



**APPLICANT:** Mark William and Sally Stewart Mohney

**PHONE:** 404-217-2038

**REPRESENTATIVE:** Janet S. Todd

**PHONE:** 404-372-4811

**TITLEHOLDER:** Mark William Mohney and Sally Stewart Mohney

**PROPERTY LOCATION:** On the south side of Farifax Court, north of Brandy Station (3892 Fairfax Court).

**PETITION No.:** V-52

**DATE OF HEARING:** 04-01-2015

**PRESENT ZONING:** R-30

**LAND LOT(S):** 972, 973

**DISTRICT:** 17

**SIZE OF TRACT:** 0.73 acre

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 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.

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

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

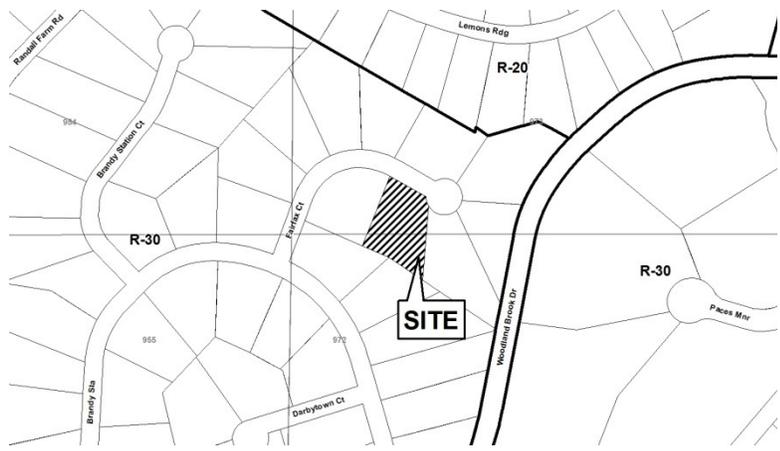
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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**COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** No comment.

**SITE PLAN REVIEW:** If this variance request is approved, a subdivision plat revision must be recorded prior to the issuance of the certificate of occupancy showing all improvements on the lot and referencing the variance case in the standard plat revision note. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

**STORMWATER MANAGEMENT:** This parcel is located within the ARC Chattahoochee River Corridor and is therefore subject to the provisions of the Metropolitan River Protection Act. Although the County's R-30 Zoning Category allows up to 35% impervious coverage, the ARC review for the Brandy Station Subdivision limits this lot to 16.2%. It appears that the existing lot is already at this limit.

**HISTORIC PRESERVATION:** After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

**DESIGN GUIDELINES:** No comment.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

**SEWER:** No conflict.

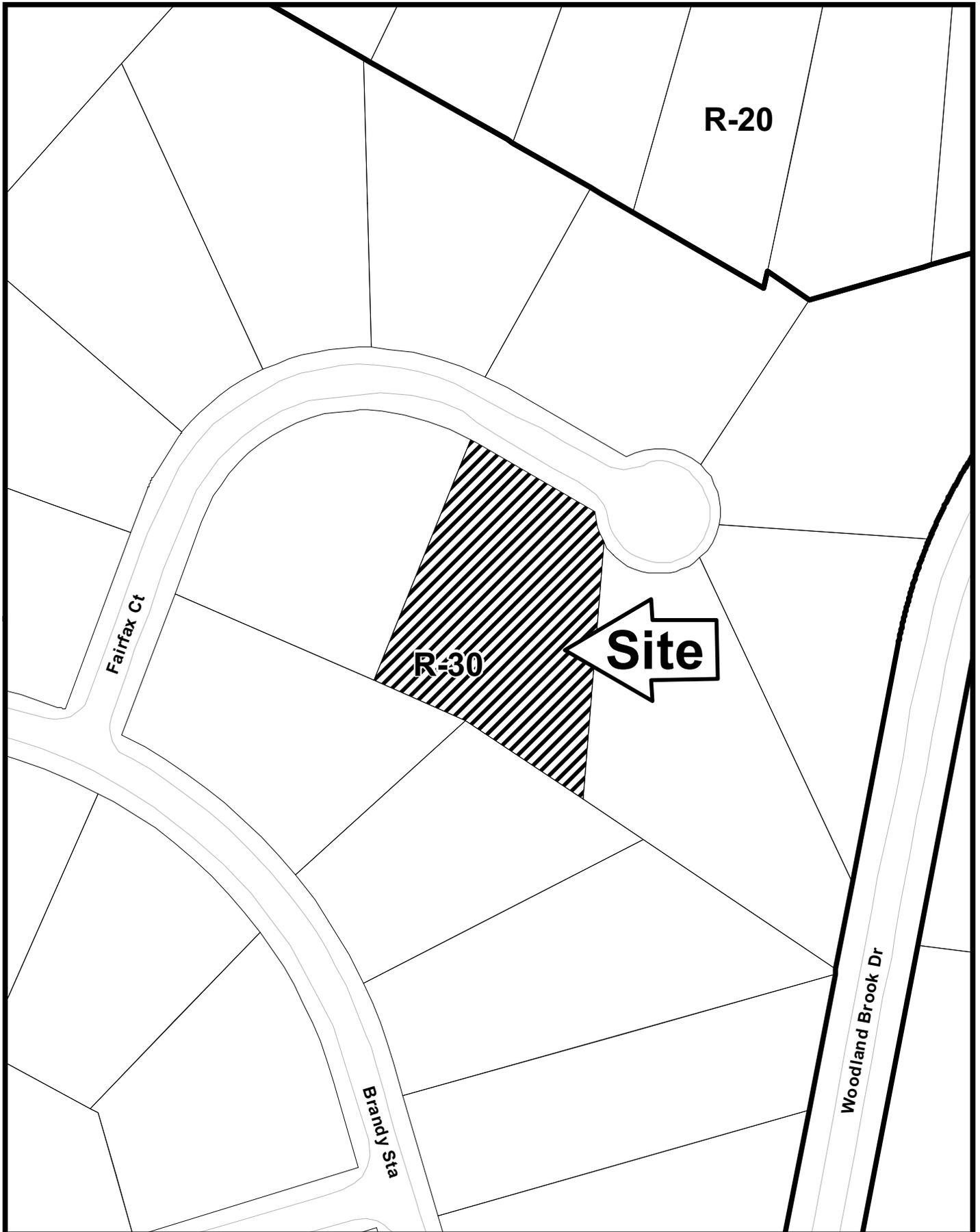
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

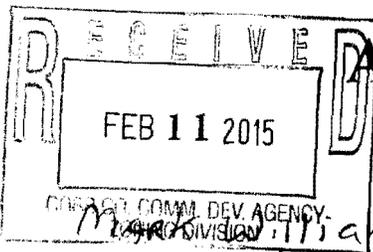
# V-52



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



-  City Boundary
-  Zoning Boundary



# Application for Variance Cobb County

(type or print clearly)

Application No. V-52  
Hearing Date: 4-1-15

Applicant Sally Stewart Mohney Phone # (404) 217-2038 E-mail SSM42@aol.com

Janet S. Todd Address 3850 Fisher Dr. Smyrna, GA 30088  
(representative's name, printed) (street, city, state and zip code)

Janet S. Todd Phone # 404-372-4811 E-mail janet-todd@att.net  
(representative's signature)

My commission expires: 7-12-2018



Signed, sealed and delivered in presence of: [Signature]  
Notary Public

Titleholder Sally Stewart Mohney Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Signature [Signature] Address: 3892 Fairfax Ct. SE, Atlanta, GA 30339  
(attach additional signatures, if needed) (street, city, state and zip code)

MARK William Mohney Leonard Butts Jr  
My commission expires: 6-10-2016 NOTARY PUBLIC  
Cobb County, GA  
My Comm. Expires June 10, 2016 Notary Public

Present Zoning of Property R 3

Location 3892 Fairfax Ct. SE, Atlanta, GA 30339  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 972 and 973 District 17th, 2nd Sec Size of Tract 0.731 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).

There is a pipeline easement running all the way across the property making it impossible to locate the proposed structure in any way that wouldn't require a variance

List type of variance requested:  
Variance from 100 Ft setback to 30.5 feet + 22.1 feet