

COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING *SUMMARY* AGENDA
September 12, 2018

CONTINUED CASES

- V-34** **VININGS JUBILEE PARTNERS, LTD** (Previously continued by Staff from the May 9, June 13, and the July 11, 2018 hearings; continued to the October 10, 2018 Board of Zoning hearing)
- V-65** **HOOVER FOODS, INC** (Previously continued by the Board of Zoning Appeals from the July 11, 2018 to the August 15, 2018 hearing; continued by the Board of Zoning Appeals until their September 12, 2018 hearing; continued by staff until the October 10, 2018 hearing)

CONSENT CASES

- V-74** **JUAN CARLOS HUIZAR**
- V-75** **STEPHEN DAILY AND GRALYN DAILY**
- V-76** **PERCY ZACHARY**
- V-77** **BENJAMIN DAVIS**
- V-78** **CHERYL AMPEL AND PHILLIP AMPEL**
- V-79** **KEITH JENKINS**
- V-80** **TIMOTHY A. HEILIG**
- V-81** **BRANDON THOMAS**
- V-82** **LUCK WATFORD**
- V-83** **MEK BUSINESS PARK, LLC**
- V-84** **MARY CLAIRE RINOSKI AND TY RINOSKI**
- V-85** **BLOMQUIST BUILDERS GROUP**
- V-86** **FISCHER HOMES, ATL, LLP**
- V-87** **CHUCK SPOONER**

COBB COUNTY BOARD OF ZONING APPEALS
VARIANCE HEARING *CONSENT* AGENDA
September 12, 2018

V-74 **JUAN CARLOS HUIZAR** (Juan Carlos Huizar, owner) requesting a variance to waive the rear setback for an accessory structure under 650 square feet (approximately 375 square foot storage building) from the required 35 feet to 17 feet in Land Lot 1138 of the 19th District. Located on the north of Clay Road, east of Flint Hill Road (2262 Clay Road). Staff recommends approval subject to:

- 1. Development & Inspections comments and recommendations.**
- 2. Stormwater Management comments and recommendations.**
- 3. Metal gate to be completed with wooden panels and be painted to match the existing fence.**

V-75 **STEPHEN DAILY AND GRALYN DAILY** (Stephen Daily and Gralyn Daily, owners) requesting a variance to waive the rear setback from the required 30 feet to eight (8) feet in Land Lot 843 of the 16th District. Located on the southeast corner of Chicadee Court and Wood Thrush Way (1486 Wood Thrush Way). Staff recommends approval subject to:

- 1. Stormwater Management comments and recommendations.**

V-76 **PERCY ZACHARY** (Georgia Professional Rental Properties, Inc., owner) requesting a variance to 1) waive the minimum number of parking spaces for a daycare center from the required 20 to 11; 2) waive the front setback from the required 50 feet to 29 feet (existing); and 3) waive the rear setback from the required 30 feet to 11 feet (existing) in Land Lot 224 of the 17th District. Located on the west side of South Cobb Drive, north of Barber Road (1456 South Cobb Drive). Staff recommends approval subject to:

- 1. Traffic comments and recommendations.**
- 2. Fire Department comments and recommendations.**

V-77 **BENJAMIN DAVIS** (Benjamin A. Davis, owner) requesting a variance to waive the setbacks for an accessory structure over 650 square feet (existing approximately 720 square foot metal garage) from the required 100 feet to seven (7) feet adjacent to the west property line and to 40 feet from the rear in Land Lot 730 of the 16th District. Located on the south side of Kingswood Drive, east of Arnold Avenue (2528 Kingswood Drive). Staff recommends approval subject to:

1. Stormwater Management comments and recommendations.

V-78 **CHERYL AMPEL AND PHILLIP AMPEL** (Cheryl L. Zimmerman, owner) requesting a variance to 1) increase the maximum allowable impervious coverage from 35% to 45.6%; and 2) waive the side setback from the required 10 feet to eight (8) feet (existing) adjacent to the east property line in Land Lots 458 and 459 of the 16th District. Located on the north side of Hudson Place Lane, south of Davis Road (3149 Hudson Pond Lane). Staff recommends approval subject to:

1. Stormwater Management comments and recommendations.

V-79 **KEITH JENKINS** (Keith Edward Jenkins, owner) requesting a variance to 1) waive the rear setback for an accessory structure under 650 square feet (existing approximately 400 square foot canopy) from the required 35 feet to one (1) foot; and 2) waive the rear setback for an accessory structure under 144 square feet (existing approximately 96 foot shed) from the required five (5) feet to three (3) feet in Land Lot 160 of the 18th District. Located on the east side of Allen Road, south of Heritage Way (6077 Allen Road). Staff recommends approval.

V-80 **TIMOTHY A. HEILIG** (Pamela J. Otto and Albert J. Otto, owners) requesting a variance to allow an accessory structure (proposed pool) to the side of the principal structure in Land Lot 291 of the 20th District. Located on the north side of New Salem Trace, west of New Salem Road (2374 New Salem Trace). Staff recommends approval subject to:

1. Stormwater Management comments and recommendations.

V-81 **BRANDON THOMAS** (Brandon L. Thomas and Gerri B. Thomas, owners) requesting a variance to 1) waive the front setback from the required 35 feet to 33 feet (existing); 2) waive the side setback from the required 10 feet to nine (9) feet adjacent to the north property line (existing); and 3) waive the required setbacks for an accessory structure over 1,000 square feet (proposed approximately 1,102 square foot garage) from the required 100 feet to 30 feet from the rear, to 15 feet adjacent to the south property line, to 60 feet from the front, and to 75 feet adjacent to the north property line in Land Lot 816 of the 16th District. Located on the east side of Holly Creek Drive, east of Holly Springs Road (2562 Holly Creek Drive). Staff recommends approval subject to:

1. Stormwater Management comments and recommendations.

2. No dwelling or commercial use of the accessory structure.

V-82 **LUCK WATFORD** (Georgia-Alabama Commercial Investments, LLC, owner) requesting a variance to 1) waive the side setback from the required 10 feet to five (5) feet adjacent to the northwest property line; and 2) increase the maximum impervious surface from 80% to a maximum of 95% in Land Lot 650 of the 16th District. Located on the northeast corner of Cobb Place Boulevard and Ernest Barrett Parkway (550 Ernest Barrett Parkway). Staff recommends approval subject to:

1. Traffic comments and recommendations.

2. Site Plan Review comments and recommendations.

3. Stormwater Management comments and recommendations.

V-83 **MEK BUSINESS PARK, LLC** (MEK Business Park, LLC, owner) requesting a variance to 1) waive the front setback from the required 50 feet to 37 feet (existing); and 2) waive the side setback from the required 20 feet to ten feet (existing) in Land Lot 690 of the 17th District. Located at the southern terminus of Wright Drive, south of South Cobb Industrial Boulevard (4806 Wright Drive). Staff recommends approval subject to:

- 1. Development and Inspections comments and recommendations.**

V-84 **MARY CLAIRE RINOSKI AND TY RINOSKI** (Ty W. Rinoski and Mary-Claire Rinoski, owners) requesting a variance to increase the maximum allowable impervious surface from 40% to 45% in Land Lot 227 of the 20th District. Located on the east side of Brookstone Walk, south of Burnt Hickory Road (5866 Brookstone Walk). Staff recommends approval subject to:

- 1. Stormwater Management comments and recommendations.**

V-85 **BLOMQUIST BUILDERS GROUP** (Blomquist Builders Group, Inc., owner) requesting a variance to waive the front setback from 45 feet to 25 feet for lots 16-23 in Land Lot 340 of the 20th District. Located on the east and west sides of Nuttail Lane, north of Catesby Road (22, 12, 3, 13, 23, 33, 43, 53, 63 Nuttail Lane). Staff recommends approval subject to:

- 1. Stormwater Management comments and recommendations.**

V-86 **FISCHER HOMES, ATL, LLLP** (Fischer Homes, ATL, L.L.L.P, owner) requesting a variance to waive the major side setback from the required 20 feet to 17 feet in Land Lot 195 of the 20th District. Located on the southwest corner of Edgehill Way and Clovercroft Road (1995 Clovercroft Road). Staff recommends approval.

V-87 **CHUCK SPOONER** (Plateau Excavation, Inc., owner) requesting a variance to 1) waive the front setback for proposed Tract 2 from the required 50 feet to 27 feet (existing); and 2) waive the minor side setback for proposed Tract 2 from the required 20 feet to 13 feet (existing) in Land Lots 596 and 601 of the 18th District. Located at the northwest intersection of Lee Industrial Boulevard and Delta Circle (7330 Delta Circle). Staff recommends approval subject to:

- 1. For the existing buildings only, as shown on the site plan received by the Zoning Division on July 24, 2018.**

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.

**COBB COUNTY BOARD OF ZONING APPEALS
APPEAL HEARINGS AGENDA
September 12, 2018**

NOTICE OF APPEAL HEARING

September 12, 2018

Cobb County Board of Zoning Appeals

Notice is hereby given that a Special Called Meeting/Appeal Hearing of the Board of Zoning Appeals will be held immediately following the regularly scheduled monthly BZA Hearing on Wednesday, September 12, 2018, at 2:00 p.m., or if the BZA hearing is still ongoing, immediately following the BZA hearing. The BZA shall consider the Appeal to determine if a public nuisance exists due to tall grass and weeds (A-05-2018) filed by Jason Metteer pertaining to the decision of Community Development Code Enforcement Division, to issue a Notice of Violation for grass and weeds exceeding 12 inches in height located in Land Lot 825 of the 16th District (1710 Pine Road, Marietta GA, 30062). This appeal hearing will be conducted in the Commissioners' Meeting Room located on the second floor in Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. **(THIS CASE WAS CONTINUED FROM THE AUGUST 15, 2018 HEARING DATE AT THE REQUEST OF JASON METTEER)**

NOTICE OF APPEAL HEARING

September 12, 2018

Cobb County Board of Zoning Appeals

Notice is hereby given that a Special Called Meeting/Appeal Hearing of the Board of Zoning Appeals ("BZA") will be held immediately following a previously scheduled Appeal Hearing (Jason Metteer – A-05-2018) of the BZA on Wednesday, September 12, 2018, at 2:30 p.m., or if the previously scheduled Appeal Hearing (Jason Metteer – A-05-2018) is still ongoing, then immediately following that Appeal Hearing. The BZA shall consider the Appeal of Fred Hanna (A-06-2018) pertaining to the decision by Brent Farrell, Community Development Code Enforcement Officer, to issue a Notice of Violation for grass and weeds exceeding 12 inches in height located in Land Lot 470 of the 16th District (3088 Waterfront Drive). This appeal hearing will be conducted in the Commissioners' Meeting Room located on the second floor in Cobb County Building A, 100 Cherokee Street, Marietta, Georgia.