

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
JUNE 10, 2026
1:30 P.M.**

The Board of Zoning Appeals Variance Hearing was held on Wednesday, June 10, 2026, in the second-floor public meeting room of the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Deidra Massey, Chairwoman
Kim Swanson, Vice Chairwoman
Fred Beloin
Alice Summerour
Barkley Russell

CHAIRWOMAN MASSEY – CALL TO ORDER

Chairwoman Massey called the hearing to order at 1:30 p.m. and explained the procedures for the public hearing.

Mr. John Pederson, Zoning Division Manager, read in the following case that was continued by Staff, and then read in the Consent Agenda.

V-36 ZAKI MERCHANT (Zaki Merchant, owner) requesting a variance to 1) reduce the side setback from required 10 feet to seven feet adjacent to the southern property line; and 2) increase the maximum allowable impervious coverage from required 35% to 47% in land lot 1194 of the 16th district. Property is located on the east side of Shadowlawn Road, south of Cherokee Place (59 Shadowlawn Road). *(Continued by Staff until the August 12, 2026 Board of Zoning Appeals hearing; therefore, was not considered at this hearing).*

CONSENT AGENDA

MOTION: Motion by Beloin, second by Summerour, to **approve** the following cases on the Consent Agenda, *as revised*:

V-64 MIGUEL HERNANDEZ (Miguel Angel Hernandez Garcia, owner) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed approximately 320 square foot shed #1) from required 35 feet to 11 feet adjacent to the eastern property line; and 2) reduce the setbacks for an accessory structure (existing approximately 247 square foot shed #2) from required 35 feet to 21 feet adjacent to the eastern property line in land lot 1282 of the 15th district. Property is located on the east side of Twin Oak Drive, north of Oakwoods Drive (5180 Twin Oak Drive).

To **approve** V-64.

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CONSENT AGENDA (CONT.)

V-65 **HAZEL STINSON** (Hazel Velez, owner) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 2,730 square foot barn) from required 100 feet to 65 feet adjacent to the southern property line, 62 feet adjacent to the northern property line, and 20 feet adjacent to the eastern property line; 2) allow an accessory structure (existing pool and pool equipment) to be located on the side of the principal building; 3) allow access and maneuvering on a non-hardened surface (gravel); and 4) allow a second electrical meter in land lot 1116 of the 19th district. Property is located on the east side of Hill Road, north of Brownsville Road (5835 Hill Road).

To approve V-65, subject to:

1. No commercial or residential dwelling use of the accessory structure

At the call for petition V-66 (David Campbell), opposition was present; therefore, V-66 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 6 of these minutes).

At the call for petition V-67 (Jeff Taylor), opposition was present; therefore, V-67 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 7 of these minutes).

V-68 **ELIJAH ROBERTS** (Leslie Roberts and Elijah Kim Roberts, owners) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 205 square foot freestanding deck) from required 30 feet to 19 feet adjacent to the northeastern property line and zero feet adjacent to the western property line; and 2) increase the maximum allowable impervious coverage from required 40% to 63.7% in land lot 102 of the 1st district. Property is located on the north side of Chartley Way, southeast of Chartley Lane, and south of Chartley Circle (4608 Chartley Way).

To approve V-68, subject to:

- 1. Development and Inspections Division comments and recommendations**
- 2. Stormwater Management Division comments and recommendations**

V-69 **DUANE PETERSON AND CASSANDRA PETERSON** (Duane Peterson and Cassandra Peterson, owners) requesting a variance to 1) allow an accessory structure (proposed 2,692 square foot garage) to be located in the front of the principal building; and 2) allow an accessory structure (existing 600 square foot shed) to be located on the side of the principal building in land lots 261 and 262 of the 20th district. Property is located on the northwest side of Hadaway Road, west of Burnt Hickory Road (4957 Hadaway Road).

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CONSENT AGENDA (CONT.)

V-69 DUANE PETERSON AND CASSANDRA PETERSON (CONT.)

To approve V-69, subject to:

- 1. Department of Transportation comments and recommendations.**
- 2. Stormwater Management Division comments and recommendations**
- 3. No commercial or residential dwelling use of the accessory structure**

At the call for petition V-70 (Juan C. Garcia and Mara Garcia), opposition was present; therefore, V-70 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 7 of these minutes).

V-71 DAMALI GUTIERREZ (Damali Gutierrez and Juan Manuel Gonzalez, owners) requesting a variance to 1) allow an accessory structure (proposed 600 square foot carport) to be located in the front of the principal building; and 2) reduce the setbacks for an accessory structure (proposed 600 square foot carport) from required 50 feet to 36 feet adjacent to the western property line and one foot adjacent to the southern property line in land lot 601 of the 19th district. Property is located on the east side of Florence Road, south of Moon Road (2751 Florence Road).

To approve V-71, subject to:

- 1. Development and Inspections Division comments and recommendations**
- 2. Stormwater Management Division comments and recommendations**

At the call for petition V-72 (Francyne Macedo), opposition was present; therefore, V-72 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 7 of these minutes).

V-73 LISA COBLENTZ (Tom King Burges Jr. and Lisa L. Coblentz, owners) requesting a variance to reduce the rear setback from required 35 feet to 20 feet in land lot 1053 of the 16th district. Property is located on the southeast corner of Creekwood Court and Creekwood Drive (3300 Creekwood Court).

To approve V-73, subject to:

- 1. Impervious surface to be a maximum of 35%**

V-74 DENYSE COMPANIES, INC (GVAOII 2839 Paces Ferry Owner, LLC, owner) requesting a variance to increase the maximum allowable square footage for wall signs per face from required 200 square feet to 716.67 square feet in land lot 885 of the 17th district. Property is located on the west side of Overlook Parkway, north of Paces Ferry Road, south of Bert Adams Road (2839 Overlook Parkway).

To approve V-74.

CONSENT AGENDA (CONT.)

- V-75** **DC ENCLOSURES, INC.** (Namakan Damafing Keita, owner) requesting a variance to increase the maximum allowable impervious coverage from required 40% to 43% in land lot 766 of the 17th district. Property is located at the terminus of Norbury Cove (2321 Norbury Cove).

To **approve** V-75, subject to:

- 1. Stormwater Management Division comments and recommendations**
- 2. Sewer Department comments and recommendations**
- 3. Stormwater Management Division and Sewer Department to approve the building permit prior to zoning approval**

- V-76** **JAMES AND CINTHIA DONNELL** (James E. Donnell III and Cinthia S. Donnell, owners) requesting a variance to reduce the front setback from required 45 feet to seven feet; 2) reduce the rear setback from required 40 feet to eight feet; 3) increase the maximum allowable impervious coverage from required 35% to 50%; 4) allow access and maneuvering on a non-hardened surface (gravel); and 5) reduce the setbacks for an uncovered wood deck from required five feet to zero feet along the lake in land lot 19 of the 1st district and land lot 756 of the 16th district. Property is located on the west side of Eastside Drive, east of Country Squire Road (2019 Eastside Drive).

To **approve** V-76, subject to:

- 1. Stormwater Management Division comments and recommendations**

At the call for petition V-77 (Robert and Nicole Burns) opposition was present; therefore, V-77 was pulled from the Consent Agenda and heard as the first case on the Regular Agenda (see page 5 of these minutes).

- V-78** **ROMO-PADA DEVELOPMENT, LLC** (SS Marietta, owner) requesting a variance to 1) increase the maximum total sign area allowed per sign on a property greater than a half-acre but less than an acre from required 49 square feet to 1,050 square feet; 2) increase the maximum sign structure area allowed per sign on a property greater than a half-acre but less than an acre from required 140 square feet to 1,050 square feet; 3) increase the maximum sign area allowed on a property greater than a half-acre but less than an acre from required 65 square feet to 1,100 square feet; 4) increase the maximum sign structure area allowed on a property greater than a half-acre but less than an acre from required 162.5 square feet to 1,141 square feet; 5) allow two freestanding signs to be closer than 150 feet on the same lot; and 6) allow for a non-ground-based monument sign in land lot 781 of the 17th district. Property is located on the north side of Windy Hill Road, east of Cobb Parkway (2355 Windy Hill Road).

To **approve** V-78, subject to:

- 1. Site Plan Review comments and recommendations**

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CONSENT AGENDA (CONT.)

- V-79** **211 FREY ROAD, LLC** (211 Frey Road, LLC, owner) requesting a variance to 1) increase the maximum allowable impervious coverage from required 70% to 77%; and 2) reduce the setbacks for an accessory structure (existing 168 square foot shed) from required 30 feet to seven feet adjacent to the northeastern property line in land lots 96 and 133 of the 20th district. Property is located on the northern corner of Frey Road and Chastain Road (3300 Frey Road).

To approve V-79, subject to:

- 1. Department of Transportation comments and recommendations**
- 2. Stormwater Management Division comments and recommendations**

- V-58** **MORGAN AND PEGGY MCNEEL** (Morgan L. and Peggy D. McNeel, owners) requesting a variance to reduce the setbacks for an accessory structure (proposed 625-square-foot pool house) from required 35 feet to 18 feet adjacent to the southern property line in land lot 253 of the 20th district. Property is located at the terminus of Hazeltine Lane (1100 Hazeltine Lane). (*Held by the Board of Zoning Appeals from the May 13, 2026 hearing until the June 10, 2026 hearing*)

To approve V-58, subject to:

- 1. All staff comments and recommendations, including Stormwater Management Division**
- 2. No exterior loudspeakers should be included with the pool house. Beside the pool house facing the nearest property line shall have no windows or doors and shall be brick**
- 3. No commercial or residential dwelling use of the accessory structure**

CONSENT VOTE: ADOPTED 5-0

REGULAR AGENDA

Prior to starting the Regular Agenda, Chairwoman Massey requested for V-77 (Robert and Nicole Burns) to be heard as the first case.

- V-77** **ROBERT AND NICOLE BURNS** (Robert D. Burns and Nicole K. Burns as Trustees for the R.D. and N.K. Burns Revocable Trust, owners) requesting a variance to 1) reduce the side setback from required 10 feet to five feet adjacent to the southern property line; and 2) reduce the setbacks for an accessory structure (existing 123 square foot shed) from required five feet to four feet adjacent to the southern property line in land lot 1101 of the 16th district. Property is located on the west side of Springs End Lane, south of Bent Pine Oval (469 Springs End Lane).

REGULAR AGENDA (CONT.)

V-77 ROBERT AND NICOLE BURNS (CONT.)

The public hearing was opened; Brian Wasson, Nicole Burns, and Hill Wright addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Summerour, second by Swanson to approve V-77.

VOTE: **ADOPTED 5-0**

V-62 IGLESIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD “LA LUZ DEL MUNDO” INC. (Iglesia Del Dios Vivo Columna Y Apoyo De La Verdad “La Luz Del Mundo” Inc., owner) requesting a variance to 1) reduce the setbacks for a church within a residential zoning district from required 50 feet to nine feet adjacent to the northern property line, 21 feet adjacent to the western property line, and 38 feet adjacent to the southern property line; and 2) waive the 50 foot landscape buffer required for a church within a residential zoning district to the encroachments shown on the submitted site plan in land lot 701 of the 19th district. Property is located on the west side of Austell Road, north of Pair Road (3050 Austell Road). **(Held by the Board of Zoning Appeals from the May 13, 2026 hearing until the June 10, 2026 hearing)**

The public hearing was opened; Erin McCormick and Parks Huff addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Massey, second by Summerour to hold V-62 until the August 12, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED 5-0**

V-66 DAVID CAMPBELL (David C Campbell and Kelly Campbell, owners) requesting a variance to 1) allow access and maneuvering on a non-hardened surface (gravel); 2) allow an accessory structure (existing 165 square foot shed) to be located at the front of the principal building; and 3) reduce the setbacks for an accessory structure (existing 165 square foot shed) from required 12 feet to one foot adjacent to the northern property line in land lot 342 of the 20th district. Property is located on the east side of Hiram Acworth Highway, south of Sayre Drive (243 Hiram Acworth Highway).

The public hearing was opened; David Campbell, John T. Gordon, Rachel Gordon, and Joanna Smith addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Beloin, second by Summerour to hold V-66 until the July 7, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED 5-0**

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REGULAR AGENDA (CONT.)

- V-67** **JEFF TAYLOR** (Jeffrey Alexander Taylor and Kelly Oneal Taylor, owners) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 2,400 square foot garage) from required 100 feet to 86 feet adjacent to the eastern property line; 2) allow a second electrical meter; and 3) allow access and maneuvering on a nonhardened surface (gravel) in land lots 401 and 414 of the 19th district. Property is located on the north side of Macland Road, west of John Ward Road (1830 Macland Road).

The public hearing was opened; Jeff Taylor and Donald Patterson addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Beloin, second by Russell to **hold** V-67 until the August 12, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED 5-0**

- V-70** **JUAN C. GARCIA AND MARA GARCIA** (Juan C. Garcia and Mara L. Garcia, owners) requesting a variance to 1) reduce the setbacks for an accessory structure (existing approximately 368 square foot pergola) from required 30 feet to zero feet adjacent to the eastern and southern property lines; and 2) increase the maximum impervious coverage from required 45% to 55% in land lot 233 of the 17th district. Property is located on the east side of Sanibel Lane, east of Gray Road (2711 Sanibel Lane).

The public hearing was opened; Maria Garcia, Juan Garcia and Shirley Knight addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Massey, second by Russell to **hold** V-70 until the August 12, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED 5-0**

- V-72** **FRANCYNE MACEDO** (Francyne Garcia Terra Macedo and Edson Ferreira Macedo, owners) requesting a variance to 1) reduce the rear setback for Tract 2 from required 35 feet to 25 feet; and 2) reduce the setbacks for an accessory structure (existing 956 square foot building) on Tract 3 from required 100 feet to 35 feet adjacent to the southern property line, 33 feet adjacent to the eastern property line, and seven feet adjacent to the western property line in land lot 104 of the 20th district. Property is located on the south side of Old 41 Highway, south of Hampreston Way (3339 and 3345 Old 41 Highway).

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REGULAR AGENDA (CONT.)

V-72 FRANCYNE MACEDO (CONT.)

The public hearing was opened; Francyne Macedo and Lori Toler addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Beloin, second by Swanson to **approve** V-72, subject to:

- 1. Department of Transportation comments and recommendations**
- 2. Site Plan Review comments and recommendations**
- 3. Stormwater Management Division comments and recommendations**
- 4. No commercial or residential dwelling use of the accessory structure**

VOTE: **ADOPTED** 5-0

APPROVAL OF MINUTES

MOTION: Motion by Summerour, second by Russell, to **approve** the following minutes, *as presented*:

- May 13, 2026 – Board of Zoning Appeals Variance Hearing
- June 1, 2026 – Board of Zoning Appeals Agenda Review Work Session

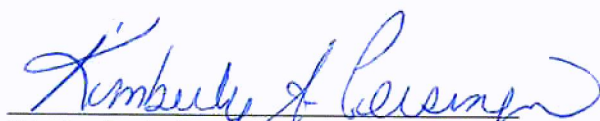
VOTE: **ADOPTED** 5-0

ADJOURNMENT

MOTION: Motion by Swanson, second by Summerour, to **adjourn** the hearing.

VOTE: **ADOPTED** 5-0

The hearing adjourned at 3:21 p.m.


Kimberly A. Persinger, Deputy County Clerk
Cobb County Board of Zoning Appeals