

TRAVERSE CLOSURE - 1:30,096
 ANGULAR ERROR - 4.8 SEC'S/STA.
 ADJUSTMENT - COMPASS RULE
 EQUIPMENT - TOPCON 303 TOTAL STATION
 PLAT CLOSURE - 1:95,890

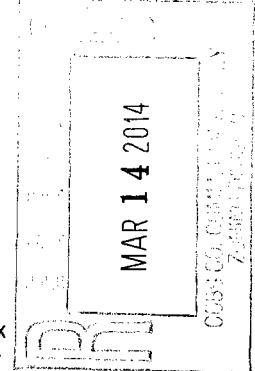
V-40 (2014)

LOT CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD	BEARING
C12	25.00'	7.72'	7.69'	N55°46'37"E
C13	40.00'	79.03'	66.79'	S76°28'26"E

THIS PROPERTY IS NOT LOCATED WITHIN A FEMA FLOOD ZONE ACCORDING TO COBB COUNTY FIRM PANEL 0133 J COMMUNITY No. 130052 DATED MARCH 4, 2013.

BUILDING SETBACK NOTES:

- FRONT SETBACK - 20'
(OFF PROP. PRIVATE STREET)
- SIDE SETBACK (INTERIOR) - 5'
- SIDE SETBACK - 40'
(OFF WOODLAWN DRIVE AS MEASURED FROM PRE-DEVELOPMENT R/W)
- REAR SETBACK - (EXTERIOR) 30'



REFERENCE PLAT:

PB. 273, PG. 221-222

ZONING:

RA-5 (Z-42, OCT. 16 2012)

PROPERTY AREA:

0.29 ACRES
 12,696 Sq. Ft.

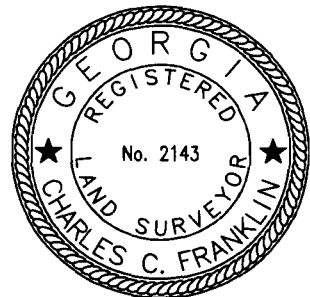
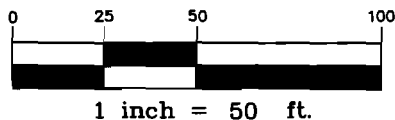
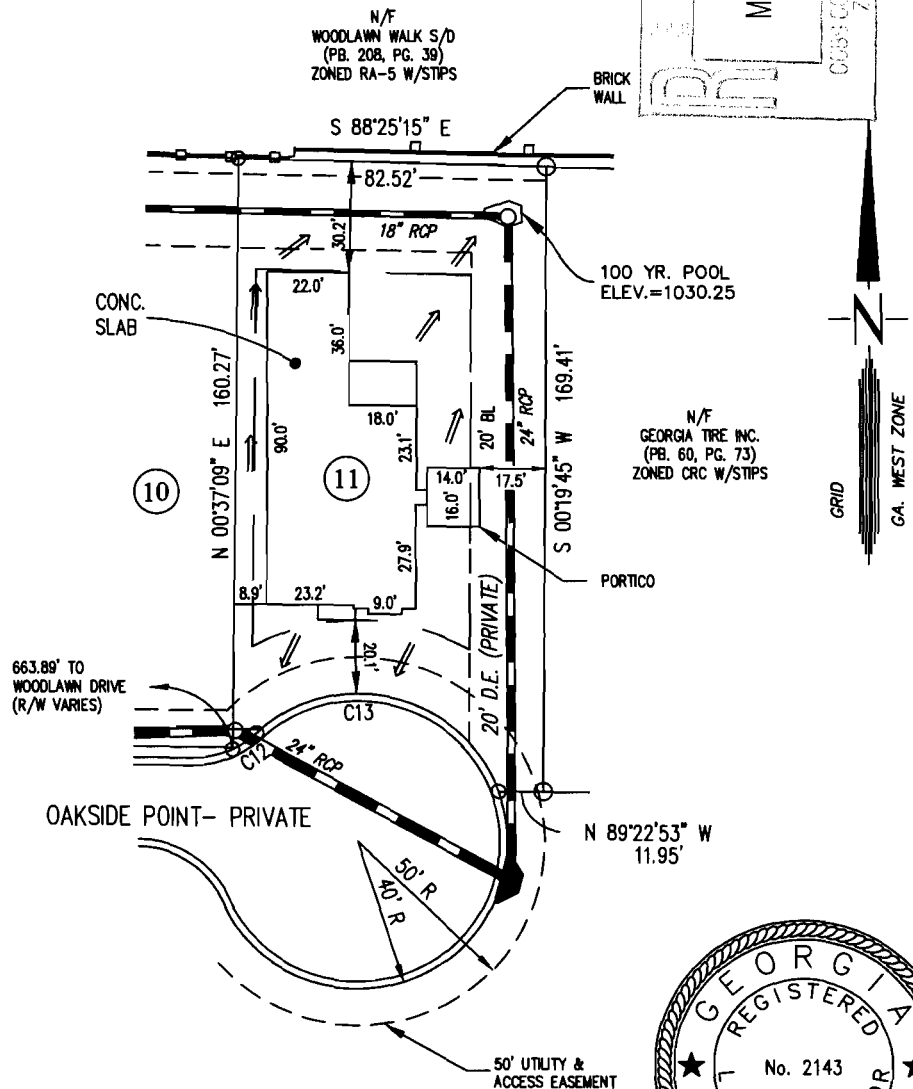
PROPERTY ADDRESS:

4567 OAKSIDE POINT
 MARIETTA, GEORGIA 30067

FOUNDATION SURVEY FOR:

EDISON HOMES

BEING LOT 11
 THE OAKS ON WOODLAWN
 LOCATED IN LAND LOT 70
 IN THE 1ST DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA
 SCALE: 1" = 50' DATE: JAN. 20, 2014



Centerline Surveying Systems, Inc.

1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144
 PHONE: (770) 424-0028 FAX: (770) 424-2399

APPLICANT: Woodlawn Oaks Development, LLC

PETITION No.: V-40

PHONE: 404-261-3420

DATE OF HEARING: 05-14-2014

REPRESENTATIVE: John H. Moore

PRESENT ZONING: RA-5

PHONE: 770-429-1499

LAND LOT(S): 70

TITLEHOLDER: Woodlawn Oaks Development, LLC

DISTRICT: 1

PROPERTY LOCATION: At the northern terminus of Oakside Point, east of Woodlawn Drive (4567 Oakside Point).

SIZE OF TRACT: 0.29 acre

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the side setback from the required 20 feet to 17.5 feet adjacent to the eastern property line.

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

BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Woodlawn Oaks
Development, LLC

PETITION No.: V-40

COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: There is a private drainage easement along the eastern property line where this encroachment is located. However, there appears to be adequate clearance for maintenance or replacement of the pipe due to its shallow depth.

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.

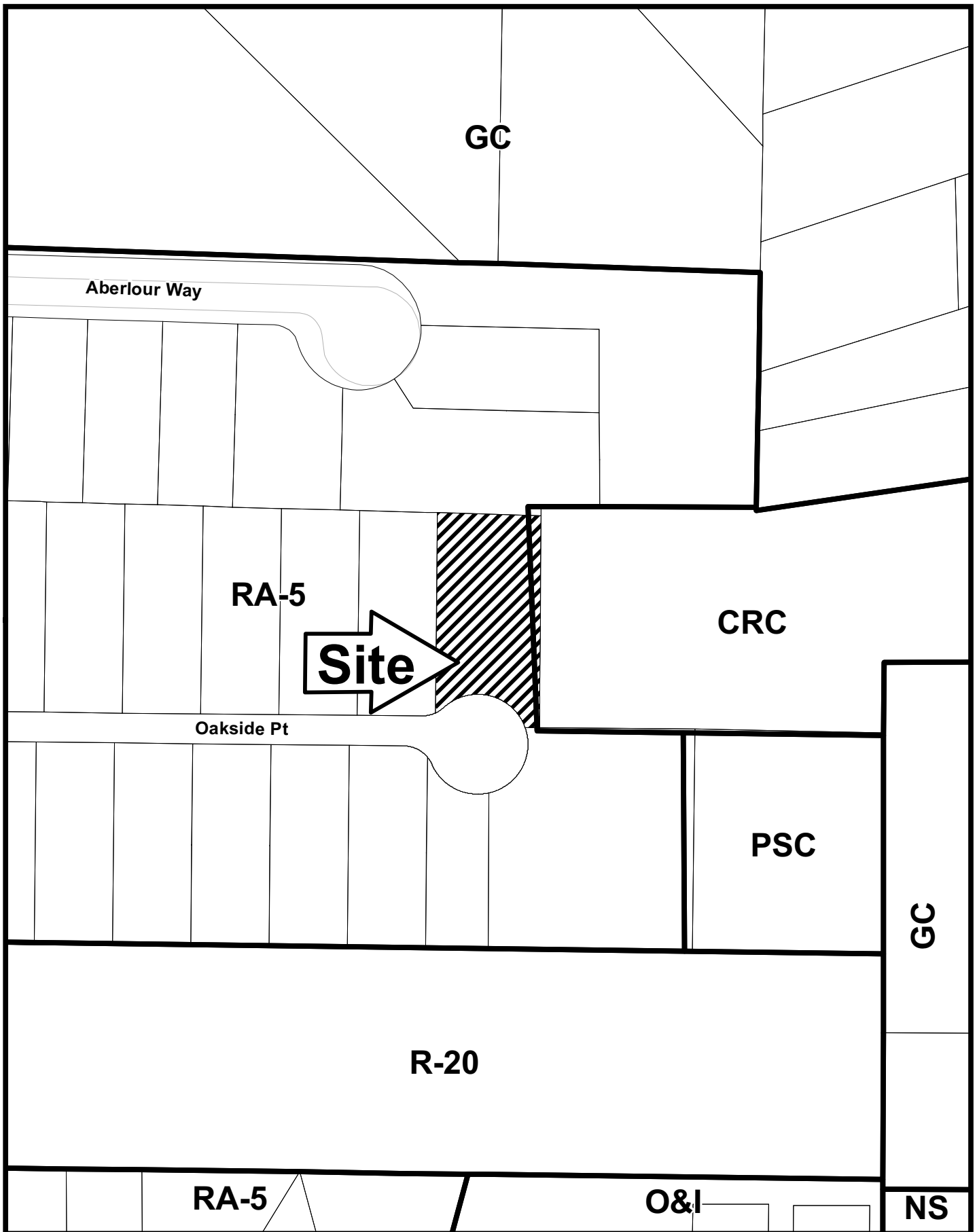
SEWER: No conflict.

APPLICANT: Woodlawn Oaks
Development, LLC

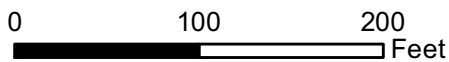
PETITION No.: V-40

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-40



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- 46 (2014)
Hearing Date: 05/14/2014

Applicant Woodlawn Oaks Development, LLC Phone # (404) 261-3420 E-mail brad@freeman-partners.com
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
John H. Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jmoore@mijss.com
(representative's signature) Georgia Bar No. 519800 w7@mijss.com

My commission expires: January 10, 2015

Signed, sealed and delivered in presence of:
[Signature]
Notary Public

Titleholder Woodlawn Oaks Development, LLC Phone # (404) 261-3420 E-mail brad@freeman-partners.com
Signature BY: [Signature] Address: Suite A2000, 91 W. Wieuca Road Atlanta, GA 30342
(attach additional signatures, if needed) (street, city, state and zip code)
Brad R. Berman, Manager

My commission expires: 7/18/14

Signed, sealed and delivered in presence of:
[Signature]
Notary Public
DONNA LUND
Notary Public
MAR 14 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Present Zoning of Property RA-5
Location 4567 Oakside Point (Lot 11, The Oaks on Woodlawn)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 70 District 1st Size of Tract 0.29 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 (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

See Exhibit "A" attached hereto and incorporated herein by reference.

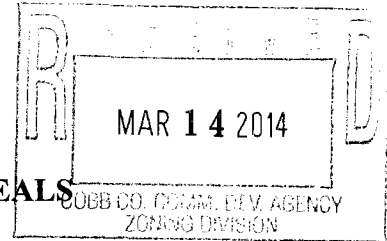
List type of variance requested: Waiver of required side setback from twenty (20) feet to seventeen and one-half (17½) feet. (See 134-201.2(4)(e)).

EXHIBIT
v-40 (2014)

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 40 (2014)

Hearing Date: May 14, 2014



BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant/Titleholder: Woodlawn Oaks Development, LLC

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

The property which is the subject of this Application for Variance is Lot 11, The Oaks on Woodlawn, off Woodlawn Drive, Land Lot 70, 1st District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). Applicant requests a waiver of the required minimum side setback from twenty (20) feet to seventeen and one-half (17½) feet, as more particularly shown and reflected on the Foundation Survey submitted with the Application for Variance.

The Subject Property was rezoned to the RA-5 zoning category, and as part of the approved rezoning, the District Commissioner approves the elevations and renderings of the homes to be constructed within the development. The elevations and renderings for the Subject Property were approved by the District Commissioner in October 2013, a copy of which are attached hereto as Exhibit "1" and incorporated herein by reference. Applicant was unaware the portico on the residence extended into the side setback area by approximately two and one-half feet until the final inspection of the residence was being performed.

To allow the portico to remain within the side setback area would result in minimal impact, if any at all, upon the Subject Property or any other adjacent or surrounding properties. And, in fact, the property located immediately to the east of the Subject Property is zoned to a commercial category of Community Retail Commercial ("CRC"); and, therefore, the waiver of the side setback requirement for this lot would have absolutely no effect upon the immediately adjacent property. The reduction of the side setback by two and one-half feet is very minor. Additionally, any adjustments to the approved home elevation would require re-approval by the District Commissioner, and Applicant would suffer significant impact and expense.

