

APPLICANT: Jose Medina **PETITION NO.:** V-80
PHONE: 770-527-3947 **DATE OF HEARING:** 11-10-10
REPRESENTATIVE: same **PRESENT ZONING:** HI
PHONE: same **LAND LOT(S):** 292
PROPERTY LOCATION: Located on the north side of **DISTRICT:** 17
Pearl Street, east of Atlanta Road **SIZE OF TRACT:** .393 acre
(108 Pearl Street). **COMMISSION DISTRICT:** 4

TYPE OF VARIANCE: 1) Waive the lot size from the required 40,000 square-feet to 17,000 square-feet; 2) waive the side setback on either side from the required 20 feet to 5 feet; and 3) waive the rear setback from the required 40 feet to 5 feet.

COMMENTS

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

DEVELOPMENT & INSPECTIONS: Any portion of a building less than 5 feet from the property line will be required to have a One Hour Fire Rating.

STORMWATER MANAGEMENT: No significant stormwater management impacts are anticipated. The building addition will be located over an existing concrete pad. The proposed building will enclose an existing body work area that is currently exposed to weather and potential runoff.

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 permanent structures shall be constructed within ten (10') feet of the edge of permanent water or sanitary easements on front or rear setbacks, or within two (2') feet on side setbacks, per Code 122-123. Existing building may already be within sewer easement.

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

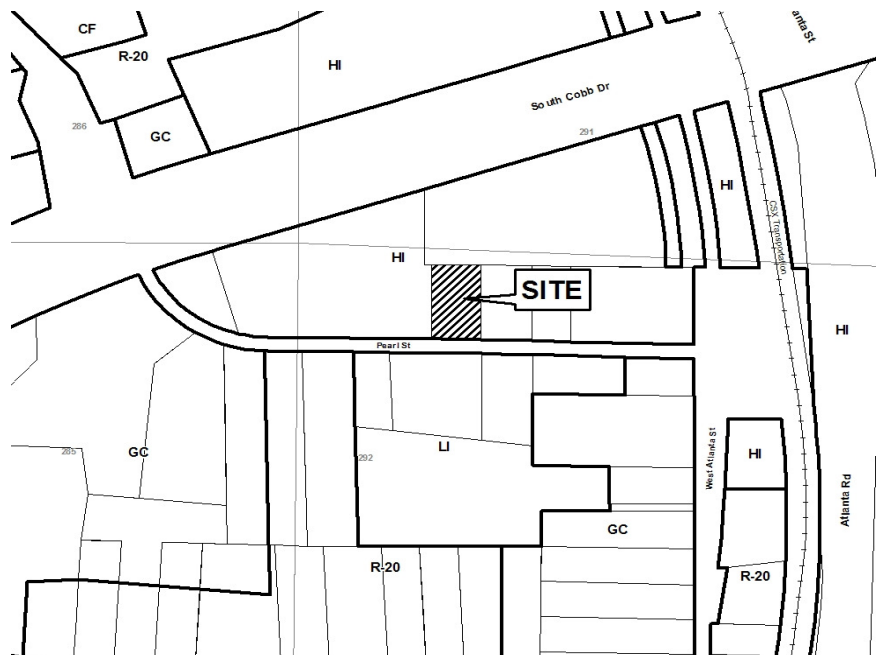
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



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Cobb County Fire and Emergency Services

Applicant Name: Jose Medina

Petition Number: V-80

Date:10/21/2010

Fire Marshal Comments

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupiable floor level. Aerial fire apparatus roads shall be a minimum width of 24 feet face of curb to face of curb maximum of 40 feet from the structure and be positioned parallel to the long side of the building for its entire length. No overhead utility and power lines shall be located within the aerial apparatus access.

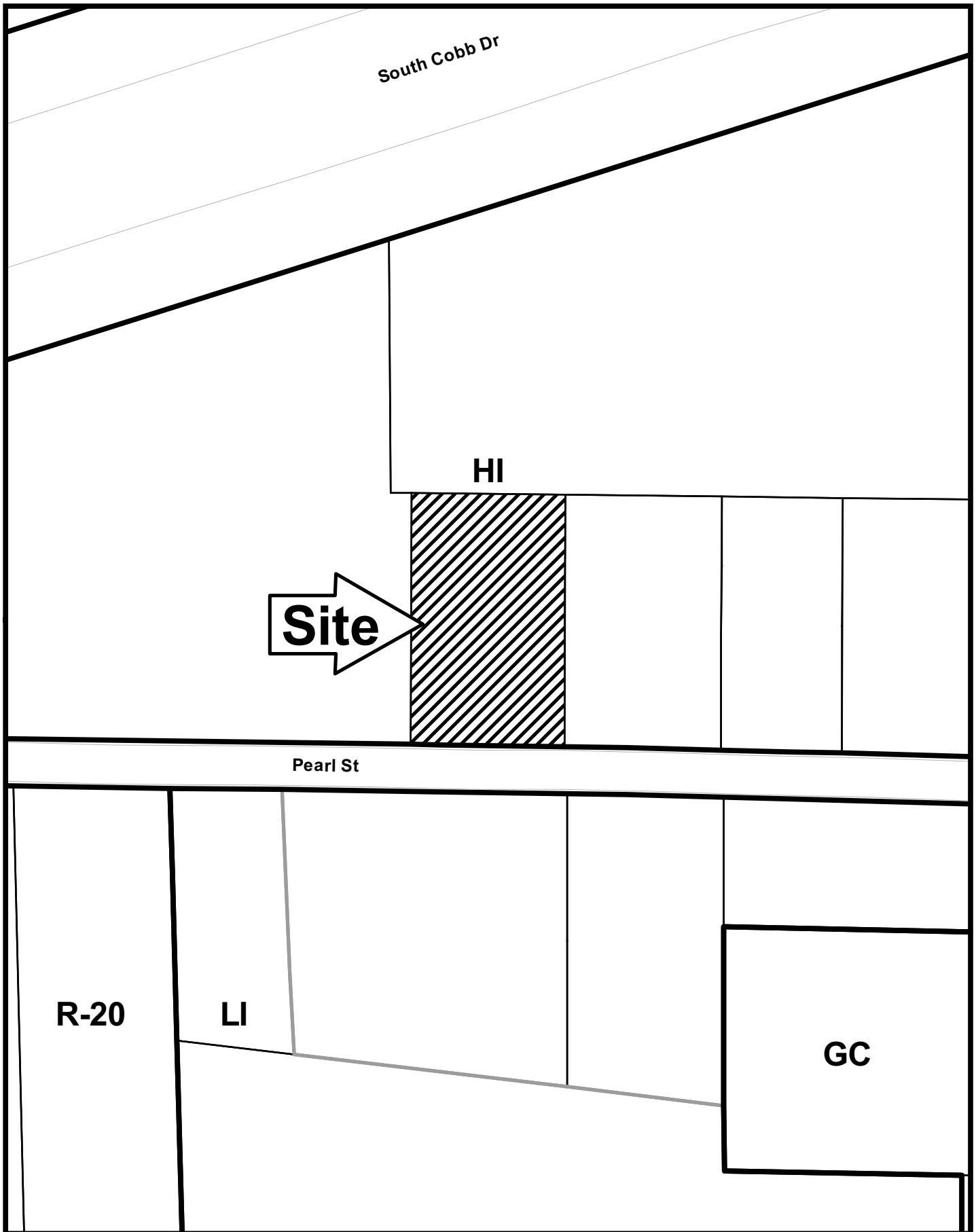
Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – total of 110-feet needed (45 feet + 20 foot wide roadway + 45 feet).

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

All fuel tanks must be submitted to Cobb County Fire Marshal's Office for approval call 770-528-8328.

V-80

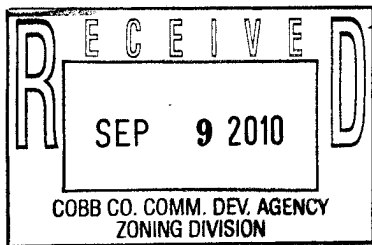


This map is provided for display and planning purposes only. It is not meant to be a legal description.

50 0 50 Feet



City Boundary
Zoning Boundary



Application for Variance Cobb County

(type or print clearly)

Application No. V-80

Hearing Date: 11-10-10

Applicant J JOSE MEDINA

Business Phone 770-527-3947

Home Phone _____

Address 1443 ANGUS TRAIL, MARIETTA, GA 30008

(representative's name, printed)

(street, city, state and zip code)

[Signature]
(representative's signature)

Business Phone 770-425-6890

Cell Phone 770-347-8454

Signed, sealed and delivered in presence of:

My commission expires: Notary Public, Cobb County, Georgia
Commission Expires February 3, 2011

[Signature]

Notary Public

Titleholder J Medina Clagg

Business Phone 1

Home Phone _____

Signature [Signature]

(attach additional signatures, if needed)

Address: _____

(street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: Notary Public, Cobb County, Georgia
Commission Expires February 3, 2011

[Signature]

Notary Public

Present Zoning of Property HI

Location 108 PEARL STREET

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

Land Lot(s) 285, 292

District 17

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 X

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.

Building is required additional storage for body shop.

List type of variance requested: WAIVE THE LOT SIZE FROM
REQUIRED 40,000 SQ FT TO 17,100 SQ FT
WAIVE THE SIDE SETBACK ON EITHER SIDE
FROM REQUIRED 20 FT TO 5 FT; 3) WAIVE THE
REAR SETBACK FROM REQUIRED 40 FT TO 5 FT