

**COBB COUNTY BOARD OF ZONING APPEALS**  
**VARIANCE HEARING AGENDA SUMMARY**  
**July 15, 2015**

**CONSENT CASES**

- V-77**        **HUGH STITH** (*Previously held by the Board of Zoning Appeals from their May 13, 2015 hearing and previously continued by Staff until the July 15, 2015 hearing*)
- V-97**        **SAMUEL ROTH**
- V-100**       **JOSE R. MEDINA**
- V-103**       **JERAD JOHNSON**
- V-104**       **R & R DEVELOPERS/ D & G PROPERTIES**
- V-106**       **JEFFREY AND BETTINA OESCHGER**
- V-108**       **J.D. WILLIAMS**

**REGULAR CASES**

- V-98**        **WAM DOUGLAS, LLC**
- V-99**        **KAREN LEE SHEARER AND BENNETT J. FRYE, SR.**
- V-102**       **AMELIA FLURY**

**WITHDRAWN CASES**

- V-101**       **FRANK AND MARY MOSELEY - WITHDRAWN WITHOUT PREJUDICE**
- V-105**       **DEL TACO LLC – WITHDRAWN WITHOUT PREJUDICE BY STAFF**
- V-107**       **FRANK WARD – WITHDRAWN WITHOUT PREJUDICE BY STAFF**

**CONTINUED OR HELD CASES BY BOARD OF ZONING APPEALS OR STAFF**

- V-52**      **MARK WILLIAM AND SALLY STEWART MOHNEY**  
*(Previously continued by the Board of Zoning Appeals from their April 1, 2015 hearing and previously continued by Staff until the August 12, 2015 Board of Zoning Appeals hearing; therefore will not be considered at this hearing)*
- V-82**      **PHILLIP WALLACE** *(Held by the Board of Zoning Appeals from their May 13, 2015 hearing and continued by the Board of Zoning Appeals until their August 12, 2015 hearing; therefore will not be considered at this hearing)*
- V-96**      **LEN PAGANO, JR.** *(Continued by Staff until the August 12, 2015 Board of Zoning Appeals hearing; therefore will not be considered at this hearing)*

**NOTICE OF APPEAL HEARING**

Notice is hereby given that an appeal hearing will be held on Wednesday, July 15, 2015 at 3:30 p.m. (and if needed, Thursday July 16, 2015 at 1:30 p.m.) to hear the appeal (A-01-2015) filed by Evelyn Dinkins II, William E. Proctor, Vita Galinac, and Jerry D. Kelley pertaining to a decision made by staff from Cobb County Community Development and the Zoning Division Manager, for property located in Land Lots 427 and 462 of the 19<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, being approximately 45 acres addressed as 3731 Macland Road and 1975 Villa Rica Road. This appeal hearing will be conducted in the Commissioners Meeting Room, 2<sup>nd</sup> floor of the Cobb County Building located at 100 Cherokee Street, Marietta, Georgia 30090.

**COBB COUNTY BOARD OF ZONING APPEALS  
VARIANCE HEARING *CONSENT* AGENDA**

**July 15, 2015**

- V-77**      **HUGH STITH** (Hugh D. Stith, owner) requesting a variance to: 1) an authorization upon appeal related to the minimum lot size of two acres required to maintain poultry as pets or food source; and 2) allow an accessory structure on a lot without a primary structure (proposed chicken coup) in Land Lot 288 of the 20<sup>th</sup> District. Located on the west side of East New Salem Common, north of Burnt Hickory Road (Tract B). *(Previously held by the Board of Zoning Appeals from their May 13, 2015 hearing and previously continued by Staff until the July 15, 2015 hearing)*. The Board of Zoning Appeals recommends **approval** of the request for 12 months subject to:
- Chicken coup to be located in the southwestern part of Tract B in the existing garden area
- V-97**      **SAMUEL ROTH** (Samuel S. Roth and Bonnie S. Roth, owners) requesting a variance to waive the rear setback from the required 35 feet to 27 feet (existing) in Land Lot 20 of the 1<sup>st</sup> District. Located on the southeast corner of Chimney Springs Drive and Stone Hollow Way (4570 Stone Hollow Way). Staff recommends **approval** of the variance request subject to:
- Site plan received by the Zoning Division on April 22, 2015
- V-100**      **JOSE R. MEDINA** (Marietta M.D. Mobile Home Park Lot, LLC, owner) requesting a variance to allow an accessory structure on proposed lot 2 without a primary structure in Land Lot 131 of the 17<sup>th</sup> District. Located on the southwest corner of Schaffer Road and Favor Road (2306 Favor Road). Staff recommends **approval** of the variance request subject to:
- Lot 2 to have a 25 foot paved driveway apron along the public road
  - Development and Inspections to inspect the existing structure for compliance to building code prior to use of the building

**V-103**      **JERAD JOHNSON** (Jerad G. Johnson, owner) requesting a variance to: 1) waive the side setback from the required 10 feet to 3 feet adjacent to the southern property line; and 2) waive the side setback for an accessory structure under 144 square feet (approximately 100 square foot metal building) from the required 5 feet to 4 feet in Land Lot 202 of the 16<sup>th</sup> District. Located on the east side of Meadow Way, south of Shallowford Road (4240 Meadow Way). Staff recommends **approval** of the variance request subject to:

- Site plan received by the Zoning Division on May 13, 2015

**V-104**      **R & R DEVELOPERS/ D & G PROPERTIES** (D & G Properties, L.L.C., A Georgia Limited Liability Company, owner) requesting a variance to waive the side setback from the required 20 feet to 0.5 feet adjacent to the western property line in Land Lot 174 of 20<sup>th</sup> District. Located on the southwest side of Barrett Park Drive and the north side of Roberts Boulevard (1680 Roberts Boulevard). Staff recommends **approval** of the variance request subject to:

- Development and Inspections comments
- Site Plan Review comments
- Fire Department comments

**V-106**      **JEFFREY AND BETTINA OESCHGER** (Jeffrey R. Oeschger and Bettina J. Oeschger, owners) requesting a variance to waive the minimum public road frontage from the required 75 feet to 20 feet for proposed lot 2 in Land Lot 292 of the 20<sup>th</sup> District. Located on the south side of Creekview Point (2721 Creekview Point). Staff recommends **approval** of the variance request subject to:

- Stormwater Management comments
- Sewer comments

**V-108**      **J.D. WILLIAMS** (Jeffrey D. Williams and Stacie M. Williams, owners) requesting a variance to: 1) waive the front setback for an accessory structure over 650 square feet (approximately 1,500 square foot detached garage) from the required 100 feet to zero feet; 2) allow an accessory structure (approximately 1,500 square foot detached garage) to be located in front of the primary structure; and 3) allow an accessory structure to be closer to the side street than the primary structure in Land Lot 146 of the 20<sup>th</sup> District. Located on the southwest corner of Stilesboro Lane and Mars Hill Church Road, and on the north side of Giles Road (2755 Mars Hill Church Road). Staff recommends **approval** of the variance request subject to:

- Detached garage not to be used for commercial or residential dwelling purposes