

**PHASE I**  
 PLAT BOOK 271, PAGE 7

● 86 LOTS REQUIRING VARIANCE: MINIMUM LOT SIZE 16,000 S.F. MINIMUM LOT WIDTH 76 FEET

● 10 LOTS REQUIRING VARIANCE: MINIMUM LOT SIZE 30,000 S.F. MINIMUM LOT WIDTH 76 FEET

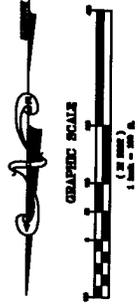
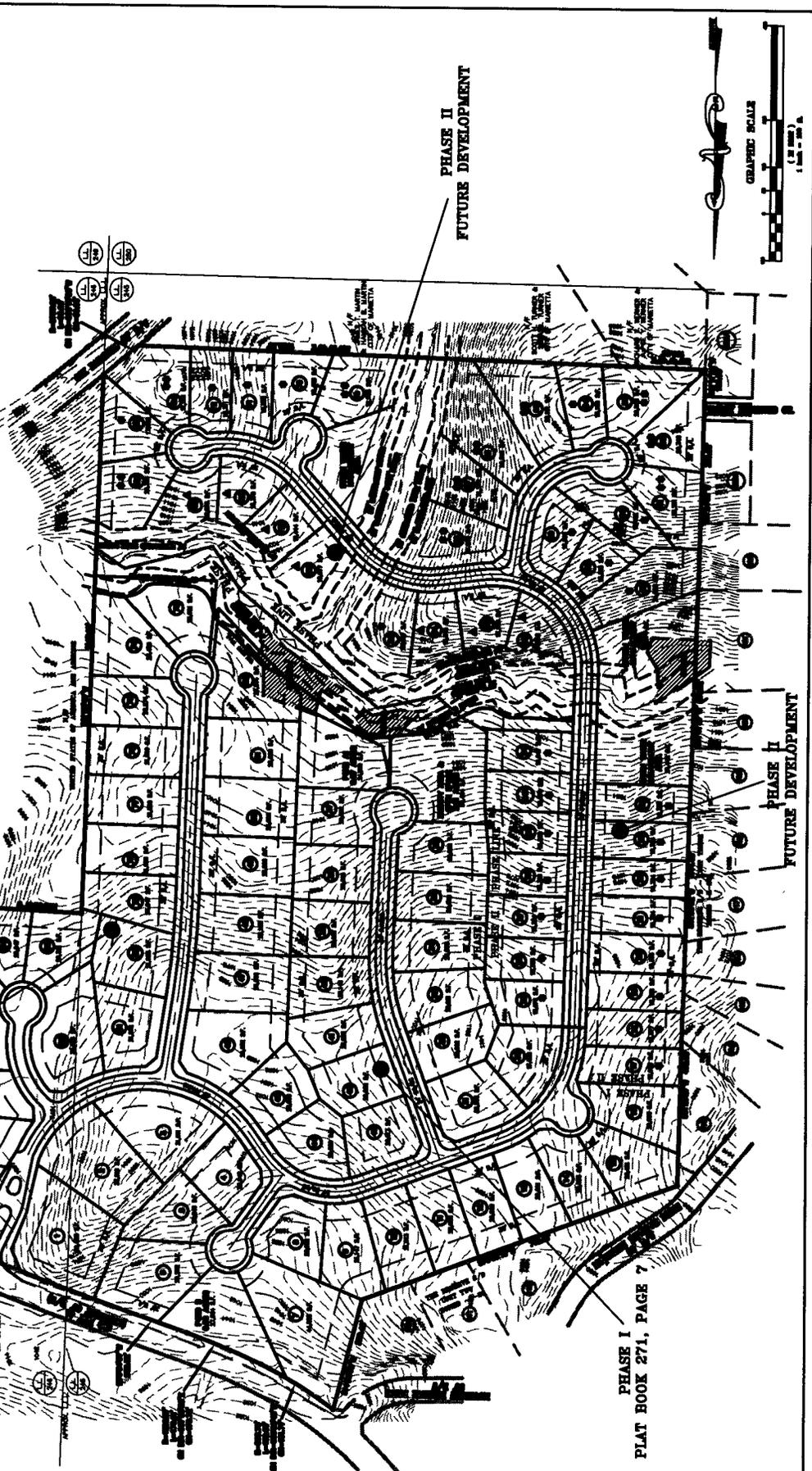
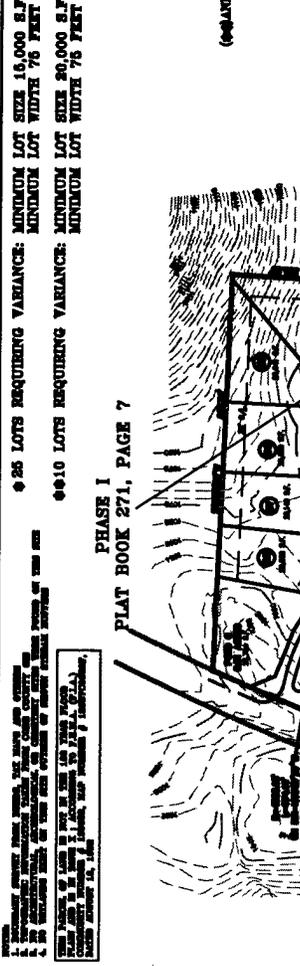
**PHASE II**  
 PLAT BOOK 271, PAGE 7

● 7 VARIANCE LOTS: PETITION NO. V-88 (08/04) DATED JUNE 30, 2006

● 64.52 A.C.  
 2-90  
 97 LOTS (SEEZ)  
 28 LOTS (SEEZ)  
 15,000 S.F.  
 30,000 S.F.  
 1.51 UNITS/AC.  
 34' FRONT  
 34' REAR  
 34' MAJOR SIDE  
 10' SIDE

● 64.52 A.C.  
 2-90  
 97 LOTS (SEEZ)  
 28 LOTS (SEEZ)  
 15,000 S.F.  
 30,000 S.F.  
 1.51 UNITS/AC.  
 34' FRONT  
 34' REAR  
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PHASE I  
 PLAT BOOK 271, PAGE 7

PHASE II  
 FUTURE DEVELOPMENT

**APPLICANT:** ACR Engineering **PETITION NO.:** V-29  
**PHONE:** 678-291-0000 **DATE OF HEARING:** 04-14-10  
**REPRESENTATIVE:** Abbas Heidari **PRESENT ZONING:** R-20  
**PHONE:** 678-291-0000 **LAND LOT(S):** 245, 246  
**PROPERTY LOCATION:** Located on the south side of **DISTRICT:** 20  
Old Highway 41, east of Barrett Parkway. **SIZE OF TRACT:** 64.3 acres  
**COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** 1) Waive the lot size of lots 17 through 29, 53, 57 through 64, 70 through 72 and 72b from the required 20,000 square feet to 15,000 square feet; and 2) waive the front setback from the required 35 feet to 25 feet for lots 17 through 29 and 53 through 72g.

**COMMENTS**

**TRAFFIC:** Noonday Creek Trail is identified as a 2005 SPLOST project consisting of a multi-use trail along the south side of Old 41 Highway. Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the road improvement project.

**DEVELOPMENT & INSPECTIONS:** If this variance request is approved, a subdivision plat revision must be recorded reflecting the conditions of the variance and referencing the variance case. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

**STORMWATER MANAGEMENT:** The additional proposed lots will result in an increase in stormwater runoff. The hydrologic impact to the existing detention facilities must be evaluated to determine if adequate capacity is available or if modifications to the facilities are required.

**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.

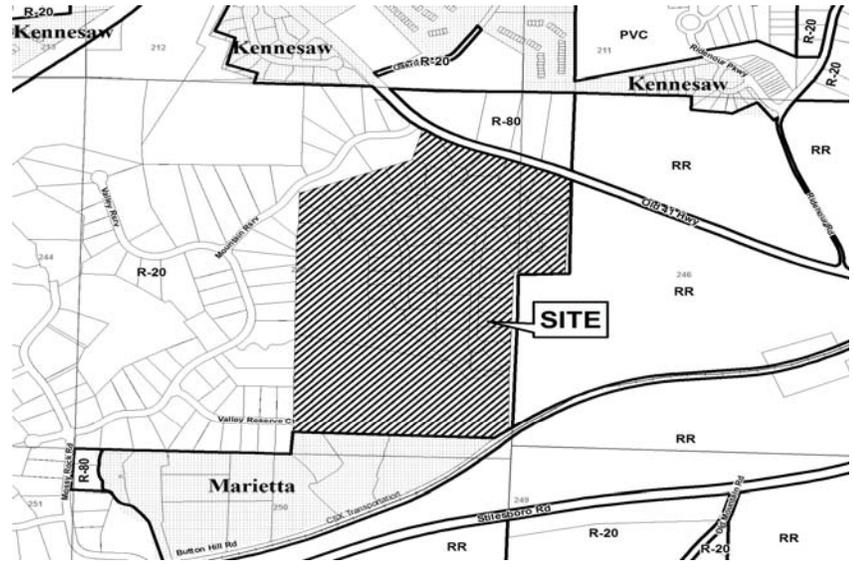
**CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict.

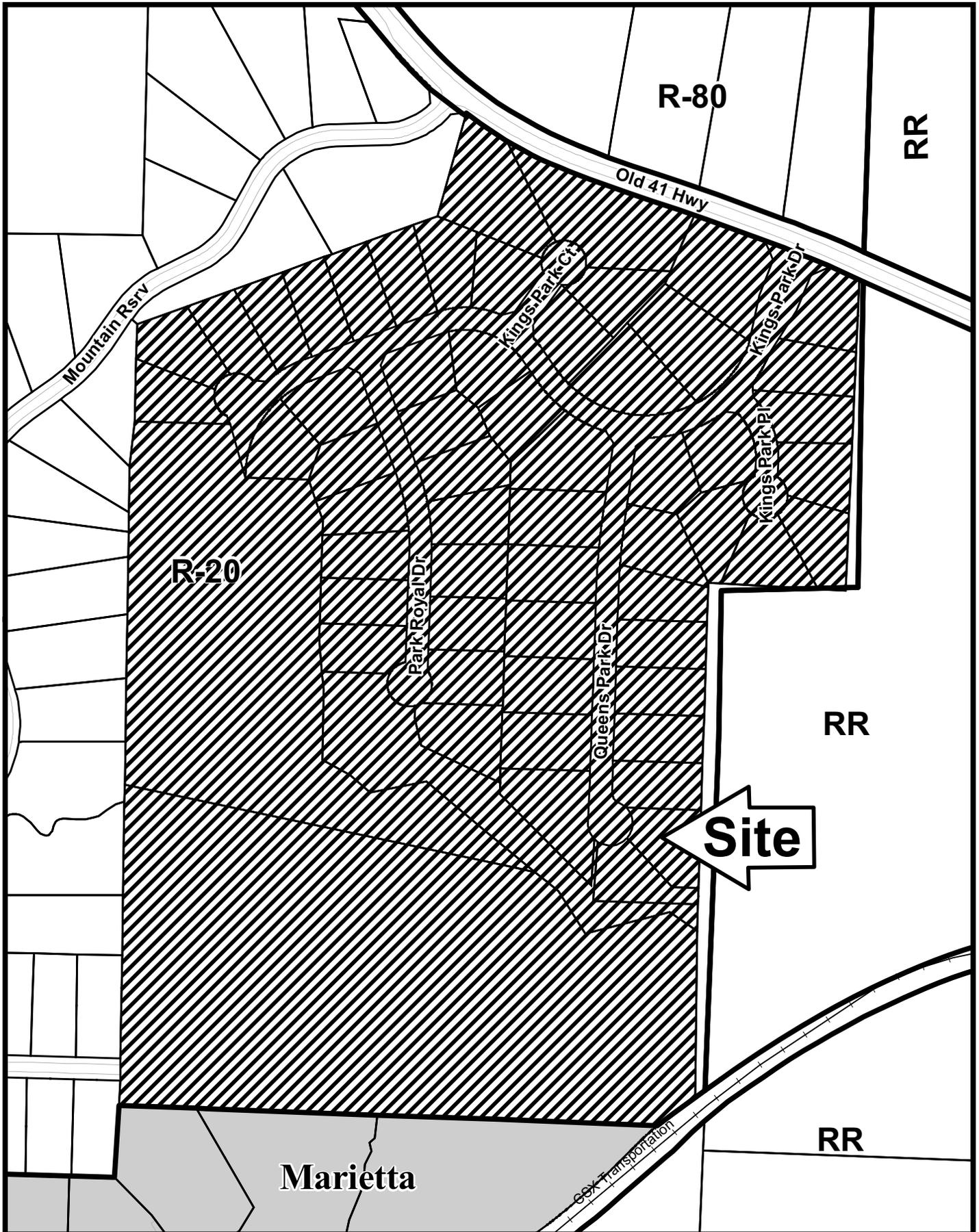
**SEWER:** Applicant should be aware that Code 122-123 (10 foot front and rear, 2 foot side setbacks from edge of Sanitary Sewer Easement) may be more difficult to achieve with smaller lot sizes.

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

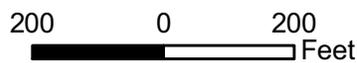
**BOARD OF APPEALS DECISION**  
**APPROVED**          **MOTION BY**           
**REJECTED**          **SECONDED**           
**HELD**          **CARRIED**           
**STIPULATIONS:**           
          
        



# V-29



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-29  
Hearing Date: 4-14-10

Applicant ACE ENGINEERING Business Phone 678-291-0000 Home Phone 770-622-5969

ABBAS HEIDARI Address 3040 HOLCOM BRIDGE RD., SUITE G-2  
(representative's name, printed) NORCROSS, GA. 30071  
(street, city, state and zip code)

[Signature] Business Phone 678-291-0000 Home Phone 770-234-7415  
(representative's signature)

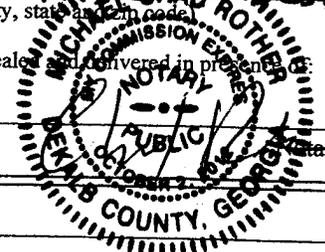


Signed, sealed and delivered in presence of \_\_\_\_\_  
Notary Public

My commission expires: Oct. 2, 2012

Titleholder QUEENS GATE, LLC Business Phone 770-391-4233 Home Phone 404-409-5007

Signature [Signature] Address: 4828 ASHFORD DUNWOODY ROAD  
(attach additional signatures, if needed) ATLANTA, GA 30338  
(street, city, state and zip code)



Signed, sealed and delivered in presence of \_\_\_\_\_  
Notary Public

My commission expires: Oct 2, 2012

Present Zoning of Property R-20

Location OLD HWY. 41  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 245 & 246 District 20 Size of Tract 64.3 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.

We are requesting this variance topographical limitations, in particular a creek, will cause under difficulty for this project. we also believe it will be in everyone's interest, including the citizen of Cobb County, to ensure this project becomes a successful portion of the community.

- List type of variance requested:
1. REDUCTION FROM 20,000 SQ. FT. TO 15,000 SQFT. FOR LOTS 17-29, 53, 57-64, 70-72 & 72B.
  2. REDUCTION OF LOT WIDTH FROM 100' TO 75' FOR LOTS 17-29 & 53-724.
  3. REDUCTION OF FRONT BUILDING SET BACK FROM 35' TO 25' FOR LOTS 17-29 & 53-724.