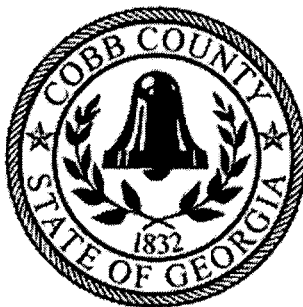


PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: November 14, 2007

DUE DATE: October 18, 2007

Distributed: October 3, 2007

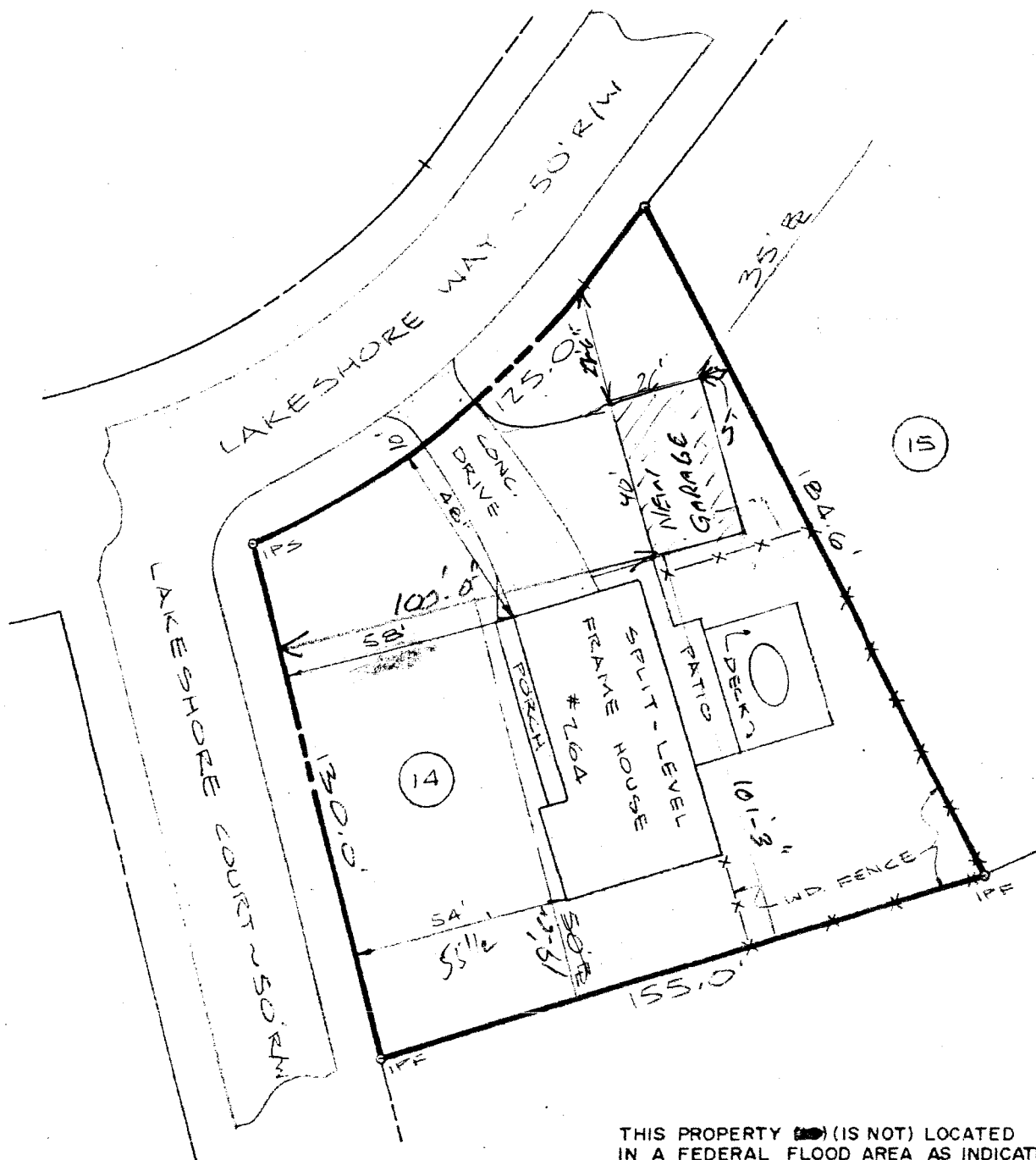


Cobb County... Expect the Best!

V-123

N

Magnetic



THIS PROPERTY () (IS NOT) LOCATED
IN A FEDERAL FLOOD AREA AS INDICATED
BY FIA OFFICIAL FLOOD HAZARD MAPS.

IN MY OPINION THIS PLAT IS
A CORRECT REPRESENTATION
OF THE LAND PLATTED.

SURVEY

FOR

ROBERT GAILITIS
& BEVERLY GAILITIS

LOT 14 BLOCK E SECTION 1
KING'S COVE UNIT II
PLAT BOOK 50 PAGE 68
LAND LOT 1186
DISTRICT - 16 SECTION - 2
COUNTY - COBB
STATE - GEORGIA
DATE: 05-22-86 SCALE: 1"=40'

REVISIONS:

CC DE
DRAWN TH
CHKD LN
Job Number
861778
M & S

WEST GEORGIA
ENGINEERS & SURVEYORS, INC.

Engineers - Planners - Surveyors

P.O. BOX 828 MARIETTA, GEORGIA 30061
428-2122

APPLICANT: <u>Robert Gailitis and Beverly Gailitis</u>	PETITION NO.: <u>V-123</u>
PHONE: <u>770-377-2500 and 770-656-6999</u>	DATE OF HEARING: <u>11-14-07</u>
REPRESENTATIVE: <u>Robert Gailitis</u>	PRESENT ZONING: <u>R-20</u>
PHONE: <u>770-377-2500</u>	LAND LOT(S): <u>1186</u>
PROPERTY LOCATION: <u>Located at the southeast intersection of Lakeshore Court and Lakeshore Way (254 Lakeshore Court).</u>	DISTRICT: <u>16</u>
	SIZE OF TRACT: <u>.457 acre</u>
	COMMISSION DISTRICT: <u>2</u>

TYPE OF VARIANCE: 1) Waive the setback for an accessory structure over 650 square feet (proposed 2,080 square foot garage) from the required 100 feet to 5 feet adjacent to the eastern property line and 22 feet from the northern property line for lot 14; 2) waive the rear setback from 35 feet to 23 feet (existing); and 3) allow an accessory structure closer to the side street than the primary structure.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED **PETITION NO.** **SPOKESMAN**

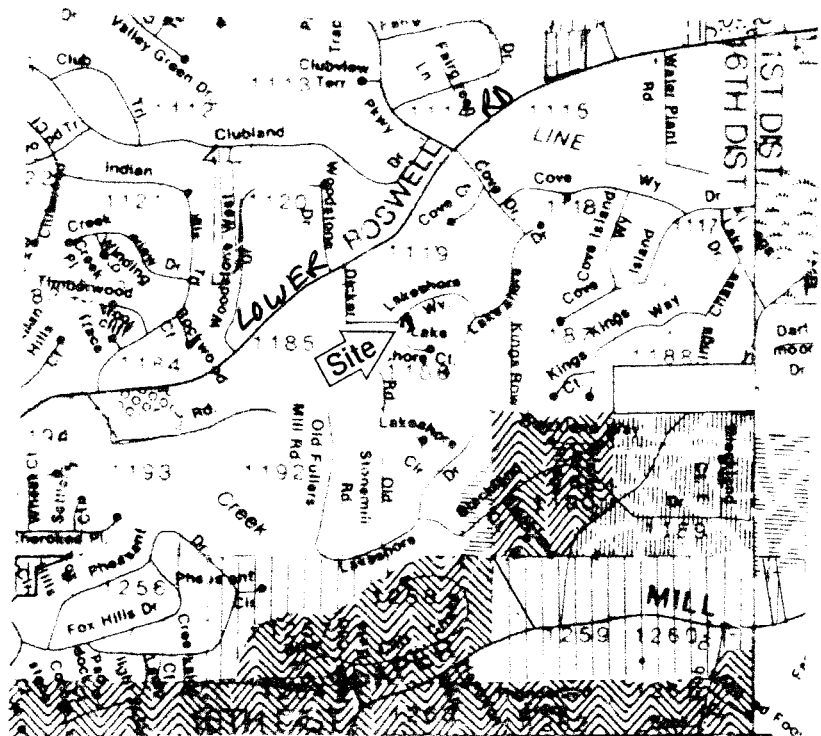
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance Cobb County

(type or print clearly)

Application No. V-123

Hearing Date: 11-14-07

Applicant ROBERT GAILITTI Business Phone 770-377-2500 Home Phone 678-560-9372

(representative's name, printed)

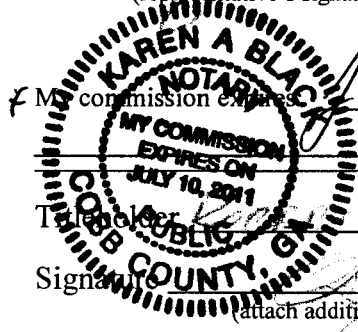
Address 254 LAKESHORE CT. MARIETTA GA 30067
(street, city, state and zip code)

(representative's signature)

Business Phone 770-377-2500 Cell Phone _____

Signed, sealed and delivered in presence of:

Karen A Black
Notary Public



☒ My commission expires: July 10, 2011

Business Phone 770-377-2500 Home Phone 678-560-9372

Address: 254 LAKESHORE CT MARIETTA GA 30067
(street, city, state and zip code)

Signed, sealed and delivered in presence of:

Karen A Black
Notary Public

☒ My commission expires: July 10, 2011

Present Zoning of Property R-20

Location 254 LAKESHORE CT
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1156 P34 District 11-SECTION-2 Size of Tract 0.457⁺ 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 _____

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.

Our family has expanded & we now have 5 cars that have created issues with parking. We also need extra storage space & we are currently paying \$175 monthly storage fees. Bad weather conditions also is to be considered so that our vehicles are protected.

List type of variance requested: WAIVE THE SETBACK FOR AN ACCESSORY STRUCTURE OVER 650 SQFT (PROPOSED GARAGE @ 2080 SQFT) FROM REQUIRED 100FT TO 5FT ADJACENT TO THE EASTERN PROP. LINE AND 22 FT FROM THE NORTHERN PROP. LINE

Application for Variance Cobb County

PAGE 2 OF 3

(type or print clearly)

Application No. V-123
Hearing Date: 11-14-07

Applicant BEVERLY GAILLIS Business Phone 770-656-6999 Home Phone 678-560-9392
Address 254 LAKE SHORE CT, MARICETTA GA 30067
(representative's name, printed) (street, city, state and zip code)

Business Phone 770-656-6999 Cell Phone 770-377-2900
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Titleholder BEVERLY GAILLIS Business Phone 770-656-6999 Home Phone 678-560-9392
Signature Beverly Gaillitis Address: 254 Lakeshore Ct, Marietta Ga
(with additional signatures, if needed) (street, city, state and zip code) 30067

My commission expires July 10, 2011
COBB COUNTY, GA
NOTARY PUBLIC

Signed, sealed and delivered in presence of:
Karen A Black
Notary Public

Present Zoning for Property _____

Location _____
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) _____ District _____ 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.

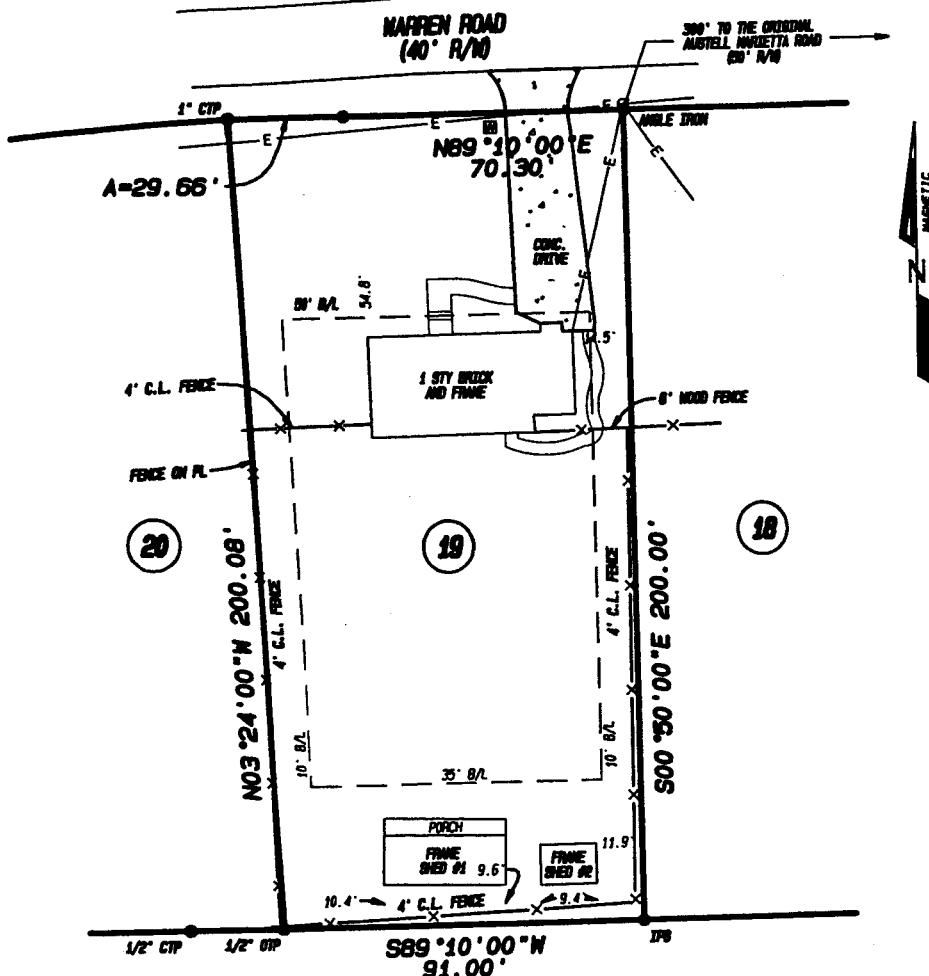
Size of Property _____ Shape of Property _____ Topography of Property _____ Other _____

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.

List type of variance requested: _____

V-124

5681



WARREN ROAD
LOT #19, WARREN SUBDIVISION

LOCATED IN: LAND LOT 1140
19TH DISTRICT, 2ND SECTION,
COBB COUNTY, GEORGIA
SCALE: 1" = 30'
DATE: 9/11/2007
PREPARED FOR:
RODOLFO GARCIA

RECORD BOOK
DATE PURPOSE



09-11-07

BETTERTON
SURVEYING & DESIGN, INC.
LAND SURVEYING/PLANNING
SUBDIVISION & COMMERCIAL USE DESIGN
1111 SOUTH MARIETTA PKWY., STE. A
MARIETTA, GEORGIA 30060
678-483-0242

DRAWN BY
JMS
CHECKED BY
RBB

DRAWING SCALE
1" = 30'

FILE NUMBER
5681.PRO

JOB NUMBER
5681

ZONING NOTES:

PRESENT ZONING: R-20
TOTAL AREA: 0.438 ACRES (19,098 S.F.)
TOTAL AREA OF SHED #1: 374 S.F.
TOTAL AREA OF SHED #2: 139 S.F.
TOTAL NUMBER OF LOTS: 1
MINIMUM SETBACK REQUIREMENTS:
FRONT: 35'
SIDE: 10'
MAJOR SIDE: 25'
REAR: 35'
MAXIMUM BUILDING HEIGHT: 35'
MAXIMUM LOT COVERAGE: % 35'

OWNER/DEVELOPER:

RODOLFO GARCIA
1991 WARREN ROAD
AUSTELL, GA 30106
(678) 499-3921

VARIANCE PLAT NOTE:

THE PURPOSE OF THIS VARIANCE IS TO ALLOW SHEDS #1 AND #2 TO ENCR OACH ON THE BACK BUILDING SETBACK LINE OF LOT #19 IN WARREN SUBDIVISION.

SURVEY NOTES:

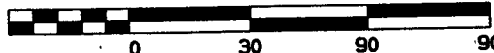
- EQUIPMENT = TOPCON GTS 303 TOTAL STATION
- DATE OF SURVEY: AUGUST 29, 2007
- I HAVE, THIS DATE, EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130052, PANEL 0085 F, DATED AUGUST 18, 1992, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
- #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.
- IN MY OPINION, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLAT AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

SURVEY REFERENCES:

- PLAT OF WARREN SUBDIVISION, DATE MARCH 9, 1954, RECORDED IN PLAT BOOK 12 PAGE 14.

GRAPHIC SCALE

1"=30'



APPLICANT: Rodolfo Garcia
PHONE: 678-499-3921
REPRESENTATIVE: same
PHONE: same
PROPERTY LOCATION: Located on the south side of
Warren Drive, west of Austell Road
(1991 Warren Drive).
PETITION NO.: V-124
DATE OF HEARING: 11-14-07
PRESENT ZONING: R-20
LAND LOT(S): 1140
DISTRICT: 19
SIZE OF TRACT: .438 acre
COMMISSION DISTRICT: 4
TYPE OF VARIANCE: Waive the rear setback on lot 19 for an accessory structure (Shed #1, 374 square feet)
from the required 35 feet to 9 feet.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

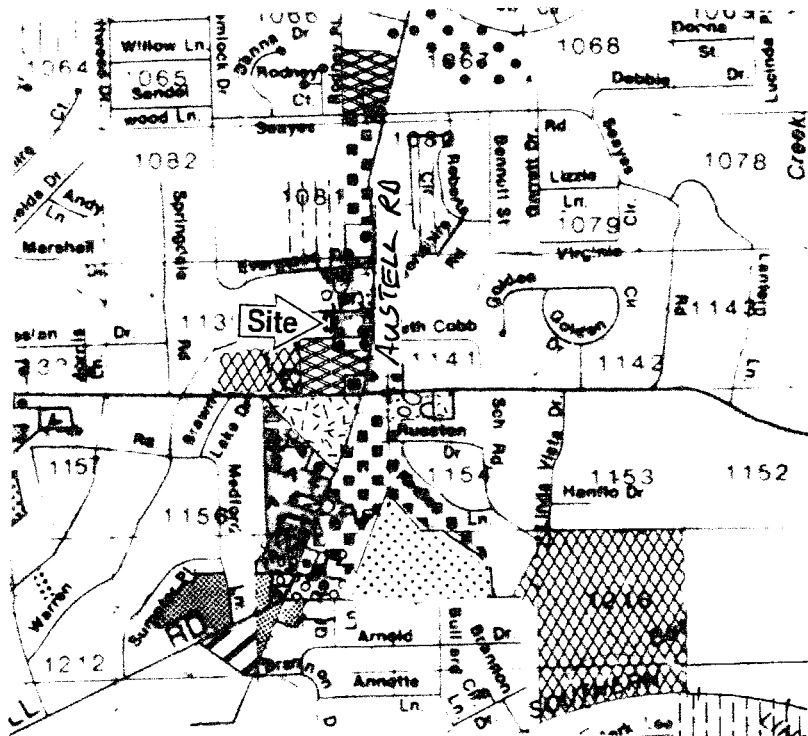
BOARD OF APPEALS DECISION

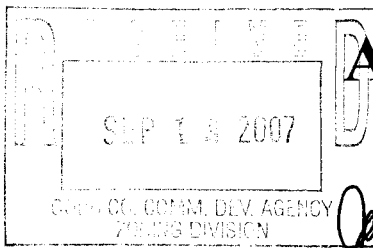
APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____





Application for Variance Cobb County

(type or print clearly)

Application No. V-124

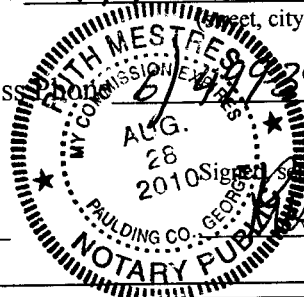
Hearing Date: 11-14-07

Applicant Rodolfo Garcia Business Phone 6) 499-3921 Home Phone 7) 739-9163

Rodolfo Garcia Address 1991 Warren Dr. Austell Ga 30106
(representative's name, printed)

Rodolfo Garcia Business Phone 6) 499-3921 Cell Phone Same
(representative's signature)

My commission expires: 8-28-10

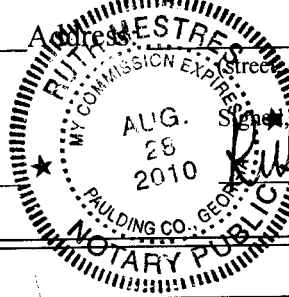


Signed, sealed and delivered in presence of:

Notary Public

Titleholder Rodolfo Garcia Business Phone 6) 499-3921 Home Phone 7) 739-9163

Signature Rodolfo Garcia Address _____
(attach additional signatures, if needed)



Signed, sealed and delivered in presence of:

Notary Public

Present Zoning of Property R-20

Location 1991 Warren Dr. Austell Ga 30106
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 049 1139 1140 District 19 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 _____

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 would like to have my storage at 9' away from my setback instead at 35. I do have a apple tree about 35' and I don't want to cut. Thank you.

List type of variance requested: Waive the rear setback line from the required 35' to 9'.

I HEREBY CERTIFY AS THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, KNOWLEDGE THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND FOR VALUE RECEIVED THE SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, DO HEREBY CONVEY THE PRIVATE ROADWAYS AND UTILITY EASEMENTS TO THE ASSOCIATION NAMED ON THIS PLAT FOR ITS MAINTENANCE AND UPEEP AND THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED. IN CONSIDERATION OF THE APPROVAL OF THIS DEVELOPMENT PLAN AND OTHER VALUABLE CONSIDERATIONS, THE OWNER FURTHER RELEASES AND HOLDS HARMLESS COBB COUNTY FROM ANY AND ALL CLAIMS, DAMAGES, OR DEMANDS ARISING ON ACCOUNT OF THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THE PROPERTY SHOWN HEREON; ON ACCOUNT OF THE ROADS, FILLS, EMBANKMENTS, DITCHES, CROSS DRAINS, CULVERTS, WATER MAINS, SEWER LINES, AND BRIDGES WITHIN THE PROPOSED PRIVATE ROADWAYS AND EASEMENTS SHOWN; ON ACCOUNT OF BACKWATER, THE COLLECTION AND DISCHARGE OF SURFACE WATER, OR THE CHANGING OF COURSES OF STREAMS.

[illegible]

ROBERT SKEEN
1015 QUEEN STREET
ALEXANDRIA, VA 22314

DATE _____

1. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN 1 FOOT IN 100,000 FEET.
2. THERE IS NO CLOSURE REQUIRED FOR THIS PLAT BECAUSE THE CLOSURE DECISION OF ONE FOOT IN 10,000 FEET AND AN ANGLE ERROR OF 1 PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.
3. EQUIPMENT: TOPCON GTS 303 TOTAL STATION
4. I HAVE THIS DATE. EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130059. PANEL 0030 F. DATED AUGUST 18, 1992. AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS. #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.

1. PLAT PREPARED FOR ROBERT S. AND BEVERLY SKEEN, DATE SEPTEMBER 29, 1992.
RECORDED IN PLAT BOOK 140 PAGE 90.

SUBMITTAL OF AN INDIVIDUAL EROSION/ SEDIMENT CONTROL PLAN IS NOT

REQUIRED FOR THIS DIVISION OF PROPERTY. HOWEVER, IT IS THE OWNER'S/ DEVELOPER'S/ BUILDER'S RESPONSIBILITY TO ESTABLISH AND MAINTAIN ADEQUATE BEST MANAGEMENT PRACTICE (BMPs) UPON COMMENCEMENT OF ANY LAND DISTURBING ACTIVITIES. ALL LAND DISTURBING ACTIVITIES ARE SUBJECT TO INSPECTION BY THE COBB COUNTY COMMUNITY DEVELOPMENT AGENCY TO DETERMINE COMPLIANCE WITH THE EROSION/ SEDIMENT CONTROL ORDINANCE.

BETTERTON
SURVEYING & DESIGN, INC.
LAND SURVEYING/PLANNING
SUBDIVISION & COMMERCIAL SITE DESIGN

1111 SOUTH MARIETTA PKWY., STE. A
MARIETTA, GEORGIA 30050
678-483-0242

DRAWN BY
JMS
CHECKED BY
RBB
DRAWING SCALE
1" = 50'
FILE NUMBER:
7179.PRC
JOB NUMBER
07179



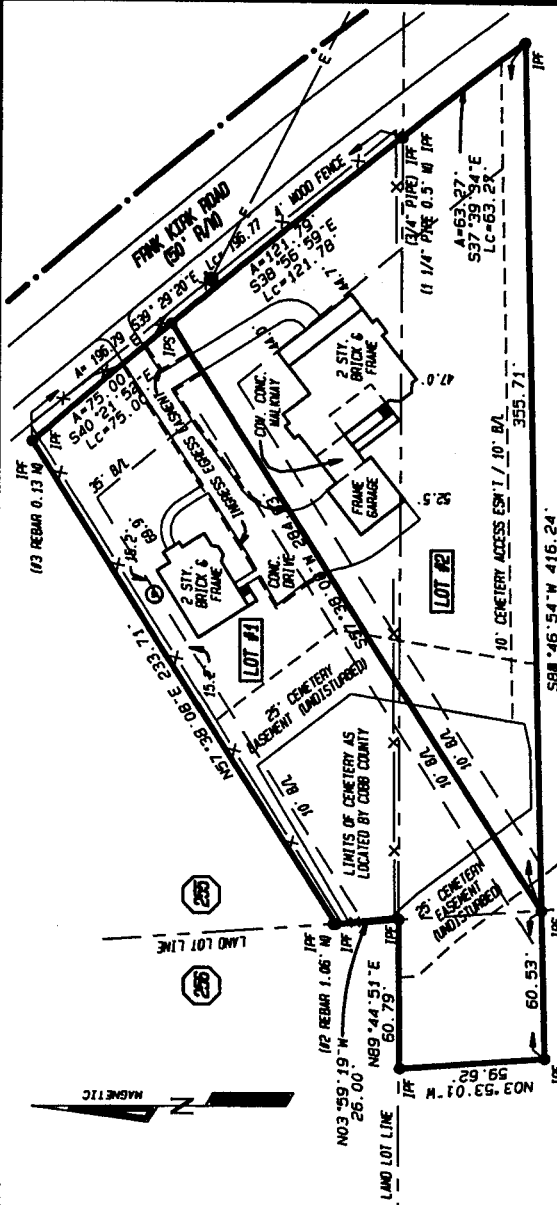
REVISION RECORD
 DATE PURPOSE

100

LOT SPLIT SURVEY
965 FRANK KIRK F

LOCATED IN: LAND LOTS 255, 277, AND 278,
20TH DISTRICT, 2ND SECTION,
COBB COUNTY, GEORGIA
DATE: 8/14/2007
PREPARED FOR:

07179



V-125

APPROVED BY

COBB COUNTY COMMUNITY
DEVELOPMENT AGENCY

COBB COUNTY ZONING DIVISION DATE

COBB COUNTY WATER SYSTEM DATE

PLAY FILED IN OFFICE

RECORDED IN PLAY BOOK

CLERK, COBB COUNTY SUPERIOR COURT

GRAPHIC SCALE

1"-50'



I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON, AND IS TO THE ACCURACY AND SPECIFICATIONS REQUIRED BY THE COBB COUNTY DEVELOPMENT STANDARDS.

2003.5.10 7:00 PM 2. BERTAN
SIGNATURE PRINTED NAME DATE

SIGNATURE
REGISTERED GA. LAND SURVEYOR

THIS PLAY SUPERSEDES THE PLAY RECORDED IN PLAY BOOK 140.
PAGE 90.

THE PURPOSE OF THIS REVISION IS TO

**SPLIT LOT 965 FRANK KIRK ROAD INTO TWO LOTS
LOT #1 HAVING A TOTAL AREA OF 22.832 S.F. AND
LOT #2 HAVING A TOTAL AREA OF 26.314 S.F.**

APPLICANT: <u>Robert S. Skeen and Beverly Skeen</u>	PETITION NO.: <u>V-125</u>
PHONE: <u>703-253-8318</u>	DATE OF HEARING: <u>11-14-07</u>
REPRESENTATIVE: <u>Robert S. Skeen</u>	PRESENT ZONING: <u>R-20</u>
PHONE: <u>703-253-8318</u>	LAND LOT(S): <u>255, 277, 278</u>
PROPERTY LOCATION: <u>Located on the west side of Frank Kirk Road, south of Kennesaw Due West Road (965 Frank Kirk Road).</u>	DISTRICT: <u>20</u>
	SIZE OF TRACT: <u>.52 acres</u>
	COMMISSION DISTRICT: <u>1</u>
TYPE OF VARIANCE: <u>Waive the square footage of the primary structure on lot 1 from the required minimum of 1,200 square feet to 850 square feet.</u>	

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

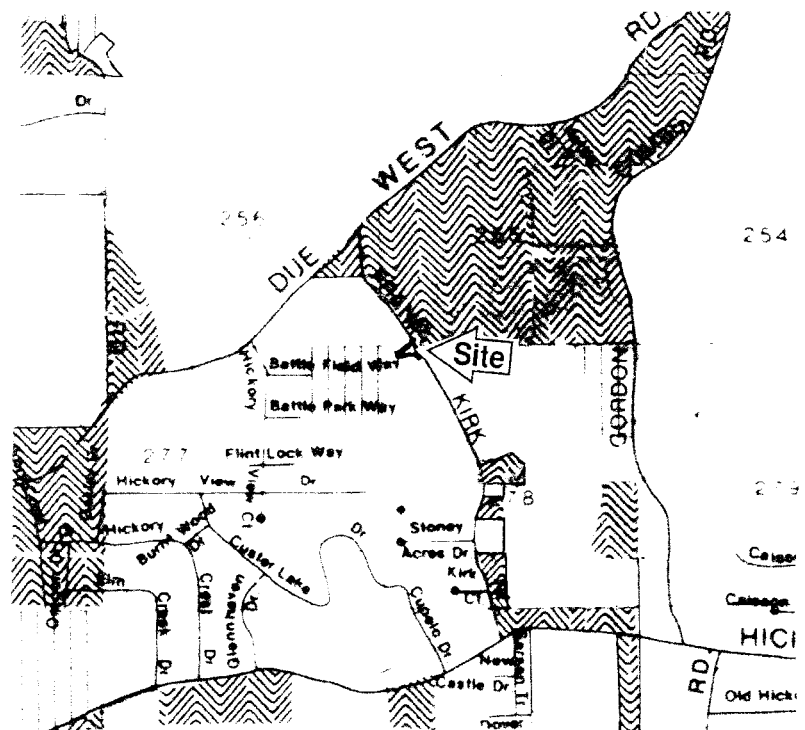
BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____



Application for Variance

Cobb County

(type or print clearly)

Application No. V-125

Hearing Date: 11-14-07

Applicant Robert S. + Beverly E. Skeen Business Phone 703-253-8318 Home Phone 703-842-7352

Address 965A Frank Kirk Rd, Kennesaw, GA 30152

(representative's name, printed)

(street, city, state and zip code)

Robert S. Skeen

(representative's signature)

Business Phone _____

Cell Phone 703-989-3660

Patsy B. Cole
Notary Public
Cobb County, Georgia

Signed, sealed and delivered in presence of _____
Cobb County, Georgia
My Commission Expires April 5, 2009

My commission expires: My Commission Expires April 5, 2009

Patsy B. Cole

Notary Public

Titleholder Robert S. + Beverly E. Skeen Business Phone 703-253-8318 Home Phone 703-842-7352

Signature Robert S. Skeen Beverly E. Skeen Address: 965A Frank Kirk Rd, Kennesaw, GA 30152

(attach additional signatures, if needed)

(street, city, state and zip code)

Patsy B. Cole
Notary Public
Cobb County, Georgia

Signed, sealed and delivered in presence of _____
Cobb County, Georgia
My Commission Expires April 5, 2008

My commission expires: My Commission Expires April 5, 2009

Patsy B. Cole

Notary Public

Present Zoning of Property R20

Location 965 Frank Kirk Road, Kennesaw, GA 30152

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 277 + 288 District 20TH Size of Tract 1.1 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 1.1 ACRE Shape of Property Pie Shaped Topography of Property _____ Other _____

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 cottage was originally built for my wife's parents to live in while we cared for my mother-in-law who suffered from Alzheimer's. The cottage was built to 850 square feet which was sufficient for their needs. If we are required to renovate the cottage and add 350 square feet of living space it would place a huge financial burden on us, one that we would be hard pressed to meet.

List type of variance requested: Waiver of minimum square footage requirement for R20 zoning from 1200 S.F. to 850 S.F.

www.roadesignstudio.com

This drawing, as an instrument of service, and what remains the property of Ross Design, Inc., and shall not be reproduced, published or used in any way without permission of same.

DRAWN: Author
APPROVED: Approver
DATE: 07/09/02

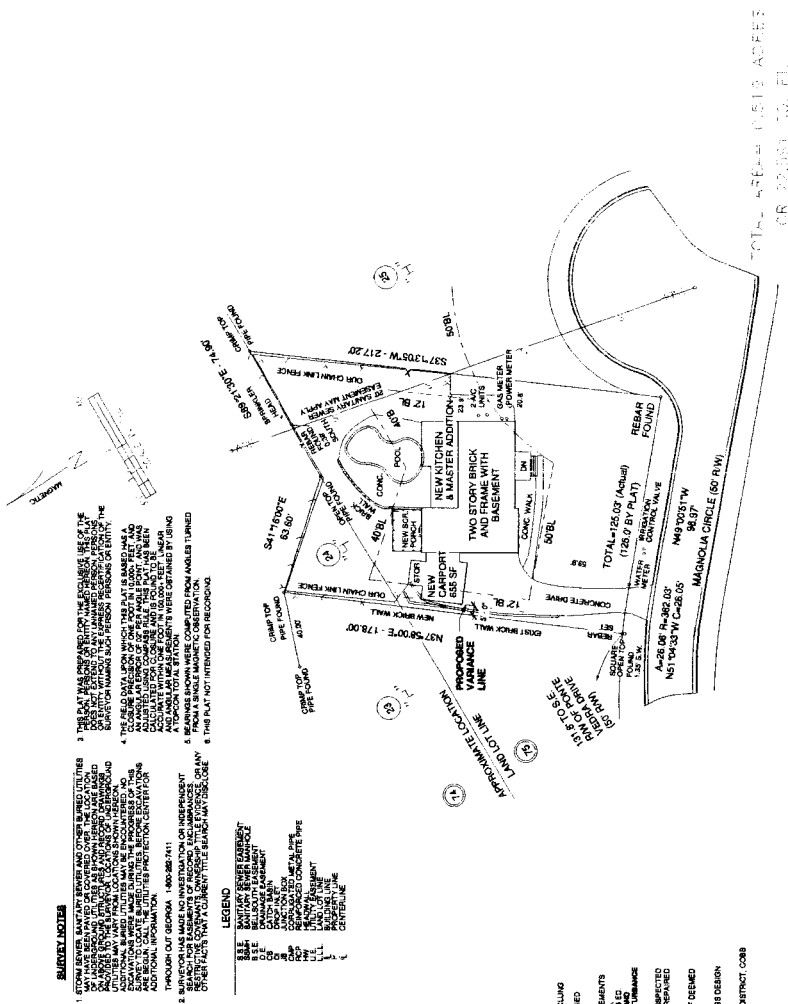
PROJECT NUMBER: 0711

REVISIONS:
 NBR DATE

[illegible]

SP-1

V-126



—C. T. J. —

4685-1-AGRICULTURE-153-1-

2. PLACED IN FILE 114
FILED IN FILE 114
FILED IN FILE 114
FILED IN FILE 114
FILED IN FILE 114

ZONING INFORMATION:

SETBACKS:

SIDE	12'	FRONT	50'
REAR	40'		
MAX. HT.	35'		

SITE COVERAGE: 38.5% ACTUAL 8260 SF
35% ALLOWED 7907 SF

STANDARD LOT ALLOWED 30,000(35%)=10,500 SF

STANDARD LOT ALLOWED 30,000(35%)=10,500 S

1 Architectural Site Plan

SP-1 1" = 30'-0"

SAFETY NOTES

- 1 STONIA BOWER, SANITARY ENGINEER AND OTHER BURIED UTILITIES
IN LARGESIDE UTILITIES ARE SHOWN HEREIN ARE BASED
ON A LARGESIDE UTILITIES AND ALSO ON DRAWINGS
AND RECORDS OF THE CITY OF ATLANTA. THE LOCATION
OF UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREIN.
ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED.
NO WARRANTY IS MADE BY THE CITY OF ATLANTA FOR
SURVEY TO LOCATE BURIED UTILITIES. BEFORE ANY
WORK IS DONE, CALL THE UTILITIES PROTECTION CENTER FOR
ADDITIONAL INFORMATION.
- THROUGHOUT GEORGIA 1-800-282-7411
- 2 SURVEYOR HAS MADE NO INVESTIGATION OF INDISPENSIBLE
SEARCH FOR EASEMENTS OF RECORD ENCUMBRANCES
AFFECTING THE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY
OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE

LEGEND

382	SANITARY SEWER ELEMENT
383	SEWER ELEMENT
384	SEWER ELEMENT
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500	SEWER ELEMENT

THE NOTES:

- SITE INFORMATION:** TAKEN FROM OWNER-BASED SURVEY DATA. THE INFORMATION IS NOT GUARANTEED TO BE ACCURATE. THE DESIGNER ASSUMES NO LIABILITY FOR INFORMATION PROVIDED. THE DESIGNER ASSUMES NO LIABILITY FOR ANY UNSTATED ASSUMPTIONS MADE BY THE OWNER SUPPLIED.
- PROVIDER BY FUNDING AGENCY:** BY FUNDING AGENCY, THE REQUIREMENTS OF SECTION 117 (EMERGENCY) OF THE STATE OF ALABAMA ARE MET. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE INSTALLATION OF BRANCHES AND RESISTANT CONTROL MEASURES AND HAS OBSERVED THE OPERATION OF THE BRANCHES AND RESISTANT CONTROL ACTIVITIES.
- MAINTENANCE (DIFFERENT DESIGN CONTROL MEASURES WILL BE IMPLEMENTED AFTER EACH RAIN BY THE CONTRACTOR AND REPAIRED AS REQUIRED).**
- INITIAL ADDITIONAL DESIGN AND DEMONSTRATION CONTROL MEASURES (IF NEEDED NECESSARY) TO BE INSTALLED:**
- CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS AND VERIFY RAIN DESIGN FOR ANY DISCREPANCIES BEFORE TO CONSTRUCTION.**
- CONTRACTOR TO VERIFY THAT ALL EXISTING MATERIALS LOCATED AT 10' DEEP, STRICT COMB**

APPLICANT: Beth Batten PETITION NO.: V-126
PHONE: 404-215-1420 DATE OF HEARING: 11-14-07
REPRESENTATIVE: same PRESENT ZONING: R-30
PHONE: same LAND LOT(S): 74, 75
PROPERTY LOCATION: Located on the north side of DISTRICT: 1
Magnolia Circle, east of Pointe Verda Drive SIZE OF TRACT: .519 acre
(4683 Magnolia Circle). COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the side setback for lot 24 from the required 12 feet to 5 feet adjacent to the western property line; and 2) waive the maximum allowable coverage of 25 percent to 36.5 percent.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

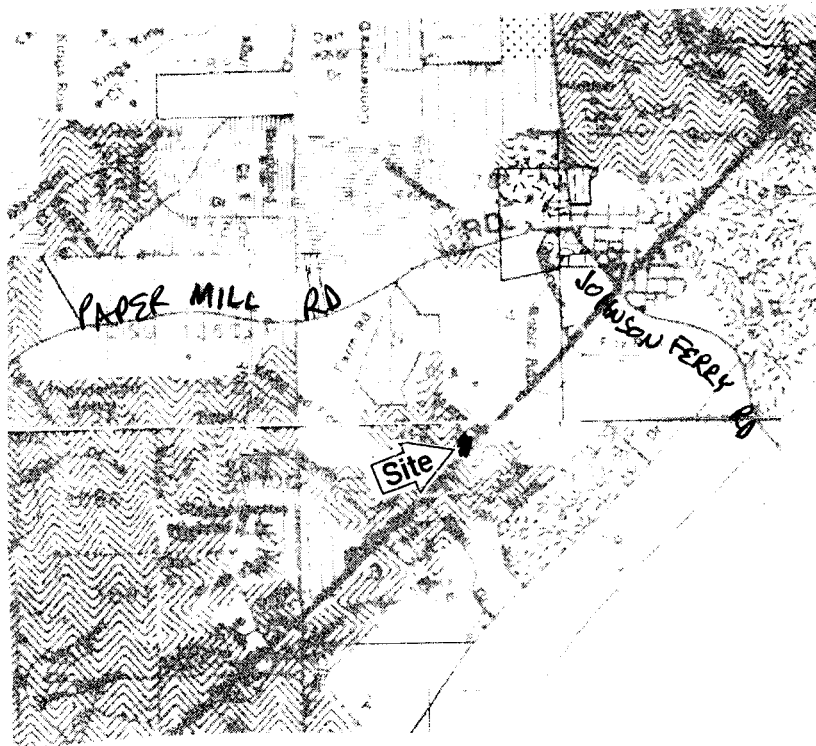
BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____



Application for Variance Cobb County

(type or print clearly)

Application No. V-126

Hearing Date: 11.14.07

Applicant Tim & Beth Batten Business Phone 404.215.1420 Home Phone 404.531.4875
Tim and Beth Batten Address 4683 Magnolia Circle, SE, Marietta, GA 30067
(representative's name, printed) (street, city, state and zip code)

Business Phone _____ Cell Phone _____
(representative's signature)

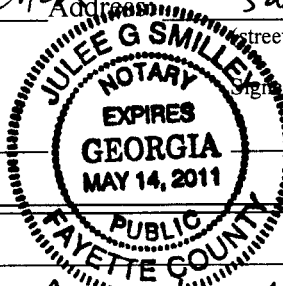
Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Titleholder Same Business Phone Same Home Phone Same
Signature Tim & Beth Batten Address Same
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: _____



Signed, sealed and delivered in presence of:

Julie G. Smiley
Notary Public

Present Zoning of Property R-30
Location Same ; Ponte Vedra Drive & Magnolia Circle @ 11 LL75
(street address, if applicable; nearest intersection, etc.)
Land Lot(s) 74, 75 District 1st Size of Tract 0.67 Acre(s) DIST. 1

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.

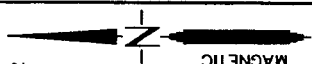
Size of Property ☒ Shape of Property ☒ Topography of Property ☒ Other _____

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.

We have six children and one grandparent living with us, and there are four cars among us but only a two-car garage. We need to add a two-car garage or carport at the end of our driveway, or else we will have no place to park one or two of our cars other than the street. The proposed structure, drawn by our architect, will comport with the existing house and will be aesthetically agreeable.

List type of variance requested: Allow construction of side carport/garage within five rather than twelve feet of side property line.
WAIVE THE MAXIMUM ALLOWABLE COVERED TO 36.5%.

A PORTION OF THIS PROPERTY IS LOCATED WITHIN
A FEMA 100 YEAR FLOOD ZONE 'A' ACCORDING
TO COBB COUNTY F.I.R.M. PANEL 040 F
COMMUNITY #130052 DATED: AUGUST 18, 1992

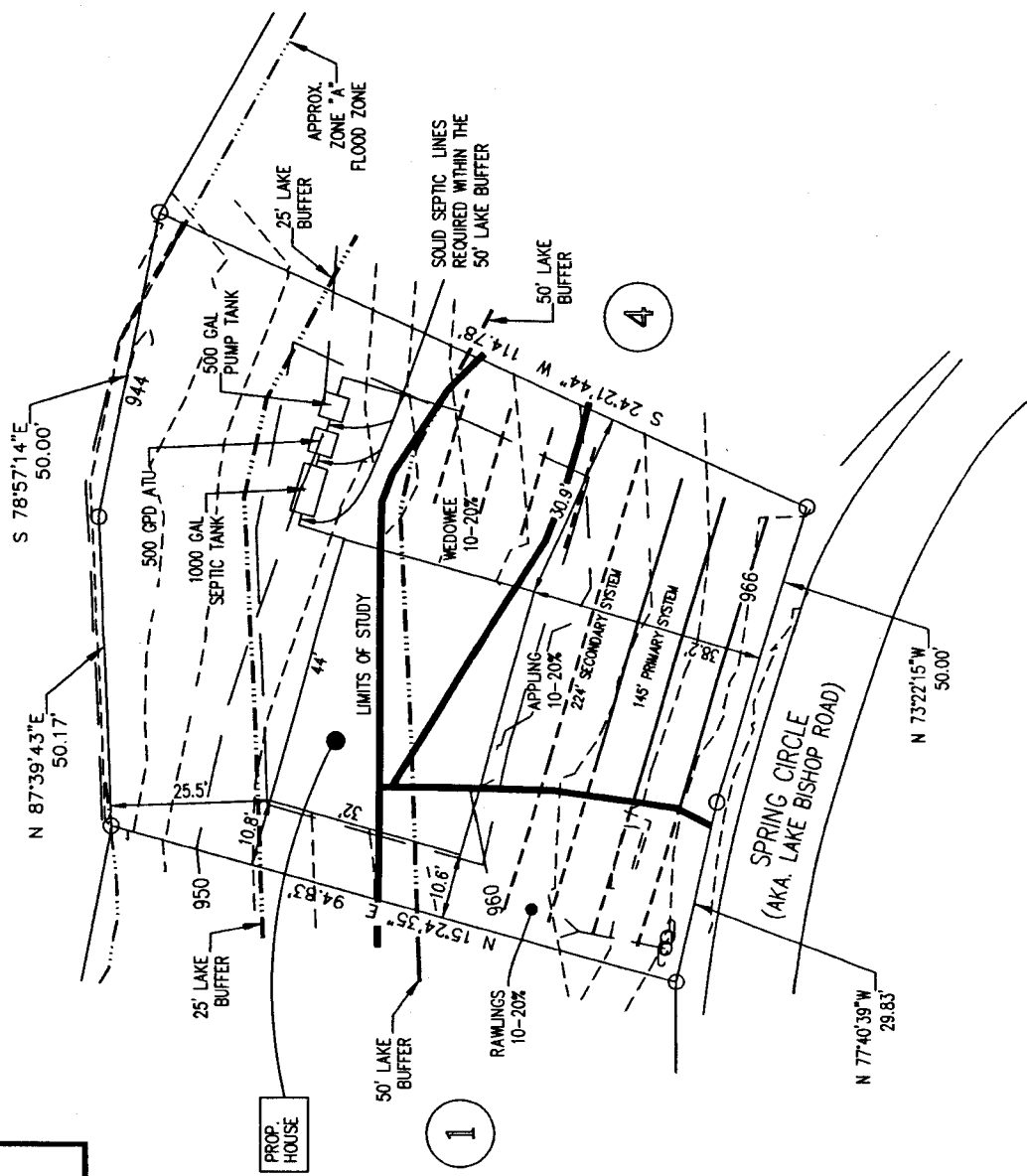


V-127



Centerline Surveying Systems, Inc.
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144
PHONE: (770) 424-0028 FAX: (770) 424-2898
407049-1 VARIANCE

THIS VARIANCE PLAT IS TO REQUEST THE REDUCTION
OF THE CURRENT ZONING SETBACKS FROM:
CURRENT ZONING SETBACKS PROPOSED SETBACKS:
FRONT - 45' FRONT - 35'
SIDE - 12' SIDE - 10'
REAR - 40' REAR - 25'

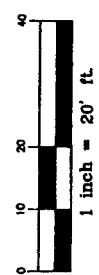


REFERENCE PLAT:
PB. 3, PG. 161

PROPERTY ADDRESS:
4412 NE BISHOP LAKE ROAD
MARIETTA, GEORGIA 30062

VARIANCE PLAT FOR:
JANE DINNEN

BEING LOT 2 & 3
CM BISHOP SUBDIVISION, BLOCK "F"
LOCATED IN LAND LOT 756
IN THE 16TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA
SCALE: 1" = 20' DATE: SEPTEMBER 19, 2007



PETITION NO.: V-127

DATE OF HEARING: 11-14-07

PRESENT ZONING: R-30

LAND LOT(S): 756

DISTRICT: 16

SIZE OF TRACT: .226 acre

COMMISSION DISTRICT: 3

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the front setback on lot 16 from the required 45 feet to 35 feet; 2) waive the side setback from the required 12 feet to 10 feet; and 3) waive the rear setback from the required 40 feet to 26 feet.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

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

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED SECONDED

HELD	CARRIED
------	---------

STIPULATIONS: _____



Application for Variance

Cobb County

(type or print clearly)

Application No. V-127

Hearing Date: 11-14-07

Applicant Jane K Dinnen Business Phone 678-642-7765 Home Phone 770-977-5526

Jane K. Dinnen Address 2237 Chadds Creek Dr. Marietta, GA
(representative's name, printed) (street, city, state and zip code) 30062

Jane K Dinnen Business Phone 770-977-5526 Cell Phone 678-642-7765
(representative's signature)

My commission expires: 1 NOTARY PUBLIC, COBB COUNTY, GEORGIA
MY COMMISSION EXPIRES MARCH 26, 2008

Signed, sealed and delivered in presence of:

Susan Bretherick
Susan Bretherick Notary Public

Titleholder Robert P. Scherer Business Phone 678-296-7899 Home Phone (Atlanta) 404-256-3824
Claudia M. Scherer Home Phone 231-547-9103

Signature Jane K Dinnen Address: 10 Kates Ridge NW. Atlanta, GA
(attach additional signatures, if needed) (street, city, state and zip code) 30327
Claudia M. Scherer
Robert P. Scherer

Signed, sealed and delivered in presence of:

Susan Bretherick
Susan Bretherick Notary Public

My commission expires: NOTARY PUBLIC, COBB COUNTY, GEORGIA
MY COMMISSION EXPIRES MARCH 26, 2008

Present Zoning of Property R-30

Location 4412 SPRING CIR.

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 756 District P16 Size of Tract 0.226 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 _____

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 existing small house has an old and disintegrating foundation requiring that the structure be demolished and a new house be built. Because the property is a "non conforming" lot in a R30 zoning district we are unable to meet the current set-back requirements.

List type of variance requested:

Set back Variance - "Front" from 45' to 35'
"side" from 12' to 10'
"rear" from 40' to 26'

LEGEND

- 1) IPF - IRON PIN FOUND (1/2" REBAR UNLESS OTHERWISE NOTED.)
- 2) I.P. - IRON PIN PLACED
- 3) CONC. - CONCRETE
- 4) R. - RADIUS
- 5) A. - ARC DISTANCE
- 6) LL - LAND LOT
- 7) F.H. - FIRE HYDRANT
- 8) P.P. - POWER POLE
- 9) P.O.B. - POINT OF BEGINNING
- 10) R. - PROPERTY LINE
- 11) C. - CENTERLINE
- 12) --- LAND LOT LINE
- 13) --- POWER LINE
- 14) --- FENCE
- 15) JP - JOINT POLE
- 16) LP - LIGHT POLE
- 17)

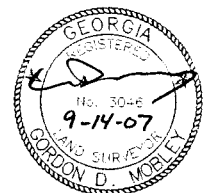
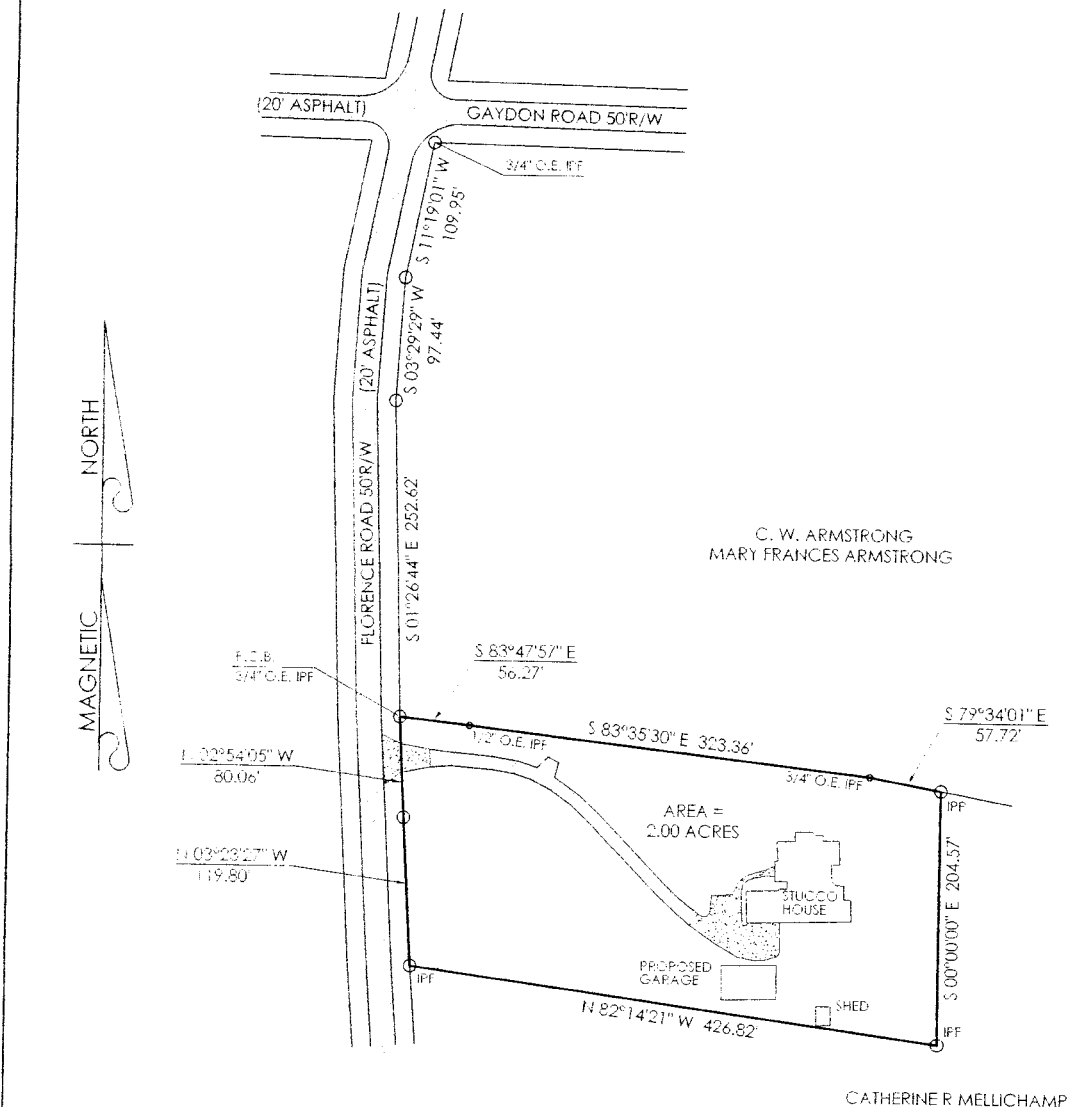
REFERENCE PLATS:

SURVEY FOR CORANN M. PESQUEIRA BY TOMMY M. KUYKENDALL, DATED 11-1-99.
 SURVEY FOR C. W. ARMSTRONG BY FRANK LAMAR BOYD, DATED 9-24-79.
 PLAT OF MR. RALPH D. RUTHERFORD BY A. W. ROBINSON, DATED 6-23-65.
 SURVEY FOR CARLTON R. RYALS BY ESTON PENDLEY AND ASSOCIATES, DATED 6-28-85.
 SURVEY FOR C. W. ARMSTRONG BY FRANK LAMAR BOYD, DATED 8-79.

SURVEY FOR CORANN M. KITCHEN LOCATED IN LAND LOT 526 19th DISTRICT, 2nd SECTION COBB COUNTY, GEORGIA

SEPTEMBER 14, 2007

V-128



"ALL MATTERS OF TITLE ARE EXCEPTED"

THE FIELD DATA UPON WHICH THIS PLAT IS PRODUCED HAS A CLOSURE PRECISION OF ONE FOOT IN 45,441 FEET AND AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT, USING A TOPCON GTS 211-D AND ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 171,788 FEET.

GENERAL NOTES:

- 1) UNDERGROUND UTILITIES, UNLESS OTHERWISE NOTED, ARE NOT SHOWN.
- 2) ALL IRON PINS ARE 1/2" REBAR UNLESS OTHERWISE NOTED.

F.I.A. OFFICIAL FLOOD HAZARD MAP COMMUNITY NO. 130052, PAGE 65 F. DATED: 8-18-92 SHOWS THIS PROPERTY NOT TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

K Surveys, Inc.

3581-B KELLOGG CREEK ROAD
ACWORTH, GA 30102

770-974-4238 FAX: 770-966-5047
DRAWN BY: GDM JOB: C7599-07

APPLICANT: Corann M. Kitchen
PHONE: 770-222-7227
REPRESENTATIVE: same
PHONE: same
PROPERTY LOCATION: Located on the east side of
Florence Road, south of Gaydon Road
(2477 Florence Road).
PETITION NO.: V-128
DATE OF HEARING: 11-14-07
PRESENT ZONING: R-30
LAND LOT(S): 526
DISTRICT: 19
SIZE OF TRACT: 2 acres
COMMISSION DISTRICT: 4

TYPE OF VARIANCE: 1) Allow an accessory structure (proposed garage) to the side and front of the primary structure; 2) waive the setback for aforementioned accessory structure (proposed 1,232 square foot garage) from 100 feet to 10 feet adjacent to the southern property line; and 3) waive the building setback for an accessory structure (existing 150 square foot shed) from 12 feet to zero feet adjacent to the southern property line.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

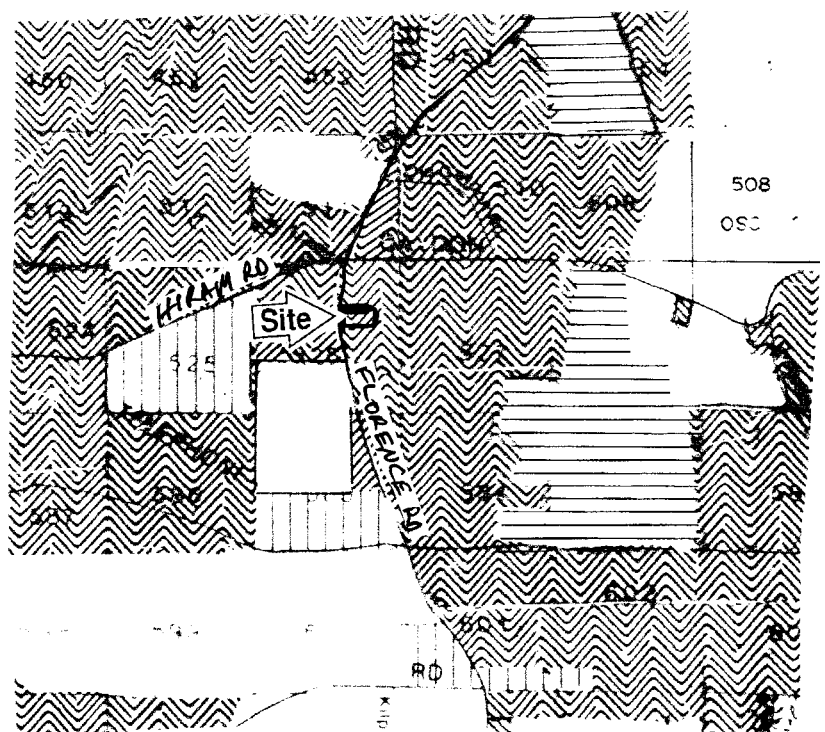
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



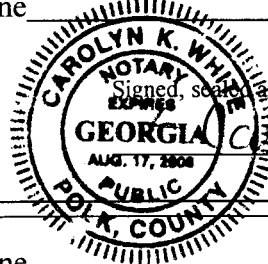
Application for Variance Cobb County

(type or print clearly)

Application No. V-128
Hearing Date: 11-14-07

Applicant CORANN M. KITCHEN Business Phone 1 Home Phone 770-222-7227
CORANN M. KITCHEN Address 2477 Florence Rd SW, Powder Springs GA
(representative's name, printed) (street, city, state and zip code) 30127
Corann M. Kitchen Business Phone _____ Cell Phone 770-714-7226
(representative's signature)

My commission expires: +

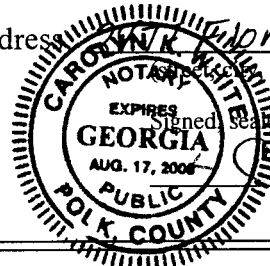


Signed, sealed and delivered in presence of:

Carolyn K White
Notary Public

Titleholder CORANN M. KITCHEN Business Phone _____ Home Phone 770-222-7227
Signature Corann M. Kitchen Address 2477 Florence Rd, SW. Powder Springs, GA
(attach additional signatures, if needed) (street, city, state and zip code) 30127

My commission expires: +



Signed, sealed and delivered in presence of:

Carolyn K White
Notary Public

Present Zoning of Property R-30
Location 2477 FLORENCE ROAD
(street address, if applicable; nearest intersection, etc.)
Land Lot(s) 526 District 19 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 _____

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.

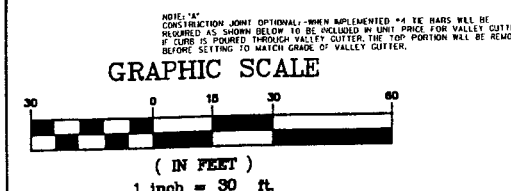
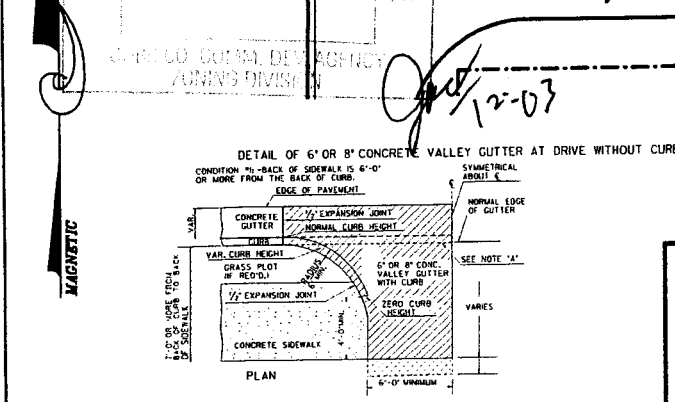
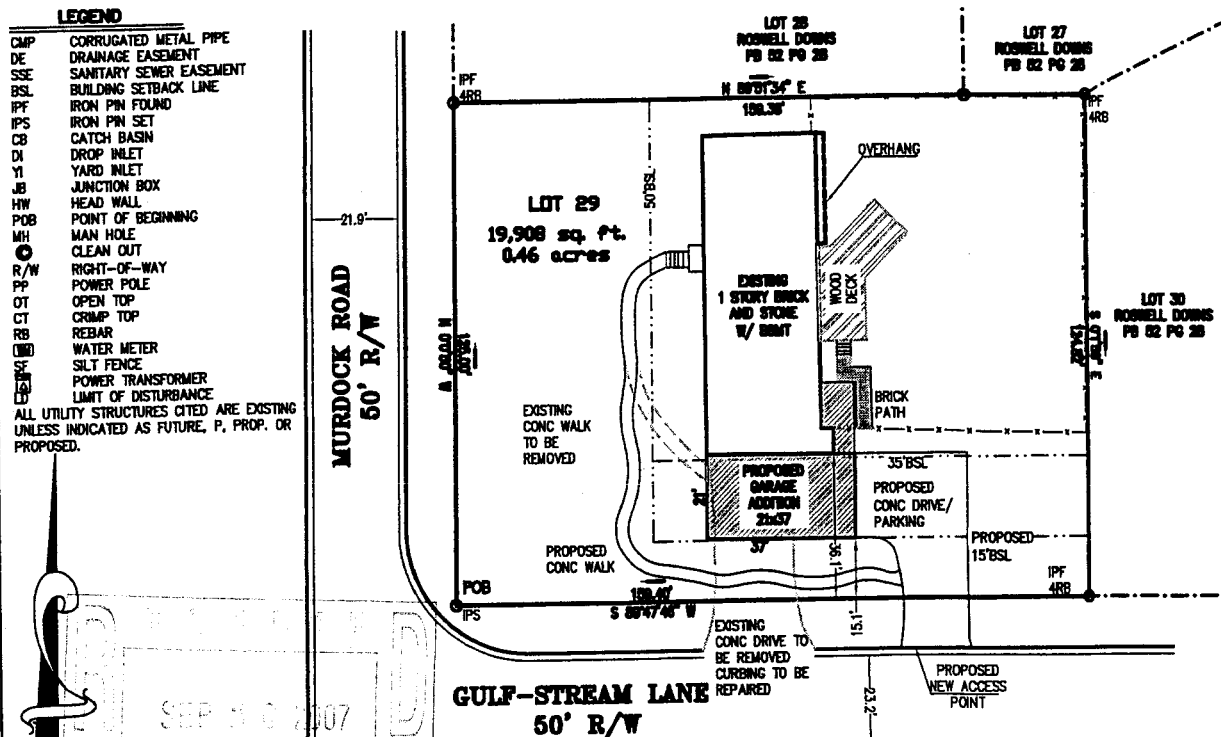
I cannot place a new fence behind my home because the Septic tank & lines are directly behind my home. The well house and tank were on the property when she was Auntie's. If my Auntie's property line. Her sister's death did not allow a structure to transfer more land.

List type of variance requested: I would like to build a detached garage/hobby shop across from the entrance of my attached garage. It will be done to complement my home.

Accept my well house as built. ALLOW ALL ACCESSORY TO SIDE OF PRIMARY. ALSO OVER

V-129

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF .03 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 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY. THESE DOCUMENTS, AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2003 FRONTLINE SURVEYING AND MAPPING, INC. *** ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED ***



FRONTLINE
SURVEYING & MAPPING, INC.

3995 Canton Road
A-9, PMB 272
Marietta, GA 30066
Ph. (678) 355-9905
Fax (678) 355-9805
www.frontlinesurveying.com

25.59% IMPERVIOUS AFTER NEW CONSTRUCTION

- GENERAL NOTES:**
1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
 2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
 3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
 4. PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
 5. DEED/PLAT DISCLAIMER: THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE ADVENT OF SATELLITE SURVEYING TECHNIQUES USING "GPS" AND "GLOHASS" SATELLITE CONSTELLATIONS. SURVEYS USING SATELLITE OBSERVATIONS ARE CORRECTED TO THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM AND USE "GEODETIC" OR "GRID" NORTH AS OPPOSED TO "MAGNETIC" NORTH.

	SITE PLAN FOR:		DATE 9-14-07	
	BRAD KIRKPATRICK		SCALE 1" = 30'	
	LAND LOT 908	16DISTRICT	SECTION	COBB COUNTY, GEORGIA
	SUBDIVISION ROSWELL DOWNS		PHASE:	PB PG
LOT(S) 29		REVISION:	BY:	DATE:
I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED PARCEL (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.				
MAP ID 13067C0035F		EFFECTIVE DATE: 08/18/1992		
JOB #: 42201				

APPLICANT: <u>Michael B.and Polly T. Kirkpatrick</u>	PETITION NO.: <u>V-129</u>
PHONE: <u>770-321-6991</u>	DATE OF HEARING: <u>11-14-07</u>
REPRESENTATIVE: <u>Polly T. Kirkpatrick</u>	PRESENT ZONING: <u>R-20</u>
PHONE: <u>678-893-3863</u>	LAND LOT(S): <u>908</u>
PROPERTY LOCATION: <u>Located at the northeast intersection of Murdock Road and Gulf Stream Lane (3301 Gulfstream Lane).</u>	DISTRICT: <u>16</u>
	SIZE OF TRACT: <u>.46 acre</u>
	COMMISSION DISTRICT: <u>3</u>

TYPE OF VARIANCE: 1) Waive the major side setback from the required 25 feet to 15 feet; and 2) waive the side setback from 10-feet to 9-feet (existing).

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

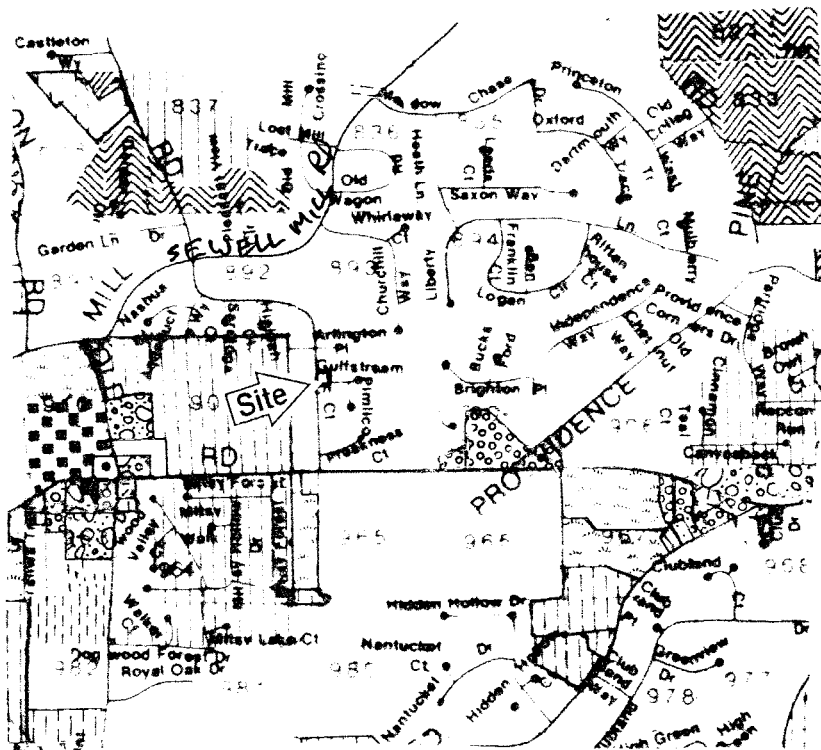
BOARD OF APPEALS DECISION

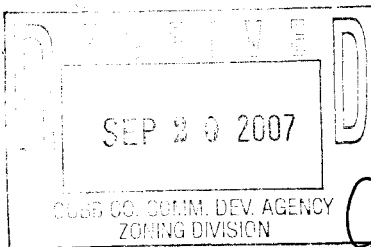
APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____





Application for Variance Cobb County

(type or print clearly)

Application No. V-129
Hearing Date: 11-14-07

Applicant Michael B & Polly T Kirkpatrick Business Phone 6788933863 Home Phone 770.321.6991

Polly T Kirkpatrick Address 3301 Gulfstream Ln Marietta GA
(representative's name, printed) (street, city, state and zip code) 30062

Polly T Kirkpatrick Business Phone _____ Cell Phone _____
(representative's signature)



Signed, sealed and delivered in presence of:

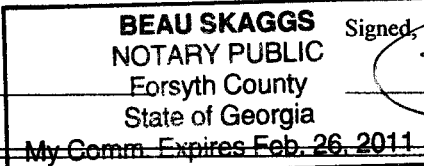
My commission expires: _____
My Commission Expires
October 31, 2007

Jason A. Campbell
Notary Public

Titleholder Michael B & Polly T. Kirkpatrick Business Phone 6788933863 Home Phone 770.321.6991

Signature Polly T Kirkpatrick Address: 3301 Gulfstream Ln. Marietta, GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)

Michael B Kirkpatrick
My commission expires: 2/24/11



Signed, sealed and delivered in presence of:

Notary Public

Present Zoning of Property R-20
Location 3301 Gulfstream Ln. Marietta GA 30062 Roswell Downs S/D
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) Lot 29 Landlot 908 District 16 Size of Tract .46 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 _____

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 stated ordinance of a 35' setback for the side road on a corner lot does not allow for a suitable addition for our growing family. We are the caregivers on both sides of the family and anticipate housing aging parents. Further, we are allowing for a place for our children and their friends to play in a safe environment. Our current floor plan does not allow the space for our families needs.

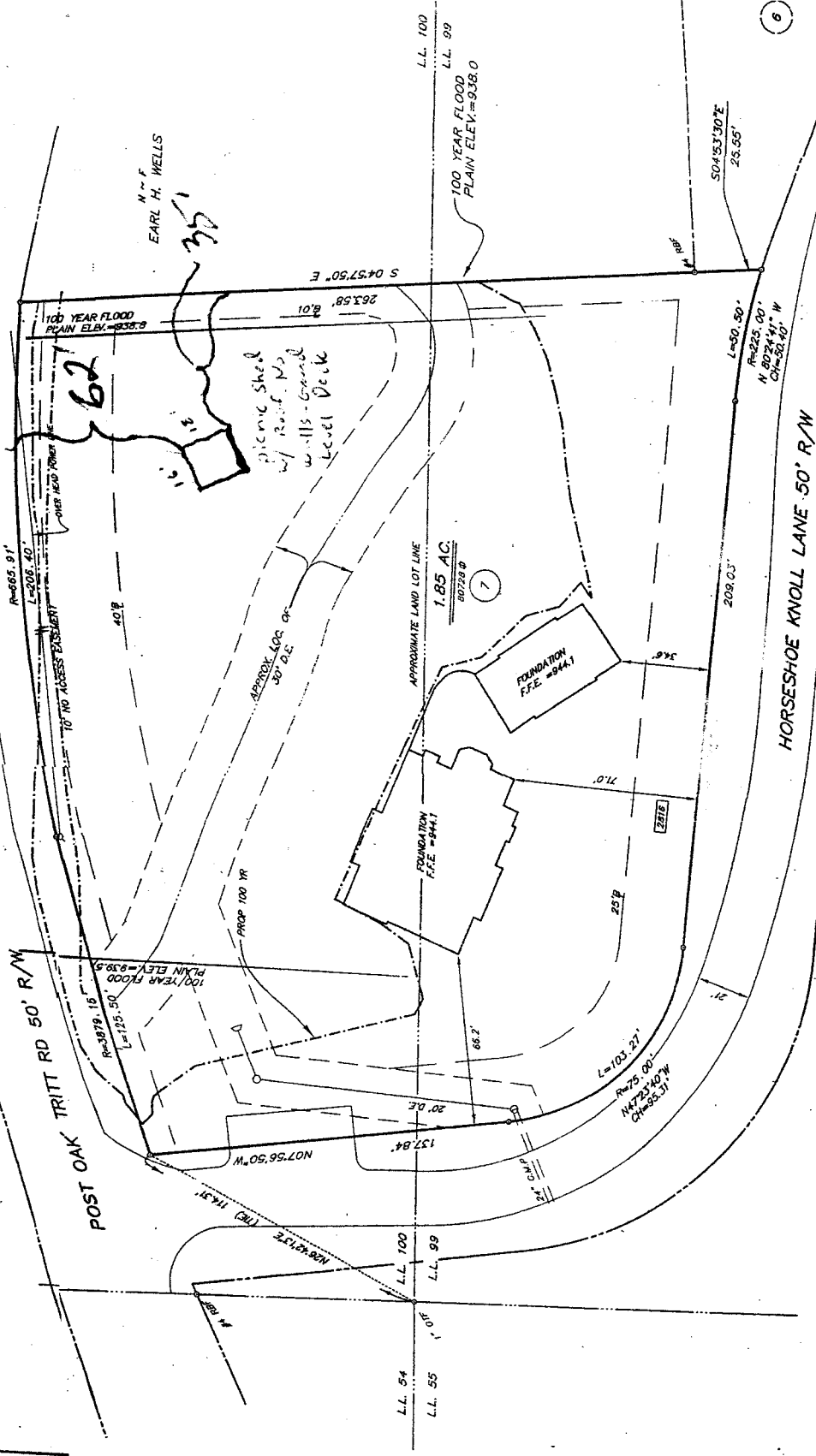
List type of variance requested: Waive the major side setback from the required 35' to 15.1'

V-130

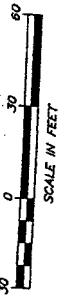
LEGEND	
P.A.	POWER POLE
L.A.	LIGHT POLE
F.H.	FIRE HYDRANT
S.A.	SANITARY SEWER MANHOLE
M.A.	METER
G.A.	GAS METER
X	CORNER OF PLANT

N 71°10'29" E
CH=125.30'

POST OAK TRITT RD 50' R/W



HORSESHOE KNOLL LANE 50' R/W



THIS PARCEL OF LAND IS SHOWN IN THE 100 YEAR FLOOD MAP OF THE COUNTY OF COBB, GEORGIA, AS BEING IN THE 100 YEAR FLOOD ZONE. THE FLOOD ZONE IS SHOWN ON THE MAP AS A SHaded AREA. THE FLOOD ZONE IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES. THE FLOOD ZONE IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES.

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBROGATION, OR OTHER MATTERS OF TITLE WHICH ARE NOT MOBILE. THE MATTERS OF TITLE ARE NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES. THE MATTERS OF TITLE ARE NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES.

THIS PLAT IS DERIVED FROM A FIELD SURVEY USING A THEODOLITE AND ELECTRONIC DISTANCE METER. THE THEODOLITE IS CALIBRATED TO 1/10,000". THE ELECTRONIC DISTANCE METER IS CALIBRATED TO 1/10,000". THE MATTERS OF TITLE ARE NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES. THE MATTERS OF TITLE ARE NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES.



DATE	2-19-04	REVISIONS
SCALE	1"=30'	
DRAWN BY	CW	
CHECKED BY	CW	
FIELD BOOK	365	

GASKINS SURVEYING & ENGINEERING COMPANY

1285 POWDER SPARKS ROAD
MARIETTA, GEORGIA 30064
PHONE: 770-424-7160
FAX: 770-424-7160
WWW.GASKINSURV.COM

FOUNDATION SURVEY FOR
GRADY McWHORTER
LOT 7
HORSESHOE KNOLL SUB'D
LOCATED IN L.L. 99 & 100
1st DISTRICT, 2nd SECTION
COBB COUNTY, GA.

APPLICANT: Grady L. McWhorter PETITION NO.: V-130
PHONE: 770-751-4139 DATE OF HEARING: 11-14-07
REPRESENTATIVE: same PRESENT ZONING: R-20
PHONE: same LAND LOT(S): 99, 100
PROPERTY LOCATION: Located at the southeast
intersection of Post Oak Tritt Road and Horseshoe Knoll
Lane (2816 Horseshoe Knoll Lane). DISTRICT: 1
SIZE OF TRACT: 1.85 acres
COMMISSION DISTRICT: 3
TYPE OF VARIANCE: Allow an accessory structure closer to the side street than the primary structure on lot 7.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

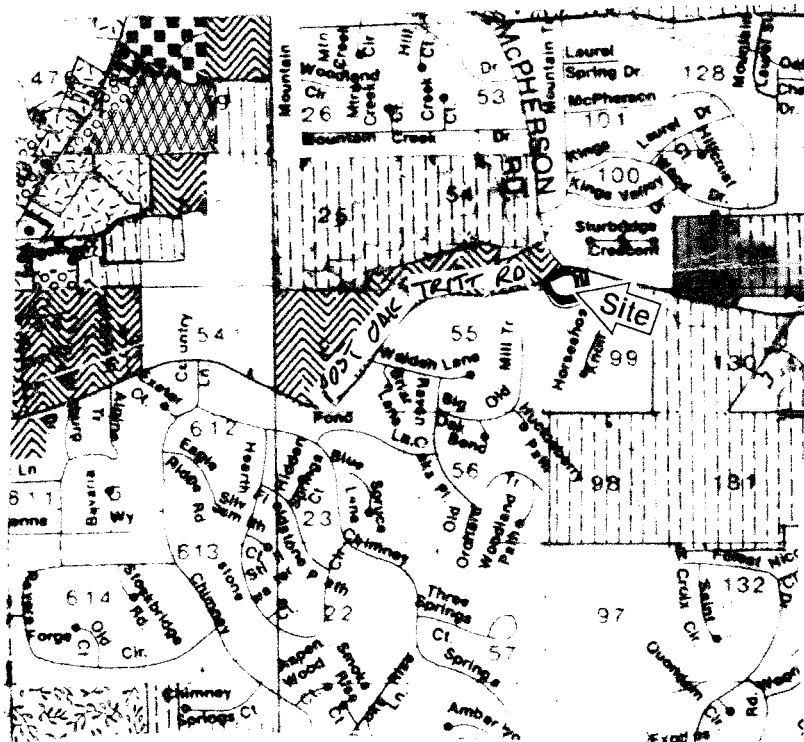
BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____



Application for Variance

Cobb County

(type or print clearly)

Application No. V-130
Hearing Date: 11-14-07

Applicant Grady L. McWhorter Business Phone 770-751-4139 Home Phone 770-642-2851
Grady L. McWhorter Address 2816 Horseshoe Knoll Lane Roswell,
(representative's name, printed) (street, city, state and zip code) GA 30075
[Signature] Business Phone L Cell Phone _____
(representative's signature)

My commission expires: _____
CATHERINE ENGERT
Notary Public, Cobb County, Georgia
My Commission Expires May 26, 2011

Signed, sealed and delivered in presence of:
Catherine A Engert
Notary Public

Titleholder Grady L. McWhorter Business Phone 770-751-4139 Home Phone 770-642-2851
Signature [Signature] Address: 2816 Horseshoe Knoll Lane
(attach additional signatures, if needed) (street, city, state and zip code) Roswell, GA 30075
[Signature]
CATHERINE ENGERT
Notary Public, Cobb County, Georgia
My commission expires: _____
My Commission Expires May 26, 2011

Signed, sealed and delivered in presence of:
Catherine A Engert
Notary Public

Present Zoning of Property R-20
Location 2816 HORSESHOE 1 KNOLL
(street address, if applicable; nearest intersection, etc.)
Land Lot(s) 99 09 District 1 Size of Tract 1.85 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 _____

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.

Drainage easement must be at the designated place on drawing because of topography is too steep to put it

List type of variance requested: ALLOW AN ACCESS DRIVE TO THE
COULD BE A SIDE DRIVE TO THE
PROPERTY

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PLAT NOT INTENDED FOR RECORDING.

MAGNETIC

N

V-131

(32)

1,521.17' TO N.W.
R/W OF FERNSTONE
DRIVE (50' R/W)

N89°38'55"E - 123.82'

REBAR
SET

REBAR
FOUND

BRICK
WALL

33.2'

CONC. WALK

24.0'

30'Ø

WOOD
DECK

40' CONSTRUCTION BUFFER

26.0'

26.0'

10.9'

10.7'

PROPOSED
GARAGE
ADDITION

26.0'

26.0'

10.9'

REBAR
FOUND

6.2' WEST

REBAR
FOUND

REBAR
SET

REBAR
SET

REBAR
SET

REBAR
SET

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REBAR
SET

S89°38'55"W - 124.78'

S00°21'05"E - 108.72'

FERNSTONE TRAIL (50' R/W)

(30)

900

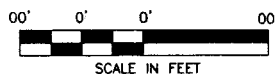
APPROXIMATE
LOCATION
LAND LOT LINE
AND DISTRICT LINE

228



TOTAL AREA= 0.310 ACRES
OR 13,513 SQ. FT.

6290 FERNSTONE TRAIL
ACWORTH, GEORGIA



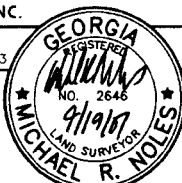
McLUNG
SURVEYING SERVICES, INC.

4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383

This property (●) (is not)
located in a Federal Flood
Area as indicated by F.I.R.M.
Official Flood Hazard Maps.

In my opinion this plat is a
correct representation of the
land platted.

Fences should not be placed
using side dimensions from house.



Michael R. Niles
Georgia RLS #2646
Member SAMSOG
JOB#224895

LEGEND

- RCP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- POWER POLE
- LIGHT POLE
- POWER METER
- POWER BOX
- AIR CONDITION
- TELEPHONE BOX
- GAS METER
- GAS VALVE
- WATER METER
- WATER VALVE
- JUNCTION BOX
- DROP INLET
- SANITARY SEWER MANHOLE

PROPERTY OF
LEONARD A. BEAUCHEMIN
CLAIRE T. BEAUCHEMIN

LOT 31
BROOKSTONE
POD 1, UNIT XVIII, PHASE 2

LAND LOT 228
DISTRICT 20TH. SECTION 2ND
COUNTY COBB
GEORGIA

PLAT PREPARED: 6-18-05
FIELD: 6-18-05 SCALE: 1"=20'

PB 225
PC 97
DB
PG

CB-S

APPLICANT: Claire Beauchemin PETITION NO.: V-131
PHONE: 770-514-7241 DATE OF HEARING: 11-14-07
REPRESENTATIVE: same PRESENT ZONING: PRD
PHONE: same LAND LOT(S): 228
PROPERTY LOCATION: Located on the west side of DISTRICT: 20
Fernstone Trail, south of Fernstone Drive SIZE OF TRACT: .31 acre
(6280 Fernstone Trail). COMMISSION DISTRICT: 1
TYPE OF VARIANCE: Waive the rear setback from the required 30 feet to 24 feet on lot 31.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____



Application for Variance Cobb County

(type or print clearly)

Application No. U-131

Hearing Date: 11-14-07

Applicant Claire Beauchemin

Business Phone 770-514-7241

Home Phone cell: 585-734-3432

Claire T. Beauchemin

Address 6280 Fernstone Trl NW Acworth

(representative's name, printed)

(street, city, state and zip code)

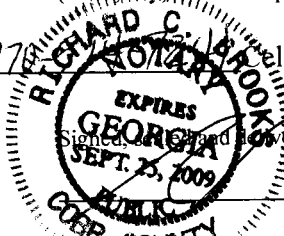
GA 30101

Claire Beauchemin

(representative's signature)

Business Phone 770-514-7241

Cell Phone 585-734-3432



Signed and delivered in presence of:

C Brooks

Notary Public

My commission expires: Sept 25 2009

Titleholder Claire and Leonard Beauchemin

Business Phone 770-514-7241

Home Phone - same -

Signature Claire Beauchemin

(attach additional signatures, if needed)

Address: 6280 Fernstone Trl Acworth

(street, city, state and zip code)

GA 30101

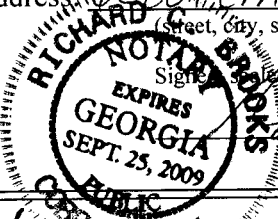
Leonard Beauchemin

Signed and delivered in presence of:

C Brooks

Notary Public

My commission expires: Sept 25 2009



Present Zoning of Property Single Family

PRD

Location 6280 Fernstone Trail Acworth GA 30101

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 228 District 20th Size of Tract 0.31 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 _____

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.

There is a need for an additional 6 ft of property to build a garage attached to existing residence.

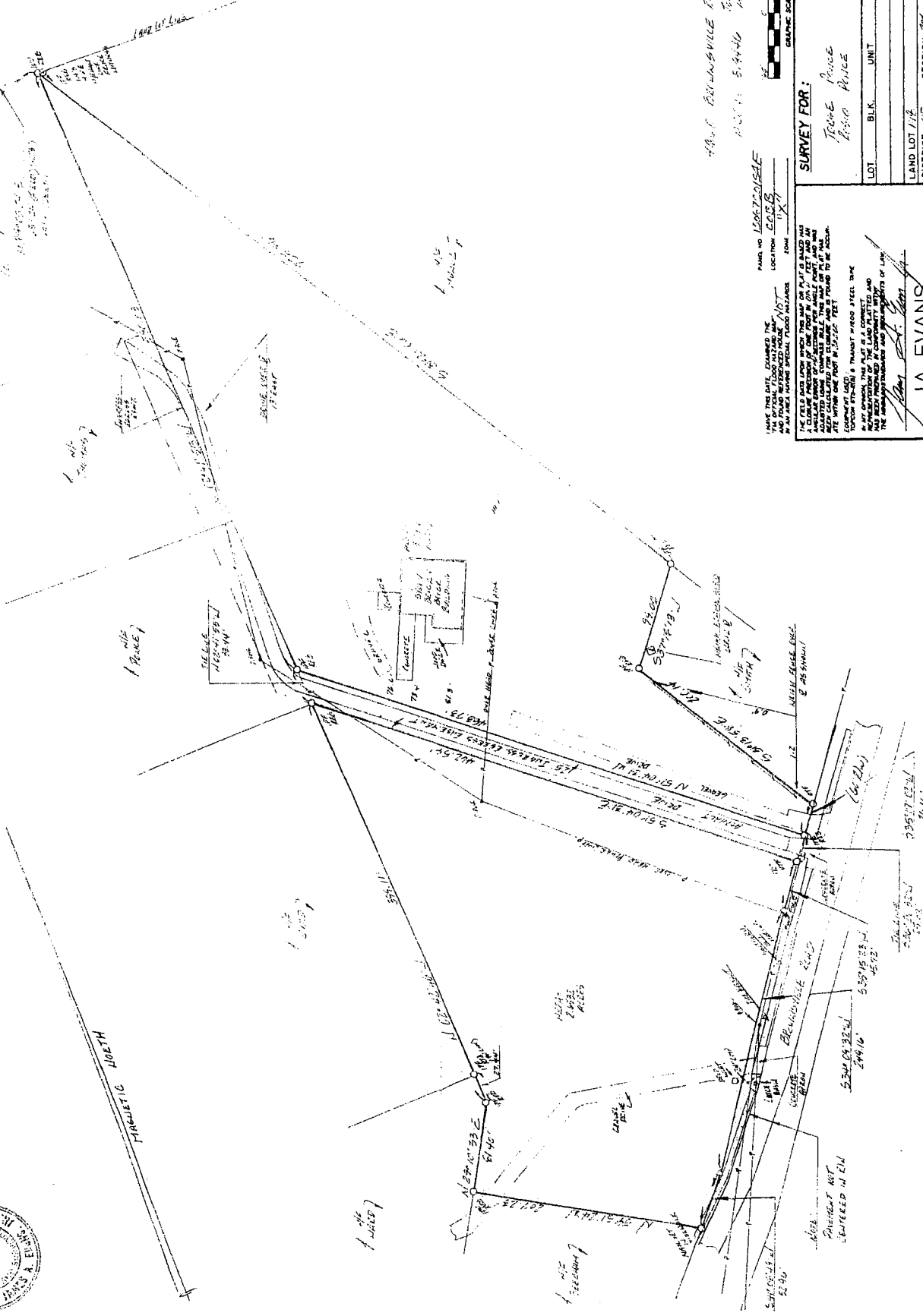
List type of variance requested:

Set back variance. Requesting West lot line set back at 24 feet rather than the required 30 feet setback to construct a 26' x 26' attached garage.

Revised: December 6, 2005

Parcel ID # 20022800920

V-132



HAVE THE DATE EXAMINED THE
 THE OFFICIAL PLAT AND MAP
 IN AN AREA HAVING SPECIAL PLAT INSURANCE
 ZONE 1X

THE FIELD SURVEY WHICH THIS MAP OR PLAT IS BASED UPON
 IS A CLOSE APPROXIMATION OF ONE FOOT IN ONE HUNDRED FEET
 AND THE DISTANCE BETWEEN THE POINTS OF THE PLAT IS
 ADJUSTED TO THE CLOSEST WHOLE FEET. THE MAP OR PLAT IS
 NOT TO BE USED FOR ANY OTHER PURPOSE THAN AS A GUIDE
 TO THE FIELD SURVEY.

(CONSENT TO USE)
 I HEREBY CERTIFY THAT THE PLAT IS A CORRECT
 REPRESENTATION OF THE LAND PLATTED AND
 THE ADJACENT LANDS AND THE ADJACENT PARTS OF LAND
 AND THE ADJACENT PARTS OF LAND.

J.A. EVANS
 SURVEYING CO., INC.
 POWDER SPRINGS, GEORGIA
 PH 770-943-0000

SURVEY FOR:

TRUCE PRICE
 TRUCE PRICE

LOT	BLK.	UNIT	REVISIONS
LAND LOT 114			35-521.7
DISTRICT 195		SECTION 24	
11400		COUNTY, GEORGIA	
DEED BOOK 1469		PAGE 3525	
DATE 07-1-17		SCALE 1" = 30'	02-05-17

PANEL NO. 1006200000
 LOCATION 1006200000
 ZONE 1X



4800 BIRMINGHAM BLVD
 35211-5446
 35211-5446

PETITION NO.: V-132

DATE OF HEARING: 11-14-07

PRESENT ZONING: R-20

LAND LOT(S): 1118

DISTRICT: 19

SIZE OF TRACT: 6 acres

COMMISSION DISTRICT: 4

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

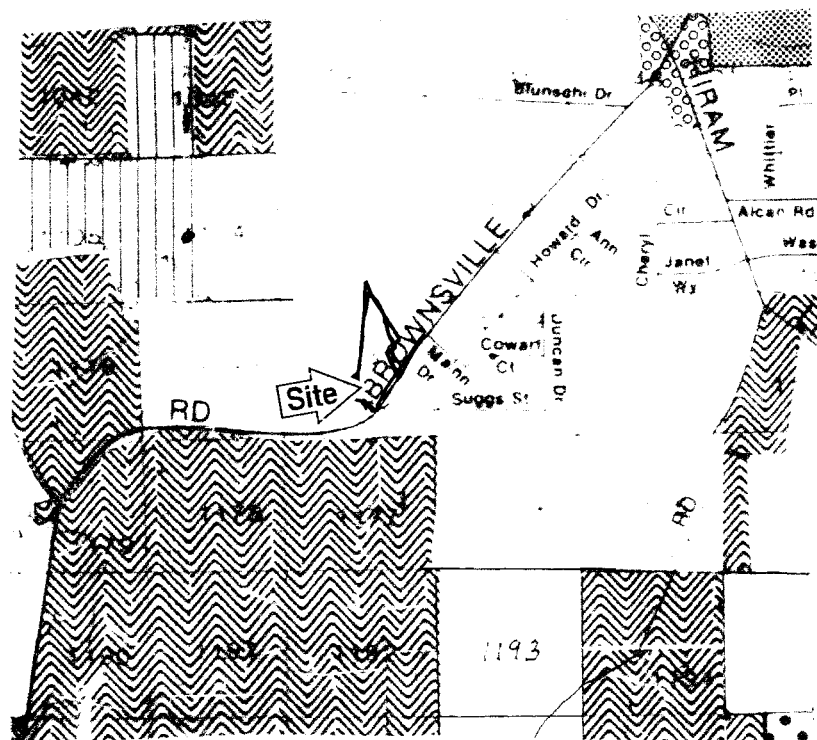
BOARD OF APPEALS DECISION

APPROVED **MOTION BY** _____

REJECTED SECONDED

HELD	CARRIED
-------------	----------------

STIPULATIONS: _____



Application for Variance Cobb County

(type or print clearly)

Application No. V-132
Hearing Date: 11-14-07

Applicant Jorge/Virginia Ponce Business Phone _____ Home Phone 770-439-1572
Jorge Ponce - Virginia Ponce Address 4866 BROWNSVILLE
(representative's name, printed) (street, city, state and zip code)

Jorge Ponce Business Phone _____ Cell Phone 770-318-41236
(representative's signature)

AURA D MOSE
NOTARY PUBLIC
COBB COUNTY, GEORGIA
MY COMMISSION EXPIRES JULY 06, 2008

9-20-07

Signed, sealed and delivered in presence of:

Aura D Mose
Notary Public

My commission expires: _____

Titleholder Jorge Ponce / Virginia Ponce Business Phone _____ Home Phone _____

Signature _____ Address: _____
(attach additional signatures, if needed) (street, city, state and zip code)

AURA D MOSE
NOTARY PUBLIC
COBB COUNTY, GEORGIA
MY COMMISSION EXPIRES JULY 06, 2008

Signed, sealed and delivered in presence of:

Aura D Mose
Notary Public

My commission expires: _____

Present Zoning of Property 4860 Brownsville Rd R-20

Location 4860 Brownsville Rd
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1118 District 19 Size of Tract 6.00 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.

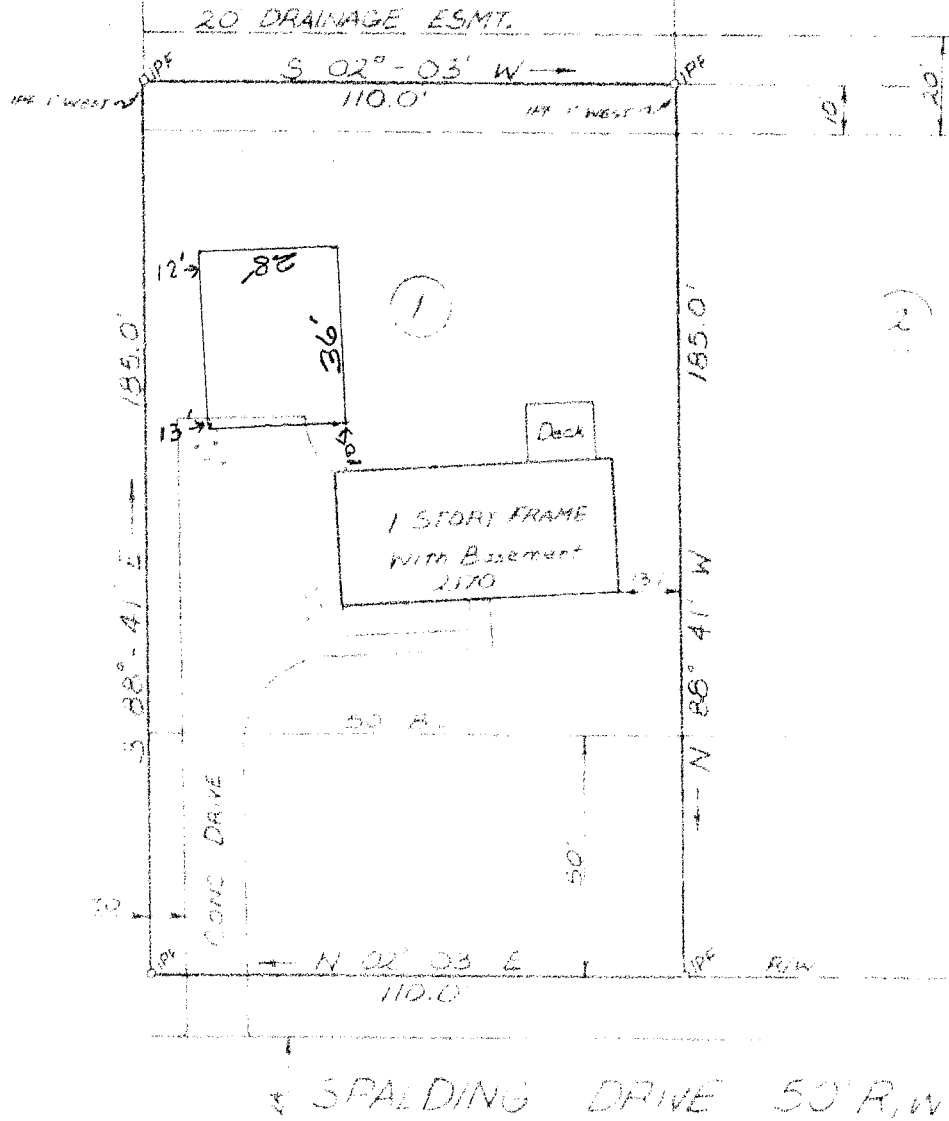
Size of Property _____ Shape of Property _____ Topography of Property _____ Other _____

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 the garage for parking of existing personal vehicles.

List type of variance requested: Remodel existing brick bldg.
1) WAIVE PUBLIC ROAD FRONTAGE
2) ALLOW ACCESSORY BUILDING WITHOUT PERMIT

V-133



NOTE:
 ACCORDING TO COBB CO FLOOD PLAIN
 MAP, SITE IS NOT WITHIN 100 YR. FLOOD.

IN MY OPINION THIS PLAT IS A
 CORRECT REPRESENTATION OF THE
 LAND PLATTED AND HAS BEEN
 PREPARED IN CONFORMITY WITH
 THE MINIMUM STANDARDS AND
 REQUIREMENTS BY LAW.

Chester M. Smith Jr.
 MEMBER GA. ASSN. REG. LAND SURVEYORS



METRO ENGINEERING AND
 SURVEYING CO., INC.

SURVEY

FOR

LEROY WILLIAMS GILES JR.

2170 SPALDING DR.

LOT 1 BLOCK B of

SANDY PLAINS ESTATE

LAND LOTS - 701

DISTRICT - 16th

COUNTY - COBB

REVISIONS

CC -

DWN - DT CHES - 12

APPLICANT: Garland Richmond
PHONE: 770-971-3754
REPRESENTATIVE: same
PHONE: same
PROPERTY LOCATION: Located on the east side of
of Spalding Drive, north of Trophy Drive
(2170 Spalding Drive).
PETITION NO.: V-133
DATE OF HEARING: 11-14-07
PRESENT ZONING: R-20
LAND LOT(S): 701
DISTRICT: 16
SIZE OF TRACT: .46 acre
COMMISSION DISTRICT: 3
TYPE OF VARIANCE: Waive the setback for an accessory structure over 650 square feet (proposed 1,008 square foot garage) from the required 100 feet to 12 feet adjacent to the northern property line, 33 feet adjacent to the eastern property line and 70 feet adjacent to the southern property line on lot 42.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

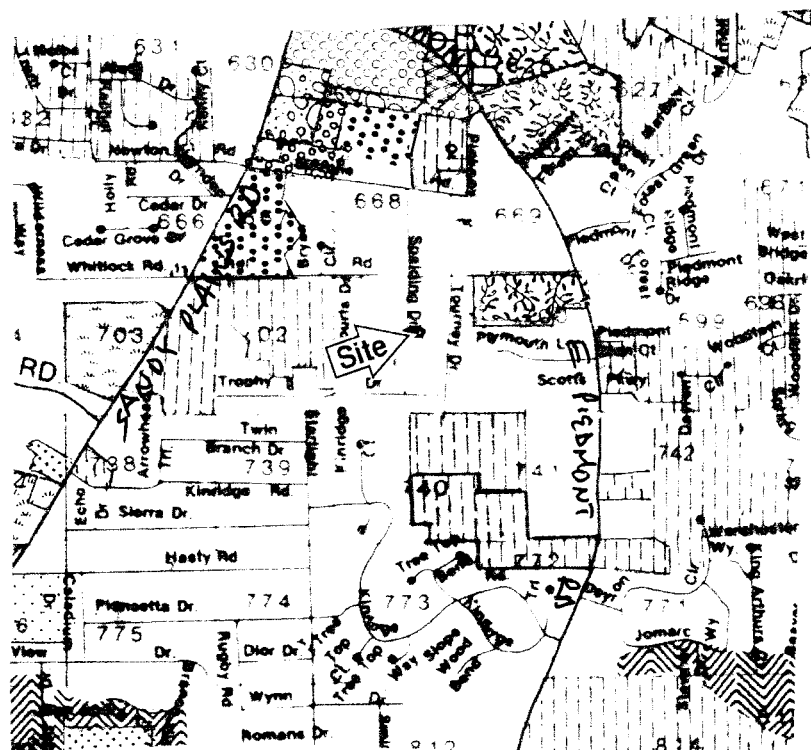
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance Cobb County

(type or print clearly)

Application No. V-133

Hearing Date: 11-14-07

Applicant _____ Business Phone _____ Home Phone _____

Garland Richmond

(representative's name, printed)

Address 2170 Spaulding Marietta GA 30062

(street, city, state and zip code)

Garland Richmond

(representative's signature)

Business Phone 770-971-3754 Cell Phone 770-366-4800

Signed, sealed and delivered in presence of:

Suzanne Lee Hume

Notary Public

My commission expires: 11-18-09

Titleholder Rebecca D. Richmond Business Phone _____ Home Phone 770-971-3254

Signature Rebecca D. Richmond Address: 2170 Spaulding Marietta GA 30062

(attach additional signatures, if needed)

(street, city, state and zip code)

see attached for additional signature

Signed, sealed and delivered in presence of:

Suzanne Lee Hume

Notary Public

My commission expires: 11-18-09

Present Zoning of Property R2-ZO

Location 2170 SPALDING DRIVE

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 701 @ 116 District 16 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.

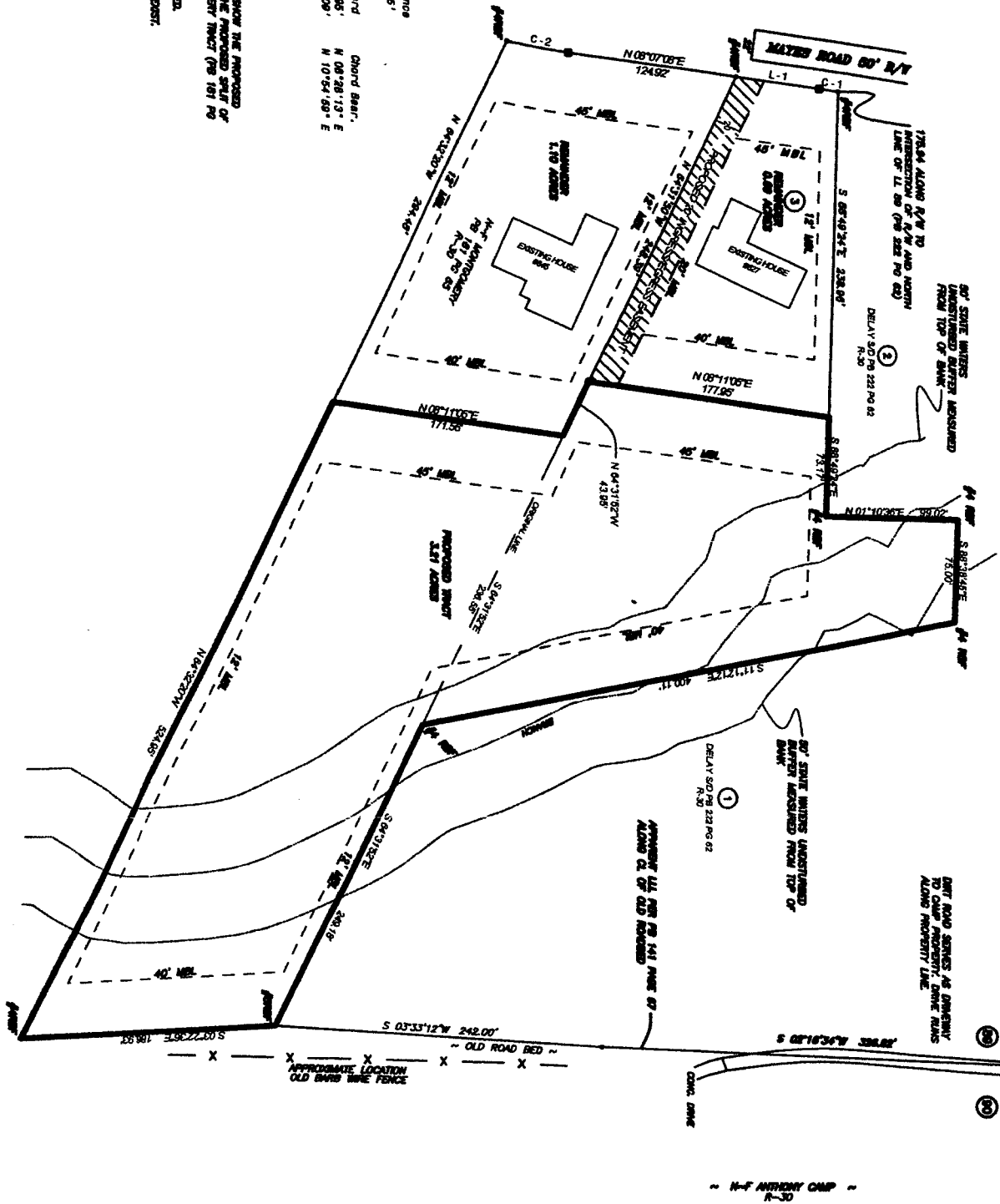
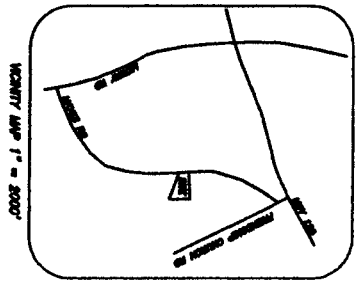
Size of Property _____ Shape of Property _____ Topography of Property _____ Other _____

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 to park my truck and boat off the driveway.

List type of variance requested: WAIVE THE SETBACK FOR AN ACCESSORY STRUCTURE OVER 650 SQ FT

V-134



Course	Bearing	Distance
L-1	N 08°07'08" E	81.05'
C-1	N 08°07'08" E	81.05'
C-2	N 08°07'08" E	81.05'
C-3	N 08°07'08" E	81.05'
C-4	N 08°07'08" E	81.05'
C-5	N 08°07'08" E	81.05'
C-6	N 08°07'08" E	81.05'
C-7	N 08°07'08" E	81.05'
C-8	N 08°07'08" E	81.05'
C-9	N 08°07'08" E	81.05'
C-10	N 08°07'08" E	81.05'
C-11	N 08°07'08" E	81.05'
C-12	N 08°07'08" E	81.05'
C-13	N 08°07'08" E	81.05'
C-14	N 08°07'08" E	81.05'
C-15	N 08°07'08" E	81.05'
C-16	N 08°07'08" E	81.05'
C-17	N 08°07'08" E	81.05'
C-18	N 08°07'08" E	81.05'
C-19	N 08°07'08" E	81.05'
C-20	N 08°07'08" E	81.05'
C-21	N 08°07'08" E	81.05'
C-22	N 08°07'08" E	81.05'
C-23	N 08°07'08" E	81.05'
C-24	N 08°07'08" E	81.05'
C-25	N 08°07'08" E	81.05'
C-26	N 08°07'08" E	81.05'
C-27	N 08°07'08" E	81.05'
C-28	N 08°07'08" E	81.05'
C-29	N 08°07'08" E	81.05'
C-30	N 08°07'08" E	81.05'
C-31	N 08°07'08" E	81.05'
C-32	N 08°07'08" E	81.05'
C-33	N 08°07'08" E	81.05'
C-34	N 08°07'08" E	81.05'
C-35	N 08°07'08" E	81.05'
C-36	N 08°07'08" E	81.05'
C-37	N 08°07'08" E	81.05'
C-38	N 08°07'08" E	81.05'
C-39	N 08°07'08" E	81.05'
C-40	N 08°07'08" E	81.05'
C-41	N 08°07'08" E	81.05'
C-42	N 08°07'08" E	81.05'
C-43	N 08°07'08" E	81.05'
C-44	N 08°07'08" E	81.05'
C-45	N 08°07'08" E	81.05'
C-46	N 08°07'08" E	81.05'
C-47	N 08°07'08" E	81.05'
C-48	N 08°07'08" E	81.05'
C-49	N 08°07'08" E	81.05'
C-50	N 08°07'08" E	81.05'
C-51	N 08°07'08" E	81.05'
C-52	N 08°07'08" E	81.05'
C-53	N 08°07'08" E	81.05'
C-54	N 08°07'08" E	81.05'
C-55	N 08°07'08" E	81.05'
C-56	N 08°07'08" E	81.05'
C-57	N 08°07'08" E	81.05'
C-58	N 08°07'08" E	81.05'
C-59	N 08°07'08" E	81.05'
C-60	N 08°07'08" E	81.05'
C-61	N 08°07'08" E	81.05'
C-62	N 08°07'08" E	81.05'
C-63	N 08°07'08" E	81.05'
C-64	N 08°07'08" E	81.05'
C-65	N 08°07'08" E	81.05'
C-66	N 08°07'08" E	81.05'
C-67	N 08°07'08" E	81.05'
C-68	N 08°07'08" E	81.05'
C-69	N 08°07'08" E	81.05'
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C-99	N 08°07'08" E	81.05'
C-100	N 08°07'08" E	81.05'

- NOTES:
- 1 - THE PURPOSE OF THIS PLAT IS TO SHOW THE PROPOSED BOUNDARIES BETWEEN THE PROPOSED TRACT 111 AND THE ADJACENT TRACTS 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
 - 2 - ALL MATTERS OF TITLE ARE EXCEPTED.
 - 3 - UTILITIES OTHER THAN SHOWN MAY EXIST.

LEGEND

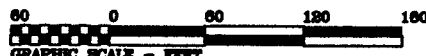
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- 100 - EXISTING LOT

THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA MAP DISSEMINATED EFFECTIVE DATE 8/14/82.



MATTHEW M. WILSON
 9006 Mallory Lane
 Woodstock, GA 30189
 PHONE: (770) 592-7330
 GA RLS#2728

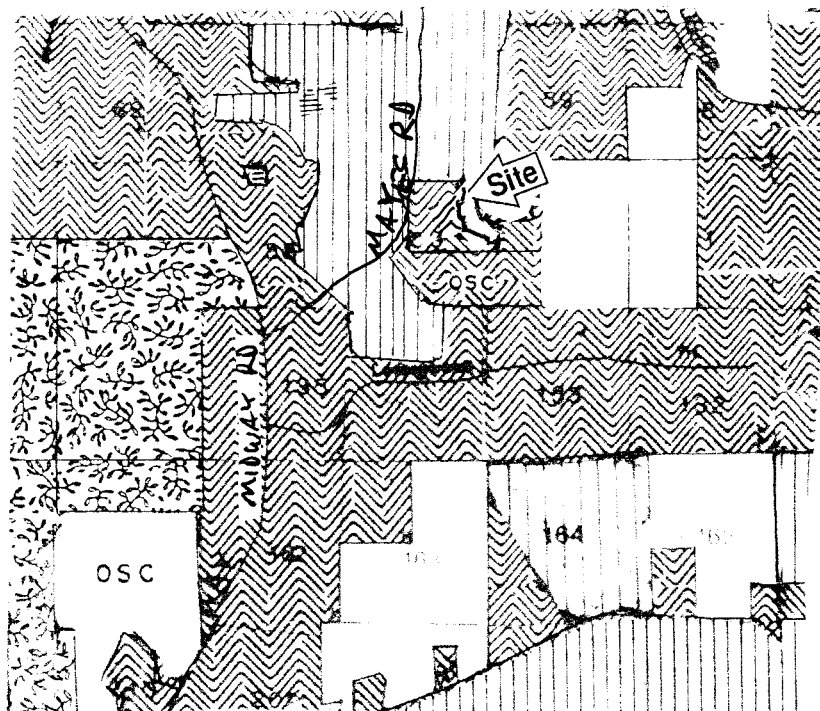
LAND LOTS: 86	JOB NO. 180001	REVISIONS	DATE
DISTRICT: 180	DRAWN BY: MMW		
SECTION: 28	CHECKED BY: MMW		
COUNTY: COBB	DATE: 5/1/87		
CITY: ATLANTA	SCALE: 1" = 80'		
STATE: GEORGIA	FIELD DATE: 4/4/87		



VARIANCE PLAT
WARREN & SELINA MONTGOMERY

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR.

TYPE OF VARIANCE: 1) Waive the public road frontage to allow one home off of a private easement; and 2) waive the width of an easement from 25 feet to 20 feet.



Application for Variance

Cobb County

(type or print clearly)

Application No. V-134

Hearing Date: 11/14/07

Applicant Warren & Selena Montgomery Cell 713-449-6415 Business Phone 678-895-0294 Home Phone 678-363-6979

(representative's name, printed)

Address _____

(street, city, state and zip code)

Business Phone _____

Cell Phone _____

(representative's signature)

Signed, sealed and delivered in presence of: _____

My commission expires: _____

Notary Public

Titleholder Warren Montgomery Business Phone 713-449-6415 Home Phone 678-363-6979

Signature Selena Montgomery Address: 627 Mayes Road Powder Springs, GA 30127
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of: _____

My commission expires: 4-11-2010

Notary Public

Present Zoning of Property _____

Location Mayes Rd. Powder Springs, GA 30127
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0089 District 19th Size of Tract 3.21 total 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 3.21 acres total Shape of Property _____ Topography of Property _____ Other _____

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.

We would not be able to access our property without an easement along the home at 627 Mayes Rd.

List type of variance requested: Access of property with 20' ingress/egress easement. A waiver to the 75' street frontage requirement is requested. WAIVE THE PUBLIC ROAD EASEMENT TO ALLOW 1 HOME OFF A PRIVATE EASEMENT.

Application for Variance Cobb County

PAGE 2 OF

(type or print clearly)

Application No. V-134

Hearing Date: 11-14-07

Applicant Selena Montgomery Business Phone _____ Home Phone _____

Address _____

(representative's name, printed)

(street, city, state and zip code)

Selena Montgomery Business Phone _____ Cell Phone _____
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Titleholder _____ Business Phone _____ Home Phone _____

Signature _____ Address: _____
(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 _____

Location _____
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) _____ District _____ 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 _____

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.

List type of variance requested: _____

TerraMark
Professional Land Surveying
TerraMark Land Surveying, Inc.
1200 Bank Ferry Road
Mableton, Georgia 30080
Phone No. (770) 421-1927
Fax No. (770) 421-0532

Project No.	2007-260
Survey Order	NO
Drawn By	NEC
Checked By	NEC
Date	08/16/07
Scale	1"=100'
Project Name	PAINT SURVEY 2007, 2007-260, DN 1 OF 268 BOUNDS

BOUNDARY SURVEY
FOR
DORIS FOWLER
LOCATED IN LAND LOT 5
19TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

SHEET NO.
1
OF 268

135-A

REFERENCE MATERIAL

1. BOUNDARY SURVEY
PREPARED BY BRUCE A. KOPEC
DATED JANUARY 20, 1994
NOTE: SURVEY TRACT "B" PREPARED
WITHOUT BENEFIT OF FIELD DATA.
USING SURVEY REFERENCED ABOVE.

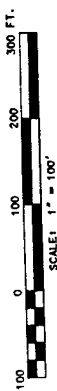
CLOSURE

CLOSURE STATEMENT:
TRACT "B" HAS BEEN CALCULATED
TO CLOSE WITHIN ONE FOOT IN
224,374 FEET.

SURVEYORS CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFY, THAT TO THE BEST OF HIS
KNOWLEDGE AND BELIEF, THAT THIS MAP OR PLAN
AND THE SURVEY ON WHICH IT IS BASED, WERE MADE IN ACCORDANCE
WITH THE MINIMUM STANDARDS FOR THE PRACTICE OF SURVEYING
AS ESTABLISHED BY THE BOARD OF SURVEYING AND MAPPING
BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION.

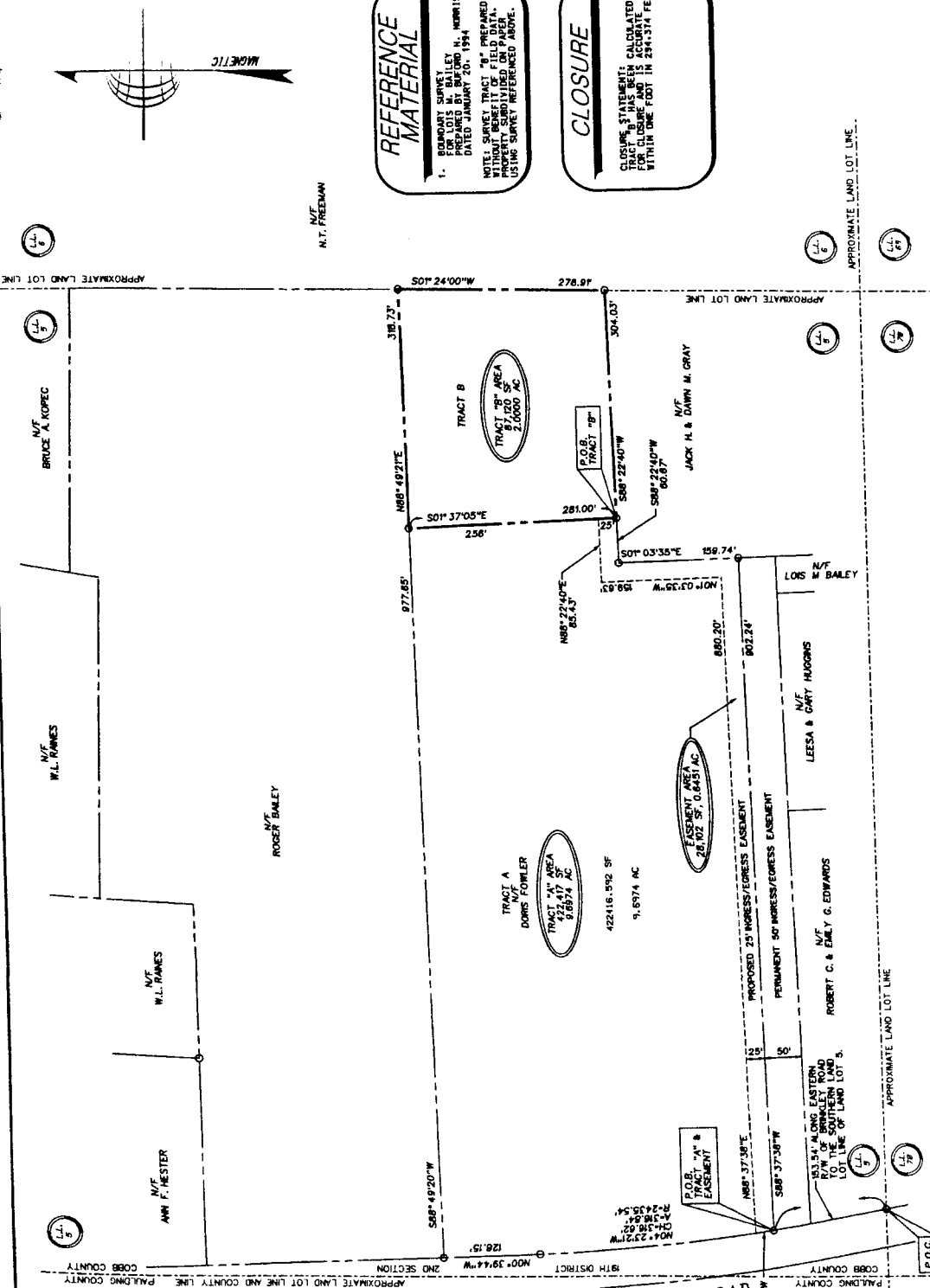
John C. Bayard
JOHN C. BAYARD, R.L.S.
REGISTERED NUMBER: 2987



LEGEND

- FENCE
- STORM DRAIN LINE
- SANITARY SEWER
- FORCE MAIN
- WATER LINE
- GAS LINE
- UNDERGROUND POWER LINE
- OVERHEAD POWER LINE
- UNDERGROUND TELEPHONE
- FIBER OPTIC
- CABLE TELEVISION
- TOPOGRAPHIC CENTER
- PROPERTY LINE
- CATCH BASIN (CB)
- DRAIN INLET (DI)
- JUNCTION BOX (JB)
- SS MANHOLE (MH)
- TRANSFORMER BOX (TB)
- FLAG POLE (FP)
- CALCULATED POINT
- FIRE HYDRANT (FH)
- WATER VALVE (WV)
- WATER METER (WM)
- LIGHT POLE (LP)
- GAS METER (GM)
- GAS VALVE (GV)
- HEAD WALL (HW)
- CURB AND GUTTER (CG)
- SPOT ELEVATION
- ELECTRIC METER (EM)
- POWER POLE (PP)
- SIGN
- BENCHMARK
- CLEAVHOLT (CO)

BRINKLEY ROAD
(50' R/W)



APPLICANT: Doris B. Fowler PETITION NO.: V-135
PHONE: 770-427-2219 DATE OF HEARING: 11-14-07
REPRESENTATIVE: Sharon Hightower PRESENT ZONING: R-30
PHONE: 678-860-8912 LAND LOT(S): 5
PROPERTY LOCATION: Located off of a private DISTRICT: 19
easement on the east side of Brinkley Road SIZE OF TRACT: 2 acres
(395 Brinkley Road). COMMISSION DISTRICT: 1
TYPE OF VARIANCE: Waive the public road frontage to allow one home off of a private easement.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

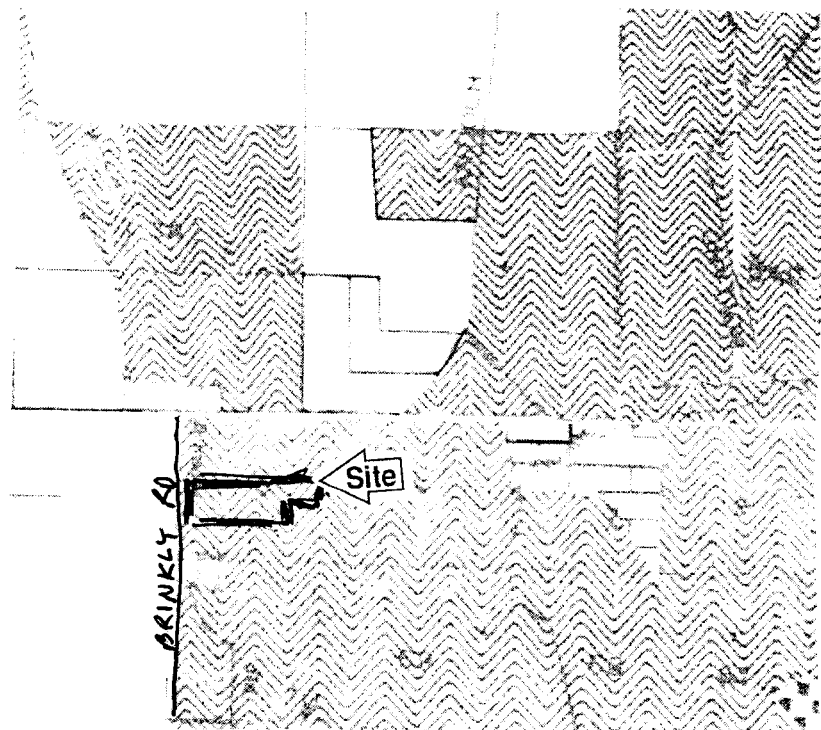
BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____

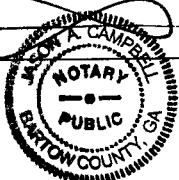


Application for Variance Cobb County

(type or print clearly)

Application No. V-135
Hearing Date: 11-14-07

Applicant DORIS B. Fowler Business Phone Home Phone 770 427-2219
Sharon Hightower Remax Address Brinkley Road Powder Springs Ga
(representative's name, printed) (street, city, state and zip code) 30127
[Signature] Business Phone 678-860 8912 Cell Phone 678-860 8912
(representative's signature)



Signed, sealed and delivered in presence of:

Jason A. Campbell
Notary Public

My commission expires: October 31, 2007

Titleholder DORIS B. Fowler Business Phone Home Phone 770 427-2219
Signature Doris B. Fowler Address: 505 Brinkley Rd.
(attach additional signatures, if needed) (street, city, state and zip code) Powder Springs GA 30127
Nancy McClure McGee
Signed, sealed and delivered in presence of:

My commission expires: NANCY MCCLURE MCGEE
Notary Public, Cobb County, GA
My Commission Expires March 13, 2011

Notary Public

Present Zoning of Property R-30

Location 395- Brinkley Rd.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 5 District 19 Size of Tract 2 Acre(s)

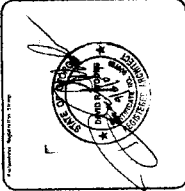
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property 2 A Shape of Property ☐ Topography of Property Other

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.

WOULD NOT HAVE ACCESS TO the property-

List type of variance requested: DRIVEWAY EASEMENT.

[illegible]

Platinum
AUTO-SPA
1075 JOHNSON FERRY ROAD
MARIETTA, GEORGIA 30068

1075 JOHNSON FERRY ROAD
MARIETTA, GEORGIA 30068

No.	Revision/Issue	Date

DAVID R. WOODS, AIA

188 RICHLAKE DRIVE
SUWANEE
GEORGIA 30024
(770) 982-7368

EXISTING
ARCHITECTURAL
SITE PLAN

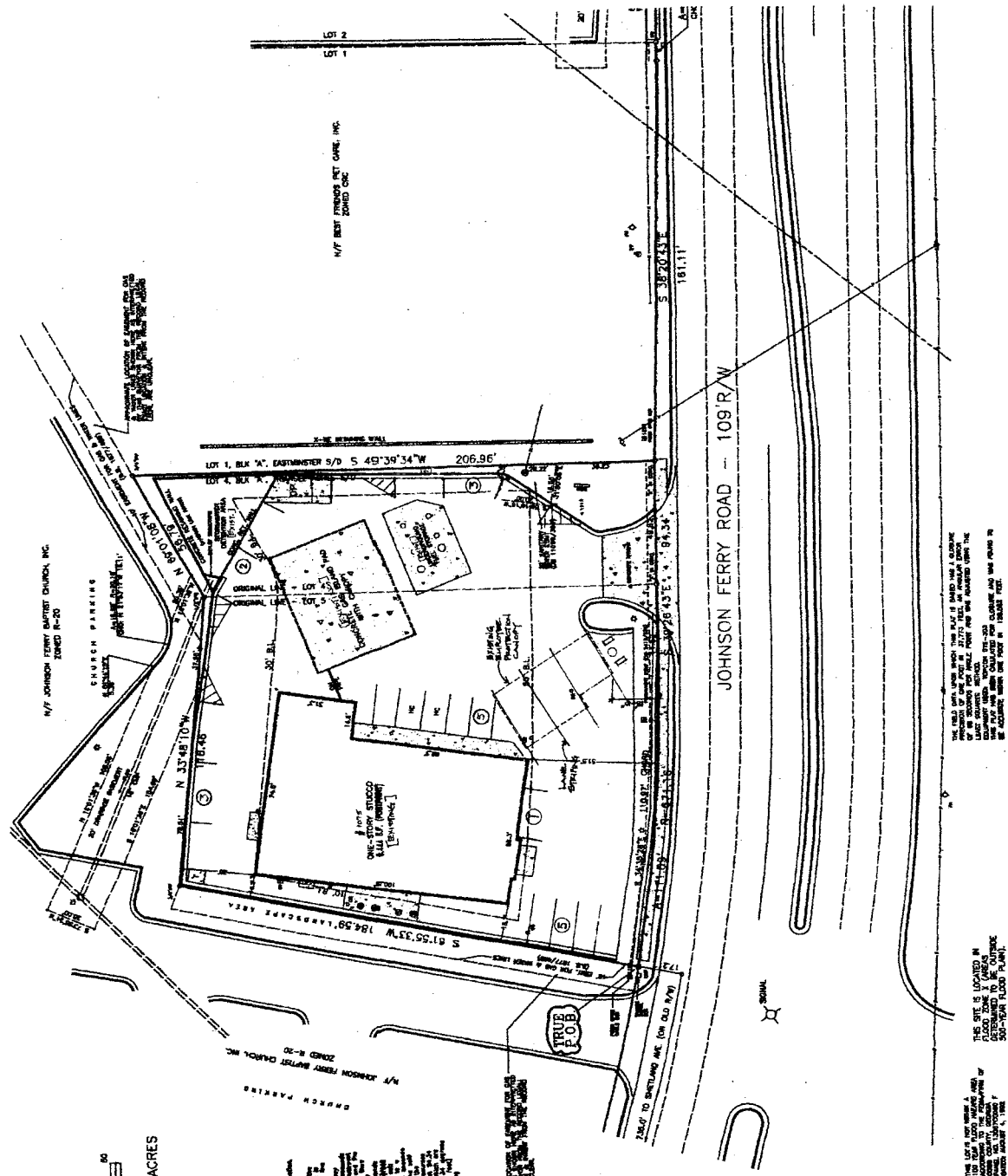
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2007-0-

SHT.01 OF 1

WHIS 5V

RELEASED FOR CONSTRUCTION



EXISTING ARCHITECTURAL SITE PLAN

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Presented by Dr. Robert C. de Andrade, Guyana & Trinidad
L. Pound, South Africa, and Dr. J. H. de Vries, Guyana & Trinidad

[illegible]

APPLICANT: Platinum Auto Spa PETITION NO.: V-136
PHONE: 678-560-6060 DATE OF HEARING: 11-14-07
REPRESENTATIVE: Robert E. Burrows, Pres. PRESENT ZONING: CRC
PHONE: 678-560-6060 LAND LOT(S): 67
PROPERTY LOCATION: Located on the west side of DISTRICT: 1
of Johnson Ferry Road, north of Shetland Avenue SIZE OF TRACT: .793 acre
(1075 Johnson Ferry Road). COMMISSION DISTRICT: 2
TYPE OF VARIANCE: Waive the front setback from the required 50 feet to 18 feet.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

BOARD OF APPEALS DECISION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



Application for Variance

Cobb County

(type or print clearly)

Application No. V-136

Hearing Date: 11-14-07

Applicant PLATINUM AUTO SPA Business Phone 678-560-6060 Home Phone 770-442-5153

ROBERT E. BURROWS, PRES. Address 1075 JOHNSON FERRY RD MARIETTA, GA 30068
(representative's name, printed) (street, city, state and zip code)

Robert E. Burrows Business Phone 678-560-6060 Cell Phone 404-543-3550
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: May 9, 2009

[Signature]
Notary Public

Titleholder KANBUR PROPERTIES LLC Business Phone 678-560-6060 Home Phone 770-442-5153

Signature Robert E. Burrows Address: 1075 JOHNSON FERRY RD, MARIETTA, GA 30068
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: May 9, 2009

[Signature]
Notary Public

Present Zoning of Property CRC

Location 1075 JOHNSON FERRY RD. MARIETTA, GA 30068
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 67 District 1 Size of Tract .793 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 _____

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 CANOPY IS FOR THE PROTECTION OF THE MAJORITY OF THE CAR WASH EMPLOYEES. WITH THE CANOPY THE CAR WASH IS IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) GUIDELINES FOR PROTECTION FROM HEAT STRESS/STROKE AND SKIN CANCER BY PROVIDING SHADE FROM DIRECT SUNLIGHT. (OSHA PUB 3154 AND FACT SHEET 95-16); Please see attached letter of intent.

List type of variance requested: FROM 50' SET BACK IN FRONT YARD TO ALLOW FOR CANOPY. UHIVE THE FRONT SETBACK FROM REQUIRED 50 FT TO 18 FT

**PLATINUM AUTO SPA
LETTER OF INTENT FOR VARIANCE**

The Applicant, Platinum Auto Spa (the “Applicant”), respectfully requests a variance from the front yard setback requirements of the Community Retail Commercial (“CRC”) zoning classification set forth in Article IV, Section 138-218 of the Cobb County Zoning Ordinance (“Zoning Ordinance”) for approximately .793 acres located at 1075 Johnson Ferry Road in Land Lot 67 of the 1st District, 2nd Section, Cobb County, Georgia (“Subject Property”). The Property is zoned to the CRC zoning classification. Platinum Auto Spa is currently conducting business as a full-service auto care facility. When the Applicant purchased the Property two years ago, it was an existing car wash facility in complete disrepair. The Applicant has successfully revived the Property, and as part of this process, inadvertently constructed a protective canopy for its workers within the fifty (50) foot front yard setback required in the CRC zoning district. Accordingly, the Applicant now respectfully requests a reduction in the front yard setback from fifty (50) feet to eighteen (18) feet to accommodate this canopy, which is used to protect employees from the elements while they are detailing automobiles.

The protective canopy allows the Applicant to be in compliance with Occupational Safety and Health Administration (“OSHA”) guidelines for employees. Section 134-94 of the Zoning Ordinance authorizes the Board of Zoning Appeals to grant a variance request which is not “contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured, and substantial justice done.” In this case, the grant of the variance request will allow the Applicant to continue to protect the health and welfare of its employees, and as a result, the variance request is in the public interest.

Furthermore, the way the existing structures are situated on the Property causes a hardship to the Applicant such that there is no other place for a protective canopy to be placed on the Property. In other words, the flow of the vehicles through the existing tunnel would be completely impeded if the protective canopy were to be placed anywhere else on the Property. Additionally, the protective canopy cannot be placed anywhere else on the Property without interfering with the existing parking spaces. Finally, Cobb County Development Regulation Section 134-266 addresses setbacks for gasoline pumps and canopies and provides that "Within any zoning district which allows for gasoline pumps and canopies (attached or detached) covering the pumps, pumps and canopies shall be set back at least 15 feet from the future right-of-way." The CRC zoning classification, to which the Property is zoned, allows for gasoline pumps and canopies. The canopy at Platinum Auto Spa is detached and is set back 18 feet from the right-of-way and is analogous to a gas pump canopy. For the foregoing reasons, the Applicant respectfully requests approval of this variance request.

A denial of this variance request would be unconstitutional in that it would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any interpretation or application of the Cobb County Zoning Ordinance that does not permit the requested variance as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal

Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its property while not substantially advancing legitimate state interests.

A denial of the foregoing variance request would also constitute an arbitrary and capricious act by the Cobb County Board of Zoning Appeals without any rational basis therefor constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Cobb County Board of Zoning Appeals to grant the variance requested by the Applicant would also be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

The provisions of the Cobb County Zoning Ordinance that delegate authority to the Cobb County Board of Zoning Appeals to hear matters such as the variances requested by the Applicant do not set forth sufficient standards for the Board of Zoning Appeals to follow and are an unconstitutional delegation of authority from the Board of Commissioners of Cobb County to the Cobb County Board of Appeals.

The Applicant's rights to due process, which are guaranteed by the state and federal constitutions, are denied by the procedures followed by the Cobb County Board of Appeals in that there are not sufficient rules and regulations governing the procedures of the Board, there is


insufficient time allowed to present evidence to the Board and there is no right to discovery and cross examination of witnesses.

In addition, this Letter of Intent constitutes formal written notice to Cobb County, Georgia pursuant to O.C.G.A. § 36-11-1 that the Applicant plans to seek to recover all damages that it might sustain or suffer as a result of the denial of this application. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Subject Property, attorneys' fees and expenses of litigation.

The Applicant, therefore, respectfully requests that the Cobb County Board of Zoning Appeals grant the variance as requested above.

DILLARD & GALLOWAY, LLC

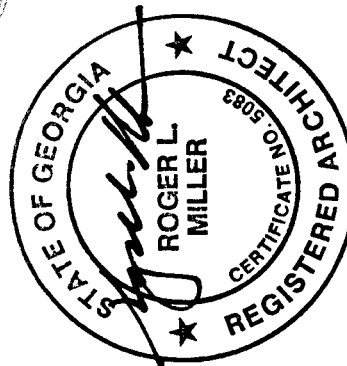
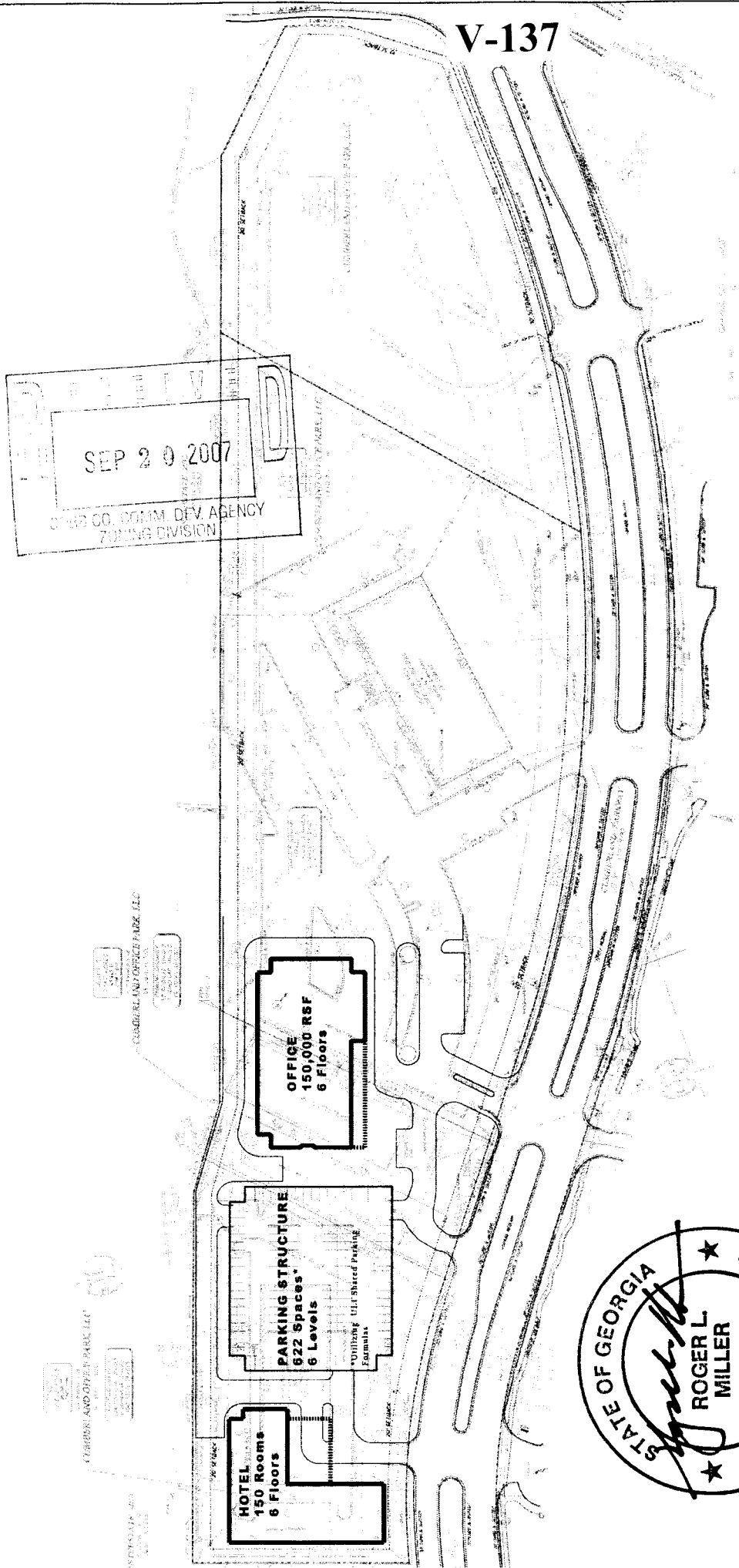
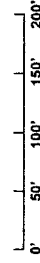
By:


G. Douglas Dillard
Lauren M. Hansford
Attorneys for Applicant

Suite 760
3500 Lenox Road, NE
Atlanta, Georgia 30326
Telephone: (404) 965-3680
Facsimile: (404) 965-3670

SEP 20 2007
 CLAY CO. COMM. DEV. AGENCY
 ZONING DIVISION

V-137



09.07.2007

SITE PLAN - PHASE 1

CUMBERLAND OFFICE PARK
 Atlanta, Georgia



License N° AA26000496

©2007 COOPER CARRY, INC 3530 PIEDMONT ROAD, NE, SUITE 200, ATLANTA, GA. 30308-1595, TEL 404 237 2000 FAX 404 237 0278

Notes

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APPLICANT: Shailendra Group, LLC **PETITION NO.:** V-137
PHONE: 404-591-6700 **DATE OF HEARING:** 11-14-07
REPRESENTATIVE: John H. Moore **PRESENT ZONING:** OHR
PHONE: 770-429-1499 **LAND LOT(S):** 842, 843, 884
PROPERTY LOCATION: Located on the west side of **DISTRICT:** 17
Cumberland Parkway and the east side of I-285, north of **SIZE OF TRACT:** 13.014 acres
Burt Adams Road. **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: 1) Waive the front setback from the required 75 feet to 20; 2) waive the side setback from the required 40 feet to 20 feet adjacent to the southern property line; 3) waive the rear setback from the required 40 feet to 20 feet; and 4) waive the amount of required parking spaces from 676 parking spaces to 622 parking spaces.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

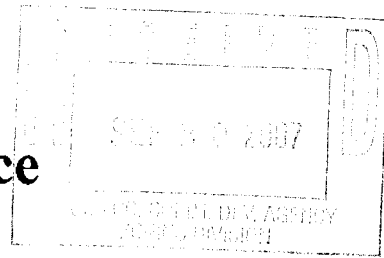
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HELD _____ **CARRIED** _____

STIPULATIONS: _____



Application for Variance Cobb County



(type or print clearly)

Application No. V-137 (2007)

Hearing Date: 11/14/2007

Applicant Shailendra Group, LLC Business Phone (404) 591-6700 Home Phone Not Applicable
Moore Ingram Johnson & Steele, LLP - See Attachment for Applicant's Representative
John H. Moore Address 192 Anderson Street, Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

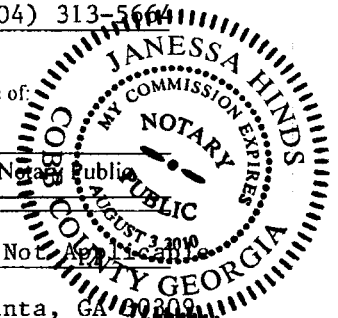
BY: [Signature] Business Phone (770) 429-1499 Cell Phone (404) 313-5664
(representative's signature) ~~XXXXXX XXXX XXXX XXXX~~
M. Shailendra

My commission expires: August 3, 2010
~~January 10, 2011~~

Signed, sealed and delivered in presence of:

[Signature: Janessa Hinds]

Notary Public



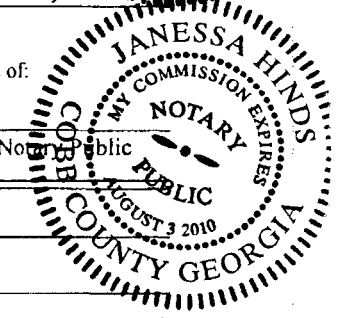
Titleholder Shi Investments Three, LLC Business Phone (404) 591-6700 Home Phone Not Applicable
Suite 2350
Signature BY: [Signature] Address: 1170 Peachtree Street, Atlanta, GA 30309
(attach additional signatures, if needed) (street, city, state and zip code)
M. Shailendra

My commission expires: August 3, 2010

Signed, sealed and delivered in presence of:

[Signature: Janessa Hinds]

Notary Public



Present Zoning of Property OHR
Location Westerly side of Cumberland Parkway; Northerly of Paces Ferry Road;
Easterly of Interstate 285
(street address, if applicable: nearest intersection, etc.)

Land Lot(s) 842, 843, 884 District 17th Size of Tract 13.014± 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 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 "A" attached hereto and incorporated herein by reference.

List type of variance requested: Reduction of certain setbacks as more particularly set forth
in Exhibit "A" attached hereto and incorporated herein by reference. (See § 134-222(4)(d)).

ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V-137 (2007)
Hearing Date: November 14, 2007

Applicant: Shailendra Group, LLC
Titleholder: Shi Investments Three, LLC

Representative on behalf of Applicant and Property Owner:

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

John H. Moore

Georgia Bar No. 519800

Attorneys for Applicant and Property Owner

Signed, sealed, and delivered in the
presence of:


Notary Public, State of Georgia



Moore Ingram Johnson & Steele, LLP
Attorneys at Law
192 Anderson Street
Marietta, Georgia 30060
(770) 429-1499
(770) 429-8631 (Telefax)

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V-137 (2007)
Hearing Date: November 14, 2007

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant: Shailendra Group, LLC
Titleholder: Shi Investments Three, LLC

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

The property located on the westerly side of Cumberland Parkway, northerly of Paces Ferry Road, and easterly of I-285, in Land Lots 842, 843, and 884, 17th District, 2nd Section (hereinafter "Property" or "Subject Property") was originally zoned to the Office High Rise ("OHR") zoning category on or about February 20, 1990. Development of certain areas within the Subject Property has occurred. The Subject Property was sold to its present owner in 2006 and Applicant and Owner have redesigned and upgraded the master plan which would provide for renovation of some existing buildings and construction of some new buildings within the development. Due to the size and shape of the Subject Property, as well as its confinement between two major roadways, the proposed urban development of the tract is limited. The variances requested herein would allow for implementation of the redesigned master plan. Without the granting of the requested variances, no renovation, upgrades, or construction can occur on the Subject Property.

List type of variances requested:

Waiver of certain required minimum setbacks as follows:

- (1) Along the entire westerly boundary, adjacent to I-285, a reduction of the rear setback from 40 feet to 20 feet;
- (2) Along the southerly property line of the Subject Property, a reduction of the side setback from 35 feet to 20 feet; and
- (3) A reduction of the front setback along Cumberland Parkway, along the easterly side of the Subject Property, from 50 feet to 20 feet.

(See § 134-222(4)(d).)

APPLICANT: Stephanie and James Smeltzer **PETITION NO.:** V-138
PHONE: 770-528-0260 **DATE OF HEARING:** 11-14-07
REPRESENTATIVE: same **PRESENT ZONING:** R-20
PHONE: same **LAND LOT(S):** 863
PROPERTY LOCATION: Located on the south side of **DISTRICT:** 17
Lower Roswell Road, east of Pine Springs Trail **SIZE OF TRACT:** 1.906 acres
(2694 Lower Roswell Road). **COMMISSION DISTRICT:** 1

TYPE OF VARIANCE: 1) Waive the lot size for a horse farm from the required 2 acres to 1.906 acres; 2) waive the setback for a fence for horses from the required 10 feet to zero feet; and 3) waive the side setback for an accessory structure from the required 10 feet to 8 feet, adjacent to the western property line and the rear setback from the required 35 feet to 25 feet.

COMMENTS

TRAFFIC:

DEVELOPMENT & INSPECTIONS:

STORMWATER MANAGEMENT:

HISTORIC PRESERVATION:

CEMETERY PRESERVATION:

WATER:

SEWER:

OPPOSITION: NO. OPPOSED **PETITION NO.** **SPOKESMAN**

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

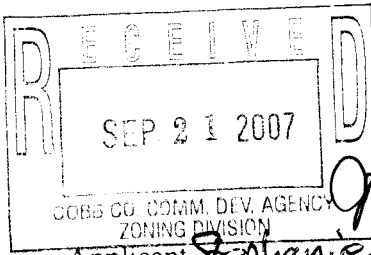
REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Application for Variance Cobb County



(type or print clearly)

Application No. V-138
Hearing Date: 11-14-07

Applicant Stephanie James Smelter Business Phone 770-528-0260 Home Phone 770-977-3644
Stephanie Smelter Address 2694 Lower Roswell Rd, Marietta GA
(representative's name, printed) (street, city, state and zip code) 30068
James Smelter MD Business Phone _____ Cell Phone 678-571-5241
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: 6/18/2011

Bonita Chapman

Notary Public

Titleholder RADHIKA & PRABHAKAR SANNIDHANAM Business Phone 404 805 8460 Home Phone 404 805 8460
Radhika S Address: 100 ROBIN RD MARIETTA, GA - 30067
Signature prabhakar sannidhanam (attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: 6/18/2011

Bonita Chapman

Notary Public

Present Zoning of Property R20

Location 2694 LOWER ROSSWELL RD, MARIETTA, GA 30067
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 863 District 17 Size of Tract 1.906 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 _____

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.

Our horses are not livestock to us. They are part of our family. Strictly applying the zoning ordinance would break up that family because of missing less than 0.1 acres from code specifications (Please see attached). In practical terms it means that our horses Spinner and Lucky will get less love and attention, our children will get less attention because of time lost commuting to a boarding location. They will also lose an opportunity to learn independence and responsibility by caring for the horses and riding them daily.

List type of variance requested: _____

Supplemental statement of hardship for zoning variance application.

In many ways our horses Spinner and Lucky are our children. We know what they are thinking and what they are feeling. We moved to the property in question because there is definitely sufficient land for them here. Taking the horses from boarding and merging this family has succeeded beyond our wildest dreams. We have discovered how much the horses and children belong together.

Our horses, like our children, need care and attention. Boarding the horses elsewhere would create a hardship for both the horses and children. The horses are happy and well cared-for here. We are with them every day.

Our children and dogs play with the horses and care for them. This is good for the horses and wonderful for the emotional health and development of our children. Our daughters Desiree, Bonnie, Cassie and Brianna are learning trust, empathy, responsibility, leadership and physical fitness as they live with, care for, and learn to ride Spinner and Lucky. The horses do not impose a hardship on the neighborhood. They are silent, friendly, tame and cared-for. We have offered to share them as a community resource for our neighbors, especially for the mentally handicapped.

Enforcement of the technical detail of the acreage shortfall of less than 5 percent of the required minimum would create a hardship for these animals, one of which we have rescued from abuse and neglect. It would diminish our daughters' chances to learn from and grow close to these magnificent animals, and it would make it more difficult for us as parents and as owners to balance these roles to their benefit. It would detract from land use diversity in the community.

We humbly ask you to grant this variance for these reasons.

Dated Sept 20, 2007

Stephanie Smeltzer
Stephanie Smeltzer

James S. Smeltzer MD
James S. Smeltzer, MD