

PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: December 14, 2016

DUE DATE: November 14, 2016

Distributed: **October 24, 2016**



Cobb County... Expect the Best!

V-166
(2016)

CERTIFICATION OF COUNTY HEALTH OFFICER

This submission has been approved... development... on-site...
Date: 10/11/2016
Signature: [Signature]

COUNTY CERTIFICATIONS

The plat herein has been submitted to Cobb County and having been found to comply with the Cobb County Development Standards is approved for recording.
SIX: INITIALS: SOM/BSR -PAT/BSR: 2/3, PAGE: 780
SEVEN: INITIALS: SOM/BSR -PAT/BSR: 2/3, PAGE: 780
EIGHT: INITIALS: SOM/BSR -PAT/BSR: 2/3, PAGE: 780
NINE: INITIALS: SOM/BSR -PAT/BSR: 2/3, PAGE: 780

OWNERS ACKNOWLEDGEMENT

I hereby certify that I own the entire of the land shown on this plat and I fully understand and agree that the plat herein...
Date: 10/11/2016
Signature: [Signature]

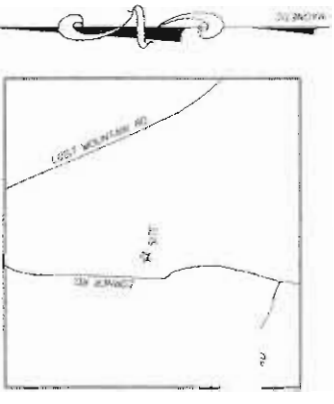
SURVEYOR'S ACKNOWLEDGEMENT

I hereby certify that the above described parcel...
Date: 10/11/2016
Signature: [Signature]

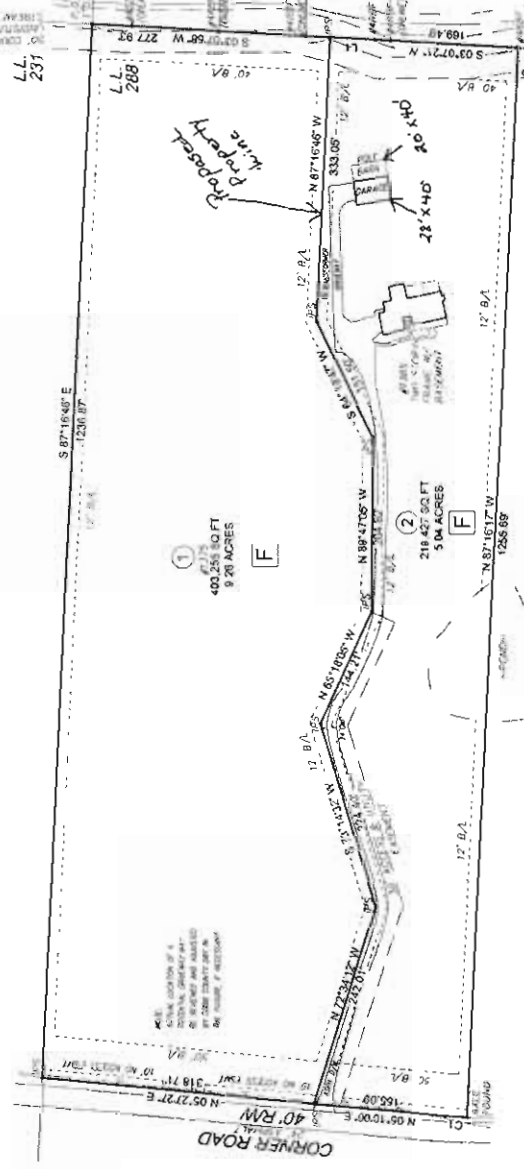


SUBDIVISION CERTIFICATION
This plat has been prepared in accordance with the Georgia Surveying and Mapping Act of 1987 and the Georgia Professional Engineers and Land Surveyors Act of 1967.

SUBDIVISION PLAT PREPARED FOR
JAMES & PAT CANTRELL
LOCATED IN LAND LOT 288
19TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA



- LEGEND**
- City: Cobb County
- D: Other Use
- CA: Commercial
- CC: Community
- CG: County Government
- CS: Cemetery
- CU: Community Use
- DC: District Center
- DM: Medium Density Residential
- DR: Residential
- DU: Urban
- EE: Electric
- FE: Utility



- REVISIONS**
- 1. The plat herein is based on a measurement of 1.51 feet, an irregular error of 2.7 per cent, as it was obtained using the Least Squares Method.
- 2. The lot area has been calculated for square feet and has a mathematical error of 1.47322.
- 3. Field notes and measurements recorded for the production of this plat were obtained on 10/27/16 using a Leica TS06 1030 Total Station.
- 4. The bearings herein are based upon the Book 197, Page 21.
- 5. This plat was prepared without benefit of a correct interpretation. Examinations or other examinations may state which are not shown herein. All matters pertaining to the same are the responsibility of the applicant.
- 6. No provision has been made to secure the subdivision of any portion, fractional, or other interests that may exist on the property.
- 7. Interests regarding the subject premises, including but not limited to, mortgages, liens, and other interests, shall be shown herein. There is no warranty or representation made as to the validity or enforceability of any such interests.
- 8. The applicant is responsible for the accuracy of the information herein and shall indemnify and hold the surveyor harmless from all claims or damages arising out of or from the use of this plat.
- 9. The subdivision information herein is based on one set of maps or more at any point in time, a land disturbance permit must be obtained from the Cobb County Planning Department.
- 10. It is the responsibility of the applicant to verify the accuracy of the information herein and to obtain all necessary permits from the appropriate governmental agencies.
- 11. An on-site sewage management system permit will be issued by Cobb County Board of Health upon compliance with the Rules and Regulations for On-site Sewage Management Systems.

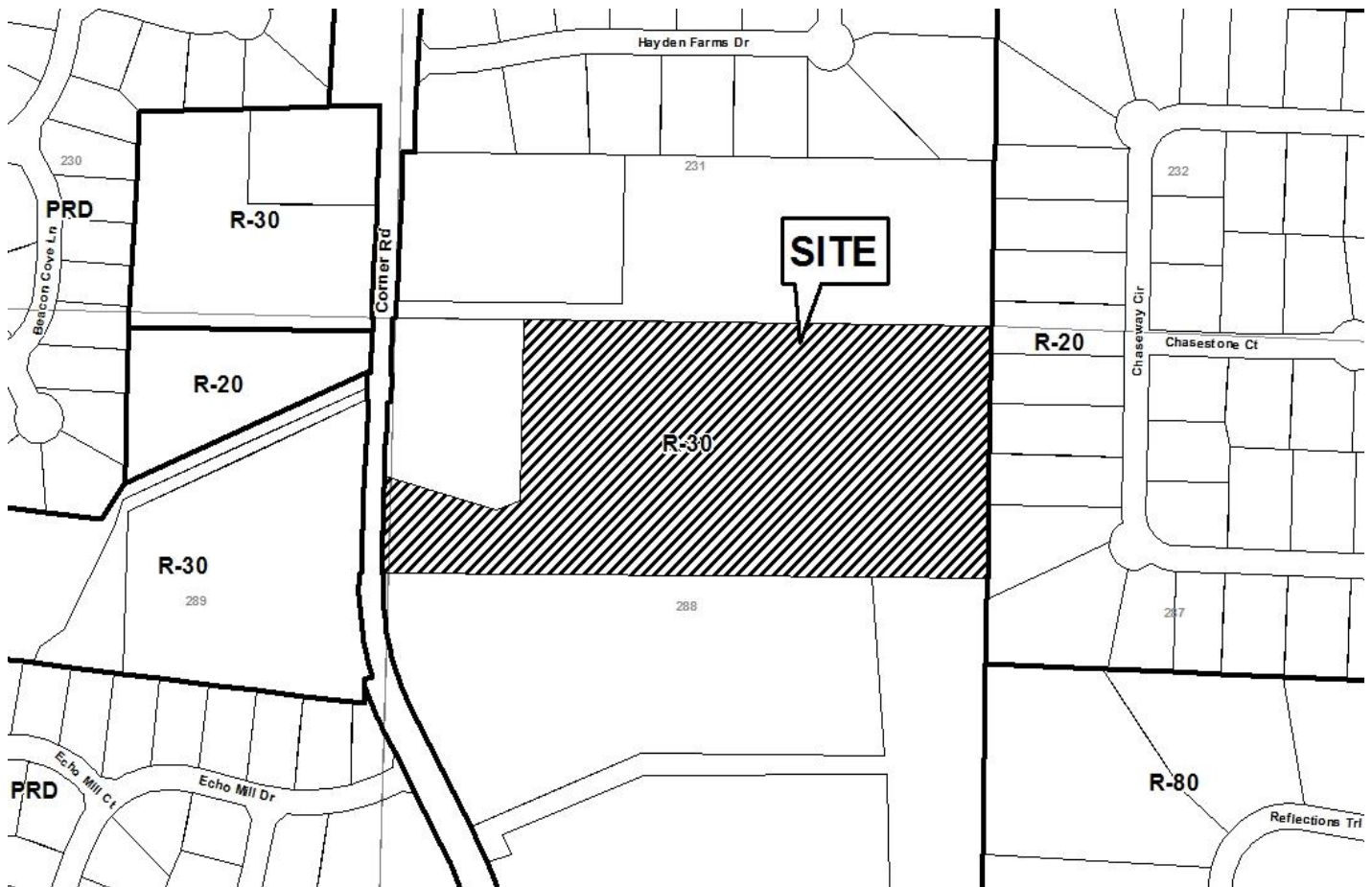
- F** THE SUBDIVISION ACCESS SHALL MEET THE FOLLOWING:
- THE ROADWAY SHALL BE AT LEAST 20 FEET FROM THE CENTER OF GRADE (VARIABLE WIDTH) ROADWAY.
- THE ROADWAY SHALL BE AT LEAST 10 FEET FROM THE CENTER OF GRADE (VARIABLE WIDTH) ROADWAY.
- THE ROADWAY SHALL BE AT LEAST 10 FEET FROM THE CENTER OF GRADE (VARIABLE WIDTH) ROADWAY.
- THE ROADWAY SHALL BE AT LEAST 10 FEET FROM THE CENTER OF GRADE (VARIABLE WIDTH) ROADWAY.
- THE ROADWAY SHALL BE AT LEAST 10 FEET FROM THE CENTER OF GRADE (VARIABLE WIDTH) ROADWAY.
- THE ROADWAY SHALL BE AT LEAST 10 FEET FROM THE CENTER OF GRADE (VARIABLE WIDTH) ROADWAY.



APPLICANT: James Houston Cantrell and Patrice Golden Cantrell
PHONE: 770-605-0167
REPRESENTATIVE: Ken Cantrell
PHONE: 678-644-4853
TITLEHOLDER: James Houston Cantrell and Patrice Golden Cantrell
PROPERTY LOCATION: On the east side of Corner Road, north of Echo Mill Drive (1385 Corner Road).

PETITION No.: V-166
DATE OF HEARING: 12-14-2016
PRESENT ZONING: R-30
LAND LOT(S): 288
DISTRICT: 19
SIZE OF TRACT: 14.30 acres
COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive the side setback for an accessory structure over 1,000 square feet (approximately 1,920 square foot garage and pole barn) from the required 100 feet to 30 feet adjacent to the northern property line.





Application for Variance Cobb County

(type or print clearly)

Application No. V-166
Hearing Date: 12-14-16

Applicant James Houston Cantrell Phone # 770-605-0167 E-mail jandpcan@bellsouth.net
and Patrice Golden Cantrell
Ken Cantrell Address 1385 Corner Road, Powder Springs, Ga. 30127
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 678-644-4853 E-mail kcantrell@valbridge.com
(representative's signature)

My commission expires:
August 1, 2017

Signed, sealed and delivered in presence of:

Susan P. Jan
Notary Public

My commission expires: _____

Titleholder James Houston Cantrell Phone # 770-605-0167 E-mail jandpcan@bellsouth.net
and Patrice Golden Cantrell
Signature James Houston Cantrell Address: 1385 Corner Road, Powder Springs, Ga. 30127
(attach additional signatures, if needed) (street, city, state and zip code)

Patrice Golden Cantrell
(attorney in-fact) Patricia Golden Cantrell

Signed, sealed and delivered in presence of:

Susan P. Jan
Notary Public

My commission expires: _____
My commission expires:
August 1, 2017

Present Zoning of Property R-30

Location 1385 Corner Road Powder Springs, Ga. 30127
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 288 District 19th Size of Tract 14.30 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 14.30 Shape of Property Rectangle Topography of Property Flat Other _____

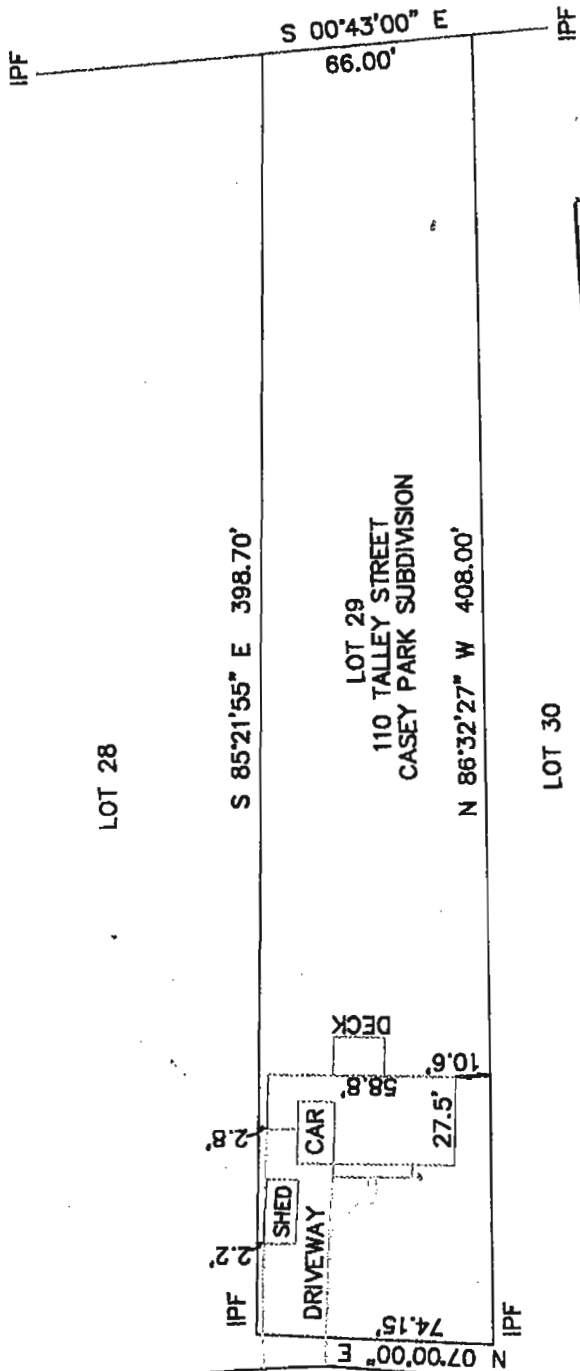
Does the property or this request need a second electrical meter? YES _____ NO

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:

Without the variance construction of accessory building in rear of property would not be possible because the property boundary would have to move 100' from existing building creating an approximate 200' width in the rear portion of property that is currently under contract. This would cause great difficulty selling the property.

List type of variance requested:
Waiver of the 100' setback requirement from the existing accessory building.

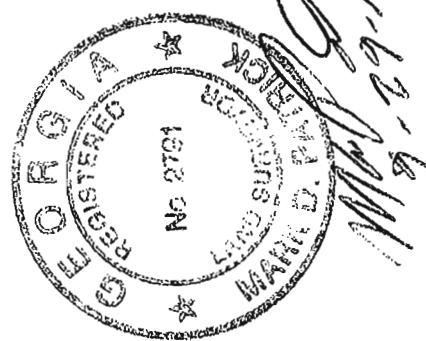
V-167
(2016)



SURVEY FOR:

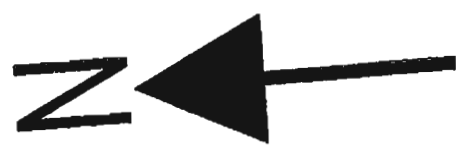
HERMAN D AND BARBARA J
SUMNER
LAND LOT 228 OF THE NINTH DISTRICT
COBB COUNTY, GEORGIA

SCALE 1" = 60'
DATE: SEPTEMBER 29, 2016



ZONING - R20
SURVEY BY M.D. PATRICK ENGINEERING INC
1985 ELKS CLUB ROAD
COWINGTON, GEORGIA 30014
770-380-4766

IPF - IRON PIN FOUND



JUDY CIRCLE

TALLEY STREET

APPLICANT: Herman D. Sumner

PETITION No.: V-167

PHONE: 770-851-0133

DATE OF HEARING: 12-14-2016

REPRESENTATIVE: Barbara J. Sumner

PRESENT ZONING: R-20

PHONE: 770-851-0133

LAND LOT(S): 228

TITLEHOLDER: Herman D. Sumner and Barbara J. Sumner

DISTRICT: 17

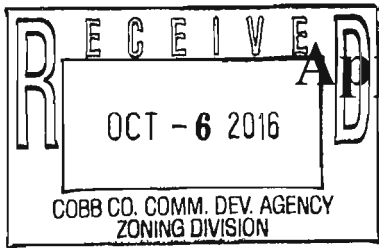
PROPERTY LOCATION: On the east side of Talley Street, south of Judy Circle (110 Talley Street).

SIZE OF TRACT: 0.65 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Allow an accessory structure (approximately 200 square foot shed) to be in front of the principal building; 2) waive the side setback for an accessory structure under 650 square feet (approximately 200 square foot shed) from the required 10 feet to 2.2 feet adjacent to the northern property line; and 3) waive the side setback adjacent to the north property line from 10 feet to 2.8 feet.





Application for Variance Cobb County

(type or print clearly)

Application No. V-167
Hearing Date: 12-14-16

Applicant Herman D. Sumner Phone # 778-51-0133 E-mail bsumner@bellsouth.net
Barbara J. Sumner
~~Herman D. Sumner~~ Address 110 Talley St. SE Marietta Ga 30060
(representative's name, printed) (street, city, state and zip code)

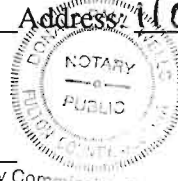
Barbara J. Sumner Phone # 778-51-0133 E-mail bsumner@bellsouth.net
(representative's signature)



Signed, sealed and delivered in presence of:
Donald Paul Well
Notary Public

My commission expires: _____ My Commission Expires March 24, 2017

Titleholder Barbara J. Sumner Phone # 778-51-0133 E-mail bsumner@bellsouth.net
Signature Barbara J. Sumner Address 110 Talley St SE Marietta Ga 30060
(attach additional signatures, if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:
Donald Paul Well
Notary Public

My commission expires: _____ My Commission Expires March 24, 2017

Present Zoning of Property R20

Location 110 Talley St SE
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 228/29 District 17th Size of Tract 0.65 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:

Husband has had 3 heart attacks, cancer, diabetic with neuropathy in his feet, and recently had a stroke. He stores his lawnmower + few tools in this shed. Backyard is hilly and not level to walk on. He has a hard time going down this hill and walking.

List type of variance requested: request this accessory structure stay in current place due to health reasons for Herman Sumner.

APPLICANT: Interplan LLC, c/o Chick-Fil-A Inc.

PETITION No.: V-168

PHONE: 407-645-5008

DATE OF HEARING: 12-14-2016

REPRESENTATIVE: Stuart Anderson, P.E.

PRESENT ZONING: NS

PHONE: 407-645-5008

LAND LOT(S): 413

TITLEHOLDER: Chick-Fil-A, Inc.

DISTRICT: 19

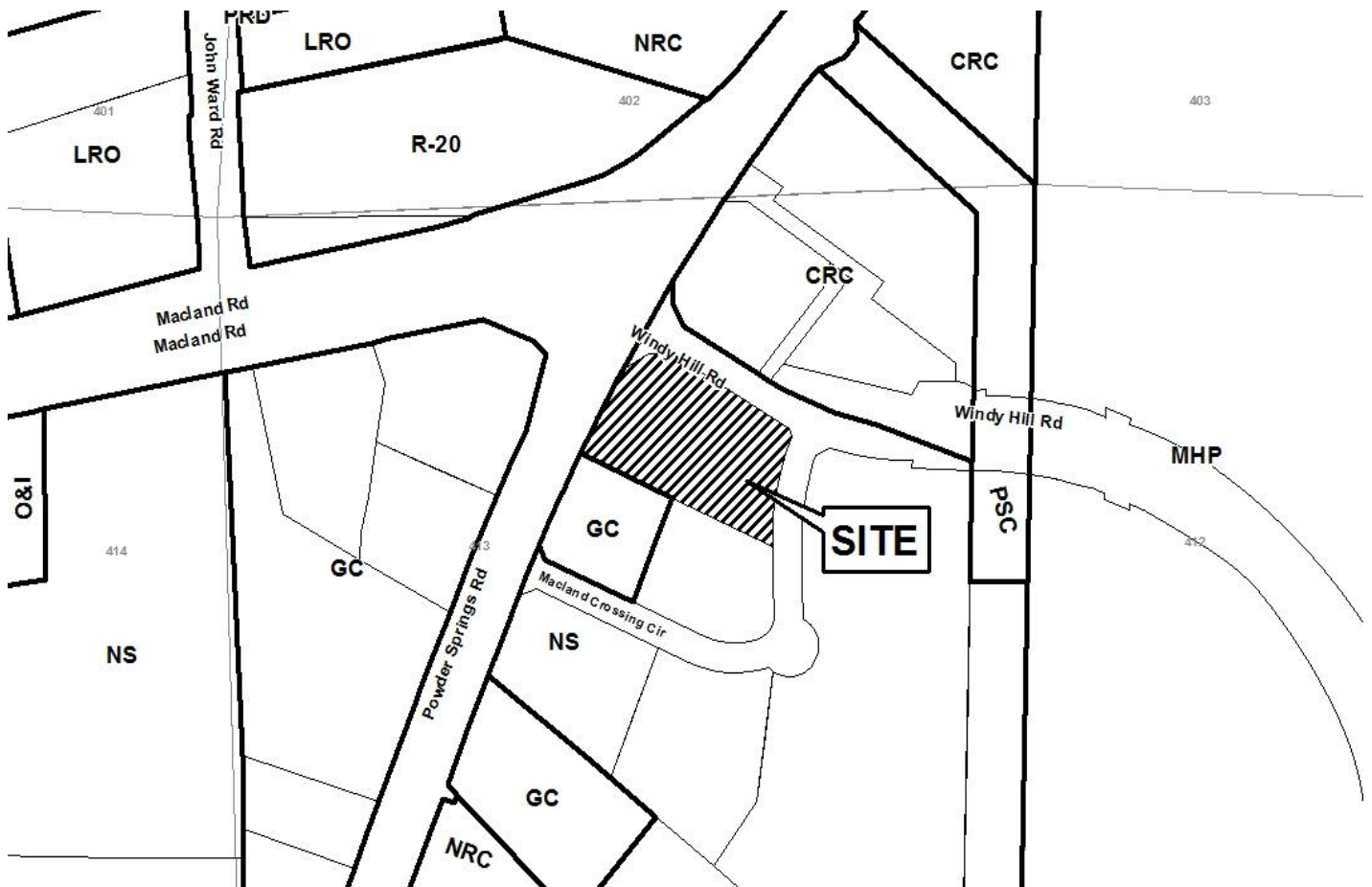
PROPERTY LOCATION: At the southeast

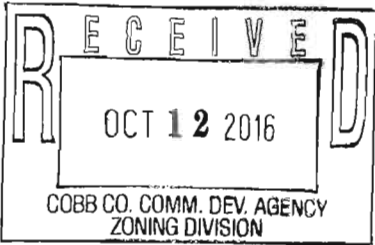
SIZE OF TRACT: 1.46 acres

intersection of Powder Springs Road and Windy Hill Road, and on the west side of Macland Crossing Circle (2005 Macland Crossing Circle).

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: Waive the maximum allowable impervious surface from 70% to 81%.





Application for Variance Cobb County

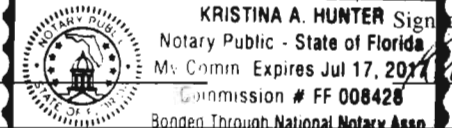
(type or print clearly)

Application No. V-1168
Hearing Date: 12-14-16

Applicant Interplan LLC c/o Chick-fil-A Inc Phone # (407) 645-5008 E-mail sanderson@interplanllc.com

Stuart Anderson, P.E. / George Georgy Address 604 Courtland Street, Suite 100, Orlando, FL 32804
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # (407) 645-5008 E-mail sanderson@interplanllc.com
(representative's signature)

My commission expires: 7/17/11  Signed, sealed and delivered in presence of:
Kristina A. Hunter Notary Public

Titleholder Chick-fil-A, Inc Phone # (404) 305-7745 E-mail Steve.Lewis@CFAcorp.com

Signature [Signature] Address: 5200 Buffington Road, Atlanta, GA 30349
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 07-20-2020  Signed, sealed and delivered in presence of:
Jennifer M. Wilcox Notary Public

Present Zoning of Property Neighborhood Shopping Center District (NS)

Location 2005 Macland Crossing Circle SW, Marietta, GA 30008
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 413 District 19 Size of Tract 1.46 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:

The maximum impervious area for zone NS is 70%. However, the site was constructed prior to issuance of this requirement. Therefore application of this term would create an unnecessary hardship to the project. The site was constructed with a 79.2% impervious area in year 1999 at which point it was in compliance with The Cobb County Zoning Ordinance. The proposed remodel increases the impervious area by only 1,039 SF (1%). The increase in site stormwater discharge due to the minor improvement is less than 1 CFS.

List type of variance requested: Impervious Area

APPLICANT: Atlanta Pools

PETITION No.: V-169

PHONE: 770-844-7665

DATE OF HEARING: 12-14-2016

REPRESENTATIVE: Michael Cochran

PRESENT ZONING: R-15

PHONE: 770-844-7665

LAND LOT(S): 5

TITLEHOLDER: Estate of Evelyn Johnson Lummus

DISTRICT: 1

PROPERTY LOCATION: On the west side of
Gateside Place, west of Gateside Lane

SIZE OF TRACT: 0.37 acres

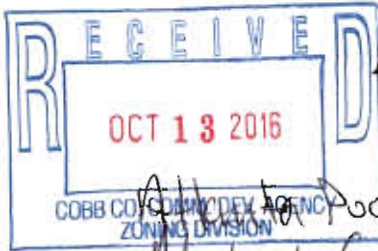
COMMISSION DISTRICT: 2

(40 Gateside Place).

TYPE OF VARIANCE: 1) Waive the front setback from the required 35 feet to 29 feet; and 2) waive the maximum allowable impervious surface from 35% to 44%.

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





Application for Variance Cobb County

(type or print clearly)

Application No. V-169

Hearing Date: 12-14-16

Applicant Michael Cochran

Phone # 770-844-7665 E-mail atlpools@bellsouth.net

Michael Cochran
(representative's name, printed) Address 3075 Antioch Rd Cumming 30041
(street, city, state and zip code)

[Signature]
(representative's signature) Phone # 770-844-7665 E-mail atlpools@bellsouth.net

My commission expires: 3/8/2016

Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Titleholder William C. Cummins Phone # 770-415-1501 E-mail Wcummins@lummsupply.com

Signature [Signature]
(attach additional signatures, if needed) Address 40 Gateside Place Marietta GA 3006
(street, city, state and zip code)

My commission expires: 3/8/2016

Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Present Zoning of Property R-15

Location 40 Gateside Place
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 45 District 1ST Size of Tract 0.370 ± Acre(s)
16,121 ± Sq. Ft.

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:

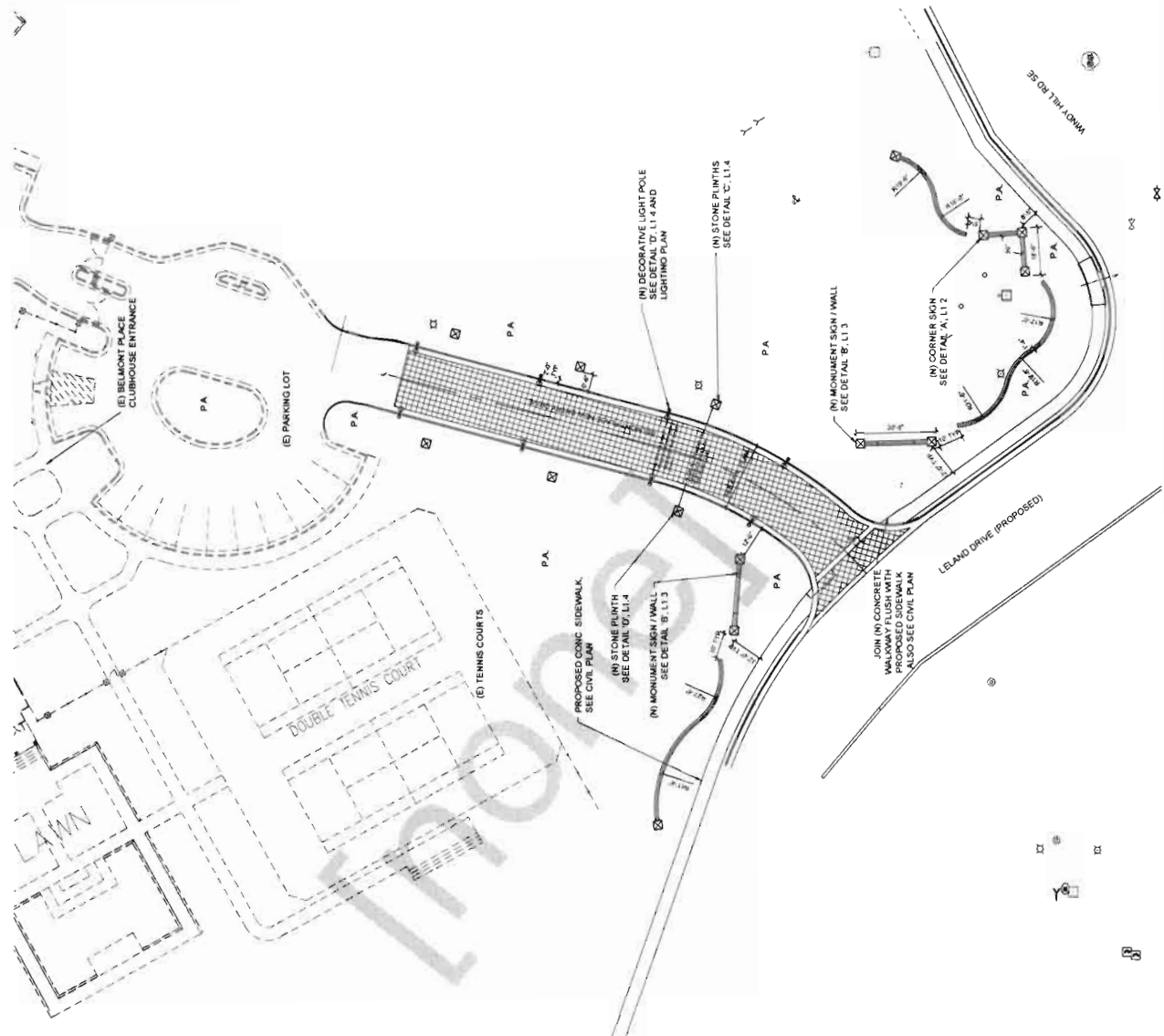
The existing lot coverage of the property is currently at 43.6%. We propose to eliminate a portion of the existing patio and add a pool, spa, and modest size pool deck. This would net an increase in lot coverage of .3%. Total Proposed lot coverage is 43.9%. Without the variance being granted, the owner cannot have a pool

Exceed allowed lot coverage by 8.9%.

Revised: 03-23-2016 * Request is to change allowed lot coverage to 43.9%.

V-170
(2016)

Project: Belmont Place Clubhouse
 Date: 05/12/2016
 Designer: Sammy Castro
 Scale: 1/8" = 1'-0"
 Title: LAYOUT & MATERIALS PLAN
 Project Number: L1.1



- ABBREVIATIONS**
- (N) = NEW
 - (E) OR (X) = EXISTING
 - TYP = TYPICAL
 - TBS = TO BE DETERMINED
 - EQ = EQUAL
 - P.T.P. = POURED IN PLACE
 - N.T.S. = NOT TO SCALE
 - MIN = MINIMUM
 - MAX = MAXIMUM
 - SCD = SAMMY CASTRO DESIGN

- PAVING MATERIALS LEGEND**
- CONCRETE PAVING
 - STANDARD GRAY (NO COLOR) FINISH, GRACE TOPCAST #5 (LIGHT SANDBLAST)
 - PAVESTONE PAVERS
 - MODEL 18MM PLAZA STONE
 - COLOR: HERITAGE ANTIQUE PEWTER

CONSTRUCTION NOTES

1. DRAWING IS DIAGRAMATIC. VERIFY ALL CONDITIONS AND LOCATIONS ON SITE PRIOR TO THE START OF CONSTRUCTION. NOTIFY LANDSCAPE DESIGNER IMMEDIATELY IF ANY ERRORS OR DISCREPANCIES ARE FOUND. BEFORE PROCEEDING WITH ANY WORK.
2. DO NOT SCALE DRAWINGS. USE DIMENSIONS AS INDICATED ON PLAN.
3. DO NOT FULLY PROCEED WITH CONSTRUCTION WHEN IT IS OBVIOUS THAT OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN APPARENT DURING DESIGN. OBTAIN DIRECTION BEFORE PROCEEDING WITH CONSTRUCTION IN SUCH CASES.
4. THE LOCATION OF ALL SERVICE RUNS, SUCH AS WATER SUPPLY, ELECTRICAL (OVERHEAD AND UNDERGROUND), TELEPHONE, SANITARY SEWER, ETC. SHOULD BE ASCERTAINED BEFORE WORK IS STARTED. WHERE THEY WILL BE AFFECTED BY EXCAVATION OR WHERE MACHINES AND EQUIPMENT WILL BE OPERATED, NOTIFY LANDSCAPE DESIGNER OF ANY CONFLICT WITH PROPOSED IMPROVEMENTS.
5. COORDINATE ALL UTILITY RUNS AND INSTALLATIONS EXISTING AND NEW PRIOR TO PAVING. VERIFY ALL ELECTRICAL SOURCES FOR IRRIGATION CLOCK-AND-LIGHTING WITH PROPER SUB-CONTRACTORS.
6. CLEAN OUT AND ADJUST EXISTING DRAINS TO ACCOMMODATE PROPOSED DRAINAGE.
7. OBTAIN INSPECTION AND APPROVAL OF ALL FORMS PRIOR TO PLACING CONCRETE.
8. TRANSITIONS FROM EXISTING PAVING TO NEW PAVING SHALL BE FLUSH, WITH EXPANSION JOINT BETWEEN NEW AND EXISTING CONCRETE.
9. REFER TO PLANS AND GENERAL NOTES FOR ADDITIONAL NOTES AND INFORMATION REGARDING THE CONSTRUCTION OF THIS PROJECT.
10. CONSTRUCT ALL WALLS, PAVING, DRAIN LINES, SLEEVING, ETC. PER PLAN AND DETAILS.
11. CONCRETE TO SLOPE FROM FOUNDATION TOWARDS DRAIN INLETS AND DRAINAGE SWALES AT A MINIMUM RATE OF 1/8" PER FOOT. INSTALL CONCRETE FORMS WITH LONG, SMOOTH GRADIENTS TO ELIMINATE DIPS, RIDGES, ABRUPT CHANGES OF GRADE, AND SHARP TRANSITIONS.
12. INSTALL EXPANSION JOINTS @ 40'-0" MAX. INSTALL CRACK CONTROL JOINTS @ 10'-0" MAX. JOINTS WILL NOT BE ALLOWED. INSTALL LETS AND CGCS AT 90° TO THE EDGE OF CONCRETE PAVING. SEE PLAN FOR ADDITIONAL INFORMATION AND LOCATIONS.
13. PRIOR TO PLACING CONCRETE, SUFFICIENTLY MOISTEN THE SUBGRADE AND PROVIDE SUBGRADE PREPARATIONS PER THE SOILS ENGINEER.
14. INSTALL TYPE 1 CONCRETE THAT OBTAINS A MINIMUM COMPRESSIVE STRENGTH OF 3,500 P.S.I. AT 28 DAYS UNLESS OTHERWISE SPECIFIED ON THESE PLANS AND DETAILS. CONCRETE COLOR TO BE STANDARD GRAY AND FINISH TO BE GRACE TOPCAST #5 LIGHT SANDBLAST. SUBMIT SAMPLE TO OWNER AND LANDSCAPE DESIGNER PRIOR TO LAYING OUT FORMS. REPORT TO OWNER AND LANDSCAPE DESIGNER OF ANY CONFLICT WITH PROPOSED IMPROVEMENTS. IN CASE OF CONFLICT BETWEEN SOILS REPORT AND DETAILS, THE MOST STRINGENT REQUIREMENTS WILL APPLY.
15. BACKFILL AND COMPACT BEHIND ALL WALLS AND MASONRY STRUCTURES, AS REQUIRED ON DRAWINGS AND DETAILS. BACKFILL PLANTERS WITH TOP GRADE SANDY-LOAM TOPSOIL PER PLANTING NOTES.
16. CLEAN UP AND REMOVE ALL DEBRIS FROM SITE PRIOR TO REQUESTING FINAL APPROVAL. GRADE ALL AREAS WITHIN 5" OF FINISH GRADES. NOTE AREAS OF ADDITIONAL GRADING SHOWN. COORDINATE WITH LANDSCAPE DESIGNER THE FINAL FORM OF LANDSCAPE MOUNDS.

APPLICANT: Belmont Place Apartments, LLC

PHONE: 404-665-1242

REPRESENTATIVE: Julie Sellers, Esq.

PHONE: 404-665-1242

TITLEHOLDER: Belmont Place Apartments, LLC

PROPERTY LOCATION: On the north side of Windy Hill Road and the east side of Leland Drive, east of Interstate 75 (2825 Windy Hill Road).

PETITION No.: V-170

DATE OF HEARING: 12-14-2016

PRESENT ZONING: RM-12

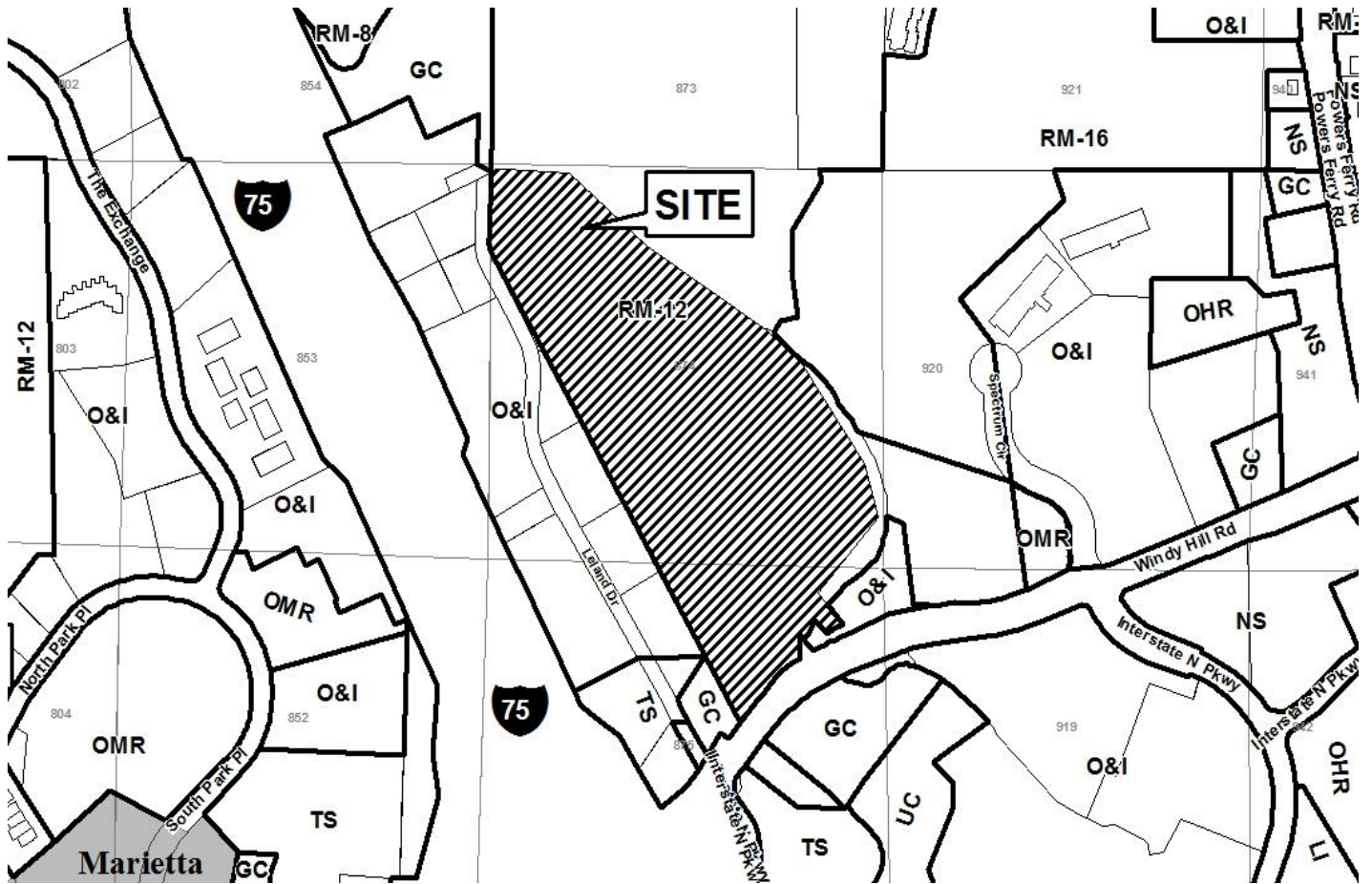
LAND LOT(S): 874, 875

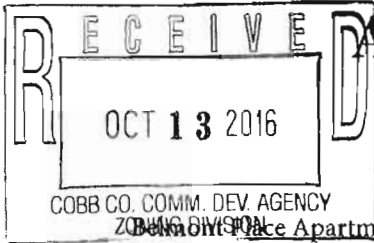
DISTRICT: 17

SIZE OF TRACT: 30.29 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Increase the allowable freestanding sign area from 64 square feet to 108 square feet.





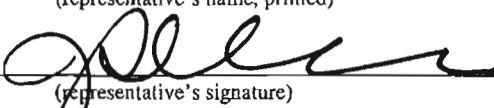
Application for Variance Cobb County

(type or print clearly)

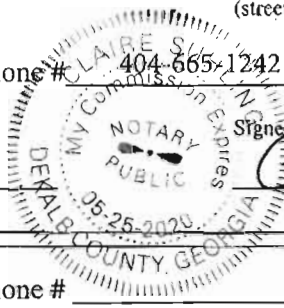
Application No. V-170
Hearing Date: 12-14-16

Applicant c/o Pursley Friese Torgrimson, LLP Phone # 404-665-1242 E-mail jsellers@pftlegal.com

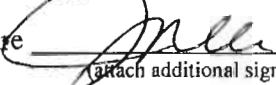
Julie Sellers, Esq (representative's name, printed) Address 1230 Peachtree St, Suite 1200, Atlanta, GA 30309 (street, city, state and zip code)

 Phone # 404-665-1242 E-mail jsellers@pftlegal.com
(representative's signature)

My commission expires: 5/25/20 Signed, sealed and delivered in presence of: Clare Schlegel Notary Public



Titleholder Belmont Place Apartments, LLC Phone # _____ E-mail _____

Signature  Address: _____ (street, city, state and zip code)
(attach additional signatures, if needed)

SEE ATTACHED
NOTARY CERTIFICATE

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

Present Zoning of Property RM-12

Location 2825 Windy Hill Road (street address, if applicable; nearest intersection, etc.)

Land Lot(s) 873, 874, 875, 920 District 17 Size of Tract +/-30.29 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 X

Does the property or this request need a second electrical meter? YES _____ NO X

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:
See attached.

List type of variance requested: See attached.

Julie L. Sellers
Direct Dial: 404-665-1242

E-mail:
jsellers@pftlegal.com

October 13, 2016

Cobb County Board of Zoning Appeals
Cobb County
Zoning Division
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064



Re: Variance Application, Letter of Intent, and Constitutional Notice
Belmont Place Apartments, LLC

Dear Cobb County Board of Zoning Appeals:

This firm has been retained to represent the Owner/Applicant Belmont Place Apartments, LLC in connection with this application requesting a variance from the strict application of Section 134-314. The property at issue is identified in the attached deed.

Applicant owns and operates an apartment building and has historically enjoyed direct access to the property from Windy Hill Road SE. On June 11, 2015, Cobb County filed a Petition for Condemnation In Rem against the Applicant and subject property. The County's taking involves property

Based on the County's actions, the entrance to the Property was relocated from Windy Hill Road to Leland Drive. The hardship supporting this variance request is the taking of the property and relocation of the property entrance. Based on a strict interpretation of the Cobb County Code, on premises signs are limited to 64 square feet. Applicant request this variance from this strict interpretation to allow for a sign on Windy Hill Road to include two sign areas of 24 square feet each. These signs are in addition to the monument signs at the newly relocated entrance on Leland Drive.

The following supporting documents are attached:

1. Limited Warranty Deed, including attached legal description;
2. Survey and sign plans;
3. Letter confirming authority of this firm to act as the Owner/Applicant's representative; and
4. Tax payment confirmation.



Cobb County Board of Zoning Appeals
Belmont Place Apartments, LLC variance
October 13, 2016
Page 2



Applicant satisfies all of the criteria for a variance as set forth in the Cobb County Zoning Code, Section 134-94(3):

1. **There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.**

The property's size and shape has changed due to the condemnation proceeding by Cobb County. The extraordinary condition was created by the County's taking of Applicant's property and relocating the entrance to the Property.

2. **The application of the Zoning Code to this particular piece of property would create an unnecessary hardship.**

As set forth above, the condemnation action has relocated the entrance from Windy Hill Road to Leland Drive. Due to this change, additional sign area is needed to alert the public, residents and guests. Strict application of the sign area limitation 134-314 created an unnecessary hardship.

3. **Such conditions are peculiar to the particular piece of property involved.**

The condemnation action and taking the property that allowed for direct access to and from Windy Hill Road resulted in the current conditions requiring this variance.

4. **Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution.**

If granted, the variance would not cause substantial detriment to the public good nor impair the purposes or intent of Cobb County's Zoning Code. In fact, the variance would facilitate the development of the Property which was previously cleared (by a prior owner) and in its current condition does not enhance the area. There is no detriment to the public good by the slight increase in sign area at the Property.

Cobb County Board of Zoning Appeals
Belmont Place Apartments, LLC variance
October 13, 2016
Page 3



The hereinafter constitutional notice is now required by Georgia law.

Owner/Applicant respectfully submits that the failure to grant the variance would be unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Cobb County Board of Zoning Appeals without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Cobb County Board of Zoning Appeals to approve the variance application for the Property in accordance with the zoning criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

For all the foregoing reasons, it is submitted on behalf of the Applicant that the variance application meets the requirements of the Cobb County Zoning Code. This notice is being given to comply with the provisions of O.C.G.A. § 36-11-1 to afford the County an opportunity to grant the requested variance. If action is not taken by the BZA to grant the variance within a reasonable time, a claim will be filed in the Superior Court of Cobb County demanding just and adequate compensation under Georgia law for the taking of the Property, diminution of value of the Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

We respectfully request that the Application be granted. Should you have any questions or require additional information, please let me know.

Best wishes.

V-170
(2016)
Exhibit

Cobb County Board of Zoning Appeals
Belmont Place Apartments, LLC variance
October 13, 2016
Page 4

Sincerely,

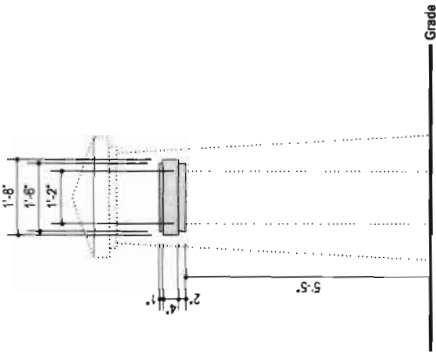
PURSLEY FRIESE TORGRIMSON, LLP



Julie Sellers

JLS/mah
Enclosures

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Section 1
Secondary ID - 3
Scale: 3/8" = 1'-0"



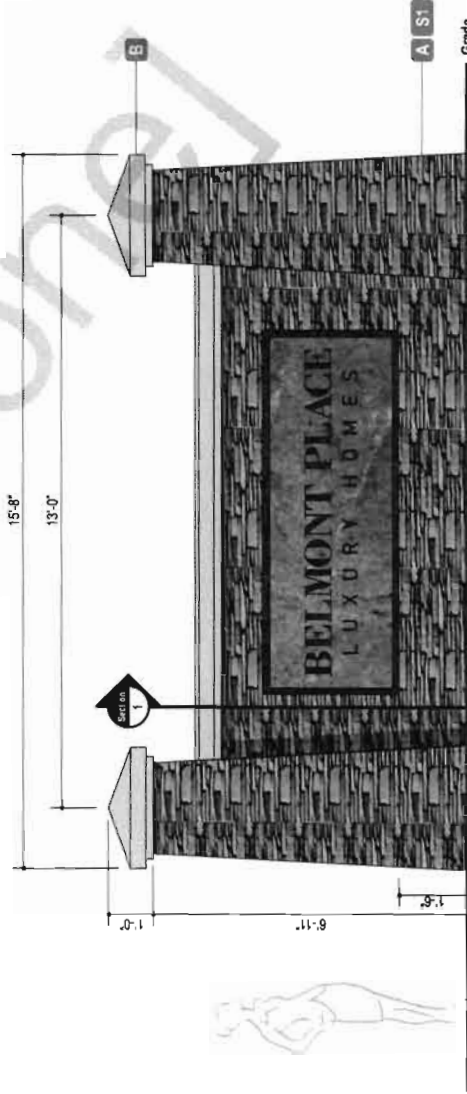
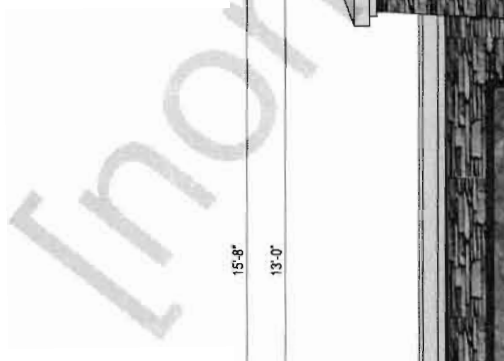
Colors & Finishes

Colors shown here may not exactly match manufacturer's color chart results or actual sample. Check to other projects drawings or specifications for custom colors prior to production or approval. Dalrype color swatches or color specifications.

- C1 SW 6156 Ramie
- C2 White
- C3 Black
- C4 MP 20158 Statuary Bronze
- S1 Southern LedgeStone Rustic CSV-2055

Construction Specifications

- A CMU monument with applied stone
- B Pre-Cast column and wall caps
- C MSI Granite slab (Juparana Arands) with sandblasted and painted copy and border



Qty: 1 Single Face V-Shaped Sign

Secondary ID - 2
Scale: 3/8" = 1'-0"

DENYSE
C. O. P. A. B.
18394
11000
www.denyseco.com

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Management Company
Carroll Communities
Property Name & Address
Belmont Place
Marietta
GA

Opposite: Belmont Place, Marietta, GA
18394
Daily: Earl H.
Design: K.
Date: 07.28.2016

V-170
(2016)
Exhibit

Revision Data
08.16.2016 for
09.14.2016 for
10.03.2016 for

Design Time
5.5

Customer Approval

Filename
BP Secondary Ids v6

- Concept
- Preliminary
- Production

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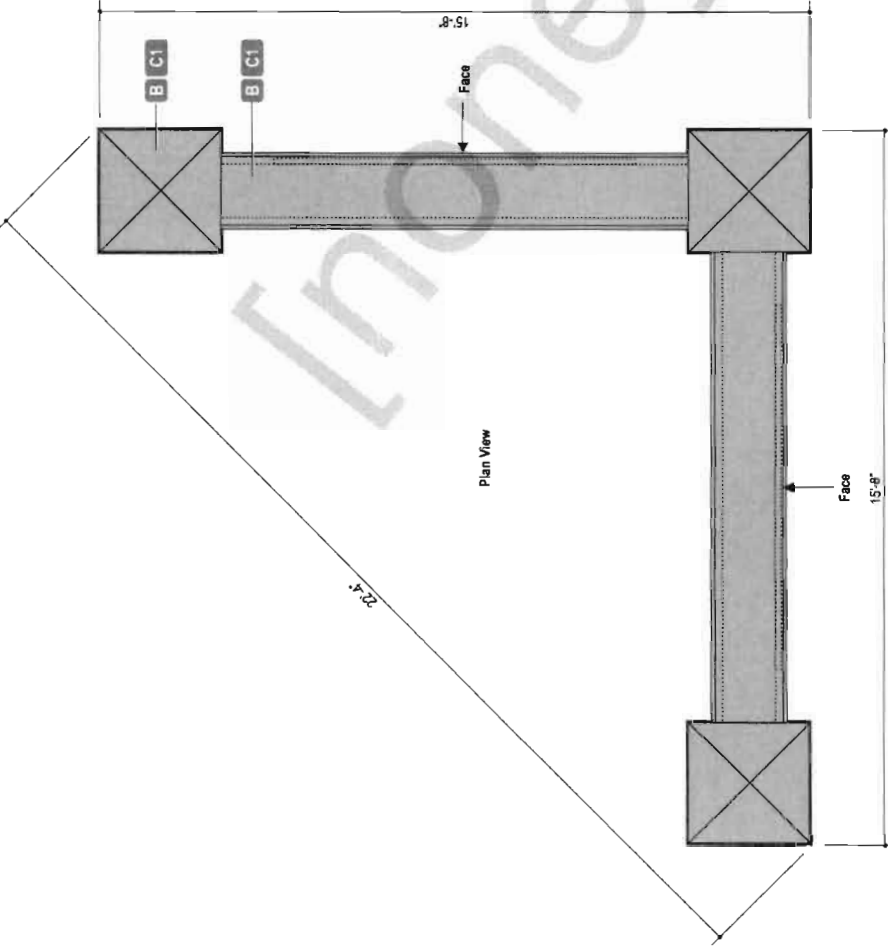
Colors & Finishes

Colors shown here may not exactly match manufacturer color chart match or actual results. Call to either provide response or specifications for custom colors prior to production or approve Denlyse color samples or color specifications.

- C1** SW 6158 Ramie
- C2** White
- C3** Black
- C4** MP 20158 Statuary Bronze
- S1** Southern Ledgestone-Rustic CSV-2055

Construction Specifications

- A** CMU monument with applied stone
- B** AHF column and wall caps
- C** 125 Painted aluminum panel with .75" routed and painted main copy with .25" routed and painted acrylic sub copy



Secondary ID - 2
Scale: 3/8" = 1'-0"

DENLYSE
C. D. DENLYSE, A. N. L. L. C.
10000 Denlyse Blvd, Marietta, GA 30067
1.800.841.7448
www.denlyse.com

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Management Company
Carroll Communities
Property Name & Address
Belmont Place
Marietta
GA

Opportunity Number
1838
Deliverables
Earl
Design
McC
Date
07/28/2016

V-170
(2016)
Exhibit

Revision Date
08/16/2016 by
09/14/2016 by
10/03/2016 by
3

Design Time
5.5

Customer Approval

Filename
BP Secondary Ids v6

- Concept
- Preliminary
- Production

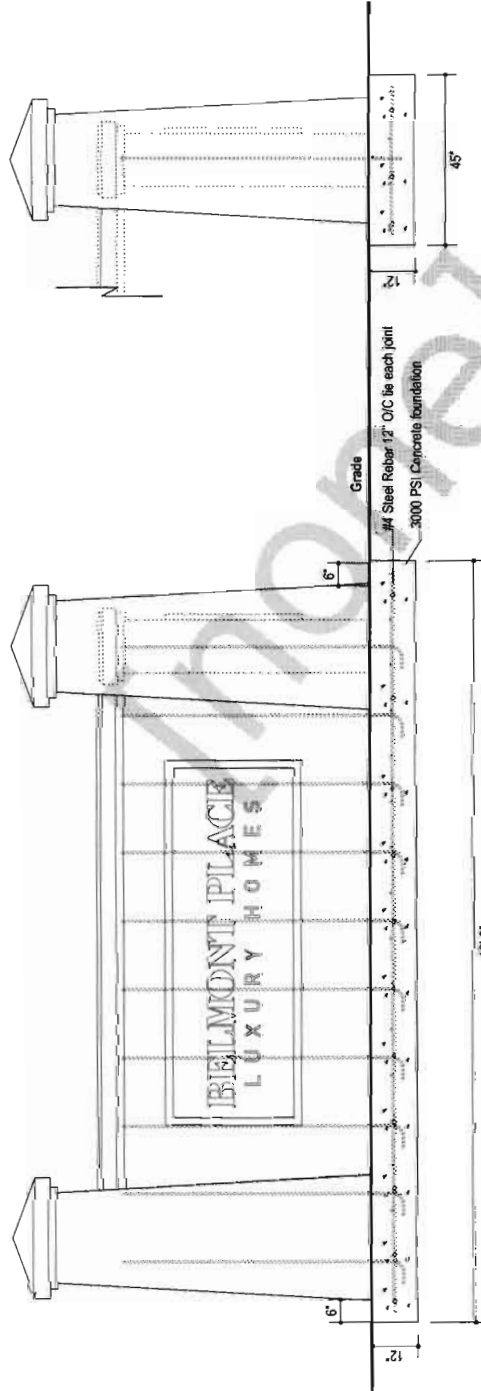
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DENYSE
C. O. M. P. A. N. Y.
WWW.DENYSE-ARCHITECTURAL.COM
1.800.941.7446
www.denyseco.com

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Management Company
Carroll Communities
Property Name & Address
Belmont Place
Marietta
GA

Wind Load = 115 mph



#4 Steel Rebar 12" O/C tie each joint

V-170
(2016)
Exhibit

18399
Dipartimento Number
07.28.2016
Date

Revision Date
08.16.2016 by
09.14.2016 by
10.03.2016 by
3

Design Time
5.5

Customer Approval

Filename
BP Secondary ids v6

Concept
 Preliminary
 Production

V-171
(2016)

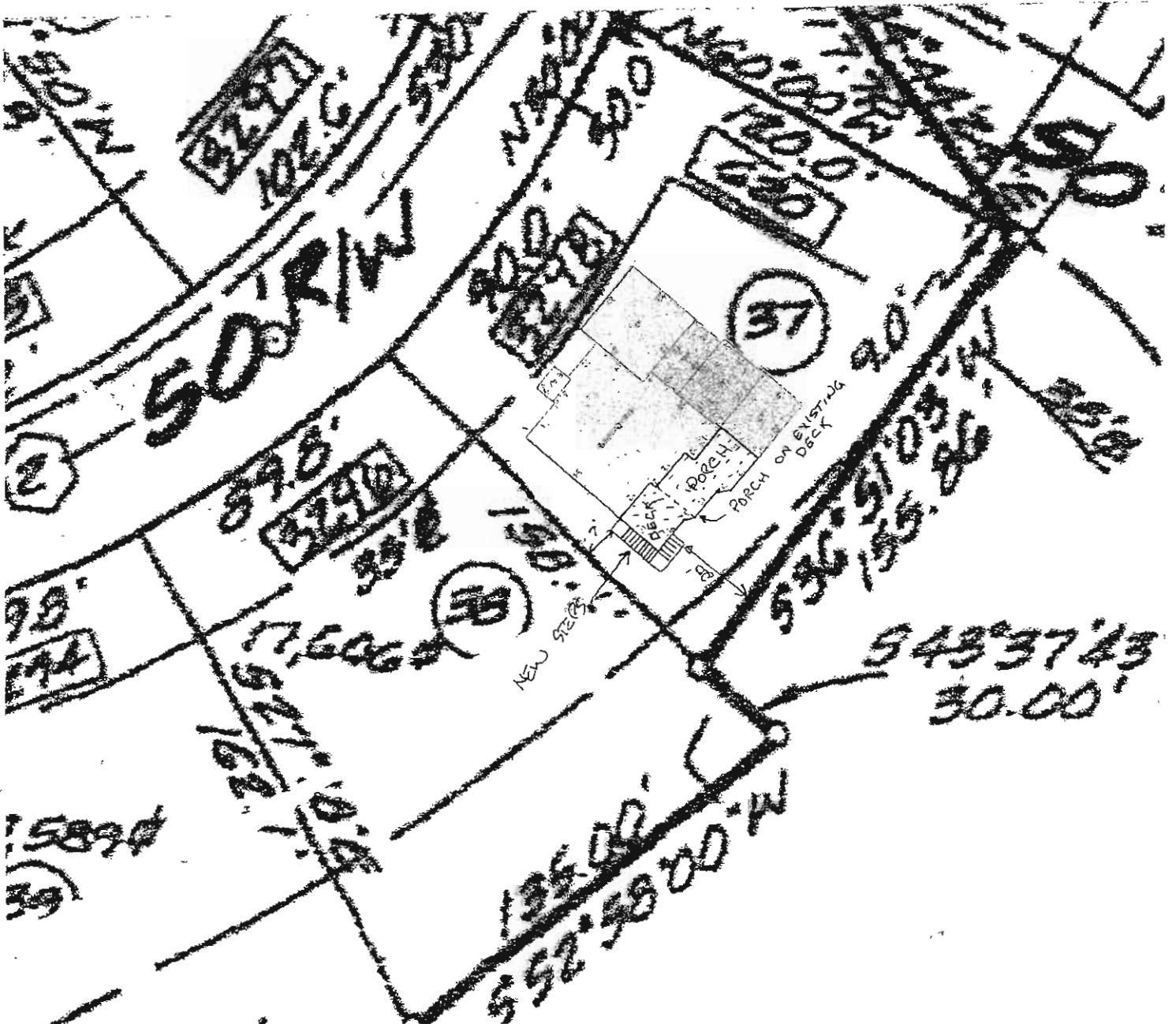
Address: 3298 BELMONT GLEN DR

Neighborhood: 1702 - 2844 BELMONT

Owner: DOUGLAS TESS D & NALLY MICHAEL J

Screen Porch on Existing Deck – No charge to footprint

New landing and steps



APPLICANT: Tess D. Douglas

PETITION No.: V-171

PHONE: Not Given

DATE OF HEARING: 12-14-2016

REPRESENTATIVE: Adam J. Rozen, Esq.

PRESENT ZONING: R-20

PHONE: 770-422-7016

LAND LOT(S): 999

TITLEHOLDER: Tess D. Douglas and Michael J. Nally

DISTRICT: 17

PROPERTY LOCATION: On the southeast corner of Belmont Glen Drive and Belmont Crest Drive (3298 Belmont Glen Drive).

SIZE OF TRACT: 0.39 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the rear setback from the required 35 feet to 20 feet; and 2) waive the side setback from the required 10 feet to seven (7) feet adjacent to the western property line.






Application for Variance Cobb County

(type or print clearly)

Application No. V-171
Hearing Date: Dec. 14, 2016

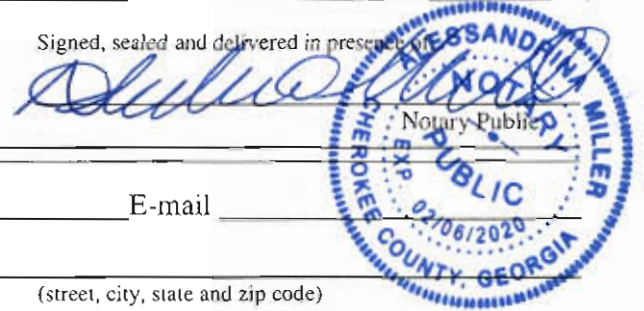
Applicant Tess D. Douglas Phone # _____ E-mail _____

Adam J. Rozen, Esq. Address 376 Powder Springs Street, Suite 100, Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

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

Signed, sealed and delivered in presence of _____

My commission expires: 2-6-20



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 R-20

Location Southwest intersection of Belmont Crest Drive and Belmont Glen Drive (3298 Belmont Glen Drive)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 999 District 17th Size of Tract 0.3939 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 Corner Lot

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:

A literal interpretation or enforcement of the Zoning Ordinance provisions creates a hardship for the property owners as it would disallow the proposal to modify the existing porch to a covered area.

List type of variance requested: 1) Waive the rear setback from required 35 feet to 20 feet; 2) waive the side setback (west) from 10 feet to 7 feet.

V-171
(2016)
Exhibit

ATTACHMENT TO VARIANCE APPLICATION

Application No.: V- 171

BZA Hearing Date: December 14, 2016

Applicant: TESS D. DOUGLAS
Titleholder: Tess D. Douglas and Michael J. Nally
Tax ID #: 17099900130



PROPERTY OWNER'S CERTIFICATION

The undersigned(s) below, or as attached, is the owner of the property considered in this application.

[Signature] 10/13/2016
Signature of Owner Date

[Signature] 10-13-16
Signature of Owner Date

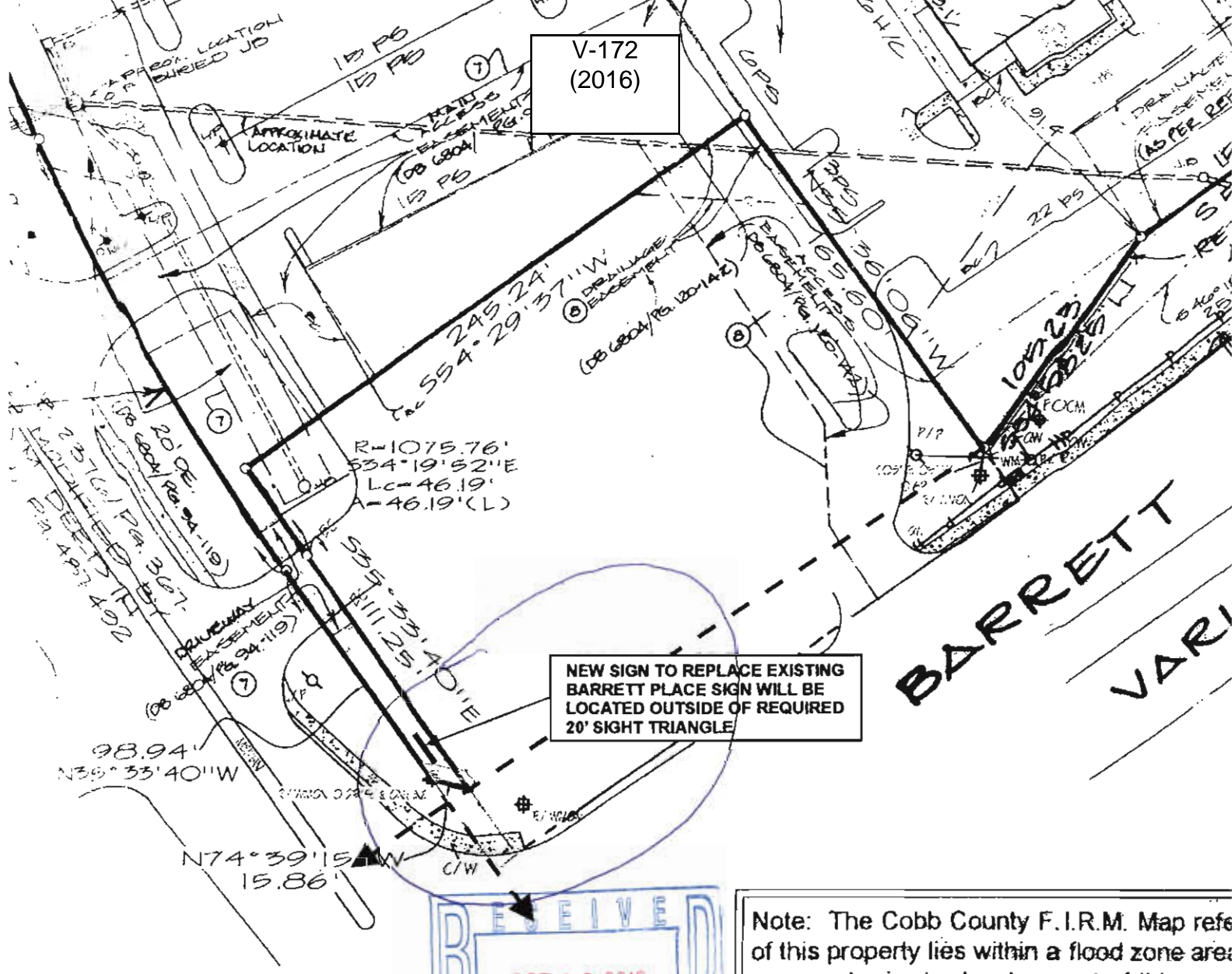
Address: 3298 Belmont Glen Dr.
MARIETTA, GA 30067

Telephone No.: 404-219-6841

[Signature] 10/13/16
Signature of Notary Public Date

(Notary Seal)





V-172
(2016)

NEW SIGN TO REPLACE EXISTING
BARRETT PLACE SIGN WILL BE
LOCATED OUTSIDE OF REQUIRED
20' SIGHT TRIANGLE

BARRETT
VARI

Note: The Cobb County F.I.R.M. Map refe
of this property lies within a flood zone area
prepared prior to development of this prop
area was filled and a culvert constructed
Place Boulevard when the property was d
advised Watts & Browning that the 100
Cobb County via Land Disturbance Permit



SCALE 1" = 60'

REVISIONS			
NO.	DATE	BY	DESCRIPTION
9	02/26/05	TND	REVISE TITLE BLOCK & CERTIFICATION
10	09/02/05	AMCH	REVISE TITLE BLOCK & CERTIFICATION, REVISE SCHEDULE "B" NOTES.



CENTRO WA

D
T
E
N
A
B
E
K
K

APPLICANT: D & G Lighting & Signs, Inc.

PETITION No.: V-172

PHONE: 770-603-6336

DATE OF HEARING: 12-14-2016

REPRESENTATIVE: Donovan Swafford

PRESENT ZONING: GC

PHONE: 404-427-2783

LAND LOT(S): 647, 650

TITLEHOLDER: Brixmor Operating Partnership 2, LLC

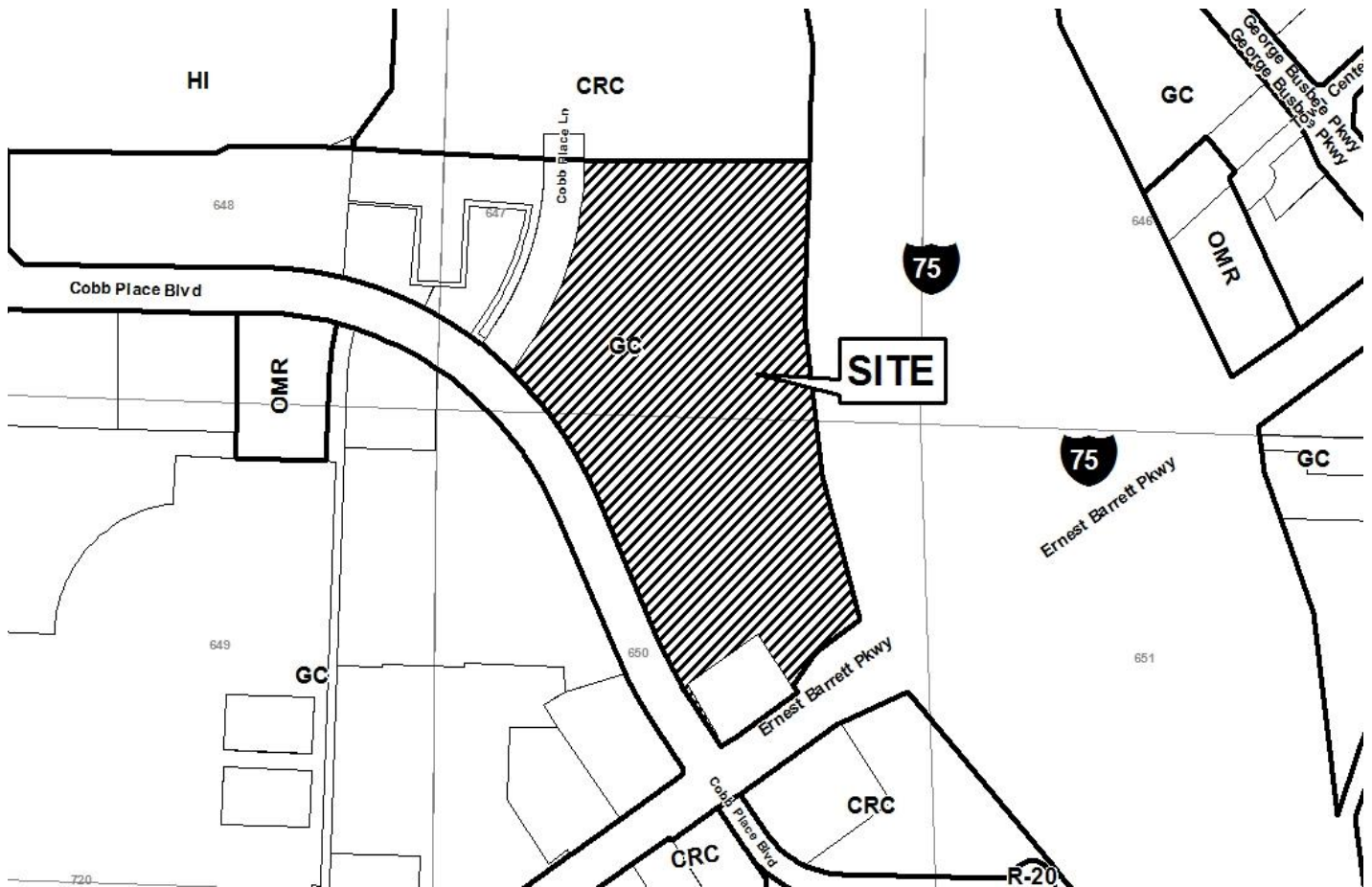
DISTRICT: 16

PROPERTY LOCATION: On the north side of Ernest Barrett Parkway, on the east side of Cobb Place Boulevard, and on the southeast side of Cobb Place Lane (860 Cobb Place Boulevard).

SIZE OF TRACT: 19.91 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive side yard setback for a freestanding sign from 10 feet to one (1) foot.





Application for Variance Cobb County

(type or print clearly)

Application No. V-172
Hearing Date: 12/14/2016

Applicant D.B. Lighting & Signs, Inc. Phone # 770-603-6336 E-mail dgoutdoorlighting@yahoo.com

Donovan Swafford
(representative's name, printed) Address: 465 Dalles Hwy, Villa Rica, GA 30180
(street, city, state and zip code)

Donovan Swafford
(representative's signature) Phone # 770-272-783 E-mail dgoutdoorlighting@yahoo.com



My commission expires: Jan 3, 2020
Signed, sealed and delivered in presence of: Judith G. Thomas
Notary Public

Titleholder Brimmer Operating Partners, LLC Phone # 770-360-8462 E-mail Kimberly.ward@brimmer.com

Signature [Signature] Address: 450 Lexington Ave. 13th Floor, New York, NY 10017
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 11/21/17
Signed, sealed and delivered in presence of: Heather Kay Smith
Notary Public

Present Zoning of Property _____

Location 860 Cobb Place Blvd. Kennesaw, GA 30144
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 647 & 650 District 16th Cobb County Size of Tract 19.91 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 867,485 sq. ft. Shape of Property Rectangle Topography of Property Flat Other _____

Does the property or this request need a second electrical meter? YES _____ NO X

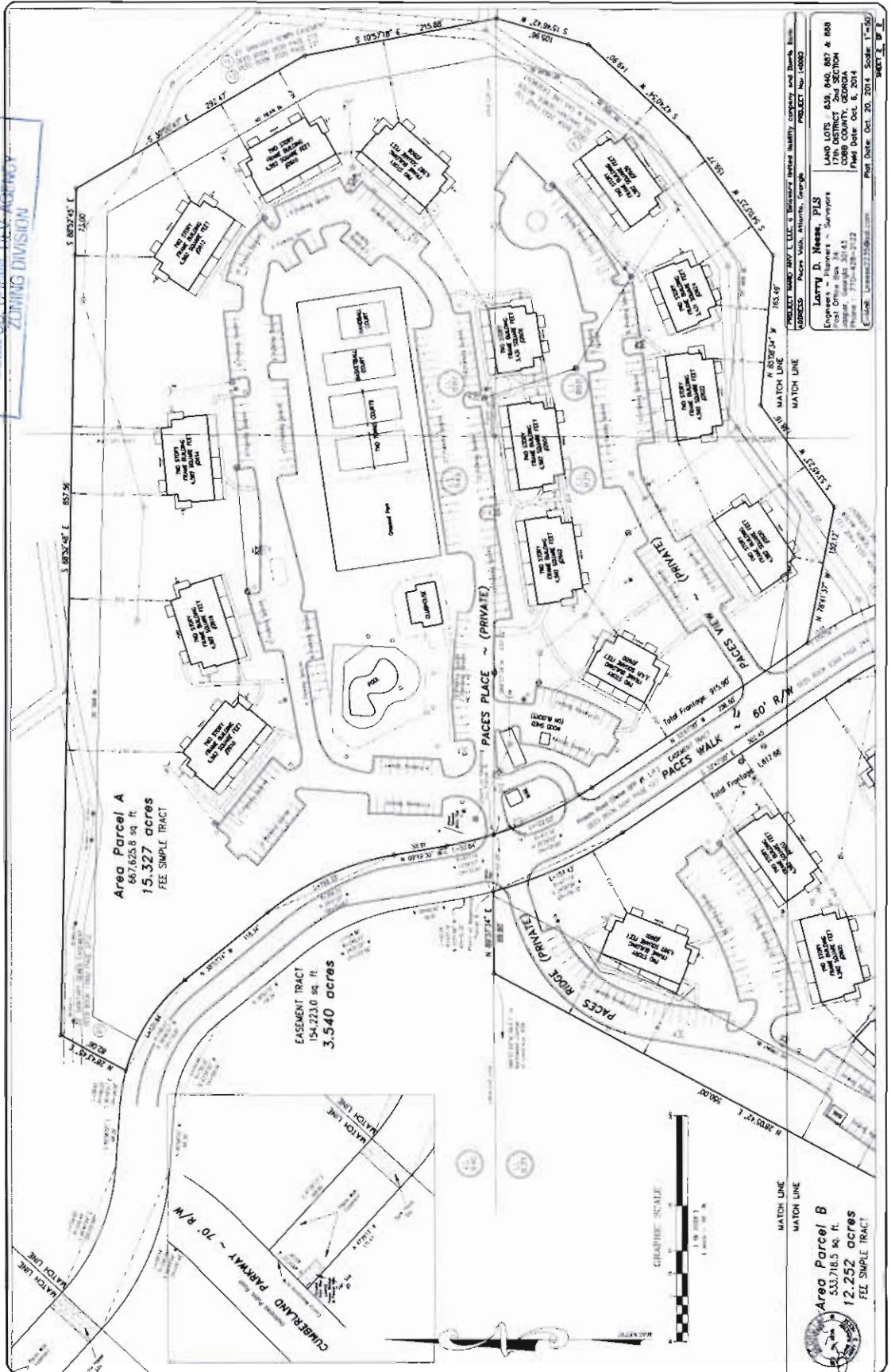
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance:

Business located in shopping center identified by the existing monument sign will continue to suffer from lack of exposure & visibility to traffic & potential customers travelling on Ernest Barnett Pkwy, & those exiting the expressway. Competing businesses have capitalized & taken advantage of the increased overall height of their signs (35' overall height) due to the proximity of I-75 (less than 1/2 mile).

List type of variance requested: Relief from setbacks - Sec. 134-227-GC General commercial district, (4) d. variance will allow existing 20' tall sign to be replaced with more effective 35' tall sign in the same location.

V-173
(2016)

RECEIVED
OCT 13 2016
COBB COUNTY PLANNING AGENCY
ZONING DIVISION



PROJECT: 2016-07-T. LLC, a Tennessee limited liability company and David Bush
ADDRESS: Paces Walk, Atlanta, Georgia
PROJECT No. 10000
Larry D. Neese, PLS
Engineers - Planners - Surveyors
Professional Seal No. 43
Phone: 770-478-2122
E-Mail: lneese@l2s.com
PROJECT No. 10000
LAND LOTS: 654, 840, 887 & 888
LOCATION: PACES PLACE, PACESTON
COBB COUNTY, GEORGIA
Filed Date: Oct. 6, 2014
Sheet: 1 of 2

MATCH LINE
MATCH LINE
Area Parcel B
553,718.5 sq. ft.
12.252 acres
FEE SIMPLE TRACT

APPLICANT: Audubon Communities

PETITION No.: V-173

PHONE: 678-894-3990

DATE OF HEARING: 12-14-2016

REPRESENTATIVE: J. Kevin Moore

PRESENT ZONING: RM-12

PHONE: 770-429-1499

LAND LOT(S): 839, 840, 887, 888

TITLEHOLDER: AHV 1 LLC

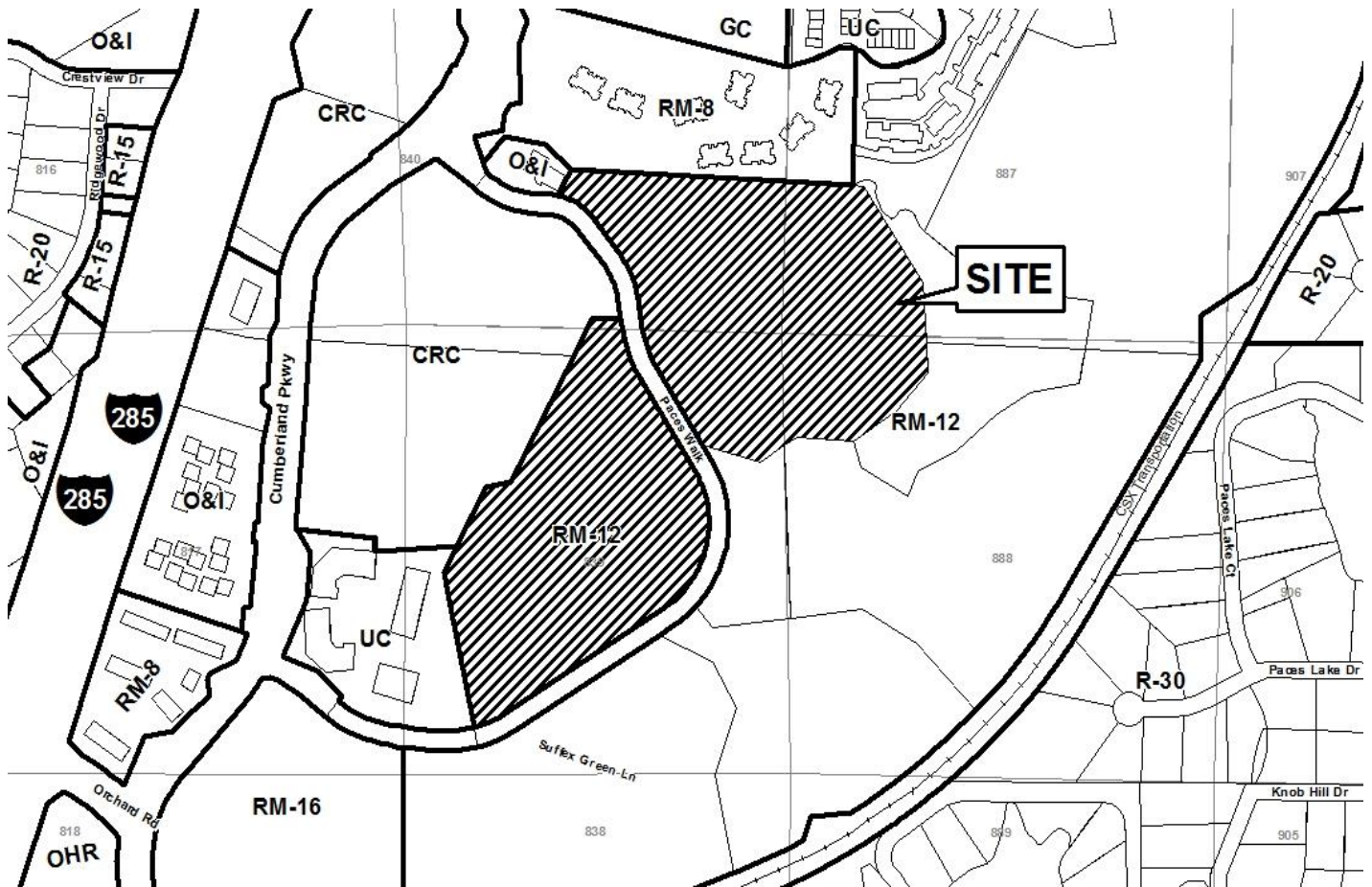
DISTRICT: 17

PROPERTY LOCATION: Located along PacesWalk,
east of Cumberland Parkway
(3900 Paces Walk).

SIZE OF TRACT: 31.12 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the front setback from the required 75 feet to 42 feet; and 2) waive the side setback from the required 35 feet to 10 feet



Application for Variance Cobb County

(type or print clearly)

Application No. V-V-173(2016)
Hearing Date: 12/14/2016

Applicant Audubon Communities Phone # (678) 894-3990 E-mail cedwards@acmpts.com
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
J. Kevin Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

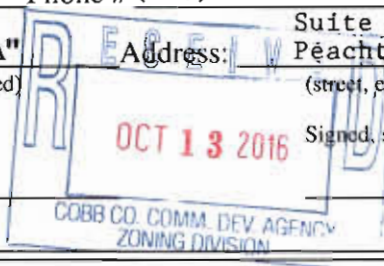
BY: [Signature] Phone # (770) 429-1499 E-mail jkm@mijs.com
(representative's signature) Georgia Bar No. 519728



My commission expires: January 10, 2019

Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Titleholder AHV 1 LLC Phone # (678) 894-3990 E-mail cedwards@acmpts.com
Signature See Attached Exhibit "A" Address: Suite 216, 6525 The Corners Parkway
(attach additional signatures, if needed) Peachtree Corners, GA 30092-3350
(street, city, state and zip code)



My commission expires: _____

Signed, sealed and delivered in presence of:

Notary Public

Present Zoning of Property RM-12

Location Paces Walk; easterly of Cumberland Parkway (a/k/a 3900 Paces Walk)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 839, 840, 887, 888 District 17th Size of Tract 31.119± 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 X

Does the property or this request need a second electrical meter? YES _____ NO _____ Not Applicable

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:
See Exhibit "B" attached hereto and incorporated herein by reference.

List type of variance requested: (1) Reduction of required minimum front setback from seventy-five (75) feet to forty-two (42) feet; (2) Reduction of required minimum side setback from thirty-five (35) feet to ten (10) feet. (See § 134-206(4)(d)).

V-173
(2016)
Exhibit

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 173 (2016)
Hearing Date: December 14, 2016

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant: Audubon Communities
Titleholder: AHV 1 LLC
a Delaware limited liability company



AHV 1 LLC,
a Delaware limited liability company

BY: ACM HUSREF JV LLC, a Delaware limited liability company, its sole member

BY: ACM HUSREF VENTURE 1 LLC, a Delaware limited liability company, its managing member

BY: [Signature]
Andrew Schwarz
Manager

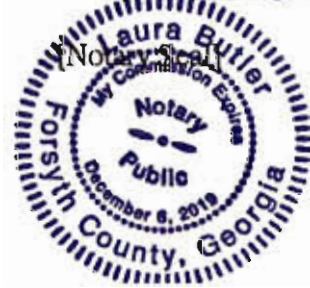
Date of Execution: 10/13/2016

Address: Suite 216, 6525 The Corners Parkway
Peachtree Corners, Georgia 30092-3350

Telephone No.: (678) 710-8263
Telefax No.: (678) 261-1580

Signed, sealed, and delivered in the presence of:

[Signature]
Notary Public
Commission Expires: 12.6.19



V-173
(2016)
Exhibit

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 173 (2016)
Hearing Date: December 14, 2016

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

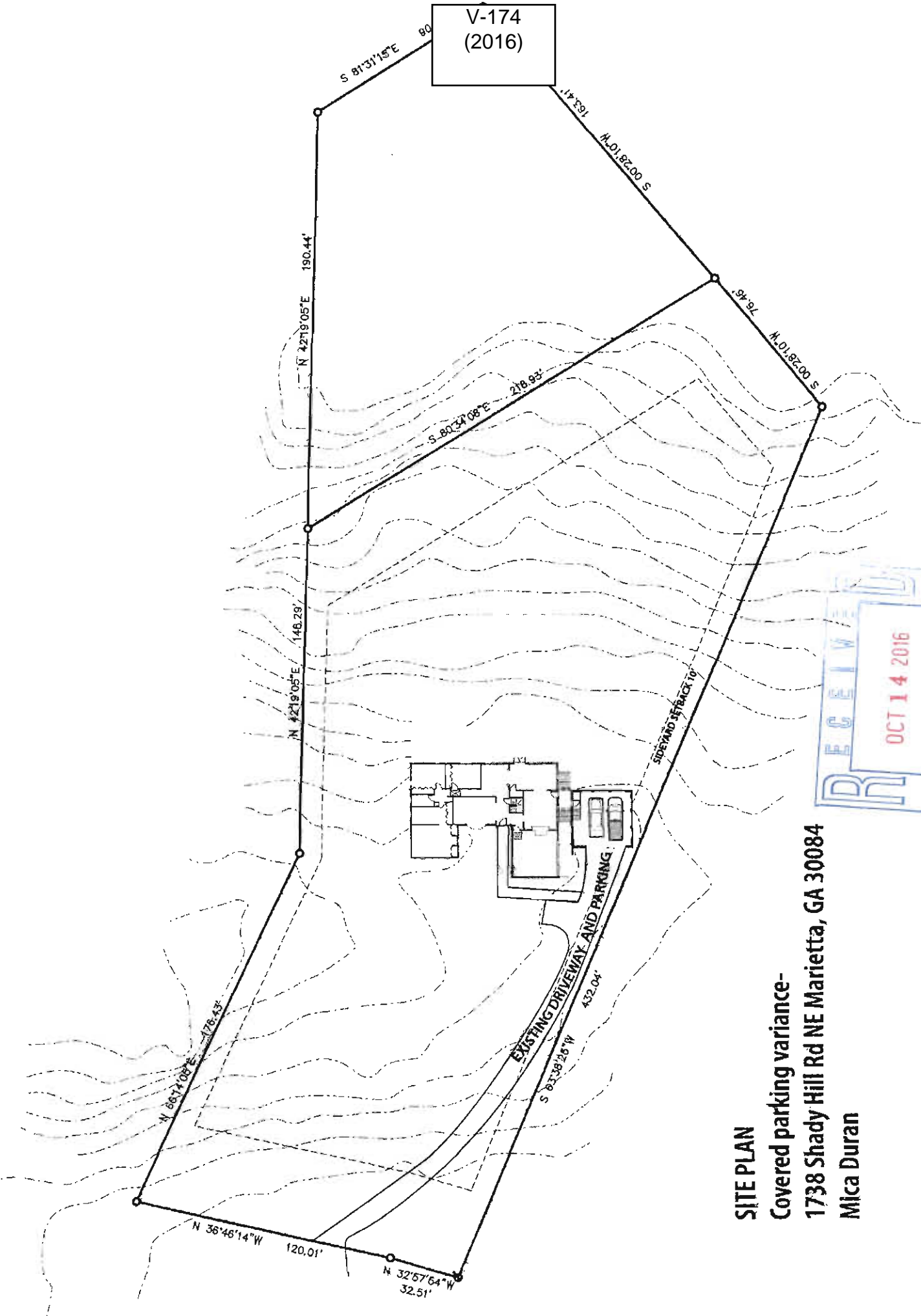
Applicant: Audubon Communities
Titleholder: AHV 1 LLC
a Delaware limited liability company

Please state what hardship would be created by following the normal terms of the ordinance:

The property which is the subject of this Application for Variance is located along the westerly and northeasterly sides of Paces Walk, easterly of Cumberland Parkway and Interstate 285, in Land Lots 839, 840, 887, and 888, 17th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). The Property is zoned to the RM-12 zoning classification. An apartment community known as Forest Hills at Vinings was constructed and has been in operation on the Subject Property for many years. Through the passage of time, certain setbacks are now not in compliance with current RM-12 standards. Applicant recently acquired the Subject Property and became aware of the encroachments and desires to bring the Property into compliance to allow upgrades and renovations. Without the granting of the requested setback variances, site plan specific to that certain ALTA Survey dated October 20, 2014, prepared for Owner by Larry D. Neese, PLS, Georgia Registered Land Surveyor No. 2235, planned renovations and upgrades to existing apartment buildings cannot occur.



V-174
(2016)



RECEIVED
OCT 14 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

SITE PLAN
Covered parking variance-
1738 Shady Hill Rd NE Marietta, GA 30084
Mica Duran

APPLICANT: Mica Duran

PHONE: 770-491-0487

REPRESENTATIVE: Mica Duran

PHONE: 770-491-0487

TITLEHOLDER: Mica Duran and Antonio Duran

PROPERTY LOCATION: On the east side of Shady Hill Road, south of Roswell Road (1738 Shady Hill Road).

TYPE OF VARIANCE: Waive the side setback from the required 10 feet to one (1) foot

PETITION No.: V-174

DATE OF HEARING: 12-14-2016

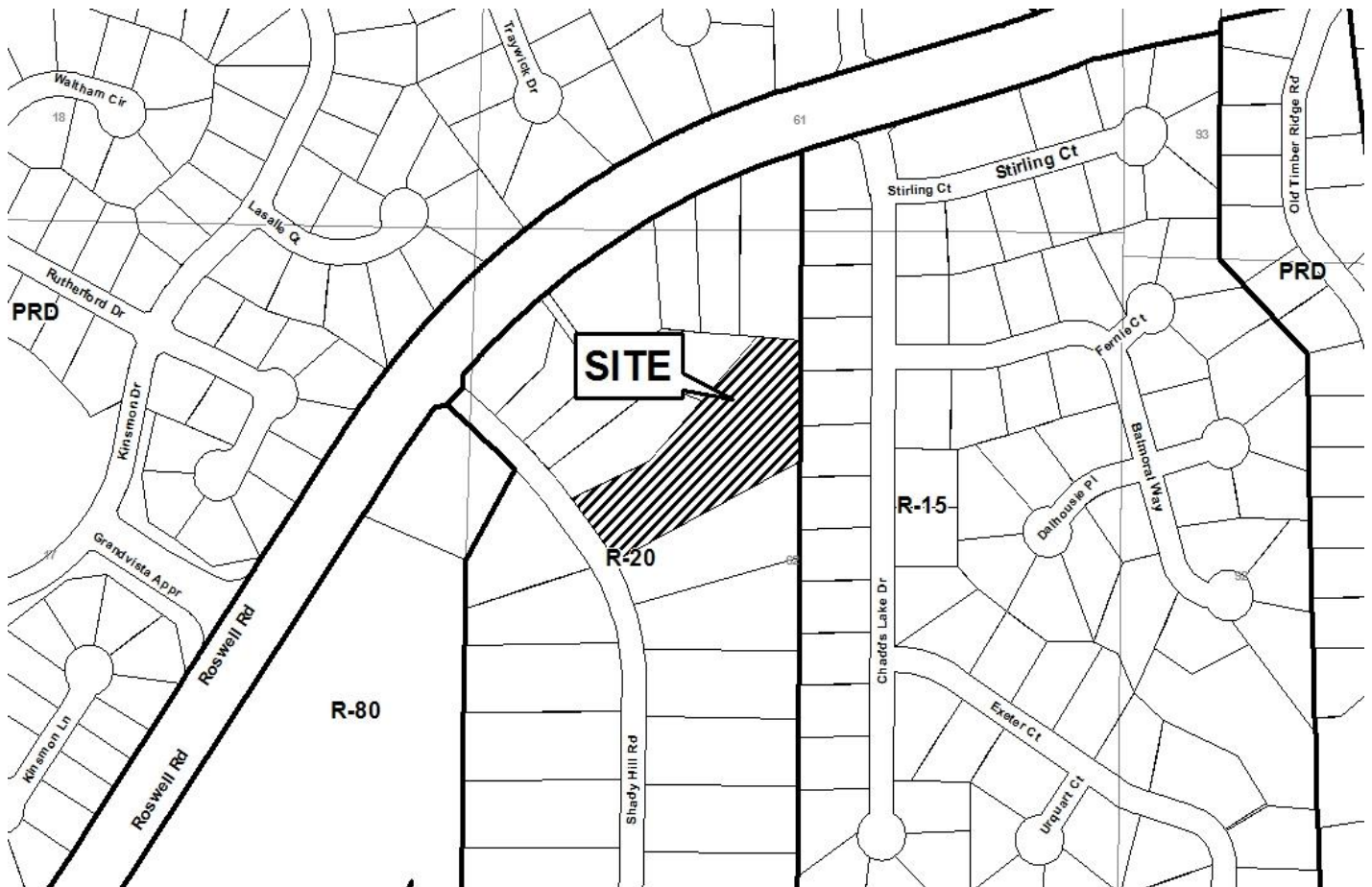
PRESENT ZONING: R-20

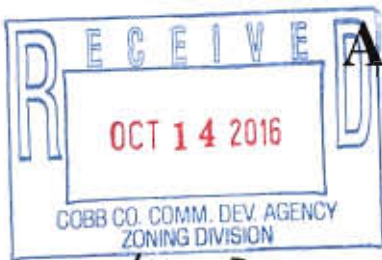
LAND LOT(S): 62

DISTRICT: 1

SIZE OF TRACT: 2.16 acres

COMMISSION DISTRICT: 2





Application for Variance Cobb County

(type or print clearly)

Application No. V-174
Hearing Date: 12-14-16

Applicant Mica Duran Phone # 770-491-0487 E-mail mica@mica-duran.com

Mica Duran Address 1738 Shady Hill Rd NE, Marietta, GA 30068
(representative's name, printed) (street, city, state and zip code)

Mica Duran Phone # same E-mail _____
(representative's signature)



Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

My commission expires: _____
My Commission Expires March 24, 2017

Titleholder Mica Duran / Antonio Duran Phone # 770-491-0487 E-mail mica@mica-duran.com

Signature Mica Duran Address: 3558 Coldwater Canyon Ct, Tucker, Ga. 30084
(attach additional signatures, if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

My commission expires: _____
My Commission Expires March 24, 2017

Present Zoning of Property R3-Residential

Location 1738 Shady Hill Rd NE, Marietta, Ga. 30068
(street address, (if applicable); nearest intersection, etc.)

Land Lot(s) 62 District 1ST Size of Tract 2.164 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:

Topography prohibits placing a new garage in rear of home within side lot setback. Large bushed electric box also restricts area in rear corner of house. Placing a large garage in front of the house will be obtrusive to ourselves, and our neighbors whom have a deeper setback at angle to our home. They would have to look at our garage from all windows
List type of variance requested: on front of their home.

We request a variance to build covered parking to side of existing home, covering existing parking pad. It will encroach on 10' setback, but will be least obtrusive to adjoining neighbor. Neighbor is agreement with this preference.