

V-39
(2009)

234577

LOT 9
BLOCK
UNIT
SUB. LEMONS RIDGE

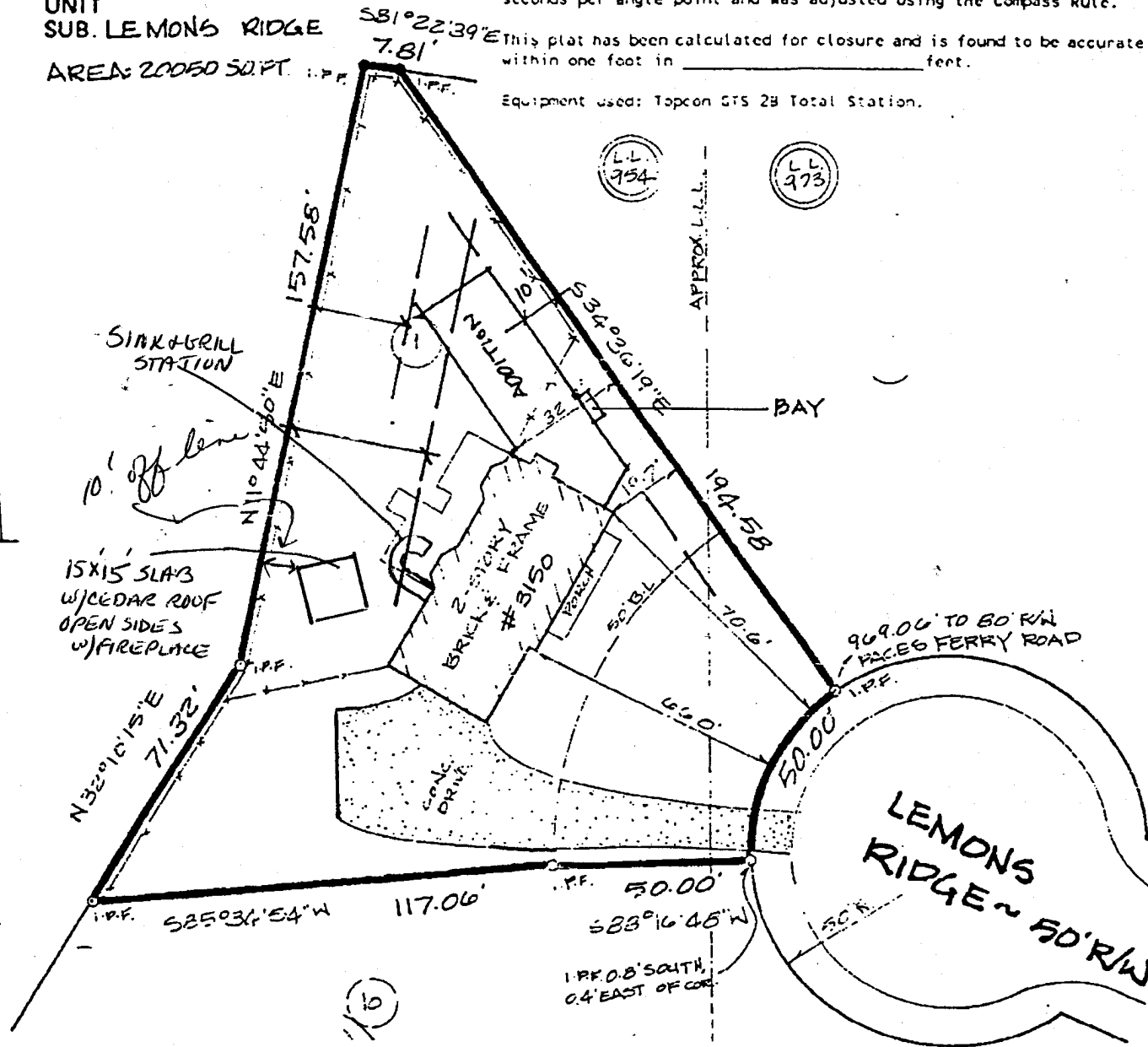
AREA: 20050 SQ. FT. I.P.F.

The field data upon which this plat is based has a closure precision of one foot in _____ feet and an angular error of _____ seconds per angle point and was adjusted using the Compass Rule.

This plat has been calculated for closure and is found to be accurate within one foot in _____ feet.

Equipment used: Topcon GTS 2B Total Station.

MAG NORTH



PROPERTY OF
LYNN M. RUDDER

LAND LOTS 954 & 973 17th DISTRICT, 2nd SECT.

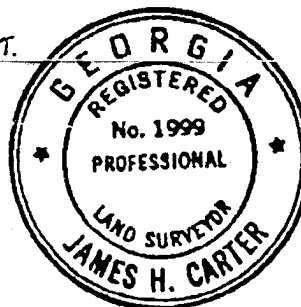
COBB COUNTY, GEORGIA

SCALE 1" = 40' DATE: OCTOBER 4, 1993

REG. LAND SURVEYOR NO. 1999

THE CARTER GROUP, INC.

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



This Is To Certify That
This Property (Is Not)
In A Special Flood Hazard
Area As Shown On The
Applicable "FIA Official
Flood Hazard Map"

DES'N NO. 93100016

APPLICANT: Dean Construction Company **PETITION NO.:** V-39
PHONE: 770-480-4788 **DATE OF HEARING:** 05-13-09
REPRESENTATIVE: Sams, Larkin & Huff, LLP **PRESENT ZONING:** R-20
PHONE: Garvis L. Sams, Jr. 770-422-7016 **LAND LOT(S):** 954, 973
PROPERTY LOCATION: Located on the west side of **DISTRICT:** 17
Lemons Ridge Drive, west of Paces Ferry Road **SIZE OF TRACT:** .46 acre
(3150 Lemons Ridge Drive). **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: 1) Waive the rear setback for an accessory structure over 144 square feet on lot 9 from the required 35 feet to 10 feet (proposed 225 square foot pavilion) ; and 2) waive the maximum allowable impervious surface from 35% to 38%.

COMMENTS

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

DEVELOPMENT & INSPECTIONS: On 03/09/09, a Stop Work order was issued for building without a permit. Fireplace/Chimney were built and slab poured. There was no roof construction at the time of issuing the stop work order. If this variance request is approved, a plat revision (Lemons Ridge) must be recorded reflecting the conditions of the variance. The surveyor must submit the revised subdivision plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

STORMWATER MANAGEMENT: Based on an estimate of impervious coverage using the County’s GIS aerial photography this lot significantly exceeds the maximum allowable 35%. The site plan provided does not include all current improvements to the lot including a pool and surrounding patio areas. An updated survey will be required to accurately determine the actual impervious coverage.

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.

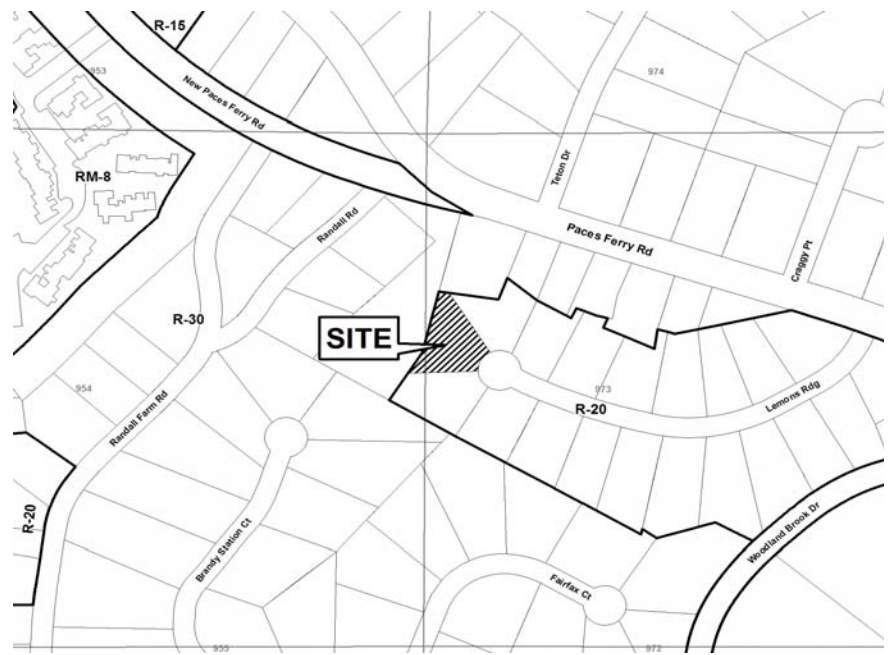
CEMETERY PRESERVATION: No comment.

WATER: No conflict.

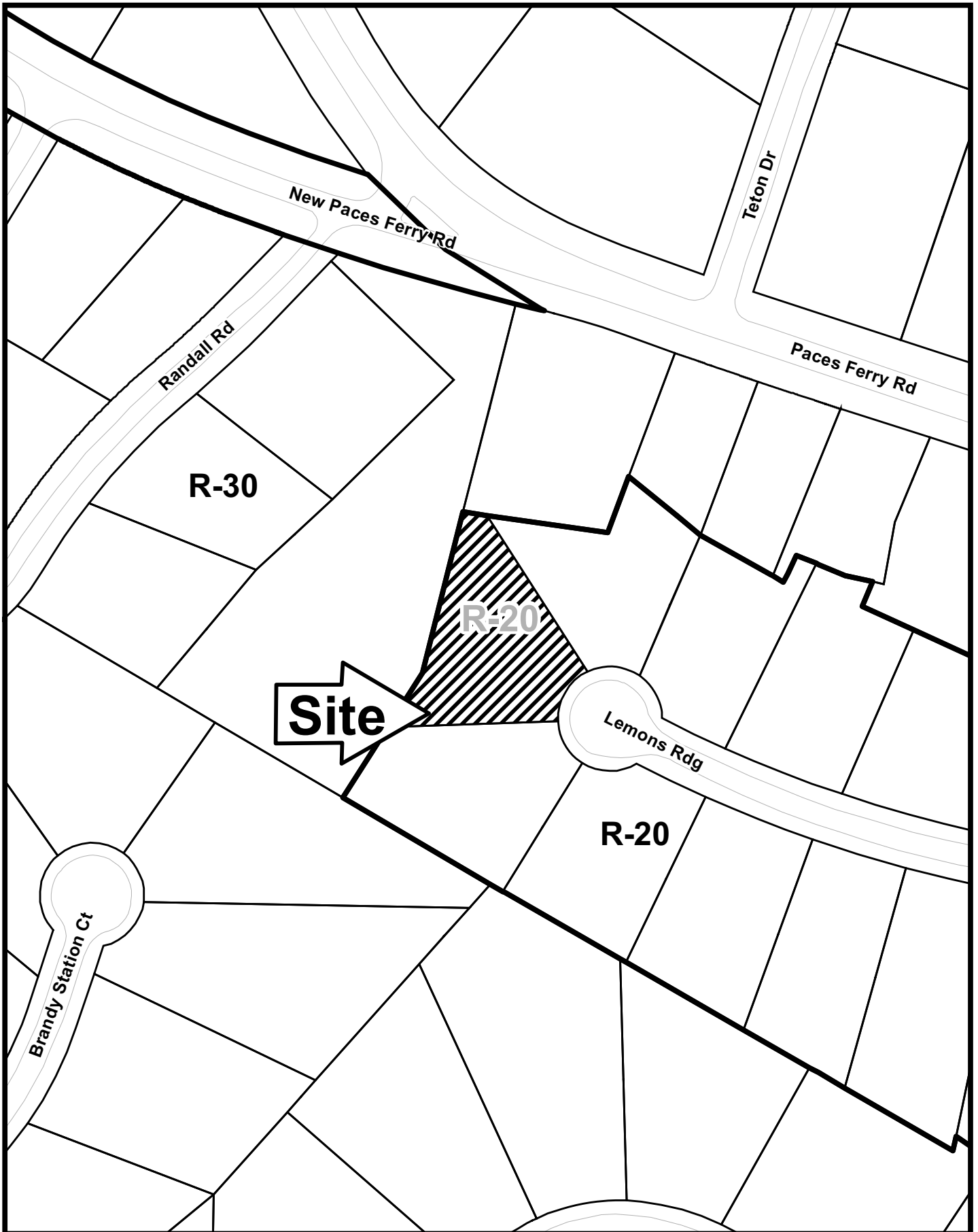
SEWER: No conflict.

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

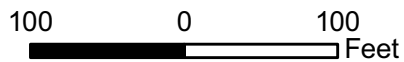
BOARD OF APPEALS DECISION
APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____
STIPULATIONS: _____





V-39



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



-  City Boundary
-  Zoning Boundary



Application for Variance Cobb County

(type or print clearly)

Application No. V-39
Hearing Date: 5-13-09

Applicant DEAN CONST. Co. Business Phone 770-480-4788 Home Phone _____

BILL DEAN Address 3480 BONDS LAKE RD. COVINGTON GA 30012
(representative's name, printed) (street, city, state and zip code)

* [Signature] Business Phone 770-480-4788 Cell Phone _____
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____
Notary Public Gwinnett County Georgia
My Commission Expires Dec. 12, 2011

[Signature]
Notary Public

Titleholder ANGELIA ROBSON Business Phone _____ Home Phone 404-663-7198

* Signature [Signature] Address: 3150 LEMONS RIDGE ATL. 30339
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: _____
Notary Public Gwinnett County Georgia
My Commission Expires Dec. 12, 2011

[Signature]
Notary Public

Present Zoning of Property R20 17097300420

Location 3150 LEMONS RIDGE DR. ATLANTA GA 30339
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 973 District 17 Lot 9 Size of Tract .58 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 Y

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.

Set back on back side is 35' - would like to add slab 15x15' with roof/now enclosed w/fireplace that will corner out 10' from set back

+ FIREPLACE

List type of variance requested: SLAB/STRUCTURE (OPEN AREA w/ROOF) INSIDE 35' SETBACK @ BACK OF PROPERTY

See Exhibit "A" for the Previous variance

Application for Variance Cobb County

V-39 (2009)
Exhibit "A"
Previous
variance

(type or print clearly)

Application No. V 170

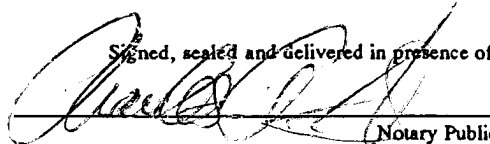
Hearing Date: 11 9

Applicant Lynn M Rudder Day Phone 432-9348 Home Phone 432-9348

Lynn M Rudder Address 3150 Lemons Ridge, N.W., Atlanta, GA 30339
(representative's name, printed) (street, city, state and zip code)

Lynn M Rudder Day Phone 432-9348
(representative's signature)

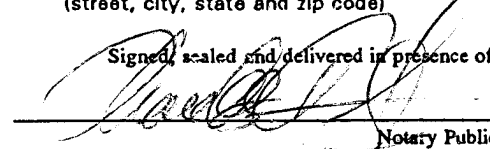
My commission expires: _____

Signed, sealed and delivered in presence of:

Notary Public

Titleholder Lynn M Rudder Day Phone 432-9348 Home Phone 432-9348

Signature Lynn M Rudder Address 3150 Lemons Ridge, N.W., Atlanta 30339
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: _____

Signed, sealed and delivered in presence of:

Notary Public

Present Zoning of Property R-20

Location 3150 Lemons Ridge
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 954 & 973 District 17 Dis. 2nd Section Size of Tract 20,050 sq. ft. (.4 acre) 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 XX Topography of property _____ Other _____

The Cobb County Zoning Ordinance Section 3-28-9.12A 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 Attached

List type of variance requested: See Attached Exhibit "A"

Exhibit A
V-178/1994

Rudder Residence

Possible wording for Variance application:

Type of Variance Requested:

The applicant request a reduction of the side yard setback from 10 minimum to 7 ft and a reduction of the rear yard setback from 35 ft. minimum to 25 ft. These requests are made for the accomodation of an addition to the applicant's residence incorporating both a projected bay window and attendant eave overhangs.

Hardship Statement:

The applicant has need to build additional bedroom space to the existing residence; the only viable building area is in one of the side yards extending into the rear yard. Under the present ordinance, no projected window bays or overhangs are allowed in the sideyard. Given this constraint the buildable area becomes unworkable. Additionally the geometry of the lot is such that the rear lot line is broken in a convex "V" restricting part of the buildable area in excess of the 35 ft setback. The applicant needs to build hard to the 10 ft. setback w/ a variance allowing a projection for a 2 ft. bay window and attendant 1 ft. overhang. The variance need not allow for a continuous reduction to 7 ft. although the eave overhang will project into the sideyard continuously for approximately 16 -24 inches including guttering. Additionally, relief in the rear yard will allow some increase in building area to accomodate a desired expansion of room sizes presently planned at a minimum; this accomodation more fairly allows the applicant access to the rear yard by approximating an average of the 35 ft. setback as the rear line of the proposed addition and the lot line are not parallel lines.

The other side yard is occupied by driveway access to the garage, the front yard and rear yard are not buildable sites. The residence has no expansion possibilities in either attic or basement spaces. The applicant has a large family and earnestly needs additional bedroom and storage space.

PAGE 2 OF 2

APPLICATION NO. V-178

ORIGINAL DATE OF APPLICATION: 11-9-94

APPLICANT'S NAME: LYNN M. RUDDER

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF ZONING APPEALS

THE BELOW STYLED VARIANCE WAS HEARD BY THE COBB COUNTY BOARD OF ZONING APPEALS ON NOVEMBER 9, 1994

V-178 LYNN M. RUDDER requests a variance to: (1) waive the side (north) setback from required 10 feet to 7 feet; (2) waive the rear setback from required 35 feet to 25 feet in Land Lots 954 and 973 of the 17th District. 0.45 acre. Located on the west side of Lemons Ridge, 969 feet west of Paces Ferry Road, (3150 Lemons Ridge).

BZA DECISION OF 11-9-94: The Board of Zoning Appeals approved request #1 to waive the side (north) setback from required 10 feet to 7 feet, and rejected request #2 to waive the rear yard setback from required 35 feet to 25 feet. Motion by Paetau, second by Dawson, carried 4-0.

Karen L. Hach
Karen L. Hach, Deputy Clerk
Cobb County Board of Zoning Appeals

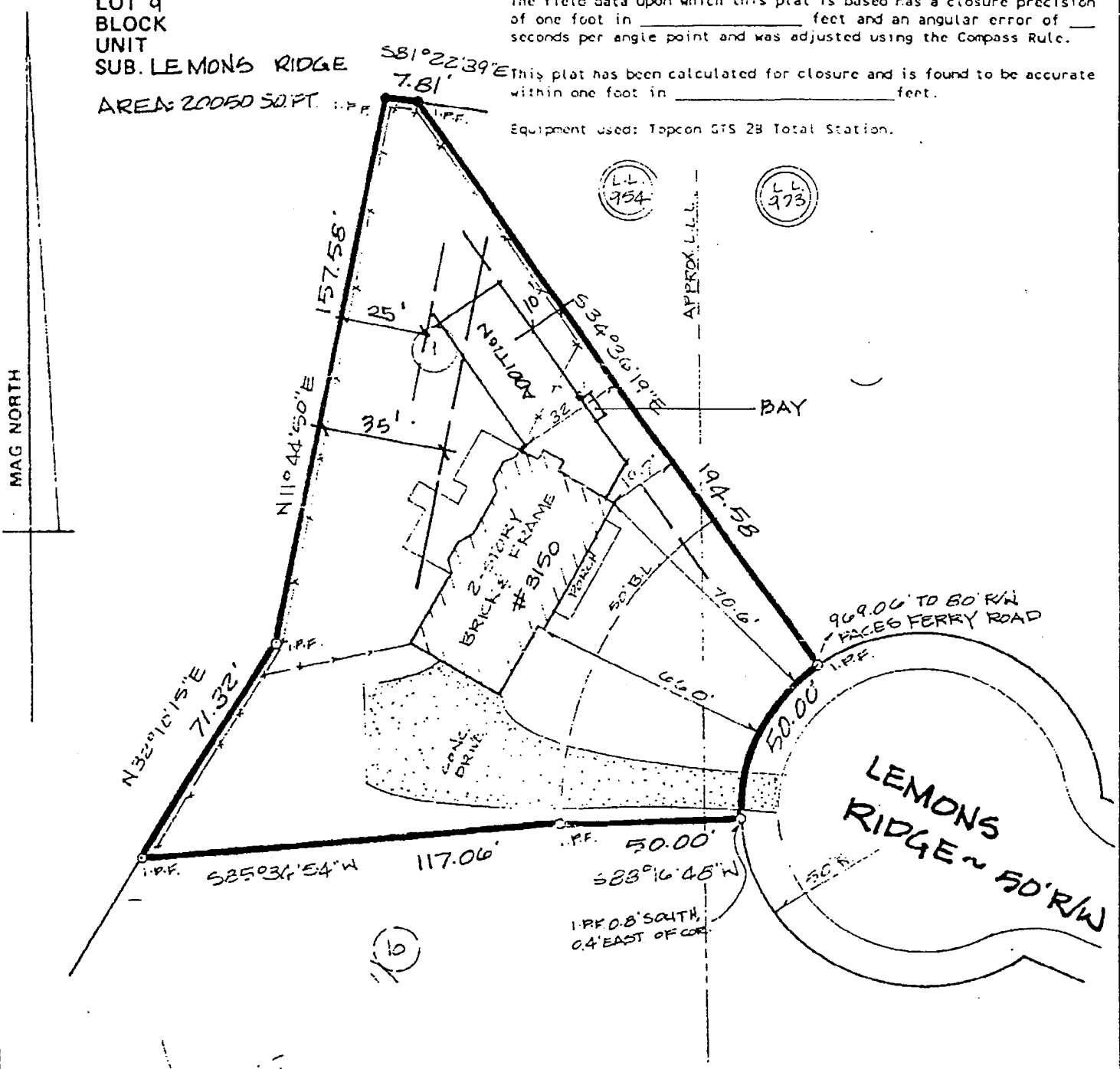
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UNIT
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AREA: 20050 SQ. FT.

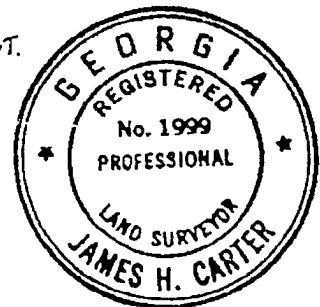
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This plat has been calculated for closure and is found to be accurate within one foot in _____ feet.

Equipment used: Topcon GIS 2B Total Station.



PROPERTY OF
LYNN M. RUDDER
LAND LOTS 954 & 973 17th DISTRICT, 2nd SECT.
COBB COUNTY, GEORGIA
SCALE 1" = 40' DATE: OCTOBER 4, 1993
REG. LAND SURVEYOR NO. 1999
THE CARTER GROUP, INC.
IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED



This is To Certify That
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Area As Shown On The
Applicable "FIA Official
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DESIGN NO. 93100016