

PRELIMINARY VARIANCE ANALYSIS

HEARING DATE: September 10, 2014

DUE DATE: August 11, 2014

Distributed: July 17, 2014



Cobb County...Expect the Best!

APPLICANT: Chris Cappelmann

PETITION No.: V-76

PHONE: 404-969-9831

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: Chris Cappelmann

PRESENT ZONING: R-15

PHONE: 404-969-9831

LAND LOT(S): 224

TITLEHOLDER: Chris Cappelmann

DISTRICT: 16

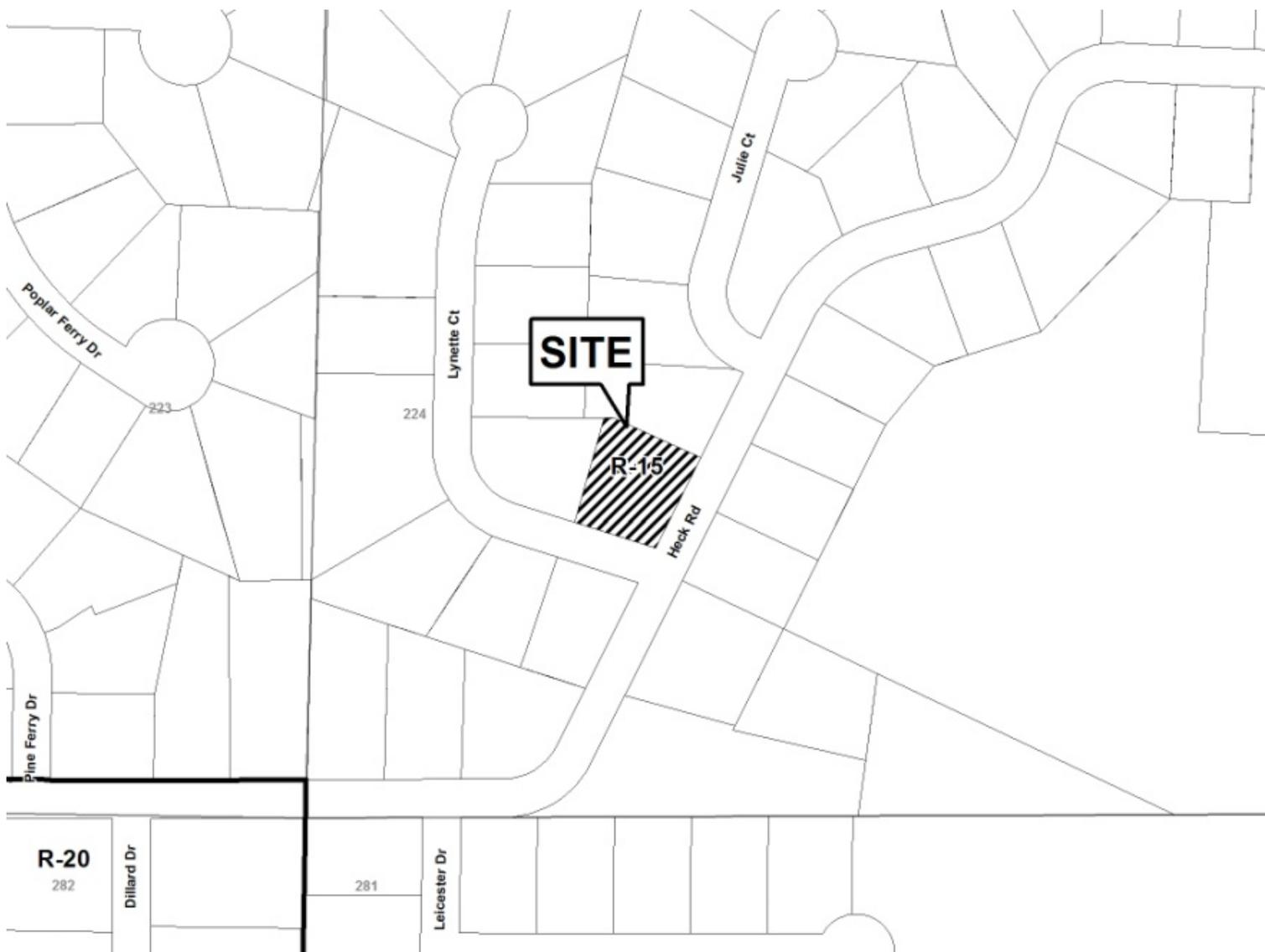
PROPERTY LOCATION: On the northwest corner
of Heck Road and Lynette Court

SIZE OF TRACT: 0.36 acres

(4100 Lynette Court).

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the rear setback from the required 30 feet to 20.3 feet adjacent to the north property line; and 2) waive the front setback from the required 35 feet to 34.5 feet adjacent to the south property line.





Application for Variance Cobb County

(type or print clearly)

Application No. V-76
Hearing Date: 9-10-14

Applicant Chris Cappelmann Phone # 404-969-9831 E-mail coachcap6@hotmail.com
Chris Cappelmann Address 4100 Lynette Court Kennesaw GA 30144
(representative's name (printed) (street, city, state and zip code))

[Signature] Phone # 404-969-9831 E-mail _____
(representative's signature)

My commission expires: [Signature] Signed, sealed and delivered in presence of: _____
Notary Public
My Commission Expires March 24, 2017

Titleholder Chris Cappelmann Phone # 4-969-9831 E-mail coachcap6@hotmail.com
Signature [Signature] Address: 4100 Lynette Court Kennesaw GA
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: [Signature] Signed, sealed and delivered in presence of: _____
Notary Public
My Commission Expires March 24, 2017

Present Zoning of Property H-15
Location 4100 Lynette Court
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 18 District 16 Size of Tract 0.36 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).

Adjusting present survey setback on SE side
from: 30' to 20.3'
SW side 35' to 34.8'
NW side 35' to 34.5'

List type of variance requested: _____

APPLICANT: Justin Lane

PETITION No.: V-77

PHONE: 404-569-0526

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: Justin Lane

PRESENT ZONING: R-30

PHONE: 404-569-0526

LAND LOT(S): 336

TITLEHOLDER: Justin Price Lane and Marianna Lane

DISTRICT: 20

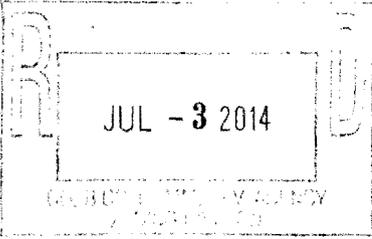
PROPERTY LOCATION: On the west side of Trail Road, west of Midway Road (35 Trail Road).

SIZE OF TRACT: 1.00 acre

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: 1) Waive the minimum public road frontage from the required 75 feet to zero feet for proposed "Tract 2," and allow the lot to access off a private easement, and 2) reduce the lot size for a lot off a private easement from 80,000 square feet to 43,500 square feet.





Application for Variance Cobb County

(type or print clearly)

Application No. V-77
Hearing Date: 9-10-14

Applicant JUSTIN LANE Phone # 404.569.0526 E-mail jlane@telfairbrokers.com



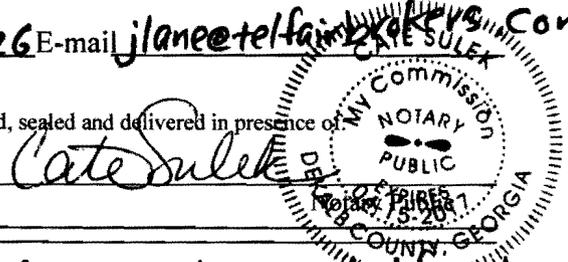
JUSTIN LANE
(representative's name, printed) Address 321 CASCADE DR. MARIETTA, GA 30064
(street, city, state and zip code)

JUSTIN LANE
(representative's signature) Phone # 404.569.0526 E-mail jlane@telfairbrokers.com

My Commission Expires March 24, 2017

Justin Lane
My commission expires: 4-15-17

Signed, sealed and delivered in presence of:



Cate Sulek



Holder MARIANNA LANE
JUSTIN LANE

Phone # 404.569.0526 E-mail jlane@telfairbrokers.com

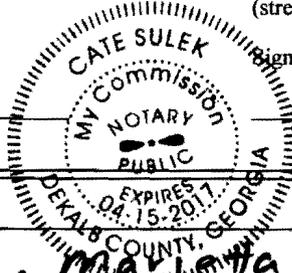
Signature Justin Lane
(attach additional signatures, if needed)

Address: 321 CASCADE DRIVE, MARIETTA, GA 30064
(street, city, state and zip code)

My Commission Expires March 24, 2017

M. Lane
My commission expires: 4-15-17

Signed, sealed and delivered in presence of:



Cate Sulek

Notary Public

Present Zoning of Property R-30

Location 35 Trail Road, Marietta, GA 30064
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 336 District 20th Size of Tract 7.27 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 7.27 Shape of Property L Topography of Property Sloped 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).

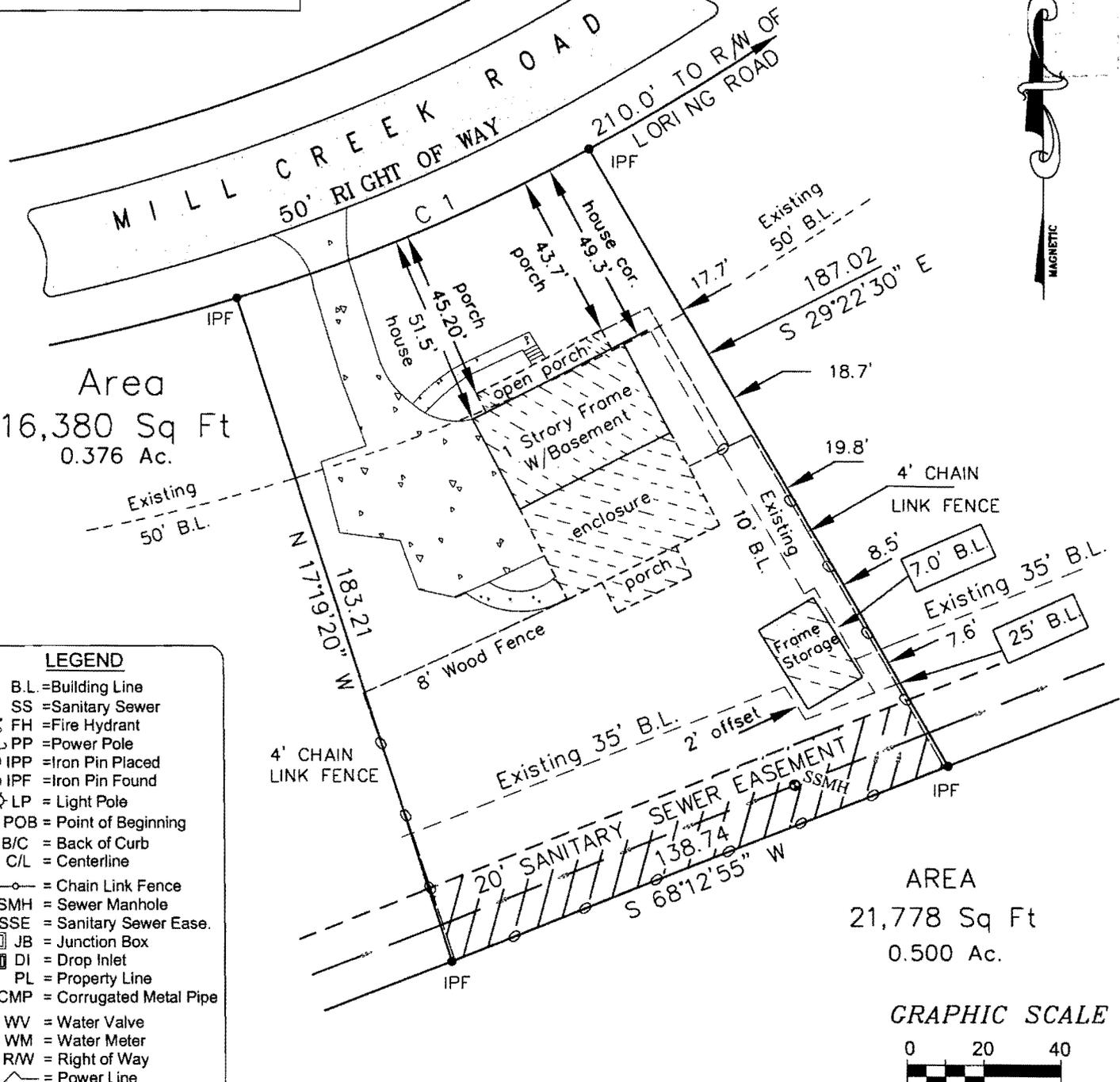
The purpose of this variance is to waive the required 75 foot minimum road frontage on tract 2, access by 30 foot easement.

List type of variance requested: _____

V-78 (2014)

| CURVE | LENGTH | RADIUS |
|--------------------------|--------|--------|
| C - 1 | 100.00 | 475.33 |
| Chd - N66°39'00"E 99.82' | | |

JUL - 3 2014



Area
16,380 Sq Ft
0.376 Ac.

AREA
21,778 Sq Ft
0.500 Ac.

GRAPHIC SCALE



SCALE: 1" = 40'

Zoned R-20

- LEGEND**
- B.L. = Building Line
 - SS = Sanitary Sewer
 - FH = Fire Hydrant
 - PP = Power Pole
 - IPP = Iron Pin Placed
 - IPF = Iron Pin Found
 - LP = Light Pole
 - POB = Point of Beginning
 - B/C = Back of Curb
 - C/L = Centerline
 - = Chain Link Fence
 - SSMH = Sewer Manhole
 - SSE = Sanitary Sewer Ease.
 - JB = Junction Box
 - DI = Drop Inlet
 - PL = Property Line
 - CMP = Corrugated Metal Pipe
 - WV = Water Valve
 - WM = Water Meter
 - R/W = Right of Way
 - ~— = Power Line

- All iron pins are 1/2" Rebar unless otherwise noted.
 - Equipment used: Topcon GTS Total Station
 - The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 03 seconds per angle point, and was adjusted using Compass Rule.
 - This plat has been calculated for closure and is found accurate within one foot in 553,609 feet.
 - This plat subject to all easements public and private.
 - This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.
 -According to F.I.R.M. Community Panel # _____, dated _____ this property is not located in an area having special flood hazards.

**Zoning Variance Plat for
Scott D Whalen**

**3939 Mill Creek Road
 Kennesaw, Georgia
 Lot 23 Block D Unit Two Phase Two Shiloh West
 Land Lot: 161 20th District 2nd Section
 Cobb County, Georgia**



Perimeter Surveying Co., Inc
 1065 Sandtown Road, Marietta, GA 30008
 Phone: (770) 425-6824 Fax: (770) 425-6768

Party Chief: KN
 Date Surveyed: 5-22-14
 Date Drawn: 5-25-14

Computed by: gf
 Drawn by: gf
 Checked by: kn

REFERENCES
 Plat Bk: 75 Pg. 13
 Deed Bk. Pg.
 Job #: 006114

APPLICANT: Scott D. Whalen

PETITION No.: V-78

PHONE: 404-558-3359

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: Kathryn J. Whalen

PRESENT ZONING: R-20

PHONE: 770-317-0434

LAND LOT(S): 161

TITLEHOLDER: Scott D. Whalen

DISTRICT: 20

PROPERTY LOCATION: On the south side of Mill
Creek Road, east of Johnston Road
(3939 Mill Creek Road).

SIZE OF TRACT: 0.50 acres

COMMISSION DISTRICT: 1

TYPE OF VARIANCE: Waive the required setback for an accessory structure over 144 square feet (384 square foot "Frame Storage") from the required 10 feet from the side property line to 7 feet adjacent to the east property line and from the required 35 feet from the rear property line to 25 feet adjacent to the south property line.



JUL - 3 2014

Application for Variance Cobb County

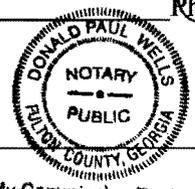
(type or print clearly)

Application No. V-78
Hearing Date: 9-10-14

Applicant Scott D. Whalen Phone # (404) 558-3359 E-mail whalensd@bellsouth.com
Kathryn J. Whalen Address 3939 Mill Creek Rd. Kennesaw, Ga. 30152
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # (770) 317-0434 E-mail kayjuden@gmail.com
(representative's signature)

My commission expires: _____
Signed, sealed and delivered in presence of:
[Signature] Notary Public



Titleholder Scott D. Whalen Phone # (404) 558-3359 E-mail whalensd@bellsouth.com
Signature [Signature] Address: 3939 Mill Creek Rd. Kennesaw, Ga. 30152
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:
My commission expires: _____
Notary Public

Present Zoning of Property Residential
Location 3939 Mill Creek Rd. Kennesaw, Ga. 30152
(street address, if applicable; nearest intersection, etc)

Land Lot(s) 1661 District 20 Size of Tract 0.500 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.

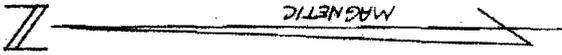
Size of Property _____ Shape of Property _____ Topography of Property _____ Other

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).

We would be required to dismantle shed as it is 2' short of distance required on side & 10' short of back line.

List type of variance requested: location of shed in reference to property lines.

V-79 (2014)



REFERENCES:

DEED BOOK 5775 PAGES 43-46
 DEED BOOK 5044 PAGES 37, 38
 DEED BOOK 1586 PAGE 2122
 PLAT BOOK 36 PAGE 97
 PLAT BOOK 75 PAGE 167

LOT 1 & 2 BLOCK "B"
 PIEDMONT FOREST
 UNIT "1"
 LOT 1, BLOCK "D"
 PIEDMONT FOREST UNIT 2
 AREA= 23300 ACRES
 #2332 PIEDMONT FOREST DRIVE

HOUSE IN ZONE "X"
 LOT IN ZONE "A-E"

PARCEL NO. 13887200334
 LOCATION C-0815

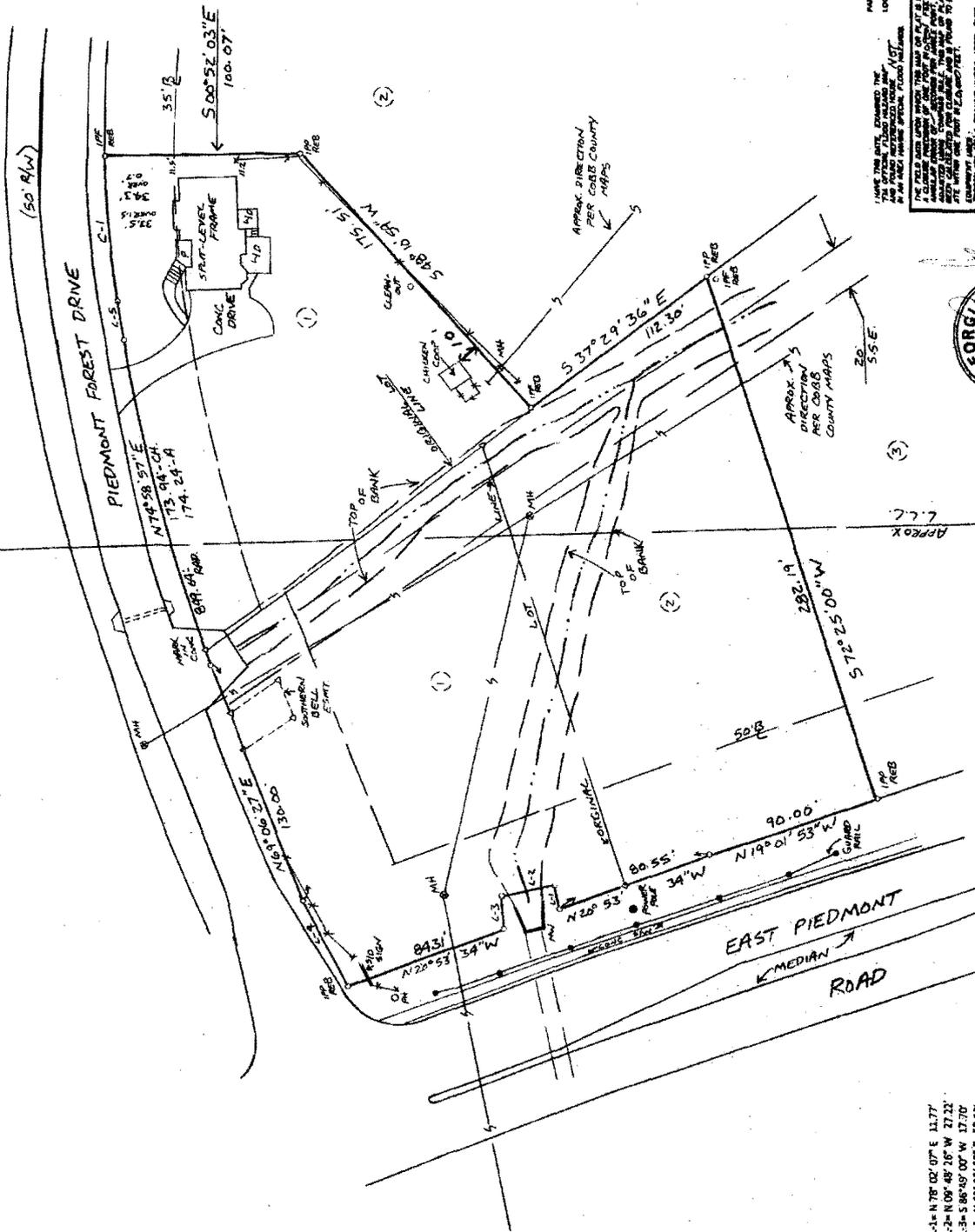
THIS DEED WAS PREPARED BY THE SURVEYOR AND THE PARTIES HERETO AND THE PARTIES HERETO HAVE REVIEWED THE SAME AND APPROVE THE SAME AND AGREE TO THE SAME AND TO THE TERMS AND CONDITIONS HEREIN CONTAINED. THIS DEED IS NOT VALID UNLESS SIGNED BY THE SURVEYOR AND THE PARTIES HERETO AND THE PARTIES HERETO HAVE REVIEWED THE SAME AND APPROVE THE SAME AND TO THE TERMS AND CONDITIONS HEREIN CONTAINED.

SURVEY FOR:

MOHAMMAD REZA W. ESFAHANI

| LOT | BLK. | UNIT | REMARKS |
|---------------------------|------|-----------------|-----------|
| LAND LOTS 6&9 & 670 | | | |
| DISTRICT 16 TH | | SECTION 21P | |
| C-0815 | | COUNTY, GEORGIA | |
| PLAT BOOK | | PAGE | |
| DATE: 09-23-14 | | SCALE: 1" = 40' | 23-1-15-3 |

J.A. EVANS
 SURVEYING CO., INC.
 POWDER SPRINGS, GEORGIA
 PH. 770-943-0000



L-1=N 78° 02' 07" E 11.77'
 L-2=N 09° 48' 16" W 27.22'
 L-3=S 86° 49' 00" W 17.70'
 L-4=N 63° 23' 52" E 50.26'
 L-5=N 80° 51' 27" E 20.0'
 C1=N 84° 42' 07" E 75.07'-CH.
 75.12' ARC 558.81' RAD.
 This survey was prepared in compliance with the Technology Standards for Property Surveys in Georgia promulgated by the Georgia Board of Professional Engineers and Surveyors in December 1987 of the Board of Engineers and Surveyors of the State of Georgia. The Georgia Board of Professional Engineers and Surveyors is set forth in the Georgia Public Code, A.C.S.S. 48-15-403.

APPLICANT: Mohammad Esfahani

PETITION No.: V-79

PHONE: 470-234-5600

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: Fariba Mohammadi

PRESENT ZONING: R-20

PHONE: 630-709-2295

LAND LOT(S): 669

TITLEHOLDER: Mohammad Reza Maghzian
Esfahani

DISTRICT: 16

PROPERTY LOCATION: On the south side of
Piedmont Forest Drive, east of East Piedmont Road
(2321 Piedmont Forest Drive).

SIZE OF TRACT: 2.3 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the setback for a chicken coop from 100 feet off any property line to 10 feet adjacent to the south property line, 2) waive the front setback from 35 feet to 33 feet (existing), and 3) allow an accessory structure closer to the side road than the primary structure (for chicken coop).



Application for Variance Cobb County

(type or print clearly)

Application No. V-79
Hearing Date: 9-10-14

Applicant Mohammad Estahani Phone # 470-234-5600 E-mail _____

Fariba Mohammadi (representative's name, printed) Address 2321 Piedmont Forest Drive Marietta GA 30062
(street, city, state and zip code)

(representative's signature) Phone # 630-709-2295 E-mail _____

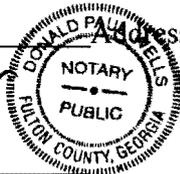


My commission expires: _____
My Commission Expires March 24, 2017

Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

Applicant Mohammad Reza Maghzeian Estahani Phone # 470-234-5600 E-mail _____

Signature [Signature] Address: 2321 Piedmont Forest Dr Marietta GA 30062
(attach additional signatures, if needed) (street, city, state and zip code)



My commission expires: _____
My Commission Expires March 24, 2017

Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

Present Zoning of Property Residential

Location 2321 Piedmont Forest Dr Marietta GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) _____ District _____ Size of Tract _____ 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 3 lots nearly 3 Acs 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: I meet the two acres minimum to keep chickens on my property. I am applying for variance because my coop is located fewer than 100 feet of the property lines. My neighbor's consent is included.

Revised: March 5, 2013 Waive setback for chicken coop from 100' to 10'.

Exhibit
V-79 (2014)

Application No. V-79

Hearing Date: 9-10-14

Applicant's information for requesting backyard chickens

I meet all the requirements. I'm applying because my coop is fewer than 100 feet off the property lines. Neighbor consent is included.

1. How many hens do you propose (no male birds allowed)? _____ .
2. Have you mailed a notice of your application and its information to your Homeowners Association (if such exists. Instructions for identifying whether or not Homeowners Associations exist are available for downloading via the Community Development webpage. YES ___ NO N/A
3. Can you comply with the County Code Sec-134-94(4)(a-i) below? YES ___ NO ___ .



Signature

Mohammad Esfahani

Print Name

County Code adopted by the Board of Commissioners March 11, 2014:

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) The poultry shall be kept/ maintained within a fenced area to the rear of the house;
- (b) 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;
- (c) 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;
- (d) The poultry shall not cause a nuisance, as defined by State Law;
- (e) There shall be a maximum ratio of one bird per 5,000 square foot of lot area on any lot less than two acres;
- (f) The slaughter of any hen on site is strictly prohibited;
- (g) The fee for the variance application shall be \$150.00; renewal fees shall be \$100.00
- (h) The duration of any Variance approved for Poultry as Pets or Food Source shall not exceed 2 years; renewable for up to 2 year terms thereafter;
- (i) 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). The board of commissioners may add, delete or modify any of the board of zoning appeals stipulations pertaining to this section.

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 March 11, 2014. 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). The board of commissioners may add, delete or modify any of the board of zoning appeals stipulations pertaining to this section. The BOC determination will take place the following month at the scheduled Zoning Hearing.

APPLICANT: Thomas C. Baskin

PETITION No.: V-80

PHONE: 770-552-9870

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: Thomas C. Baskin

PRESENT ZONING: R-20

PHONE: 404-372-5218

LAND LOT(S): 1112

TITLEHOLDER: Thomas C. and Carolyn J. Baskin

DISTRICT: 16

PROPERTY LOCATION: On the south side of Clubland Drive, east of Clubwood Trail (3848 Clubland Drive).

SIZE OF TRACT: 0.71 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the side setback from the required 10 feet to 5 feet adjacent to the west property line, and 2) waive the setback for an accessory structure up to 144 square feet (approximately 144 square foot "Shed") from the required 5 feet to 4 feet adjacent to the west property line.



Application for Variance Cobb County

(type or print clearly)

Application No. V-80

Hearing Date: 9/10/14

Applicant THOMAS C. BASKIN

Phone #

H: 770-552-9870

C: 404-372-5218

E-mail thomas.baskin@comcast.net

THOMAS C. BASKIN

(representative's name, printed)

Address 765 BEDFORD OAKS DR. MARIETTA, GA 30068

(street, city, state and zip code)

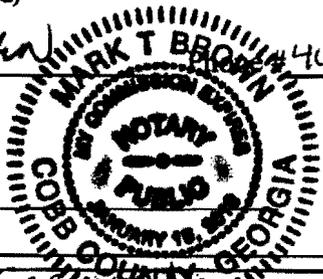
THOMAS C. BASKIN

(representative's signature)

Phone # 404-372-5218

E-mail thomas.baskin@comcast.net

My commission expires: _____



Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Titleholder THOMAS C. & CAROL BASKIN

BASKIN

Phone # 770-552-9870

E-mail thomas.baskin@comcast.net

Signature [Signature]

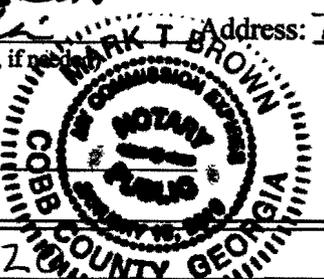
(attach additional signatures, if needed)

Address: 765 BEDFORD OAKS DR. MARIETTA, GA

(street, city, state and zip code)

30068

My commission expires: _____



Signed, sealed and delivered in presence of:

[Signature]

Notary Public

Present Zoning of Property R-2

Location 3848 CLUBLAND DR. MARIETTA, GA 30068

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1112

District 16TH 2ND SEC

Size of Tract .71 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).

PLEASE SEE ATTACHED NARRATIVE

List type of variance requested: Setback VARIANCE

5' VARIANCE FOR A DISTANCE OF 24' ALONG A REGULAR 10' SETBACK.

Exhibit
V-80 (2014)

This setback variance is requested so as to accommodate the construction of a garage congruent with an extensive remodeling of the existing residence. Our plans call for the existing garage to be converted to a new master bedroom, thereby necessitating the construction of a new garage. The only feasible location for the new garage is adjacent to the existing kitchen in the space identified as "Area A" on the attached Exhibit 1. The property is not wide enough to build the proposed garage within the boundaries of current setback requirements. We are therefore requesting a 5' setback variance for 24' along the western boundary of the property for the construction of our new garage. The effected area is indicated as the "Variance Area" on the attached Exhibit 2. The variance is requested only for the area needed to accommodate the new garage and no other area.

The hardship is without a variance it would not be possible to construct a normal sized 2-car garage on the property. A single car or very cramped 2-car garage is not consistent with extensive remodeling being contemplated in the residence. Nor is such a garage consistent with the garages included with the large new houses and other remodeled homes that are becoming increasingly common throughout the Indian Hills Subdivision.

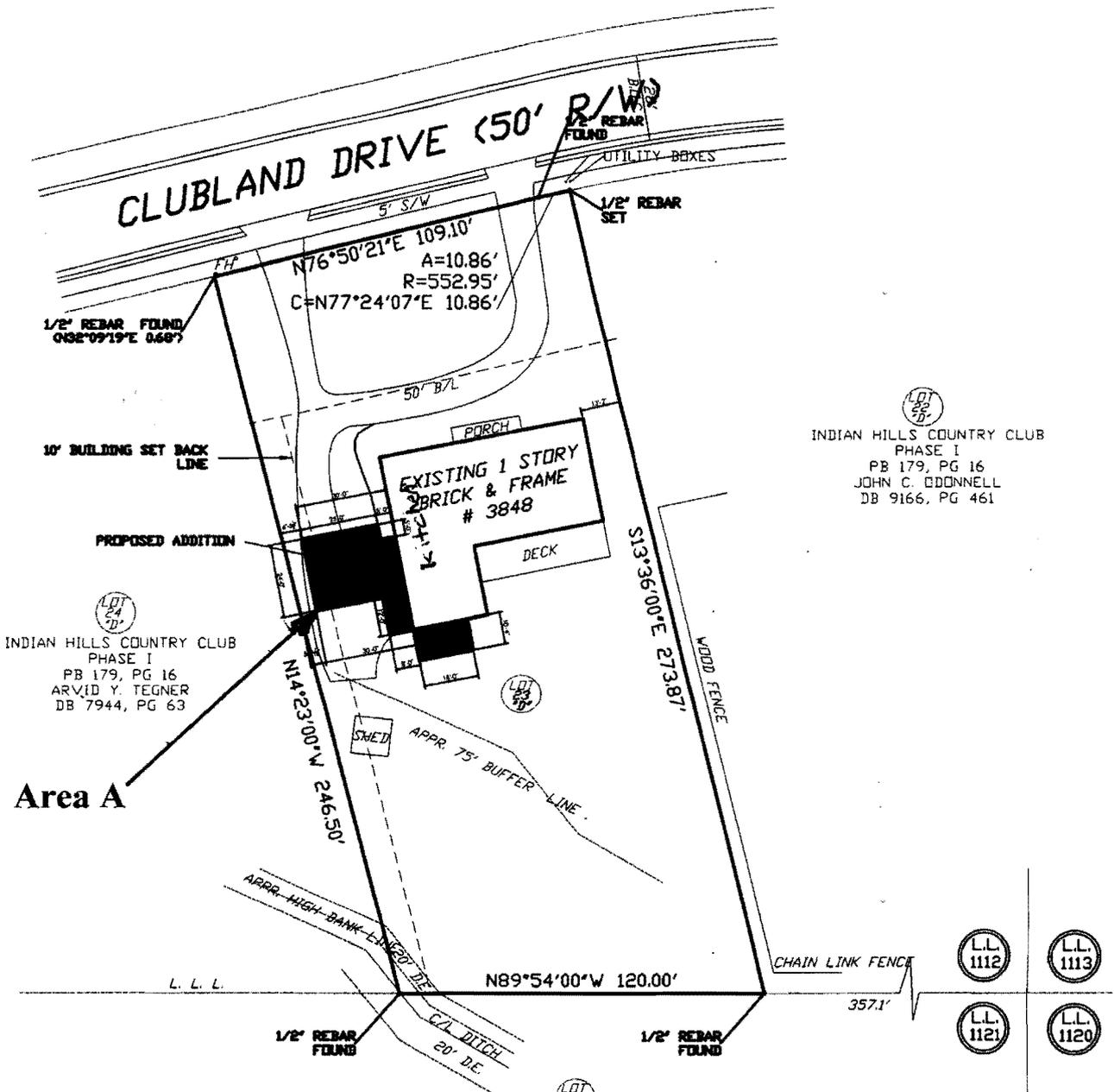
Prior to our purchase of the property we had discussions with Mr. Arvid Tegner, the contiguous property owner west of our site and the neighbor most impacted by a variance. We told him exactly what we wanted to do and showed him proposed elevations of the garage and where it would be located. Mr. Tegner assured us he would offer no objection to the variance request. In fact, he thought a significantly improved home next door would improve the value of his own home and he planned to put it up for sale as soon as we had completed our construction. He enthusiastically encouraged us to close on the purchase and complete the renovations. Mr. Tegner has indicated he has no objection to this variance request by signing the accompanying "Consent of Contiguous Occupants or Land Owners," as well as an elevation of the proposed garage that details exactly what we plan to do.

PROPERTY MAY OR MAY NOT BE SUBJECT TO PROTECTIVE OR RESTRICTIVE COVENANTS AS PER FINAL PLAT AND OR CITY/COUNTY ORDINANCES INCLUDING ALL EASEMENTS AND RIGHTS OF WAY.

THE LOCATION OF UNDERGROUND UTILITIES WERE NOT LOCATED FOR THIS SURVEY. UTILITIES SHOWN ARE BASED UPON VISIBLE AND PHYSICAL EVIDENCE. THERE MAY BE UTILITIES ON OR CROSSING THIS PROPERTY THAT ARE NOT SHOWN. CALL THE UTILITIES PROTECTION CENTER (# 811) BEFORE ANY EXCAVATIONS ARE BEGUN TO ENSURE AND VERIFY THE CORRECT LOCATION AND DEPTH OF ALL UTILITIES.

REFERENCES:
DEED BOOK 1924, PAGE 799
PLAT BOOK 179, PAGE 16

EXHIBIT 1

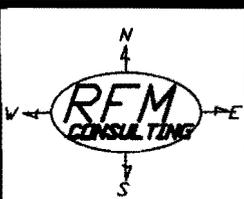


INDIAN HILLS COUNTRY CLUB
PHASE I
PB 179, PG 16
JOHN C. DONNELL
DB 9166, PG 461

INDIAN HILLS COUNTRY CLUB
PHASE I
PB 179, PG 16
ARVID Y. TEGNER
DB 7944, PG 63

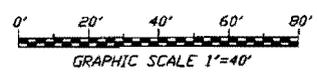
INDIAN HILLS COUNTRY CLUB
PHASE X
PB 63, PG 176
BENTON T. & ELISABETH D.
SEVISON, JR.
DB 1960, PG 608

SURVEY OF
3848 CLUBLAND DRIVE
LOT 23, BLOCK "D"
INDIAN HILLS COUNTRY CLUB
PHASE I
LOCATED IN
LAND LOT 1112
16th DISTRICT, 2nd SECTION
COBB COUNTY, GEORGIA
DATE: 06-23-2014 ~ SCALE: 1"=40'



R.F.M. CONSULTING, LLC
707 WHITLOCK AVENUE
BUILDING A-37
MARIETTA, GA 30064
(770) 757-3977
EMAIL: RFMC@BELLSOUTH.NET

Prepared by Mark & Brian, Jr.
24 678-88-1029
FILE CLUBLAND DRIVE.dwg



NOTES:

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING A GPT-3005W TOTAL STATION, AND HAS A LINEAR PRECISION RATIO OF ONE FOOT IN 30,555 FEET AND AN ANGULAR ERROR OF 05 SECONDS PER ANGLE AND WAS NOT ADJUSTED.

THIS PLAT HAS BEEN CHECKED FOR MATHEMATICAL ACCURACY AND CLOSES WITHIN ONE FOOT IN 475,206 FEET.

TOTAL AREA - 30,752 SQUARE FEET OR 0.71 ACRES.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THERE MAY BE BURDENS, EASEMENTS, RESTRICTS AND OR RIGHTS OF WAYS NOT SHOWN OR REFERENCED THAT A CURRENT TITLE REPORT WOULD REVEAL.

PROPERTY MAY OR MAY NOT BE SUBJECT TO PROTECTIVE OR RESTRICTIVE COVENANTS AS PER FINAL PLAT AND OR CITY/COUNTY ORDINANCES INCLUDING ALL EASEMENTS AND RIGHTS OF WAY.

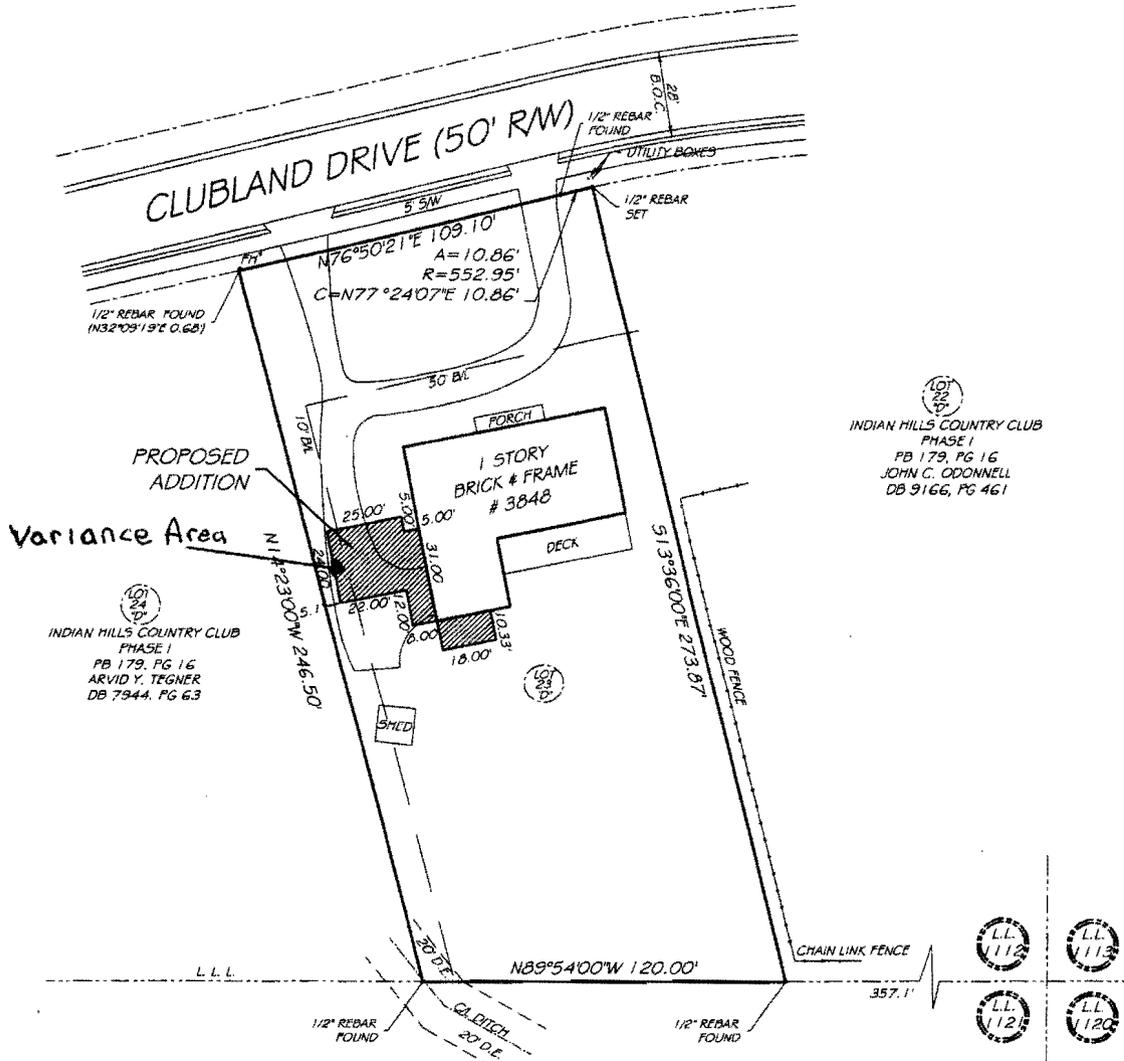
THE LOCATION OF UNDERGROUND UTILITIES WERE NOT LOCATED FOR THIS SURVEY. UTILITIES SHOWN ARE BASED UPON VISIBLE AND PHYSICAL EVIDENCE. THERE MAY BE UTILITIES ON OR CROSSING THIS PROPERTY THAT ARE NOT SHOWN. CALL THE UTILITIES PROTECTION CENTER (# 811) BEFORE ANY EXCAVATIONS ARE BEGUN TO ENSURE AND VERIFY THE CORRECT LOCATION AND DEPTH OF ALL UTILITIES.

REFERENCES:

DEED BOOK 1924, PAGE 799
PLAT BOOK 179, PAGE 16



EXHIBIT 2

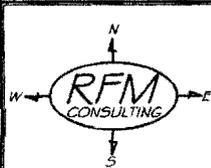
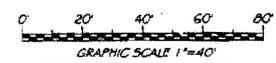


INDIAN HILLS COUNTRY CLUB
PHASE I
PB 179, PG 16
JOHN C. O'DONNELL
DB 9166, PG 461

INDIAN HILLS COUNTRY CLUB
PHASE I
PB 179, PG 16
ARVID Y. TEGNER
DB 7944, PG 63

INDIAN HILLS COUNTRY CLUB
PHASE X
PB 63, PG 176
BENTON T. & ELISABETH D.
SEVISON, JR.
DB 1960, PG 608

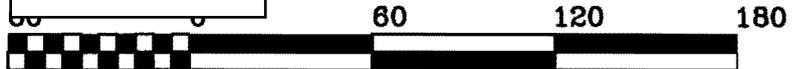
SITE PLAN
OF
3848 CLUBLAND DRIVE
LOT 23, BLOCK "D"
INDIAN HILLS COUNTRY CLUB
PHASE I
LOCATED IN
LAND LOT 1112
16th DISTRICT, 2nd SECTION
COBB COUNTY, GEORGIA
DATE: 07-01-2014 ~ SCALE: 1"=40'



R.F.M. CONSULTING, LLC
707 WHITLOCK AVENUE
BUILDING A-37
MARIETTA, GA 30064
(770) 757-3977
EMAIL: RFMCON@BELLSOUTH.NET

Drawn By: Map R. Plot 3
C# 678 313-9270
17 CLUBLAND DRIVE

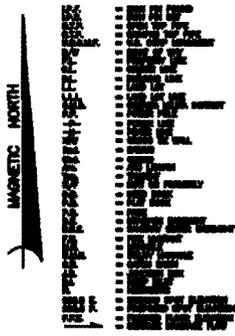
V-81 (2014)



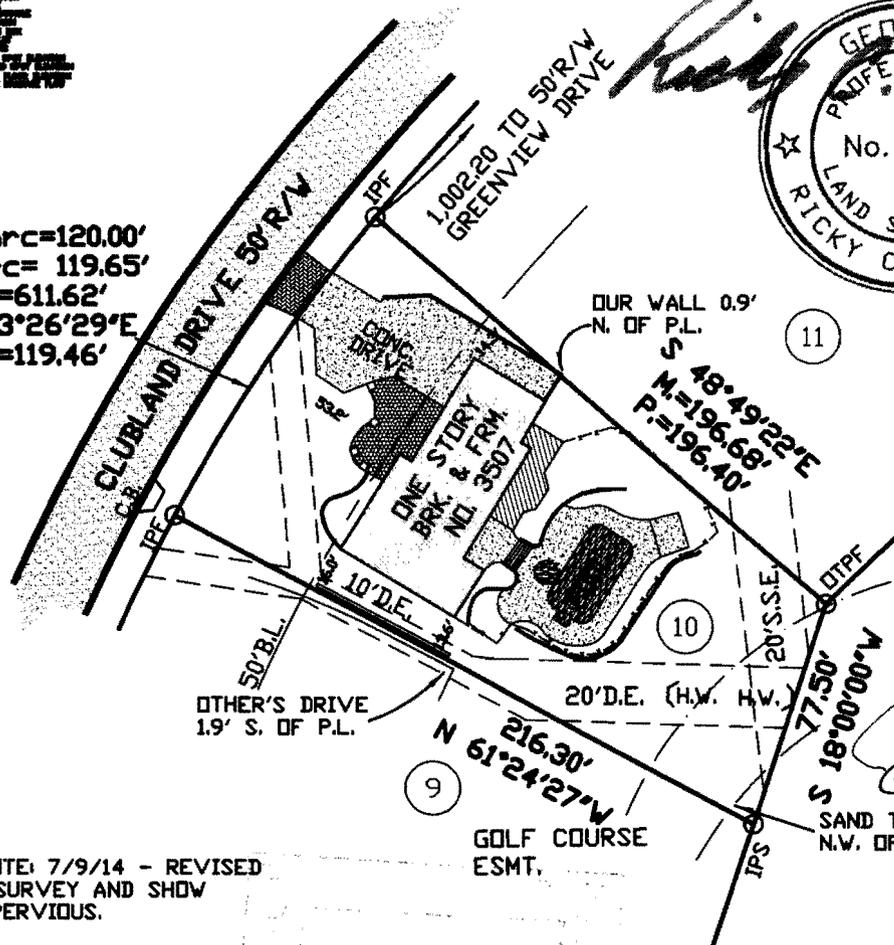
GRAPHIC SCALE - FEET

AREA= 20,113 SQ.FT. / 0.4617 ACRE
IMPERVIOUS= 7,485 SQ.FT. / 37.2%

INCLUDES POOL & SPA AREA



P. Arc=120.00'
M.Arc= 119.65'
Rad=611.62'
N 33°26'29"E
Chd=119.46'



REVISION NOTE: 7/9/14 - REVISED TO UPDATE SURVEY AND SHOW CURRENT IMPERVIOUS.

JUL 10 2014

SURVEY FOR:
RACHAEL M. THORNTON
HILARY THORNTON

LOT 10 BLOCK 'T' UNIT SIX
INDIAN HILLS SUBD.
PLAT BOOK 53, PAGE 58
LAND LOT 1039 16th DISTRICT 2nd SECTION
COBB COUNTY, GEORGIA
SCALE: 1"=60' DATE: MAY 2nd, 2012
REVISED DATE: JULY 9th, 2014

THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 13067C0127 G DATED DECEMBER 16, 2008, ZONE 'X'.

THIS SURVEY WAS NOT PREPARED WITH THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY BE RECORDED.



BUSBEE & POSS
LAND SURVEYING COMPANY

3408 HOWELL STREET, SUITE A
DULUTH, GEORGIA 30096
770.497.9866
FAX: 770.497.9881

www.busbeeandposs.com

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.

RICKY C. BUSBEE, GEORGIA R.L.S. 2497

THE FIELD DATA UPON WHICH THIS PLAT OR MAP IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 150,000 FEET AND AN ANGULAR ERROR OF 07 SECONDS PER ANGLE, AND WAS ADJUSTED USING CRANDALL RULE.

TOPCON GTS-225 CREW-MP/RB DRAWN BY SG J.N. BP10596 C.&B.

APPLICANT: Rachel M. and Hilary M. Thornton

PETITION No.: V-81

PHONE: 678-401-4639

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: Zett Quinn

PRESENT ZONING: R-20

PHONE: 404-769-1747

LAND LOT(S): 1039

TITLEHOLDER: Rachel M. and Hilary M. Thornton

DISTRICT: 16

PROPERTY LOCATION: On the east side of Clubland Drive, south of Clubland Way (3507 Clubland Drive).

SIZE OF TRACT: 0.46 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the side setback from the required 10 feet to 9 feet adjacent to the northeast property line; and 2) waive the impervious surface from a maximum of 35% to 37.2%



JUL 10 2014

Application for Variance Cobb County

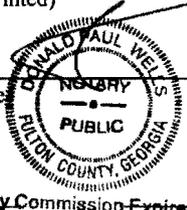
(type or print clearly)

Application No. V-81
Hearing Date: 9-10-14

Applicant RACHEL M. THORNTON AND HILARY M. THORNTON Phone # 678-401-4639 E-mail 1519Spring@gmail.com

Zett Quinn Address 209 Powers Ferry Rd. Marietta 30067
(representative's name, printed) (street, city, state and zip code)

Zett Quinn Phone # 404-769-1747 E-mail Zett@quality-craftsmen.com
(representative's signature)



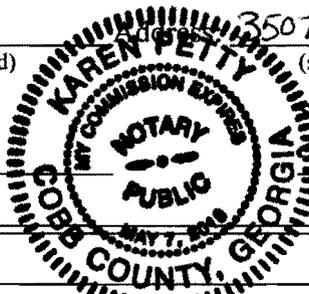
Signed, sealed and delivered in presence of:
Donald Paul Wells
Notary Public

My commission expires: My Commission Expires March 24, 2017

Titleholder RACHEL M. THORNTON AND HILARY M. THORNTON Phone # 678-401-4639 E-mail 1519Spring@gmail.com

Signature [Signature] Address 3507 CLUBLAND DR MARIETTA GA 30068
(attach additional signatures, if needed) (street, city, state and zip code)

Rachel Thornton signed, sealed and delivered in presence of:
My commission expires: May 7, 2018
Karen Petty
Notary Public



Present Zoning of Property R-20

Location 3507 CLUBLAND DR MARIETTA GA 30068
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1039 District 16th, 2ND SECTION Size of Tract 0.4617 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 N/A Shape of Property Wedge Topography of Property N/A Other N/A

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).

Wedge shape of property (narrower at back) led existing home's rear corner to intrude 6 inches into setback. Proposed 2ND story addition would also have a minor intrusion into the setback (< 258) in this same location, building up from the existing foundations, plus a small new footing as detailed on the footings survey.

List type of variance requested: Setback VARIANCE & IMPERVIOUS SURFACE

APPLICANT: East Lake Residential, LLC

PETITION No.: V-82

PHONE: 404-921-0240

DATE OF HEARING: 9-10-2014

REPRESENTATIVE: J. Kevin Moore

PRESENT ZONING: R-20

PHONE: 770-429-1499

LAND LOT(S): 911

TITLEHOLDER: Judy Humphreys

DISTRICT: 16

PROPERTY LOCATION: On the north side of Octavia Circle, north of Vester Drive (2996 Octavia Drive).

SIZE OF TRACT: 1.45 acres

COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the minimum public road frontage from the required 75 feet to 41.5 feet for each of proposed lots 7 and 8; and 2) waive the minimum lot width at front setback line from the required 75 feet to 65 feet.



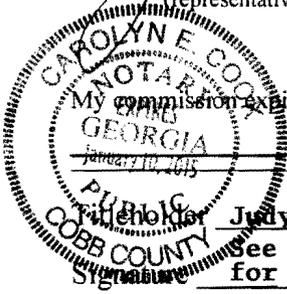
Application for Variance Cobb County

(type or print clearly)

Application No. V-82 (2014)
Hearing Date: 09/10/2014

Applicant East Lake Residential, LLC Phone # (404) 921-0240 E-mail gene.kelly@backnineventures.com
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
J. Kevin Moore Address Marietta, GA 30060
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jkm@mijs.com
(representative's signature) Georgia Bar No. 519728



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

My commission expires: January 10, 2015
Judy Humphreys Phone # (404) 374-1672 E-mail _____
See Attached Exhibit "A" for Titleholder's Signature Address: 1990 Ridge Road, Cumming, GA 30041
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

Notary Public

My commission expires: _____

Present Zoning of Property R-20

Location Northeasterly side of Octavia Circle (being Lots 7 and 8, Vestavia Estates)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 911 District 16th Size of Tract 1.445 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 X 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).
See Exhibit "B" attached hereto and incorporated herein by reference.

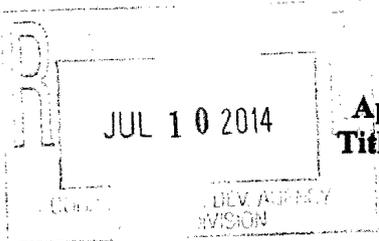
List type of variance requested: Reduction of the required road frontage for a single-family residential lot from seventy-five (75) feet (fifty (50) feet on a cul-de-sac) to forty-one and one-half (41.50) feet. (See § 134-197(4)(c)).

V-82 (2014)
Exhibit A

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.:
Hearing Date:

V- 82 (2014)
September 10, 2014



Applicant:
Titleholder:

East Lake Residential, LLC
Judy Humphreys



Judy Humphreys

Address: 1990 Ridge Road
Cumming, Georgia 30041

Telephone No.: (404) 374.1672

Signed, sealed, and delivered in the presence of:



Notary Public
Commission Expires: 12.10.2016

[Notary Seal]

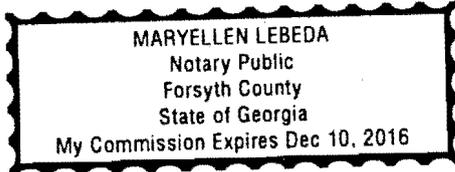


EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.: V- 82 (2014)
Hearing Date: September 10, 2014

JUL 10 2014

BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant: East Lake Residential, LLC
Property Owner: Judy Humphreys

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

Applicant requests a reduction of the required road frontage for a single-family residential lot from the required seventy-five (75) feet (fifty (50) feet on a cul-de-sac), as set forth under the R-20 zoning classification, to forty-one and one-half (41.50) feet. The property for which this request is made is a 1.445 acre tract and is located at 2996 Octavia Circle, Land Lot 911, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). Originally, the Property was platted as two separate lots, being designated as Lots 7 and 8, Vestavia Estates; however, only one home was constructed. Applicant proposes to return the Property to its original, two separate lots for construction of two single-family homes.

The Subject Property is situated along a very sharp left-hand curve of Octavia Circle, which substantially decreases the frontage along the roadway. Additionally, the subdivision in which the Property is located is an older development in East Cobb, the final subdivision plat being recorded in the Cobb County Deed Records in 1959, and was developed and platted prior to the enactment of the current R-20 Zoning Ordinance and allows for development of the Subject Property as two separate lots (*see* attached copy marked as Exhibit "1"). By reducing the required minimum road frontage for each proposed lot, while keeping all other setbacks and guidelines required under the R-20 zoning classification, new residences may be constructed which are consistent with the existing, surrounding neighborhoods and which are aesthetically appealing in location, size, and quality of construction. The variance requested herein is not substantial and would allow an otherwise reasonable and marketable residential use of the Subject Property; especially, given that, the remaining setbacks and minimum lot requirements for the proposed development meet or exceed the minimum requirements as set forth in the Cobb County Zoning Ordinance.

