

APPLICANT: Victor J. Ferlaino

PETITION No.: V-92

PHONE: 404-523-0641

DATE OF HEARING: 06-10-2015

REPRESENTATIVE: Parks F. Huff

PRESENT ZONING: R-15

PHONE: 770-422-7016

LAND LOT(S): 751

TITLEHOLDER: Victor Ferlaino and Valarie Ann Ferlaino

DISTRICT: 16

PROPERTY LOCATION: On the south side of
Blakeford Way, east of Bill Murdock Road
(3646 Blakeford Way).

SIZE OF TRACT: 0.42 acre

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Increase the maximum allowable impervious surface from 35% to 75.67%; 2) waive the setback for an accessory structure under 650 square feet (432 square foot 1 story stone building) from the required 10 feet to 3 feet adjacent to the eastern property line; and 3) to allow an accessory structure intended to be habitable (432 square foot 1 story stone building) to be detached from the principal structure, and be to the side of the principal building.

OPPOSITION: No. OPPOSED _____ PETITION No. _____ SPOKESMAN _____

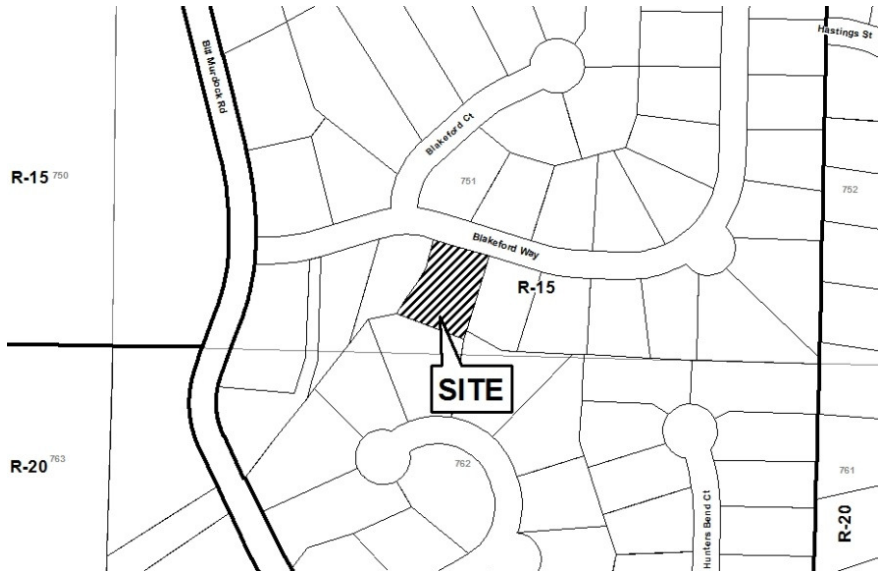
BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____



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COMMENTS

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

DEVELOPMENT & INSPECTIONS: No evidence that building was ever permitted and inspected. If allowed to remain, permits and inspection are required. Wall closer than 5 feet to property line is required to be 1 hour fire rated.

SITE PLAN REVIEW: If this variance request is approved, a subdivision plat revision must be recorded 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: There are at least three significant areas that appear to be constructed using pervious pavers. These areas total approximately 4,890 square feet. With the pervious paver credit, the effective impervious coverage is closer to 65%. Although this is still significantly over the 35% allowable coverage for R-15 lots, the improvements have been in place for over 10 years without any stormwater issues.

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.

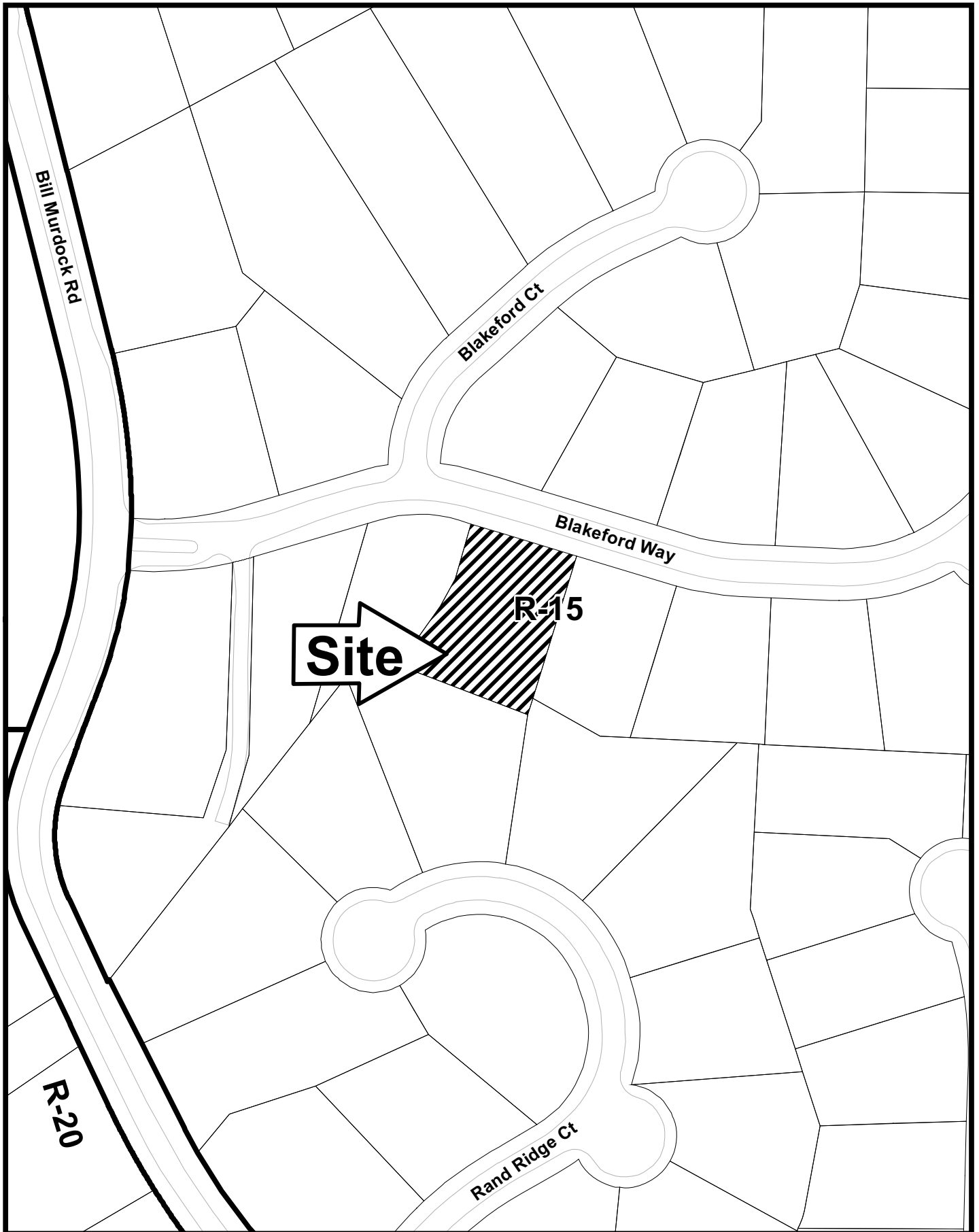
WATER: No conflict.

SEWER: No conflict.

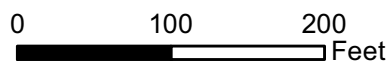
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FIRE DEPARTMENT: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

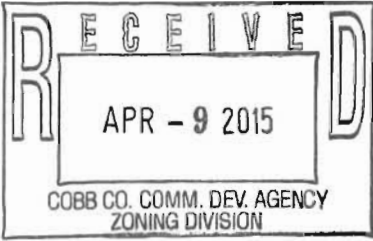
V-92



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-92
Hearing Date: June 10, 2015

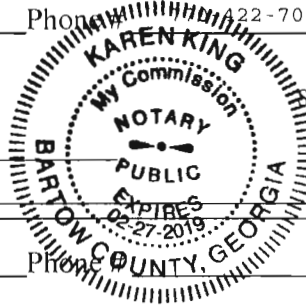
Applicant Victor J. Ferlaino Phone # 404-523-0641 E-mail _____
SAMS, LARKIN, HUFF & BALLI, LLP

by: Parks F. Huff Address 376 Powder Springs Street, Ste. 100, Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

(representative's signature)

Phone # 404-222-7016 E-mail phuff@slhb-law.com

My commission expires: 2-27-19



Signed, sealed and delivered in presence of:

Notary Public

Titleholder (s) See Attached Phone _____ E-mail _____

Signature _____ Address: _____
(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 R-15

Location on the south side of Blakeford Way, east of Bill Murdock Road (3646 Blakeford Way)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 751 District 16th, 2nd Section Size of Tract 0.422 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).

The property has steep topography which created erosion and water intrusion into the basement. To address this problem, the owner installed pavers to manage the drainage. Additionally, the owner built an accessory structure on an existing patio over 10 years ago. This attractive structure is approximately 3 feet from the property line.

List type of variance requested: 1) 134-198(11)(f): To increase the percentage of impervious surface from 35% to 75.67%; 2) 134-198(12)(a): To allow a 432 sq. ft. accessory structure 3.0 feet from the property line; and, 3) 134-198(12)(a)(10): To allow an existing accessory structure with habitable space to not be attached to the principle structure.