

APPLICANT: Olshan Properties

PETITION No.: V-14

PHONE: 614-289-5807

DATE OF HEARING: 01-13-2016

REPRESENTATIVE: Garvis L. Sams, Jr.

PRESENT ZONING: GC

PHONE: 770-422-7016

LAND LOT(S): 979

TITLEHOLDER: U.S. 41 & I 285 Company, LLC.

DISTRICT: 17

PROPERTY LOCATION: On the north side of Cobb Parkway, west of Riverwood Parkway (2997 South Cobb Parkway).

SIZE OF TRACT: 1.23 acres

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the landscape enhancement strip from the required eight feet to zero feet.

OPPOSITION: No. OPPOSED **PETITION No.** **SPOKESMAN**

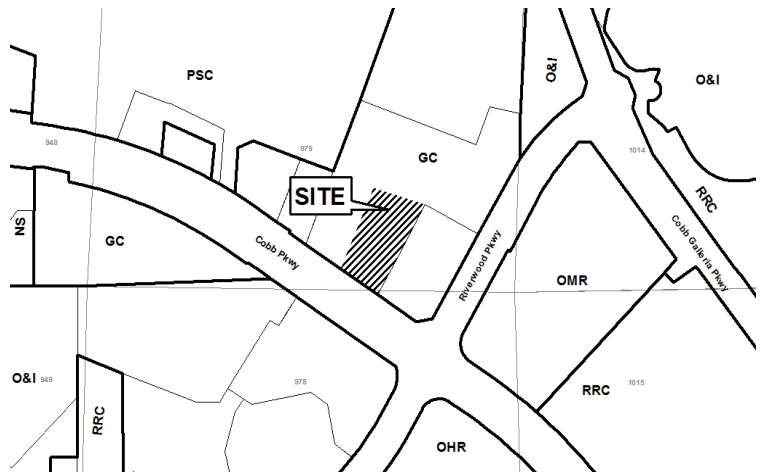
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



APPLICANT: Olshan Properties

PETITION No.: V-14

COMMENTS

TRAFFIC: Recommend GDOT permits for all work that encroaches upon State right-of-way.

DEVELOPMENT & INSPECTIONS: No comments.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: No comment.

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: Staff has determined that the subject sites are not within the boundaries of approved design guidelines study areas; therefore do not have to comply with design guidelines requirements. No comments.

CEMETERY PRESERVATION: No comment.

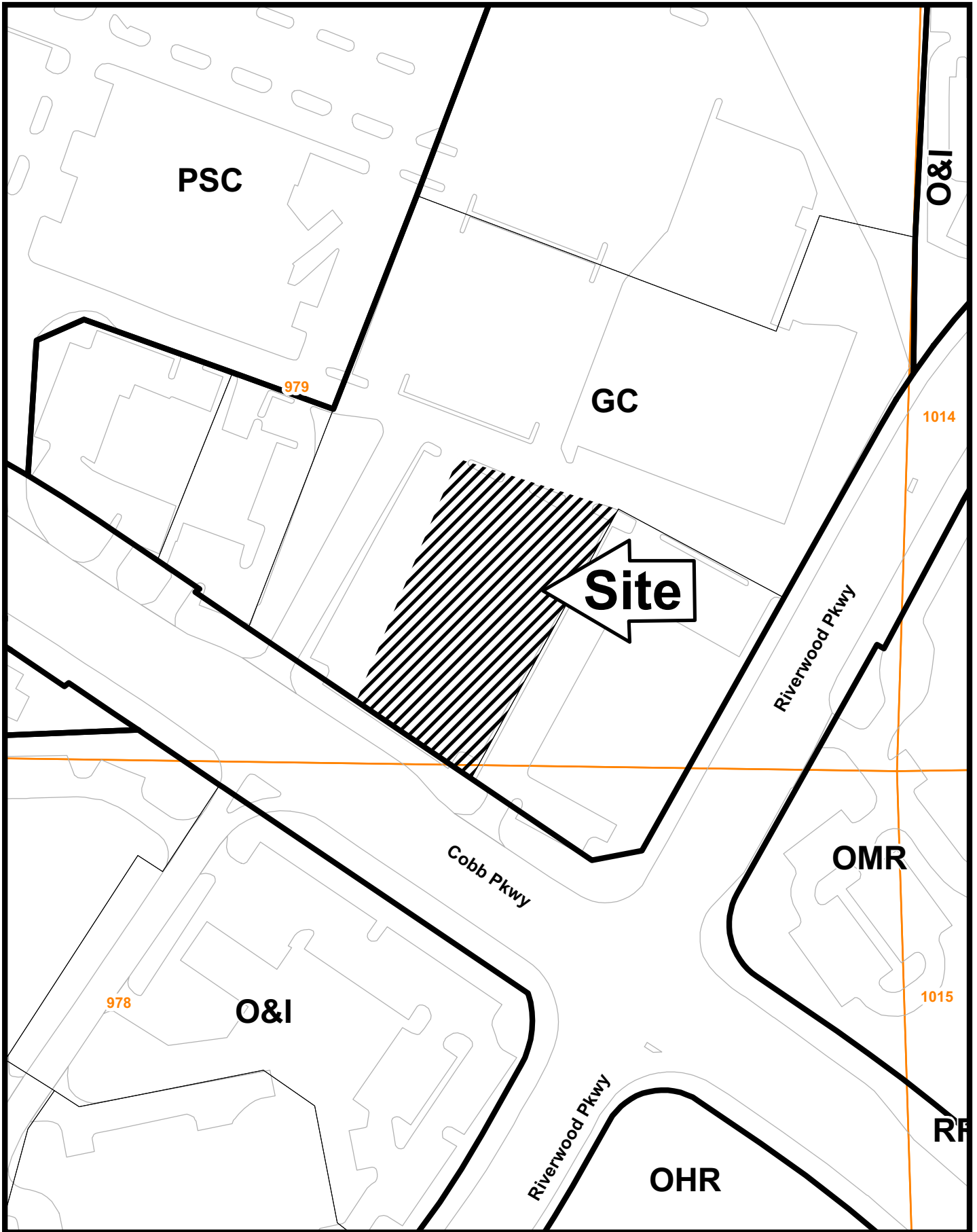
WATER: No conflict.

SEWER: No conflict.

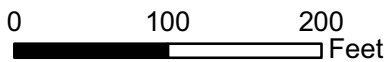
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FIRE DEPARTMENT: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

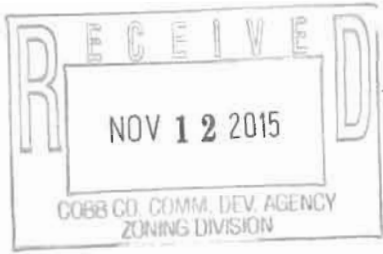
V-14



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-14
Hearing Date: Jan. 13, 2016

Applicant Olshan Properties Phone # 614-289-5807 E-mail kenghauser@olshanproperties.com
SAMS, LARKIN, HUFF & BALLI, LLP
by: Garvis L. Sams, Jr. Address 376 Powder Springs Street, Suite 100, Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

 Phone # 770-422-7016 E-mail gsams@slhb-law.com
(representative's signature)

My commission expires: Feb. 27, 2019 Signed, sealed and delivered in presence of:
Karen L. King Notary Public



Titleholder See Attached Phone # _____ E-mail _____
Signature _____ Address: _____
(attach additional signatures, if needed) (street, city, state and zip code)

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

Present Zoning of Property General Commercial ("GC")

Location On the north side of US Hwy. 41, aka Cobb Parkway, west of its intersection with Riverwood Pkwy. East
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 979 District 17th Size of Tract 1.23 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 X 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).

A literal interpretation or enforcement of Cobb County Zoning Ordinance provisions creates a hardship for the Applicant and the Property Owner absent the granting of a Variance waiving said provisions with respect to the required 8 foot landscape strip along the subject property's frontage on US Hwy. 41, aka Cobb Parkway.

List type of variance requested: 1) A waiver to allow encroachments into the 8 foot landscape strip along the subject property's frontage.

V-14
(2016)
Exhibit

ATTACHMENT TO VARIANCE APPLICATION

Application No.: V- 14
BZA Hearing Date: Jan. 13, 2016

Applicant: OLSHAN PROPERTIES
Titleholder: U.S. 41 & I 285 COMPANY, LLC
PIN#: 17097900140

NOV 12 2015

PROPERTY OWNER'S CERTIFICATION

The undersigned(s) below, or as attached, is the owner of the property considered in this application.

[Signature]
U.S. 41 & I 285 Company, LLC

Address: *600 Madison Avenue*
New York, NY 10022

Telephone No.: *(212) 217-6684*

[Signature] *11/12/15*
Signature of Notary Public Date

(Notary Seal)

MONICA A LOPEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01106316025
Qualified in Queens County
My Commission Expires December 08, 2018