



Cobb County...Expect the Best!

COBB COUNTY BOARD OF ZONING APPEALS

VARIANCE HEARING SUMMARY AGENDA

November 13, 2024

Withdrawn Case		
District	Case	Applicant
3	V-145-2024	JOHN C. ANSELMO <i>withdrawn without prejudice</i>

District	Case	Held and continued cases – Not to be heard
2	V-129-2024	CHARLES BROWN, DIANE BENSON-BROWN (Continued by Staff from the October 9, 2024 and November 13, 2024 BZA hearings until the December 11, 2024 BZA hearing).
2	V-148-2024	JAKE ANTHONY STRANGE (Continued by Staff from the November 13, 2024 BZA hearing until the December 11, 2024 BZA hearing).

District	Case	Consent Agenda
3	V-135-2024	ANDY LE
4	V-136-2024	BEN CARLOS K STATEN
2	V-137-2024	JENNIFER JONES
1	V-140-2024	TIM AND HOPE MORGAN
1	V-141-2024	STEPHEN QUAILE
4	V-142-2024	EMORY FLOYD
1	V-143-2024	STANLEY WILLS AND ALBERT MATHISON (AS EXECUTORS OF THE ESTATE OF CHARLES E. WILLS AND MARY B. WILLS
1	V-144-2024	STEPHAN AND LINDA MCCORMICK
3	V-146-2024	GREGORY ADAM UPCHURCH

District	Case	Held and continued cases –To be heard
3	V-120-2024	PETER BROWN AND SHANDRA BROWN (Held by the BZA from the September 11, 2024 BZA hearing until the October 9, 2024 BZA hearing; Continued by Staff from the October 9, 2024 BZA hearing until the November 13, 2024 BZA hearing).
1	V-123-2024	PAUL D. HURLEY (Held by the BZA from the October 9, 2024 BZA hearing until the November 13, 2024 BZA hearing).
3	V-128-2024	VASUDEVAN SRINIVASAN (Held by the BZA from the October 9, 2024 BZA hearing until the November 13, 2024 BZA hearing).
3	V-130-2024	JENNIFER AND TREY CAMBERN (Continued by the BZA from the October 9, 2024 BZA hearing until the November 13, 2024 BZA hearing).

District	Case	Regular cases
3	V-134-2024	JODY POWELL AND C&B CONSTRUCTION LLC
1	V-138-2024	WES BUCHANAN
2	V-139-2024	PROBITY ONE, LLC
3	V-147-2024	KEVIN CLAYTON



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VARIANCE HEARING CONSENT AGENDA

November 13, 2024

Variance Cases

V-135 **ANDY LE** (Andy Dinh Le and Tiffany Ni Le, owners) requesting a variance to reduce the setbacks for an accessory structure over 1,000 square feet (proposed 1,200-square-foot basketball court) from required 100 feet to 15 feet adjacent to the south property line, 20 feet adjacent to the east property line, and 45 feet adjacent to the west property line in Land Lot 914 of the 16th District. Located on the south side of Octavia Lane, east of East Piedmont Road (2476 Octavia Lane). Staff recommends approval subject to:

- 1. Development and Inspections comments.**
- 2. Any lights on the basketball court be turned off at 9:00 P.M.**

V-136 **BEN CARLOS K STATEN** (Ben C.K. Staten, owner) requesting a variance to 1) reduce the rear setback for an accessory structure under 650 square feet (existing 384-square-foot shed) from required 30 feet to 14 feet; and 2) reduce the major side setback from required 20 feet to 19 feet adjacent to the west property line (existing) in Land Lot 628 of the 19th District. Located at the northeast corner of Waymar Way and Waymar Drive (2722 Waymar Drive). Staff recommends approval.

V-137 **JENNIFER JONES** (Charles Chris Esslinger and Traci Elizabeth Esslinger, owners) requesting a variance to allow a proposed inground pool and pool equipment to be located to the side and front of the principal building in Land Lot 750 of the 17th District. Located on the north side of Park Avenue, east of Beech Street (2225 Park Avenue). Staff recommends approval subject to:

- 1. Site Plan Review comments; and**
- 2. Sewer comments.**

V-140 **TIM AND HOPE MORGAN** (Timothy Rhyne and Victoria Hope Morgan, owners) requesting a variance to allow proposed inground pool and decking to encroach upon the 75-foot impervious buffer in Land Lot 143 of the 19th District. Located on the east side of Poplar Springs Road, south of Dallas Highway (841 Poplar Springs). Staff recommends approval subject to:

- 1. Stormwater Management comments.**

V-141 STEPHEN QUAILE (Stephen Quaile and Heather Quaile, owners) requesting a variance to 1) reduce the rear setback for an accessory structure under 650 square feet (proposed approximately 576-square-foot garage) from required 35 feet to ten (10') feet adjacent to the west property line; and 2) allow an accessory structure (proposed approximately 576-square-foot garage) to be located to the side of the principal building in Land Lot 302 of the 20th District. Located at the northern terminus of Wild Iris Lane, north of Owl Creek Drive (411 Wild Iris Lane). Staff recommends approval subject to:

- 1. Detached garage not to be used for dwelling use or commercial use.**

V-142 EMORY FLOYD (Emory K.Floyd and Marva M.Benbow, owners) requesting a variance to 1) reduce the rear setback from required 40 feet to 25 feet; and 2) reduce the side setbacks from required ten (10') feet to nine (9') feet adjacent to the north and south property lines (existing) in Land Lot 488 of the 19th District. Located at the northeast terminus of Hampton Estates Drive, east of Powder Springs Road (2413 Hampton Estates Drive). Staff recommends approval.

V-143 STANLEY WILLS AND ALBERT MATHISON (AS EXECUTORS OF THE ESTATE OF CHARLES E. WILLS AND MARY B. WILLS (Albert Franklin Mathison and Stanley Alvin Wills, owners) requesting a variance to 1) reduce the setbacks for an accessory structure over 1,000 square feet (existing approximately 2,054-square-foot barn from required 100 feet to 20 feet adjacent to the west property line, 68 feet adjacent to the south property line, and 95 feet adjacent to the north property line; 2) allow parking and maneuvering of vehicles on a non-hardened-and-treated surface (existing gravel drive); 3) reduce the front setback for an accessory structure under 650 square feet (existing approximately 600-square-foot metal carport) from required 40 feet to 22 feet; and 4) allow for an accessory structure on a lot without a principal building (existing approximately 600-square-foot metal carport) in Land Lot 197 of the 20th District. Located on the west side of Acworth Due West Road, north of Freys Farm Lane (2095 Acworth Due West Road). Staff recommends approval subject to:

- 1. Barn not to be used for dwelling use or commercial use.**

V-144 STEPHAN AND LINDA MCCORMICK (Stephan R. McCormick and Linda K. McCormick, owners) requesting a variance 1) to reduce the setbacks for an accessory structure over 1,000 square feet (existing two (2)-story approximately 1,170-square-foot barn/stable from required 100 feet to 31 feet adjacent to the north property line; 2) to allow an accessory structure (existing two (2)-story approximately 1,170-square-foot barn/stable) to be located in front of the principal building on a lot; 3) to reduce the setback from an accessory structure (existing approximately 170-square-foot shed) from required 25 feet to 12 feet adjacent to the north property line; 4) to allow an accessory structure (existing approximately 170-square-foot shed) to be located in front of the principal building on a lot; 5) to reduce the setback for an accessory structure (existing approximately 297-square-foot chicken coop) from 25-feet to one (1') foot adjacent to the south property line; 6) to reduce the setback for an accessory structure (existing 160-square-foot shed) from required 25 feet to five (5') feet adjacent to the south property line; 7) to allow encroachment of the 75-foot impervious buffer; and 8) to allow gravel drive (existing) without 25-foot paved or asphalt apron at the public road in Land Lots 350, 351, 390 and 391 of the 19th District. Located on the east side of Velma Drive, north of Mary L Trail (3430 Velma Drive). Staff recommends approval subject to:

- 1. Barn not to be used for dwelling use or commercial use; and**
- 2. Traffic comments.**

V-146 GREGORY ADAM UPCHURCH (Gregory A. Upchurch, owner) requesting a variance to 1) reduce the front setback from required 35 feet to 31 feet (existing); 2) reduce the rear setback from required 35 feet to 33 feet; and 3) reduce the side setback from required ten (10') feet to two (2') feet adjacent to the west property line in Land Lot 792 of the 17th District. Located on the east side of Sybil Lane, south of Freydale Road (2296 Freydale Road). Staff recommends approval subject to:

- 1. Development and Inspections comments.**