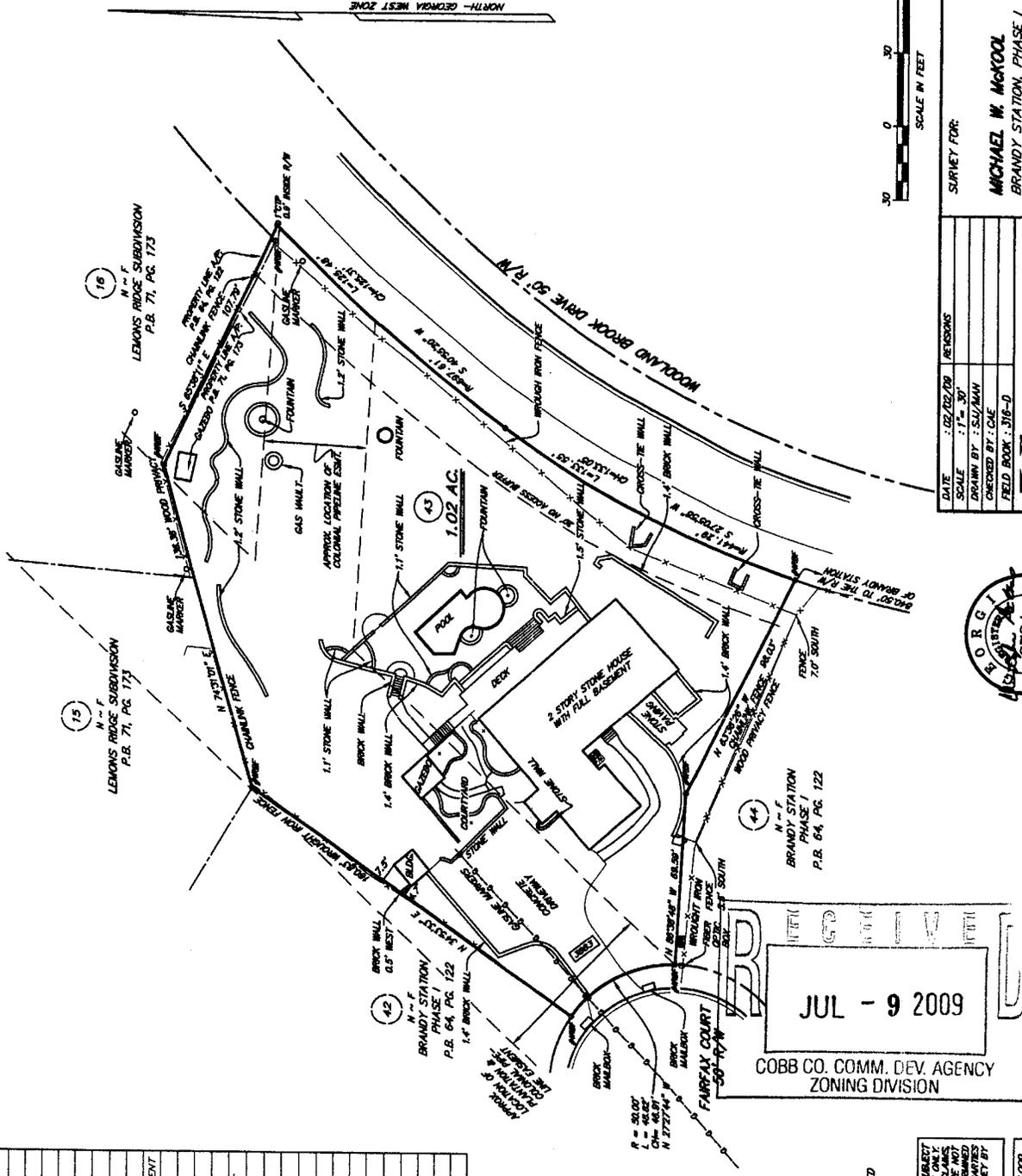


Drawn by: Burt Hoel
Drawing name: S:\proj\COB8\1712\0273\BRANDY STATION\MOCKUP AND Dwg



DATE: 02/02/09
SCALE: 1" = 30'
DRAWN BY: SJJ/MAH
CHECKED BY: CAE
FIELD BOOK: 316-0

SURVEY FOR:
MICHAEL W. McCOOL
BRANDY STATION, PHASE I
LOCATED IN L.L. 973
17th DISTRICT, 2nd SECTION
COBB COUNTY, GA.

Gaskins
INCORPORATING SURVEYING & LAND PLANNING & ENVIRONMENTAL
1766 Powder Springs Rd
Marietta, Georgia 30066
Phone: (770) 424-7168
Fax: (770) 424-7199
www.gaskins-survey.com



JUL - 9 2009
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

LEGEND	
—○—	P.P. - POWER POLE
—○—	L.P. - LIGHT POLE
—○—	F.H. - FIRE HYDRANT
—○—	M.A. - SANITARY SEWER MANHOLE
—○—	W.M. - WATER METER
—○—	G.M. - GAS METER
—○—	R.B.S. - REINFORCING BAR SET
—○—	R.B.F. - REINFORCING BAR FOUND
—○—	C.T.P. - CRIMP TOP PIPE FOUND
—○—	O.T.P. - OPEN TOP PIPE FOUND
—○—	R/W MON. - RIGHT-OF-WAY MONUMENT
—○—	TYPE OF FENCE
—○—	J.B. - JUNCTION BOX
—○—	D.I. - DROP INLET / YARD INLET
—○—	C.B. - CATCH BASIN
—○—	R.C.P. - REINFORCED CONCRETE PIPE
—○—	C.M.P. - CORRUGATED METAL PIPE
—○—	F.F.E. - FINISHED FLOOR ELEVATION
—○—	W.V. - WATER VALVE
—○—	S.C.O. - SEWER CLEAN OUT
—○—	TELEPHONE MANHOLE
—○—	OVERHEAD POWER LINES
—○—	P.W. - HEADWALL
—○—	P.B. - POWERBOX
—○—	S.A. - STREET ADDRESS
—○—	W.W. - WATER LINE
—○—	U.T. - UNDERGROUND TELEPHONE LINE
—○—	G. - GAS LINE
—○—	E. - UNDERGROUND ELECTRICAL LINE

SURVEYOR'S NOTES

1.) THE LOCATIONS OF THE PLANTATION AND COLONIAL PIPELINE EASEMENTS SHOWN ARE BASED ON THE LOCATION SHOWN ON BRANDY STATION, PHASE I, IN PLAT BOOK 64, PG. 122, AND ARE APPROXIMATE IN NATURE.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEY PROPERTY IS AS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THE LOCATION OF UTILITIES NOT OBSERVABLE AT THE TIME OF SURVEY AND SUBSURFACE CONDITIONS THAT ARE NOT KNOWN OR RECORDED, THIS SURVEYING FIRM HAS NOT INVESTIGATED. THIS SURVEYING FIRM HAS NOT INVESTIGATED THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEY PROPERTY AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X, ACCORDING TO FEMA (FEMA) MAP NO. 17158C, DATED DECEMBER 16, 2008.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL TOTAL STATION AND ELECTRONIC DISTANCE METER. LINEAR PRECISION OF TRAVERSE: 1/11,583' ANGULAR ERROR: 10" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPLEX RULE LINEAR PRECISION OF THIS PLAT: 1/190,767' MATTERS OF TITLE ARE EXCEPTED.

APPLICANT: Michael W. McKool **PETITION NO.:** V-73
PHONE: 770-434-1492 **DATE OF HEARING:** 09-10-09
REPRESENTATIVE: Sams, Larkin & Huff, LLP **PRESENT ZONING:** R-30
PHONE: Garvis L. Sams, Jr. 770-422-7016 **LAND LOT(S):** 973
PROPERTY LOCATION: Located on the west side of **DISTRICT:** 17
Woodland Brook Drive and the northeasterly side of **SIZE OF TRACT:** 1.02 acres
Fairfax Court (3883 Fairfax Court). **COMMISSION DISTRICT:** 2

TYPE OF VARIANCE: 1) Waive the setback for an accessory structure under 144 square feet (existing 110 square foot utility building) from the required 5 feet to 4 feet; and 2) allow two accessory structures to the side of the primary structure (existing utility building and gazebo).

COMMENTS

TRAFFIC: This request will not have an adverse impact on traffic.

DEVELOPMENT & INSPECTIONS: If approved a permit will be required for the utility building built in 2008. A notice of violation was issued 12/10/08 for the utility building. Property owner is trying to resolve through a variance to allow issuance of a building permit. If this variance request is approved, a plat must be recorded reflecting the conditions of the variance. The surveyor must submit the revised subdivision plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

STORMWATER MANAGEMENT: This parcel is located within the Chattahoochee River Corridor and therefore subject to the Metropolitan River Protection Act. Per discussions with Jim Santo at the Atlanta Regional Commission, this parcel is in compliance with the Corridor Plan (under 30% impervious coverage) which is more restrictive than the Cobb County Zoning coverage limit. No adverse stormwater impacts are anticipated.

HISTORIC PRESERVATION: After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

CEMETERY PRESERVATION: No comment.

WATER: No conflict.

SEWER: No conflict.

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

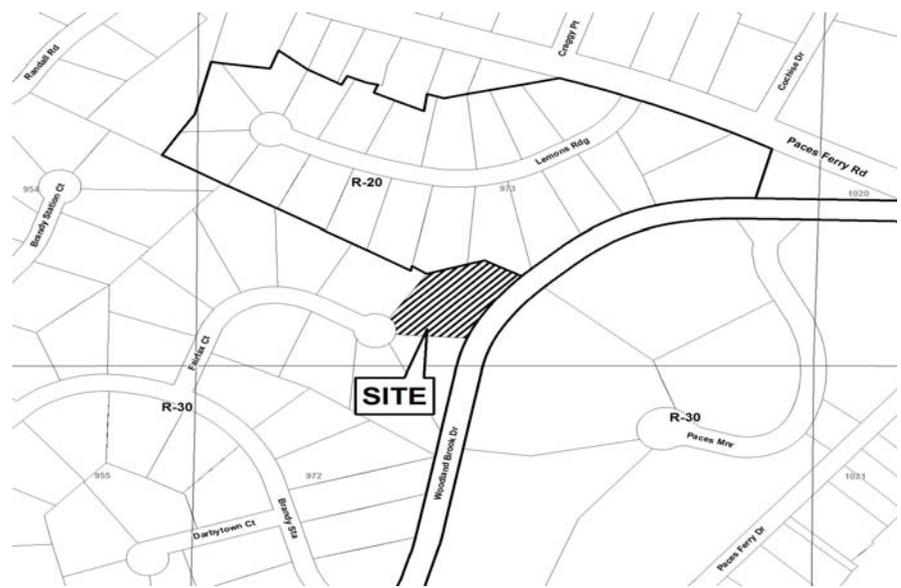
BOARD OF APPEALS DECISION

APPROVED **MOTION BY**

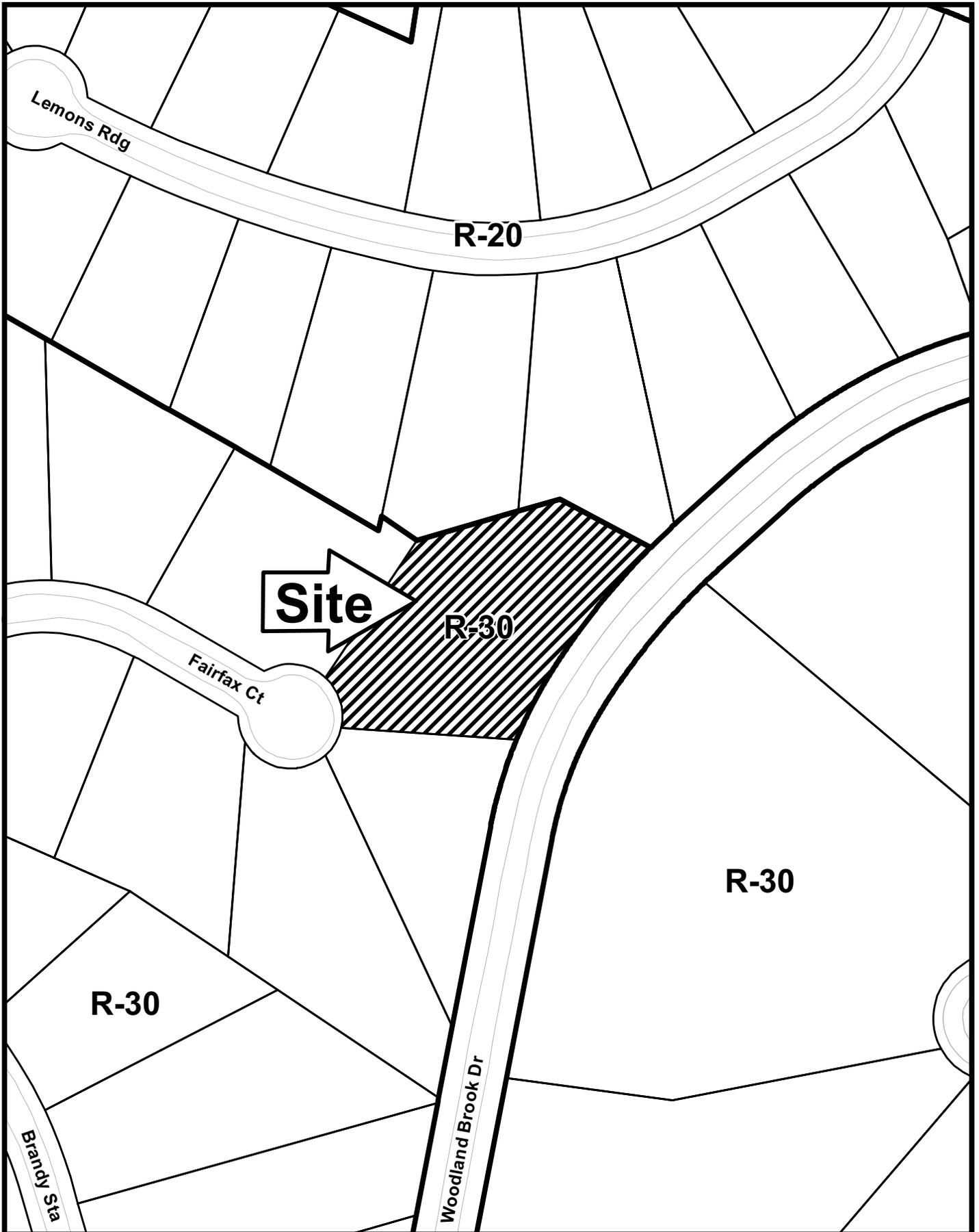
REJECTED **SECONDED**

HELD **CARRIED**

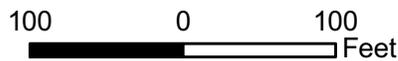
STIPULATIONS:



V-73



This map is provided for display and planning purposes only. It is not meant to be a legal description.



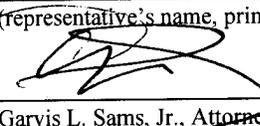
-  City Boundary
-  Zoning Boundary

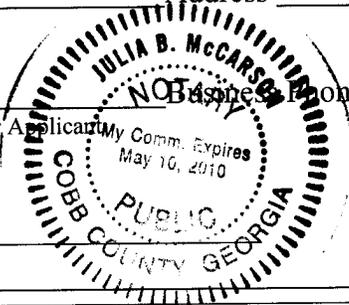
Application for Variance Cobb County

(type or print clearly)

Application No. V- 73
Hearing Date: 09/10/09

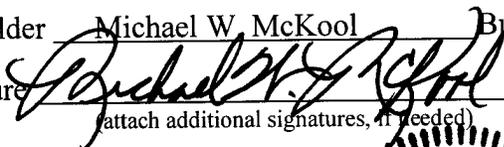
Applicant Michael W. McKool Business Phone 404/351-7579 Home Phone 770/434-1492
SAMS, LARKIN & HUFF, LLP 376 Powder Springs Street, Suite 100
Garvis L. Sams, Jr. Address Marietta, GA 30064
(representative's name, printed) (street, city, state and zip code)

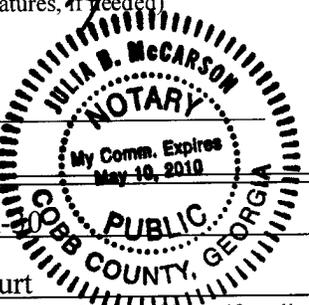
By:  Garvis L. Sams, Jr., Attorney for Applicant Phone 770/422-7016 Fax 770/426-6583



My commission expires: _____

Signed, sealed and delivered in presence of:
Julia B. McCARSON
Notary Public

Titleholder Michael W. McKool Business Phone 404/351-7579 Home Phone 770/434-1492
Signature  Address: 3883 Fairfax Court, Atlanta, GA 30339
(attach additional signatures, if needed) (street, city, state and zip code)



My commission expires: _____

Signed, sealed and delivered in presence of:
Julia B. McCARSON
Notary Public

Present Zoning of Property R-40
Location 3883 Fairfax Court
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 973 District 17th Size of Tract 1.02 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 XX Topography of Property XX 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.

A literal interpretation and/or enforcement of Zoning Ordinance provisions creates a hardship and would otherwise preclude the property owner's ability to maintain in its present positioning a gazebo which was constructed in 1981 and preclude the owner from maintaining an 81 square foot brick utility building (built in 2008).

- List type of variance requested:
- Waive the side yard setback from 5' to 4' 5" for purposes of maintaining an existing accessory structure on the subject property.
 - Waive the requirement that accessory structures be constructed to the rear of the primary structure with respect to an existing gazebo (built in 1981) and an existing 81 square foot utility building (built in 2008).