

APPLICANT: RaceTrac Petroleum, Inc.
PHONE: 770-422-7016
REPRESENTATIVE: Parks F. Huff
PHONE: 770-422-7016
TITLEHOLDER: RACETRAC PETROLEUM INC.
PROPERTY LOCATION: On the east side of Wade Green Road, north of George Busbee Parkway (4350, 4420 Wade Green Road).

PETITION No.: V-11
DATE OF HEARING: 01-13-2016
PRESENT ZONING: GC
LAND LOT(S): 55
DISTRICT: 20
SIZE OF TRACT: 2.04 acres
COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 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.

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

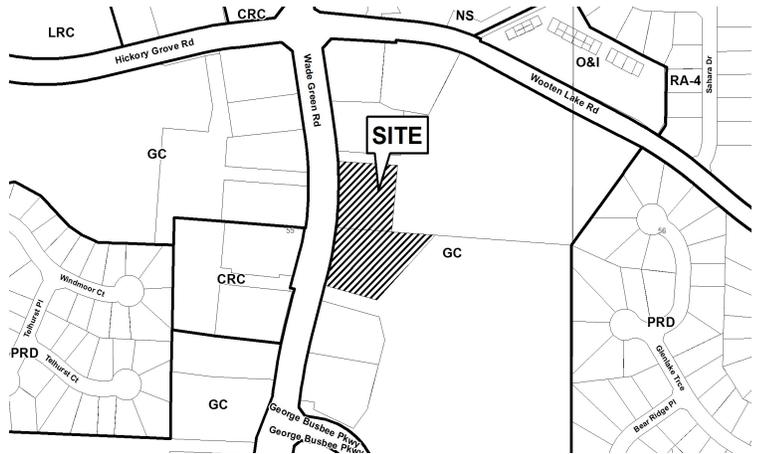
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comments.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: Subject to meeting current stormwater management requirements 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: Staff has determined that the subject sites are not within the boundaries of approved design guidelines study areas; therefore do not have to comply with design guidelines requirements. No comments.

CEMETERY PRESERVATION: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

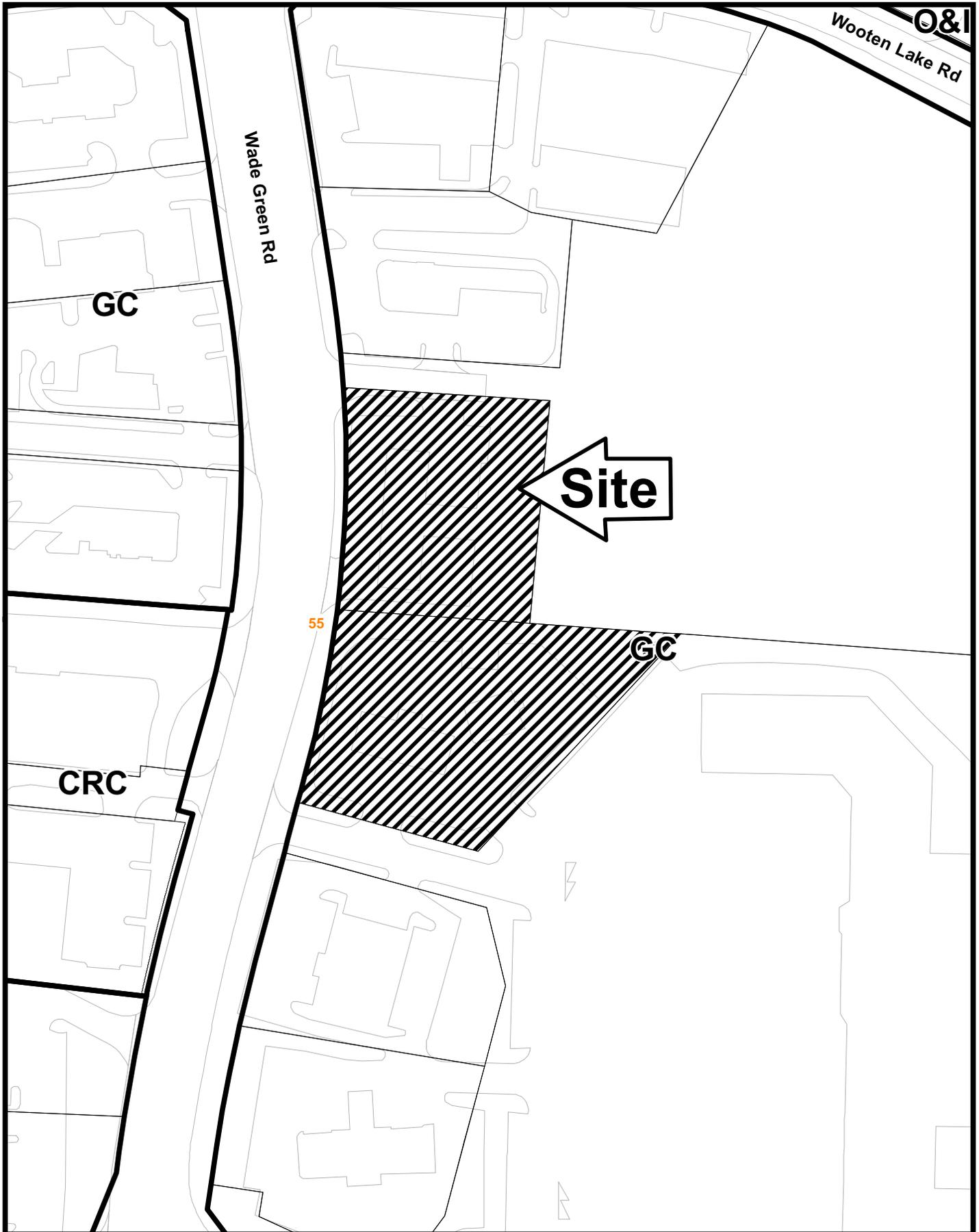
WATER: No conflict.

SEWER: No conflict.

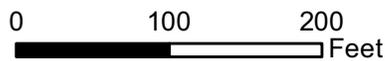
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FIRE DEPARTMENT: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

V-11



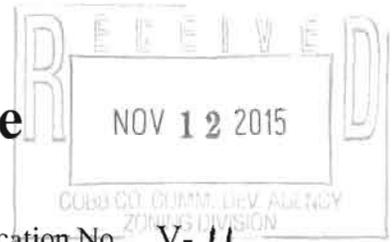
This map is provided for display and planning purposes only. It is not meant to be a legal description.



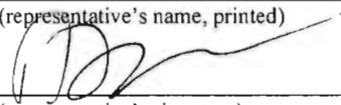
-  City Boundary
-  Zoning Boundary

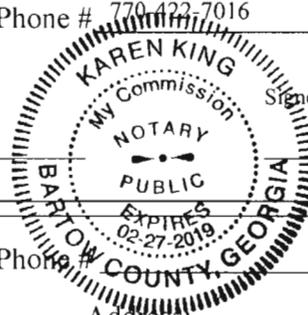
Application for Variance Cobb County

(type or print clearly)



Application No. V-11
Hearing Date: Jan. 13, 2016

Applicant RaceTrac Petroleum Inc. Phone # _____ E-mail _____
SAMS, LARKIN, HUFF & BALLI, LLP
by: Parks F. Huff Address 376 Powder Springs Street, Suite 100, Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

(representative's signature) Phone # 770-422-7016 E-mail phuff@slhb-law.com

My commission expires: 2-27-19 Signed, sealed and delivered in presence of:

Karen L. King
Notary Public

Titleholder See Attached Phone # _____ E-mail _____
Signature _____ Address: _____
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:
My commission expires: _____
Notary Public

Present Zoning of Property General Commercial ("GC")

Location On the east side of Wade Green Road, south of Wooten Lake Road (4350 and 4420 Wade Green Road)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 55 District 20th Size of Tract 2.04 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 X 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).

RaceTrac proposes to redevelop an older store to the newest prototype. The size and shape of the property make the placement of the new store impossible without some variances. RaceTrac has acquired the adjacent property to help.

List type of variance requested: See attached Exhibit "A"

Revised: March 5, 2013

* The Applicant specifically reserves the right to amend any information set forth in this Variance Application at any time during the variance process.

NOV 12 2015

Requested Variances

- 1) Reduce the rear setback from thirty (30) feet to five (5) feet for the building. Sec. 134-227(4)(d)
- 2) Reduce the rear setback for the dumpster from thirty (30) feet to fifteen (15) feet. Sec 134-227(4)(d).
- 3) Reduce the front landscape strip from eight (8) feet to one (1) foot as depicted on the site plan.
- 4) Exceed the fifty (50) landscape strip requirement for proximity to landscape island trees.
- 5) Reduce the eight (8) foot landscape island to two (2) feet as shown on the site plan.
- 6) Sign variance to allow the RaceTrac logo at the building entrance overhang.
- 7) Allow canopy signs to be located within the front setback.
- 8) Exceed the 50% window cling coverage. Sec 134-313 (p)(5)
- 9) Exceed 120 square foot total sign area.