

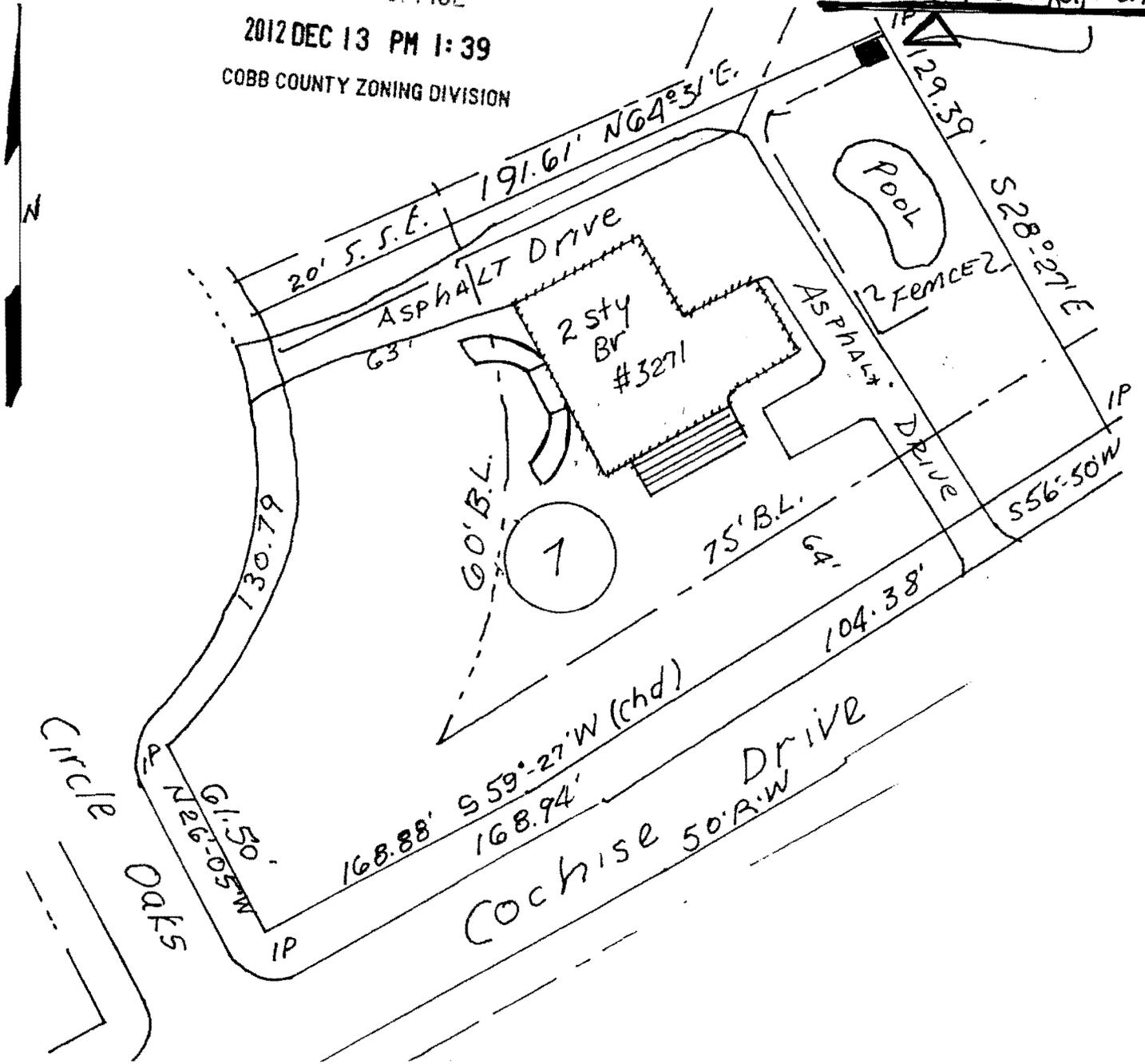
V-23 (2013)

COBB COUNTY GEORGIA
FILED IN OFFICE

2012 DEC 13 PM 1:39

COBB COUNTY ZONING DIVISION

Proposed 10x12 accessory
building to cover existing
swimming pool equipment.



APPLICANT: Preston and Liz Smith
PHONE: 770-876-1877
REPRESENTATIVE: Preston Smith
PHONE: 770-876-1877
TITLEHOLDER: Preston W. Smith
PROPERTY LOCATION: At the northeast corner of
Circle Oaks Drive and Cochise Drive
(3271 Circle Oaks Drive).

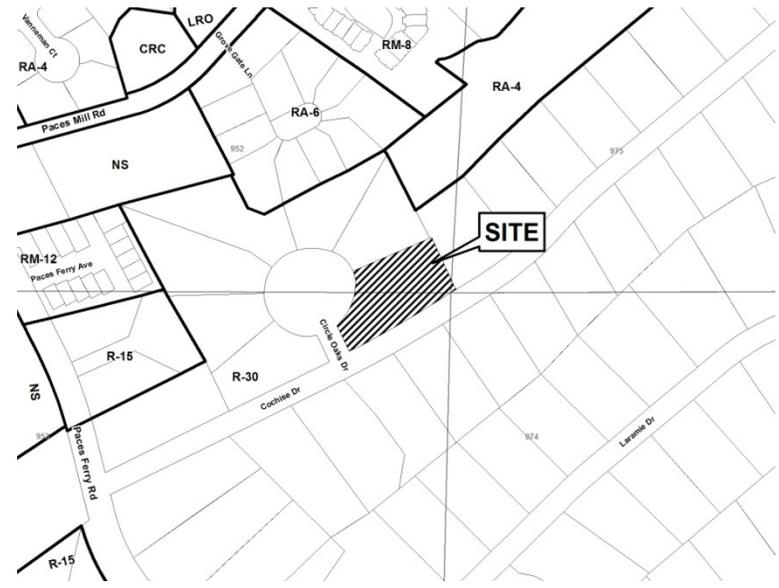
PETITION No.: V-23
DATE OF HEARING: 02-13-13
PRESENT ZONING: R-30
LAND LOT(S): 952, 953, 975
DISTRICT: 17
SIZE OF TRACT: 0.805 acre
COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the side setback for an accessory structure under 800 square feet (proposed 38 foot x 12 foot open, detached deck to cover existing pool equipment) from the required 12 feet to 2 feet; and 2) waive the rear setback for an accessory structure under 800 square feet (proposed 38 foot x 12 foot open, detached deck to cover existing pool equipment) from the required 40 feet to 2 feet.

OPPOSITION: No. OPPOSED **PETITION No.** **SPOKESMAN**

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**
REJECTED **SECONDED**
HELD **CARRIED**
STIPULATIONS:



APPLICANT: Preston and Liz Smith

PETITION No.: V-23

COMMENTS

TRAFFIC: This request will not have an adverse impact on the transportation network.

DEVELOPMENT & INSPECTIONS: Wall closer than 5 feet from the property line must be 1-hour fire rated and permit is required.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: This lot is located within the Chattahoochee River Corridor and is, therefore, subject to the requirements and provisions of the Metropolitan River Protection Act. While it appears that the proposed deck will be considered consistent with the Corridor Plan it will require an ARC review for approval.

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.

DESIGN GUIDELINES: No comment.

CEMETERY PRESERVATION: No comment.

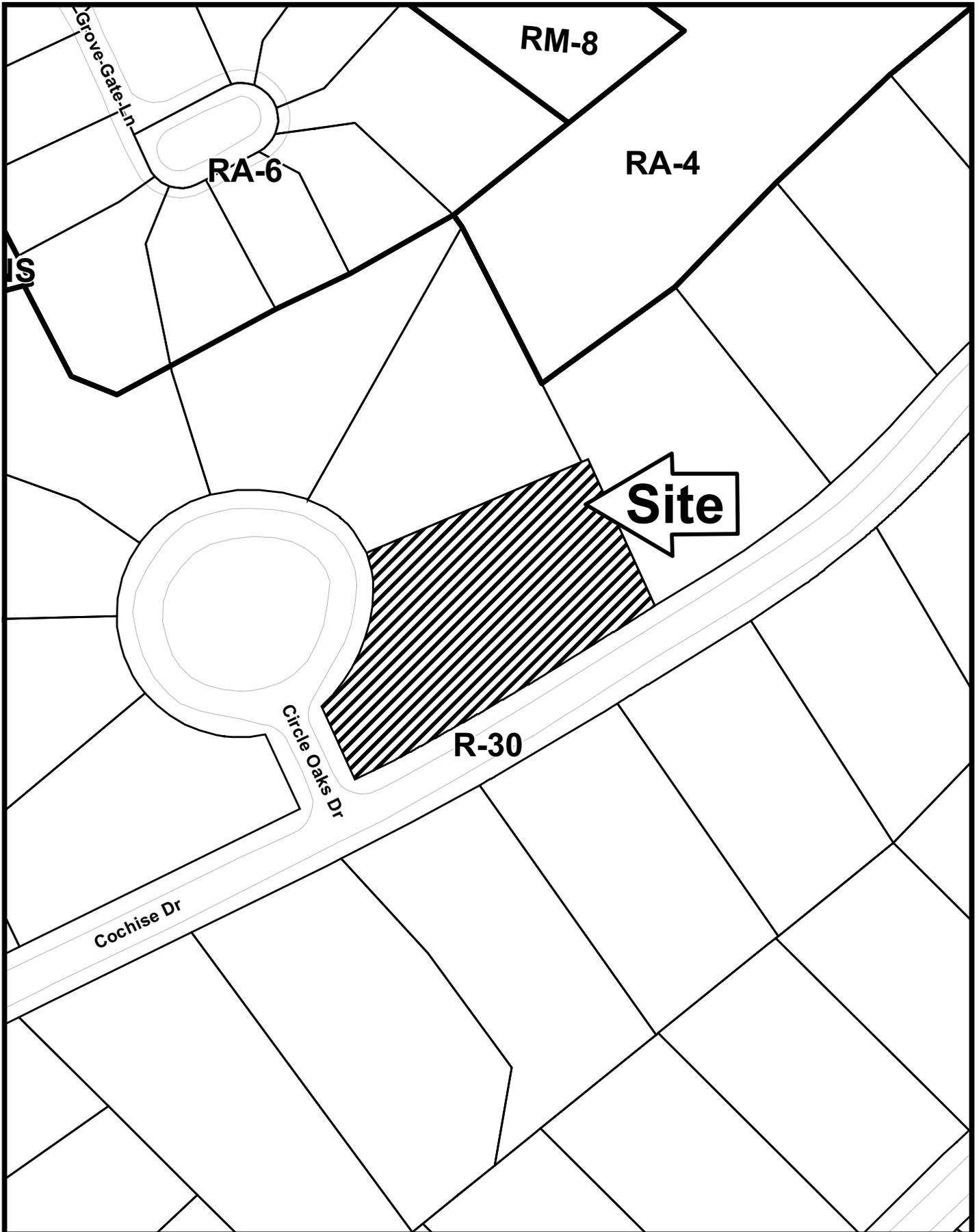
WATER: No conflict.

SEWER: Deck must be a minimum of 2 feet from the edge of the sanitary sewer easement. The proposed retaining wall is not allowed in the sewer easement.

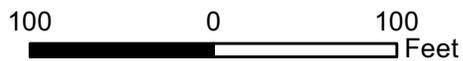
APPLICANT: Preston and Liz Smith **PETITION No.:** V-23

FIRE DEPARTMENT: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

V-23



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

2012 DEC 13 PM 1:39

Cobb County

COBB COUNTY ZONING DIVISION

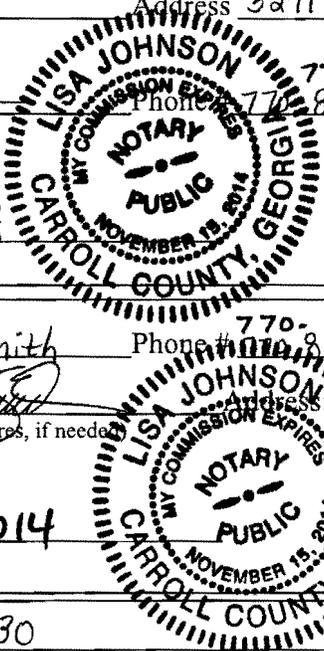
(type or print clearly)

Application No. V-23
Hearing Date: 2/13/13

Applicant Preston & Liz Smith Phone # 770-876-1877 E-mail PrestonSmith@bellsouth.net

Preston Smith Address 3271 Circle Oaks Dr. SE Atlanta, GA 30339
(representative's name, printed) (street, city, state and zip code)

Preston Smith Phone # 770-876-1877 E-mail PrestonSmith@bellsouth.net
(representative's signature)



My commission expires: 11/15/2014 Signed, sealed and delivered in presence of: Lisa Johnson
Notary Public

Titleholder Preston W. Smith Phone # 770-876-1877 E-mail PrestonSmith@bellsouth.net

Signature Preston W. Smith Address: 3271 Circle Oaks Dr. Atlanta GA 30339
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 11/15/2014 Signed, sealed and delivered in presence of: Lisa Johnson
Notary Public

Present Zoning of Property R-30

Location 3271 Circle Oaks Drive (at intersection with Cochise Drive)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 952, 953 District 17 Size of Tract 0.805 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 seeking to build a storage shed to cover the existing in-ground swimming pool equipment (e.g. pumps, filter, heater, etc.) which has been in this location since ~1975. This existing pool equipment is located less than five feet from the rear property line corner. Therefore, we respectfully request a waiver of the five foot set back rule to build a one-story detached accessory building with a floor area \leq ~~144~~ square feet to cover it.

List type of variance requested: Waiver of the five foot set back requirement contained in Section 134-196 (12) (a) for the purpose of constructing an accessory building (\leq ~~144~~ square feet) over the existing swimming pool equipment which has been located less than five feet from rear property line corner since ~1975. Request waiver of rear and side setback from 5 feet to 2 feet.

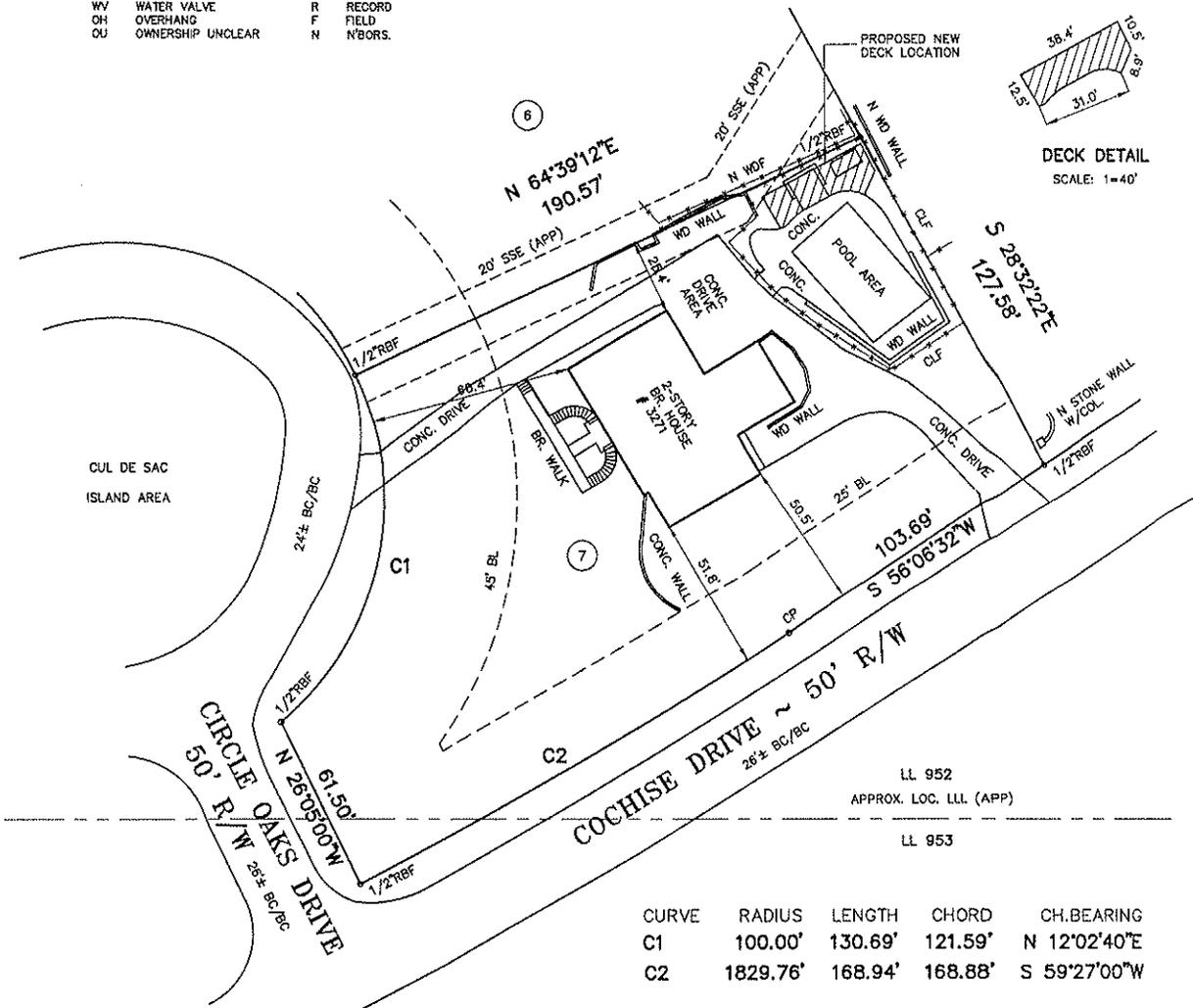
*** LEGEND ***

POB POINT OF BEGINNING	IP IRON PIN FOUND
LLL LAND LOT LINE	IPS IRON PIN SET
MH MAN HOLE	OTP OPEN TOP PIPE FOUND
SSL SANITARY SEWER LINE	CIP CRIMP TOP PIPE FOUND
CO SAN SEWER CLEANOUT	RB REINFORCING BAR FOUND
CB CATCH BASIN	RBS REINFORCING BAR SET
JB JUNCTION BOX	MAG MAGNETIC READING IP
DI DRAINAGE INLET	AI ANGLE IRON FOUND
YI YARD INLET	CP CALCULATED POINT
HW HEAD WALL	-X-X FENCE
PP POWER POLE	CLF CHAIN LINK FENCE
PW POWER LINE	WOF WOOD FENCE
SSE SANITARY SEWER ESMT.	WRF WIRE FENCE
DE DRAINAGE EASEMENT	WW WET WEATHER
UE UTILITY EASEMENT	FC FENCE CORNER
AE ACCESS EASEMENT	BL BUILDING LINE
TB TOP OF BANK	R/W RIGHT-OF-WAY
CMP CORRUGATED METAL PIPE	PL PROPERTY LINE
RCP REINFORCED CONC. PIPE	PC PROPERTY CORNER
APP AS PER PLAT	CL CENTER LINE
APD AS PER DEED	CPT CARPORT
APR AS PER RECORD	SP SCREEN PORCH
APF AS PER FIELD	P PORCH
BC BACK OF CURB	FH FIRE HYDRANT
EP EDGE OF PAVEMENT	BR BRICK
EB ELECTRIC POWER BOX	FR FRAME
EM ELECTRIC METER	WD WOOD
GM GAS METER	SN SIGN
GV GAS VALVE	P PLAT
WM WATER METER	D DEED
WV WATER VALVE	R RECORD
OH OVERHANG	F FIELD
OU OWNERSHIP UNCLEAR	N N'BORS.

N-23 (2013) REVISED

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. 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 THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.



CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
C1	100.00'	130.69'	121.59'	N 12°02'40"E
C2	1829.76'	168.94'	168.88'	S 59°27'00"W

PROPERTY ADDRESS:
3271 CIRCLE OAKS DR.
ATLANTA, GA 30339

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 JAN 29 AM 8:56
COBB COUNTY ZONING DIVISION
Revised

PLAT PREPARED FOR:

PRESTON SMITH

LOT 1	BLOCK "G"
SUBDIVISION COCHISE BY THE CHATTAHOOCHEE UNIT "B"	
LAND LOT 952 & 953	17TH DISTRICT 2ND SECTION
COBB COUNTY, GEORGIA	
FIELD WORK DATE JAN 23, 2013	PRINTED/SIGNED JAN 24, 2013
PLAT BOOK 78 ,PAGE 16	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED
DEED BOOK 14832 ,PAGE 3637	



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 03 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 GRAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.



COORD # 20130052
DWG # 20130062

SURVEY LAND EXPRESS, INC.
LAND SURVEYING SERVICES

70 LENOX SQUARE
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-8747
DFO@SURVEYLANDEXPRESS.COM

Martin, Terry L

From: Preston W. Smith [prestonsmith@bellsouth.net]
Sent: Wednesday, January 09, 2013 7:03 PM
To: Martin, Terry L
Cc: Preston Smith
Subject: Smith Variance Application (V-23)
Attachments: Smith_schematic drawing of deck and retaining wall.pdf; Smith_deck & retaining wall placement on survey.pdf; photo_14.jpg; photo_15.jpg; photo_16.jpg

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 JAN 11 AM 9:58

COBB COUNTY ZONING DIVISION

Terry, thank you very much for meeting with me today and assisting me in amending our variance application related to the setback requirements on our rear / side property lines. To jog your memory - less than 5 feet from the rear corner of our property line, we have existing pool mechanical equipment (filter, pumps, etc.) for the in-ground swimming pool (in its current location since 1976). In order to cover it up, we originally applied for a variance to place an accessory building over it. We are amending the request in order to place a deck over the top (and to the side) of it, instead of an accessory building.

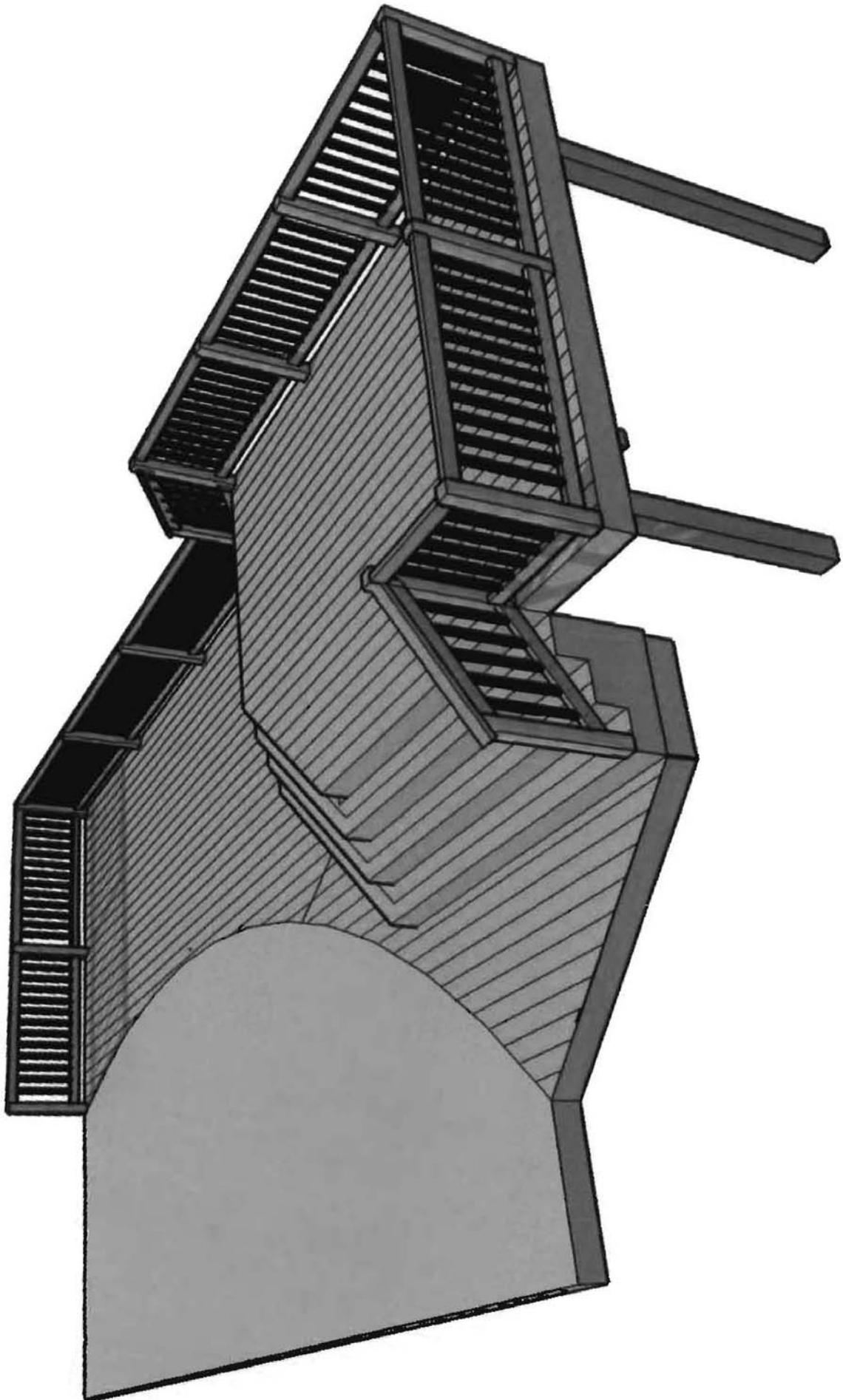
We also have an existing retaining wall on that same rear property line which is in need of repair/reconstruction. We are proposing to remove it and rebuild a retaining wall along that same side.

The plans and supporting documents are in your file. As you requested, I am also enclosing two schematic drawings which show the proposed approximate placement of the deck and retaining wall, relative to the rest of the property. Three photos are also attached which show (in bright orange marking tape) the outline of the proposed deck.

Please let me know if I can provide you any additional information. I appreciate your consideration of our request.

Cordially,

Preston & Liz Smith
 3271 Circle Oaks Dr. SE
 Atlanta, GA 30339
 770-876-1877



COBB COUNTY GEORGIA
FILMED IN OFFICE

2013 JAN 11 AM 9:58

COBB COUNTY ZONING DIVISION

