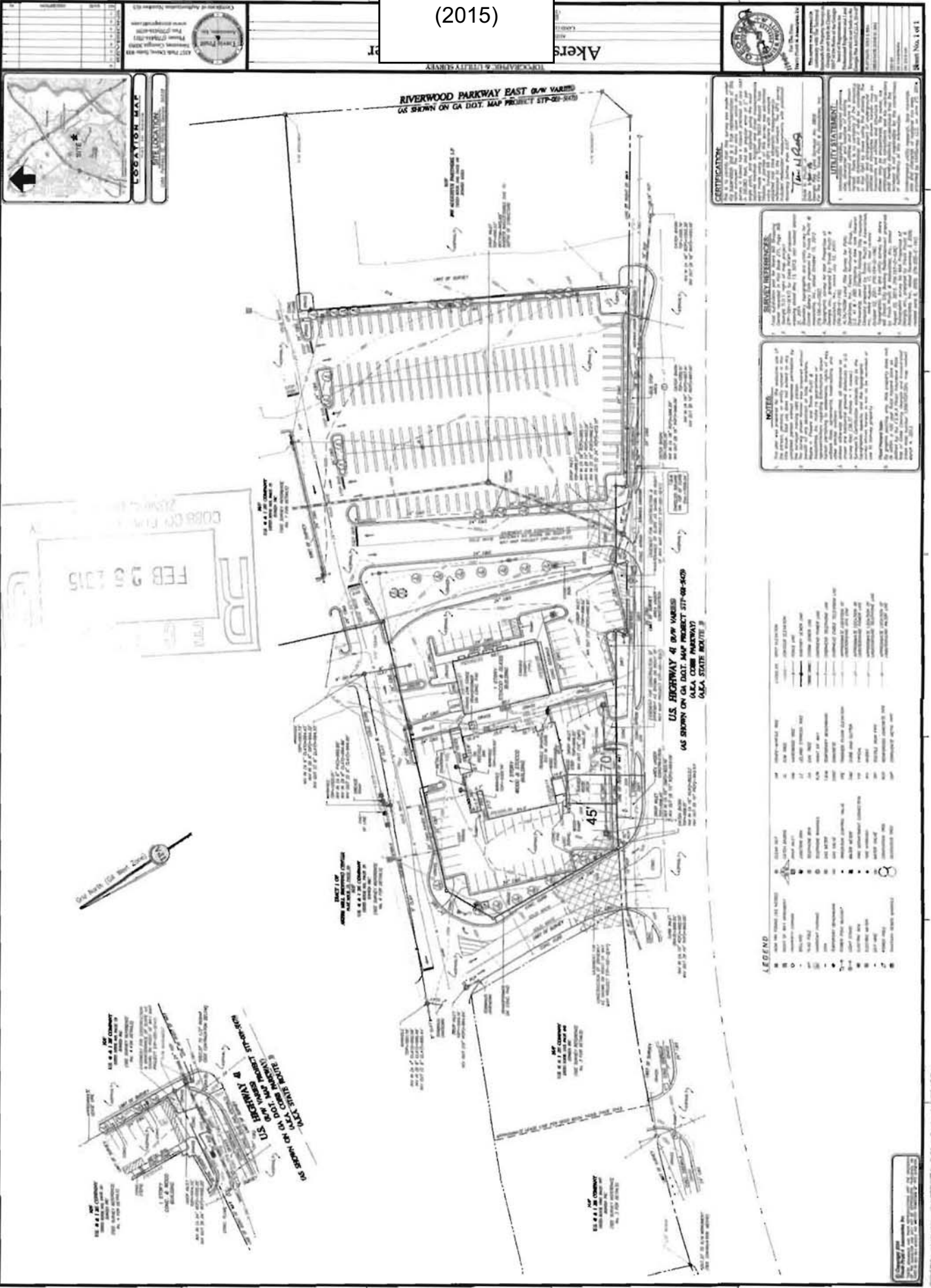


V-70  
(2015)



**LOCATION MAP**  
 PROJECT LOCATION  
 PROJECT NUMBER: V-70  
 PROJECT DATE: FEB 28 2015

**CERTIFICATION:**  
 I, the undersigned, being a duly Licensed Professional Engineer in the State of Georgia, do hereby certify that I am the author of the foregoing and that the same are true and correct to the best of my knowledge and belief.

**DATE:** 2/28/15  
**NAME:** [Signature]

**NOTES:**  
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
 2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

**LEGEND:**  
 1. 1" = 120'  
 2. 1" = 120'  
 3. 1" = 120'  
 4. 1" = 120'  
 5. 1" = 120'

Scale: 1" = 120'

**APPLICANT:** Hooters - Fred Sigmund  
**PHONE:** 770-858-1549  
**REPRESENTATIVE:** Brent Forte  
**PHONE:** 855-525-6264  
**TITLEHOLDER:** US 41 & I 285 Company  
**PROPERTY LOCATION:** On the north side of Cobb Parkway, west of Riverwood Parkway (2977 Cobb Parkway Southeast).

**PETITION No.:** V-70  
**DATE OF HEARING:** 05-13-2015  
**PRESENT ZONING:** GC  
**LAND LOT(S):** 979  
**DISTRICT:** 17  
**SIZE OF TRACT:** 0.63 acre  
**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** Waive the front setback from the required 50 feet to 45 feet.

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

**BOARD OF APPEALS DECISION**

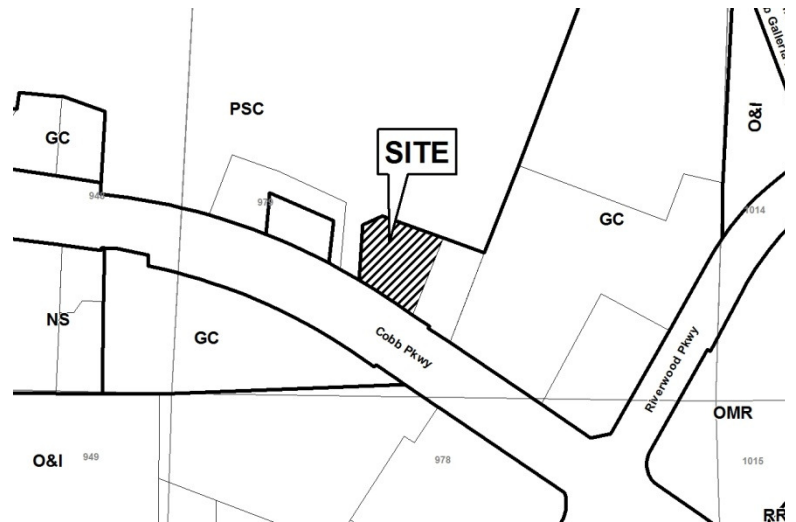
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

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

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

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

\_\_\_\_\_  
\_\_\_\_\_



**APPLICANT:** Hooters - Fred Sigmund

**PETITION No.:** V-70

\*\*\*\*\*

**COMMENTS**

**TRAFFIC:** Recommend Georgia DOT permits for all work that encroaches upon State right-of-way.

**DEVELOPMENT & INSPECTIONS:** No comment.

**SITE PLAN REVIEW:** No comment.

**STORMWATER MANAGEMENT:** No comment.

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

**DESIGN GUIDELINES:** No comment.

**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

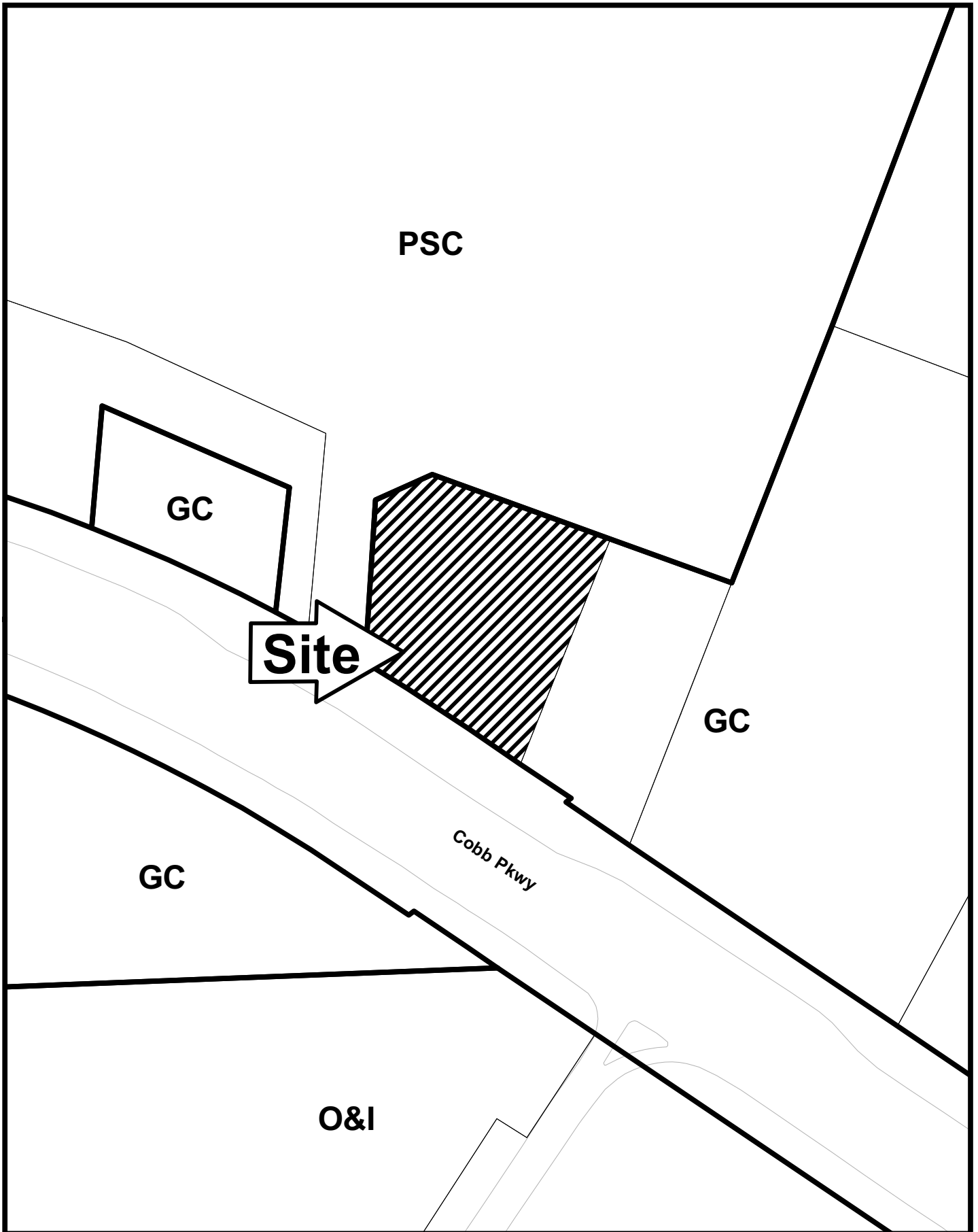
**SEWER:** No conflict.

**APPLICANT:** Hooters - Fred Sigmund      **PETITION No.:** V-70

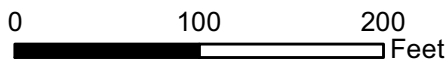
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

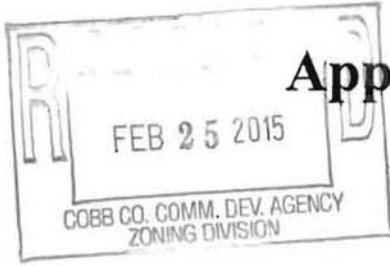
# V-70



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. \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Applicant Hooters - Fred Sigmund Phone # 770-858-1549 E-mail FSigmund@Hooters.com

Patrick Huyge & Brent Porte with Site Enlacement Services as Acting Agent(s)

Address 6001 Nintz Parkway, South Bend, IN 46628

(representative's name, printed)

(street, city, state and zip code)

Phone # 855-525-6264 E-mail ambased@hanging.com

(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: 8-26-2017

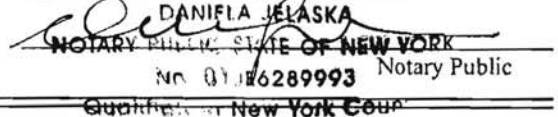


Titleholder US 41 & I-285 Company LLC Phone # (212) 935-1330 E-mail adam@hanging.com

Signature Address: 600 Madison Ave, 14th Floor  
(attach additional signatures, if needed) (street, city, state and zip code) New York, NY 10022

Signed, sealed and delivered in presence of:

My commission expires: October 7, 2017



Present Zoning of Property GC - General Commercial My Commission Expires October 7

Location 2977 Cobb Pkwy SE Atlanta, GA 30339  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 979 District 17 Size of Tract 0.633 Acre(s)

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

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

The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

See attachment A.

List type of variance requested: The variance requested is to provide relief for a building structure due to an existing setback encroachment. This request will also allow for the installation of the new entrance which will compliment the surrounding streetscape.

**Attachment A**

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

This is an odd shaped parcel with a southwest property line that becomes narrower as it encroaches Cobb Parkway. The setback of the current structures have existed without impeding the safety of motorists and pedestrians. This request is to simply remove the current entrance canopy and replace it with a new structure that utilizes the same setbacks and supporting structures. Also, with the recent improvements to Cobb Parkway, this has further restricted this parcels ability to make improvements.

**B. The application of this chapter to this particular piece of property would create an unnecessary hardship;**

Hooters respectfully requests to maintain and improve their brand integrity by utilizing the proposed new entry that will replace the current entrance canopy. While Hooters recognizes the intent of the setback requirements, it is felt that the proposal of the new entrance will produce an aesthetically pleasing addition to this corridor and reinforce the intent of a pedestrian friendly environment. This proposal maintains the current setback that is currently being utilized by the existing structure on this parcel, which is also commonly enjoyed by the surrounding properties. Not allowing the alteration to the main entrance, due to the setback encroachment that is outlined in the commercial district regulations, would be damaging to this property and business as it would not allow for the reinvestment back into the property and community.

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

Currently the entrance is approximately 45 feet setback from the line of right of way and is also approximately 70 feet from the curb line. This parcel is an odd shape and becomes narrower on the south west portion that faces Cobb Parkway. Recently, the portion of Cobb Parkway that is adjacent to this parcel was expanded to include additional lanes, which reduced the setback of all present structures. The proposal is to remove the current canopy/overhang that is located above the main pedestrian entrance and to replace it with a new entrance structure in the same location. The setback will not be increased and will still be contained within the existing deck.

**D. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter.**

Approval of the proposal will not be detrimental to the neighborhood and the spirit of the Zoning Ordinance and the General Commercial Distract. The purpose of the Zoning Ordinance is to create a visual environment that is aesthetically pleasing and promotes public safety. The intent of this specific chapter is to provide adequate setback for structures that abut roadways, surrounding structures, sidewalks, or other features that require separation due to safety for those traveling in or through Cobb County. It also specializes in providing locations for retail commercial and service uses that have access to major roadways. Hooters feels that this request will blend well with the surrounding area, the commercial district and provide a benefit for the pedestrians and motorists who use this Cobb Parkway. The proposal will also reinforce and protect this property's value, as it will be an investment into the property and it will not cause any unsafe circumstances.

SPRINKLER SYSTEM REQUIRED FOR ENTRY.

EXISTING SPRINKLER SYSTEM TO BE REMOVED AND THEN REPLACED AFTER PATIO ENTRY IS INSTALLED.



**AWNEX**  
Atlanta - Charlotte - St. Louis  
Ball Ground, Ga. 30107  
www.awnexc.com  
PH: 770-704-7140 Fax: 770-704-7647



REGISTERED PROFESSIONAL ENGINEER  
No. 26308  
ROBERT A. WARR

REV	DATE	BY	DESCRIPTION

PROJECT NAME: HOOTERS - CUMBERLAND, GA (JOB #3814)  
DRAWING NAME: PROPOSED FRONT ELEVATION  
CUSTOMER: HOOTERS OF AMERICA, LLC  
SHIPPING ADDRESS: HOOTERS - CUMBERLAND, GA  
2917 WALTON ROVERWOOD LN SE  
ATLANTA, GA 30339  
CONTRACTOR: HOOTERS OF AMERICA, LLC  
1615 THE EXCHANGE  
ATLANTA, GA 30339  
CONTACT: BETH BOSTER  
PHONE: 770-601-2640  
FAX: 770-601-2640  
CELL: 770-601-2640  
DWG BY: PDB  
CHK BY: RAW  
DATE BY: 02/04/15  
SCALE: NTS  
SHEET NO: P-1.01

