

**V-56
(2009)**

LOCATION MAP N.T.
COURTESY OF AERO ATLAS CO. MAP

TYPE OF DRAWING: BOUNDARY SURVEY
PREPARED FOR: JOE TILLMAN

LOCATED IN: Land 16th 2nd Cobb County HAMLET GREEN 27

SUBDIVISION: 3051 VINSON DRIVE MARIETTA GA 30066

UNIT: 30066

LOT: 30066

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2009-04-003-TILLMAN.dwg

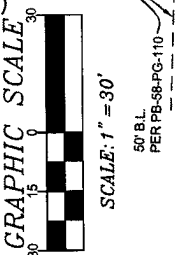
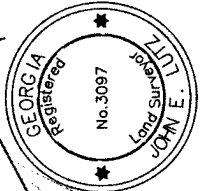
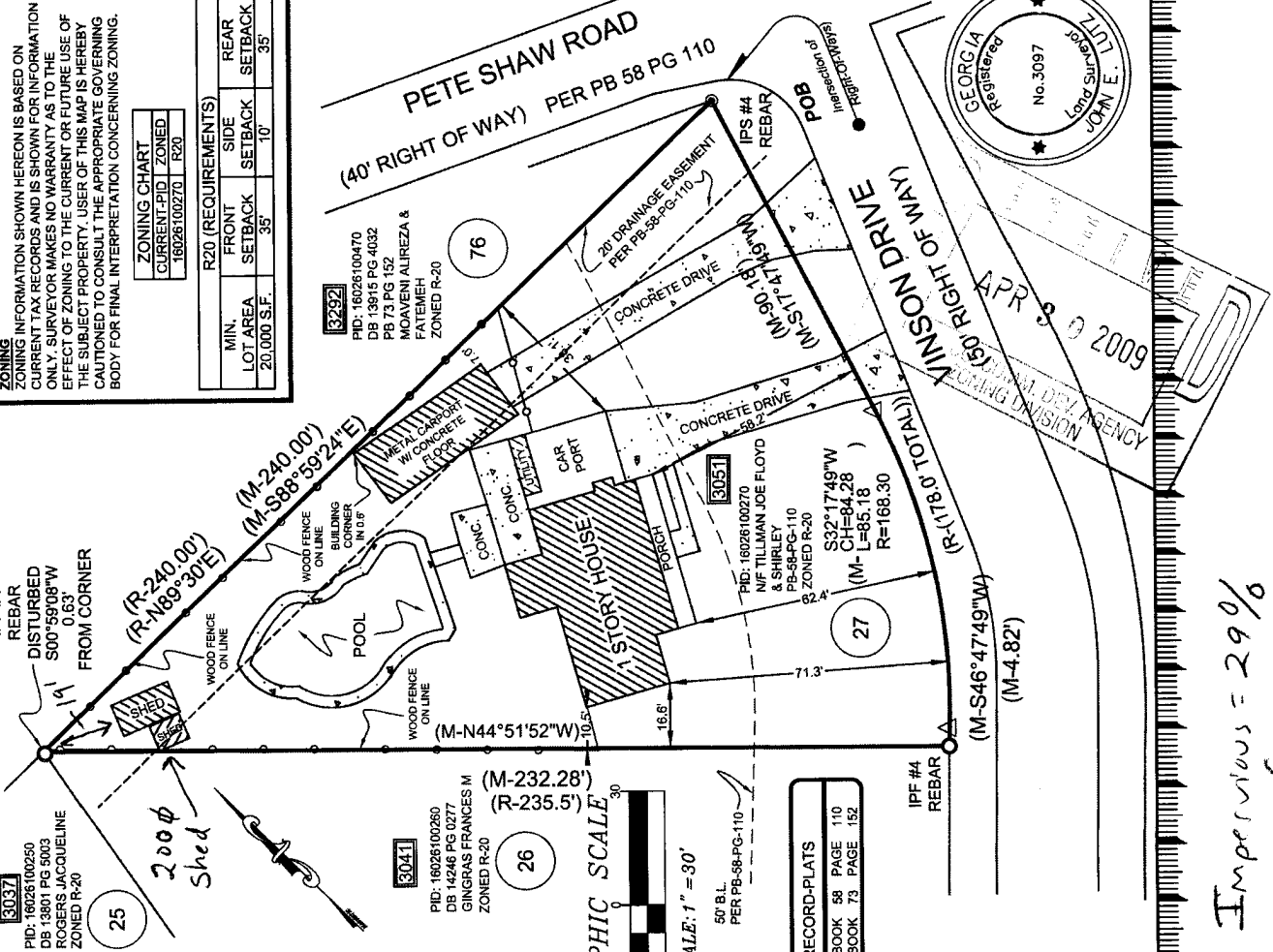
LUTZ LAND SURVEYING INC.

3925 ROUGH CREEK DR.
WOODSTOCK GA
30189-4138
TEL: 678-72-8767
EMAIL: J.Lutz@LutzLandSurveying.com

ZONING INFORMATION SHOWN HEREON IS BASED ON CURRENT TAX RECORDS AND IS SHOWN FOR INFORMATION ONLY. SURVEYOR MAKES NO WARRANTY AS TO THE EFFECT OF ZONING TO THE CURRENT OR FUTURE USE OF THE SUBJECT PROPERTY. USER OF THIS MAP IS HEREBY CAUTIONED TO CONSULT THE APPROPRIATE GOVERNING BODY FOR FINAL INTERPRETATION CONCERNING ZONING.

ZONING CHART	
CURRENT P.D.	ZONED
16026100270	R-20

R20 (REQUIREMENTS)			
MIN. LOT AREA	FRONT SETBACK	SIDE SETBACK	REAR SETBACK
20,000 S.F.	35'	10'	35'



RECORD-PLATS	
PLAT BOOK 58	PAGE 110
PLAT BOOK 73	PAGE 152

TEXT	DESCRIPTION	LINETYPE	SYMBOL
C	CENTERLINE	---	⊕
CCL	CREEK-CENTERLINE	---	⊕
CP	CALCULATED POINT	---	⊕
CTP	CRIMP TOP PIPE	---	⊕
DB	DEED BOOK	---	⊕
ELEC.	ELECTRIC LINE	---	⊕
FCLK	FENCE-CHAIN-LINK	---	⊕
FCLK	FENCE-WOOD	---	⊕
FH	FIRE HYDRANT	---	⊕
IPF	IRON PIN FOUND	---	⊕
IPS	IRON PIN SET	---	⊕
(M-)	MEASURED CALL	---	⊕
NF	NOW OR FORMALLY	---	⊕
PB	PLAT BOOK	---	⊕
PG	PAGE	---	⊕
P	PROPERTY LINE	---	⊕
POB	POINT OF BEGINNING	---	⊕
POC	POINT OF COMMENCEMENT	---	⊕
PP	POWER POLE	---	⊕
(R-)	RECORD CALL	---	⊕
RW	RIGHT OF WAY	---	⊕

HATCHING	
[Pattern]	GRAVEL
[Pattern]	CONCRETE
[Pattern]	BUILDING
[Pattern]	BLDG.

UTILITIES
UNDERGROUND UTILITIES OR STRUCTURES IF ANY MAY NOT BE SHOWN

EASEMENTS & RIGHT OF WAYS
THIS PLAT IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY (PRIVATE AND PUBLIC)

TITLE
ALL MATTERS OF TITLE ARE EXCEPTED. IT IS RECOMMENDED THAT AN ATTORNEY BE CONSULTED FOR ALL MATTERS OF TITLE.

STREAMS, BODIES OF WATER, & WETLANDS
ALL STREAMS, SPRINGS, BODIES OF WATER, AND WETLANDS, IF ANY, MAY BE SUBJECT TO STATE, COUNTY, AND LOCAL BUFFERS OR RESTRICTIONS. SURVEYOR MAKES NO INTERPRETATION REGARDING THESE BUFFERS OR RESTRICTIONS. USER OF THIS MAP IS CAUTIONED TO CONSULT WITH THE APPROPRIATE EXPERTS AND GOVERNING AUTHORITIES CONCERNING POSSIBLE BUFFERS OR RESTRICTIONS.

GEORGIA TECHNICAL STANDARDS
-THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1:14,701 AND ANGULAR ERROR OF 00'00'02" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE
-THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1:216,192+
-TYPE OF EQUIPMENT: TOPCON GTS 303
-FIELD SURVEY COMPLETED: 04/29/2009
-FIELD BOOK: 2009-A1 PAGE 2
[AREA = 0.48 ACRES 20,800 S.F.]

Impervious = 29%
(62384)

APPLICANT: Joe F. Tillman, Sr. **PETITION NO.:** V-56
PHONE: 770-971-5676 **DATE OF HEARING:** 07-08-09
REPRESENTATIVE: Grace Tillman **PRESENT ZONING:** R-20
PHONE: 404-365-6565 **LAND LOT(S):** 261
PROPERTY LOCATION: Located on the north side of Vinson Drive, west of Pete Shaw Road (3051 Vinson Drive). **DISTRICT:** 16
SIZE OF TRACT: .48 acre **COMMISSION DISTRICT:** 3

TYPE OF VARIANCE: 1) Waive the side setback for an accessory structure (existing 640 square foot RV carport) from the required 10 feet to zero feet adjacent to the eastern property line; 2) allow an accessory structure (existing RV carport) to the side of the primary structure; 3) waive the rear setback for an accessory structure over 144 square feet (existing 200 square foot shed) from the required 35 feet to 19 feet; and 4) waive the side setback for an accessory structure (existing 200 square foot shed) from the required 10 feet to zero feet adjacent to the western property line.

COMMENTS

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

DEVELOPMENT & INSPECTIONS: If this variance request is approved, a plat revision must be recorded reflecting the conditions of the variance and eliminating or rerouting the drainage easement in which the carport has been constructed. 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: The sheds, as well as a portion of the pool, on this parcel are located within a recorded drainage easement. Although there is a drainage swale that has been created along the property line on the adjacent parcel that appears to be providing adequate stormwater conveyance, a hold harmless agreement should be recorded for these encroachments.

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**

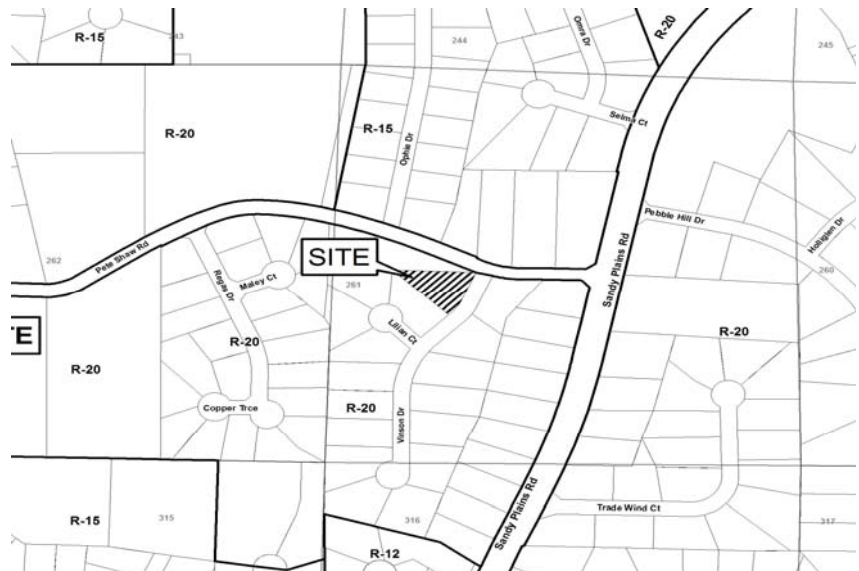
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

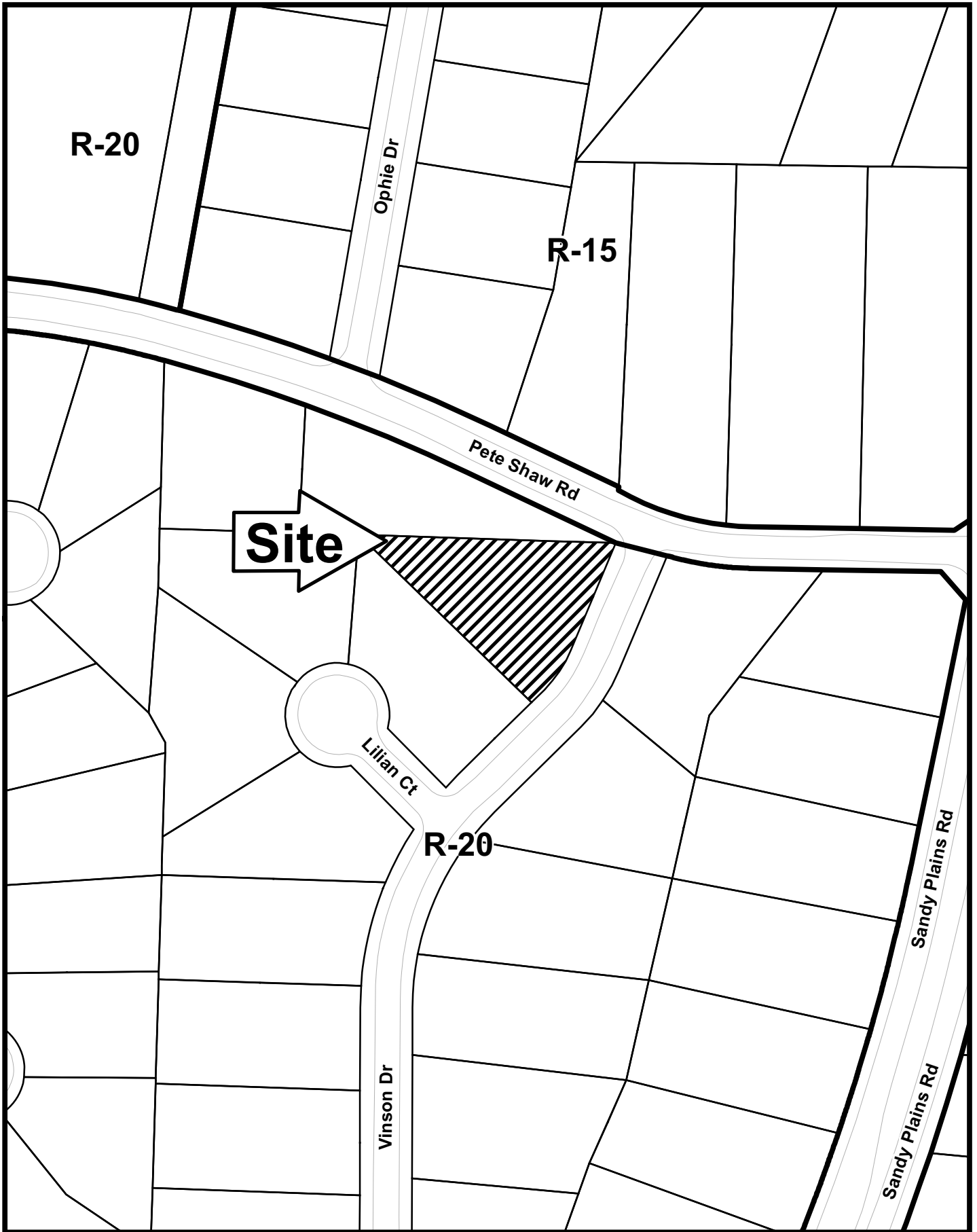
REJECTED **SECONDED**

HELD **CARRIED**

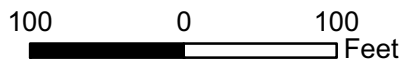
STIPULATIONS:





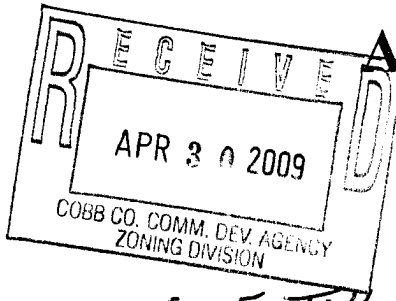
V-56



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-56

Hearing Date: 7-8-09

Applicant Joe F. Tillman, Sr Business Phone N/A Home Phone 770-971-5676

Grace Tillman
(representative's name, printed)

Address 3051 Vinson Dr, Marietta, GA 30066
(street, city, state and zip code)

[Signature]
(representative's signature)

Phone 404-365-6565 Cell Phone 770-527-9072



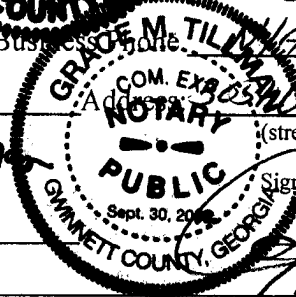
Signed, sealed and delivered in presence of:

Josephine M. Cole
Notary Public

My commission expires: 11-11-2010

Titleholder Joe & Shirley Tillman Business Phone N/A Home Phone 770-971-5676

Signature Joe F. Tillman, Sr.
(attach additional signatures, if needed)



Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: 9/30/02

Present Zoning of Property R-20

Location 3051 Vinson Dr, Marietta, GA 30066
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 261 District 16th Size of Tract .48 Acre(s)

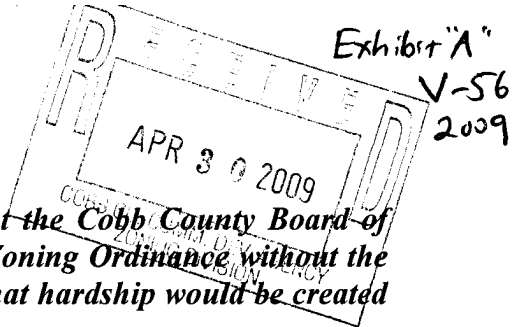
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property _____ Shape of Property pie 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.

see attached sheet (Exhibit A)

List type of variance requested: Waiver for accessory structures (RV carport) to be at least 5ft. from the side property line and to be located completely behind my house.



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 the following the normal terms of the ordinance.

Prior to the start of this project (pouring the driveway and erecting the carport), I contacted the Cobb County Zoning Office as well as the Building Inspections Office. I was told by both that due to the nature of this project I did not need a building inspection permit. I purchased a pre-fabricated carport for my RV which was installed on site by the selling company. At no time was I advised that there would be any setback requirements.

My lot is a "pie" shape with a narrow section of my neighbors' property lying between my property and the street to the right of my home (Pete Shaw Road). This section of my neighbors' property is a wedge area approximately 35 feet wide and is unsuitable to build or erect any structure upon. The front portion of the carport lies seven feet from the property line in accordance with the current zoning requirement. Due to the length of the carport and the shape of my lot, the back corner closest to the property line sits six inches from the line. The front edge of the carport is also angled with most being behind the home as required by current zoning requirements. Only the left corner of the carport does not fall entirely behind the home by a distance of less than two feet at most.

Relocating the carport will be very expensive and render most of my remaining backyard unusable. The carport is in essence an aluminum roof or canopy supported by downward steel "legs". The structure does not have any sides or walls. Moving the carport potentially will damage the integrity of the roof and support posts causing the structure to leak. Furthermore, to comply with the ordinance would require moving the carport to a location much closer to my neighbor's house, which they would prefer not happen.

Due to the pie shape of my lot, the current location was the least intrusive way for both myself and my neighbors to fit the nearly 40x16 carport for my RV on to the property. To achieve the 5ft. set back from the property sideline for the rear of the carport would require locating the carport at a 45 degree angle to the driveway. The RV has a 13 foot tail swing and would necessitate driving 10 feet over the property line to make the turn. (Which is impossible due to the location of a fence on the property line.) The other possible alternative would be to install a straight driveway off of Vinson Drive, which would need to be built up and graded to reduce the 45 degree slope. The location of the carport would be pushed further back into the yard and closer to my neighbors' homes.

I have discussed this situation and the current location of the carport with all of my neighbors and none have raised any objections.