

**COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING *SUMMARY* AGENDA
October 1, 2015**

CONSENT CASES

V-128 **RANDALL SHAW**
V-129 **RAY SUMMEROUR**
V-130 **LUIS NARANJO**
V-131 **CAPTAIN D'S LLC**
V-132 **MCDONALD'S REAL ESTATE COMPANY**
V-134 **DONALD AND DONNA BRATTON**
V-135 **TARA TRUSCOTT**
V-136 **MICHAEL AND LORIANN THIBODEAUX**
V-138 **MARK H. SMITH**
V-139 **MICHAEL E. ROBERTS**
V-141 **JUDITH SEIFERT TRUSTEE OF THE JUDITH SEIFERT
REVOCABLE TRUST DATED DECEMBER 14, 2000**
V-144 **PROFESSIONAL PERMITS**
V-145 **JOHN BERNARD**
V-146 **STEPHANIE LYNN AND GREGORY JOHN CONBOY**
V-147 **YHDR, LLC**
OB-03 **ANNA MARIA KUIK**

CONTINUED CASES

V-120 **ROBERT J. SAND** *(Continued by Staff from the September 11, 2015 Board
of Zoning Appeals hearing)*

REGULAR CASES

V-127 **MICHAEL AQLEH**
V-133 **RONALD W. KING**
V-137 **SHEFALI PATEL**
V-143 **JAY GAPUZAN**
V-148 **ELIZABETH AND CHRISTOPHER WYATT**

HELD CASES

V-121 **LANCE COOPER** *(Held by the Board of Zoning Appeals from their
September 11, 2015 hearing.)*
V-122 **MANZOOR HAQUE** *(Held by the Board of Zoning Appeals from their
September 11, 2015 hearing.)*

CONTINUED OR HELD CASES BY BOARD OF ZONING APPEALS OR STAFF

- 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 from their August 12, 2015 hearing until their December 9, 2015 variance hearing*)
- V-140** **EZ 69 RH WINDY HILL, LLC** (*Continued by Staff until the November 11, 2015 Board of Zoning Appeals Variance hearing; therefore will not be considered at this hearing*)
- V-142** **MICHELE TAYLOR** (*Continued by Staff until November 11, 2015 Board of Zoning Appeals hearing; therefore, will not be considered at this hearing.*)

OTHER BUSINESS

- OB-04** To adopt the dates and time of the Board of Zoning Appeals Hearings for the Calendar Year 2016.

COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING *CONSENT* AGENDA
OCTOBER 1, 2015

V-128 **RANDALL SHAW** (Randall W. Shaw, owner) requesting a variance to: 1) allow an accessory structure (existing approximately 132 square foot shed #1 and existing approximately 592 square foot shed #2) in front of the primary structure; 2) waive the side setback for an accessory structure under 650 square feet (existing shed #2) from the required 12 feet to one foot adjacent to the south property line; 3) waive the front setback for an accessory structure under 650 square feet (existing shed #2) from the required 45 feet to 10 feet; and 4) waive the rear setback (existing residence) from the required 40 feet to approximately 30 feet adjacent to the lake in Land Lot 756 of the 16th District. Located on the northeast side of Spring Circle, east of Bishop Lake Road (4448 Spring Circle). Staff recommends **approval** of the variance subject to:

- Development and Inspections comments
- Encroachments as shown on the site plan received July 22, 2015

V-129 **RAY SUMMEROUR** (Ray D. Summerour, owner) requesting a variance to: 1) waive the front setback from the required 35 feet to 1.6 feet; 2) waive the rear setback from the required 30 feet to 7 feet; and 3) waive the rear setback for an accessory structure under 650 square feet (approximately 160 square foot dog pen) from the required 30 feet to zero feet in Land Lot 948 of the 16th District. Located at the northwest corner of Linda Court and Brook Avenue (1093 Brook Avenue). Staff recommends **approval** of the variance subject to:

- Encroachment as shown on the site plan dated July 23, 2015

V-130 **LUIS NARANJO** (Dr. Luis A. Naranjo, owner) requesting a variance to increase the maximum allowable sign area from 120 square feet to 150 square feet in Land Lot 804 of the 17th District. Located at the north corner of North Park Place and Windy Hill Road (2475 Windy Hill Road). Staff recommends **approval** of the variance subject to:

- Traffic comments
- Sewer comments
- Sign rendering received July 30, 2015

V-131 **CAPTAIN D'S LLC** (CNL APF Partners, LP, owner) requesting a variance to increase the maximum allowable sign area from 65 square feet to 112 square feet in Land Lot 38 of the 17th District. Located on the east side of Floyd Road, north of Veterans Memorial Highway

- V-131** **CAPTAIN D’S LLC (Continued)**
(5545 Floyd Road). Staff recommends **approval** of the variance subject to:
- Traffic comments
 - Sign rendering received August 4, 2015
- V-132** **MCDONALD’S REAL ESTATE COMPANY** (McDonald’s Real Estate Company of Columbia, Maryland, owner) requesting a variance to: 1) waive the landscape enhancement strip from the required 8 feet to two feet adjacent to Windy Hill Road and to 3.5 feet adjacent to Circle 75 Parkway as shown on submitted site plan in Land Lots 851 and 876 of the 17th District. Located at the southeast corner of Circle 75 Parkway and Windy Hill Road, west of Interstate 75 (2700 Windy Hill Road). Staff recommends **approval** of the variance subject to:
- Sewer comments
- V-134** **DONALD AND DONNA BRATTON** (Don Bratton and Donna Lee Bratton, owners) requesting a variance to: 1) waive the front setback from the required 35 feet to 9 feet; 2) allow parking and/or access to parking areas in a residential district on a non-hardened surface; and 3) waive the side setback from the required 10 feet to 4.8 feet for the existing wall foundation in Land Lot 445 of the 16th District. Located on the north side of Housley Road, east of Rich Road (977 Housley Road). Staff recommends **approval** of the variance subject to:
- Traffic comments
 - Encroachments as shown on the site plan received August 10, 2015
- V-135** **TARA TRUSCOTT** (Tara Brianne Truscott, owner) requesting a variance to waive the rear setback for an accessory structure under 650 square feet (proposed 320 square foot building) from the required 30 feet to 23 feet in Land Lot 98 of the 19th District. Located on the south side of Sutton Way, south of Sutton Drive (607 Sutton Way). Staff recommends **approval** of the variance subject to:
- Encroachments as shown on the site plan received August 11, 2015

V-136 **MICHAEL AND LORIANN THIBODEAUX** (Michael E. Thibodeaux and Loriann Thibodeaux, owners) requesting a variance to: 1) waive the lot frontage from the required 75 feet to 50 feet; 2) waive the minimum lot width at the front setback line from the required 75 feet to 50 feet; and 3) waive the front setback from the required 40 feet to 35 feet in Land Lot 279 of the 20th District. Located on the east side of Gordon Combs Road, north of Burnt Hickory Road (650 Gordon Combs Road). Staff recommends **approval** of the variance subject to:

- Sewer comments
- Fire comments

V-138 **MARK H. SMITH** (owner) requesting a variance to: 1) waive the rear setback from the required 35 feet to 29 feet; 2) waive the rear setback for an accessory structure under 144 square feet (137 square foot shed #1) from the required five feet to four feet; 3) waive the rear setback for an accessory structure under 650 square feet (270 square foot shed #2) from the required 35 feet to three feet; and 4) allow parking and/or access to parking areas in a residential district on a non-hardened surface in Land Lot 318 of the 20th District. Located on the north side of Rocky Ridge Road, east of Ernest Barrett Parkway (2765 Rocky Ridge Road). Staff recommends **approval** of the variance subject to:

- Traffic comments
- Encroachments as shown on the site plan received August12, 2015

V-139 **MICHAEL E. ROBERTS** (owner) requesting a variance to waive the rear setback from the required 30 feet to 27 feet in Land Lot 142 of the 16th District. Located at the eastern terminus of Gaillardia Way, east of Astible Circle (444 Gaillardia Way). Staff recommends **approval** of the variance subject to:

- Encroachments as shown on the site plan received August12, 2015

V-141 **JUDITH SEIFERT TRUSTEE OF THE JUDITH SEIFERT REVOCABLE TRUST DATED DECEMBER 14, 2000** (Judith A. Seifert, as Trustee of the Judith Seifert Revocable Trust dated December 14, 2000, owner) requesting a variance to waive the side

V-141 JUDITH SEIFERT TRUSTEE OF THE JUDITH SEIFERT REVOCABLE TRUST DATED DECEMBER 14, 2000 (Continued)

setback from the required 10 feet to 8 feet adjacent to the west property line in Land Lot 1008 of the 19th District. Located on the south side of Anderson Mill Road, north of McDuffie Road (2237 Anderson Mill Road). Staff recommends **approval** of the variance subject to:

- Encroachments as shown on the site plan received August13, 2015

V-144 PROFESSIONAL PERMITS (Due to numerous titleholders, a complete list is on file in the Zoning Office) requesting a variance to increase the maximum allowable wall sign area from 127.66 square feet to 197.5 square feet in Land Lots 781 and 782 of the 17th District. Located on the north side of Windy Hill Road, east of Cobb Parkway (2359 Windy Hill Road). Staff recommends **approval** of the variance subject to:

- Encroachments as shown on the site plan received August13, 2015

V-145 JOHN BERNARD (Jonathan E. and Julie K. Bernard, owners) requesting a variance to waive the rear setback from the required 25 feet to 20 feet in Land Lot 828 of the 16th District. Located at the southern terminus Wingham Place, east of Waterbury Lane (4504 Wingham Place). Staff recommends **approval** of the variance subject to:

- Encroachments as shown on the site plan received August13, 2015

V-146 STEPHANIE LYNN AND GREGORY JOHN CONBOY (Gregory John Conboy and Stephanie Lynn Conboy, owners) requesting a variance to: 1) waive the front setback from the required 50 feet to 48 feet on lot #1 and to 34 feet on lot #2; and 2) allow parking and/or access to parking areas in a residential district on a non-hardened surface in Land Lot 269 of the 20th District. Located on the south side and 5663 Due West Road). Staff recommends **approval** of the variance subject to:

- Traffic comments
- Encroachments as shown on the site plan received August13, 2015

- V-147** **YHDR LLC** (owner) requesting a variance to waive the maximum allowable sign area from 185 square feet to 347.22 square feet in Land Lots 780 and 849 of the 19th District. Located on the east side of Austell Road, north of Floyd Road (3565 Austell Road). Staff recommends **approval** of the variance subject to:
- Sign rendering received August 13, 2015

- OB-03** To consider amending the elevation for variance application V-45 of 2013 (Anna Maria Kuik) for property located on the south side of Orchard Lake Court, north of Brookview Drive in Land Lot 889 of the 17th District. Staff recommends **approval** of the variance subject to:
- Rendering received August 27, 2015
 - All previous conditions not in conflict