

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
JULY 15, 2026
1:30 P.M.**

The Board of Zoning Appeals Variance Hearing was held on Wednesday, July 15, 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 John Pederson, Zoning Division Manager, read in the following cases that were withdrawn, held or continued.

- V-90** **DC ENCLOSURES, INC.** (Atulkumar Patel and Madhubala Patel, owners) requesting a variance to increase the maximum allowable impervious coverage from required 40% to 46.8% in land lot 285 of the 16th district. Property is located on the west side of Vinca Circle, north of North Booth Road (384 Vinca Cir). **WITHDRAWN WITHOUT PREJUDICE**
- 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)*
- 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; Held by the Board of Zoning Appeals until the August 12, 2026 hearing; therefore, was not considered at this hearing)*

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WITHDRAWN, HELD OR CONTINUED CASES (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). *(Held by the Board of Zoning Appeals until the August 12, 2026 hearing; therefore, was not considered at this hearing)*
- 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). *(Held by the Board of Zoning Appeals until the August 12, 2026 hearing; therefore, was not considered at this hearing)*

Prior to reading in the Consent Agenda, Mr. Pederson made a request to add non-agenda Item V-65 (Hazel Stinson) to the Agenda.

MOTION: Motion by Russell, second by Summerour, to **add** non-agenda items V-65 to the Agenda.

VOTE: ADOPTED 5-0

CONSENT AGENDA

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

- V-81** **TASKA, INC** (Liewe Lulu, LLC, owner) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed approximately 1,500 square foot metal building) from required 100 feet to 91 feet adjacent to the northern property line, 77 feet adjacent to the western property line, 33 feet adjacent to the southern property line, and one foot adjacent to the eastern property line; 2) allow an accessory structure (proposed approximately 1,500 square metal building) to be located on the side of the principal building; 3) increase the maximum allowable impervious coverage from required 70% to 71.1%; and 4) allow access and maneuvering on a nonhardened surface (gravel) in land lot 444 of the 16th district. Property is located on the south side of Worley Drive, east of Canton Road, west of Penland Drive (868 Worley Dr).

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CONSENT AGENDA (CONT.)

V-81 TASKA, INC (CONT.)

To approve V-81, subject to:

- 1. Department of Transportation comments and recommendations**
- 2. Development and Inspections comments and recommendations**
- 3. Stormwater Management comments and recommendations**
- 4. Fire Department comments and recommendations**

V-82 JAMES O. NALLEY (James Overstreet Nalley and Stephanie S. Nalley, owners) requesting a variance to reduce the setbacks for an accessory structure (proposed 400 square foot carport) from required 12 feet to one foot adjacent to the eastern property line in land lots 903 and 958 of the 17th district. Property is located on the south side of Bakers Meadow, south of Bakers Meadow Lane (3030 Bakers Meadow).

To approve V-82, subject to:

- 1. Stormwater Management comments and recommendations**

V-83 EDWARD PISOWICZ (Edward Pisowicz, owner) requesting a variance to reduce the front setback from required 20 feet to 17 feet in land lot 893 of the 17th district. Property is located on the southwest side of Rosebrook Xing, east of Rosebrook Place (2358 Rosebrook Xing).

To approve V-83.

V-86 KEVIN AND MARTINA KRATZ (Kevin Kratz and Martina Kratz, owners) requesting a variance to reduce the setbacks for an accessory structure (existing approximately 399 square foot gazebo) from required 30 feet to 16 feet adjacent to the northern property line in land lot 45 of the 19th district. Property is located on the north side of Ellis Mountain Drive, east of Fern Mountain Lane (2317 Ellis Mountain Dr).

To approve V-86, subject to:

- 1. Stormwater Management comments and recommendations**

At the call for petition V-87 (Alfredo Lopez Vera), opposition was present; therefore, V-87 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 9 of these minutes).

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CONSENT AGENDA (CONT.)

V-88 **ROBERT JEFFREY CAIN** (Robert Jeffrey Cain, owner) requesting a variance to reduce the side setback from required 10 feet to seven feet adjacent to the western property line in land lot 192 of the 16th district. Property is located on the south side of Landing Drive (2846 Landing Dr).

To **approve** V-88.

V-89 **MWM FAMILY TRUST** (Damali Gutierrez and Juan Manuel Gonzalez, owners) requesting a variance 1) allow an accessory structure (proposed 900 square foot barn) to be located on the side of the principal building; and 2) reduce the setbacks for an accessory structure (proposed 900 square foot barn) from required 100 feet to 90 feet adjacent to the southern property line and 17 feet adjacent to the western property line in land lots 229 and 230 of the 20th district. Property is located on the north side of Fords Drive, east of County Line Road (6110 Fords Rd).

To **approve** V-89, subject to:

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

V-91 **AH MARIETTA LLC DBA ALAIR HOMES MARIETTA** (Derrick Michael Stambaugh and Lauren Michelle Gross, owners) requesting a variance to 1) reduce the rear setback from required 35 feet to 20 feet; 2) reduce the major side setback from required 30 feet to 20 feet; 3) increase the maximum allowable impervious coverage from required 35% to 40%; and 4) reduce the setbacks for an accessory structure (existing 49 square foot shed) from required five feet to one foot adjacent to the eastern property line in land lot 632 of the 17th district. Property is located on the northeast corner of Donna Lynn Drive and Madison Street (1688 Donna Lynn Dr).

To **approve** V-91, subject to:

1. Development and Inspections comments and recommendations

2. Stormwater Management comments and recommendations

V-92 **STUART GURR** (Stuart Douglas Gurr, owner) requesting a variance to 1) allow an accessory structure (proposed pool equipment) to be located on the side of the principal building; 2) increase the maximum height of a retaining wall closer than 10 feet to a property line from required six feet to nine feet; 3) reduce the front setback from required 50 feet to 42 feet; and 4) reduce the rear setback from required 40 feet to 21 feet in land lot 1098 of the 17th district. Property is located at the terminus of River Knoll Drive (725 River Knoll Dr).

To **approve** V-92, subject to:

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CONSENT AGENDA (CONT.)

V-92 STUART GURR (CONT.)

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

V-93 BIG SKY CONSTRUCTION SERVICES (Stephanie H. Kirkpatrick and James S. Kirkpatrick, owners) requesting a variance to reduce the side setback from required 10 feet to five feet adjacent to the southeast property line in land lot 1199 of the 16th district. Property is located on the west side of Carriage Trace, south of Old Sewell Road (169 Carriage Trce).

To **approve** V-93, subject to:

- 1. Tree buffer to be added to the corner that is closest to the adjoining neighbor.**

V-94 NICOLE DAVIS (Douglas J. Williams and Kimberly F. Williams, owners) requesting a variance to 1) allow an accessory structure (proposed inground pool) to be located on the side of the principal building; and 2) allow an accessory structure (proposed inground pool) to be located closer to the road than the principal building in land lot 20 of the 17th district. Property is located on the southwest corner of Ridgeway Drive and Woolf Valley Court (1481 Ridgeway Dr).

To **approve** V-94, subject to:

- 1. Department of Transportation comments and recommendations**

V-95 FARHAD BANAI (Farhad S. Banai, owner) requesting a variance to 1) reduce the front setback from required 30 feet (per V-25 of 2022) to 25 feet; and 2) allow an accessory structure (proposed 295 square foot garage) to be located to the front of and side of the principal building in land lot 75 of the 1st district. Property is located on the eastern corner of Dogwood Trail and Maple Brook (390 Dogwood Trl).

To **approve** V-95, subject to:

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

V-96 MIKE AND KIKI MISSAILIDIS (Michael A. Missailidis and Kiki Missailidis, owners) requesting a variance to reduce the rear setback from required 22 feet (per V-4 of 2016) to seven feet in land lot 157 of the 1st district. Property is located at the terminus of Bedford Oaks Court, north of Lower Roswell Road (5126 Bedford Oaks Ct).

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CONSENT AGENDA (CONT.)

V-96 MIKE AND KIKI MISSAILIDIS

To **approve** V-96, subject to:

1. Development and Inspections comments and recommendations

V-98 LAUREN MALAVICH (Daniel D. Malavich and Lauren Malavich, owners) requesting a variance to 1) allow an accessory structure (proposed inground pool and pool equipment) to be located on the side of the principal building; 2) allow multiple accessory structures (existing sheds #1, 2, and 3) to be located on the side of the principal building; 3) allow an accessory structure (existing 209 square foot playhouse and deck) to be located at the front of and side of the principal building; 4) reduce the setbacks for an accessory structure (existing approximately 204 square foot shed #3) from required 50 feet to 23 feet adjacent to the southern property line; 5) reduce the setbacks for an accessory structure (existing 209 square foot playhouse and deck) from required 25 feet to 11 feet adjacent to the northern property line; and 6) allow access and maneuvering on a nonhardened surface (gravel) in land lot 342 of the 20th district. Property is located on the south side of Sayre Drive, south of Wembley Drive (6296 Sayre Dr).

To **approve** V-98, subject to:

1. Department of Transportation comments and recommendations

V-99 SONIA T. LUCAS (Sonia T. Lucas, owner) requesting a variance to increase the maximum allowable impervious coverage from required 35% to 40% in land lots 167 and 194 of the 16th district. Property is located on the north side of Ainsley Court, west of Dover Crossing Drive (2613 Ainsley Ct).

To **approve** V-99, subject to:

1. Stormwater Management comments and recommendations

V-100 V&V CUSTOM HOMES, LLC (V&V Custom Homes, LLC, owner) requesting a variance to waive the 40-foot undisturbed construction buffer in land lots 390 and 403 of the 16th district. Property is located on the south side of Davis Road, west of Shallowford Road (3550 Davis Rd).

To **approve** V-100, subject to:

1. Department of Transportation comments and recommendations

CONSENT VOTE: ADOPTED 5-0

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REGULAR AGENDA

- 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).

The public hearing was opened; William Stinson, Kim Florence, and Bonnie Florence addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Massey, second by Summerour, to **approve** V-65, subject to:

- 1. Finish the barn to resemble the primary structure on the property**
- 2. No commercial or residential dwelling use of the accessory structure**
- 3. Pave the gravel driveway**
- 4. Building must be permitted and inspected by Cobb County**

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 nonhardened 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 addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Beloin, second by Russell, to **approve** V-66, subject to:

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

VOTE: ADOPTED 5-0

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REGULAR AGENDA (CONT.)

V-80 **TIMOTHY M. STRICKLAND** (Timothy M. Strickland and Adrienne B. Strickland, owners) requesting a variance to 1) allow an accessory structure (proposed inground pool) to be located on the side of the principal building; 2) allow an accessory structure (proposed inground pool) to be located closer to the road than the principal building; and 3) reduce the major side setback from required 35 feet to 26 feet in land lot 50 of the 16th district. Property is located on the southeast corner of Farrington Court and Marlos Drive (2548 Farrington Ct).

MOTION: Motion by Summerour, second by Swanson, to **continue** V-80 until the August 12, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: ADOPTED 5-0

V-84 **LOUISE ALDRIDGE** (LG Properties Group LLC, owner) requesting a variance to 1) reduce the setbacks for an accessory structure (existing approximately 1,840 square foot building) from required 100 feet to 48 feet adjacent to the southern property line, 13 feet adjacent to the northern property line, and three feet adjacent to the western property line; 2) reduce the setbacks for an accessory structure (existing approximately 344 square foot trailer) from required 30 feet to three feet adjacent to the western property line and four feet adjacent to the southern property line; and 3) allow access and maneuvering on a nonhardened surface (gravel) in land lot 1207 of the 16th district. Property is located on the west side of Harris Drive, north of Hazelwood Drive (24 Harris Dr).

The public hearing was opened; Louise Aldridge and Rocyne Silva addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Swanson, second by Summerour to **approve** variance #1, to **deny** variance #2, and to **deny** variance #3, subject to:

- 1. Removal of the accessory trailer within 30 days**
- 2. Removal of gravel**
- 3. Submit the approved site plan dated July 15, 2026 (attached and made a part of these minutes) to Building and Inspections for permit within 60 days**

VOTE: ADOPTED 5-0

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- V-85** **KIM AND JASON BARFIELD** (Jason L. Barfield and Kimberly M. Barfield owners) requesting a variance to 1) increase the maximum height of a fence located in the rear of the principal building from required eight feet to 13 feet; 2) allow an accessory structure (existing approximately 874 square foot building #1) to be located on the side of the principal building; 3) allow an accessory structure (existing approximately 4,353 square foot building #2) to be located on the side of the principal building; 4) reduce the setbacks for an accessory structure (existing approximately 874 square foot building #1) from required 100 feet to 60 feet adjacent to the northern property line and zero feet adjacent to the western and southern property lines; 5) reduce the setbacks for an accessory structure (existing approximately 4,353 square foot building #2) from required 100 feet to 90 feet adjacent to the northern property line and zero feet adjacent to the eastern and southern property lines; and 6) allow a second electrical meter in land lots 434 and 435 of the 19th district. Property is located on the south side of Bullard Road, north of Macland Road (2015 Bullard Rd).

The public hearing was opened; Kimberly Barfield and Jason Barfield addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Beloin, second by Summerour, to approve V-85, subject to:

1. **Development and Inspections comments and recommendations**
2. **Stormwater Management Division comments and recommendations**
3. **Site plan submitted dated April 28, 2026 (attached and made a part of these minutes)**
4. **No commercial or residential dwelling use of the accessory structure**

VOTE: **ADOPTED 5-0**

- V-87** **ALFREDO LOPEZ VERA** (Alfredo Lopez Vera, owner) requesting a variance to 1) allow an accessory structure (existing 40 square foot chicken coop) to be located on the side of the principal building; 2) allow an accessory structure (existing 72 square foot zipline wood steps) to be located on the side of the principal building; 3) reduce the setbacks for an accessory structure (existing 40 square foot chicken coop) from required 25 feet to one foot adjacent to the western property line; 4) reduce the setbacks for an accessory structure (existing 272 square foot chicken coop) from required 25 feet to two feet adjacent to the western property line; 5) reduce the setbacks for an accessory structure (existing 812 square foot above ground pool with wood deck) from required 100 feet to 70 feet adjacent to the eastern property line and 47 feet adjacent to the western property line; 6) reduce the setbacks for an accessory structure (existing 1,500 square foot shed) from required 100 feet to 59 feet adjacent to the western property line, 10 feet adjacent to the northern property line, and nine feet adjacent to the eastern property line; and 7) allow access and maneuvering on a nonhardened surface (gravel) in land lots 261 and 262 of the 20th district. Property is located on the northeast side of Harris Road, north of Sandhurst Way (3279 Harris Rd).

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REGULAR AGENDA (CONT.)

V-87 ALFREDO LOPEZ VERA (CONT.)

The public hearing was opened; Brenda Barahona and Justin Parks addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Massey, second by Summerour, to **hold** V-87 until the August 12, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED 5-0**

V-97 YOLANDA CARRILLO (Y.C. Alfredo Carrillo and Yolanda Carrillo, owners)
requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 512 square foot covered patio) from required 30 feet to four feet adjacent to the northern and western property lines; and 2) reduce the setbacks for an uncovered deck from required five feet to zero feet adjacent to the northern property line in land lot 75 of the 1st district. Property is located on the north side of Highpoint Drive, south of Ravenwood Drive (4885 Highpoint Dr).

The public hearing was opened; Liz Carrillo, Yolanda Carrillo, and David Duran addressed the Board. Following the presentations and discussions, the following motion was made:

MOTION: Motion by Russell, second by Summerour, to **hold** V-97 until the August 12, 2026 Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED 5-0**

APPROVAL OF MINUTES

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

- June 10, 2026 – Administrative Appeal Hearing A-01-2026 Appaloosa Farms
- June 10, 2026 – Board of Zoning Appeals Variance Hearing
- July 6, 2026 – Board of Zoning Appeals Agenda Review Work Session

VOTE: **ADOPTED 5-0**

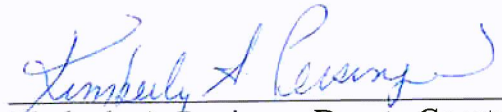
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ADJOURNMENT

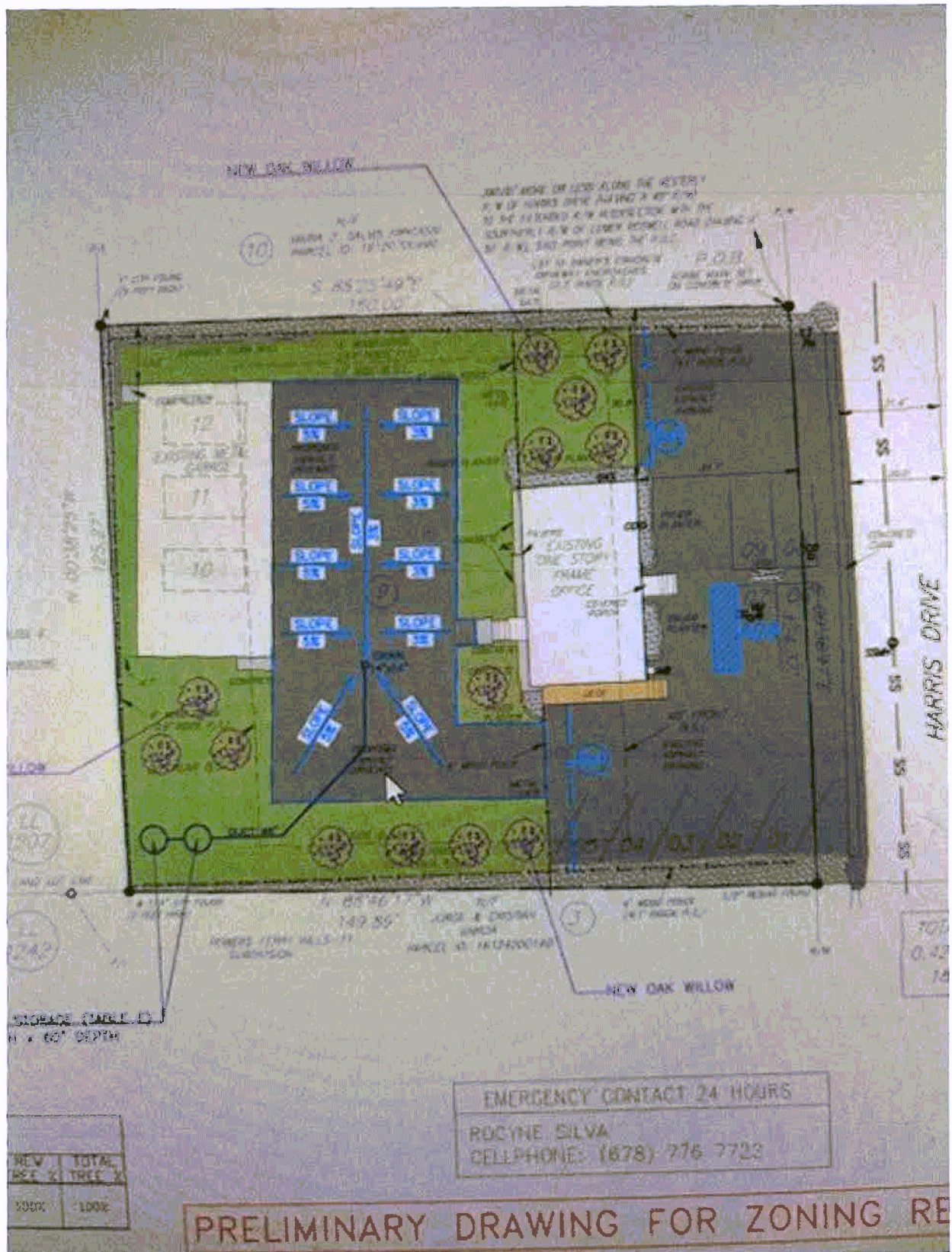
MOTION: Motion by Russell, second by Summerour Russell, to **adjourn** the hearing.

VOTE: **ADOPTED 5-0**

The hearing adjourned at 3:54 p.m.



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



2015-000516 (R)

V-85
(2026)

RECEIVED
APR 28 2026
GCS COMMUNITY ZONING

MAG.

BULLARD ROAD

N 54°06'55" E 234.94

PP IPS #4RB

N/F JACK T. OGLE
DB. 978, PG. 607

WELL

75.0'

LAND LOT LINE

88.5'

ONE STORY BRICK

GARAGE

IPS #4RB

IPF 1"CT

436' TO A 24" OAK TREE

N/F CLEO B. HICE
DB. 5890, PG. 525

Site Plan

ADDITION

IPF 1"CT

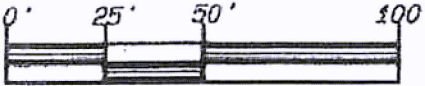
N 13°50'59" E 56.50'

N 77°10'40" E 95.77'

WOOD FENCE

S 51°00'12" N 168.61'

N/F JACK T. OGLE
DB. 978, PG. 607



GRAPHIC SCALE

L.L. 435

L.L. 434

2015 BULLARD ROAD
POWDER SPRINGS, GEORGIA 30073

DISC 81

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN N/A FEET AND AN ANGULAR ERROR OF N/A " PER ANGULAR POINT IT WAS ADJUSTED USING N/A
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000+ FEET
ALL MATTERS OF TITLE ARE EXCEPTED

EQUIPMENT UTILIZED :

ANGULAR -

LINEAR - E.D.M.

"FIA OFFICIAL FLOOD HAZARD

MAP" COMMUNITY NUMBER 130052

PAGE 65F, DATE 8-18-92

SHOWS THIS PROPERTY NOT TO BE IN A DESIGNATED BASE FLOOD AREA



SURVEY FOR :

JACK T. OGLE

SUBDIVISION -

LOT - BLOCK - UNIT

LAND LOT - 434 & 435

DISTRICT - 19TH SECTION - 2ND

COUNTY - COBB STATE - GEORGIA

REFERENCE PLAT BOOK PAGE

DATE : MARCH 23, 1993 SCALE : 1" = 50'

REVISED : JOB No. : A 93-0368



C & C LAND SURVEYORS, INC.
P.O. BOX 837, ACWORTH, GEORGIA 30101
(404) 975-3933

Min. Bk. 25 Petition No. V-87-2026
Doc. Type Site Plan
Meeting Date 7-15-2026