

PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: October 12, 2011

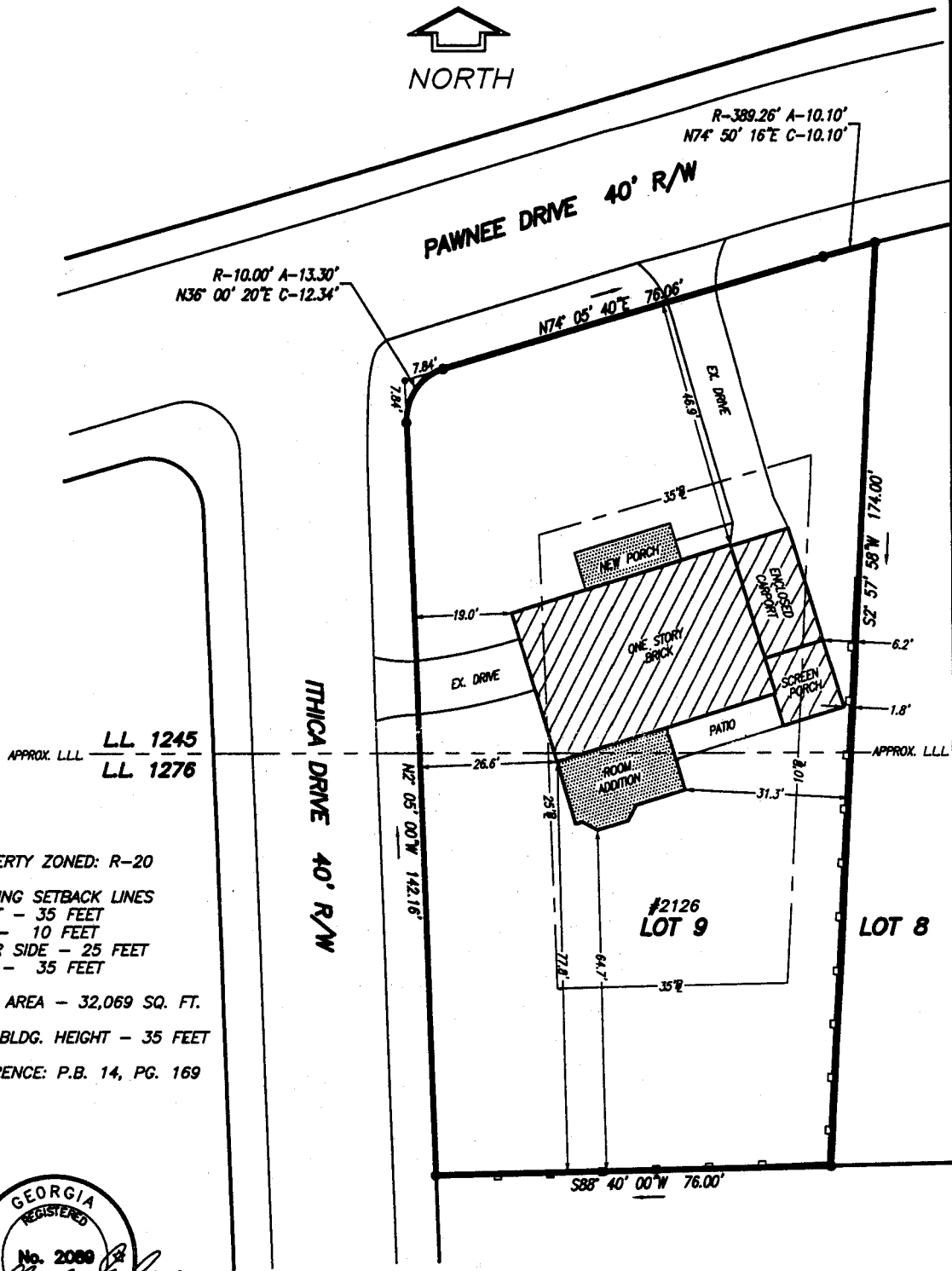
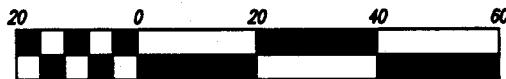
DUE DATE: September 12, 2011

Distributed: August 17, 2011



Cobb County...Expect the Best!

V-72
(2011)



APPROX. L.L.L. LL 1245
LL 1276

PROPERTY ZONED: R-20
BUILDING SETBACK LINES
FRONT - 35 FEET
SIDE - 10 FEET
MAJOR SIDE - 25 FEET
REAR - 35 FEET
TOTAL AREA - 32,069 SQ. FT.
MAX. BLDG. HEIGHT - 35 FEET
REFERENCE: P.B. 14, PG. 169



FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13067C0128 G, LAST REVISED ON DEC. 16, 2008.

SITE PLAN FOR

SURVEYED REG. TPO
CALCULATED RAM
DRAWN RAM
DWG. NAME PAWNEE 2126

SITE WORKS
SURVEYS & PLANNING
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328

DANESH ROSHAN
LOT 9, UNIT NO. 1
SEDALIA PARK
LL 1245 & 1276
DISTRICT 16 SECTION 2

APPLICANT: Danesh & Sahar Roshan

PETITION NO.: V-72

PHONE: 404-409-2044

DATE OF HEARING: 10-12-11

REPRESENTATIVE: same

PRESENT ZONING: R-20

PHONE: same

LAND LOT(S): 1245, 1276

PROPERTY LOCATION: At the southeast intersection
of Pawnee Drive & Ithica Drive

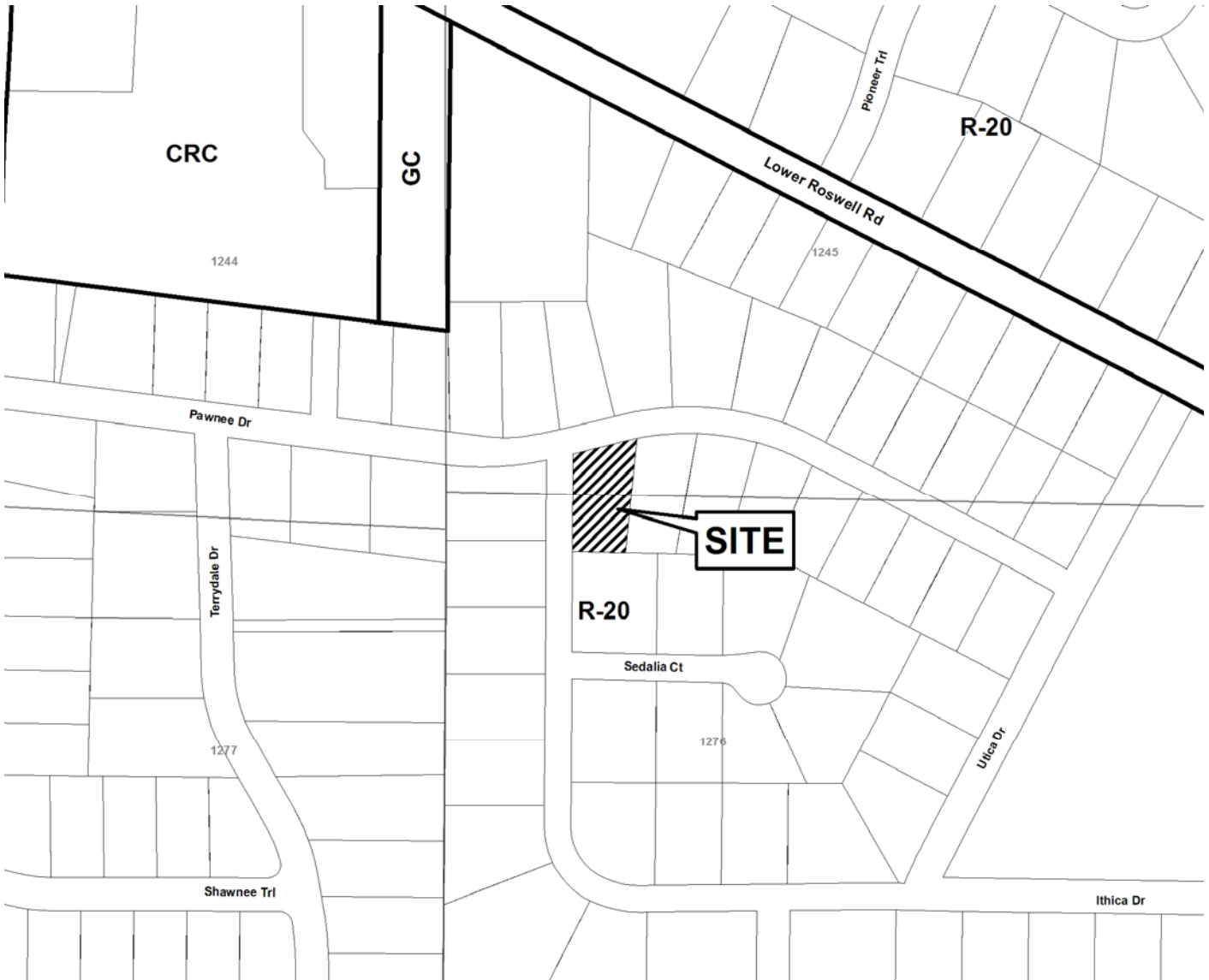
DISTRICT: 16

(2126 Pawnee Drive).

SIZE OF TRACT: 0.279 acre

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the side setback adjacent to the western property line from the required 25 feet to 19 feet; and 2) waive the side setback adjacent to the eastern property from the required 10 feet to 1 foot on lot 9



Application for Variance Cobb County

(type or print clearly)

Application No. V-72
Hearing Date: 10-12, 11

Applicant Danesh Roshan Phone # 404-409-9204 E-mail FM Roshan 04@yahoo.com
Danesh Roshan Address: 195 Pawnee Tr North GA 30068
(representative's name, printed)
Danesh Roshan Phone # 404-409-9204 E-mail Same
(representative's signature)

My commission expires: August 30 2014

Signed, sealed and delivered in presence of:

Notary Public

Titleholder Danesh Roshan Phone # 404-409-9204 E-mail Same
Danesh Roshan Address: 195 Pawnee Tr North GA 30068
Signature Danesh Roshan (attach additional signatures, if needed)

My commission expires: August 30 2014

Notary Public

Present Zoning of Property R-20

Location 2126 PAWNEE DRIVE
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1276 D10 District 16 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 _____ 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 want to close the carport area for safety reason because the attic access to the house is in the carport area. It is going to be hard for my old father who has a lot of health problems to get to the car parking outside during cold winter time.

List type of variance requested:

WAVE THE SIDE SETBACK FROM REQUIRED 25 FT TO 19 FT

PB	159
PG	36
DB	
PG	

APPLICANT: Gerard F. & Frank L. Dreiling

PETITION NO.: V-73

PHONE: 770-565-6880

DATE OF HEARING: 10-12-11

REPRESENTATIVE: same

PRESENT ZONING: RA-4

PHONE: same

LAND LOT(S): 8 & 71

PROPERTY LOCATION: On the south side of

DISTRICT: 1

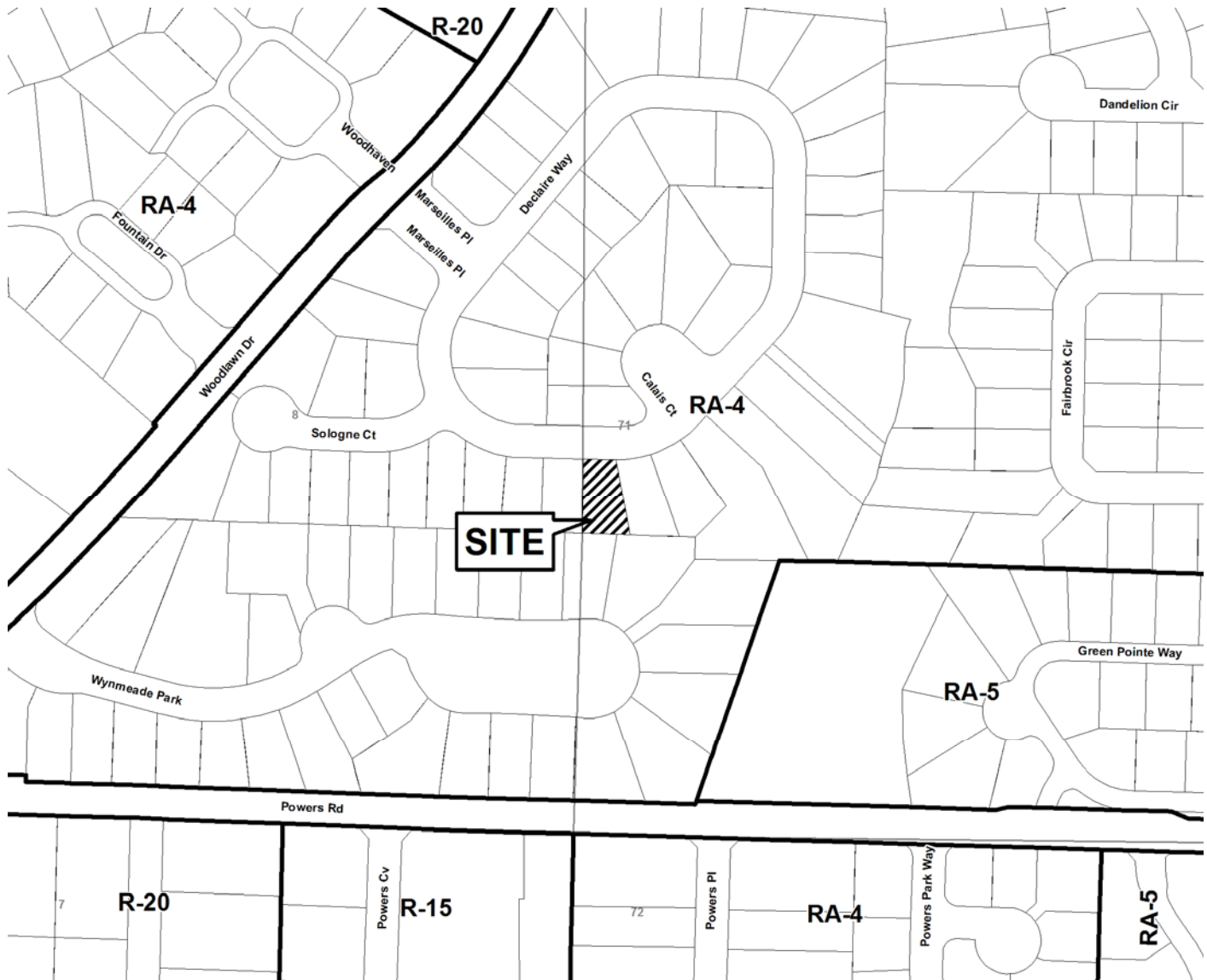
Declaire Way, east of Woodlawn Drive

SIZE OF TRACT: 0.16 acre

(318 Declaire Way).

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the rear setback from the required 40 feet to 26 feet on lot 21; and 2) waive the side setbacks from the required 5 feet to 4.9 feet adjacent to the east and west property lines.



Application for Variance Cobb County

(type or print clearly)

Application No. V-73

Hearing Date: 10-12-11

Applicant

Gerard F. Dreiling

Phone #

770-565-6880

E-mail

gerrydreiling@comcast.net

GERARD F. DREILING

FRANK L. PRITCHARD

(representative's name, printed)

Address

318 DeClaire Way Marietta GA 30067

(street, city, state and zip code)

Gerard F. Dreiling

(representative's signature)

Phone #

404-597-4120

E-mail

frank@pritchardbrothers.com

My commission expires:

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

Titleholder

Gerard F. Dreiling

Phone #

770-565-6880

E-mail

gerrydreiling@comcast.net

Signature

Gerard F. Dreiling
(attach additional signatures, if needed)

Address:

318 DeClaire Way Marietta Ga 30067
(street, city, state and zip code)

My commission expires:

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My Commission Expires
October 31, 2011

Present Zoning of Property

RA-4

Location

318 DeClaire Way Marietta, GA 30067

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

Land Lot(s)

8 & 71

District

1st

Section

2nd

Size of Tract

120x52x117x72

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.

X We are replacing an awning that was damaged on April 15 Hail Storm. This new covering will be a permanent roof. At present we are unable to use patio as it has no covering.

List type of variance requested:

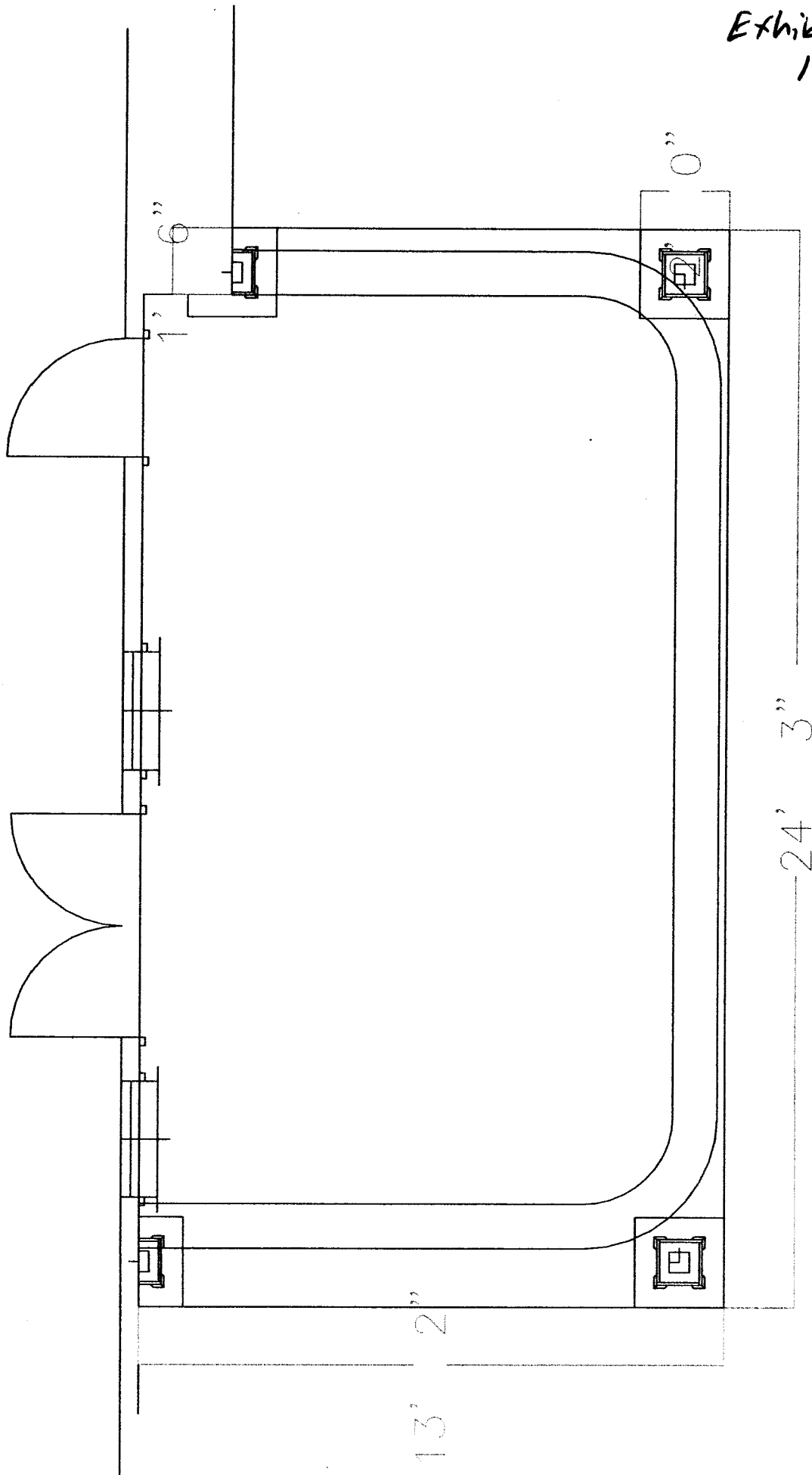
Reduce rear setback from 40' to 26.5'.

See Exhibit "A" for architectural renderings.

V-73/2011

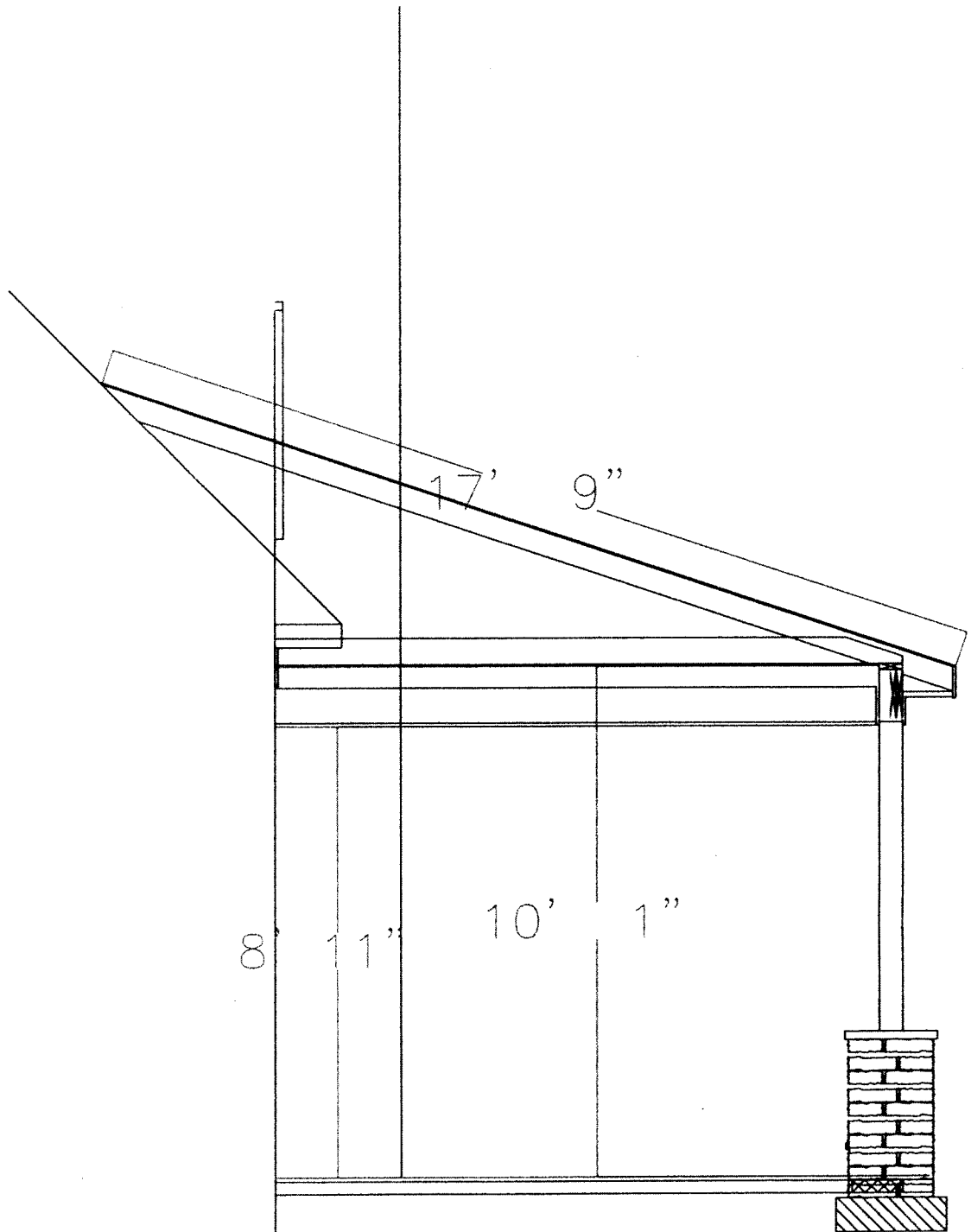
Exhibit A

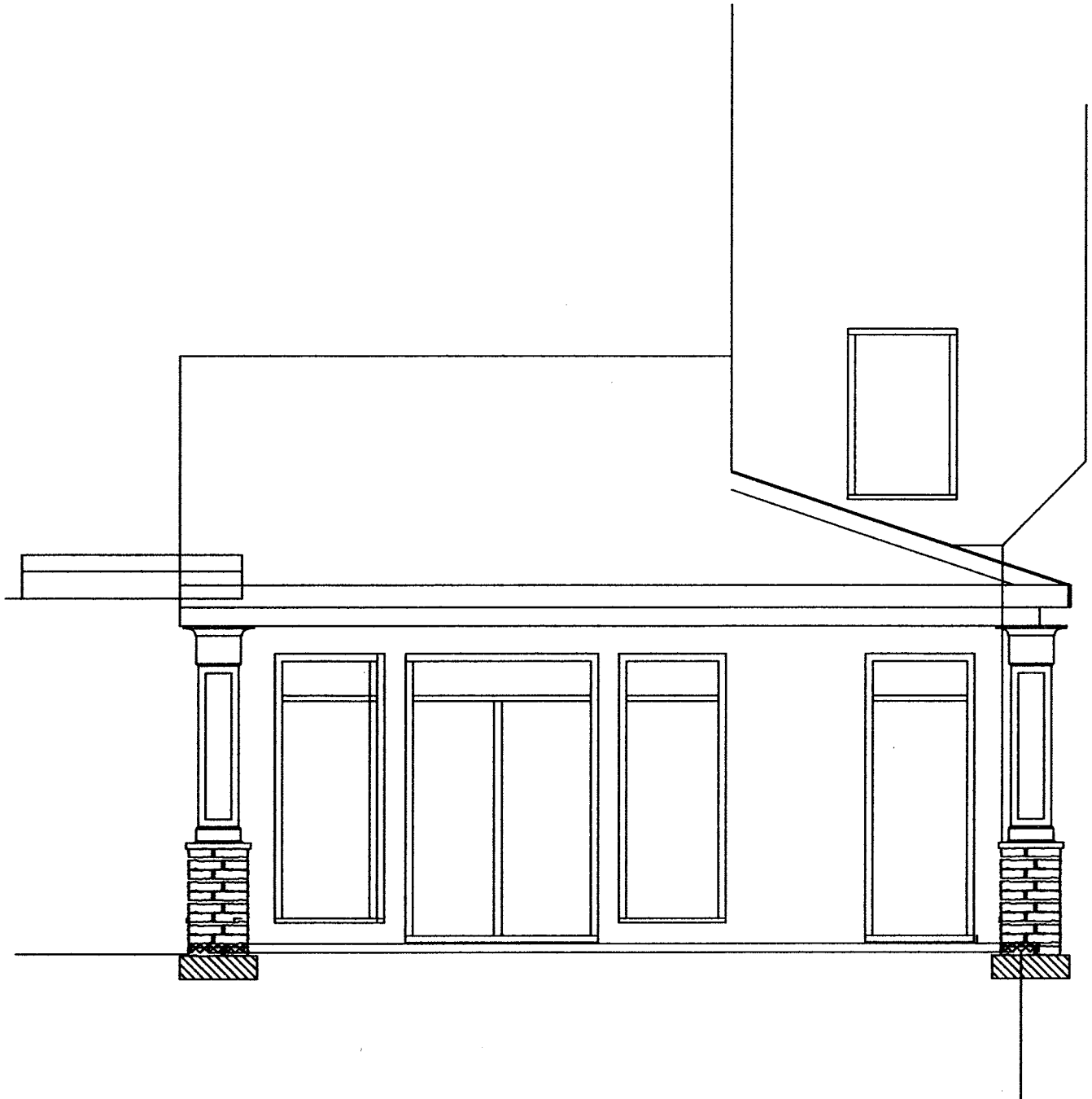
1 of 3



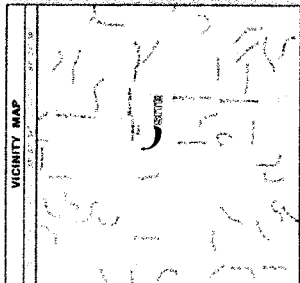
V-73/2011

Exhibit A
2 of 3





V-74
(2011)



OWNERS ACKNOWLEDGMENT

LINE TABLE

CURVE TABLE

COBB COUNTY DEVELOPMENT CERTIFICATION

GENERAL NOTES

CLOSURE STATEMENT

SURVEYOR'S ACKNOWLEDGMENT

LEGEND



SUBDIVISION COVENANTS

PROPERTY DESCRIPTION

The Gates at Woodlawn

Formerly "The Gates at Woodlawn A Condominium"

John Wieland Homes & Neighborhoods

GeoSurvey, Ltd.

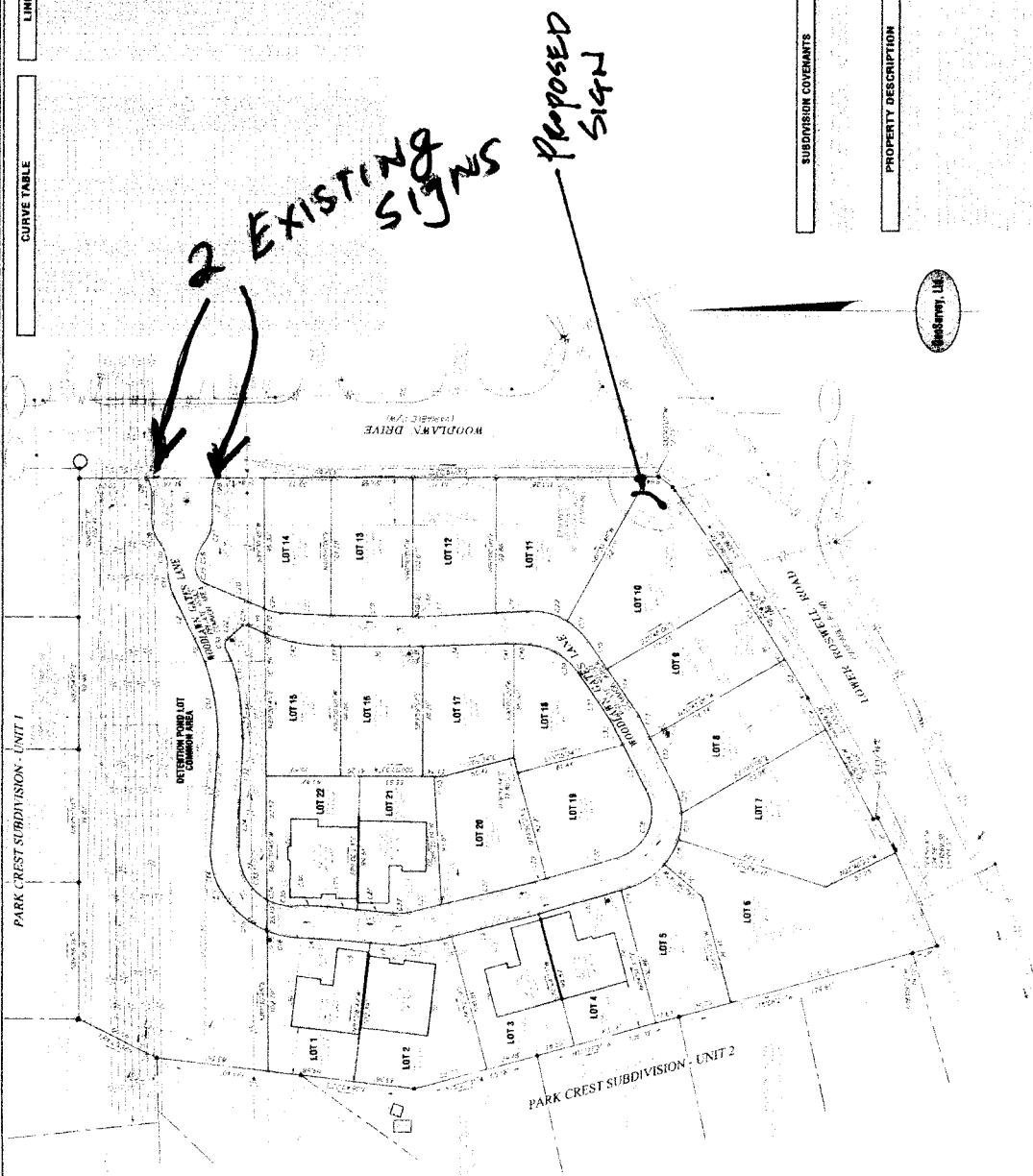
LOT SUMMARY

GRAPHIC SCALE

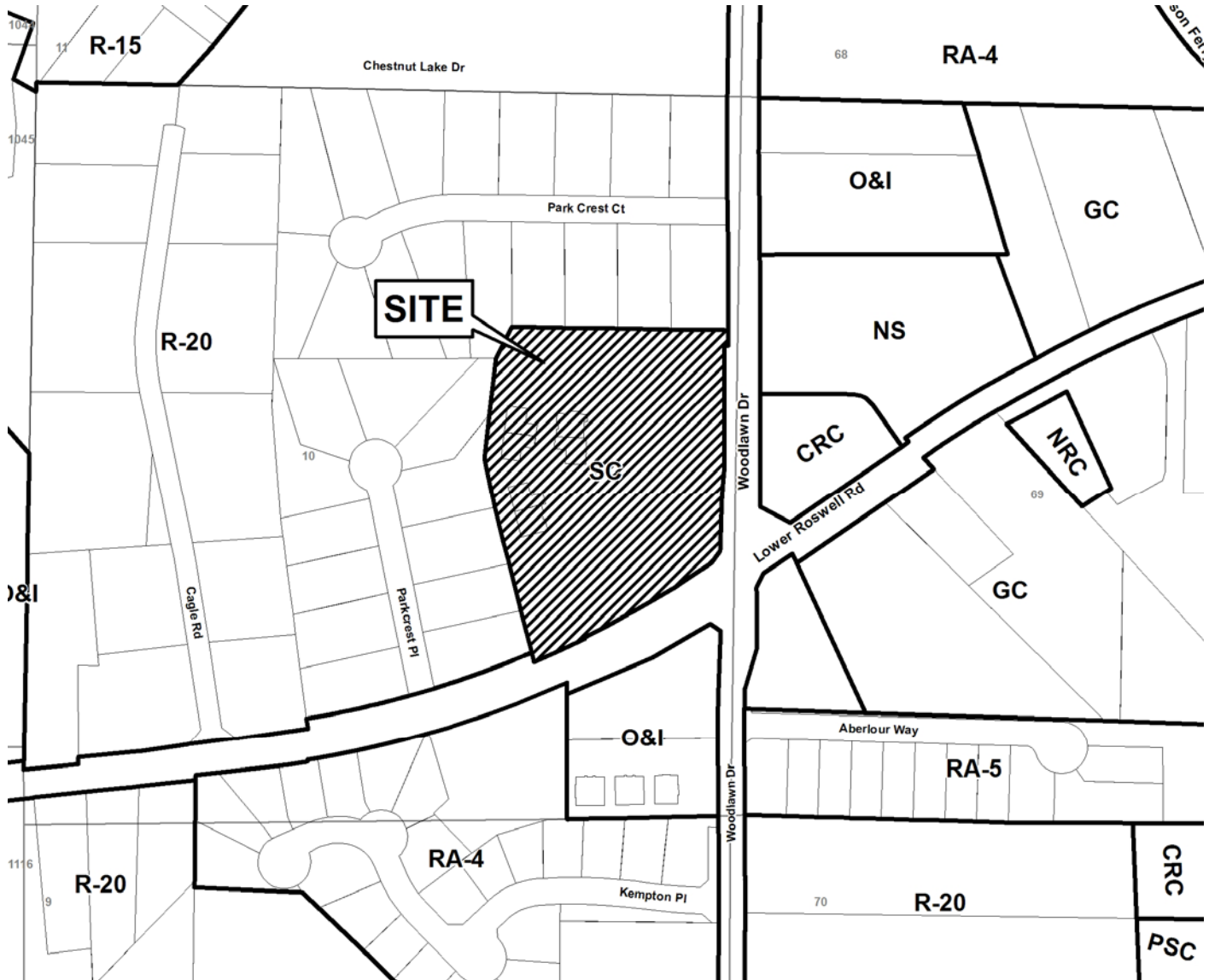
IF YOU DIG

Know what's below.
Call before you dig.

Dial 811
Or Call 800-282-7411



APPLICANT:	<u>Woodlawn Roswell, LLC</u>	PETITION NO.:	<u>V-74</u>
PHONE:	<u>770-996-2400</u>	DATE OF HEARING:	<u>10-12-11</u>
REPRESENTATIVE:	<u>Michelle Horstemeyer</u>	PRESENT ZONING:	<u>SC</u>
PHONE:	<u>770-996-2400</u>	LAND LOT(S):	<u>10</u>
PROPERTY LOCATION:	<u>At the northwest</u>	DISTRICT:	<u>1</u>
<u>intersection of Lower Roswell Road & Woodlawn Drive.</u>		SIZE OF TRACT:	<u>5.36 acres</u>
		COMMISSION DISTRICT:	<u>2</u>
TYPE OF VARIANCE:	<u>Allow one additional monument sign of 30 square-feet.</u>		



Application for Variance Cobb County

(type or print clearly)

Application No. U-74

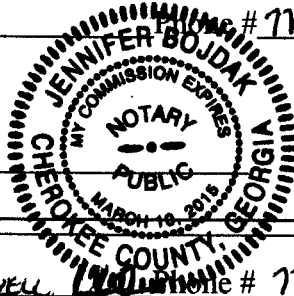
Hearing Date: 10-12-11

Applicant WOODLAWN ROSWELL, LLC Phone # 770-996-2400 E-mail michelle.horstemeyer@jwhomes.com
MICHELLE HORSTEMEYER Address 4125 ATLANTA RD. SE, SMYRNA, GA. 30080
(representative's name, printed) (street, city, state and zip code)

[Signature]
(representative's signature)

770-996-2400 E-mail SAME

My commission expires: 3/10/15



Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Titleholder WOODLAWN ROSWELL, LLC Phone # 770-996-2400 E-mail rob.parker@jwhomes.com
Signature [Signature] Address: 4125 ATLANTA RD. SE, SMYRNA, 30080
(attach additional signatures, if needed) (street, city, state and zip code)

F. Robert Parker, Manager

Signed, sealed and delivered in presence of:

[Signature]

Notary Public

My commission expires: 3/10/15

Present Zoning of Property SC - SUBURBAN CONDOMINIUM RESIDENTIAL DISTRICT

Location WOODLAWN DRIVE AND LOWER ROSWELL RD.

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

Land Lot(s) 10 District 1ST Size of Tract 5.36 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.

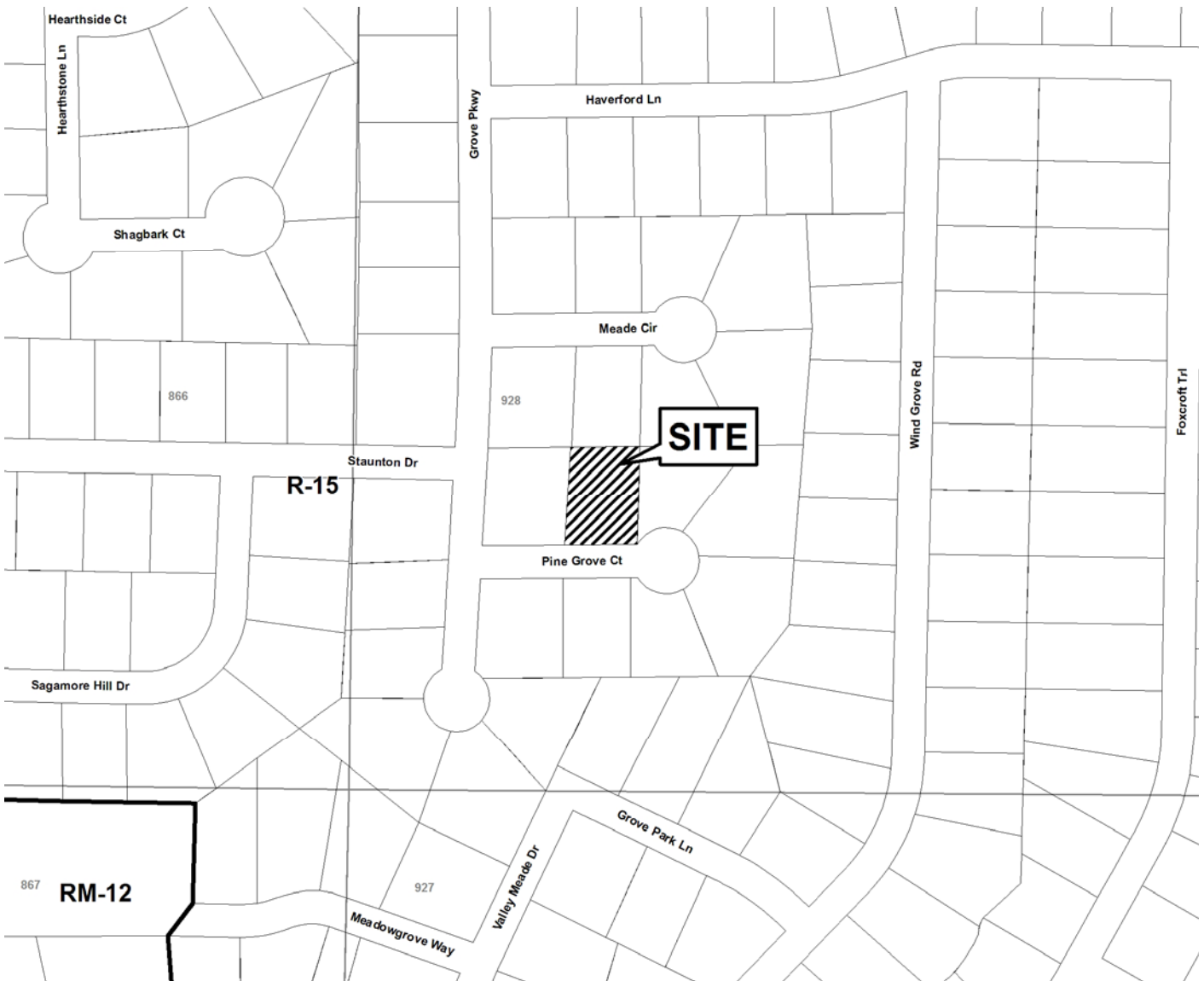
RESIDENTS ARE HAVING DIFFICULTY WITH GUESTS AND DELIVERY COMPANIES FINDING THE NEIGHBORHOOD. THEY ARE CONCERNED THAT EMERGENCY SERVICES MAY HAVE DIFFICULTY FINDING THE NEIGHBORHOOD.

List type of variance requested: ALLOW INSTALLATION OF 1 ADDITIONAL 30 S.F. I.D. MONUMENT. THERE ARE TWO EXISTING 30 S.F. I.D. MONUMENTS AT THE ENTRANCE.

SEE Exhibit "A" for sign rendering.

APPLICANT:	<u>Fiona Harris</u>	PETITION NO.:	<u>V-75</u>
PHONE:	<u>678-576-2933</u>	DATE OF HEARING:	<u>10-12-11</u>
REPRESENTATIVE:	<u>same</u>	PRESENT ZONING:	<u>R-15</u>
PHONE:	<u>same</u>	LAND LOT(S):	<u>928</u>
PROPERTY LOCATION:	<u>On the north side of</u>	DISTRICT:	<u>17</u>
<u>Pine Grove Court, east of Grove Parkway</u>		SIZE OF TRACT:	<u>0.38 acre</u>
<u>(2895 Pine Grove Court).</u>		COMMISSION DISTRICT:	<u>2</u>

TYPE OF VARIANCE: Waive the setback for an accessory structure over 650 square-feet (659 square-foot pool house) from the required 100 feet off any property line to 5 feet off the eastern property line, 36 feet off the north property line and 69 feet off the west property line.



Application for Variance Cobb County

(type or print clearly)

Application No. V-75

Hearing Date: 10-12-11

Applicant FIONA HARRIS Phone # 678 576 2933 E-mail FIONA.HARRIS@REDPRAIRIE.COM

(representative's name, printed)

Address 2895 PINE GROVE CRT, MARIETTA, GA 30067
(street, city, state and zip code)

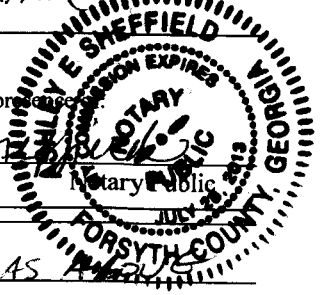
(representative's signature)

Phone # 678 576 2933 E-mail FIONA.HARRIS@REDPRAIRIE.COM

My commission expires: July 28, 2013

Signed, sealed and delivered in presence of

Ashley E Sheffield



Titleholder FIONA HARRIS Phone # 678 576 2933 E-mail SAME AS ABOVE

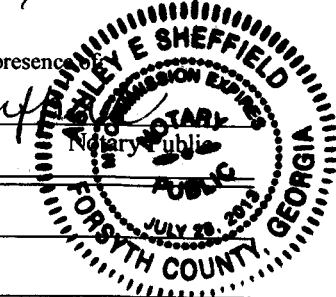
Signature [Signature]
(attach additional signatures, if needed)

Address: 2895 PINE GROVE CRT, MARIETTA, 30067
(street, city, state and zip code)

My commission expires: July 28, 2013

Signed, sealed and delivered in presence of

Ashley E Sheffield



Present Zoning of Property R-15

Location 2895 PINE GROVE COURT
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 928 District 17 Size of Tract 0.38 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.

T CURRENTLY THERE IS NO ROOF ON THE ADDITION AND RAIN DAMAGE IS CAUSING ADDITIONAL ISSUES WHICH MAY/COULD CAUSE ADDITIONAL DAMAGE TO THE STRUCTURE.

List type of variance requested: WAIVE THE SIDE SETBACK FROM REQUIRED 10FT TO 5FT

COPY

6

5

4

3

2

11

12

ACCESSORY
STRUCTURE
E 192 SQ FT

THIS PROPERTY ~~DOES~~ (IS NOT) LOCATED
IN A FEDERAL FLOOD AREA AS INDICATED
BY FIA OFFICIAL FLOOD HAZARD MAPS.

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

SURVEY

FOR

CONWARD HENDERSON, JR.
ROSANNA L. HENDERSON

LOT 11 . BLOCK C UNIT TWO

REVISIONS:

SPRING VALLEY SUBDIVISION

PLAT BOOK 16 PAGE 198

LAND LOT 277

DISTRICT - 17 SECTION - 2

COUNTY- COBB

STATE - GEORGIA

DATE: 4-16-87 SCALE: 1" = 50'

CC. TD

DRAWN MKM

CHKD LON

Job Number

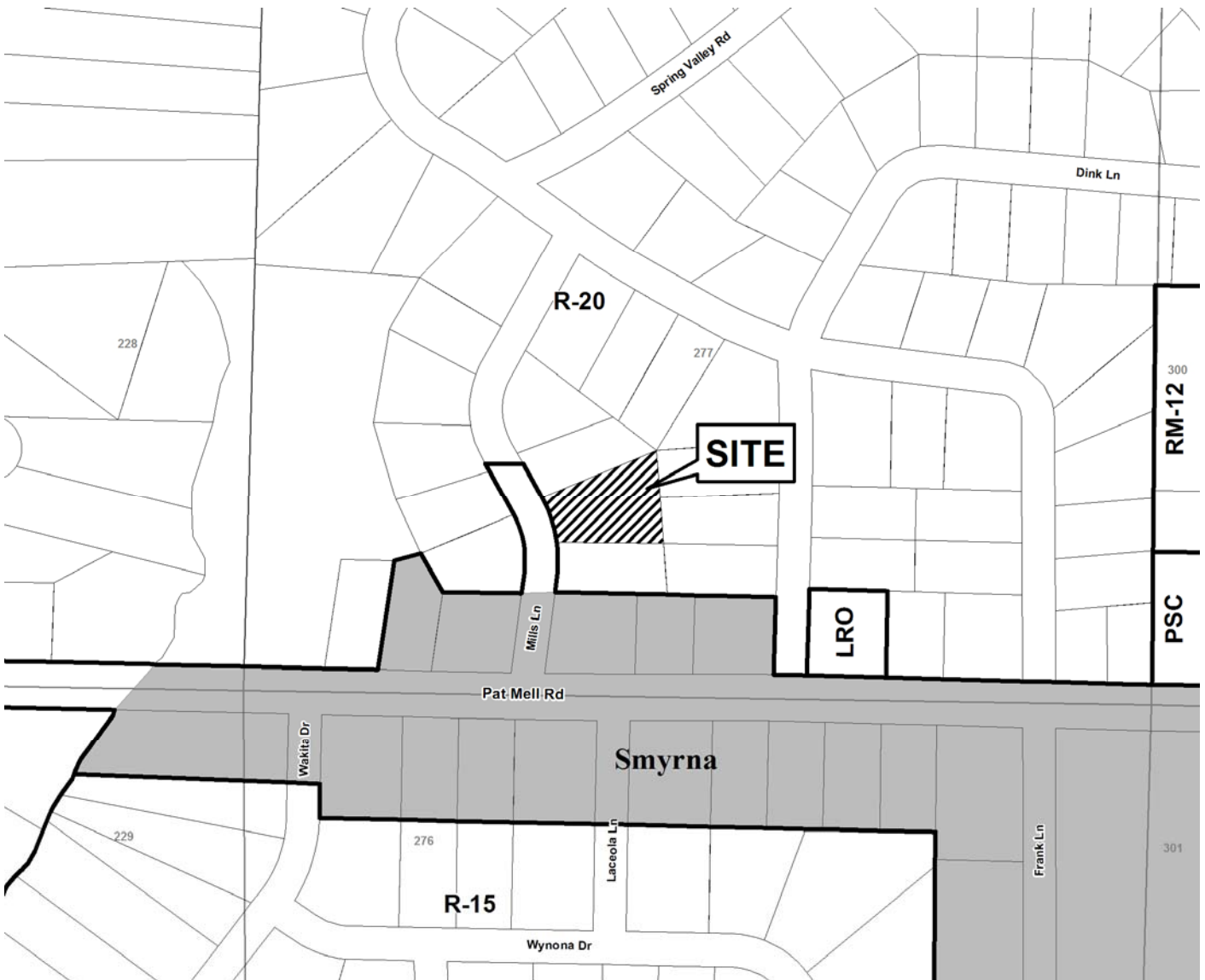
87065

DD

PERIMETER REPROGRAPHICS:

WEST GEORGIA
ENGINEERS & SURVEYORS, INC.
Engineers - Planners - Surveyors
P.O. BOX 828, MARIETTA, GEORGIA 30061
428-2122

APPLICANT: Mark Beebe **PETITION NO.:** V-76
PHONE: 770-435-6586 **DATE OF HEARING:** 10-12-11
REPRESENTATIVE: same **PRESENT ZONING:** R-20
PHONE: same **LAND LOT(S):** 277
PROPERTY LOCATION: On the east side of **DISTRICT:** 17
Mills Lane, north of Pat Mell Road **SIZE OF TRACT:** 0.42 acre
(2069 Mills Lane). **COMMISSION DISTRICT:** 4
TYPE OF VARIANCE: Waive the setback for an accessory structure over 144 square-feet from the required 35 feet to 10 feet on lot 11.



Application for Variance Cobb County

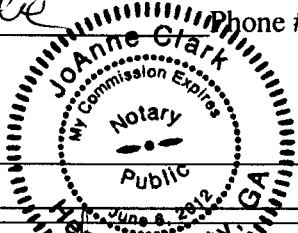
(type or print clearly)

Application No. V-76

Hearing Date: 10-12-11

Applicant Mark Beebe Phone # 770.435.6586 E-mail beebehive@bellsouth.net
Mark Beebe Address 2069 Mills Lane, S.E., Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)
Mark Beebe Phone # 770.435.6586 E-mail beebehive@bellsouth.net
(representative's signature)

My commission expires: _____

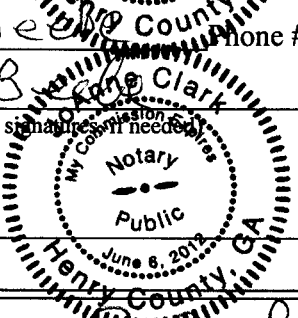


Signed, sealed and delivered in presence of:

JoAnne Clark
Notary Public

Titleholder Mark Beebe Phone # 770.435.6586 E-mail beebehive@bellsouth.net
Signature Mark Beebe Address: 2069 Mills Lane, S.E., Marietta, GA 30060
(attach additional signatures if needed) (street, city, state and zip code)

My commission expires: _____



Signed, sealed and delivered in presence of:

JoAnne Clark
Notary Public

Present Zoning of Property R-20

Location 2069 Mills Lane, S.E., / near the intersection of Pat Mello Road and Mills Lane
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 277 District 16 17 Size of Tract .42 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.

Large trees ~~are~~ present on the property, would have to be cut and removed. The removal of the trees would reduce the value of the property and would be expensive to remove. In addition, the ground surface drops in elevation from 4 to 5 feet making it difficult to maintain a 35' buffer and still install a shed on a level surface.

List type of variance requested:

Reduced buffer along property line. Request buffer reduction from 35 feet to 10 feet along eastern property boundary and northern

EPPELSON RESIDENCE
 380 Cherry Hill Drive - Marietta, Georgia 30067
 Lot 5, Block D, Atlanta Country Club Units 3 & 4
 Land Lots 1078 & 1088 17th District
 Cobb County, Georgia

Site Plan
 May 11, 2011
 Scale: 1" = 10 feet

Working in association with Richard Groves:
Garden Architects, Inc.
 Landscape Architecture Construction Management
 P.O. Box 960 Atlanta, Georgia 30309
 Phone: 404.525.1111
 Email: gmo@gardenarchitects.com
 Website: www.gardenarchitects.com
 REVISED: 05/11/11 L.L. Voss, Marietta, Georgia

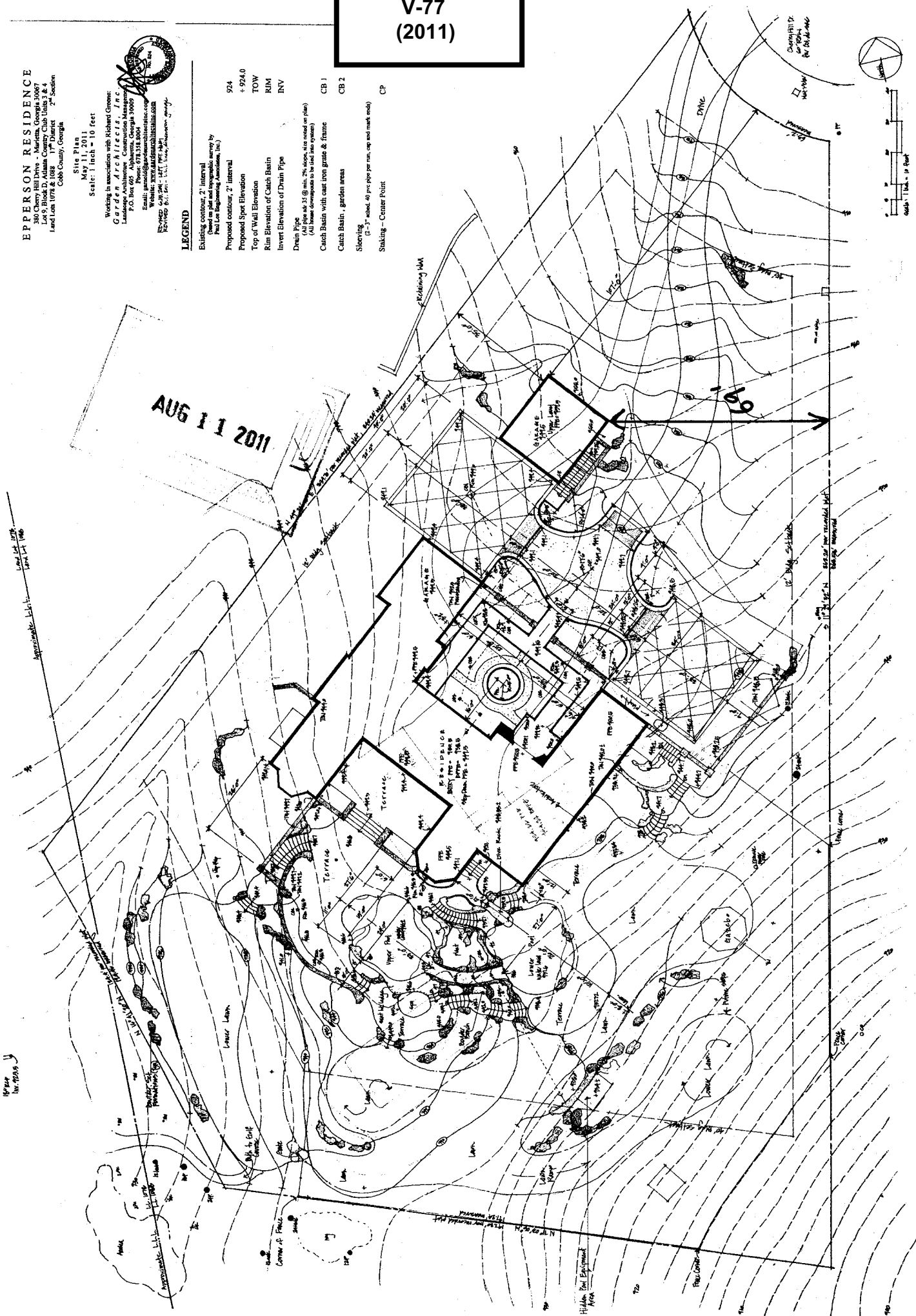


**V-77
 (2011)**

LEGEND

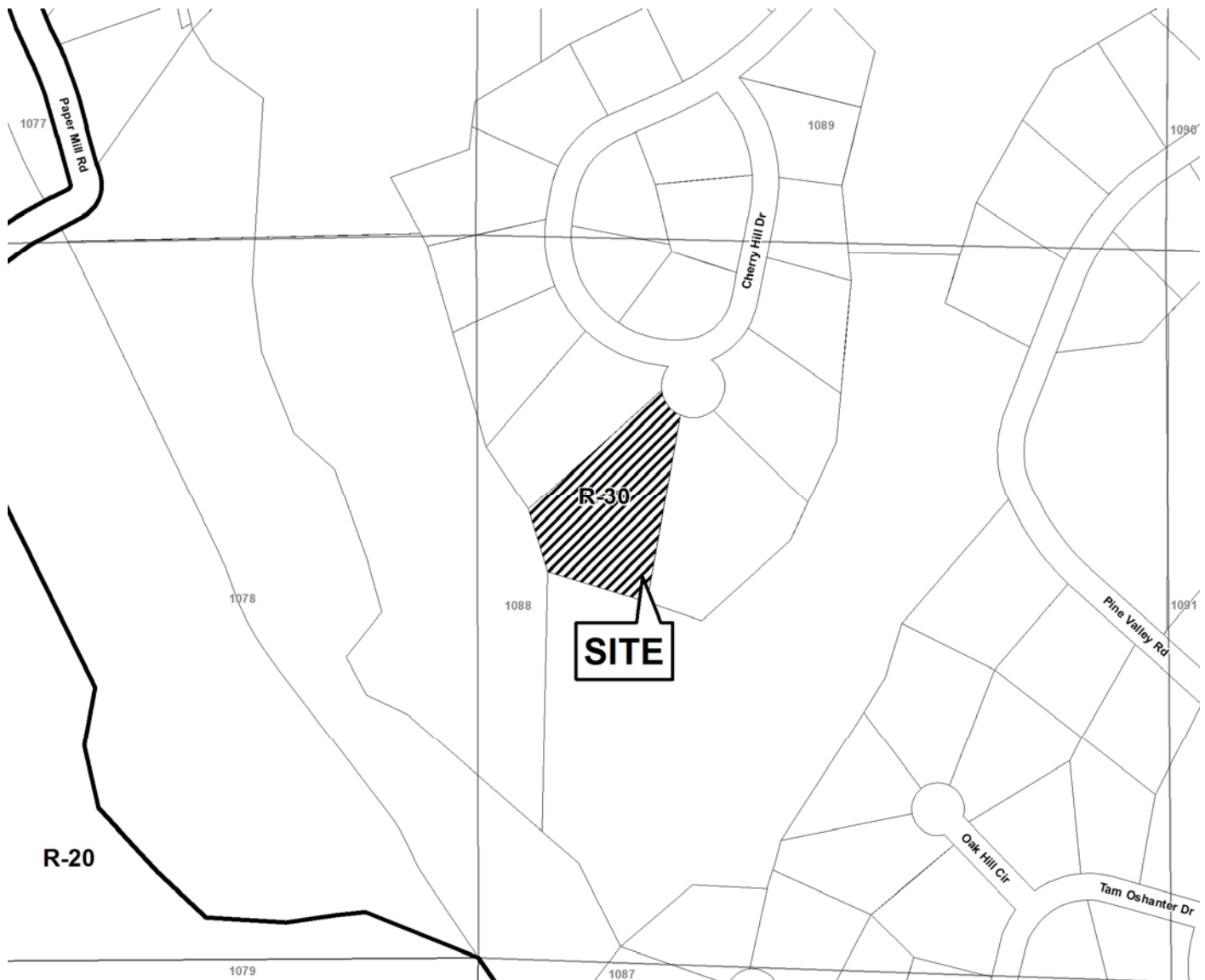
- Existing contour, 2' interval
- Proposed contour, 2' interval
- Proposed Spot Elevation
- Top of Wall Elevation
- Rim Elevation of Catch Basin
- Invert Elevation of Drain Pipe
- Drain Pipe
- Catch Basin with cast iron grate & frame
- Catch Basin, garden area
- Sloping
- Staking - Center Point
- 924
- + 924.0
- TOW
- RIM
- INV
- CB 1
- CB 2
- CP

AUG 11 2011



APPLICANT:	<u>Tom Epperson</u>	PETITION NO.:	<u>V-77</u>
PHONE:	<u>770-757-9672</u>	DATE OF HEARING:	<u>10-12-11</u>
REPRESENTATIVE:	<u>Richard Greene</u>	PRESENT ZONING:	<u>R-30</u>
PHONE:	<u>678-414-7507</u>	LAND LOT(S):	<u>1078, 1088</u>
PROPERTY LOCATION:	<u>On the south side of</u>	DISTRICT:	<u>17</u>
<u>Cherry Hill Drive, west of Pine Valley Drive</u>		SIZE OF TRACT:	<u>1.5 acres</u>
<u>(380 Cherry Hill Drive).</u>		COMMISSION DISTRICT:	<u>2</u>

TYPE OF VARIANCE: 1) Allow an accessory structure to the front of the primary structure; and 2) waive the setback for an accessory structure over 800 square-feet (1910 square-foot proposed garage) from the required 100 feet to 35 feet adjacent to the western property line, and 69 feet adjacent to the eastern property line.



Application for Variance Cobb County

AUG 11 2011
Cobb County Board of Zoning Appeals
Application No. V-77
Hearing Date: 10-12-11

(type or print clearly)

Application No. V-77

Hearing Date: 10-12-11

Applicant TOM EPPERSON

(c) 770.757.9672

Phone # 770.594.1632

E-mail tom.epperson@ubs.com

Richard Greene

(representative's name, printed)

Address 3940 Paper Mill Rd. Marietta Ga.

(street, city, state and zip code)

30067

(c) 678.414.7507

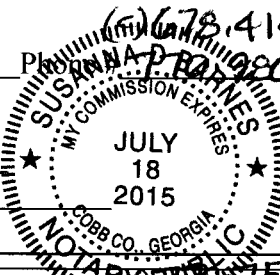
Phone # 770.594.1632

E-mail rick-greene@bell

south.net

Richard W. Greene

(representative's signature)



Signed, sealed and delivered in presence of:

Susanna D Barnes

Notary Public

My commission expires: July 18, 2015

Titleholder TOM EPPERSON and

Phone # 770.594.1632

E-mail tom.epperson@ubs.com

Signature

TOM EPPERSON

(attach additional signatures, if needed)

Address: 2220 Heathermoor Hill Dr.

(street, city, state and zip code)

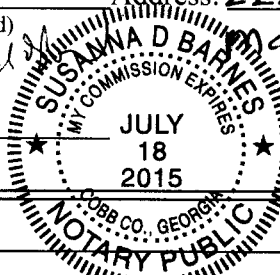
Marietta, Ga. 30068

Signed, sealed and delivered in presence of:

Susanna D Barnes

Notary Public

My commission expires: July 18, 2015



Present Zoning of Property

R-30

Location 380 Cherry Hill Dr. / Thunderbird / Paper Mill

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

Land Lot(s) 1078 & 1088

District 17th

Size of Tract 1.5 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.

This property is on a cul-de-sac and has limited street frontage. Because of the irregular shape of the lot in conjunction with the sloping topography, the two car detached garage could only be placed in front of the main residence. There is no other location on the property where this structure could be practicality built. Three sides of the building will be dug into the hillside so that from the street only the roof would be visible and that would start approximately 12' below street elevation and over 100' from the front property line. The garage doors can not be seen from the street or by the adjoining property owners because they face the opposite direction.

List type of variance requested:

Location + Setback Variance.

See Exhibit "A"

V-77/2011
Exhibit "A"

IN ADDITION TO THE DETACHED GARAGE
BEING LOCATED IN FRONT OF THE FRONT DOOR
THE POTENTIAL TOTAL S.F. OF THE STRUCTURE
WILL BE OVER THE ALLOWED 800 S.F. IF THE
ATTIC WERE TO BE FINISHED. AT PRESENT THERE
ARE NO PLANS TO FINISH THIS SPACE ALTHOUGH THERE
ARE EXTERIOR STEPS THAT LEAD UP TO THE ATTIC.
SO I WOULD ASK THAT THE THIS WOULD BE APPROVED
AS WELL.

V-78
(2011)

Pollo Tropical-Cumberland

CONCEPT PLAN

DATE: 08/16/11	SCALE: 1"=50'	PROJECT: POLLO TROPICAL	SHEET NO. 1 OF 1
DRAWN BY: J. HARRIS	CHECKED BY: J. HARRIS	DATE: 08/16/11	
DESIGNED BY: J. HARRIS	APPROVED BY: J. HARRIS	DATE: 08/16/11	

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

4317 Park Drive - Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7591
Fax: (770) 416-7592
WWW.TRIVIAFRUIT.COM



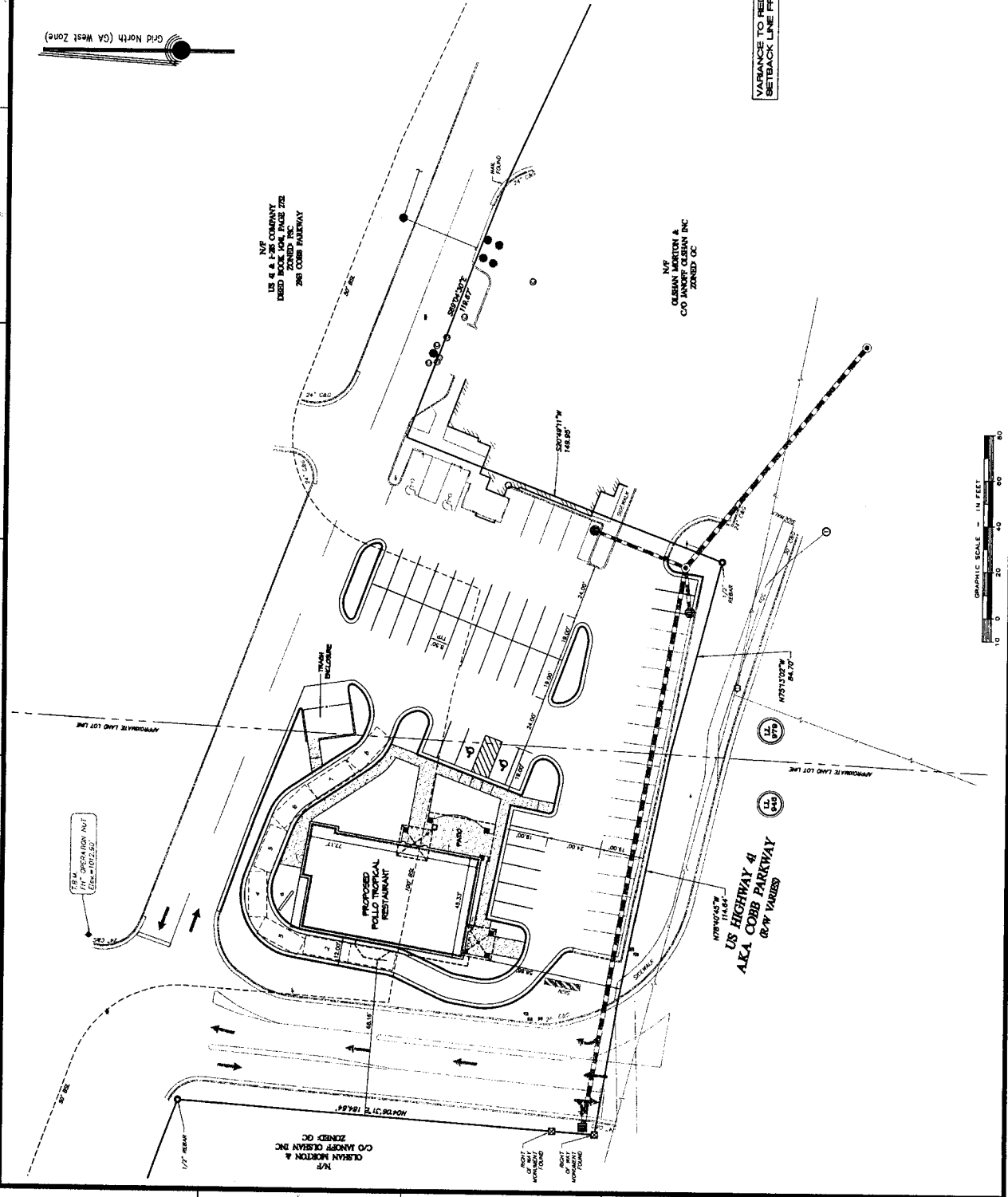
Location Map

OWNER
US 41 AND 1285 CO.
2941 COBB PARKWAY
ATLANTA, GA 31139
212-938-1330

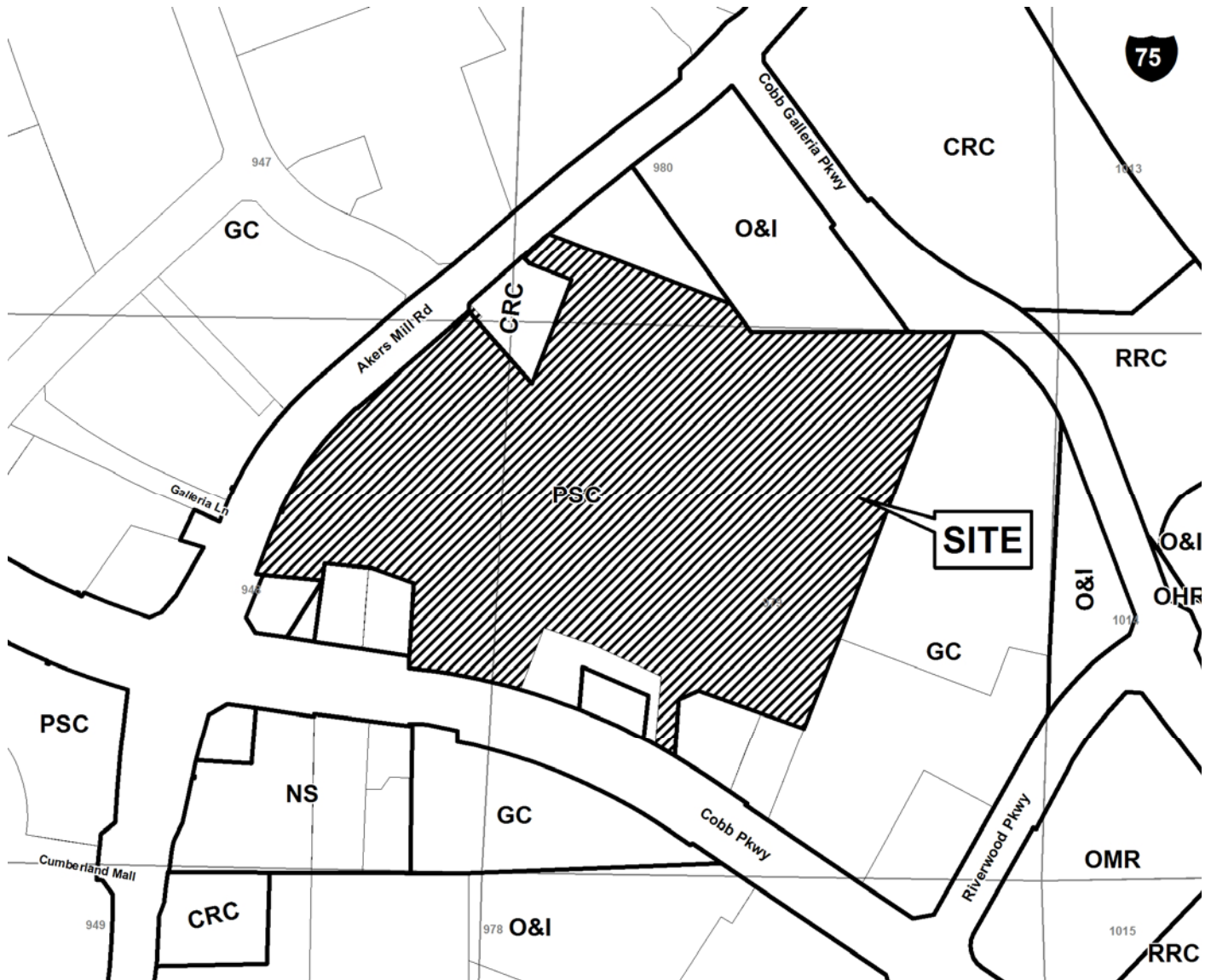
DEVELOPER
POLLO TROPICAL, INC.
700 A GOWAN DR. 8TH FLOOR
NEW YORK, NY 10022
212-691-1317

SITE AREA:
24.16 AC. ADJ.

VARIANCE TO REDUCE FRONT
SETBACK LINE FROM 50' TO 50'



APPLICANT:	<u>Julian H. Falgons</u>	PETITION NO.:	<u>V-78</u>
PHONE:	<u>305-905-6936</u>	DATE OF HEARING:	<u>10-12-11</u>
REPRESENTATIVE:	<u>Garvis L. Sams, Jr.</u>	PRESENT ZONING:	<u>PSC</u>
PHONE:	<u>770-422-7016</u>	LAND LOT(S):	<u>947, 948, 978, 979, 980</u>
PROPERTY LOCATION:	<u>On the north side of Highway 41, east of Akers Mill Road (2955 Cobb Parkway).</u>	DISTRICT:	<u>17</u>
		SIZE OF TRACT:	<u>23.67 acres</u>
		COMMISSION DISTRICT:	<u>2</u>
TYPE OF VARIANCE:	<u>Waive the front setback from the required 100 feet to 50 feet.</u>		



Application for Variance Cobb County

(type or print clearly)

Application No. V-78

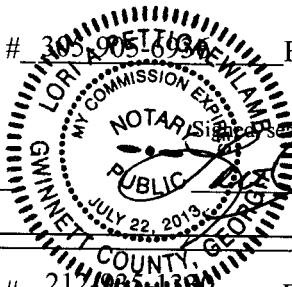
Hearing Date: 10-12-11

Applicant Julian H. Falgons Phone # 305-905-6936 E-mail jfalgons@pollotropical.com

Julian H. Falgons Address 7300 N. Kendall Drive, 8th Floor, Miami, FL 33156
(representative's name, printed) (street, city, state and zip code)

Julian H. Falgons Phone # 305-905-6936 E-mail jfalgons@pollotropical.com
(representative's signature)

My commission expires: 7/22/2013



Signed, sealed and delivered in presence of:

Lori A. Pettigrew
Notary Public

Titleholder US 41 & I-285 Company Phone # 212-905-1380 E-mail PAndresen@mailproperties.com

Signature PAndresen Address: 684 Madison Ave, 11th Fl, NY, NY 10065
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: _____

ROSALBA MENDEZ
Notary Public, State of New York
No. 01ME6222473
Qualified in Kings County
Commission Expires May 24, 2014

Rosalba Mendez
Notary Public

Present Zoning of Property PSC

Location 2955 Cobb Parkway, SE; nearest intersection is Akers Mill Road

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

Land Lot(s) 979 District 17 Size of Tract 23.67 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.

Strict application of Section 134-255.(4).d (Minimum Building Setbacks) would cause an undue hardship on this property by holding a new commercial building planned for this property to stricter standards than those required on adjacent properties along Cobb Parkway. This hardship would result in poor visibility of the building by approaching vehicular traffic. Enforcement of building setbacks will also result in the destruction of current traffic circulation patterns within the shopping center which could negatively impact public safety and welfare.

List type of variance requested: _____

Relief from the front setback requirements see attached site plan.

WAIVE THE FRONT SETBACK FROM REQUIRED
100FT TO 50FT

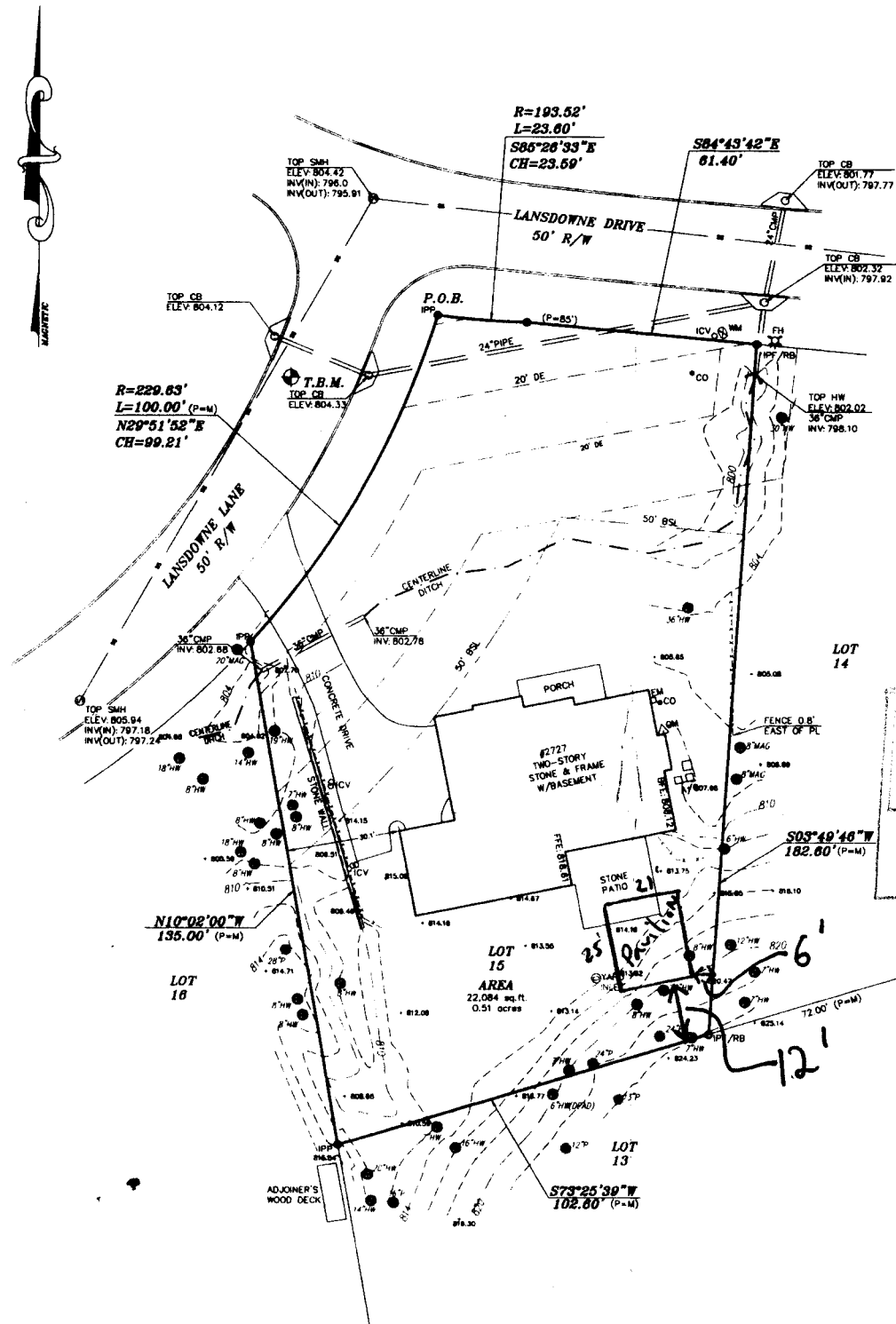
V-79
(2011)

LEGEND

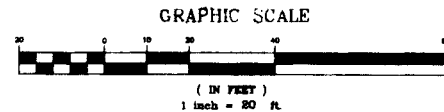
IPF	IRON PIN FOUND	CMF	CONCRETE MONUMENT FOUND
OT	OPEN TOP PIN	ICV	IRRIGATION CONTROL VALVE
CT	CRIMP TOP PIN	SMH	SEWER MAN HOLE
RB	REINFORCING BAR	WHT	WASH HOLE TELEPHONE
CL	CENTERLINE	CB	CATCH BASIN
R/W	RIGHT-OF-WAY	JB	JUNCTION BOX
L	LAND LOT	DI	DROP INLET
LL	LINE	LL	LAND LOT LINE
R	RADIUS	HW	HEAD WALL
CONC	CONCRETE	CMP	CORRUGATED METAL PIPE
C	CURVE	RCF	REINFORCED CONCRETE PIPE
CO	CLEAN OUT	CD	CROSS DRAIN
PP	POWER POLE	SSE	SANITARY SEWER EASEMENT
SP	SERVICE POLE	DE	DRAINAGE EASEMENT
GV	GAS VALVE	PH	FIRE HYDRANT
GM	GAS METER	WV	WATER VALVE
LP	LIGHT POLE	WM	WATER METER
SS	SANITARY SEWER	PC	POINT OF CURVE
EM	ELECTRIC METER	POR	POINT OF BEGINNING
FC	FENCE CORNER	PIC	POINT OF COMMENCEMENT
-X-X-	FENCE	PI	POINT OF INTERSECTION
M	MEASURED	D	DEED
P	PLAT	IPP	IRON PIN PLACED (1/2" REBAR)

GENERAL NOTES

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. NO VISIBLE EVIDENCE OF A CEMETERY FOUND.
5. BEARINGS BASED ON MAGNETIC NORTH OBSERVATIONS AS NOTED IN PLAT BOOK 61 - PAGE 87.
6. CONTOUR INFORMATION SHOWN HEREON BASED ON MEAN SEA LEVEL ELEVATIONS. BENCH MARK USED COBB CO. BM 170072-1. ELEV. 764.760.
7. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY. THEREFORE EXCEPTION IS MADE HEREON TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000± FEET, AN ANGULAR ERROR OF 93 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000± FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

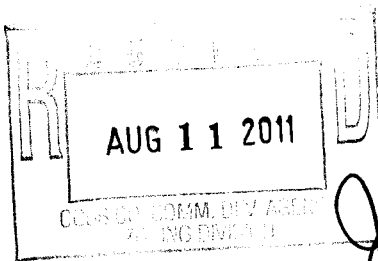


	ABOVE THE GROUND PLAT PREPARED FOR:		DATE 8/05/10		SOLAR LAND SURVEYING COMPANY P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770) 794-9052 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECONFESSION BY THE SURVEYOR NAMED SAG PERSON, PERSON, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.	
	SARA MOBASSERI		SCALE 1" = 20'			
	LAND LOT 889	17th DISTRICT	2nd SECTION	COBB COUNTY, GEORGIA		
	LOT 15	BLOCK A	UNIT	REVISION BY DATE		
	SUBDIVISION LANSDOWNE					
SURVEYED:		DRAFTED:				
PLOTTED:		DISC #:				
APPROVED:						
PLAT BOOK 61 PAGE 97						
DEED BOOK PAGE						

APPLICANT:	<u>Cesar Egoavil</u>	PETITION NO.:	<u>V-79</u>
PHONE:	<u>770-432-9880</u>	DATE OF HEARING:	<u>10-12-11</u>
REPRESENTATIVE:	<u>John Lea</u>	PRESENT ZONING:	<u>R-30</u>
PHONE:	<u>770-480-2794</u>	LAND LOT(S):	<u>889</u>
PROPERTY LOCATION:	<u>At the southeast intersection</u>	DISTRICT:	<u>17</u>
<u>of Lansdowne Lane & Lansdowne Drive</u>		SIZE OF TRACT:	<u>0.501 acre</u>
<u>(2727 Lansdowne Lane).</u>		COMMISSION DISTRICT:	<u>2</u>

TYPE OF VARIANCE: 1) Waive the side setback adjacent to the eastern property line from the required 12 feet to 6 feet for an accessory structure over 144 square-feet (525 square-foot proposed pavilion); and 2) waive the rear setback from the required 40 feet to 12 feet for an accessory structure over 144 square-feet.





Application for Variance Cobb County

(type or print clearly)

Application No. V-79
Hearing Date: 10-12-11

Applicant CESAR EGOAVIL Phone # 770-432-9880 E-mail CEGOAVIL@yahoo.com

JOHN LEA.

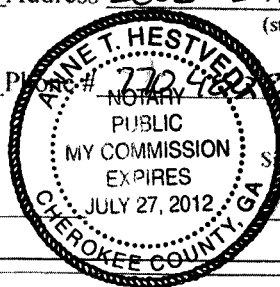
(representative's name, printed)

Address 3605 SANDY PLAINS MARITTA, GA 30066
(street, city, state and zip code)

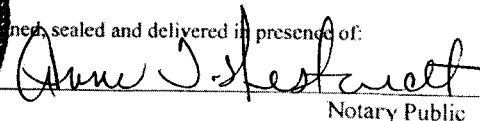

(representative's signature)

Phone # 770-432-9880 E-mail john@decksouth.com

My commission expires: 07-27-12



Signed, sealed and delivered in presence of:


Notary Public

Titleholder CESAR & SARA EGOAVIL Phone # 770-432-9880 E-mail CEGOAVIL@yahoo.com

Signature Cesar Egoavil / Sara Egoavil Address: 2727 LANSLOWNE LANE, ATLANTA GA 30339
(attach additional signatures, if needed) (street, city, state and zip code)

Roseann Thibodeau

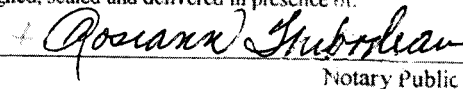
Notary Public

Paulding County, Georgia

My Commission Expires July 4, 2012

My commission expires: July 4, 2012

Signed, sealed and delivered in presence of:


Notary Public

Present Zoning of Property R-30

Location 2727 LANSLOWNE LANE
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) ~~702~~ 889 District 17 Size of Tract 1.5019 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 X 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.

Our home is situated on a hill toward the back of our property. We would like to build a rooted pavilion near our pool. Therefore we are asking to relax our R30 zoning. Our neighbors have seen these plans and are supportive.

List type of variance requested: R30 ZONING VARIANCE FOR SETBACKS.

See Exhibit "A"

V-79/2011

Exhibit A 1 of 2
ARCHITECTURAL
SHINGLES

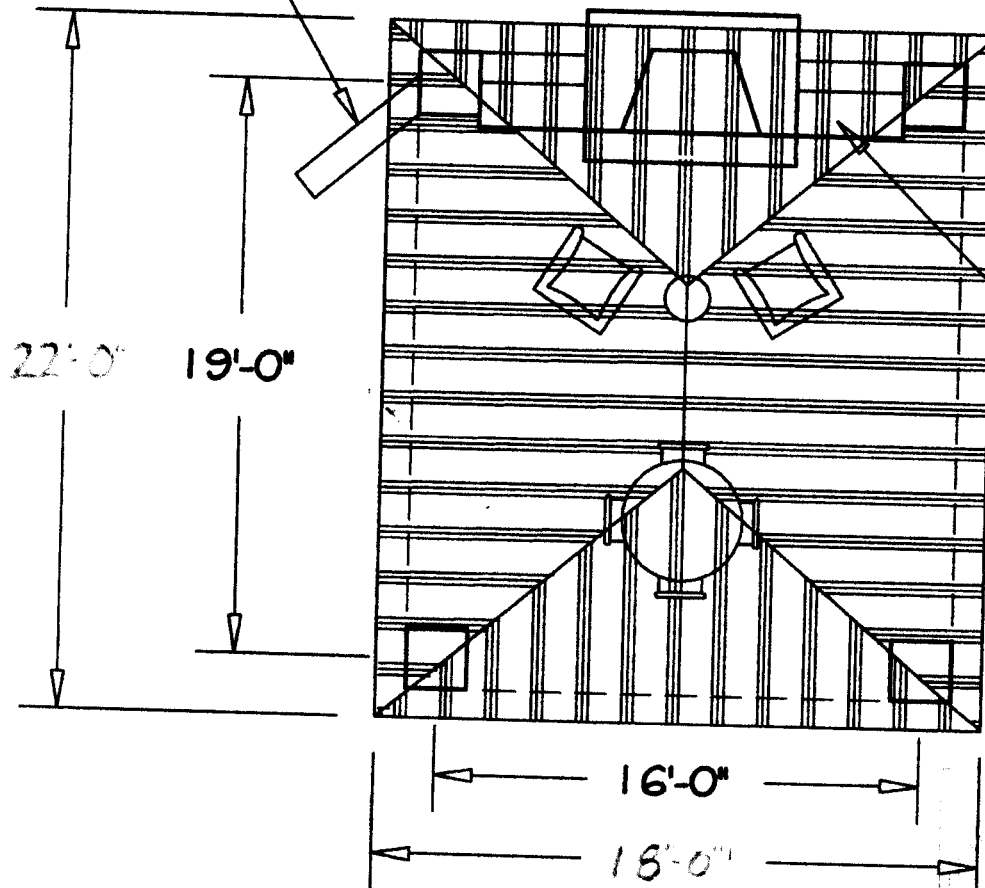
TONGUE &
GROOVE
CEILING

TONGUE &
GROOVE
WALL

EXPOSED
RAFTERS

2' SQ STONE
COLUMN

RETAINING
WALL



18" DEEP
COUNTER TOP

DESIGN BY:
CHRIS WUJCIK
5/11

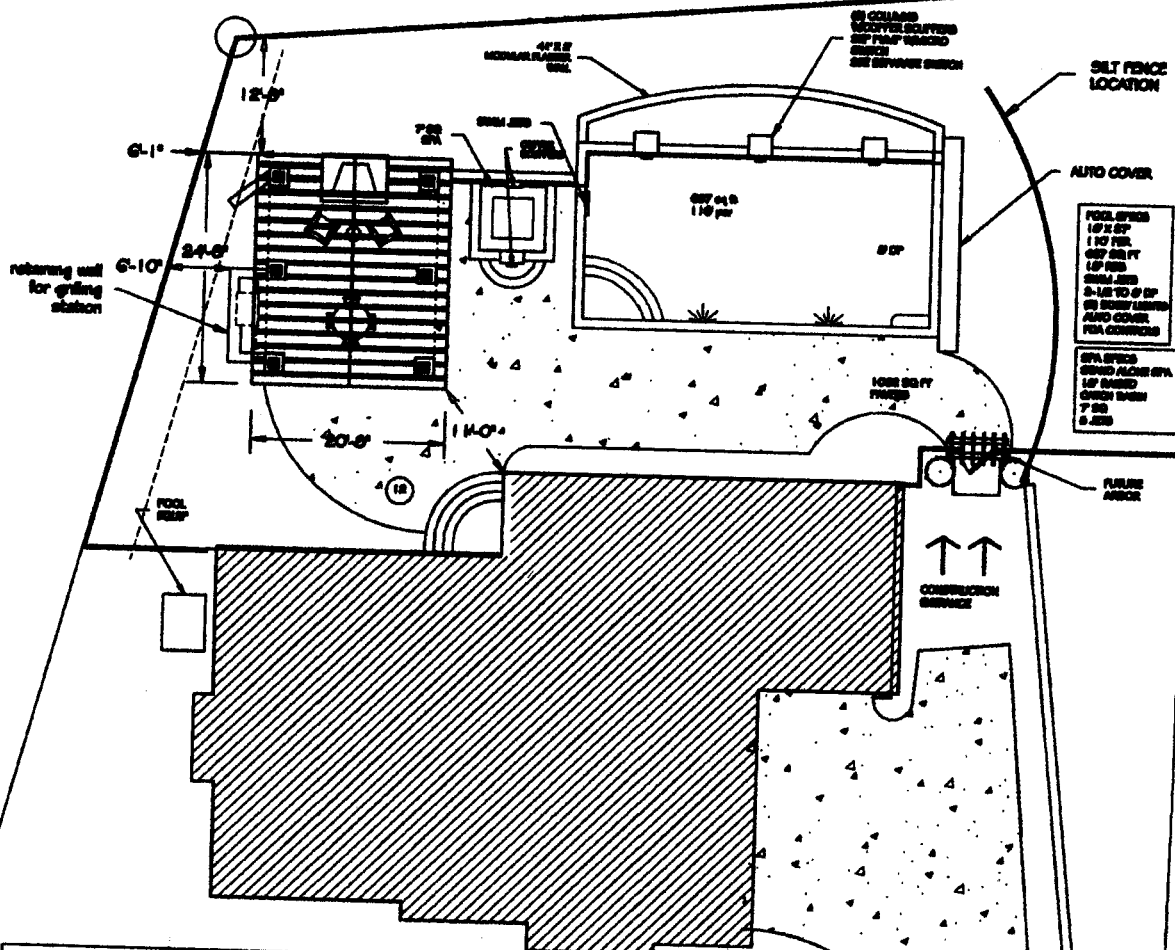
AUG 11 2011

NOTE:

CUSTOMER SUPPLIES
CEILING FANS

NEPTUNE PROVIDES
FLOORING
MASONRY

CARPENTER PROVIDES
FOOTERS
STAIN/PAINT
ELECTRICAL, 4 LIGHTS, 2 FANS, 2 OUTLETS, 2 SWITCHES
ROOF STRUCTURE



IMPERVIOUS CALCULATIONS
 LOT IS 8-80...28% MAX IMPERVIOUS
 1940 sq ft existing
 -652 sq ft (pool and spa surface area)
 1278 sq ft proposed additional impervious
 28% total impervious retaining & proposed

CONTRACTORS INFO
 NEPTUNE POOLS INC
 1250 FTREE INDUSTRIAL BLVD
 SUGAR HILL GA 30516
 770-831-5415

SPA SPECS
 7' SQUARE
 18" RAISED
 6 JETS
 COPPER SCUMPER
 CATCH BASIN
 100W LIGHT

POOL SPECS
 612 SQ FT
 107' PER
 3-1/2' DP TO 7' DP
 PEBBLE TEC
 HEATER
 FLAGSTONE COPING
 500 W LIGHT
 1/2" PUMP

LOT INFO:
 LAND LOT 889
 DISTRICT 17TH
 SECTION 2ND
 COBB CO
 LOT 15
 BLOCK A
 LANDSDOWNE SUB

HOMEOWNERS INFO
 EGOAVIL, CESAR & SARA
 2727 LANDSDOWNE LN
 ATLANTA GA 30339
 404-694-3659

DIRECTIONS:
 TAKE 4005 TO I-285 W TO I-755
 EXIT CUMBERLAND BLVD. TURN RT.
 TURN LEFT ONTO US41 COBB PKWY.
 TURN RIGHT ONTO PACES MILL RD.
 TURN LEFT ONTO PACES FERRY RD.
 TURN RIGHT ONTO WOODLAND BROOK
 DR. TAKE 3RD RIGHT ONTO ORCHARD
 KNOB RD. TAKE 2ND LEFT ONTO
 LANDSDOWNE DR. 1ST RIGHT ONTO
 LANDSDOWNE LN. 1ST DRIVEWAY ON
 LEFT.

PLAN PREPARED BY:
 CHRIS WUCK 678-835-2240

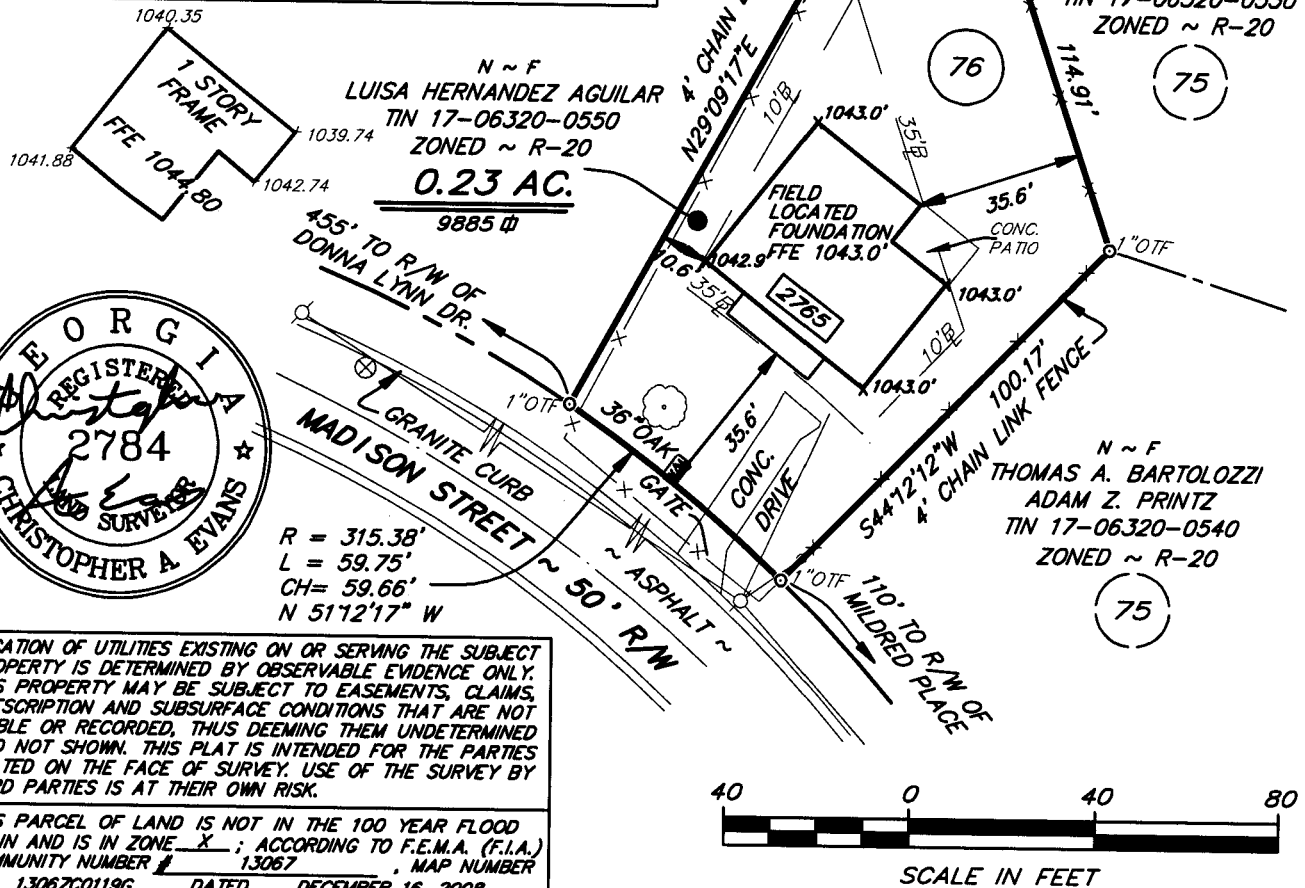
AUG 11 2011
 1" = 20'

Egoavil

2-05

LEGEND

Ø	P.P.— POWER POLE
⊗	M.H.— SANITARY SEWER MANHOLE
(W/M)	W.M.— WATER METER
(G/M)	G.M.— GAS METER
○	OTF— OPEN TOP PIPE FOUND
—x—	TYPE OF FENCE
	F.F.E.— FINISHED FLOOR ELEVATION
— —	OVERHEAD POWER LINES
1234	STREET ADDRESS



LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD
PLAIN AND IS IN ZONE X; ACCORDING TO F.E.M.A. (F.I.A.)
COMMUNITY NUMBER # 13067, MAP NUMBER
13067C0119G DATED DECEMBER 16, 2008.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER ; LINEAR PRECISION OF TRAVERSE : $1/10,000+$; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: $1/137.738$. MATTERS OF TITLE ARE EXCEPTED.

DATE : 7-20-11	REVISIONS
SCALE : 1" = 40'	
DRAWN BY : MAN	
CHECKED BY : CAE	
FIELD BOOK : HABITAT	

FOUNDATION SURVEY FOR:

**HABITAT FOR HUMANITY OF
NW METRO ATLANTA
2765 MADISON STREET**

LOCATED IN L.L. 632
17th DISTRICT, 2nd SECTION
COBB COUNTY, GA.

Gaskins

ENGINEERING • SURVEYING • LAND PLANNING • ENVIRONMENTAL

**1266 Powder Springs Rd
Marletta, Georgia 30064**

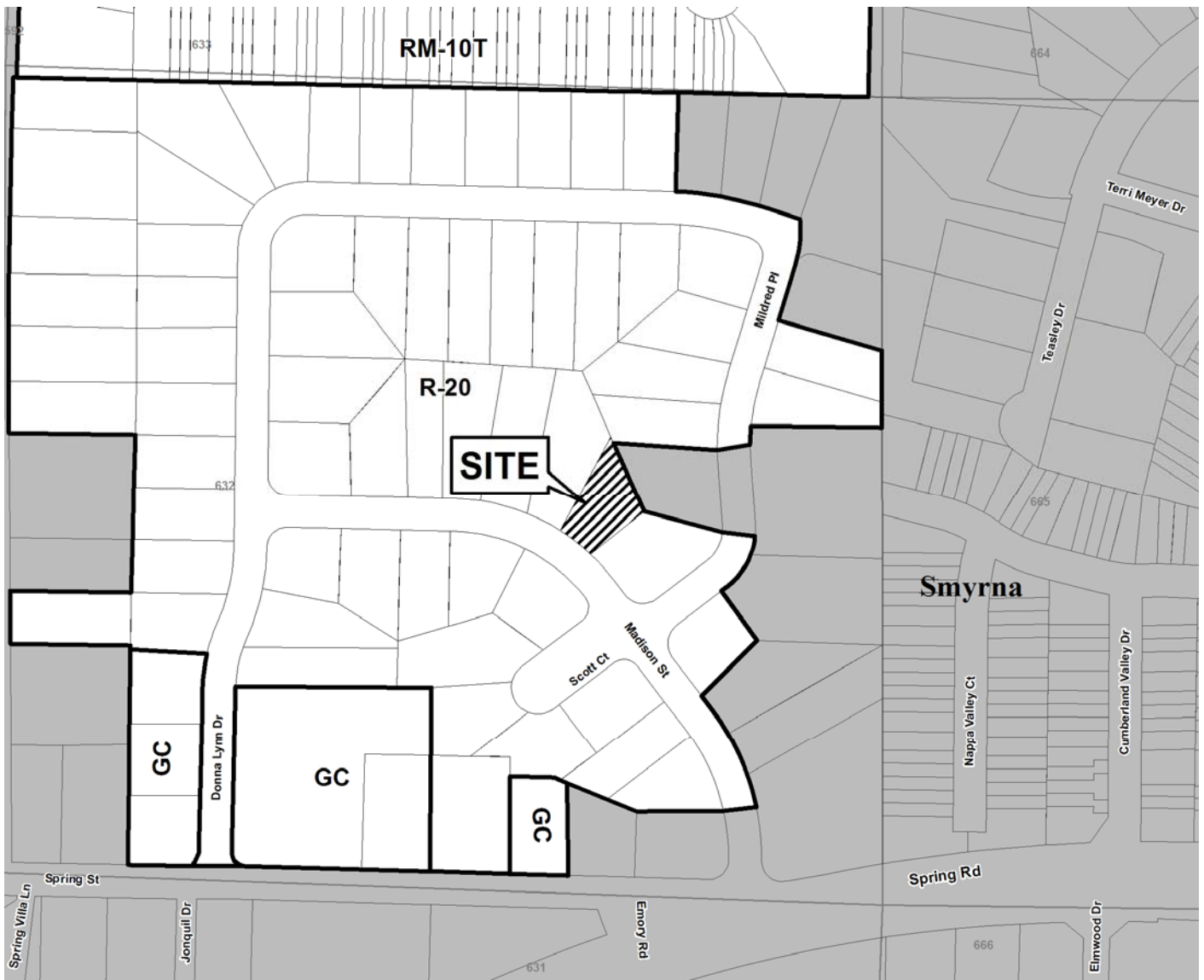
www.gscsurvey.com

Phone: (770) 424-7168
Fax: (770) 424-7593

GRID NORTH- GEORGIA WEST ZONE

Plotted By: Matt Noell
Drawing name: S: Bnd\COBB\17\17_0632\2765 madison st\HABITAT F.dwg
Plotted on: Jul 20, 2011 - 8:48am

APPLICANT:	<u>Habitat for Humanity</u>	PETITION NO.:	<u>V-80</u>
PHONE:	<u>770-432-7954</u>	DATE OF HEARING:	<u>10-12-11</u>
REPRESENTATIVE:	<u>J. Kevin Moore</u>	PRESENT ZONING:	<u>R-20</u>
PHONE:	<u>770-432-7954</u>	LAND LOT(S):	<u>632</u>
PROPERTY LOCATION:	<u>On the north side of</u>	DISTRICT:	<u>17</u>
<u>Madison Street, east of Donna Lynn Drive</u>		SIZE OF TRACT:	<u>0.23 acre</u>
<u>(2765 Madison Street).</u>		COMMISSION DISTRICT:	<u>2</u>
TYPE OF VARIANCE:	<u>Waive the rear setback from the required 35 feet to 30 feet.</u>		



Application for Variance Cobb County

(type or print clearly)

Application No. v-80(2011)

Hearing Date: 10/12/2011

Habitat for Humanity of Northwest
Applicant Metro Atlanta, Inc. Phone # (770) 432-7954 E-mail jkerwood@nwmetroatlantahabitat.org
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
J. Kevin Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jkm@mijs.com
(representative's signature) Georgia Bar No. 519728 w7@mijs.com

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: January 10, 2015

Habitat for Humanity of Northwest
Metro Atlanta, Inc. Phone # (770) 432-7954 E-mail jkerwood@nwmetroatlantahabitat.org

[Signature] Address: 1625 Spring Road, Smyrna, GA 30080-3774
(attach additional signatures, if needed) (street, city, state and zip code)
John R. Kerwood, President

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: January 10, 2015

Present Zoning of Property R-20

Location 2765 Madison Street

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

Land Lot(s) 632 District 17th Size of Tract 0.23 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 X 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 and incorporated herein by reference.

List type of variance requested: Waiver of required minimum rear setback from thirty-five (35) feet to thirty (30) feet (see § 134-197(4)(d)).

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 86 (2011)
Hearing Date: October 12, 2011

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant/Property Owner: **Habitat for Humanity of Northwest Metro
Atlanta, Inc.**

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

Applicant requests a waiver of the minimum rear setback from the required thirty-five (35) feet to thirty (30) feet. By waiving the required minimum rear setback, Applicant can construct a more desirable and attractive house which includes a covered, rear porch. Absent the covered porch, Applicant could meet the minimum setback requirement. The variance requested herein is not substantial and would allow an otherwise reasonable use of the Subject Property; especially, given that adjoining properties are zoned to the R-20 zoning category.

SITE PLAN	A
------------------	----------

APPLICANT: <u>Taco Bell America, Inc.</u>	PETITION NO.: <u>V-81</u>
PHONE: <u>678-469-3307</u>	DATE OF HEARING: <u>10-12-11</u>
REPRESENTATIVE: <u>David Bohanon</u>	PRESENT ZONING: <u>GC</u>
PHONE: <u>678-469-3307</u>	LAND LOT(S): <u>133</u>
PROPERTY LOCATION: <u>On the east side of</u>	DISTRICT: <u>20</u>
<u>Barrett Lakes Blvd., east of I -75, south of Chastian</u>	SIZE OF TRACT: <u>0.703 acre</u>
<u>Road (3420 Barrett Lakes Blvd).</u>	COMMISSION DISTRICT: <u>1</u>

TYPE OF VARIANCE: 1) Waive the depth of parking spaces from the required 19 feet to 18 feet; and 2) waive the parking isle depth from the required 24 feet to 22 feet.



Application for Variance Cobb County

(type or print clearly)

Application No. V-81

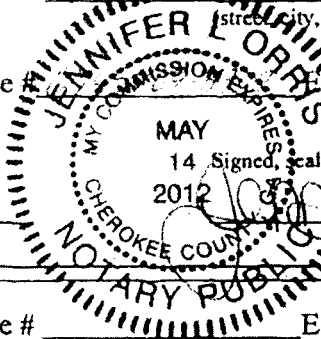
Hearing Date: 10-12-11

Applicant Taco Bell of America, Inc Phone # 678-469-3202 E-mail David.Bolton@TacoBell.com

Address 3011 Kennesaw Lane, Marietta GA 30062
(representative's name, printed) (street, city, state and zip code)

Phone # _____ E-mail _____
(representative's signature)

My commission expires: May 14, 2012



14. Signed, sealed and delivered in presence of:

2012

Notary Public

Titleholder See Attached Phone # _____ E-mail _____

Signature _____ Address: _____
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: ?

Notary Public

Present Zoning of Property GC - General Commercial

Location 3420 Barrett Lakes Blvd. NW
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0133 District 20 Size of Tract 0.703 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 X Topography of Property X 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.

Increasing parking stalls from existing 18' depth to 19' depth will cause parking to encroach into Barrett Lakes Blvd. right of way. Building, drive-thru and parking area is limited in movement away from the right of way by existing retaining wall.

List type of variance requested: Variance to reduce required 19' parking stall depth to existing 18' depth.