

APPLICANT: INOP Acquisitions, LLC	PETITION No.: V-110		
PHONE: 404-965-1070	DATE OF HEARING: 8-10-2016		
REPRESENTATIVE: John H. Moore	PRESENT ZONING: O&I		
PHONE: 770-429-1499	LAND LOT(S): 983		
TITLEHOLDER: INOP Acquisitions, LLC, a Deleware limited liability company	DISTRICT: 17		
PROPERTY LOCATION: On the east side of	SIZE OF TRACT: 5.11 acres		
Interstate North Circle, south of Windy Ridge Parkway, and north of Cumberland Boulevard	COMMISSION DISTRICT: 2		
(290 Interstate North Parkway).			
TYPE OF VARIANCE: 1) Waive the front setback from	m the required 50 feet to 12 feet; 2) allow the building to		
extend 25 feet into 25 foot impervious buffer; 3) allow the b	building to extend 24.8 feet into 75 foot stream buffer;		
4) allow parking lot to extend 25 feet into 25 foot impervious	us buffer; and 5) allow parking lot to extend 34.5 feet into		
75 foot stream buffer.			
OPPOSITION: No. OPPOSED PETITION No BOARD OF APPEALS DECISION APPROVED MOTION BY REJECTED SECONDED HELD CARRIED STIPULATIONS:			

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COMMENTS

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

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comment

STORMWATER MANAGEMENT: Subject to approval for existing buffer encroachments only.

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 for V-98 –V-113

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

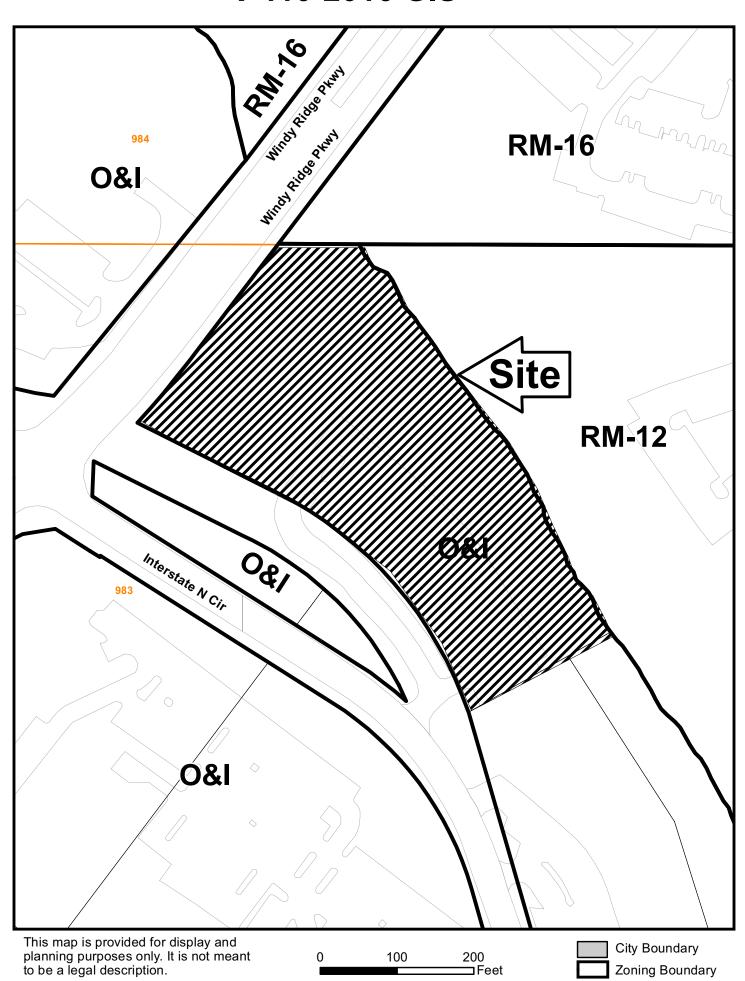
WATER: No conflict

SEWER: No conflict

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FIRE DEPARTMENT: NO COMMENTS: 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-110-2016 GIS



DECEIVE pplication for Variance
Cobb County
(type or print clearly) Application No. V- // (2016) Hearing Date: 08/10/2016
Applicant limited liability company Phone # (404) 965-1070 E-mail dcanaday@rubenstein
John H. MooreAddress Emerson Overlook, 326 Roswell Street
(street, city, state and zip code) Marietta, GA 30060 BY: Phone # (770) 429-1499 E-mail jmoore@mijs.com (representative's signature) Georgia Bar No. 519800 My commission expires: January 10, 2019 Notary Publicate Notary Publicate
INOP Acquisitions, LLC, a Delaware Titleholder Iimited liability company Phone # (404) 965-1070 E-mail dcanaday@rubenstein partners.com
Signature See Exhibit "A" Attached Hereto Address: Suite 340, 340 Interstate North Parkway (attach additional signatures, if needed) (street, city, state and zip code) Atlanta, GA 30339
My commission expires: Signed, sealed and delivered in presence of: Notary Public
Present Zoning of PropertyOI
Location 290 Interstate North Parkway (Tract 11 as shown on ALTA/ACSM Land Title Survey (street address, if applicable; nearest intersection, etc.)
Land Lot(s) 983 District 17th Size of Tract 5.114 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 X Other X
Does the property or this request need a second electrical meter? YES NO X
The <u>Cobb County Zoning Ordinance</u> Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the <u>Zoning Ordinance</u> without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance: <u>See Exhibit "B" attached hereto and incorporated herein by reference.</u>

List type of variance requested: See Exhibit "B" attached hereto and incorporated herein by reference.

Revised: 03-23-2016

V-110 (2016) Exhibit

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE

Application No.:
Hearing Date:

olication No.: V-10 (2016) learing Date: August 10, 2016

ZONING DIVISION BEFORE THE COBB COUNTY BOARD OF ZONING APPEALS

Applicant/Titleholder:

INOP Acquisitions, LLC,

a Delaware limited liability company

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

INOP Acquisitions, LLC as Applicant and Titleholder (hereinafter collectively "Applicant") recently acquired ownership of the commercial property known as "Interstate North Office Park," located, generally, along Interstate North Parkway, Interstate North Parkway West, Interstate North Circle, Windy Hill Road, and Windy Ridge Parkway; as well as Rottenwood Creek traversing the Subject Property, in Land Lots 875, 918, 919, 942, 943, 944, 945, 982, and 983, 17th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). The improvements on the Property consist of single and multi-story buildings for office, restaurant and retail uses, together with associated parking decks and surface parking areas. The Office Park was planned, developed, and constructed in compliance with all Cobb County Zoning Ordinance and Development Standards applicable at the time of construction. However, in the years following construction and occupancy of the Office Park, Interstate 75, the Windy Hill Road corridor, and many surrounding roadways have experienced ongoing road improvement projects, including condemnations of properties for road widenings, construction of new roadways, entrance realignments, and many other improvements which directly affected the Subject Property. Additionally, the Cobb County Zoning Ordinance and Development Standards which was in effect at the time of development of the Office Park has been revised and updated. Waivers of the affected tracts and buildings within the Office Park must be approved to allow for the Property to be in compliance with current, existing Zoning Ordinance and Development Standards. Applicant seeks the approval of the variances, as required by Cobb County, even though the variances are required as a result of actions and events not caused by Applicant, but by Cobb County, Georgia, and/or the State of Georgia. To grant the requested variances and allow the Subject Property to conform to current, existing Ordinances and Standards would result in no detrimental impact upon the Subject Property or any other adjacent or surrounding properties.

V-110 (2016) Exhibit

List of type of variances requested:

<u>Variances requested for 290 Interstate North Parkway (Tract 11 as shown and reflected on ALTA ACSM Land Title Survey):</u>

- (1) Waiver of front setback from required fifty (50) feet to twelve (12) feet (along Windy Ridge Parkway). (See § 134-215(4)(d)).
- (2) Building extending twenty-five (25) feet into twenty-five (25) foot impervious buffer.
- (3) Building extending 24.8 feet into seventy-five (75) foot stream buffer.
- (4) Parking lot extending twenty-five (25) feet into twenty-five (25) foot impervious buffer.
- (5) Parking lot extending 34.5 feet into seventy-five (75) foot stream buffer.