

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
APRIL 15, 2026
1:30 P.M.**

The Board of Zoning Appeals Variance Hearing was held on Wednesday, April 15, 2026, 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:

Deidra Massey, Chairwoman
Kim Swanson, Vice Chairwoman
Fred Beloin
Alice Summerour
Barkley Russell

CHAIRWOMAN MASSEY – CALL TO ORDER

Chairwoman Massey called the hearing to order at 1:39 p.m. and explained the procedures for the public hearing.

Clerk's Note: Due to some technical difficulties, there was a delayed start time for the meeting.

Mr. John Pederson, Zoning Division Manager, read in the following cases that were continued by Staff, and then read in the Consent Agenda.

- V-13 GARY BRYANT GIMORE** (Robert J. Slimp and Martha M. Slimp, owners) requesting a variance to 1) increase the maximum allowable impervious coverage from required 40% (per V-170 of 2015) to 61%; 2) reduce the rear setback from required 30 feet to 13 feet; and 3) reduce the front setback from required 25 feet to 23 feet in land lot 23 of the 16th district. Property is located at the terminus of Canopy Drive (5037 Canopy Dr). *(Previously held by the Board of Zoning Appeals (BZA) from the January 14, 2026 BZA hearing until the April 15, 2026 BZA hearing; continued by Staff until the May 13, 2026 BZA hearing; therefore, was not considered at this hearing).*
- V-36 ZAKI MERCHANT** (Zaki Merchant, owner) requesting a variance to 1) reduce the side setback from required 10 feet to seven feet adjacent to the southern property line; and 2) increase the maximum allowable impervious coverage from required 35% to 47% in land lot 1194 of the 16th district. Property is located on the east side of Shadowlawn Road, south of Cherokee Place (59 Shadowlawn Road). *(Continued by Staff until the August 12, 2026 Board of Zoning Appeals hearing; therefore, was not considered at this hearing).*

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CONSENT AGENDA

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

V-35 **D. DOUGLAS DEPEW** (Depew Holdings, LLC, owner) requesting a variance to 1) allow an accessory structure (proposed 1,920 square foot garage) to be located on a residential property without a principal building; 2) allow an accessory structure (existing 3,456 square foot barn) to be located on a residential property without a principal building; 3) allow an accessory structure (existing 20,000 square foot riding arena) to be located on a residential property without a principal building; 4) allow an accessory structure (existing 216 square foot metal canopy) to be located on a residential property without a principle building; 5) reduce the setbacks for an accessory structure (existing 3,456 square foot barn) from required 100 feet to 90 feet adjacent to the eastern property line; 6) reduce the setbacks for an accessory structure (existing 20,000 square foot riding arena) from required 100 feet to eight feet adjacent to the western property line; 7) reduce the setbacks for an accessory structure (existing 216 square foot metal canopy) from required 40 feet to zero feet adjacent to the southern property line in land lot 76 of the 20th district. Property is located on the south side of Cedarcrest Road, west of Dallas Acworth Highway (6497 Cedarcrest Road).

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

1. Fire Department comments and recommendations.

V-37 **MYANH THI VU** (Myanh Thi Vu, owner) requesting a variance to increase the maximum allowable impervious coverage from required 45% to 50.3% in land lot 621 of the 17th district. Property is located on the east side of Ivy Glen Drive, north of Ivy Glen Way (1923 Ivy Glen Drive).

To **approve** V-37, subject to:

1. Stormwater Management Division comments and recommendations

V-38 **ZBIGNIEW BOROWSKI** (Zbigniew Jan Borowski, owner) requesting a variance to reduce the front setback from required 35 feet to 33 feet in land lot 50 of the 19th district. Property is located on the west side of Greycoat Bluff, south of Old Dallas Road (370 Greycoat Bluff).

To **approve** V-38.

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CONSENT AGENDA (CONT.)

- V-39** **PANKAJ SHARMA** (Pankaj Sharma and Pooja Chandrashekar, owners) requesting a variance to increase the maximum allowable impervious coverage from required 40% to 42.37% in land lot 13 of the 1st district. Property is located on the north side of Eastwood Trail, west of Woodlawn Drive (4555 Eastwood Trail).

To **approve** V-39, subject to:

1. Stormwater Management Division comments and recommendations

- V-40** **AN TON** (An Ton, owner) requesting a variance to 1) reduce the front setback from required 35 feet to 16 feet (existing); and 2) allow access and maneuvering on a non-hardened surface (grass) for the frame garage in land lots 159 and 160 of the 17th district. Property is located on the northeast corner of Rockin Hill Drive and Long Drive (259 Rockin Hill Drive).

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

1. Department of Transportation comments and recommendations

- V-42** **BENJAMIN RIGEL** (Benjamin Rigel, owner) requesting a variance to reduce the front setback from required 35 feet to 20 feet in land lot 672 of the 16th district. Property is located on the eastern corner of Spear Point Drive and Spear Point Court (2612 Spear Point Court).

To **approve** V-42.

- V-43** **FRANK SANTORO** (Frank J. Santoro and Debra A. Santoro, owners) requesting a variance to reduce the rear setback from required 20 feet to 14 feet in land lot 238 of the 20th district. Property is located on the north side of Sutters Pond Run, east of Sutters Pond Drive (3520 Sutters Pond Run).

To **approve** V-43.

- V-44** **THE RESERVE AT THE BALLPARK** (Circle 75 Venture Partners, LLC, owner) requesting a variance to allow a blade sign to project more than 48 inches from the building surface on which it is attached (62") in land lots 916 and 917 of the 17th district. Property is located on the north side of Crescent Parkway, and on the southwest side of Circle 75 Parkway (2875 Crescent parkway).

To **approve** V-44.

CONSENT AGENDA (CONT.)

- V-45** **DC ENCLOSURES, INC** (Cathy Turpin Rentals II, LLC, owner) requesting a variance to 1) reduce the setbacks for an accessory structure (proposed approximately 725 square-foot garage) from required 100 feet to 66 feet adjacent to the western property line; and 2) allow an accessory structure (proposed approximately 725 square-foot garage) to the side of the principal structure in land lot 164 of the 20th district. Property is located on the north side of Ellis Road, north of Nottinghill Drive (2890 Ellis Road).

To **approve** V-45, subject to:

1. **Revised Department of Transportation comments and recommendations dated April 14, 2026 (attached and made a part of these minutes).**

- V-46** **LESLIE D. CARR** (Leslie D. Carr, owner) requesting a variance to reduce the setbacks for an accessory structure (existing approximately 625 square foot gazebo) from required 30 feet to five feet adjacent to the eastern property line; and 2) reduce the setbacks for an accessory structure (existing approximately 100 square-foot shed) from required five feet to zero feet adjacent to the southern property line in land lot 246 of the 19th district. Property is located on the east side of Wynford Gate, south of Wynford Commons (1376 Wynford Gate).

To **approve** V-46, subject to:

1. **Development and Inspections Division comments and recommendations**
2. **Stormwater Management Division comments and recommendations, with Stormwater Management to approve the plan in compliance with the maximum impervious surface, prior to permitting**

- V-48** **KYLE AND ASHLEY JACKSON** (Kyle and Ashley Jackson, owners) requesting a variance to reduce the rear setback from 40 feet to 30 feet in land lot 1032 of the 16th District. Property is located on the north side of Weddington Ridge, north of Weddington Place (2591 Weddington Ridge).

To **approve** V-48, subject to:

1. **Stormwater Management Division comments and recommendations from V-71-2025 to remain in effect**

CONSENT VOTE: **ADOPTED 5-0**

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REGULAR AGENDA

- V-41** **ALBERT GARDINER** (Albert J. Gardiner and Susan J. Gardiner, owners) requesting a variance to reduce the rear setback from required 30 feet to 12 feet in land lot 335 of the 16th district. Property is located on the west side of Edenborough Place, east of Edenborough Court (3623 Edenborough Place).

The public hearing was opened; Shay Mitton, Albert Gardiner, Richard Grome, and Jacqueline Curvan addressed the Board. Following presentations and discussions, the following motion was made:

MOTION: Motion by Summerour, second by Swanson, to **approve** V-41.

VOTE: **ADOPTED** 5-0

- V-47** **DIAMOND HENDERSON** (H & I Real Estate, Inc., owners) requesting a variance to allow a temporary or permanent sign to cover more than 50% of the window glass surface of each pane of glass in land lots 277, 278, 299, 300 of the 16th district. Property is located on the east side of Canton Road, east of Kensington Drive (3920 Canton Road).

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

MOTION: Motion by Summerour, second by Swanson, to **approve** V-47, subject to:

- 1. The glass pane on the left with “Sports Restaurant” wording may remain**
- 2. Reduce the coverings on the two remaining glass panes to meet Cobb County Code of 50% or less**
- 3. Zoning Division Manager to approve final signage plan**

VOTE: **ADOPTED** 5-0

APPROVAL OF MINUTES

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

- March 11, 2026 – Board of Zoning Appeals Variance Hearing
- April 6, 2026 – Board of Zoning Appeals Agenda Review

VOTE: **ADOPTED** 5-0

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ADJOURNMENT

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

VOTE: **ADOPTED** 5-0

The hearing adjourned at 2:40 p.m.

A handwritten signature in cursive script, reading "Kimberly A. Persinger", written over a horizontal line.

Kimberly Persinger, Deputy County Clerk
Cobb County Board of Zoning Appeals