

PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: September 13, 2017

DUE DATE: August 14, 2017

Distributed: July 24, 2017



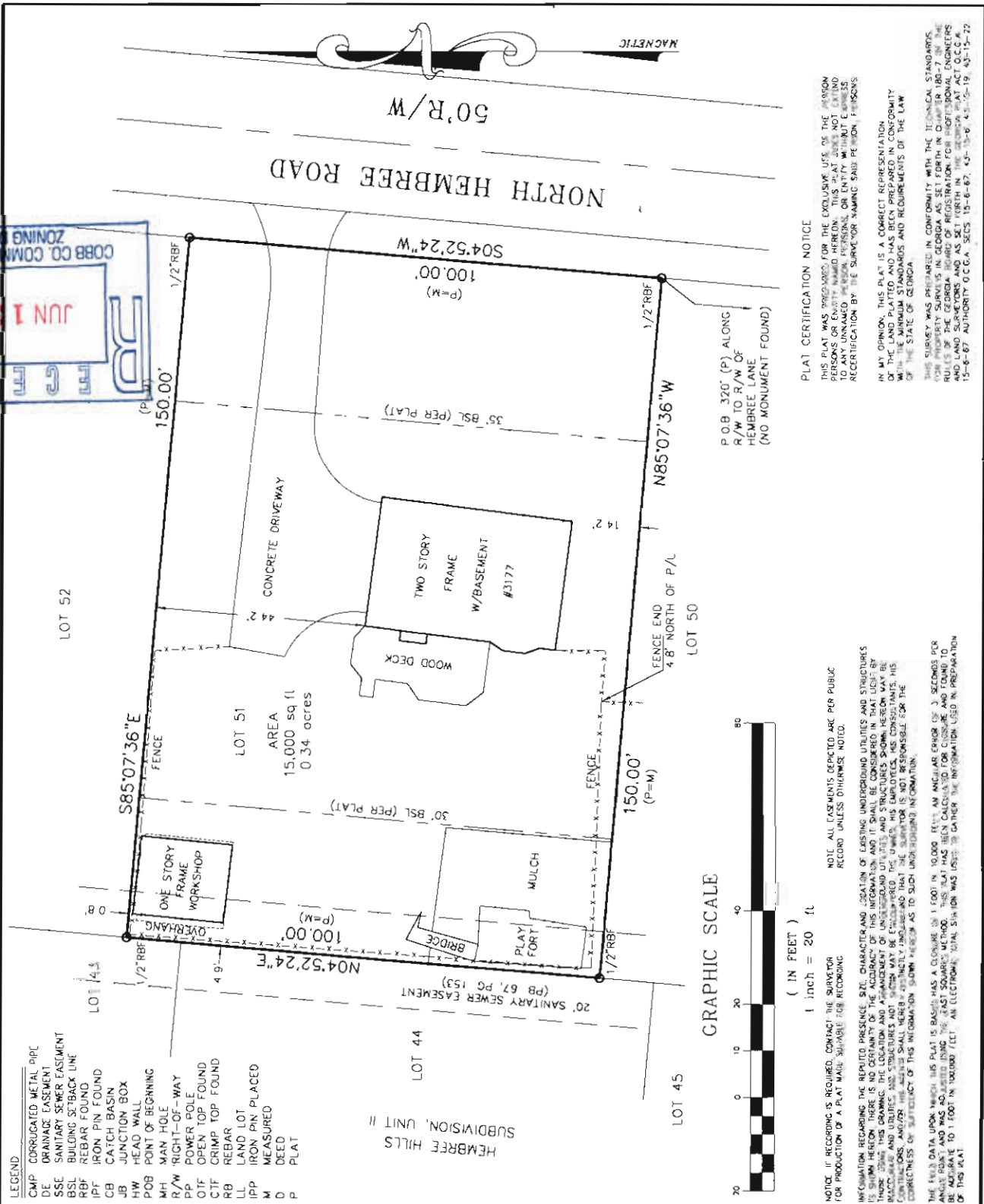
Cobb County... Expect the Best!

ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR LAUREN BAER OWNER / PURCHASER		DATE 05/01/17	SCALE 1" = 20'
LAND LOT 463 2nd DISTRICT COBB COUNTY, GEORGIA		SECTION UNIT 1	AREA OF LOT 15,000 S.F.
LOT 51 BLOCK		SUBDIVISION HEMBREE HILLS	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED
SOLAR LAND SURVEYING COMPANY 33 ATLANTA, GEORGIA 33139-0993 (770) 794-9055 FAX (770) 794-9052		PLAT BOOK 67, PAGE 153 DEED BOOK _____, PAGE _____	98-V (2017)



JOB NUMBER 17-01560

FIELD DATE 04/25/17



APPLICANT: Lauren Cannatella

PETITION No.: V-86

PHONE: 404-451-6768

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Lauren Cannatella

PRESENT ZONING: R-15

PHONE: 404-451-6768

LAND LOT(S): 463

TITLEHOLDER: Lauren Cannatella

DISTRICT: 16

PROPERTY LOCATION: On the west side of North Hembree Road, north of Hembree Lane (3177 North Hembree Road).

SIZE OF TRACT: 0.34 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the setbacks for an accessory structure under 650 square feet (approximately 323 square foot one story frame workshop) from the required 10 feet adjacent to the northern property line to 0.8 feet and from the required 30 feet from the rear to 4.9 feet; and 2) waive the setbacks for an accessory structure under 650 square feet (play fort) from the required 10 feet adjacent to the southern property line to three (3) feet and from the required 30 feet from the rear to one (1) foot.





Application for Variance Cobb County

(type or print clearly)

Application No. V-86
Hearing Date: 9-13-17

Applicant Lauren Cannatella Phone # 404-451-6768 E-mail lalaebaer@gmail.com
Lauren Cannatella Address 3177 N. Hembree Rd., Marietta, GA 30062
(representative's name, printed) (street, city, state and zip code)

Lauren Cannatella Phone # 404-451-6768 E-mail lalaebaer@gmail.com
(representative's signature) Signed, sealed and delivered in presence of:

My commission expires: 07-09-2019 [Signature]
Notary Public

Titleholder Lauren Cannatella Phone # 404-451-6768 E-mail lalaebaer@gmail.com
Signature Lauren Cannatella Address: 3177 N. Hembree Rd, Marietta, GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 07-09-2019 [Signature]
Notary Public

Present Zoning of Property _____

Location 3177 N. Hembree Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 463 District 2nd 18th Size of Tract _____ 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 _____

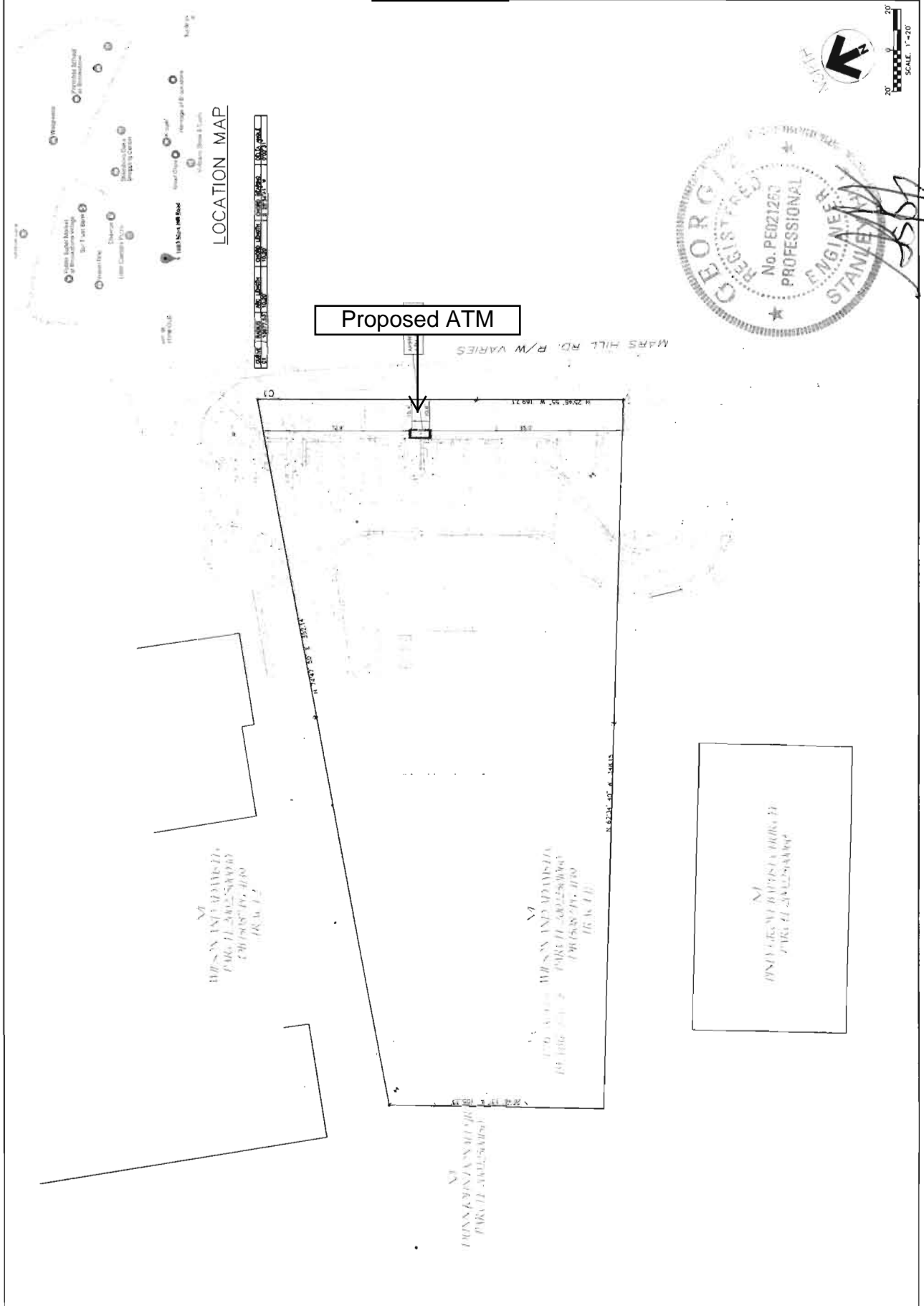
Does the property or this request need a second electrical meter? YES _____ NO

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:

Removing and rebuilding the structures which are necessary for the emotional and physical wellness of my autistic son will cost thousands of dollars. My 2 year old son needs climbing structures, swings and bouncing items for therapy. He has no awareness of danger; therefore dangerous household items need to be stored away from main residence.

List type of variance requested: _____

REVISIONS	DATE	DATE PLAN	V-87 (2017)	Ba	H & T CONSULTANTS, INC. PLANNING - ENGINEERING 8319 OLD KNOS ROAD SOUTH, SUITE 1001 JACKSONVILLE, FLORIDA 32257 PHONE 904-419-1001 FAX 904-419-1004	JOB NO. DRAWING NO. CHECK SH DATE 4-27-17	PLATE C-1	SHEET 1 OF 2



APPLICANT: Stanley Hill

PETITION No.: V-87

PHONE: 904-419-1001

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Christie Hill

PRESENT ZONING: LRO

PHONE: 404-510-5416

LAND LOT(S): 225

TITLEHOLDER: Wilson & Adama LLC

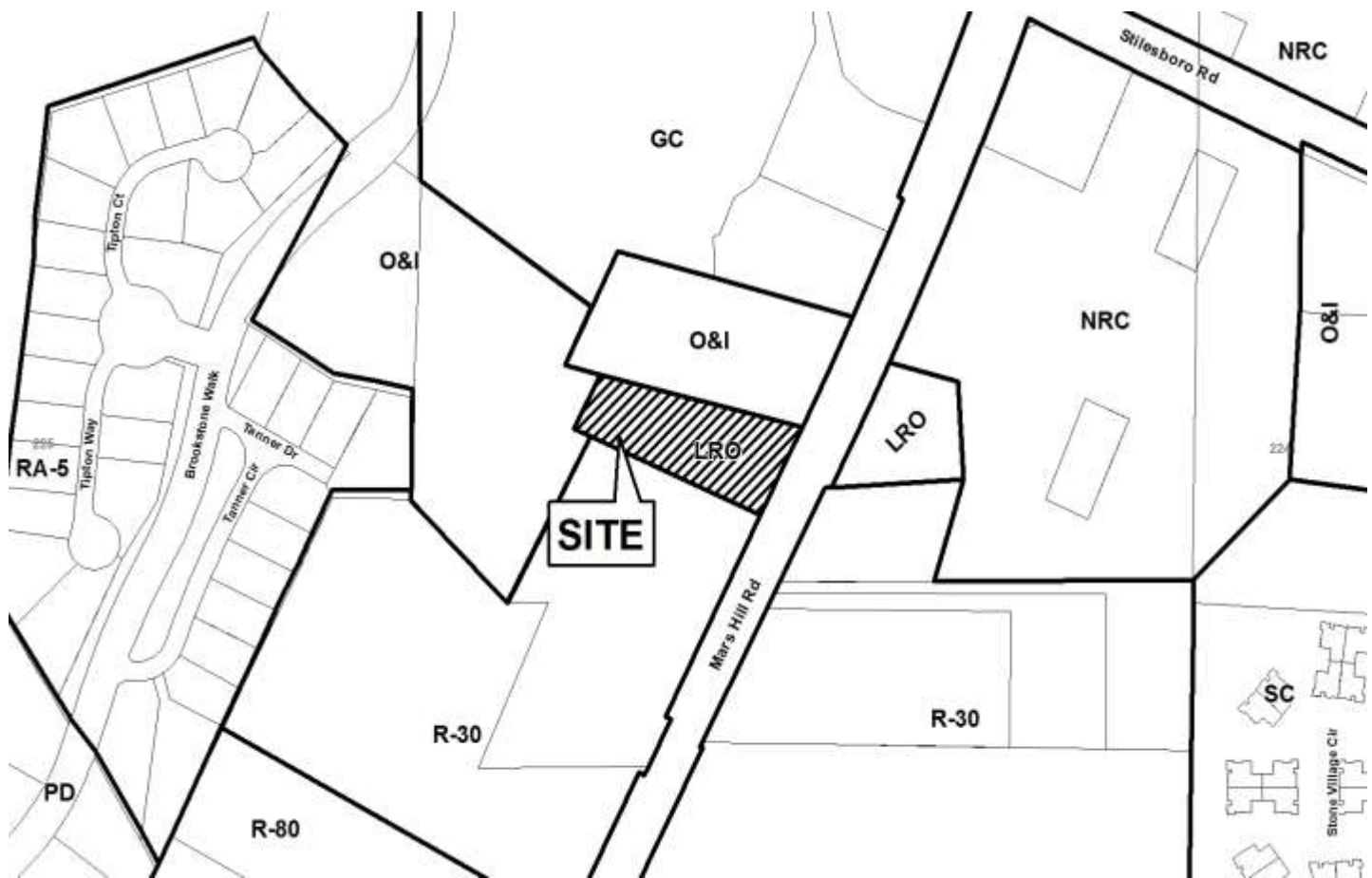
DISTRICT: 20

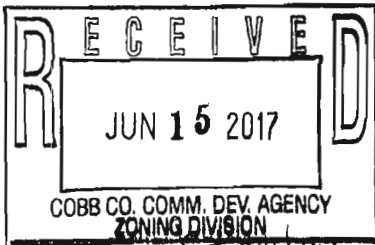
PROPERTY LOCATION: On the west side of Mars Hill Road, south of Stilesboro Road
Hill Road, south of Stilesboro Road
(1685 Mars Hill Road).

SIZE OF TRACT: 1.14 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 1) Allow an accessory structure (proposed drive thru ATM) to the front of the principal building; and 2) waive the front setback from the required 50 feet to 15 feet.





Application for Variance Cobb County

(type or print clearly)

Application No. V-87
Hearing Date: 9-13-17

Applicant Stanley Hill Phone # 904-419-1001 E-mail stanleyhill@bellsouth.net
Christie Hill Address 9310 Old Kings Rd. S. #1001, Jacksonville, FL 32257
(representative's name, printed) (street, city, state and zip code)
[Signature] Phone # 404-510-5416 E-mail cljhilla@gmail.com
(representative's signature)

My commission expires: 10/19/19

Signed, sealed and delivered in presence of [Signature]
Notary Public
JENNIFER LEGERE
MY COMMISSION EXPIRES OCT. 19 2019
Cobb County, Georgia
NOTARY PUBLIC

Titleholder _____ Phone # 770-919-0930 E-mail YARDR@V...

Signature [Signature] Address: 1685 Mars Hill Rd. Acworth, GA
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 10/19/19

Signed, sealed and delivered in presence of: [Signature]
Notary Public
JENNIFER LEGERE
MY COMMISSION EXPIRES OCT. 19 2019
Cobb County, Georgia
NOTARY PUBLIC

Present Zoning of Property code 031

Location 1685 Mars Hill Rd., Acworth, GA 30101
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) _____ District _____ Size of Tract 2 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

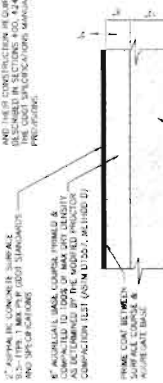
Does the property or this request need a second electrical meter? YES _____ NO

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:

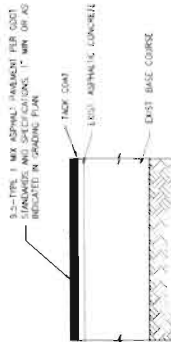
The variance would be consistent with the spirit of the zone 031. We will be proposing an ATM into an office district that will only serve to increase the current offices, visitors, pedestrians & drivers. The community will appreciate the convenience of the location & easy access. If it is not easy to locate or access no gain will be had.

List type of variance requested: set back requirements :: 40' Front
Requesting 2 => setback per code 134-215(4) 30' Rear
2) ATM not allowed in current site zone 15' side
Zoning per code 134-215.(1) & (3)

1. ALL PAVEMENT CONSTRUCTION JOINTS SHALL BE FULLY COMPACTED AND PROTECTED TO PREVENT WEAR AND DISINTEGRATION. JOINTS SHALL BE FULLY COMPACTED AND PROTECTED TO PREVENT WEAR AND DISINTEGRATION. JOINTS SHALL BE FULLY COMPACTED AND PROTECTED TO PREVENT WEAR AND DISINTEGRATION.

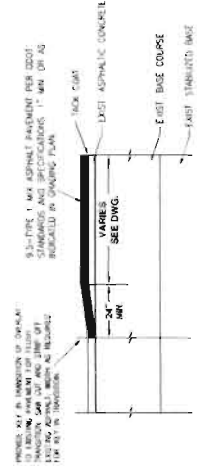


ASPHALT PAVEMENT SECTION
NOT TO SCALE

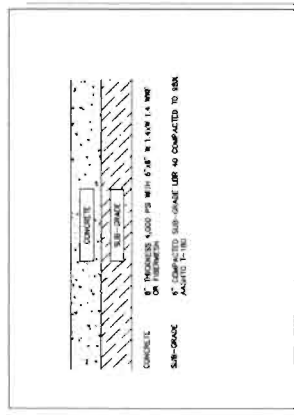


TYPICAL ASPHALTIC CONCRETE OVERLAY
NOT TO SCALE

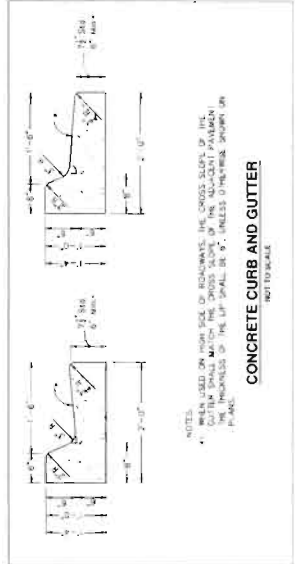
NOTE:
IF EXISTING GRADING DOES NOT ALLOW FOR 1" MIN. PAVEMENT OVERLAY, PROVIDE REQUIRED SCARIFICATION OF EXISTING PAVEMENT TO ACHIEVE THE MIN. LAYER THICKNESS.



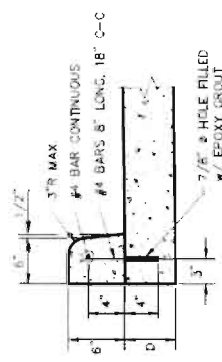
TYPICAL OVERLAY KEY IN TRANSITION
NOT TO SCALE



TYPICAL CONCRETE PAVEMENT SECTION
NOT TO SCALE



CONCRETE CURB AND GUTTER
NOT TO SCALE



CONCRETE DOWELED ON CURB FOR CONCRETE PAVEMENT

NOTES FOR CURB:
1. AT EACH PAVEMENT CONSTRUCTION JOINT, PROVIDE A 1/4" THICK PRE-MOLDED EXPANSION JOINT AT THE FULL HEIGHT AND WIDTH OF THE CURB.
2. AT EACH PAVEMENT EXPANSION JOINT THERE SHALL BE A PRE-MOLDED EXPANSION JOINT AT THE FULL WIDTH AND HEIGHT OF THE CURB AND THE SAME THICKNESS AS THE PAVEMENT EXPANSION JOINT.



H & T CONSULTANTS, INC.
PLANNING - ENGINEERING
530 OLD KINGS ROAD S. SUITE 1003
JACKSONVILLE, FLORIDA 32207
PHONE: 904-419-1001 FAX: 904-419-1004

V-87
(2017)
Exhibit

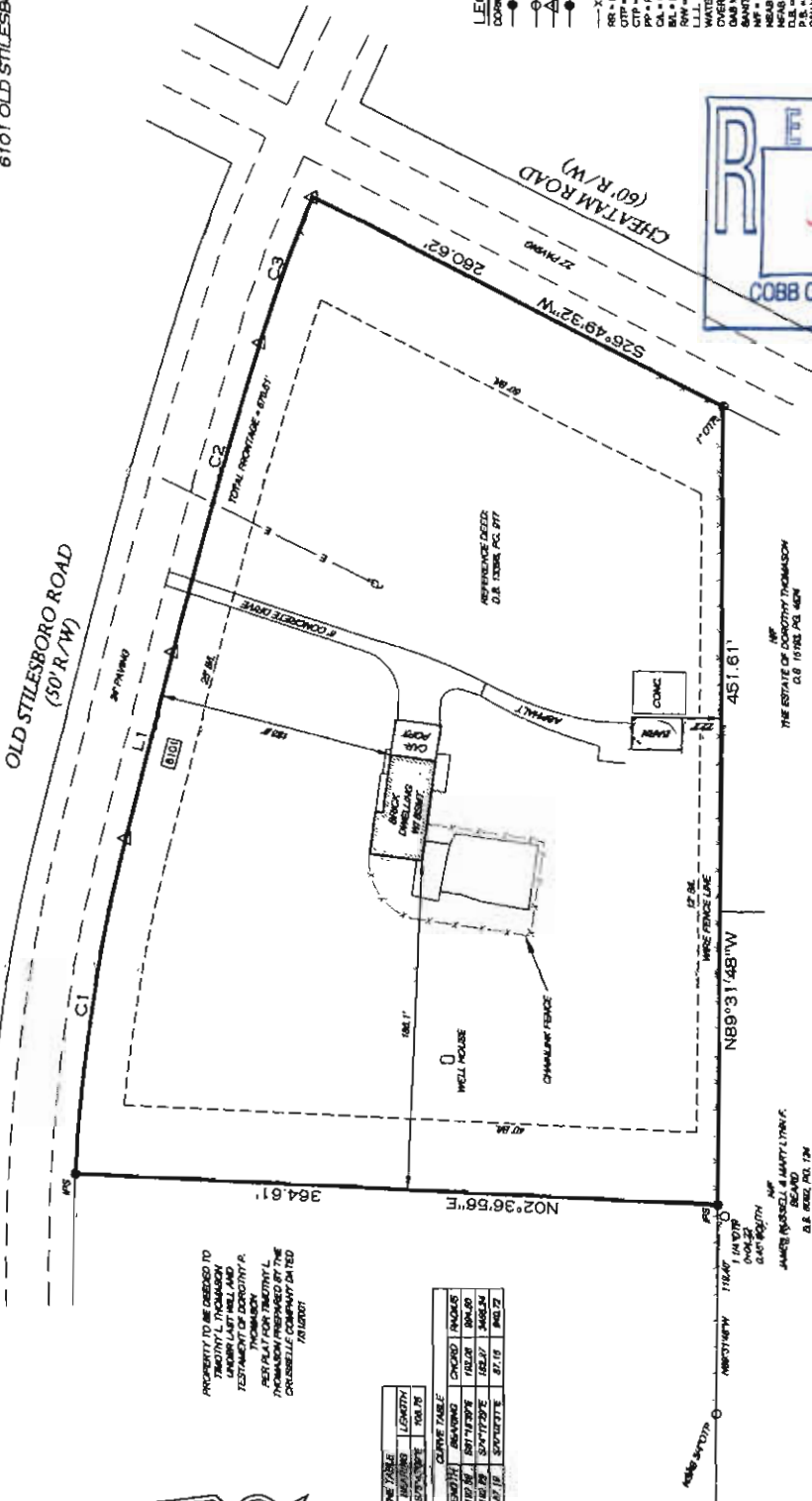
DATE	REVISIONS

SHEET 3 OF 3
C-3

AREA = 3.705 ACRES
(161,384 SQ. FT.)

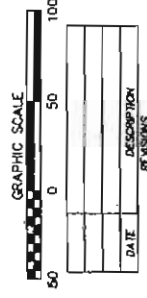
Reconveyance Survey For
**THE ESTATE OF
DOROTHY P. THOMASON**
LOCATED IN LAND LOT 151, 20TH DISTRICT, 2ND SECTION,
COBB COUNTY, GEORGIA

6101 OLD STILESBO RD



V-88
(2017)

- LEGEND**
- CORNER MONUMENTATION:
 - = IRON CORNER SET WITH A 1/2\"/>
 - = IRON CORNER SET WITH A 1/2\"/>



THE RUSSELL COMPANY
PROFESSIONAL LAND SURVEYOR
3811 ROSSER SPRINGS ROAD
ALBANY, GEORGIA 31707
F-MAIL: RUSSELL@RUSSELLCO.COM
PROJ. NO. COB41 FILE CODE: 15-11-14-DW
FIELD SURVEY DATE: 10/17/14
SCALE: 1/8\"/>



THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 1807 OF THE RULES AND REGULATIONS OF THE SURVEYING AND MAPPING BOARD, PROFESSIONAL SURVEYING AND MAPPING BOARD, SET FORTH IN THE GEORGIA PLAT ACT, O.C.G.A. 47-5-57.

ADDITIONAL SURVEY REFERENCES:

- PROPERTY MAP FOR CARL J. THOMASON PREPARED BY B. H. COX (PLS NO. 1744) DATED 12/17/10.
- PLAT OF SURVEY FOR COB41, PLS PREPARED BY A. C. CABLE (PLS NO. 1135) DATED 02/27/10.
- PLAT OF SURVEY FOR MRS. LUTHER H. GORRITH PREPARED BY COL. R. KELLY (PLS NO. 1044) DATED 10/17/10.
- PLAT OF SURVEY FOR MRS. ALMA C. GORRITH PREPARED BY COL. R. KELLY (PLS NO. 2008) DATED 11/26/10.
- PLAT OF SURVEY FOR DOROTHY L. THOMASON PREPARED BY THE RUSSELL COMPANY AND CALLED BY RESOLUTION # COB41 (PLS NO. 1841) DATED 07/20/10.

FLOOD STATEMENT

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAP, COMMUNITY FLOOD HAZARD IDENTIFICATION MAP, AND THE PROPERTY TO BE SURVEYED. THE MAP GRAPHICALLY DEPICTS THE SUBJECT PROPERTY TO BE IN ZONE: "X". AREAS DETERMINED TO BE OUTSIDE THE ZONE ARE ANNUAL CHANCE FLOODPLAIN.

SURVEY NOTES

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE MATTERS AFFECTING TITLE THAT ARE NOT SHOWN HEREON. THESE MATTERS ARE EXTENSIVE RESEARCH UNDERTAKEN BY THE SURVEYOR TO THIS PLAT TO AVOID SURETY CONFLICTS ASSOCIATED WITH THE SUBJECT PROPERTY.

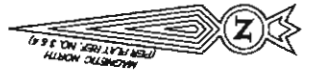
THESE PLAT NOTES AND OTHER DRAWINGS PREPARED BY THE SURVEYOR AND ASSOCIATES, INCLUDING ELECTRONIC FILES, ARE THE BUILDING BLOCKS SHOWN HEREON ARE BASED ON THE SURVEYOR'S BEST INVESTIGATION AND SHOULD BE CLAIMED BY COBB COUNTY BEFORE ANY ADDITIONAL IDENTIFICATION.

THERE MAY BE OTHER UTILITIES EXISTING ON THIS PROPERTY THAT ARE NOT SHOWN.

CHANCE TABLE

CURVE	LENGTH	CHORD	ANGLE
C1	187.50	187.50	90.00
C2	187.50	187.50	90.00
C3	187.50	187.50	90.00

PROPERTY TO BE REFERRED TO DOROTHY L. THOMASON UNDER LAST WILL AND TESTAMENT OF DOROTHY P. THOMASON PREPARED BY THE RUSSELL COMPANY DATED 10/16/10.



THIS SURVEY WAS PREPARED BY THE RUSSELL COMPANY, A PROFESSIONAL LAND SURVEYOR, ON 10/17/14. ALL DISTANCES ARE GROUND DISTANCES.

2017-05-23

APPLICANT: Timothy Dykstra

PETITION No.: V-88

PHONE: 276-356-9367

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Timothy Dykstra

PRESENT ZONING: R-30

PHONE: 276-356-9367

LAND LOT(S): 151

TITLEHOLDER: Timothy Dykstra and Melinda Dykstra

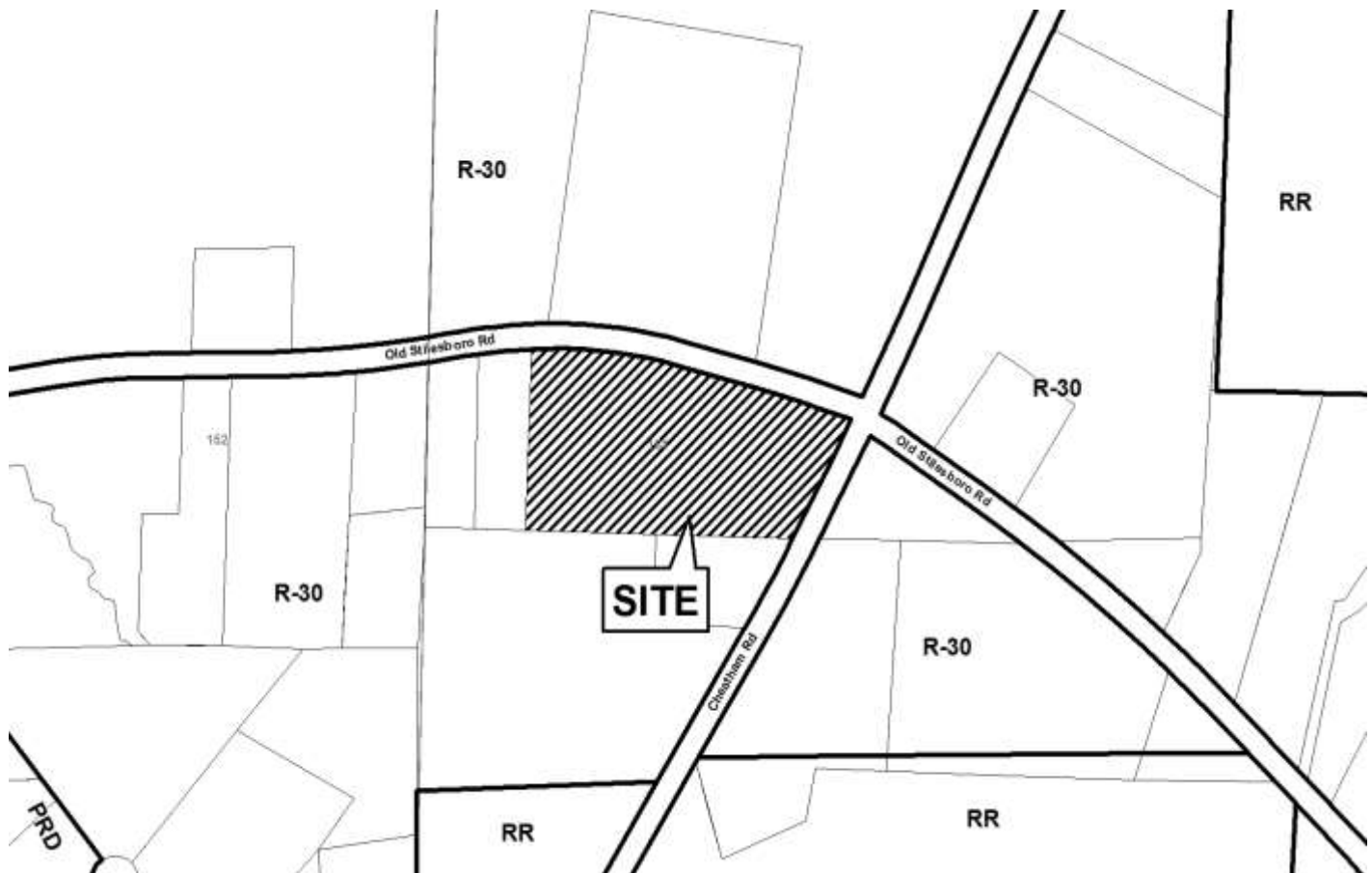
DISTRICT: 20

PROPERTY LOCATION: At the southwest intersection of Cheatham Road and Old Stilesboro Road (6101 Old Stilesboro Road).

SIZE OF TRACT: 3.71 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 1) Allow an accessory structure (1,303 square foot barn) to be located closer to the side street right-of-way line than the principal building; and 2) waive the side setback for an accessory structure over 1,000 square feet (1,303 square foot barn) from the required 100 feet to 22 feet adjacent to the southern property line.



Application for Variance

Cobb County

(type or print clearly)

Application No. V-88
Hearing Date: 9-13-17

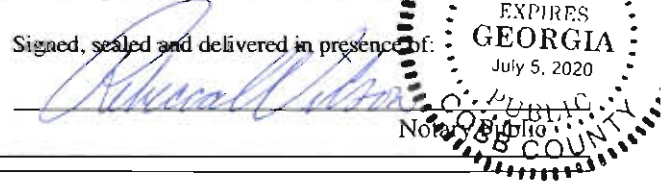
Applicant Timothy Dykstra Phone # 276-356-9367 E-mail Tim.dykstra@westlake.com

Timothy Dykstra Address 6101 Old Stilesboro Road, NW, Acworth, GA 30101
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 276-356-9367 E-mail Tim.dykstra@westlake.com
(representative's signature)

Signed, sealed and delivered in presence of:

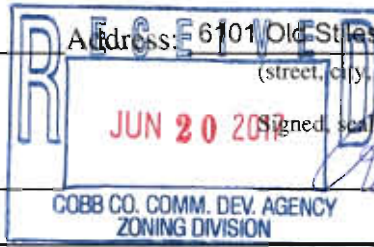
My commission expires: July 5, 2020



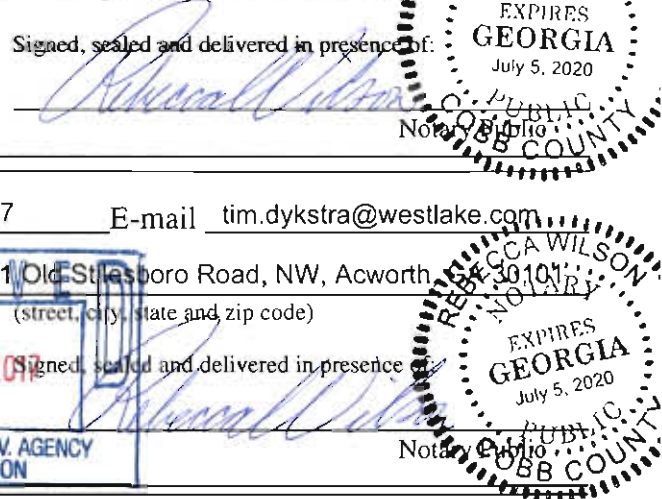
Titleholder Timothy & Melinda Dykstra Phone # 276-356-9367 E-mail tim.dykstra@westlake.com

Signature [Signatures] Address 6101 Old Stilesboro Road, NW, Acworth, GA 30101
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: July 5, 2020



Signed, sealed and delivered in presence of:



Present Zoning of Property Residential

Location Old Stilesboro Road, NW and Cheatam Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 151 District 20th Size of Tract 3.7 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:

House only has a carport and cannot be used for secure storage space. Garage will be used for secure and clean storage of car, motorcycle, kayaks, lawn mowers and woodworking tools

List type of variance requested: _____

Build remodeled garage closer to lot line than current code allows

APPLICANT: Jimmy Freeman

PETITION No.: V-89

PHONE: 770-833-5510

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Nisbet Kendrick, Esq.

PRESENT ZONING: LI

PHONE: 770-424-0471

LAND LOT(S): 1125, 1126, 1127, 1169

TITLEHOLDER: James Freeman Investments LLLP

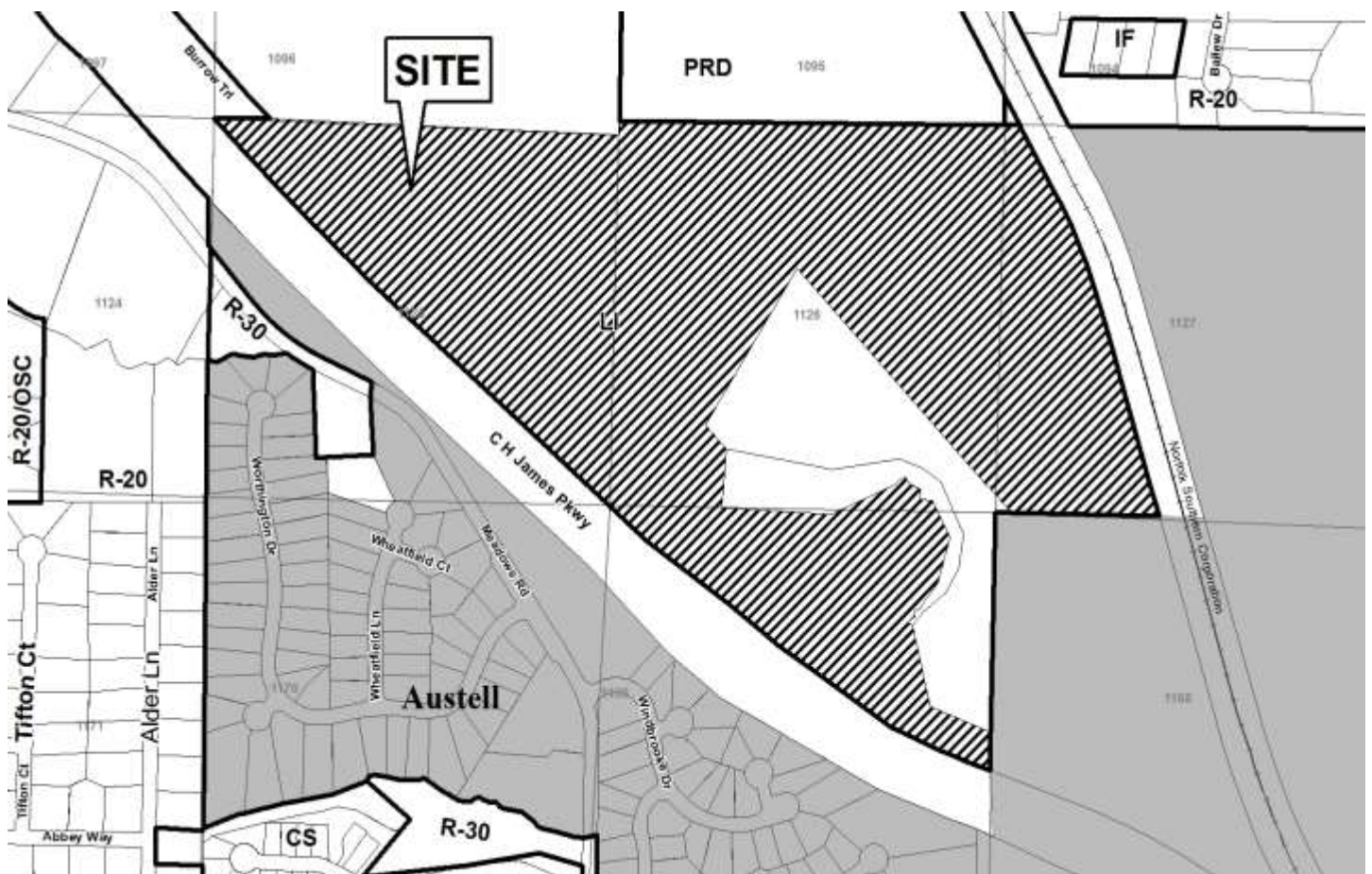
DISTRICT: 19

PROPERTY LOCATION: On the northeast side of C H James Parkway, and at the terminus of Burrow Trail (0 Burrow Trail).

SIZE OF TRACT: 71.76 acres

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: To allow parking of vehicles on a gravel surface (non hardened and treated).





Application for Variance Cobb County

(type or print clearly)

Application No. 11-89
Hearing Date: 9-13-17

Applicant Jimmy Freeman Phone # 770-833-5510 E-mail c/o ken@nsk3law.com

Nisbet Kendrick, Esq. Address 4738 Talleybrook Drive, Kennesaw, GA. 30152
(representative's name, printed) (street, city, state and zip code)

Phone # 770-424-0471 E-mail ken@nsk3law.com

(representative's signature)

My commission expires: May 31, 2021

HANNA CARVER
NOTARY PUBLIC
FULTON COUNTY
State of Georgia
My Commission Expires May 31 2021

Signed, sealed and delivered in presence of:

Hanna Carver

Notary Public

Titleholder James Freeman Investments, LLLP Phone # 404-428-6541 E-mail c/o. ken@nsk3law.com

Signature Address: 879 Pickens Industrial Dr., Marietta, GA. 30062
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: May 31, 2021

HANNA CARVER
NOTARY PUBLIC
FULTON COUNTY
State of Georgia
My Commission Expires May 31 2021

Signed, sealed and delivered in presence of:
Hanna Carver
HANNA CARVER
NOTARY PUBLIC
FULTON COUNTY
State of Georgia
My Commission Expires May 31 2021

Present Zoning of Property Light Industrial

Location 0 Burrow Trail
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1096, 1125, 1126 District 19th Size of Tract 10 (aprox) 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.

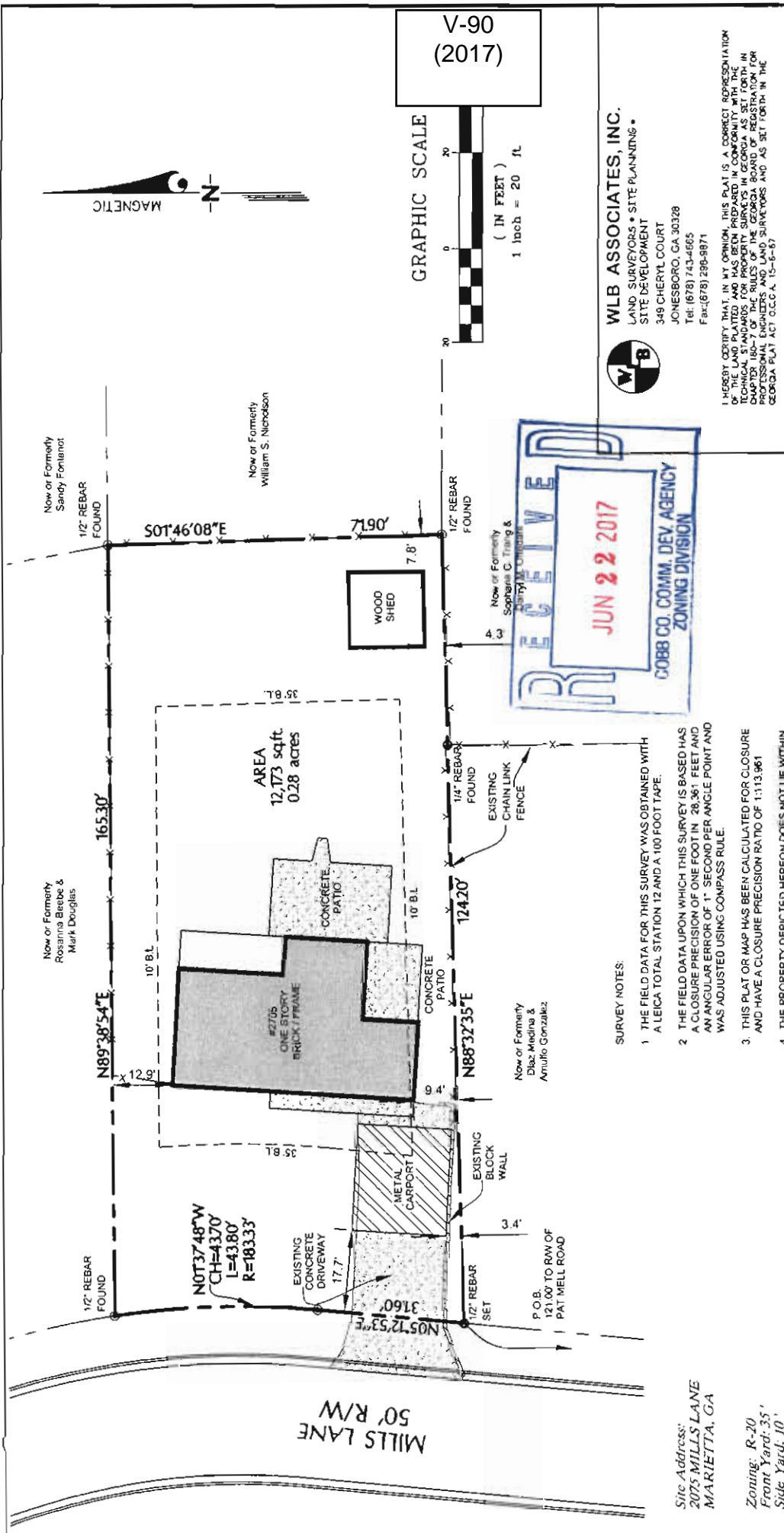
Size of Property X Shape of Property x Topography of Property X Other X

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

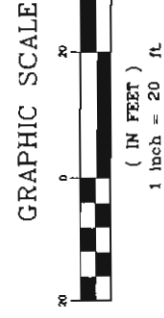
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the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

This is an isolated commercial property that has no current value or use other than the vehicle storage use proposed. The site is bounded by rail right of way, a buffer from C. H. James parkway and a buffer from Powder Springs creek. Paving the site would make the current use economically un-viable. Storage of the heavy trucks would destroy any paving that might be installed.

List type of variance requested: The variance requested is to permit parking of operational, inspected heavy trucks, campers, RVs and boats on the existing gravel parking area. The property is currently leased to Store My Truck.com which provides a service for parking semi-trucks, RVs, camping trailers and boats in several states. Only operational vehicles are stored. All heavy trucks require DOT inspection stickers to insure that no leaking fluids. No wrecker service utilizes this property and no non-operational vehicles are stored. Vehicles stored on this property would otherwise be stored at abandoned shopping centers, road sides or in sub divisions.



V-90
(2017)



WLB ASSOCIATES, INC.
 LAND SURVEYORS • SITE PLANNING •
 SITE DEVELOPMENT
 349 CHERYL COURT
 JONESBORO, GA 30328
 Tel: (678) 743-6665
 Fax: (678) 298-9971

PLEASE NOTE THAT IN ANY CONVEYANCE THIS SURVEY IS A REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTERS 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. 13-6-67.

Survey of:
2075 Mills Lane
 Lot 12 Block "C"
 Spring Valley Subdivision

LAND LOT:	277	SCALE:	1"=20'
DISTRICT:	17TH	DATE:	6/23/2017
SECTION:	2ND	DRAWN BY:	WB
COUNTY:	COBB	CHECKED BY:	
STATE:	GEORGIA	JOB NO.:	2017-960
PLAT BOOK:	16	PAGE:	198



SURVEY NOTES:

- 1 THE FIELD DATA FOR THIS SURVEY WAS OBTAINED WITH A LEICA TOTAL STATION 12 AND A 100 FOOT TAPE.
- 2 THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 28,361 FEET AND AN ANGULAR ERROR OF 1" SECOND PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
- 3 THIS PLAT OR MAP HAS BEEN CALCULATED FOR CLOSURE AND HAVE A CLOSURE PRECISION RATIO OF 1:113,961
- 4 THE PROPERTY DEPICTED HEREON DOES NOT LIE WITHIN A FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP
- 5 UNDERGROUND UTILITIES AS SHOWN BY THIS SURVEY ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
- 6 THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE, THE UNDERSIGNED AND THIS FIRM MAKES NO WARRANTIES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS AND OTHER SIMILAR MATTERS.

Site Address:
 2075 MILLS LANE
 MARIETTA, GA

Zoning: R-20
 Front Yard: 35'
 Side Yard: 10'
 Rear Yard: 35'

The surveyor in no way intends to interpret or make conclusions regarding the zoning designation shown hereon. This information is reported from public information obtained from Cobb County records on 6/22/2017.

Area Summary: 0.28 acres

Survey References:
 SUBDIVISION PLAT OF SPRING VALLEY
 PLAT BOOK 16 PAGE 198

APPLICANT: Patricia Ruiz

PHONE: 678-927-0561

REPRESENTATIVE: Patricia Ruiz

PHONE: 678-927-0561

TITLEHOLDER: Patricia Ruiz-Jaime

PROPERTY LOCATION: On the east side of Mills Lane, north of Pat Mell Road (2075 Mills Lane).

PETITION No.: V-90

DATE OF HEARING: 9-13-2017

PRESENT ZONING: R-20

LAND LOT(S): 277

DISTRICT: 17

SIZE OF TRACT: 0.28 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 1) Allow an accessory structure (metal carport) to the front of the principal building; 2) waive the setbacks for an accessory structure under 650 square feet (metal carport) from the required 35 feet from the front to 17 feet and from the required 10 feet from the side to zero feet adjacent to the southern property line; 3) waive the setbacks for an accessory structure under 650 square feet (wood shed) from the required 35 feet from the rear to seven (7) feet and from the required 10 feet from the side to four (4) feet adjacent to the southern property line; and 4) waive the side setback from the required 10 feet to six (6) feet adjacent to the southern property line.





Application for Variance Cobb County

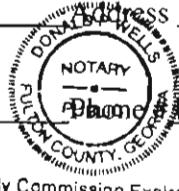
(type or print clearly)

Application No. V-90
Hearing Date: 9-13-17

Applicant Patricia Ruiz Phone # 678-927-0561 E-mail patitogto@gmail.com

Patricia Ruiz
(representative's name, printed) Address 2075 Mills Ln, Marietta, Ga 30060
(street, city, state and zip code)

Patricia Ruiz
(representative's signature) Phone # 678-927-0561 E-mail _____



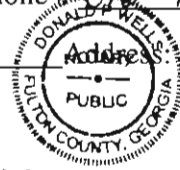
My Commission Expires
March 15, 2021

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

My commission expires: _____

Titleholder Patricia Ruiz Phone # 678-927-0561 E-mail _____

Signature Patricia Ruiz
(attach additional signatures, if needed) Address 2075 Mills Ln Marietta Ga 30060
(street, city, state and zip code)



My Commission Expires
March 15, 2021

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

My commission expires: _____

Present Zoning of Property Residencial

Location 2075 Mills Ln Marietta, Ga. 30060
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 277 District 17th Size of Tract .28 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:

I need it because I have little kids and I need more space for the house so thats the reason for the shed and also the carport for if raining and sharrow for my cars.

List type of variance requested: 2 story shed and installed

Metal Carport

APPLICANT: Russell A. Mullins

PETITION No.: V-91

PHONE: 770-616-2357

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Russell A. Mullins

PRESENT ZONING: R-20

PHONE: 770-616-2357

LAND LOT(S): 623, 674

TITLEHOLDER: Russell A. Mullins

DISTRICT: 16

PROPERTY LOCATION: At the southern terminus of Prince Howard Lane, south of Prince Howard Drive (2401 Prince Howard Drive).

SIZE OF TRACT: 1.66 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the minimum public road frontage from the required 75 feet to 35 feet for proposed tract 1; 2) waive the front setback from the required 35 feet to 10 feet and the rear setback from the required 35 feet to 10 feet (with concurrent increases in side setbacks as shown) for proposed tract 1; 3) waive the minimum public road frontage from the required 75 feet to zero feet for proposed tract 2; and 4) waive the minimum lot size for a lot with no public road frontage from the required 80,000 square feet to 40,010 square feet for proposed tract 2.



Application for Variance Cobb County

(type or print clearly)



Application No. V-91
Hearing Date: 9-13-17

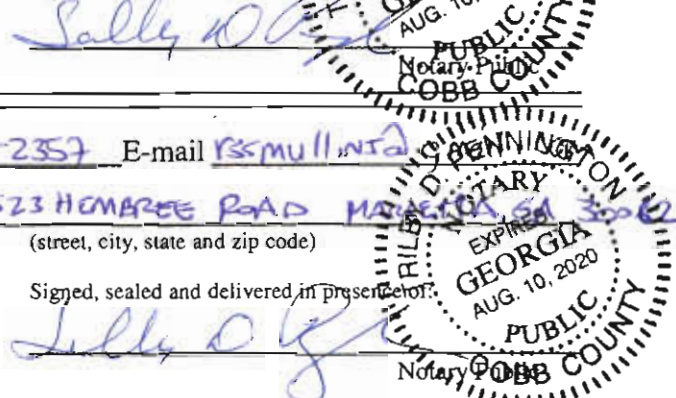
Applicant Russell A. Mullins Phone # 770-616-2357 E-mail rsdmullins@gmail.com

Russell A. Mullins Address 2523 HEMBREE ROAD MARETTA GA 30062
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770-616-2357 E-mail rsdmullins@gmail.com
(representative's signature)

Signed, sealed and delivered in presence of

My commission expires: Aug 10, 2020



Titleholder Russell A. Mullins Phone # 770-616-2357 E-mail rsdmullins@gmail.com

Signature [Signature] Address: 2523 HEMBREE ROAD MARETTA GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of

My commission expires: Aug 10, 2020

Present Zoning of Property R-20

Location 2401 Prince Howard Lane
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 623 & 674 District 16th Size of Tract 1.52 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 X Shape of Property X 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:

A literal interpretation or enforcement of provisions of the Cobb County Zoning Ordinance would disallow the proposed development of the subject property.

List type of variance requested: To waive the required minimum 75' public road frontage.

APPLICANT: Axis Infrastructure LLC

PETITION No.: V-92

PHONE: 678-395-4920

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Teresa Curry, P.E.

PRESENT ZONING: GC

PHONE: 678-395-4920

LAND LOT(S): 645

TITLEHOLDER: McDonald's Corporation

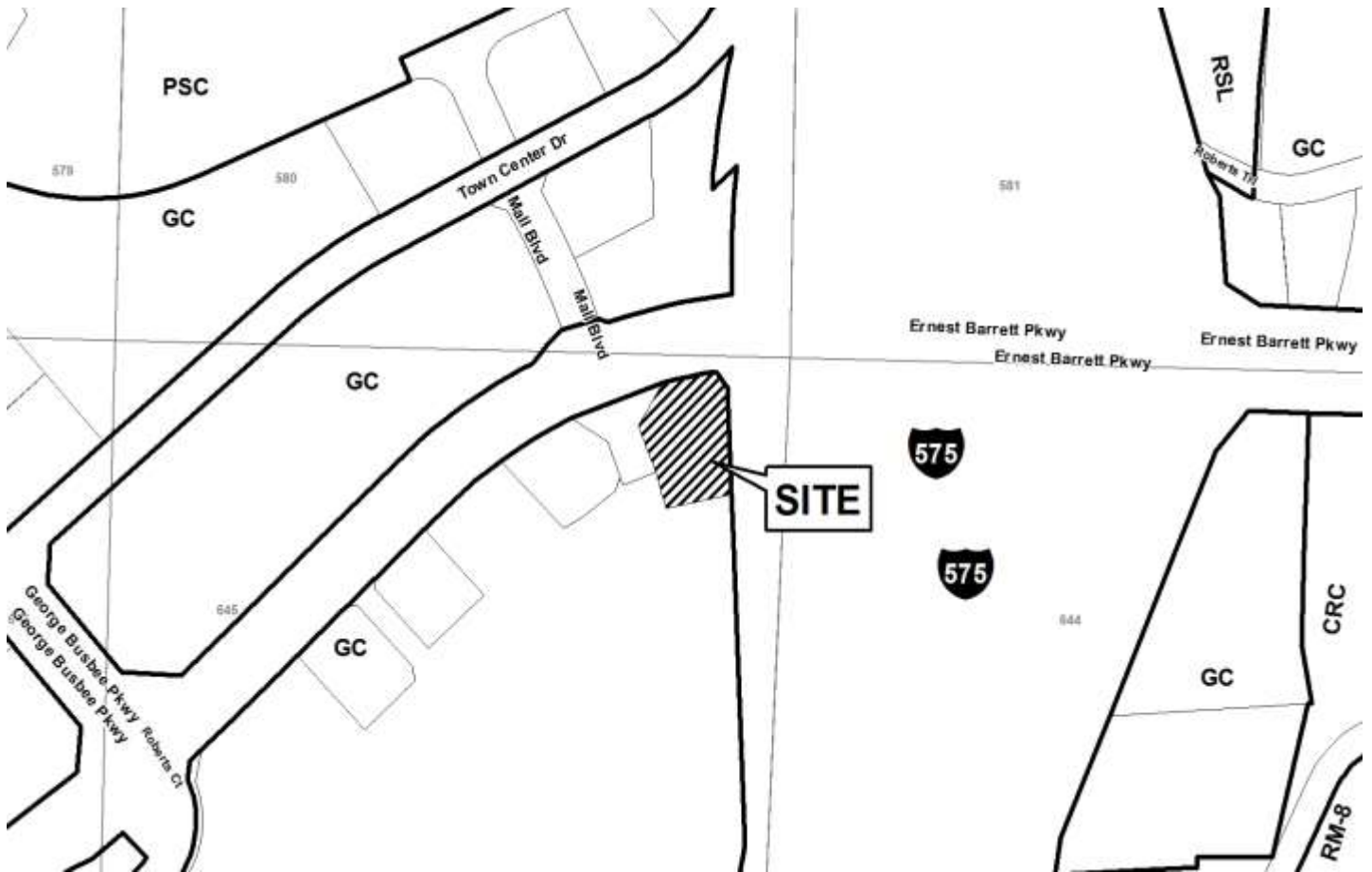
DISTRICT: 16

PROPERTY LOCATION: At the southwest intersection of I-575 and Ernest Barrett Parkway (305 Ernest Barrett Parkway).

SIZE OF TRACT: 0.94 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: Waive the minimum number of parking spaces from the required 47 to 38 (existing).



Application for Variance



Cobb County

Application No. V.92
Hearing Date: 9-13-17

Applicant AXIS INFRASTRUCTURE, LLC Phone # 678-395-4920 E-mail teresacurry@axiscompanies.com

Teresa Curry, P.E. Address 1111 Cambridge Sq., Suite C, Alpharetta, GA 30009
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 678-395-4920 E-mail teresacurry@axiscompanies.com
(representative's signature)

My commission expires: 6/29/2020
Signed, sealed and delivered in presence of: _____
Notary Public

Titleholder GARY ZONITCH Phone # 404-545-8474 E-mail gary.zonitch@us.mcd.com

Signature [Signature] Address: 1 Glenlake Pkwy, Ste. 500, Atlanta, GA 30328
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 6/29/2020
Signed, sealed and delivered in presence of: _____
Notary Public

Present Zoning of Property GC

Location 305 Ernest Barrett Parkway
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 645 District 16 Size of Tract 0.90 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:

PLEASE SEE ATTACHMENT

List type of variance requested: Parking variance



V-92
(2017)
Exhibit



June 16, 2017

Cobb County Board of Zoning Appeals
100 Cherokee Street
Marietta, GA 30060

RE: Sign Variance Application
HARDSHIP STATEMENT
McDonald's Restaurant
305 Barrett Parkway

TO WHOM IT MAY CONCERN:

The following statement addresses the item on Page One of the Cobb County "Application for Variance".

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:

This is an existing restaurant that currently does not meet the Cobb County Ordinance in regards to parking requirements. We currently have 38 parking stalls. Current code requires 49. Our use and size of parcel is existing and bounded on three sides by roadways and the fourth side by an offsite master detention pond. There physically isn't room to expand the parking field.

McDonald's business is predominately drive thru (approximately 70 percent at this particular location). The majority of our customers never park. This restaurant is slated to be remodeled this year. As part of that remodel, we would like to realign the drive thru to allow for a dual stacking lane to accommodate the majority of our customers. This remodel is necessary because the drive thru backs up and creates circulation problems for our guests and County residents. We have conducted parking studies for our use and found that 30 parking stalls for this size restaurant meets our dining and employee needs.

Therefore, we are requesting a variance from the Code to allow for 38 parking stalls, which is what exists today.

OWNER/BUILDER:

BIRCH RIVER HOMES
PO BOX 366
SNELLVILLE, GA 30078

24 HOUR EMERGENCY CONTACT:

GARY ADAMS
770-658-8027

NOTE:
THIS PLAN IS FOR PERMITTING
PURPOSES ONLY

1. BUILDER TO PROVIDE 5% SLOPE AWAY FROM HOUSE FOR DRAINAGE PURPOSES.
2. CONTRACTOR TO MAINTAIN EROSION CONTROL DAILY
3. ANY REVISIONS THAT WERE NOT DONE UNDER THE SUPERVISION OF THE ENGINEER OF RECORD WILL VOID THE CERTIFICATION OF THIS DOCUMENT.

REFERENCES

1. FINAL PLAT FOR MARS HILL LAKE SUBDIVISION RECORDED IN PB 278 PGS 301-302 IN COBB COUNTY RECORDS.

ACCORDING TO THE F.I.R.M. OF COBB COUNTY, PANEL NUMBER 13067/C0077G, DATED 12-6-2008, THIS LOT IS LOCATED NOT IN A SPECIAL FLOOD HAZARD AREA.

GRAPHIC SCALE



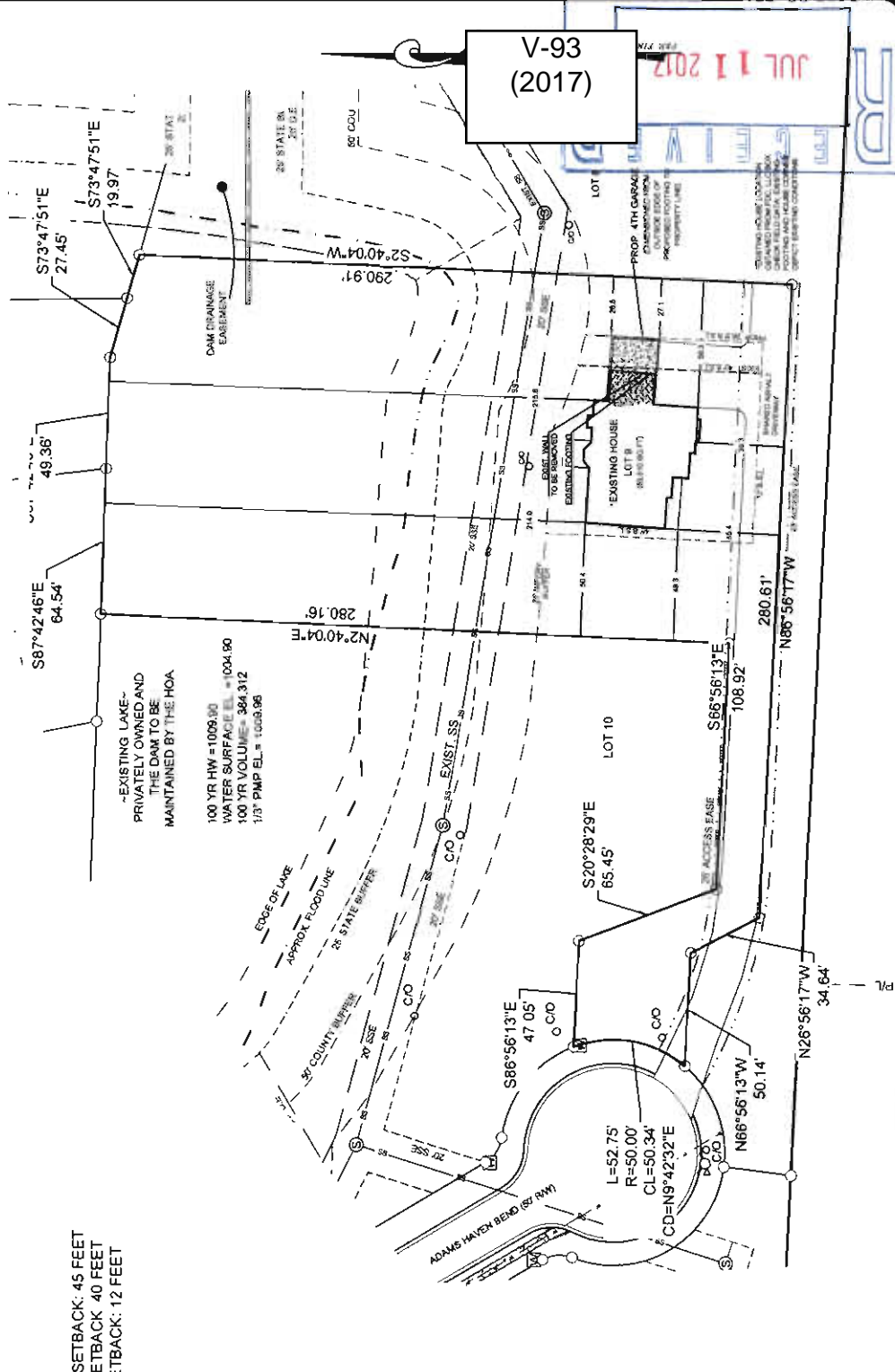
(IN FEET)

1 inch = 50 ft.

FRONT SETBACK: 45 FEET
REAR SETBACK: 40 FEET
SIDE SETBACK: 12 FEET

-EXISTING LAKE--
PRIVATELY OWNED AND
THE DAM TO BE
MAINTAINED BY THE HOA

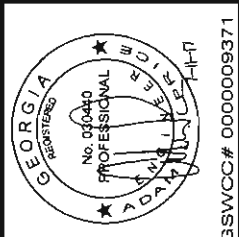
100 YR HW = 1009.30
WATER SURFACE EL. = 1004.90
100 YR VOLUME = 384.312
1/10" PMP EL. = 1003.96



V-93
(2017)



FOOTING SURVEY PLAN FOR:
LOT 9 / GARAGE ADDITION
MARS HILL LAKE
SUBDIVISION
LOCATED IN:
LAND LOT 264, 20TH DISTRICT
COBB COUNTY, GEORGIA



GSWCC# 0000009371

REVISIONS	
1.	
2.	
3.	
4.	
5.	



Know what's below.
Call before you dig.
UTILITIES PROTECTION CENTER
(800) 282-7411 THROUGHOUT GEORGIA
OR DIAL 811



THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

1 of 1

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BUILDER SERVICE PROJECTS/MARS HILL LAKE SUBDIVISION/LOT 9, VARIANCE SETBACK/ENG. 50 SCALE, W/ISSUE, JUL 11, 2017 - 12:04:43 PM

APPLICANT: Philip I. Lewis and Meredith K. Lewis **PETITION No.:** V-93
PHONE: 949-280-2428 **DATE OF HEARING:** 9-13-2017
REPRESENTATIVE: Philip I. Lewis and Meredith K. Lewis **PRESENT ZONING:** R-30
PHONE: 949-280-2428 **LAND LOT(S):** 264
TITLEHOLDER: Philip I. Lewis and Meredith K. Lewis **DISTRICT:** 20
PROPERTY LOCATION: At the southeastern terminus of Adams Haven Bend, east of Mars Hill Road (1054 Adams Haven Bend). **SIZE OF TRACT:** 1.23 acres
TYPE OF VARIANCE: Waive the rear setback from the required 40 feet to 26 feet. **COMMISSION DISTRICT:** 1



Application for Variance Cobb County

(type or print clearly)

Application No. U-93

Hearing Date: 9-13-17

Applicant PHILIP I. LEWIS
MEREDITH K. LEWIS Phone # 949-280-2428 E-mail PILEWIS@COMCAST.NET

Address _____

(representative's name, printed)

(street, city, state and zip code)

Phone # _____

E-mail _____

(representative's signature)

Signed, sealed and delivered in presence of: _____

My commission expires: _____

Notary Public

Titleholder PHILIP I. LEWIS
MEREDITH K. LEWIS Phone # 949-280-2428 E-mail PILEWIS@COMCAST.NET

Signature _____

(attach additional signatures, if needed)

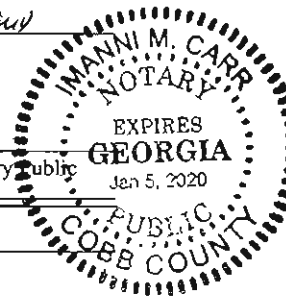
Address: 1054 ADAMS HAVEN BEND

(street, city, state and zip code)

Signed, sealed and delivered in presence of: _____

My commission expires: 5 January '20

Notary Public



→ Present Zoning of Property R-30

Location 1054 ADAMS HAVEN BEND, ACWORTH, GA. 30101
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 264 District 20TH Size of Tract 1.2 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 1.2 ACRES Shape of Property IRREGULAR Topography of Property SLOPING 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:

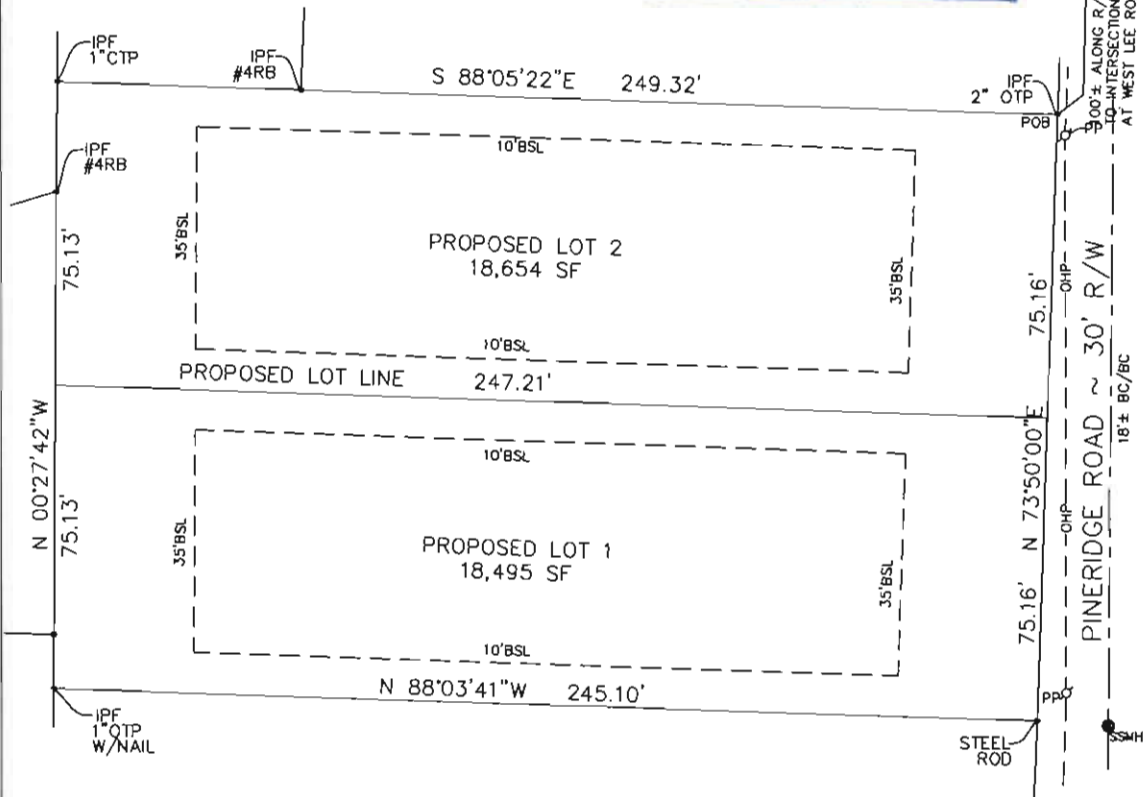
BUILDING SETBACK LINE DOES NOT ALLOW US TO ADD A 4TH CAR GARAGE.

List type of variance requested: REQUEST BSL TO BE MOVED FROM 40FT TO 26FT.

V-94
(2017)

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.
NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.
THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.
BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.
~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).
TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIFLINE).

- * LEGEND *
- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 - AKA ALSO KNOWN AS
 - APD AS PER DEED
 - APP AS PER PLAT
 - BSL BUILDING (SETBACK) LINE
 - CP COMPUTED POINT
 - CTP CRIMP TOP PIPE FOUND
 - O DEED (BOOK/PAGE)
 - DI DROP INLET
 - DW DRIVEWAY
 - EP EDGE OF PAVEMENT
 - FFE FINISH FLOOR ELEVATION
 - FH FIRE HYDRANT
 - FKA FORMERLY KNOWN AS
 - GM GAS METER
 - GV GAS VALVE
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET
 - LL LAND LOT
 - LLL LAND LOT LINE
 - LP LIGHT POST
 - N/F NOW OR FORMERLY
 - NAIL NAIL FOUND
 - OTP OPEN TOP PIPE
 - OHP OVERHEAD POWER
 - P PLAT (BOOK/PAGE)
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - PP POWER POLE
 - R RADIUS LENGTH
 - R/W RIGHT-OF-WAY
 - RBF REINFORCING BAR FOUND (1/2" UNO)
 - RBS 1/2" REINFORCING BAR SET
 - SW SIDEWALK
 - SSE SANITARY SEWER EASEMENT
 - SSCD SANITARY SEWER CLEANOUT
 - SSMH SANITARY SEWER MANHOLE
 - TPED TELECOM PEDESTAL
 - WM WATER METER
 - WV WATER VALVE
 - X- FENCE LINE



PROPERTY ADDRESS:
4010 PINERIDGE ROAD SE
SMYRNA, GA 30080

LAND AREA:
37,149 SF
.8528 AC

ZONING: R-20

0 30
SCALE 1" = 30'

SURVEY PREPARED FOR: TODD WRIGLEY			
LOT 37	BLOCK	UNIT	SUBDIVISION SPRING HILL
LAND LOT 698	17th DISTRICT	2nd SECTION	BY:
COBB COUNTY, GEORGIA	FIELD: DATE 06-10-2017	MRH	
LOCATED IN CITY OF SMYRNA	DRWN: DATE 06-13-2017	MRH	
DEED BOOK 8656, PAGE 16	NOT FOR RECORDING		

SURVEY SYSTEMS & ASSOC., INC.
657 Lake Drive, Snellville, GA 30039 ~ COA #
LSFOOD867 ~ INFO@SURVEYSYSTEMSATLANTA.COM
CELL 770-558-7895 ~ OFFICE 404-760-0010

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN _____ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

THIS 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.



Application for Variance Cobb County

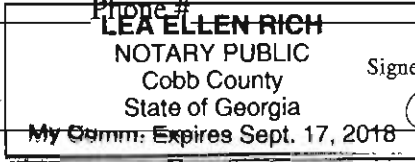
(type or print clearly)

Application No. V-94
Hearing Date: 9-13-17

Applicant The Wrigley Group Phone # 678-481-7912 E-mail todd@wrigleygroup.com

Todd Wrigley Address PO Box 93281, Atlanta, GA 30318
(representative's name, printed) (street, city, state and zip code)

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

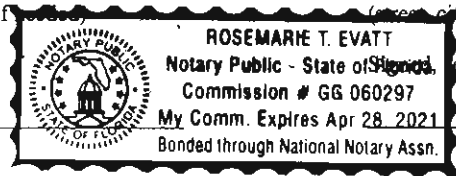


Signed, sealed and delivered in presence of:
[Signature]
Notary Public

My commission expires: 09-17-18

Titleholder Alexander and Elizabeth Massie Phone # 404-585-0714 E-mail betsy.massie@gmail.com

Signature Elizabeth Massie Address: 2352 Oberon Walk, Smyrna, GA 30080
(attach additional signatures, if needed) (street, city, state and zip code)



Signed, sealed and delivered in presence of:
Rosemarie T. Evatt
Notary Public

My commission expires: 04-28-2021

Present Zoning of Property R-20

Location 4010 Pineridge Road, Smyrna, GA 30080 (South of Lee Rd SE and Pineridge Rd intersection)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 696 District 17th Size of Tract .8528 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:

See Attachment "A"

List type of variance requested: See Attachment "B"

APPLICANT: The Wrigley Group

PETITION No.: V-94

PHONE: 678-481-7912

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Todd Wrigley

PRESENT ZONING: R-20

PHONE: 678-481-7912

LAND LOT(S): 696

TITLEHOLDER: Elizabeth H. Massie and Alexander J. Massie

DISTRICT: 17

PROPERTY LOCATION: On the west side of Pineridge Road, north of Cooper Lake Road (4010 Pineridge Road).

SIZE OF TRACT: 0.85 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the minimum lot size from the required 20,000 square feet to 18,495 square feet (proposed lot 1) and 18,654 square feet (proposed lot 2).



V-94
(2017)
Exhibit

Attachment A

July 7, 2017

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

From: Todd Wrigley
The Wrigley Group, Inc.



Dear Cobb County Board of Zoning Appeals:

The applicant states that strictly applying the terms of the zoning ordinance for R-20 lots as to lot area for this property without the requested variance would create an unnecessary hardship and that this application satisfies all criteria for a variance as set forth in Cobb County Zoning Code, Section 134-94(3)(a) as follows:

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

The property is larger than any lot in its neighborhood being two or three times the size of some other lots. If divided into two lots it would be compatible with neighboring lots in all respects including lot size.

2. The application of this code chapter to the particular piece of property would create an unnecessary hardship.

If this lot is divided into two lots, the resulting lots sizes would be consistent with other neighboring lots that are less than 20,000 sq. ft., so to require it to remain 39,149 sq. ft. would create an unnecessary hardship.

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

No other single lot in this neighborhood is as large as this property.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter.

The public will benefit from having two homes on this parcel because they will be compatible with other homes on the street in scale, design and lot size compared to the existing log cabin on a large lot. The requirement to have an extra 1425 sq. ft. average per lot would serve no benefit and would be a hardship because it is unobtainable.

If this variance is granted, two homes can be built to replace an unmarketable structure. To require these lots to have no a minimum of 20,000 sq. ft. causes a hardship for the current owner with no public benefit. To grant the variance from the minimum lot size by a small amount so that two compatible homes can be built provides more benefit and value to the public good and does not impair the purposes of the Zoning Code.



V-94
(2017)
Exhibit

Attachment B

LIST TYPE OF VARIANCE REQUESTED:

A variance is requested to allow a reduction in the R-20 minimum lot size of 20,000 sq. ft. to allow a lot that is 37,149 sq. ft. to be divided into two lots that are 18,495 sq. ft. and 18,654 sq. ft., making them compatible with other R-20 lots on the street, 5 out of 8 of which are under 20,000 sq. ft. The lots would adhere to all other R-20 requirements and no other variances are requested. Homes built on the resulting two lots will have the same separation from other homes and from the street as surrounding homes.

Granting the variance will allow the R-20 zoning classification to remain on the street in the midst of R-15, R-12, RA-5 and other higher density uses that surround this property.

It is requested that a plat be recorded showing two lots with a note saying the existing house shall be removed before construction of new homes shall begin.

The following constitutional notice is required by Georgia Law in order to preserve appeal rights:

Failure to grant the variance would be:

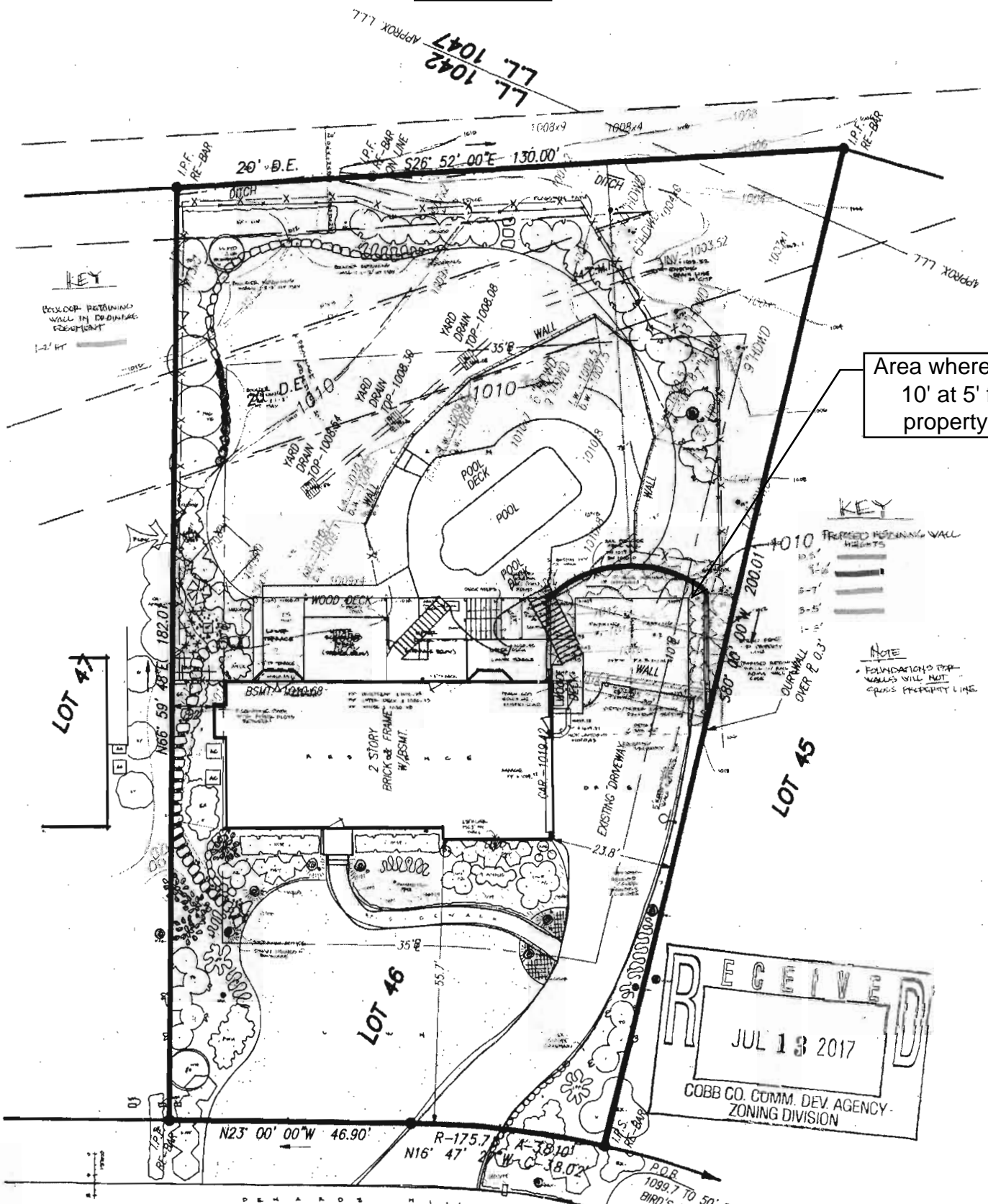
A taking without compensation in violation of the Fifth Amendment of the U.S. Constitution.

Not granting the variance would deny the owner and applicant an economically viable use of this land while not advancing public interest.

Preventing a use of property granted to other similarly situated properties is arbitrary, capricious, unfair and discriminatory in violation of the Georgia Constitution and the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the U.S. Constitution.

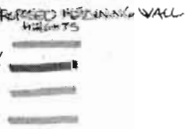
V-95
(2017)

11/17/17
JUL 18 2017



Area where wall is 10' at 5' from property line

KEY



NOTE

FOUNDATION WALLS WILL NOT CROSS PROPERTY LINE

RECEIVED
JUL 18 2017
COBB CO. COMM. DEV. AGENCY - ZONING DIVISION

DENARD'S MILL
30' R/W

Sullivan Residence
745 Denard's Mill Road SE
Marietta, GA 30067



Martha Goodman
Landscape Designer
4030 Peachtree
Marietta, GA 30066
phone 678.372.4096
mgo@marthagoodman.com
www.marthagoodman.com



Sheet	1	of	1
Scale	1" = 1'-0"	Phase	Conceptual
Date	7/17/17	Drawn By	MM
Check/Approved	MM	Date	7/17/17

APPLICANT: Emily Sullivan and Andrew Sullivan

PETITION No.: V-95

PHONE: 404-277-7059

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Martha Goodman

PRESENT ZONING: R-20

PHONE: 404-372-4086

LAND LOT(S): 1042, 1047

TITLEHOLDER: Andrew K. Sullivan and Emily Sullivan

DISTRICT: 17

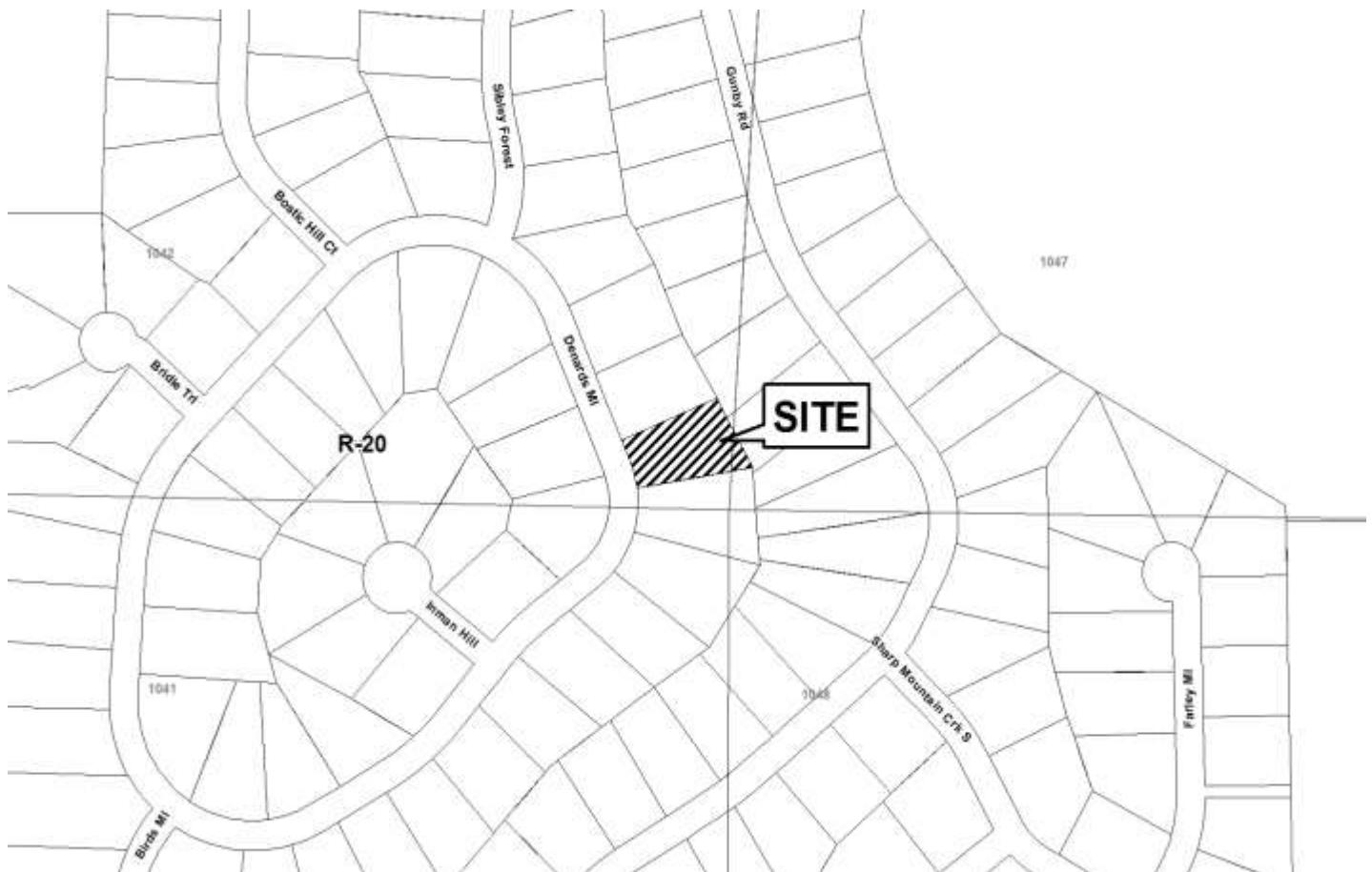
PROPERTY LOCATION: On the east side of Denard's Mill, south of Sibley Forest

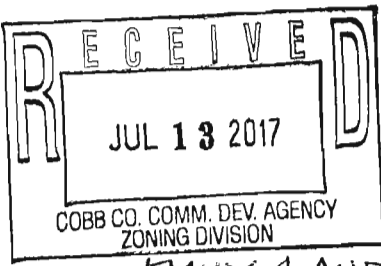
SIZE OF TRACT: 0.46 acres

(745 Denard's Mill).

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the side setback from the required 10 feet to eight (8) feet (existing) adjacent to the northern property line; and 2) allow a retaining wall up to 10 feet in height within five (5) feet of the property line (southern property line).





Application for Variance Cobb County

(type or print clearly)

Application No. V-95
Hearing Date: 9-13-17

Applicant EMILY & ANDREW SULLIVAN Phone # 404-277-7059 E-mail efsull@gmail.com

Address MARTHA GOODMAN 4820 FOX GLEN MARIETTA GA 30068
(representative's name, printed) (street, city, state and zip code)

Phone # 404-372-4086 E-mail mgardens@comcast.net
(representative's signature) *Martha Goodman*

Signed, sealed and delivered in presence of:

My commission expires: June 15, 2020

Sean Damm



Titleholder EMILY SULLIVAN ANDREW SULLIVAN Phone # 404-277-7059 E-mail efsull@gmail.com

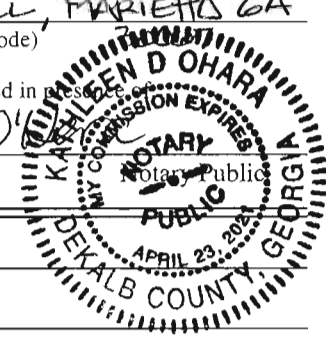
Signature Emily Sullivan Address: 745 DENARDS MILL, MARIETTA GA
(attach additional signatures, if needed) (street, city, state and zip code)

Andrew Sullivan

Signed, sealed and delivered in presence of:

My commission expires: April 23, 2021

Kathleen P. O'Neil



Present Zoning of Property R-20

Location 745 DENARDS MILL
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1042 & 1047 District 17 Size of Tract .4598 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 20,027 SF Shape of Property TRAPEZOID Topography of Property SLOPES TO REAR Other _____
APPROX. 108' x 191'

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:

THE LOT HAS A DRAMATIC SLOPE BETWEEN THE FRONT AND REAR OF THE PROPERTY, ESPECIALLY AT THE REAR END OF THE DRIVEWAY. 20' WIDE DRAINAGE EASEMENT RUNS THROUGH CENTER OF REAR YARD, AND ADDITIONAL 10' DRAINAGE EASEMENT AT REAR PROPERTY LINE

List type of variance requested: • REDUCE THE RETAINING WALL SIDE SETBACK FROM 5' TO 0' • INCREASE THE SIDE RETAINING HEIGHT FROM 6' TO 9' HEIGHT • INCREASE THE REAR YARD WALL HEIGHT FROM ' TO UP TO 10.5' HEIGHT • ALLOW A DRY STACKED BOULDER WALL, FROM 1-2' HEIGHT IN THE DRAINAGE EASEMENT (21 LINEAR FEET) • ALLOW FENCE CONSTRUCTION IN THE DRAINAGE EASEMENT

APPLICANT: Michael A. Matthews

PETITION No.: V-96

PHONE: 770-634-7042

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: Michael A. Matthews

PRESENT ZONING: R-20

PHONE: 770-634-7042

LAND LOT(S): 704

TITLEHOLDER: Michael A. Matthews and Vicki L. Matthews

DISTRICT: 16

PROPERTY LOCATION: On the south side of Whitlock Road, across from Wilderness Way, west of Sandy Plains Road (1600 Whitlock Road).

SIZE OF TRACT: 2.54 acres

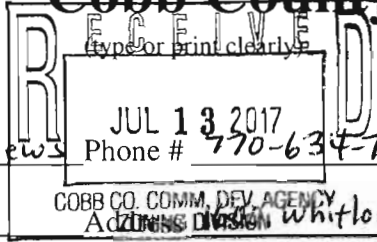
COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the minimum public road frontage from the required 75 feet to 40 feet for proposed tract B; 2) waive the setback for an accessory structure over 650 square feet (existing 895 square foot shed) from the required 100 feet to 17 feet adjacent to the eastern property line and to 36 feet adjacent to the rear property line; and 2) waive the rear setback for an accessory structure under 650 square feet (existing 300 square foot shed) from the required 35 feet to 20 feet.



Application for Variance

Cobb County

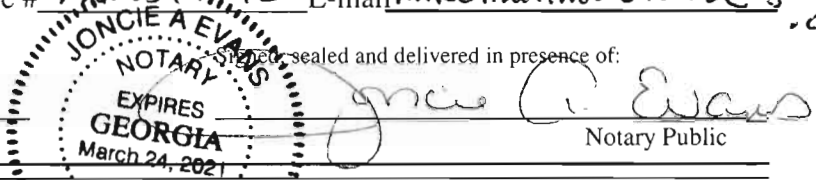


Application No. V-96
Hearing Date: 9-13-17

Applicant Michael A. Matthews Phone # 770-634-7042 E-mail mikematthews7042@gmail.com
Michael A. Matthews (representative's name, printed) 1600 Whitlock Road, Marietta, GA 30066 (street, city, state and zip code)

Michael A. Matthews (representative's signature) Phone # 770-634-7042 E-mail mikematthews7042@gmail.com

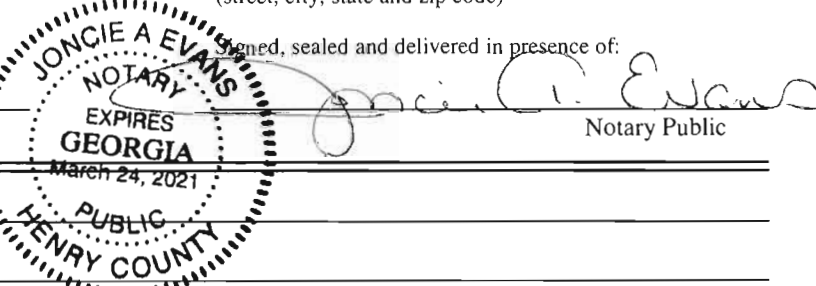
My commission expires: 03-24-2021



Signed, sealed and delivered in presence of: Joncie A. Evans Notary Public

Titleholder Michael A. Matthews Phone # 770-634-7042 E-mail mikematthews7042@gmail.com
Signature Michael A. Matthews Address: 1600 Whitlock Road, Marietta, GA 30066
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 03-24-2021



Signed, sealed and delivered in presence of: Joncie A. Evans Notary Public

Present Zoning of Property R4
Location 1600 Whitlock Road
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 704 District 16 Size of Tract 2.54 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:

Complying with the existing ordinances will hinder constructive use of the property and detract from the appearance of the neighborhood.

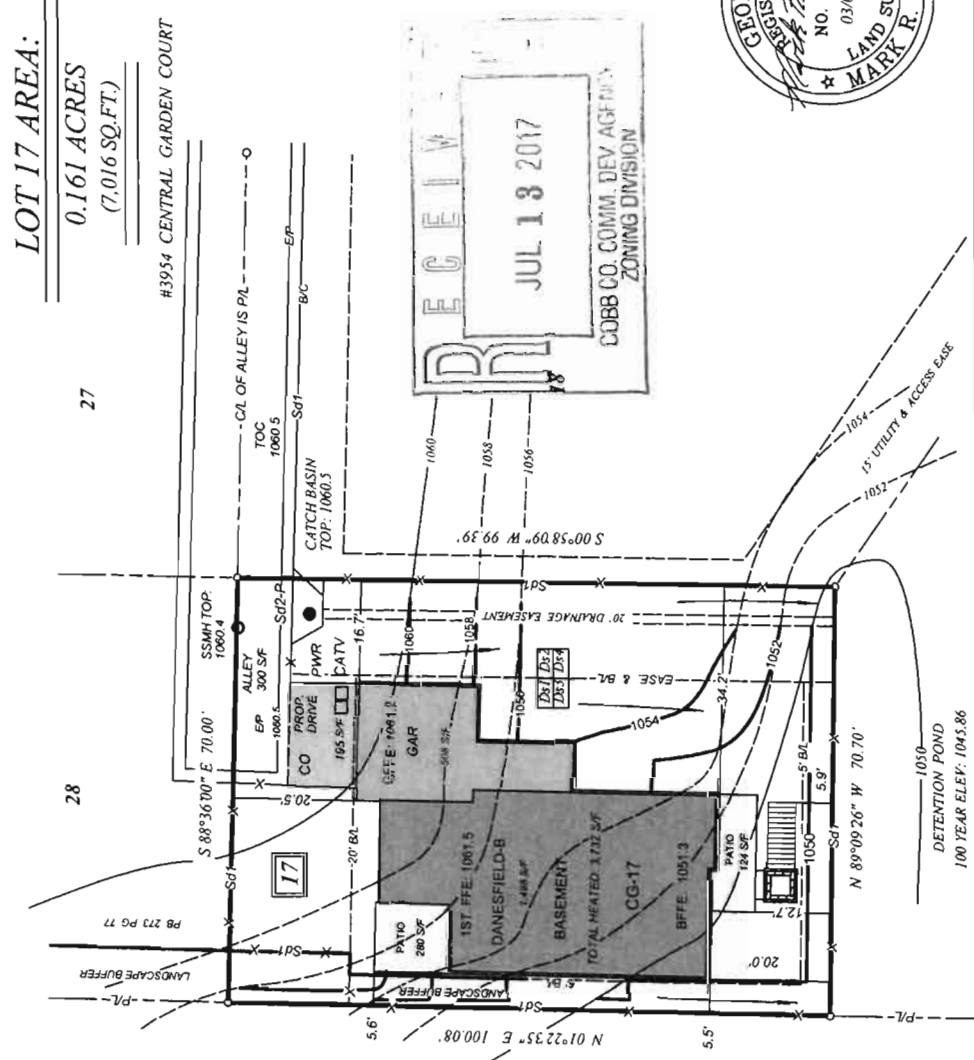
List type of variance requested: Request forty feet of road frontage for "flag lot". Request existing 895 ft² shed/barn be allowed to remain on Tract B although it encroaches on sewer easement. Note that smaller sheds shown on Tract A plat are "portable buildings."

V-97
(2017)

LOT 17 AREA:
0.161 ACRES
(7,016 SQ.FT.)

#3954 CENTRAL GARDEN COURT

IMPERVIOUS AREA:
ALLEY: 300 SQ. FT.
HOUSE: = 1,498 SQ. FT.
GAR: = 508 SQ. FT.
PORCH: = 124 SQ. FT.
DRIVE: = 195 SQ. FT.
PATIO: = 14
DECK: = 14
TOTAL: = 2,270 / 7,016



24 HOUR CONTACT:
BRIAN BLOOM
PHONE: 678-852-7210

ZONED: RA-5
SETBACKS:
FRONT: = 10'
SIDE: = 5'
REAR: = 20'

- LEGEND:**
- TOC = POINT OF COMMENCEMENT
 - EP = POINT OF BEGINNING
 - IPF = IRON PIN SET WITH RE-BAR & CAP
 - R/W = RIGHT-OF-WAY
 - CL = CENTERLINE
 - P/L = PROPERTY LINE
 - N/F = NOW OR FORMERLY
 - MP = METEORIC MONUMENT FOUND
 - PL = PLASTER MONUMENT FOUND
 - LL = LAND LOT LINE
 - EP = EDGE OF PAVEMENT
 - BC = BACK OF CURB
 - BL = BUILDING LINE
 - FH = FIRE HYDRANT
 - MH = MAN HOLE
 - DN = DRAIN
 - DB = DRAIN BOX
 - JB = JUNCTION BOX
 - CI = CURB INLET
- ON ALL DISTURBED AREAS
D21 D22 D23 D24
- 800- EXIST. CONTOUR INDEX
 - 802- EXIST. CONTOUR INTERVAL
 - 800— PROP. CONTOUR

- CO CONSTRUCTION EXIT
- Sd1 SILT FENCE (TYPE C)
- St STORM DRAIN OUTLET PROTECTION
- Sd2 STORM DRAIN INLET PROTECTION
- Cd CHECK DAM
- Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING)
- Ds4 DISTURBED AREA STABILIZATION (WITH SOD)

GSWCC:
MARK R. WELBORN
LEVEL II CERTIFIED DESIGN PROFESSIONAL
CERTIFICATION # 9380
EXPIRES: 04/20/2018

I CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

Mark R. Welborn
GEORGIA REGISTERED LAND SURVEYOR # 2711

SUBDIVISION: CENTRAL GARDEN		P.B. 257	PG. 21	PREPARED FOR: PATRICK MALLOY COMMUNITIES (SITE PLAN)
LOT: 17	LAND LOT: 696	DISTRICT: 17TH, 2ND SECTION		
CITY: COBB	COUNTY: COBB	STATE: GEORGIA		
SCALE: 1" = 20'	DATE: 03/02/17	JOB NO: WLS-17-0278		
E-MAIL: WSMAR@WELLSOUTH.NET		<p>WELBORN LAND SURVEYING, INC. 65 PEGASUS TRACE NEWNAN, GEORGIA 30263 PHONE: 770-254-1383 FAX: 770-254-1383</p>		
<p>0' 10' 20' 40'</p> <p>GRAPHIC SCALE 1" = 20'</p>				
<p>CLOSURE DATA: DATE: 03/02/17 FIELD CLOSURE: 1" IN 15,000' ± ANGLE POINT ERROR: 05" EQUIPMENT USED: CARLSON CR-5 ADJUSTMENT METHOD: NO ADJUSTMENT PLAT CLOSURE: 1" IN 100,000' ±</p> <p>ACCORDING TO THE LATEST COBB COUNTY F.I.R.M. COMMUNITY PANEL NO. 13067C 0226G DATED DECEMBER 16, 2008 THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE.</p>				

LEGEND:

- POB: POINT OF BEGINNING
- IPB: IRON PIN SET, 1.2" RE-BAR & CAP
- IPF: IRON PIN FOUND
- R/W: RIGHT-OF-WAY
- CO: CONTOUR
- P.L: PROPERTY LINE
- N.F: NOW OR FORMERLY
- CMF: CONCRETE MONUMENT ROUND
- PP: POWER POLE
- LLL: LAND LOT LINE
- EP: EDGE OF PAVEMENT
- BL: BUILDING CORNER
- FL: FIRE HYDRANT
- MH: MAN HOLE
- CB: CATCH BASIN
- DI: DRAIN INLET
- JB: JUNCTION BOX
- CI: CURB INLET
- 800: EXIST. CONTOUR INDEX
- 802: EXIST. CONTOUR INTERVAL
- 800: PROP. CONTOUR

- (CO) CONSTRUCTION EXIT
- (Sd) SILT FENCE (TYPE C)
- (St) STORM DRAIN OUTLET PROTECTION
- (Sd) STORM DRAIN INLET PROTECTION
- (Cd) CHECK DAM
- (Ds2) DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING)
- (Ds4) DISTURBED AREA STABILIZATION (WITH SOD)

GSWCC
MARK R. WELBORN
LEVEL II CERTIFIED DESIGN PROFESSIONAL
CERTIFICATION # 9380
EXPIRES: 04/20/2018

I CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

GEORGIA REGISTERED LAND SURVEYOR # 2711

PREPARED FOR:
PATRICK MALLOY COMMUNITIES
(SITE PLAN)

PREPARED BY:
WELBORN LAND SURVEYING, INC.
65 PEGASUS TRACE
NEWNAN, GEORGIA 30263

PHONE: 770-254-1383
FAX: 770-254-1388

BLM#: HFSMARN@BFLSOUTH.NET

SCALE: 1" = 20'

GRAPHIC SCALE
1" = 20'

0' 10' 20' 40'

17TH, 2ND SECTION
COBB
GEORGIA
WLS-17-0551

P.B. 257 PG. 21

PREPARED FOR:
PATRICK MALLOY COMMUNITIES
(SITE PLAN)

WELBORN LAND SURVEYING, INC.

65 PEGASUS TRACE
NEWNAN, GEORGIA 30263

PHONE: 770-254-1383
FAX: 770-254-1388

BLM#: HFSMARN@BFLSOUTH.NET

SCALE: 1" = 20'

GRAPHIC SCALE
1" = 20'

0' 10' 20' 40'

RECORD: PB 257 PG 21

V-97
(2017)

LOT 18 AREA:
0.138 ACRES
(6,041 SQ. FT.)
#3930 LEE ROAD

IMPERIUM'S AREA:
ALLEY: 560 SQ. FT.
GAR: 509 SQ. FT.
PORCH: 131 SQ. FT.
DRIVE: 192 SQ. FT.
DITCH: 140 SQ. FT.
SW: 0 SQ. FT.
TOTAL: 3,037 SQ. FT.
3,037 * 6,041 = 50%

RECEIVED
JUL 13 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

ON ALL DISTURBED AREAS:
Ds1 Ds2
Ds3 Ds4

DRAIN TOP: 1049.5
INV: 1048.0

MIN. FFE: 1048.9

DETECTION POND
100 YEAR 1045.86

15' UTILITY & ACCESS EASE.

15' EASE & B.L.

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19' ALLEY - B/C - B/C

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S 88°36'10" E 60.00'

28
S 88°36'10" E 60.00'

17
N 00°58'09" E 99.39'

19
S 01°22'44" W 88.77'

19
E 25°32'15" S 25.64'

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APPLICANT: NVH Home LLC

PHONE: 770-319-5258

REPRESENTATIVE: John Gaskin

PHONE: 770-319-5258

TITLEHOLDER: NVH Homes LLC

PROPERTY LOCATION: On the northwest side of
Central Garden Court, south of Westwood Road
(3948 Central Garden Court, 3954 Central garden Court).

TYPE OF VARIANCE: Waive the maximum building height for lots 17 and 18 from the required 35 feet to 38 feet 5.25 inches.

PETITION No.: V-97

DATE OF HEARING: 9-13-2017

PRESENT ZONING: RA-5

LAND LOT(S): 696

DISTRICT: 17

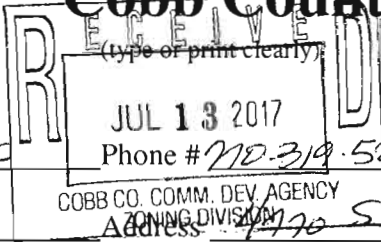
SIZE OF TRACT: 0.3 acres

COMMISSION DISTRICT: 2



Application for Variance

Cobb County

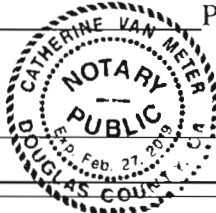


1917

Application No. _____
Hearing Date: 9-13-17

Applicant NVH Homes LLC Phone # 770-319-5258 E-mail john.gaskin@epmcommunities.com
John Gaskin
(representative's name, printed) Address: 4770 S ATLANTAN SWITE 100
(street, city, state and zip code) ATLANTA, GA 30339

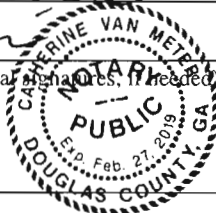
[Signature]
(representative's signature) Phone # see above E-mail see above



Signed, sealed and delivered in presence of:
Catherine Van Meter
Notary Public

X My commission expires: _____

Titleholder NVH Homes LLC Phone # 770-319-5258 E-mail same as applicant
Signature [Signature] Address: 4770 S. Atlanta Road Suite 100
(attach additional signatures, if needed) (street, city, state and zip code) ATLANTA, GA 30339



Signed, sealed and delivered in presence of:
Catherine Van Meter
Notary Public

X My commission expires: _____

Present Zoning of Property RA-5 3948 Central Garden Ct (Lot 18)
Location CENTRAL GARDEN SUBMISSION - 3954 Central Garden Ct / (Lot 17)
(street address, if applicable; nearest intersection, etc.)
Land Lot(s) 696/745 District 17th Size of Tract 7016 SF / 7228 SF 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:

lots 17 & 18 of Central Garden have access by rear alley. The rear alley was constructed in 2006 and has a pre-set grade that cannot be changed since it serves another existing house. The relationship of the existing alley grade and existing street grade make it impossible for homes planned on lots 17 & 18 to comply with the
List type of variance requested: Cobb County height ordinance.

Variance requested to residential height ordinance

V-98
(2017)



GENERAL NOTES
1. THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.
4. THE OWNER SHALL BE RESPONSIBLE FOR THE COST OF THE PROJECT.
5. THE ENGINEER SHALL BE RESPONSIBLE FOR THE COST OF THE DESIGN AND CONSTRUCTION OF THE PROJECT.

LEGEND
STANDARD ABBREVIATIONS: 1. UNDEVELOPED LAND, 2. EXISTING IMPROVEMENTS, 3. PROPOSED IMPROVEMENTS, 4. EASEMENTS, 5. UTILITIES, 6. SURVEY POINTS, 7. BOUNDARIES, 8. ADJACENT PROPERTIES, 9. PUBLIC ROADS, 10. PRIVATE ROADS, 11. RAILROADS, 12. AIRWAYS, 13. WATERWAYS, 14. WETLANDS, 15. FLOOD PLAINS, 16. HISTORIC DISTRICTS, 17. ENVIRONMENTAL SENSITIVE AREAS, 18. OTHER REGULATED AREAS.

OWNER'S ACKNOWLEDGMENT
I, the undersigned, being the owner of the above described property, hereby acknowledge that I have read and understand the contents of the above described plan and that I have approved the same for the purpose of recording the same in the public records of the State of Colorado.

James B. Nannen
SPR-2017-00137
SPR-2016-00055

FILE NO.	20170000-00137	DATE	7/18/2017
FILE NO.	20160000-00055	DATE	7/18/2016
FILE NO.	20150000-00000	DATE	7/18/2015
FILE NO.	20140000-00000	DATE	7/18/2014
FILE NO.	20130000-00000	DATE	7/18/2013
FILE NO.	20120000-00000	DATE	7/18/2012
FILE NO.	20110000-00000	DATE	7/18/2011
FILE NO.	20100000-00000	DATE	7/18/2010
FILE NO.	20090000-00000	DATE	7/18/2009
FILE NO.	20080000-00000	DATE	7/18/2008
FILE NO.	20070000-00000	DATE	7/18/2007
FILE NO.	20060000-00000	DATE	7/18/2006
FILE NO.	20050000-00000	DATE	7/18/2005
FILE NO.	20040000-00000	DATE	7/18/2004
FILE NO.	20030000-00000	DATE	7/18/2003
FILE NO.	20020000-00000	DATE	7/18/2002
FILE NO.	20010000-00000	DATE	7/18/2001
FILE NO.	20000000-00000	DATE	7/18/2000

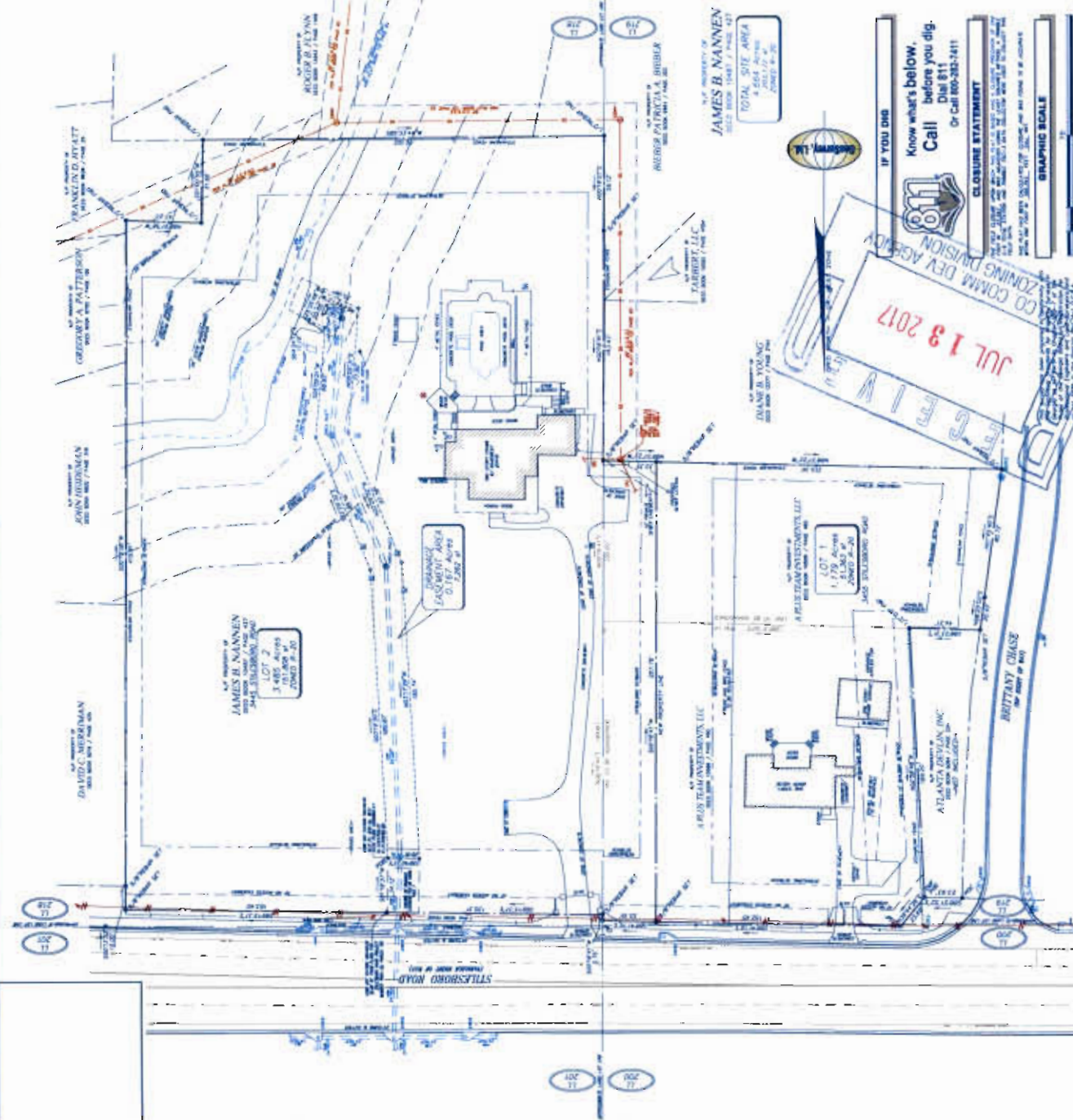
Surveyor's Acknowledgment
I, the undersigned, being a duly licensed and qualified surveyor, hereby certify that I have personally surveyed and prepared the above described plan and that the same is a true and correct representation of the facts as shown by the survey.

Clerk of Courts Acknowledgment
I, the undersigned, being the Clerk of the County of Pueblo, Colorado, hereby certify that the above described plan has been duly recorded in the public records of the State of Colorado.

City Board of Health Acknowledgment
I, the undersigned, being the Board of Health of the City of Pueblo, Colorado, hereby certify that the above described plan has been duly reviewed and approved for the purpose of recording the same in the public records of the State of Colorado.

Owner's Acknowledgment
I, the undersigned, being the owner of the above described property, hereby acknowledge that I have read and understand the contents of the above described plan and that I have approved the same for the purpose of recording the same in the public records of the State of Colorado.

GeoSurvey, Ltd.
Land Surveying & GIS
1840 Sherman Hill Road
Aurora, Colorado 80012
Phone: (303) 955-1800
Fax: (303) 955-1800
www.geosurvey.com
Email: info@geosurvey.com
Certificate of Registration #137-00001



IF YOU DIG
Know what's below.
Call before you dig.
Dial 811
Or Call 800-361-8111

CLOSURE STATEMENT
This plan is a preliminary plan and is not to be used for construction. The owner shall be responsible for obtaining all necessary permits and approvals. The engineer shall be responsible for the design and construction of the project. The owner shall be responsible for the cost of the project.

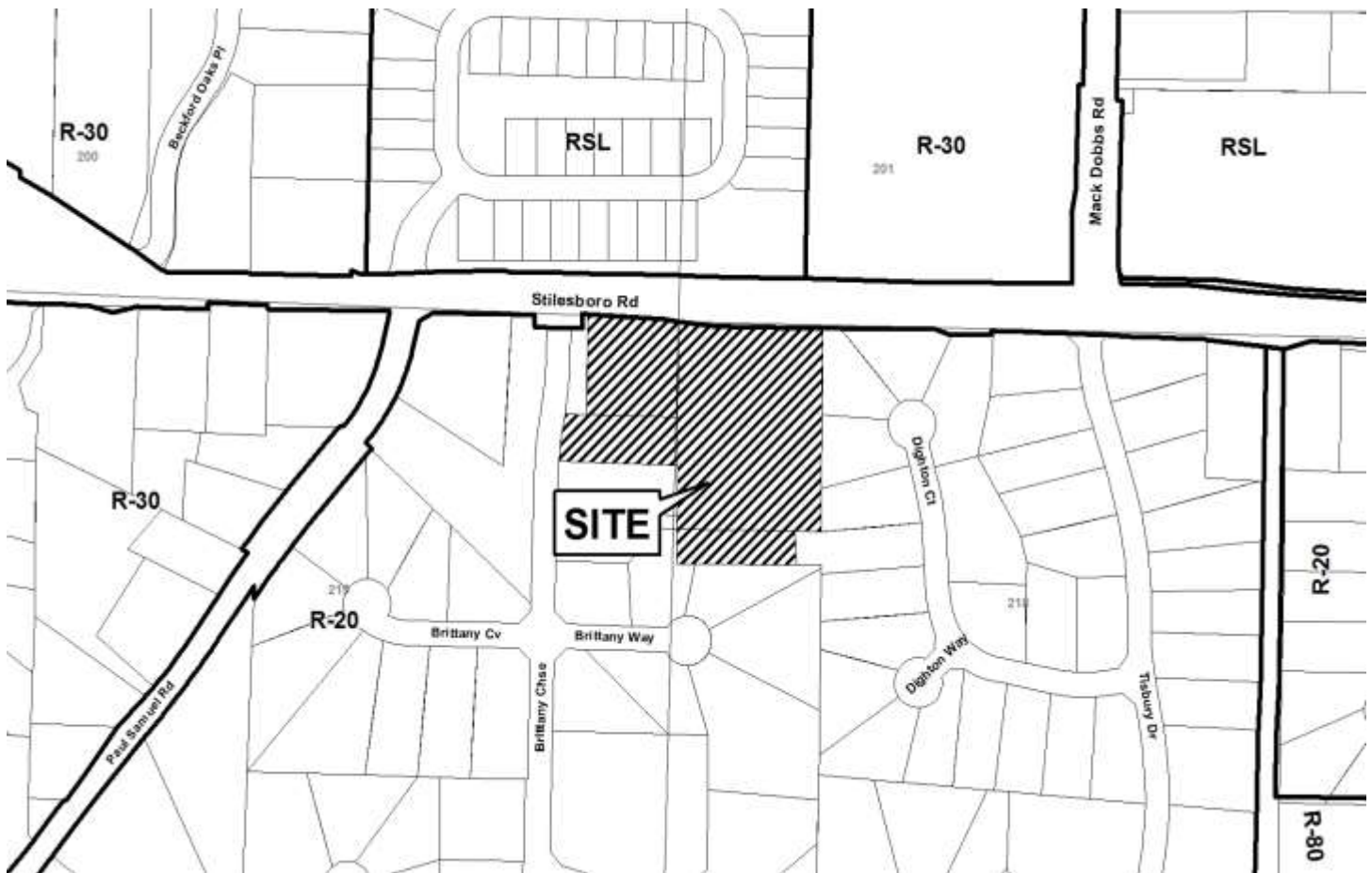
GRAPHING SCALE
1" = 100'

CO COMM DEV AGENCY ZONING DIVISION
JUL 18 2017

APPLICANT: James B. Nannen and Sandy W. Nannen
PHONE: 678-230-1748
REPRESENTATIVE: Craig A. Jennings
PHONE: 678-230-1748
TITLEHOLDER: James B. Nannen and Sandy W. Nannen
PROPERTY LOCATION: On the southeast corner of Brittany Chase and Stilesboro Road (3455 Stilesboro Road).

PETITION No.: V-98
DATE OF HEARING: 9-13-2017
PRESENT ZONING: R-20
LAND LOT(S): 219
DISTRICT: 20
SIZE OF TRACT: 4.66 acres
COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive the setback for an accessory structure over 650 square feet (approximately 825 square foot one story frame garage) from the required 100 feet to 13 feet adjacent to the western property line on lot 1.



Application for Variance

Cobb County



(type or print clearly)

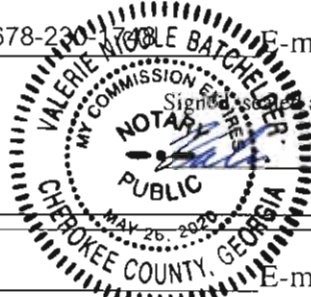
Application No. V-98
Hearing Date: 9-13-17

Applicant James B. Nannen Phone # _____ E-mail jbn@gms.com

Craig A. Jennings Address 1660 Barnes Mill Road, Marietta, GA 30062
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 678-230-1700 E-mail cjennings@geosurvey.com
(representative's signature)

My commission expires: May 26, 2020

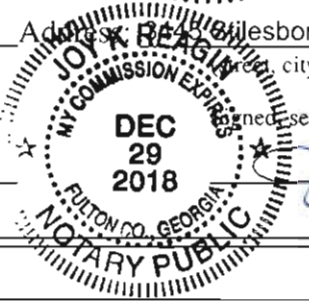


Signed, sealed and delivered in presence of:
Valerie Nicole Batchelder
Notary Public

Titleholder James B. Nannen Phone # _____ E-mail jbn@gms.com

Signature [Signature] Address 3455 Stilesboro Road, Kennesaw, GA 30152
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 12-29-2018



Signed, sealed and delivered in presence of:
Joy K. Reagin
Notary Public

Present Zoning of Property R-20

Location 3455 Stilesboro Road, Kennesaw, GA 30152
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 219 District 20th, 2nd Section Size of Tract 1.179 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:
Combining the original 3 lots into 2 lots on the survey switches the frontage of 3455 Stilesboro Road from Stilesboro Road to Brittany Chase. This in turn changes a set back that was originally a 10' side setback to a 35' front set back. This causes an existing structure to now be in violation.

List type of variance requested: We are requesting that the setback on this property line be changed back to a 10' setback. The affects shown on the survey with a direction of north 02 degrees 58 minutes 48 seconds and having a distance of 169.20 feet this reverting the setback to its original size when the lot fronted Stilesboro Road.

APPLICANT: James G. Cheney and Lori B. Cheney

PETITION No.: V-99

PHONE: 678-385-1910

DATE OF HEARING: 9-13-2017

REPRESENTATIVE: John H. Moore

PRESENT ZONING: R-40

PHONE: 770-429-1499

LAND LOT(S): 1189

TITLEHOLDER: James G. Cheney and Lori B. Cheney

DISTRICT: 16

PROPERTY LOCATION: On the south side of Blackland Drive, east of Woodlawn Drive (4428 Blackland Drive).

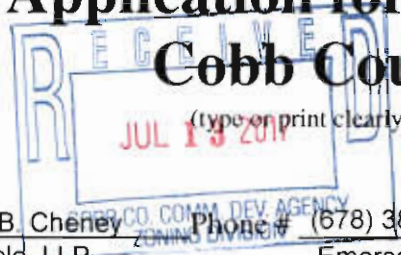
SIZE OF TRACT: 1.02 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the side setbacks from the required 15 feet to seven (7) feet adjacent to the western property line and to ten feet adjacent to the eastern property line.



Application for Variance Cobb County



Application No. V- 99 (2017)
Hearing Date: 09/13/2017

Applicant James G. and Lori B. Cheney Phone # (678) 385-1910 E-mail jcheney@harbourretailpartners.com
Moore Ingram Johnson & Steele, LLP Emerson Overlook, Suite 100, 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@mijis.com
(representative's signature) Georgia Bar No. 519800

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

My commission expires: January 10, 2019

Titleholder James G. and Lori B. Cheney Phone # (678) 385-1910 E-mail jcheney@harbourretailpartners.com
Signature See Attached Exhibit "A" Address: 35 Johnson Ferry Road, Marietta, GA 30068
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: _____

Present Zoning of Property R-40

Location 4428 Blackland Drive
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1189 District 16th Size of Tract 1.018 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:
See Exhibit "B" attached hereto and incorporated herein by reference.

List type of variance requested: Waiver of required side setback from fifteen (15) feet to ten (10) feet on the easterly boundary; and waiver of the required side setback from fifteen (15) feet to seven (7) feet on the westerly boundary.
(See Sec. 134-195(4)(d)).

V-99
(2017)
Exhibit

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE



Application No.: V-99 (2017)
Hearing Date: September 13, 2017

Applicants/Titleholders: James G. Cheney and Lori B. Cheney

James G. Cheney

James G. Cheney
Lori B. Cheney

Lori B. Cheney

Address: 35 Johnson Ferry Road
Marietta, Georgia 30068

Telephone No.: (678) 385-1910

Signed, sealed, and delivered in the presence of:

[Signature]

Notary Public
Commission Expires: 4-10-21



EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V-99 (2017)
Hearing Date: September 13, 2017

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicants/Property Owners: James G. Cheney and Lori B. Cheney

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

Applicants, James G. and Lori B. Cheney (hereinafter collectively "Applicants") recently purchased property located at 4428 Blackland Drive, Land Lot 1189, 16th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property") to construct a residence for their family. The Subject Property is approximately 1.018 acres and is within an R-40 zoning classification. However, the Property is rectangular in shape, being narrow and long, and the proposed residence cannot be located on the Property without Applicants seeking a variance as to certain setback requirements.

Therefore, pursuant to the R-40 zoning classification, Applicants request a waiver of the required minimum side setback from fifteen (15) feet to ten (10) feet on the easterly boundary of the Subject Property, and a waiver to seven (7) feet on the westerly boundary of the Subject Property, as more particularly shown and reflected on the Schematic Site Plan dated July 5, 2017, prepared by Spitz Miller & Norris and submitted with the Application for Variance.

The variance requested herein is not substantial and would allow an otherwise reasonable residential use on the Subject Property; especially, given that, the Property currently has a residence located thereon; as well as, the remaining setbacks for the proposed new residence to be located on the Property and other requirements are unaffected. Additionally, Applicants have obtained consent from adjacent neighbors as set forth on the Consent of Contiguous Occupants or Land Owners submitted with the Application for variance.