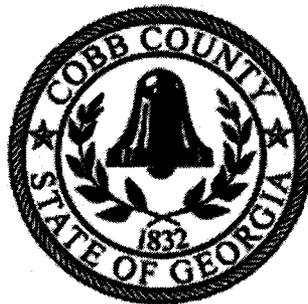


# **PRELIMINARY VARIANCE ANALYSIS**

**HEARING DATE: May 14, 2008**

**DUE DATE: April 11, 2008**

Distributed: March 20, 2008



*Cobb County... Expect the Best!*





# Application for Variance Cobb County

(type or print clearly)

Application No. V-35

Hearing Date: 5-14-08

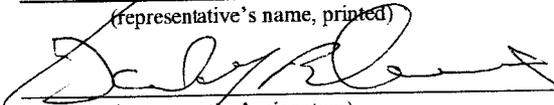
Applicant David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678 622 5669

David & Katrina Blauvelt

Address 1545 Holcomb Lake Road, Marietta, GA 30062

(representative's name, printed)

(street, city, state and zip code)



Business Phone 770-384-5103

Cell Phone 678-358-3874

(representative's signature)

Signed, sealed and delivered in presence of:

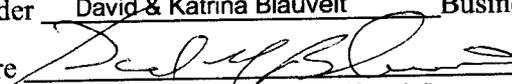
Notary Public, Cobb County, Georgia  
My commission expires My Commission Expires February 3, 2011



Notary Public

Titleholder David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678-622-5669

Signature



Address: 1545 Holcomb Lake Road, Marietta, GA 30062

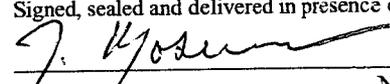
(attach additional signatures, if needed)

(street, city, state and zip code)

Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

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



Notary Public

Present Zoning of Property R30

Location 1545 Holcomb Lake Road, Marietta, GA 30062, off of Scufflegrit

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

Land Lot(s) 809 District 16th Size of Tract 1.40 acres 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.

historical farmhouse

Size of Property 1.40 acres Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

To build an accessory structure - a garage- to the side of the primary structure . The garage would accomodate two cars.

The detached garage would be in character with the primary, historic home. It would look like an old-fashioned garage/carriage house.

The style would be in keeping with historic Marietta.

We request a maximum size of 810 square feet as the garage is on 1.40 acres. Drawing shows 650 sq ft garage.

The location is in the middle of the property, farther than all of the required setbacks.

List type of variance requested:

Variance to build a maximum 810 sq.ft. detached garage to the side of the primary structure.

Drawing shows 650 sq ft garage -- the patio on the back would be closed in for an additional 160 sq ft of storage for tools etc.

See Exhibit A

# Application for Variance Cobb County

(type or print clearly)

Application No. U-35

Hearing Date: 5-14-08

Applicant David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678 622 5669

David & Katrina Blauvelt Address 1545 Holcomb Lake Road, Marietta, GA 30062  
(representative's name, printed) (street, city, state and zip code)

[Signature]  
(representative's signature)

Business Phone 770-384-5103 Cell Phone 678-358-3874

Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

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

[Signature]

Notary Public

Titleholder David & Katrina Blauvelt Business Phone 770-384-5103 Home Phone 678-622-5669

Signature [Signature] Address: 1545 Holcomb Lake Road, Marietta, GA 30062  
(attach additional signatures, if needed) (street, city, state and zip code)

Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

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

[Signature]

Notary Public

Present Zoning of Property R30

R-30

Location 1545 Holcomb Lake Road, Marietta, GA 30062, off of Scufflegrit  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 809 P1 District 16th Size of Tract 1.3 Acres ~~1.40 acres~~ 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. No room to move existing barn behind the house.

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

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. This variance request is for an existing barn on the property that was built circa 1910. The barn is 16.4 feet from the road. We would like to save this post and beam structure that is now becoming unique to our area.

We would like to use it as a art/craft studio/workshop for ourselves and our two daughters.

Moving the existing barn further back on the property would be cost prohibitive and would cause an economic hardship.

Use of the barn as a studio would be incidental to the permitted R-30 zoning.

This use would not impact the neighborhood as it is an existing building with rural character.

List type of variance requested: \_\_\_\_\_

Zoning variance for an existing structure that is in front of the primary structure.

Footprint as drawn is the same as the original barn.

see Exhibit B

Revised: December 6, 2005

Use of the barn as a studio would be incidental to the permitted R-30 zoning.





233 Cowley Circle  
Atlanta, Georgia  
30309

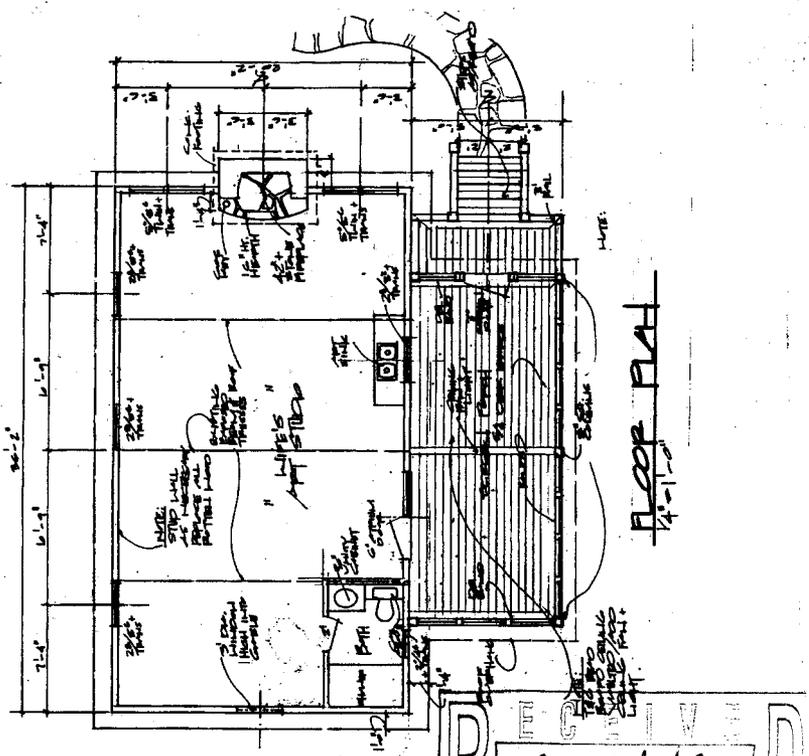
REV	DATE	DESCRIPTION

ISSUED FOR	DATE	DESCRIPTION

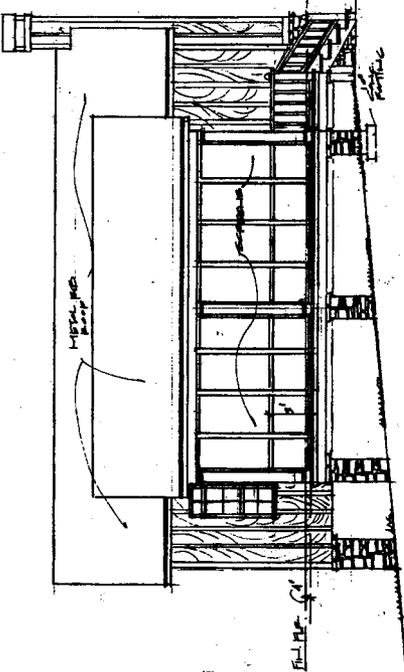
Sheet Title  
 EXHIBIT B  
 ART STUDIO

Drawn	CHKD	APPROVED	DATE
JOB NO.			

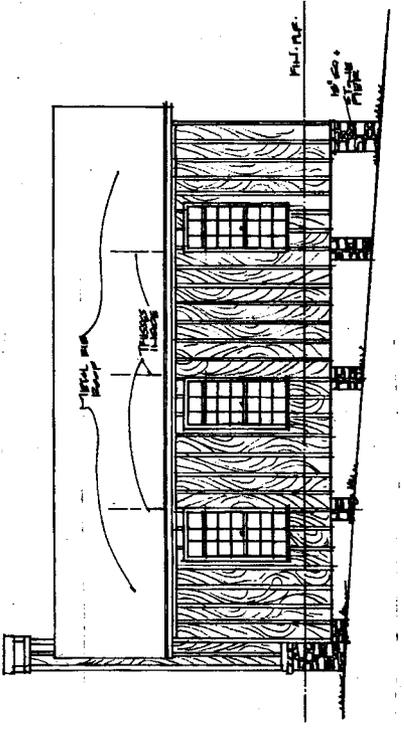
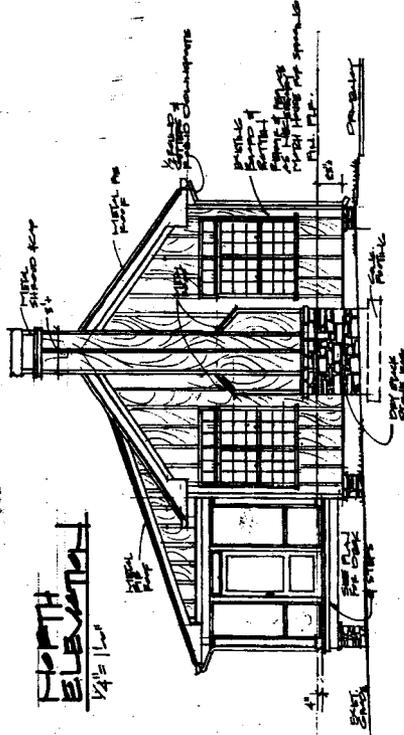
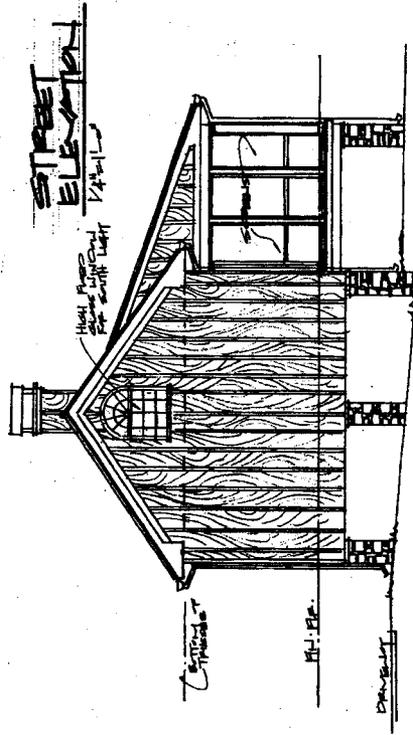
Sheet 2 of 3



Art studio/ Barn  
 FEB 27 2008  
 Exhibit "B"  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



FRONT ELEVATION  
 1/4" = 1'-0"



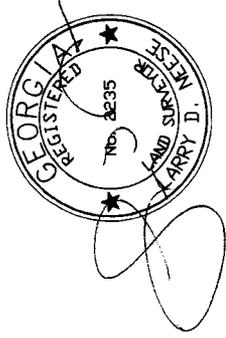
REAR ELEVATION  
 1/4" = 1'-0"

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS, MAP NO. 13067C 0855 F., DATED AUGUST 18, 1992.

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 2.1" PER ANGLE POINT AND WAS ADJUSTED USING COMPEASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 300,000 FEET. EQUIPMENT UTILIZED: ANGULAR SOKKIA SETBOR LINEAR SOKKIA SETBOR

UNLESS OTHERWISE SHOWN THERE ARE NO NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500 FEET OF THIS PROPERTY.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.



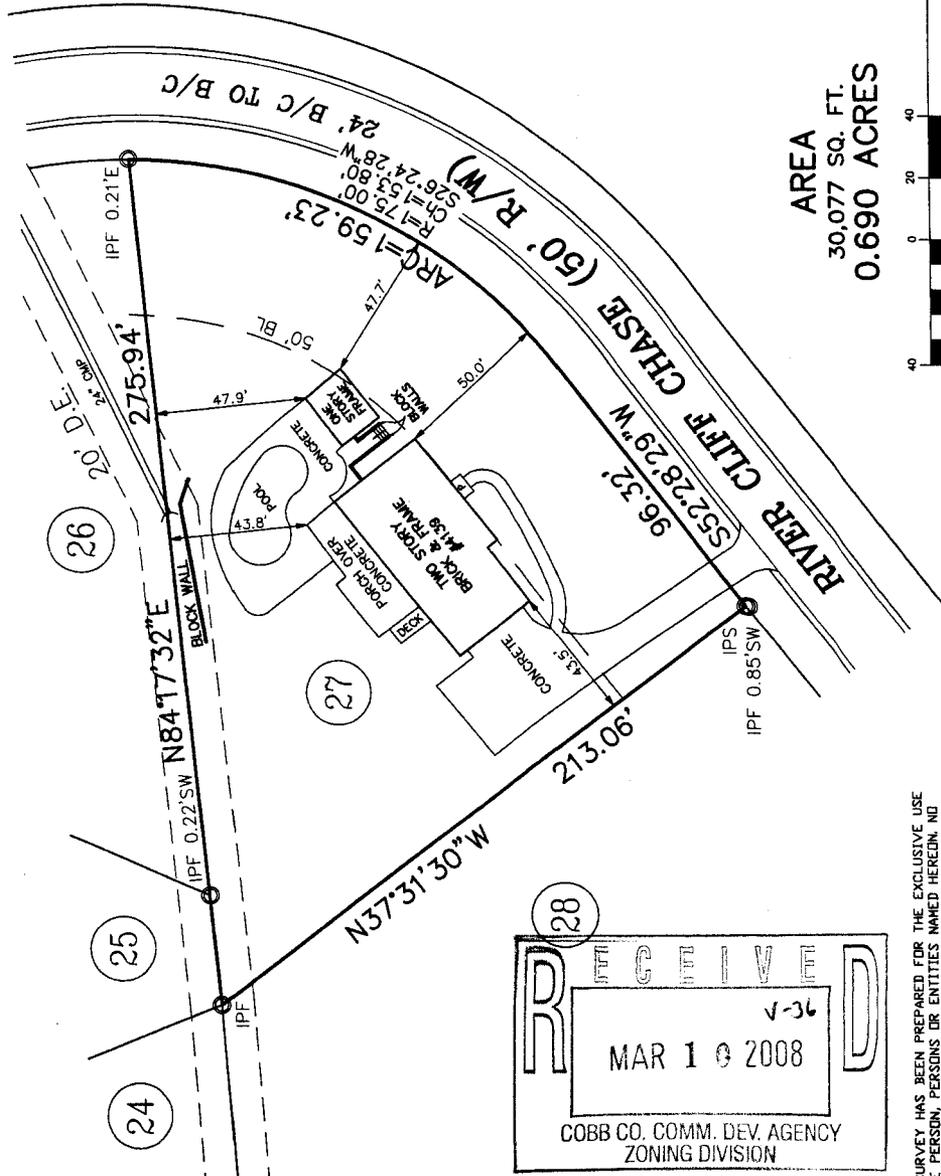
**WEST GEORGIA SURVEYORS, INC.**  
 ENGINEERS PLANNERS SURVEYORS  
 731 Sandtown Road  
 Marietta, Georgia 30008  
 770-428-2122  
 FAX: 770-422-9178

LARRY D. NEESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2235.  
 CURSED IS HE WHO MOVES HIS NEIGHBOR'S BOUNDARY  
 MARK, AND ALL THE PEOPLE SHALL SAY, "AMEN". Deut. 27:17

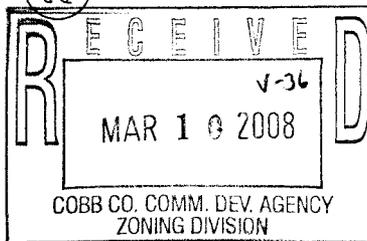
LOT SURVEY FOR

**STEPHEN E. & BETSY M. PAGANUCCI**

REVISIONS	
LOT 27, RIVERMILL SUBDIVISION	
UNIT ONE, SECTION TWO, BLOCK A	
PLAT BOOK -- 74	PAGE -- 72
LAND LOT -- 1258	CC LT
DISTRICT -- 16th	Dwn MS
COUNTY -- COBB	SECTION -- 2nd
STATE -- GEORGIA	Chkd LDN
DATE -- MARCH 6, 2008	SCALE -- 1"=40'
	FILE: 08-0026



AREA  
 30,077 SQ. FT.  
 0.690 ACRES



THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITIES NAMED HEREON. NO EXPRESSED OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY OTHER PERSON, PERSONS OR ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR. SURVEY PERFORMED WITHOUT THE BENEFIT OF CURRENT TITLE REPORT.

V-36



# Application for Variance Cobb County

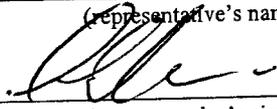
(type or print clearly)

Application No. V-36

Hearing Date: 5-14-08

Applicant STEPHEN PAGANUCCI Business Phone 404 392 2507 Home Phone 770 541 6844

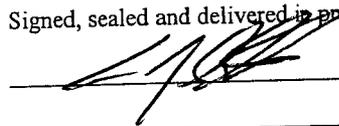
STEPHEN PAGANUCCI Address 4139 RIVER CLIFF CHASE, MARIETTA, GA  
(representative's name, printed) (street, city, state and zip code) 30067

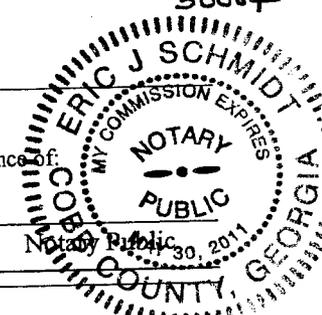


(representative's signature)

Business Phone 404 392 2507 Cell Phone \_\_\_\_\_

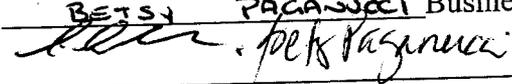
Signed, sealed and delivered in presence of:



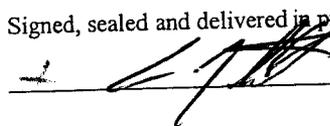


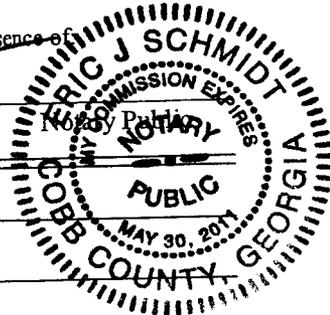
My commission expires: 5/30/2011

Titleholder STEPHEN PAGANUCCI Business Phone 404 392 2507 Home Phone 770 541 6844  
BETSY PAGANUCCI

Signature  Address: 4139 RIVER CLIFF CHASE, MARIETTA 30067.  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:





My commission expires: 5/30/2011

Present Zoning of Property R-30

Location 4139 RIVER CLIFF CHASE  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1258 District D35 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 \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

REQUESTING THE CONSTRUCTION OF A POOL HOUSE THAT WILL BE LOCATED TO THE RIGHT OF THE HOME. HOMEOWNER WAS IGNORANT THAT VARIANCE WAS NEEDED AND THE MAJORITY OF CONSTRUCTION WAS COMPLETED. THE STRUCTURE WAS BUILT AROUND SITE OF EXISTING POOL FLUATION EQUIPMENT. THE POOL IS LOCATED TO THE RIGHT OF THE HOME, IN FULL VIEW OF THE STREET. THE POOL HOUSE WOULD PROVIDE NECESSARY PRIVACY TO BATHERS.

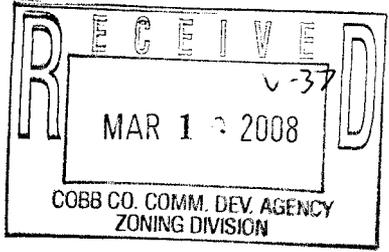
List type of variance requested: ALLOW AN ACCESSORY STRUCTURE TO THE SIDE OF THE PRIMARY STRUCTURE

BAKER'S FARM 50' R/W

CHD = 61.15'  
S 69° 13' 00" E  
RAD. = 50.00'

V-37

NOTE:  
THIS RESIDENCE  
IN THE STATED  
AREA.



580.0' ALONG  
BAKER'S  
R/W - 50' R/W

50' W  
0'

(21)

(19)

20' DEPT

BL

ADDITION

ADDITION

11.6' TIE

6 FT. YETBACK

S 16° 45' 30" W  
174.40'

MEADOW  
R/W

SITE PLAN

1" = 30' - 0"

40'

ASPHALT

35.6'

47.9'

CUL DE SAC  
UNIT TWO

FOR:  
**TAYLOR**  
BLOCK "A"  
BAKER'S FARM  
58 17TH DIST. 2ND SECT.  
COUNTY, GEORGIA  
60' DATE AUG. 12, 1992

APPROX. LOCAL  
FLOOD LINE

BL VARIES

S 18° 30' 30"  
285.40

REVISED &  
DEC 10, 2

PARTE  
COCHERE

2 STY. FRAME  
GARAGE / APT.

S 77° 22' 6"  
115.00

REF. PB 77, PG. 74



**APPLICANT:** Christopher E. Williams      **PETITION NO.:** V-37  
**PHONE:** 770-433-2282      **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same      **PRESENT ZONING:** R-30  
**PHONE:** same      **LAND LOT(S):** 958  
**PROPERTY LOCATION:** Located on the south side of Baker's Farm Road, east of Atlanta Road (2970 Baker's Farm Road).      **DISTRICT:** 17  
**TYPE OF VARIANCE:** Waive the side setback from the required 12 feet to 6 feet adjacent to the western property line on lot 20.      **SIZE OF TRACT:** 1  
**COMMISSION DISTRICT:** 2

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED PETITION NO. SPOKESMAN

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_



# Application for Variance Cobb County

(type or print clearly)

Application No. V-37  
Hearing Date: 5-14-08

Applicant Christopher E. Williams Business Phone 770-433-2282 Home Phone 404-352-4616

Christopher E Williams Address 2970 Bakus Farm Rd  
(representative's name, printed) (street, city, state and zip code)

Christopher E Williams Business Phone 770-433-2282 Cell Phone \_\_\_\_\_  
(representative's signature)

Notary Public, Douglas County, Georgia

My commission expires: My Commission Expires July 7, 2010

Signed, sealed and delivered in presence of:

Shirley C. Chastain  
Notary Public

Titleholder Christopher E Williams Business Phone 770-433-2282 Home Phone 404-352-4616

Signature Christopher E Williams Address: 2970 Bakus Farm Rd  
(attach additional signatures, if needed) (street, city, state and zip code)

Notary Public, Douglas County, Georgia

My commission expires: My Commission Expires July 7, 2010

Signed, sealed and delivered in presence of:

Shirley C. Chastain  
Notary Public

Present Zoning of Property R-30

Location 2970 Bakus Farm Rd Atlanta, GA 30339  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 958 P10 District 17 Size of Tract 1 Acre(s)

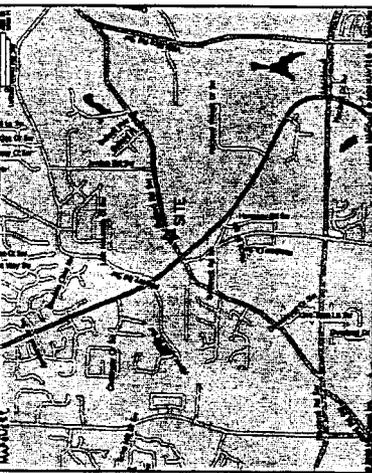
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

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

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

List type of variance requested: REDUCTION OF WEST SIDEYARD FROM 12 FT REQUIRED TO 6 FT. FOR A RESIDENTIAL ADDITION WAIVE THE SIDE SETBACK FROM REQUIRED 12 FT TO 6 FT ADJACENT TO THE WESTERN PROPERTY LINE ON LOT 20



CARLTON RAKESSTRAW & ASSOCIATES  
 REGISTERED LAND SURVEYORS  
 2203 MARBETTA HIGHWAY, DALLAS, GEORGIA 30157  
 770 - 443 - 2200

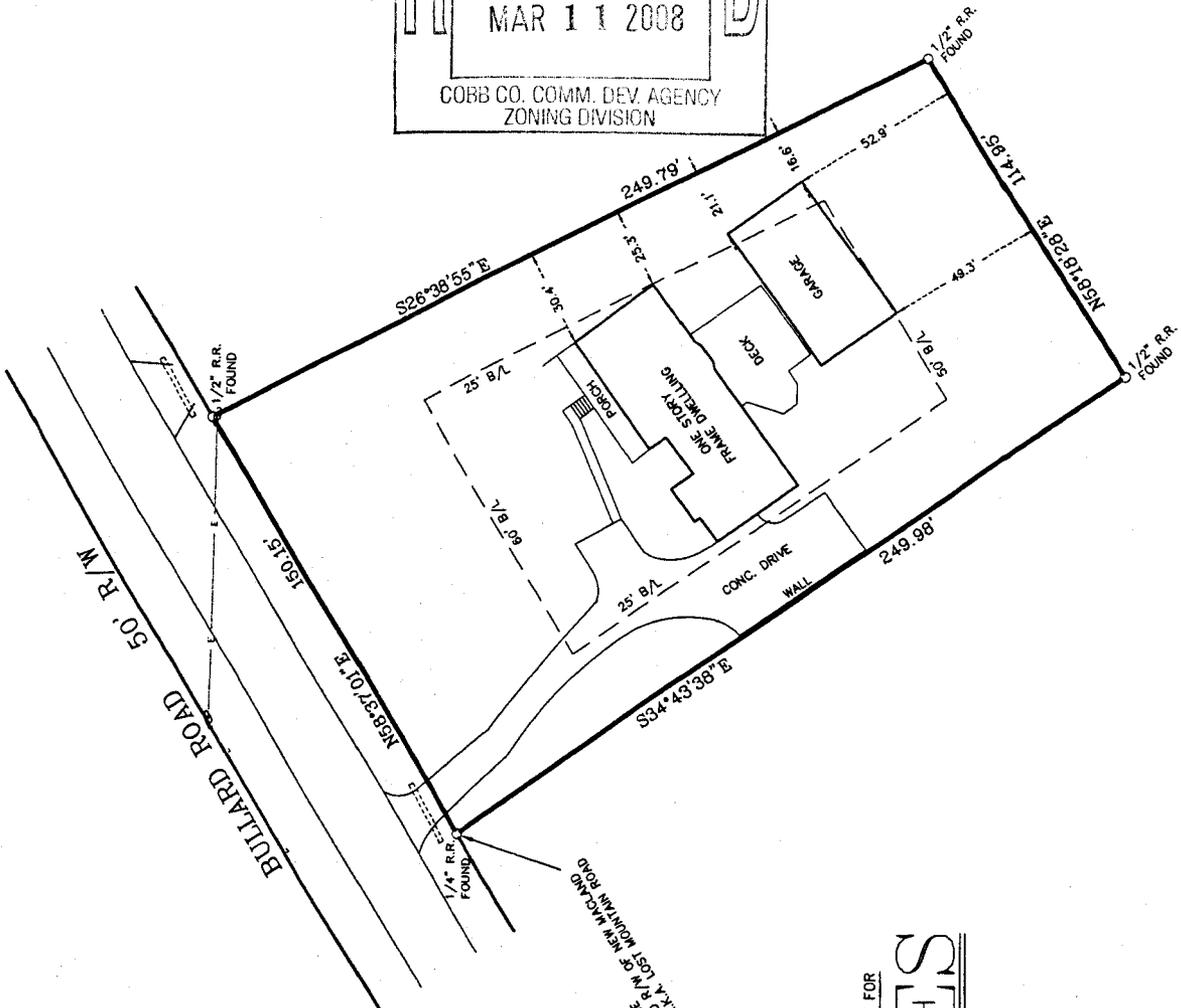
**V-38**

LAND LOT 308  
 COB

PROJECT NO. - 08-021  
 PLOT FILE - 08-021.DWG  
 DATE - 03/11/08



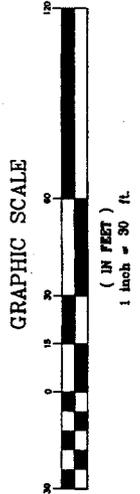
**RECEIVED**  
 MAR 11 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



BOUNDARY INFORMATION WAS BASED ON PLAT OF SURVEY FOR JOE EDWARD SLAY PREPARED BY CARLTON RAKESSTRAW & ASSOCIATES, INC. ON MAY 8, 1987, RECORDED AT PLAT BOOK 11, PAGE 50. THIS INFORMATION DOES NOT REPRESENT A BOUNDARY SURVEY BY CARLTON RAKESSTRAW & ASSOCIATES AT THIS DATE. THE PURPOSE OF THIS PLAT IS TO SHOW THE AS-BUILT LOCATION OF IMPROVEMENTS ON SUBJECT PROPERTY.

PLAT TO ACCOMPANY APPLICATION FOR ZONING VARIANCE FOR

**GARY JONES**



**APPLICANT:** Gary L. Jones **PETITION NO.:** V-38  
**PHONE:** 770-262-4848 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** R-80  
**PHONE:** same **LAND LOT(S):** 309  
**PROPERTY LOCATION:** Located on the south side of **DISTRICT:** 19  
Bullard Road, east of Lost Mountain Road **SIZE OF TRACT:** .75 acre  
(1585 Bullard Road). **COMMISSION DISTRICT:** 1

**TYPE OF VARIANCE:** Waive the setback for an accessory structure over 1,000 square feet (1,500 square foot work shop/garage) from the required 100 feet to 16 feet adjacent to the eastern property line, 49 feet adjacent to the southern property line and 55 feet adjacent to the western property line.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED PETITION NO. SPOKESMAN

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Application for Variance Cobb County

(type or print clearly)

Application No. V-38

Hearing Date: 5-14-08

Applicant *[Signature]* Business Phone 770-262-4848 Home Phone \_\_\_\_\_  
Gary L. Jones  
(representative's name, printed) Address \_\_\_\_\_  
(street, city, state and zip code)

*[Signature]* Business Phone 1 Cell Phone \_\_\_\_\_  
(representative's signature)

My commission expires: Oct 4<sup>th</sup>, 2010  
Signed, sealed and delivered in presence of: *[Signature]* Notary Public

Titleholder *[Signature]* Business Phone 770-262-4848 Home Phone \_\_\_\_\_  
Signature *[Signature]* Address: 1585 Bullard Rd. Powder Springs, Ga. 30127  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: Oct 4<sup>th</sup>, 2010  
Signed, sealed and delivered in presence of: *[Signature]* Notary Public

Present Zoning of Property R-80  
Location 1585 BULLARD ROAD  
(street address, if applicable; nearest intersection, etc.)  
Land Lot(s) 309 District 13 Size of Tract .75 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 \_\_\_\_\_

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.

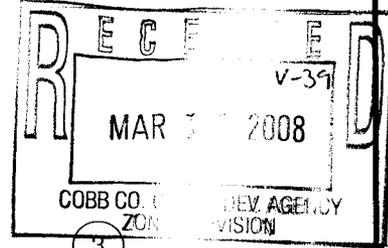
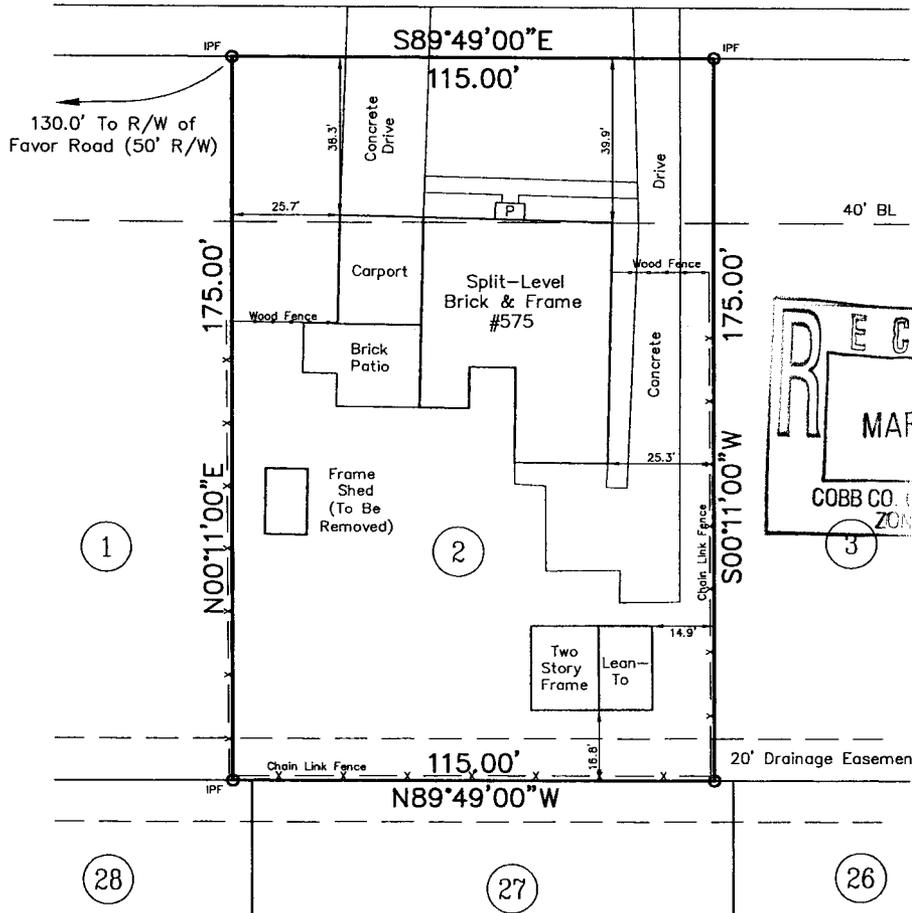
The garage (wood shed) was built in the location due to the  
drain field that I was not aware of until I started building it  
this is a history of my side 1976. I want her to make it I  
could not have a shop on the property.

List type of variance requested: SETBACK FOR ACCESSORY STRUCTURE

V-39

# White Oak Drive

26' Pavement



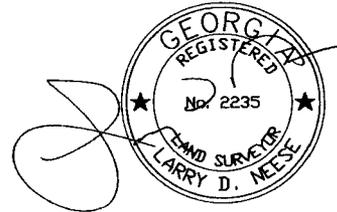
THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS. MAP # 13067C0070 F. DATED August 18, 1992

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24,787 FEET AND AN ANGULAR ERROR OF 1.7 " PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 400,210.0 FEET.

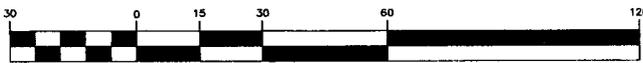
EQUIPMENT UTILIZED: ANGULAR SokkiaSet60R  
LINEAR SokkiaSet60R

UNLESS OTHERWISE SHOWN THERE ARE NO NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500 FEET OF THIS PROPERTY. ALL MATTERS PERTAINING TO TITLES ARE EXCEPTED. LARRY D. NEESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2235.



**TOTAL AREA**  
**20,125.0 SQ. FT.**  
**0.462 Acres**

### GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITIES NAMED HEREON. NO EXPRESSED OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY OTHER PERSON, PERSONS OR ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR. SURVEY PERFORMED WITHOUT THE BENEFIT OF CURRENT TITLE REPORT.

SURVEY FOR:

## Donald R. Barbee

CURSED IS HE WHO MOVES HIS NEIGHBOR'S BOUNDARY MARK, AND ALL THE PEOPLE SHALL SAY, "AMEN". Deut. 27:17

Lot 2 Block B Unit Two	REVISIONS --
White Oak Farms Subdivision	
PLAT BOOK 27	PAGE 91
LAND LOT: 90	CC: LT
DISTRICT: 17th	SECTION : 2nd
COUNTY: Cobb	CHKD: LDN
STATE: Georgia	SURVEY/2008
DATE: March 5, 2008	SCALE : 1"=30'
	JOB: 08-0027

### WEST GEORGIA SURVEYORS, INC.

731 Sandtown Road  
Marietta, Georgia 30008  
(770) 428-2122  
FAX: (770) 422-9178



# Application for Variance Cobb County

(type or print clearly)

Application No. V-39

Hearing Date: 5-14-08

Applicant Donald R BARBEE Business Phone 770/313-0329 Home Phone 770/801-8967  
[Signature] Address 575 WHITE OAK DR. SW MARIETTA GA 30160  
(representative's name, printed) (street, city, state and zip code)

Donald R BARBEE Business Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
(representative's signature)

My commission expires: Aug 23, 2008



Signed, sealed and delivered in presence of:  
[Signature] Notary Public

Titleholder Donald R + Carol T BARBEE Business Phone 770/313-0329 Home Phone 770/801-8967  
Signature [Signature] Address 575 WHITE OAK DR. SW MARIETTA GA 30160  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: Aug 23, 2008



Signed, sealed and delivered in presence of:  
[Signature] Notary Public

Present Zoning of Property R-20 R-20

Location 575 WHITE OAK DR. SW MARIETTA 30160 (1 Block off FAVOR RD)  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 90 District 1774 Size of Tract 374.462 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 \_\_\_\_\_

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.

① I didn't realize I need a permit to build a storage building before I built it, now moving it would be difficult. ② The purpose for the larger building is to eliminate 2 smaller buildings.

List type of variance requested: WAVE THE REAR SETBACK FOR AN ACCESSORY STRUCTURE OVER 144 SQ FT FROM REQUIRED 35 FT TO 16 FT ON LOT 2



**APPLICANT:** Majestic Lantern Ridge, LLC                      **PETITION NO.:** V-40  
**PHONE:** 770-455-3101                                                      **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** Mark Nelkin                                      **PRESENT ZONING:** RM-12  
**PHONE:** 770-455-3101                                                      **LAND LOT(S):** 1134, 1171  
**PROPERTY LOCATION:** Located at the southeastern              **DISTRICT:** 16  
intersection of Roswell Road and the 120 Loop                      **SIZE OF TRACT:** 12.098 acres  
(1810 Roswell Road).                                                              **COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the front setback from the required 75 feet to 50 feet; 2) waive the side setback from the required 35 feet to 20 feet adjacent to the western property line and the side setback adjacent to the eastern property line from the required 35 feet to 25 feet; 3) waive the rear setback from the required 40 feet to 20 feet; and 4) allow an accessory structure (existing metal building plus a dumpster pad) to the front of the primary structure.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED      PETITION NO.      SPOKESMAN

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

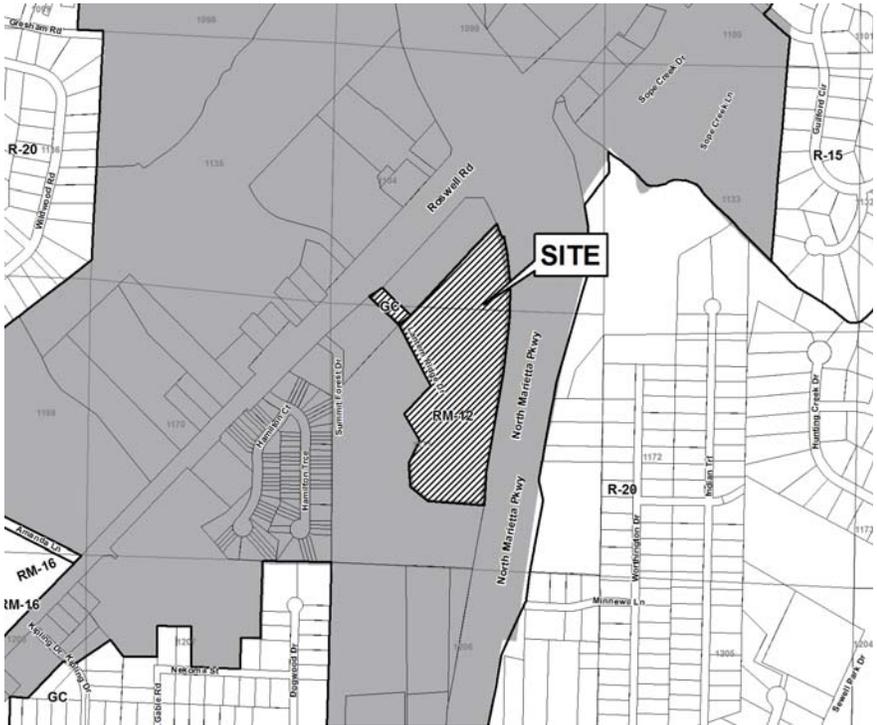
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

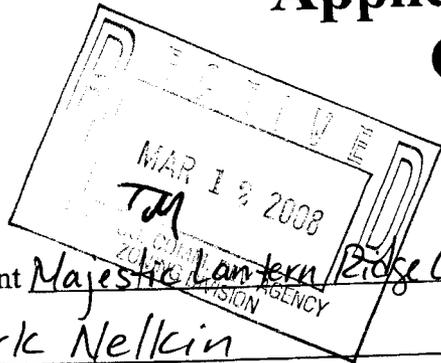
**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Application for Variance Cobb County



(type or print clearly)

Application No. V-40  
Hearing Date: 5-14-08

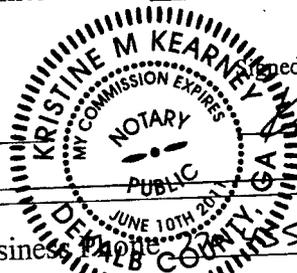
Applicant Majestic Lantern Ridge LLC Business Phone 770 455 3101 Home Phone 770 455 3101

Mark Nelkin Address 8335 Jett Ferry Rd Atlanta GA 30350  
(representative's name, printed) (street, city, state and zip code)

*[Handwritten signature of Mark Nelkin]*  
(representative's signature)

Business Phone 770 455 3101 Cell Phone 678 508 0275

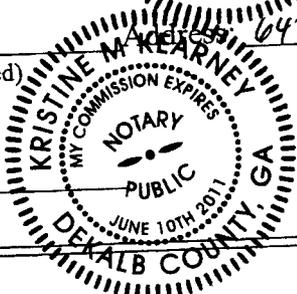
My commission expires: June 10<sup>th</sup> 2011  
SIGNED, SEALED AND DELIVERED IN PRESENCE OF: *[Signature]* Notary Public



Titleholder Majestic Lantern Ridge LLC Business Phone 770 455 3101 Home Phone \_\_\_\_\_

Signature *[Handwritten signature]* 6477 Peachtree Ind. Blvd. Ste C Doraville GA 30360  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: June 10<sup>th</sup> 2011  
SIGNED, SEALED AND DELIVERED IN PRESENCE OF: *[Signature]* Notary Public



Present Zoning of Property RM-12

Location 1810 Roswell Rd Marietta GA 30062  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 113 4/4 1171 District 16<sup>th</sup> Size of Tract 12.098 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 \_\_\_\_\_

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.

WE WILL NOT BE ABLE TO PUT A  
ROOF COVER OVER THE DECKS TO PREVENT  
ROT & WATER PENETRATION INTO PATIO DOORS.

List type of variance requested: SETBACK FOR FRONT SIDE DECK

REFERENCE  
 PLAT BOOK 54 PAGE 201

Platted 5/17/1972

NO. PO  
 LIES V  
 100 Y

**V-41**

ED

**LEGEND**

- IPS=IRON PIN SET
- IPF=IRON PIN FOUND
- CL=CENTER LINE
- BL=BUILDING LINE
- N/F=NOW OR FORMERLY
- MH=MAN HOLE
- S=SANITARY
- P=POWER
- W=WATER
- G=GAS
- X-=FENCE
- BC=BACK OF CURB
- WM=WATER METER
- WV=WATER VALVE
- PB=POWER BOX
- GM=GAS METER
- SSE=SANITARY SEWER ESM'T
- DE=DRAINAGE ESM'T
- ESM'T=EASEMENT
- CB=CATCH BASIN
- HW=HEAD WALL
- DI=DROP INLET
- JB=JUNCTION BOX
- LLL=LAND LOT LINE

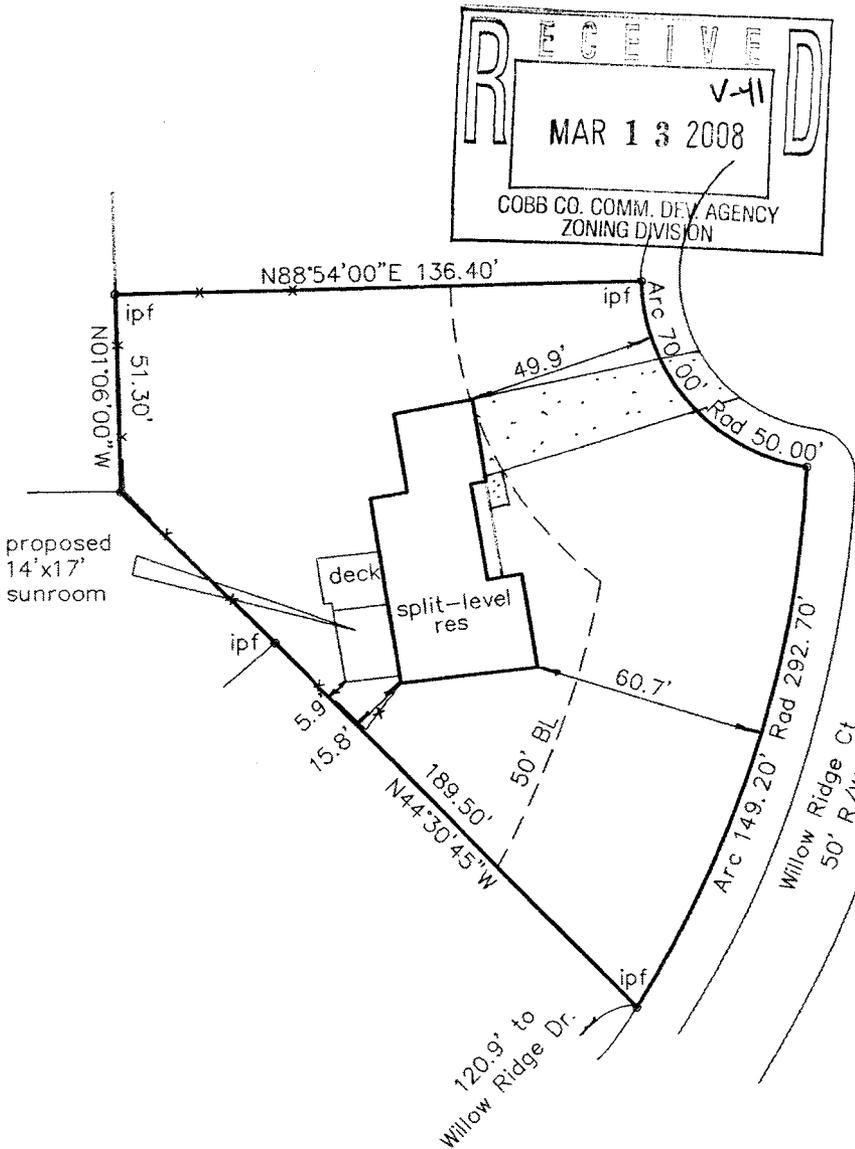
MAG  
N



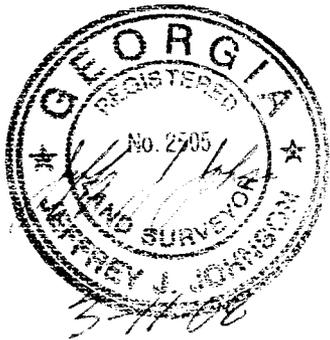
THE FIELD DATA WHICH THIS SURVEY IS BASED HAS A PRECISION OF ONE FOOT IN  $\frac{1}{10000+}$  FEET AND A ANGULAR ERROR OF  $\frac{1}{3}$  PER ANGLE POINT

THE PLAT CLOSURE IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN  $\frac{1}{10000+}$  FEET

EQUIPMENT USED: TOPCON GTS-2



**RECEIVED**  
 V-41  
**MAR 13 2008**  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED

*Jeffrey J. Johnson*

JEFFREY J JOHNSON R.L.S. 2505

survey for

Champion Window Co.

**JOHNSON SURVEYING**

804 Peachtree Forest Ave.  
 Norcross Ga. 30092  
 678-557-1449

LAND LOT 1057  
 DISTRICT 17, Sec. 2  
 Cobb County, Ga.  
 Willow Ridge  
 Block B  
 Lot 8  
 725 Willow Ridge Ct

DATE: 3-11-08

SCALE: 1"=50'

JOB NO: 08-27



# Application for Variance Cobb County

(type or print clearly)

Application No. V-41

Hearing Date: 5-14-08

Applicant Champion Windows (Andy Burton) Business Phone 770 454 7323 Home Phone 678 410 6724

Andy Burton Address 3700 DeKalb Tech Pkwy Atlanta GA 30340  
(representative's name, printed) (street, city, state and zip code)

[Signature] Business Phone 770 454 7323 Cell Phone 678 410 6724  
(representative's signature)

My commission expires: March 2<sup>nd</sup> 2012

Signed, sealed and delivered in presence of:  
[Signature]  
Notary Public

Titleholder SHARON F. TUCKER Business Phone 678-594-8267 Home Phone 770-971-8695

Signature [Signature] Address: 725 Willow Ridge Ct. Marietta, GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: October 13, 2011

Signed, sealed and delivered in presence of:  
Lynn A. Hulleher  
Notary Public

Present Zoning of Property R-20

Location 725 Willow Ridge Court Marietta GA 30068  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1057 (P) 62 District 16 Size of Tract 1/4? Acre(s)

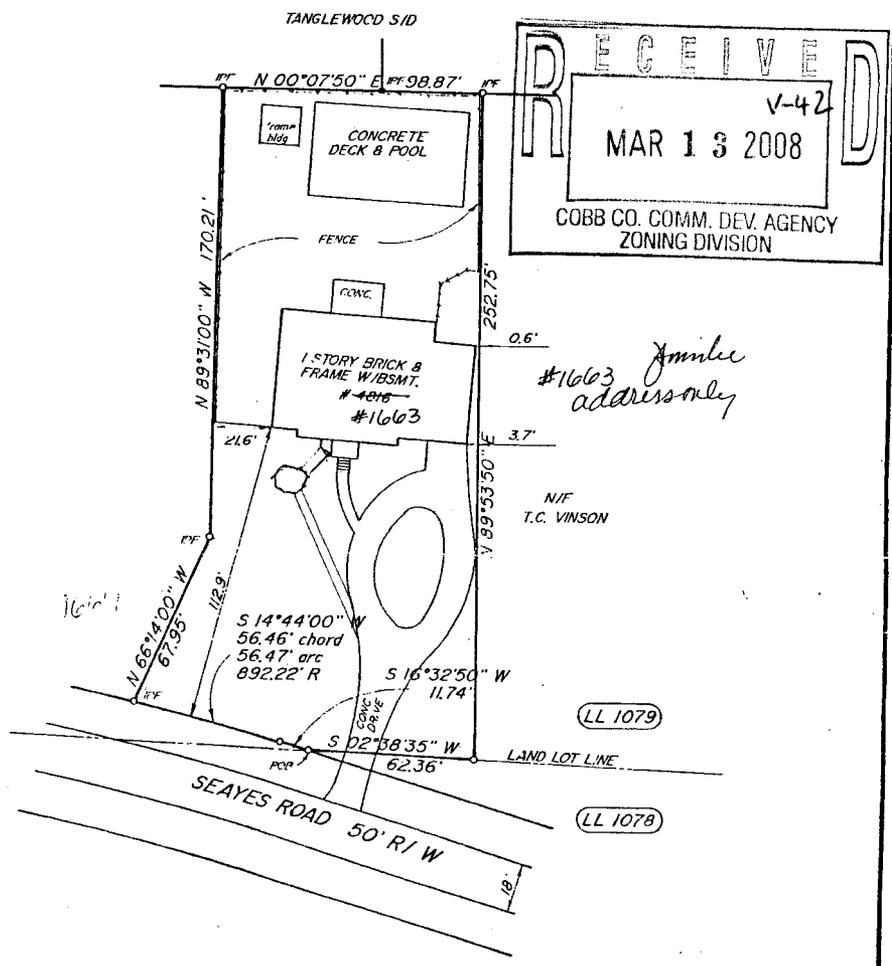
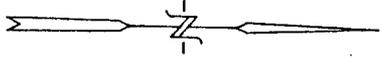
Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property 1/4? Shape of Property Gen-Tri Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

Homeowner has severe allergies that require her to be indoors the majority of times.

List type of variance requested: Encroach side setback 4.1' feet to reduce setback to 5.9' feet from 10' feet.



**RECEIVED**  
 V-42  
 MAR 13 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

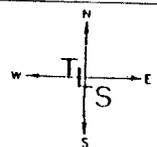
*#1663 family address only*

LL 1079

LL 1078

REFERENCE DB 8722 PG 57

THIS PROPERTY IS NOT LOCATED WITHIN AN F.I.A. FLOOD HAZARD ZONE.



**TRU-LINE SURVEYING INC.**  
 1074 Wind Hill Lane  
 Marietta, Ga 30064  
 Office (404) 919-8732  
 Fax (404) 919-8731



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE SURVEYING STATUTES AND REGULATIONS OF THE STATE OF GEORGIA.

SURVEY FOR	
LYLE R. MATTHEWS & SUSAN M. MATTHEWS	
1663 SEAYES Rd, Mableton, Ga 30126	
LAND LOT: 1079	SCALE: 1" = 40'
DISTRICT: 19th	DATE: 07/25/96
SECTION: 2nd	DRAWN BY: WEC
COUNTY: COBB	CHECKED BY: KC
STATE: GEORGIA	JOB NO. FT62 96/259



# Application for Variance Cobb County

(type or print clearly)

Application No. U-42  
Hearing Date: 5-14-08

Applicant Lyles R. MATTHEWS Business Phone 678-245-2259 Home Phone 770-819-5472

Address \_\_\_\_\_  
(representative's name, printed) (street, city, state and zip code)

[Signature] Business Phone + Cell Phone \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:  
[Signature] Notary Public

My commission expires: 4/11/2009

Titleholder Lyles R. Matthews / Susan M. Matthews Business Phone 678-245-2259 Home Phone 770-819-5472

Signature [Signature] Address: 1663 SEAYES ROAD Marietta, GA 30066  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:  
[Signature] Notary Public

My commission expires: 1/11/2009

Present Zoning of Property R-20

Location 1663 SEAYES ROAD  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1079 (P) 71 District 19 Size of Tract .38 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 \_\_\_\_\_

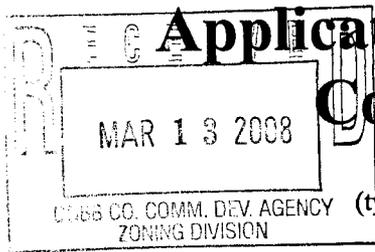
The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance.

My wife, daughter, and I are the caregivers for my 86 years old mother. My mother is primarily wheelchair bound. We need to construct a handicap ramp from our front porch to the driveway to allow us to get her from the house to the car. Without a ramp my mother will be primarily homebound. We also wish to construct a Gazebo that the ramp will pass through so that she can enjoy the outdoors on warm pleasant days.

List type of variance requested: ALLOW AN ACCESSORY STRUCTURE (PROPOSED GAZEBO) TO THE FRONT OF THE PRIMARY STRUCTURE.







# Application for Variance Cobb County

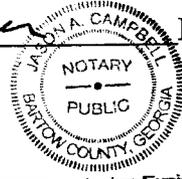
(type or print clearly)

Application No. V-43  
Hearing Date: 5-14-08

Applicant FRANKLIN M BARRER Business Phone 404 723 7059 Home Phone \_\_\_\_\_

Address 1455 Uncle Ben Dr Powder Springs, GA 30127  
(representative's name, printed) (street, city, state and zip code)

Franklin M Barrer  
(representative's signature)



Business Phone 770 425 8876 Cell Phone 404 723-7059

Signed, sealed and delivered in presence of:  
Jason A. Campbell  
Notary Public

My commission expires: X  
My Commission Expires October 31, 2011

Titleholder FRANKLIN M BARRER Business Phone 404 723 7059 Home Phone 770 425-8876  
Nancy P. Barrer

Signature Franklin M Barrer Address: 1455 Uncle Ben Dr P.S. 30127  
(attach additional signatures, if needed) (street, city, state and zip code)

Nancy P Barrer

Signed, sealed and delivered in presence of:  
Robbie Cochran  
Notary Public

My commission expires: X 7/21/08

Present Zoning of Property R-30

Location 1455 UNCLE BEN DRIVE  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 277 (P) 37 District 19 Size of Tract .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 \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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 need an additional 3 car-garage to house work vehicles due to subdivision covenants stating these type vehicles are not to be seen. I will match color, exterior siding, shingles of existing house.

List type of variance requested: I need a 12 foot setback from the rear property line.

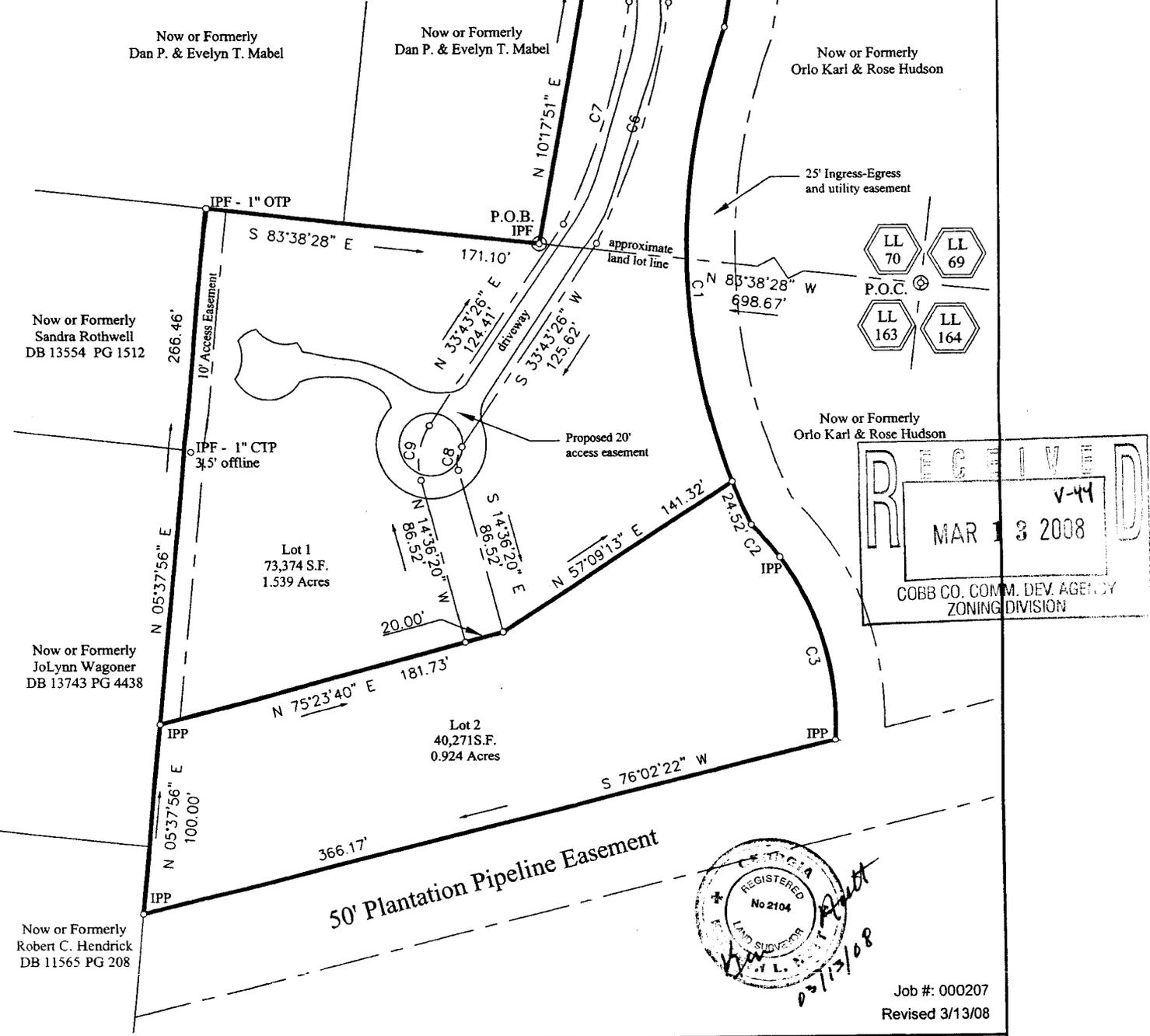
V-44

NUMBER	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD
C1	S 02°39'22" E	332.02	264.14	231.14
C2	S 40°23'59" E	142.96	22.24	22.24
C3	S 15°54'14" E	142.96	100.00	97.97

Boundary based on plat by James M. McNeely, GRLS #2301, for Robert Hershell Turner, Jr. dated May 1, 1986.

**LEGEND**  
 O IPP = Iron Pin Placed  
 O IPF = Iron Pin Found  
 POB = Point of Beginning  
 CTP = Crimp Top Pin Found

NOTE: Other than driveway, no improvements located.



- All iron pins are 1/2" Rebar unless otherwise noted.  
 - Equipment used: Topcon GTS Total Station  
 - The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 03 seconds per angle point, and was adjusted using Compass Rule.  
 - This plat has been calculated for closure and is found accurate within one foot in 20,000+ feet.  
 - This plat subject to all easements public and private.

**Survey for Guest House for Frank Legate**

520 Collett Drive  
 Land Lot 70 & 163, 18th District, 2nd Sect.  
 Cobb County, Georgia

Area = 107,320 Sq. Ft. (2.464 Acres)

This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.

According to F.I.R.M. Community Panel # 130052 0085F, dated 08-16-1992, this property is not located in an area having special flood hazards.

Computed by: JMC  
 Drawn by: JMC  
 Checked by: KLN

**Perimeter Surveying & Development Co.**  
 1065 Sandtown Road, Marietta, GA 30008  
 Phone: (770) 425-6824 Fax: (770) 425-6768

Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_  
 Deed Book: \_\_\_\_\_ Page: \_\_\_\_\_

Party Chief: KN-CP  
 Date Surveyed: 04/17/07  
 Date Drawn: 05/09/07

**GRAPHIC SCALE**  
 0 25 50 100  
 SCALE: 1" = 100'

**APPLICANT:** Frank M. LeGate, III  
**PHONE:** 770-941-2229  
**REPRESENTATIVE:** same  
**PHONE:** same  
**PROPERTY LOCATION:** Located on the southern side  
of Collett Avenue, west of Anne Drive  
(520 Collett Avenue).

**PETITION NO.:** V-44  
**DATE OF HEARING:** 05-14-08  
**PRESENT ZONING:** R-20  
**LAND LOT(S):** 70, 163  
**DISTRICT:** 18  
**SIZE OF TRACT:** 2.463 acres  
**COMMISSION DISTRICT:** 4

**TYPE OF VARIANCE:** 1) Waive the public road frontage to allow one home off of a private easement; 2) waive the lot size for a lot without public road frontage from the required 80,000 square feet to 40,271 square feet; 3) waive the front setback on lot 2 from the required 35 feet to 25 feet and the rear setback from the required 35 feet to 10 feet; and 4) waive the width of an easement from 25 feet to 20 feet.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED PETITION NO. SPOKESMAN

**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_



# Application for Variance Cobb County

(type or print clearly)

Application No. V-44  
Hearing Date: 5-14-08

Applicant FRANK M. LECATE III Business Phone 770-941-2229 Home Phone 770-941-2229

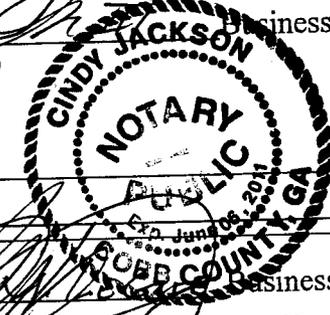
FRANK M. LECATE Address 520 COLLETT AVE. S.W. MARLBOROUGH, GA  
(representative's name, printed) (street, city, state and zip code) 30126

[Signature] Business Phone 770-941-2229 Cell Phone NA  
(representative's signature)

Signed, sealed and delivered in presence of:

Cindy Jackson  
Notary Public

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



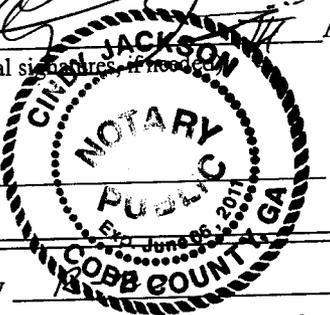
Titleholder FRANK M. LECATE III Business Phone 770-941-2229 Home Phone 770-941-2229

Signature [Signature] Address: 520 COLLETT AVE. S.W. MARLBOROUGH, GA 30126  
(attach additional signatures if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

Cindy Jackson  
Notary Public

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



Present Zoning of Property R-20

Location 520 COLLETT AVE. SW MARLBOROUGH, GEORGIA 30126  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 163,0070 P7 District 1B Size of Tract 2.463 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 2.463 Acres Shape of Property See Plat Topography of Property See Topo Other \_\_\_\_\_

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 (EXHIBIT A)

List type of variance requested: VARIANCE FOR EASEMENT ACCESS TO PROPERTY AND  
MODIFICATION OF BUILDING SETBACK LINES  
WAIVE THE REAR SETBACK ON LOT 2 FROM REQUIRED  
35 FT TO TEN FEET, WAIVE THE FRONT SETBACK  
FROM 35 FT TO 25 FT

Exhibit A  
V-44/2008

ATTACHMENT: APPLICATION FOR VARIANCE IN COBB COUNTY

Applicant: Frank M. LeGate

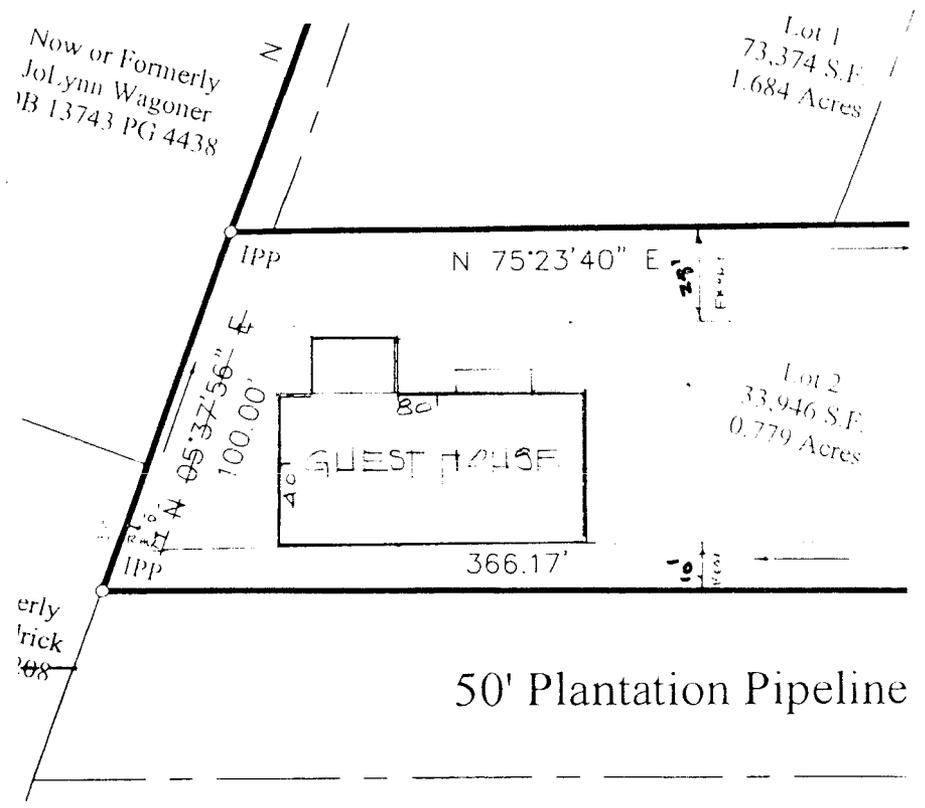
The hardship problem appertaining to the attached Application for Variance in Cobb County concerns mainly the existing physical condition of the site. The greater area of the site has steep topography, many boulder outcroppings and is heavily wooded with hardwood trees.

The most logical location for the Guest House is on a portion of the site where the contours are gentle in slope and there are no trees or boulder outcroppings. The site is adjacent to a fifty foot wide pipeline easement. The twenty feet of the pipeline easement nearest to the site will never have pipelines installed because the pipeline easement narrows to only thirty feet in width as it continues over my previous address at 6059 Driftwood Trail. By modifying the setback lines as requested, adequate area to construct the Guest House will be possible. There is no imposition to light and air accessibility for adjacent residential properties. The requested modification to the setback lines is for a 25' front setback and a 10' rear setback adjacent to the 50' pipeline easement.

The existing residence on the subject property is of non-combustible construction. It is earth sheltered with a geothermal heating and cooling system. The proposed Guest House when designed will also be of non-combustible construction.

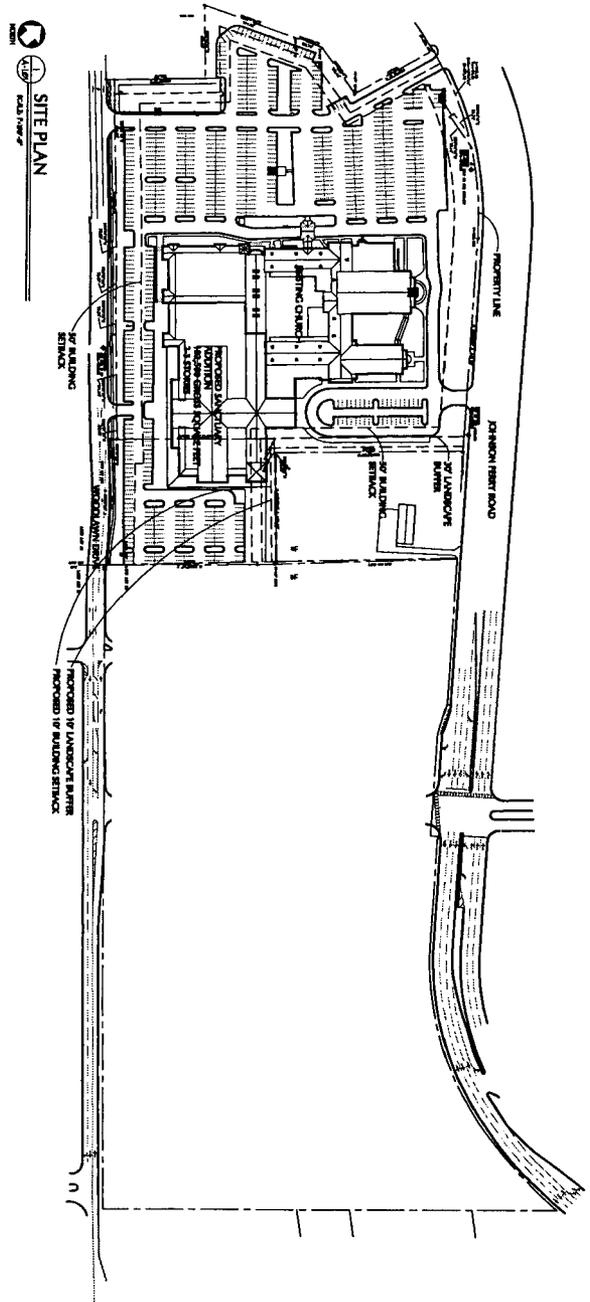
The greater area of the total 2.463 acre site is committed as a wildlife preserve and will never be disturbed.

Frank M. LeGate, Architect



50' Plantation Pipeline

V-45



RECEIVED  
 V-45  
 MAR 13 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS

Architects  
 Planning  
 Facilitation Design

A-1.01	PROJECT TITLE	SITE PLAN
	DATE	March 13, 2008
PROJECT NO.	08070000	
CLIENT	Johnson Ferry Baptist Church	
ARCHITECT	Chapman Griffin Lanier SusseNBach Architects	

**JOHNSON FERRY BAPTIST CHURCH  
 SANCTUARY ADDITION**

DATE PLOTTED: 03/13/08

DATE	NO.	DESCRIPTION



FOR ALLIED  
 PROFESSIONALS  
 CONTACT INFORMATION



**APPLICANT:** Johnson Ferry Baptist Church, Inc.      **PETITION NO.:** V-45  
**PHONE:** 770-973-6561      **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** John Moore      **PRESENT ZONING:** R-20  
**PHONE:** 770-429-1499      **LAND LOT(S):** 67  
**PROPERTY LOCATION:** Located on the west side of Johnson Ferry Road and east side of Woodlawn Drive, north of Lower Roswell Road (955 Johnson Ferry Road).      **DISTRICT:** 1  
**SIZE OF TRACT:** 15.76 acres      **COMMISSION DISTRICT:** 2

**TYPE OF VARIANCE:** 1) Waive the landscape screening buffer from the required 35 feet to 10 feet adjacent to the northern and eastern property lines; and 2) waive the setback from the required 50 feet to 10 feet adjacent to the northern and eastern property lines.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED          PETITION NO.          SPOKESMAN         

**BOARD OF APPEALS DECISION**

**APPROVED**          **MOTION BY**         

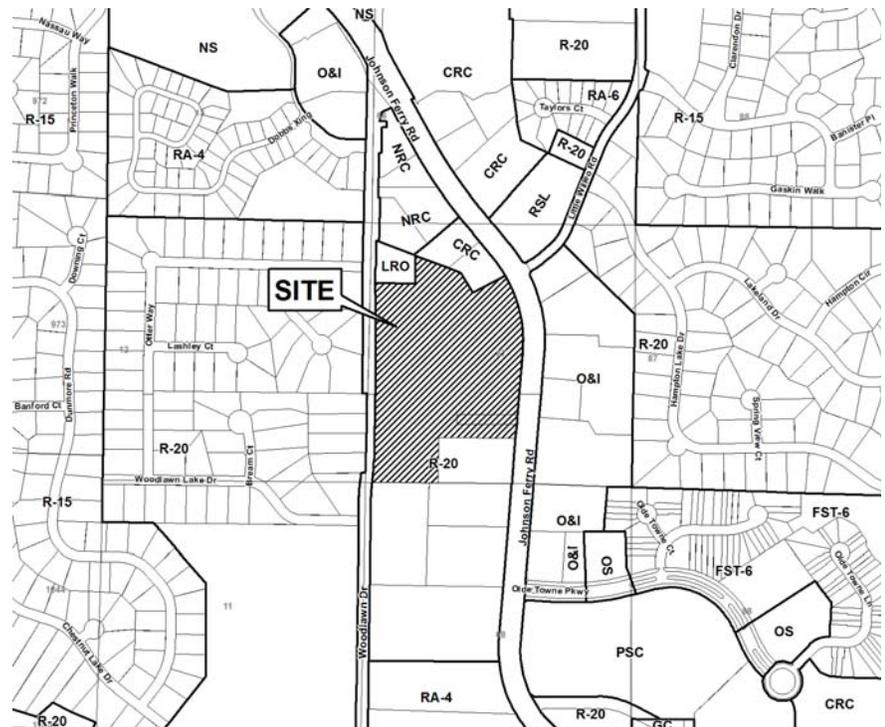
**REJECTED**          **SECONDED**         

**HELD**          **CARRIED**         

**STIPULATIONS:**         



# Application for Variance Cobb County

(type or print clearly)

Application No. v-45 (2008)  
Hearing Date: 05/14/2008

Applicant Johnson Ferry Baptist Church, Inc. Business Phone (770) 973-6561 Home Phone Not Applicable  
Moore Ingram Johnson & Steele, LLP

John H. Moore Address 192 Anderson Street, Marietta, GA 30060  
(representative's name, printed) (street, city, state and zip code)

BY: [Signature] Business Phone (770) 429-1499 Cell Phone (404) 313-5664  
(representative's signature) Georgia Bar No. 519800 Telefax (770) 429-8631

My commission expires: January 10, 2011

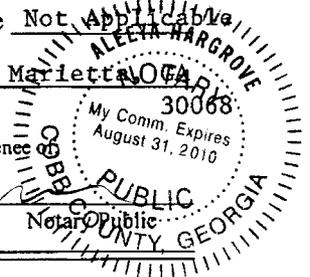
Signed, sealed and delivered in presence of  
[Signature]  
Notary Public

Titleholder Johnson Ferry Baptist Church, Inc. Business Phone (770) 973-6561 Home Phone Not Applicable

Signature BY: [Signature] Address: 955 Johnson Ferry Road, Marietta, GA 30068  
(attach additional signatures, if needed) (street, city, state and zip code)  
Jerry Maxfield  
Business Manager

My commission expires: Aug. 31, 2010

Signed, sealed and delivered in presence of  
[Signature]  
Notary Public



Present Zoning of Property R-20

Location 955 Johnson Ferry Road  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 67 District 1st Size of Tract 15.76± 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

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

List type of variance requested: (1) Waiver of portion of thirty (30) foot Landscape Buffer to ten (10) feet (Cobb County Zoning Ordinance § 134-271(4)(e); and (2) Waiver of portion of fifty (50) foot building setback to ten (10) feet (Cobb County Zoning Ordinance § 134-271(4)(c). (See Exhibit "A")

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

Application No.: V- 45 (2008)  
Hearing Date: May 14, 2008

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

**Applicant/  
Titleholder: Johnson Ferry Baptist Church, Inc.**

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

Applicant is seeking to expand its existing Church facilities with an approximately 182,500 square foot sanctuary addition. In order to blend the new sanctuary addition with the existing church facilities, and thus have all church operations within one building, Applicant has proposed the addition to be located to the rear and side of its existing facilities. The waivers sought by Applicant are necessitated in the fact that Applicant's campus was purchased and assembled throughout the years and there remains one residence fronting Johnson Ferry Road which is in the middle of the campus. If the required thirty (30) foot landscape buffer and the fifty (50) foot building setback are not waived to accommodate the affected corner of the proposed sanctuary addition, Applicant would not be permitted to construct the type of facility to accommodate its future needs. Applicant is not seeking to waive the entire perimeter landscape buffer and building setback adjacent to the single-family residence; only that portion located on one corner which is required to be waived to construct the proposed addition. The remaining landscape buffer and building setback will be adhered to by Applicant. Further, the residence is located more easterly on the property and is closer to Johnson Ferry Road and less impacted by any waiver of either the landscape buffer or building setback.

List type of variances requested:

- (1) Waiver of a portion of the thirty (30) foot Landscape Buffer along the easterly property line to ten (10) feet, as more particularly shown and reflected on the Site Plan. (§ 134-271(4)(e).
- (2) Waiver of a portion of the fifty (50) foot building setback along the easterly property line to ten (10) feet, as more particularly shown and reflected on the Site Plan. (§ 134-271(4)(c).



**APPLICANT:** Sunshine Assets, LLC **PETITION NO.:** V-46  
**PHONE:** 678-463-4266 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** Mark Cooley **PRESENT ZONING:** R-20  
**PHONE:** 770-575-0705 **LAND LOT(S):** 869  
**PROPERTY LOCATION:** Located on the east side of **DISTRICT:** 19  
Hopkins Road, north of Powder Springs Road **SIZE OF TRACT:** .66 acre  
(3801 Hopkins Road). **COMMISSION DISTRICT:** 4  
**TYPE OF VARIANCE:** Waive the front setback from required 40 feet to 29 feet.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED        PETITION NO.        SPOKESMAN \_\_\_\_\_

**WITHDRAWN BY STAFF**

**BOARD OF APPEALS DECISION**

**APPROVED**        **MOTION BY**       

**REJECTED**        **SECONDED**       

**HELD**        **CARRIED**       

**STIPULATIONS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

# Application for Variance Cobb County

(type or print clearly)

Application No. V-46

Hearing Date: 5-14-08

Applicant Sunshine Assets, LLC

Business Phone 678 463 4266

Home Phone 770 575 0705

Mark Cooley, Managing Member

(representative's name, printed)

Address 758 Chelsea Park Lane Marietta, GA. 30068  
(street, city, state and zip code)

Mark Cooley - managing member

(representative's signature)

Mark Cooley

Business Phone 770 575 0705

Home Phone 678 463-4266

My commission expires: 05/09/08

Signed, sealed and delivered in presence of:

Mark Cooley Notary Public

COBB COUNTY, GEORGIA  
MAY 9, 2008

Titleholder Sunshine Assets, LLC

Business Phone 678 463 4266

Home Phone 770 575-0705

Signature Mark Cooley - managing member

(attach additional signatures, if needed)

Mark Cooley

My commission expires: 05/09/08

**WITHDRAWN BY STAFF**

Mark Cooley Notary Public

COBB COUNTY, GEORGIA  
MAY 9, 2008

Present Zoning of Property R-20

Location 3801 HOPKINS ROAD

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

Land Lot(s) 869

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 \_\_\_\_\_

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 house I have spent \$70,000 on would not be able to be sold or currently occupied.

The house is within the new setback requirements is why I need this variance.

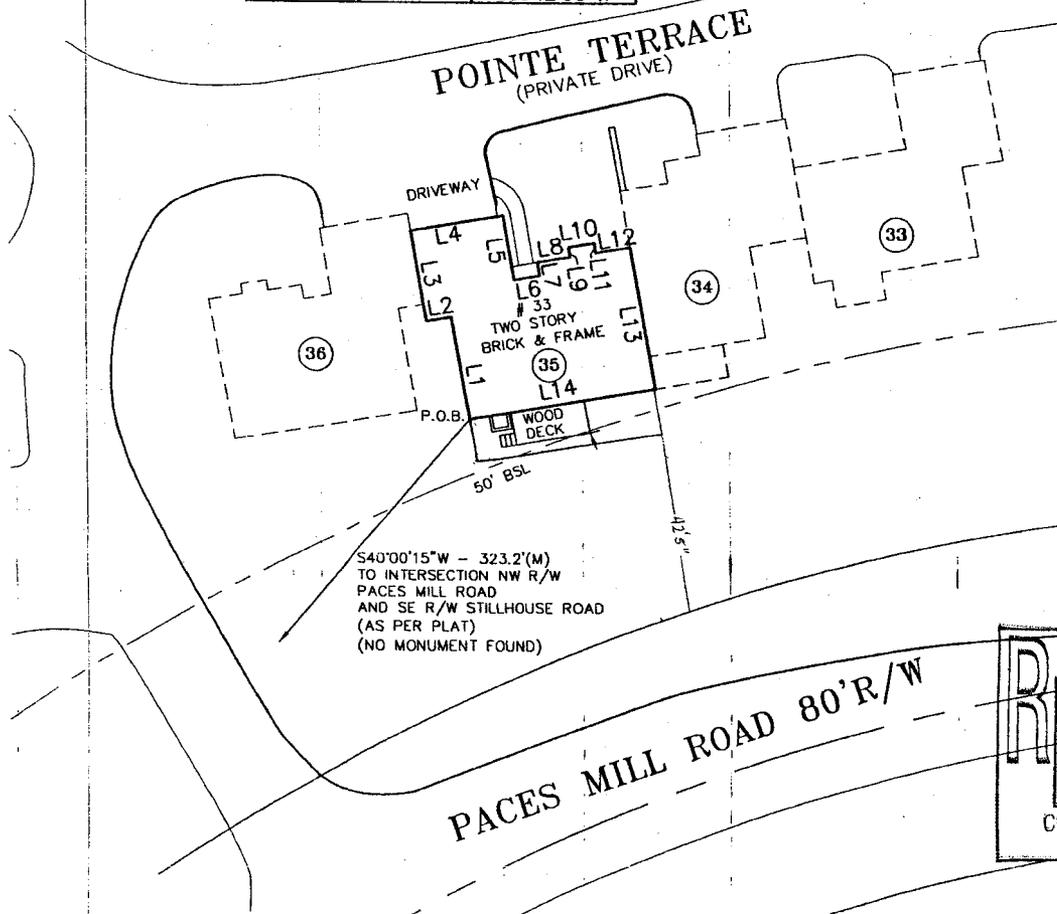
List type of variance requested: Allow for house to be in setback

Setback Variance WAIVE THE FRONT SETBACK FROM REQUIRED 40 FT TO 29 FT

- LEGEND**
- CMP CORRUGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - BSL BUILDING SETBACK LINE
  - REB REBAR FOUND
  - IPP IRON PIN PLACED
  - IPF IRON PIN FOUND
  - OTF OPEN TOP FOUND
  - CTF CRIMP TOP FOUND
  - RB REBAR
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - LL LAND LOT
  - M MEASURED
  - D DEED
  - P PLAT

LINE TABLE			
LINE	LENGTH	BE	
L1	25.40'	N09°48'00"W	(P=M)
L2	6.08'	S80°12'00"W	(M) (6.1' P)
L3	22.32'	N09°48'00"W	(M) (21.5' P)
L4	22.39'	N80°12'00"E	(M) (22.1' P)
L5	15.83'	S09°48'00"E	(M) (16.1' P)
L6	6.39'	N80°12'00"E	(M) (6.7' P)
L7	3.30'	N09°48'00"W	(P=M)
L8	8.00'	N80°12'00"E	(P=M)
L9	2.40'	N09°48'00"W	(P=M)
L10	6.00'	N80°12'00"E	(P=M)
L11	2.40'	S09°48'00"E	(P=M)
L12	8.10'	N80°12'00"E	(P=M)
L13	35.18'	S09°48'00"E	(M) (34.1' P)
L14	44.80'	S80°12'00"W	(M) (44.5' P)

V-47



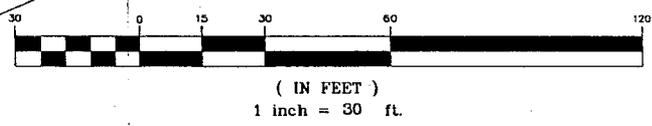
**RECEIVED**  
 MAR 14 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

NOTE:  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

**PLAT CERTIFICATION NOTICE**  
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AN ANGULAR ERROR OF 03 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 100,000 FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.



	ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR:		FIELD DATE 02/29/08	
	<b>JUDSON L. WHITLOCK</b>		DATE <b>03/03/08</b>	
	OWNER / PURCHASER <b>JUDSON L. WHITLOCK</b>		SCALE <b>1" = 30'</b>	
	LAND LOT 976	17th DISTRICT	2nd SECTION	COBB COUNTY, GEORGIA
	LOT 35	BLOCK	UNIT	FIRST FLOOR AREA OF LOT: 1,910 S.F.
SUBDIVISION <b>GLENRIDGE POINTE</b>				
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		<b>SOLAR LAND SURVEYING COMPANY</b> P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770) 794-9052		

**APPLICANT:** Jud Whitlock **PETITION NO.:** V-47  
**PHONE:** 404-250-5333 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** RM-8  
**PHONE:** same **LAND LOT(S):** 975, 976, 951, 952  
**PROPERTY LOCATION:** Located at the northeasterly intersection of Stillhouse Road and Paces Mill Road (33 Pointe Terrace). **DISTRICT:** 17  
**SIZE OF TRACT:** 8.34 acres  
**COMMISSION DISTRICT:** 2  
**TYPE OF VARIANCE:** Waive the front setback (rear setback for lot) from the required 50 feet to 41 feet adjacent to lot 35.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED **PETITION NO.**            **SPOKESMAN**           

**BOARD OF APPEALS DECISION**

**APPROVED**            **MOTION BY**           

**REJECTED**            **SECONDED**           

**HELD**            **CARRIED**           

**STIPULATIONS:**           



# Application for Variance Cobb County

(type or print clearly)

Application No. V-47  
Hearing Date: 5-14-08

Applicant Jud Whitlock Business Phone 404-250-5333 Home Phone 404-713-0796

Judson L. Whitlock Address 33 Pointe Terrace, Atlanta, GA 30339  
(representative's name, printed) (street, city, state and zip code)

Judson L. Whitlock Business Phone 404-250-5333 Cell Phone 404-713-0796  
(representative's signature)

My commission expires: June 4, 2009  
Signed, sealed and delivered in presence of: [Signature] Notary Public

Titleholder REES 648, LLC Business Phone 678-403-4218 Home Phone \_\_\_\_\_

Signature Alan B. Buchalter Address: 3535 Roswell Rd #63, Marietta, GA 30062  
(attach additional signatures, if needed) (street, city, state and zip code)

Alan Buchalter **By: REES Holdings, LLC manager and sole member** Signed, sealed and delivered in presence of: [Signature] Notary Public  
My commission expires: June 4, 2009

Present Zoning of Property RM-8

Location 33 Pointe Terrace  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 976 District 17th 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 \_\_\_\_\_

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.

Adding 12' across the rear 1st floor only of the townhouse to create a dining/family room and covered porch with skylights which will open via glass doors from the existing master bedroom and family/dining room addition. A portion of the addition will extend into the 50' set back due to the curvature of the line.

List type of variance requested: Waive the rear setback from the required 50' to 42' 5"

# Application for Variance Cobb County

(type or print clearly)

Application No. V-47  
Hearing Date: 5-14-08

Applicant JUD WAITLOCK Business Phone 404-250-5333 Home Phone 404-713-0796  
Address 33 POINTE TERRACE ATL GA 30339  
(street, city, state and zip code)

(representative's name, printed)

(representative's signature)

Business Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Signed, sealed and delivered in presence of:

Jason D. Campbell  
Notary Public

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

My Commission Expires  
October 31, 2011

Titleholder JUDSON WAITLOCK Business Phone 404-250-5333 Home Phone 404-713-0796  
Signature Judson Waitlock Address: 33 POINTE TERRACE ATL GA 30339  
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

Jason D. Campbell  
Notary Public

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

My Commission Expires  
October 31, 2011

Present Zoning of Property Rm-8

Location 33 Pointe Terrace  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 976 District 17 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.

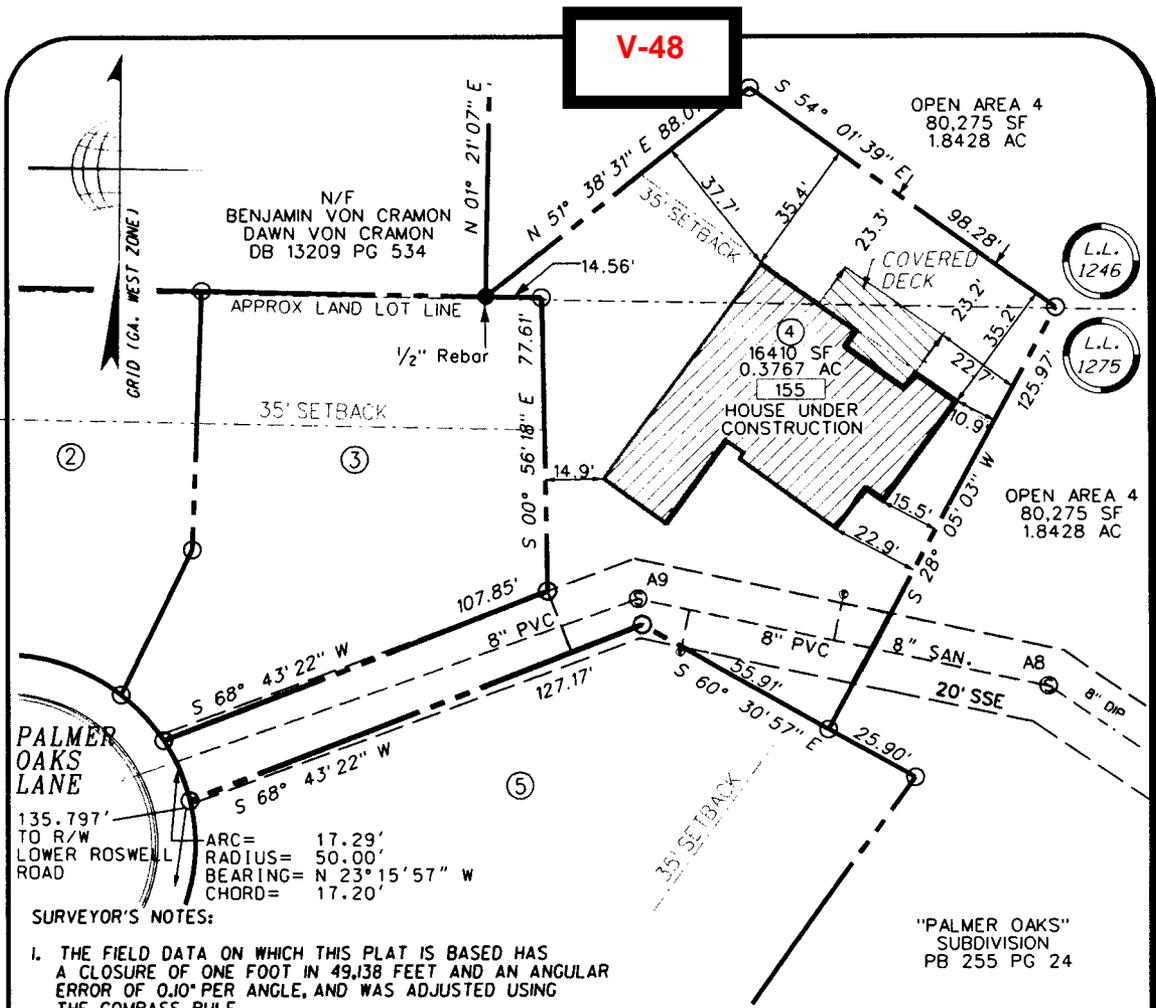
Size of Property \_\_\_\_\_ Shape of Property \_\_\_\_\_ Topography of Property \_\_\_\_\_ Other \_\_\_\_\_

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.

ADDING 12' ACROSS THE REAR 1ST FLOOR OF THE TOWNHOUSE TO CREATE A DINING ROOM/FAMILY ROOM AND COVERED PORCH OFF MASTER BEDROOM & FAMILY ROOM TAKE ME INTO THE 50' SET BACK DUE TO THE CURVATURE OF THE LINE

List type of variance requested: Waiver rear setback from the required 50' to 42' 5"

V-48



L.L.  
1246

L.L.  
1275

ARC= 17.29'  
RADIUS= 50.00'  
BEARING= N 23° 15' 57" W  
CHORD= 17.20'

**SURVEYOR'S NOTES:**

1. THE FIELD DATA ON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 49,138 FEET AND AN ANGULAR ERROR OF 0.10" PER ANGLE, AND WAS ADJUSTED USING THE COMPASS RULE.
2. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY FIELD SURVEY USING A TOPCON GTS-223 TOTAL STATION.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 394,925'.
4. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD PRONE AREA AS SHOWN ON BARTOW COUNTY, GEORGIA F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13067C0055 F, DATED: AUGUST 18, 1992.
5. THE BEARINGS SHOWN ON THIS PLAT WERE COMPUTED FIELD ANGLES BASED ON GEORGIA STATE PLANE GRID (WEST ZONE).
6. LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES ARE PROVIDED BY ACCESSIBLE FIELD EVIDENCE. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS SURVEY. UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THIS SURVEYOR IS NOT RESPONSIBLE FOR THE SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION PROVIDED HEREON.
7. FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON 2/11/08.

**SURVEYOR'S CERTIFICATE:**

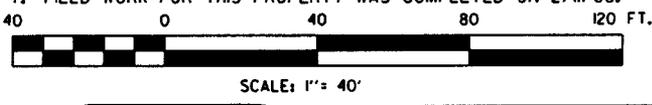
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (a) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR THE STATE OF GEORGIA AND (b) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION).



WILLIAM WOHLBERG, P.E.  
GEORGIA REGISTERED LAND SURVEYOR  
NO. 2577

**SITE PLAN FOR  
PORTICO PALMER, LLC  
LOT 4, PALMER OAKS  
LOCATED IN LAND LOTS 1246  
AND 1275 16TH DISTRICT, 2ND SECTION,  
COBB COUNTY, GEORGIA**

PATHE\SURVEY\2004-207\LOTS FND\LOT 4 2D.DGN



Proj. • 2004-207  
Survey Crew: JK  
Drawn By: ATA  
Aproved By: WCW  
Date: 02/12/08  
Scale: 1" = 40'  
Drawing# FILE



TerraMark Land Surveying, Inc.  
1396 Bells Ferry Road  
Marietta, Georgia 30066  
Phone No. (770) 421-1927  
Fax No. (770) 421-0552

**APPLICANT:** Terence Lewis **PETITION NO.:** V-48  
**PHONE:** 770-617-1009 **DATE OF HEARING:** 05-14-08  
**REPRESENTATIVE:** same **PRESENT ZONING:** R-20 OSC  
**PHONE:** same **LAND LOT(S):** 1275  
**PROPERTY LOCATION:** Located on the east side of **DISTRICT:** 16  
Palmer Oaks Lane, north of Lower Roswell Road **SIZE OF TRACT:** .3767 acre  
(155 Palmer Oaks Lane). **COMMISSION DISTRICT:** 2  
**TYPE OF VARIANCE:** Waive the rear setback on lot 4 from the required 35 feet to 23 feet.

**COMMENTS**

**TRAFFIC:**

**DEVELOPMENT & INSPECTIONS:**

**STORMWATER MANAGEMENT:**

**HISTORIC PRESERVATION:**

**CEMETERY PRESERVATION:**

**WATER:**

**SEWER:**

**OPPOSITION:** NO. OPPOSED PETITION NO. SPOKESMAN

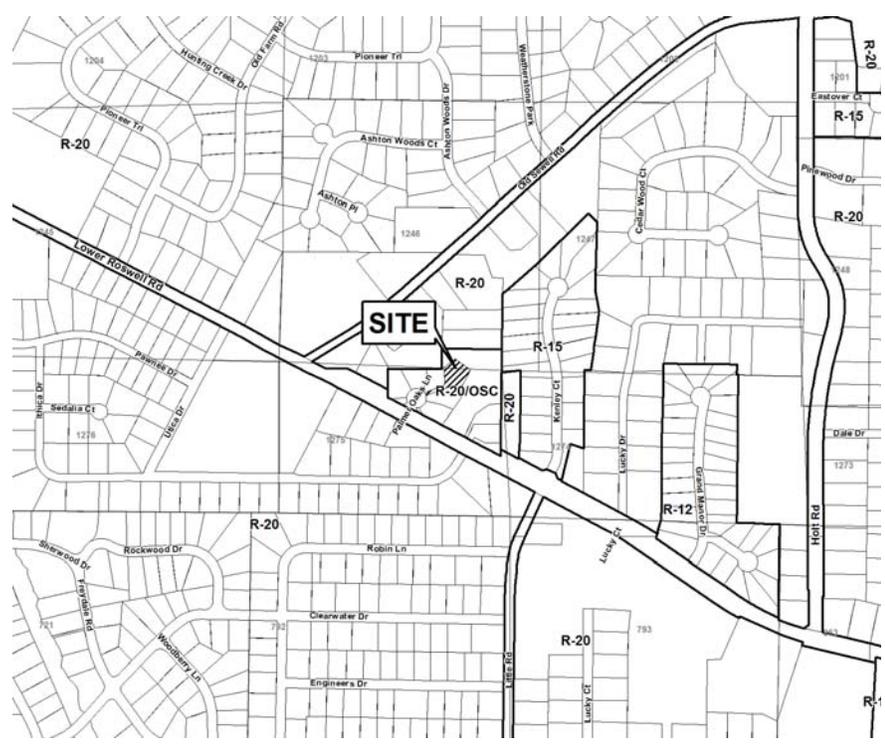
**BOARD OF APPEALS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# Application for Variance Cobb County

(type or print clearly)

Application No. V-48  
Hearing Date: 5-14-08

Applicant Frank Craven Frank Craven Business Phone \_\_\_\_\_ Home Phone 770-952-5310

Terence Lewis Portico Palmer III Address 2389 Carrington Way Marietta GA 30067  
(representative's name, printed) (street, city, state and zip code)

Terence Lewis Business Phone 770-971-9356 Cell Phone 770-617-1009  
(representative's signature)

My commission expires: \_\_\_\_\_  
Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:  
J. Boswell  
Notary Public

Titleholder Portico Palmer III Business Phone 770-617-1009 Home Phone 770-971-9356  
*cell*

Signature Terence Lewis Portico Palmer III Address: 2389 Carrington Way Marietta GA 30067  
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: \_\_\_\_\_  
Notary Public, Cobb County, Georgia  
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:  
J. Boswell  
Notary Public

Present Zoning of Property OSC (R-20)

Location 155 Palmer Oaks Lane  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1275 District 16 Size of Tract .3767 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 \_\_\_\_\_

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.

Began as an open porch, but customer requested a roof over it due to the lot situation with exposure to sun.

List type of variance requested: + WAIVE THE REAR SETBACK ON LOT 4 FROM REQUIRED 35FT TO 23FT.