



**APPLICANT:** INOP 300 Acquisitions, LLC

**PETITION No.:** V-35

**PHONE:** 404-566-5904

**DATE OF HEARING:** 05-09-2018

**REPRESENTATIVE:** J. Kevin Moore

**PRESENT ZONING:** OMR

**PHONE:** 770-429-1499

**LAND LOT(S):** 982, 983

**TITLEHOLDER:** INOP 300 Acquisitions, LLC

**DISTRICT:** 17

**PROPERTY LOCATION:** On the south side of

**SIZE OF TRACT:** 9.05 acres

Interstate North Parkway, north of Interstate 285 and  
Interstate 75 interchange, and on the southwesterly side of  
Cumberland Boulevard

**COMMISSION DISTRICT:** 2

(300 Interstate North Parkway).

**TYPE OF VARIANCE:** 1) Waive the front setback from the required 35.6 (previously approved Z-105 of 1996)  
to 19 feet; and 2) increase the maximum allowable impervious surface from 80% to 81.3%,

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

**BOARD OF APPEALS DECISION**

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

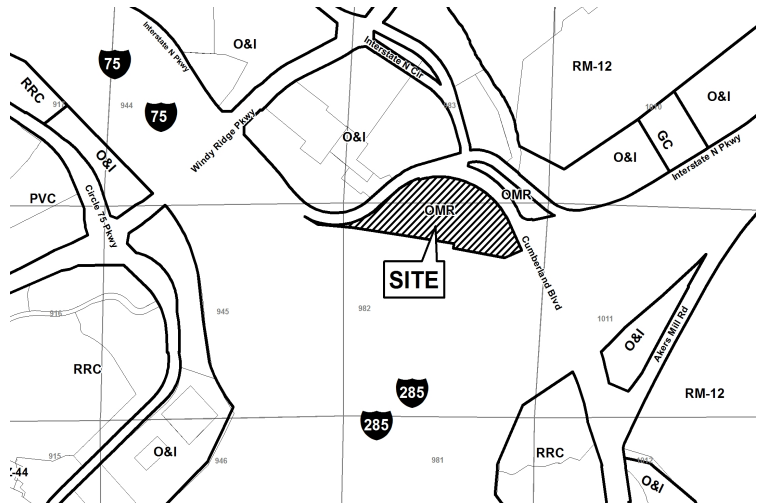
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_



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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:** No comments.

**HISTORIC PRESERVATION:** No comments.

**DESIGN GUIDELINES:** No comments.

**CEMETERY PRESERVATION:** No comments.

**WATER:** No comments.

**SEWER:** No comments.

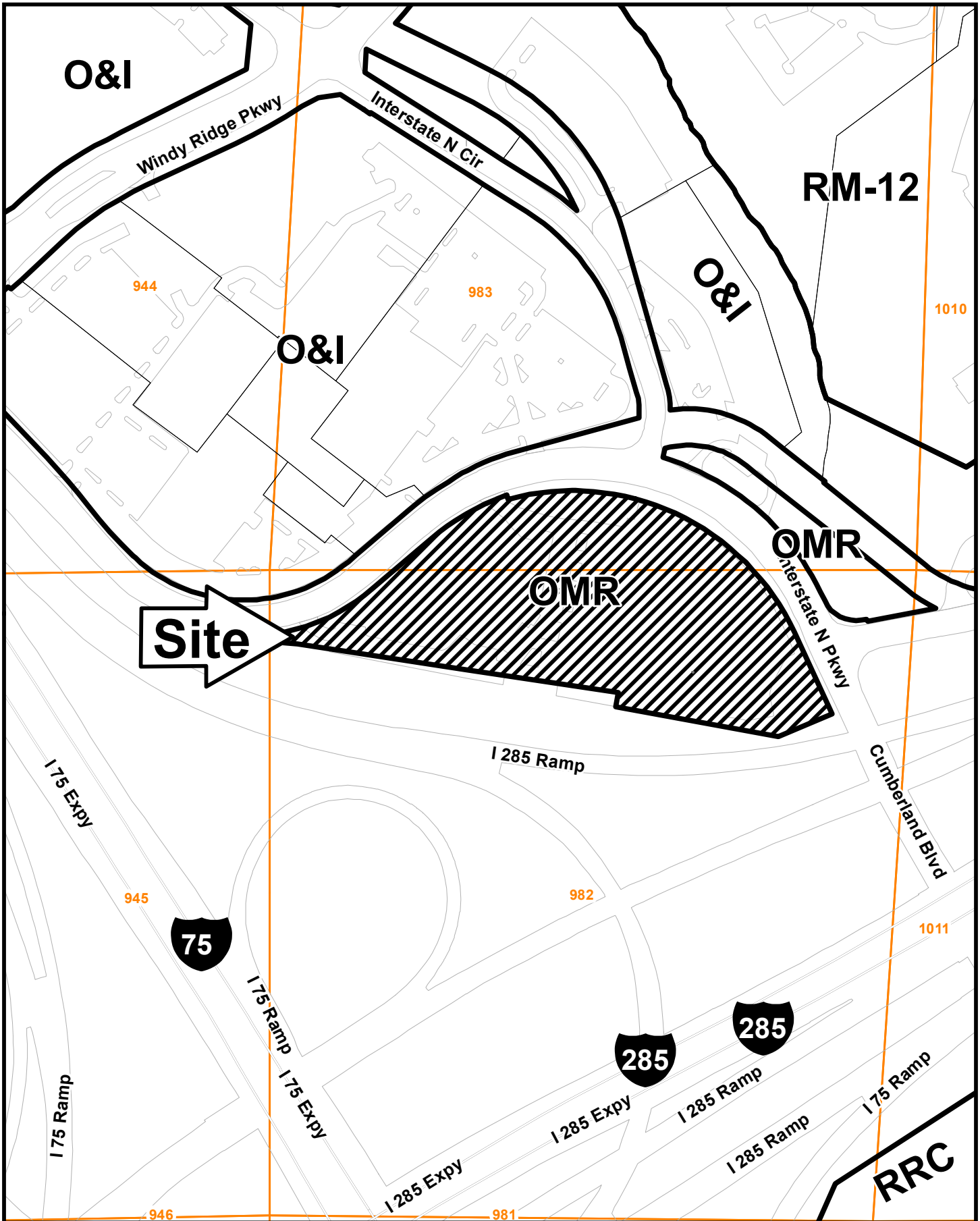
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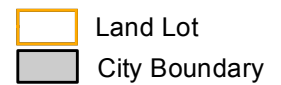
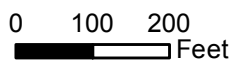
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**FIRE DEPARTMENT:** No comments.

# V-35 2018-GIS



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



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MAR - 8 2018

# Application for Variance Cobb County

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

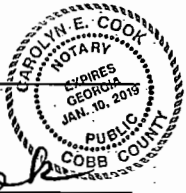
(type or print clearly)

Application No. V- 35 (2018)  
Hearing Date: 05/09/2018

Applicant INOP 300 Acquisitions, LLC  
a Delaware limited liability company Phone # (404) 566-5904 E-mail tsmith@rubensteinpartners.com  
Moore Ingram Johnson & Steele, LLP Emerson Overlook, Suite 100, 326 Roswell Street  
J. Kevin Moore Address Marietta, GA 30060  
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jkm@mijs.com  
(representative's signature) Georgia Bar No. 519728

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



My commission expires: January 10, 2019

Titleholder INOP 300 Acquisitions, LLC  
a Delaware limited liability company Phone # (404) 566-5904 E-mail tsmith@rubensteinpartners.com  
Signature See Attached Exhibit "A" Address: Suite 340, 340 Interstate North Parkway  
(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 OMR

Location Southerly, Easterly, and Westerly sides of Interstate North Parkway, Northeasterly side of the I-75/I-285 Interchange  
(street address, if applicable; nearest intersection, etc.) (300 Interstate North Parkway)

Land Lot(s) 982, 983 District 17th Size of Tract 9.04689 +/- 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 X 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 front setback from previously approved 35.6 feet  
(per Z-105 (1996)) to 19 feet (See Sec. 134-220(4)(d)); and (2) increase impervious surface from required  
80 percent to 81.3 percent (See Sec. 134-220(12)(j)).

V-35  
(2018)  
Exhibit

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE**

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COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

Application No.: V-35 (2018)  
Hearing Date: May 9, 2018

**Applicant/Titleholder: INOP 300 Acquisitions, LLC,  
a Delaware limited liability company**

INOP 300 ACQUISITIONS, LLC,  
a Delaware limited liability company

BY: *Taylor Smith*  
TITLE: SVP, Regional Director

Printed Name: Taylor Smith

Date Executed: 3/6/18

Address: 340 Interstate North Parkway  
Suite 340  
Atlanta, Georgia 30339

Telephone No.: (404) 566-5904

State of Pennsylvania  
County of Philadelphia  
Signed, sealed, and delivered  
in the presence of:

*Sarah E. Turowski*

Notary Public

Commission Expires: Sept. 29, 2018

(Notary Seal)

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Sarah E. Turowski, Notary Public  
City of Philadelphia, Philadelphia County  
My Commission Expires Sept. 29, 2018  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE**

**RECEIVED**  
MAR - 8 2018

Application No.: V- 35 (2018)  
Hearing Date: May 9, 2018

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

**BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS**

**Applicant/Titleholder: INOP 300 Acquisitions, LLC,  
a Delaware limited liability company**

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

INOP 300 Acquisitions, LLC as Applicant and Titleholder (hereinafter collectively "Applicant") recently acquired ownership of the commercial property located on the southerly, easterly, and westerly sides of Interstate North Parkway, being more particularly known as 300 Interstate North Parkway, in Land Lots 982 and 983, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). The Property consists of a multi-story building and parking deck, together with surface parking and various accessory structures and landscaping surrounding the building, which was used by its former owner, Weather Group Television, LLC, for office and communications for The Weather Channel. In 1996, in connection with the acquisition of the Property by its former owner, a variance was sought and granted reducing the front setback to 35.6 feet. Subsequently, in 2000 additional variances were granted relating to the setback along another road frontage and the location of the accessory structures.

Applicant seeks approval of two variances as follows:

- (1) Reduce the front setback from the previously approved 35.6 feet to the current 19 feet, as more particularly shown and reflected on the ALTA/NSPS Land Title Survey submitted with this Application for Variance; and
- (2) Increase the allowed impervious surface area from 80 percent to 81.3 percent.

The office building was constructed in compliance with all Cobb County Zoning Ordinance and Development Standards applicable at the time of construction. However, in the years following construction and occupancy of the office building, the Windy Hill Road corridor and the two major interstates, I-75 and I-285, have experienced ongoing road improvement projects, including condemnations of properties for road widenings, construction of new roadways, entrance realignments, and many other improvements which directly affected the Subject Property. Additionally, the Cobb County Zoning Ordinance and Development Standards which was in effect at the time of development of the Property have been revised and updated.



V-35  
(2018)  
Exhibit

Applicant seeks the approval of the variances, as required by Cobb County, even though the variances are required as a result of actions and events not caused by Applicant, but by Cobb County, Georgia, and/or the State of Georgia. To grant the requested variances and allow the Subject Property to conform to current, existing Ordinances and Standards would result in no detrimental impact upon the Subject Property or any other adjacent or surrounding properties.

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**MAR - 8 2018**  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION