

# **PRELIMINARY VARIANCE ANALYSIS**

**HEARING DATE: February 15, 2017**

**DUE DATE: January 17, 2017**

**Distributed: December 16, 2016**



*Cobb County...Expect the Best!*

V-12  
(2017)

LEGEND

⊙ P.P. - POWER POLE	⊙ C.B. - CATCH BASIN
⊙ L.P. - LIGHT POLE	== R.C.P. - REINFORCED CONCRETE PIPE
⊙ F.H. - FIRE HYDRANT	== C.M.P. - CORRUGATED METAL PIPE
⊙ M.H. - SANITARY SEWER MANHOLE	--- F.F.E. - FINISHED FLOOR ELEVATION
⊙ W.M. - WATER METER	⊙ WATER VALVE
⊙ G.M. - GAS METER	⊙ S.C.O. - SEWER CLEAN OUT
⊙ R.B.S. - REINFORCING BAR SET	⊙ TELEPHONE MANHOLE
⊙ R.B.F. - REINFORCING BAR FOUND	--- E --- E - UNDERGROUND ELECTRICAL LINE
⊙ C.T.F. - CRIMP TOP PIPE FOUND	--- O --- O - OVERHEAD POWER LINES
⊙ O.T.F. - OPEN TOP PIPE FOUND	⊙ H.W. - HEADWALL
⊙ R/W MON. - RIGHT-OF-WAY MONUMENT	--- X --- TYPE OF FENCE

TOTAL IMPERVIOUS= 2647 S.F.  
% IMPERVIOUS= 11.8%

BREAKDOWN:  
HOUSE~ 1738 S.F.  
CONCRETE PAD~ 34 S.F.  
CONCRETE DRIVEWAY~ 273 S.F.  
CONCRETE SIDEWALK~ 109 S.F.  
A/C PAD~ 9 S.F.  
CARPORT AWNING~ 401 S.F.  
SHED~ 83 S.F.

**SITE AREA**  
22417 ♂  
0.51 AC.

ZONED R-20

~H.H. & B.L. DRISKELL  
SUBDIVISION~  
P.B. 21, PG. 7

~H.H. & B.L. DRISKELL  
SUBDIVISION~  
P.B. 21, PG. 7

NOV 15 2016

N ~ F  
SHARON A. WILLIAMS  
D.B. 15355, PG. 4965

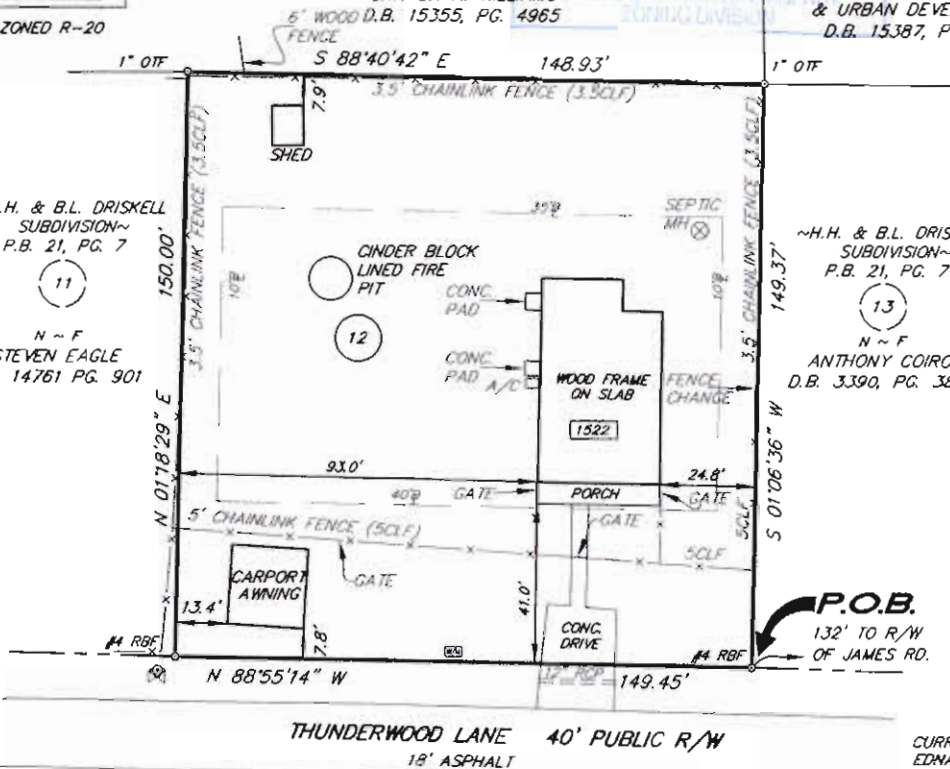
N ~ F  
THE SECRETARY OF HOUSING  
& URBAN DEVELOPMENT  
D.B. 15387, PG. 1059

~H.H. & B.L. DRISKELL  
SUBDIVISION~  
P.B. 21, PG. 7

N ~ F  
STEVEN EAGLE  
D.B. 14761 PG. 901

~H.H. & B.L. DRISKELL  
SUBDIVISION~  
P.B. 21, PG. 7

N ~ F  
ANTHONY COIRO  
D.B. 3390, PG. 384



CURRENT OWNER:  
EDNA B. CARR &  
LARRY L. CARR  
O.B. 14515, PG. 4518  
P.B. 21, PG. 7

THIS SURVEY WAS  
PREPARED IN CONFORMITY  
WITH THE TECHNICAL  
STANDARDS FOR  
PROPERTY SURVEYS IN  
GEORGIA AS SET FORTH IN  
CHAPTER 180-7 OF THE  
RULES OF THE GEORGIA  
BOARD OF REGISTRATION  
FOR PROFESSIONAL  
ENGINEERS AND LAND  
SURVEYORS AND AS SET  
FORTH IN THE GEORGIA  
PLAT ACT O.C.G.A.  
15-6-67.

REVISION #1:  
FIELD WORK- 11/14/16, OFFICE WORK- 11/15/16  
UPDATE SURVEY.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT  
PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY.  
THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS,  
PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT  
VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED  
AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES  
STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY  
THIRD PARTIES IS AT THEIR OWN RISK.



THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD  
PLAIN AND IS IN ZONE X; ACCORDING TO F.E.M.A. (F.L.A.)  
COMMUNITY NUMBER 130052, MAP NUMBER  
13067 C 0211 H, DATED MARCH 4, 2013

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE  
METER; LINEAR PRECISION OF TRAVERSE: 1/57,942; ANGULAR ERROR: 4" PER POINT. THE TRAVERSE WAS  
ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/229,022. MATTERS OF TITLE ARE EXCEPTED.



**Gaskins**  
ENGINEERING & SURVEYING, PLANNING, CONSULTING, CONSTRUCTION MANAGEMENT

Main Office:  
1266 Powder Springs Rd.  
Marietta, Georgia 30064  
Phone: (770) 424-7168

1578 799  
www.gaskinsurvey.com

Canton Office:  
2288 Marietta Highway  
Canton, Georgia 30114  
Phone: (770) 479-9665

FIELD DATE: 06/24/14

DRAWN BY: JOW

OFFICE DATE: 06/26/14

CHECKED BY: CAE

SCALE: 1"=40'

FILE: S:/BND/COBB/18\_0149

BOUNDARY RETRACEMENT SURVEY FOR:

LARRY L. CARR  
H.H. and B.L. DRISKELL SUBD.  
LOT 12

LOCATED IN L.L. 149  
18th DISTRICT, 2nd SECTION  
COBB COUNTY, GA.

**APPLICANT:** Larry L. Carr

**PHONE:** 770-575-0919

**REPRESENTATIVE:** Larry L. Carr

**PHONE:** 770-575-0919

**TITLEHOLDER:** Edna B. Carr and Larry L. Carr

**PROPERTY LOCATION:** On the north side of  
Thunderwood Lane, west of James Road  
(1522 Thunderwood Lane).

**PETITION No.:** V-12

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** R-20

**LAND LOT(S):** 149

**DISTRICT:** 18

**SIZE OF TRACT:** 0.51 acres

**COMMISSION DISTRICT:** 4

**TYPE OF VARIANCE:** 1) Allow an accessory structure (approximately 400 square foot carport awning) to be  
located to the front and side of the principal building; and 2) waive the front setback for an accessory structure under  
650 square feet (approximately 400 square foot carport awning) from the required 35 feet to seven (7) feet.



# Application for Variance

## Cobb County

(type or print clearly)

Application No. V-12  
Hearing Date: 2-15-17

Applicant Larry L. Carr Phone # 770-575-0919 E-mail cap10black65@gmail.com  
Larry L. Carr Address 1522 Thunderwood Ln SW Mableton GA 30126  
(representative's name, printed) (street, city, state and zip code)

(representative's signature)

E-mail \_\_\_\_\_

My commission expires: May 31, 2020

Signed, sealed and delivered in presence of:

Notary Public

Titleholder Edna B Carr Phone # 770-575-0919 E-mail ebcarr1960@gmail.com  
Signature Edna B Carr Address 1522 Thunderwood Ln SW Mableton GA 30126  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: May 31, 2020

Signed, sealed and delivered in presence of:

Notary Public

Present Zoning of Property \_\_\_\_\_

Location 1522 Thunderwood Ln SW Mableton GA 30126  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 149 (Lot 12) District 18th Size of Tract \_\_\_\_\_ 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 3/4 acre Shape of Property square Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

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:

Because of our septic system and field lines, there is no other area to move the awning/carport to & to park our 2 pickup trucks,

List type of variance requested: residential (parking standard)



[illegible]

**APPLICANT:** The GC Net Lease (ATLANTA WILDWOOD I) INVESTORS, LLC

**PHONE:** 310-469-6134

**REPRESENTATIVE:** James L. Courson, III

**PHONE:** 770-490-9799

**TITLEHOLDER:** THE GC NET LEASE  
(ATLANTA WILDWOOD I)  
INVESTORS, LLC

**PROPERTY LOCATION:** Bounded on the north and south sides by Wildwood Parkway, east of Windy Hill Road

(4100, 4300 Wildwood Parkway)

**PETITION No.:** V-13

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** O&I, OHR

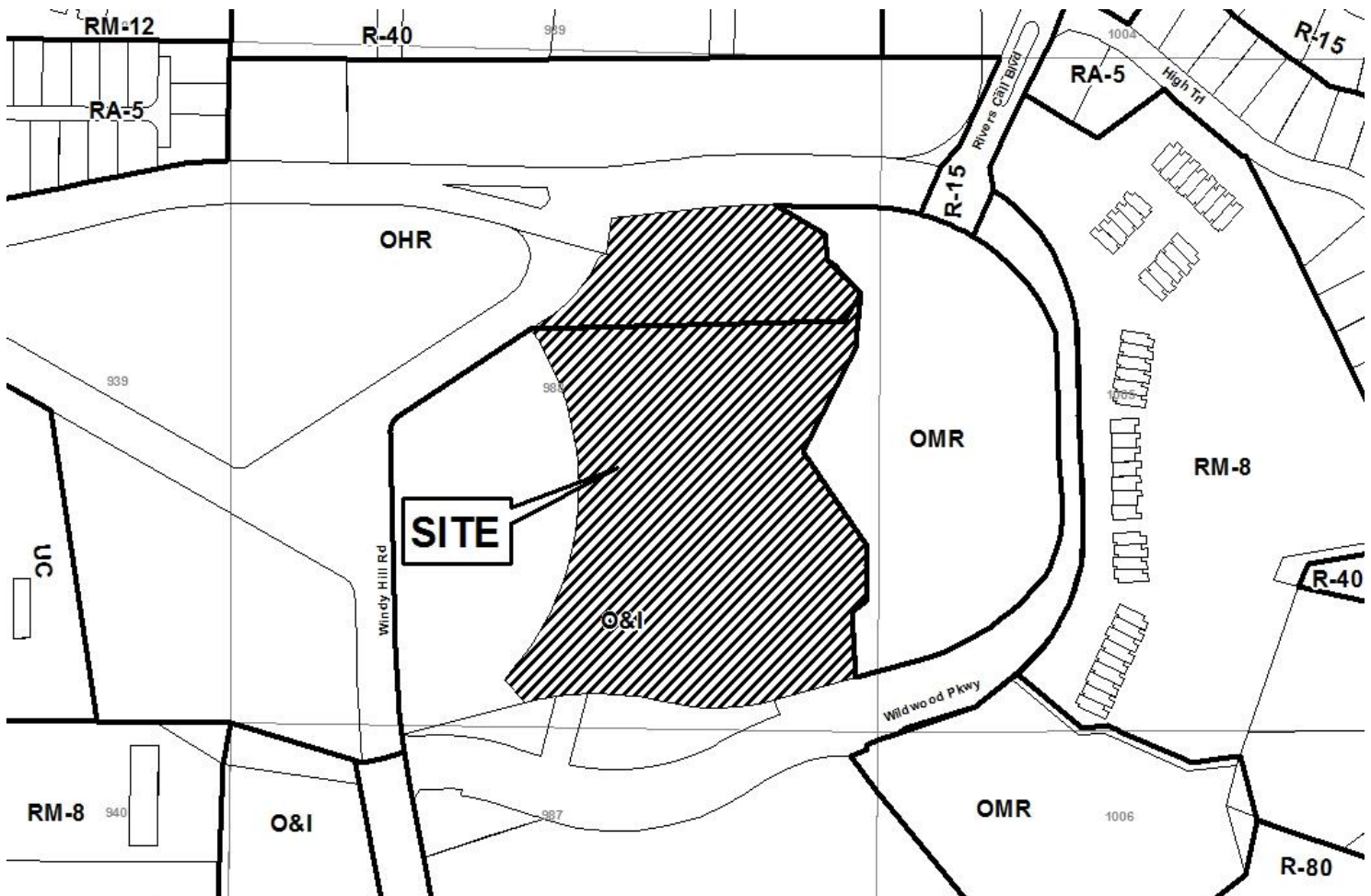
**LAND LOT(S):** 988

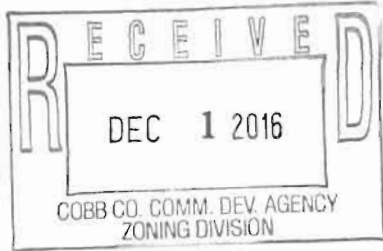
**DISTRICT:** 17

**SIZE OF TRACT:** 12.74 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the front setback of the 4100 building from the required 50 feet to 40 feet; 2) waive the side setback of the 4100 building from the required 40 feet to 15 feet; 3) waive the rear setback along the new property line between the 4100 and 4300 buildings from the required 30 feet to 25 feet; and 4) waive the side setback along the new property line between the two (2) two-level parking decks, buildings 4100 and 4300 and the three-level parking deck from the required 15 feet to four (4) feet.





# Application for Variance Cobb County

(type or print clearly)

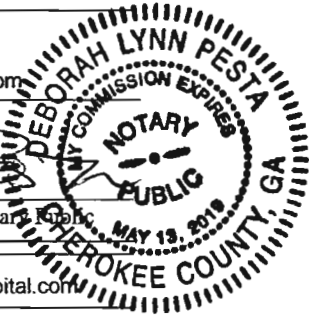
Application No. V-13  
Hearing Date: 2-15-2017

The GC Net Lease (ATLANTA WILDWOOD I)  
Applicant INVESTORS, LLC Phone # 310-469-6134 E-mail wmessori@griffincapital.com

James L. Courson, III Address 6200 Longwood Chase Canton, GA 30115  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770-490-9799 E-mail jcourson@eisengr.com  
(representative's signature)

My commission expires: May 13, 2019 Signed, sealed and delivered in presence of: [Signature]  
Notary Public



The GC NET LEASE (ATLANTA WILDWOOD I)  
Titleholder INVESTORS, LLC Phone # 310-469-6134 E-mail wmessori@griffincapital.com

Signature see attached Address: 1520 E. Grand Avenue El Segundo, CA 90245  
(attach additional signatures, if needed) (street, city, state and zip code)

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

Present Zoning of Property 4100 Parcel is OHR & OI 4300 Parcel is OI

Location 4100 and 4300 Wildwood Parkway Wildwood Office Park  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 987, 988 & 1005 District 17/2 Size of Tract 12.74 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 \_\_\_\_\_ Shape of Property X Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

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:

SEE ATTACHED SHEET FOR INFORMATION

List type of variance requested: Reduction of front building setback in the OHR zoned portion of the 4100 property, at the location shown on the Plot Plan, from 50 feet to 40 feet and a reduction of the side building setback, at the specific location shown on the Plot Plan, from 40 feet to 15 feet and a reduction of the rear building setback along the new property line between the 4100 and 4300 property, at the specific locations shown on the Plot Plan, from 30 feet to 25 feet.

[SIGNATURE PAGE TO VARIANCE APPLICATION]

**The GC Net Lease (Atlanta Wildwood I) Investors, LLC,**  
a Delaware limited liability company

By: Griffin Capital Essential Asset Operating Partnership, L.P.,  
a Delaware limited partnership, its sole member

By: Griffin Capital Essential Asset REIT, Inc.,  
a Maryland corporation, its general partner

By: \_\_\_\_\_

Name: \_\_\_\_\_

**Michael J. Escalante**  
**President**

Title: \_\_\_\_\_



Sheet 2 of Application for Variance for 4100/4300 Wildwood Parkway – Wildwood Office Park

The hardship that would be created by following the normal terms of the ordinance:

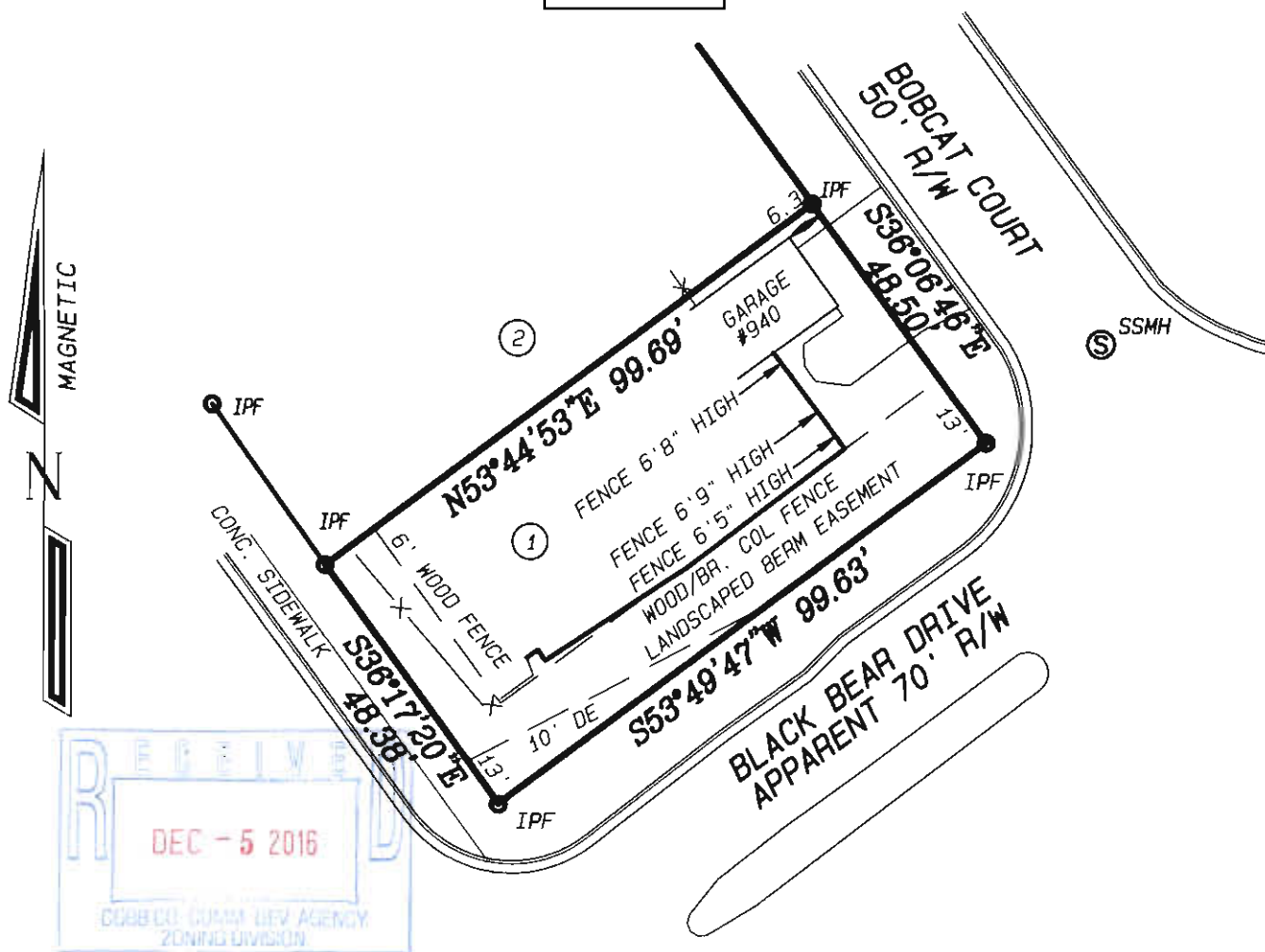
At the time of initial development, part of the site was zoned OI and part of the site was zoned OHR, but the county allowed the entire site to be developed under OI zoning conditions. The current owner wants to subdivide the site into three separate parcels, as shown on the Plot Plan, to separate the improvements on the 4100 and 4300 site, and to allow for the three level parking deck on the 4100 site to be extended, as shown on the Plot Plan. To subdivide the property, the county is now requiring that the improvements in the part of the 4100 site that is zoned OHR meet the OHR setback requirements. The internal property lines that will be created for the three parcels will create a violation of the OI zoning setbacks at the locations "shaded" on the Plot Plan. A variance, as outlined below, will be necessary to make the site zoning compliant:

- (1) to reduce the front building setback of the two level deck on the 4100 site from 50 feet to 40 feet at the specific location "shaded" on the Plot Plan;
- (2) to reduce the side yard setback at the northwest corner of the 4100 building from 40 feet to 15 feet at the specific area "shaded" on the Plot Plan;
- (3) to reduce the rear building setback line at the specific location noted on the Plot Plan at the rear corner of the 4100 and the 4300 buildings from 30 feet to 25 feet;
- (4) to reduce the side yard setback on either side of the property line between the two level parking deck and the three level parking deck on the 4100 site from 15 feet to 6 feet at the specific location shown on the Plot Plan;
- (5) to reduce the side yard setback on either side of the property line between the two level parking deck and the Future parking deck on the 4300 site from 15 feet to 4 feet at the specific location shown on the Plot Plan; and,
- (6) to reduce the side yard setback on the building side of the property line between the 4300 building and the parking deck, at the specific location shown on the Plot Plan from 15 feet to 12.8 feet at one building corner and from 15 feet to 12.2 feet at the other building corner.

IN MY OPINION, THIS PLAT IS A TRUE  
OF THE LAND PLATTED AND HAS BEEN  
WITH THE MINIMUM STANDARDS AND P

V-14  
(2017)

CT REPRESENTATION  
CONFORMITY  
OF THE LAW.

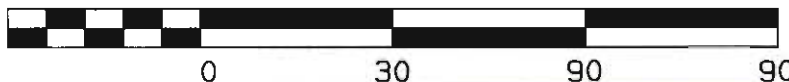


#### SURVEY NOTES:

1. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN 1 FOOT IN \_\_\_\_\_ FEET.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF 02" PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.
3. EQUIPMENT = TOPCON GTS 303 TOTAL STATION
4. DATE OF SURVEY: 12-16-09
5. I HAVE, THIS DATE, EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130052, PANEL 0136 G, DATED 12-16-2009, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
6. #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.

REF: PLAT BOOK 76, PAGE 109

GRAPHIC SCALE 1"=30'



**BETTERTON**  
SURVEYING & DESIGN, INC.

LAND SURVEYING,  
LAND PLANNING,  
SUBDIVISION & COMMERCIAL  
SITE DESIGN

950 WEST SANDTOWN ROAD  
MARIETTA, GEORGIA 30064  
(678) 483-0242



**FENCE SURVEY**  
LOT 1-B THE VILLAGE

LOCATED IN: LAND LOT 868  
17TH DISTRICT, 2ND SECTION,  
COBB COUNTY, GEORGIA  
SCALE: 1" = 30FT.  
DATE: 09-30-2016  
PREPARED FOR:  
**ERIC & TONYA MOON**

5821

**APPLICANT:** Eric Moon

**PHONE:** 404-446-8069

**REPRESENTATIVE:** Eric Moon

**PHONE:** 404-446-8069

**TITLEHOLDER:** Eric Moon and Tanya Tilgner

**PROPERTY LOCATION:** On the southwest side of

Bobcat Court, on the northeast corner of Powers Ferry Road and Black Bear Drive

(940 Bobcat Court).

**PETITION No.:** V-14

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** RM-12

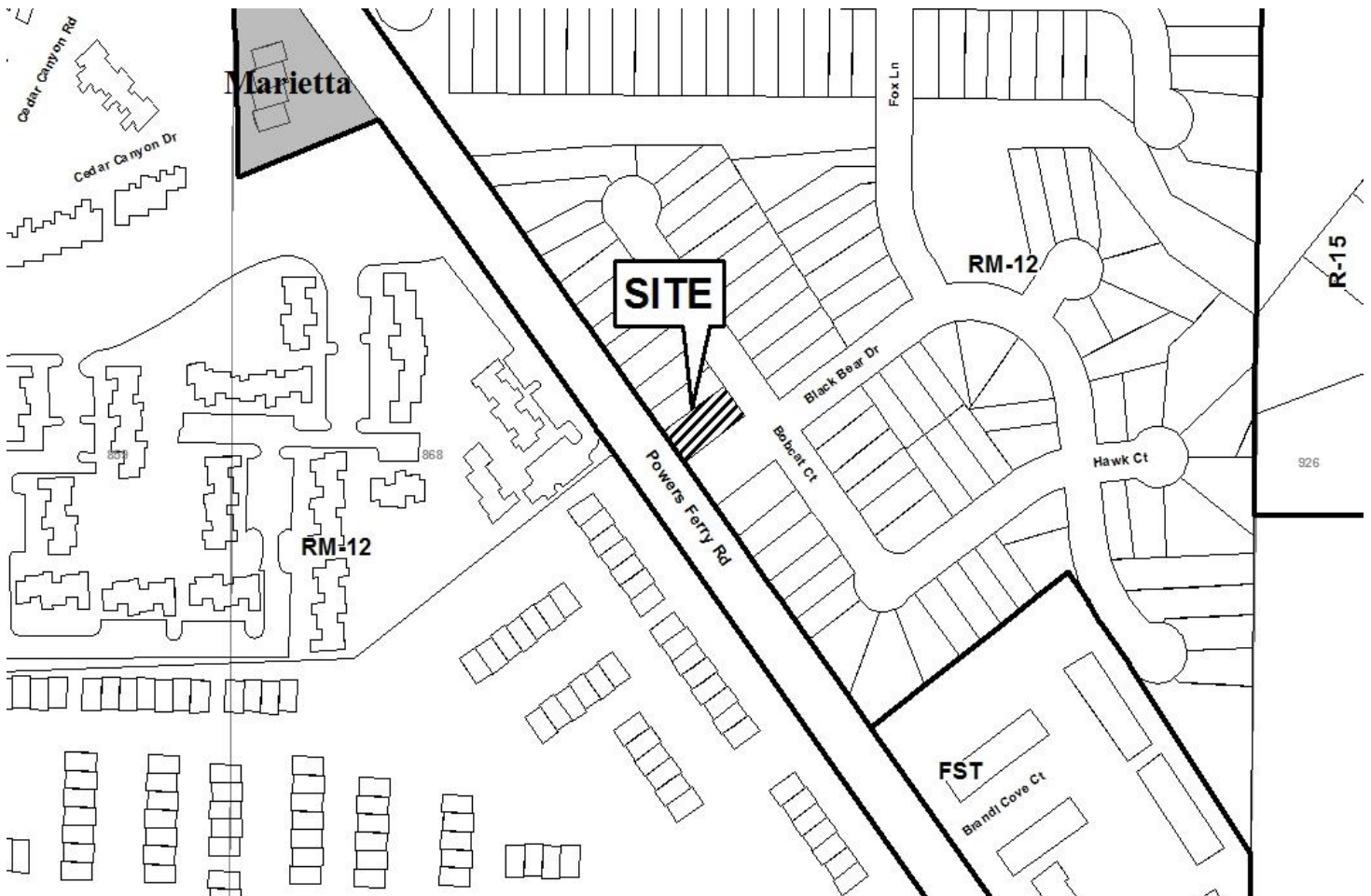
**LAND LOT(S):** 868

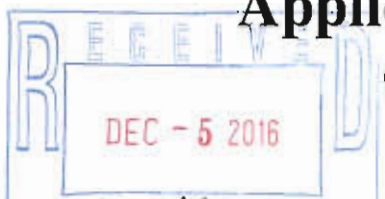
**DISTRICT:** 17

**SIZE OF TRACT:** 0.11 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** Waive the maximum allowable height for a fence adjacent to a public road right-of-way or to the front or side of a house in a residential district from six (6) feet to seven (7) feet.





# Application for Variance Cobb County

(type or print clearly)

Application No. V-14

Hearing Date: 2-15-17

Applicant Eric Moon Phone # 404.446.8069 E-mail cloufreeplumbing@gmail

Eric Moon

(representative's name, printed)

Address 940 Bobcat Ct Marietta, GA 30067

(street, city, state and zip code)

Eric Moon

(representative's signature)

Phone #

E-mail

Signed, sealed and delivered in presence of:

Don Paul Wells

Notary Public

My commission expires:

Titleholder Eric Moon

Phone # same

E-mail same

Signature Eric Moon

(attach additional signatures, if needed)

Address: 940 Bobcat Ct Marietta, GA 30067

(street, city, state and zip code)

Signed, sealed and delivered in presence of:

Don Paul Wells

Notary Public

My commission expires:

Present Zoning of Property

Location 940 Bobcat Ct Marietta, GA 30067

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) District Size of Tract 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 Shape of Property Topography of Property Other

Does the property or this request need a second electrical meter? YES NO X

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:

Our fence has been this way for quite some time. The HOA originally complained about a wooden header on top of the new entrance from door being too high, but when code enforcement came out he measured my fence and said the rg corner area was higher than normal.

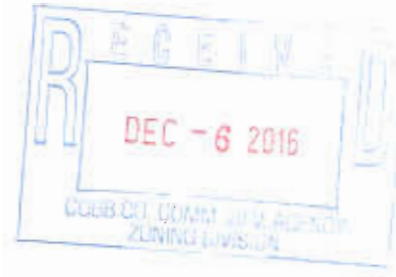
List type of variance requested: Front Entrance walkway / Fence on the top of the stone too high on one side.



28' x 68' 1/2

LOT 36  
BLOCK UNIT  
SUB. ROLLING HILLS  
SUBDIVISION

V-15  
(2017)



35

37

290.5

290.6

PATIO

15.7

13.4

50'±

SPLIT FOYER  
BRICK & FRAME  
#4560  
PORCH

CONC OR

57.0

54.8

325.0 TO  
HIGH LINE DRIVE  
50' R/W  
(NOT OPEN)

1.P.F.

100.0'

1.P.F.

LINDSEY DRIVE 50' R/W

PROPERTY OF

RONALD W. NICHOLS & ROSEANN B. NICHOLS

LAND LOT 1271 19TH DISTRICT 2ND SECTION

COBB COUNTY, GEORGIA

SCALE 1" = 50' DATE: 2-4-77

REG. LAND SURVEYOR NO. 1751

GEORGIA LAND SURVEYING CO., INC.

I CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT IS TRUE AND CORRECT.

*John P. Smith*



I have this plat examined and  
found it to be correct and  
true to the original survey  
and the same is hereby  
certified to be correct.

NO 1392

(C)

T. EV



**APPLICANT:** Roseann B. Nichols

**PETITION No.:** V-15

**PHONE:** 770-823-0273

**DATE OF HEARING:** 02-15-2017

**REPRESENTATIVE:** Roseann B. Nichols

**PRESENT ZONING:** R-30

**PHONE:** 770-823-0273

**LAND LOT(S):** 1271

**TITLEHOLDER:** Roseann B. Nichols

**DISTRICT:** 19

**PROPERTY LOCATION:** On the north side of  
Lindsey Drive, west of Jamestowne Drive  
(4560 Lindsey Drive).

**SIZE OF TRACT:** 0.66 acres

**COMMISSION DISTRICT:** 4

**TYPE OF VARIANCE:** Waive the setbacks for an accessory structure over 650 square feet (approximately 900 square foot metal building) from the required 100 feet to 15 feet from the rear, 25 feet adjacent to the eastern side, and 42 feet adjacent to the western side.





# Application for Variance Cobb County

(type or print clearly)

Application No. V-15  
Hearing Date: 2-15-17

Applicant ROSEANN B Nichols Phone # 770-823-0273 E-mail titleservice@gada.com  
ROSEANN B NICHOLS Address 4560 LINDSEY DR Powder Springs GA 30127  
(representative's name, printed) (street, city, state and zip code)

Roseann B Nichols Phone # 770 823 0273 E-mail titleservice@gada.com  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

Don Paul Will  
Notary Public

Titleholder ROSEANN B NICHOLS Phone # 770 823 0273 E-mail titleservice@gada.com  
Signature Roseann B Nichols Address: 4560 LINDSEY DR Powder Springs GA 30127  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

Don Paul Will  
Notary Public

Present Zoning of Property R-30

Location 4560 LINDSEY DR Powder Springs GA 30127  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1271 District 19 Size of Tract .66 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.

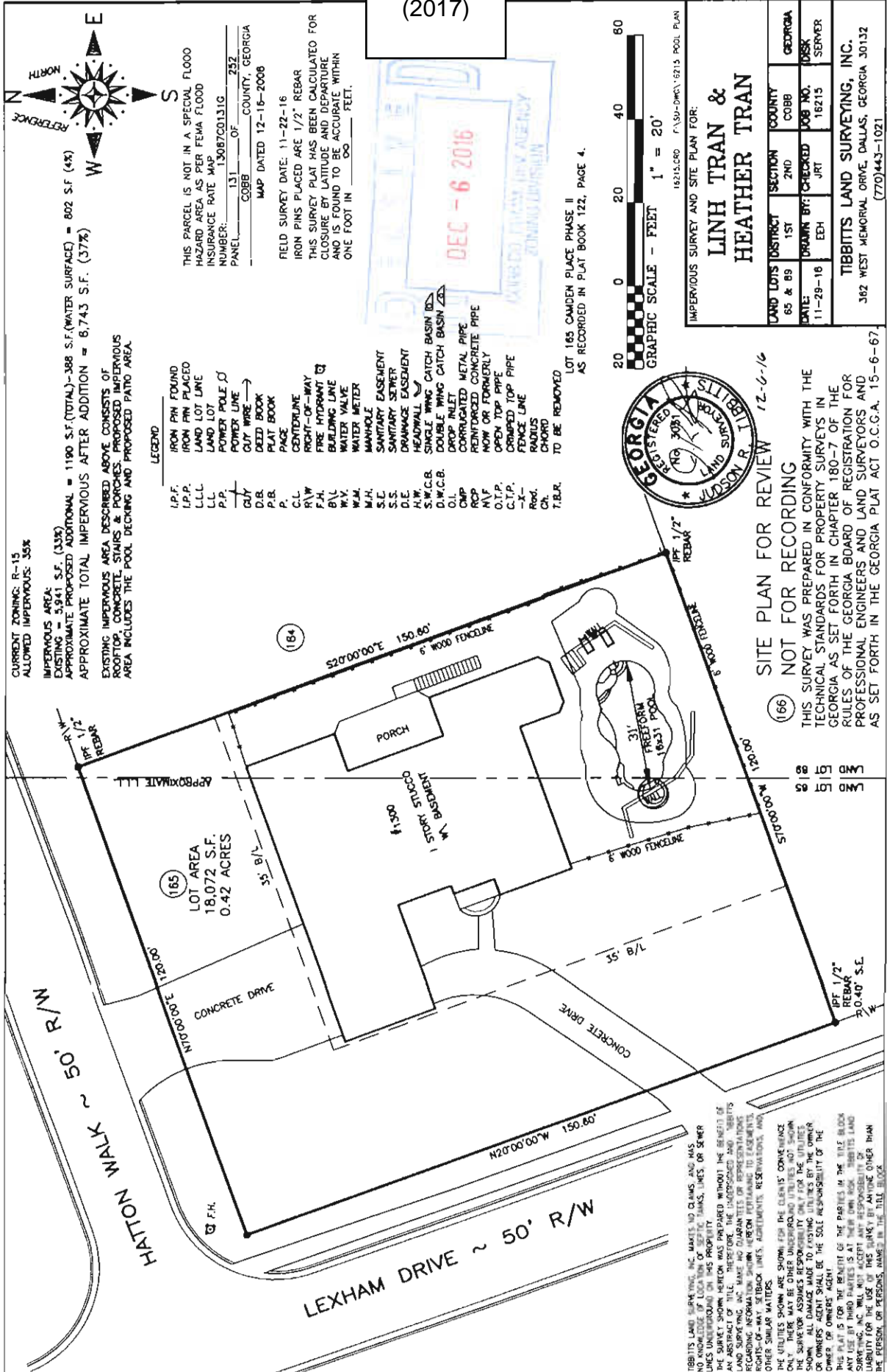
Size of Property \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other ☒

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO \_\_\_\_\_

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:

METAL BUILDING TO REPLACE WOOD BUILDING

List type of variance requested: WAIVE SETBACKS



THE UTILITIES AND SURVEYING, INC. WATER LOG CLAIMS AND HAS NO KNOWLEDGE OF LOCATION OF ANY OTHER CLAIMS, LINES, OR SURVEY LINES UNDERGROUND ON THIS PROPERTY.

THE SURVEY SHOWS HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE, THE UNDERSIGNED AND "HERETOFOR" LAND SURVEYING AND MAPS, INC. HAS NO REPRESENTATIONS OR WARRANTIES AS TO THE ACCURACY OF THE SURVEY HEREON PERTAINING TO EASEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.

THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENT'S CONVICTION ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN ON THE SURVEY. SURVEY ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. ALL DAMAGE DUE TO EXISTING UTILITIES BY THE OWNER OR OWNERS AGENT SHALL BE THE SOLE RESPONSIBILITY OF THE PARTY OR PARTIES FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK.

THIS SURVEY AND ANY UTILITIES SHOWN ARE NOT TO BE USED FOR ANY PURPOSE OTHER THAN AS SET FORTH HEREON. "HERETOFOR" LAND SURVEYING, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OR LIABILITY FOR THE USE OF THIS SURVEY, BY ANYONE OTHER THAN THE PERSON OR PERSONS NAMED IN THE TITLE BLOCK.

**APPLICANT:** Linh Tran

**PHONE:** 404-457-8726

**REPRESENTATIVE:** Linh Tran and Heather Tran

**PHONE:** 404-457-8726

**TITLEHOLDER:** Linh Tran and Heather Tran

**PROPERTY LOCATION:** On the southeast corner of  
Lexham Drive and Hatton Walk, north of Broxbourne  
Drive  
(1300 Hatton Walk).

**PETITION No.:** V-16

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** R-15

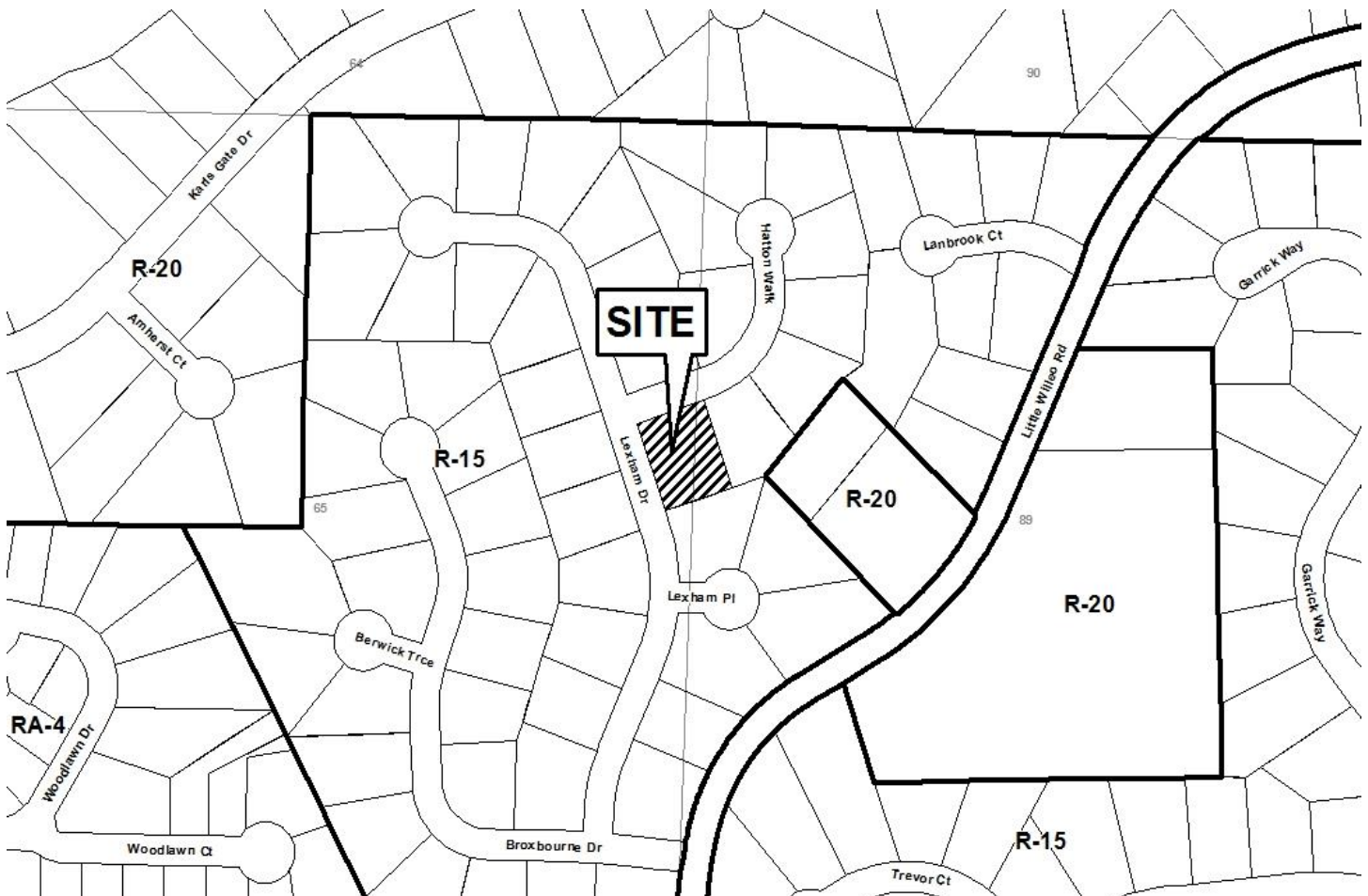
**LAND LOT(S):** 65, 89

**DISTRICT:** 1

**SIZE OF TRACT:** 0.42 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the maximum allowable impervious surface from the required 35% to 37%; 2)  
allow an accessory structure (proposed pool and patio) to the side of the principal building; and 3) waive the setback  
for a pool from the required five (5) feet to two (2) feet adjacent to the eastern property line.







# Application for Variance Cobb County

(type or print clearly)

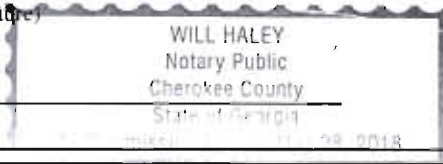
Application No. V-16  
Hearing Date: 2-15-17

Applicant Link Tran Phone # 404-457-8726 E-mail achilles99@gmail.com

Link Tran Address 1300 Hatten Walk, Marietta GA 30068  
(representative's name, printed) (street, city, state and zip code)

Link Tran Phone # 404-457-8726 E-mail \_\_\_\_\_  
(representative's signature)

My commission expires: \_\_\_\_\_



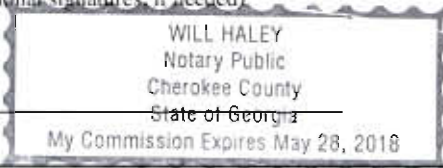
Signed, sealed and delivered in presence of:

Wendy Jones  
Notary Public

Titleholder Link Tran Phone # \_\_\_\_\_ E-mail \_\_\_\_\_

Signature Link Tran Address: \_\_\_\_\_  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: \_\_\_\_\_



Signed, sealed and delivered in presence of:

Wendy Jones  
Notary Public

Present Zoning of Property R15

Location 1300 Hatten Walk, Marietta GA 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 65 + 89 District 1<sup>st</sup> Size of Tract 0.42 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 \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other ☒

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO ☒

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:

I am on a corner lot, and I do not have a back yard. I only have side yard.  
Also, we would like to install nonslip tile which would help cut down on slipping near the pool.

List type of variance requested: We would like to build pool in side yard  
Also, we are requesting an impervious surface variance above allowable 35%  
The proposed impervious after construction would be 37%.





# Variance Request

## The Estates

Cobb County, Georgia Land Lot 259, 20th District

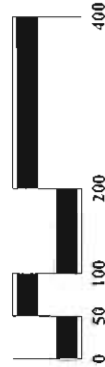
prepared for:

6M Properties, LLC

DGM  
LAND PLANNING  
CONSULTANTS



975 Cape Haze  
Dr. Suite 212  
Kennesaw  
GA 30144  
770 514-8006  
FAX 514-9491



Scale: 1" = 100'

November 22, 2016



- NOTES:**
1. Boundary survey provided by owner, dated April 14, 1991.
  2. Topographic information provided by Cobb County, GA.
  3. According to flood insurance rate map (FIRM #10005) for August 19, 1979, no portion of the site is in the 100 year flood plain.
  4. No easements are shown to exist on the site.
  5. No easements are shown to exist on the site.
  6. No archaeological findings are known to exist on the site.
  7. Utility easements exist on the site and are shown.
  8. Erosion control management and water quality structural and non-structural measures will be required based on hydrologic study.

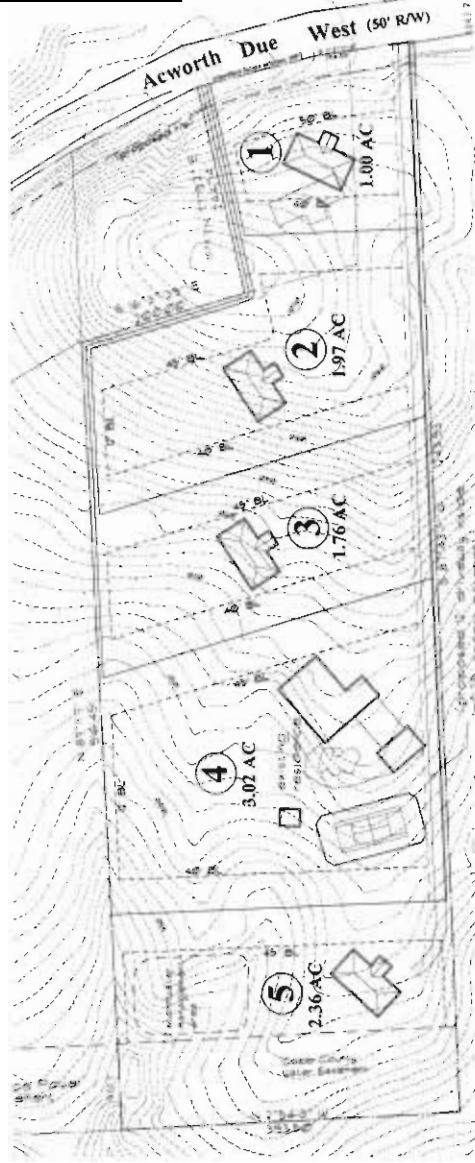


### \*Variance Request:

1. Reduction of public road frontage requirement for proposed lots 2, 3, 4, and 5 from 75' to 5'.

### Site Data

Total Site Area: 10.11 AC  
Total Lots Shown: 5  
Present Zoning: R-30  
Min. Lot Size: 30,000 SF



**APPLICANT:** BEB Investments, LLC

**PHONE:** 404-550-3520

**REPRESENTATIVE:** Garvis L. Sams, Jr.

**PHONE:** 770-422-7016

**TITLEHOLDER:** 6M Properties, LLC

**PROPERTY LOCATION:** On the west side of  
Acworth Due West Road, north of Brigade Trail  
(1049 Acworth Due West Road).

**PETITION No.:** V-17

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** R-30

**LAND LOT(S):** 259

**DISTRICT:** 20

**SIZE OF TRACT:** 10.11 acres

**COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** 1) Waive the minimum road frontage from the required 75 feet to five (5) feet; 2) waive the minimum lot width at the front setback line from the required 75 feet to five (5) feet; and 3) waive the front setback for lots 2-5 from the required 50 feet to 45 feet.





# Application for Variance Cobb County

(type or print clearly)

Application No. V-17

Hearing Date: February 15, 2017

Applicant BEB Investments, LLC Phone # 404-550-3520 E-mail peterbright333@gmail.com

SAMS, LARKIN, HUFF & BALLI, LLP

by: Garvis L. Sams, Jr.

(representative's name, printed)

Address 376 Powder Springs Street, Suite 100, Marietta, GA 30064

(street, city, state and zip code)

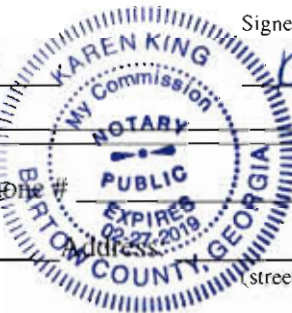
Phone # 770-422-7016

E-mail gsams@slhb-law.com

(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: 2-27-19



Karen L. King

Notary Public

Titleholder See Attached

Phone #

E-mail

Signature

(attach additional signatures, if needed)

Address

(street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires:

Notary Public

Present Zoning of Property R-30

Location On the west side of Acworth Due West Road,

(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 259 District 20th Size of Tract 10.11 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 \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

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:

A literal interpretation or enforcement of provisions of the Cobb County Zoning Ordinance would disallow the proposed development of the subject property.

List type of variance requested: To waive the required minimum 75' public road frontage.

ATTACHMENT

V-17  
(2017)  
Exhibit

CE APPLICATION

Application No.: V-17  
BZA Hearing Date: Feb. 15, 2017

Applicant: BEB INVESTMENTS, LLC

Titleholders: 6M PROPERTIES, LLC

PIN#: 20025900050



PROPERTY OWNER'S CERTIFICATION

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

[Signature] 12-8-16  
6M Properties, LLC Date

Its: Manager  
Elizabeth Bright

Address: 1049 Acworth Dne West Rd  
Kennesaw GA 30152

Telephone No.: (404) 550-3520

Karen L. King 12-8-16  
Signature of Notary Public Date

(Notary Seal)





V-18  
(2017)

SITE PLAN  
FOR

KERO LARSON

LOCATED IN LAND LOT 104  
20th DISTRICT, 2nd SECTION  
COBB COUNTY, GEORGIA

SCALE: 1"=40'



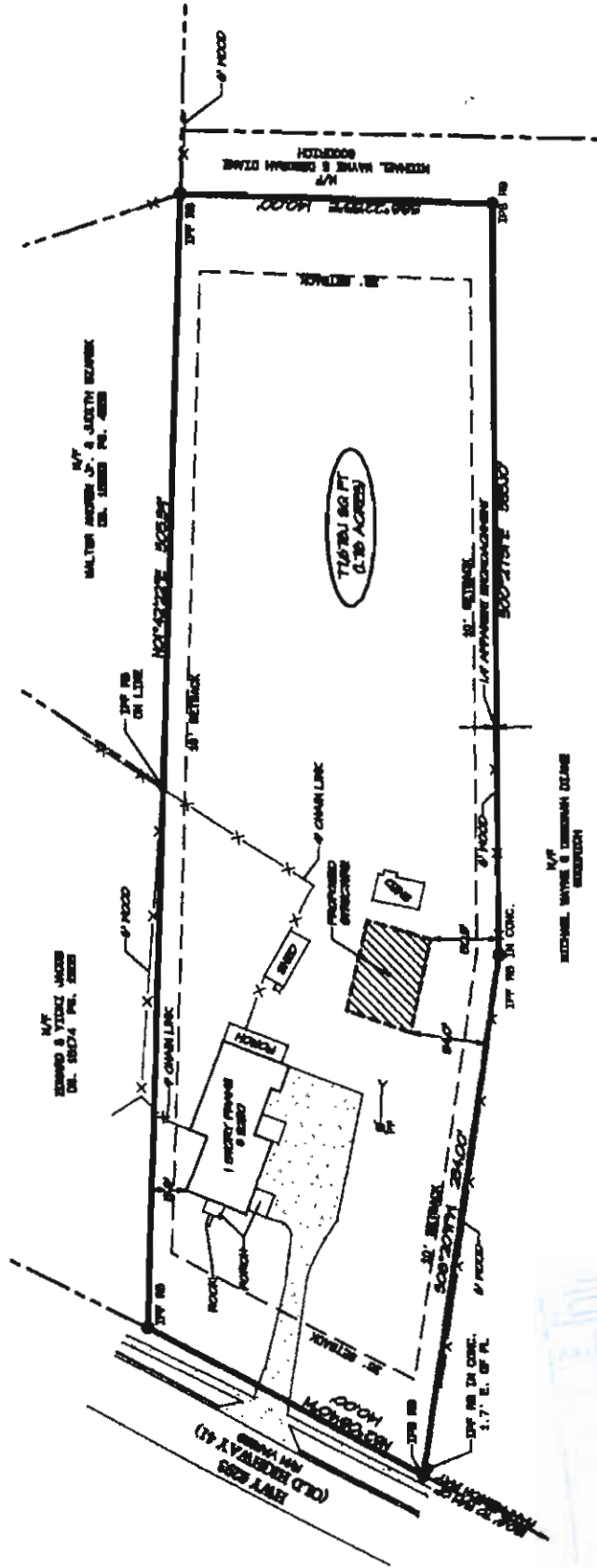
GRAPHIC SCALE

DATE OF SURVEY: OCTOBER 12, 2016  
DATE OF DRAWING: OCTOBER 12, 2016

H. B. & P.  
SURVEYING, INC.

850 KENNESAW AVE. C-8  
MARIETTA, GA. 30060  
PHONE (770) 425-0141  
FAX (770) 425-8579

JOB # 16-076



THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 88-7 OF THE RULES OF THE GEORGIA BOARD OF SURVEYING FOR PROFESSIONAL SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. § 44-8-47.

CERTIFICATE OF AUTHORIZATION NUMBER LSP 000108

ACCORDING TO AN EXAMINATION OF THE OFFICIAL F.I.R.N. FLOOD MAPS, THIS PROPERTY DOES NOT HAVE ANY SPECIAL FLOOD HAZARD CONSIDERATION.

EQUIPMENT USED: JENSEN SET-ROSA

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSELY PRECISION OF ONE FOOT IN 100,000 FEET. AND AN AMBIGUOUS ERROR OF 1/100,000 FEET. AND WAS ADJUSTED USING THE METHOD OF LEAST SQUARES.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT RELY ON ANY PREVIOUS SURVEY. THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SURVEYED REAL ESTATE, EASEMENTS, OTHER THAN PER-SE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

- 1. TOTAL AREA: 10.00 AC.
- 2. TOTAL LOT AREA: 10.00 AC.
- 3. TOTAL LOT AREA: 10.00 AC.
- 4. TOTAL LOT AREA: 10.00 AC.

### LEGEND

NI	-	MANHOLE	IPF	-	IRON PIN FOUND
NI	-	MANHOLE	IPB	-	IRON PIN SET
PH	-	FIRE HYDRANT	OT	-	OPEN TOP
PH	-	FIRE HYDRANT	OT	-	OPEN TOP
WM	-	WATER METER	SS	-	SOLID TOP
WM	-	WATER METER	SS	-	SOLID TOP
CD	-	CATCH BASIN	CB	-	CATCH BASIN
CD	-	CATCH BASIN	CB	-	CATCH BASIN
SM	-	SANITARY MANHOLE	DI	-	DROP INLET
SM	-	SANITARY MANHOLE	DI	-	DROP INLET
PFE	-	POWER POLE	WI	-	WEIR INLET
PFE	-	POWER POLE	WI	-	WEIR INLET
PP	-	POWER POLE	VI	-	YARD INLET
PP	-	POWER POLE	VI	-	YARD INLET
LP	-	LIGHT POLE	SS	-	SANITARY SEWER
LP	-	LIGHT POLE	SS	-	SANITARY SEWER



**APPLICANT:** Eric Larson

**PHONE:** 678-234-7756

**REPRESENTATIVE:** Eric Larson

**PHONE:** 678-234-7756

**TITLEHOLDER:** Eric Larson

**PROPERTY LOCATION:** On the north side of Old Highway 41, southeast of Nowlin Road (3230 Old Highway 41).

**PETITION No.:** V-18

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** R-20

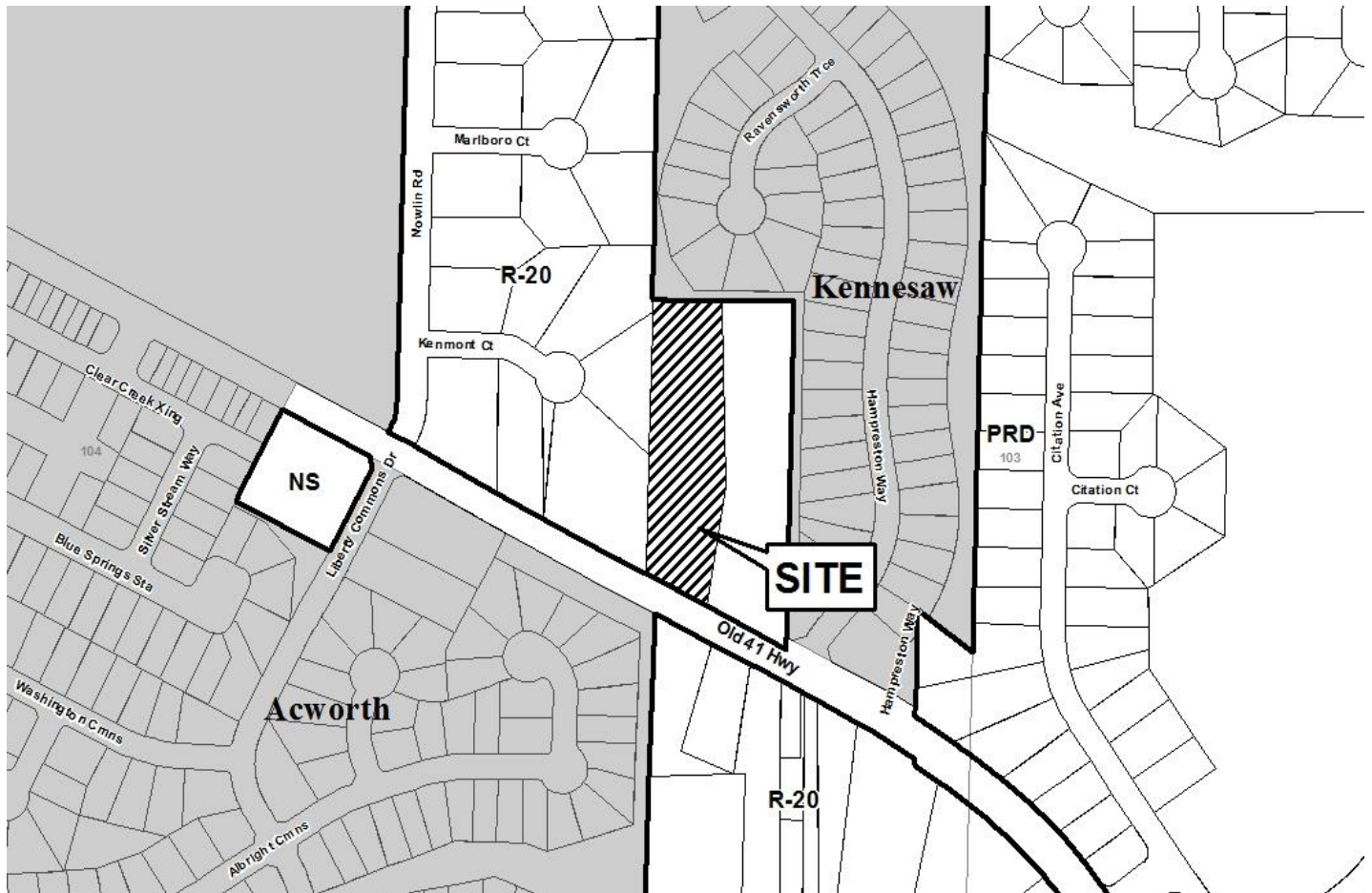
**LAND LOT(S):** 104

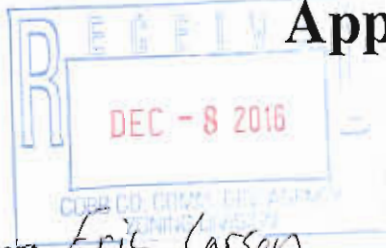
**DISTRICT:** 20

**SIZE OF TRACT:** 1.78 acres

**COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** Waive the setback for an accessory structure over 650 square feet (approximately 1,200 square foot proposed storage building) from the required 100 feet to 30 feet adjacent to the eastern property line and to 83 feet adjacent to the western property line.





# Application for Variance Cobb County

(type or print clearly)

Application No. V-18  
Hearing Date: 2-15-17

Applicant Eric Larson Phone # (678) 234 7756 E-mail e.james.larson@gmail.com

Eric Larson  
(representative's name, printed)

Address 3230 Old 41 Hwy Kennewaw, GA 30144  
(street, city, state and zip code)

[Signature]  
(representative's signature)

Phone # 678 234 7756 E-mail e.james.larson@gmail.com

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: March 24, 2017

Titleholder Eric Larson Phone # [blank] E-mail [blank]

Signature [Signature] Address: [blank]  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: March 24, 2017

Present Zoning of Property R-20

Location 3230 Old 41 Hwy NW Kennewaw, GA 30144  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 104 District 20 Size of Tract 1.78 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 [blank] Shape of Property [blank] Topography of Property [blank] Other ☒

Does the property or this request need a second electrical meter? YES [blank] NO ☒

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:

The setback is too great for 30X40 proposed structure

List type of variance requested: setback allowance for 30X40 storage building (wood structure)



centerline

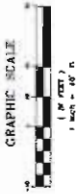
V-19  
(2017)

STE

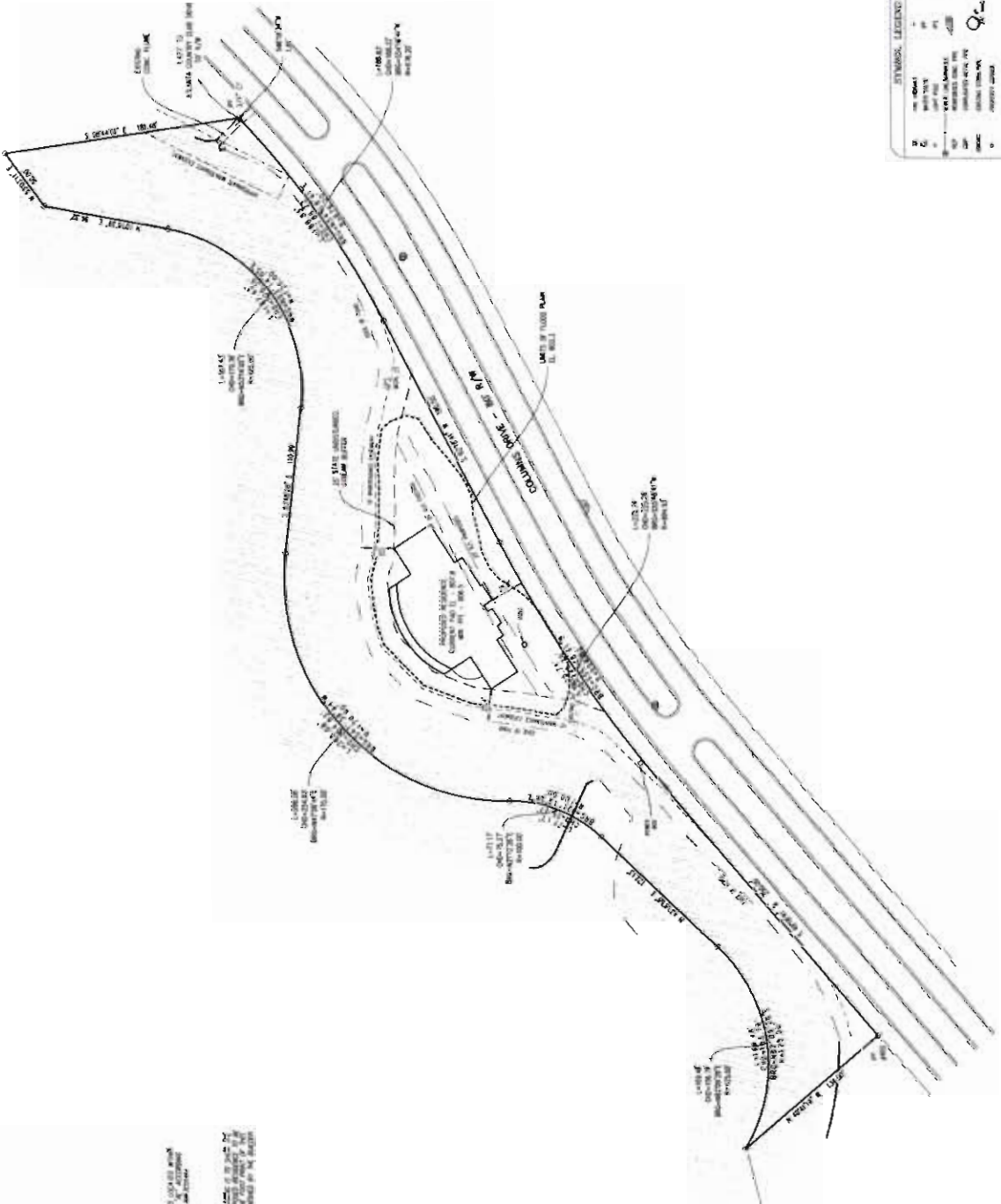
NO.	DATE	REVISION/DESCRIPTION
1	12/8/16	ISSUED FOR REVIEW

PROJECT NO.	17010001
DATE	12/8/16
SCALE	1" = 100'

SHEET NO. 1



SYMBOLS, LEGEND	
1	EXISTING CENTERLINE
2	PROPOSED CENTERLINE
3	PROPOSED RIGHT-OF-WAY
4	PROPOSED EASEMENT
5	PROPOSED DRAINAGE
6	PROPOSED FENCE
7	PROPOSED SIGN
8	PROPOSED LIGHT
9	PROPOSED UTILITY
10	PROPOSED STRUCTURE



REMARKS: ALL DISTANCES TO CENTERLINE

ALL DISTANCES TO RIGHT-OF-WAY

ALL DISTANCES TO EASEMENT

ALL DISTANCES TO DRAINAGE

ALL DISTANCES TO FENCE

ALL DISTANCES TO SIGN

ALL DISTANCES TO LIGHT

ALL DISTANCES TO UTILITY

ALL DISTANCES TO STRUCTURE

**APPLICANT:** Sterling Lyons, LLC

**PHONE:** 404-456-8669

**REPRESENTATIVE:** John H. Moore

**PHONE:** 770-429-1499

**TITLEHOLDER:** Sterling Lyons, LLC

**PROPERTY LOCATION:** On the north side of  
Columns Drive, east of Riverlook Parkway  
(4333 Columns Drive).

**PETITION No.:** V-19

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** R-30

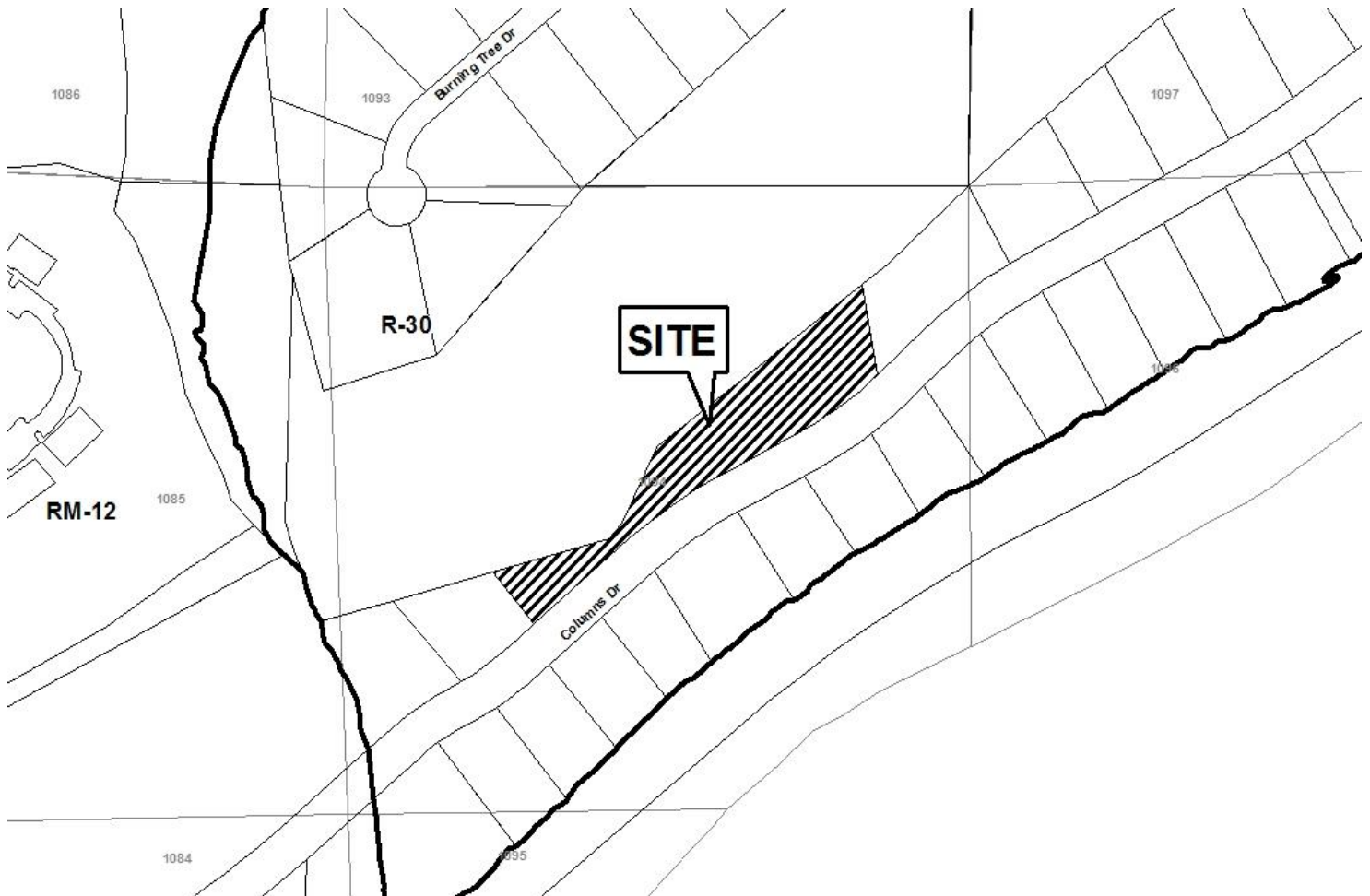
**LAND LOT(S):** 1094

**DISTRICT:** 17

**SIZE OF TRACT:** 2.16 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** Waive the front setback from the required 35 feet (previous variance case V-93 of 2016)  
to 25 feet.





# Application for Variance Cobb County

(type or print clearly)

Application No. V-19 (2017)

Hearing Date: 02/08/2017

2-15-17

Applicant Sterling Lyons, LLC Phone # (404) 456-8669 E-mail stevedison@bellsouth.net  
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street  
John H. Moore Address Marietta, GA 30060  
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Phone # (770) 429-1499 E-mail jmoore@mijs.com  
(representative's signature) Georgia Bar No. 519800

Signed, sealed and delivered in presence of:

My commission expires: January 10, 2019

[Signature]  
Notary Public

Titleholder Sterling Lyons, LLC Phone # (404) 456-8669 E-mail stevedison@bellsouth.net

Signature See Attached Exhibit "A" Address: 4131 Thunderbird Drive, Marietta, GA  
(attach additional signatures, if needed) (street, city, state and zip code) 30067

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

Notary Public

Present Zoning of Property R-30

Location Northwesterly side of Columns Drive; northeasterly of Riverview Drive and  
(street address, if applicable; nearest intersection, etc.) southwesterly of Atlanta  
Country Club Drive

Land Lot(s) 1094 District 17th Size of Tract 2.2± 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 \_\_\_\_\_ Shape of Property X Topography of Property \_\_\_\_\_ Other X

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

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:

See Exhibit "A" attached hereto and incorporated herein by reference.

List type of variance requested: Waiver of required front setback from the thirty-five (35)  
feet to twenty-five (25) feet. (See § 134-196(4)(d)).



V-19  
(2017)  
Exhibit




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

Application No.: V- 19 (2017)  
Hearing Date: ~~February 8, 2017~~  
2-15-16

**Applicant/Titleholder: Sterling Lyons, LLC**


STERLING LYONS, LLC

BY:   
Steven E. Edison  
Member

Address: 4131 Thunderbird Drive  
Marietta, Georgia 30067

Telephone No.: (404) 456-8669

Signed, sealed, and delivered  
in the presence of:

  
Notary Public  
Commission Expires:

(Notary Seal)



V-19  
(2017)  
Exhibit

**EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR VARIANCE**

Application No.: V-19 (2017)  
Hearing Date: ~~February 8, 2017~~  
2-15-16



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

**Applicant/Titleholder: Sterling Lyons, LLC**

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

Sterling Lyons, LLC, as the Applicant and Property Owner (hereinafter collectively "Applicant"), is the owner of a parcel located on the northwesterly side of Columns Drive, northeasterly of Riverview Drive and southwesterly of Atlanta Country Club Drive, in Land Lot 1094, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). The Subject Property is currently zoned to the R-30 zoning classification, and Applicant is proposing to construct one single-family residence upon the Property. Due to the size and shape of the Property; as well as the major portion of the Property being located within the 100 year flood plain area, the buildable area is very limited and irregular in shape. To allow for the construction of a residence which is comparable in quality and square footage of other single-family residences within the Columns Drive and surrounding areas, waiver of the required thirty-five (35) foot front setback variance is necessary. To grant the requested variance and allow the construction of the proposed residence would result in minimal impact, if any at all, upon the Subject Property or any other adjacent or surrounding properties.



WARE ASSOCIATES  
GLENRIDGE 400  
5825 GLENRIDGE DRIVE  
BUILDING 3, SUITE 101-H  
ATLANTA, GA 30328  
PHONE 404.816.9122  
WWW.WAREASSOC.COM

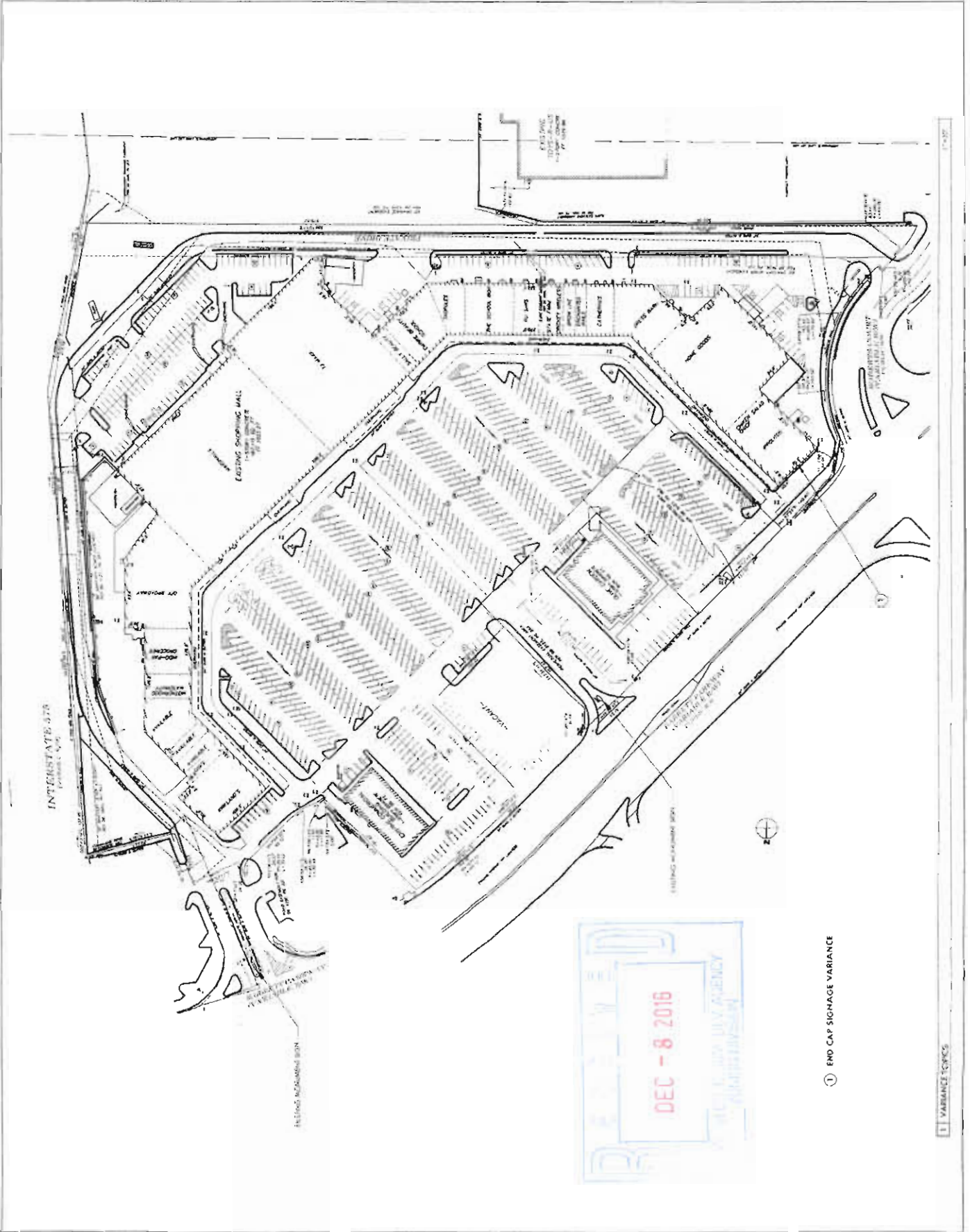
V-20  
(2017)

VARIANCE TOPICS

DATE	1/1/18
PROJECT	101-H
ADDRESS	5825 GLENRIDGE DRIVE
APPLICANT	WARE ASSOCIATES
PREPARED BY	WARE ASSOCIATES



A.1



① END CAP SIGNAGE VARIANCE

1 VARIANCE TOPICS

**APPLICANT:** Town Center Associates

**PHONE:** 770-480-3388

**REPRESENTATIVE:** Gary Wert

**PHONE:** 770480-3388

**TITLEHOLDER:** Town Center Associates

**PROPERTY LOCATION:** On the southeast side of Ernest Barrett Parkway, on the east side of Roberts Court, and on the west side of Interstate 575 (425 Ernest Barrett Parkway).

**PETITION No.:** V-20

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** GC

**LAND LOT(S):** 645

**DISTRICT:** 16

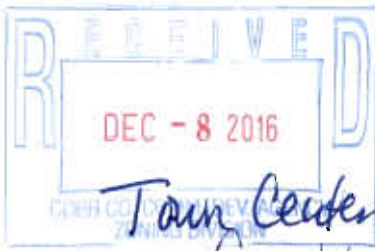
**SIZE OF TRACT:** 18.93 acres

**COMMISSION DISTRICT:** 3

**TYPE OF VARIANCE:** 1) Allow a wall sign to project above the roofline; and 2) waive the maximum sign area of a wall sign from the allowable 160 square feet to 325.5 square feet.







# Application for Variance Cobb County

(type or print clearly)

Application No. V-20  
Hearing Date: 2-15-17

Applicant Tam Center Associates Gary Wort Phone # 770 480 3388 E-mail gary.wort@bell.south.net

Gary Wort Address 4240 Alex Avenue, Cumming GA 30046  
(street, city, state and zip code)

Phone # 770 480 3388 E-mail gary.wort@bell.south.net

Signed, sealed and delivered in presence of:

Janeth W. Shennel  
Notary Public

Titleholder Center Associates Phone # 770 480 3388 E-mail gary.wort@bell.south.net

Signature [Signature] Address: 4240 Alex Avenue Cumming GA 30046  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: for life

Present Zoning of Property GC Commercial

Location 425 Ernest Barrett Parkway Kennesaw GA  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 645 District 16 Size of Tract 18.928 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 18.928 Ac Shape of Property Irregular Topography of Property Stepped Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO ✓

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:

- See Attached -

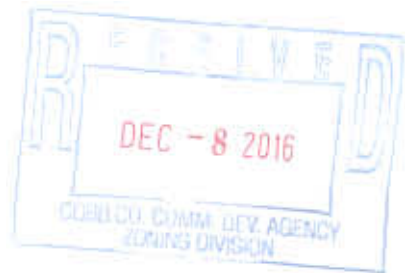
List type of variance requested: Sign Variances

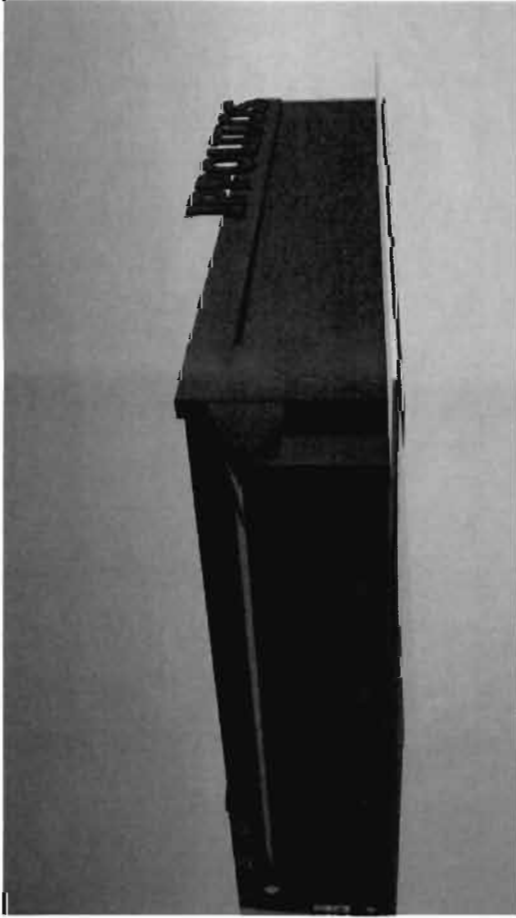


November 11, 2016

Reasons for Ippolitos Sign Variance Request and Hardship Being Addressed:

1. Currently cars or pedestrians travelling towards I-575 along Ernest Barrett Parkway or along Roberts Court only see rooftop HVAC units of Town Center Plaza. Many don't know that there is a tenant behind the granite wall near the intersection of Ernest Barrett Parkway and Roberts Court.
2. Existing shopping center is set back at a considerable distance from Ernest Barrett Parkway and below street grade elevation.
3. With improvements to Roberts Court over the years the stone wall, and later renovations to the wall making it even higher have exacerbated visibility problems and created even more of a tunnel effect for tenants at endcap of shopping center.
4. Limited exposure reduces customer knowledge.
5. Ippolitos and other restaurants looking at endcap unit express continual frustration that they are hidden in the center with limited visibility. Difficulty to lease.
6. Landlord has made significant efforts to modernize the center and improve signage to 2016 standards.
7. At Cobb County Board of Zoning Appeals hearing on May 11, 2016 permission was granted to permit signage in rear of building up to three feet above the roofline. Reason request is now being made to permit the endcap sign for up to six feet above roofline is that three feet would still not create visibility in this specific location.
8. Landlord has had several communications with representatives of Cobb County to design signage that recognizes specific roof top sign restrictions – this application represents a design that Landlord believes respects and conforms to the requests of Cobb County.





1



2

V-20  
(2017)  
Exhibit

TOWN CENTER PLAZA

425 ERNEST BARRETT PKWY  
Kennesaw, GA, USA  
Project No. 11030  
Oct 7, 2016

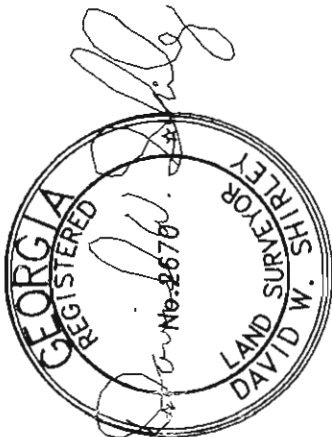


IPPOLLITO'S - 7 FT SIGN

Proposed @ End Cap

The survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67

This plat of survey does require the approval by a governing authority per O.C.G.A 15-6-67(d)



# NOTES:

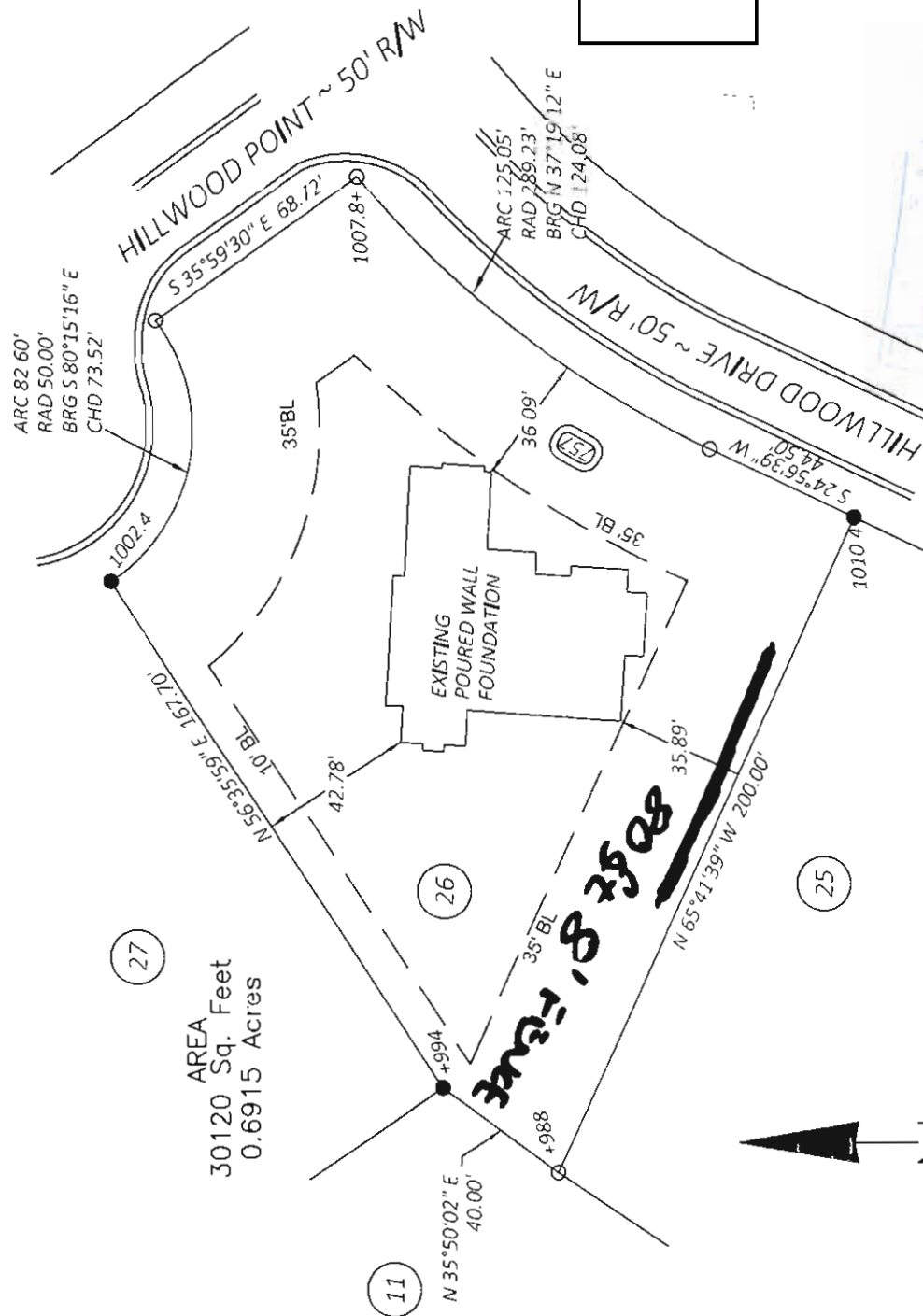
EQUIPMENT = LEICA TS02  
FIELD E/C = 1" IN 22,385'  
COMPASS RULE ADJUSTMENT  
PLAT E/C = 1" IN 141,325'  
CREW = DS & DS  
DRAWN = D.W.S.  
MAP DATE : 02-24-2016  
FIELD DATE: 02-24-2016

PREPARED BY:

**D&S LAND SURVEYING**

33 RED FOX, CANTON, GA. 30114  
770 720-4443 LSF#000765

DRAWING SCALE: 1" = 40'  
GRAPHIC SCALE: 40' 80'



## LEGEND

- IPF AT PROPERTY CORNER
- IPS AT PROPERTY CORNER
- R/W RIGHT OF WAY
- N/F PRESENT OR FORMER OWNER
- IPS IRON PIN SET 1/2" REBAR
- IPF IRON PIN FOUND 1/2" REBAR
- L/L LAND LOT
- BL BUILDING LINE
- E/C ERROR OF CLOSURE
- + XXXX X EXISTING SPOT ELEVATIONS



V-21  
(2017)

FOUNDATION AS-BUILT SURVEY FOR:

**PETER WAGNER**

INDIAN HILLS COUNTRY CLUB  
BLOCK "I", LOT 26, LAND LOT 1042  
DISTRICT 16, SECTION 02  
COBB COUNTY GEORGIA

PROJ. NO. 16-089

DEC 12 2016

**APPLICANT:** Peter Wagner

**PHONE:** 770-329-9792

**REPRESENTATIVE:** Peter Wagner

**PHONE:** 770-329-9792

**TITLEHOLDER:** Peter Wagner and Trine Wagner

**PROPERTY LOCATION:** On the southwest corner  
of Hillwood Drive and Hillwood Point, north of Summit  
Drive  
(4080 Hillwood Point).

**PETITION No.:** V-21

**DATE OF HEARING:** 02-15-2017

**PRESENT ZONING:** R-20

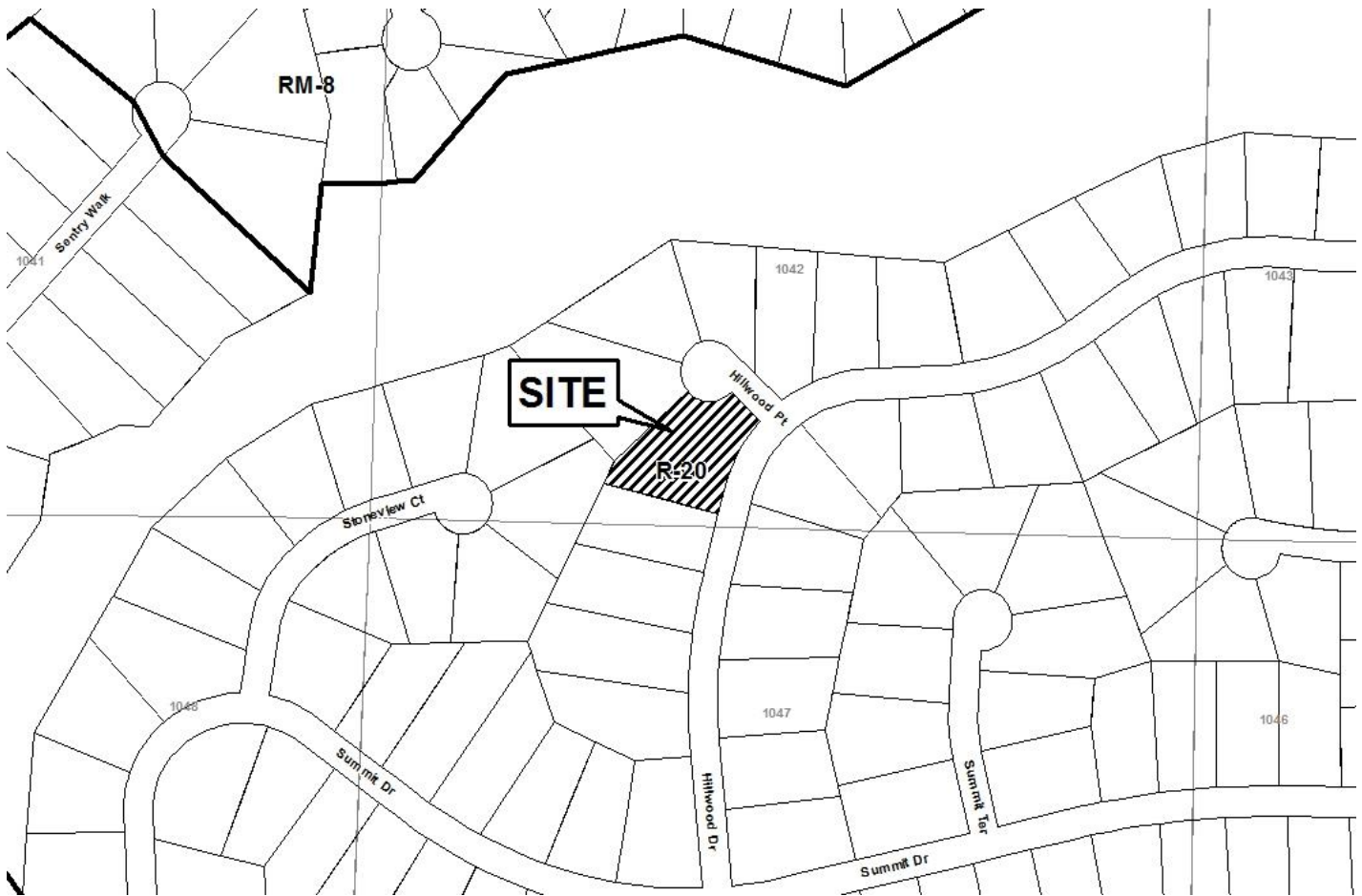
**LAND LOT(S):** 1042

**DISTRICT:** 16

**SIZE OF TRACT:** 0.69 acres

**COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** Waive the maximum allowable height for a fence adjacent to a public road right-of-way  
or to the front or side of a house in a residential district from six (6) feet to eight and one-half (8.5) feet.







# Application for Variance Cobb County

(type or print clearly)

Application No. V-21  
Hearing Date: 2-15-17

Applicant PETER WAGNER Phone # 7703299792 E-mail PETER@BEHA-WAGNER.COM

PETER WAGNER Address 4080 HILLWOOD R., MARIETTA, GA 30068  
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # \_\_\_\_\_ E-mail \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: September 25, 2020

[Signature]  
Notary Public  
CHELSEA YOUNG  
NOTARY PUBLIC  
EXPIRES September 25, 2020  
COBB COUNTY

Titleholder TRINE WAGNER  
PETER WAGNER Phone # 7703299792 E-mail PETER@BEHA-WAGNER.COM

Signature [Signature] Address: 4080 HILLWOOD R., MARIETTA, GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

My commission expires: September 25, 2020

[Signature]  
Notary Public  
CHELSEA YOUNG  
NOTARY PUBLIC  
EXPIRES September 25, 2020  
COBB COUNTY

Present Zoning of Property RESIDENTIAL

Location 4080 HILLWOOD R., MARIETTA, GA 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) PARCEL 16 10420 0160 District 16 Size of Tract 0.69 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 0.69 Shape of Property SEE SURVEY Topography of Property SEE SURVEY Other \_\_\_\_\_

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

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:

PLEASE SEE NEXT PAGE

List type of variance requested: PLEASE SEE NEXT PAGE



## Variance Application

4080 Hillwood Pt., Marietta, GA

Peter and Trine Wagner

### Additional information:



**1) Legal description of property:**

All that tract or parcel of land lying and being in land Lot 1042, 16<sup>th</sup> district, 2<sup>nd</sup> Section, Cobb County, Georgia, being Lot 26, Block 1, Unit Nine, Indian Hills Country Club, as per plat recorded in Plat Book 55, Page 60, Cobb County Records, which plat is incorporated herein by reference and made a part hereof.

**2) List type of variance requested:**

An 80 feet long and 8 ft high privacy fence in the middle section of the property line between 4080 Hillwood Pt and 747 Hillwood Dr. The fence consist of 10 sections each 8 foot long and decorative posts each 4-6 inch higher than fence

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

The need for the privacy fence and the need for having it at 8 ft high is driven by the way the 2 swimming pool areas in 747 Hillwood Drive and 4080 Hillwood Pt is located. The Wolcott's in 747 Hillwood Drive have been very concerned about the loss of privacy it created when all the trees on the neighbor lot were removed in the fall of 2015. With the size and location of the new house at 4080 Hillwood Drive, the deck and the pool deck there is very little privacy left for the Wolcott's who for many years have enjoyed complete privacy in their back yard due to the amount of trees and other vegetation that shielded the view from the neighbor lot.

At 8 ft high the fence restores quite a bit of the lost privacy for the Wolcott's. For the Wagner family on 4080 Hillwood Pt the 8 ft also protects privacy to a high degree. In the Wagner house we have 5 children living at home in the age 4-18 and 2 college students who is at home on and off. With a total of 7 children and the amount of traffic and noise it can create during the pool season the 8ft fence will work much better than a 6 ft fence.

For the younger Wagner family children there will be a trampoline located right next to the fence. Again, the 8 ft height will significantly decrease the amount of noise and visual disturbance from the kids on the trampoline compared to a 6 ft fence.

The Wolcott's have 2 very strong spotlights, one at the corner of the garage and one at the deck. Both spots are pointed directly at the Wagner house with very strong light. The 8 ft fence help

(PW)

shield this light that otherwise will illuminate the whole lower floor from the side plus shine in the eyes wherever you might be around the pool.

Last, and just for reference, a quick tour around the Indian Hills neighborhood showed at least 5 fences on a few roads that were 8 feet tall on the side of the property. Addresses for reference include:

- a. 3959 Sentry Xing, Marietta, GA 30068
- b. 4271 summit Dr, Marietta, GA 30068
- c. 600 Fairway Ct, Marietta, GA 30068
- d. 3565 High Green Dr, Marietta, GA 30068
- e. 3275 Clubland Dr, Marietta, GA 30068



PETER WAGNER



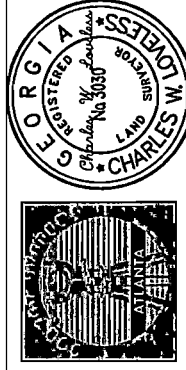
PROPERTY ADDRESS:  
2400 Morgan Rd  
Marietta GA 30066

LAND AREA:  
57788 SF  
1.327 AC

IMPERVIOUS AREA:  
EXST= 6745 SF ~12%

ZONING: R-20  
SCALE 1" = 30'

V-22  
(2017)



SURVEY SYSTEMS & ASSOC., INC.  
657 Lake Drive, Snellville, GA 30039 ~ COA #  
LSF000867 ~ INFO@SURVEYSYSTEMSATLANTA.COM  
OFFICE 404-760-0010  
CELL 770-558-7895 ~ OFFICE 404-760-0010

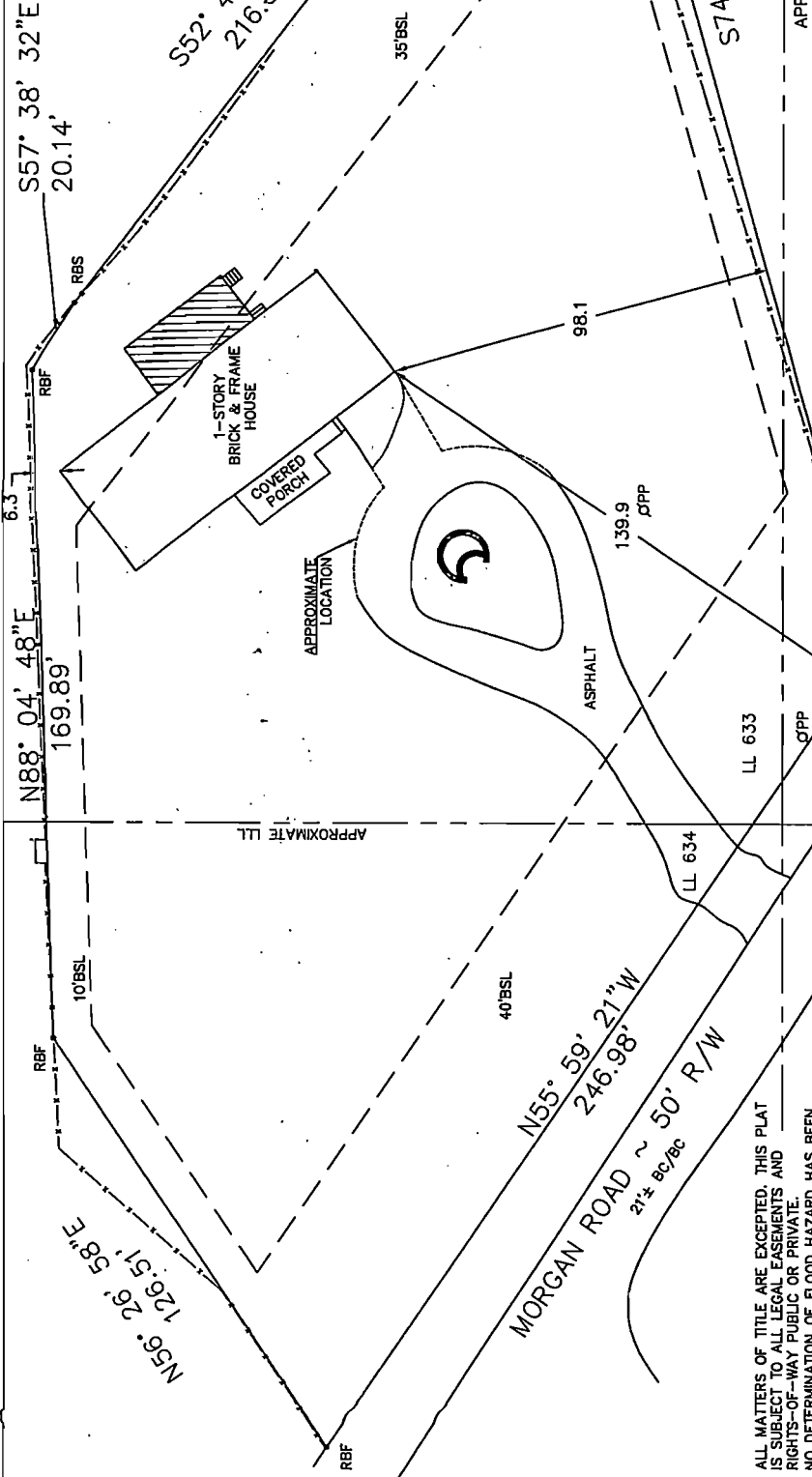
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

PLAT PREPARED FOR:  
Igor Genut

LAND LOT 633, 634 & 664	16th DISTRICT	2nd SECTION	BY:
COBB COUNTY, GEORGIA	FIELD: DATE 11-09-2016	TH	
UNINCORP	DRWN: DATE 11-11-2016	TW	
PLAT BOOK 15310, PAGE 3225	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 197,136 FEET. AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 197,136 FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.			

LEGEND:  
NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.  
AKA ALSO KNOWN AS  
APP AS PER DEED  
BSL BUILDING (SETBACK) LINE  
CP COMPUTED POINT  
CIP CRIMP TOP PIPE FOUND  
DW DRIVEWAY  
EP EDGE OF PAVEMENT  
FTE FINISH FLOOR ELEVATION  
FKA FORMERLY KNOWN AS  
IPP IRON PIN FOUND  
L LAND LOT  
LL LAND LOT LINE  
N NEIGHBOR'S  
N/F NOW OR FORMERLY  
NAIL NAIL FOUND  
P PLAT (BOOK/PAGE)  
POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT  
R RADIUS LENGTH  
R/W RIGHT-OF-WAY  
RBF REINFORCING BAR FOUND  
RBS 1/2" UNO  
SW SIDEWALK  
SSE SANITARY SEWER EASEMENT  
SSCO SANITARY SEWER CLEANOUT  
-X- FENCE LINE

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE. NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.  
NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONFLICT WITH EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.  
THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.  
BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONFLICT WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.



**APPLICANT:** Igor Genut

**PHONE:** Not Given

**REPRESENTATIVE:** Natalya Shimunova

**PHONE:** 404-934-9405

**TITLEHOLDER:** Natalya Shimunova

**PROPERTY LOCATION:** On the east side of  
Morgan Road, directly across from Liberty Hill Road  
(2400 Morgan Road).

**TYPE OF VARIANCE:** Waive the rear setback from the required 35 feet to six (6) feet.

**PETITION No.:** V-22

**DATE OF HEARING:** 02-15-2017

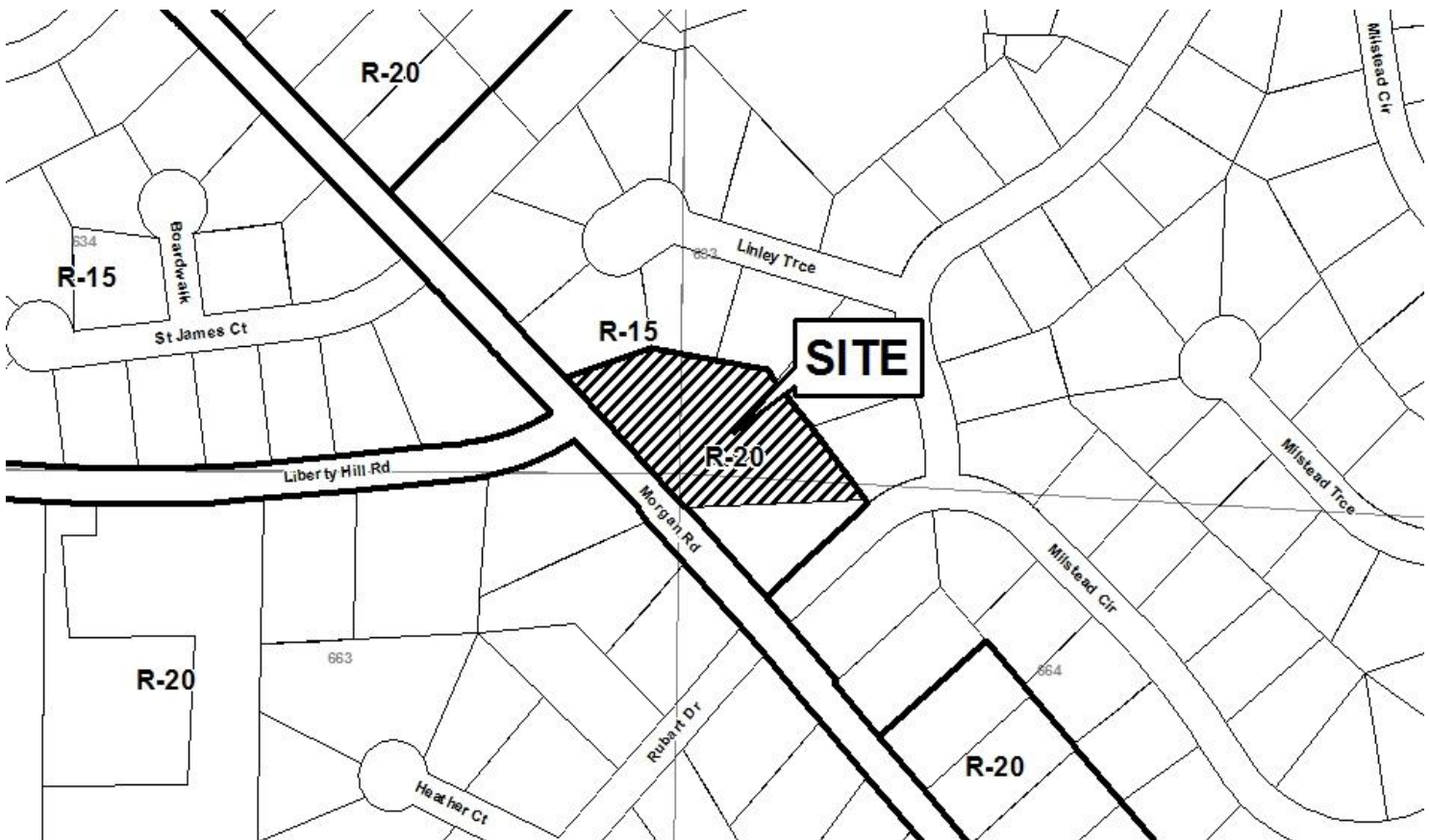
**PRESENT ZONING:** R-20

**LAND LOT(S):** 633, 634, 663, 664

**DISTRICT:** 16

**SIZE OF TRACT:** 1.33 acres

**COMMISSION DISTRICT:** 3





# Application for Variance Cobb County

(type or print clearly)

Application No. V-22  
Hearing Date: 2-15-17

Applicant Tgor Genut Phone # \_\_\_\_\_ E-mail \_\_\_\_\_

Natalya Shimunova Address Glenleaf dr Norcross GA 30092  
(representative's name, printed) (street, city, state and zip code)

[Signature] E-mail natalya7924@gmail.com  
(representative's signature)

My commission expires: July 13, 2020 Signed, sealed and delivered in presence of:  
Jessica R. Henry Notary Public

Titleholder Natalya Shimunova Phone # 404-9405 E-mail natalya7924@gmail.com

Signature [Signature] Address 3400 Morgan Rd Marietta, GA  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: July 13, 2020 Signed, sealed and delivered in presence of:  
Jessica R. Henry Notary Public

Present Zoning of Property \_\_\_\_\_

Location 2400 Morgan Rd Marietta GA 30066  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 633 634 664 District 16 Size of Tract 1.327 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 \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other X

Does the property or this request need a second electrical meter? YES \_\_\_\_\_ NO X

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:

House was build 1965 I want to cover  
back porch

List type of variance requested: Change set back in the back