



**STAFF REVIEW AND RECOMMENDATION**

**Variance Case #:** V2016-36                      **Legistar #:** 20160621  
**Board of Zoning Appeals Hearing:**              **Monday, August 29<sup>th</sup>, 2016 – 6:00 p.m.**  
**Property Owner:** Blue Onion, LLC  
2017 Airport Industrial Park Drive  
Marietta, GA 30060  
**Agent:** Adam Rozen  
Sams, Larkin, Huff & Balli, LLP  
376 Powder Springs Street  
Suite 100  
Marietta, GA 30064  
**Address:** 2017 Airport Industrial Park Drive  
**Land Lot:** 17      **District:** 660              **Parcel:** 0170  
**Council Ward:** 7A      **Existing Zoning:** LI (Light Industrial)

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

1. Variance to allow an automotive repair shop (including paint and body) adjacent to a single family residential district. [*§708.26 (B.8.c)*]
2. Variance to allow two automobile sales businesses on 1.79 acres. [*§708.26 (B.7.a)*]
3. Variance to allow an additional automobile sales business within 50 feet of a property zoned for residential purposes. [*§708.26 (B.7.c)*]
4. Request to remove the stipulation from V2011-30 to allow for outdoor storage of cars. [*Leg# 20110801*]

**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**



**Entrance to Airport Industrial Park Drive**



**Northeastern building**



**Southwestern building**

**Recommended Action:**

**Denial.** Blue Onion, LLC is requesting variances for property located at 2017 Airport Industrial Park Drive in order to operate an additional automobile sales business. The subject property and all adjacent properties are zoned LI (Light Industrial). Caswell Overlook, a townhome community zoned PRD-SF (Planned Residential Development – Single Family) is located to the rear, and along a ridge high above the subject property. The subject property contains two warehouse buildings and surface parking on the 1.8 acre parcel.

The Light Industrial zoning district allows automobile sales with the following restrictions:

- a) Minimum one acre lot size.
- b) All vehicles shall be set back at least 10 feet from the street right-of-way line.
- c) Such use shall be located at least 50 feet from any properties zoned for residential purposes.
- d) A solid fence or wall no less than six feet in height shall be maintained to provide a visual screening between the residential and commercial properties.

In September 2011, the Board of Zoning Appeals approved (V2011-30) a variance to allow car sales within 50 feet of residential property and to reduce the minimum lot size for car sales to 6,137.52 square feet with the following stipulations:

1. Cars shall not be stored outside in the parking area.
2. No outside lighting shall be installed that impacts the adjacent residential property.
3. No outdoor speakers shall be installed.

The intent of the lot size reduction was to limit automobile sales activities to within the leased, indoor area. The proprietor of this business has since purchased the property and would like to begin using the outdoor area for storing cars so the second building can be leased to another auto-oriented business, whether it be for sales or repair work.



Department of Development Services  
205 Lawrence Street  
Marietta, Georgia 30060  
Brian Binzer, Director

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The Marietta Public Works Department will require a permit in order to assess whether the proper infrastructure is in place (OGS to sanitary sewer) for auto repair.

The property is an unusual location for automobile sales and the applicant has not indicated that there is a hardship creating the need for additional automobile sales on this lot, and as such, *staff recommends denial of the requested variances.*

However, if the Board is inclined to approve any of the variances, Staff suggests that only request #1 and # 4 be approved; and that request #2 and #3 be denied. This would allow the applicant to have one (1) car sales lot with cars for sale outside of the building; and to have an automobile repair shop with all work being done inside the building.



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Brian Binzer, AICP, Director

APPLICATION FOR VARIANCE OR APPEAL

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

For Office Use Only:

Application #: V2016-36 Registrar #: 20160621 BZA Hearing Dt: 7-25-16
City Council Hearing Dt (if applicable) #: PZ #: 16-354

This is a variance/appeal application for:

X

Board of Zoning Appeals

City Council

Owner's Name Blue Onion, LLC

Address 2017 Airport Industrial Park Drive Zip Code: 30060

Telephone Number: 770-455-8494 Email Address: amarzullo517@gmail.com

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant Represented by: Adam Rozen

Sams, Larkin, Huff + Balli

Address Zip Code:

Telephone Number Email Address:

Address of property for which a variance or appeal is requested:

2017 Airport Industrial Park Drive Date of Acquisition: September 16, 2008

Land Lot (s) 0660 District 0170 Parcel 0170 Acreage 1.79 Zoned LI Ward 7A FLU IW

7A

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

- 1) 708.26 (B)(8)(c) - Variance to waive the requirement that an automobile repair facility be located at least fifty (50) feet from properties zoned residential to zero (0) ft.;
2) V2011-30 - Remove the volunteered restriction prohibiting outside automobile storage;
3) 708.26 (B)(7)(a) - Variance to waive the requirement that automobile sales be located on a minimum one (1) acre lot size to allow for an additional automobile sales business on 1.79 acres.

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 25 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.
7. Documentation authorizing applicant to submit application by property owners if applicant is not owner.

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

# SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.  
JOEL L. LARKIN  
PARKS F. HUFF  
JAMES A. BALLI

SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

770•422•7016  
TELEPHONE  
770•426•6583  
FACSIMILE

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ADAM J. ROZEN

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WWW.SLHB-LAW.COM

June 13, 2016

**VIA HAND DELIVERY:**

Mr. Russell J. Roth, AICP  
Planning & Zoning Manager  
City of Marietta  
Department of Development Services  
205 Lawrence Street  
Marietta, GA 30060

Re: Variance Application of Blue Onion, LLC regarding a 1.79 Acre Tract located in Land Lot 1224, 16<sup>th</sup> District, City of Marietta, Cobb County, Georgia

Dear Rusty:

This firm has been engaged by and represents the owner and applicant Blue Onion, LLC (“Applicant”) concerning the above-captioned Variance Application. The Application is scheduled to be heard and considered by the City of Marietta Board of Zoning Appeals on July 25, 2016.

The property at issue consists of a 1.79 acre tract of land located along the south side of Airport Industrial Park Drive near its terminus. The subject property is zoned Light Industrial (“LI”) which would allow the proposed uses of the property for automobile sales with outdoor storage of vehicles, automobile repair and warehousing. Moreover, the subject property is in an area along the Cobb Parkway (Hwy 41) Corridor which is totally industrially and commercially driven and intended for the proposed uses. Further, Airport Industrial Park Drive is almost exclusively utilized, now and historically, for automobile sales, repair and storage and warehousing.

Presently, there are two (2) existing structures on the property currently housing the Applicant’s automobile inventory primarily comprised of premium and collector vehicles offering options in buying, selling, trading and consignment. The Applicant currently utilizes the second structure for indoor storage related to the business but proposes to begin leasing this structure to another business and would like to ensure it can meet the demands of the area market and offer the flexibility for the new tenant to engage in automobile, sales, repair or storage.

# SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

## VIA HAND DELIVERY:

Mr. Russell J. Roth, AICP  
Planning & Zoning Manager  
City of Marietta  
Department of Development Services  
June 13, 2016  
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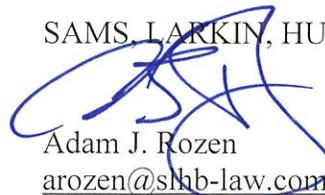
In 2011, the BZA granted the Applicant certain variances as it related to his growing automobile sales business and its limited tenancy. At the time, the Applicant solely leased one of the structures on the subject property but since then the Applicant purchased and currently owns the entirety of the subject property. During the application process, the Applicant volunteered to eliminate the ability to store vehicles outdoors despite this use and activity being generally permissible under the LI category. As a part of this Application, the Applicant seeks to remove this condition/stipulation.

As you can see from the site plan and a physical inspection of the surrounding and subject property's location and history of Airport Industrial Park Drive, the tract is uniquely appropriate for the multiple automobile use facility which the Applicant proposes. The subject property is surrounded and hidden by existing and mature landscaping, is positioned above grade from neighboring uses along Airport Industrial Park Drive while sitting well below grade and out of site from its neighboring planned residential development to its rear. At almost two (2) acres, the proposed uses and requested variances meet the spirit and intent of the ordinance while avoiding the hardship otherwise existing.

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 a stipulation letter which shall become a part of the grant of the requested variance and binding upon the subject property thereafter. In the interim, please do not hesitate to contact me should you have any questions whatsoever regarding these matters.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP



Adam J. Rozen  
[arozen@slhb-law.com](mailto:arozen@slhb-law.com)

AJR/klk

Enclosure

cc: Mr. Anthony Marzullo, Blue Onion, LLC, Managing Member (via email w/attachments)  
Garvis L. Sams, Jr., Esq. (via email w/ attachments)

# SAMS, LARKIN, HUFF & BALLI

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ADAM J. ROZEN

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August 8, 2016

## VIA EMAIL DELIVERY:

Mr. Russell J. Roth, AICP  
Planning & Zoning Manager  
City of Marietta  
Department of Development Services  
205 Lawrence Street  
Marietta, GA 30060

Re: Variance Application of Blue Onion, LLC regarding a 1.79 Acre Tract located in Land Lot 1224, 16<sup>th</sup> District, City of Marietta, Cobb County, Georgia

Dear Rusty:

As you know, this firm has been engaged by and represents the owner and applicant Blue Onion, LLC ("Applicant") concerning the above-captioned Variance Application. The Application is scheduled to be heard and considered by the City of Marietta Board of Zoning Appeals ("BZA") on August 29, 2016.

The property at issue consists of a 1.79 acre tract of land located along the south side of Airport Industrial Park Drive near its terminus. The subject property is zoned Light Industrial ("LI") which would allow the proposed uses of the property for automobile sales with outdoor storage of vehicles, automobile repair and storage. Moreover, the subject property is in an area along the Cobb Parkway (Hwy 41) Corridor which is totally industrially and commercially driven and intended for the proposed uses. Further, Airport Industrial Park Drive is almost exclusively utilized, now and historically, for automobile sales, repairs, including collision repair, and storage and warehousing.

Presently, there are two (2) existing structures on the property currently housing the Applicant's automobile sales business with inventory primarily comprised of premium and collector vehicles offering options in buying, selling, trading and consignment. The Applicant currently utilizes the second structure for indoor storage but proposes to begin leasing this structure to another business. In order to offer a marketable and desirable opportunity for a future tenant, the Applicant understands that it must offer the flexibility for the new tenant to

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City of Marietta  
Department of Development Services  
August 8, 2016  
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engage in automobile sales, repair and storage as similar and competitive uses to those found within this sub-area of the City and along Airport Industrial Park Dr.

In 2011, the BZA granted the Applicant certain variances as it related to his limited tenancy. At the same time, the Applicant volunteered to eliminate the ability to store vehicles outdoors despite this use and activity being generally permissible under the LI category. At the time, the Applicant solely leased one of the structures on the subject property but since then the Applicant purchased and currently owns the entirety of the subject property.

As you can see from the site plan and a physical inspection of the property, the tract is uniquely appropriate for the multiple automobile use facility which the Applicant proposes. At almost two (2) acres, the proposed uses on the property meet the spirit and intent of the ordinance. The subject property is surrounded and hidden by existing and mature landscaping, is positioned above grade and almost completely hidden from neighboring uses along Airport Industrial Park Drive while sitting well below grade and out of site from its neighboring planned residential development to its rear. Also important to note is the subject property's contiguity to the planned residential development is limited to adjoining the residential development's stormwater management area which adds to the already significant separation provided by the natural distance and topography. (See the attached exhibits depicting the Subject Property's orientation).

As the Ordinance provides, in making an application for a Variance, it is incumbent upon the Applicant to establish that there is a hardship due and owing to a literal interpretation or enforcement of Ordinance provisions. In this particular instance, the inability to utilize the subject property in a manner consistent with the historical operations along Airport Industrial Park Drive, is not a self-imposed hardship but one which is, in fact, due and owing to the size of the subject property and thus constitutes a true hardship. Because the subject property uniquely provides natural conditions which protect any nearby property or improvements from injurious effects, preventing otherwise appropriate additional uses effectuates unreasonable property loss and unnecessary economic hardship.

Additionally, although an Applicant is not responsible for establishing this as criteria for the granting of a Variance Application, it is important that the Variance requested not set an adverse precedence and not impair the purpose, spirit and intent of the City's Zoning Ordinance.

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In fact, the subject property is surrounded by other current car repair and sales facilities all along and within the same street, some of which enjoy the benefit of previously granted requests similar to and consisting of acreage less than the Subject Property; therefore, the proposed use fits with and is complementary to this sub-area of the City generally and specifically along the entirety of the Airport Industrial Park Drive Corridor.

During the pendency of this Application, we have established a dialogue with the City's professional staff and no nearby residents or businesses appear to have expressed any opposition to the proposal which consists of a continuation of a similar type of business which has operated on the subject property and within this sub-area for years. With respect to the foregoing and after consultation with the Applicant, the balance of this letter will serve as its expression of agreement with the following stipulations which shall become conditions and a part of the grant of the Variance Application and binding upon the subject property thereafter. The referenced stipulations are as follows, to wit:

1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Variance Application.
2. The approval of the Variance Application concerning the subject property shall be in substantial conformity to that certain as-built "Site Plan", dated June 9, 2016 filed concurrently with the Variance Application.
3. The total site area consists of approximately 1.79 acres and is proposed to be utilized for the sale of previously-owned luxury and classic vehicles and storage and repair of the same.
4. The architectural style and composition of the buildings will remain in substantial conformity to the currently existing structures which are already appropriately outfitted for the intended operations aside from minor interior alterations tailored to the specific occupant.
5. In the event that a portion of the subject property is utilized for servicing and washing of vehicles, stormwater pollution prevention measures must be provided, such as enclosed

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- work bays, oil/grit separators and chemical storage/containment areas.
6. To the extent that exterior grease traps are required, they must be well maintained at all times.
  7. Outdoor loudspeakers will not be utilized as a means of communication throughout the subject property.
  8. All outdoor lighting shall be installed in a manner that mitigates impact to adjacent properties.
  9. Compliance with recommendations from the City of Marietta Public Works Director with respect to necessary permitting and infrastructure.
  10. Compliance with recommendations from the City Engineer with respect to hydrology, detention and water quality. Of course, the percentage of impervious surface will not increase with the current building and parking areas to remain as-built.
  11. Compliance with recommendations from the Public Works Director and the City Engineer with respect to traffic and transportation issues.
  12. Compliance with recommendations from the City of Marietta Fire Department with respect to fire prevention life-safety issues.

The subject property, within an area classified as Industrial and Warehousing and within a sub-area which contemplates the type of use proposed, the Variance Application is entirely appropriate from a Land Use Planning perspective. This is particularly true when the subject property is viewed within the context of its LI zoning, the existing comparable automobile uses within this sub-area of the City of Marietta; many comparable car lots have been approved with significantly less acreage than the subject property as evidenced by a review of previous cases regarding automobile sales sites over the past fifteen (15) years. Moreover, from an aesthetic and operational perspective, the site is also entirely appropriate with its operations almost completely being hidden from view of the nearby residential and commercial users.

# SAMS, LARKIN, HUFF & BALLI

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## VIA HAND DELIVERY:

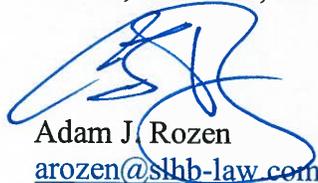
Mr. Russell J. Roth, AICP  
Planning & Zoning Manager  
City of Marietta  
Department of Development Services  
August 8, 2016  
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Please do not hesitate to contact me should you or the staff require any additional information or documentation prior to this Application being heard by the Board of Zoning Appeals on August 29, 2016. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



Adam J. Rozen  
[arozen@slhb-law.com](mailto:arozen@slhb-law.com)

AJR/klk

Enclosures

cc: Members, Marietta City Board of Zoning Appeals (via email w/attachments)  
Mr. William F. Bruton, City Manager (via email w/attachments)  
Mr. Brian Binzer, AICP, Director of Department of Development Services  
(via email w/attachments)  
Mr. Dan Conn, Director of Public Works (via email w/attachments)  
Mr. Charlie Lanz, City Engineer (via email w/attachments)  
Ms. Shelby Winkles, Zoning Administrator (via email w/attachments)  
Ms. Jasmine Chatman, MURP (via email w/attachments)  
Mr. Tony Marzullo, Managing Member, Blue Onion, LLC (via email w/attachments)

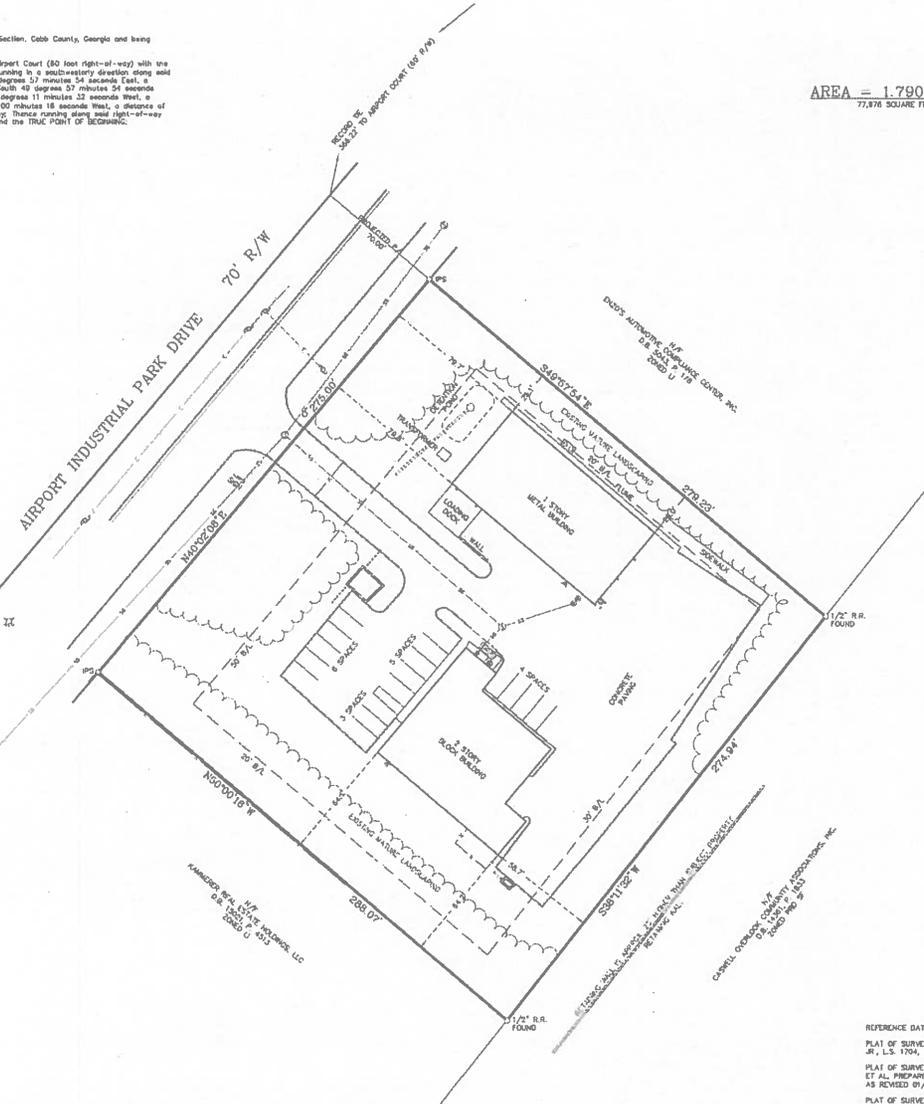
**LEGAL DESCRIPTION**

Being of that tract or parcel of land lying in Land Lot 660, Seventeenth District, Second Section, Cobb County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the westerly margin of the right-of-way Airport Court (80 foot right-of-way) with the westerly margin of the right-of-way of Airport Industrial Drive (70 foot right-of-way); thence running in a southeasterly direction along said right-of-way 288.22 feet to a point; thence leaving said right-of-way and running South 49 degrees 17 minutes 54 seconds East, a distance of 70.00 feet to an iron pin set and the TRUE POINT OF BEGINNING; thence running South 49 degrees 07 minutes 54 seconds East, a distance of 278.23 feet to a 1/2 inch reinforcing rod found; thence running South 38 degrees 11 minutes 22 seconds West, a distance of 374.84 feet to a 1/2 inch reinforcing rod found; thence running North 50 degrees 00 minutes 18 seconds West, a distance of 268.07 feet to an iron pin set on the westerly margin of the right-of-way of said right-of-way; thence running along said right-of-way North 48 degrees 02 minutes 08 seconds East, a distance of 375.00 feet to an iron pin set and the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 1.790 Acres

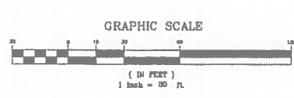
AREA = 1.790 ACRES  
77,876 SQUARE FEET



THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.

BUILDING SET BACK LINES WERE TAKEN FROM SITE PLAN FOR SMART AUTOMOTIVE SYSTEMS PREPARED BY CLEVELAND S. BOUTWELL, JR., C.E. 7017, DATED APRIL 25, 1987, AS REVISED APRIL 30, 1987

REFERENCE DATA  
 PLAT OF SURVEY FOR TOM C. FRASER PREPARED BY CLEVELAND S. BOUTWELL, JR., L.S. 1704, DATED MARCH 20, 1987  
 PLAT OF SURVEY FOR SOUTHEASTERN ADVERTISING AND SALES SYSTEMS, INC., ET AL. PREPARED BY W. CARLTON RAKESTRAW, L.S. 2236, DATED 11/07/94, AS REVISED 01/28/97  
 PLAT OF SURVEY FOR LOCKHEED GROUP INTERNATIONAL, INC. AND GEORGIA INDUSTRIAL PARK, INC. PREPARED BY BATES - LONG & ASSOCIATES DATED APRIL 8, 1999, AS REVISED JULY 25, 2002  
 SITE PLAN FOR SMART AUTOMOTIVE SYSTEMS PREPARED BY CLEVELAND S. BOUTWELL, JR. C.E. 7017, DATED APRIL 25, 1987, AS REVISED APRIL 30, 1987



EXISTING PARKING TABULATION  
18 REGULAR SPACES



LOCATION SKETCH  
N.E.S.



DATE 06/09/16, DRAWN BY CBL  
SCALE 1" = 30', CHECKED BY WCR

DATE	DESCRIPTION	BY

REVISIONS

**CARLTON RAKESTRAW & ASSOCIATES**  
 REGISTERED LAND SURVEYORS  
 2809 MARIETTA HIGHWAY  
 DALLAS, GEORGIA 30157  
 770 - 443 - 2200  
 FAX - 770 - 443 - 2200

PLAT TO ACCOMPANY APPLICATION FOR VARIANCE OR APPEAL FOR  
**BLUE OILION, LLC**  
 LOCATED IN  
 LAND LOT 660, 17TH DISTRICT,  
 2ND SECTION, COBB COUNTY, GEORGIA  
 WITHIN THE CITY OF MARIETTA

TECHNICAL DATA  
 TRANSVERSE PRECISION - 1/22,000"  
 ANGLE ADJUSTMENT - 00" ANGLE  
 TRANSVERSE ADJUSTMENT - COMPASS  
 PLAT PRECISION - 1/7200"  
 COMPASS - SOKKA SET 2-100  
 S.S. - 1/2" I.C. ROD SET  
 R.S. - REEFER/IRON ROD  
 C.P. - OPEN TOP PIPE  
 FIRE HYDRANT - 1/2"  
 WATER METER - 6"  
 FIRE DEPARTMENT CONNECTION - 4"  
 SANITARY CEMENT - 12"  
 SANITARY MANHOLE - 6"  
 SANITARY CLEANOUT - 4"  
 GAS METER - 6"  
 FENCE LINE - X  
 UTILITY POLE - (P)

PROJECT NO.  
08-052  
 PLOT FILE - 08-0682





# Cobb County Georgia Online Mapping



100.0 0 50.00 100.0 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Cobb County Georgia

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:600



Map Notes: Pre PRD

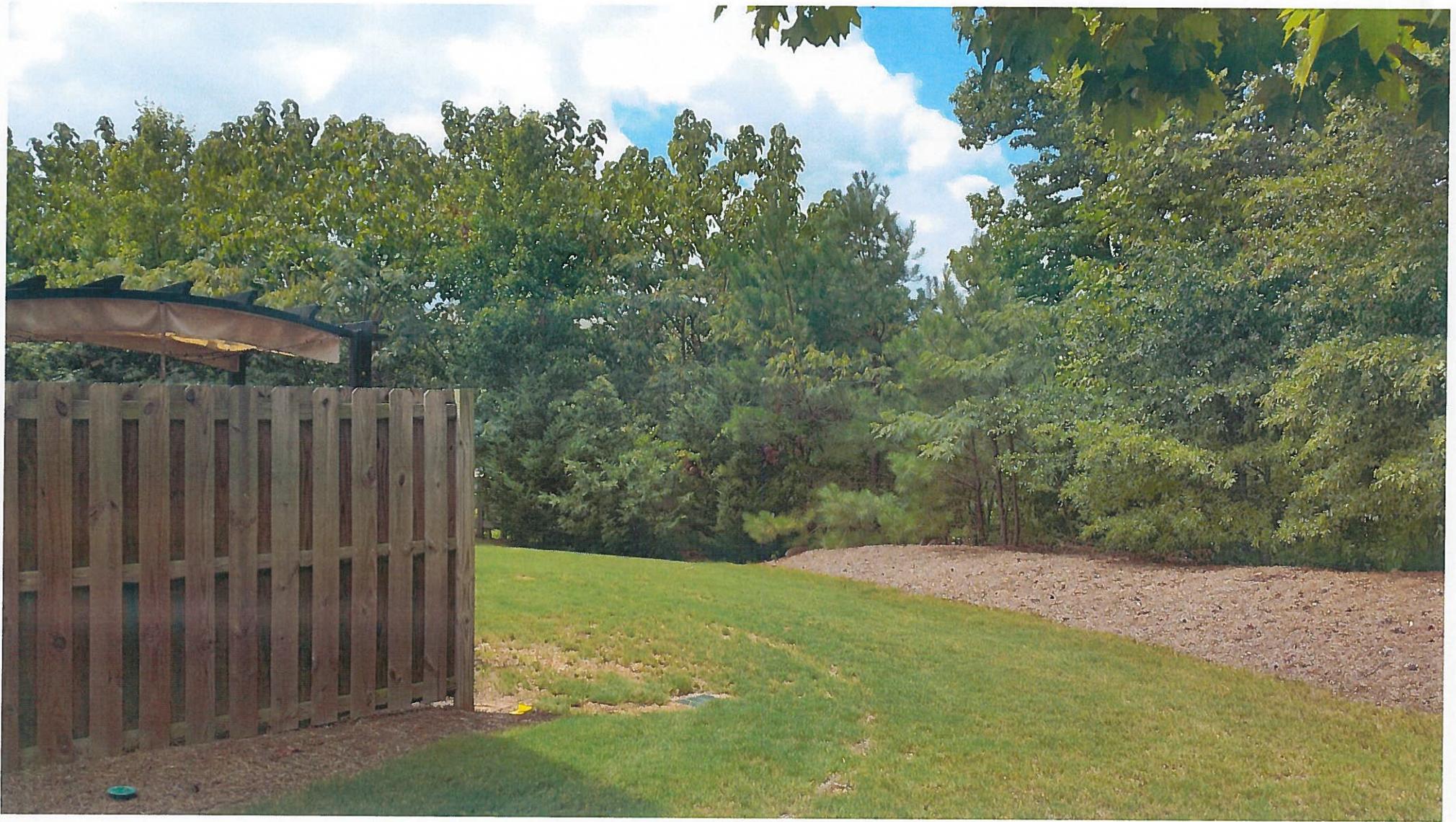












**BOARD OF ZONING APPEALS**  
**CITY OF MARIETTA**

**FINDINGS OF FACT AND CONCLUSION**

**ON APPLICANT'S REQUEST FOR VARIANCES AND SPECIAL EXCEPTIONS**

**FILE NO.: V2011-30**

**NAME OF APPLICANT: Anthony Marzullo**

**LEGAL DESCRIPTION OF THE PROPERTY: Land Lot 06600, District 17, Parcel 0170, 2<sup>nd</sup> Section of Cobb County, Marietta, Georgia, and being known as 2017 Airport Industrial Park Drive.**

**NAME OF PARTIES PRESENT AT HEARING: Anthony Marzullo**

**DATE OF HEARING: September 26, 2011**

***APPROVED:***

- 1. Variance to reduce the required one (43,560 sf.) acre minimum lot size to 6,137.52 sf. for automobile sales. [708.26B.25];**
- 2. Variance to waive the requirement that an automobile sales lot be located at least 50 ft. from properties zoned residential to 0 ft. [708.26B.25]**

**The following stipulations also apply:**

- 1. Cars shall not be stored outside in the parking area.**
- 2. No outside lighting shall be installed that impacts the adjacent residential property.**
- 3. No outdoor speakers shall be installed.**

**FINDINGS OF FACT: Granting the variance 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.**

**10/31/11**  
\_\_\_\_\_  
**DATE**

  
\_\_\_\_\_  
**CHAIRMAN, BOARD OF ZONING APPEALS**

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN DATE: August 12, 2016**

### **PUBLIC NOTICE OF VARIANCES**

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following variance requests. The Board of Zoning Appeals will consider the following requests on **Monday, August 29, 2016 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

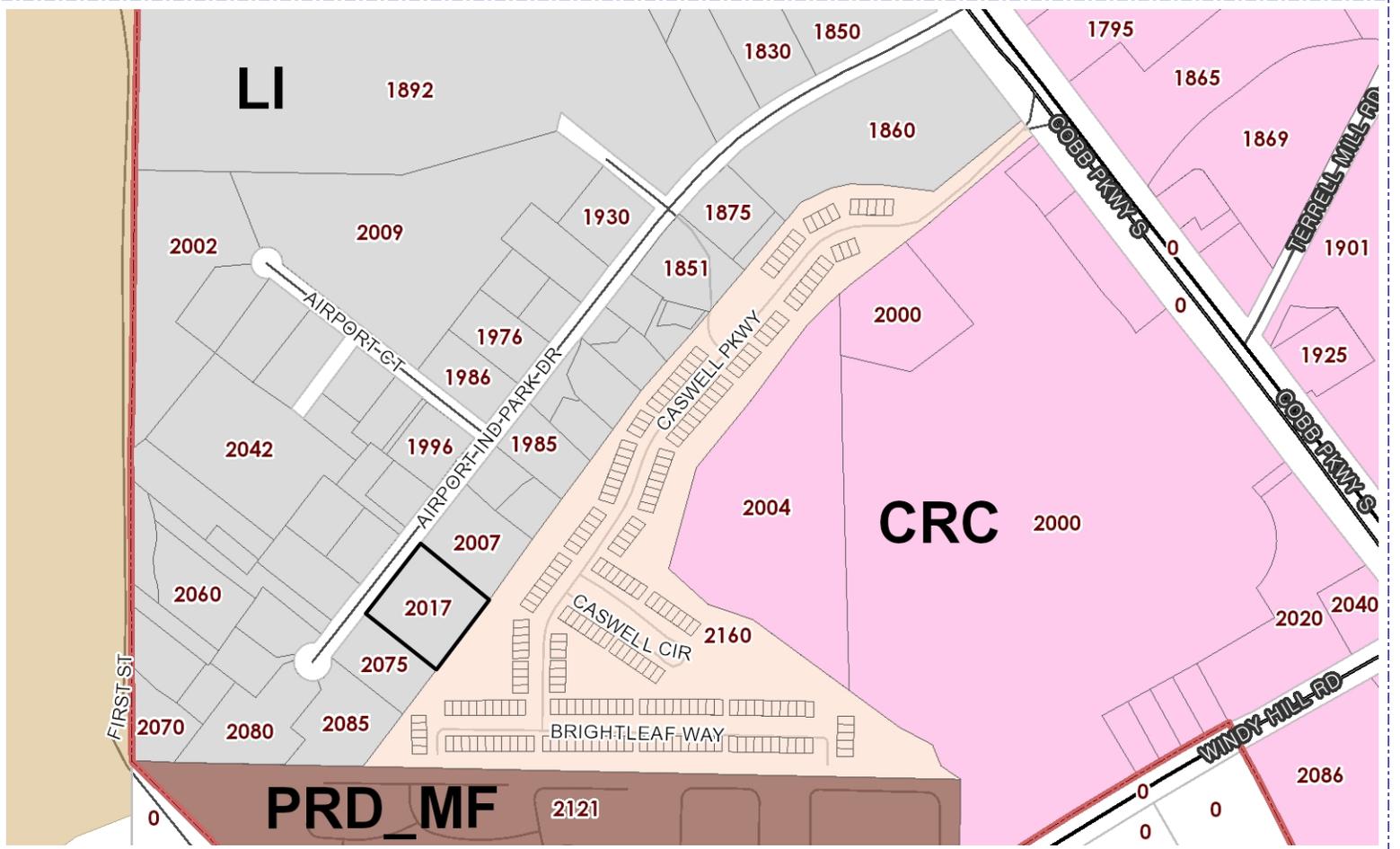
**V2016-36 [VARIANCE] BLUE ONION, LLC** is requesting variances for property located in Land Lot 660, District 17, Parcel 0170, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia and being known as 2017 Airport Industrial Park Drive. Variance to allow an automotive repair shop (including paint and body) adjacent to a single family residential district; variance to allow two automobile sales businesses on 1.79 acres; Variance to allow an additional automobile sales business within 50 feet of a property zoned for residential purposes; request to remove the stipulation from V2011-30 to allow for outdoor storage of cars. Ward 7A.

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.

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 Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) 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
2017 AIRPORT IND PARK DR	17066000170	1.794	7A	LI	IW

Property Owner:	Blue Onion, LLC
Applicant:	
BZA Hearing Date:	08/29/2016
Acquisition Date:	
Case Number:	V2016-36
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



