
VARIANCE ANALYSIS

April 1, 2015

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

Tim Lee, Chairman
Bob Weatherford, District 1
Bob Ott, District 2
JoAnn Birrell, District 3
Lisa Cupid, District 4

COUNTY MANAGER

David Hankerson

COBB COUNTY BOARD OF ZONING APPEALS

Murray Homan
Skip Gunther
Kim Swanson
Christie Trombetti
Judy Williams

COBB COUNTY ZONING DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

Robert Hosack, Director, Community Development
John Pederson, Manager, Zoning Division



Cobb County... Expect the Best!

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

**A
G
E
N
D
A**

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING AGENDA
April 1, 2015

CONTINUED CASES

- V-3** **TOTAL IMAGING** (Desh Enterprises, Inc., owner) requesting a variance to: 1) allow an electronic sign on a property with less than 200 feet of road frontage on one road (171.64 feet on Roswell Road); 2) increase the maximum allowable impervious surface from 70% to 80%; and 3) increase the allowable sign area from 65 square feet to 94 square feet in Land Lot 899 of the 16th District. Located on the southwest corner of East Cobb Drive and Roswell Road (4360 Roswell Road). *(Previously continued by Staff)*
- V-40** **GLOBAL ATM SERVICES, LLC** (Due to numerous owners, a complete list of titleholders is available in the Zoning Office) requesting a variance to allow an accessory structure (proposed ATM) to be located to the front of the principal building in Land Lots 189 and 190 of the 18th District. Located on the northwest corner of Factory Shoals Road and Mableton Parkway (6200 Mableton Parkway). *(Previously continued by the Board of Zoning Appeals from their March 11, 2015 hearing)*

REGULAR CASES – NEW BUSINESS

- V-46** **THOMAS D. SMITH** (owner) requesting a variance to: 1) waive the setbacks for an accessory structure under 650 square feet (400 square foot building #1) from the required 10 feet adjacent to the northern side property line to 5 feet and from the required 35 feet adjacent to the rear property line to 8 feet; 2) waive the setbacks for an accessory structure under 650 square feet (400 square foot building #2) from the required 10 feet adjacent to the southern side property line to 2 feet and from the required 35 feet adjacent to the rear property line to 13 feet; and 3) waive the side setback for a building under 144 square feet (building #3) from 5 feet to 4.5 feet in Land Lots 999 and 1000 of the 19th District. Located on the north side of Westfield Drive, north of Williamsburg Court (4408 Westfield Drive).

- V-47 CALVIN AND KEIYAWNA WARD** (Keiyawna Ward and Calvin Ward, owners) requesting a variance to: 1) allow an accessory structure (car awning) to be located in front of principal structure (unattached); 2) waive the front setback for an accessory structure over 144 square feet from the required 35 feet to 12 feet; 3) waive the setback for an accessory structure (basketball court) from the required 10 feet to zero feet adjacent to the east property line and from the required 30 feet to 12 feet adjacent to the north property line; and 4) waive the setback for an existing tool shed (second accessory structure) from the required 5 feet to 3 feet in Land Lot 646 of the 19th District. Located on the north side of Ridgecrest Drive, west of Valley View Drive (3356 Ridgecrest Drive).
- V-48 MARK TISHLER** (Julia Travkin and Mark Tishler, owners) requesting a variance to allow an accessory structure (proposed pool and spa) to the side of the principal structure in Land Lot 897 of the 16th District. Located on the north side of Providence Road, east of Pine Road (3911 Providence Road).
- V-49 CLIFFORD MEINHARDT** (Clifford G. Meinhardt and Sharon K. Meinhardt, owners) requesting a variance to: 1) waive the front setback from the required 20 feet to 17.9 feet; 2) waive the rear setback from the required 30 feet to 22 feet; and 3) waive the maximum impervious surface from 45% to 55% in Land Lots 907 and 954 of the 17th District. Located on the north side of Courtyard Drive, south of Bainbridge Way (3828 Courtyard Drive).
- V-50 RALMARK, LP** (owner) requesting a variance to waive the minimum number of parking spaces from the required 1,190 to 1,047 in Land Lots 784, 785, and 801 of the 17th District. Located at the northern terminus of Laurel Valley Drive (Private), north of Terrell Mill Road, west of Interstate 75 (3500 Windcliff Drive).
- V-51 CAROL YOUNG** (Carol E. Young, owner) requesting a variance to: 1) waive the minimum public road frontage from the required 75 feet to 42.5 feet for lot 2; and 2) waive the front setback for proposed lot 2 from the required 40 feet to 35 feet in Land Lot 136 of the 1st District. Located on the southern side of Timber Ridge Road, west of Little Willeo Road (5010 Timber Ridge Road).

- V-52** **MARK WILLIAM AND SALLY STEWART MOHNEY** (Mark William Mohney and Sally Stewart Mohney, owners) requesting a variance to: 1) waive the side setback from the required 12 feet to 5 feet adjacent to the western property line (existing); and 2) waive the setbacks for an accessory structure over 650 square feet (proposed approximately 992 square foot carriage house) from the required 100 feet to 22 feet adjacent to the western property line and from the required 100 feet to 30 feet to the rear property line in Land Lots 972 and 973 of the 17th District. Located on the south side of Fairfax Court, north of Brandy Station (3892 Fairfax Court).
- V-53** **JACK AND CHERYL INGRAM** (Jack Ingram and Cheryl Ingram, owners) requesting a variance to: 1) waive the maximum impervious surface from the required 35% to 39.09%; and 2) allow an accessory structure (proposed pool) to the side of the principal structure in Land Lots 1050 and 1111 of the 16th District. Located at the western terminus of Clubland Terrace, west of Clubland Drive (3620 Clubland Terrace).
- V-54** **FRANKLIN E. BYRD** (Franklin E. Byrd, Martha Jo Byrd, Tony Carol Byrd and Donna Getgood Byrd, owners) requesting a variance to: 1) waive the public road frontage on lot 5 from the required 75 feet to 10 feet; 2) waive the minimum lot width at the front setback for lot 5 from the required 75 feet to 10 feet; 3) waive the front setback on lot 5 from the required 45 feet to 12 feet; 4) waive the rear setback on lot 5 from the required 40 feet to 12 feet; 5) waive the setback for an accessory structure over 650 square feet (proposed 2,500 square foot detached garage) on lot 5 from the required 100 feet to 14 feet adjacent to the northern property line; and 6) allow aforesaid structure to the side of the proposed primary structure on lot 5 in Land Lot 276 of the 20th District. Located on the south side of Kennesaw Due West Road, west of Burke Lake Road (738 Kennesaw Due West Road).
- V-55** **LEONARD AND ERIKA KIM** (Erika Y. Kim and Leonard Kim, owners) requesting a variance to: 1) waive the front setback from the required 35 feet to 24 feet (existing); and 2) waive the minimum lot size from the required 15,000 square feet to 13,836 square feet (existing) in Land Lot 426 of the 16th District. Located on the southeast corner of Bells Ferry Road and Chastain Manor Way (3402 Chastain Manor Way).

- V-56** **E. E. PENNINGTON** (E. Earl Pennington, M.D. and Patricia M. Pennington, owners) requesting a variance to: 1) waive the minimum public road frontage from the required 75 feet to 60 feet for proposed lot; and 2) waive the minimum lot width at front setback line from the required 75 feet to 59 feet for proposed lot in Land Lot 1262 of the 16th District. Located at the northern terminus of Thunderbird Trace, north of Thunderbird Drive (290 Thunderbird Trace).
- V-57** **BURGER KING** (Johnny L. Roper and Betty J. Roper, owners) requesting a variance to allow a wall sign to project more than 24 inches from the building surface on which it is attached in Land Lot 27 of the 19th District. Located at the southwest intersection of Ernest Barrett Parkway and Dallas Highway (2495 Dallas Highway).
- V-58** **VININGS OVERLOOK, LLC** (Atlantic Capital Bank, owner) requesting a variance to waive the maximum building height from 52 feet and no more than four stories to allow five stories and approximately 68 feet in Land Lots 885 and 909 of the 17th District. Located on the west side of Overlook Parkway, north of Paces Ferry Road.
- V-59** **MATTHEW T. KUHN** (Sherry L. Kuhn and Steven P. Kuhn, owners) requesting a variance to: 1) waive the setback for an accessory structure over 650 square feet (proposed approximately 1,250 square foot two story garage) from the required 100 feet to 28 feet adjacent to the western property line and from the required 100 feet to 10 feet adjacent to the rear property line; and 2) allow an additional electric meter on a residential lot in Land Lot 770 of the 16th District. Located on the southwestern corner of Beaver Brook Lane and Beaver Dam Lane (1908 Beaver Dam Lane).
- V-60** **CIS MARIETTA, LLC** (owner) requesting a variance to increase the maximum allowable sign area from 132 square feet (previous variance case V-106 of October 1, 2014) to 143.75 square feet in Land Lot 851 of the 17th District. Located on the east side of Corporate Plaza Parkway, south of Windy Hill Road (2221 Corporate Plaza Parkway).

- V-61** **FRANK MADONIA** (Frank Madonia and Rosalee V. Madonia, owners) requesting a variance to waive the maximum impervious surface from the required 35% to 38% in Land Lot 224 of the 1st District. Located on the south side of Saint Lyonn Courts, west of Saint Lyonn Place (932 Saint Lyonn Courts).
- V-62** **PAUL MANLEY** (Paul F. Manley, Jr., owner) requesting a variance to: 1) waive the public road frontage from 75 feet to zero feet (for lot 6); and 2) allow a second house off a private easement in Land Lot 772 of the 16th District. Located on the eastern side of East Piedmont Road (1800 East Piedmont Road).
- V-63** **SCOTT MAURER** (Scott Maurer and Monica Maurer, owners) requesting a variance to waive the rear setback from the required 35 feet to 29 feet in Land Lots 172 and 173 of the 19th District. Located at the southern terminus of Paces Farm Trail, south of Hoyle Farm Drive (923 Paces Farm Trail).
- V-64** **KERLEY FAMILY HOMES** (Kerley Family Homes at HR, LLC, owner) requesting a variance to waive the distance between houses from the required 15 feet to 14.4 feet in Land Lot 983 of the 19th District. Located on the south side of Lynne Road, east of Lynne Drive (3311 Lynne Road).
- V-65** **MRK BARRETT CREEK, LLC** (owner) requesting a variance to waive the rear setback from the required 30 feet to 28 feet in Land Lot 643 of the 16th District. Located on the south side of Ernest Barrett Parkway, east Barrett Creek Boulevard (125 Ernest Barrett Parkway).
- V-66** **LARRY SEAWRIGHT** (owner) requesting a variance to: 1) allow an accessory structure (existing frame shed) to be closer to the side street right-of-way line than the principal building; and 2) waive the rear setback from the required 35 feet to 23 feet in Land Lot 488 of the 18th District. Located at the northern intersection of Kathryn Court and Sibyl Drive (6982 Sibyl Drive).

- V-67** **COVERED BRIDGE AT BARNES MILL CONDOMINIUM ASSOCIATION, INC.** (Covered Bridge at Barnes Mill Master Association, Inc., owner) requesting a variance to reduce landscape buffer from 40 feet to 30 feet to allow permeable flagstone patios and sodded rear yards to be allowed within the 40 foot landscaped buffer in Land Lots 48 and 97 of the 17th District. Located on the north side of Aunt Lucy Lane, east of Fisher Drive, and at the southern terminus of Russell Street (625 Aunt Lucy Lane - Units 1, 2, and 3).
- V-68** **COUNTRY PLANTATION HOA** (Country Plantation Homeowners Association, Inc., owner) requesting a variance to waive the setback for neighborhood recreation centers from the required 100 feet to 15 feet in Land Lot 206 of the 16th District. Located at the western terminus of Allison Jane Drive, west of Scarlet Drive (4276 Allison Jane Drive).
- V-69** **JULIE’S PLAZA, LLC** (owner) in Land Lot 902 of the 16th District. Located on the east side of East Cobb Drive, north of Johnson Ferry Road (1344 East Cobb Drive). **WITHDRAWN BY STAFF**

HELD CASE

- V-42** **MICHAEL AQLEH** (Camelot Properties, LLC, owner) requesting a variance to: 1) allow an accessory structure (existing 897 square foot detached garage) to be located to the side of the principal building; and 2) waive the side setback for an accessory structure over 650 square feet (existing 897 square foot detached garage) from the required 100 feet to 4 feet adjacent to the southern property line in Land Lot 894 of the 19th District. Located on the west side of Hiram Lithia Springs Road, south of Morris Road (3962 Hiram Lithia Springs Road). *(Previously held by the Board of Zoning Appeals from their March 11, 2015 hearing).*

OTHER BUSINESS

ITEM OB-01

To amend the variance minutes regarding variance application V-115 of 2014 (William Stewart Bruce) for property located on the south side of Yale Court, east of Courtyard Drive, and south of Tanglewood Drive in Land Lot 907 of the 17th District (2901 Yale Court).

ITEM OB-02

To consider amending the site plan for variance application V-91 of 2014 (Julie's Plaza, LLC) for property located on the east side of East Cobb Drive, north of Johnson Ferry Road in Land Lot 902 of the 16th District.