

| APPLICANT:                                   | William D. Meadows             | PETITION No.:        | V-69       |
|--|--------------------------------|----------------------|------------|
| PHONE:                                       | 404-545-0191                   | DATE OF HEARING:     | 05-11-2016 |
| REPRESENTA                                   | TIVE: John H. Moore            | PRESENT ZONING:      | R-20       |
| PHONE:                                       | 770-429-1499                   | LAND LOT(S):         | 1132,1173  |
| TITLEHOLDER: William D. Meadows              |                                | DISTRICT:            | 16         |
| PROPERTY LO                                  | <b>DCATION:</b> Located on the | SIZE OF TRACT:       | 0.59 acre  |
| Northeasterly side of Old Orchard Drive, and |                                | COMMISSION DISTRICT: | 2          |

Southeasterly of Weatherstone Lane

**TYPE OF VARIANCE:** Waive the setbacks for an accessory structure under 650 (existing 576 pool house) from

required 35 feet from the rear to three feet and from required 10 feet from the side to one foot adjacent to the

eastern property line.

| <b>OPPOSITION:</b> No. OPPOSED   | PETITION No SPOKESMAN   |
|----------------------------------|---|
|                                  |   |
| <b>BOARD OF APPEALS DECISION</b> | R-15  |
| APPROVED MOTION BY               |   |
| REJECTED SECONDED                |   |
| HELD VOTE                        |   |
|                                  |   |
| STIPULATIONS:                    |   |
|                                  | D Delta De<br>Delta Delta |
|                                  |   |

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# **COMMENTS**

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

**DEVELOPMENT & INSPECTIONS:** 2165 Old Orchard Dr. – Our records indicate that pool house was constructed without proper permits. If allowed to remain permits and inspections are required. Walls closer than 5 feet to the property line require 1- hour fire rating.

# SITE PLAN REVIEW: No Comment.

**STORMWATER MANAGEMENT:** No apparent adverse stormwater management impacts observed.

**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 site is not within the boundaries of approved design guidelines study areas; therefore does not have to comply with design guidelines requirements. No comments.

## **CEMETERY PRESERVATION:** No comment.

**WATER:** No conflict (Marietta service area)

**SEWER:** No conflict (Marietta service area)

**FIRE DEPARTMENT:** 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-69-2016 GIS MAP



**Application for Variance Cobb** County Application No. *∇*- **69** (2016) (type or print clearly) Hearing Date: 05/11/2016 Applicant William D. Meadows Phone # (404) 545-0191 E-mail bill@meadindoor.com Emerson Overlook, 326 Roswell Street Moore Ingram Johnson & Steele, LLP Marietta, GA 30060 John H. Moore Address (representative's name, printed) (street, city, state and zip code) Phone # (770) 429–1499 E-mail jmoore@mijs.com w7@mijs.com (representative's signature) Georgia Bar No. 519800 Signed, sealed and delivered in presence of aro k My commission expires: January 10, 2019 Notary Public Titleholder William D. Meadows Phone # (404) 545-0191 E-mail bill@meadindoor.com 2165 Old Orchard Drive Signatur Address: Marietta, GA 30068 (attach additional signatures, if needed) (street, city, state and zip code) and sealed and delivered in presence of January 10, 2019 an ommission expires: MAR 1 0 2016 Notary Public LUN בוני לוע ליוייוע בייוייוע Present Zoning of Property R-20 Location Northeasterly side of Old Orchard Drive; southeasterly of Weatherstone Lane (street address, if applicable; nearest intersection, etc.) (2165 01d Orchard Drive) Land Lot(s) 1132, 1173 District Size of Tract 0.593± 16th 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. Shape of Property Topography of Property Other X Size of Property Does the property or this request need a second electrical meter? YES NOX 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). See Exhibit "A" attached hereto and incorporated herein by reference. List type of variance requested: \_See Exhibit "A" attached hereto and incorporated herein by reference. Revised: November 18, 2015



# **EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE**

 Application No.:
 V-<u>69</u> (2016)

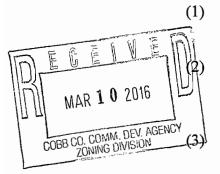
 Hearing Date:
 May 11, 2016

#### **BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS**

#### Applicant/Titleholder: William D. Meadows

Please state what hardship would be created by following the normal terms of the ordinance:

The property which is the subject of this Application for Variance is 0.593 acres and is Lot 49, Block D, Unit Four, Section B, Wetherstone Subdivision, Land Lots 1132 and 1173, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, being known as 2165 Old Orchard Drive (hereinafter "Property" or "Subject Property"). Applicant requests waivers of the required minimum setbacks as follows:



Waiver of the required minimum side setback along the southeasterly side from the required ten (10) feet to 1.6 feet;

Waiver of the required minimum side setback along the northwesterly side from the required ten (10) feet to eight (8) feet; and

Waiver of the required minimum rear setback in the northeast corner from the required thirty-five (35) feet to 3.7 feet.

Said requested waivers are more particularly shown and reflected on the Boundary Survey prepared for Applicant by GA Land Surveyor, LLC, and submitted with the Application for Variance.

Applicant has resided at the Subject Property since 1997, and additional property was added to the rear of the original lot to accommodate home and grounds projects which Applicant wished to accomplish. The accessory structure in question was constructed in 2000. Applicant hired a contractor to construct the structure and was unaware until recently that the structure failed to comply with the minimum setback requirements for the Property. The structure has been in use since 2000. Applicant is seeking the requested waivers to allow the structure to remain on the Property. All affected neighbors do not object to the variance.



## EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR VARIANCE Page Two of Two

 Application No.:
 V-\_\_(2016)

 Hearing Date:
 May 11, 2016

## **BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS**

#### Applicant/Titleholder: William D. Meadows

List type of variance requested:

- (1) Waiver of the required minimum side setback along the southeasterly side from the required ten (10) feet to 1.6 feet;
- (2) Waiver of the required minimum side setback along the northwesterly side from the required ten (10) feet to eight (8) feet; and
- (3) Waiver of the required minimum rear setback in the northeast corner from the required thirty-five (35) feet to 3.7 feet.

(<u>See</u> § 134-197(4)(d)).

WAR I V COBB CO. COntrat. NGENUY ZONING DIVISION