



Cobb County...Expect the Best!

COBB COUNTY BOARD OF ZONING APPEALS

VARIANCE HEARING SUMMARY AGENDA

September 10, 2025

Withdrawn Cases		
District	Case	Applicant
3	V-101-2025	PRESTON POORE (<i>withdrawn without prejudice</i>)

District	Case	Consent Agenda
2	V-75-2025	MARTIN G. NDUNGU (<i>Held by the BZA from the July 9, 2025 BZA hearing until the September 10, 2025 BZA hearing.</i>)
3	V-90-2025	CHRIS AND ELLEN FOSTER (<i>Continued by Staff from the August 13, 2025 BZA hearing until the September 10, 2025 BZA hearing.</i>)
1	V-102-2025	SAEEDULLAH SAEED
3	V-103-2025	BERTHA E. OLIVARES
1	V-104-2025	KIMBER R. BELL
3	V-105-2025	GERALD MISEL AND ANITA BEST
1	V-106-2025	NANCY CARROLL
1	V-107-2025	JAMES RYAN SMITH
3	V-108-2025	NICHELE BELL
1	V-109-2025	TERRY L. YEAGER
3	V-110-2025	JONATHAN AND ANDREA LAMONT
2	V-111-2025	GREGORY AND KAELYN STEFAN
3	V-112-2025	CLAUDIA VAITELIS

District	Case	Held and continued cases –To be heard
1	V-94-2025	DAVID WALKER (<i>Held by the BZA from the August 13, 2025 BZA hearing until the September 10, 2025 BZA hearing.</i>)
1	V-97-2025	TERESA AND ANDRE MINTZ (<i>Held by the BZA from the August 13, 2025 BZA hearing until the September 10, 2025 BZA hearing.</i>)
4	V-99-2025	MASHANDA AND ANDY RUFFIN (<i>Held by the BZA from the August 13, 2025 BZA hearing until the September 10, 2025 BZA hearing.</i>)



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VARIANCE HEARING CONSENT AGENDA

September 10, 2025

Variance Cases

V-75 **MARTIN G. NDUNGU** (Martin Gathare Ndungu, owner) requesting a variance to 1) increase the maximum allowable impervious surface from required 35% to 41%; 2) reduce side setback from required 10 feet to 5 feet adjacent to the southwest property line; and 3) reduce rear setback from required 35 feet to 10 feet in Land Lot 351 of the 17th District. Located on the south side of Miller Avenue, east of Old Concord Road (1679 Miller Ave). ***(Held by the Board of Zoning Appeals from the July 9, 2025 hearing until the September 10, 2025 hearing)***. Staff recommends approval subject to:

1. Stormwater Management comments.
2. Development and Inspections comments.
3. Site plan received April 22, 2025, with Stormwater Management to approve the final site plan.

V-90 **CHRIS AND ELLEN FOSTER** (Christopher Michael Foster and Ellen Cierzniak Foster as Joint Tenants with Rights of Survivorship and not as Tenants in Common, owners) requesting a variance to 1) increase the allowable maximum impervious coverage from required 35% to 47.2%; 2) increase the maximum height for a retaining wall from required six (6) feet to ten (10) feet; 3) reduce the setbacks for an accessory structure (proposed 626 square foot pool terrace) from required 40 feet to 31 feet adjacent to the northern property line and eight (8) feet adjacent to southeastern property line in Land Lots 1091 and 1088 of the 17th District. Located on the northeast side of Pine Valley Drive, north of Oakmont Circle (331 Pine Valley Dr). ***(Previously continued by Staff from the August 13, 2025 BZA hearing until the September 10, 2025 BZA hearing)***. Staff recommends approval subject to:

1. Stormwater Management comments.
2. Traffic comments.
3. Dam Breach study to be reviewed and approved by Stormwater Management prior to permits.

V-102 SAEEDULLAH SAEED (Saeedullah Saeed and Zari Rahman, as Joint Tenants with Rights of Survivorship, owners) requesting a variance to 1) reduce the side setback from required 10 feet to zero (0) feet adjacent to the eastern property line; 2) reduce the front setback from required 50 feet to 40 feet; and 3) allow for parking and/or maneuvering on a non-hardened and treated surface (existing gravel) in Land Lot 261 of the 19th District. Located on the north side of Murray Circle, west of Powder Springs Road (1020 Murray Cir). Staff recommends approval subject to:

1. Stormwater Management comments.

V-103 BERTHA E. OLIVARES (Bertha E. Olivares, Felipa Garia and Hugo E. Olivares as Joint Tenants with Rights of Survivorship and not as Tenants in Common, owners) requesting a variance to reduce side setback from required 10 feet to two (2) feet adjacent to the northeastern property line in Land Lot 208 of the 16th District. Located on the south side of Farmbrook Trail, south of John Arthur Way (602 Farmbrook Trl). Staff recommends approval subject to:

1. Stormwater Management comments.

V-104 KIMBER R. BELL (Patrick D. Bell and Kimber R. Bell, owners) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 2,400 square foot garage) from required 100 feet to 40 feet adjacent to the northwestern property line and 70 feet adjacent to the southern property line; 2) allow for parking and/or maneuvering on a non-hardened and treated surface (existing gravel); and 3) allow a second electrical meter in Land Lots 265 and 230 of the 20th District. Located on the northwest corner of Red Rock Road and Fords Road (1245 Red Rock Rd). Staff recommends approval.

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

V-105 GERALD MISEL AND ANITA BEST (Gerald Misel, Jr. and Anita Best with Joint Tenants with Rights of Survivorship and not as Tenants in Common, owners) requesting a variance to 1) reduce rear setback from required 40 feet to 38 feet; 2) reduce side setback from required 12 feet to two (2) feet adjacent to the eastern property line; and 3) increase the maximum allowable impervious coverage from required 35% to 45.1% in Land Lot 81 of the 1st District. Located on the north side of Mulberry Drive, east of Johnson Ferry Road (4815 Mulberry Dr). Staff recommends approval subject to:

1. Stormwater Management comments.
2. Revised site plan received August 29, 2025, with Stormwater Management approving the final site plan.

V-106 NANCY CARROLL (Nancy Carroll, owner) requesting a variance to reduce the setbacks for an accessory structure (proposed 1,000 square foot garage) from required 100 feet to three (3) feet adjacent to the western property line and 20 feet adjacent to the southern property line in Land Lot 199 of the 20th District. Located at the terminus of Stilesboro Court, east of Stilesboro Drive (4024 Stilesboro Ct). Staff recommends approval subject to:

1. No plumbing or water service to be installed in the accessory structure.

V-107 JAMES RYAN SMITH (James Ryan Smith and Alec Winchester Smith, owners) requesting a variance to Reduce the rear setback from required 35 feet to 28 feet in Land Lot 256 of the 20th District. Located at the terminus of Shaftoe Street, north of Waterhouse Street (908 Shaftoe St). Staff recommends approval.

V-108 **NICHELLE BELL** (Lawrence Harper and Judy Harper as Joint Tenants with Rights of Survivorship, owners) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 1,600 square foot garage) from required 100 feet to 31 feet adjacent to the western property line and 15 feet adjacent to southern property line; 2) allow an accessory structure (proposed 1,600 square foot garage) to be located to the side of the principal building; 3) allow an accessory structure (existing 200 square foot building) to be located to the front of the principal building; and 4) allow for parking and/or maneuvering on a non-hardened and treated surface (existing gravel and woodchips) in Land Lots 243, 244, 261, and 262 of the 16th District. Located on the north side of Pete Shaw Road, west of Ophie Drive (3251 Pete Shaw Rd). Staff recommends approval subject to:

1. Stormwater Management comments.

V-109 **TERRY L. YEAGER** (Terry L. Yeager, owner) requesting a variance to allow an accessory use (proposed pool equipment) to be located on the side of the principal building in Land Lot 242 of the 20th District. Located on the west side of Falkirk Lane, north of Tayside Crossing (1415 Falkirk Ln). Staff recommends approval.

V-110 **JONATHAN AND ANDREA LAMONT** (Andrea LaMont and Jonathan LaMont as Joint Tenants with Rights of Survivorship, owners) requesting a variance to 1) reduce front setback from required 50 feet to 23 feet; and 2) allow an accessory use (proposed pool equipment) to be located on the side of the principal building in Land Lot 747 of the 16th District. Located on the northeast corner of Bunker Hill Circle and Bunker Hill Road (3010 Bunker Hill Cir). Staff recommends approval.

V-111 **GREGORY AND KAELYN STEFAN** (Gregory Stefan and Kaelyn Stefan, owners) requesting a variance to increase the maximum allowable impervious coverage from required 35% to 41.1% in Land Lot 696 of the 17th District. Located on the north side of Lee Road, east of Pineridge Road (2025 Lee Rd). Staff recommends approval subject to:

1. Stormwater Management comments.

- V-112** **CLAUDIA VAITELIS** (Claudia Vaitelis and Kestas Vaitelis, owners) requesting a variance to 1) reduce setbacks for an accessory structure (proposed 240 square foot gazebo) from required 35 feet to 30 feet adjacent to the northern property line and 8 feet adjacent to the eastern property line; and 2) allow an accessory structure (proposed 240 square foot gazebo) to be located closer to the road than the principal building in Land Lot 894 of the 16th District. Located on the northwest corner of Logan Circle and Ben Franklin Court (1429 Logan Cir). Staff recommends approval.