

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

**CONTINUED CASE**

**V-129**      **HILL ROAD, LLC** *(Continued by Staff until the January 9, 2019 hearing; therefore, this case will not be heard on December 12, 2018)*

**CONSENT CASES**

**V-115**      **DONNA NORTINGTON**  
**V-116**      **JOSEPH BREITBACH AND STEPHANIE BREITBACH**  
**V-117**      **MATT ROWND**  
**V-119**      **PHILLIP FENDER**  
**V-120**      **CHASTAIN POINT, LLC**  
**V-121**      **CHABAD LUBAVITCH OF COBB, INC.**  
**V-122**      **RICHARD HAYMORE**  
**V-123**      **SUNTRUST BANK**  
**V-124**      **JOHNNY R. MERA**  
**V-125**      **JACOB CROSSLEY AND JOY CROSSLEY**  
**V-126**      **DUNCAN LAND INVESTMENTS, LLC**  
**V-128**      **AVI MOYAL**  
**V-130**      **HAROLD BRANDON DAMPIER**

**REGULAR CASES**

**V-118**      **MICHAEL L. ACREE**  
**V-127**      **DUNCAN LAND INVESTMENTS, LLC**

**OTHER BUSINESS**

Adoption of Resolution for establishment of dates, time, and place of the Board of Zoning Appeals Variance Hearings for 2019.

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

**V-115**      **DONNA NORTINGTON** (Donna Northington, owner) requesting a variance to reduce the front setback from the required 35 feet to 28 feet in Land Lot 697 of the 17<sup>th</sup> District. Located on the south side of Westwood Circle at the southern terminus of Anderson Drive (2016 Westwood Circle). Staff recommends approval subject to:

1. Stormwater Management comments.

**V-116**      **JOSEPH BREITBACH AND STEPHANIE BREITBACH** (Joseph Breitbach and Stephanie Breitbach, owners) requesting a variance to 1) reduce the setback for an accessory structure over 650 square feet (approximately 960 square foot garage) from the required 100 feet to 30 feet adjacent to the east property line; and 2) allow an accessory structure (approximately 960 square foot garage) to be located in front of the principal building in Land Lot 153 of the 19<sup>th</sup> District. Accessed by private drive from the west side of Poplar Springs Road, north of Pickens Road (970 Poplar Springs Road). Staff recommends approval.

**V-117**      **MATT ROWND** (Matthew M. Rownd and Sandra M. Rownd, owners) requesting a variance to 1) reduce the rear setback for an accessory structure under 650 square feet (approximately 600 square foot rear carport) from the required 35 feet to eight (8) feet; 2) reduce the side setback for an accessory structure under 650 square feet (approximately 260 square foot front carport) from the required 10 feet to four (4) feet adjacent to the north property line; and 3) allow an accessory structure (approximately 260 square foot front carport) to be located to the side of the principal building in Land Lot 185 of the 16<sup>th</sup> District. Located on the east side of Wood Creek Drive, south of Fox Creek Drive (4310 Wood Creek Drive). Staff recommends approval subject to:

1. Stormwater Management comments.
2. Sewer comments.
3. The Cobb County Water System to approve the final location of the carport.

**V-119**      **PHILLIP FENDER** (Jeremiah Scot Christopher and Alison Lynn Chistopher, owners) requesting a variance to 1) allow accessory structures (existing approximately 578 square foot barn and existing approximately 900 square foot garage) to be located to the front of the principal building; 2) reduce the setbacks for an accessory structure under 650 square feet (existing approximately 578 square foot barn) from the required 40 feet to 35 feet adjacent to the front property line and from the required 10 feet to nine (9) feet adjacent to the northern side property line; 3) reduce the side setback for an accessory structure over 650 square feet (existing approximately 900 square foot garage) from the required 100 feet to 52 feet adjacent to the northern side property line; and 4) allow parking and/or maneuvering on a non-hardened and treated surface (existing gravel drive) in Land Lots 505 and 506 of the 19<sup>th</sup> District. Located on the east side of Old Lost Mountain Road, on the north and west side of Gaydon Road (2461 Old Lost Mountain Road). Staff recommends approval.

**V-120**      **CHASTAIN POINT, LLC** (Chastain Point, LLC, owner) requesting a variance to increase the height of a wall from the maximum of six (6) feet in front or to the side of a building in a nonresidential district to 18 feet and eight (8) feet in Land Lot 135 of the 20<sup>th</sup> District. Located at the northeast intersection of Duncan Road and Chastain Road (1365 Chastain Road). Staff recommends approval subject to:

1. Traffic comments.

**V-121**      **CHABAD LUBAVITCH OF COBB, INC.** (Chabad Lubavitch of Cobb, Inc., owner) requesting a variance to reduce the side setback from the required 50 feet to 30 feet adjacent to the west property line in Land Lot 1116 of the 16<sup>th</sup> District. Located on the south side of Lower Roswell Road, east of Fairfield Drive (4450 Lower Roswell Road). Staff recommends approval subject to:

1. Stormwater Management comments.
2. Fire Department comments.

**V-122**      **RICHARD HAYMORE** (Richard Haymore, owner) requesting a variance to reduce the rear setback from the required 30 feet to ten feet in Land Lot 394 of the 16<sup>th</sup> District. Located on the southwest corner of Singing Post Lane and Nettle Lane (3545 Nettle Lane). Staff recommends approval subject to:

1. Traffic comments.
2. Stormwater Management comments.

**V-123**      **SUNTRUST BANK** (New Plan Excel Realty Trust, owner) requesting a variance to 1) reduce the amount of required parking; 2) increase the maximum allowable impervious surface limitation; 3) increase the allowable signage; and 4) allow an accessory structure (remote ATM) to be located in front of the principal building in Land Lots 1028 and 1029 of the 16<sup>th</sup> District. Located on the northwest corner of East Lake Parkway and Roswell Road (2197 Roswell Road). Staff recommends approval.

**V-124**      **JOHNNY R. MERA** (Johnny R. Mera, owner) requesting a variance to reduce the minimum number of parking spaces from 20 to eight (8) in Land Lots 1163 and 1206 of the 19<sup>th</sup> District. Located on the east side of Austell Powder Springs Road, south of Oak Street (5099 Austell Powder Springs Road). Staff recommends approval subject to:

1. Traffic comments.
2. Additional parking to meet county standards.
3. Maximum of 14 children in the daycare.

**V-125**      **JACOB CROSSLEY AND JOY CROSSLEY** (Jacob A. Crossley, owner) requesting a variance to reduce the rear setback for an accessory structure under 650 square feet (approximately 335 square foot playhouse) from the required 35 feet to 18 feet in Land Lot 315 of the 20<sup>th</sup> District. Located on the east side of Sherbrook Court, north of Lake Somerset Drive (260 Sherbrook Court). Staff recommends approval.

**V-126**      **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC, owner) requesting a variance to reduce the front setback from the required 35 feet to 25 feet (to be added to rear setback) for proposed lots 1 through 7 in Land Lot 207 of the 16<sup>th</sup> District. Located on the south side of Hawkins Store Road, northwest of Wellington Drive (510 and 530 Hawkins Store Road). Staff recommends approval subject to:

1. Stormwater Management comments.
2. Rear setbacks to be 45'.

**V-128**      **AVI MOYAL** (Kira Mondrus-Moyal and Avi Moyal, owners) requesting a variance to 1) reduce the major side setback from 25 feet to 19 feet; and 2) reduce the side setback from 10 feet to nine (9) feet adjacent to the east property line in Land Lot 758 of the 16<sup>th</sup> District. Located on the southeast corner of Bishop's Green Drive and Kenwyck Court (4200 Kenwyck Court). Staff recommends approval.

**V-130**      **HAROLD BRANDON DAMPIER** (Harold and Maryellen E. Brandon Dampier, owners) requesting a variance to 1) Increase the size of an accessory structure (existing, expanded garage) from 480 square feet (per stipulation of V-14 of 2015) to 650 square feet; and 2) allow an accessory structure with living area (existing, expanded garage) to be attached to the house with an open breezeway in Land Lot 119 of the 20<sup>th</sup> District. Located on the on the east side of Battlefield Creek Drive, north of Dallas Highway (384 Battlefield Creek Drive). Staff recommends approval subject to:

1. No dwelling or commercial use of the structure.

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.