



Cobb County...Expect the Best!

COBB COUNTY BOARD OF ZONING APPEALS

VARIANCE HEARING SUMMARY AGENDA

May 13, 2026

District	Case	Held case- Not to be heard
3	V-36-2026	ZAKI MERCHANT <i>(Continued by Staff until the August 12, 2026 hearing)</i>

District	Case	Held case- To be heard
3	V-13-2026	GARY BRYANT GILMORE <i>(Previously held by the Board of Zoning Appeals from the January 14, 2026 BZA hearing until the April 15, 2026 BZA hearing; Continued by Staff until the May 13, 2026 hearing).</i>

District	Case	Consent Agenda
3	V-49-2026	DAVID VIDAL-CASTILLO
2	V-51-2026	MARK BOOKER
1	V-52-2026	PAOLA CASTILLO
1	V-53-2026	COLETTA KHATIB
3	V-54-2026	CRISTY MOREIRA
3	V-55-2026	MARCUS LEE MCLEROY
1	V-56-2026	JOE SULLIVAN
1	V-58-2026	MORGAN AND PEGGY MCNEEL
1	V-59-2026	RON LESTER
1	V-60-2026	KENNESAW AUTO INVESTMENTS, LLC
1	V-61-2026	JESSE BATTAGLIA
4	V-62-2026	IGLESIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO" INC.
3	V-63-2026	SCOTT TANGER

District	Case	Regular case
2	V-50-2026	KARL S. JOSEPH
2	V-57-2026	ASHTON ATLANTA RESIDENTIAL, LLC



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VARIANCE HEARING CONSENT AGENDA

May 13, 2026

Variance Cases

V-49 **DAVID VIDAL-CASTILLO** (David Vidal-Castillo and Maria Teresa Vidal, owners) requesting a variance to 1) reduce the side setback from required ten feet to eight (8') feet adjacent to the eastern property line; and 2) reduce the side setback from required ten feet to six (6') feet adjacent to the western property line in Land Lots 422 and 443 of the 16th District. The property is located on the north side of Suholden Circle, west of Hilltop Drive (711 Canopy Drive). The Board of Zoning Appeals recommends approval subject to:

1. Site Plan Review comments.

V-51 **MARK BOOKER** (Mark Booker, owner) requesting a variance to 1) reduce the front setback from required 35 feet to 16 feet; 2) reduce the setbacks for an accessory structure (existing 305 square foot shed #1) from required 10 feet to one (1) foot adjacent to the western property line; 3) reduce the setbacks for an accessory structure (existing 215- square-foot shed #2) from required 10 feet to zero (0) feet adjacent to the western property line; and 4) reduce the setbacks for an accessory structure (existing 56-square-foot shed #3) from required five (5) feet to four (4) feet adjacent to the northwestern property line in Land Lot 371 of the 17th District. The property is located on the north side of Mozley Drive, north of Benson Avenue (679 Mozley Drive). The Board of Zoning Appeals recommends approval.

V-52 **PAOLA CASTILLO** (Heriberto Juarez and Paola Castillo, owners) requesting a variance to 1) allow an accessory structure (existing 120 - square-foot shed) to be located on the side of the principal building; 2) allow an accessory structure (existing 120-square-foot shed) to be located closer to the road than the principal building; 3) allow an accessory structure (existing 840-square-foot shed and awning) to be located on the side of the principal building; 4) reduce the setbacks for an accessory structure (existing 840-square-foot shed and awning) from required 100 feet to 11 feet adjacent to the southern property line, 10 feet adjacent to the western property line, and 67 feet adjacent to the eastern property line; 5) reduce the setbacks for an accessory structure (existing 690-square-foot playground area) from required 100 feet to seven (7) feet adjacent to the western property line, 42 feet adjacent to the southern property line, and 90 feet adjacent to the eastern property line; and 6) allow parking and maneuvering on a nonhardened surface (gravel) in Land Lots 210 and 235 of the 19th District. The property is located on the southwestern corner of Midway Road and Luther Ward Terrace (1206 Luther Ward Terrace).). The Board of Zoning Appeals recommends approval subject to:

1. No residential dwelling use or commercial use of the accessory structures.

V-53 **COLETTA KHATIB** (Coletta Khatib, Allen Khatib, and Zachariya Ahmed Khatib, owners) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed 442-square-foot carport) from required 12 feet to five (5) feet adjacent to the southwestern property line in Land Lot 202 of the 20th District. The property is located on the northwest side of Pine Mountain Road, north of Stilesboro Road (1875 Pine Mountain Road). The Board of Zoning Appeals recommends approval.

V-54 **CRISTY MOREIRA** (Nathaniel M. Moreira and Cristy M. Moreira, owners) requesting a variance to 1) reduce the rear setback from required 30 feet to 14 feet; 2) reduce the setbacks for an accessory structure (approximately existing 68-square-foot tree house) from require five (5) feet to four (4) feet adjacent to the southern property line; 3) reduce the setbacks for an accessory structure (approximately existing 35-square-foot plastic shed) from require five (5) feet to two (2) feet adjacent to the southern property line; and 4) increase the maximum allowable impervious coverage from 35% to 57% in Land Lot 846 of the 16th District. The property is located on the south side of Newberry Court, east of Oakmoor Place (1850 Newberry Court). The Board of Zoning Appeals recommends approval subject to:

1. Development and Inspections comments and recommendations.
2. Stormwater Management comments and recommendations.

V-55 **MARCUS LEE MCLEROY** (Marcus Lee McLeroy and Elizabeth Hladik, owners) requesting a variance to reduce the setbacks for an accessory structure (proposed 288-square-foot shed) from require 35 feet to six (6) feet adjacent to the southern and eastern property lines in Land Lot 721 of the 17th District. The property is located on the south side of Freydale Road, west of Robin Lane (2222 Freydale Road). The Board of Zoning Appeals recommends approval.

V-56 **JOE SULLIVAN** (Loretta A. Hawkins, owner) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed approximately 1,374-square-foot garage) from required 100 feet to 18 feet adjacent to the western property line, 36 feet adjacent to the northern property line, and 75 feet adjacent to the eastern property line; and 2) allow parking and maneuvering on a nonhardened surface (gravel) in Land Lot 307 of the 20th District. The property is located on the north side of Nichols Road, east of Antioch Road (5780 Nichols Road). The Board of Zoning Appeals recommends approval subject to:

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

V-58 **MORGAN AND PEGGY MCNEEL** (Morgan L. and Peggy D. McNeel, owners) requesting a variance to reduce the setbacks for an accessory structure (proposed 625-square-foot pool house) from required 35 feet to 18 feet adjacent to the southern property line in Land Lot 253 of the 20th District. The property is located at the terminus of Hazeltine Lane (1100 Hazeltine Lane). The Board of Zoning Appeals recommends approval subject to:

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

V-59 **RON LESTER** (Ann L. Campbell and Ronald Lester, owners) requesting a variance to 1) Allow an accessory structure (proposed 1,054-square-foot garage) to be located at the front of the principal building; and 2) reduce the setbacks for an accessory structure (proposed 1,054-square-foot garage) from required 100 feet to 21 feet adjacent to the southern property line, 78 feet adjacent to the northern property line, and 79 feet adjacent to the western property line in Land Lot 203 of the 20th District. The property is located on the east side of Shillings Road, south of Pine Mountain Road (2020 Shillings Road). The Board of Zoning Appeals recommends approval subject to:

1. No residential dwelling use or commercial use of the accessory structure.
2. Stormwater Management comments and recommendations.
3. Traffic comments and recommendations.

V-60 **KENNESAW AUTO INVESTMENTS, LLC** (Kennesaw Auto Investments, owner) requesting a variance to increase the maximum allowable impervious coverage from required 80% to 89% in Land Lots 208 and 209 of the 20th District. The property is located at the northern corner of Roberts Boulevard and Ernest Barrett Parkway, and on the south side of Auto Park Drive (1110 Roberts Boulevard). The Board of Zoning Appeals recommends approval subject to:

1. Fire Department comments and recommendations.
2. Stormwater Management comments and recommendations.

V-61 **JESSE BATTAGLIA** (Jeffrey C. Shropshire and Melissa D. Shropshire, owners) requesting a variance to 1) allow an accessory structure (proposed 570-square-foot garage #1) to be located at the front and the side of the principal building; 2) reduce the setbacks for an accessory structure (existing approximately 1,800-square-foot garage #2) from required 100 feet to 65 feet adjacent to the southern property line; and 3) reduce the setbacks for an accessory structure (existing approximately 690-square-foot garage #3) from required 100 feet to 20 feet adjacent to the southern property line in Land Lot 264 of the 20th District. The property is located on the east side of Mars Hill Road, north of Hadaway Road (1010 Mars Hill Road). The Board of Zoning Appeals recommends approval subject to:

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

V-62 **IGLESIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD “LA LUZ DEL MUNDO” INC.** (Iglesia Del Dios Vivo Columna Y Apoyo De La Verdad “La Luz Del Mundo” Inc., owner) requesting a variance to 1) reduce the setbacks for a church within a residential zoning district from required 50 feet to nine (9) feet adjacent to the northern property line, 21 feet adjacent to the western property line, and 38 feet adjacent to the southern property line; and 2) waive the 50 foot landscape buffer required for a church within a residential zoning district to the encroachments shown on the submitted site plan in Land Lot 701 of the 19th District. The property is located on the west side of Austell Road, north of Pair Road (3050 Austell Road). The Board of Zoning Appeals recommends approval subject to:

1. Fire Department comments and recommendations.

- V-63** **SCOTT J. TANGER** (Scott J. Tanger, owner) requesting a variance to 1) reduce the major side setback from 35 feet to 16 feet; and 2) allow parking and maneuvering on a nonhardened surface (gravel) in Land Lots 865 and 866 of the 17th District. The property is located at the northeast intersection of Hearthstone Lane and Hearthstone Court (619 Hearthstone Lane). The Board of Zoning Appeals recommends approval subject to:
1. Stormwater Management comments and recommendations.
 2. Traffic comments and recommendations.