAW 30144
(representative's name, printed) (street, city, state and zip code)

Thomas Ingram Phone # 678-296-0576 E-mail THOM@DCENRANCHES.COM
(representative's signature)

My commission expires: 03-11-2018

Signed, sealed and delivered in presence of [Signature]



Titleholder RICHARD & ANNE OLSON Phone # 817-718-5355 E-mail _____

Signature [Signature] Address: 1561 LAKE HOLCOMB LN. - MARIETTA, GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

[Signature]

My commission expires: 03-11-2018

Signed, sealed and delivered in presence of [Signature]



Present Zoning of Property RESIDENTIAL

Location 1561 LAKE HOLCOMB LN. MARIETTA, GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 848 District 16th Size of Tract .15 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.

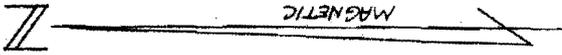
Size of Property _____ Shape of Property _____ Topography of Property _____ Other

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).

UNABLE TO USE BACK PATIO BECAUSE OF INSECTS & SUN. WOULD LIKE TO BUILD A 16X16 SCREEN ROOM ON PATIO.

List type of variance requested: IMPERVIOUS - PERVIOUS.
WOULD LIKE TO INCREASE IMPERVIOUS TO BE ABLE TO BUILD SCREEN ROOM
IMPERVIOUS NOW - ZONED RA5 - 40%
INCREASE TO - 50%

V-21
(2015)



REFERENCES:

DEED BOOK 5375 PAGES 43-46
 DEED BOOK 5044 PAGES 37, 38
 DEED BOOK 1586 PAGE 99
 PLAT BOOK 36 PAGE 97
 PLAT BOOK 75 PAGE 167

LOT 1 & 2 BLOCK "B"
 PIEDMONT FOREST
 UNIT "1"
 LOT 1, BLOCK "D"
 PIEDMONT FOREST UNIT 2
 AREA= 23300 ACRES
 #2332 PIEDMONT FOREST DRIVE

HOUSE IN ZONE "X"
 LOT IN ZONE "A-E"

PARCEL NO. 13887200334
 LOCATION COB815

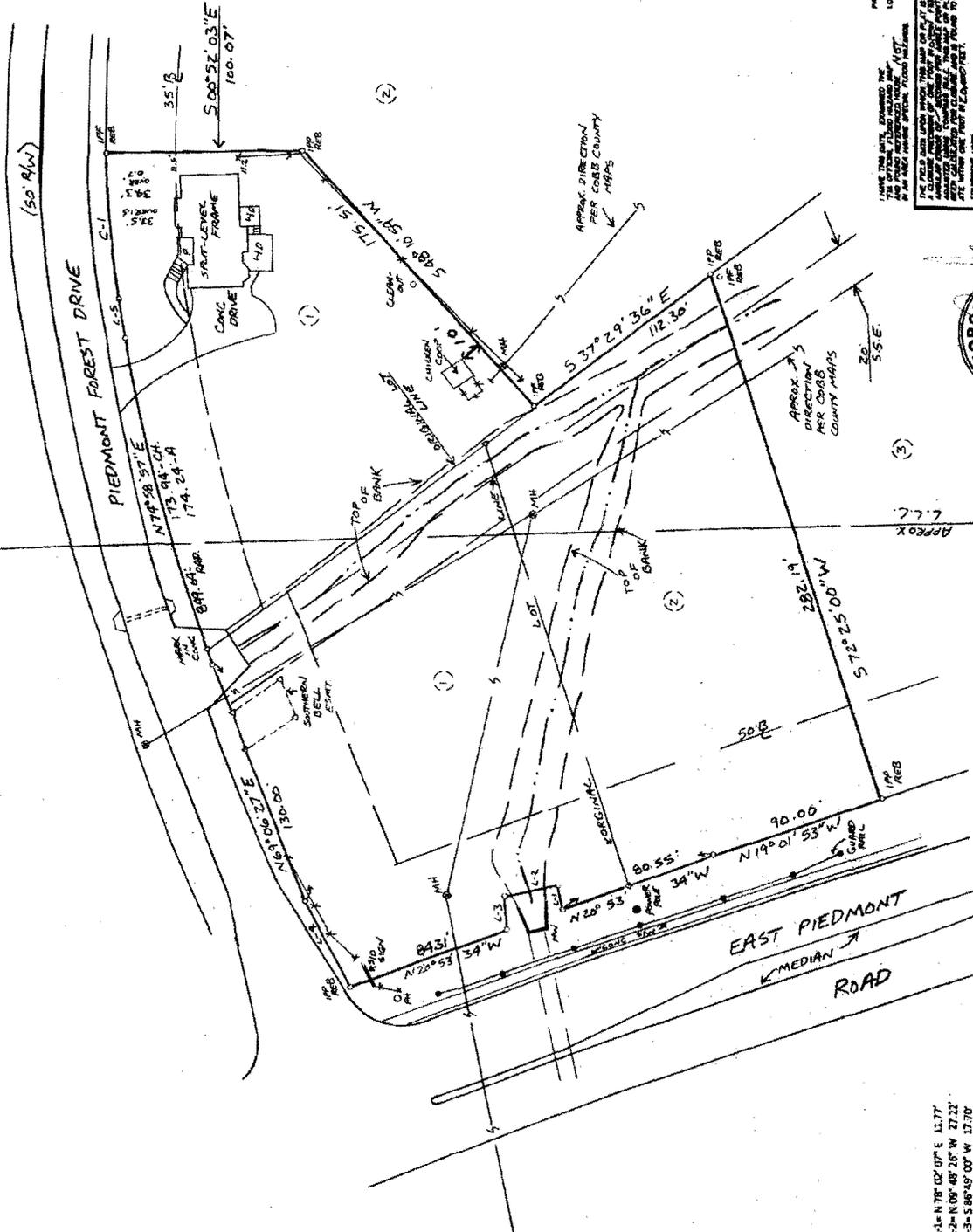
THIS DEED WAS PREPARED BY THE SURVEYOR AND IS SUBJECT TO THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY AND STATE. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND IT TO BE ACCURATE. THE SURVEYOR HAS NOT CONDUCTED A SURVEY OF THE PROPERTY AND IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DEED.

SURVEY FOR:

MOHAMMAD REZA W.
 ESFAHANI

| LOT | BLK. | UNIT | REMARKS |
|---------------------------|------|-----------------|-----------|
| LAND LOTS 6&9 | 4670 | | |
| DISTRICT 16 TH | | SECTION 21P | |
| COB815 | | COUNTY, GEORGIA | |
| PLAT BOOK | | PAGE | |
| DATE: 09-23-14 | | SCALE: 1" = 40' | 23-1-15-3 |

J.A. EVANS
 SURVEYING CO., INC.
 POWDER SPRINGS, GEORGIA
 PH. 770-943-0000



L-1=N 78° 02' 07" E 11.77'
 L-2=N 09° 48' 16" W 27.22'
 L-3=S 86° 49' 07" W 17.70'
 L-4=N 63° 23' 52" E 50.26'
 L-5=N 80° 51' 27" E 20.0'
 C1=N 84° 42' 07" E 75.07'-CH.
 75.12' ARC 558.81' RAD.
 This survey was prepared in compliance with the
 Technical Standards for Property Surveys in Georgia
 promulgated by the State Board of Professional
 Engineers and Surveyors in December 1987 of the Board of the
 Georgia Board of Registration for the Professional
 Engineers and Surveyors, Inc. as set forth in the
 Georgia Public Code, A.C.S.S. 48-1-1.

APPLICANT: Moe Esfahani

PHONE: 470-234-5600

REPRESENTATIVE: Moe Esfahani

PHONE: 470-234-5600

TITLEHOLDER: Mohammad Reza Maghzian Esfahani

PROPERTY LOCATION: On the south side of Piedmont Forest Drive, east of East Piedmont Road (2321 Piedmont Forest Drive).

PETITION No.: V-21

DATE OF HEARING: 2-11-2015

PRESENT ZONING: R-20

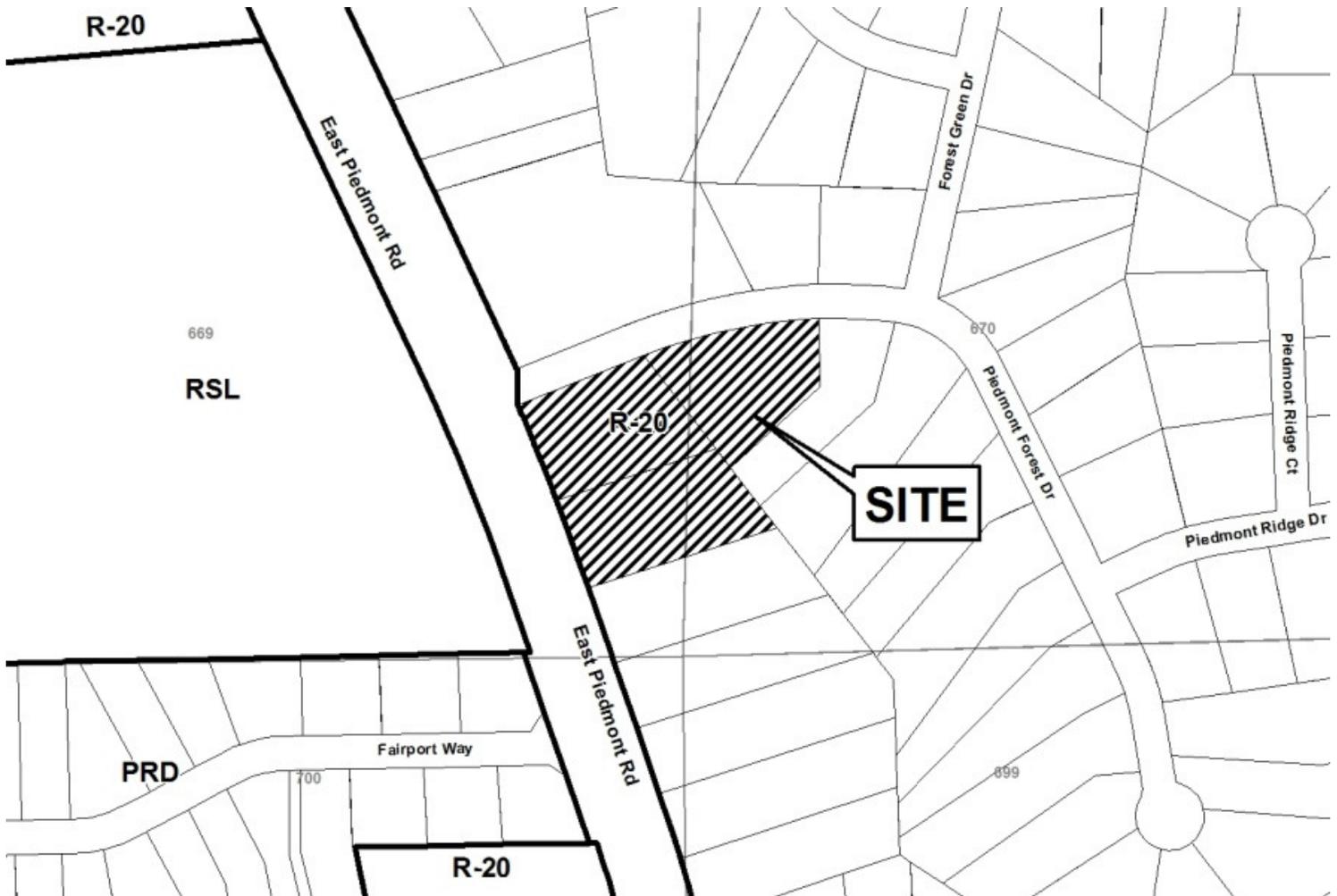
LAND LOT(S): 669, 670

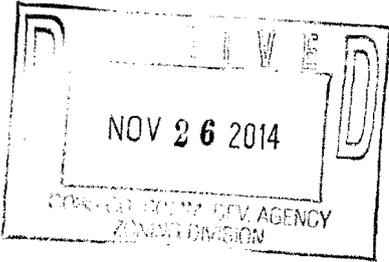
DISTRICT: 16

SIZE OF TRACT: 2.3 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: To amend stipulations of previous case V-79 of 2014 including 1) to allow 21 chickens including two (2) roosters; 2) the current size and height of the coop to be accepted; 3) installation of six (6) foot wooden privacy fence around the chicken run but not the chicken coop; and 4) the roosters to be allowed out of the coop after 10 a.m. until sunset.





Application for Variance Cobb County

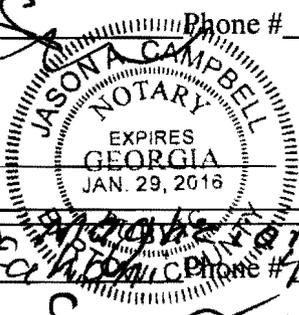
(type or print clearly)

Application No. V-210
Hearing Date: 2-11-15

Applicant Moe Estahani Phone # 470-234-5600 E-mail Marzaestahani@gmail.com
Address 2321 Piedmont Forest Drive
Marietta GA 30062
(representative's name, printed) (street, city, state and zip code)

(representative's signature) _____ Phone # _____ E-mail _____
U.S. Passport

My commission expires: _____



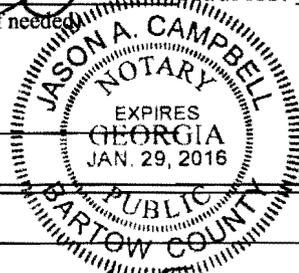
Signed, sealed and delivered in presence of:

Jason A. Campbell
Notary Public

Titleholder Moe Estahani Phone # 470-234-5600 E-mail Marzaestahani@gmail.com

Signature _____ Address: _____
(attach additional signatures, if needed) (street, city, state and zip code)
U.S. Passport

My commission expires: _____



Signed, sealed and delivered in presence of:

Jason A. Campbell
Notary Public

Present Zoning of Property _____

Location 2321 Piedmont Forest Dr Marietta GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) _____ District _____ Size of Tract 2.4 Acre(s)

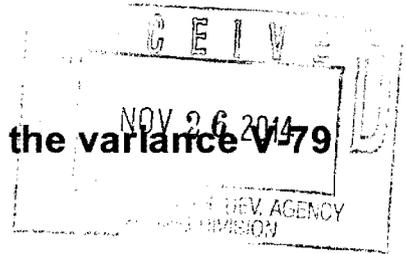
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

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 attached

List type of variance requested: To revise some items on the Variance V-79 adopted on Sept 10, 2014, because of impracticality. please refer to attached paper for details.



The following items are recommended to revise the variance V-79 dated September 10th, 2014:

The number of chickens allowed to be based on the property size and the number of birds allowed. Based on this calculation, the number of birds allowed on my property is roughly twenty-one including two roosters only. This is based on the property size of 2.4 acres and current ordinance that allows one bird for every 5,000 square foot.

The current size and height of the coop to be accepted, as the ground on which it is sitting on is more than five feet lower than street level, and as its color, quality, efficiency, and attractiveness far exceeds expectations. The recommended height and construction guidelines in the previous variance is impractical to house the birds and also extremely unattractive.

Installation of six foot wooden privacy fence around the chicken run, not the chicken coop (a chicken run is an area attached to the chicken coop allowing chickens to enjoy the outdoors). The installation of a six foot fence all around the perimeter of the coop is unnecessary and counterproductive as it conceals the attractiveness of the building. Six foot fences are usually installed to hide unsightly scenery such as garbage containers.

The roosters may be released after 10 A.M., as the previous variance required, until sunset. Forcing the birds into the coop in early evening hours is extremely hard to achieve and is unnecessary. Chickens usually enter their coop to sleep much earlier than when darkness sets in.

- ✓ **Location of coop to be approved by Storm Water Management Division** as set forth in the previous variance (has been approved already).
- ✓ **No clearing in front of the coop, the existing vegetation to remain as long as coop is in existence** as required in the previous variance.
- ✓ **No business activity related to poultry may be conducted on this property** as in the previous variance.

No additional types of livestock may be kept on property is to remain in effect as it is an important and valid concern and must be the emphasis of this variance.

REGULAR AGENDA

V-79 **MOHAMMAD ESFAHANI** (Mohammad Reza Maghzian Esfahani, owner) requesting a variance to: 1) waive the setback for a chicken coop from the required 100 feet off any property line to 10 feet adjacent to the south property line, 2) waive the front setback from the required 35 feet to 33 feet (existing), and 3) allow an accessory structure closer to the side road than the primary structure (for chicken coop) in Land Lot 669 of the 16th District. Located on the south side of Piedmont Forest Drive, east of East Piedmont Road (2321 Piedmont Forest Drive).

The public hearing opened and Mr. Mohammad Esfahani, Mr. Nolan McMorris, and Mr. Jeff Barber addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Poteet, second by Hovey, to **approve** variance request subject to:

- **Approval is for a total of 12 chickens and one rooster *only*; once this rooster dies, there will be no replacement rooster**
- **Chicken coop to be no taller than six feet in height, constructed of wood and be architecturally similar to the house; coop to be properly insulated to mitigate noise and be ventilated for health of the birds; required permits to be obtained for use of electricity in the coop**
- **Location of coop to be approved by Stormwater Management Division**
- **Installation of six foot wooden privacy fence around the perimeter of the coop**
- **No clearing in front of the coop, the existing vegetation to remain as long as coop is in existence**
- **No additional types of livestock may be kept on property**
- **Chickens may be released from the coop during daylight hours; the rooster may be released from the coop from 10:00 a.m. until 3:30 p.m. only**
- **No business activity related to poultry may be conducted on this property**

VOTE: ADOPTED unanimously

Clerk's Note: Chairman Homan requested that Planning and Zoning staff review the ordinance as it relates to V-79 and consider possible amendments.

APPLICANT: Franklin L. Millines

PETITION No.: V-22

PHONE: 770-948-8885

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Harvey Millines, Sr.

PRESENT ZONING: GC

PHONE: 770-948-8885

LAND LOT(S): 37

TITLEHOLDER: Franklin L. Millines

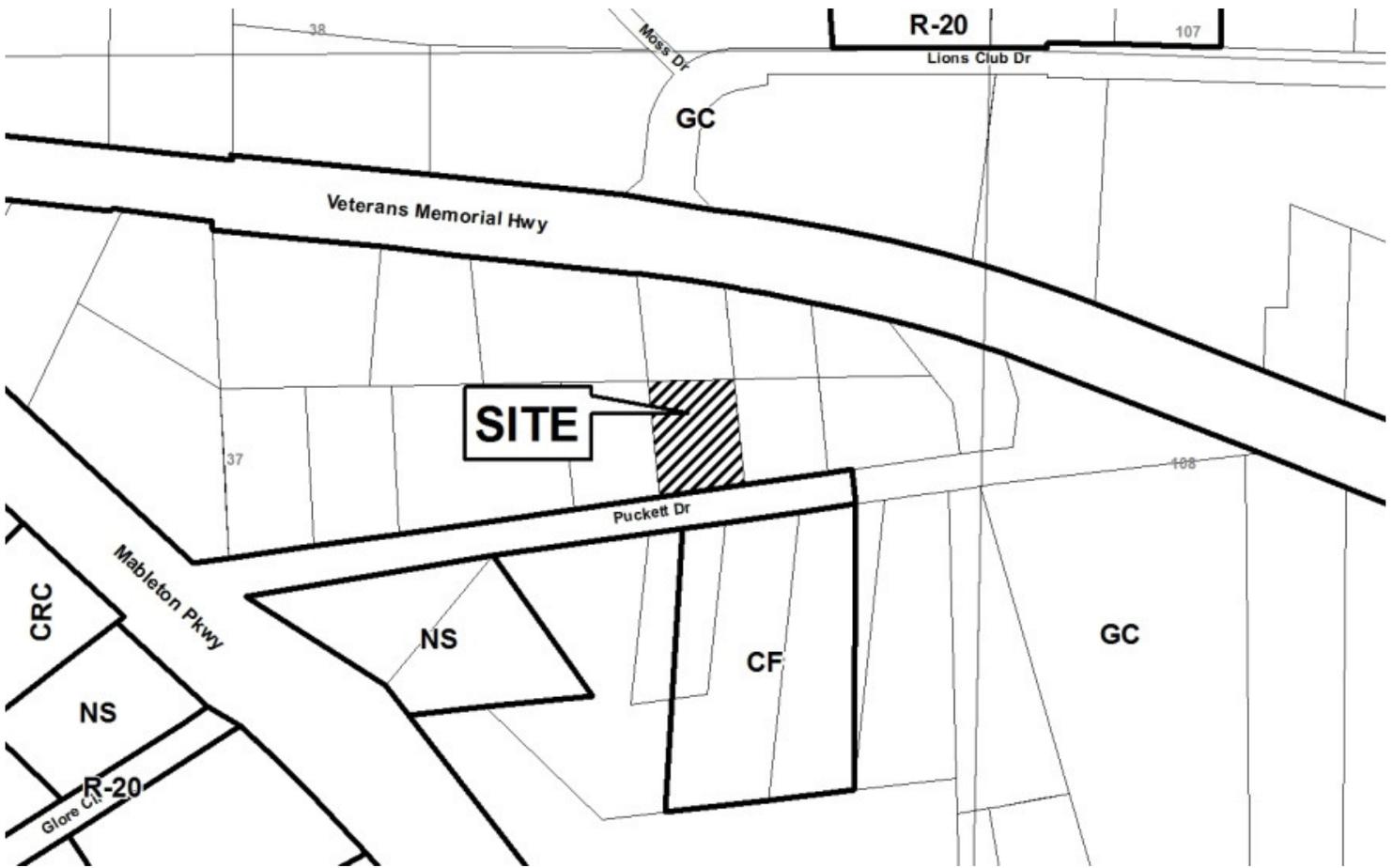
DISTRICT: 17

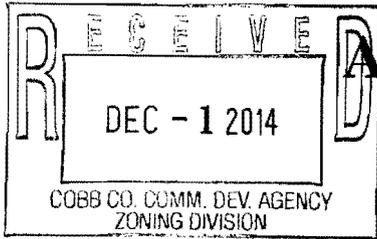
PROPERTY LOCATION: On the north side of Puckett Drive, west of Veterans Memorial Highway (632 Puckett Drive).

SIZE OF TRACT: 0.29 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Waive the side setback from the required 10 feet to 6 feet on the western side; 2) waive the front setback from the required 40 feet to 39 feet; 3) waive the minimum number of parking spaces from the required 16 spaces to six (6) spaces; and 4) waive the required eight (8) foot landscape enhancement strip along the entire road frontage.





Application for Variance Cobb County

(type or print clearly)

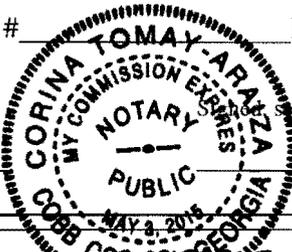
Application No. V-22
Hearing Date: 2-11-15

Applicant FRANKLIN L MILLINES Phone # 770-948-8885 E-mail NONE

Harvey Millines Sr. Address 632 PUCKETT DR MABLETON, GA 30126
(representative's name, printed) (street, city, state and zip code)

Harvey Millines Phone # _____ E-mail _____
(representative's signature)

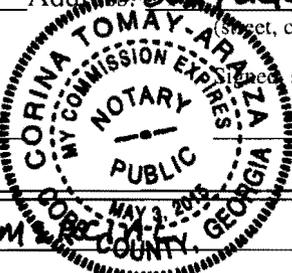
My commission expires: MAY 03, 2015 sealed and delivered in presence of: [Signature]
Notary Public



Titleholder FRANKLIN L MILLINES Phone # 770-948-8885 E-mail NONE

Signature Franklin Millines Address 632 PUCKETT DR MABLETON, GA 30126
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: MAY 03, 2015 sealed and delivered in presence of: [Signature]
Notary Public



Present Zoning of Property C-3 COMM (GC)

Location 632 PUCKETT DR
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0018 31 District R17 Size of Tract 0.29 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.

Requesting variance to meet the terms of the zoning ordinance. The location does not have enough land space to accommodate the number of parking spaces needed to meet the zoning ordinance.

List type of variance requested: PARKING variance is requested

V-23
(2015)

FLOOD STATEMENT

I HAVE, THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED PARCEL (S NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS MAP ID: 1386/1006/02 EFFECTIVE DATE: DECEMBER 16, 2008

LEGEND

| | | | |
|-----|----------------|-----|----------|
| 1 | IRON PIN SET | CON | CONCRETE |
| 2 | IRON PIN FOUND | CON | CONCRETE |
| 3 | IRON PIN | CON | CONCRETE |
| 4 | CONCRETE | CON | CONCRETE |
| 5 | CONCRETE | CON | CONCRETE |
| 6 | CONCRETE | CON | CONCRETE |
| 7 | CONCRETE | CON | CONCRETE |
| 8 | CONCRETE | CON | CONCRETE |
| 9 | CONCRETE | CON | CONCRETE |
| 10 | CONCRETE | CON | CONCRETE |
| 11 | CONCRETE | CON | CONCRETE |
| 12 | CONCRETE | CON | CONCRETE |
| 13 | CONCRETE | CON | CONCRETE |
| 14 | CONCRETE | CON | CONCRETE |
| 15 | CONCRETE | CON | CONCRETE |
| 16 | CONCRETE | CON | CONCRETE |
| 17 | CONCRETE | CON | CONCRETE |
| 18 | CONCRETE | CON | CONCRETE |
| 19 | CONCRETE | CON | CONCRETE |
| 20 | CONCRETE | CON | CONCRETE |
| 21 | CONCRETE | CON | CONCRETE |
| 22 | CONCRETE | CON | CONCRETE |
| 23 | CONCRETE | CON | CONCRETE |
| 24 | CONCRETE | CON | CONCRETE |
| 25 | CONCRETE | CON | CONCRETE |
| 26 | CONCRETE | CON | CONCRETE |
| 27 | CONCRETE | CON | CONCRETE |
| 28 | CONCRETE | CON | CONCRETE |
| 29 | CONCRETE | CON | CONCRETE |
| 30 | CONCRETE | CON | CONCRETE |
| 31 | CONCRETE | CON | CONCRETE |
| 32 | CONCRETE | CON | CONCRETE |
| 33 | CONCRETE | CON | CONCRETE |
| 34 | CONCRETE | CON | CONCRETE |
| 35 | CONCRETE | CON | CONCRETE |
| 36 | CONCRETE | CON | CONCRETE |
| 37 | CONCRETE | CON | CONCRETE |
| 38 | CONCRETE | CON | CONCRETE |
| 39 | CONCRETE | CON | CONCRETE |
| 40 | CONCRETE | CON | CONCRETE |
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| 43 | CONCRETE | CON | CONCRETE |
| 44 | CONCRETE | CON | CONCRETE |
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| 46 | CONCRETE | CON | CONCRETE |
| 47 | CONCRETE | CON | CONCRETE |
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| 53 | CONCRETE | CON | CONCRETE |
| 54 | CONCRETE | CON | CONCRETE |
| 55 | CONCRETE | CON | CONCRETE |
| 56 | CONCRETE | CON | CONCRETE |
| 57 | CONCRETE | CON | CONCRETE |
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| 61 | CONCRETE | CON | CONCRETE |
| 62 | CONCRETE | CON | CONCRETE |
| 63 | CONCRETE | CON | CONCRETE |
| 64 | CONCRETE | CON | CONCRETE |
| 65 | CONCRETE | CON | CONCRETE |
| 66 | CONCRETE | CON | CONCRETE |
| 67 | CONCRETE | CON | CONCRETE |
| 68 | CONCRETE | CON | CONCRETE |
| 69 | CONCRETE | CON | CONCRETE |
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| 77 | CONCRETE | CON | CONCRETE |
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| 79 | CONCRETE | CON | CONCRETE |
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| 81 | CONCRETE | CON | CONCRETE |
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| 83 | CONCRETE | CON | CONCRETE |
| 84 | CONCRETE | CON | CONCRETE |
| 85 | CONCRETE | CON | CONCRETE |
| 86 | CONCRETE | CON | CONCRETE |
| 87 | CONCRETE | CON | CONCRETE |
| 88 | CONCRETE | CON | CONCRETE |
| 89 | CONCRETE | CON | CONCRETE |
| 90 | CONCRETE | CON | CONCRETE |
| 91 | CONCRETE | CON | CONCRETE |
| 92 | CONCRETE | CON | CONCRETE |
| 93 | CONCRETE | CON | CONCRETE |
| 94 | CONCRETE | CON | CONCRETE |
| 95 | CONCRETE | CON | CONCRETE |
| 96 | CONCRETE | CON | CONCRETE |
| 97 | CONCRETE | CON | CONCRETE |
| 98 | CONCRETE | CON | CONCRETE |
| 99 | CONCRETE | CON | CONCRETE |
| 100 | CONCRETE | CON | CONCRETE |

GENERAL NOTES

- FIELD CLOSURE: AN ELECTRONIC TOTAL STATION AND A 100 CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. THE FIELD TRIANGLE WAS CALCULATED FOR CLOSURE BY LABRISSE AND DEPARTURES AND FOUND TO HAVE UNADJUSTED FIELD CLOSURE PERCENT THAT EXCEEDED 17% WHICH WAS ADJUSTED BY THE LEAST SQUARES METHOD.
- PLAT CLOSURE: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A PERCENTAGE OF CLOSURE AN EXCESS OF 1" IN 100,000 FEET.
- NO STATE PLUMB CONFORMANCE MONITORING HAS BEEN DONE WITH RESPECT TO THIS PLAT.
- INFORMATION REGARDING THE IMPLIED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED BY THE USER AT HIS OWN RISK. USING THIS DRAWING, THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE ENCOUNTERED. THE USER'S CONTRACTOR'S FIELD SURVEYORS AND CONTRACTORS AND/OR HIS AGENTS SHALL HEREBY EXPRESSLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
- RIGHT-OF-WAY ARE BASED ON CERTIFICATES OF EXISTING PAVES OF TRAVEL, UNLESS NOTED OTHERWISE.
- ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
- CURRENT ZONING: R-10
SEBACKS FRONT: 40 ON 33
SEBACKS: 10 (SUNSHINE) / 23 (MAGNOLIA)
REAR: 33
MINIMUM STREET FRONTAGE: 20'
MINIMUM LOT AREA: 70,000 SQ. FT.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT REPORT. THEREFORE, EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.
- BOUNDARIES SHOWN ON AERIAL PHOTO OBSERVATIONS AS NOTED IN REED BOOK #227 - PAGE 14.
- CONTRIBUTOR INFORMATION SHOWN HEREON BASED ON MEAN SEA LEVEL. SURVEYOR CERTIFIES THAT MINIMUM SIGHT DISTANCE REQUIREMENTS ARE SATISFIED WITHIN THE DESIGN AND LAYOUT OF THESE PLANS.

DEC - 5 2014

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

ADDRESS:
3425 NORTH HEMMBREE ROAD, NE
TRACT "A"
43,454 sq. ft.
1.00 acres

★ **TRACT "B"**
43,468 sq. ft.
1.00 acres
ADDRESS:
"VACANT" - GIVEN AT TIME OF BUILDING PERMIT

TOTAL AREA:
86,922 sq. ft.
2.00 acres

LOT SPLIT PLAT FOR:
SOUTHTECH HOMES, LLC
LAND LOT 402 - 16TH DISTRICT
2ND SECTION
COBB COUNTY, GEORGIA

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 0.3 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A PRISM POLL WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT.

OWNER/DEVELOPER
SOUTHTECH HOMES, LLC
3525 PIEDMONT ROAD
BLDG. 8 - SUITE 205
ATLANTA, GA 30305
MARK SHAW: 404-395-5219



GRAPHIC SCALE



SHEET 2 OF 2

COBB COUNTY PROJECT #
SPR-2012-00320



| | | | |
|-------------------|---------------------------|-------------|---------------------------|
| DATE PREPARED FOR | SOUTHTECH HOMES, LLC | DATE | 8/6/12 |
| DATE | 8/02/12 | DATE | 8/6/12 |
| SCALE | 1" = 20' | SCALE | 1" = 20' |
| PROJECT NO. | 16TH DISTRICT 2ND SECTION | PROJECT NO. | 16TH DISTRICT 2ND SECTION |
| PROJECT | BLDG. | PROJECT | BLDG. |
| SUBDIVISION | UNIMPROVED | SUBDIVISION | UNIMPROVED |
| DATE | 8/6/12 | DATE | 8/6/12 |
| PLotted | DATE | PLotted | DATE |
| DATE | 8/6/12 | DATE | 8/6/12 |
| DATE | 8/6/12 | DATE | 8/6/12 |

SOLAR LAND SURVEYING COMPANY

P.O. BOX 72895 ATLANTA, GEORGIA 30355-0895
TELEPHONE (770) 794-4055 FAX (770) 794-4052

The field data upon which this plat is based has a closure of 1 foot in 10,000+ feet on angle and 1/2 inch on distance per angle point and was obtained using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000+ feet. An electronic total station and a prism poll were used to gather the information used in the preparation of this plat. The State of Georgia Certificate Number is 10024 on the property.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

APPLICANT: Jesse Marinko

PETITION No.: V-23

PHONE: not given

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Jesse Marinko

PRESENT ZONING: R-20

PHONE: not given

LAND LOT(S): 402

TITLEHOLDER: Jesse J. and Heather Marinko

DISTRICT: 16

PROPERTY LOCATION: On the southwest corner of Shallowford Road and North Hembree Road (3425 North Hembree Road).

SIZE OF TRACT: 1 acre

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: Waive the maximum height of a fence adjacent to a public road right-of-way and within the required setback in a residential district from the required six (6) feet to six (6) feet six (6) inches.



DEC - 5 2014

Application for Variance Cobb County

(type or print clearly)

Application No. V-23

Hearing Date: 2-11-15

Applicant Jesse Marinko Phone # _____ E-mail jessemarinko@gmail.com

Jesse Marinko Address 3425 North Hembree Rd Marietta 30062
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # _____ E-mail jessemarinko@gmail.com
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____ Notary Public

Titleholder Jesse Marinko Phone # _____ E-mail jessemarinko@gmail.com

Signature [Signature] Address: 3425 North Hembree Rd Marietta 30062
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: _____ Notary Public

Present Zoning of Property R-20

Location 3425 North Hembree Rd Marietta 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 402 District 16th Size of Tract 1.0 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 X 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).

Property has frontage along shallower w/ steep top drop.
Fence posts are slightly higher than 6' to accommodate top
drop and to provide architectural continuity.

List type of variance requested: Waive height of fence from 6' to 6'6".

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, PLEASE CALL ALL LOCAL UTILITY PROVIDERS.



2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ AN ANGULAR ERROR OF 02 PER ANGLE POINT, ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR ANGLE MEASUREMENTS WERE OBTAINED BY USING A TOTAL STATION.

5. THIS PLAT NOT INTENDED FOR RECORDING. BEARINGS SHOWN WERE COMPUTED FROM ANGLE FROM A SINGLE MAGNETIC OBSERVATION.

V-24
(2015)

TOTAL AREA= 0.401± ACRES
OR 17,478± SQ. FT.

4208 BROOKWOOD DRIVE
AUSTELL, GEORGIA

SURVEY FOR
JONATHAN SMITH
SOLEIL SMITH

LOT 26 BLOCK "E"
HERITAGE HILLS - UNIT TWO

LAND LOT 996
DISTRICT 19TH 2ND SECTION
COBB COUNTY
GEORGIA

PLAT PREPARED: 6-20-14
FIELD: 6-17-14 SCALE: 1"=30'

Michael R. Noles
Georgia RLS #2646
Member SA4500
JOB#236800

This original of this document is to be retained by Michael R. Noles L.S. #2646 THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT.

McLUNG SURVEYING SERVICES, INC.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
Certificate of Authorization #LSFD00752

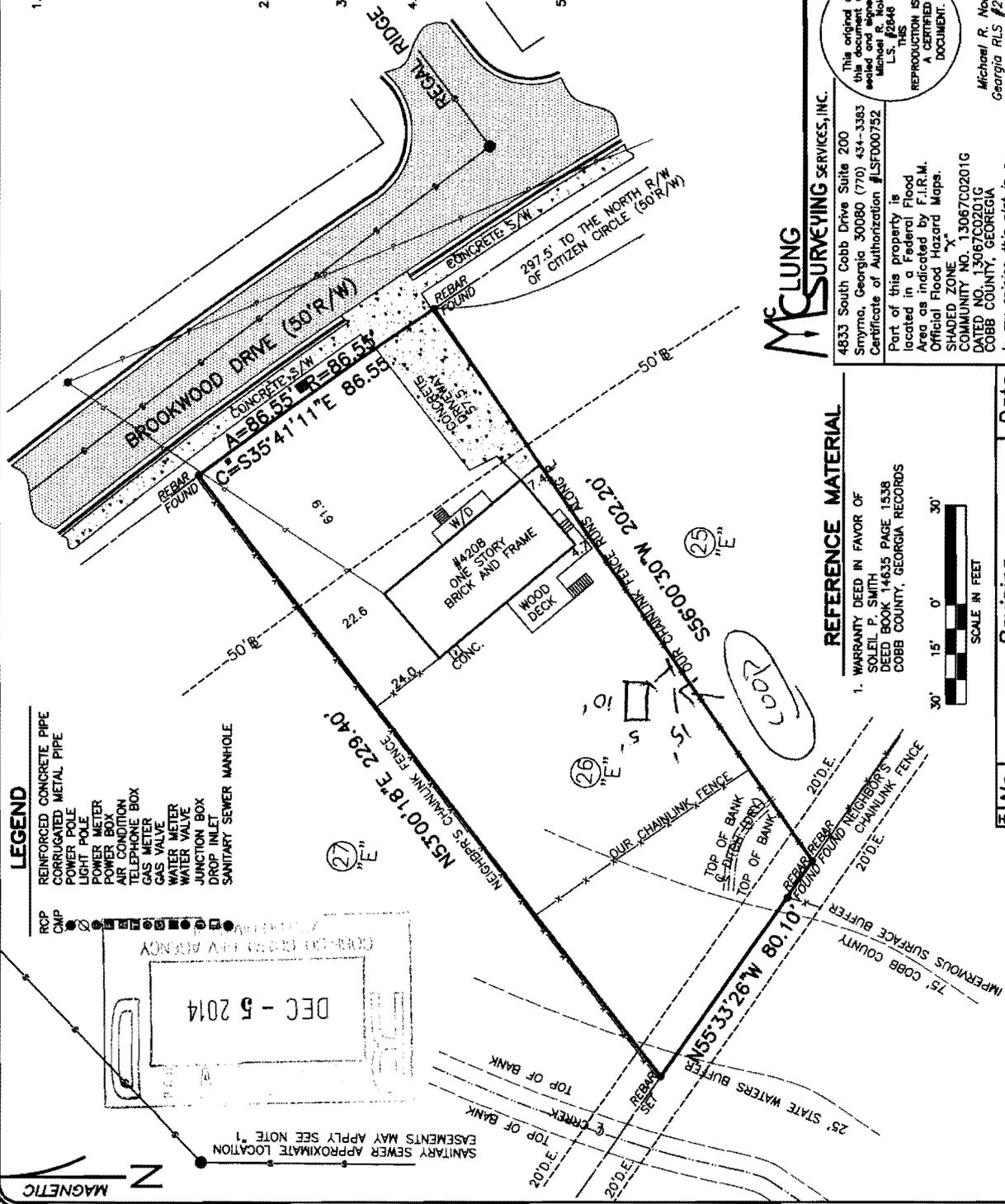
Part of this property is located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps. SHADED ZONE "X"
COMMUNITY NO. 13067C0201G
DATED NO. 13067C0201G
COBB COUNTY, GEORGIA
In my opinion this plat is a correct representation of the land platted.

REFERENCE MATERIAL

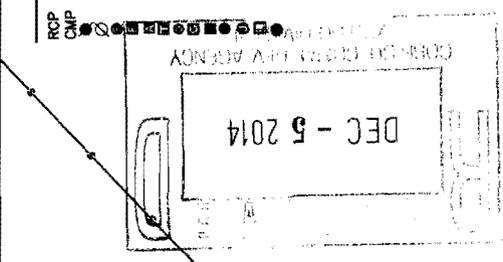
1. WARRANTY DEED IN FAVOR OF SOLEIL P. SMITH DEED BOOK 14635 PAGE 1538 COBB COUNTY, GEORGIA RECORDS



| No. | Revision | Date |
|-----|----------|------|
| 1 | | |



- LEGEND**
- REINFORCED CONCRETE PIPE
 - CORRUGATED METAL PIPE
 - POWER POLE
 - LIGHT POLE
 - POWER METER
 - POWER BOX
 - AIR CONDITION
 - TELEPHONE BOX
 - GAS METER
 - GAS VALVE
 - WATER METER
 - WATER VALVE
 - JUNCTION BOX
 - DROP INLET
 - SANITARY SEWER MANHOLE



MAGNETIC

EASEMENTS MAY APPLY SEE NOTE #1

APPLICANT: Jonathan Smith

PETITION No.: V-24

PHONE: 770-653-3191

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Johnathan Smith

PRESENT ZONING: R-15

PHONE: 770-653-3191

LAND LOT(S): 996

TITLEHOLDER: Soleil P. Smith

DISTRICT: 19

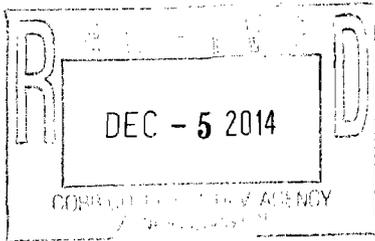
PROPERTY LOCATION: On the west side of
Brookwood Drive, north of Citizen Circle
(4208 Brookwood Drive).

SIZE OF TRACT: 0.40 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Waive the side setback from the required 10 feet to 4.7 feet on the southern side, and
2) an authorization upon appeal related to the minimum lot size of two acres required to maintain poultry as pets or
food source.





Application for Variance Cobb County

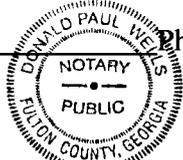
(type or print clearly)

Application No. V-24
Hearing Date: 2-11-15

Applicant Jonathan Smith Phone # 770-653-3191 E-mail Jesusworship819@yahoo.com

Jonathan Smith Address 4208 Brookwood Dr Austell GA 30106
(representative's name, printed) (street, city, state and zip code)

Jonathan Smith Phone # 770-653-3191 E-mail Jesusworship819@yahoo.com
(representative's signature)



Signed, sealed and delivered in presence of:
Donaldo Wells
Notary Public

My commission expires: _____
My Commission Expires
March 24, 2017

Titleholder Soleil Smith Phone # 770-653-3191 E-mail _____

Signature Soleil Smith Address: 4208 Brookwood Dr Austell GA 30106
(attach additional Signatures if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:
Donaldo Wells
Notary Public

My commission expires: _____
My Commission Expires
March 24, 2017

Present Zoning of Property _____

Location 4208 Brookwood Dr Austell GA 30106
(street address, if applicable; nearest intersection, etc.)

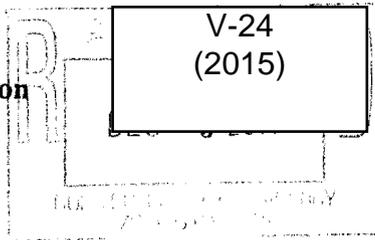
Land Lot(s) 996 District 19th 2nd Section Size of Tract .401 Acre(s)

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).

List type of variance requested: Chickens



Application No. _____

Hearing Date: _____

Applicant's information for requesting backyard chickens

1. How many hens do you propose (no male birds allowed)? 3 .
2. Have you mailed a notice of your application and its information to your Homeowners Association (if such exists. Instructions for identifying whether or not Homeowners Associations exist are available for downloading via the Community Development webpage. YES ; NO ; NO HOA .
3. Can you comply with the County Code Sec-134-94(4)(a-i) below? YES NO .

Jonathan Smith
Signature

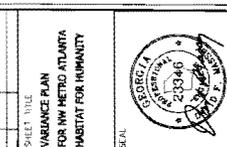
Jonathan Smith
Print Name

County Code adopted by the Board of Commissioners March 11, 2014:

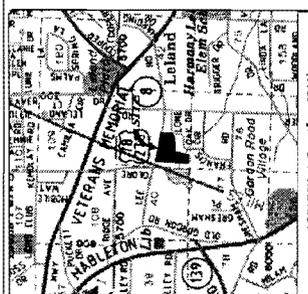
Sec. 134-94 (4) Authorize upon appeal in specific cases related to the minimum lot size of two acres required to maintain poultry as pets or food source. Poultry meaning a female pullet or hen of the Gallus gallus domesticus; also referred to as backyard chickens which are or may be raised for the purpose of providing food or companionship as a pet. In considering whether to authorize the keeping of poultry as provided in this paragraph, the board of zoning appeals shall take into account the impact upon the adjoining property. For the purposes of this section, adjoining shall mean those properties that are directly contiguous and not separated by a public or private roadway. Further, all such applications recommended by the board of zoning appeals for approval shall be subject to the following requirements:

- (a) The poultry shall be kept/ maintained within a fenced area to the rear of the house;
- (b) 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;
- (c) 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;
- (d) The poultry shall not cause a nuisance, as defined by State Law;
- (e) There shall be a maximum ratio of one bird per 5,000 square foot of lot area on any lot less than two acres;
- (f) The slaughter of any hen on site is strictly prohibited;
- (g) The fee for the variance application shall be \$150.00; renewal fees shall be \$100.00
- (h) The duration of any Variance approved for Poultry as Pets or Food Source shall not exceed two years; renewable for up to two year terms thereafter;
- (i) Any Variance approved for Poultry as Pets or Food Source shall be considered by the board of commissioners in accordance with Section 134-271. The board of commissioners may add, delete or modify any of the board of zoning appeals stipulations pertaining to this section.

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 March 11, 2014. 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). The Board of Commissioners may add, delete or modify any of the board of zoning appeals stipulations pertaining to this section. The BOC determination will take place the following month at the scheduled Zoning Hearing.



NOT ISSUED FOR CONSTRUCTION



SITE SUMMARIES

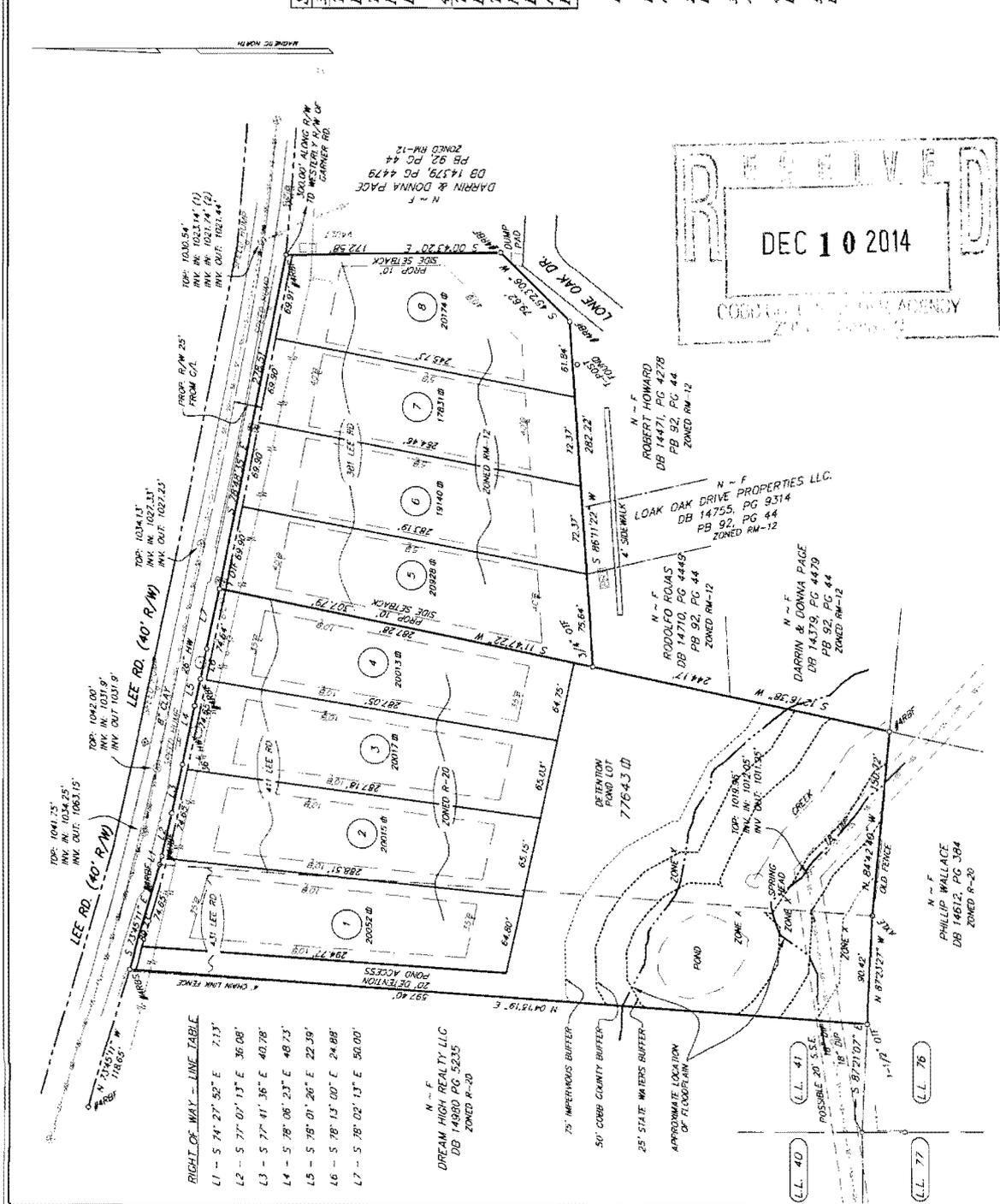
| | |
|--------------------------------------|---------------|
| 381 LEE ROAD | 1.82 AC |
| TOTAL SITE AREA: | RM-12 |
| EXISTING ZONING: | 4 |
| TOTAL LOTS SHOWN: | 6,500 SQ.FT. |
| MIN. LOT SIZE: | 2.20 U/AC |
| DENSITY: | |
| 411 & 431 LEE ROAD | 3.66 AC |
| TOTAL SITE AREA: | R-20 |
| EXISTING ZONING: | 4 |
| TOTAL LOTS SHOWN: | 20,000 SQ.FT. |
| MIN. LOT SIZE: | 1.09 U/AC |
| DENSITY: | |
| APPROXIMATE FLOOD PLAIN AREA: | 0.66 AC |

REQUESTED VARIANCES:

1. REDUCTION IN MINIMUM LOT WIDTH AT R/W FOR R-20 AREA TO 75'
2. REDUCTION IN MINIMUM LOT WIDTH AT FRONT BUILDING LINE FOR R-20 AREA TO 75'
3. REDUCTION IN MINIMUM LOT WIDTH AT R/W FOR RM-12 AREA TO 60'
4. REDUCTION IN MINIMUM LOT WIDTH AT FRONT BUILDING LINE FOR RM-12 AREA TO 60'
5. REDUCTION IN THE EXTERIOR SIDE SETBACKS ON THE EAST AND WEST PROPERTY LINES FOR RM-12 AREA TO 10'

NOTES:

1. BOUNDARY SURVEY BY GASKINS SURVEYING & ENGINEERING
2. TOPOGRAPHIC AREA TAKEN FROM GASKINS FIELD R/W TOPO AND
3. THERE ARE NO APPARENT ARCHITECTURAL, ARCHAEOLOGICAL OR
4. OTHER CULTURAL RESOURCES ON THIS SITE OUTSIDE OF
5. THE STREAM CHANNELS AND BUFFER AREAS. THE STREAM CHANNELS AND BUFFER AREAS ARE SHOWN ON THE STREAM CHANNEL MANAGEMENT PLAN AND LOTS DURING THE USION PHASE MAY BE APPROVED BY THE COBB COUNTY PLANNING AND ZONING DEPARTMENT.



THIS PLAN IS THE PROPERTY OF THE ENGINEER. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

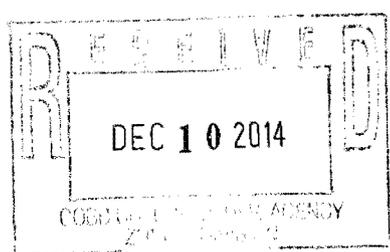
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RIGHT-OF-WAY - LINE TABLE

| |
|-----------------------------|
| L1 - S 74° 27' 52" E 7.13' |
| L2 - S 71° 07' 13" E 36.08' |
| L3 - S 77° 41' 36" E 40.78' |
| L4 - S 78° 08' 23" E 48.73' |
| L5 - S 78° 01' 20" E 22.39' |
| L6 - S 78° 13' 00" E 24.88' |
| L7 - S 78° 02' 13" E 50.00' |

N - F
DREAM HIGH REALTY LLC
DB 14900 PG 5235
ZONED R-20

N - F
PHILLIP WALLACE
DB 14612 PG 384
ZONED R-20



APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc.

PHONE: 770-432-7954

REPRESENTATIVE: David H. McGinnis

PHONE: 770-432-7954

TITLEHOLDER: Sajid Choudhary, Habitat for Humanity of Northwest Metro Atlanta, Inc.

PROPERTY LOCATION: On the south side of Lee Road, west of Garner Road (381, 411, 431 Lee Road).

PETITION No.: V-25

DATE OF HEARING: 2-11-2015

PRESENT ZONING: R-20, RM-12

LAND LOT(S): 41

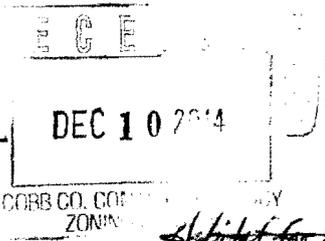
DISTRICT: 18

SIZE OF TRACT: 5.48 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Waive the minimum lot width at right-of-way for R-20 area from the required 75 feet to 73 feet; 2) waive the minimum lot width at the front setback line for the R-20 area from the required 75 feet to 72 feet; 3) waive the minimum lot width at right-of-way for RM-12 area from the required 75 feet to 69 feet; 4) waive the minimum lot width at the front setback line for the RM-12 area from the required 75 feet to 69 feet; 5) waive the exterior side setback on the east property line from the required 20 feet to 10 feet; and 6) waive the minimum lot area for the RM-12 area from the required 80,000 square feet to 79,279 square feet.





Application for Variance Cobb County

(type or print clearly)

Application No. V-25
Hearing Date: 2-11-15

Applicant Habitat for Humanity of Northwest Metro Atlanta, Inc Phone # 770-432-7954 E-mail dmcginnis@newmetroatlanta.org

David H. McGinnis Address 1625 Spring Rd Smyrna, Ga. 30080
(representative's name, printed) (street, city, state and zip code)

David H. McGinnis Phone # 770-432-7954 E-mail dmcginnis@newmetroatlanta.org
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____

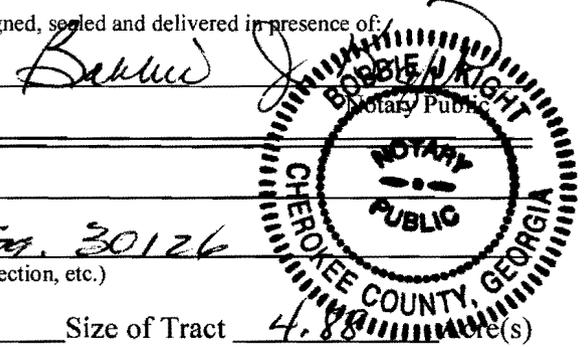
Notary Public

Titleholder Habitat for Humanity of Northwest Metro Atlanta, Inc Phone # 770-432-7954 E-mail dmcginnis@newmetroatlanta.org

Signature David H. McGinnis Address: 1625 Spring Rd Smyrna Ga. 30080
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: July 10, 2015



Present Zoning of Property R-11-12 + R-20

Location 381 + 411 Lee Road Mableton, Ga. 30126
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 41 District 18th Size of Tract 4.88 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).

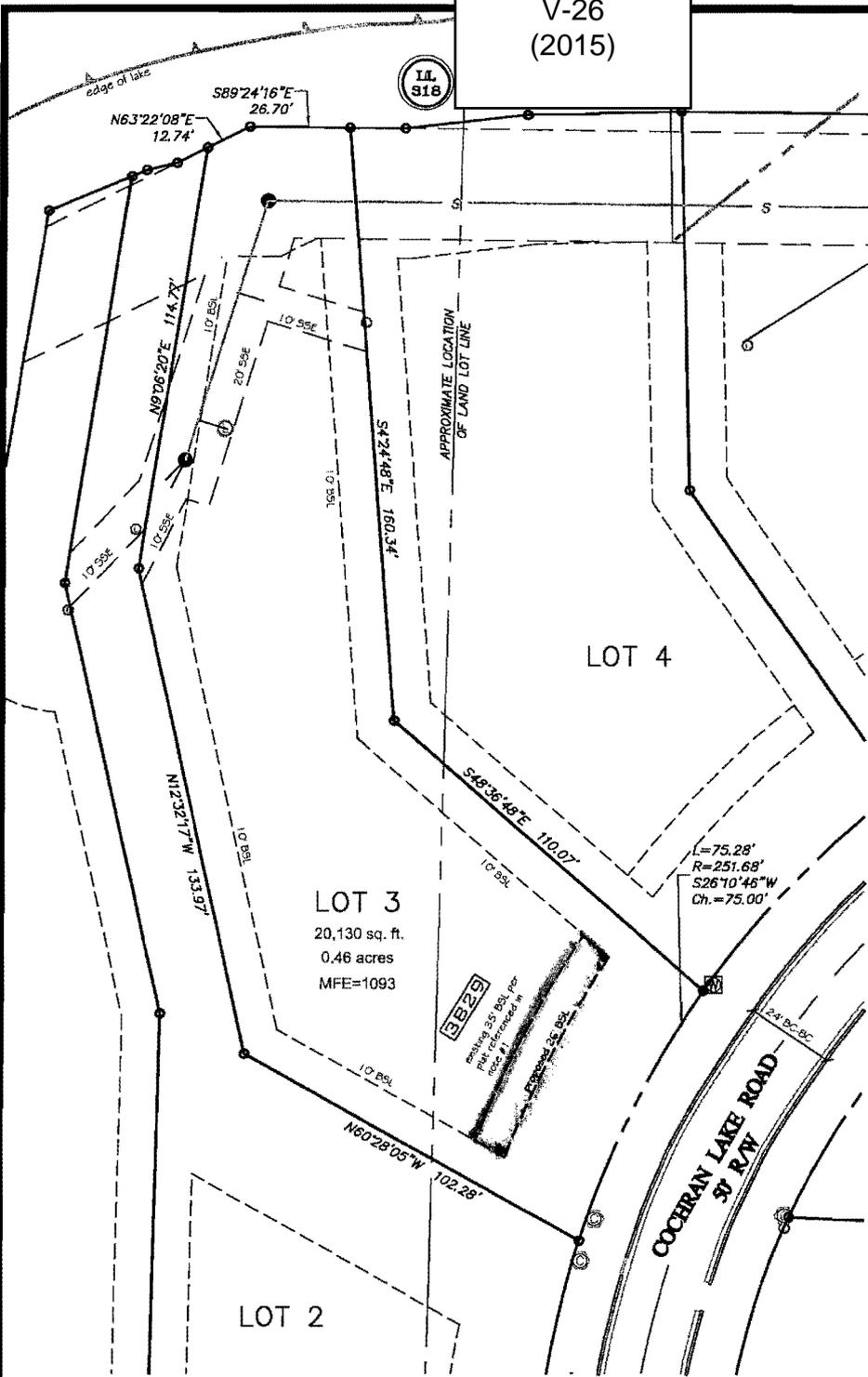
A reduction to the minimum lot widths is being requested because the required 20' access to the detention pond and the dedication of additional R/W to Cobb County reduced the available lot width at the R/W and front building line. A reduction to the required side setback at exterior properties is being requested because the exterior lots would be unbuildable despite Habitat for Humanity owning the western adjoining property and the eastern adjoining property having the same zoning. All other aspects of the zoning ordinance were met despite these hardships.

- List type of variance requested:
- Reduction in minimum lot width at R/W for R-20 area to 73', and 69' for R-12 areas.
 - Reduction in minimum lot width at front building line for R-20 area to 72', and 69'
 - Reduction in exterior building line side setback to 10' for R-12 areas

V-26
(2015)

LEGEND:

- LAND LOT IDENTIFICATION
- IRON PIN FOUND (AS NOTED)
- BOLLARD
- NUMBER OF PARKING SPACES
- HANDICAP PARKING SIGN
- TEMPORARY BENCHMARK
- LAMP POST
- LIGHT STAND
- AC UNIT
- ELECTRIC BOX
- ELECTRIC METER
- POWER POLE
- LANDSCAPE LIGHT
- SANITARY SEWER MANHOLE
- CLEAN OUT
- FLARED END SECTION
- YARD INLET SQUARE
- CABLE TV BOX
- TELEPHONE BOX
- GAS METER
- IRRIGATION CONTROL BOX
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- MISC. UTILITY STRUCTURE
- C&G
- P.O.B.
- N/F
- R/W
- T.B.M.
- CONC.
- E.
- TYP.
- FFE
- INV.
- PVC
- CMP
- STORM SEWER LINE
- SANITARY SEWER LINE



LOT 3
20,130 sq. ft.
0.46 acres
MFE=1093

LOT 4

LOT 2

COCHRAN LAKE ROAD
SP R/W



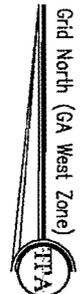
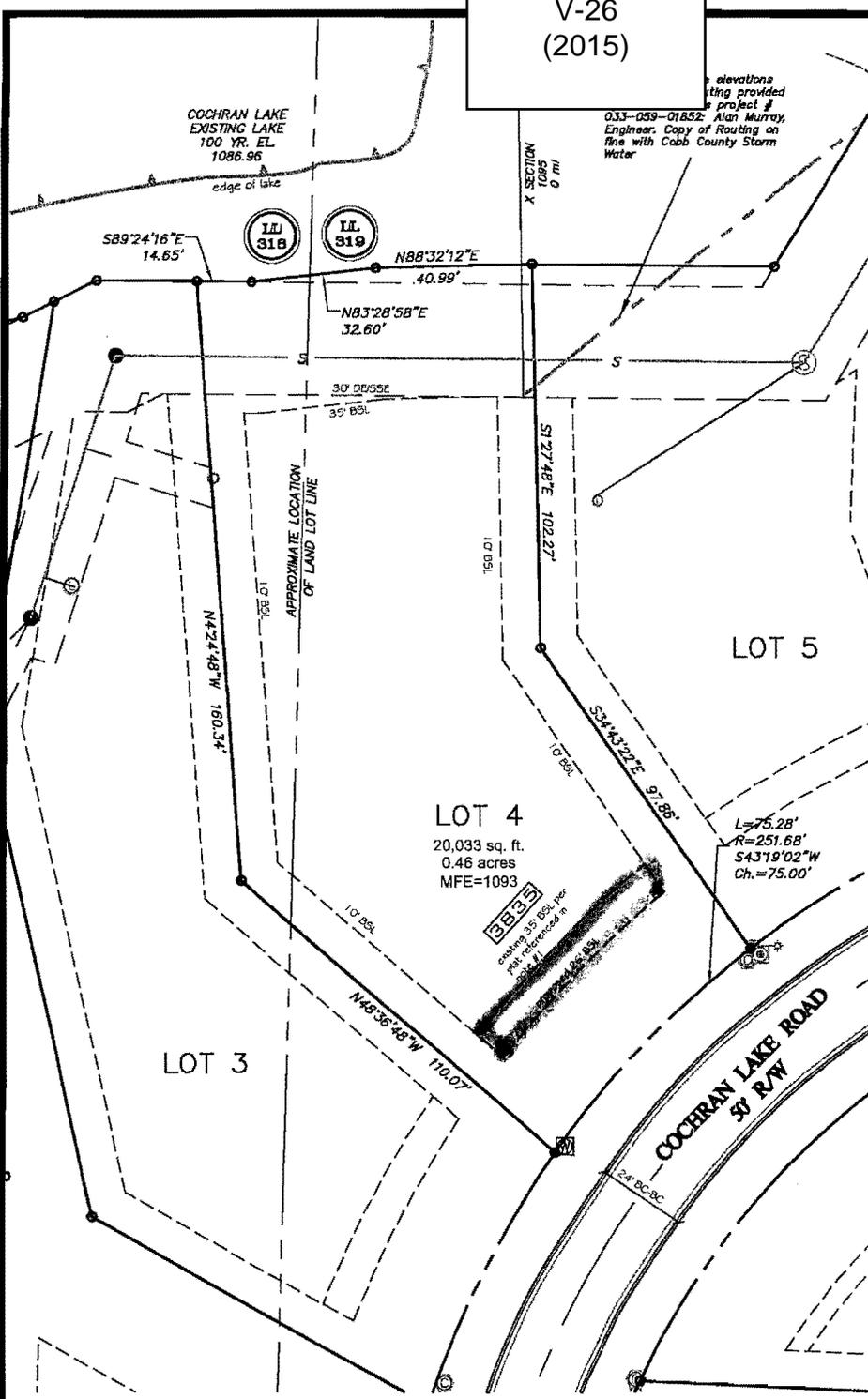
NOTES:
1. This lot is subject to all matters of record as shown on the Final Plat of Brooke Falls (aka Mountain Lake Cove), prepared by Frontline Surveying & Mapping, Inc., last revised 6/02/11, recorded in Plat Book 272, page 188, on 8/27/11, Cobb County Records.
2. By graphic plotting only, this property does not lie within a 100 year flood hazard zone but a portion of this property is depicted as zone "X" (shaded) as defined by the F.E.M.A Flood Insurance Rate Map of Cobb County, Georgia and incorporated areas map number 13067C0062G, effective date December 16, 2008.

| | | | | | | | | | | | | | | | |
|---|---|--|--|---|--|---|--|---|--|---|--|---|--|---|--|
| <p>VARIANCE EXHIBIT</p> <p>The Providence Group of Georgia, LLC</p> <p>LAND LOTS 310 & 318 - 16th DISTRICT, 2nd SECTION COBB COUNTY, GEORGIA LOT 3 - BROOKE FALLS SUBDIVISION</p> | | <p>4317 Park Drive, Suite 400 Norcross, Georgia 30093 Phone: (770)416-7511 Fax: (770)416-6759 www.travispruit.com</p> <p>Certificate of Authorization Number 613</p> | <p>PLAT DATE: December 3, 2014</p> <p>FIELD DATE: October 20, 2014</p> <p>SCALE: 1"=30'</p> <p>JW 140387</p> <p>File</p> <p>DRAWN BY: BD</p> <p>Sheet No. 1 of 1</p> | | | | | | | | | | | | |
| <p>REVISIONS</p> <table border="1"> <tr><td>8</td><td></td></tr> <tr><td>5</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>1</td><td></td></tr> <tr><td>0</td><td></td></tr> </table> | 8 | | | 5 | | 4 | | 3 | | 2 | | 1 | | 0 | |
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V-26
(2015)

LEGEND:

- ⊙ LAND LOT IDENTIFICATION
- ⊙ IRON PIN FOUND (AS NOTED)
- ⊙ BOLLARD
- ⊙ NUMBER OF PARKING SPACES
- ⊙ HANDICAP PARKING
- ⊙ SIGN
- ⊙ TEMPORARY BENCHMARK
- ⊙ LAMP POST
- ⊙ LIGHT STAND
- ⊙ AC UNIT
- ⊙ ELECTRIC BOX
- ⊙ ELECTRIC METER
- ⊙ POWER POLE
- ⊙ LANDSCAPE LIGHT
- ⊙ SANITARY SEWER MANHOLE
- ⊙ CLEAN OUT
- ⊙ FLARED END SECTION
- ⊙ YARD INLET SQUARE
- ⊙ CABLE TV BOX
- ⊙ TELEPHONE BOX
- ⊙ GAS METER
- ⊙ IRRIGATION CONTROL BOX
- ⊙ WATER METER
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE
- ⊙ MISC. UTILITY STRUCTURE
- ⊙ C&G CURB AND GUTTER
- ⊙ P.O.B. POINT OF BEGINNING
- ⊙ N/F NOW OR FORMERLY
- ⊙ R/W RIGHT OF WAY
- ⊙ T.B.M. TEMPORARY BENCHMARK
- ⊙ CONC. CONCRETE
- ⊙ CL CENTER LINE
- ⊙ TYP. TYPICAL
- ⊙ FFE FINISHED FLOOR ELEVATION
- ⊙ INV INVERT
- ⊙ PVC POLYVINYL CHLORIDE PIPE
- ⊙ CMP CORRUGATE METAL PIPE
- S — STORM SEWER LINE
- S — SANITARY SEWER LINE



NOTES:
 1. This lot is subject to all matters of record as shown on the Final Plat of Brooke Falls (aka Mountain Lake Cove), prepared by Frontline Surveying & Mapping, Inc., last revised 6/27/11, recorded in Plat Book 272, page 198, on 6/27/11, Cobb County Records.
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REVISIONS

VARIANCE EXHIBIT

The Providence Group of Georgia, LLC

LAND LOTS 318 & 319 ~ 18th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA
 LOT 4 ~ BROOKE FALLS SUBDIVISION

GRAPHIC SCALE - IN FEET

0 30 60 90

Travis Pruitt
Associates, Inc.

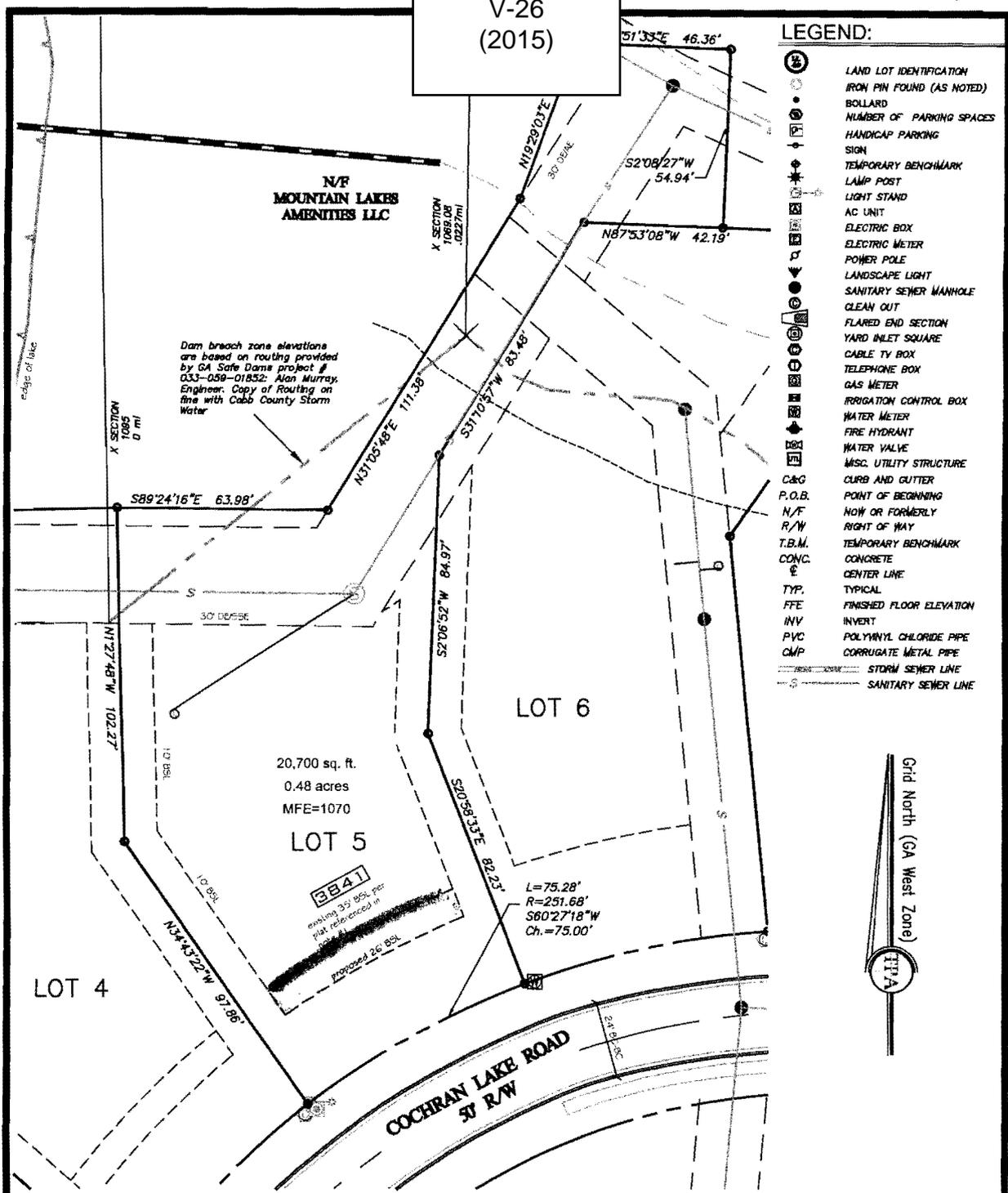
4317 Park Drive, Suite 400
 Norcross, Georgia 30093
 Phone: (770)416-7511
 Fax: (770)416-6759
 www.travispruitt.com

Certificate of
 Authorization Number 613

| |
|------------------------------|
| PLAT DATE: December 3, 2014 |
| FIELD DATE: October 20, 2014 |
| SCALE: 1"=30' |
| JN: 140387 |
| FN: |
| DRAWN BY: BD |
| Sheet No. 1 of 1 |

#5

V-26
(2015)



11 OCT 2014

NOTES:

- This lot is subject to all matters of record as shown on the Final Plat of Brooke Falls (aka Mountain Lake Cove), prepared by Frontline Surveying & Mapping, Inc., last revised 5/02/11, recorded in Plat Book 272, page 199, on 6/27/11, Cobb County Records.
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| 8 | |
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REVISIONS

VARIANCE EXHIBIT

The Providence Group of Georgia, LLC

LAND LOT 319 ~ 16th DISTRICT, 2nd SECTION
COBB COUNTY, GEORGIA
LOT 5 - BROOKE FALLS SUBDIVISION

GRAPHIC SCALE - IN FEET

15 0 30 60 90

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruit.com

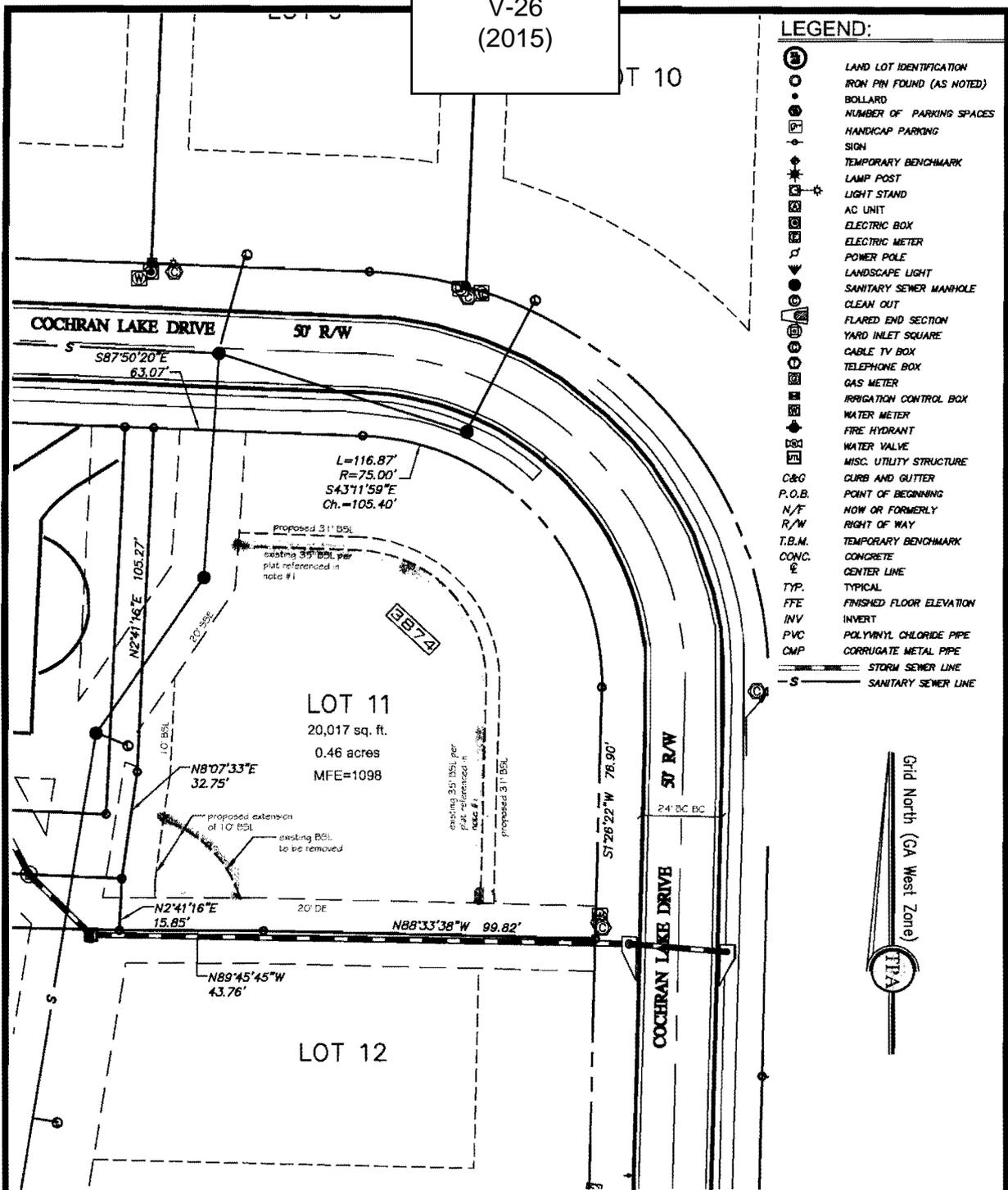
Certificate of Authorization Number 613

| |
|------------------------------|
| PLAT DATE: December 3, 2014 |
| FIELD DATE: October 20, 2014 |
| SCALE: 1"=30' |
| Job 140387 |
| DATE |
| DRAWN BY: BD |
| Sheet No. 1 of 1 |

V-26
(2015)

LEGEND:

- ③ LAND LOT IDENTIFICATION
- IRON PIN FOUND (AS NOTED)
- BOLLARD
- NUMBER OF PARKING SPACES
- ⊞ HANDICAP PARKING
- ⊞ SIGN
- ⊞ TEMPORARY BENCHMARK
- ⊞ LAMP POST
- ⊞ LIGHT STAND
- ⊞ AC UNIT
- ⊞ ELECTRIC BOX
- ⊞ ELECTRIC METER
- ⊞ POWER POLE
- ⊞ LANDSCAPE LIGHT
- ⊞ SANITARY SEWER MANHOLE
- ⊞ CLEAN OUT
- ⊞ FLARED END SECTION
- ⊞ YARD INLET SQUARE
- ⊞ CABLE TV BOX
- ⊞ TELEPHONE BOX
- ⊞ GAS METER
- ⊞ IRRIGATION CONTROL BOX
- ⊞ WATER METER
- ⊞ FIRE HYDRANT
- ⊞ WATER VALVE
- ⊞ MISC. UTILITY STRUCTURE
- ⊞ CURB AND GUTTER
- P.O.B. POINT OF BEGINNING
- N/F NOW OR FORMERLY
- R/W RIGHT OF WAY
- T.B.M. TEMPORARY BENCHMARK
- CONC. CONCRETE
- ⊞ CENTER LINE
- TYP. TYPICAL
- FFE FINISHED FLOOR ELEVATION
- INV INVERT
- PVC POLYVINYL CHLORIDE PIPE
- CMP CORRUGATE METAL PIPE
- S— STORM SEWER LINE
- S— SANITARY SEWER LINE



Grid North (GA West Zone)
ITPA



NOTES:
1. This lot is subject to all matters of record as shown on the Final Plat of Brooke Falls (the Mountain Lake Cove), prepared by Frontline Surveying & Mapping, Inc., last revised 8/02/11, recorded in Plat Book 272, page 199, on 6/27/11, Cobb County Records.
2. By graphic plotting only, this property does not lie within a 100 year flood hazard zone but a portion of this property is depicted as zone "X" (shaded) as defined by the F.E.M.A Flood Insurance Rate Map of Cobb County, Georgia and incorporated areas map number 13067C00620, effective date December 16, 2008.

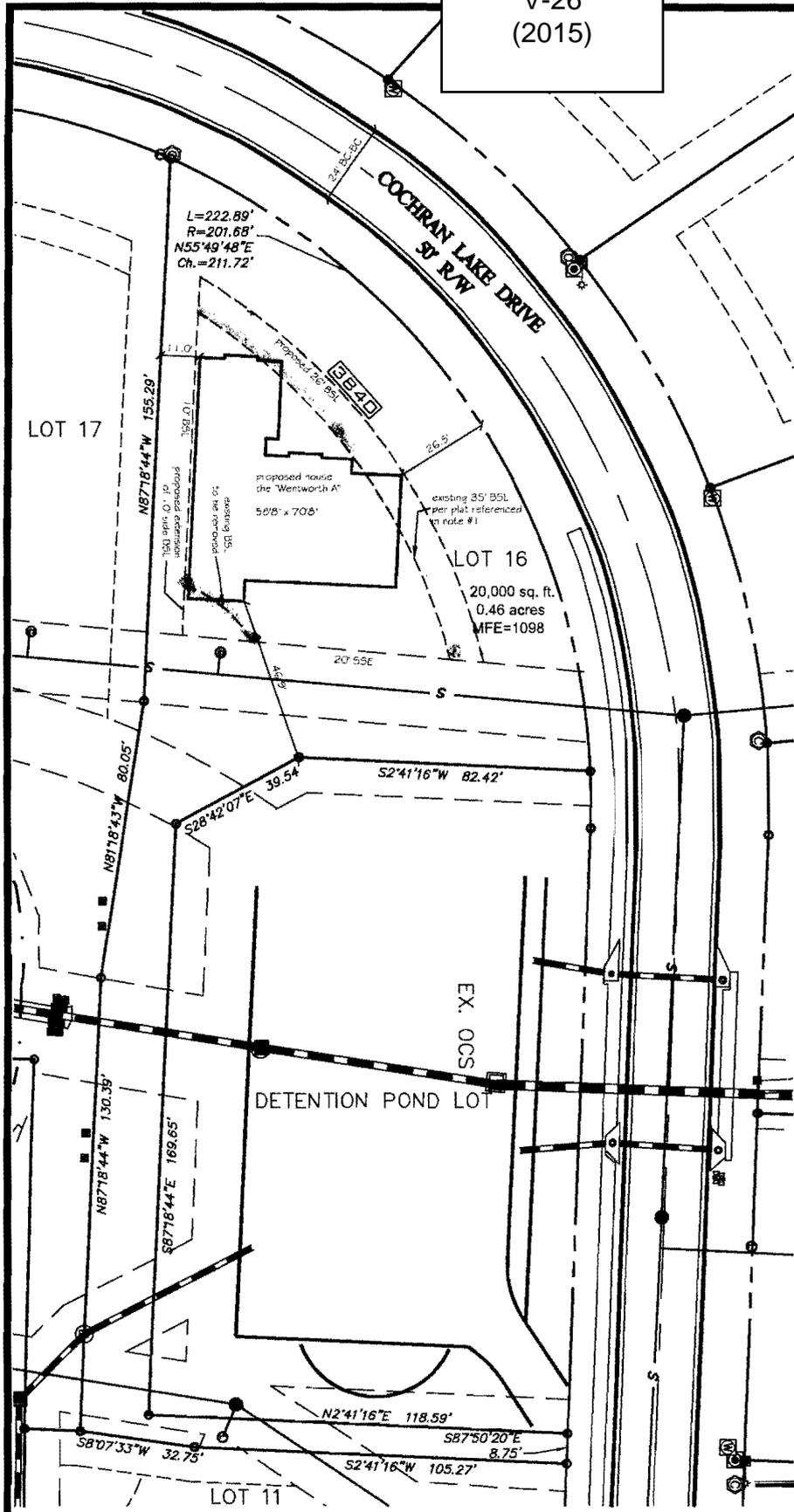
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|---|--|--|---|
| <p>6</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>1</p> <p>0</p> <p>REVISIONS</p> | <p>VARIANCE EXHIBIT</p> <p>The Providence Group of Georgia, LLC</p> <p>LAND LOT 319 ~ 16th DISTRICT, 2nd SECTION COBB COUNTY, GEORGIA LOT 11 - BROOKE FALLS SUBDIVISION</p> <p>GRAPHIC SCALE - IN FEET</p> <p>15 0 30 60 90</p> |  <p>4317 Park Drive, Suite 400 Norcross, Georgia 30093 Phone: (770)416-7511 Fax: (770)416-6789 www.travispruitt.com</p> <p>Certificate of Authorization Number 613</p> | <p>PLAT DATE: December 3, 2014</p> <p>FIELD DATE: October 20, 2014</p> <p>SCALE: 1"=30'</p> <p>J# 140387</p> <p>FR:</p> <p>DRAWN BY: BD</p> <p>Sheet No. 1 of 1</p> |
|---|--|--|---|

16716

V-26
(2015)

LEGEND:

- ⊙ LAND LOT IDENTIFICATION
- IRON PIN FOUND (AS NOTED)
- ⊙ BOLLARD
- ⊙ NUMBER OF PARKING SPACES
- ⊙ HANDICAP PARKING SIGN
- ⊙ TEMPORARY BENCHMARK
- ⊙ LAMP POST
- ⊙ LIGHT STAND
- ⊙ AC UNIT
- ⊙ ELECTRIC BOX
- ⊙ ELECTRIC METER
- ⊙ POWER POLE
- ⊙ LANDSCAPE LIGHT
- ⊙ SANITARY SEWER MANHOLE
- ⊙ CLEAN OUT
- ⊙ FLARED END SECTION
- ⊙ YARD INLET SQUARE
- ⊙ CABLE TV BOX
- ⊙ TELEPHONE BOX
- ⊙ GAS METER
- ⊙ IRRIGATION CONTROL BOX
- ⊙ WATER METER
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE
- ⊙ MISC. UTILITY STRUCTURE
- ⊙ CURB AND GUTTER
- C&G POINT OF BEGINNING
- N/F NOW OR FORMERLY
- R/W RIGHT OF WAY
- T.B.M. TEMPORARY BENCHMARK
- CONC. CONCRETE
- ⊙ CENTER LINE
- TYP. TYPICAL
- FFE FINISHED FLOOR ELEVATION
- INV INVERT
- PVC POLYVINYL CHLORIDE PIPE
- OMP CORRUGATE METAL PIPE
- STORM SEWER LINE
- S- SANITARY SEWER LINE



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 1. This lot is subject to all matters of record as shown on the Final Plat of Brooke Falls (aka Mountain Lake Cove), prepared by Frantline Surveying & Mapping, Inc., last revised 6/02/11, recorded in Plat Book 272, page 188, on 6/27/11, Cobb County Records.
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TPA Grid North (GA West Zone)

| | |
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| 6 | |
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REVISIONS

VARIANCE EXHIBIT

The Providence Group of Georgia, LLC

LAND LOT 319 - 18th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA
 LOT 16 - BROOKE FALLS SUBDIVISION

GRAPHIC SCALE - IN FEET



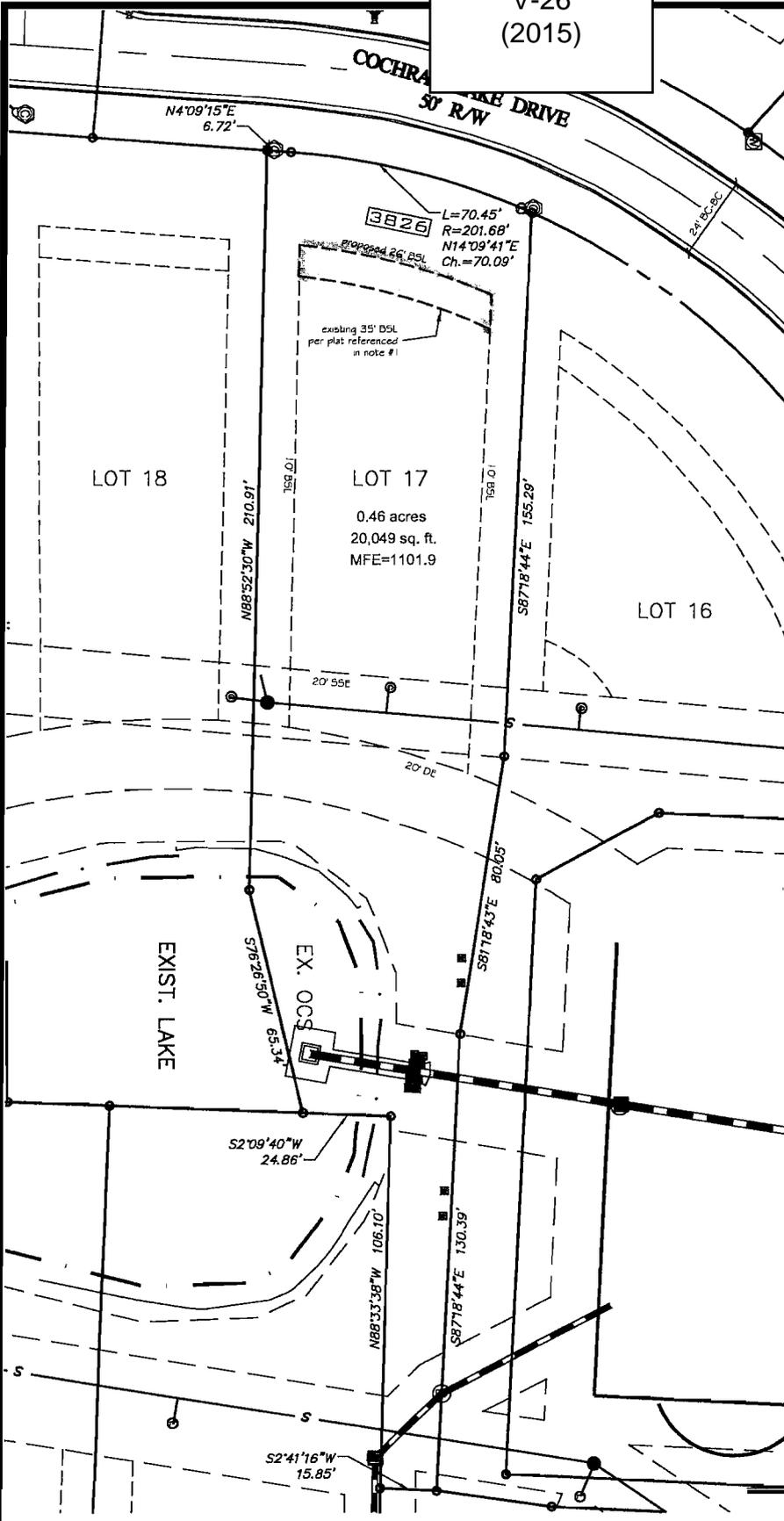
4317 Park Drive, Suite 400
 Norcross, Georgia 30093
 Phone: (770)416-7511
 Fax: (770)416-6759
 www.travispruitt.com

Certificate of
 Authorization Number 613

| |
|------------------------------|
| PLAT DATE: December 3, 2014 |
| FIELD DATE: October 20, 2014 |
| SCALE: 1"=30' |
| JN: 140387 |
| FK: |
| DRAWN BY: BD |
| Sheet No. 1 of 1 |

lot 17

V-26
(2015)



LEGEND:

- LAND LOT IDENTIFICATION
- IRON PIN FOUND (AS NOTED)
- BOLLARD
- NUMBER OF PARKING SPACES
- HANDICAP PARKING
- SIGN
- TEMPORARY BENCHMARK
- LAMP POST
- LIGHT STAND
- AC UNIT
- ELECTRIC BOX
- ELECTRIC METER
- POWER POLE
- LANDSCAPE LIGHT
- SANITARY SEWER MANHOLE
- CLEAN OUT
- FLARED END SECTION
- YARD INLET SQUARE
- CABLE TV BOX
- TELEPHONE BOX
- GAS METER
- IRRIGATION CONTROL BOX
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- MISC. UTILITY STRUCTURE
- CURB AND GUTTER
- P.O.B.
- POINT OF BEGINNING
- N/F
- R/W
- T.B.M.
- CONC. CENTER LINE
- TYP.
- FFE
- INV
- PVC POLYVINYL CHLORIDE PIPE
- CMP CORRUGATE METAL PIPE
- STORM SEWER LINE
- SANITARY SEWER LINE

DEC 1 2014

NOTES:
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Grid North (GA West Zone)

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REVISIONS

VARIANCE EXHIBIT

The Providence Group of Georgia, LLC

LAND LOT 319 ~ 18th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA
 LOT 17 - BROOKE FALLS SUBDIVISION

GRAPHIC SCALE - IN FEET



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 www.travispruit.com

Certificate of
 Authorataton Number 613

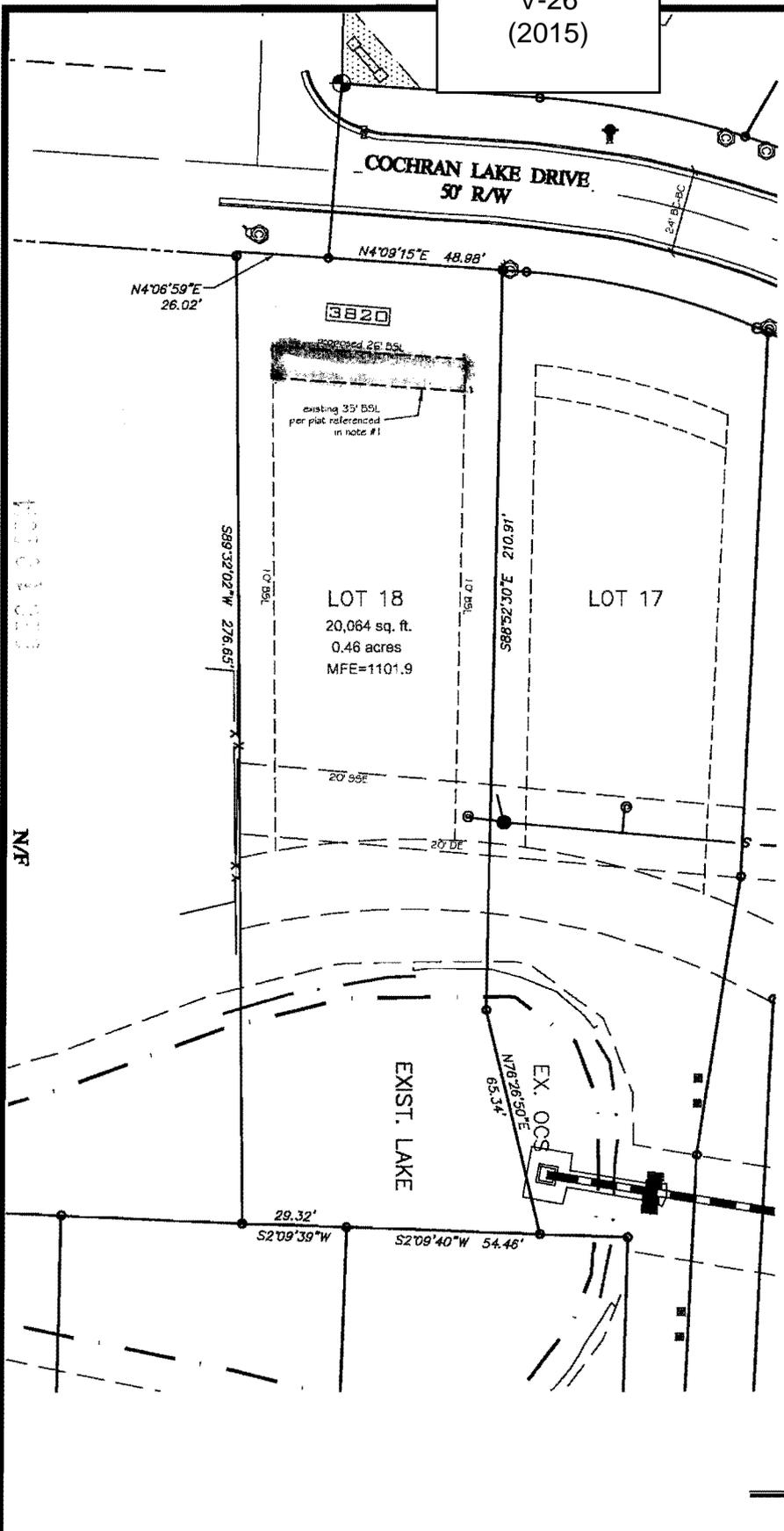
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| PLAT DATE: | December 8, 2014 |
| FIELD DATE: | October 20, 2014 |
| SCALE: | 1"=30' |
| JN: | 140387 |
| FN: | |
| DRAWN BY: | BD |
| Sheet No. | 1 of 1 |

lot 18

V-26
(2015)

LEGEND:

- LAND LOT IDENTIFICATION
- IRON PIN FOUND (AS NOTED)
- BOLLARD
- NUMBER OF PARKING SPACES
- HANDICAP PARKING SIGN
- TEMPORARY BENCHMARK
- LAMP POST
- LIGHT STAND
- AC UNIT
- ELECTRIC BOX
- ELECTRIC METER
- POWER POLE
- LANDSCAPE LIGHT
- SANITARY SEWER MANHOLE CLEAN OUT
- FLARED END SECTION
- YARD INLET SQUARE
- CABLE TV BOX
- TELEPHONE BOX
- GAS METER
- IRRIGATION CONTROL BOX
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- MISC. UTILITY STRUCTURE
- CURB AND GUTTER
- P.O.B. POINT OF BEGINNING
- N/F NOW OR FORMERLY
- R/W RIGHT OF WAY
- T.B.M. TEMPORARY BENCHMARK
- CONC. CONCRETE
- C.L. CENTER LINE
- TYP. TYPICAL
- FFE FINISHED FLOOR ELEVATION
- INV. INVERT
- PVC POLYVINYL CHLORIDE PIPE
- CMP CORRUGATE METAL PIPE
- STORM SEWER LINE
- SANITARY SEWER LINE



NOTES:
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TPA Grid North (GA West Zone)

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REVISIONS

VARIANCE EXHIBIT

The Providence Group of Georgia, LLC

LAND LOT 319 ~ 18th DISTRICT, 2nd SECTION
COBB COUNTY, GEORGIA
LOT 18 ~ BROOKE FALLS SUBDIVISION

GRAPHIC SCALE - IN FEET



4317 Park Drive, Suite 400
 Norcross, Georgia 30093
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 Fax: (770)416-6759
 www.travispruitt.com

Certificate of
 Authorization Number 613

PLAT DATE: December 8, 2014
 FIELD DATE: October 20, 2014
 SCALE: 1"=30'
 IN: 140387
 FPI:
 DRAWN BY: BD
 Sheet No. 1 of 1

APPLICANT: The Providence Group of GA Custom Homes, LLC
PHONE: 678-475-9400
REPRESENTATIVE: Bill Standish
PHONE: 678-859-4983
TITLEHOLDER: T I Brooke Falls, LLC
PROPERTY LOCATION: On both sides of Cochran Lake Drive, north of Cochran Lake Road, east of Stone Drive
(3820, 3826, 3829, 3835, 3841, 3874, 3840 Cochran Lake Drive).

PETITION No.: V-26
DATE OF HEARING: 2-11-2015
PRESENT ZONING: R-20/OSC
LAND LOT(S): 318, 319
DISTRICT: 16
SIZE OF TRACT: 3.22 acres
COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the front setbacks for lots 3, 4, 5, 16, 17, and 18 from the required 35 feet to 26 feet; 2) waive the front setback for lot 11 from the required 35 feet to 31 feet; and 3) waive the rear setbacks for lots 11 and 16 from the required 35 feet to 15 feet.



DEC 1 0 2014

Application for Variance Cobb County

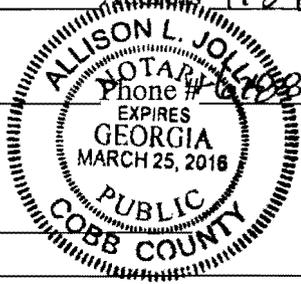
lot #'s
3, 4, 5, 11, 16-18

(type or print clearly)

Application No. V-26
Hearing Date: 2-11-15

Applicant The Providence Group of GA Custom Homes LLC Phone # 6784759400 E-mail bstandish@theprovidencegroup.com
Bill Standish Address 11340 Lakofield Drive (Suite 250) Johns Creek GA 30097
(representative's name, printed) (street, city, state and zip code)

BS Phone # 678594983 E-mail bstandish@theprovidencegroup.com
(representative's signature)



Signed, sealed and delivered in presence of:

Allison L. Jolly
Notary Public

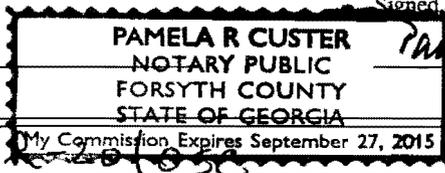
My commission expires: _____

Titleholder TJ Brooke Falls LLC Phone # 7703902555 E-mail _____

Signature Amy Weich Address: 7 South Main Street Alpharetta GA 30004
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: 9.27.19 Pamela R. Custer
Notary Public



Present Zoning of Property _____

Location See attached list - Marietta GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 318/319 District 16th Size of Tract .76 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 20,000 Shape of Property Rectangle Topography of Property Sloping 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).

The lot has sloping from front of curb to rear of horse placement and this change will help us to minimize extreme grade changes at rear yards & line up horses on street fronts

List type of variance requested: We would like to change setbacks from 35' to 26' on houses line up and to help with sloping setbacks on lots 3, 4, 5, 16-18 - lot 11 to change from 35' to 26' setbacks to square off lots

APPLICANT: AG-MGP, LLC

PETITION No.: V-27

PHONE: 404-926-4630

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Julie Sellers, Weissman,
Nowack, Curry and Wilco

PRESENT ZONING: GC, TS

PHONE: 404-926-4630

LAND LOT(S): 864, 210

TITLEHOLDER: AG-MGP, LLC

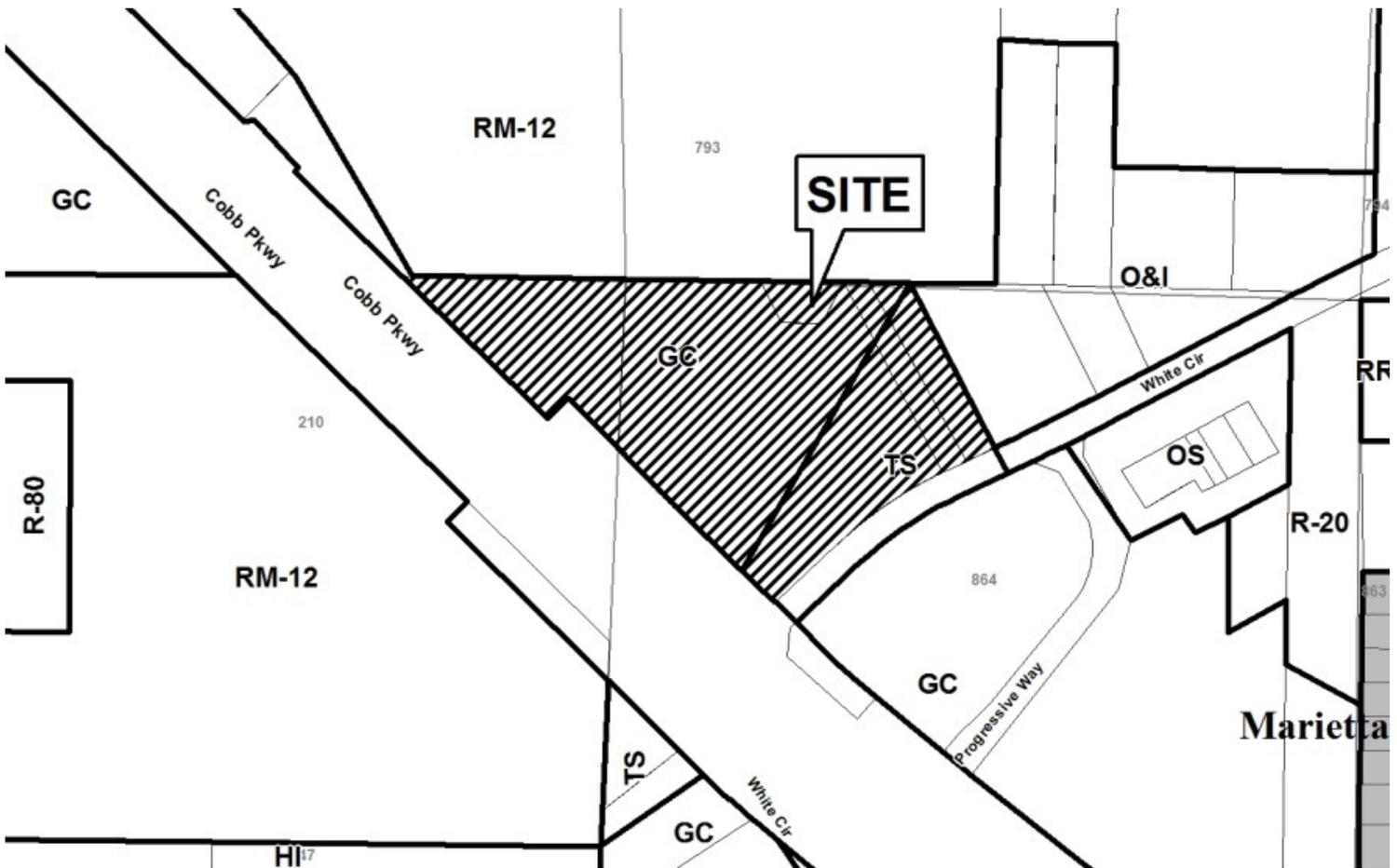
DISTRICT: 16, 20

PROPERTY LOCATION: On the northwest corner of
White Circle and Cobb Parkway
(1600 North Cobb Parkway).

SIZE OF TRACT: 7.86 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: Waive the minimum number of parking spaces from the required 206 spaces to 168.



DEC 11 2014

Application for Variance Cobb County

(type or print clearly)

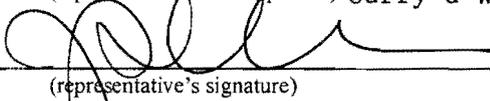
Application No. V-27

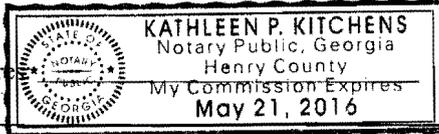
Hearing Date: 2-11-15

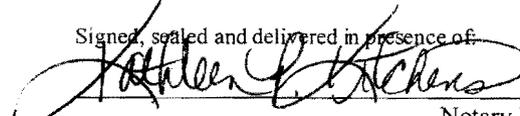
AG-MGP, LLC

Applicant c/o Julie Sellers, Esq. Phone # 404-926-4630 E-mail juliesellers@wncwlaw.com

Julie Sellers, Weissman, Nowack, Address One Alliance Center - 4th Floor
3500 Lenox Rd, Atlanta, Georgia 30326
(representative's name, printed) Curry & Wilco (street, city, state and zip code)

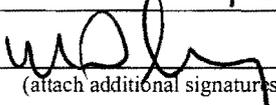
 Phone # 404-926-4630 E-mail juliesellers@wncwlaw.com
(representative's signature)



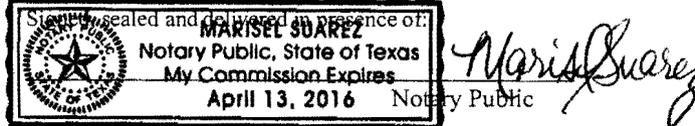
Signed, sealed and delivered in presence of:

Notary Public

My commission expires:

Titleholder AG-MGP, LLC Phone # 284-445-6935 E-mail _____

Signature  Address: 525 N SAM HOUSTON PKWY East HOUSTON TX 77060
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: April 13, 2016



Present Zoning of Property GC and TS

Location 1600 N. Cobb Parkway; 1601 White Circle; 1611 White Circle
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 864 District 16th Size of Tract 7.86 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 X Other X

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 attached.

List type of variance requested: See attached.

V-27
(2015)
Exhibit

Weissman Nowack
Curry & Wilco
ATTORNEYS AT LAW

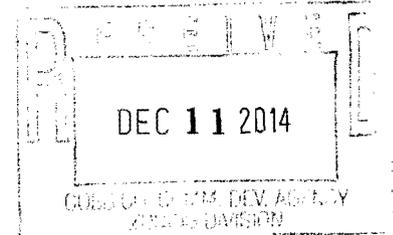
JULIE SELLERS

Direct Dial: (404) 926-4630
Direct Fax: (404) 926-4830
Email: juliesellers@wncwlaw.com

One Alliance Center, 4th Floor
3500 Lenox Road
Atlanta, Georgia 30326
Telephone: (404) 926-4500
Fax: (404) 926-4600
www.wncwlaw.com

December 11, 2014

Cobb County Board of Zoning Appeals
Cobb County
Zoning Division
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064



Re: Variance Application, Letter of Intent, and Constitutional Notice
AG-MGP, LLC

Dear Cobb County Board of Zoning Appeals:

This firm has been retained to represent the Owner/Applicant AG-MGP, LLC in connection with this application requesting a variance from the strict application of Section 134-272. The property at issue is identified in the attached deed and includes the following parcels: 16086400030, 20021000120, 16086400040, 16086400290, 16086400210 (the "Property").

Applicant owns and operates wedding and reception facilities in Texas and Georgia known as Ashton Gardens. Since 2008, Ashton Gardens has been voted the best wedding venue by brides through the Knot and WeddingWire. The Ashton Gardens' existing Atlanta area venue is a beautiful facility located in Sugar Hill, Georgia. Applicant intends to construct and operate a similar wedding and event facility at the Property.

The plans include a small office building for administrative purposes, a chapel (seating for 200) and a reception building (seating for 400). Applicant's site plan reflects 168 total parking spaces which will provide more than enough parking for the facility. However, Applicant has been advised that the Cobb County Zoning Code, Section 134-272 may be interpreted to require Applicant to satisfy the parking for all three buildings. Two factors support this request for a reduction in parking space requirements (1) the office will not be in use during the events at the facility, (2) the chapel and reception hall will not both be occupied at one time. In other words, guests at a wedding in the chapel will go to the reception hall after the ceremony OR a reception may take place without the use of the chapel. However, there would not be a maximum use of both facilities at the same time. Applicant requests a variance to allow for 168 parking spaces which is 34 spaces more than the requirement for the reception hall (largest building).

The following calculations reflect the excessive parking spaces if Section 134-272 is strictly interpreted and enforced for a venue that would at maximum host 400 seated guests.

| Building Type | Section 134-272 Requirement | Calculation/Parking Spaces |
|--------------------|---|---|
| Office | Offices not elsewhere classified 1 space per 285 square feet (net) of floorspace | 1,700 sq. feet/285 sq. feet 6 Parking spaces |
| Chapel | Assembly hall 1 space per 3 seats for every person lawfully permitted within the assembly hall at 1 time. | 200 seats / 3 seats 66 Parking spaces |
| Reception Facility | Assembly hall 1 space per 3 seats for every person lawfully permitted within the assembly hall at 1 time. | 400 seats / 3 seats 134 Parking spaces |
| | | TOTAL 206 |

The following supporting documents are attached:

1. Limited Warranty Deed, including attached legal description;
2. Letter confirming authority of this firm to act as the Owner/Applicant's representative;
3. Tax payment confirmation; and
4. \$500 application fee.

Applicant satisfies all of the criteria for a variance as set forth in the Cobb County Zoning Code, Section 134-94(3):

1. **There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.**

The property's topography includes steep grades and limited developable area. This topography creates exceptional conditions on the Property for which a variance should be granted.

2. **The application of the Zoning Code to this particular piece of property would create an unnecessary hardship.**

As set forth above, the strict application of the parking requirements under Section 134-272 would create an unnecessary hardship by requiring 206 parking spaces. Applicant plans to develop an attractive event facility and the excess parking spaces would detract from the overall aesthetics of the facility while at the same time serving no purpose.

3. **Such conditions are peculiar to the particular piece of property involved.**

The topography and location creates challenges with development of the Property. The Property is on a corner of two roads and has extreme slopes on the Property. The proposed development for a wedding and event reception facility is an appropriate use of the Property. However, due to the type of use requiring 206 parking spaces is an undue hardship that is also impacted by the location and topography of the Property.

4. **Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution.**

If granted, the variance would not cause substantial detriment to the public good nor impair the purposes or intent of Cobb County's Zoning Code. In fact, the variance would facilitate the development of the Property which was previously cleared (by a prior owner) and in its current condition does not enhance the area. There is no detriment to the public good by the slight reduction in parking spaces at the venue. Similarly, the Zoning Code will not be impaired by this application of the parking requirements.

The hereinafter constitutional notice is now required by Georgia law.

Owner/Applicant respectfully submits that the failure to grant the variance would be unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Cobb County Board of Zoning Appeals without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the

Cobb County Board of Zoning Appeals
AG-MGP, LLC variance
December 11, 2014
Page 4

Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Cobb County Board of Zoning Appeals to approve the variance application for the Property in accordance with the zoning criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

For all the foregoing reasons, it is submitted on behalf of the Applicant that the variance application meets the requirements of the Cobb County Zoning Code. This notice is being given to comply with the provisions of O.C.G.A. § 36-11-1 to afford the County an opportunity to grant the requested variance. If action is not taken by the BZA to grant the variance within a reasonable time, a claim will be filed in the Superior Court of Cobb County demanding just and adequate compensation under Georgia law for the taking of the Property, diminution of value of the Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

We respectfully request that the Application be granted. Should you have any questions or require additional information, please let me know.

Best wishes.

Sincerely,

WEISSMAN, NOWACK, CURRY & WILCO, P.C.



Julie Sellers

JLS/mah
Enclosures

EXISTING IMPERVIOUS SURFACE = 4,328 S.F. or 48% OF TOTAL AREA

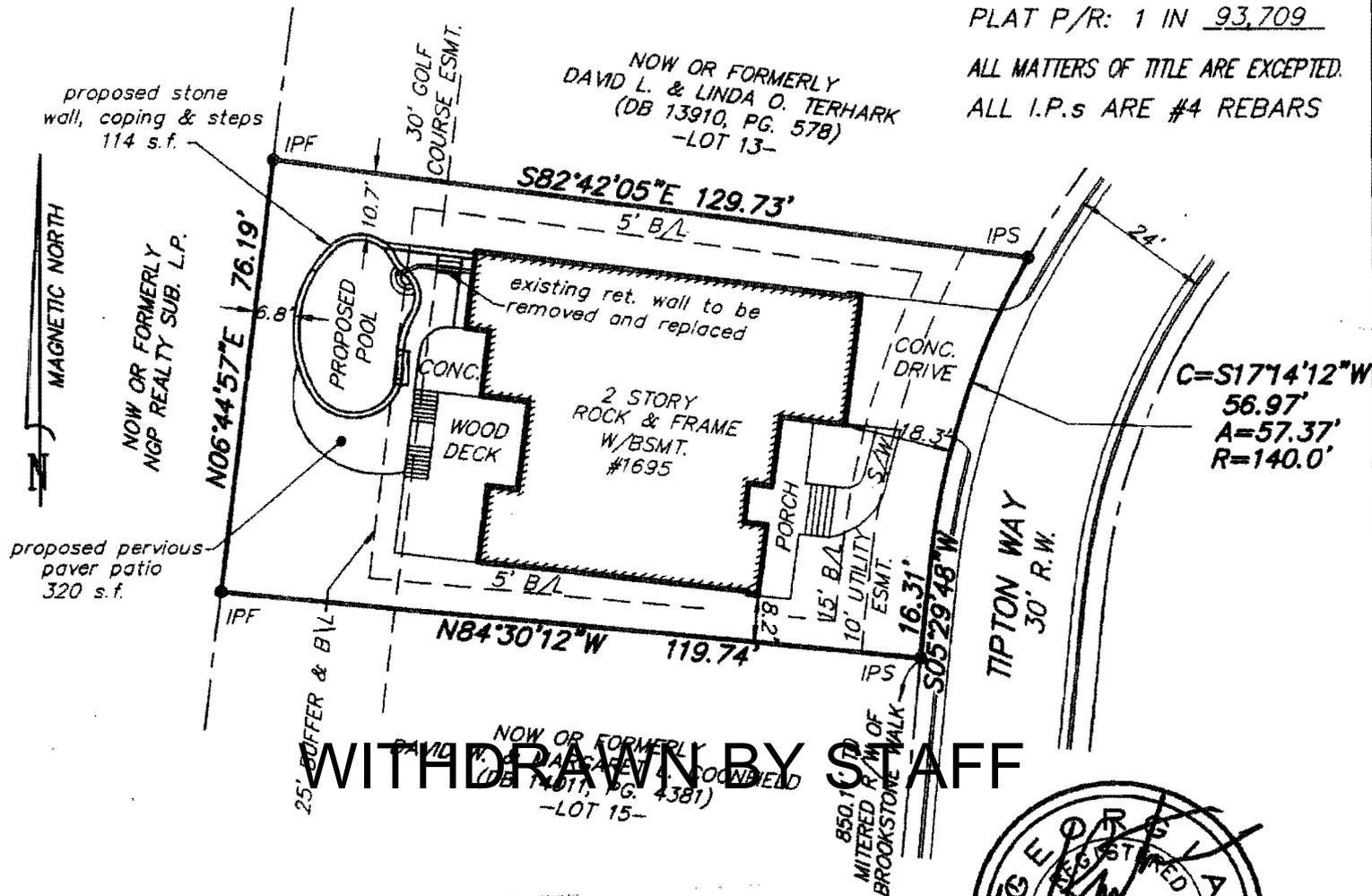
PROPOSED IMPERVIOUS SURFACE:
4,328 S.F. + (320 x 0.6 = 192) + 114 = 4634 S.F. or

V-28
(2015)

ANG. ERROR: 2" PER TURN
FIELD P/R: 1 IN >10,000
COMPASS RULE ADJUSTMENT
EQUIP.: TOPCON GTS-303
PLAT P/R: 1 IN 93,709

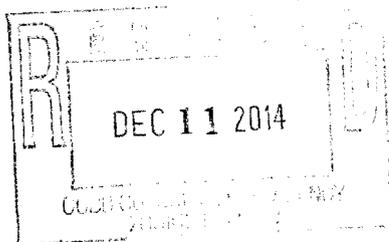
ALL MATTERS OF TITLE ARE EXCEPTED.
ALL I.P.s ARE #4 REBARS

NOW OR FORMERLY
DAVID L. & LINDA O. TERHARK
(DB 13910, PG. 578)
-LOT 13-



WITHDRAWN BY STAFF

NOW OR FORMERLY
PAUL W. & DIANE S. JOHNSON
(DB 14071, PG. 4381)
-LOT 15-



- 9-15-14:
- 1) CHANGED NAME FOR PLAT
 - 2) UPDATED ADJACENT OWNER NAMES
 - 3) UPDATED FLOOD MAP INFORMATION
 - 4) ADDED IMPERVIOUS SURFACE CALCULATION

- 10-02-14:
- 1) ADDED PROPOSED IMPROVEMENTS.
 - 2) ADDED PROPOSED IMPERVIOUS SURFACE CALCULATION

ACCORDING TO THE CURRENT "F.I.A. OFFICIAL FLOOD HAZARD MAP", COMMUNITY PANEL NO. 13067C 0077 G, DATED DEC. 16, 2008, THIS LOT IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

TOTAL AREA = 9,052 SQ. FT.
0.208 ACRE.



SCALE IN FEET

BARTON SURVEYING, INC.

1500 PALM STREET
CANTON, GEORGIA 30115
(770) 345-2810

LOT 14 BLOCK
BROOKSTONE COMMONS
 L.L. 225 20th DISTRICT 2nd SECTION
COBB COUNTY, GEORGIA
 DATE: 9-9-03 SCALE: 1" = 30'
 MADE FOR BRUCE & REBECCA MALLET

APPLICANT: Derek Murray

PETITION No.: V-28

PHONE: 770-733-8229

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Derek Murray

PRESENT ZONING: RA-5

PHONE: 770-733-8229

LAND LOT(S): 225

TITLEHOLDER: Bruce S. and Rebecca J. Mallett

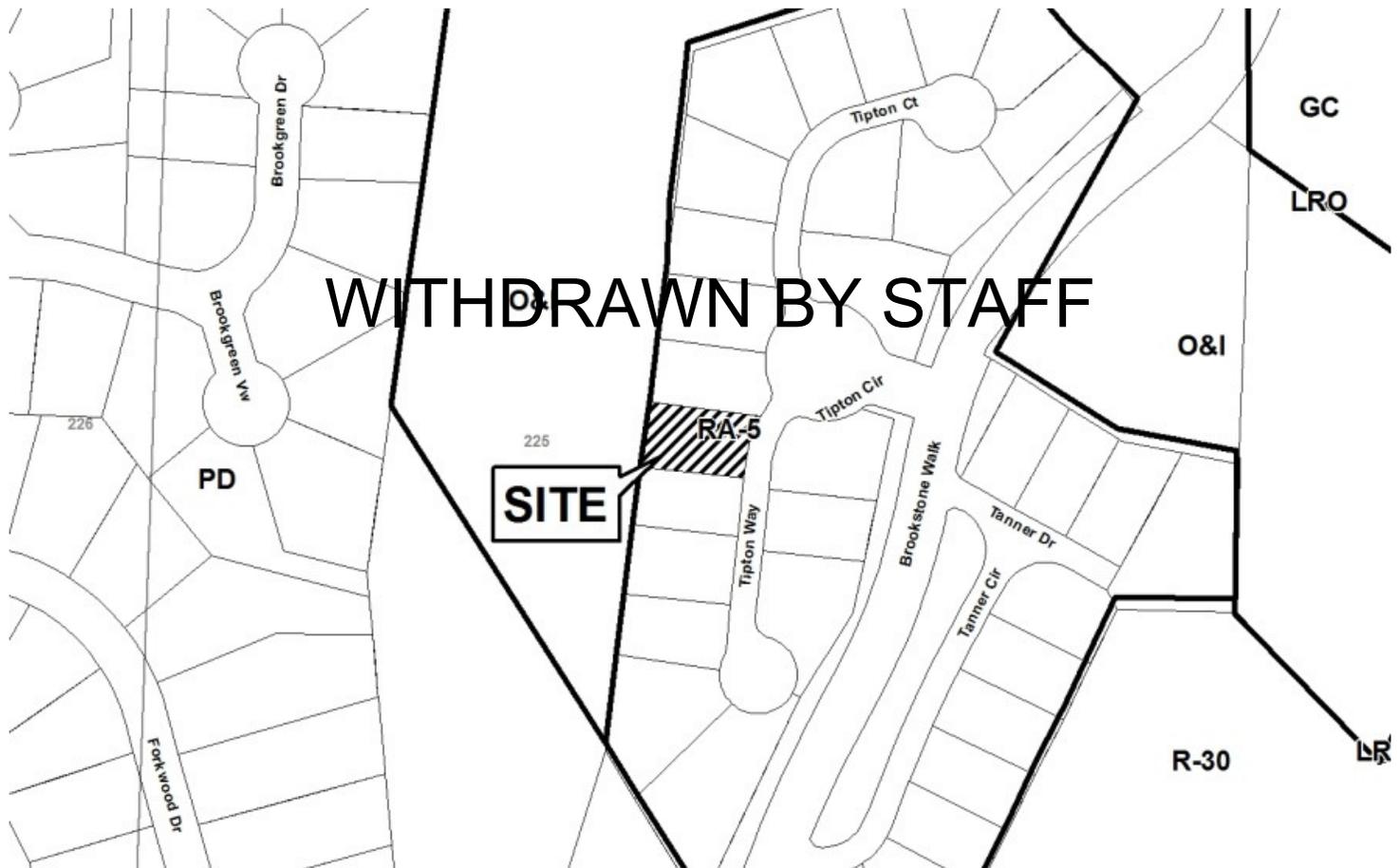
DISTRICT: 20

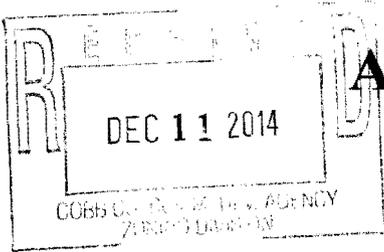
PROPERTY LOCATION: On the west side of Tipton Way, south of Tipton Circle (1695 Tipton Way).

SIZE OF TRACT: 0.21 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive the impervious surface from a maximum of 40% to 51%.





Application for Variance Cobb County

(type or print clearly)

Application No. V-28
Hearing Date: 2-11-15

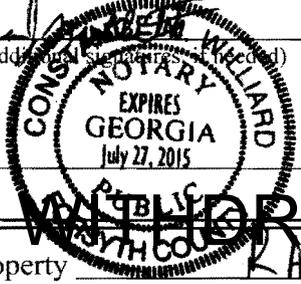
Applicant Derek Murray Phone # 770)733 8229 E-mail Derek@Miragepools.com
Derek Murray Address 6100 Carriage Dr. Cumming, GA. 30028
(representative's name, printed) (street, city, state and zip code)
Derek Murray Phone # 770)733 8229 E-mail Derek@Miragepools.com
(representative's signature)

My commission expires: _____



Signed, sealed and delivered in presence of:
Constance M. Williard
Notary Public

Titleholder Becky Moore Phone # _____ E-mail _____
Signature Becky Moore Address: 1695 Tipton way N.W. Acworth GA 30101
(attach address label) (street, city, state and zip code)



My commission expires: _____

Signed, sealed and delivered in presence of:
Constance M. Williard
Notary Public

NOT DRAWN BY STAFF

Present Zoning of Property RA-5
Location 1695 Tipton way N.W.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 14 District 20th Size of Tract 1208 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).

Homeowner will be unable to have a swimming pool

List type of variance requested: raise the percentage of impervious coverage to 51%

APPLICANT: LBS Group, Inc.

PETITION No.: V-29

PHONE: 770-617-8530

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: B. A. Stoner

PRESENT ZONING: GC

PHONE: 770-617-8530

LAND LOT(S): 333

TITLEHOLDER: LBS Group, Inc.

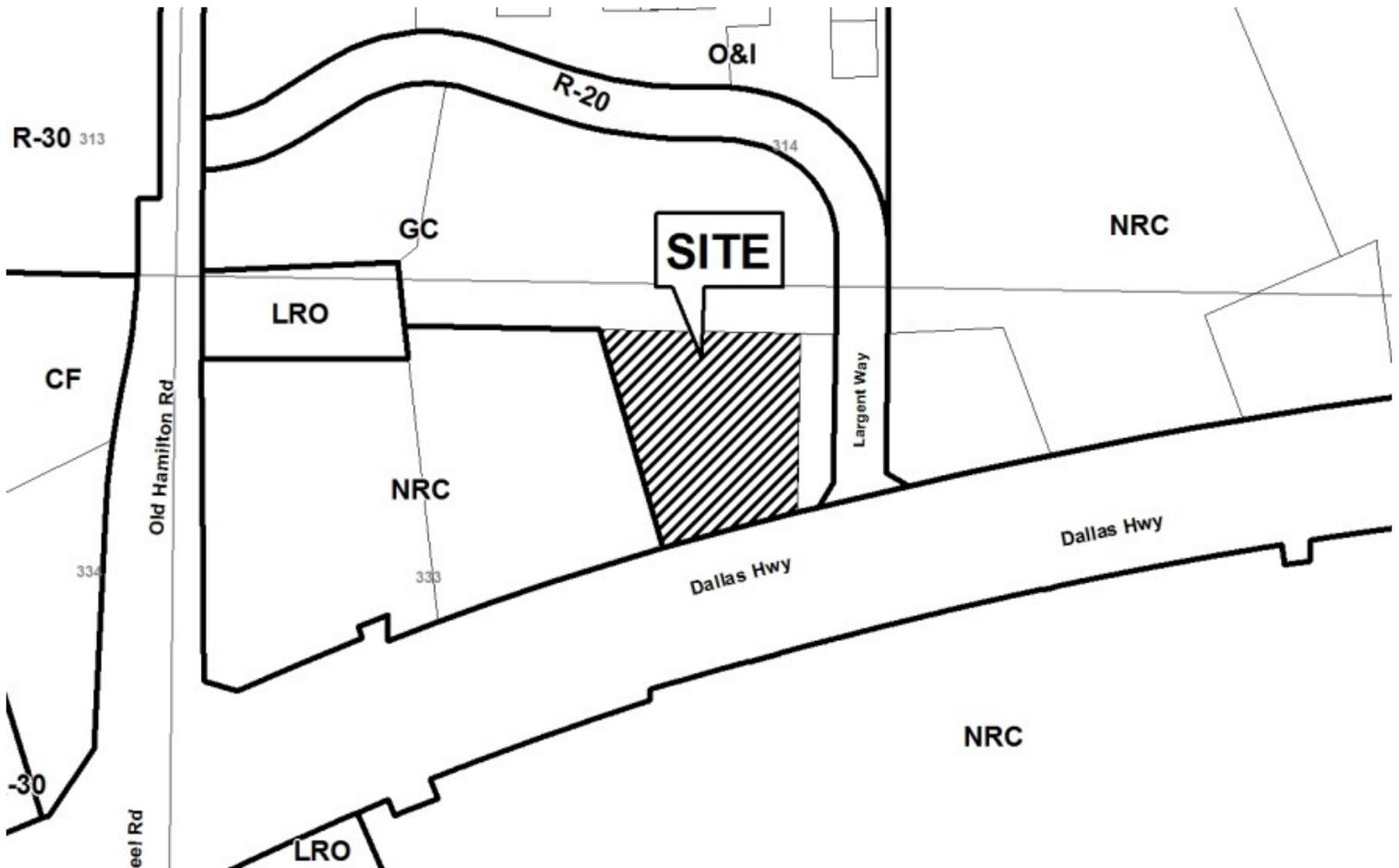
DISTRICT: 20

PROPERTY LOCATION: On the north side of
Dallas Highway, west of Largent Way
(3721 Largent Way).

SIZE OF TRACT: 1 acre

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive the maximum allowable sign area from the required 42 square feet to 76.24 square feet on the south elevation (front) of the building.



DEC 11 2014

Application for Variance Cobb County

(type or print clearly)

Application No. V-29
Hearing Date: 2-11-15

Applicant LBS GROUP, INC. Phone # 770-619-8530 E-mail Josey.stoner@gmail.com
B.A. STONER Address 10 GARRISON ROAD, Marietta, GA 30008
(representative's name, printed) (street, city, state and zip code)

B.A. Stoner Phone # 770-619-8530 E-mail Josey.stoner@gmail.com
(representative's signature)

My commission expires: _____
SIGNED, SEALED AND DELIVERED IN PRESENCE OF:
Judy Lowe
Notary Public

Titleholder LBS GROUP, INC. Phone # 770-619-8530 E-mail Josey.stoner@gmail.com
Signature B.A. Stoner Address: 10 GARRISON ROAD Marietta, GA 30008
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: _____
SIGNED, SEALED AND DELIVERED IN PRESENCE OF:
Judy Lowe
Notary Public

Present Zoning of Property _____
Location 3721 LARGENT WAY, MARIETTA, GA 30064
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0333 District 20 Size of Tract 1 Acre(s)

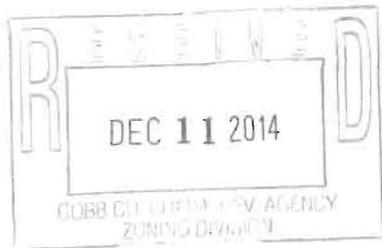
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

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

List type of variance requested: SEE ATTACHMENT A



V-29
(2015)
Exhibit

Attachment A

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

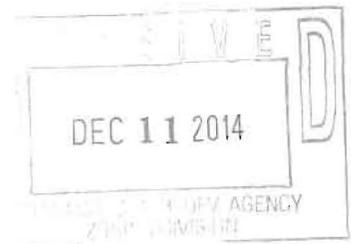
The hardship is created by potential financial penalty from International Dairy Queen as to not having the DQ Grill and Chill logo's and stack stone design on the front of our building. This leads to another hardship because of the square footage restrictions on the building signage which has led to our inability to put back on the west face side of the building existing signage. This significantly diminishes our visibility to east bound traffic on State Highway 120 due to the angle of the approach of the highway in relation to the building.

List type of variance requested:

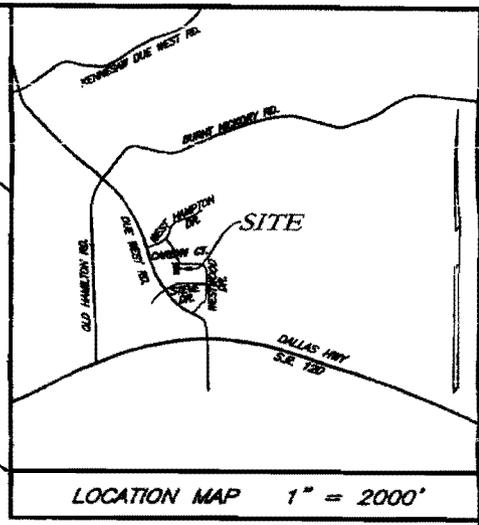
Request a variance to the the linear foot restriction on front of the building from the current 1 to 1 ratio to allow for a 76.24 square foot signage from the current restriction of 42 square feet that is imposed with the placement of signage on the west face side of the building.



The front of the building is a linear 42 feet in length. The Dairy Queen ("DQ") logo is 46.69 square feet in area. The "Grill & Chill" logo sign is 29.55 square feet in area. The two signs combine are 76.24 square feet in area.

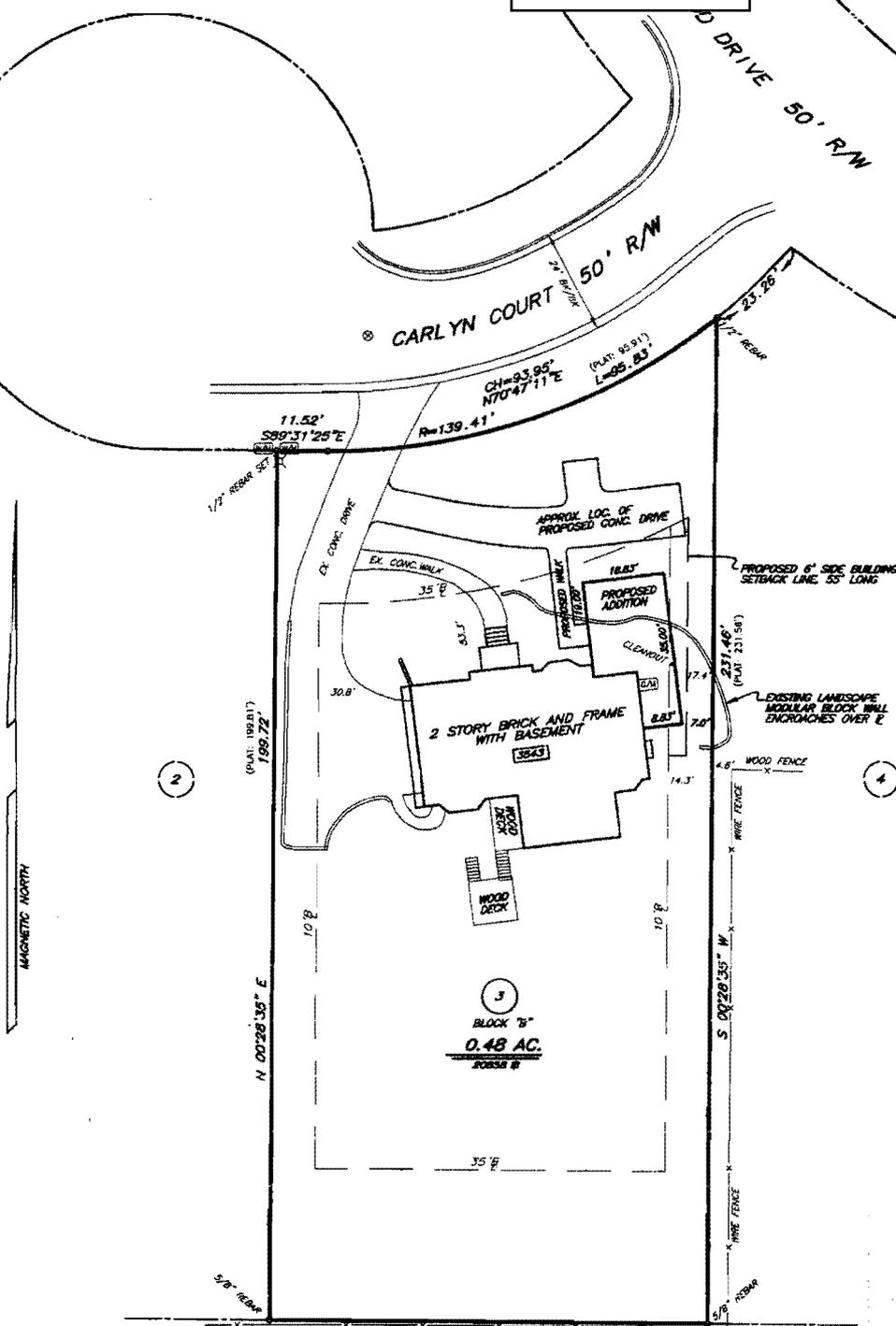


V-30
(2015)



LOCATION MAP 1" = 2000'

| LEGEND | |
|--------|-------------------------------------|
| | P.P. - POWER POLE |
| | L.P. - LIGHT POLE |
| | F.H. - FIRE HYDRANT |
| | S.S. - SANITARY SEWER MANHOLE |
| | W.M. - WATER METER |
| | G.M. - GAS METER |
| | R.B.S. - REINFORCING BAR SET |
| | R.B.F. - REINFORCING BAR FOUND |
| | C.T.F. - CRIMP TOP PIPE FOUND |
| | O.T.F. - OPEN TOP PIPE FOUND |
| | R/W MON. - RIGHT-OF-WAY MONUMENT |
| | X - TYPE OF FENCE |
| | J.B. - JUNCTION BOX |
| | D.I. - DROP INLET / YARD INLET |
| | C.B. - CATCH BASIN |
| | R.C.P. - REINFORCED CONCRETE PIPE |
| | C.M.P. - CORRUGATED METAL PIPE |
| | F.F.E. - FINISHED FLOOR ELEVATION |
| | WV - WATER VALVE |
| | S.B. - SOUTHERN BELL MANHOLE |
| | 1234 - STREET ADDRESS |
| | T.B. - TELEPHONE BOX |
| | H.W. - HEADWALL |
| | P.B. - POWERBOX |
| | —O— OVERHEAD POWER LINES |
| | —W— WATER LINE |
| | ---T--- UNDERGROUND TELEPHONE LINE |
| | ---G--- GAS LINE |
| | ---E--- UNDERGROUND ELECTRICAL LINE |



- NOTES:
- BOUNDARY SURVEY IS FIELD RUN BY TERRAIN SOLUTIONS, LLC ON 10/03/2014
 - VARIOUS REQUEST: REDUCE THE FIRST 55' OF THE EASTERLY BUILDING LINE FROM 10' TO 6' FROM PROPERTY LINE TO ACCOMMODATE A HANDICAP ACCESSIBLE ADDITION.
 - PROPERTY IS CURRENTLY ZONED R-20
FRONT BUILDING LINE: 30'
SIDE BUILDING LINE: 10'
REAR BUILDING LINE: 35'
 - THERE ARE NO KNOWN CEMETERIES, WETLANDS, STREAM BUFFERS, OR FLOODPLAIN ON THIS PROPERTY.

DEC 11 2014



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-87.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A. (F.L.A.) COMMUNITY PANEL # 13007 C 0083 G DATED DECEMBER 18, 2008

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FINE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRANSVERSE: 1/14,000; ANGULAR PRECISION: 29" 46'. THE TRANSVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/144,974. MATTERS OF TITLE ARE EXCEPTED.



| | | |
|---|------------|------------|
| DATE | 10/30/2014 | REVISIONS: |
| SCALE | 1" = 20' | |
| DRAWN BY | GFM | |
| CHECKED BY | GFM | |
| SURVEYED BY | GFM | |
| G/008/3543 CARLYN COURT/ | | |
| TERRAIN SOLUTIONS, LLC | | |
| P.O. BOX 365 KENNESAW, GEORGIA 30156 (770) 421-3089 | | |
| www.TerrainSolutionsLLC.com | | |

PLOT PLAN FOR:
BOB & LOIS JACKSON

LOT # 3 BLOCK "B"
WEST HAMPTON UNIT I

LOCATED IN L.L. 814
20TH DIST., 2ND SECT.,
COBB COUNTY, GA.

APPLICANT: Robert and Lois Jackson

PHONE: 770-423-0233

REPRESENTATIVE: Michael Jordan

PHONE: 770-425-5822

TITLEHOLDER: Robert E. and Lois W. Jackson

PROPERTY LOCATION: On the south side of
Carlyn Court, west of Westwood Drive
(3543 Carlyn Court).

PETITION No.: V-30

DATE OF HEARING: 2-11-2015

PRESENT ZONING: R-20

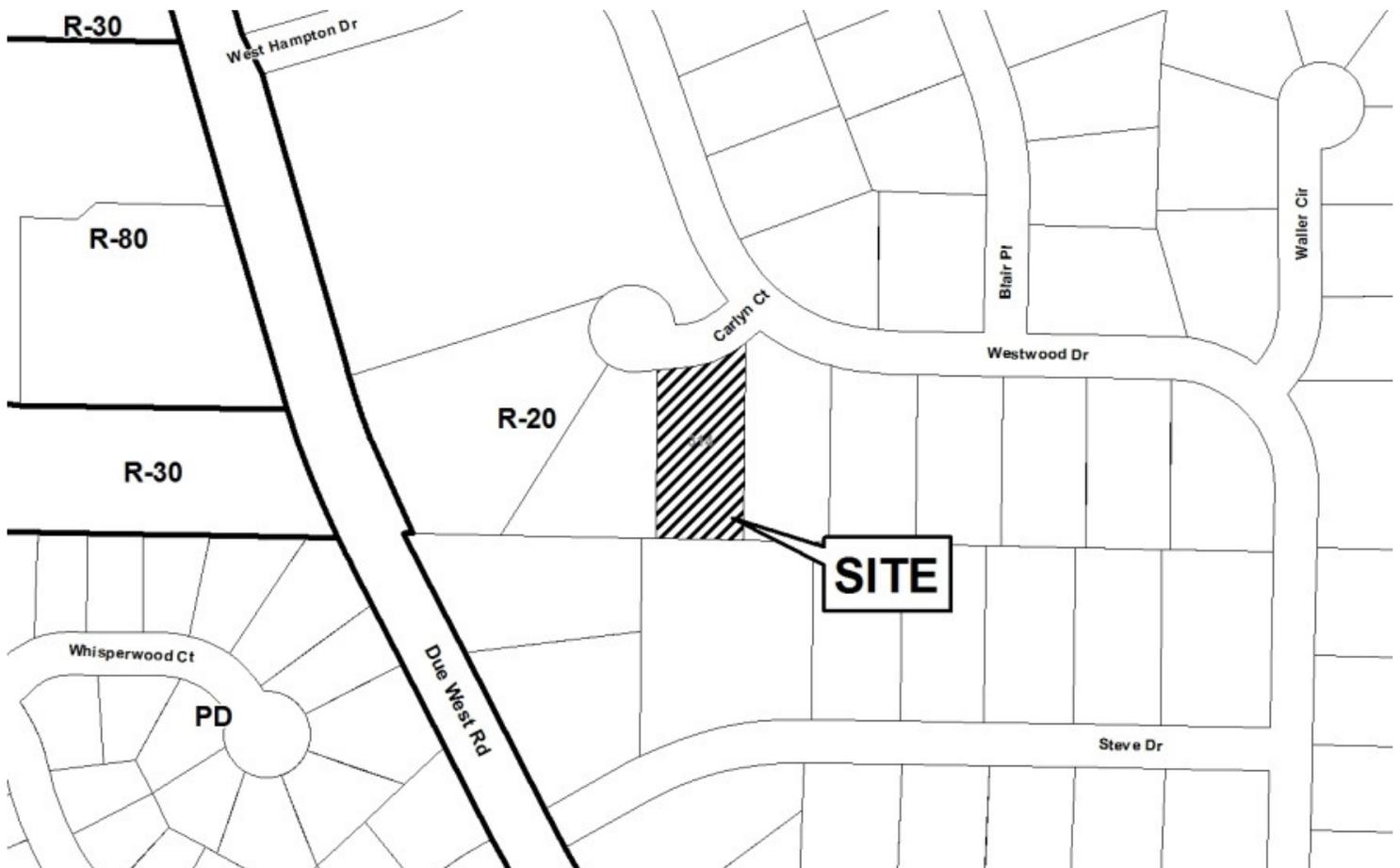
LAND LOT(S): 314

DISTRICT: 20

SIZE OF TRACT: 0.48 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive the side setback from the required 10 feet to six (6) feet on the eastern side.



DEC 11 2014

Application for Variance Cobb County

(type or print clearly)

Application No. V-30
Hearing Date: _____

Applicant Robt. & Lois Jackson Phone # 770-423-0233 E-mail bobfron99@Comcast.net
Michael Jordan Address 2314 Cross Creek DR Powder Sp GA 30127
(representative's name, printed) (street, city, state and zip code)

Michael Jordan Phone # 770-425-5822 E-mail jordanm170@bellsouth.net
(representative's signature)

My commission expires: Jan 18, 2016

Signed, sealed and delivered in presence of:
[Signature]
NOTARY
ROSLEY & HOEKINS
BUILDING COUNTY, GEORGIA
Notary Public

Titleholder ROBERT E. JACKSON Phone # _____ E-mail _____
Signature Robert E Jackson Address: 3543 Carlyn Ct, Marietta GA 30064
(attach additional signatures, if needed) (street, city, state and zip code)
Lois W. Jackson

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

Present Zoning of Property Residential - West Hampton Sub - Unit 1
Location 3543 Carlyn Ct. Marietta GA 30064
(street address, if applicable; nearest intersection, etc.)
Land Lot(s) #314 block B District 20 2ND sec Size of Tract 0.48 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.

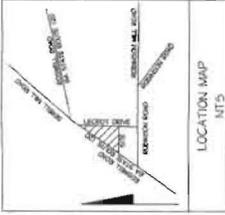
Size of Property _____ Shape of Property Topography of Property _____ Other _____

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).

— Mr. Robert Jackson is diagnosed with ALS (please see attached ALS explanation page). Due to the disabilities associated with
— the disease he will inevitably be confined to a wheelchair. The Department of Veterans Affairs has provided for his use a van,
— an electric wheelchair and is assisting with the construction design. The current house and elevation is not suitable. The
— solution to this problem is an addition, driveway and concrete ramp at the front and side of the residence to accommodate the
— access into the living quarters. The new addition at the left rear corner exceeds the BL by approximately 3 feet. We are
— requesting a variance. All contiguous neighbors and the HOA president have signed off for approval of the addition.

List type of variance requested: Reduce the first 55' of the easterly building line from 10' to 6' from property line to accomodate a handycap accessible addition.

V-31
(2015)



- LEGEND**
- PROPOSED SITE D
 - EXISTING PARKING
 - PROPOSED PARKING
- PROPOSED SITE D**
- EXISTING PARKING**
- PROPOSED PARKING**



VARIANCE EXHIBIT

FOR

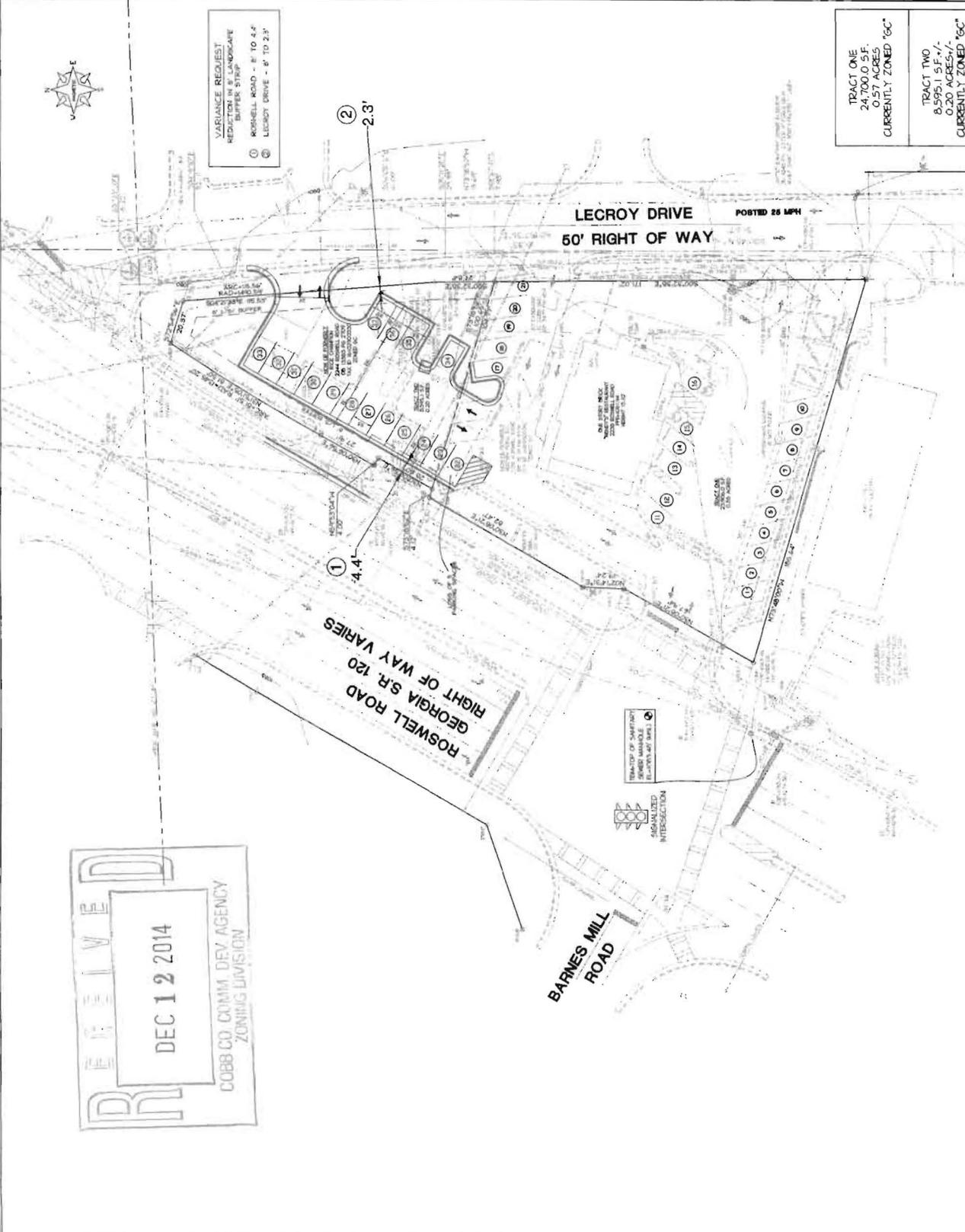
HOOVER FOODS, INC.

2209 E. 2204 ROSWELL ROAD
LYNNWOOD, GA 30055

Harkroad and Associates

INCORPORATED IN THE STATE OF GEORGIA
REGISTERED PROFESSIONAL ENGINEER
LICENSE NO. 12000

SHEET 2



RECEIVED

DEC 12 2014

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: Hoover Foods

PETITION No.: V-31

PHONE: 770-448-0300

DATE OF HEARING: 2-11-2015

REPRESENTATIVE: Parks F. Huff

PRESENT ZONING: GC

PHONE: 770-422-7016

LAND LOT(S): 1029

TITLEHOLDER: Rick Champion

DISTRICT: 16

PROPERTY LOCATION: On the south corner of
Lecroy Drive and Roswell Road
(2244 Roswell Road).

SIZE OF TRACT: 0.20 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the landscape enhancement strip from the required eight (8) feet to 4.4 feet along Roswell Road and 2.3 feet along Lecroy Drive.

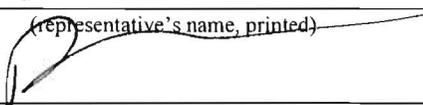




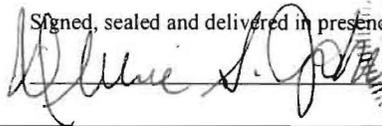
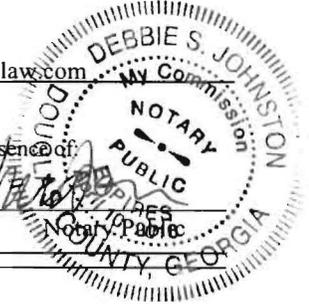
Application for Variance Cobb County

(type or print clearly)

Application No. v-31
Hearing Date: ~~January 14, 2015~~ Feb. 11, 2015

Applicant Hoover Foods Phone # 770-448-0300 E-mail carl.hoover@comcast.net
Sams, Larkin, Huff & Balli, LLP
by Parks F. Huff Address Suite 100, 376 Powder Springs Street, Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)
 Phone # 770-422-7016 E-mail phuff@slhb-law.com
(representative's signature)

My commission expires: April 10, 2016

Signed, sealed and delivered in presence of:



Titleholder Rick Champion Phone # 404-281-6536 E-mail _____
Signature See attached page for property owner's signature Address: 5700 Awtrey Church Road, Acworth, GA 30101
(attach additional signatures, if needed) (street, city, state and zip code)

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

Present Zoning of Property GC

Location 2244 Roswell Road, Marietta, GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1029 District 16th Size of Tract 0.20 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).

The subject property is a small triangle shaped property with an irregular shaped right-of-way.
Compliance with the required landscape strip would create an unnecessary hardship.

List type of variance requested: Cobb County Code Section 134-285; Reduce the 8 foot landscape enhanced strip along Roswell Road and Lecroy Drive; on Roswell Road to 4.4 feet and to 2.3 feet on Lecroy Drive.