

COBB COUNTY GEORGIA  
FILED IN OFFICE

2013 MAY -9 AM 10:11  
COBB COUNTY ZONING DIVISION

1 OF 1

DATE: SEPTEMBER 28, 2007

PROJECT NO: 0551 PRO

JOB NUMBER: 1563

SHEET NUMBER: 1

DRAWN BY: [Signature]

CHECKED BY: [Signature]

SCALE: 1" = 40'

DATE: [Blank]

LOCATED IN: COBB COUNTY, GEORGIA

LAND LOT 1051

PREPARED FOR: JOHNATHAN TUCKER

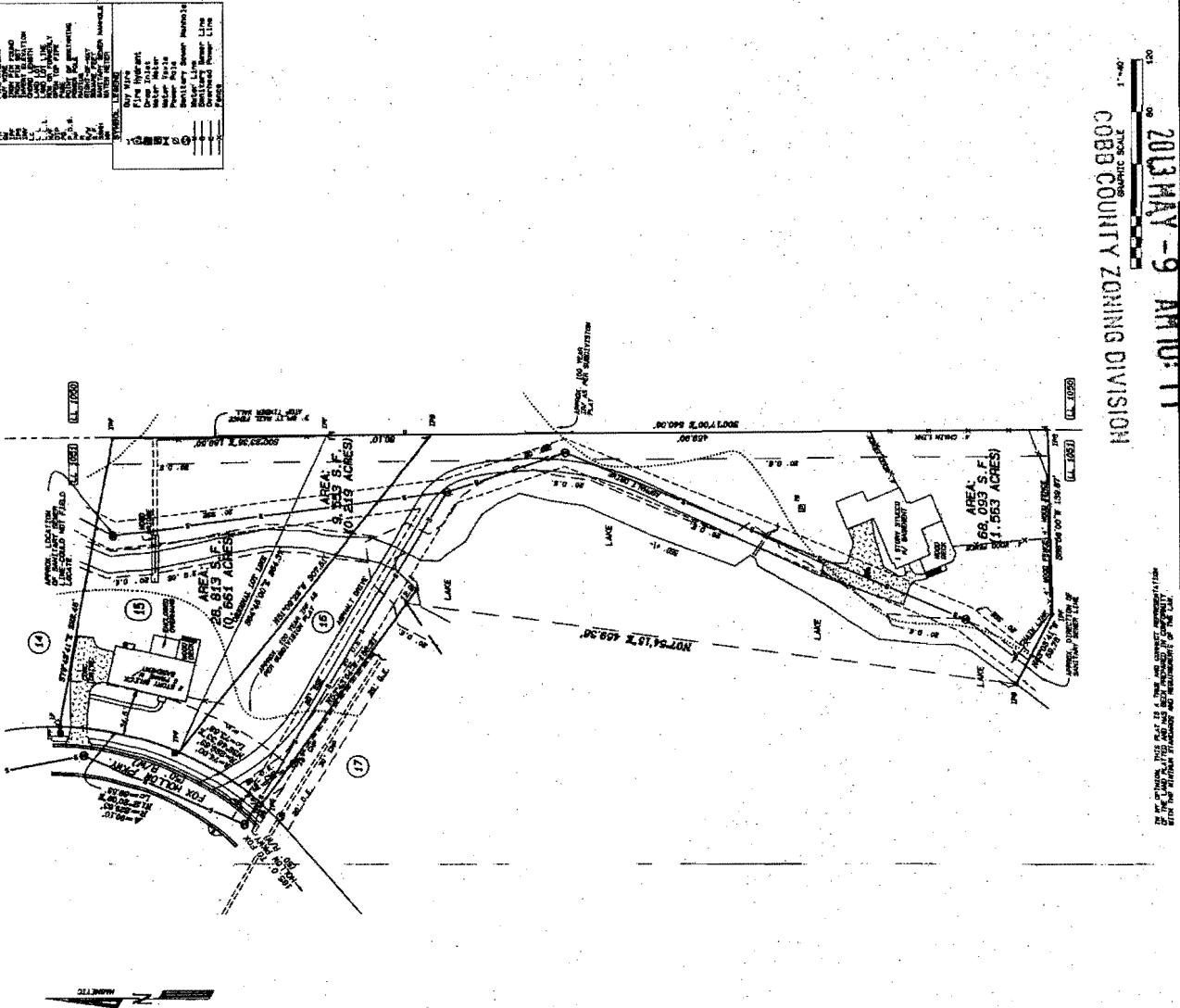
RE-SUBDIVISION PLAN

LOT 15 & 16, FOX HOLLOW  
(1203) 08-A



**BETTERTON**  
SURVEYING & DESIGN, INC.  
LAND SURVEYING & DESIGN  
SUBDIVISION & COMMERCIAL SITE DESIGN  
1111 SOUTH MARITTA GEORGIA 30050  
(578) 483-0242

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



**OWNER'S INFORMATION:**  
JOHNATHAN TUCKER  
3222 EDIN HOLLOW DRIVE  
MARIETTA, GA 30068  
(404) 403-8873

**ZONING NOTES:**  
CURRENT ZONING: R-1  
PERMITTED: 1-10  
AREA: 20,000 S.F.  
MINIMUM LOT AREA: 1,000 S.F.  
MINIMUM LOT WIDTH: 30 FT.  
MINIMUM LOT DEPTH: 30 FT.  
MAXIMUM BUILDING HEIGHT: 35 FT.

**OWNER'S ACKNOWLEDGMENT:**  
I, JOHNATHAN TUCKER, OWNER OF THE LAND SHOWN ON THIS PLAN AND THESE MAPS, HEREBY CERTIFY THAT THE PLAN SHOWN AND APPROVED HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SHOWN AND APPROVED HEREON AND THAT I HAVE READ AND UNDERSTAND THE ZONING ORDINANCES OF COBB COUNTY, GEORGIA, AND THAT THE LAND SHOWN AND APPROVED HEREON IS IN COMPLIANCE WITH SAID ZONING ORDINANCES. I HEREBY AUTHORIZE THE SURVEYOR TO RECORD THIS PLAN AND THESE MAPS IN THE PUBLIC RECORDS OF COBB COUNTY, GEORGIA, AND TO TAKE ANY AND ALL NECESSARY ACTIONS TO COMPLETE THE SURVEY AND TO TAKE ANY AND ALL NECESSARY ACTIONS TO COMPLETE THE SURVEY AND TO TAKE ANY AND ALL NECESSARY ACTIONS TO COMPLETE THE SURVEY.

*[Signature]*  
JOHNATHAN TUCKER  
DATE: 10/15/07

**SURVEYOR'S ACKNOWLEDGMENT:**  
I, ROB HOSKICK, SURVEYOR, HEREBY CERTIFY THAT THE PLAN SHOWN AND APPROVED HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SHOWN AND APPROVED HEREON AND THAT I HAVE READ AND UNDERSTAND THE ZONING ORDINANCES OF COBB COUNTY, GEORGIA, AND THAT THE LAND SHOWN AND APPROVED HEREON IS IN COMPLIANCE WITH SAID ZONING ORDINANCES. I HEREBY AUTHORIZE THE SURVEYOR TO RECORD THIS PLAN AND THESE MAPS IN THE PUBLIC RECORDS OF COBB COUNTY, GEORGIA, AND TO TAKE ANY AND ALL NECESSARY ACTIONS TO COMPLETE THE SURVEY AND TO TAKE ANY AND ALL NECESSARY ACTIONS TO COMPLETE THE SURVEY.

*[Signature]*  
Rob Hoskick  
DATE: 10-23-07

**RECORDING INFORMATION:**  
FILED IN OFFICE: 10-24-07  
FILE NO: 244  
PAGE: 83  
CENIP 2007-104887  
DATE: 10-24-07

**REVISIONS:**  
1. PLAN OF 151 HOLLOW, UNIT ONE RECORDED IN PLAT BOOK 76 PAGE 171.

THIS PLAN AND THESE MAPS HAVE BEEN PREPARED BY A LICENSED SURVEYOR AND ARE SUBJECT TO THE JURISDICTION OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA.

**APPLICANT:** Jennifer and Jonathan Tucker

**PETITION No.:** V-80

**PHONE:** 770-971-6817

**DATE OF HEARING:** 07-10-13

**REPRESENTATIVE:** Jennifer M. Tucker

**PRESENT ZONING:** R-20

**PHONE:** 770-971-6817

**LAND LOT(S):** 1051

**TITLEHOLDER:** Jonathan Tucker

**DISTRICT:** 16

**PROPERTY LOCATION:** On the east side of Fox Hollow Parkway, south of Robinson Road (822 Fox Hollow Parkway).

**SIZE OF TRACT:** 0.66 acre

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the front setback from the required 35 feet to 34.5 feet; and 2) appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source.

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

**BOARD OF APPEALS DECISION**

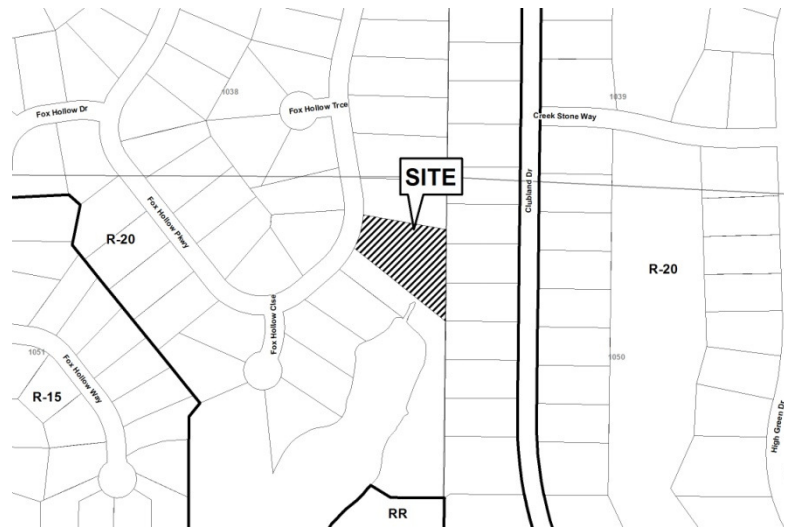
**APPROVED**        **MOTION BY**       

**REJECTED**        **SECONDED**       

**HELD**        **CARRIED**       

**STIPULATIONS:**       



**APPLICANT:** Jennifer and Jonathan  
Tucker

**PETITION No.:** V-80

\*\*\*\*\*

**COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** No comment.

**SITE PLAN REVIEW:** If this variance request is approved, a subdivision plat revision must be recorded prior to the issuance of the certificate of occupancy showing all improvements on the lot and referencing the variance case in the standard plat revision note. 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:** If minimum lot size variance is approved for backyard chickens, the coop must be located outside the 100-year floodplain and stream buffer.

**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:** No conflict.

**APPLICANT:** Jennifer and Jonathan  
Tucker

**PETITION No.:** V-80

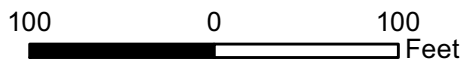
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**FIRE DEPARTMENT:** After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

# V-80



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-80  
Hearing Date: 7/10/13

Applicant Jennifer & Jonathan Tucker Phone # 770-971-6817 E-mail jtucker3932@gmail.com

Jennifer M. Tucker Address 822 Fox Hollow Pkwy, Marietta, GA 30068  
(representative's name, printed) (street, city, state and zip code)

Jennifer M. Tucker Phone # 770-971-6817 E-mail jtucker3932@gmail.com  
(representative's signature)

My commission expires: 02/17/17

Signed, sealed and delivered in presence of:  
Tawney E Cray

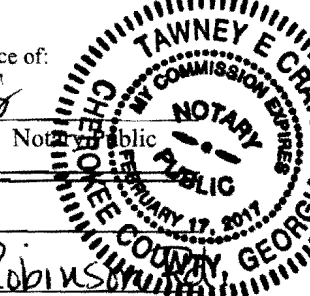


Titleholder Jonathan Tucker Phone # 770-971-6817 E-mail jtucker@teamhandscrafts.com

Signature [Signature] Address: 822 Fox Hollow Pkwy, Marietta GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 02/17/17

Signed, sealed and delivered in presence of:  
Tawney E Cray



Present Zoning of Property R-20

Location 822 Fox Hollow Pkwy, Marietta GA ; Fox Hollow Pkwy & Robins  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1051 District 16th Size of Tract .88 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 .88 Acres Shape of Property Trapezoid 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 (if applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

n/a

COBB COUNTY ZONING DIVISION  
MAY -9 AM 0:10  
COBB COUNTY GEORGIA  
OFFICE

List type of variance requested: Backyard Chickens (Sec.134-94(4))

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Application No. V-80

Hearing Date: 7/10/13

**Applicant's information for requesting backyard chickens**

1. Is there a Homeowners Association (HOA) that oversees the property or subdivision? YES ; NO  .
2. Does the HOA support your request? YES ; NO ; N/A- No HOA  .
3. Are there valid covenants or restrictions on the property that prohibit backyard chickens? YES  NO  .  
(If there are valid covenants or restrictions prohibiting backyard chickens, then this application will not be heard by the Board of Zoning Appeals; This application will not be accepted, or will be withdrawn).
4. How many hens do you propose (no male birds allowed)? 4-6 .
5. Can you comply with the County Code Sec-134-94(4)(a-j) below? YES  NO  .

Jennifer M. Tucker  
Signature

Jennifer M. Tucker  
Print Name

COBB COUNTY GEORGIA  
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**County Code adopted by the Board of Commissioners February 26, 2013:**

Sec. 134-94 (4) Authorize upon appeal in specific cases related to the minimum lot size of two acres required to maintain poultry as pets or food source.

Poultry meaning a female pullet or hen of the Gallus gallus domesticus; also referred to as backyard chickens which are or may be raised for the purpose of providing food or companionship as a pet considering the following minimum conditions:

- (a) Written consent or opposition of adjacent property owners, including the homeowners association, if applicable;
- (b) The poultry shall be kept/ maintained within a fenced area;
- (c) Coops, or other buildings used for the poultry shall be located at least ten feet off any property line and/or in compliance with the accessory structure requirements in each zoning district;
- (d) The owner of the poultry shall keep the property maintained in a fashion that eliminates odors, pollution or other negative effects resulting from the poultry;
- (e) The poultry shall not cause a nuisance, as defined by State Law;
- (f) There shall be a maximum ratio of one bird per 5,000 square foot of lot area on any lot less than two acres;
- (g) The slaughter of any hen on site is strictly prohibited;
- (h) The fee for the variance application shall be \$150.00;
- (i) The duration of any Variance approved for Poultry as Pets or Food Source shall not exceed 2 years; renewable for subsequent 2 year terms thereafter;
- (j) Any Variance approved for Poultry as Pets or Food Source shall be considered by the Board of Commissioners' in accordance with Section 134-271(8).

**IMPORTANT NOTE:** The following announcement concerns variance applications requesting backyard chickens relating to the Official Code of Cobb County, Chapter 134-94(4), adopted by the Board of Commissioners on February 26, 2013. Applicants are advised that variance applications requesting backyard chickens which are approved by the Board of Zoning Appeals take the form of a recommendation to the Board of Commissioners (BOC), who makes a final determination whether to grant a special exception for the backyard chickens. The BOC determination will take place the following month at the scheduled Zoning Hearing.