

**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING SUMMARY AGENDA
AUGUST 10, 2016**

CONSENT CASES

- V-92 SHAAN HOSPITALITY, LLC *(Continued by the Board of Zoning Appeals from their July 13, 2016 hearing)*
- V-98 JACKSON CONTRACTING, INC
- V-99 KARIM DHOLAKIYA
- V-100 ASHOO SAIGAL
- V-101 PROVINCE HOMES, LLC
- V-102 SEAN P. SEARLES AND DIANE M. SEARLES
- V-103 BOBBY H. CALDWELL
- V-104 VC TOWNPARK DEVELOPMENT, LLC
- V-105 PATRICK PAUL AND MICHELLE PAUL
- V-106 NEW TOWNE PROPERTIES, LLC
- V-107 INOP ACQUISITIONS, LLC
- V-108 INOP ACQUISITIONS, LLC
- V-109 INOP ACQUISITIONS, LLC
- V-110 INOP ACQUISITIONS, LLC
- V-111 INOP ACQUISITIONS, LLC
- V-112 MIDWAY PRESBYTERIAN CHURCH, INC
- V-113 HENRY C. NYGREN, III

CONTINUED OR HELD CASES BY BOARD OF ZONING APPEALS OR STAFF – (TO BE HEARD)

- V-88 BERNICE K. SCHMITZ *(Held by the Board of Zoning Appeals from their July 13, 2016 hearing)*

COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING *CONSENT* AGENDA
AUGUST 10, 2016

V-92 **SHAAN HOSPITALITY, LLC** (Shaan Hospitality, LLC, owner) requesting a variance to 1) waive the maximum building height from four stories to six stories; 2) waive the front setback from the required 50 feet to 47 feet; 3) waive the rear setback from the required 30 feet to 10 feet; 4) waive the setback for a dumpster from the required five (5) feet to two (2) feet adjacent to the northern property line; (5) waive the maximum floor area ratio for retail uses from 0.25 to 0.33; and (6) increase the maximum allowable impervious surface from 80% to 92.3% in Land Lot 880 of the 17th District. Located on an easement off of Spring Road (2771 Spring Road). (*Continued by the Board of Zoning Appeals from their July 13, 2016 hearing*). Staff recommends approval subject to:

1. Letter from Mr. Parks Huff dated August 8, 2016.

V-98 **JACKSON CONTRACTING, INC** (John D. Ledbetter and Cathryn Dianne Ledbetter], owners) requesting a variance to: waive the side setback from the required 12 feet to 8 feet adjacent to the eastern property line in Land Lot 1100 of the 17th district. Located on the south side of Ponte Vedra Drive, east of Atlanta Country Club Drive (4484 Ponte Vedra Drive). Staff recommends approval subject to:

1. Site Plan Review comments.

V-99 **KARIM DHOLAKIYA** (Karim Dholakiya, owner) requesting a variance to waive the rear setback from the required 30 feet to 19 feet in Land Lot 958 of the 16th District. Located on the north side of Valla Parc Court, west of Sewell Mill Road (2267 Valla Parc Court). Staff recommends approval subject to:

1. Encroachment as shown on the site plan received by the Zoning Division June 7, 2016.

V-100 **ASHOO SAIGAL** (Ashoo Saigal, owner) requesting a variance to: waive the maximum building height from the required 35 feet to 37 feet in Land Lot 974 of the 17th District. Located on the northwest corner of Teton Drive and Cochise Drive (3600 Cochise Drive). Staff recommends approval subject to:

1. Stormwater Management comments.

V-101 **PROVINCE HOMES, LLC** (Province Homes, LLC, owner) requesting a variance to: waive the side setback from the required 25 feet to 24 feet in Land Lot 215 of the 20th District. Located on the northeast corner of Tayside Crossing and Rosapenna Lane (2452 Rosapenna Lane). Staff recommends approval subject to:

- 1. Site Plan received by the Zoning Division on June 8, 2016**
- 2. Site Plan Review comments.**

V-102 **SEAN P. SEARLES AND DIANE M. SEARLES** (Sean P. Searles and Diane M. Searles, owners) requesting a variance to: waive the maximum allowable impervious surface from 40% to 62% in Land Lots 227 and 230 of the 20th District located on the south side of Downington Place, west of Brookside Drive (5909 Downington Place). Staff recommends approval subject to:

- 1. Stormwater Management comments.**
- 2. Prior to permitting applicant must provide approval from the golf course owner regarding being in the golf course easement.**

V-103 **BOBBY H. CALDWELL** (Teresa H. Caldwell and Bobby H. Caldwell, owners) requesting a variance to: waive the side setback for and accessory structure over 650 square foot (approximately 1,232 square foot garage) from the required 100 feet to 49 feet adjacent to the southeastern property line in Land Lot 119 of the 20th District. Located on the east side of Hill Road, northwest of Mars Hill Road (5114 Hill Road). Staff recommends approval subject to:

- 1. Site Plan received by the Zoning Division on June 9, 2016**
- 2. No commercial or dwelling use.**

V-104 **VC TOWNPARK DEVELOPMENT, LLC** (VC Townpark Development, LLC, a Georgia limited liability company, owner) requesting a variance to: waive the minimum number of parking spaces from the required 142 to 119 in Land Lots 431 and 432 of the 16th District. Located on the north side of Chastain Road, south of Townpark Lane, east of Busbee Drive, and west of George Busbee Parkway (777 Townpark Lane). Staff recommends approval subject to:

- 1. Traffic comments**

V-105 **PATRICK PAUL AND MICHELLE PAUL** (Patrick M. Paul and Michelle M. Paul, owners) requesting a variance to: 1) allow a second electrical and water meter on a residential property; and 2) allow accessory structures (4,200 square foot storage building and approximately 1,375 square foot barn) to the side and in front of the principal building in Land Lot 131 of the 20th District. Located on the north side of Ben King Road, west of McCollum Parkway, and at the southern terminus of Paradise Lane (3196 Paradise Lane). Staff recommends approval subject to:

- 1. Traffic comments**
- 2. No commercial or dwelling use of the accessory building.**

V-106 **NEW TOWNE PROPERTIES, LLC** (New Towne Properties, LLC a Georgia limited liability company, owner) requesting a variance to: waive the side setback from the required 10 feet to eight (8) feet adjacent to the western property line in Land Lot 191 of the 20th District. Located on the northwest corner of Farm Scenic View and Farmland Drive (1744 Farmland Drive). Staff recommends approval subject to:

- 1. Site Plan Review comments.**

V-107 **INOP ACQUISITIONS, LLC** (INOP Acquisitions, LLC a Delaware limited liability company, owner) requesting a variance to: 1) allow the building to extend 25 feet into 25 foot impervious buffer; 2) allow the building to extend 75 feet into 75 foot stream buffer; 3) allow parking lot to extend 25 feet into 25 foot impervious buffer; and 4) allowing parking lot to extend 21.3 feet into 75 foot stream buffer in Land Lots 942 and 943 of the 17th District. Located on the southeast side of Interstate North Parkway, south of Interstate North Parkway East (150 Interstate North Parkway). Staff recommends approval subject to:

- 1. Stormwater Management comments.**

V-108 **INOP ACQUISITIONS, LLC** (INOP Acquisitions, LLC a Delaware limited liability company, owner) requesting a variance to: 1) waive the maximum building height from 52 feet to 63.4 feet; and 2) waive the maximum number of building stories from four (4) to five (5) in Land Lots 918 and 943 of the 17th District. Located on the south side of Interstate North Parkway, east of Interstate North Parkway West (180 Interstate North Parkway). Staff recommends approval subject to:

1. Traffic comments.

V-109 **INOP ACQUISITIONS, LLC** (INOP Acquisitions, LLC a Delaware limited liability company, owner) requesting a variance to: 1) waive the maximum building height from the required 52 feet to 66.8 feet for building 320; 2) waive the maximum number of building stories from the required four (4) to five (5) for building 320; 3) waive the maximum building height from 52 feet to 54.7 feet for building 340; and 4) waive the maximum building height from 52 feet to 57.6 feet for building 380 in Land Lots 982, 983, 944 and 945 of the 17th District. Bounded by Windy Ridge Parkway, Interstate North Circle, and Interstate North Parkway (320, 340, 360, and 380 Interstate North Parkway). Staff recommends approval subject to:

1. Traffic comments.

V-110 **INOP ACQUISITIONS, LLC** (INOP Acquisitions, LLC a Delaware limited liability company, owner) requesting a variance to: 1) waive the front setback from the required 50 feet to 12 feet; 2) allow the building to extend 25 feet into 25 foot impervious buffer; 3) allow the building to extend 24.8 feet into 75 foot stream buffer, 4) allow parking lot to extend 25 feet into 25 foot impervious buffer; and 5) allow parking lot to extend 34.5 feet into 75 foot stream buffer in Land Lot 983 of the 17th District. Located on the east side of Interstate North Circle, south of Windy Ridge Parkway, and north of Cumberland Boulevard (290 Interstate North Parkway). Staff recommends approval subject to:

1. Stormwater Management comments.

V-111 **INOP ACQUISITIONS, LLC** (INOP Acquisitions, LLC a Delaware limited liability company,owner) requesting a variance to: 1) waive the minimum required number of parking spaces by seven (7) for buildings 294 and 296; 2) waive the side setback from the required 15 feet to 6.1 feet adjacent to the eastern property line for building 294; 3) waive the rear setback from the required 30 feet to 29 feet adjacent to the northern property line for building 294; 4) allow the building to extend 25 feet into 25 foot impervious buffer for building 294; 5) allow the building to extend 36 feet into the 75 foot stream buffer for building 294; 6) waive the side setback from the required 15 feet to 13.8 feet adjacent to the eastern property line for building 296; 7) waive the front setback from the required 50 feet to 36.3 feet adjacent to the southern property line for building 296; 8) allow the building to extend 25 feet into 25 foot impervious buffer for building 296; 9)allow the building to extend 13.3 feet into 75 foot stream buffer for building 296; 10) allow parking lot to extend 25 feet into 25 foot impervious buffer; and 11) allow parking lot to extend 33.5 feet into 75 foot stream buffer in Land Lot 983 of the 17th District. Located on the east side of Interstate North Circle, north of Cumberland Boulevard, and south of Windy Ridge Parkway (294 and 296 Interstate North Parkway). Staff recommends approval subject to:

1. Stormwater Management comments.

V-112 **MIDWAY PRESBYTERIAN CHURCH, INC** (Midway Presbyterian Church, Inc, owner) requesting a variance to: 1) waive the maximum height for a sign for a nonresidential use in a residential zone from the required eight (8) feet to 16 feet in Land Lots 12, 13, 62, and 63 of the 19th District. Located at the southwest intersection of Midway Road and Dallas Highway (4635 Dallas Highway). Staff recommends approval subject to:

1. Subject to the sign renderings contained in the variance analysis, with the Zoning Division Manager approving the final rendering.

V-113 **HENRY C. NYGREN, III** (Henry C. Nygren III, owner) requesting a variance to: waive the minimum public road frontage from the required 75 feet to 73 feet for proposed lots 1 and 2 in Land Lots 1030 and 1043 of the 19th District. Located on the south side of Hill Road, east of Defoors Farm Trail (5491 Hill Road). Staff recommends approval subject to:

- 1. Final plat to be reviewed and approved by Community Development.**

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.