

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
JULY 12, 2023
1:30 P.M.**

The Board of Zoning Appeals Variance Hearing was held on Wednesday, July 12, 2023, at 1:30 p.m. in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

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

CHAIRWOMAN RUSSELL – CALL TO ORDER

Chairwoman Russell called the hearing to order at 1:31 p.m. and explained the procedures for the public hearing.

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 John Pederson, Zoning Division Manager, read in the following case that was withdrawn and then read in the Consent Agenda.

WITHDRAWN CASE

V-75 **COLE ISBAN** (Cole D. Isban and Veronica Isban, owners) requesting a variance to 1) reduce the rear setback from the required 30 feet to 12 feet; and 2) reduce the undisturbed buffer from 20 feet to 12 feet in land lot 74 of the 1st district. Property is located at the southeast terminus of Gateside Lane, east of Gateside Place (4650 Gateside Lane). ***WITHDRAWN WITHOUT PREJUDICE***

CONSENT AGENDA

MOTION: Motion by Willis, second by Swanson, to **approve** the following cases on the Consent Agenda, *as presented*:

V-68 **DELCIDIO JOAO DA SILVA JUNIOR** (Delcidio Joao Da Silva Junior and Ana Paula De Faria Restrepo, owners) requesting a variance to 1) allow a fence to be up to eight feet in height when in front of or to the side of the house in a residential district; 2) reduce the side setback from the required 10 feet to 2.9 feet adjacent to the south property line (existing); 3) increase the maximum allowable impervious coverage from 35% to 66.45% (existing); 4) reduce the side setback for an accessory structure under 650 square feet (existing approximately 160 square foot outdoor bar) from the required 10 feet to zero feet adjacent to the south property line; 5) reduce the side setback for an accessory structure under 650 square feet (existing approximately 273 square foot shed) from the required 10 feet to 2.7 feet adjacent to the north property line (existing); and 6) reduce the rear setback for an accessory structure under 650 square feet (existing approximately 273 square foot shed)

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CONSENT AGENDA (CONT.)

V-68 DELCIDIO JOAO DA SILVA JUNIOR (CONT.)

from the required 35 feet to 5.4 feet in land lot 1136 of the 16th district. Property is located on the east side of Wildwood Road, north of Dewberry Trail (1630 Wildwood Road).

To **approve** V-68, subject to:

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

V-69 BUILD SMITH, LLC (Build Smith, LLC, owner) requesting a variance to reduce the stream buffer from the required 75 feet to 56 feet in land lot 982 of the 16th district. Property is located on the south side of Royal Oak Drive, east of Old Canton Road (3020 Royal Oak Road).

To **approve** V-69, subject to:

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

V-70 DAN ALLISON (Daniel J. Allison and Ann Marie Allison, owners) requesting a variance to reduce the rear setback from the required 25 feet to eight feet in land lot 265 of the 16th district. Property is located on the east side of Cash Landing, north of Pete Shaw Road (3938 Cash Landing).

To **approve** V-70.

V-71 ROBERT ROY AND VENETIA ROY (Robert J. Roy and Venetia Roy, owners) requesting a variance to allow accessory structures to the side of the principal building (two existing sheds and one proposed on-ground pool) in land lot 97 of the 1st district. Property is located at the southern terminus of Sandpoint Way, south of Sandpoint Drive (2653 Sandpoint Way).

To **approve** V-71, subject to:

- 1. Development and Inspections Division comments and recommendations**

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CONSENT AGENDA (CONT.)

V-72 **LUKE BURBANK** (Mary Jo Kirchner and Richard R. Kirchner, owners) requesting a variance to increase the maximum allowable impervious coverage from the required 35% to 39.71% in land lot 1004 of the 17th district. Property is located on the north side of Rivers Call Boulevard, north of Wildwood Parkway (3495 Rivers Call Boulevard).

To **approve** V-72, subject to:

1. Stormwater Management Division comments and recommendations

V-73 **JASON MCKINNEY** (Hannah McKinney and Jason McKinney, owners) requesting a variance to reduce the front setback from the required 35 feet to 21 feet in land lot 705 of the 19th district. Property is located on the north side of Lanier Drive, west of Doyle Lane (1104 Lanier Drive).

To **approve** V-73, subject to:

1. Site Plan Review comments and recommendations

V-76 **PERRIN PROPERTIES, INC.** (Perrin Properties, Inc., owner) requesting a variance to increase the maximum allowable impervious coverage from 80% to 84.03% in land lots 172, 173, 208, and 209 of the 20th district. Property is located on the north side of Auto Park Drive, east of Roberts Boulevard (1240 Auto Park Drive).

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

1. Stormwater Management Division comments and recommendations

V-77 **CRAIG SEARS** (Craig C. Sears and Renata Sears, owners) requesting a variance to reduce the rear setback from the required 35 feet to 25 feet in land lot 55 of the 1st district. Property is located at the southern terminus of Andrea Pointe, south of Post Oak Tritt Road (4662 Andrea Pointe).

To **approve** V-77.

Prior to the Consent vote, Ms. Summerour announced that she recused herself from V-68 (Delcidio Joao Da Silva Junior), due to a conflict of interest.

CONSENT VOTE: ADOPTED 5-0 (Ms. Summerour recused herself from V-68)

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REGULAR AGENDA

V-74 **RUDOLPH L. FRAMPTON** (Rudolph Frampton, owner) requesting a variance to reduce the side setback from the required 10 feet to 5.8 feet adjacent to the south property line (existing) in land lot 659 of the 16th district. Property is located on the west side of Woodridge Drive, north of Ketchem Drive (2285 Woodridge Drive).

The public hearing was opened; Rudolph Frampton and Carolyn Roe addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Summerour, second by Willis, to **approve** V-74.

VOTE: **ADOPTED** 5-0

APPROVAL OF MINUTES

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

June 14, 2023 – Board of Zoning Appeals Variance Hearing
July 10, 2023 – Special Called Meeting/Work Session Agenda Review

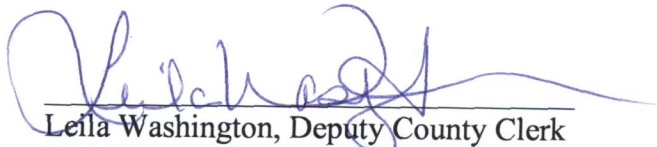
VOTE: **ADOPTED** 5-0

ADJOURNMENT

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

VOTE: **ADOPTED** 5-0

The hearing adjourned at 2:07 p.m.



Leila Washington, Deputy County Clerk
Cobb County Board of Zoning Appeals