

APPLICANT: Arbor Ridge Properties LLC

PETITION No.: V-72

PHONE: 770-974-9910

DATE OF HEARING: 7-12-2017

REPRESENTATIVE: John H. Moore

PRESENT ZONING: RSL

PHONE: 770-429-1499

LAND LOT(S): 694, 695, 713

TITLEHOLDER: Arbor Ridge Properties, LLC

DISTRICT: 19

PROPERTY LOCATION: On the east side of Powder Springs Road, south of Pair Road (2375 Powder Springs Road).

SIZE OF TRACT: 11.73 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: Waive the minimum separation between buildings from the required 15 feet to 12 feet.

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

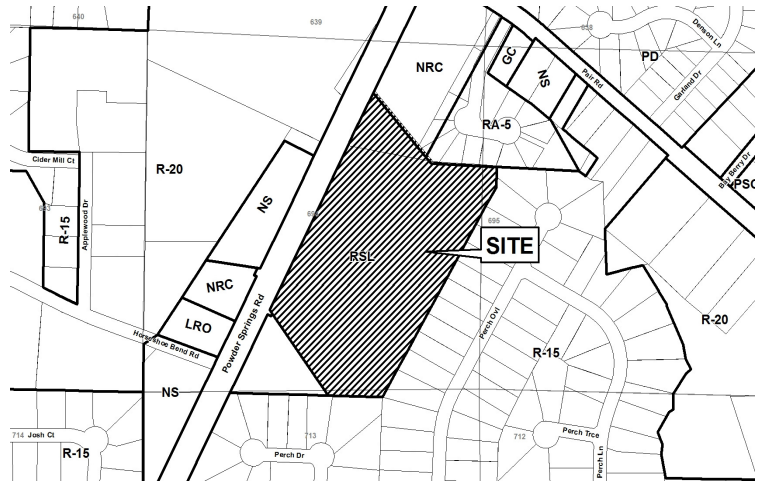
BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____



APPLICANT: Arbor Ridge Properties
LLC

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COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comments

SITE PLAN REVIEW: No comments.

STORMWATER MANAGEMENT: Adequate drainage conveyance must still be provided between structures.

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.

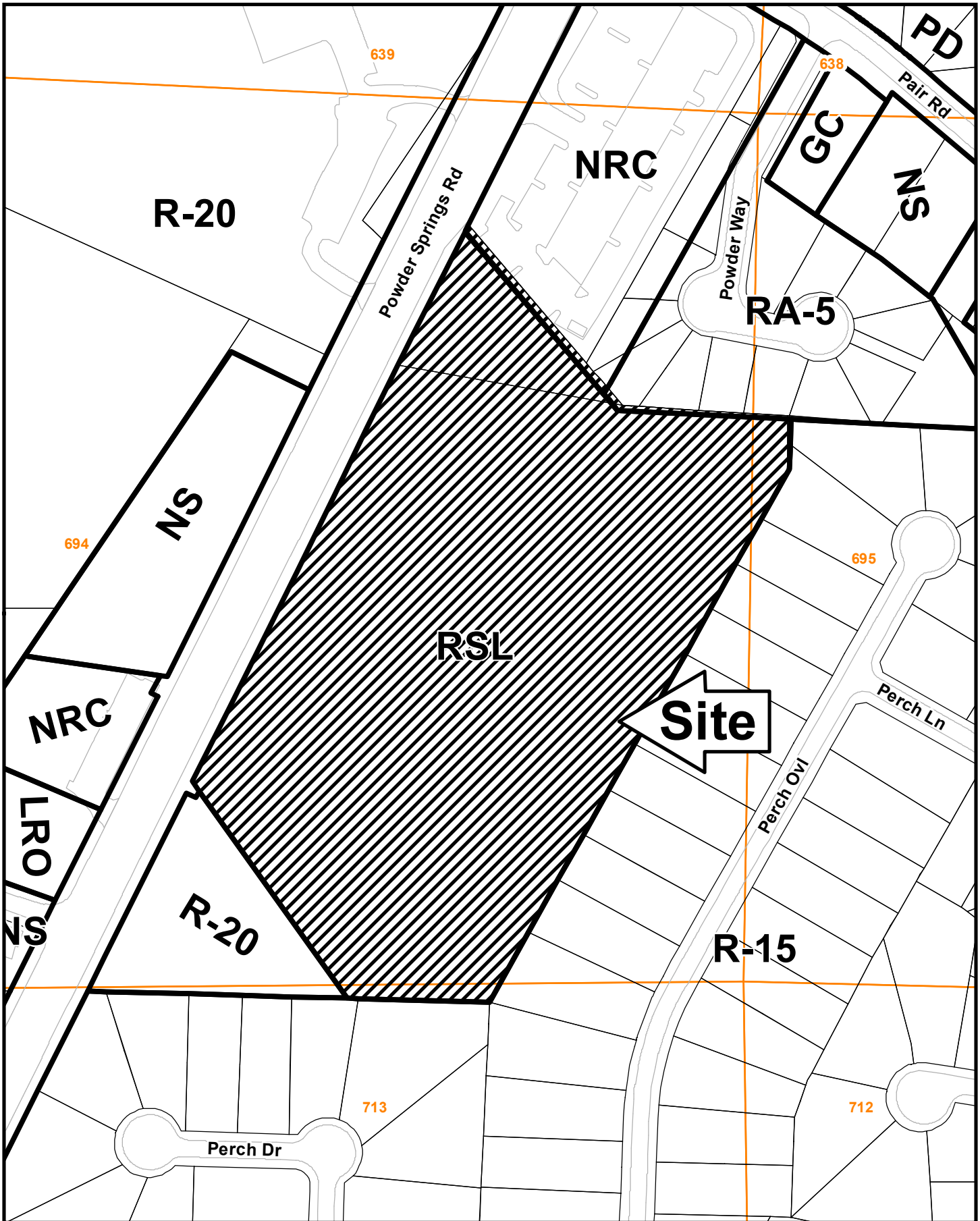
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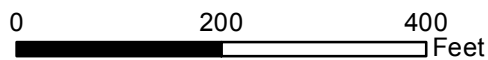
FIRE DEPARTMENT: Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.



GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided at a ratio of one-half space for each dwelling unit (1 space/ 2 units).

V-72 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



Application for Variance Cobb County

(type or print clearly)

Application No. v-72 (2017)
Hearing Date: 07/12/2017

Applicant **Arbor Ridge Properties, LLC** Phone # (770) 974-9910 E-mail morrisproperty@att.net
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
John H. Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jmoore@mij.s.com
(representative's signature) Georgia Bar No. 519800

My commission expires: January 10, 2019

Signed, sealed and delivered in presence of
Carolyn E. Cook
Notary Public

Titleholder **Arbor Ridge Properties, LLC** Phone # (770) 974-9910 E-mail morrisproperty@att.net
Signature **See Attached Exhibit "A"** Address: Suite 317, 3459 Acworth Due West Road
(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 RSL

Location Southeast side of Powder Springs Road, south of Pair Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 694 District 19th Size of Tract 11.73± 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 Exhibit "B" attached hereto and incorporated herein by reference.

List type of variance requested: (1) Reduction of required side setbacks for proposed Lots 12-25, inclusive, from ten (10) feet to eight (8) feet, as more particularly shown and reflected on the Preliminary Plat submitted with the Application for Variance. (See § 134-203.2(11)(t)).

V-72
(2017)
Exhibit

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 72 (2017)
Hearing Date: July 12, 2017

Applicant/Titleholder: Arbor Ridge Properties, LLC

ARBOR RIDGE PROPERTIES, LLC



BY: W. Mitchell Morris
W. Mitchell Morris
Sole Member/Manager

Address: Suite 317, 3459 Acworth Due West Road
Acworth, Georgia 30101

Telephone No.: (770) 974-9910

Signed, sealed, and delivered in the presence of:

K. A. McClatchie
Notary Public
Commission Expires: April 27, 2018

(Notary Seal)

K. A. McClatchie
Notary Public
Cobb County, Georgia
My Commission Expires April 27, 2018

V-72
(2017)
Exhibit

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE



Application No.: V- 72 (2017)
Hearing Date: July 12, 2017

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant/Titleholder: Arbor Ridge Properties, LLC

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 comprised of certain lots, specifically proposed Lots 12 – 25, inclusive, within the development to be known as The Reserve at Marietta, located in Land Lot 694, 19th District, 2nd Section, Cobb County, Georgia (hereinafter “Property” or “Subject Property”). The Reserve at Marietta is zoned to the Residential Senior Living (“RSL”) (non-supportive) zoning category, and is being developed for a single-family residential senior living community. To allow for varied architectural styles of the proposed homes within the overall development; as well as, an aesthetically pleasing streetscape, Applicant requests a reduction of the minimum side setback (interior) from the required ten (10) feet to eight (8) feet, as more particularly shown and reflected on the Preliminary Plat prepared for Applicant by Vaughn & Melton Consulting Engineers, Inc., dated December 18, 2015, last revised February 15, 2016, submitted contemporaneously with this Application for Variance.

Due to the required buffers and location of the detention facilities for the proposed development, Applicant is unable to construct the desired size of homes on proposed Lots 12 – 25 without the granting of the variance sought in this Application for Variance. To deny the requested variance would render the Property undevelopable; or, alternatively, require Applicant to seek to build a smaller home, which would give the homes in the proposed development a “cookie cutter” look.

The waiver of the interior side setback would have no impact on adjacent or nearby properties, nor would it affect any other proposed lots or homes within the overall development. Granting the requested variance would allow the construction of the residences.