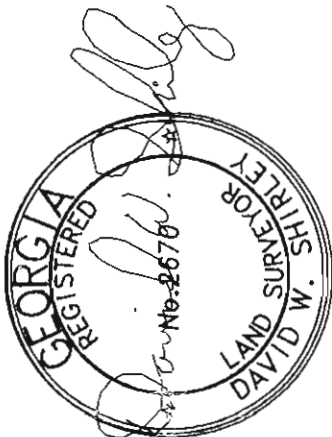


The survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67

This plat of survey does require the approval by a governing authority per O.C.G.A 15-6-67(d)



NOTES:  
 EQUIPMENT = LEICA TS02  
 FIELD E/C = 1" IN 22,385'  
 COMPASS RULE ADJUSTMENT  
 PLAT E/C = 1" IN 141,325'  
 CREW = DS & DS  
 DRAWN = D.W.S.  
 MAP DATE : 02-24-2016  
 FIELD DATE: 02-24-2016

PREPARED BY:  
**D&S LAND SURVEYING**  
 3,3 RED FOX, CANTON, GA., 30114  
 770 720-4443 LSF#000765

DRAWING SCALE: 1" = 40'  
 GRAPHIC SCALE: 40' 80'

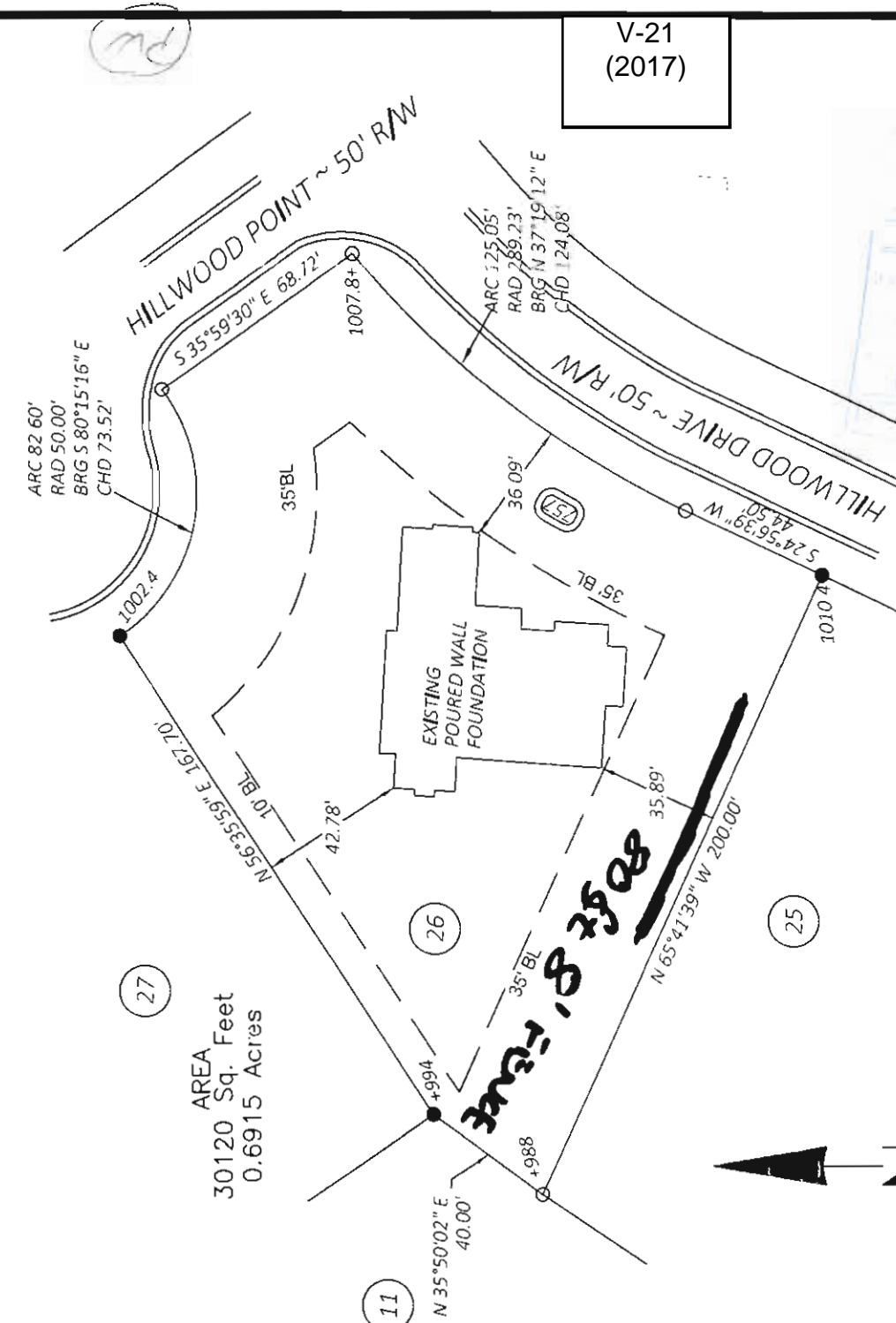


**LEGEND**

- IPF AT PROPERTY CORNER
- IPS AT PROPERTY CORNER
- R/W RIGHT OF WAY
- N/F PRESENT OR FORMER OWNER
- IPS IRON PIN SET 1/2" REBAR
- IPF IRON PIN FOUND 1/2" REBAR
- L/L LAND LOT
- BL BUILDING LINE
- E/C ERROR OF CLOSURE
- + XXXX X EXISTING SPOT ELEVATIONS

AREA  
 30120 Sq. Feet  
 0.6915 Acres

*Handwritten:* 30120 Sq. Feet



V-21  
 (2017)

FOUNDATION AS-BUILT SURVEY FOR:

**PETER WAGNER**

INDIAN HILLS COUNTRY CLUB  
 BLOCK "I", LOT 26, LAND LOT 1042  
 DISTRICT 16, SECTION 02  
 COBB COUNTY GEORGIA

PROJ. NO. 16-089

DEC 13 2016

**APPLICANT:** Peter Wagner

**PETITION No.:** V-21

**PHONE:** 770-329-9792

**DATE OF HEARING:** 02-15-2017

**REPRESENTATIVE:** Peter Wagner

**PRESENT ZONING:** R-20

**PHONE:** 770-329-9792

**LAND LOT(S):** 1042

**TITLEHOLDER:** Peter Wagner and Trine Wagner

**DISTRICT:** 16

**PROPERTY LOCATION:** On the southwest corner of Hillwood Drive and Hillwood Point, north of Summit Drive (4080 Hillwood Point).

**SIZE OF TRACT:** 0.69 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** Waive the maximum allowable height for a fence adjacent to a public road right-of-way or to the front or side of a house in a residential district from six (6) feet to eight and one-half (8.5) feet.

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

**BOARD OF APPEALS DECISION**

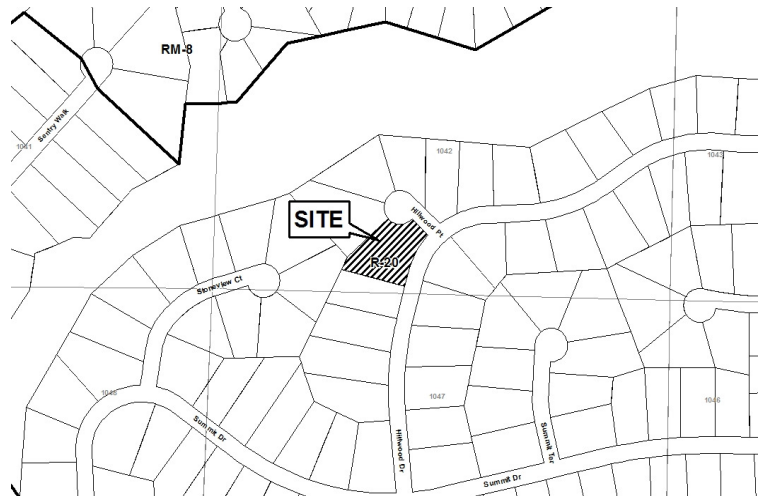
**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



\*\*\*\*\*

**COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** No comment.

**SITE PLAN REVIEW:** No comment.

**STORMWATER MANAGEMENT:** No comments.

**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.

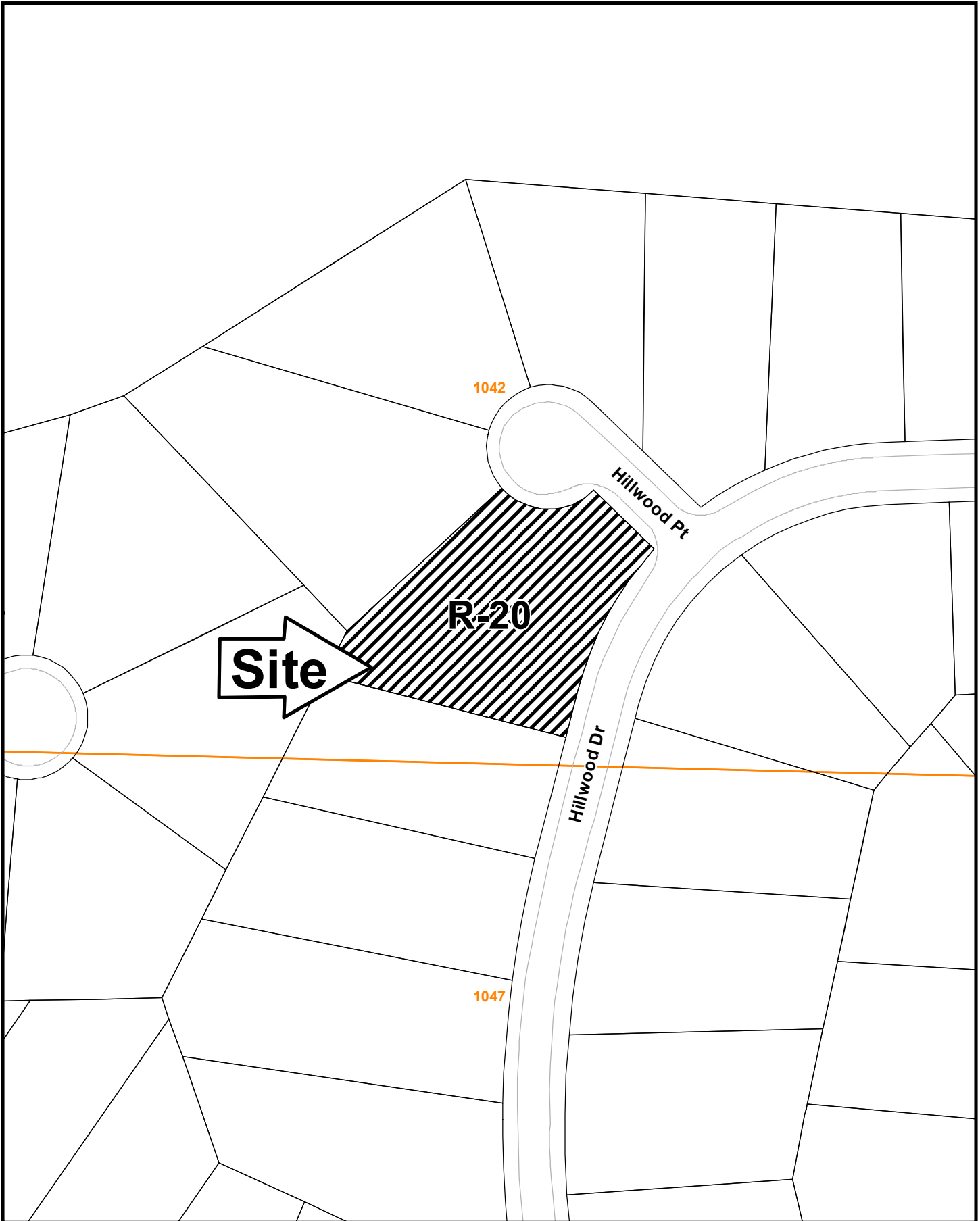
**SEWER:** No conflict.

**APPLICANT:** Peter Wagner **PETITION No.:** V-21

\*\*\*\*\*

**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-21-2017 GIS



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-21  
Hearing Date: 2-15-17

Applicant PETER WAGNER Phone # 7703299792 E-mail PETER@BEHA WAGNER.COM

PETER WAGNER Address 4080 HILLWOOD P., MARIETTA, GA 30068  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # \_\_\_\_\_ E-mail \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: September 25, 2020

Chelsea Young  
Notary Public

Titleholder TRINE WAGNER  
PETER WAGNER Phone # 7703299792 E-mail PETER@BEHA WAGNER.COM

Signature [Signature] Address: 4080 HILLWOOD P., MARIETTA GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: September 25, 2020

Chelsea Young  
Notary Public

Present Zoning of Property RESIDENTIAL

Location 4080 HILLWOOD P., MARIETTA, GA 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 16 10420 0160 Parcel 16 District 16 Size of Tract 0.69 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 SEE SURVEY Shape of Property SEE SURVEY Topography of Property SEE SURVEY 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:

PLEASE SEE NEXT PAGE

List type of variance requested: PLEASE SEE NEXT PAGE

[Signature]

V-21  
(2017)  
Exhibit

**Variance Application**

**4080 Hillwood Pt., Marietta, GA**

**Peter and Trine Wagner**

**Additional information:**



**1) Legal description of property:**

All that tract or parcel of land lying and being in land Lot 1042, 16<sup>th</sup> district, 2<sup>nd</sup> Section, Cobb County, Georgia, being Lot 26, Block 1, Unit Nine, Indian Hills Country Club, as per plat recorded in Plat Book 55, Page 60, Cobb County Records, which plat is incorporated herein by reference and made a part hereof.

**2) List type of variance requested:**

An 80 feet long and 8 ft high privacy fence in the middle section of the property line between 4080 Hillwood Pt and 747 Hillwood Dr. The fence consist of 10 sections each 8 foot long and decorative posts each 4-6 inch higher than fence

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

The need for the privacy fence and the need for having it at 8 ft high is driven by the way the 2 swimming pool areas in 747 Hillwood Drive and 4080 Hillwood Pt is located. The Wolcott's in 747 Hillwood Drive have been very concerned about the loss of privacy it created when all the trees on the neighbor lot were removed in the fall of 2015. With the size and location of the new house at 4080 Hillwood Drive, the deck and the pool deck there is very little privacy left for the Wolcott's who for many years have enjoyed complete privacy in their back yard due to the amount of trees and other vegetation that shielded the view from the neighbor lot.

At 8 ft high the fence restores quite a bit of the lost privacy for the Wolcott's. For the Wagner family on 4080 Hillwood Pt the 8 ft also protects privacy to a high degree. In the Wagner house we have 5 children living at home in the age 4-18 and 2 college students who is at home on and off. With a total of 7 children and the amount of traffic and noise it can create during the pool season the 8ft fence will work much better than a 6 ft fence.

For the younger Wagner family children there will be a trampoline located right next to the fence. Again, the 8 ft height will significantly decrease the amount of noise and visual disturbance from the kids on the trampoline compared to a 6 ft fence.

The Wolcott's have 2 very strong spotlights, one at the corner of the garage and one at the deck. Both spots are pointed directly at the Wagner house with very strong light. The 8 ft fence help

PW

shield this light that otherwise will illuminate the whole lower floor from the side plus shine in the eyes wherever you might be around the pool.

Last, and just for reference, a quick tour around the Indian Hills neighborhood showed at least 5 fences on a few roads that were 8 feet tall on the side of the property. Addresses for reference include:

- a. 3959 Sentry Xing, Marietta, GA 30068
- b. 4271 summit Dr, Marietta, GA 30068
- c. 600 Fairway Ct, Marietta, GA 30068
- d. 3565 High Green Dr, Marietta, GA 30068
- e. 3275 Clubland Dr, Marietta, GA 30068



PETER WAGNER