

**CORNER MONUMENTATION:**

- IPS = CORNER SET WITH A 1/2" STEEL REINFORCING ROD
- CORNER FOUND
- △ UNMONUMENTED CORNER
- ⊙ CORNER TO BE SET WHEN CONSTRUCTION PERMITS

— X — X — FENCE LINE

— RR — STEEL REINFORCING ROD

— WP — OPEN TOP WATER PIPE

— CP — CRIMPED TOP WATER PIPE

— PP — POWER POLE

— CL — CENTERLINE

— BL — BUILDING LINE

— RW — RIGHT OF WAY

— LL — LAND LOT LINE

— W — WATER MAINS

— EW — OVERHEAD POWER LINES

— G — GAS MAINS

— S — SANITARY SEWER MAIN

— N — NOW OR FORMERLY OWNED BY

— NSAS = NAIL SET AT BASE

— NFAS = NAIL SET AT BASE

— DB = DEED BOOK

— P = PLAY BOOK

— W MON. = CONCRETE RIGHT OF WAY MONUMENT

THERE IS A 25' NON-DISTURBANCE BUFFER (WARM WATER STREAMS) AND A 50' NON-DISTURBANCE BUFFER (TROUT STREAMS) ADJACENT TO ANY STREAM OR BODY OF WATER MANAGED BY THE STATE AND THERE MAY BE ENHANCED BUFFERS PLACED ON THESE WATERS BY COUNTIES OR MUNICIPALITIES. THE PROPER AUTHORITY SHOULD BE CONTACTED BEFORE BEGINNING ANY DISTURBANCE NEAR THESE AREAS.

THIS PLAT WAS PREPARED FOR EXCLUSIVE  
USE BY THE PERSONS AND/OR ORGANIZATIONS  
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PERMISSION OF THE SURVEYOR.

ORIGINAL PLATS, NOTES AND OTHER  
DRAWINGS PREPARED BY THE SURVEYOR AND  
HIS ASSOCIATES, INCLUDING ELECTRONIC  
FILES, ARE INSTRUMENTS OF SERVICE AND  
ARE THE PROPERTY OF THE SURVEYOR.

THE BUILDING SETBACKS SHOWN HEREON ARE  
BASED ON THE SURVEYORS BEST  
INTERPRETATION AND SHOULD BE RELIED  
UPON ONLY AFTER AFFIRMATION BY THE COBB  
COUNTY ZONING DEPARTMENT.

THERE MAY BE OTHER UTILITIES EXISTING ON THIS PROPERTY THAT ARE NOT SHOWN.

ALL DISTANCES SHOWN ARE  
HORIZONTAL GROUND DISTANCES.

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAPS. COMMUNITY PANEL NO: 13067C0226G EFFECTIVE DATE: DECEMBER 16, 2008  
THE MAP GRAPHICALLY DEPICTS THE SUBJECT PROPERTY TO LIE IN ZONE: "X"

"X" = AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN

**TECHNICAL DATA**  
TRAVERSE PRECISION:  
ANGLE ERROR: 10"  
SURVEY ADJUSTMENT:  
EQUIPMENT: TOPCON  
PLAT PRECISION: 1"

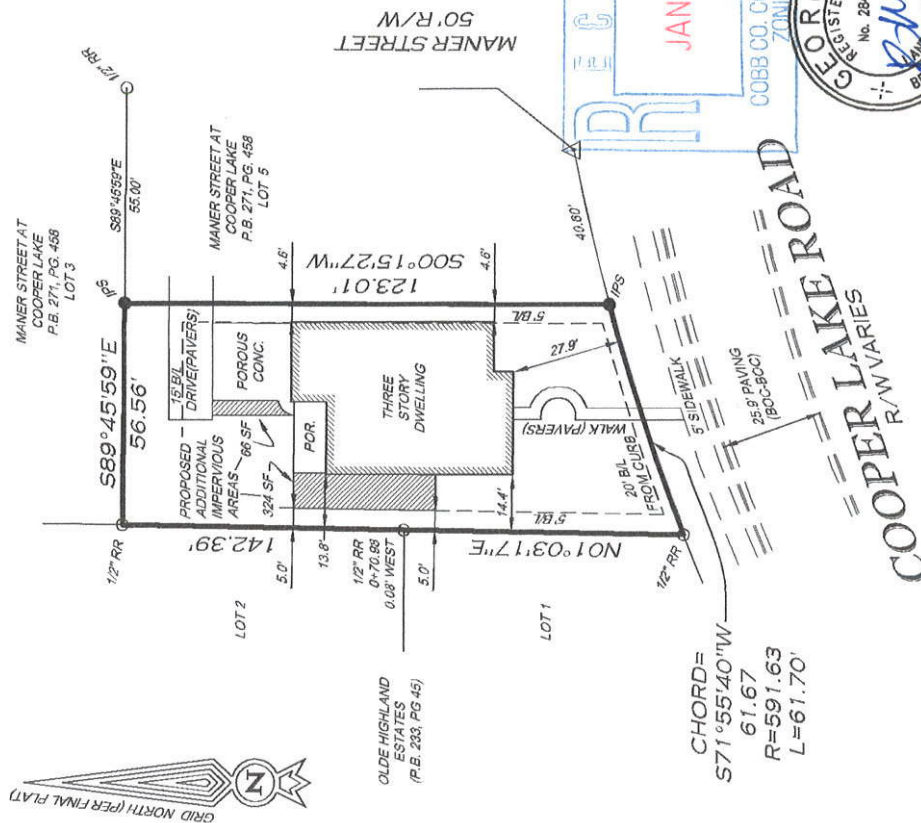
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLACT.

O.C.G.A. 15-6-67.

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FIELD SUPERVISOR: \_\_\_\_\_

SCALE: 1" = 30'



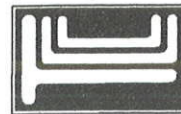
V-38  
(2016)

**IMPERVIOUS AREA CALCULATIONS**  
**EXISTING = 2967 SF (0.39 %)**  
**PROPOSED ADDITIONAL = 66 + 324 (0.4**

AREA = 0.174 ACRES  
7,594 SQ. FT.

REVISIONS

DATE	DESCRIPTION



THE  
RUSSELLE  
COMPANY

**PROFESSIONAL LAND SURVEYORS**  
2981 POWDER SPRINGS ROAD  
MARIETTA, GEORGIA 30064  
(770) 943-5903

E-MAIL: [BEN@CRUSSELLE.COM](mailto:BEN@CRUSSELLE.COM)

E-MAIL: BEN@CRUSSELL

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FIELD SUPERVISOR: \_\_\_\_\_

SCALE: 1" = 30'

**APPLICANT:** Amber M. Bishop

**PHONE:** 770-315-9636

**REPRESENTATIVE:** Amber M. Bishop

**PHONE:** 770-315-9636

**TITLEHOLDER:** Amber M. Bishop and Shelly L. Weed

**PROPERTY LOCATION:** On the north side of  
Cooper Lake Road, west of Maner Street  
(1935 Cooper Lake Road).

**PETITION No.:** V-38

**DATE OF HEARING:** 03-09-16

**PRESENT ZONING:** RA-5

**LAND LOT(S):** 694

**DISTRICT:** 17

**SIZE OF TRACT:** 0.17 acre

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the side setback from the required five feet to four feet adjacent to the east property line; and 2) increase the maximum allowable impervious surface from 40% to 44 %.

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

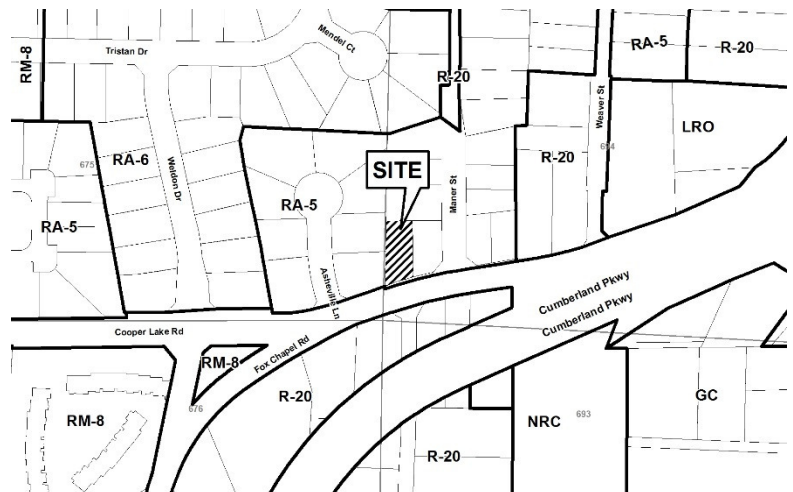
**BOARD OF APPEALS DECISION**

**APPROVED** MOTION BY

**REJECTED** SECONDED

**HELD** CARRIED

**STIPULATIONS:**



**APPLICANT:** Amber M. Bishop **PETITION No.:** V-38

\*\*\*\*\*

**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:** Subject to installation of dry-well(s) to mitigate additional 321 square feet of impervious coverage. Site plan to be approved by Stormwater Management Division prior to permitting.

**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:** No comment.

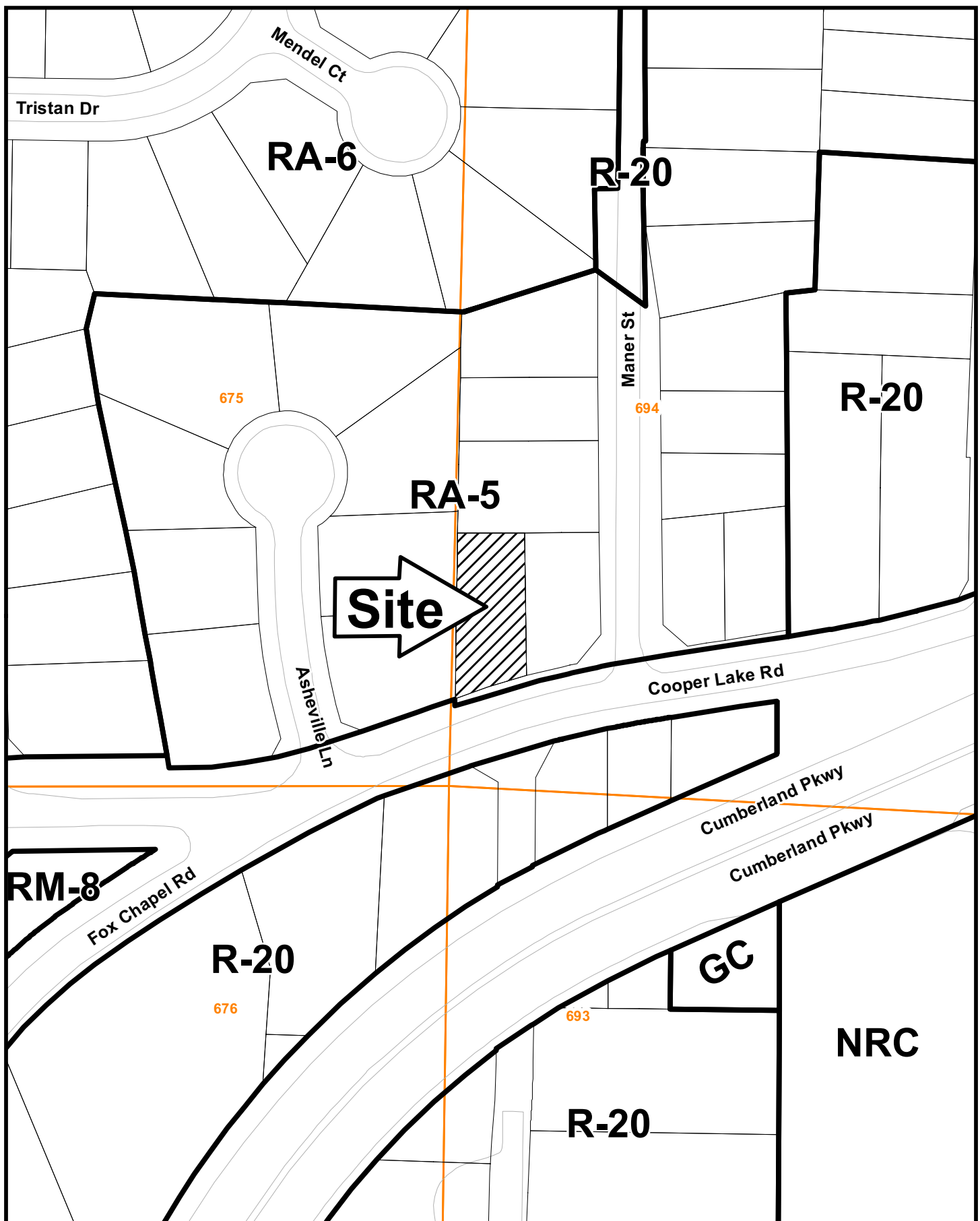
**WATER:** No conflict.

**SEWER:** No conflict.

**APPLICANT:** Amber M. Bishop **PETITION No.:** V-38

\*\*\*\*\*

**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.

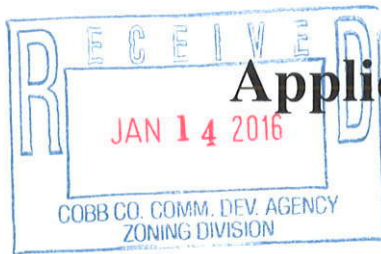


This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 100 200 Feet

City Boundary  
Zoning Boundary





# Application for Variance Cobb County

(type or print clearly)

Application No. V-38  
Hearing Date: 3-9-16

Applicant Amber M Bishop Phone # 770-315-9636 E-mail abishop2020@gmail.com

Amber M Bishop Address 1935 Cooper Lake Rd SE Smyrna GA 30080  
(representative's name, printed) (street, city, state and zip code)

Amber M Bishop Phone # ↑ E-mail ↑  
(representative's signature)

My commission expires: 5/4/18

Signed, sealed and delivered in presence of: [Signature] 1/11/16  
Notary Public

Titleholder Amber M Bishop Phone # 770-315-9636 E-mail abishop2020@gmail.com

Signature Amber M Bishop Address: 1935 Cooper Lake Rd SE Smyrna GA 30080  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 5/4/18

Signed, sealed and delivered in presence of: [Signature] 1/11/16  
Notary Public

Present Zoning of Property RA-5

Location 1935 Cooper Lake Rd SE Smyrna GA 30080  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 694 District 17th Size of Tract 0.17 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.

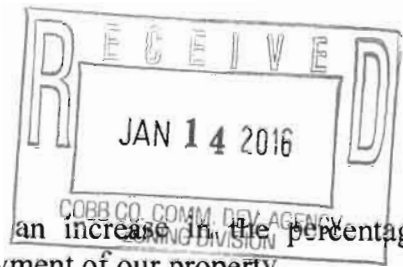
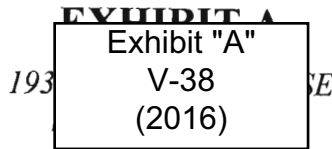
Size of Property \_\_\_\_\_ Shape of Property ☒ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO ☒.

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 see Exhibit A (Attached)

List type of variance requested: Impervious surface area  
39% currently  
want 44%



We humbly request your permission, and a variance, to allow an increase in the percentage of impervious surface area from 39% to 44%, to allow us the full use and enjoyment of our property.

We would like to:

- (1) put in a patio and pergola along the side of our house — adding 324 square feet in impervious area; and
- (2) increase the driveway by 66 square feet, adding a narrow strip of pebbled concrete to make the driveway a more usual shape).

\*A total of 390 square feet of impervious surface area

We have been proud residents of Cobb County for more than a decade and absolutely love it! We recently purchased a beautiful home that sat on the market for nearly six months. The home is amazing but the lot is less than desirable. In fact, the seller's realtor said she showed the home more than *ninety times* but the unusual lot, narrow driveway, and limited yard and green space just would not work for people with pets or children. This house is our "forever" home and we want to be able to enjoy it to the fullest.

The lot shares a narrow brick driveway with its neighbor. [Pic 1, Pic 2, Pic 3] It borders very two busy roads so the front yard is not safe for kids or animals. [Pic 4, Pic 5] The only "green space" is at the end of the shared driveway and along the side of the house where there is only pine straw. [Pic 6 and 7] The driveway is currently difficult to maneuver within. [Pic 3, Pic 6] When we purchased the home, we envisioned widening the driveway a bit so that two cars can more easily maneuver in and out of the garage. Right now, we are forced to drive into the grass to maneuver.

Undoubtedly, the biggest issue is a lack of privacy or livable outdoor space. We envisioned a beautiful patio, pergola, and built in grill, where elegant outdoor furniture, gauzy outdoor curtains could provide an urban oasis. We were unaware that we were close to the limit on impervious surface area. We humbly request that the Zoning Commission grant us a small variance, 4%, .

The neighbors whose backyard runs along where we propose to install the patio and pergola, (4359 and 4363 Asheville Lane SE) will not be affected by the upgrade to the outdoor space. We will not encroach on the 5 foot setback requirement. Currently, large evergreen trees and a wrought iron fence serve as substantial visual and sound boundaries. The pergola will be in keeping with the architecture of the house. It will be beautiful. The beams will match the beams that already exist in the back yard. [Pic 6, Pic 8] Stacked stone that matches the front façade of the house will serve as bases to the pillars. In fact, the pergola will be similar to that which exists in our neighbor's yard @ 4310 Manor Street.

While granting the variance would garner our gratitude and appreciation, it would also:

- (1) Increase the property value and general appeal of the property should it ever go back on the market. Having a house sit on the market for nearly half a year hurts the property value of all surrounding houses. If we are able to fence in that side of the house and put the ground to use, the house will ultimately appeal to a larger segment of the home-buying population.
- (2) Cause the lot to be more livable and significantly increase the percentage of the lot which can be used on a daily basis. Right now, the entire side of the house is useless space. Grass will not grow because of the amount of shade thrown by the mature evergreens.
- (3) It will give my family and children a safe and sanitary place to play, away from the busy road.
- (4) Increase the aesthetic appeal of the neighborhood.
- (5) Make the driveway more user-friendly and protect the surrounding grass (which is currently being trampled by tires of cars with average turning radiuses). It is a really small strip of concrete but it will make a world of difference.

Exhibit "A"  
V-38  
(2016)



PICTURE 2

Shared driveway. The only "yard" available is at the end of the driveway





Exhibit "A"  
V-38  
(2016)

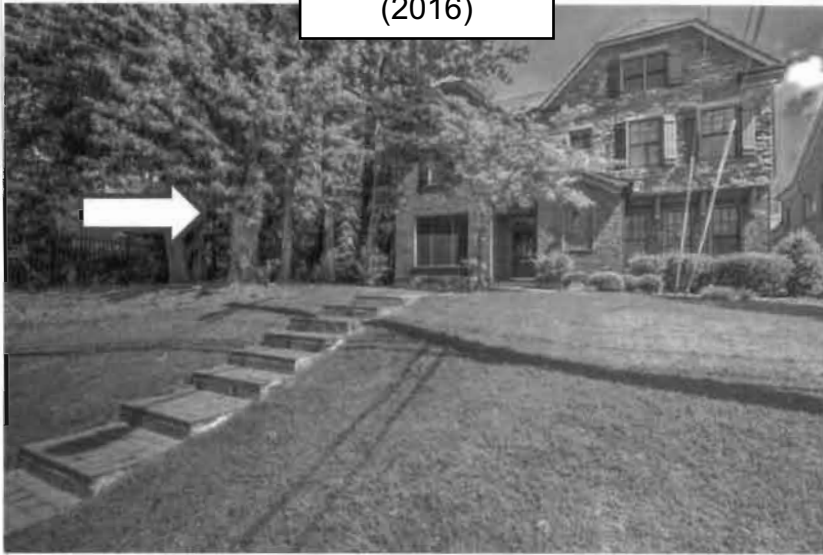


PICTURE 4

Front of house looks out on Cooper Lake Rd, the Silver Comet Trail, and the East-West Connector. The front yard is essentially un-usable as a play space for children or to socialize. The noise and traffic alone make it unusable.



Exhibit "A"  
V-38  
(2016)



Front of the home. Patio and pergola will be along the left side of the lot, not really visible from the street due to the trees and how much it will be set back from the front of the house. The privacy fence may be somewhat visible from the street.

PICTURE 6



Exhibit "A"  
V-38  
(2016)



PICTURE 8



Exhibit "A"  
V-38  
(2016)



**LEGEND**

- CORNER MONUMENTATION**  
 \* IPS = IRON PIPE SET WITH A 1/2" STRIP  
 REINFORCING ROD  
 CORNER POUND  
 UNDEVELOPED CORNER  
 \* CORNER TO BE SET WITH  
 CONCRETE MONUMENT  
 --- X --- X --- FENCE LINE  
 RW = STEEL REINFORCING ROD  
 CIP = OPEN TOP WATER PIPE  
 CTP = CHIMNEY TOP WATER PIPE  
 PP = POWER POLE  
 CL = CENTERLINE  
 CL = BUILDING LINE  
 RW = RIGHT OF WAY  
 S.S.L. = LANE LOT (R/R)  
 WATER MAIN  
 CHIMNEY POWER LINE  
 GAS MAIN  
 SANITARY SEWER MAIN  
 N.P. = NAIL OR FENCE LINE OWNED BY  
 NEAR = NAIL SET AT BASE  
 N.P. = NAIL FOUND AT BASE  
 D.L. = DEED BOOK  
 P.B. = PLAT BOOK  
 RW MOL = CONCRETE RIGHT OF WAY MONUMENT

**SURVEY NOTES**

THERE IS A 20' NON-DISTURBANCE BUFFER (WATER STRIKES) AND A 30' NON-DISTURBANCE BUFFER (TWO STRIKES) ADJACENT TO ANY STREAM OR BODY OF WATER IMPOSED BY THE STATE AND THERE MAY BE ENHANCED BUFFERS PLACED ON THESE WATERS BY COURTESY OF MUNICIPALITIES. THE PROPER AUTHORITY SHOULD BE CONTACTED BEFORE BEGINNING ANY DISTURBANCE NEAR THESE AREAS.

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THE BUILDING SETBACKS SHOWN HEREON ARE BASED ON THE SURVEYOR'S BEST INTERPRETATION AND SHOULD BE RELIED UPON ONLY AFTER AUTHORIZATION BY THE COBB COUNTY ZONING DEPARTMENT.

THERE MAY BE OTHER UTILITIES EXISTING ON THIS PROPERTY THAT ARE NOT SHOWN.

ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.



CHORD<sup>11</sup>  
S71°55'40"W  
61.57  
R=591.63  
L=61.70'



PLAT OF RETRACEMENT SURVEY FOR  
**AMBER M. BISHOP**  
**SHELLY L. WEED**

LOCATED IN LAND LOT 694, 17TH DISTRICT,  
2ND SECTION, COBB COUNTY, GEORGIA

BEING LOT 4, MANER STREET AT COOPER LAKE  
RECORDED IN PLAT BOOK 271, PAGE 458

1935 COOPER LAKE ROAD

AREA = 0.174 ACRES  
7,594 SQ. FT.

**IMPERVIOUS AREA CALCULATIONS**

EXISTING = 2967 SF (0.39 %)  
PROPOSED ADDITIONAL = 66 + 324 (0.44 %)



**REVISIONS**

DATE	DESCRIPTION



**FLOOR STATEMENT**

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAPS, COMMUNITY FLOOD INSURANCE EFFECTIVE DATE: DECEMBER 14, 2011. THE MAP GRAPHICALLY DEPICTS THE SUBJECT PROPERTY'S FLOOD ZONE. 2'

X' - AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN

TECHNICAL DATA  
 TOLERANCE PRECISION: 1/16 IN.  
 JANGLE ERROR: 10 SEC. PER ANGLE  
 SURVEY ADJUSTMENT: LEAST SQUARES  
 EQUIPMENT: TOPCON GPS-302S  
 PLAT PRECISION: 1/16 IN.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 160-7 OF THE RULES OF THE GEORGIA BOARD OF SURVEYING FOR PROFESSIONAL SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT, O.C.G.A. 15-8-67



PROJECT: 106473 FILE: 106473.DWG  
 FIELD SURVEY DATE: 04/06/16  
 PLAT DATE: 03/08/16 SCALE: 1" = 30'