

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
NOVEMBER 15, 2023
1:30 P.M.**

The Board of Zoning Appeals Variance Hearing was held on Wednesday, November 15, 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 cases that were held or continued and then read in the Consent Agenda.

HELD/CONTINUED CASES

- V-101** **VAHID MOHAMMADI** (Roohollah Mohammadi and Soodabeh Fahandej Sadi, owners) requesting a variance to allow a fence to be more than six feet in height when in front of or to the side of the house in a residential district (up to eight feet in height) in land lots 147, 214, and 215 of the 16th district. Property is located on the west side of Norman Drive, south of Shiloh Road (4741 Norman Drive). *(Previously held by the BZA from the October 11, 2023, BZA hearing until the December 13, 2023, BZA hearing; therefore, was not considered at this hearing).*
- V-110** **PULTE HOME COMPANY, LLC** (Pulte Home Corporation, owner) requesting a variance to 1) reduce the setback from the required 15 feet to 10 feet adjacent to the south property line; and 2) reduce the setback from the required 40 feet to 27 feet adjacent to the north property line in land lot 237 of the 20th district. Property is located on the south side of Paul Samuel Road, on the west side of Turnwell Place, and on the north side of Whithorn Way (3754 Whithorn Way). *(Held by the BZA from the October 11, 2023, BZA hearing until the November 15, 2023, BZA hearing; Continued by Staff from the November 15, 2023, BZA hearing until the December 13, 2023, BZA hearing; therefore, was not considered at this hearing).*

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HELD/CONTINUED CASES (CONT.)

- V-117** **MARCUS T. FLOYD** (Beverly Edwards-Floyd and Marcus Floyd, owners) requesting a variance to 1) reduce the front setback from the required 45 feet to 20 feet; and 2) allow the exposed portions of the proposed retaining walls, as measured from the adjacent property owner's side of the exposed wall, to exceed six feet in height when constructed to the heights shown within the distances specified at each location shown (wall heights of one foot to 47 feet) in land lot 338 of the 20th district. Property is located on the northwest corner of Pindos Trail and Pindos Pass, and on the east side of Pindos Place (5100 Pindos Pass). *(Previously continued by Staff from the November 15, 2023, BZA hearing until the December 13, 2023, BZA hearing; therefore, was not considered at this hearing).*

CONSENT AGENDA

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

- V-112** **PEACHTREE CONSTRUCTION CO** (Lance Garrison and Emily Garrison, owner) requesting a variance to reduce the impervious buffer from the required 75 feet to 63 feet in land lots 971 and 972 of the 17th district. Property is located on the east side of Woodlawn Brook Drive, north of Keswick Drive (3995 Woodland Brook Drive).

To **approve** V-112, subject to:

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

- V-113** **BRADLEY DAVIS** (Bradley W. Davis and Traci C. Davis, owners) requesting a variance to reduce the front the setback from the required 20 feet to 17 feet in land lot 290 of the 20th district. Property is located at the northeast terminus of Wallis Farm Lane (522 Wallis Farm Lane).

To **approve** V-113, subject to:

- 1. Site Plan Review comments and recommendations**
- 2. Sewer Division comments and recommendations**

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CONSENT AGENDA (CONT.)

- V-114** **PIRANI PROPERTIES LLC** (Pirani Properties LLC, owner) requesting a variance to 1) reduce the minimum parking required from 16 to 15 spaces; 2) increase the maximum allowable impervious coverage from 70% to 81%; 3) reduce the front setback from the required 50 feet to 24 feet (existing); and 4) reduce the rear setback from the required 30 feet to six feet (existing) in land lot 36 of the 17th district. Property is located at the southwest intersection of Veterans Memorial Highway and Mableton Parkway (5584 Mableton Parkway).

To **approve** V-114, subject to:

- 1. Department of Transportation comments and recommendations**
- 2. Stormwater Management Division comments and recommendations**
- 3. Site Plan Review comments and recommendations**

- V-115** **FEDEX GROUND PACKAGE SYSTEM, INC.** (FedEx Ground Package System, Inc. owner) requesting a variance to reduce the minimum parking required from 1,640 to 1,078 spaces in land lots 174 and 175 of the 16th district. Property is located on the southeast corner of Old 41 Highway and Airport Road, south of McCollum Parkway (1675 Airport Road).

To **approve** V-115, subject to:

- 1. Stormwater Management Division comments and recommendations**

- V-116** **COURTNEY COMBS** (Jeffrey S. Coble and Courtney Combs, owners) requesting a variance to 1) reduce the rear setback from the required 35 feet to 15 feet (existing); 2) allow an accessory structure (existing approximately 500 square foot garage) to the side of the principal building; and 3) reduce the rear setback for an accessory structure under 650 square feet (existing approximately 500 square foot garage) from the required 35 feet to 12 feet in land lot 1249 of the 16th district. Property is located on the east side of Brookcrest Drive, south of Rhodes Drive (32 Brookcrest Drive).

To **approve** V-116.

- V-119** **SUBHASHISH SENGUPTA AND SHEETAL SENGUPTA** (Subhashish Sengupta and Sheetal Sengupta, owners) requesting a variance to allow two accessory structures (proposed pool and approximately 350 square foot pool house) to be located to the side and in front of the principal building in land lots 99 and 100 of the 1st district. Property is located on the southwest corner of Post Oak Tritt Road and Horseshoe Knoll Lane, south of Mcpherson Road (2789 Horseshoe Knoll Lane).

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CONSENT AGENDA (CONT.)

V-119 SUBHASHISH SENGUPTA AND SHEETAL SENGUPTA (CONT.)

To **approve** V-119, subject to:

- 1. No commercial or dwelling use of the accessory building**

V-121 SHARON BURRUSS (Jim L. Burruss and Sharon M. Burruss, owners) requesting a variance to allow an accessory building that is intended to be habitable to be attached to the principal structure by a breezeway rather than a fully enclosed heated/cooled hallway and be more than 25 feet from the primary structure (36.3 feet) in land lot 741 of the 16th district. Property is located on the west side of East Piedmont Road, south of Birchtree Way (2021 East Piedmont Road).

To **approve** V-121.

CONSENT VOTE: **ADOPTED 5-0**

REGULAR AGENDA

V-118 PIERRE LUCIEN (Pierre Lucien, owner) requesting a variance to 1) increase the maximum allowable impervious coverage from 35% to 50.3%; and 2) increase the maximum allowable building height from 35 feet to 40 feet in land lot 826 of the 16th district. Property is located at the northern terminus of Hunter's Glen, north of Old Hunter's Trace (1812 Hunter's Glen).

The public hearing was opened; Pierre Lucien and Andy Smith addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Swanson, second by Willis, to **approve** V-118, subject to:

- 1. Allow the 40-foot building height for the elevator shaft *only***
- 2. Stormwater Management Division comments and recommendations; impervious surface must be mitigated from 50.3% back to 35%**
- 3. Elevator access to the roof to be used for roof maintenance and repairs to the mechanical systems on the roof *only***

VOTE: **ADOPTED 5-0**

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APPROVAL OF MINUTES

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

October 11, 2023 – Board of Zoning Appeals Variance Hearing

VOTE: **ADOPTED** 5-0

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

November 13, 2023 – Special Called Meeting/Work Session Agenda Review

VOTE: **ADOPTED** 5-0

ADJOURNMENT

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

VOTE: **ADOPTED** 5-0

The hearing adjourned at 2:03 p.m.



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