

PROPERTY OF:

SHERMAN B. LLOYD

LOT 7-BLK. B- SEC. 2 ~ TRACK 1-NICKAJACK HOMES SUB.

LAND LOT 122 - 17TH DIST. 2ND SECT.

COBB COUNTY, GEORGIA

SURVEYED BY

WATTS & BROWNING-ENGRS.

JULY 3, 1961

SCALE 1"=40'

I CERTIFY THAT THIS PLAT IS
CORRECT AND A TRUE REPRESENTA-
TION OF THE CONDITIONS ON THIS
PROPERTY.

Watts
GEORGIA REGISTERED
SURVEYOR NO. 546
MEMBER OF GEORGIA ASSOCIATION
OF REGISTERED LAND SURVEYORS

APPLICANT: Jennifer A. Kelly

PETITION No.: V-52

PHONE: 678-787-9359

DATE OF HEARING: 07-09-2014

REPRESENTATIVE: Jennifer A. Kelly

PRESENT ZONING: R-20

PHONE: 678-787-9359

LAND LOT(S): 122

TITLEHOLDER: Jennifer Ann Kelly

DISTRICT: 17

PROPERTY LOCATION: On the northwest corner of Herren Drive and Terrace Drive (418 Terrace Drive).

SIZE OF TRACT: 0.54 acre

COMMISSION DISTRICT: 4

TYPE OF VARIANCE: An authorization upon 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:



COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comments.

STORMWATER MANAGEMENT: No comment.

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.

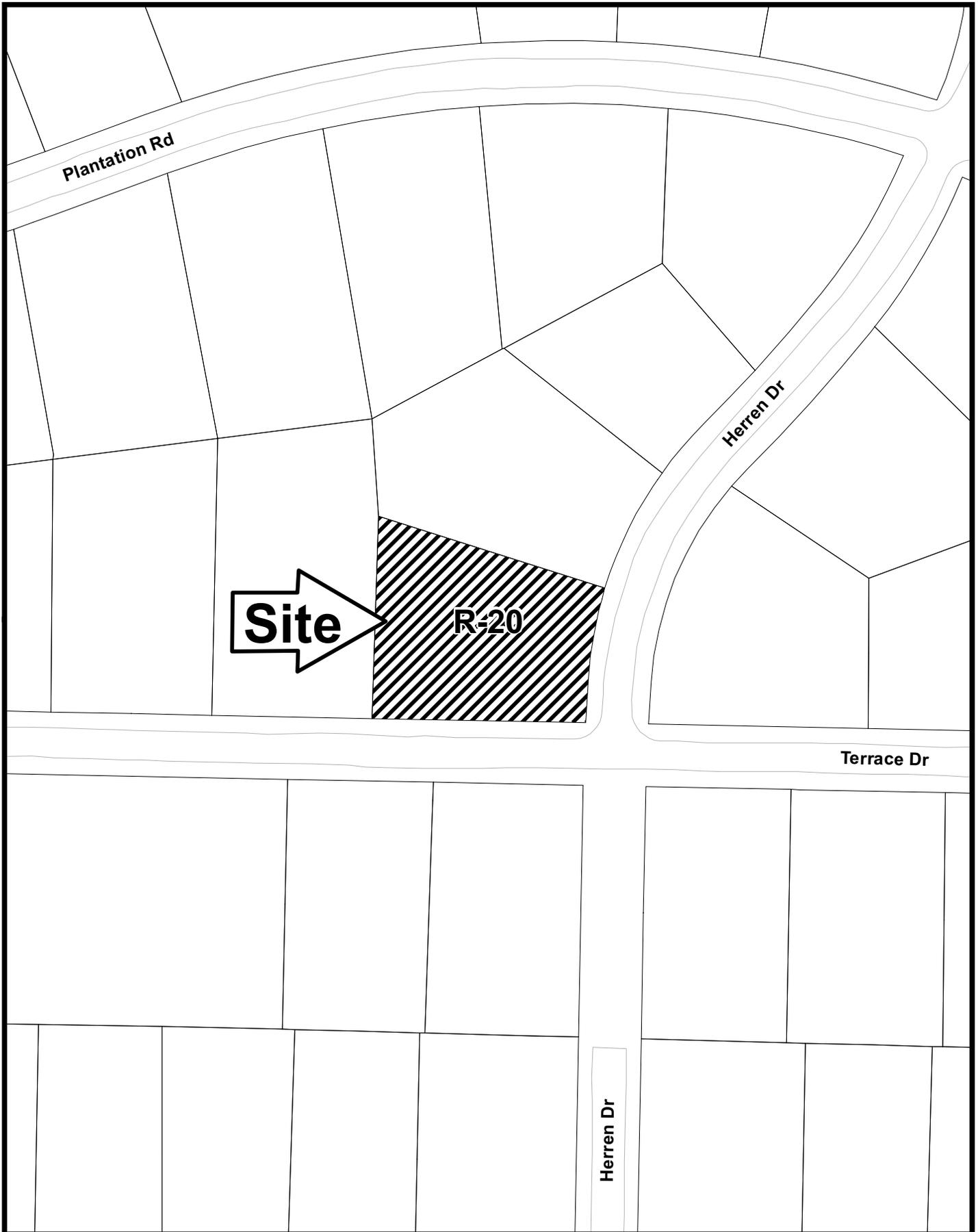
WATER: No conflict.

SEWER: No conflict.

APPLICANT: Jennifer A. Kelly **PETITION No.:** V-52

FIRE DEPARTMENT: No comments.

V-52



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

0 100 200 Feet



City Boundary
Zoning Boundary

COBB COUNTY ZONING DIVISION
2014 MAY -7 PM 2:16
COBB COUNTY ZONING DIVISION

Application for Variance

Cobb County

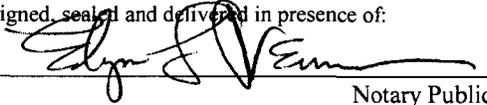
(type or print clearly)

Application No. V- 52
Hearing Date: 7-9-14

Applicant Jennifer A Kelly Phone # 678-787-9359 E-mail wonderjen55@hotmail.com
N/A Address 418 Terrace Dr. SW Smyrna, GA 30082
(representative's name, printed) (street, city, state and zip code)

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

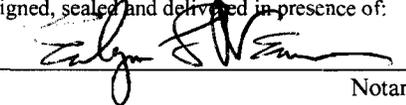
My Commission Expires
May 1, 2015

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: _____

Titleholder Jennifer A Kelly Phone # 678-787-9359 E-mail wonderjen55@hotmail.com
Signature Jennifer A Kelly Address: 418 Terrace Dr., SW Smyrna, GA 30082
(attach additional signatures if needed) (street, city, state and zip code)

My Commission Expires
May 1, 2015

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: _____

Present Zoning of Property Residential

Location 418 Terrace Dr. SW Smyrna GA 30082
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 122-17th District 2nd Sect. Size of Tract .31 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 (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

List type of variance requested: To own 3 ~~chickens~~ hens on my property
Housed in 4'x6' chain link coop behind
my house

EXHIBIT
V-52 (2014)

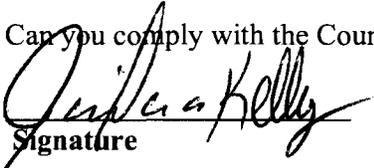
Application No. V - 52

2014 MAY -7 PM 2: 16

Hearing Date: 7-9-14

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)? 3.
5. Can you comply with the County Code Sec-134-94(4)(a-j) below? YES NO ___.


Signature

Jennifer A Kelly
Print Name

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.

EXHIBIT
V-52 (2014)

**CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS
TO ACCOMPANY APPLICATION FOR THE PURPOSE OF VARIANCE REQUEST**

2014 MAY 7 PM 2:15 By signature, it is hereby acknowledged that I give my consent/or have no objection that _____

Jennifer A Kelly intends to make an application to the appropriate Cobb County Authorities for a variance request for the purpose of clearing 3 acres on the premises described in the application.

Signature	Printed name	Address
1. <u>Edna Paret</u>	<u>EDNA PARET</u>	<u>434 TERRACE DR. 30082</u>
2. <u>Bruce P Paret</u>	<u>BRUCE P PARET</u>	<u>434 TERRACE DRIVE 30082</u>
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