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# VARIANCE ANALYSIS

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March 9, 2016

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

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***COMMUNITY DEVELOPMENT DEPARTMENT***

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*Cobb County... Expect the Best!*

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**COBB COUNTY BOARD OF ZONING APPEALS**  
**VARIANCE HEARING AGENDA**  
**March 9, 2016**

**CONTINUED CASES**

- V-82<sup>15</sup>**      **PHILLIP WALLACE** (owner) requesting a variance to: 1) allow an accessory structure (approximately 340 square foot portable carport) to the side of the principal building; 2) allow parking and/or access to parking areas in a residential district on a non-hardened surface; 3) reduce the required amount of public road frontage from 75 feet to 34 feet; and 4) reduce the rear setback for the carport from 35 feet to 18 feet in Land Lot 76 of the 18<sup>th</sup> District. Located on the north side of Francis Circle, west of Garner Road (414 Francis Circle). *(Held by the Board of Zoning Appeals from their May 13, 2015 hearing, continued by the Board of Zoning Appeals from their August 12, 2015 hearing until their December 9, 2015 hearing and continued by the Board of Zoning Appeals until their May 11, 2016 hearing; therefore will not be considered at this hearing)*
- V-140<sup>15</sup>**      **EZ 69 RH WINDY HILL, LLC** (owner) requesting a variance to: 1) waive the side setbacks for a sign; and 2) allow a sign closer to the centerline of the roadway than the code permits in Land Lots 851 and 852 of the 17<sup>th</sup> District. Located on the north side of Windy Hill Road and on the east side of South Park Place, west of Interstate 75 (2055 South Park Place). *(Previously continued by Staff from the November 11, 2015 Board of Zoning Appeals hearing, previously continued by the Board of Zoning Appeals from their December 9, 2015 hearing, and previously continued by Staff until the March 9, 2016 hearing)*
- V-30**      **RACETRAC PETROLEUM** (D I and G, LLC, owner) requesting a variance to: 1) waive the rear setback from the required 30 feet to 15 feet; 2) waive the side setback from the required 20 feet to 15 feet adjacent to the western property line; and 3) waive the minimum lot size from the required 40,000 square feet to 20,000 square feet in Land Lot 157 of the 16<sup>th</sup> District. Located on the south side of Pine Mill Drive, east of Canton Road (1000 Pine Mill Drive). *( Previously continued by Staff until the March 9, 2016 Board of Zoning Appeals hearing)*

- V-31**      **JON ERWIN** (MSC NAPLES, LLC, owner) requesting a variance to: 1) waive the front setback from the required 100 feet to 29 feet; 2) waive the side setback from the required 50 feet to 20 feet adjacent to the western property line; and 3) waive the maximum allowable impervious surface from 80% to 89% in Land Lot 557 of the 16<sup>th</sup> District. Located on the west side of Sandy Plains Road, at the terminus of Post Oak Tritt Road (2745 Sandy Plains Road). *(Previously continued by Staff until the March 9, 2016 Board of Zoning Appeals hearing)*

**REGULAR CASES – NEW BUSINESS**

- V-32**      **MEDART CONDOMINIUM** (Pythagoras Professional Group, LLC, owner) requesting a variance to allow an electronic sign on a lot without at least 200 feet of public road frontage on one road (105.89 feet) in Land Lot 856 of the 19<sup>th</sup> District. Located on the northwest corner of Story Place and Austell Road (3834 Austell Road).
- V-33**      **DEAN & BEAURY TALLEY** (Dean B. Talley and Beaury A. Talley, owners) requesting a variance to: 1) waive the rear setback from the required 30 feet to 25 feet; 2) waive the front setback from the required 20 feet to 19 feet; and 3) waive the maximum allowable impervious surface from 40% to 45% in Land Lots 994 and 995 of the 17<sup>th</sup> District. Located on the south side of Palisades Court, east of North Palisades Circle and Terrell Mill Road (3180 Palisades Court).
- V-34**      **MARK THIBEAUX** (Mark Anthony Thibeaux and Kathleen M. Thibeaux, owners) requesting a variance to: 1) waive the rear setback for an accessory structure under 650 square feet (rear shed #1) from the required 35 feet from the rear to 10 feet and from the required 10 feet adjacent to the western side to zero feet; 2) waive the setback for an accessory structure under 650 square feet (500 square foot awning #1) from the required 35 feet from the front to 23 feet; 3) waive the setback for an accessory structure under 650 square feet (400 square foot awning #2) from the required 10 feet to three feet adjacent to the east property line; and 4) allow an accessory structure (both awnings) to be located in front of the principal structure in Land Lot 1289 of the 19<sup>th</sup> District. Located on the north side of First Street, east of June Drive (1876 First Street).



- V-35**      **QUICK RESPONSE FORCE** (The Holy Sabbath Ministries International, Inc., owner) requesting a variance to: 1) waive the minimum lot size for a church use from the required five acres to 0.55 acre; 2) waive the setbacks for a church use from the required 50 feet to 30 feet from the front, to 42 feet adjacent to the north property line, and to 22 feet from the rear; 3) waive the 35 foot landscape screening buffer adjacent to a residential property line to zero feet on the north, east, and south property lines; and 4) allow parking in the front yard of an R district for a use other than single-family residential in Land Lot 477 of the 17<sup>th</sup> District. Located on the south side of Cooper Lake Road, west of King Springs Road (1130 Cooper Lake Road).
- V-36**      **YHDR LLC** (owner) requesting a variance to: 1) waive the maximum allowable sign area from 347.22 square feet (previous case V-147 of 2015) to 620 square feet on the front facade; and 2) waive the maximum allowable sign area from 137.66 square feet to 347.22 square feet on the side facade in Land Lots 780, 781, 848 and 849 of the 19<sup>th</sup> District. Located on the east side of Austell Road, north of Floyd Road (3565 Austell Road).
- V-37**      **DANIEL C. NICHOLS** (Charles E. Nichols and Floya L. Nichols, owners) requesting a variance to waive the setback for an accessory structure (approximately 1,000 square foot garage) from the required 100 feet to 35 feet adjacent to the east property line and to 45 feet adjacent to the west property line of proposed tract 1 in Land Lot 14 of the 19<sup>th</sup> District. Located on the north side of Dallas Highway, east of Midway Road (4356 Dallas Highway).
- V-38**      **AMBER M. BISHOP** (Amber M. Bishop and Shelly L. Weed, owners) requesting a variance to: 1) waive the side setback from the required five feet to four feet adjacent to the east property line; and 2) increase the maximum allowable impervious surface from 40% to 44% in Land Lot 694 in the 17<sup>th</sup> District. Located on the north side of Cooper Lake Road, west of Maner Street (1935 Cooper Lake Road).

- V-39**        **STEPHEN SNOW** (Stephen Snow and Amber Snow, owners) requesting a variance to waive the setback for a retaining wall between six feet and 11 feet in height (eight foot wall) from the required 10 feet to zero feet adjacent to the rear property line in Land Lot 257 of the 20<sup>th</sup> District. Located on the south side of Kinghorne Drive, west of Kinghorn Court (971 Kinghorne Drive).
- V-40**        **SOUTH EASTERN ENGINEERING, INC** (Anil M. Patel, owner) requesting a variance to: 1) waive the rear setback from the required 40 feet to 15 feet; and 2) waive the landscape screening buffer adjacent to a residentially zoned property from the required 50 feet to 15 feet along the rear in Land Lots 498, 503 and 504 of the 18<sup>th</sup> District. Located on the south side of Mableton Parkway, west of Lee Industrial Boulevard (7040 Mableton Parkway).
- V-41**        **BETHANY PRESBYTERIAN CHURCH (PCUSA), INC** (owner) requesting a variance to waive the maximum allowable impervious surface from 35% to 40% in Land Lot 111 of the 16<sup>th</sup> District. Located on the south side of Sandy Plains Road, north of Springwood Place (4644 Sandy Plains Road).    **WITHDRAWN WITHOUT PREJUDICE**
- V-42**        **QUIKTRIP CORPORATION** (owner) requesting a variance to: 1) waive the maximum gross floor area for a convenience food store with a self-service fuel sales from 3,000 square feet to 5,858 square feet; and 2) waive the required landscape screening buffer adjacent to residential property from the required 40 feet to zero feet adjacent to the western property line in Land Lots 592 and 605 of the 18<sup>th</sup> District. Located on the south side of Six Flags Drive, west of Riverside Parkway and north of Interstate 20 (291 Six Flags Drive).
- V-43**        **ROBERT A. HAYES** (Robert A. Hayes and Christy L. Hayes, owners) requesting a variance to: 1) allow an accessory structure (proposed 975 square foot garage) to be located in front of the principal structure; 2) waive the rear setback for an accessory structure over 650 square feet (proposed 975 square foot garage) from the required 100 feet to five feet; and 3) allow a second electrical meter on a residential lot in Land Lot 276 of the 20<sup>th</sup> District. Located on the south side of Kennesaw Due West Road, west of Hickory Crest Drive and Burke Lake Road (601 Burke Lake Road).

**V-44**      **TRATON HOMES, LLC** (owner) requesting a variance to waive the required 25 foot landscape screening buffer to 17 feet adjacent to the eastern property line and to 16 feet adjacent to the southern property line in Land Lot 622 of the 17<sup>th</sup> District. Located on the south side of Cooper Lake Drive, east of Cabretta Drive (Strand Drive).

**OTHER BUSINESS**

**ITEM OB-001-2016**

To consider amending the stipulations for Larry Epstein regarding variance application V-1 (Larry Joel Epstein and Bonnie Iryln Epstein) of 2013, for property located on the northern end of Wellington Lane, east of Johnson Ferry Road in Land Lots 678 and 754 of the 16<sup>th</sup> District.

The exact description of the property requiring a variance is on file in the office of the Cobb County Zoning Division of the Community Development Department, 1150 Powder Springs Street, Marietta, Georgia 30064 and available for inspection by interested citizens between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Hearing on said petitions will be heard by the Cobb County Board of Zoning Appeals at 1:00 p.m. on the prescribed hearing date in the Board of Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia 30090.

Additionally, if you believe you need any special accommodations in order to attend these public hearings, please contact the County Clerk's Office at 770-528-3307 no later than 48 hours before the date of the above meeting.