

APPLICANT: Shady Vent Construction

PETITION No.: V-7

PHONE: 770-943-5977

DATE OF HEARING: 1-11-2017

REPRESENTATIVE: Deborah Dugger

PRESENT ZONING: GC

PHONE: 770-943-5977

LAND LOT(S): 27

TITLEHOLDER: Mehdi Jannat-Khah

DISTRICT: 19

PROPERTY LOCATION: At the southeast

SIZE OF TRACT: 0.60 acres

intersection of Ernest Barrett Parkway and Dallas Highway

COMMISSION DISTRICT: 1

(2489 Dallas Highway).

TYPE OF VARIANCE: 1) Waive the rear setback from the required 30 feet to 17 feet; 2) waive the minimum road frontage for an electronic sign from the required 200 feet to 136 feet; 3) allow more than two (2) electronic sign areas per sign [allowance of three (3)]; and 4) waive the maximum allowable impervious surface from 70% to 95% (existing).

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

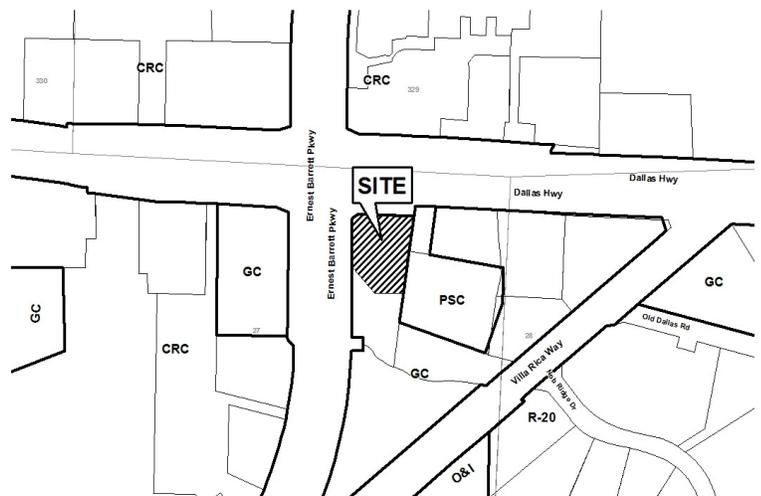
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Shady Vent Construction **PETITION No.:** V-7

COMMENTS

TRAFFIC: Recommend GDOT permits for all work that encroaches upon State right-of-way.

DEVELOPMENT & INSPECTIONS: No comments.

SITE PLAN REVIEW: No comments.

STORMWATER MANAGEMENT: No comments (existing conditions).

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 for V-1 – V-11.

DESIGN GUIDELINES: The subject site is within the Dallas Highway Design Guidelines area; however this variance regarding installing LED sign will not have a significant impact on the streetscape and building environment along Dallas Highway. The applicant does not need to comply with the guidelines. No action requested.

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.

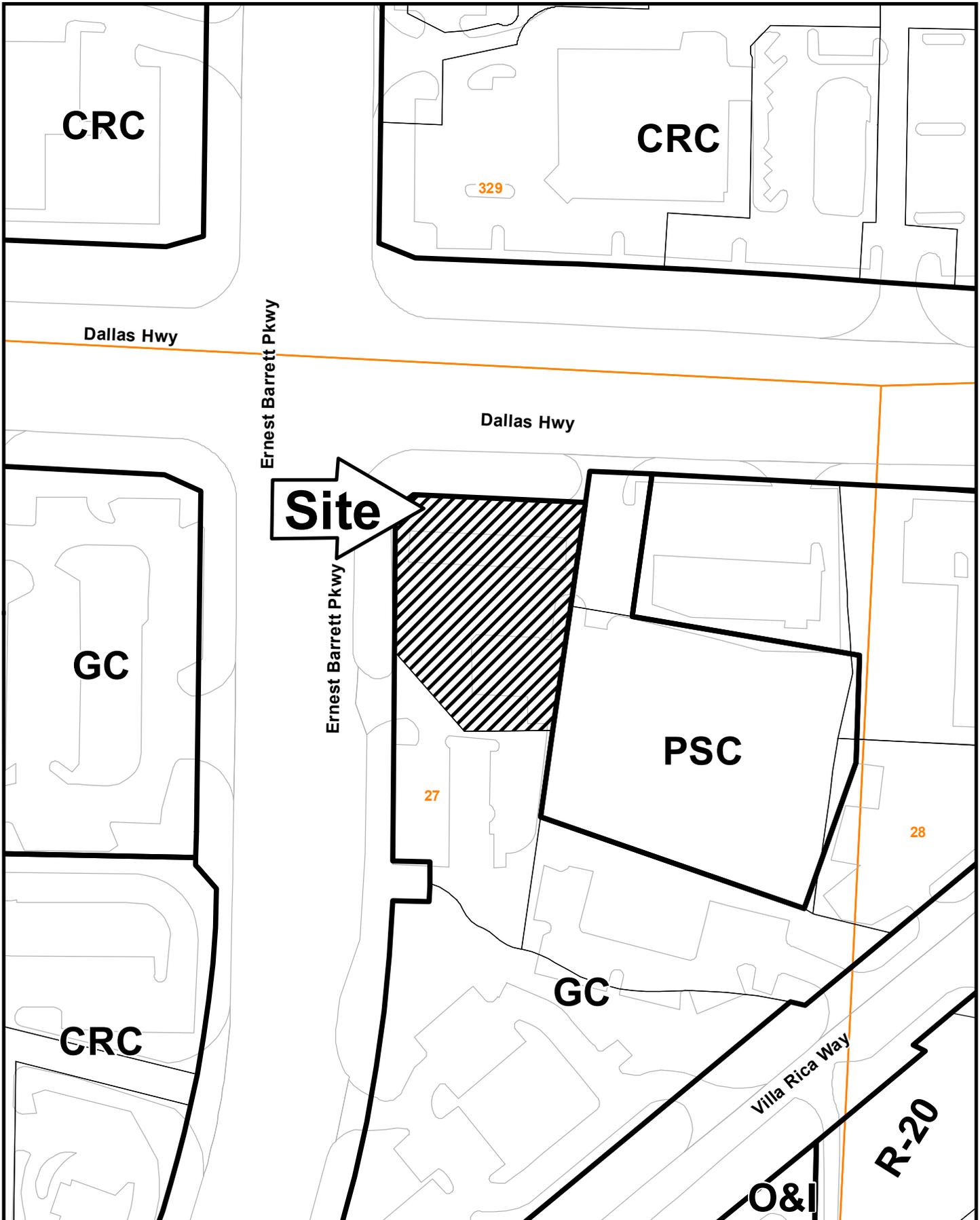
WATER: No conflict with requested Variance. However, existing canopy appears to violate water easement setback requirement. Contact CCWS to discuss resolution

SEWER: No conflict with requested Variance. However, existing canopy appears to violate water easement setback requirement. Contact CCWS to discuss resolution

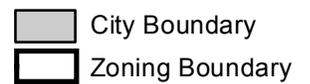
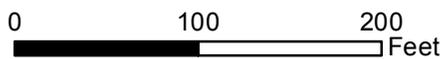
APPLICANT: Shady Vent Construction **PETITION No.:** V-7

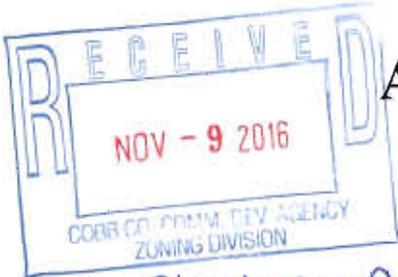
FIRE DEPARTMENT: NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

V-7-2017 GIS



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





Application for Variance Cobb County

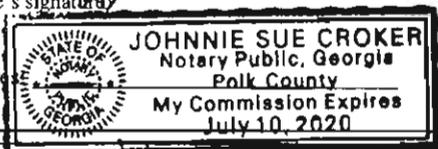
(type or print clearly)

Application No. V-7
Hearing Date: 1-11-17

Applicant Shady Vent Construction Phone # 770 943 5977 E-mail ddugger@shadyvent.com

Deborah Dugger Address 4370 Dugger Dr. Powder Springs GA 30127
(representative's name, printed) (street, city, state and zip code)

Deborah Dugger Phone # 770 943 5977 E-mail ddugger@shadyvent.com
(representative's signature)



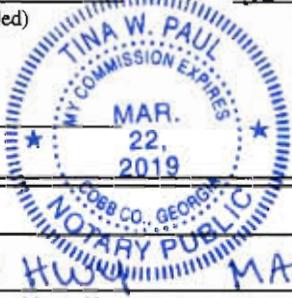
My commission expires: _____

Signed, sealed and delivered in presence of:
Johnnie Sue Croker
Notary Public

✦ Titleholder Mehdi Khan Phone # 770 428 1222 E-mail Zubair3018@yahoo.com

✦ Signature [Signature] Address: 2489 Dallas Hwy Marietta Ga 30064
(attach additional signatures, if needed) (street, city, state and zip code)

✦ My commission expires: 3-22-19



Signed, sealed and delivered in presence of:
Tina W. Paul
Notary Public

Present Zoning of Property GC

Location 2489 DALLAS HWY MARIETTA GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 27 District 19th Size of Tract .63 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 26,100 SF Shape of Property _____ Topography of Property _____ 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:

Safety of the attendant while changing the manual price. Having to leave the store unattended to change the price.

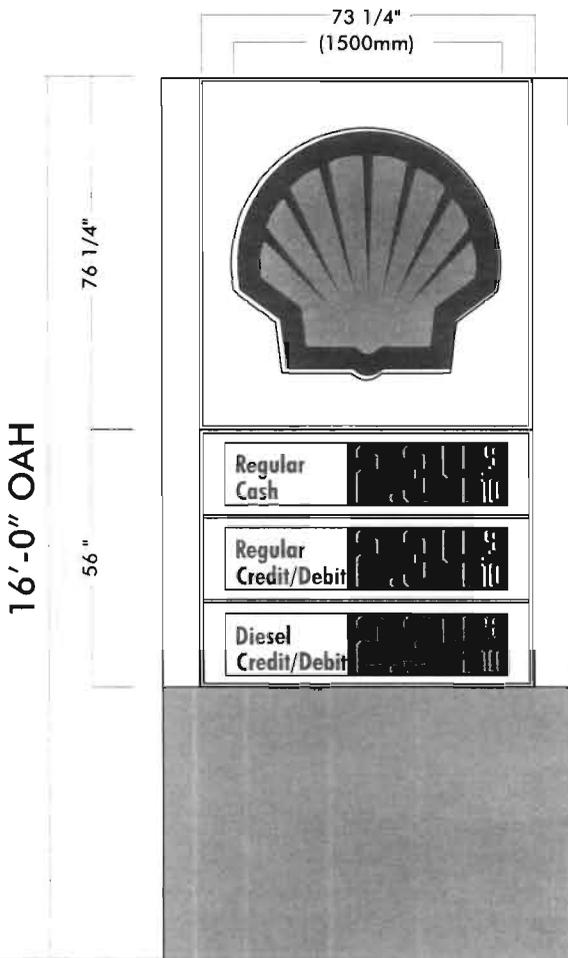
List type of variance requested: Install LED on road frontage less than 200'

**RVI Evolution Global
Retro-Fit Faces on
Existing Texaco 426
System Cabinets.**

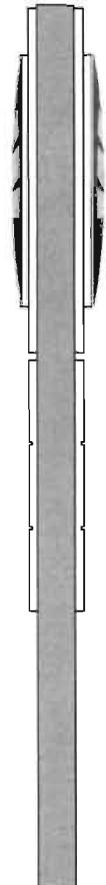
V-7
(2017)
Exhibit



Top View



Proposed Elevation
Scale: 1" = 40"



Side View

FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com

1500 North Bolton • Jacksonville, Texas 75766
(903) 589-2100 • Fax (903) 589-2101

Building Quality Signage Since 1901

Revisions:

1
2
3
4
5
6
7

Account Rep: **Dan Hull**
Project Manager: **V. Hernandez**
Drawn By: **Mike Lees**

Project / Location:

Shell
RVI Evolution
GLOBAL

Underwriters Laboratories Inc. ELECTRICAL TO USE ALL LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS.
ALL ELECTRICAL SIGNAGE TO COMPLY WITH U.L. ABAND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

THIS DRAWING IS YOUR FINAL PROOF: IT SUPERCEDES ALL VERBAL AND WRITTEN COMMUNICATION. BY SIGNING BELOW YOU ARE AUTHORIZING US TO MANUFACTURE TO THESE SPECIFICATIONS.

Client Approval/Date: _____

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company LLC or its authorized agent. © 2008.

Colors Depicted In This Rendering May Not Match Actual Material Finishes. Refer To Product Samples For Exact Color Match.

Job Number: **164332**

Date: **6.28.16**

Sheet Number: **1** of **1**

File Name: **SG164332_e**

Design Number: _____

V-7



Cobb County... Expect the Best

**COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY
Code Enforcement Division**

Mailing Address
P.O. Box 649
Marietta, Ga. 30061

Physical Address
1150 Powder Springs Rd.
Suite 400
Marietta, Ga. 30064

Fax: (770) 528-2092

Notice of Violation

Violation Number: CODE-2016-09313

Date: 10/18/2016

The Cobb County Code Enforcement Division has grounds to believe the property located at:

<u>2489 DALLAS HWY</u>	<u>MARIETTA, GA 30064</u>	<u>19</u>	<u>0027</u>	<u>011</u>	<u>GC</u>
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or JANNAT KHAH MEHDI (2489 DALLAS HWY MARIETTA, GA 30064)

may be in violation of the Official Code of Cobb County, Georgia. You have 10 days to bring the violation(s) into compliance. An inspection will be made on or about 10 days from October 18, 2016. Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment or both.

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
ON PREMISE SIGNS	134-314	All on premise signs must be permitted. All signs must be ground based monument style. canopy signs outside the buildable area of the lot, as if the canopy sign were a freestanding sign. The maximum square footage allowed per single sign shall apply. Remove and refrain from placing unpermitted signs on the property
SIGNS ON RIGHT-OF-WAY	134-313 (i)	Remove and refrain from placing signs on the right-of-way throughout unincorporated Cobb County.

J R PACPACO (joe.pacpaco@cobbcounty.org)

(770) 420-6666

Officer

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT WWW.COBBCOUNTY.ORG



**COBB COUNTY CODE ENFORCEMENT
CASE SYNOPSIS**

Report Date:
12/6/2016

Cobb County...Expect the Best!

CASE #: CODE-2016-09313

OPEN DATE: 10/17/2016

COMPLAINANT:

PHONE #:

DESCRIPTION: SHELL GAS STATION HAS INSTALLED NEW CANOPY SIGNS WITHOUT PERMIT AND THEY PROJECT ABOVE THE ROOF LINE.

PRIMARY ADDRESS:

OWNER ADDRESS:

2489 DALLAS HWY
MARIETTA, GA 30064

JANNAT KHAH MEHDI
2489 DALLAS HWY
MARIETTA, GA 30064

Inspection Date	Inspection/Activity Date	Inspection/Activity Type	Status	Comments
10/18/2016		Initial Investigation	In Violation Signs	/* ON PREMISE SIGNS[*134-314*]All on premise signs must be permitted. All signs must be ground based monument style. canopy signs outside the buildable area of the lot, as if the canopy sign were a freestanding sign. The maximum square footage allowed per single sign shall apply. Remove and refrain from placing unpermitted signs on the property */ /* SIGNS ON RIGHT-OF-WAY[*134-313 (i)*] Remove and refrain from placing signs on the right-of-way throughout unincorporated Cobb County.*/
10/18/2016		Violation Details		UNPERMITTED CANOPY SIGNS. MONUMENT "SHELL" SIGN ON THE ROW. NOTICE OF VIOLATIONS FOR ON PREMISE SIGNS AND SIGNS ON THE ROW. JP
10/28/2016		Case Details		SPOKE AT LENGTH W/ THE CLERK WHO ADVISED THAT MEHDI JANNAT-KHAH DOES NOT COME IN ON FRIDAYS, BUT WAS AWARE OF THE NOTICE OF VIOLATION. I WALKED WITH HER AND POINTED TO THE ITEMS IN QUESTION AND ADVISED HER TO GET WITH ZONING TO APPLY FOR THE CORRECT PERMITS AND TO ASK ABOUT WHAT CAN BE DONE ABOUT THE MONUMENT SIGN WHICH IS ERECTED ON THE ROW; I CHECKED THE 2003 GIS ORTHO AND IT HAD BEEN THERE SINCE THEN. JP
10/28/2016		ReInspection	Extension	
11/16/2016		Case Details		PROPERTY OWNER NOT ON THE SCENE AT THE TIME OF MY VISIT; ADVISED THE DAYSHIFT MANAGER FOR HER TO CONTACT THE OWNER AND HAVE HIM GIVE ME A CALL; THE APPLICATION FOR THE SIGN WAS DENIED ON 10/31/2016 AND THE SIGN MY BE EITHER REMOVED OR MAKE PREPARATIONS WITH THE ZONING DEPARTMENT FOR AN APPEAL. JP
11/16/2016		ReInspection	Extension	
12/06/2016		Case Details		VARIANCE HAS BEEN APPLIED FOR TO REMOVE THE SIGN AND REPLACE WITH ELECTRONIC SIGN. V-7 OF 2017 TO BE HEARD 1/11/2017. BFARRELL



**COBB COUNTY CODE ENFORCEMENT
CASE SYNOPSIS**

Report Date:
12/6/2016

Cobb County...Expect the Best!

Inspection Date	Inspection/Activity Date	Inspection/Activity Type	Status	Comments
12/06/2016		Case Details		VARIANCE V-7 HAS BEEN APPLIED FOR; EMAILED ALL MY PAPERWORK FOR THIS CASE TO OFFICER VAZQUEZ FOR THE HEARING. JP
12/06/2016		ReInspection	Extension	