
VARIANCE ANALYSIS

January 13, 2016

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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Cobb County... Expect the Best!

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**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING AGENDA
JANUARY 13, 2016**

CONTINUED CASES

- V-82¹⁵** **PHILLIP WALLACE** (owner) requesting a variance to: 1) allow an accessory structure (approximately 340 square foot portable carport) to the side of the principal building; 2) allow parking and/or access to parking areas in a residential district on a non-hardened surface; 3) reduce the required amount of public road frontage from 75 feet to 34 feet; and 4) reduce the rear setback for the carport from 35 feet to 18 feet in Land Lot 76 of the 18th District. Located on the north side of Francis Circle, west of Garner Road (414 Francis Circle). *(Held by the Board of Zoning Appeals from their May 13, 2015 hearing and continued by the Board of Zoning Appeals from their August 12, 2015 and December 9, 2015 hearings until their May 11, 2016 hearing; therefore will not be considered at this hearing)*
- V-140¹⁵** **EZ 69 RH WINDY HILL, LLC** (owner) requesting a variance to: 1) waive the side setbacks for a sign; and 2) allow a sign closer to the centerline of the roadway than the code permits in Land Lots 851 and 852 of the 17th District. Located on the north side of Windy Hill Road and on the east side of South Park Place, west of Interstate 75 (2055 South Park Place). *(Continued by Staff until the March 9, 2016 Board of Zoning Appeals hearing; therefore will not be considered at this hearing)*
- V-153¹⁵** **REX D. HOWTON** (owner) requesting a variance to: 1) waive the maximum allowable impervious surface from 35% to 56.14%; 2) waive the setback for an accessory structure over 650 square feet (existing approximately 960 square foot frame bath house with overhang) from the required 100 feet to 18 feet adjacent to the southern property line; and to 50 feet from the rear; and 3) waive the setback for an accessory structure over 650 square feet (proposed approximately 1,400 square foot garage with overhang) from the required 100 feet to six feet adjacent to the northern property line; and to 65 feet from the rear in Land Lot 245 of the 20th District. Located on the east side of Valley Reserve, south of Mountain Reserve (1381 Valley Reserve). *(Held by the Board of Zoning Appeals until their December 9, 2015 hearing and continued by Staff until the February 10, 2016 Board of Zoning Appeals hearing; therefore will not be considered at this hearing)*

REGULAR CASES – NEW BUSINESS

- V-1** **WARREN J. BLAIR** (owner) requesting a variance to waive the side setback from the required 10 feet to nine feet adjacent to the north property line in Land Lot 1121 of the 16th District. Located on the west side of Indian Hills Trail, north of Lower Roswell Road (343 Indian Hills Trail).
- V-2** **ARTURO A. ARAQUE** (Auturo Anibal Araque Cepeda and Maria Cristina Moreno Espinosa, owners) requesting a variance to waive the minor side setback from the required 10 feet to four feet adjacent to the southeast property line in Land Lot 141 of the 1st District. Located at the southeast intersection of Lake Colony Drive and Colony Drive (1222 Colony Drive).
- V-3** **PATRICK ARNOLD** (Patrick A. Arnold and Amanda H. Arnold, owners) requesting a variance to waive the rear setback from the required 40 feet to 34 feet in Land Lot 891 of the 17th District. Located on the western corner of Rebel Valley View and Sedberry Hill Court (4763 Sedberry Hill Court).
- V-4** **MICHAEL AND KIKI MISSAILIDIS** (Michael A. Missailidis and Kiki Missailidis, owners) requesting a variance to waive the rear setback from the required 30 feet to 22 feet in Land Lot 157 of the 1st District. Located at the eastern terminus of Bedford Oaks Court, and on the north side of Lower Roswell Road (5126 Bedford Oaks Court).
- V-5** **CLAUDIA JAHN** (Kerley Family Homes at HR, LLC, owner) requesting a variance to waive the side setback from the required 35 feet to 26 feet in Land Lot 350 of the 16th District. Located on the west side of Canton Road, south of Coventry Drive (3601 Canton Road).

- V-6** **DON MCKINLAY** (Donald J. McKinlay and Cynthia McKinlay, owners) requesting a variance to: 1) waive the front setback from the required 35 feet to 27 feet; 2) allow a shed to the side of the primary structure; and 3) waive the setback for a shed under 144 square feet from five feet to three feet in Land Lot 94 of the 20th District. Located on the southern side of Stonehenge Court, east of Creekwood Crossing (1381 Stonehenge Court).
- V-7** **PATRICIA BURBERRY** (Patricia O. Burberry, owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to 13 feet; 2) waive the side setback from the required five feet to four feet adjacent to the west property line; and 3) increase the maximum allowable impervious surface from 40% to 54% in Land Lot 8 of the 1st District. Located on the northeast side of Fountain Drive, west of Woodlawn Drive (4581 Fountain Drive).
- V-8** **TABATHA WELLS** (Tabatha Maria Wells, owner) requesting a variance to waive the rear setback for an accessory structure under 650 square feet (approximately 238 square foot wooden building under construction) from the required 30 feet to 10 feet in Land Lot 310 of the 17th District. Located on the northern side of Hurt Road, east of Kenland Road (423 Hurt Road).
- V-9** **MCEACHERN MEMORIAL UNITED METHODIST CHURCH** (Trustees of the McEachern Memorial United Methodist Church, owners) requesting a variance to: 1) waive the setback requirement for a homeless shelter operated by a church from the required 500 feet from the nearest single-family residence to 350 feet; 2) reduce the building setback from the required 50 feet to zero feet at the southeast property line; and 3) reduce the landscape buffer from the required 50 feet to zero feet at the southeast property line in Land Lots 460 and 461 of the 19th District. Located at the southeast intersection of New Macland Road and Macland Road, and on the west side of Old Villa Rica Road (4075 Macland Road).

- V-10** **P & L BARRETT LP** (owner) requesting a variance to allow an accessory use (proposed two level parking deck) to be located to the front and side of the principal structure in Land Lot 209 of the 20th District. Located at the southeast corner of Lodge Road and Greens Chapel Road (265 Lodge Road).
- V-11** **RACETRAC PETROLEUM, INC.** (owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to five feet; 2) waive the landscape enhancement strip from the required eight feet to one foot as shown on site plan; 3) sign variance to allow the RaceTrac logo at the building entrance overhang; 4) allow canopy signs to be located within the front setbacks; 5) exceed the 50% window cling coverage Section 134-313(p)(5); and 6) exceed the 120 square foot total sign area in Land Lot 55 of the 20th District. Located on the east side of Wade Green Road, north of George Busbee Parkway (4350 and 4420 Wade Green Road).
- V-12** **CRAIG N. ROBSON** (Craig Robson and Angelia Robson, owners) requesting a variance to: 1) waive the rear setback for an accessory structure under 650 square feet (proposed 600 square foot garage) from the required 35 feet to 10 feet; 2) allow an accessory structure (proposed 600 square foot garage) to the side of the principal structure; and 3) increase the maximum allowable impervious surface from the required 35% to 44.49% in Land Lots 954 and 973 of the 17th District. Located on the western terminus of Lemons Ridge, south of Paces Ferry Road (3150 Lemons Ridge).
- V-13** **LILIANA NICHOLLS GRANT** (Matthew P. Grant and Liliana P. Nicholls Grant, owners) requesting a variance to: 1) waive the front setback from the required 60 feet to 58 feet; 2) waive the side setback for an accessory structure over 650 square feet (approximately 900 square foot garage) from the required 100 feet to 18 feet adjacent to the north property line; and 3) waive the side setback for an accessory structure over 650 square feet (tennis court) from the required 100 feet to 10 feet adjacent to the south property line in Land Lots 998 and 1043 of the 17th District. Located on the eastern side of Shadowlawn Road, north of Paper Mill Road (455 Shadowlawn Road).

- V-14** **OLSHAN PROPERTIES** (U.S. 41 & I 285 Company, LLC., owner) requesting a variance to waive the landscape enhancement strip from the required eight feet to zero feet in Land Lot 979 of the 17th District. Located on the north side of Cobb Parkway, west of Riverwood Parkway (2997 South Cobb Parkway).
- V-15** **MITCHELL NIMEY** (owner) requesting a variance to: 1) waive the minimum public road frontage from the required 75 feet to 37 feet for tracts 1 and 2; 2) waive the minimum lot width at front setback from the required 75 feet to 37 feet for tracts 1 and 2; 3) allow an accessory structure (barn) to the front of the principal structure (proposed house and garage) on tract 2; and 4) waive the side setback for an accessory structure over 650 square feet (barn) from the required 100 feet to 88 feet adjacent to the north property line on tract 2 in Land Lot 395 of the 17th District. Located on the western side of Burdette Road, north of Pebblebrook Road (5486 Burdette Road).
- V-16** **EARL E. SMITH** (Earl Edward Smith, as Trustee of the Earl Edward Smith Revocable Trust, owner) requesting a variance to: 1) waive the front setback for proposed lot 4 from the required 45 feet to 19.3 feet; 2) waive the front setback for proposed lot 5 from the required 45 feet to 11.7 feet; 3) waive the side setback for proposed lot 5 from the required 25 feet to 7.94 feet; and 4) waive the front setback for proposed lot 1 from the required 50 feet to 38.12 feet in Land Lots 147 and 148 of the 20th District. Located at the northeast intersection of Giles Road and Mars Hill Road (2980 Mars Hill Road).
- V-17** **SAVE A LOT, LTD** (Hawthorne Plaza, LLC, owner) requesting a variance to waive the rear setback from the required 50 feet to 10 feet in Land Lot 1298 of the 19th District and Land Lot 35 of the 18th District. Located on the south side of Veterans Memorial Highway, north of Old Powder Springs Road, east of Old Powder Springs Road Connector (1245 Veterans Memorial Parkway).

V-18 **PARVIZ ABEDI** (Parviz Abedi and Zeinab Abedi, owners) requesting a variance to: 1) waive the maximum allowable impervious surface from 35% to 41.08%; and 2) waive the rear setback for an accessory structure under 650 square feet (approximately 375 square foot pool house) from the required 35 feet to 20 feet in Land Lot 688 of the 16th District. Located on the west side of Johnson Ferry Road, south of Oak Lane (2247 Johnson Ferry Road).

V-19 **SAVE A LOT, LTD.** (Perry S. Alterman, Betty L. Stone, Frances A. Carroll and Alan E. Alterman, owners) requesting a variance to: 1) waive the major side setback from the required 50 feet to 35 feet; 2) waive the rear setback from 50 feet to 25 feet; and 3) increase the allowable wall sign area from a maximum of 134.5 square feet to 264 square feet on the Austell Road frontage and from a maximum of 147.08 square feet to 264 square feet on the Floyd Road frontage in Land Lots 855 and 848 of the 19th District. Located on the north side of Hurt Road, west of Floyd Road, east of Austell Road (3701 Austell Road).

HELD CASES

V-167¹⁵ **KARIN M. PUCKETT** (owner) requesting a variance to: 1) waive the rear setback from the required 40 feet to 15 feet adjacent to the eastern property line; and 2) increase the maximum allowable fence height in front of or to the side of the house in a residential district from six feet to 10 feet in Land Lot 756 of the 16th District. Located on the east side of Spring Circle, east of Bishop Lake Road (4464 Spring Circle). (*Held by the Board of Zoning Appeals from their December 9, 2015 hearing until their February 10, 2016 hearing; therefore will not be considered at this hearing*)

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The exact description of the property requiring a variance is on file in the office of the Cobb County Zoning Division of the Community Development Department, 1150 Powder Springs Street, Marietta, Georgia 30064 and available for inspection by interested citizens between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Hearing on said petitions will be heard by the Cobb County Board of Zoning Appeals at 1:00 p.m. on the prescribed hearing date in the Board of Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia 30090.

Additionally, if you believe you need any special accommodations in order to attend these public hearings, please contact the County Clerk's Office at 770-528-3307 no later than 48 hours before the date of the above meeting.