

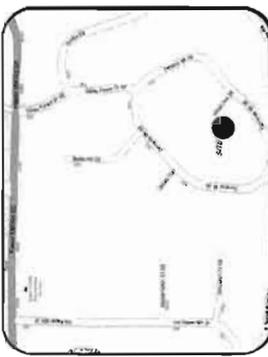
V-67
(2017)



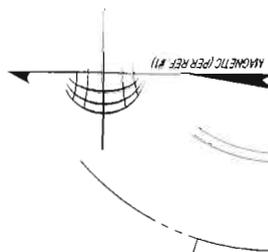
Revision	Drawn	Checked	Date
1	W.C. Brady	W.C. Brady	04/20/17
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18	W.C. Brady	W.C. Brady	04/20/17
19	W.C. Brady	W.C. Brady	04/20/17
20	W.C. Brady	W.C. Brady	04/20/17

PROPERTY SURVEY
FOR
3480 INMAN HILL
(MARIETTA GA, 30067)
LOCATED IN
LAND LOT 1041, 17TH DISTRICT
COBB COUNTY, GEORGIA

SHEET NO
1



LOCATION MAP
NOT TO SCALE



ZONING

ZONES DISTRICT: R-20
SETBACKS:
FRONT: 50 FEET
SIDE: 10 FEET
BACK: 35 FEET
MAX HEIGHT: 35 FEET

SURVEY NOTES

EQUIPMENT USED:
A TOPCON 203 TOTAL STATION WAS USED TO OBTAIN ANGULAR MEASUREMENTS AND DISTANCE MEASUREMENTS.

CLOSURE STATEMENT:
THIS PLAT IS CALIBRATED FOR CLOSURE AND IS ACCURATE WITHIN AN ERROR OF 1/100,000 FEET.

THE BEARINGS SHOWN ON THIS SURVEY ARE COMPUTED ANGLES BASED ON A MAGNETIC BEARING BASED (PER REF. #1).

INFORMATION REGARDING THE REFERRED PRESENCE, SIZE, CHARACTER, AND LOCATION OF ANY UTILITIES, STRUCTURES, OR OBSTRUCTIONS TO THE SURVEY, IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SURVEY AREA AND HAS SHOWN HEREON ANY UTILITIES AND STRUCTURES NOT SHOWN ON THE RECORD PLAT. THE SURVEYOR HAS CONSULTED WITH THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS ADJACENT OWNERS, AND HAS OBTAINED ALL NECESSARY PERMISSIONS TO SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR FIRMS WHOSE INTERESTS ARE SHOWN HEREON. THE SURVEYOR HAS OBTAINED ALL NECESSARY PERMISSIONS TO SURVEY WITHOUT THE EXPRESS WRITING OF THE SURVEYOR, TERRAMARK LAND SURVEYING, INC. DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTE IN THE SURVEY AREA.

FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON APRIL 20, 2010. ELEVATIONS ARE BASED ON STATE GLOBAL POSITIONING SYSTEMS OBSERVATION AND ARE RELATIVE TO NAVD 88 DATUM.

TITLE NOTES

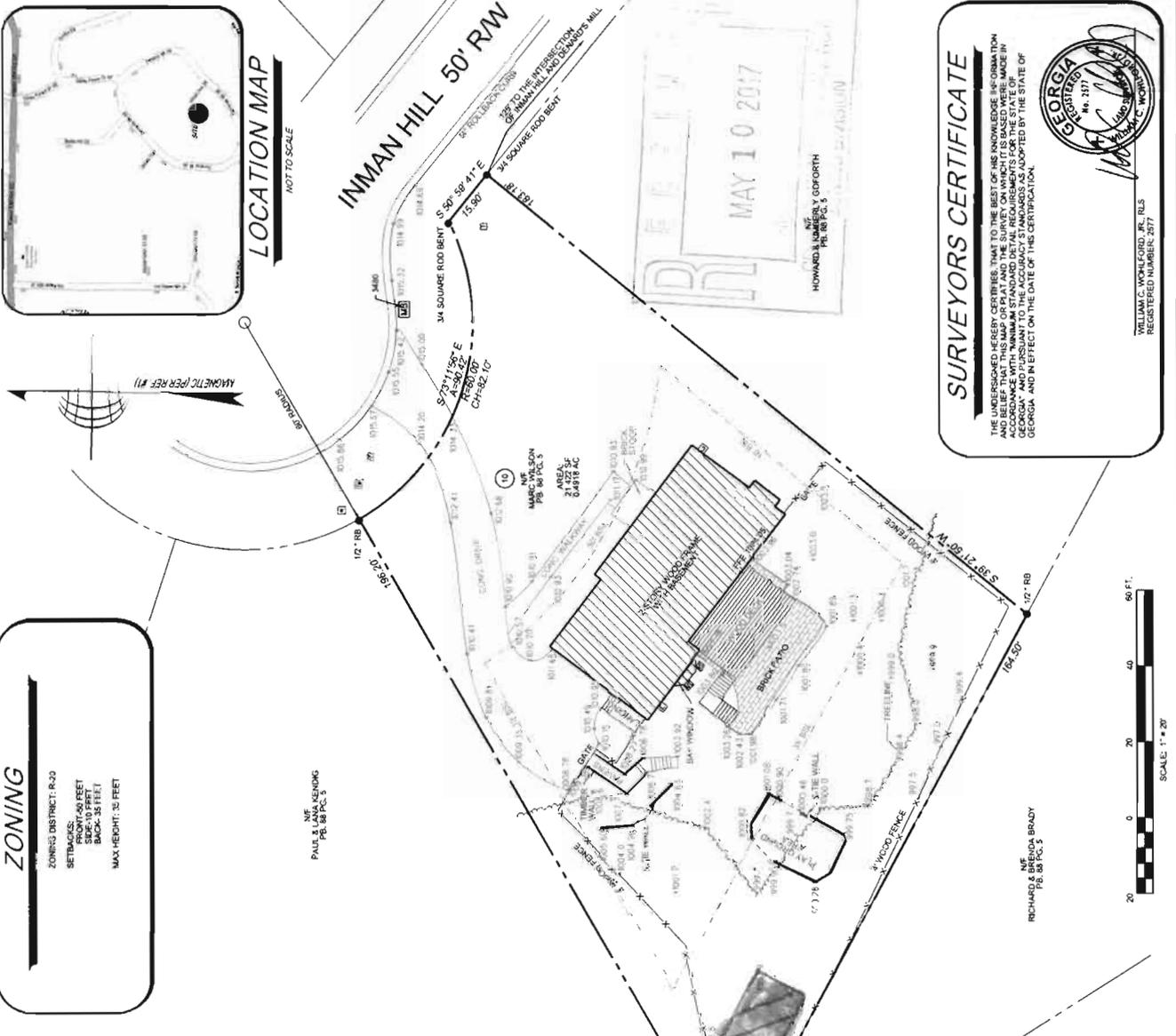
ACCORDING TO THE "TRIM" FLOOD INSURANCE RATE MAP OF COBB COUNTY, GEORGIA, THERE IS NO FLOOD HAZARD SHOWN ON ANY PORTION OF THIS PROPERTY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SURVEY AREA AND HAS SHOWN HEREON ANY UTILITIES AND STRUCTURES NOT SHOWN ON THE RECORD PLAT. THE SURVEYOR HAS CONSULTED WITH THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS ADJACENT OWNERS, AND HAS OBTAINED ALL NECESSARY PERMISSIONS TO SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.

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SUBJECT PROPERTY HAS ACCESS TO THE PUBLIC RIGHT OF WAY OF INMAN HILL.

REFERENCE MATERIAL

1 FINAL PLAT FOR SBILLY FOREST (PHASE A+B)
RECORDED IN PLAT BOOK 88 PAGE 06
COBB COUNTY RECORDS

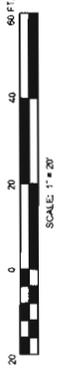


SURVEYORS CERTIFICATE

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND INFORMATION I HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE SURVEYING PROFESSION IN GEORGIA AND PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION.

WILLIAM C. WOHLFORD, JR., RLS
REGISTERED NUMBER: 2577

GEORGIA SURVEYORS ASSOCIATION
MAY 10 2017



APPLICANT: Russell Alion, Jr.

PETITION No.: V-67

PHONE: 770-780-1812

DATE OF HEARING: 7-12-2017

REPRESENTATIVE: Russell Alion

PRESENT ZONING: R-20

PHONE: 770-780-1812

LAND LOT(S): 1041

TITLEHOLDER: Russell G. Alion, Jr. and Sarah S. Alion

DISTRICT: 17

PROPERTY LOCATION: On the southern terminus of Inman Hill, west of Denards Mill (3480 Inman Hill).

SIZE OF TRACT: 0.49 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the rear setback for an accessory structure under 650 square feet (proposed 216 square foot two-story playhouse) from the required 35 feet to five (5) feet.

OPPOSITION: No. OPPOSED PETITION No. SPOKESMAN

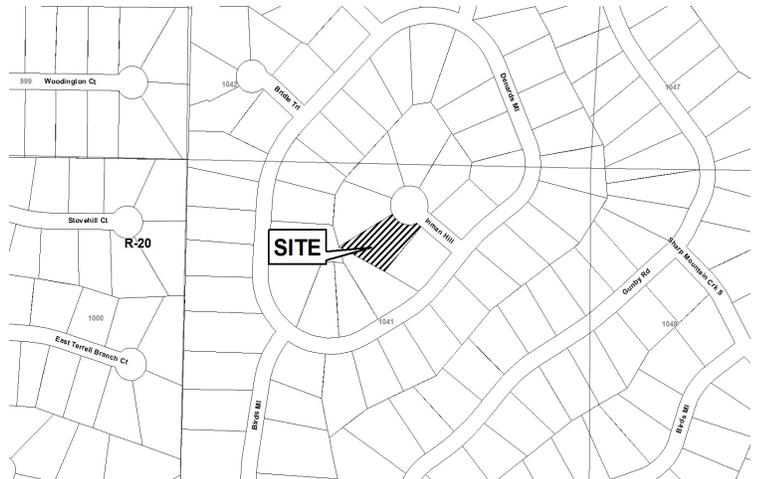
BOARD OF APPEALS DECISION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



APPLICANT: Russell Alion, Jr. **PETITION No.:** V-67

COMMENTS

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

DEVELOPMENT & INSPECTIONS: If approved a permit would be required. If a wall or overhang is within 5 feet of the property line a one hour fire rating will be required.

SITE PLAN REVIEW: No comments.

STORMWATER MANAGEMENT: No adverse stormwater impacts are anticipated.

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: No comments.

CEMETERY PRESERVATION: No comments.

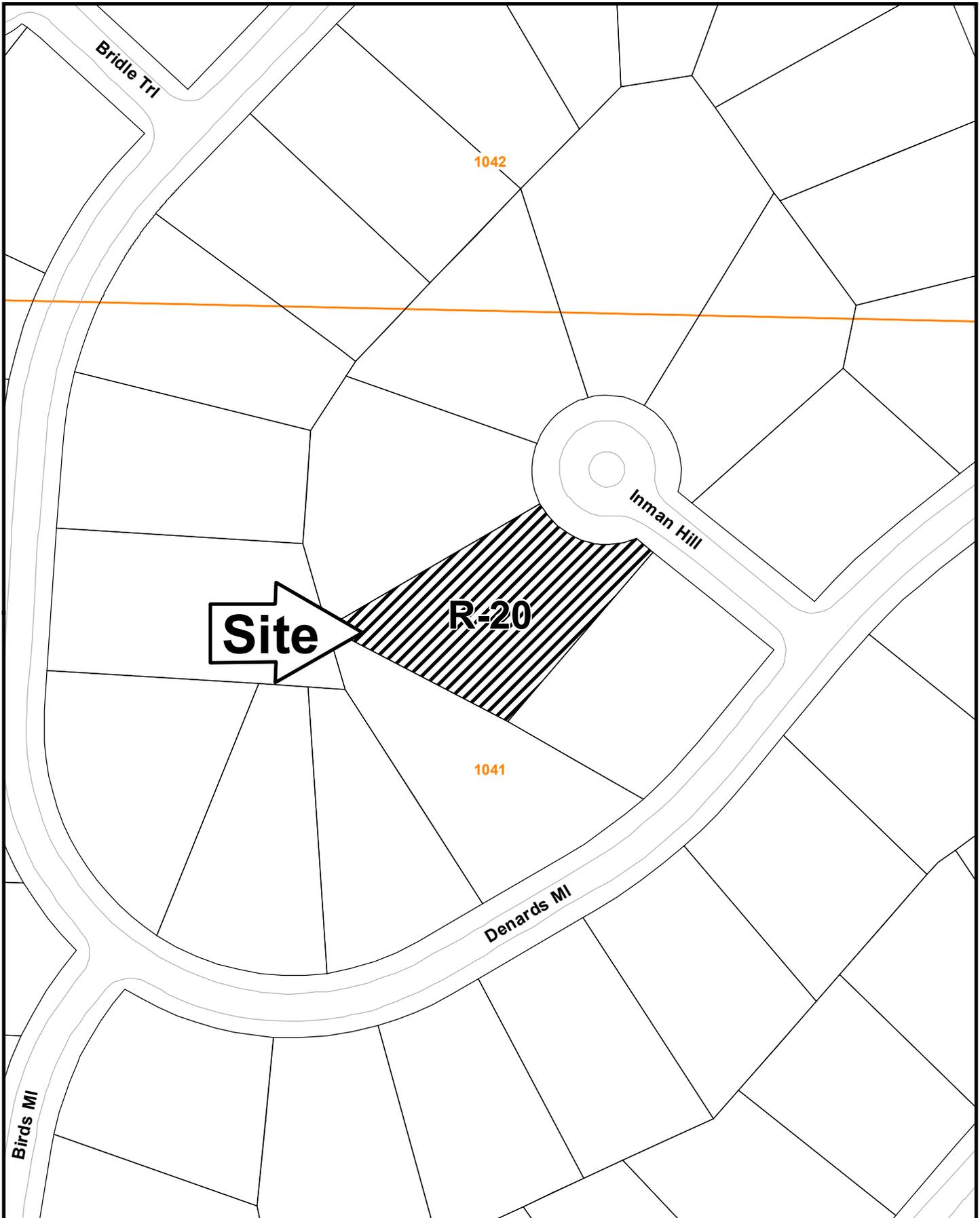
WATER: No conflict.

SEWER: No conflict.

APPLICANT: Russell Alion, Jr. **PETITION No.:** V-67

FIRE DEPARTMENT: No comments..

V-67 2017-GIS



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



-  City Boundary
-  Zoning Boundary

MAY 10 2017

MEMORANDUM IN SUPPORT OF VARIANCE

Background

The Applicant is the owner of 3480 Inman Hill, Marietta, GA 30067 (the "Property"). The Property is located in the subdivision known as Sibley Forest and is in a R-20 Zoning District.

The Applicant is requesting a variance to build a 12 foot x 18 foot two-story playhouse in the rear yard of the Property. The playhouse is an "accessory structure" as defined by Section 134-197(12)(b)(2) of the Zoning Ordinance.

Because the playhouse will be over 144 square feet, but less than 650 square feet, it is limited to the building setbacks of the lot. See Section 134-197(12)(a) of the Zoning Ordinance. Accordingly, the requested variance is as follows:

1. Reduce the required rear yard setback from 35 feet to 5 feet.

The height of the playhouse is 12 feet and 8 ½ inches. A sample image of the playhouse is attached hereto as Exhibit 1.

The playhouse is not opposed by any neighboring property owners. See Consent of Contiguous Occupants or Land Owners attached to the Variance Application.

Analysis

I. Extraordinary Circumstances and Conditions Apply Related to the Size and Topography of the Property That Are Not Generally Shared by Other Properties in a R-20 District.

A. Topography of the Property

The topography of the Property prevents an accessory structure to be built in the rear of the Property without the need for a rear yard setback variance.

The topography slopes down from the front of the lot (the top of the driveway at the street), which is 1,014 feet above sea level, to the rear of the Property (the back yard), which is 997 feet above sea level. See Property Survey for 3480 Inman Hill attached to the Variance Application.

Essentially, the topography is a *continuous* slope, resulting in a 17-foot drop from the front of the lot to the rear of the lot. See Exhibit 2, Photo from the top of the driveway of the Property showing a continuous slope to the bottom of the driveway, and Exhibit 3, Photo of the back of the driveway (at the fence) showing a continuous slope through the rear of the Property.

The topography of the Property is a unique physical limitation that is not generally shared by other properties in a R-20 District. For example, the rear yard of the lot directly across the street from Applicant's property is completely flat and level. **See Exhibit 4**, Photo of the rear yard of 3491 Inman Hill.

Ultimately, Applicant's Property becomes flat at the very rear of the Property. More specifically, the rear southwest corner of the Property.

Accordingly, the playhouse (or any accessory structure) must be placed in the rear southwest corner of the Property since it is the only flat, buildable area on the Property. Because this buildable area is within 35 feet of the rear property line, a variance from the rear yard setback is required (from 35 feet to 5 feet).

B. Size of the rear yard of the Property

The shallow depth of the rear yard prevents an accessory structure to be built in the rear of the Property without the need for a rear yard set back variance.

The Zoning Ordinance mandates that all accessory structures be located in the rear yard of a lot in a R-20 District. **See Section 134-197(12)(b)(3) of the Zoning Ordinance.** Here, the depth of Applicant's rear yard is significantly shallow, a unique physical limitation that is not generally shared by other properties in a R-20 District. **See Exhibits 5 and 6**, Photos of the rear yard of Applicant's Property.

For example, the rear yard of the lot directly across the street from Applicant's property is significantly deeper than Applicant's rear yard. **See Exhibit 7**, Photo of the rear yard of 3491 Inman Hill.

As a further example, the rear yard of the lot directly behind Applicant's Property is significantly deeper than Applicant's rear yard. **See Exhibit 8**, Photo of the rear yard of 780 Denards Mill.

Because the rear yard of the Property is so shallow, no accessory structure can be built in the rear yard without the need for a rear yard setback variance from the required 35 feet.

In sum, the topography and the depth of the rear yard give the Property a unique physical limitation that is not generally shared by other properties in a R-20 District. As a result, there is no adequate buildable area in the rear of the Property to build an accessory structure, or develop the Property in any way, without the need for a rear yard setback variance.

II. Granting the Variance is Necessary for the Preservation, Use and Enjoyment of the Property and to Prevent an Unnecessary Hardship.

As discussed above, the exceptional lot conditions make it necessary to build the playhouse in the rear southwest corner of the Property, as it is the only level buildable area on the Property. Accordingly, this variance request is due to the unique physical conditions of the Property.

Strict application of the Zoning Ordinance without the variance would cause an unnecessary hardship by preventing the Applicant (1) from the reasonable use and enjoyment of the Property, and (2) from using the Property for a permitted purpose.

Essentially, strict application of the Zoning Ordinance would preclude any accessory structure or use described in Section 134-197(12)(b)(2), which includes a Jacuzzi, tennis court, basketball court, swimming pool, playhouse or playground, from being built and enjoyed on the Property.

In sum, granting the variance is necessary for the preservation and enjoyment of a substantive property right. It also would allow reasonable use and enjoyment of the Property and prevent an unnecessary hardship.

III. Granting the Variance Will Not be Detrimental to Neighboring Owners, the Neighborhood, or to the Public Health, Safety or General Welfare.

The playhouse will not be detrimental to neighboring property owners. Because the playhouse will be located in the rear southwest corner of the Property, it will be buffered on three sides, and effectively “screened,” by large, mature trees and dense foliage. See Exhibit 9, Photo of the location on the Property of the proposed playhouse.

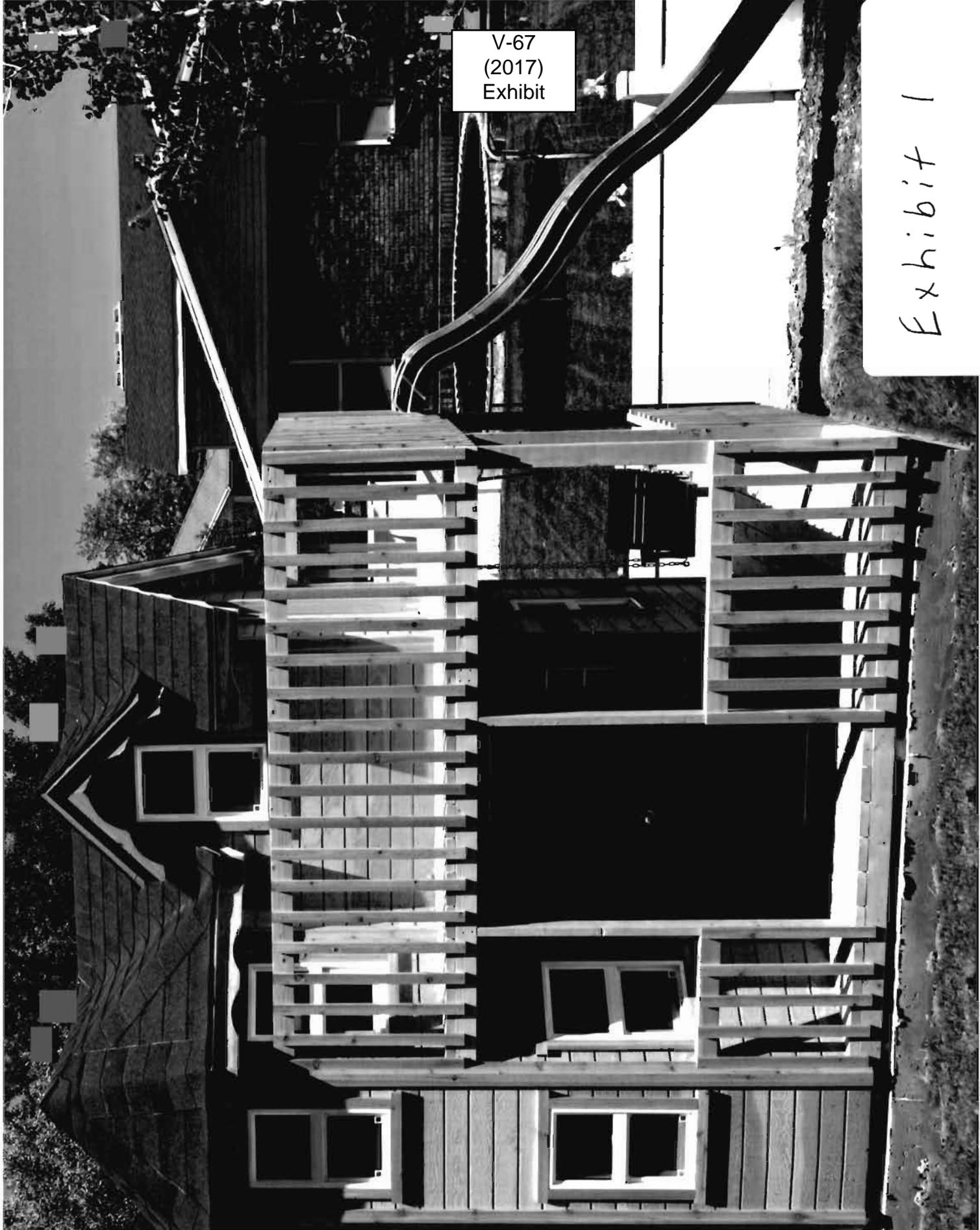
Moreover, the playhouse will not be near or in close proximity to any existing structure or dwelling located on neighboring properties. See Exhibit 10, Photo of the location of the rear yard setback from 35 feet to 5 feet. As a result, no neighboring property owners are opposed to the playhouse.

The playhouse also will not be detrimental to the neighborhood. The playhouse will not be seen from the street (1) due to the surrounding large, mature trees and dense foliage, and (2) because it will be built in a location on the Property that is 17 feet lower than the ground at street level (in essence, at the base of a “valley”).

Accordingly, the playhouse will not adversely affect the character or aesthetic appeal of the neighborhood.

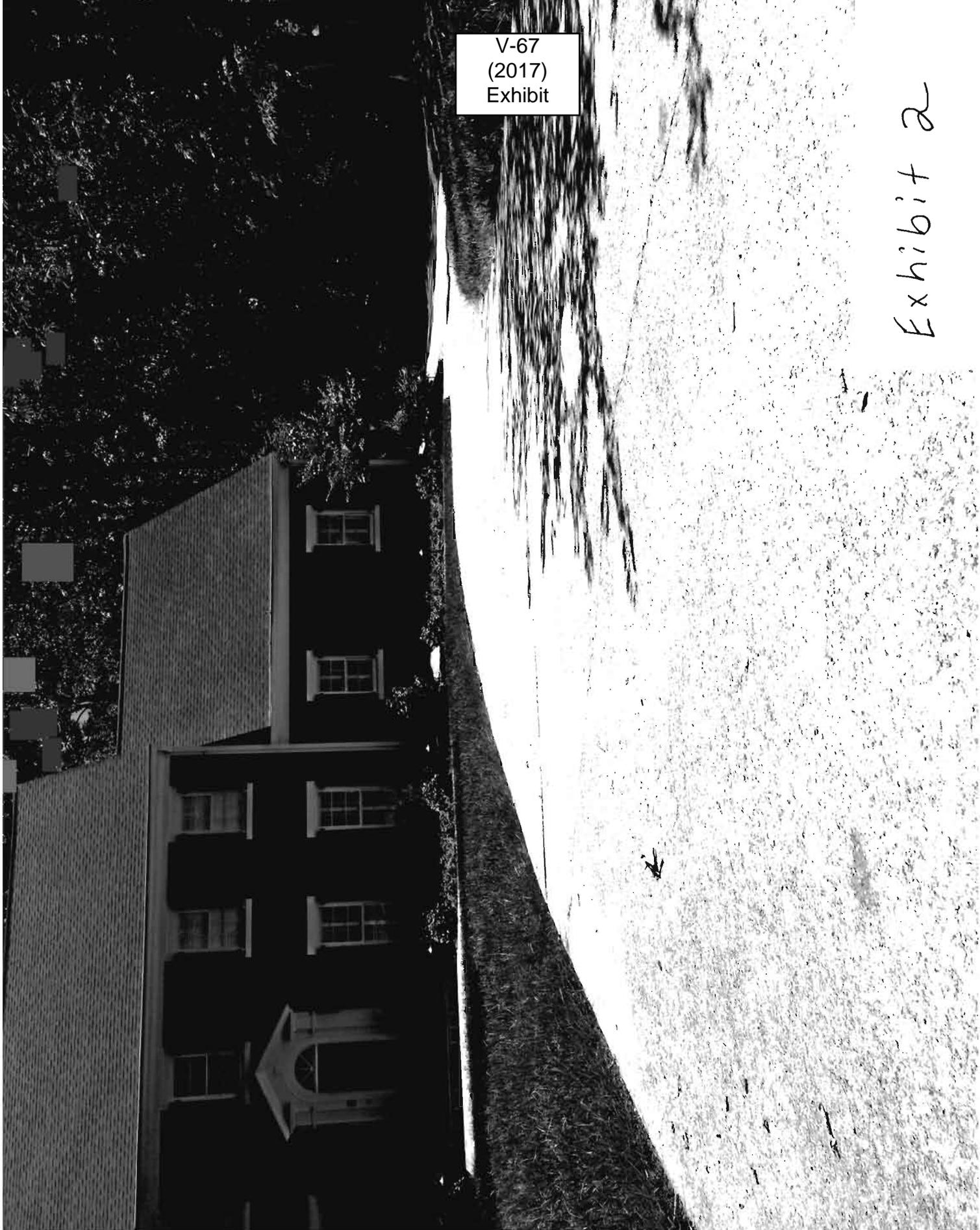
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Exhibit 1



V-67
(2017)
Exhibit

Exhibit 2



V-67
(2017)
Exhibit

Exhibit 3



V-67
(2017)
Exhibit

Exhibit 4



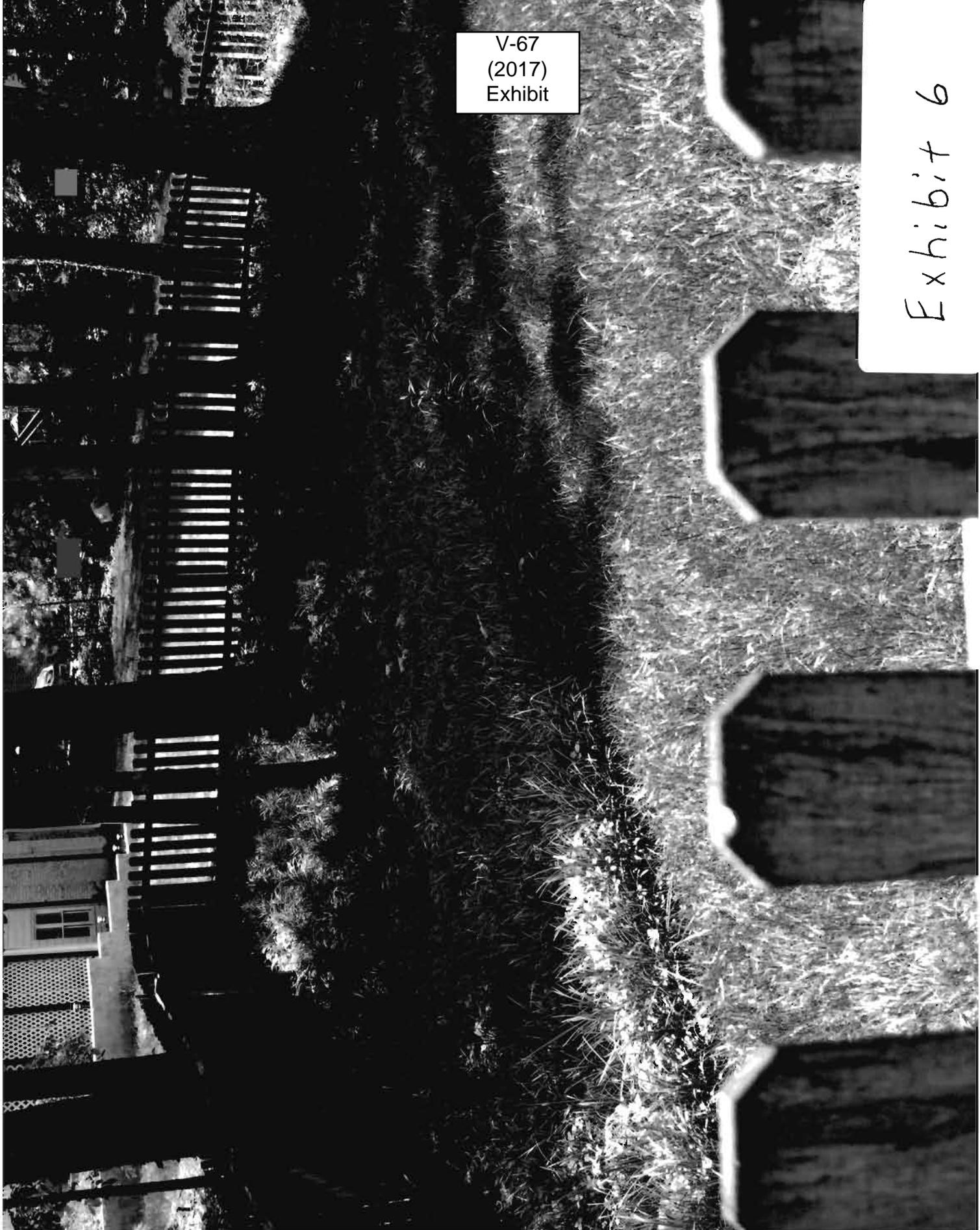
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Exhibit

Exhibit 5



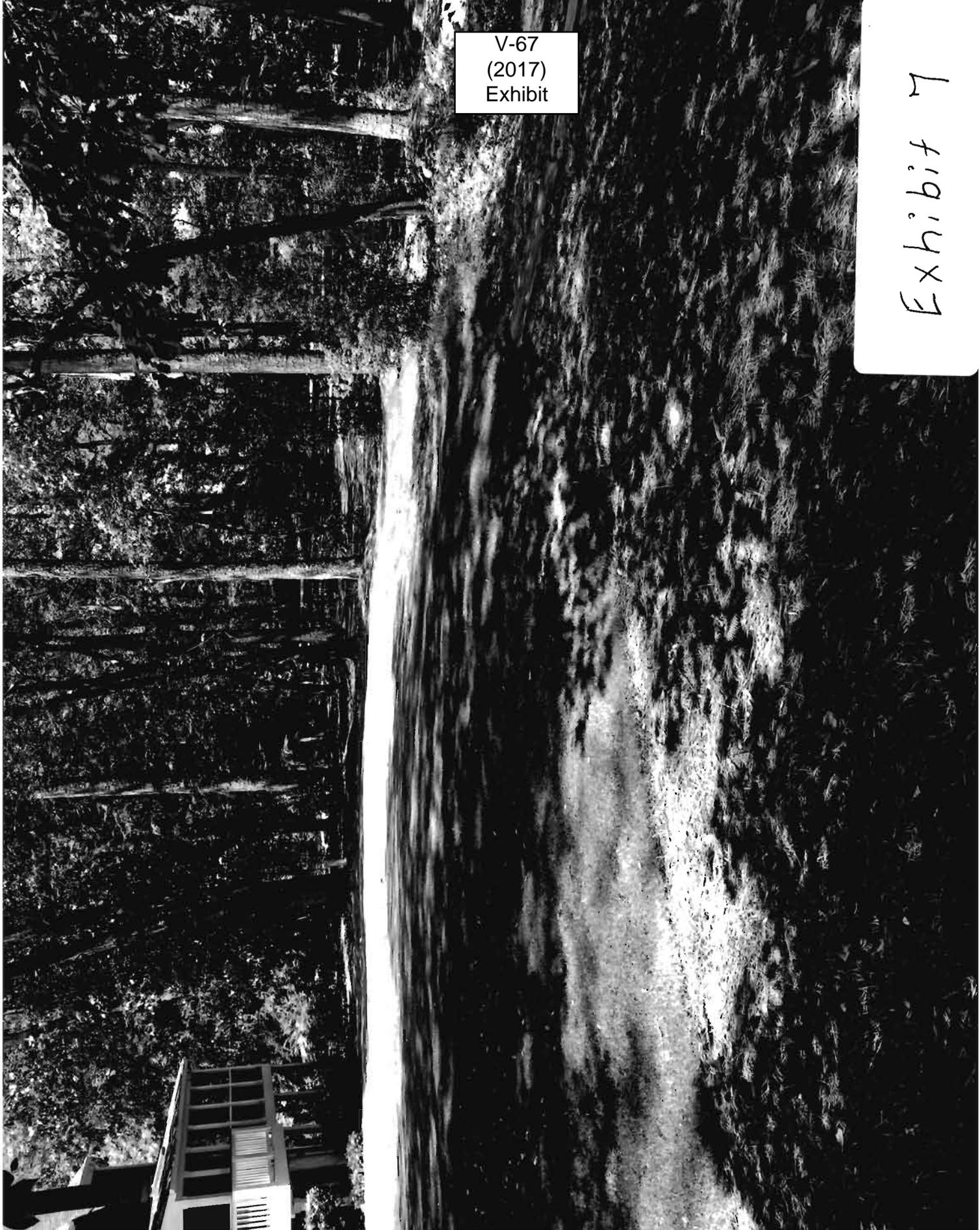
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Exhibit

Exhibit 6



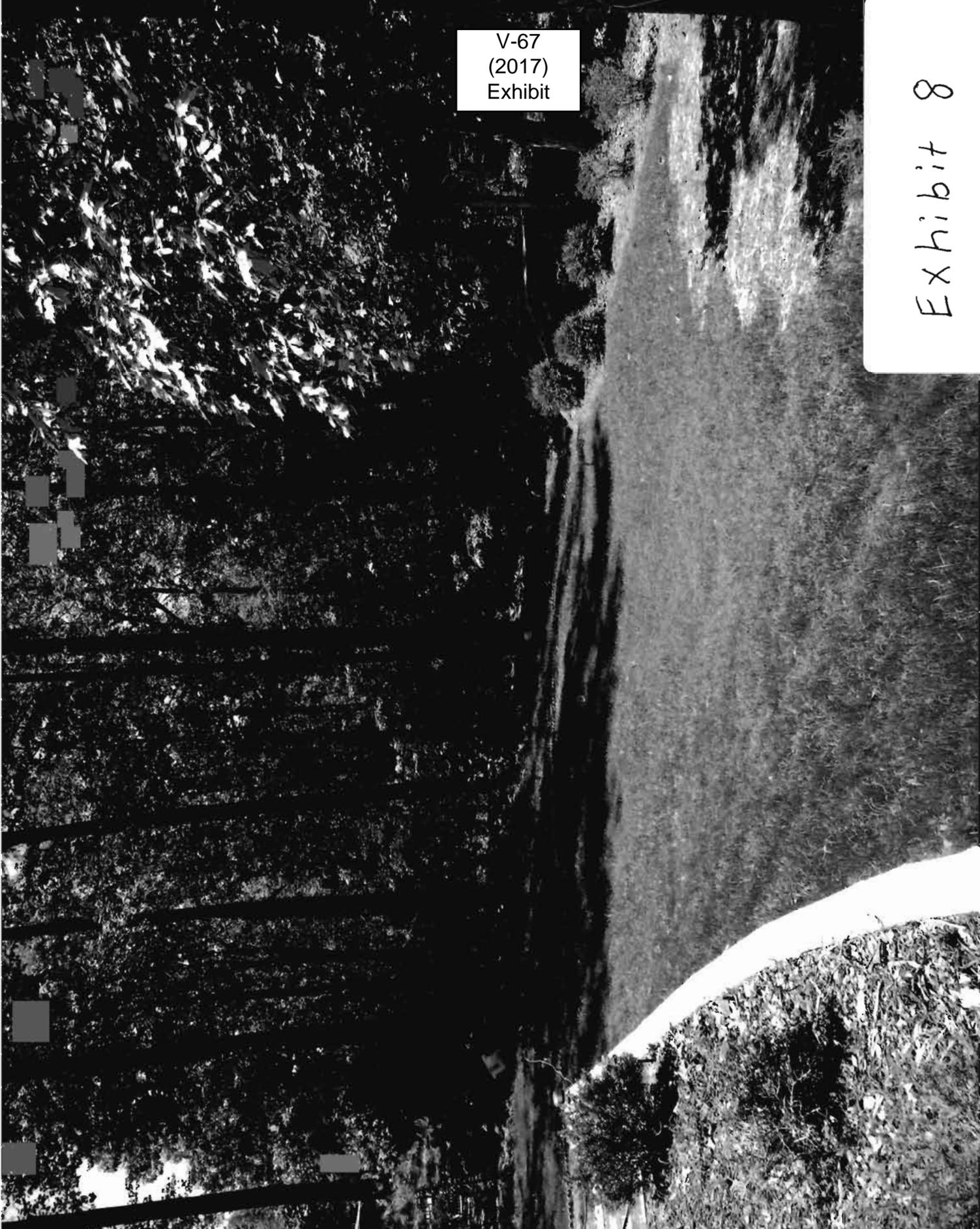
V-67
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Exhibit

Exhibit 7



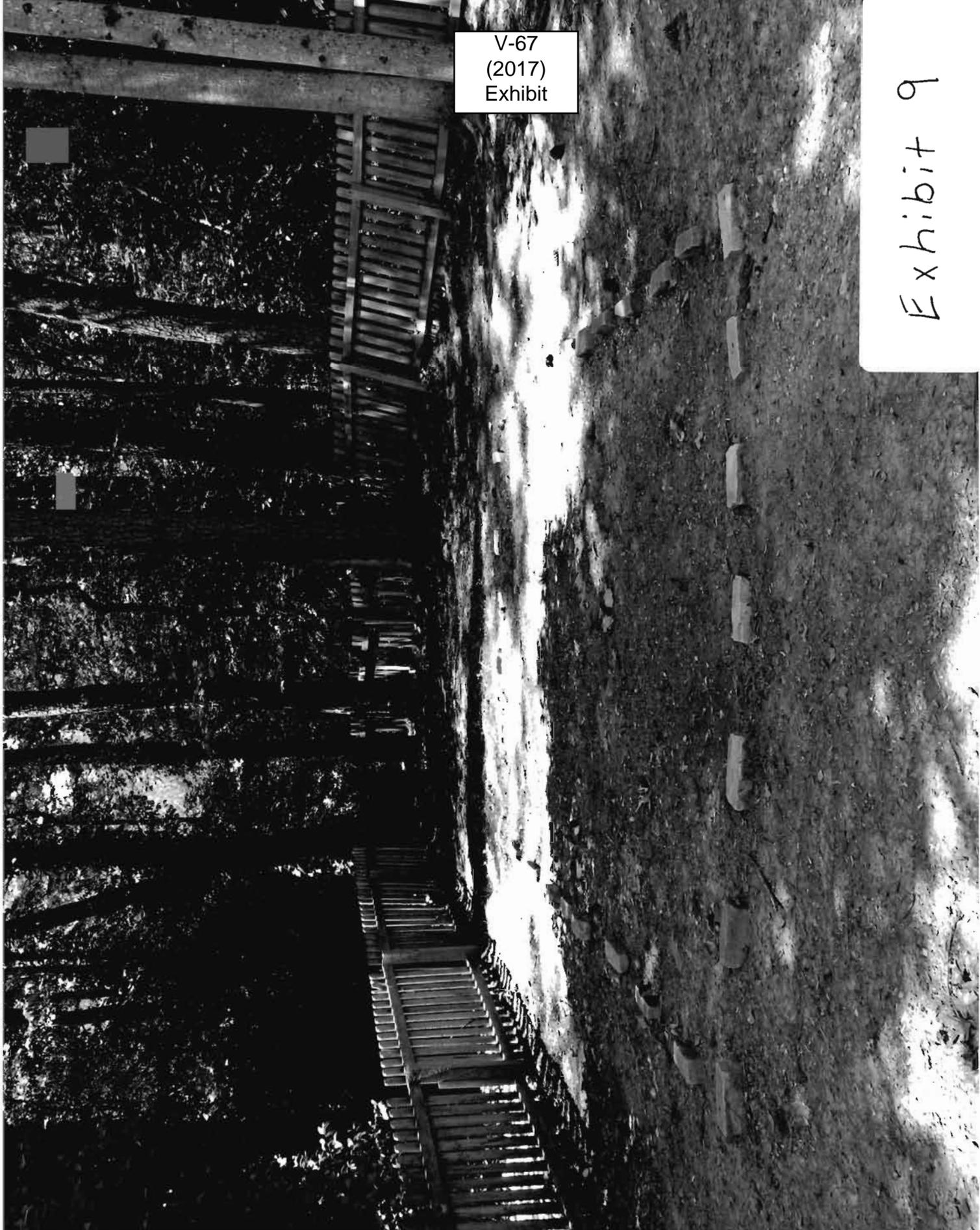
V-67
(2017)
Exhibit

Exhibit 8



V-67
(2017)
Exhibit

Exhibit 9



V-67
(2017)
Exhibit

Exhibit 10

