

**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
MARCH 12, 2025  
1:30 P.M.**

The Board of Zoning Appeals Variance Hearing was held on Wednesday, March 12, 2025, at 1:30 p.m. 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:

Barkley Russell, Chairwoman  
Deidra Massey, Vice Chairwoman  
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 continued and then read in the Consent Agenda.

**CONTINUED CASE**

**V-28**      **VICKIE BEAHAM** (Vickie Lynn Beaham, owner) requesting a variance to increase the maximum allowable impervious coverage from 35% to 52% in land lot 666 of the 16<sup>th</sup> district. Property is located on the south side of Newton Road, west of Sandy Plains Road (1702 Newton Road).

Mr. Pederson presented the Applicant's request for a continuance; thereafter, the following motion was made:

MOTION: Motion by Massey, second by Summerour, to **continue** V-28 until the April 9, 2025, Board of Zoning Appeals Variance Hearing.

VOTE: **ADOPTED** 5-0

**CONSENT AGENDA**

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

**V-15**      **HEATH LAWSON** (Heath Lawson, owners) requesting a variance to 1) reduce the setbacks for an accessory structure over 650 square feet (existing approximately 800 square-foot carport) from the required 100 feet to one foot adjacent to the western and southern property lines; 2) reduce the setbacks for a proposed accessory structure over 650 square feet (approximately 1440 square-foot building) from the required 100 feet to 10 feet from the rear property line, 50 feet from the western property line, and 45 feet from the eastern property line; 3) reduce the rear

**CONSENT AGENDA (CONT.)**

**V-15            HEATH LAWSON (CONT.)**

setback for an accessory structure under 650 square feet (existing approximately 288 square-foot shed) from the required 35 feet to one foot adjacent to the eastern and southern property lines; and 4) allow for parking and/or maneuvering on a non-hardened and treated surface (existing gravel drive and grass) in land lot 3 of the 20<sup>th</sup> district. Property is located on the south side of McCoy Road, east of Will Ben Street (5695 McCoy Road). *(Previously continued by the BZA from the February 12, 2025, BZA hearing until the March 12, 2025, BZA hearing).*

Mr. Pederson presented the Applicant's request for this case to be pulled off the Consent Agenda to be heard on the Regular Agenda; thereafter, the following motion was made:

MOTION: Motion by Massey, second by Swanson, to **pull** V-15 from the Consent Agenda to be heard on the Regular Agenda.

VOTE: **ADOPTED 5-0**

**V-17            SANDY BRASWELL** (Sandy Braswell, owner) requesting a variance to allow for parking and/or maneuvering on a non-hardened and treated surface (gravel access for an approximately 962 square-foot canopy and steel building) in land lots 718 and 719 of the 19<sup>th</sup> district. Property is located on the south side of Macedonia Road, east of Avondale Parkway (3163 Macedonia Road). *(Previously held by the BZA from the February 12, 2025, BZA hearing until the March 12, 2025, BZA hearing).*

To **approve** V-17, subject to:

- 1. Department of Transportation comments and recommendations**
- 2. Owner to maintain the gravel on the part of the driveway not paved**

**V-25            ISSAK HAYUT** (Issak Hayut, owner) requesting a variance to increase the maximum impervious coverage from the required 35% to 39.1% in land lot 166 of the 1<sup>st</sup> district. Property is located on the east side of Bliss Lane, north of Roswell Road (2180 Bliss Lane). *(Previously held by the BZA from the February 12, 2025, BZA hearing until the March 12, 2025, BZA hearing).*

To **approve** V-25, subject to:

- 1. Stormwater Management Division comments and recommendations**
- 2. Stormwater Management Division and Sewer Division to approve final Site Plan**



**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
MARCH 12, 2025  
PAGE 3**

**CONSENT AGENDA (CONT.)**

- V-31**      **STATE PERMITS, INC.** (SCC Parkwood Plaza LLC, owner) requesting a variance to reduce the number of required parking spaces from 130 to 122 in land lot 985 of the 17<sup>th</sup> district. Property is located at the northwest intersection of Powers Ferry Road and Parkwood Circle (2014 Powers Ferry Road).

To **approve** V-31.

- V-33**      **JASON TURNER** (H. Ray Turner and Jan Y. Turner, owners) requesting a variance to 1) reduce the front setback from the required 45 feet to 43 feet; 2) reduce the side setback from the required 12 feet to 10 feet (existing); and 3) reduce the setback for an accessory structure under 650 square feet (existing approximately 400 square-foot building) from the required 12 feet to seven feet adjacent to the east property line in land lot 957 of the 17<sup>th</sup> district. Property is located on the north side of Farmington Drive, east of Woodland Brook Drive (3011 Farmington Drive).

To **approve** V-33, subject to:

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

- V-34**      **JEFFREY WERTZ** (Whitestone Builders, LLC, owner) requesting a variance to reduce the front setback from the required 45 feet to 25 feet in land lot 908 of the 17<sup>th</sup> district. Property is located on the northwest side of Tanglewood Drive, south of Wallace Circle (3680 Tanglewood Drive).

To **approve** V-34, subject to:

- 1. Department of Transportation comments and recommendations**

- V-35**      **DANIELA DUDAS** (George Rednic and Maria Rednic, owners) requesting a variance to 1) reduce the rear setback for an accessory structure under 650 square feet (proposed 390 square-foot above ground pool) from the required 35 feet to 10 feet; and 2) increase the maximum allowable impervious coverage from 35% to 45.27% (existing) in land lot 120 of the 17<sup>th</sup> district. Property is located on the south side of Covered Bridge Place, west of Weatherly Way (324 Covered Bridge Place).

To **approve** V-35, subject to:

- 1. Stormwater Management Division comments and recommendations, not to apply to this pool, but anything else that requires a permit in the future**
- 2. Any permanent structure: sidewalks, deck, and pad for the pool equipment will need to come back for a variance prior to building such structure to mitigate the impervious surface to 35%**

**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
MARCH 12, 2025  
PAGE 4**

**CONSENT AGENDA (CONT.)**

**V-35            DANIELA DUDAS (CONT.)**

**3. Pool to be removed within 5 years from today's date (May 14, 2030)**

*\*Clerk's note: The motion for V-35 includes the amended stipulations (underlined above) that were adopted at the May 14, 2025, Board of Zoning Appeals Variance Hearing.*

*At the call for petition V-36 (James and Ruthie Sagar), opposition was present; therefore, V-36 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 5 of these minutes).*

**V-40            DEREK A. KIRCHNER** (Derek A. and Alexandria Kirchner, owners) requesting a variance to 1) reduce the side setback along the south property line from the required 10 feet to five feet (screen porch); 2) reduce the setbacks for an uncovered deck (existing) from the required five feet to four feet adjacent to the south property line; and 3) increase the maximum impervious surface from 35% to 37% in land lots 142 and 143 of the 16<sup>th</sup> district. Property is located on the east side of Delphinium Boulevard, north of Dahlia Way (585 Delphinium Boulevard).

To **approve** V-40, subject to:

**1. Stormwater Management Division comments and recommendations**

CONSENT VOTE: **ADOPTED 5-0**

**REGULAR AGENDA**

**V-15            HEATH LAWSON** (Heath Lawson, owners) requesting a variance to 1) reduce the setbacks for an accessory structure over 650 square feet (existing approximately 800 square-foot carport) from the required 100 feet to one foot adjacent to the western and southern property lines; 2) reduce the setbacks for a proposed accessory structure over 650 square feet (approximately 1440 square-foot building) from the required 100 feet to 10 feet from the rear property line, 50 feet from the western property line, and 45 feet from the eastern property line; 3) reduce the rear setback for an accessory structure under 650 square feet (existing approximately 288 square-foot shed) from the required 35 feet to one foot adjacent to the eastern and southern property lines; and 4) allow for parking and/or maneuvering on a non-hardened and treated surface (existing gravel drive and grass) in land lot 3 of the 20<sup>th</sup> district. Property is located on the south side of McCoy Road, east of Will Ben Street (5695 McCoy Road).

The public hearing was opened; Heath and Kimberly Lawson addressed the Board. Following presentation and discussion, the following motion was made:



**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
MARCH 12, 2025  
PAGE 5**

**REGULAR AGENDA (CONT.)**

**V-15            HEATH LAWSON (CONT.)**

MOTION: Motion by Beloin, second by Massey, to **approve** V-15, subject to:

- 1. Carport to be moved five feet off the western property line**
- 2. Department of Transportation comments and recommendations**
- 3. Staff comments and recommendations**

VOTE: **ADOPTED** 5-0

**V-32            JERMON JACKSON** (Jermon Jackson, owner) requesting a variance to 1) allow an accessory structure to be located in the front and to the side of the principal structure (proposed 160 square-foot shed); 2) reduce the side setback for an accessory structure over 144 square feet (proposed 160 square-foot shed) from the required 10 feet to four feet adjacent to the south property line; and 3) allow for parking and/or maneuvering of a non-hardened and treated surface (gravel for shed access) in land lot 352 of the 17<sup>th</sup> district. Property is located on the east side of Old Concord Road, south of McInnes Circle (1605 Old Concord Road).

The public hearing was opened; Jermon Jackson addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Swanson, second by Summerour, to **deny** V-32.

VOTE: **ADOPTED** 5-0

**V-36            JAMES AND RUTHIE SAGAR** (James Graham Keith Sagar and Ruthie Breannon Sagar, owners) requesting a variance to 1) reduce the side setback for an accessory structure under 650 square feet (proposed one story 600 square-foot garage) from the required 10 feet to five feet adjacent to the south property line; and 2) reduce the side setback for an accessory structure (existing 179 square-foot shed) from the required 10 feet to five feet adjacent to the south property line in land lot 963 of the 16<sup>th</sup> district. Property is located on the east side of Old Canton Road, southwest of Dogwood Valley Court (1070 Old Canton Road).

The public hearing was opened; Michael Staley and Jill Flamm addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Summerour, second by Swanson, to **approve** V-36, subject to:

**MINUTES OF VARIANCE HEARING  
COBB COUNTY BOARD OF ZONING APPEALS  
MARCH 12, 2025  
PAGE 6**

**REGULAR AGENDA (CONT.)**

**V-36 JAMES AND RUTHIE SAGAR (CONT.)**

- 1. Planting to be done along the south property line to shield the new garage;  
Applicant to meet with the County Arborist regarding what should be  
planted in that area**

**VOTE: ADOPTED 5-0**

**APPROVAL OF MINUTES**

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

February 12, 2025 – Board of Zoning Appeals Variance Hearing

March 3, 2025 – Special Called Meeting/Agenda Review Work Session

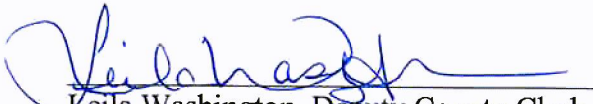
**VOTE: ADOPTED 5-0**

**ADJOURNMENT**

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

**VOTE: ADOPTED 5-0**

The hearing adjourned at 2:16 p.m.

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