

1. Board Of Zoning Appeals Agenda-Revised

Documents:

[\\_AUG 31, 2020 BZA AGENDA-REV.PDF](#)

2. V2020-26 Freyer Dr 368

Documents:

[V2020-26 FREYER DR 368.PDF](#)

3. V2020-28 Stewart Ave 126

Documents:

[V2020-28 STEWART AVE 126.PDF](#)

4. V2020-29 Freyer Dr 267

Documents:

[V2020-29 FREYER DR 267.PDF](#)

5. V2020-30 Canton Rd 1601

Documents:

[V2020-30 CANTON RD 1601.PDF](#)

5.I. V2020-30 Canton Rd 1601-Stip Ltr 8.27.20

Documents:

[V2020-30 CANTON RD 1601-STIP LTR 8.27.20.PDF](#)



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Agenda - **REVISED**

### BOARD OF ZONING APPEALS

*Bobby Van Buren, Chairman*  
*David Hunter, Vice Chairman, Ward 4*  
*Vacant, Ward 1*  
*J. K. Lowman, Ward 2*  
*Larry Zenoni, Ward 3*  
*Juanita Carmichael, Ward 5*  
*Tom Samples, Ward 7*

Monday, August 31, 2020

6:00 PM

City Hall Council Chambers

**NOTE: Applicant and those in favor have a total of 20 minutes to make their presentation to the Board. Applicant may reserve any portion of this time for rebuttal. All those in opposition have a total of 20 minutes to present comments to the Board.**

#### CALL TO ORDER:

#### MINUTES:

**20200674      July 27, 2020 Board of Zoning Appeals Meeting Minutes**

Review and Approval of the July 27, 2020 Board of Zoning Appeals Meeting Minutes.

#### VARIANCES:

**20200447      V2020-21 [VARIANCE] 1705 WHITE CIRCLE HOLDINGS LLC**  
**WITHDRAWN**

**V2020-21 [VARIANCE] 1705 WHITE CIRCLE HOLDINGS LLC** is requesting variances for property zoned LI (Light Industrial), located in Land Lot 862, District 16, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1705 White Circle**. Variance to reduce the 50-foot landscape buffer to 32 feet along the northern property line; variance to waive the requirement to establish a buffer if not present; variance to eliminate the side yard setback in the area of the building addition; variance to allow outdoor storage within 50 feet of any property zoned for residential purposes and within 25 feet of City right-of-way; variance to allow more than 50% of the parcel to be used for outdoor storage. Ward 4B.

**Withdrawn by Applicant.**

**20200619 V2020-26 [VARIANCE] LEON & BARBARA LEAKE**

**V2020-26 [VARIANCE] LEON & BARBARA LEAKE** are requesting a variance for property zoned R-3 (Single Family Residential - 3 units/acre), located in Land Lot 1089, District 16, Parcel 0700, 2nd Section, Marietta, Cobb County, Georgia, and being known as **368 Freyer Drive**. Variance to reduce the side setback along the eastern property line from 10 feet to 4 feet. Ward 5A.

**20200632 V2020-28 [VARIANCE] RACHEL BARRY & PHILIP MYRICK**

**V2020-28 [VARIANCE] RACHEL BARRY & PHILIP MYRICK** are requesting variances for property zoned R-4 (Single Family Residential - 4 units/acre), located in Land Lot 1147, District 16, Parcel 0170, 2nd Section, Marietta, Cobb County, Georgia, and being known as **126 Stewart Avenue**. Variance to reduce the minor side yard setback for a new addition from 10' to 6'; variance to reduce the major side yard setback for a new addition from 25' to 15'; variance to reduce the major side setback for an existing structure (house) from 25' to 4'; variance to reduce the side yard setback for an existing accessory structure (shed) from 10' to 4'; variance to reduce the rear yard setback for an existing accessory structure (shed) from 30' to 8'. Ward 4A.

**20200635 V2020-29 [VARIANCE] MELISSA K. EARLEY**

**V2020-29 [VARIANCE] MELISSA K. EARLEY** is requesting a variance for property zoned R-3 (Single Family Residential - 3 units/acre), located in Land Lot 1088, District 16, Parcel 0210, 2nd Section, Marietta, Cobb County, Georgia, and being known as **267 Freyer Drive**. Variance to reduce the side setback along the eastern property line from 10 feet to 3 feet. Ward 4B.

**20200636 V2020-30 [VARIANCE] 1601 ENTERPRISES, LLC**

**V2020-30 [VARIANCE] 1601 ENTERPRISES, LLC** is requesting a variance for property zoned CRC (Community Retail Commercial), located in Land Lot 854, District 16, Parcel 0450, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1601 Canton Road**. Variance to allow metal siding on the side of a building facing a roadway. Ward 6B.

**ADJOURNMENT:**



**STAFF REVIEW AND RECOMMENDATION**

**Variance Case #:** V2020-26                      **Legistar #:** 20200619

**Board of Zoning Appeals Hearing: Monday – August 31, 2020 – 6:00 p.m.**

**Property Owner:** Leon & Barbara Leake  
368 Freyer Dr  
Marietta, GA 30060

**Applicant:** Same as owner.

**Address:** 368 Freyer Drive

**Land Lot:** 1089    **District:** 16                      **Parcel:** 00700

**Council Ward:** 5A    **Existing Zoning:** R-3 (Single Family Residential – 3units/acre)

**Special Exception / Special Use / Variance(s) Requested:**

1. Variance to reduce the side setback along the eastern property line from 10 feet to 4 feet.  
[§708.03(H)]

**Statement of Fact**

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

**Criteria:**

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

**PICTURES**



**368 Freyer Drive**

**Recommended Action:**

**Approval.** The owners and applicants, Leon and Barbara Leake, are requesting a variance in order to expand and renovate their property and home. The 0.318 parcel is zoned R-3 (Single Family Residential – 3units/acre); the properties surrounding the subject parcel are also zoned R-3, except the parcel to the rear (south) of the property is zoned R-4 (Single Family Residential – 4units/acre). The subject property and its neighboring properties appear to have setback encroachments with their principal and accessory structures. The 72-foot lot width does not comply with the current code of a minimum 85-foot lot width, but this existing condition is legally non-conforming. There are also existing setback encroachments to the rear yard setback and to both side yard setbacks.

According to the city’s zoning ordinance, the subject property may build up to 10 feet from the side property lines. The applicants would like to expand the rear portion of their existing house along the southeastern side of the existing structure to provide more living space and outdoor space. The applicants have stated they would like to build an “owner’s suite” and covered porch. The owner’s suite addition would be built up to approximately 4 feet 8 inches from the eastern side property line. This new encroachment would add approximately 838 square feet of space. In 2011, the Board of Zoning Appeals granted a variance (V2011-29) to reduce the western side yard setback from 10 feet to 2 feet for a building attached by a covered walkway.



Department of Development Services  
205 Lawrence Street  
Marietta, Georgia 30060  
Rusty Roth, AICP, Director

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Staff was provided a letter of support with no objection from the neighbor most impacted by the new encroachment. Even with the additional structures, the lot would remain under the allowable impervious coverage. Given that the lot widths for the subject property and surrounding neighbors are non-conforming, the character of the neighborhood commonly has structures built closer to their side property lines. The proposed project would not have any noticeable impact to the neighborhood. ***Therefore, staff recommends approval.***

*Fire comments:*

*The site plan is not of sufficient quality to properly review. If the existing condition is already non-compliant with the fire protection sprinkler ordinance, then no action is required. If the exterior wall is currently > 10' from the property line or 20' from the adjacent structure, and the resulting improvement is less than those prescribed distances, then the fire sprinkler ordinance will apply and the building will require installation of fire sprinklers.*

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**APPLICATION FOR VARIANCE OR APPEAL**

(Owner/Applicant/or Representative must be present at all public hearings)

(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

*For Office Use Only:*

Application #: V2020-26 Legistar #: 20200619 BZA Hearing Dt: 8-31-20  
 City Council Hearing Dt (if applicable) #: - PZ #: 20-213

This is a variance/appeal application for:

Board of Zoning Appeals

City Council

Owner's Name Leon & Barbara Leake  
 EMAIL Address: leon.leake@gmail.com  
 Mailing Address 368 Freyer Zip Code: 30060 Phone Number 770 335 4646

**COMPLETE ONLY IF APPLICANT IS NOT OWNER:**

Applicant: \_\_\_\_\_  
 EMAIL Address: \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone Number \_\_\_\_\_

Address of subject property: 368 Freyer Dr. Date of Acquisition: January 1998  
 Land Lot (s) 1089 District 16 Parcel 00700 Acreage .318 Zoned R3 Ward 5A FLU: LDR

List the variance(s) or appeal requested (please attach any additional information):

Setbacks

**Required Information**

1. Application fee (\$250)
2. Completed notarized application. **The original application must be submitted with ALL original signature(s) – Copies of the application or signature(s) will NOT be accepted.**
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. **Site plan – drawn to scale.** Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s).  
**Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale.**  
Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 5 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

**OVER**

**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Board of Zoning Appeals within the two (2) years preceding the filing of this application.

f. leon leake  
Signature of Owner

f. leon leake  
Signature of Applicant

f. leon leake  
Print Name

f. leon leake  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

f. leon leake  
Print Name

f. leon leake  
Signature of Applicant

**APPLICANT CERTIFICATION**

- The Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.

f. leon leake  
Signature of Applicant

14 July 2020  
Date

f. leon leake  
Please Print

**OWNER CERTIFICATION**

- The Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Owners's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner hereby gives permission to enter on the property for inspection during the time application is pending.

f. leon leake  
Signature of Owner

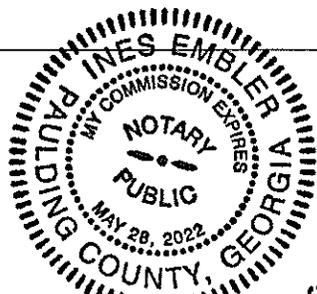
f. leon leake  
Please Print

368 Freyer Dr  
Address

14 July 2020  
Date

Signed, sealed and delivered in the presence of:

[Signature]



My Commission Expires: 5-28-2022

Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

July 8, 2020

Shelby Little  
Planning and Zoning Manager  
205 Lawrence Street  
Marietta, GA 30060

Dear Ms. Little,

As owner of the property located at 368 Freyer Dr. in Marietta and pursuant to the requirements of a Variance Application for said property, I am writing this letter of description of the intended project that necessitates a variance.

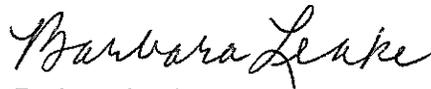
It is our desire to add an extension on the southeast side of our home that will include an owner's suite and screened in porch. A portion of the east facing wall of the owner's suite will be 4'8" from the property line and a portion will be 6'8".

Please see attached drawings.

Thank you,



leon leake  
Owner  
368 Freyer



Barbara Leake  
Owner  
368 Freyer

July 8, 2020

Shelby Little  
Planning and Zoning Manager  
205 Lawrence Street  
Marietta, GA 30060

Dear Ms. Little,

My name is Orié Wade. I am the owner and resident of the property located at 376 Freyer Dr in Marietta. I am writing this letter on behalf of my adjacent neighbors to the west (Leon & Barbara Leake at 368 Freyer Dr.) in support of their variance application for a proposed Master Suite addition to their home.

Leon & Barbara have thoroughly reviewed with me the drawings for this addition. I understand that a portion of this structure will be 4' 8" from my property line and the remaining will be 6' 8" from my property line. I have no objection to this placement.

I have been neighbors with Leon & Barbara for over 20 years and am looking forward to there being many more. The addition of a master suite to their home will be a very positive impact on property values in our neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orié Wade', with a long horizontal flourish extending to the right.

Orié Wade

**TO: Marietta Daily Journal**  
**FROM: City of Marietta**  
**RUN DATE: August 14, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF VARIANCES**

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following requests. The Board of Zoning Appeals will consider the following requests on **Monday, August 31<sup>st</sup>, 2020 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

**V2020-26 [VARIANCE] LEON & BARBARA LEAKE** are requesting a variance for property zoned R-3 (Single Family Residential – 3 units/acre), located in Land Lot 1089, District 16, Parcel 0700, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as 368 Freyer Drive. Variance to reduce the side setback along the eastern property line from 10 feet to 4 feet. Ward 5A.

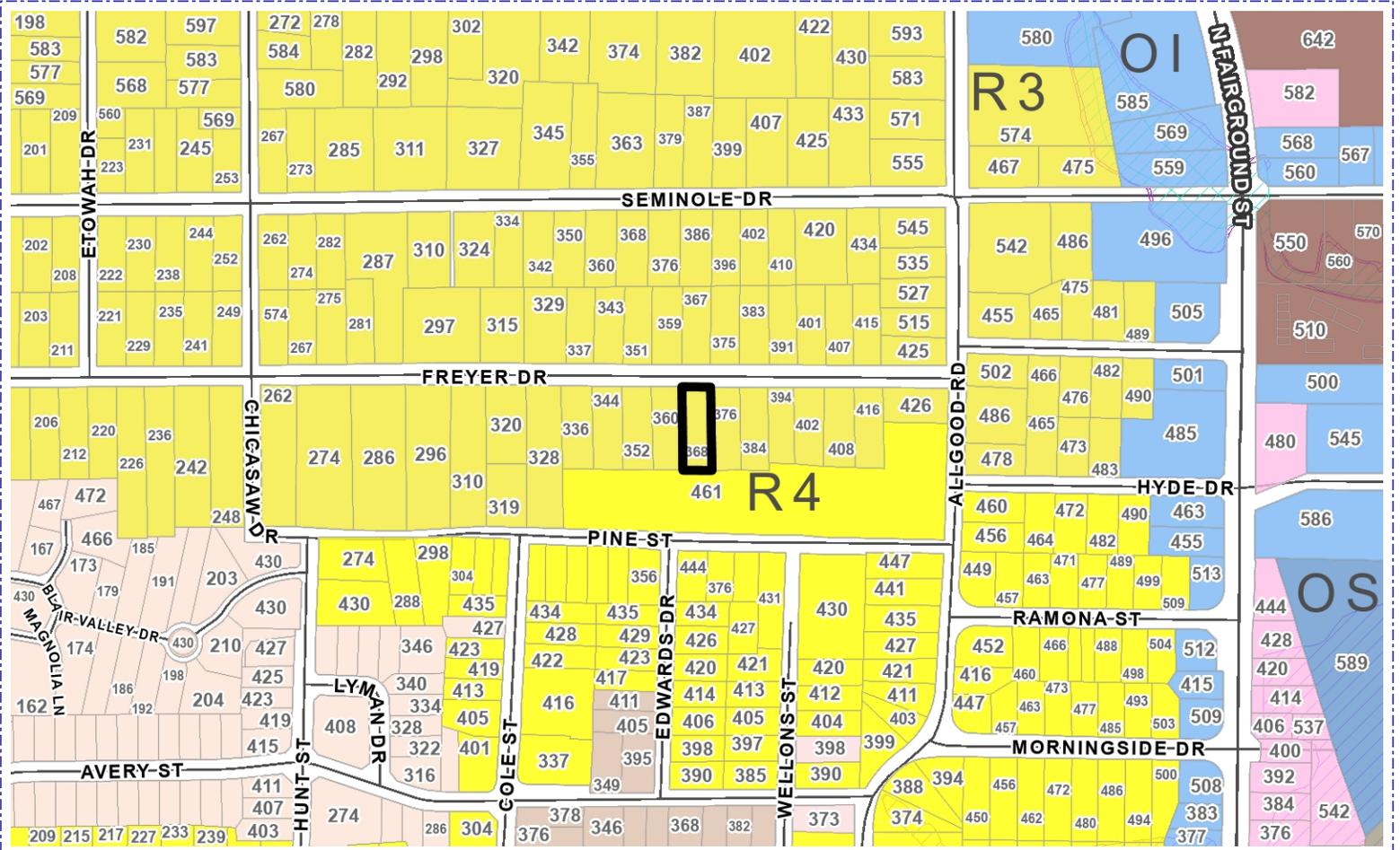
A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at [www.marietta.gov](http://www.marietta.gov) and enter the case # in the search box.

**For additional information please call the Planning and Zoning Office (770) 794-5669.**

**Accessibility to Meetings:** If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator, at 770-794-5558 no later than 48 hours before the date of the above meeting.

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Variance

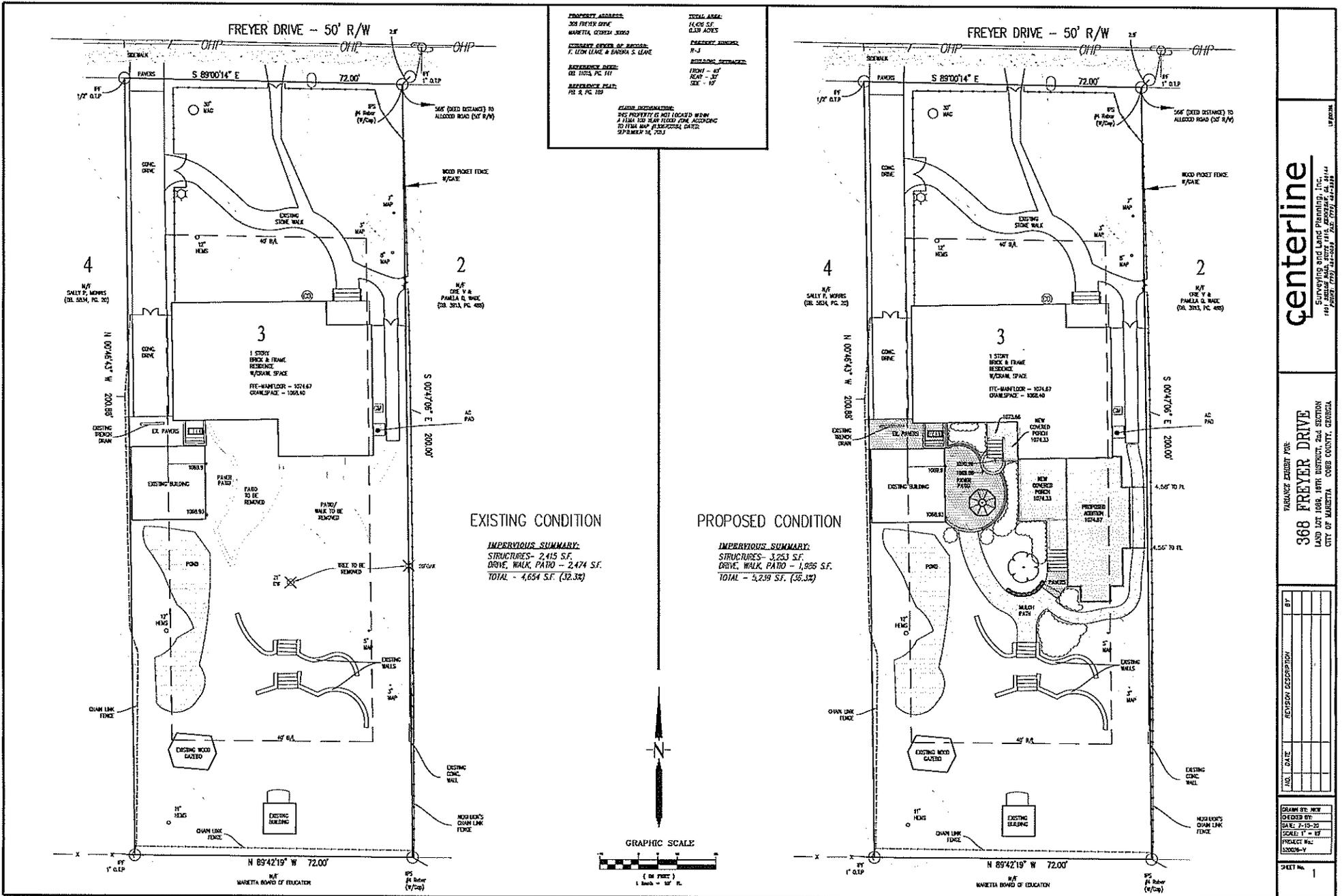


Address	Parcel Number	Acreage	Ward	Zoning	FLU
368 FREYER DR	16108900700	0.318	5A	R3	LDR

Property Owner:	Leon & Barbara Leake
Applicant:	
BZA Hearing Date:	08/31/2020
Acquisition Date:	
Case Number:	V2020-26
City of Marietta Planning & Zoning	

**Zoning Symbols**

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise



**PROPERTY ADDRESS:**  
368 FREYER DRIVE  
MARIETTA, GEORGIA 30066

**CURRENT OWNER OF RECORD:**  
T. LEON LEAKE & BARBARA S. LEAKE

**APPLICANT:**  
DR. 1023, P.C. 111

**REFERENCE MAPS:**  
P.S. 2, P.C. 103

**TOTAL AREA:**  
14,626 S.F.  
0.333 ACRES

**PERMITS REQUIRED:**  
P-3

**EXISTING STRUCTURES:**  
1 STORY - 61' X 47' - 35' X 17'

**GENERAL INFORMATION:**  
THIS PROPERTY IS NOT LOCATED WITHIN A FEMA FLOOD HAZARD ZONE ACCORDING TO FEMA MAP #15000A0101, DATED SEPTEMBER 14, 2013

**centerline**  
Surveying and Land Planning, Inc.  
160 W. PARKWAY DRIVE, SUITE 100, ATLANTA, GA 30339  
(404) 525-1111

**368 FREYER DRIVE**  
LAND LOT 108B, 18TH DISTRICT, 2nd SECTION  
CITY OF MARIETTA, COBB COUNTY, GEORGIA

NO.	DATE	REVISION DESCRIPTION	BY

OWNER: NEW  
DESIGNED BY:  
DATE: 7-10-20  
SCALE: 1" = 10'  
PROJECT NO.: 130026-Y

SHEET NO. 1

- GENERAL NOTES**
- All notes are suggested minimum requirements only. Refer to and comply with all local codes.
  - All dimensions of existing conditions are approximate and shall be verified in field before proceeding with work.
  - Contractor shall verify all conditions and dimensions at the building site before beginning construction. Any discrepancy or errors on the plans shall be reported to the architect for justification and/or correction before proceeding with the work. Contractor shall assume all responsibility for errors that are not reported.
  - Architect assumes no responsibility for any changes or modifications made to these plans by others.
  - All work shall be performed in accordance with all applicable national, state and local codes and regulations.
  - All dimensions shall be read or calculated from the plans and never off-sites.
  - All concrete, steel and wood structural members shall meet all national, state and local codes where applicable.

**SQUARE FOOTAGES**

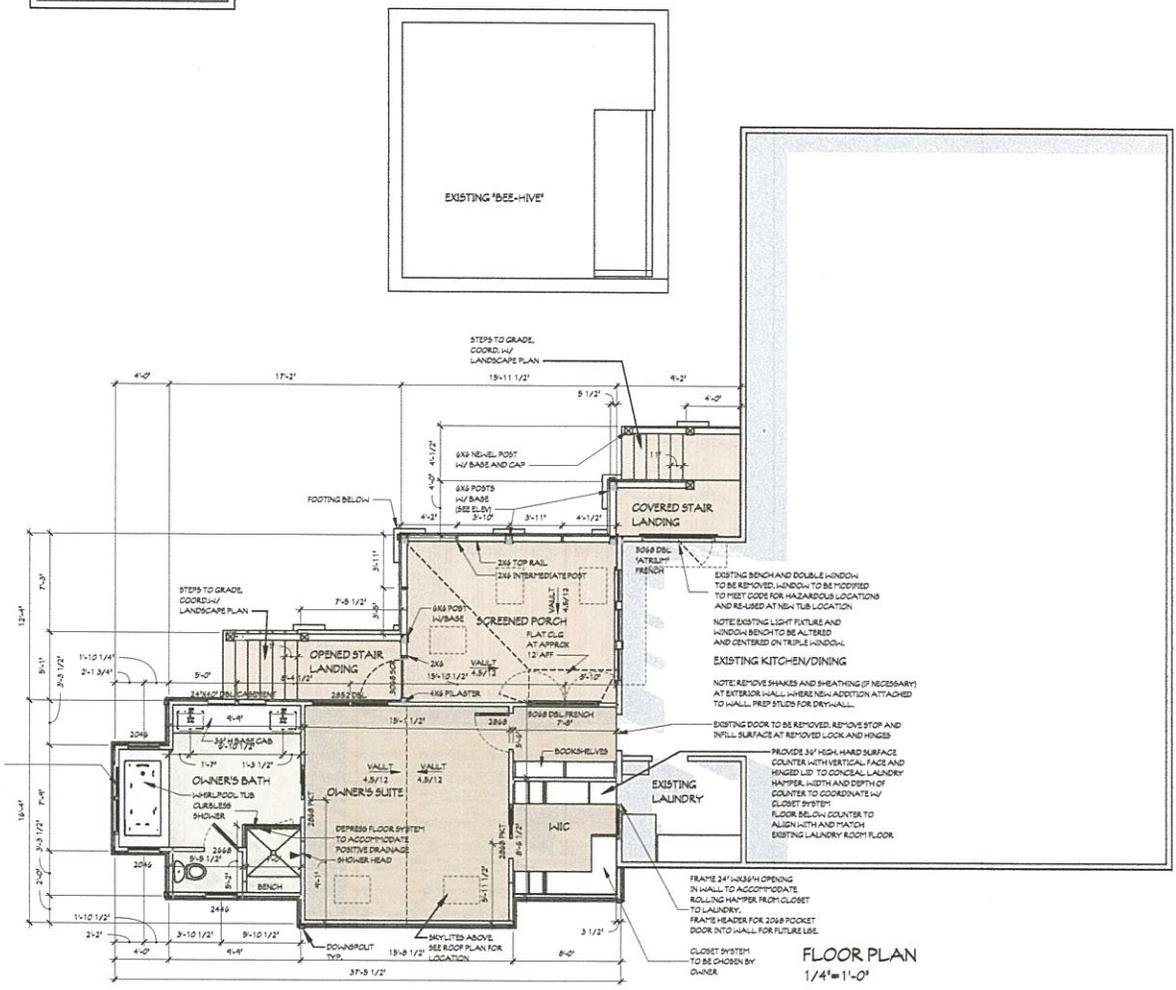
CONDITIONED SPACE	538 SQ. FT.
SCREENED AND COVERED PORCH	204 SQ. FT.

- FRAMING NOTES**
- All walls are shown and dimensions to FACE OF STUD. Where new construction shall existing remove any remaining drywall or finish material to measure for framing or F&S adjust as needed.
  - Header and/or ceiling heights shall match existing. All new framing shall be level and flush with existing so that there is no perceivable difference in the old and new construction.
  - All joists and rafters shall be aligned over studs below.
  - All exterior/interior and outside corners shall be braced as is required by all applicable codes.
  - All framed wall dimensions are based on 2x4 studs unless otherwise noted.

Please note that this plan in whole or in part is the property of Peek Design Group, Inc. and may not be duplicated or reproduced or reused without the expressed written consent of Peek Design Group, Inc.

Peek Design Group, Inc. assumes no liability for any structure built from these plans. Further, it is the responsibility of the builder to ensure the following:

- \*Verify ALL dimensions PRIOR to construction
- \*Verify compliance with ALL applicable building codes where structure is to be built
- \*Engineering aspects must incorporate actual site conditions - the plan indicates locations only.



A CUSTOM ADDITION  
FOR  
THE LAKE RESIDENCE  
MARIETTA, GEORGIA

**REVISIONS**

NO.	DATE	DESC.

**COPYRIGHT © 2020**  
PEEK DESIGN GROUP, INC.

**DESCRIPTION**  
Floor Plan

PLAN NO.	DATE
	4/28/20

**A3**

**PEEK DESIGN GROUP**

Suite 501  
3950 Cobb Parkway, NW  
Acworth, Georgia 30101

Phone: 770.322.4343  
www.peekdesign.com

**FLOOR PLAN**  
1/4" = 1'-0"



**STAFF REVIEW AND RECOMMENDATION**

**Variance Case #:** V2020-28                      **Legistar #:** 20200632

**Board of Zoning Appeals Hearing: Monday – August 31, 2020 – 6:00 p.m.**

**Property Owner:** Rachel Barry & Philip Myrick  
126 Stewart Avenue  
Marietta, GA 30064

**Applicant:** Same as above

**Address:** 126 Stewart Avenue

**Land Lot: 1147      District: 16th                      Parcel: 0170**

**Council Ward: 4A      Existing Zoning: R-4 (Single Family Residential – 4 units/acre)**

**Special Exception / Special Use / Variance(s) Requested:**

1. Variance to reduce the minor side yard setback for a new addition from 10’ to 6’ [*§708.04 (H)*]
2. Variance to reduce the major side yard setback for a new addition from 25’ to 15’ [*§708.04 (H)*]
3. Variance to reduce the major side setback for an existing structure (house) from 25’ to 4’ [*§708.04 (H)*]
4. Variance to reduce the minor side yard setback for an existing accessory structure (shed) from 10’ to 4’ [*§708.04 (F.1)*]
5. Variance to reduce the rear yard setback for an existing accessory structure (shed) from 30’ to 8’ [*§708.04 (F.1)*]

**Statement of Fact**

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

**Criteria:**

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

**PICTURES**



*Corner of Stewart Avenue and Awtrey Street*



*Major side yard setback at 126 Stewart Avenue*



*Minor side yard setback at subject property*



*Existing accessory structure (shed) along major side yard setback*

**Recommended Action:**

**Approval.** The applicants, Rachel Barry & Philip Myrick, are requesting variances to expand their home at 126 Stewart Avenue. The subject property is generally a triangular shape but with irregular property lines. It is approximately 0.296 acres and is located at the corner of Awtrey Street and Stewart Avenue. The surrounding properties are all zoned R-4 (Single Family Residential – 4 units/acre) as well. The applicants are requesting variances on the existing structure to develop a one-story expansion of the master suite on the western side of the property.

The existing two-bedroom, two-bathroom house is 1,480 square feet and the applicants would like to build a 600 square foot one-story addition onto the master bedroom. The City’s ordinance states that *“the lawful use of any building or structure or land existing at the time of enactment of this ordinance or amendment thereto may be continued”* and that *“any nonconforming building or structure existing as of June 9, 2010, may be retained, except that it shall not be expanded, extended or enlarged in any manner which increase its non-conformity [§706.01 (A)].”*

In this case, the variance requests are for encroachments that already exist on the property as well as for new encroachments for the proposed addition to the master suite. The existing, main structure is only 4 feet from the Awtrey Street property line (major side yard) instead of the required 25 feet. The applicants would like to place the proposed addition on the western side of the property only 6 feet from the minor side property line instead of the required 10 feet.



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Because of the irregular shape of the parcel, the new addition would only be 15 feet from Awtrey Street instead of 25 feet.

Also, the existing shed located near western property line is not in compliance with the rear and minor side yard setback requirements. The shed is only 4 feet from the side property line and only 8 from the rear property line. Accessory structures are required to be at least 10 feet from the side and rear property lines. According to the applicants, the shed has been on the property since the 1940's. The applicant is requesting variances to allow the accessory structures to remain as-is to avoid the costs that may arise with relocating those structures.

Considering the irregular shape of the parcel and the existing encroachments, the new addition should not create any negative impacts on the adjacent properties or surrounding community. As a result, ***staff recommends approval of all the requested variances.***

*Fire comment: The setback reduction to 6' will expose the subject property to installation of fire sprinklers in accordance with Marietta Code 2-6-140.*

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Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Phone: 770-794-5440

APPLICATION FOR VARIANCE OR APPEAL

(Owner/Applicant/or Representative must be present at all public hearings)

(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: V2020-28 Legistar #: 2020 0632 BZA Hearing Dt: 8-31-20
City Council Hearing Dt (if applicable) #: PZ #: 20-217

This is a variance/appeal application for:



Board of Zoning Appeals



City Council

Owner's Name Rachel Barry and Philip Myrick

EMAIL Address: rachelbarry18@gmail.com

Mailing Address 126 Stewart Ave Marietta Zip Code: 30064 Phone Number 404-308-5867

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant:

EMAIL Address:

Mailing Address Zip Code: Phone Number

Address of subject property: 126 Stewart Ave Marietta, 30064 Date of Acquisition: 09/2015

Land Lot (s) 16 District 1147 Parcel 120170 Acreage .296 Zoned R4 Ward 4A FLU:MDR

List the variance(s) or appeal requested (please attach any additional information):

Request to Reduce Awtreys Street Setback from 25 ft to 15 ft
Request to Reduce Neighboring setback from 10 ft to 6 ft

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s).
Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale.
Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 5 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Board of Zoning Appeals within the two (2) years preceding the filing of this application.

[Signature]  
Signature of Owner  
Rachel Barry  
Print Name

[Signature] Philip Myrick  
Signature of Applicant  
Rachel Barry Philip Myrick  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

Rachel Barry  
Print Name  
Philip Myrick

[Signature]  
Signature of Applicant  
[Signature]

**APPLICANT CERTIFICATION**

- The Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.

[Signature]  
Signature of Applicant  
Rachel Barry  
Please Print

July 20, 2020  
Date  
[Signature]  
Philip Myrick

**OWNER CERTIFICATION**

- The Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Owners's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner hereby gives permission to enter on the property for inspection during the time application is pending.

[Signature]  
Signature of Owner

Rachel Barry Philip Myrick  
Please Print

126 Stewart Avenue Marietta, GA 30064  
Address

July 20, 2020  
Date

Signed, sealed and delivered in the presence of:

[Signature]



My Commission Expires: 10/25/2023

Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

July 20, 2020

To whom it may concern,

This letter is in request of a variance for our property at 126 Stewart Avenue, Marietta, Georgia 30064. We are planning to build a one-story master addition on the back of our house. Our house is currently a 2/2 with approximately 1480 square feet, and we need a little extra space because we are expecting our second child in January!

We are currently in the process of working with Designer, Dan Olah, to create an aesthetically-pleasing design that will match the historic craftsman style, as well as compensate for our irregularly-shaped lot line. In order to accomplish this, we are requesting a variance to reduce the side yard Awtrey Street setback from 25 feet to 15 feet and a variance to reduce the side yard neighboring setback line from 10 feet to 6 feet. These setback reductions will provide us an ample amount of space to build an attractive, historically-appropriate addition that will meet the needs of our growing family.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is a cursive script that appears to read 'Rachel Barry'. The signature on the right is also in cursive and appears to read 'Philip Andrew Myrick'. Both signatures are fluid and connected.

Rachel Barry and Philip Andrew Myrick

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**TO: Marietta Daily Journal**  
**FROM: City of Marietta**  
**RUN DATE: August 14, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF VARIANCES**

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following requests. The Board of Zoning Appeals will consider the following requests on **Monday, August 31<sup>st</sup>, 2020 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

**V2020-28 [VARIANCE] RACHEL BARRY & PHILIP MYRICK** are requesting variances for property zoned R-4 (Single Family Residential – 4 units/acre), located in Land Lot 1147, District 16, Parcel 0170, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as 126 Stewart Avenue. Variance to reduce the minor side yard setback for a new addition from 10’ to 6’; variance to reduce the major side yard setback for a new addition from 25’ to 15’; variance to reduce the major side setback for an existing structure (house) from 25’ to 4’; variance to reduce the side yard setback for an existing accessory structure (shed) from 10’ to 4’; variance to reduce the rear yard setback for an existing accessory structure (shed) from 30’ to 8’. Ward 4A.

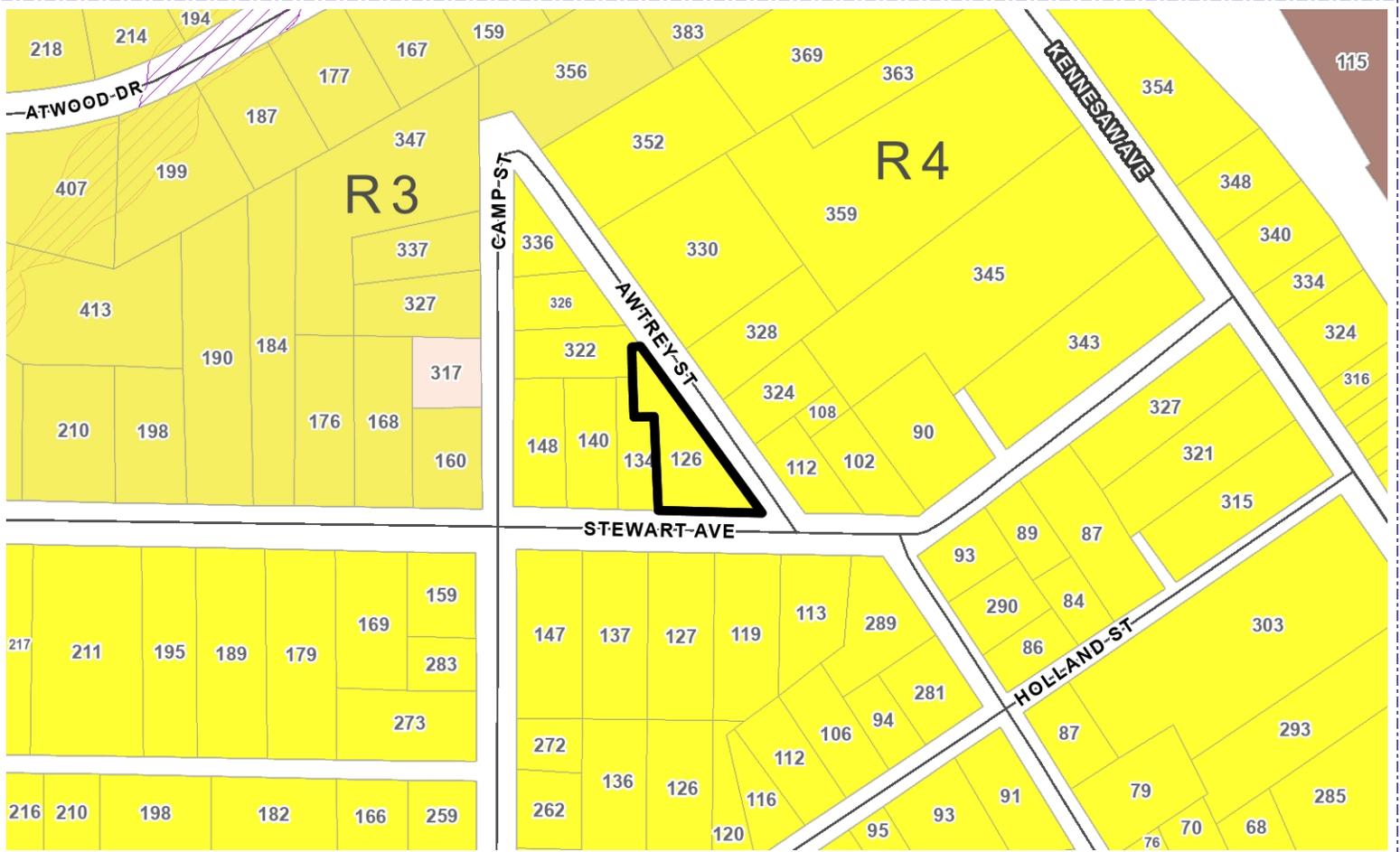
A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at [www.mariettaga.gov](http://www.mariettaga.gov) and enter the case # in the search box.

**For additional information please call the Planning and Zoning Office (770) 794-5669.**

**Accessibility to Meetings:** If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator, at 770-794-5558 no later than 48 hours before the date of the above meeting.

City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Variance



Address	Parcel Number	Acreage	Ward	Zoning	FLU
126 STEWART AVE	16114700170	0.296	4A	R4	MDR

Property Owner: Rachel Barry & Philip Myrick

Applicant:

BZA Hearing Date: 08/31/2020

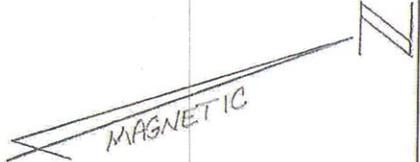
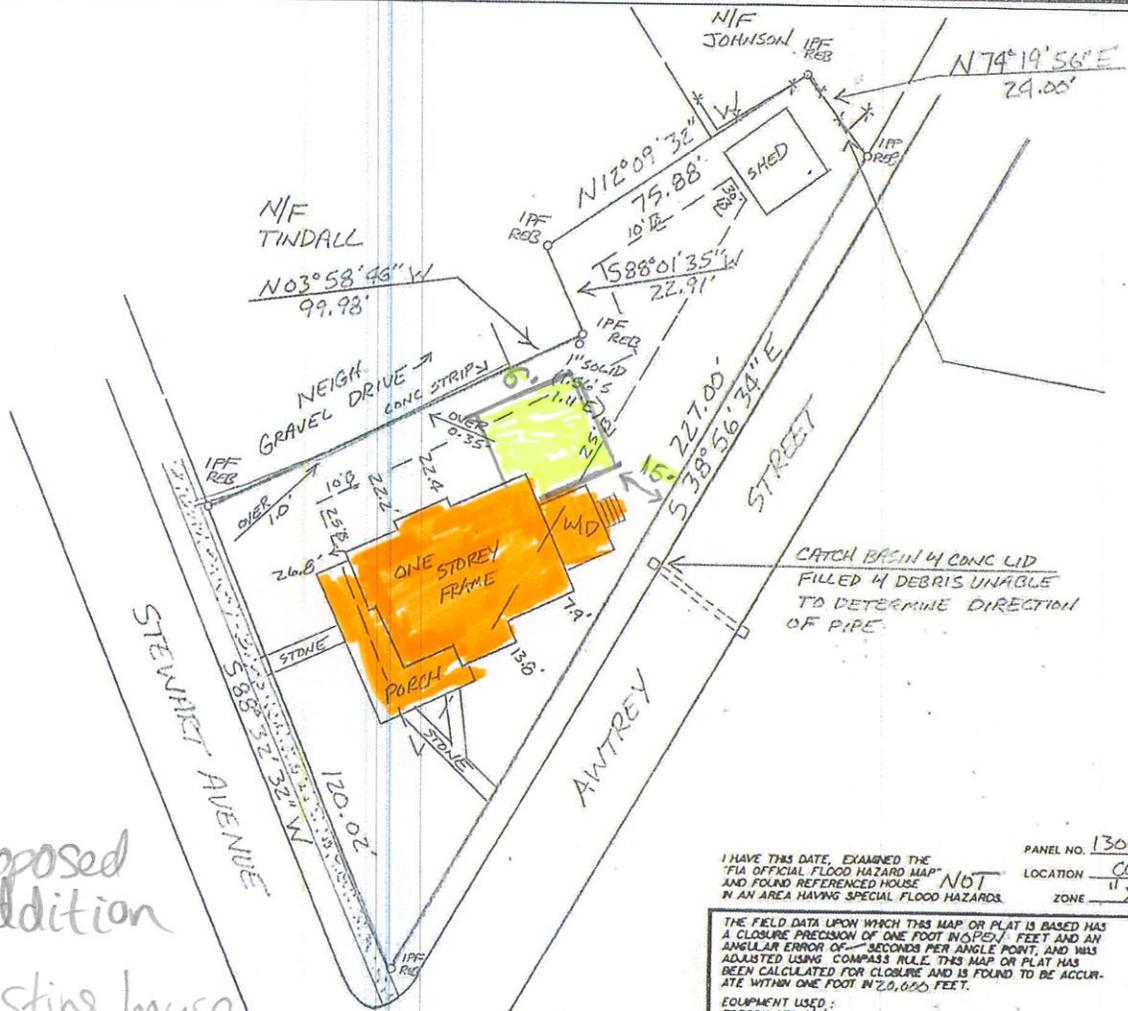
Acquisition Date:

Case Number: V2020-28

City of Marietta Planning & Zoning

**Zoning Symbols**

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise

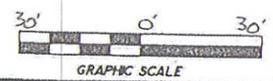


AREA = 0.2785 ACRE  
 #126 STEWART AVENUE

= Proposed addition  
 = Existing house

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED HOUSE **NOT** IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL NO. 13067C0108J  
 LOCATION COBB  
 ZONE "X"



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN  $10^5$  FEET AND AN ANGULAR ERROR OF  $\frac{1}{2}$  SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 20,000 FEET.

EQUIPMENT USED:  
 TOPCON (GTS-RIB)  
 IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

*James A. Evans, Jr.*  
**J.A. EVANS**  
 SURVEYING CO., INC.  
 POWDER SPRINGS, GEORGIA  
 PH. 770-943-0000

**SURVEY FOR:**  
 RACHAEL BARRY

LOT	BLK.	UNIT	REVISIONS
	D.B.	15277	
		PG. 1648	
LAND LOT		1147	
DISTRICT	16 <sup>TH</sup>	SECTION 24D	CC
	COBB	COUNTY, GEORGIA	DRWN
PLAT BOOK	64	PAGE 166	CHKD
DATE:	5-11-17	SCALE: 1" = 30'	JOB #
			14.7-17

STUBS PER R-4 ZONING  
 survey was prepared in conformity with The  
 nical Standards for Property Surveys in Georgia  
 t forth in Chapter 180-7 of the Board Rules of the  
 gia Board of Registration for the Professional  
 teers and Land Surveyors and as set forth in the  
 gia Plat Act O.C.G.A. 15-6-67.

LSF00248



**STAFF REVIEW AND RECOMMENDATION**

**Variance Case #:** V2020-29                      **Legistar #:** 20200635

**Board of Zoning Appeals Hearing: Monday – August 31, 2020 – 6:00 p.m.**

**Property Owner:** Melissa Earley  
267 Freyer Dr.  
Marietta, GA 30060

**Applicant:** Same as owner.

**Address:** 267 Freyer Drive

**Land Lot:** 1088    **District:** 16                      **Parcel:** 00210

**Council Ward:** 4B    **Existing Zoning:** R-3 (Single Family Residential – 3units/acre)

**Special Exception / Special Use / Variance(s) Requested:**

1. Variance to reduce the side setback along the eastern property line from 10 feet to 3 feet.  
[§708.03 (H)]

**Statement of Fact**

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

**Criteria:**

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

**PICTURES**



**267 Freyer Drive**



**Existing side yard encroachment**



---

**Recommended Action:**

**Approval.** The owner and applicant, Melissa Earley, is requesting a variance to expand and renovate her home at 267 Freyer Drive. The 0.277 parcel is zoned R-3 (Single Family Residential – 3 units/acre) and is surrounded by properties also zoned R-3. The subject property and its neighboring properties appear to have setback encroachments with their principal and accessory structures. The 69-foot lot width does not comply with the current code of a minimum 85-foot lot width but is legally nonconforming. The existing conditions of the lot include a setback encroachment along the eastern side property line.

According to the city’s zoning ordinance, the residential structures may build up to 10 feet from the side property lines. Also, unenclosed projections such as stairs, decks, and porches may encroach up to 50 % of the required setback. The applicant would like to add a covered porch to the front of the home and to the rear of the home at the northeastern corner. The covered porches are to be built in line with the existing building edge at approximately 3 feet 8 inches from the side property line.

Although the new encroachment is in-line with the existing structure, it is perceived as an addition to the encroachment area. Given that the lot widths for the subject property and surrounding neighbors are non-conforming, the character of the neighborhood commonly has structures built close to the side property lines. The proposed project would not have a noticeable impact on the neighborhood. *Therefore, staff recommends approval.*

*Fire comment:*

*The setback reduction to 6’ will expose the subject property to installation of fire sprinklers in accordance with Marietta Code 2-6-140.*

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Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Phone: 770-794-5440

APPLICATION FOR VARIANCE OR APPEAL

(Owner/Applicant/or Representative must be present at all public hearings)

(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: V2020-29 Registrar #: 20200635 BZA Hearing Dt: 8-31-20
City Council Hearing Dt (if applicable) #: - PZ #: 20-218

This is a variance/appeal application for:

X

Board of Zoning Appeals

City Council

Owner's Name Melissa Earley

EMAIL Address: mkearley@att.net

Mailing Address 267 Freyer Dr Marietta, GA Zip Code: 30060 Phone Number 678-787-4846

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant:

EMAIL Address:

Mailing Address Zip Code: Phone Number

Address of subject property: 267 Freyer Dr Marietta, GA 30060 Date of Acquisition: 3/18/2010

Land Lot (s) 10880 District 16 Parcel 00210 Acreage 0.29 Zoned R3 Ward 4B FLU: LDR

List the variance(s) or appeal requested (please attach any additional information):

setbacks

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s).
Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale.
Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 5 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Board of Zoning Appeals within the two (2) years preceding the filing of this application.

Melissa Earley  
Signature of Owner

Melissa Earley  
Signature of Applicant

Melissa Earley  
Print Name

Melissa Earley  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant

**APPLICANT CERTIFICATION**

- The Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please Print

**OWNER CERTIFICATION**

- The Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Owners's knowledge and belief. Should any portion not be true, then the application may be rejected.
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- The Owner hereby gives permission to enter on the property for inspection during the time application is pending.

Melissa Earley  
Signature of Owner

Melissa Earley  
Please Print

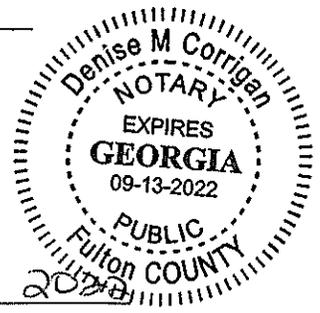
267 Freyer Dr Marietta, GA 30060  
Address

July 18, 2020  
Date

Signed, sealed and delivered in the presence of:

Denise M. J.

My Commission Expires: Sept 13, 2020



Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

**From:** Melissa Earley <mkearley@att.net>  
**Sent:** Monday, July 20, 2020 8:37 PM  
**To:** Thornton, Jasmine <JThornton@mariettaga.gov>  
**Cc:** Little, Shelby <SLittle@mariettaga.gov>  
**Subject:** Variance Request - 267 Freyer Dr

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Thornton,

This letter is to request a variance for the home renovation of 267 Freyer Dr. The reason for the variance is the existing house encroaches the current side setback requirements. We are not encroaching any further.

If you need further information, please let me know. Thank you for your assistance.

Sincerely,

Melissa Earley

Sent from my iPad

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**TO: Marietta Daily Journal**  
**FROM: City of Marietta**  
**RUN DATE: August 14, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF VARIANCES**

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following requests. The Board of Zoning Appeals will consider the following requests on **Monday, August 31<sup>st</sup>, 2020 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

**V2020-29 [VARIANCE] MELISSA K. EARLEY** is requesting a variance for property zoned R-3 (Single Family Residential – 3 units/acre), located in Land Lot 1088, District 16, Parcel 0210, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as 267 Freyer Drive. Variance to reduce the side setback along the eastern property line from 10 feet to 3 feet. Ward 4B.

A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at [www.marietta.ga.gov](http://www.marietta.ga.gov) and enter the case # in the search box.

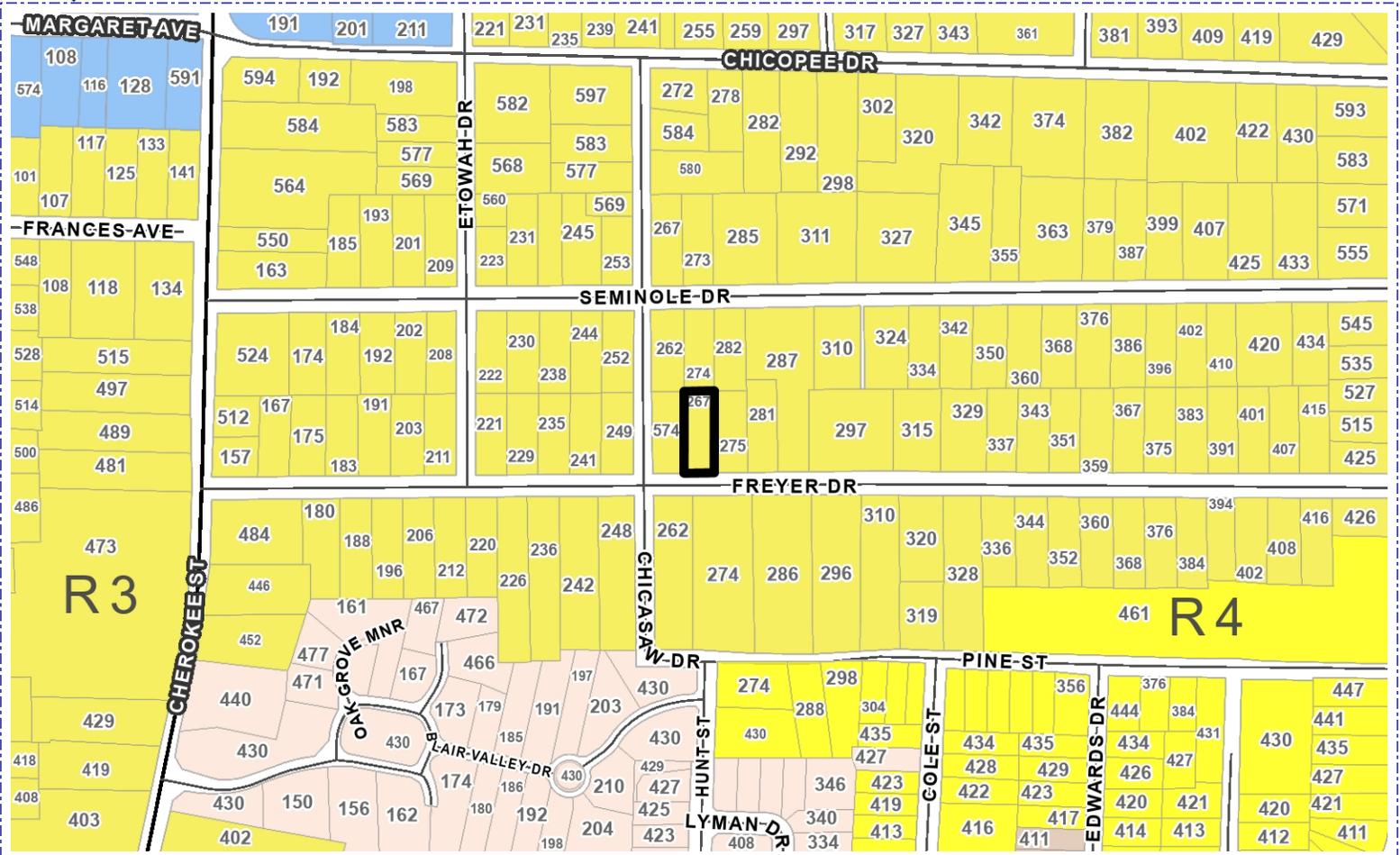
**For additional information please call the Planning and Zoning Office (770) 794-5669.**

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City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060



# Variance



Address	Parcel Number	Acreage	Ward	Zoning	FLU
267 FREYER DR	16108800210	0.277	4B	R3	LDR

Property Owner:	Melissa Earley
Applicant:	
BZA Hearing Date:	08/31/2020
Acquisition Date:	
Case Number:	V2020-29
City of Marietta Planning & Zoning	

**Zoning Symbols**

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise

**EROSION SEDIMENT & POLLUTION CONTROL PLAN FOR:**

**DEMOLITION  
UPPERCUT HOMES**

267 FREYER DRIVE, NE  
LAND LOT 1088  
16th DISTRICT - 2nd SECTION  
COBB COUNTY, GEORGIA  
CITY OF MARIETTA  
EXISTING ZONING: R-3  
PIN: 16108800210  
12,575 SQ FT  
0.29 ACRES

**6** TOTAL DISTURBED AREA=0.25 AC.

**16** NOTE: THERE ARE NO STATE WATERS WITHIN 200' OF THIS SITE.  
NOTE: NO FUEL STORAGE NEEDED ON THE SITE.  
NOTE: SOPE CREEK IS AN IMPAIRED STREAM SEGMENT.  
REFER TO PAGE 10 FOR APPENDIX 1 COMPLIANCE.  
NOTE: PIERS, COLUMNS, AND ENGINEERED FLOOD OPENINGS TO BE DESIGNED BY OTHERS.

**LEGEND:**

IPF	IRON PIN SET	BSL	BUILDING SETBACK LINE
IPF	IRON PIN FOUND	HC	HAND-CAP
OT	OPEN TOP PIN	CMF	CONCRETE MONUMENT FOUND
CT	CRIMP TOP PIN	SSMH	OVERHEAD UTILITY LINE(S)
RB	RE-BAR	MHT	SANITARY SEWER MAN HOLE
CRB	CAPPED RE-BAR	DWC/B	MAN HOLE TELEPHONE
CL	CENTERLINE	JB	CATCH BASIN
R/W	RIGHT-OF-WAY	DI	JUNCTION BOX
LLL	LAND LOT LINE	HW	DROP INLET
L	LINE	HW	HEAD WALL
R	RADIUS	CMP	CORRUGATED METAL PIPE
CONC	CONCRETE	CPP	CORRUGATED PLASTIC PIPE
C	CURVE	RCP	REINFORCED CONCRETE PIPE
PP	POWER POLE	SSE	SANITARY SEWER EASEMENT
GV	GAS VALVE	FH	FIRE HYDRANT
GM	GAS METER	DE	DRAINAGE EASEMENT
LP	LAMP POLE	WV	WATER VALVE
SS	SANITARY SEWER	PIV	POST INDICATOR VALVE
FC	FENCE CORNER	WM	WATER METER
X	FENCE	CO C/O	SANITARY SEWER CLEANOUT
AE	ACCESS EASEMENT	POB	POINT OF BEGINNING
PROP	PROPOSED	POC	POINT OF COMMENCEMENT
AC	AIR-CONDITIONER	NTS	NOT TO SCALE
GA	GAS POWER MANHOLE	SWCB	SINGLE WING CATCH BASIN
PB	POWER BOX	UE	UTILITY EASEMENT
CATV	CABLE TELEVISION JUNCTION BOX	PM	POWER METER
TB	TELEPHONE JUNCTION BOX	CLF	CHAIN-LINK FENCE
APP	ABANDONED POWER POLE	CTW	CROSS-TIE WALL
		HCS	HAND-CAP SIGN

**EROSION AND SEDIMENT CONTROL LEGEND**  
(FOR DETAILS SEE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA, 2016 EDITION)

**STRUCTURAL PRACTICES**

(Co) CONSTRUCTION EXIT

(Sd1-S-Alt) SEDIMENT BARRIER-TYPE SENSITIVE ALTERNATIVE (Sd1-C-POP)

-SF-SF-SF FABRIC HEIGHT: 28", WOOD POST AT 4' O.C. MAX

-TF-TF-TF TREE PROTECTION FENCING

-LD-LD-LD LIMITS OF DISTURBANCE

(St) RIPRAP OUTLET PROTECTION

(Sd2-P) INLET SEDIMENT TRAP (PIGS IN A BLANKET)

(Sd1-P) INLET SEDIMENT TRAP (WITH FENCING)

(Sd4-C) TEMPORARY SEDIMENT TRAP

(Tr) TREE PROTECTION FENCING

(SS) EROSION CONTROL MATTING BLANKETS

(CWA) CONCRETE WASH AREA

(Re) RETAINING WALL

(Cd-Hb) CHECKDAM HAYBALE

(D) DIVERSION BERM

**VEGETATIVE MEASURES**

(D1) DUST CONTROL ON DISTURBED AREAS

(S1) DISTURBED AREA STABILIZATION (WITH MULCHING)

(S2) DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING)

(S3) DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION)

(S4) DISTURBED AREA STABILIZATION (PERMANENT WITH SOD)

**CONTOURS / DRAINAGE**

-P-980 PROPOSED CONTOUR

-980- EXISTING CONTOUR

x980 or 980x SPOT ELEVATION

x980 TW PROPOSED TOP WALL ELEVATION

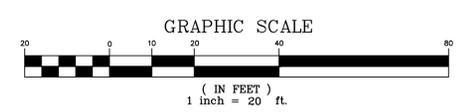
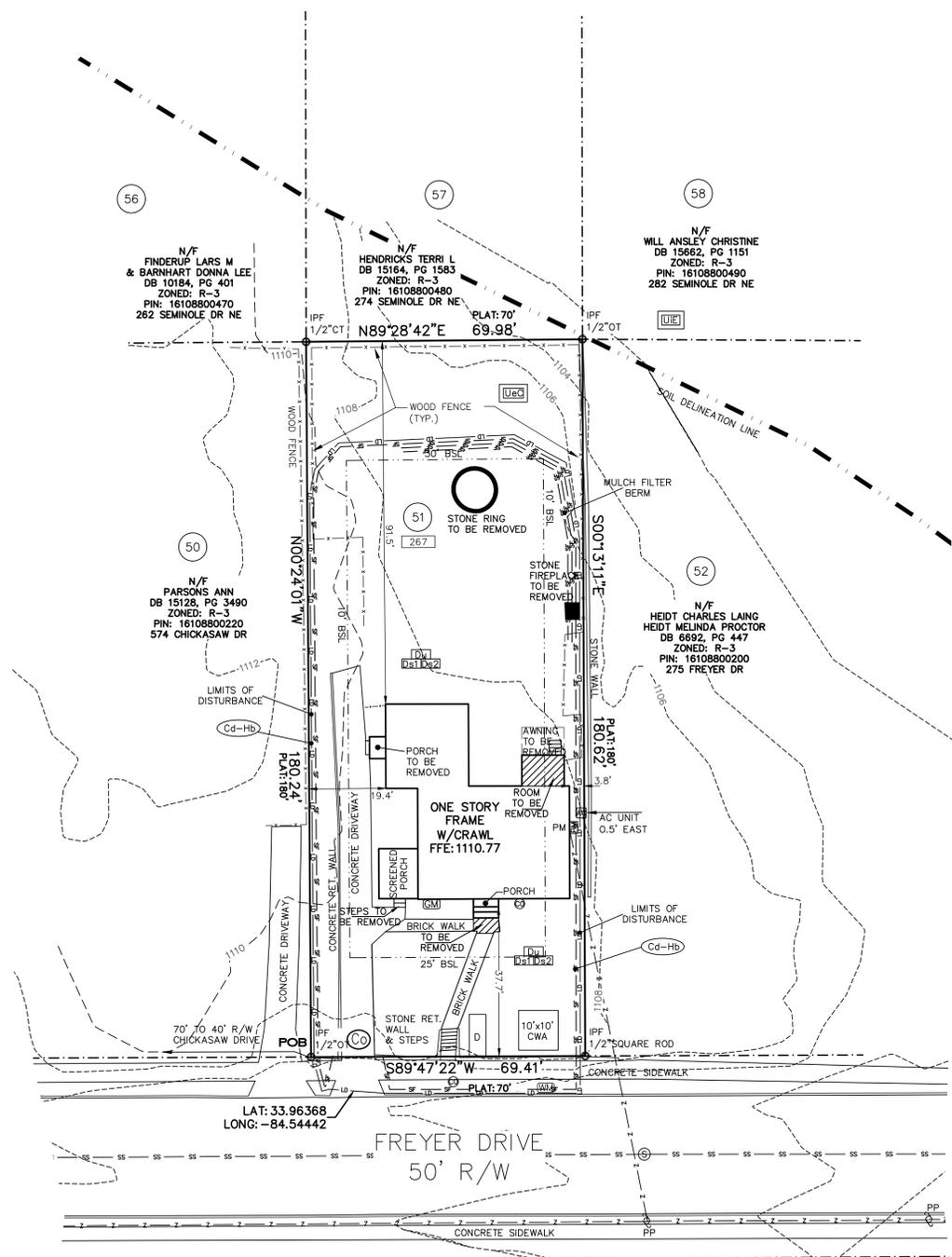
x978 BW PROPOSED BOTTOM WALL ELEVATION

-D- DRAINAGE FLOW ARROWS

(D) DUMPSTER

**CURRENT ZONING:**  
R-20

FRONT SETBACK= 35'  
SIDE SETBACK= 10'  
MAJOR SIDE SETBACK= 25'/35'  
REAR SETBACK= 35'



**2**

**GSWCC** GEORGIA SOIL AND WATER CONSERVATION COMMISSION

THOMAS E PEAY, III  
LEVEL II CERTIFIED DESIGN PROFESSIONAL

CERTIFICATION NUMBER: 000006868  
ISSUED: 08/18/2018 EXPIRES: 08/18/2021

**4**

**BUILDER**

BEN BURNLEY  
1860 SANDY PLAINS ROAD, SUITE 204-420  
MARIETTA, GA 30066

**5**

**24 HOUR CONTACT**

BEN BURNLEY  
404-557-2935  
BEN@UPPERCUTHOMES.COM

**TERTIARY PERMITEE**

BEN BURNLEY  
1860 SANDY PLAINS ROAD, SUITE 204-420  
MARIETTA, GA 30066  
404-557-2935

**EXISTING IMPERVIOUS AREA CHART**

TOTAL LOT AREA:	12,575 SQ FT
BUILDING FOOTPRINT:	1,615 SQ FT
DRIVE/WALKS:	1,019 SQ FT
PORCHES/AWNING:	235 SQ FT
STEPS:	54 SQ FT
WALLS:	277 SQ FT
TOTAL IMPERVIOUS AREA:	3,200 SQ FT
% IMPERVIOUS AREA:	25.4%

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSEURE OF 1 FOOT IN 7,389 FEET, AN ANGULAR ERROR OF 3.4 SECONDS PER ANGLE. POINT AND CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 12,575.221. THE INFORMATION USED IN THE PREPARATION OF THIS PLAN:

NO U.S.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAN IS BASED UPON THE FIELD DATA WHICH IS THE PROPERTY OF THE SURVEYOR OR ENTITY NAMED HEREON. THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS REPERCUSSION BY THE SURVEYOR. NAMING OF ANY PROPERTY OR ENTITY IS THE PROPERTY OF THE SURVEYOR. THE SURVEYOR'S SERVICE REMAINS THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2020 FRONTLINE SURVEYING AND MAPPING, INC. \*\*\* ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED \*\*\*

3595 Canton Road  
Suite 312, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9805  
Fax (678) 355-9805

**FRONTLINE**  
SURVEYING & MAPPING, INC.

www.frontlinesurveying.com

**8**

DATE	07/09/20
SCALE	1" = 20'
DISTRICT	16TH DISTRICT
SECTION	2ND SECTION
COUNTY	COBB COUNTY, GEORGIA
REVISION	

EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN FOR:

**UPPERCUT HOMES**

LAND LOT 1088

BLOCK 51

SUBDIVISION 16TH DISTRICT

CHEROKEE HEIGHTS

I HAVE THIS DATE EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND THAT BY GRAPHIC PLOTTING ONLY THE REFERENCE PARCEL (S IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PG 1 PG 156 PG 157 PG 158 PG 159 PG 160

MAP ID: 130672008J EFFECTIVE DATE: 03/04/2013

FOR THE FIRM FRONTLINE SURVEYING & MAPPING, INC. LSE#000631

07/09/20

JOB # 71621





**STAFF REVIEW AND RECOMMENDATION**

**Variance Case #:** V2020-30                      **Legistar #:** 20200636

**Board of Zoning Appeals Hearing: Monday – August 31, 2020 – 6:00 p.m.**

**Property Owner:** 1601 Enterprises, LLC c/o Adam Rozen, Esq.  
248 Roswell Street, Marietta, Ga 30060

**Applicant:** White Hawk, Inc.

**Address:** 1601 Canton Road

**Land Lot: 854                      District: 16<sup>th</sup>                      Parcel: 0450**

**Council Ward: 6B                      Existing Zoning: CRC (Community Retail Commercial)**

**Special Exception / Special Use / Variance(s) Requested:**

1. Variance to allow metal siding on the side of a building facing a roadway. [*§708.16 (G.3)*]
2. Variance to eliminate the 40-foot buffer adjacent to any residential district. [*§708.16 (I)*]

**Statement of Fact**

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

**Criteria:**

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

**PICTURES**



*Front of building at 1601 Canton Road*



*Side portion of building along Collins Road*



*Existing awning structure to be demolished for proposed metal building addition along Collins Road*

**Recommended Action:**

**Denial.** The applicant, White Hawk, Inc, is requesting a variance to construct a metal warehouse addition at 1601 Canton Road. The subject property is zoned CRC (Community Retail Commercial) and is approximately 1.092 acres in size. Most of the surrounding properties are zoned CRC or LI (Light Industrial). Towards the northwestern portion of the property are parcels located in unincorporated Cobb County that are zoned R-20 (Single Family Residential – 20,000 square foot lot size). The property lies at the corner of Canton and Collins Roads.

The proposed project involves a 2,000 square foot building addition to the existing 4,600 square foot building that functions as a tire and auto maintenance shop for Jack’s Tire and Auto Service facility. The addition will match the materials used for the original building, which is corrugated metal. It should be noted that the addition will not expand the overall existing structure’s footprint as the applicant would like to demolish an overhang located along the southern portion of the property and replace it with the proposed addition. Section 708.26.G.3 of the Zoning Ordinance states that “*Building design and materials may be of the developer’s choosing; however, structures which utilize metal siding shall be constructed with brick, stone, rock or wood covering any facade of the building facing a roadway.*”

Both the Marietta Board of Zoning Appeals and City Council have heard and approved requests for metal exterior materials. However, most of the cases listed have allowed for ACM (Aluminum Composite Material) panels to be used on the front building facades, not corrugated metal. Below is a list of approvals for metal building materials.

Case #	Address	Organization
V2013-10	2150 Cobb Pkwy S	Buick GMC
Z2013-27	810 Cobb Pkwy S	Mercedes of Marietta
V2013-34	1450 Williams Dr	Hal Bayless & Nick Bayless
V2014-02	1865 Cobb Pkwy S	Pugmire Lincoln Mercury
V2014-53	708 Cobb Pkwy S	Toyota Used Car Center
V2015-01	920 Cobb Pkwy S	Waffle House
V2015-09	1123 Roswell Road	Wendy's
V2015-19	1998 Delk Ind Blvd	Red Hare Brewing
V2015-26	2205 Cobb Pkwy S	Zaxby's
V2016-01	2165 Cobb Pkwy S	Steve Rayman
V2016-05	2103 Cobb Pkwy S	Voyles Family Partnership
V2016-12	1141 Cobb Pkwy S	JBE Realty Holdings
V2016-45	55 S Marietta Pkwy	Wendy's
V2017-17	530 Collins Rd	ST Metal Works Inc

The property has ample and prominent road frontage along a highly traveled road (Canton Road). The specific purpose of the regulation is to prohibit corrugated metal buildings on highly visible buildings and the applicant has demonstrated no hardship. The site also contains no trees, which could be used to obscure some the more unsightly aspects of the property, such as the metal building materials. As a result, **staff recommends denial of variance request #1 (building materials).**

Although the building is mostly surrounded by industrial/warehousing type businesses within the area, there are a few properties zoned and used residentially within unincorporated Cobb County. Non-residential properties such as commercial must maintain or provide a buffer to reduce noise and unsightly views; and to serve as additional protection for lower intensity residential properties adjacent to more intense commercial development. A minimum 40-foot buffer is required with the rebuild of the building. Currently, there is no fence or trees within the buffer area; therefore, the applicant is proposing to waive the buffer requirement so a portion of the building may be rebuilt in the existing footprint. Since this is an existing condition that will not be made worse by the new building, **staff recommends approval of variance #2 (buffer).**

*Fire comments:*

*No objection. Additional notes: An application for a Fire Code Variance requesting relief from the city's fire protection sprinkler ordinance was recently denied because of insufficient information.*



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Phone: 770-794-5440

APPLICATION FOR VARIANCE OR APPEAL

(Owner/Applicant/or Representative must be present at all public hearings)

(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: V2020-30 Legistar #: 20200636 BZA Hearing Dt: 8-31-20
City Council Hearing Dt (if applicable) #: - PZ #: 20-219

This is a variance/appeal application for:

[X] Board of Zoning Appeals

[ ] City Council

Owner's Name 1601 Enterprises, LLC c/o Adam J. Rozen, Esq.

EMAIL Address: ajrozen@rozenandrozen.com

Mailing Address 248 Roswell Street, Marietta Georgia Zip Code: 30060 Phone Number 770-427-7004

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: White Hawk, Inc.

EMAIL Address: See representative

Mailing Address Zip Code: Phone Number

Address of subject property: 1601 Canton Road Date of Acquisition:

Land Lot (s) 854 District A Parcel P255853 Acreage 1.1 Zoned G4 Ward 6B FLU: IW
0854 16 00450 CRC

List the variance(s) or appeal requested (please attach any additional information):

Variance to 708.16 (G)(3) to allow metal exterior on portion of building facing a roadway for building renovation in existing building footprint.

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s). Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 5 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

ATTACHMENT TO APPLICATION FOR VARIANCES

Applicant: 1601 ENTERPRISES, LLC

Titleholder: 1601 ENTERPRISES, LLC

PIN#: 16085400450

PROPERTY OWNER'S CERTIFICATION

The undersigned(s) below, or as attached, is the owner of the property considered in this application.

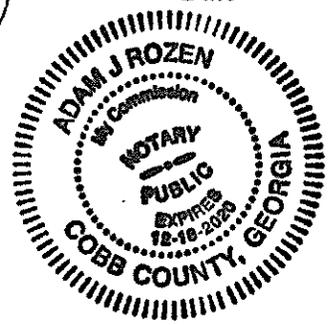
*Derry Stockbridge*  
Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: DERRY STOCKBRIDGE

Address: 176 SHALLOWFORD RD  
KENNESAW, GA 30144

*[Signature]*  
Signature of Notary Public \_\_\_\_\_ Date 7/22/20

(Notary Seal)



**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Board of Zoning Appeals within the two (2) years preceding the filing of this application.

Signature of Owner 1601 ENTERPRISES, LLC

Signature of Applicant WHITE HAWK, INC.

DERBY STOCKBRIDGE  
Print Name MEMBER

Shay Vaughn  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

WHITE HAWK, INC.

Print Name

Signature of Applicant

**APPLICANT CERTIFICATION**

- The Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.

[Signature]  
Signature of Applicant

7-20-2020  
Date

WHITE HAWK, INC.

Please Print

**OWNER CERTIFICATION**

- The Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Owners's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner hereby gives permission to enter on the property for inspection during the time application is pending.

[Signature]  
Signature of Owner

1601 ENTERPRISES, LLC  
Please Print

See Representative

Address

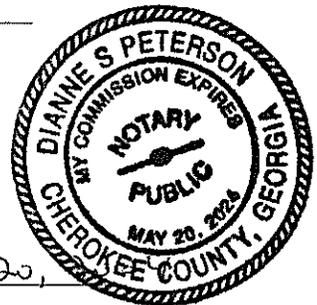
Date

7/20/20

Signed, sealed and delivered in the presence of:

Dianne S Peterson

My Commission Expires: May 20,



Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.

**CERTIFICATE REGARDING CORPORATE AUTHORITY TO PURSUE VARIANCE APPLICATION**

1.

My name is Shay Vaughn. I am the officer who is delegated the responsibility for authenticating records of *White Hawk, Inc.* (the "Applicant"). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Application for Variances regarding certain real property owned by the Titleholder 1601 Enterprises, LLC located in Marietta, Cobb County, Georgia.

2.

In accordance with the Requirements for Completing a City of Marietta Variance Application, I hereby attest on behalf of the Applicant that I have reviewed the Variance Application and related documents which are being filed simultaneously therewith (collectively, the "Variance Application") to which this Certificate is attached and hereby certify:

- (a) That corporate seal or facsimile affixed to the Variance Application is in fact the seal of the Applicant Corporation or a true facsimile thereof; and
- (b) That the officer or other representative of the Applicant Corporation who executed the Variance Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Variance Application on behalf of the Applicant or to authorize its representative to execute the same, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Variance Application and the filing of the Variance Application is with the express permission of the Applicant and Titleholder.

WHITE HAWK, INC.

By: 

Print Name Shay Vaughn

Its: Proj Mgr  
Title

**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Board of Zoning Appeals within the two (2) years preceding the filing of this application.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Representative

Adam J. Rozen, Esq.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

ADAM J. ROZEN, ESQ.

\_\_\_\_\_  
Print Name REPRESENTATIVE

\_\_\_\_\_  
Signature of Applicant

**APPLICANT CERTIFICATION**

- The Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Adam J. Rozen, Esq.

\_\_\_\_\_  
Please Print

**OWNER CERTIFICATION**

- The Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Owners's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner hereby gives permission to enter on the property for inspection during the time application is pending.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

Signed, sealed and delivered in the presence of:

Suseann R. Bristow



My Commission Expires:

10/4/20

Note: Owner, Applicant or Representative must be present in person in order for case to be heard.

# ADAM J. ROZEN, P.C.

A PROFESSIONAL CORPORATION

248 Roswell Street, SE

Marietta, Georgia 30060

(770) 427-7004 (T)

(770) 426-9584 (F)

ADAM J. ROZEN

[ajrozen@rozenandrozen.com](mailto:ajrozen@rozenandrozen.com)

July 20, 2020

**VIA HAND DELIVERY:**

Ms. Shelby Little, AICP  
Planning & Zoning Manager  
City of Marietta  
Department of Development Services  
205 Lawrence Street  
Marietta, GA 30060

Re: Variance Application of White Hawk, Inc., Owner 1601 Enterprises, LLC  
regarding an approximate 1.1 Acre Tract located in Land Lot 854, 16<sup>th</sup> District,  
City of Marietta, Cobb County, Georgia

Dear Shelby:

This firm has been engaged by and represents the applicant White Hawk, Inc. ("Applicant") concerning the above-captioned Variance Application being filed contemporaneously herewith. The Application is scheduled to be heard and considered by the City of Marietta Board of Zoning Appeals on August 31, 2020.

The property at issue consists of one parcel at 1601 Canton Road located on the north west side of Canton Road at its intersection with Collins Road. The subject property is zoned Community Retail Commercial ("CRC") and is in an area denominated as Industrial-Warehousing ("IW") which designation and character encompasses the surrounding properties in and around this industrial corridor of Canton Road.

Presently, the subject property is utilized for Jack's Tire and Auto Service facility which has successfully operated at this location for a number of years. The current use of the subject property is permitted under the CRC zoning and the owner intends to maintain the current use of the site but seeks approval to renovate the existing building and construct an additional building structure to replace a portion of the existing building in the same building footprint.

To do so, the Applicant is performing the general contractor and construction services for the Owner in furtherance of the new construction. The new building will be an enhancement and

# ADAM J. ROZEN, P.C.

A PROFESSIONAL CORPORATION

VIA HAND-DELIVERY

Ms. Shelby Little, AICP  
Planning & Zoning Manager  
City of Marietta  
Department of Development Services

July 20, 2020

Page 2

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provide a needed replacement of the existing structure. However, the CRC Ordinance at 708.16 (G)(3) provides that *“Building design and materials may be of the developer's choosing; however, structures which utilize metal siding shall be constructed with brick, stone, rock or wood covering any facade of the building facing a roadway”*. While a significant improvement to the site and the overall development of this area, a portion of the building's metal exterior will face Collins Road and therefore requires a variance to the above provision. The operation and use will not change and will remain consistent with the overall industrial character of Canton Road with the added benefit of the quality of new and professional construction. Further, this construction and variance is consistent with existing surrounding buildings including many industrial warehouses constructed of metal and other various materials and also facing a roadway; which is an appropriate and positive consideration for the granting of this Variance Application.

For all the reasons stated herein above and with all of the information and documentation which is before you, we respectfully request that the Variance Application be approved. Of course, during the pendency of the Application, I will be providing you and your staff with any necessary additional information, documentation and stipulations in order to facilitate the approval of this Application. In the interim, please do not hesitate to contact me should you have any questions whatsoever regarding these matters.

Sincerely,

ADAM J. ROZEN, P.C.

Adam J. Rozen

[ajrozen@rozenandrozen.com](mailto:ajrozen@rozenandrozen.com)

AJR/srb

cc: Mrs. Jasmine C. Thornton, Zoning Administrator, MURP  
1601 Enterprises, LLC  
Mr. Shay Vought, White Hawk, Inc.

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**TO: Marietta Daily Journal**  
**FROM: City of Marietta**  
**RUN DATE: August 14, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF VARIANCES**

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following requests. The Board of Zoning Appeals will consider the following requests on **Monday, August 31<sup>st</sup>, 2020 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

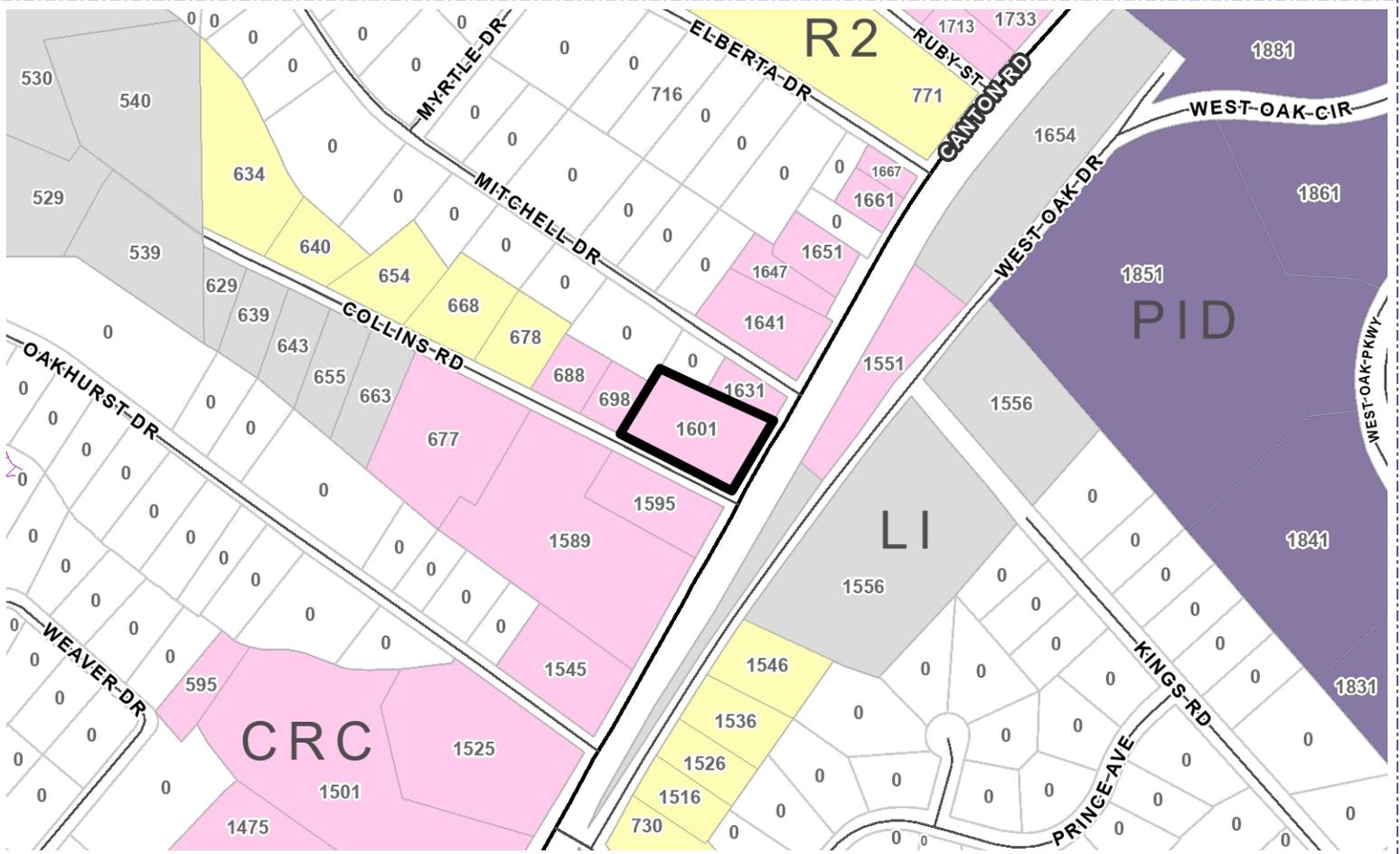
**V2020-30 [VARIANCE] 1601 ENTERPRISES, LLC** is requesting a variance for property zoned CRC (Community Retail Commercial), located in Land Lot 854, District 16, Parcel 0450, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as 1601 Canton Road. Variance to allow metal siding on the side of a building facing a roadway; variance to eliminate the 40 foot buffer adjacent to any residential district. Ward 6B.

A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at [www.mariettaga.gov](http://www.mariettaga.gov) and enter the case # in the search box.

**For additional information please call the Planning and Zoning Office (770) 794-5669.**

**Accessibility to Meetings:** If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator, at 770-794-5558 no later than 48 hours before the date of the above meeting.

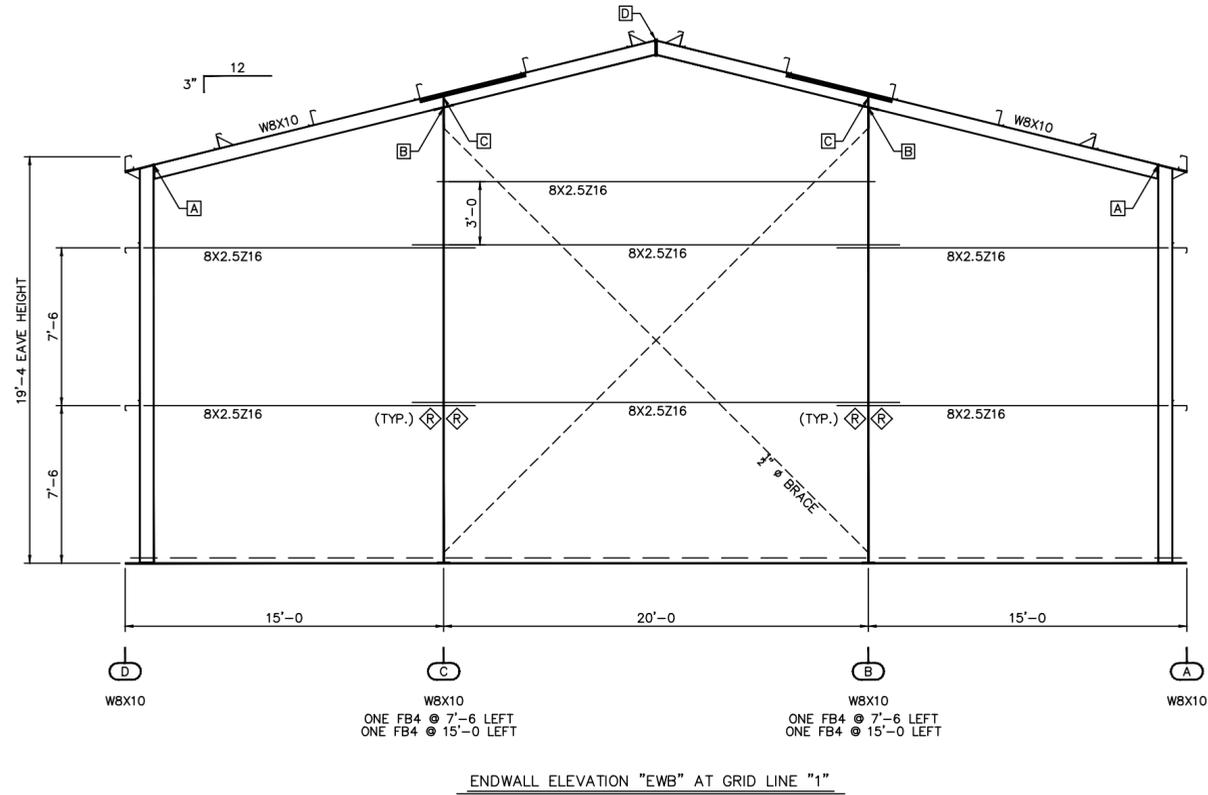
City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1601 CANTON RD	16085400450	1.092	6B	CRC	IW

Property Owner:	1601 Enterprises, LLC	<b>Zoning Symbols</b> <ul style="list-style-type: none"> <li> Railroads</li> <li> City Limits</li> <li> Cobb County Pockets</li> <li> NA</li> <li> R1 - Single Family Residential (1 unit/acre)</li> <li> R2 - Single Family Residential (2 units/acre)</li> <li> R3 - Single Family Residential (3 units/acre)</li> <li> R4 - Single Family Residential (4 units/acre)</li> <li> RA4 - Single Family Residential - Attached</li> <li> RA6 - Single Family Residential - Attached</li> <li> RA8 - Single Family Residential - Attached</li> <li> MHP - Mobile Home Park</li> <li> PRD-SF - Planned Residential Dev. Single Family</li> <li> RM8 - Multi Family Residential (8 units/acre)</li> <li> RM10 - Multi Family Residential (10 units/acre)</li> <li> RM12 - Multi Family Residential (12 units/acre)</li> <li> RHR - Residential High Rise</li> <li> PRD-MF - Planned Residential Dev Multi Family</li> <li> NRC - Neighborhood Retail Commercial</li> <li> CRC - Community Retail Commercial</li> <li> RRC - Regional Retail Commercial</li> <li> PCD - Planned Commercial Development</li> <li> LI - Light Industrial</li> <li> HI - Heavy Industrial</li> <li> PID - Planned Industrial Development</li> <li> MXD - Mixed Use Development</li> <li> CBD - Central Business District</li> <li> OIT - Office Institutional Transitional</li> <li> LRO - Low Rise Office</li> <li> OI - Office Institutional</li> <li> OS - Office Services</li> <li> OHR - Office High Rise</li> </ul>
Applicant:	White Hawk, Inc	
BZA Hearing Date:	08/31/2020	
Acquisition Date:		
Case Number:	V2020-30	
<p>City of Marietta Planning &amp; Zoning</p>		

SPlice Bolt Table					
CONN.	QTY.	SIZE	TYPE	HARDENED WASHERS	BEVELED WASHERS
A	(2)	1/2" X 1 1/2"	A325 B&N	0	0
B	(4)	1/2" X 1 1/2"	A325 B&N	4	0
C	(4)	1/2" X 1 1/2"	A325 B&N	0	0
D	(4)	1/2" X 1 1/2"	A325 B&N	0	0

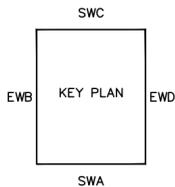


**Non-Standard PBR Wall Panel Fasteners**

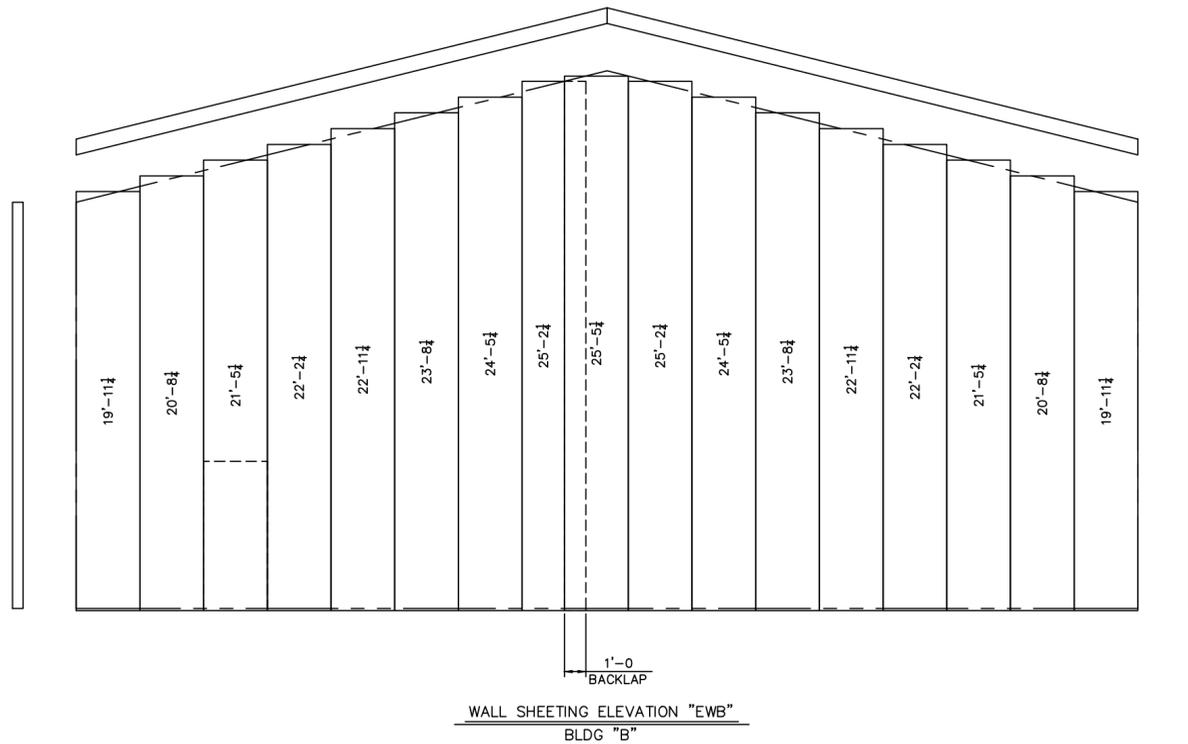
#3A member fasteners are to be used for panel to secondary attachment in lieu of #17A shown on the R Drawings

#4 lap fasteners are to be used for panel to panel and panel to trim attachment in lieu of #4A shown on the R Drawings

PBR WALL PANELS  
 PANEL COVERAGE = 3'-0"  
 COLOR = S200  
 PANEL PKG. REQ'D. = PBS-1  
 Field Cut Panel and Trim as required per Construction Details



ZEE SECTION LAP TABLE			
SYMBOL	LAP LENGTH	SYMBOL	LAP LENGTH
	0'-0 1/4"		2'-5 3/4"
	0'-3 3/4"		3'-1 1/2"
	1'-5 3/4"	REFER TO CF01122	



Revision	Date	Description	By	Ch'd

**Ceco Building Systems**  
 Columbus, MS (662) 243-6400  
 Mount Pleasant, IA (319) 386-8001  
 Rocky Mount, NC (252) 977-2131  
 www.cecobuildings.com

**Project Name & Location:**  
 JACKS TIRE  
 1601 CANTON RD  
 MARIETTA, GA 30066-6301

**Customer:**  
 WHITE HAWK, INC  
 1475 CANTON RD, STE 100  
 MARIETTA, GA 30066-6397  
 ATTN: CY HEDRICK

**Drawing Status:**  
 For Approval  
 For Construction  
 For Construction Permit  
 For Erector Installation

Scale: NOT TO SCALE  
 Drawn by: EOL 7/1/20  
 Checked by: MAC 7/2/20  
 Project Engineer: AXQ  
 Job Number: 17-B-66631-1  
 Sheet Number: E5 of 9

The engineer whose seal appears hereon is an employee for the manufacturer for the materials described herein. Said seal or certification is limited to the products designed and manufactured by manufacturer only. The undersigned engineer is not the overall engineer of record for this project.

Yuangang (Bill) Li, P.E.  
 Georgia P.E. 32641

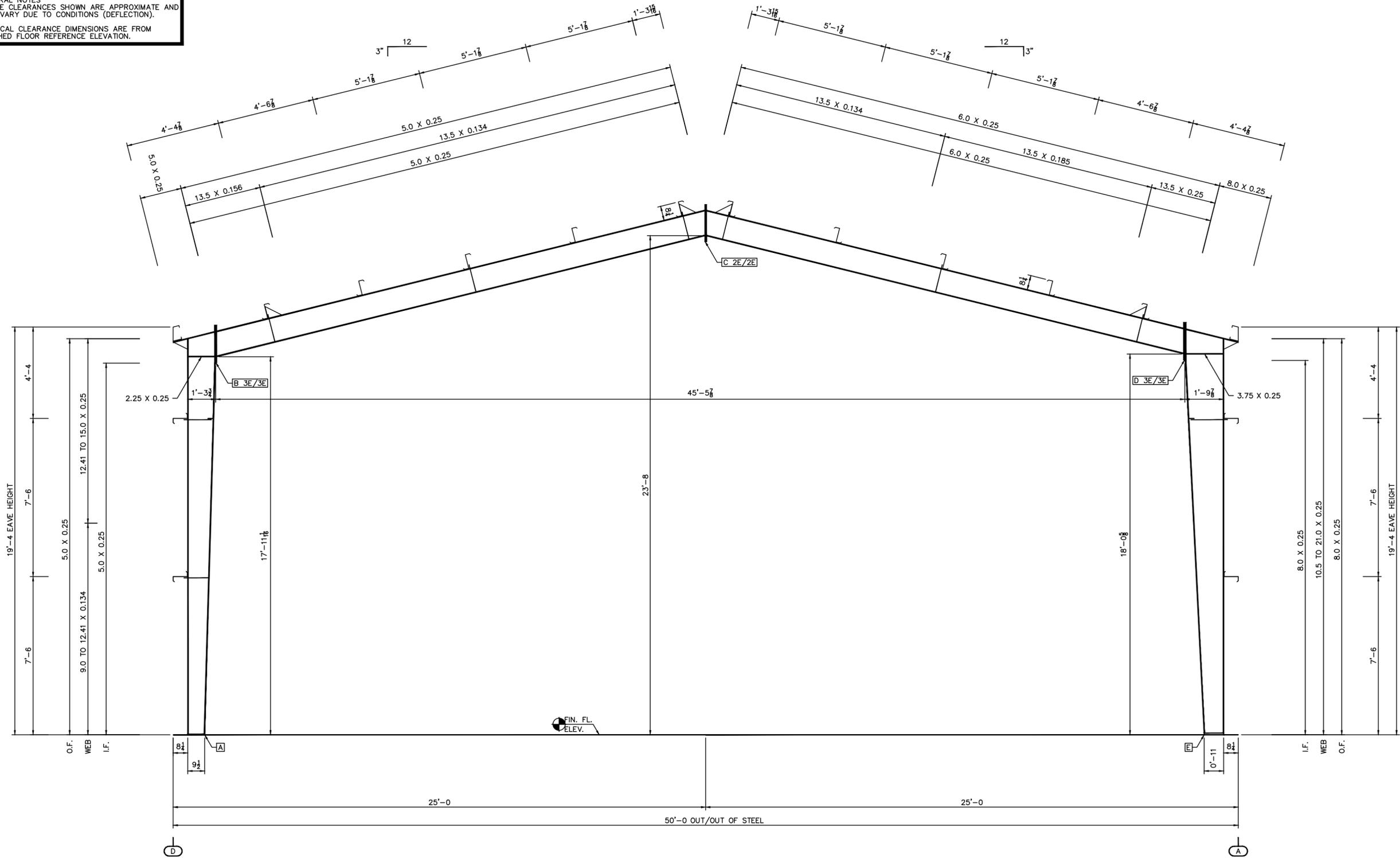
Drawing has been digitally signed.



Jul 07, 2020

OY/PROJECTS\XDS-V8-10-00 FRAME = Active/Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x01L 6/19/20 11:27:40  
 OY/PROJECTS\XDS-V8-10-00 FB SET = Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x01L

GENERAL NOTES  
 FRAME CLEARANCES SHOWN ARE APPROXIMATE AND  
 MAY VARY DUE TO CONDITIONS (DEFLECTION).  
 VERTICAL CLEARANCE DIMENSIONS ARE FROM  
 FINISHED FLOOR REFERENCE ELEVATION.



CROSS SECTION AT FRAME LINE "2"

PLATE SIZE TABLE		SPLICE BOLT TABLE					
CONN.	LOW SIDE	HIGH SIDE	QTY.	SIZE	TYPE	HARDENED WASHERS	BEVELED WASHERS
A	6 X 0.375 X 9 1/2		(12)	3/4 X 2"	A325 B&N	0	0
B	6 X 0.5 X 1'-9 1/8	6 X 0.5 X 1'-8 1/8	(8)	3/4 X 1 1/2	A325 B&N	0	0
C	6 X 0.375 X 1'-8 1/8	6 X 0.375 X 1'-8 1/8	(8)	3/4 X 1 1/2	A325 B&N	0	0
D	8 X 0.625 X 1'-9 1/2	6 X 0.625 X 1'-9	(12)	3/4 X 2 1/4	A325 B&N	0	0
E	8 X 1.0 X 0'-11						

Revision	Date	Description	By	CK'd

**Ceco Building Systems**  
 Columbus, MS (662) 243-6000  
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 ATTN: CY HEDRICK

**Drawing Status:**  
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 For Construction Permit  
 For Construction  
 For Erector Installation

**Scale:** NOT TO SCALE  
**Drawn by:** EOL 7/1/20  
**Checked by:** MAC 7/2/20  
**Project Engineer:** AXQ  
**Job Number:** 17-B-66631-1  
**Sheet Number:** E7 of 9

The engineer whose seal appears hereon is an employee for the manufacturer for the materials described herein. Said seal or certification is limited to the products designed and manufactured by manufacturer only. The undersigned engineer is not the overall engineer of record for this project.

Yuangang (Bill) Li, P.E.  
 Georgia P.E. 32641

Drawing has been digitally signed.

*Bill Li*

**REGISTERED PROFESSIONAL ENGINEER**  
 No. 32641  
**YUANGANG (BILL) LI**

Jul 07, 2020

# ADAM J. ROZEN, P.C.

248 Roswell Street, SE  
Marietta, Georgia 30060

(770) 427-7004 (T)  
(770) 426-9584 (F)

ADAM J. ROZEN

ajrozen@rozenandrozen.com

August 27, 2020

## **VIA EMAIL DELIVERY**

Ms. Robin Osindele  
Planning & Zoning Urban Planner  
City of Marietta, Department of Development Services  
205 Lawrence Street  
Marietta, GA 30060

Re: Variance Application of White Hawk, Inc., regarding a 1.1± Acre Tract located in Land Lot 854, 16<sup>th</sup> District, City of Marietta, Cobb County, Georgia. V2020-30

Dear Robin:

As you know, I represent White Hawk, Inc. ("Applicant") concerning the above-captioned Application for Variances regarding property owned by 1601 Enterprises with an operational name of Jack's Tire and Auto Service. The Application is scheduled to be heard and considered by the City of Marietta Board of Zoning Appeals on August 31, 2020.

The property at issue consists of one parcel at 1601 Canton Road located on the north west side of Canton Road at its intersection with Collins Road. The subject property is zoned Community Retail Commercial ("CRC") and is in an area denominated as Industrial- Warehousing ("IW") which designation and character encompasses the surrounding properties in and around this industrial corridor of Canton Road. This area contains a mixture of properties in unincorporated Cobb County and the City of Marietta with most properties either currently zoned commercial or industrial or if currently residential are under a future land use designation as industrial.

The most common structures along this section of Canton Road are warehouse buildings of varying age and almost exclusively as metal or old block structures. These structures house the various automotive, heavy special contractor (Marietta and Circle A Fence), electrical contractor uses with most being fully exposed to view along their frontage of Canton Road. The view across Canton Road is the railroad line and the view across Collins Road, the view of the proposed replacement building, is another warehouse building with a history of automotive repair.

Presently, the subject property is utilized for Jack's Tire and Auto Service facility which has successfully operated at this location for many years. The current use of the subject property is permitted under the CRC zoning and the owner intends to maintain the current use of the site but seeks approval to renovate the existing building and reconstruct a two thousand square foot (2,000 sf) portion of the building structure within the same building footprint. The removed building section is a dilapidated block structure which will be replaced with high quality

# ADAM J. ROZEN, P.C

A PROFESSIONAL CORPORATION

## **VIA EMAIL DELIVERY**

Ms. Robin Osindele  
Planning & Zoning Urban Planner  
City of Marietta, Department of Development Services

April 23, 2020

Page 2

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Galvalume material façade and steel frame internal structure. (See the attached packet on the materials to be utilized). The Galvalume material is a 26 and 24 gauge material (not customary corrugated metal) and it is important to note that the prior variances granted for metal siding are noted in Staff's Analysis as Aluminum Composite Material. Galvalume is a steel coil coated with a metal alloy which is a combination of zinc and aluminum with aluminum the majority material. Galvalume has barrier corrosion resistance and heat resistance similar to aluminized material and resists rust, elements and fire.<sup>1</sup>

To complete the reconstruction, the Applicant (White Hawk) is performing the general contractor and construction services for the Owner in furtherance of the new construction. The Applicant is a very familiar name for the City of Marietta and is known for its quality steel frame construction. Currently, White Hawk is building facilities at Kennesaw State University and other major educational and industrial sites. White Hawk is one of the most well respected in its industry, particularly in the City of Marietta where it has owned and operated its headquarters (White Hawk Business Park) for many years not only operating its construction business but also owning a majority of properties surrounding its Business Park where it provides business, industrial and residential space to numerous tenants.

This letter will serve as the Applicant's expression of agreement with the following stipulations which shall, upon the requested Variance Application being approved, become conditions and a part of the grant of the Application and binding upon the Subject Property thereafter. The referenced stipulations are as follows, to wit:

1. The revised stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, where in conflict with the herein, which are currently in place with respect to the Subject Property.
2. The building section to be reconstructed will be within the same existing building footprint and located similar to that identified in the attached representations.
3. The architectural style and composition will be similar to that as identified in the attached Ceco Building Systems building materials packet and building permit plans.

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<sup>1</sup> <https://www.englertinc.com/blog/architects-notes-the-differences-between-galvalume-and-galvanized-in-metal-roofing-projects/>

# ADAM J. ROZEN, P.C

A PROFESSIONAL CORPORATION

## VIA EMAIL DELIVERY

Ms. Robin Osindele  
Planning & Zoning Urban Planner  
City of Marietta, Department of Development Services

April 23, 2020

Page 3

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4. The granting of the following variances as identified in the Staff Analysis of August 12, 2020, to wit:
  - a. Variance to Section 708.26.G.3 to allow a portion of the building design which faces a roadway to be metal;
  - b. Variance to Section 708.16 (I) to eliminate the forty-foot (40') buffer adjacent to any residential district.
5. The Owner will install a single row of evergreen plantings along its adjoining boundary with 710 Mitchell Drive which will be in addition to the existing overgrowth of landscaping along the existing chain link fence.<sup>2</sup>
6. Minor modifications may be approved by the Director of Development Services and/or his designee.

This proposed construction and variance is consistent with existing surrounding buildings including many industrial warehouses constructed of metal and other various materials and also facing a roadway. Particularly important in this case is that the section to be replaced faces directly to Collins Road and not the more heavily travelled Canton Road. For the view from Canton Road, vehicular traffic will experience a view which is no different than the existing railroad tracks and industrial warehouse and contractor storage lots as exist currently but the proposed structure will be of better quality construction and exterior than most surrounding properties.

[CONTINUED ONTO FOLLOWING PAGE]

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<sup>2</sup> The only other residential neighbor at 728 Mitchell Drive is currently screened with an existing privacy fence and existing overgrowth landscaping.

ADAM J. ROZEN, P.C

A PROFESSIONAL CORPORATION

**VIA EMAIL DELIVERY**

Ms. Robin Osindele  
Planning & Zoning Urban Planner  
City of Marietta, Department of Development Services

April 23, 2020

Page 4

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For all the reasons stated herein above and with all of the information and documentation which is before you, we respectfully request that the Variance Application be approved. Please do not hesitate to contact me should you or your staff require further information or documentation prior to being heard and considered by the Board of Zoning Appeals on August 31, 2020.

Sincerely,

ADAM J. ROZEN, P.C.

Adam J. Rozen  
[ajrozen@rozenandrozen.com](mailto:ajrozen@rozenandrozen.com)

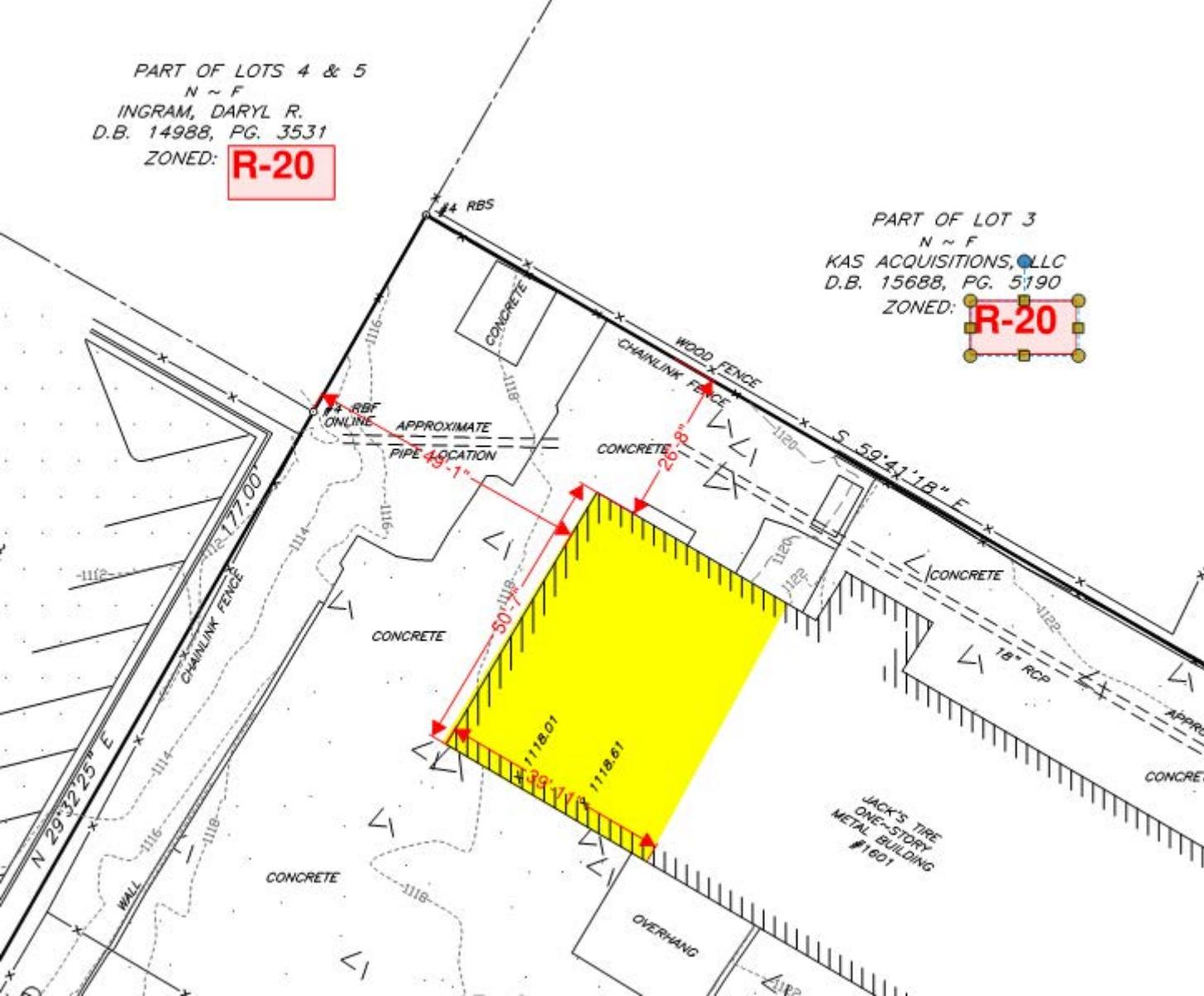
cc: Chairman, Mr. Bobby Van Buren, Board of Zoning Appeals, Ward Member  
Marietta Board of Zoning Appeals, Members  
Mr. Rusty Roth, AICP Development Services Director  
Ms. Jasmine Thornton, Planning and Zoning Administrator II  
Commander Jason Garner, Fire Department  
Daniel W. White, Esq., City of Marietta Attorney  
Ms. Ines Embler, Planning and Zoning Coordinator  
Shay Vought, Project Manager, White Hawk, Inc.  
1601 Enterprises, LLC

PART OF LOTS 4 & 5  
N ~ F  
INGRAM, DARYL R.  
D.B. 14988, PG. 3531

ZONED: **R-20**

PART OF LOT 3  
N ~ F  
KAS ACQUISITIONS, LLC  
D.B. 15688, PG. 5190

ZONED: **R-20**



(2020) ▾





**COMMERCIAL INDUSTRIAL**

COLOR **CHART**



# SIGNATURE® 200

STANDARD COLORS  
26- AND 24-GAUGE MATERIAL

## Siliconized Polyester

Polar White is a Straight Polyester.

\* Also available in 29-gauge

\*\* Minimum quantities and/or extended lead times required for 24-gauge. Please inquire.



★ ENERGY STAR® Qualified

Galvalume Plus® also available.



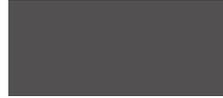
**COBALT BLUE\*\*★**



**HAWAIIAN BLUE\*\*★**



**BURNISHED SLATE\*\*★**



**CHARCOAL GRAY\*\*★**



**ASH GRAY★**



**KOKO BROWN★**



**DESERT SAND★**



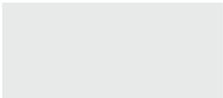
**SADDLE TAN★**



**LIGHT STONE★**



**SOLAR WHITE\*\*★**



**POLAR WHITE\*\*★**



**RUSTIC RED★**



**CRIMSON RED\*\*★**



**FERN GREEN\*\*★**



**GALVALUME PLUS®**



Final color selection should be made from metal color chips.

# SIGNATURE® 300

STANDARD COLORS

26-GAUGE MATERIAL

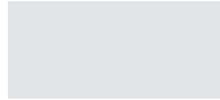
PBR, PBU, AVP, PBC, PBD PANELS ONLY

## Polyvinylidene Fluoride (PVDF); Low Gloss

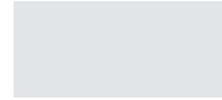
\* Also available in 24-gauge

\*\* Minimum quantities and/or extended lead times required for 24-gauge. Please inquire.

† Minimum quantities and/or extended lead times required for all gauges. Please inquire.



**BONE WHITE\*\***\*



**SNOW WHITE\*\***\*



**SLATE GRAY\*\***\*



**MEDIUM BRONZE\*\***\*



**BROWNSTONE\*\***\*



**ALMOND\*\***\*



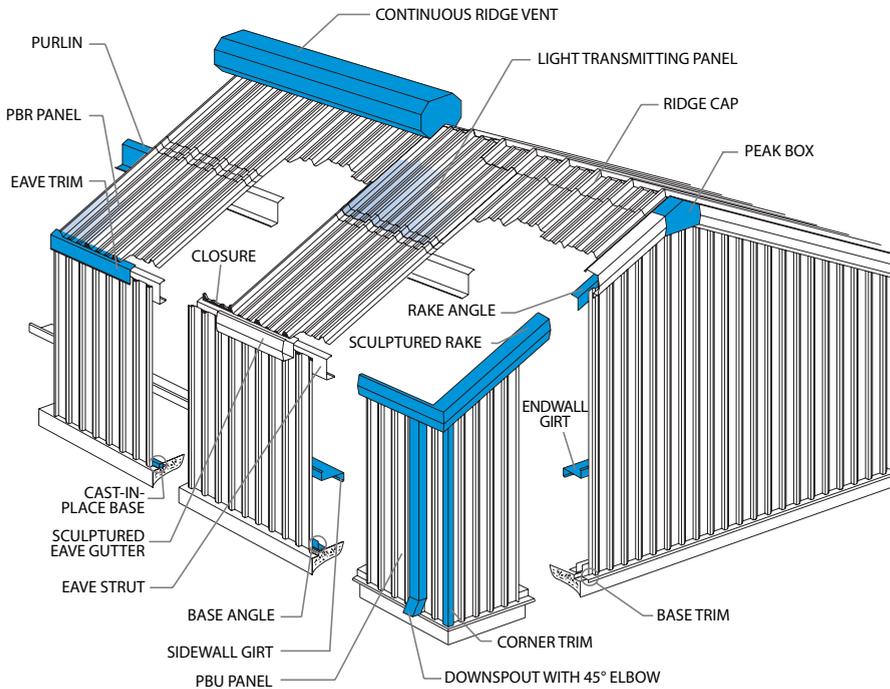
**BRITE RED †**\*



**HARBOR BLUE\*\***\*

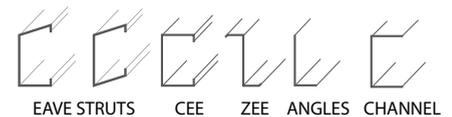


**CLASSIC GREEN\*\***\*



## AVAILABLE ACCESSORIES

- Hat and Channel Sections
- Light Transmitting Panels
- Vents
- Roof Jacks
- Fasteners
- Ridge Caps
- Closures
- Doors
- Windows
- Sealants
- Insulation
- Bracing
- Bolts
- Louvers
- Sliding Door Hardware





PANEL PROFILE	PANEL	29 GAUGE		26 GAUGE			24 GAUGE			22 GAUGE		
		Galvalume Plus	Sig 200	Galvalume Plus	Sig 200	Sig 300	Galvalume Plus	Sig 200	Sig 300	Galvalume Plus	Sig 200	Sig 300
	PBR	●	■	●	●	■	●	■	■	●	■	■
	PBU	●	■	●	●	■	●	■	■	●	■	■
	PBC	●	■	●	●	■	●	■	■	●	■	■
	PBD	●	■	●	●	■	●	■	■	●	■	■
	7.2	●	■	●	■	■	●	■	■	●	■	■
	AVP	●	■	●	●	■	●	■	■	●	■	■
	5V Crimp	●	■	●	■	■						

- Available in any quantity
- May require minimum quantity



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For complete performance specifications, product limitations and disclaimers, please consult  
Ceco Building Systems Paint and Galvalume Plus® warranties.

Upon receipt of payment in full, these warranties are available by request for all painted or  
Galvalume Plus® prime products. Contact your local Ceco Building Systems Sales Representative  
or visit [www.cecobuildings.com](http://www.cecobuildings.com) for sample copies.

**FOR THE MOST CURRENT INFORMATION AVAILABLE, VISIT OUR WEBSITE AT [WWW.CECOBUILDINGS.COM](http://WWW.CECOBUILDINGS.COM)**

**Builder/Contractor Responsibilities**

**Drawing Validity** – These drawings, supporting structural calculations and design certification are based on the order documents as of the date of these drawings. These documents describe the material supplied by the manufacturer as of the date of these drawings. Any changes to the order documents after the date on these drawings may void these drawings, supporting structural calculations and design certification. The Builder/Contractor is responsible for notifying the building authority of all changes to the order documents which result in changes to the drawings, supporting structural calculations and design certification.

**Builder Acceptance of Drawings** – Approval of the manufacturer's drawings and design data affirms that the manufacturer has correctly interpreted and applied the requirements of the order documents and constitutes Builder/Contractor acceptance of the manufacturer's interpretations of the order documents and standard product specifications, including its design, fabrication and quality criteria standards and tolerances. (April 2010 Section 4.4.1)

**Code Official Approval** – It is the responsibility of the Builder/Contractor to ensure that all project plans and specifications comply with the applicable requirements of any governing building authority. The Builder/Contractor is responsible for securing all required approvals and permits from the appropriate agency as required.

**Building Erection** – The Builder/Contractor is responsible for all erection of the steel and associated work in compliance with the Metal Building Manufacturers drawings. Temporary supports, such as temporary guys, braces, false work or other elements required for erection will be determined, furnished and installed by the erector (April 2010 Section 7.10.3) (CSA/S16-09 Section 29).

**Discrepancies** – Where discrepancies exist between the Metal Building plans and plans for other trades, the Metal Building plans will govern. (April 2010 Section 3.3)

**Materials by Others** – All interface and compatibility of any materials not furnished by the manufacturer are the responsibility of and to be coordinated by the Builder/Contractor or A/E firm. Unless specific design criteria concerning any interface between materials if furnished as a part of the order documents, the manufacturers assumptions will govern.

**Modification of the Metal Building from Plans** – The Metal Building supplied by the manufacturer has been designed according to the Building Code and specifications and the loads shown on this drawing. Modification of the building configuration, such as removing wall panels or braces, from that shown on these plans could affect the structural integrity of the building. The Metal Building Manufacturer or a Licensed Structural Engineer should be consulted prior to making any changes to the building configuration shown on these drawings. The Metal Building Manufacturer will assume no responsibility for any loads applied to the building not indicated on these drawings.

**Foundation Design**  
The Metal Building Manufacturer is not responsible for the design, materials and workmanship of the foundation. Anchor rod plans prepared by the manufacturer are intended to show only location, diameter and projection of the anchor rods required to attach the Metal Building System to the foundation. It is the responsibility of the end customer to ensure that adequate provisions are made for specifying rod embedment, bearing values, tie rods and other associated items embedded in the concrete foundation, as well as foundation design for the loads imposed by the Metal Building System, other imposed loads, and the bearing capacity of the soil and other conditions of the building site. (MBMA 06 Sections 3.2.2 and A3)



<b>EASTERN AND SOUTHERN REGION</b> P.O. BOX 2387 100 NEE IRON ROAD ROCKY MOUNT, NC 27802 FIELD REPRESENTATIVE: EARL GOODE (252) 407-1932 OR MKS 1750H (252) 407-1634	<b>MIDWESTERN REGION</b> P.O. BOX 72 305 NORTH WIS STREET MOUNT PLEASANT, IA 52641 FIELD REPRESENTATIVE: LEON KUHN (319) 217-4022
--	---

FOR QUESTIONS OR ASSISTANCE CONCERNING YOUR CECO BUILDING, PLEASE CALL OUR FIELD SERVICES REPRESENTATIVE.

**ENGINEERING DESIGN CRITERIA**

Building Code .....	2018 IBC
Building Risk Category .....	Normal (Risk Category II)
Roof Dead Load .....	2.16 psf
Superimposed .....	3.00 psf
Collateral (3.00 psf Dther) .....	
Roof Live Load .....	20.00 psf reduction allowed
Snow	
Ground Snow Load (Pg) .....	5.00 psf
Snow Load Importance Factor (I) .....	1.00
Flat Roof Snow Load (PF) .....	5.00 psf
Snow Exposure Factor (Ce) .....	1.00
Thermal Factor (Cs) .....	1.00
Wind	
Ultimate Wind Speed (Vult) .....	106.00 mph
Nominal Wind Speed (Vnom) .....	82 mph (IBC section 1609.3.1)
Serviceability Wind Speed .....	72 mph
Ground Elevation Factor .....	0.96 (1043 Ft ASL)
Wind Exposure Category .....	B
Exposure Coefficient (K <sub>w</sub> ) .....	0.701
Exposure Coefficient (C <sub>e</sub> & C <sub>d</sub> ) .....	0.645
Enclosure Classification .....	Enclosed Building
Internal Pressure Coef (GC <sub>p</sub> ) .....	0.18/-0.18
Wall Loads for components not provided by building manufacturer	
Zone 5 Areas (within 4.00' of corner) .....	17.91 psf pressure -23.99 psf suction
Zone 4 Areas (away from corners) .....	17.91 psf pressure -19.43 psf suction
These values are the maximum values required based on a 10 sq ft area.	
Components with larger areas may have lower wind loads.	
Seismic	
Seismic Importance Factor (I <sub>e</sub> ) .....	1.00
Seismic Design Category .....	C
Soil Site Class .....	D Stiff Soil
S <sub>s</sub> .....	0.207 g
S <sub>1</sub> .....	0.089 g
Analysis Procedure .....	Equivalent Lateral Force
Column Line .....	1.2 SWC SWA
Basic Force Resisting System .....	H G
Response Modification Coefficient (R) .....	3.00
Seismic Response Coefficient (C <sub>s</sub> ) .....	0.07
Design Base Shear in kips (V) .....	1.25
Basic Structural System (from ASCE 7-16 Table 12.2-1)	
H - Steel System not Specifically Detailed for Seismic Resistance	
G - Cantilevered Column Systems	

**DEFLECTION CRITERIA**

The material supplied by the manufacturer has been designed with the following minimum deflection criteria. The actual deflection may be less depending on actual load and actual member length.

BUILDING DEFLECTION LIMITS..... BLDG-B			
	Roof Limits	Rafters	Purlins
Live:	L/180	180	60
Snow:	L/180	180	60
Serviceability Wind:	L/180	180	60
Total Gravity:	L/120	120	60
Total Uplift:	L/N/A	N/A	60
	Frame Limits	Sideway	
Live:	H/60		
Snow:	H/60		
Serviceability Wind:	H/60		
Seismic Drift:	H/40		
Total Gravity:	H/60		
Service Seismic:	H/40		
	Wall Limits	Limit	
Total Wind Panels:	L/60		
Total Wind Girts:	L/90		
Total Wind EW Columns:	L/120		

The Service Seismic limit as shown here is at service level loads.

Quality Metal Building Systems  
From Your Construction Professionals



**PROJECT NOTES**

Material properties of steel bar, plate, and sheet used in the fabrication of built-up structural framing members conform to ASTM A529, ASTM A572, or ASTM A1011 with 55 ksi min. yield, except flanges wider than 12" and thicker than 3/8", all flanges thicker than 1", and all webs thicker than 3/8" are 50 ksi min. yield. Rod X-bracing conforms to ASTM A529 or ASTM A572 with 50 ksi min. yield. Cable X-bracing conforms to ASTM A475 7 Strand Extra High-Strength grade. Hot rolled structural shapes conform to ASTM A992, ASTM A529, or ASTM A572 with 50 ksi min. yield. Hot rolled angles, other than flange braces, conform to ASTM A36 minimum. Round and rectangular HSS conforms to ASTM A500 Grade B. Cold-formed steel secondary framing Members conform to ASTM A1011 or ASTM A653 Grade 55 with 55 ksi min. yield. For Canada, material properties conform to CAN/CSA G40.20/G40.21 or equivalent.

All bolted joints with A325 Type 1 bolts are specified as snug-tightened joints in accordance with the most recent edition of the RCSC Specification for Structural Joints Using ASTM A325 or A490 Bolts. Pre-tensioning methods, including turn-of-nut, calibrated wrench, twist-off-type tension-control bolts or direct-tension-indicator are NOT required. Installation inspection requirements for Snug Tight Bolts (Specification for Structural Joints Section 9.1) is suggested.

Design criteria as noted is as given within order documents and is applied in general accordance with the applicable provisions of the model code and/or specification indicated. Neither the metal building manufacturer nor the certifying engineer declares or attests that the loads as designated are proper for local provisions that may apply or for site specific parameters. The design criteria is supplied by the builder, project owner, or an Architect and/or Engineer of Record for the overall construction project.

This project is designed using manufacturer's standard serviceability criteria. Generally this means that all deflections are within typical performance limits for normal occupancy and standard metal building products.

This metal building system is designed as an Enclosed Building. Exterior and/or operable components including, but not limited to, doors, windows, vents, etc. (Components) must be designed to withstand the required component and cladding wind pressures specified by the building code. In order to maintain the metal building system's Enclosed Building condition, all Components shall be closed when wind velocities reach half the designed wind load for the metal building system as shown on the drawings and design criteria documentation. Failure to maintain the metal building system's Enclosed Building condition will violate and void all warranties and certifications applicable to the material supplied by the metal building manufacturer.

Framed openings, walk doors, and open areas shall be located in the bay and elevation as shown in the erection drawings. The cutting or removal of girts shown on the erection drawings due to the addition of framed openings, walk doors, or open areas not shown may void the design certifications supplied by the metal building manufacturer.

Using 7 x 8 eave gutter with 4 x 5 downspouts, the roof drainage system has been designed using the method outlined in the MBMA Metal Building Systems Manual. Downspout locations have not been located on these drawings. The downspouts are to be placed on the building sidewalls at a spacing not to exceed 40 feet with the first downspout from both ends of the gutter run within 20 feet of the end. Downspout spacing that does not exceed the maximum spacing will be in compliance with the building code. The gutter and downspout system as provided by the manufacturer is designed to accommodate 8 in/hr rainfall intensity.

The rigid frame at building B side 3 is designed as a non-expandable rigid frame. Corresponding frame reactions are calculated based upon actual tributary area.

Investigation of the existing structure for possible detrimental effects due to the metal building addition is not within the metal building manufacturer's scope of work. It is strongly recommended that the original designer or other responsible professional be retained to analyze the existing structure, recommending any reinforcement that may be needed. The metal building manufacturer and its certifying engineer expressly exclude the existing structure for any warranty or certification whether written, verbal or implied.

Endwall D of Building B will tie into an existing building not by Building Manufacturer, of the same Eave Height and roof pitch. Manufacturer will provide roof to roof and wall to wall tie-in trim for an assumed "R" type existing roof and wall panel.

Drawing Index		Ch'd
Page	Description	By
F1	Anchor Rod	
F2	Anchor Rod Details	
F3	Reaction Drawings	
E1	Cover Sheet	
E2	Roof Framing / Roof Sheeting BLDGB	
E3	Sidewall BLDGB WALLSWA	
E4	Sidewall BLDGB WALLSWC	
E5	Endwall BLDGB WALLWEB	
E6	Endwall BLDGB WALLWED	
E7-E8	Main Frame Cross Sections	
E9	Connection Detail	

Date	Revision

Columbus, MS (662) 242-6400  
 Rocky Mount, IA (319) 386-8001  
 Mount Pleasant, NC (252) 977-2131  
 www.cecobuildings.com

**Ceco Building Systems**

Project Name & Location:  
 JACKS TIRE  
 1601 CANTON RD  
 MARIETTA, GA 30066-6301

Customer:  
 WHITE HAWK, INC  
 1475 CANTON RD. STE 100  
 MARIETTA, GA 30066-6397  
 ATTN: CY HEDRICK

Drawing Status:  
 Preliminary Construction  
 For Construction Permit  
 For Erector Installation

Scale: NOT TO SCALE

Drawn by: EOL 7/1/20

Checked by: MAC 7/2/20

Project Engineer: AXQ

Job Number: 17-B-66631-1

Sheet Number: E1 of 9

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Yuangang (Bill) Li, P.E.  
 Georgia P.E. 32641

Download panel installation manuals from:  
[www.ncimanuals.com](http://www.ncimanuals.com)

Descargue los manuales de instalación del panel desde:  
[www.ncimanuals.com](http://www.ncimanuals.com)

BUILDING DESCRIPTIONS				
Building ID	Width	Length	Height	Slope
Building B	50'-0"	40'-0"	19'-4"	3:12

1/2" A325 BOLT GRIP TABLE	
GRIP	LENGTH
0 TO 9/16"	1 1/4" F.T.
Over 9/16" TO 1 1/16"	1 3/4" F.T.
Over 1 1/16" TO 1 5/16"	2"
Over 1 5/16" TO 1 9/16"	2 1/4"
Over 1 9/16" TO 1 13/16"	2 1/2"
Over 1 13/16" TO 2 1/16"	2 3/4"

NOTE: FULL THREAD ENGAGEMENT IS DEEMED TO HAVE BEEN MET WHEN THE END OF THE BOLT IS FLUSH WITH THE FACE OF THE NUT.

WASHER REQUIRED ONLY WHEN SPECIFIED. WASHER MAY BE LOCATED UNDER HEAD OF BOLT, UNDER NUT, OR AT BOTH AT LOCATIONS NOTED ON ERECTION DRAWINGS. ADD 5/32" FOR EACH WASHER TO MATERIAL THICKNESS TO DETERMINE GRIP.

Drawing has been digitally signed.

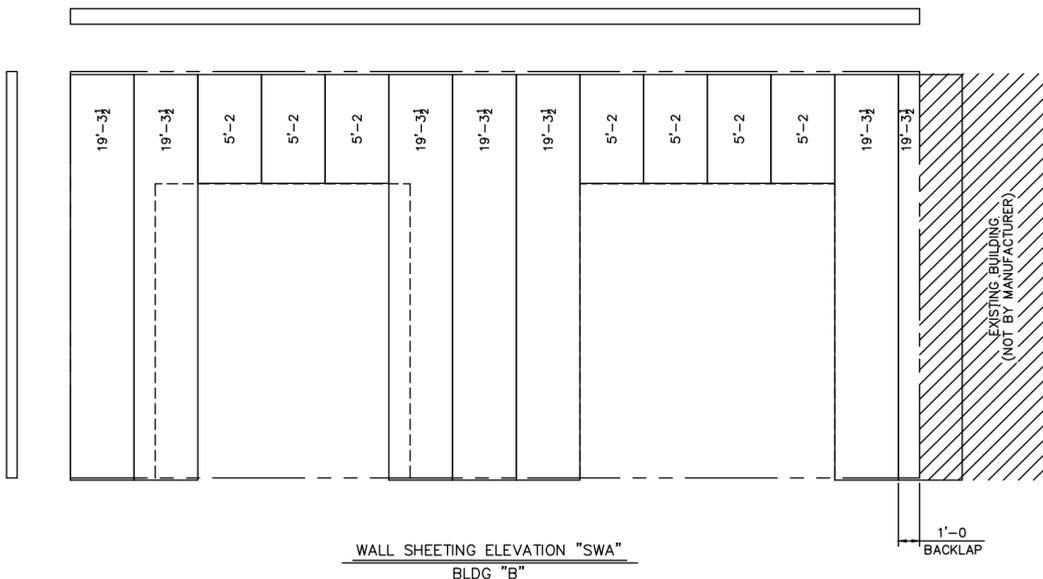
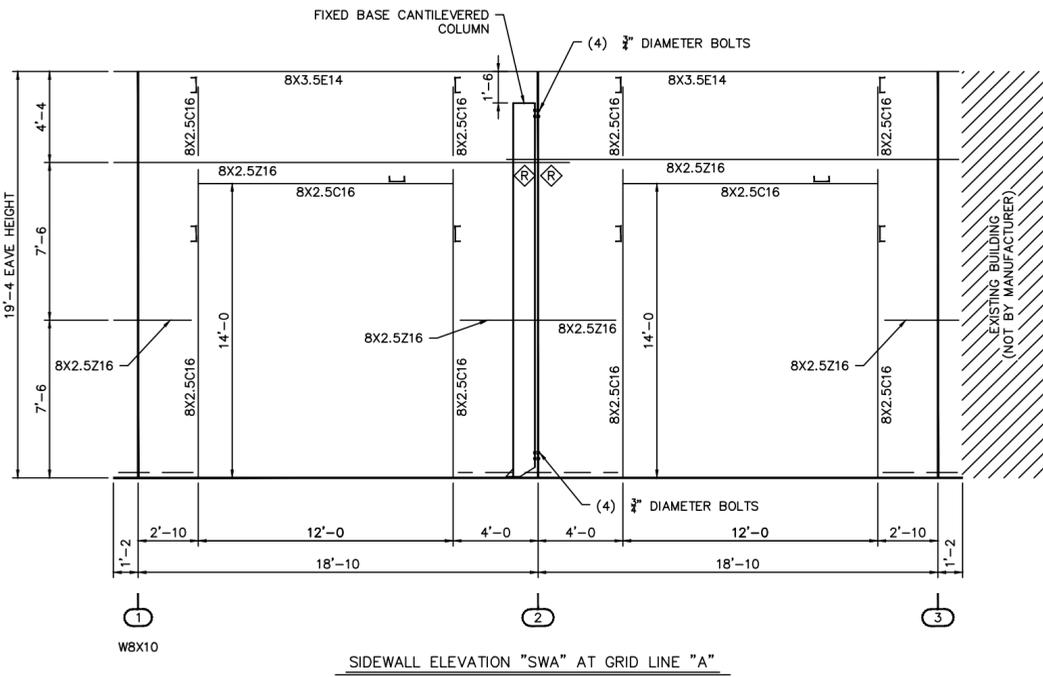
Bill Li, P.E.  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 32641  
 YUANGANG (BILL) LI

Jul 07, 2020



SCHEDULE OF ACCESSORIES	
NO. RECD	DESCRIPTION
2	12'-0" X 14'-0" FACTORY LOCATED FRAMED OPENINGS
2	3070 PRE-ASSEMBLED WALK DOORS

REFER TO DETAILS ON INSTALLATION OF WALK DOORS.  
REFER TO DETAILS ON INSTALLATION OF FRAMED OPENINGS.  
USE STANDARD WALL PROCEDURES TO ERECT THE SIDEWALL AND ENDWALL PANELS.



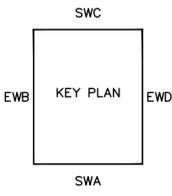
ONE EXTRA WALL PANEL IS BEING SENT FOR TRANSITION TIE IN WITH EXISTING BUILDING (N.B.M.). BESIDES, TIE-IN TRIMS ARE BEING SENT IF REQUIRED ON SIDEWALLS TRANSITION.

**Non-Standard PBR Wall Panel Fasteners**

#3A member fasteners are to be used for panel to secondary attachment in lieu of #17A shown on the R Drawings

#4 lap fasteners are to be used for panel to panel and panel to trim attachment in lieu of #4A shown on the R Drawings

PBR WALL PANELS  
PANEL COVERAGE = 3'-0"  
COLOR = S200  
PANEL PKG. REQ'D. = PBS-2  
Field Cut Panel and Trim as required per Construction Details



ZEE SECTION LAP TABLE			
SYMBOL	LAP LENGTH	SYMBOL	LAP LENGTH
	0'-0 1/4"		2'-5 3/4"
	0'-3 3/4"		3'-1 1/2"
	1'-5 3/4"		REFER TO CF01122

By	Description	Date	Revision

Columbus, MS (662) 243-6400  
Mount Pleasant, IA (319) 386-8001  
Rocky Mount, NC (252) 977-2131  
www.cecobuildings.com

**Ceco Building Systems**

Customer: WHITE HAWK, INC  
1475 CANTON RD. STE 100  
MARIETTA, GA 30066-6397  
ATTN: CY HEDRICK

Project Name & Location: JACKS TIRE  
1601 CANTON RD  
MARIETTA, GA 30066-6301

Drawing Status:  Preliminary Construction  For Construction Permit  For Approve  For Erector Installation

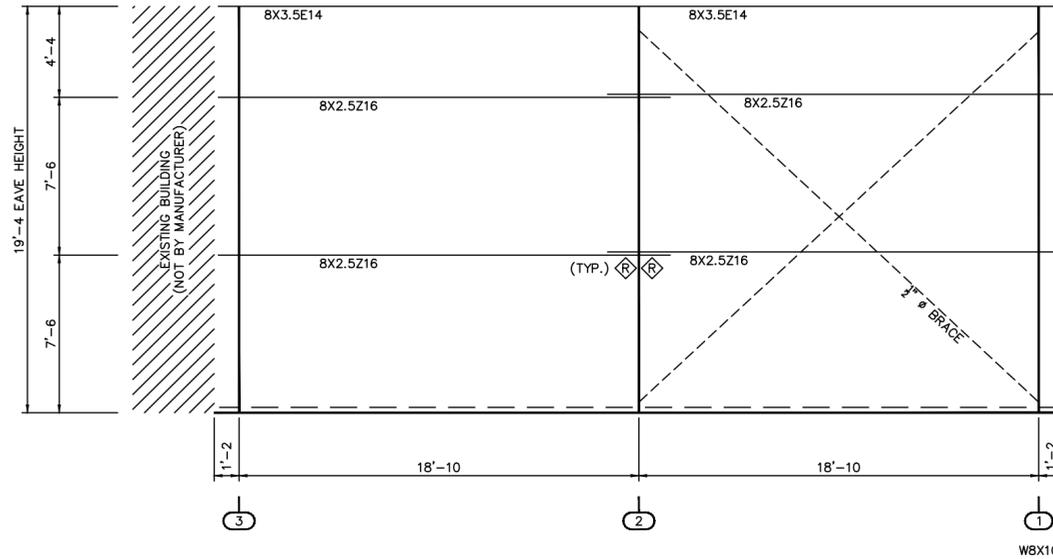
Scale: NOT TO SCALE  
Drawn by: EOL 7/1/20  
Checked by: MAC 7/2/20  
Project Engineer: AXQ  
Job Number: 17-B-66631-1  
Sheet Number: E3 of 9

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Yuanguang (Bill) Li, P.E.  
Georgia P.E. 32641

Drawing has been digitally signed.

*Bill Yuanguang*  
REGISTERED PROFESSIONAL ENGINEER  
No. 32641  
YUANGANG (BILL) LI  
Jul 07, 2020



SIDEWALL ELEVATION "SWC" AT GRID LINE "D"

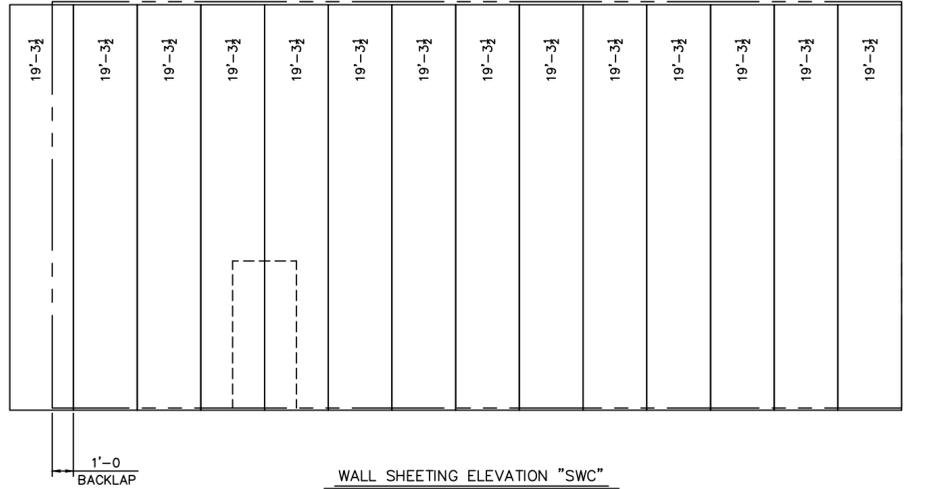
**Non-Standard PBR Wall Panel Fasteners**

#3A member fasteners are to be used for panel to secondary attachment in lieu of #17A shown on the R Drawings

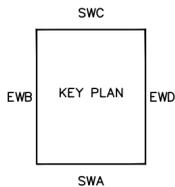
#4 lap fasteners are to be used for panel to panel and panel to trim attachment in lieu of #4A shown on the R Drawings

ONE EXTRA WALL PANEL IS BEING SENT FOR TRANSITION TIE IN WITH EXISTING BUILDING (N.B.M.). BESIDES, TIE-IN TRIMS ARE BEING SENT IF REQUIRED ON SIDEWALLS TRANSITION.

PBR WALL PANELS  
 PANEL COVERAGE = 3'-0  
 COLOR = S200  
 PANEL PKG. REQ'D. = PBS-3  
 Field Cut Panel and Trim as required per Construction Details



WALL SHEETING ELEVATION "SWC" BLDG "B"



ZEE SECTION LAP TABLE			
SYMBOL	LAP LENGTH	SYMBOL	LAP LENGTH
	0'-0 1/4"		2'-5 3/4"
	0'-3 3/4"		3'-1 1/2"
	1'-5 3/4"	REFER TO CF01122	

Revision	Date	Description	By	CK'd

**Ceco Building Systems**  
 Columbus, MS (662) 243-6400  
 Mount Pleasant, IA (319) 386-8001  
 Rocky Mount, NC (252) 977-2131  
 www.cecobuildings.com

**Project Name & Location:**  
 JACKS TIRE  
 1601 CANTON RD  
 MARIETTA, GA 30066-6301

**Customer:**  
 WHITE HAWK, INC  
 1475 CANTON RD, STE 100  
 MARIETTA, GA 30066-6397  
 ATTN: CY HEDRICK

**Drawing Status:**  
 For Approval  
 For Approval (Construction)  
 For Construction Permit  
 For Erector Installation

Scale: NOT TO SCALE  
 Drawn by: EOL 7/1/20  
 Checked by: MAC 7/2/20  
 Project Engineer: AXQ  
 Job Number: 17-B-66631-1  
 Sheet Number: E4 of 9

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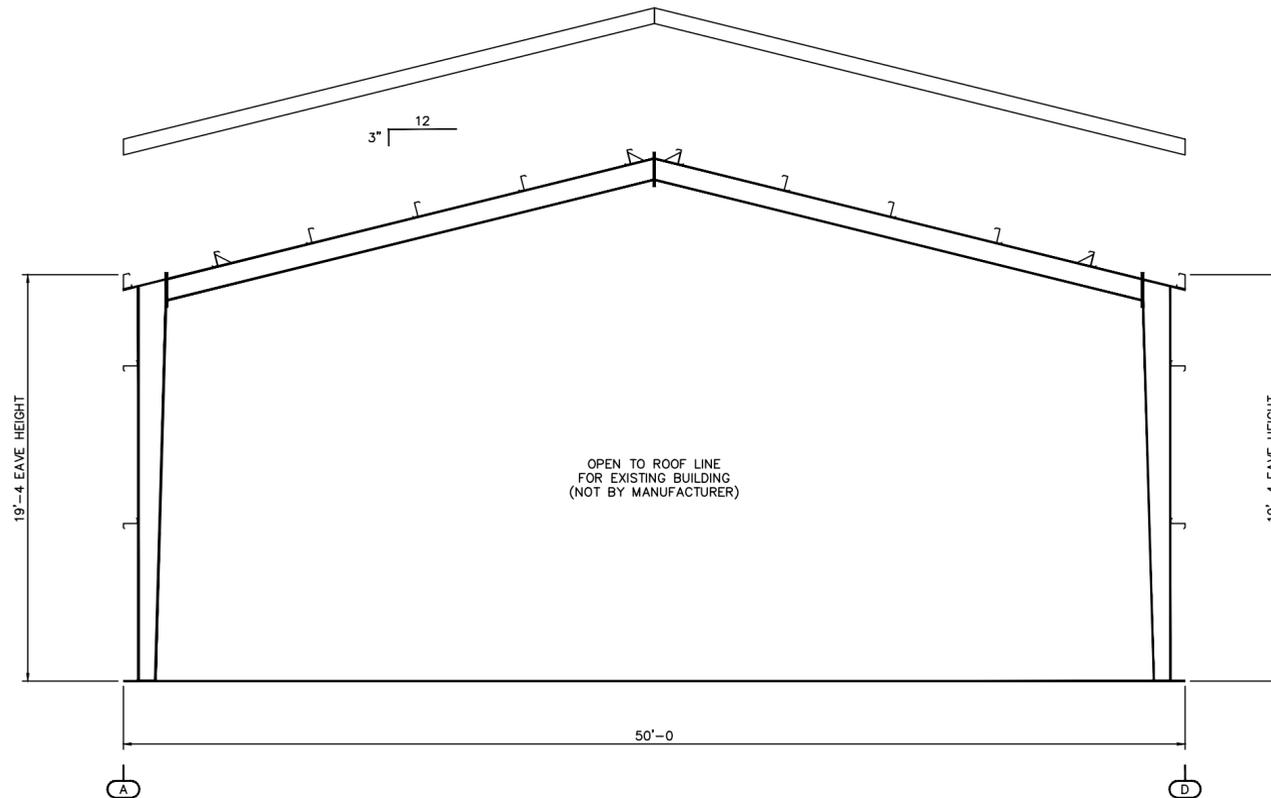
Yuangang (Bill) Li, P.E.  
 Georgia P.E. 32641

Drawing has been digitally signed.

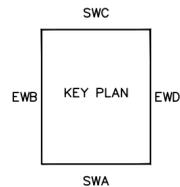
*Bill Li*  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 32641  
 YUANGANG (BILL) LI

Jul 07, 2020





ENDWALL ELEVATION "EWD" AT GRID LINE "3"



ZEE SECTION LAP TABLE			
SYMBOL	LAP LENGTH	SYMBOL	LAP LENGTH
	0'-0 1/4"		2'-5 3/4"
	0'-3 3/4"		3'-1 1/2"
	1'-5 3/4"	REFER TO CF01122	

Revision	Date	Description	By	Ch'd

**Ceco Building Systems**  
 Columbus, MS (662) 243-6400  
 Mount Pleasant, IA (319) 386-8001  
 Rocky Mount, NC (252) 977-2131  
 www.cecobuildings.com

**Project Name & Location:**  
 JACKS TIRE  
 1601 CANTON RD  
 MARIETTA, GA 30066-6301

**Customer:**  
 WHITE HAWK, INC  
 1475 CANTON RD, STE 100  
 MARIETTA, GA 30066-6397  
 ATTN: CY HEDRICK

**Drawing Status:**  
 Preliminary Construction  
 For Approval  
 For Construction Permit  
 For Erector Installation

Scale: NOT TO SCALE  
 Drawn by: EOL 7/1/20  
 Checked by: MAC 7/2/20  
 Project Engineer: AXQ  
 Job Number: 17-B-66631-1  
 Sheet Number: E6 of 9

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Yuangang (Bill) Li, P.E.  
 Georgia P.E. 32641

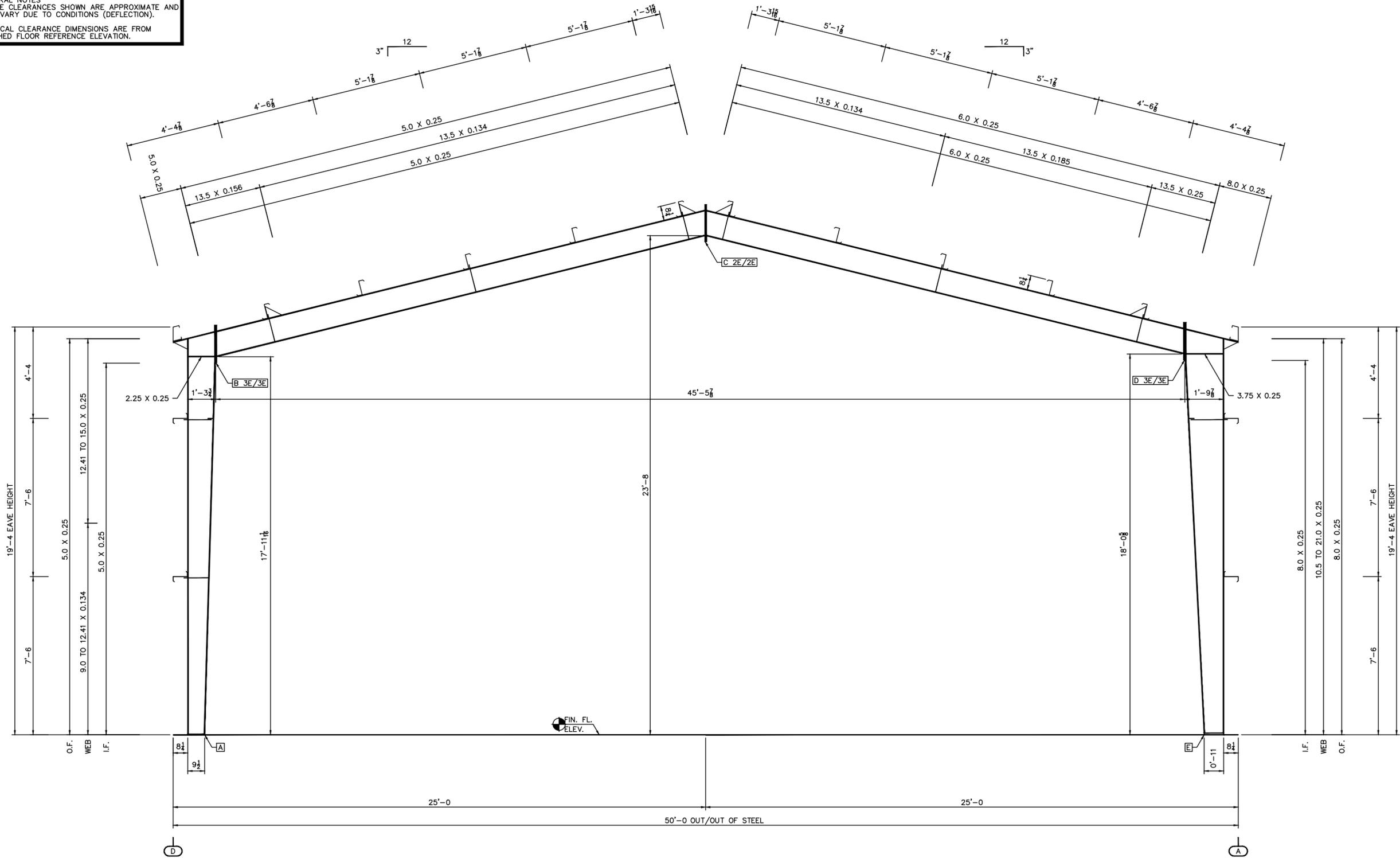
Drawing has been digitally signed.



Jul 07, 2020

OY/PROJECTS\XDS-V8-10-00 FRAME = Active/Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x01L 6/19/20 11:27:40  
 OY/PROJECTS\XDS-V8-10-00 FB SET = Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x01L

GENERAL NOTES  
 FRAME CLEARANCES SHOWN ARE APPROXIMATE AND  
 MAY VARY DUE TO CONDITIONS (DEFLECTION).  
 VERTICAL CLEARANCE DIMENSIONS ARE FROM  
 FINISHED FLOOR REFERENCE ELEVATION.



CROSS SECTION AT FRAME LINE "2"

PLATE SIZE TABLE		SPLICE BOLT TABLE					
CONN.	LOW SIDE	HIGH SIDE	QTY.	SIZE	TYPE	HARDENED WASHERS	BEVELED WASHERS
A	6 X 0.375 X 9 1/2		(12)	3/4 X 2"	A325 B&N	0	0
B	6 X 0.5 X 1'-9 1/8	6 X 0.5 X 1'-8 1/8	(8)	3/4 X 1 1/2	A325 B&N	0	0
C	6 X 0.375 X 1'-8 1/8	6 X 0.375 X 1'-8 1/8	(8)	3/4 X 1 1/2	A325 B&N	0	0
D	8 X 0.625 X 1'-9 1/2	6 X 0.625 X 1'-9	(12)	3/4 X 2 1/4	A325 B&N	0	0
E	8 X 1.0 X 0'-11						

Revision	Date	Description	By	CK'd

**Ceco Building Systems**  
 Columbus, MS (662) 243-6000  
 Mount Pleasant, IA (319) 386-8001  
 Rocky Mount, NC (252) 977-2131  
 www.cecobuildings.com

**Project Name & Location:**  
 JACKS TIRE  
 1601 CANTON RD  
 MARIETTA, GA 30066-6301

**Customer:**  
 WHITE HAWK, INC  
 1475 CANTON RD. STE 100  
 MARIETTA, GA 30066-6397  
 ATTN: CY HEDRICK

**Drawing Status:**  
 For Approval  
 For Construction Permit  
 For Construction  
 For Erector Installation

**Scale:** NOT TO SCALE  
**Drawn by:** EOL 7/1/20  
**Checked by:** MAC 7/2/20  
**Project Engineer:** AXQ  
**Job Number:** 17-B-66631-1  
**Sheet Number:** E7 of 9

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 Georgia P.E. 32641

Drawing has been digitally signed.

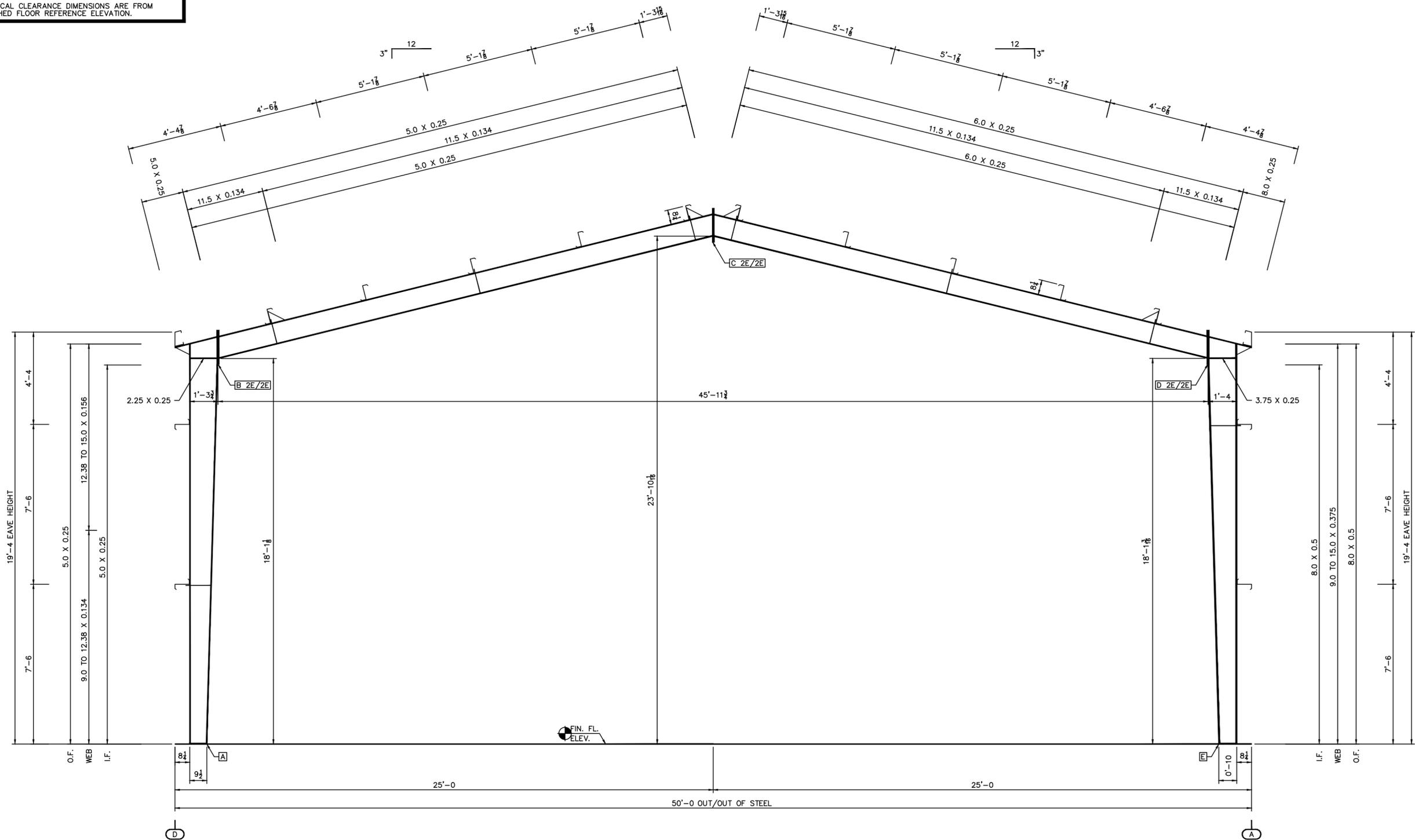
*Bill Li*

**GEORGIA**  
 REGISTERED  
 No. 32641  
 PROFESSIONAL  
 ENGINEER  
**YUANGANG (BILL) LI**

Jul 07, 2020

OY/PROJECTS\XDS-V8-10-00 FRAME = Active/Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x02L Active/Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x02R 6/19/20 10:44:18 6/19/20 10:44:18  
 OY/PROJECTS\XDS-V8-10-00 FB SET = Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x02L Eng/17-B-66631/ver01-axquesada/BLDG-B/Drftg/x02R

GENERAL NOTES  
 FRAME CLEARANCES SHOWN ARE APPROXIMATE AND  
 MAY VARY DUE TO CONDITIONS (DEFLECTION).  
 VERTICAL CLEARANCE DIMENSIONS ARE FROM  
 FINISHED FLOOR REFERENCE ELEVATION.



CROSS SECTION AT FRAME LINE "3"

PLATE SIZE TABLE		SPLICE BOLT TABLE					
CONN.	LOW SIDE	HIGH SIDE	QTY.	SIZE	TYPE	HARDENED WASHERS	BEVELED WASHERS
A	6 X 0.375 X 9 1/2		(8)	3/4 X 2"	A325 B&N	0	0
B	6 X 0.5 X 1'-7 1/8	6 X 0.5 X 1'-6 1/8	(8)	3/4 X 2"	A325 B&N	0	0
C	6 X 0.375 X 1'-6 1/2	6 X 0.375 X 1'-6 1/2	(8)	3/4 X 1 1/2	A325 B&N	0	0
D	8 X 0.5 X 1'-7 1/8	6 X 0.5 X 1'-6 1/8	(8)	3/4 X 2"	A325 B&N	0	0
E	8 X 0.375 X 0'-10						

Revision	Date	Description	By	Ch'd

**Ceco Building Systems**  
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 Mount Pleasant, IA (319) 386-8001  
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 WHITE HAWK, INC  
 1475 CANTON RD. STE 100  
 MARIETTA, GA 30066-6397  
 ATTN: CY HEDRICK

**Project Name & Location:**  
 JACKS TIRE  
 1601 CANTON RD  
 MARIETTA, GA 30066-6301

**Drawing Status:**  
 For Approval  
 For Construction Permit  
 For Erector Installation

**Scale:** NOT TO SCALE  
**Drawn by:** EOL 7/1/20  
**Checked by:** MAC 7/2/20  
**Project Engineer:** AXQ  
**Job Number:** 17-B-66631-1  
**Sheet Number:** E8 of 9

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Yuangang (Bill) Li, P.E.  
 Georgia P.E. 32641

Drawing has been digitally signed.  
  
 Jul 07, 2020

