

**JULY 15, 2014 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM OB-37

PURPOSE

To consider a request from CBS Outdoor, LLC regarding a billboard placement located on the easterly side of Roswell Road and on the westerly side of Lecroy Drive. The property is located Land Lot 1029 of the 16th District.

BACKGROUND

The subject property is zoned GC and currently has a two sided static billboard on the property. The billboard owner would like to change the two static billboard faces to electronic billboard faces, but cannot since the electronic billboard is located within 500 feet of a residence. The proposed electronic billboard is 359 feet to the closest house in East Lake Ridge subdivision. Per a zoning code amendment adopted February 28, 2012, the Board of Commissioners can consider this request subject to three criteria that must be considered:

1. Whether or not the electronic sign face will be visible from the residence(s) that is within 500 feet.
2. Whether or not electronic sign faces visible from the residence(s) are properly buffered and screened from light cast from the sign.
3. Whether or not there are existing or changing conditions that would give supporting grounds for either approval or disapproval of the requested modification.

The application will meet the exchange criteria for taking down billboards in exchange for the digital billboards.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed request.

ATTACHMENTS

Other Business application, request letter and exhibits.

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OB-37

Year 2012 Form

2014 JUN 10 PM 2:13

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: JULY 15, 2014

Applicant: CBS Outdoor, LLC Phone #: (404) 699-1499
(applicant's name printed)

Address: 3745 Atlanta Industrial Drive, Atlanta, GA 30331 E-Mail: susan.fromm@cbsoutdoor.com

Scott W. Peters Address: 1100 Peachtree Street, Suite 800, Atlanta GA 30309
(representative's name, printed)

[Signature] Phone #: (404) 681-3450 E-Mail: speters@swflp.com
(representative's signature)

Signed, sealed and delivered in presence of: [Signature]
Notary Public: [Signature] My commission expires: 2/3/2015



Titleholder(s): Trinia Enterprises, Inc. Phone #: 770-420-8707
(property owner's name printed)

Address: 651 Marina Road, Cartersville, GA 30130 E-Mail: cdixon@bestinboating.com

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of: [Signature]
Notary Public: [Signature] My commission expires: 9-23-15



Commission District: 2 Zoning Case: _____

Date of Zoning Decision: _____ Original Date of Hearing: _____

Location: 2244 Roswell Road, Marietta, GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1029 District(s): 16

State specifically the need or reason(s) for Other Business: Upgrade an existing outdoor advertising sign, that is located within 500' of a residence, to an electronic sign.

Code Sec. 134-318.1 (b)(1)

(List or attach additional information if needed)

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COBB COUNTY ZONING DIVISION

Scott W. Peters

LAW OFFICES
SCHREEDER, WHEELER & FLINT, LLP
1100 PEACHTREE STREET, NE
SUITE 800
ATLANTA, GEORGIA 30309-4516

(404) 681-3450
FACSIMILE: (404) 681-1046

E-Mail: speters@swflp.com
Direct Dial: (404) 954-9836

June 10, 2014

VIA HAND DELIVERY

Mr. John Pederson
Zoning Division Manager
1150 Powder Springs Street
Suite 400
Marietta, Georgia 30064

RE: Application for Other Business
Property located at 2244 Roswell Road, Marietta, Georgia
Variance Pursuant to Code §134-318.1(b)(1)

Dear Mr. Pederson:

Please accept this letter in support of the request of CBS Outdoor, LLC, for a variance from Code § 134-318.1.(b)(1) to permit an existing outdoor advertising sign located within 500 feet of a residence to be upgraded to an electronic sign.

This sign is located on the east side of Roswell Road, adjacent to Lecroy Drive. The property upon which the sign is located is commercially developed, and the sign reads to traffic on Roswell Road. All properties surrounding the subject sign are commercially developed, including those across Roswell Road. However, there are several houses located in the Bradford Place subdivision behind the commercial business across Roswell Road which are within 500 feet of the sign, thereby requiring this variance.

In support of this variance request, CBS Outdoor, LLC, shows that the sign is orientated in a manner while will minimize (and potentially eliminate) any visibility of the proposed electronic faces from the residences in Bradford Place. The subject sign is perpendicular to Roswell Road, such that the sign faces are visible to those persons traveling along Roswell Road. The signs "V" shape is such that the narrow edge of both sign faces is on the western edge of the sign. Because the residences in Bradford Place are located across Roswell Road to the west, the sign faces themselves are not readable from these residences. The light from the proposed electronic sign faces will be directed along Roswell Road, and should therefore not be visible from Bradford Place.

LAW OFFICES
SCHREEDER, WHEELER & FLINT, LLP

Mr. John Pederson
Page 2
June 10, 2014

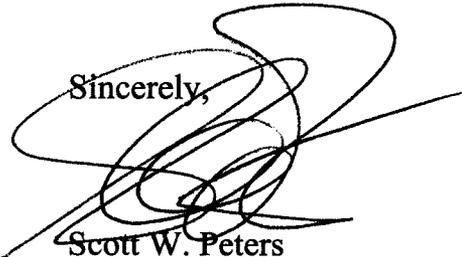
Further, even if the sign faces are visible from the residences in Bradford Place, these residences are screened from the subject sign by a stand of mature trees located between the residences and Roswell Road. These trees are elevated above Roswell Road, and therefore provide a very effective visual screen between the residences and the subject sign.

Finally, Cobb County recently completed a road improvement project in this area which further established the commercial nature of this corridor and improved traffic flows in this vicinity. As such, the improvement of the subject sign with electronic sign faces will further advance the goal of concentrating outdoor advertising in established commercial corridors, while further reducing the inventory of outdoor advertising signs due to the removal of other signs which will be accomplished by the application of the exchange ratios set forth in Code § 134-318.1.

This letter will also serve to confirm that we have delivered a copy of this application via certified mail to those residents located within 500' of the subject sign at the addresses listed on Exhibit "A" attached hereto.

We respectfully request that this application be granted to permit the subject sign to be improved with electronic sign faces. Thank you for your consideration in regard to this request, and please let me know should you require any additional information in this regard.

Sincerely,



Scott W. Peters

SWP/cal
Enclosure

CBS-2244 Roswell Road

Residential Notices

1. Azar Salimi
2320 Windmere CT
Marietta, GA 30062

2. Elaine Opitz
2330 Windmere CT
Marietta, GA 30062

3. Sylvester A. Abdi
2340 Windmere CT
Marietta, GA 30062

4. Janice Bailey
2341 Windmere CT
Marietta, GA 30062

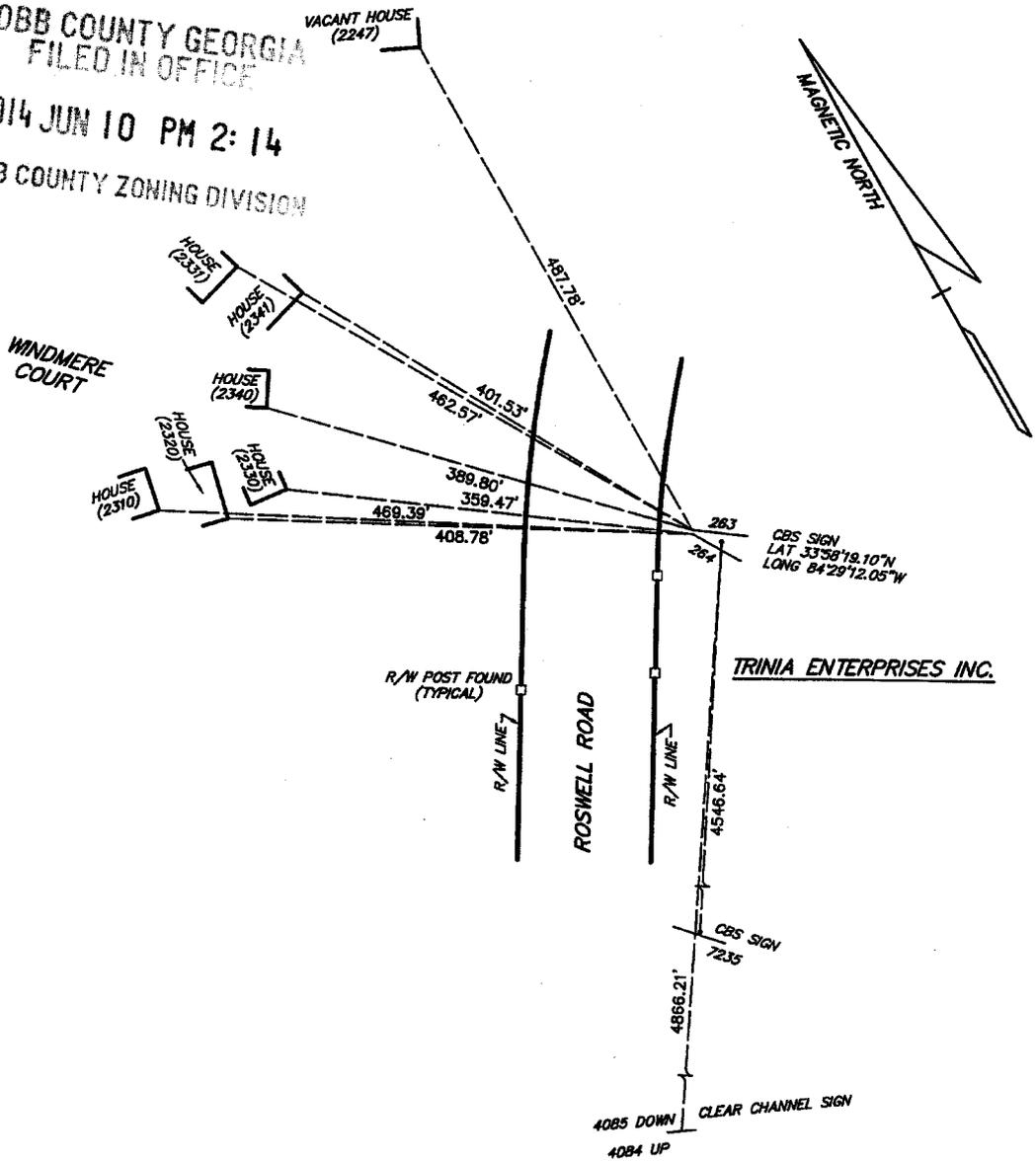
5. Gail M. Seal
2331 Windmere CT
Marietta, GA 30062

6. Carlos A Torres
2310 Windmere CT
Marietta, GA 30062

7. 2251 Roswell Road/2247 Sewell Mill Road
c/o Aria Investment Group
RA Jahan Arshid
2759 Delk RD.# 2600
Marietta, GA 30067

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BILLBOARD NOTES

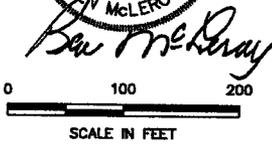
- (1) THERE ARE NO ELECTRONIC BILLBOARDS LOCATED WITHIN 5000' ALONG OUR SIDE OF ROSWELL ROAD.
- (2) THERE ARE NO ELECTRONIC BILLBOARDS LOCATED WITHIN 1000' AND FACING THE SAME DIRECTION ALONG EITHER SIDE OF ROSWELL ROAD.
- (3) THERE ARE NO SINGLE FAMILY RESIDENCES WITHIN 500' EXCEPT AS SHOWN.
- (4) LATITUDE AND LONGITUDE WERE SCALED FROM GOOGLE EARTH MAP.

REFERENCES

- (1) DEED BOOK 9203, PAGE 300.
- (2) DEED BOOK 9203, PAGE 311.

SURVEY NOTES

- (1) EQUIPMENT USED: 01" THEODOLITE AND E.D.M..
- (2) ANGULAR ERROR: 02" PER STATION, ADJUSTED.
- (3) LINEAR CLOSURE: 1/15,000+, BALANCED ARBITRARILY.



SURVEY FOR:		
CBS OUTDOOR		
2244 ROSWELL ROAD, MARIETTA, GA LAND LOT 1029, 16th DISTRICT, 2nd SECTION		
COUNTY:	COBB	G.M.D.: N/A
STATE:	GEORGIA	
DATE:	FEBRUARY 10, 2014	SCALE: 1"=100'
DWN. BY:	MIKE	
FIELDBOOK:	SURVEYED BY: BEN McLEROY & ASSOCIATES, INC. ENGINEERS & SURVEYORS 140 MILL CENTER BLVD., BOGART, GA., 30622 706-548-5673	FILE NO.: 34091-