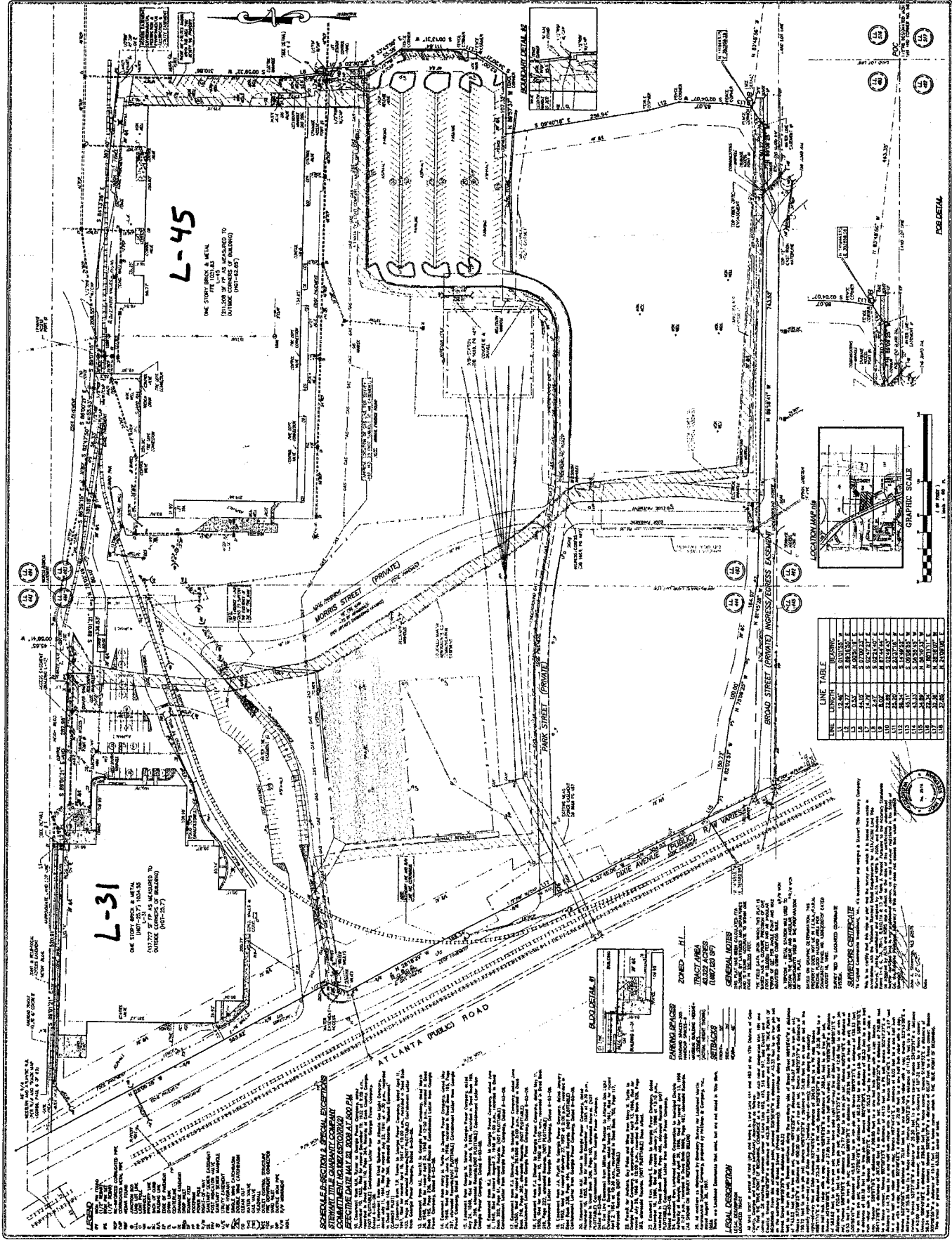




APPLICANT: Lockheed Martin Commercial Properties,

PETITION NO.: V-109

PHONE: LLC 410-468-1024

DATE OF HEARING: 10-08-08

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP

PRESENT ZONING: HI

PHONE: J. Kevin Moore 770-429-1499

LAND LOT(S): 444, 493

PROPERTY LOCATION: Located on the east side of

DISTRICT: 17

Dixie Avenue, north of Pat Mell Road, and on the east and west

SIZE OF TRACT: 43.32 acres

sides of Morris Street (private road), the north and south sides

of Park Steet (private road) and the north side of Broad Street

COMMISSION DISTRICT: 4

(private road).

TYPE OF VARIANCE: 1) Waive the side setback adjacent to the north property line from the required 20 feet to zero feet for building "L-31" (existing); 2) waive the front building setback from the required 75 feet to 33 feet for building "L-31" (existing); 3) waive the rear setback from the required 40 feet to 33 feet for building "L-45" (existing); and 4) waive the maximum building height from the required 50 feet to 62.85 feet for building "L-45" (existing).

COMMENTS

TRAFFIC: This request will not have an adverse impact on traffic.

DEVELOPMENT & INSPECTIONS: No comment.

STORMWATER MANAGEMENT: No comment.

HISTORIC PRESERVATION: After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

CEMETERY PRESERVATION: No comment.

WATER: No conflict.

SEWER: No conflict.

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

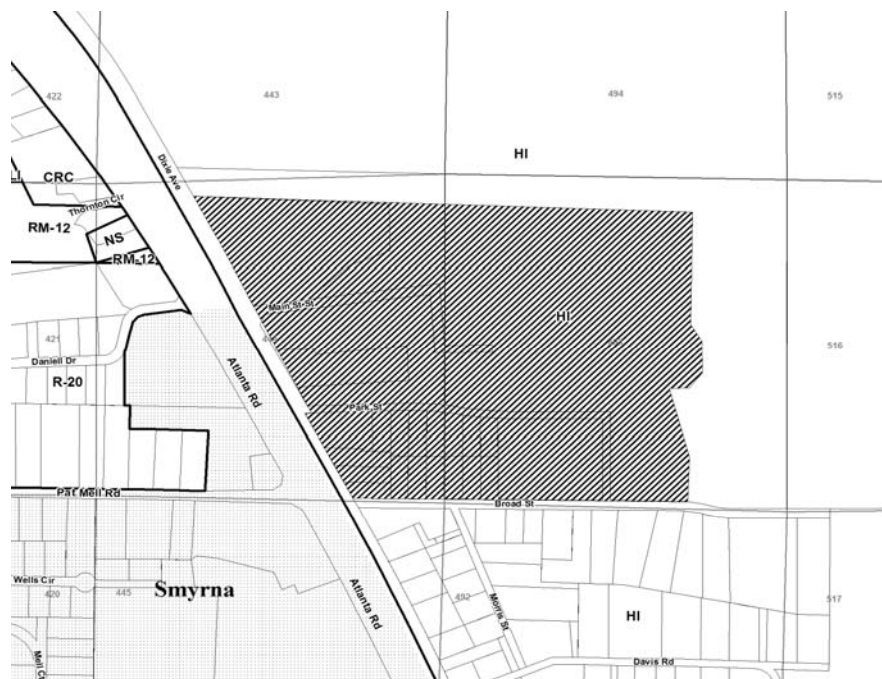
BOARD OF APPEALS DECISION

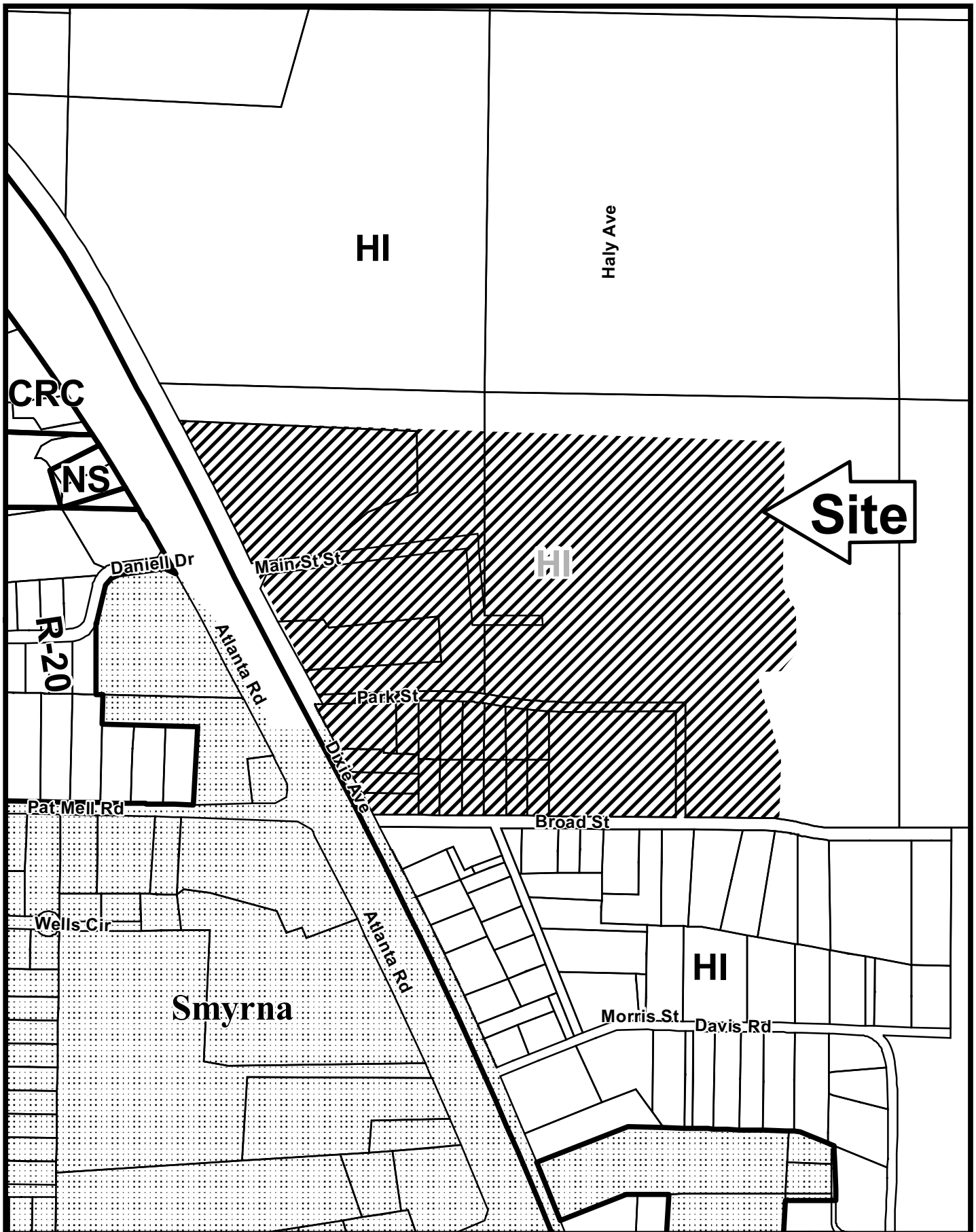
APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____





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

200 0 200
Feet



City Boundary
Zoning Boundary

Application for Variance

Cobb County

(type or print clearly)

Application No. V-109 (2008)

Hearing Date: 10/08/2008

Applicant Lockheed Martin Commercial Properties, LLC Business Phone (410) 468-1024 Home Phone Not Applicable
Moore Ingram Johnson & Steele, LLP

J. Kevin 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 (678) 516-1609
(representative's signature) Georgia Bar No. 519728

My commission expires: January 10, 2011

Signed, sealed and delivered in presence of:

Carolyn E. Cook
Notary Public

Titleholder Lockheed Martin Commercial Properties, LLC Business Phone 410-468-1024 Home Phone Not Applicable

Signature [Signature] Address: 100S Charles Street, Baltimore, MD 21201
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: December 1, 2010

Signed, sealed and delivered in presence of:

John R.H. Liverpool
Notary Public

Present Zoning of Property HI

Location Northeasterly side of Atlanta Road

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

Land Lot(s) 444, 493

District 17th

Size of Tract 40.318

Acre(s)

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

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

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

List type of variance requested: See Exhibit "A" attached hereto

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE**Application No.: V-_____ (2008)****Hearing Date: October 8, 2008****BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS****Applicant/Titleholder: Lockheed Martin Commercial Properties, LLC**

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

The property is comprised of a total tract of approximately 43.318 acres and is located on the northeasterly side of Atlanta Road, in Land Lots 444 and 493, 17th District, 2nd Section (hereinafter "Property" or "Subject Property"). The Subject Property is currently zoned to the Heavy Industrial ("HI") zoning category. The buildings on the Subject Property were constructed and utilized for many years, and, at the time of construction, conformed to the category and requirements which were in existence at that time. Applicant/Titleholder desire to bring the Subject Property into conformity through approval of the requested variances in order to preserve its rights to rebuild and reconstruct the buildings should any portion be damaged or destroyed; and further to allow for any future renovations, upgrades, or construction to the buildings.

List type of variances requested:

- A. Waiver of certain required minimum setbacks as follows:
 - (1) As to Building "L-31":
 - (a) Reduction of the required twenty (20) foot side setback to zero (0) feet;
 - (b) Reduction of the required seventy-five (75) foot front setback to 33.8 feet;

- (2) As to Building "L-45":
 - (a) Reduction of the required forty (40) foot rear setback to 33.5 feet;

(See §§ 134-231(4); (7).)

B. Building Height Variance:

- (1) Height variance from the maximum building height of fifty (50) feet to 62.85 feet.