

APPLICANT:	Manzoor Haque	PETITION No.:	V-122
PHONE:	678-522-2198	DATE OF HEARING:	09-11-2015
REPRESENTATIVE: Salama Shelton		PRESENT ZONING:	GC
PHONE:	770-790-3655	LAND LOT(S):	763, 764, 821
TITLEHOLDER: Sean Enterprise, LLC		DISTRICT:	17
PROPERTY LOCATION: On the north side of		SIZE OF TRACT:	1.23 acres
Brownwood Lane, between Beech Haven Trail and Atlanta Road		COMMISSION DISTRICT:	2
(4641 South Atla	anta Road).	_	
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TYPE OF VARIANCE: 1) Waive the major side setback from the required 25 feet to zero feet adjacent to Beech Haven Trail for the proposed dumpster enclosure; 2) waive the maximum allowable impervious surface from the required 70% to 76%; 3) waive the front setback from 40 feet to 10 feet adjacent to Brownwood Lane; 4) waive the major side setback from the required 25 feet to 5 feet adjacent to Atlanta Road for the car care center; 5) waive the landscape enhancement strip along areas adjacent to right-of-way and parking areas from the required 8 feet to 3 inches; 6) allow an accessory structure (dumpster enclosure) to be in front of the primary structure; 7) increase the maximum size of a convienance store with fuel sales from 3,000 square feet to 3,600 square feet.

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

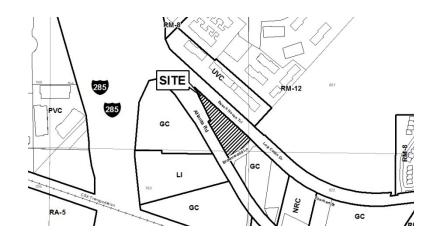
## **BOARD OF APPEALS DECISION**

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

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

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

STIPULATIONS:



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\*

## **COMMENTS**

**TRAFFIC:** Recommend no parking on the right-of-way.

Recommend any landscaping to be installed where it will not impede the line of sight for the driveways or roadways.

Recommend no additional access.

Any easement agreements with GDOT will need to remain valid.

**DEVELOPMENT & INSPECTIONS:** No comment.

SITE PLAN REVIEW: No comment.

**STORMWATER MANAGEMENT:** Subject to stormwater management requirements to be determined at Plan Review.

**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.

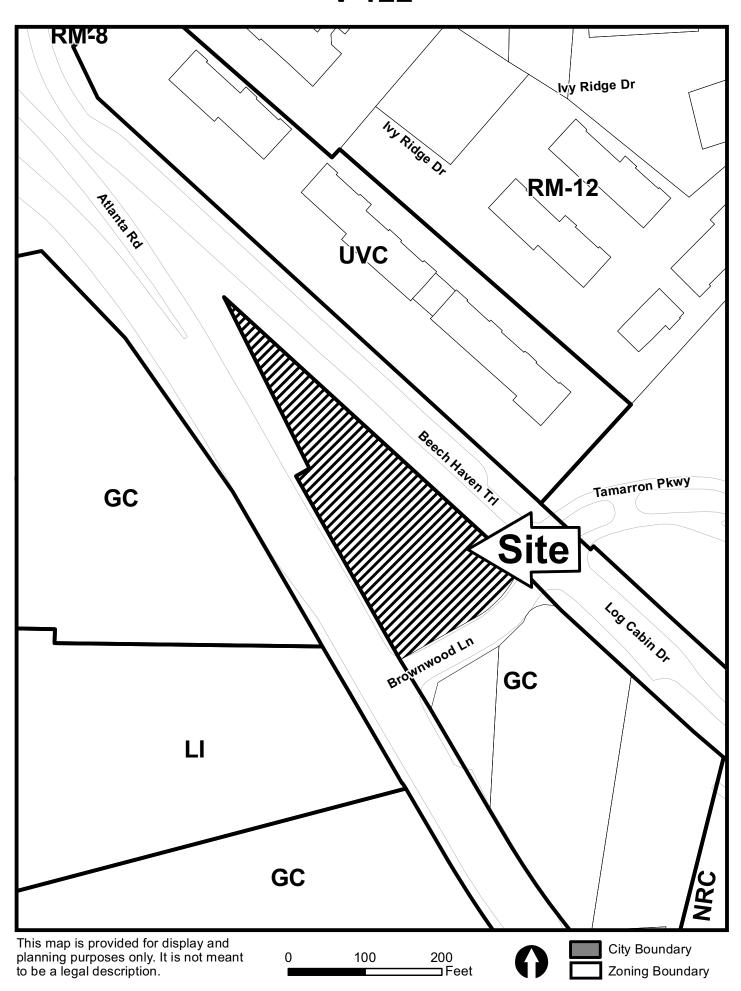
**CEMETERY PRESERVATION:** No comment.

**WATER:** "Drive Thru Base Station" is located in a Cobb County Marietta Water Authority easement, and will require their review/approval. A utility locate will be required prior to construction of structures on Beech Haven Trail right-of-way (ROW) line to confirm location of Cobb County Water System (CCWS) 16 inch water main.

**SEWER:** No conflict.

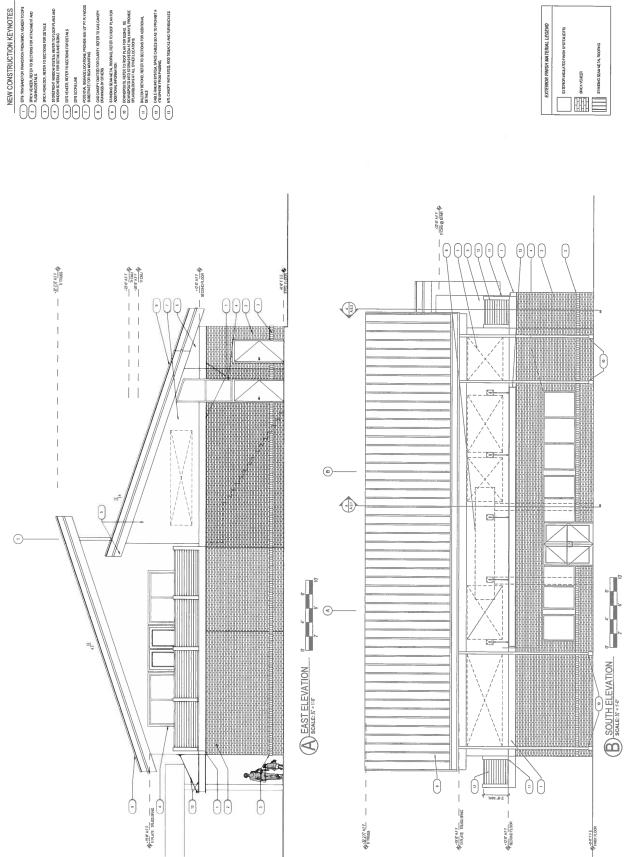
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.



Application for Variance
JUL - 9 2015 Cobb County
(type or print clearly)  Application No. V-122  Hearing Date: 9-11-15
Applicant Manzour Haque Phone # (678) 522-2198 E-mail manzour haque @ gmail. W
Salama Shelton Address 1480 Shiloh Rd NW Kennesaw, GA 30144
(street, city, state and zip code)  (street, city, state and zip code)  (representative's signature)  (representative's signature)  (street, city, state and zip code)  (representative's signature)
My commission expires:  Signed, sealed and delivered in presence of:  Notary Public
Titleholder Sean Enterprises, Ill Phone # (678) 522-2198 E-mail Manzoor haque @gmail.com
Signature Address: 464 S. At 14 nta Rd At 14 nta, GA 30080 (street, city, state and zip code)
My commission expires:  Signed, sealed and delivered in presence of:  Notary Public
Present Zoning of Property General Present Zoning of Property
Location 4(A) S. Atlanta Rd Atlanta, GA 30080 (street address, if applicable; nearest intersection, etc.)
Land Lot(s) 763, 764, 82   District 17   Size of Tract 1.22754 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 PropertyOtherOther
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).  [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: 1) Zoning Setbacks; 2) Impervious Surface; 3) queue Spaces; 4) Landscape Strips

Revised: March 5, 2013



NEW CONSTRUCTION KEYNOTES

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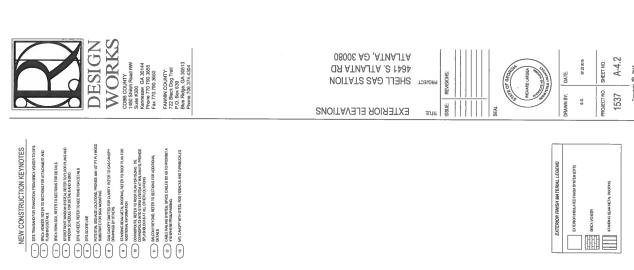
FANNIN COUNTY: 722 Black Dog Trail P.O. Box 639 Blue Ridge, GA 30513 Phone 706.374.4304

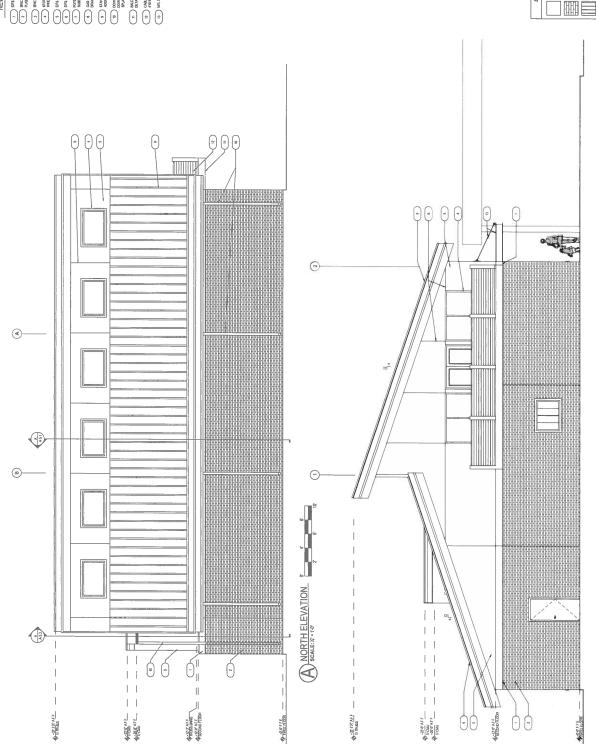
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**EXTERIOR ELEVATIONS** 

A-4.1





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July 8, 2015

Salama Shelton 1480 Shiloh Rd Kennesaw, GA 30144

Subject: Shell Gas Station | Variance Application

To whom it may concern:

JUL - 9 2015

The following statement is provided on behalf of our client, Manzoor Haque, in order to explain how the application of the zoning ordinances to the site without variances would create unnecessary hardship.

V-122 (2015)

Due to the constraints on Manzoor Haque's existing site and the GDOT's construction impediment within his property boundary, we are requesting variances in an effort to improve the conditions of his site. The proposed project would require variances regarding zoning setbacks, impervious surface, queue space count, and landscaping strips along new paving.

One of our biggest challenges is the relocation of the hand car wash building. Currently, the new Atlanta Rd access point installed by GDOT forces traffic to flow directly into the existing hand car wash building. It must be relocated in order to allow better circulation on the site. The 25' major side setback requirements paired with the easement locations makes relocation very difficult. The hand car wash service is a productive component of his business, and there is a high volume of customers serviced in the community. Therefore, relocation of this building is of high priority to the owner. The location we selected would require a setback variance approval due to its close proximity to the property line. Please note that the 10' water easement setback has been addressed on the north facing side of the proposed Care Care Center.

The required parking count of 29 spaces has been accommodated with this design; however, the five queuing spaces required for the Car Care Center poses a challenge given our narrow site. As previously mentioned, the Car Care Center has limited space, and a variance for required queuing spaces would allow the client to keep the functionality of his hand car wash building and also offer emissions testing on site.

The 8' landscaping strip requirement mentioned in our site concept meeting has been addressed in areas where we found it possible. There are some areas on the site that do not have the 8' landscaping strip between the property line and the new paving. The inclusion of the landscaping strips was restricted due to the priority of allotting space for the 24' drives throughout the site and the required parking count.

Based on our proposed site plan, the impervious surface area is at 76%. Please note that after GDOT acquired the R/W from the property, the site became 73% impervious. Although the impervious requirement of 70% is not currently met, our design offers more accessible green space which makes this site more pedestrian-friendly and welcoming.

Our design process this far, has been very difficult due to the additional restrictions resulting from GDOT's construction and impediment on the site. This R/W acquired by GDOT, the triangular shaped site along with gas and water easements have challenged us to come up with a design that allows the owner to improve the conditions of his site while also remaining a competitive and innovative businessperson. The design was based not only on the owner's planned site improvements, but also the Atlanta Road Design Guidelines.

Sincerely,

Salama Shelton