



*Doug Rhodes, Chairman  
Cindi Michael, Vice-Chair  
Dan Harrison, Darius Bailey,  
Keisha Danielle Edwards*

---

Thursday, August 03, 2017

Work Session-6:30PM  
Planning Commission Meeting-7:00PM

Council Chambers  
Council Chambers

---

NOTE: Planning Commission serves as an Advisory Board that makes recommendations to the Mayor and Council, which will be heard on August 21, 2017, 6:30p.m. unless otherwise noted. Anyone giving comments in the public session are to sign in and note that limitation of 10 minutes per side will be allowed.

**I. Call Meeting to Order/Roll Call**

**II. Approval of minutes: June 7, 2017**

**III. Public Hearing:**

- **ZV2017-02 Variance**: Consideration to approve a variance request submitted by Owen C. Robertson, Jr. and Fumiko K. Robertson for property located at 3662 Foxtrot Trail. Said request to reduce encroachment into the undisturbed buffer and drainage easement from the required 20' to 13'8" +/- for construction of deck stairs. (Mayor and Council 8-21-17)

**IV. Staff Comments – Darryl Simmons**

Comprehensive Plan Update

**V. Adjournment**

The next scheduled meeting of the Kennesaw Planning Commission  
September 06, 2017





**Community Development**  
Planning & Zoning Department  
2529 J.O. Stephenson Ave., Kennesaw, GA 30144

Date Received 5-23-17  
Staff Initials DLW

**VARIANCE**  
Required Fee \$375.00

ZV 2017-02  
Permit # 14

Is this property located within the Kennesaw Historic District (yes) \_\_\_\_\_ (no) ✓

**A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND STAFF PRIOR TO THE SUBMISSION OF THE REQUESTED APPLICATION IS MANDATORY.**

**(Applicant or agent must be present at all public hearings)**

PURPOSE OF VARIANCE REQUEST Approve 6'2" deck stair  
encroachment into 20' undisturbed buffer  
& drainage easement

VARIANCE PROPERTY ADDRESS 3662 Fox Trot Trail Kennesaw, GA

Land Lot 101 Tax Parcel 20010103490 Lot Size 10,925 sq ft Present Zoning RUD-D-90

APPLICANT Owen C. Robertson Jr & Fumiko K. Robertson

APPLICANT EMAIL owenrobr@icloud.com

Applicant address 3662 Fox Trot Trail

(Home#) \_\_\_\_\_ (Fax#) \_\_\_\_\_ (Work#) (509) 521-1045

(Cell#) (509) 521-1045

Applicant Signature Owen Robertson

Signed, sealed and delivered in presence of: \_\_\_\_\_  
Notary \_\_\_\_\_ Date \_\_\_\_\_

REPRESENTATIVE William "Skip" H. Harper Jr.

(Fax #) \_\_\_\_\_ (Work#) (770) 424-1819 (Cell#) \_\_\_\_\_

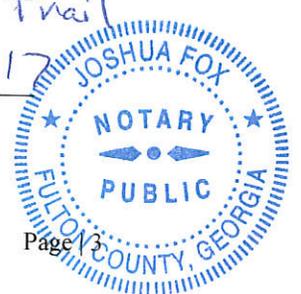
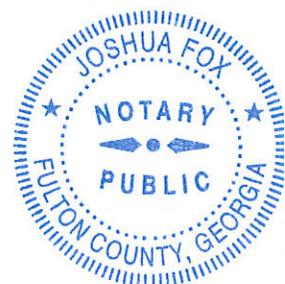
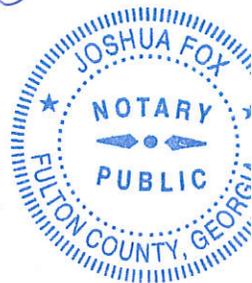
Representative Signature William Harper Jr.

Signed, sealed and delivered in presence of: \_\_\_\_\_  
Notary \_\_\_\_\_ Date \_\_\_\_\_

TITLEHOLDER: Owen C. Robertson & Fumiko K. Robertson Telephone: (509) 521-1045

Signature: Owen Robertson Address: 3662 Fox Trot Trail

Signed, sealed and delivered in presence of: \_\_\_\_\_  
Notary \_\_\_\_\_ Date 5-16-17





**Community Development**  
**Planning & Zoning Department**  
2529 J.O. Stephenson Ave., Kennesaw, GA 30144

**CAMPAIGN CONTRIBUTIONS**

The Owner and Petitioner herein certify that they **have**  **have not**  made campaign contributions or gifts within two (2) years immediately preceding the filing of this application, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts to a member or members of the Mayor and Council or Planning Commission who will consider the application.

**FINANCIAL INTEREST**

The undersigned Petitioner herein certifies that, to the best of their knowledge, information, and belief, the Mayor, any member of the Planning Commission **does**  **does not** :

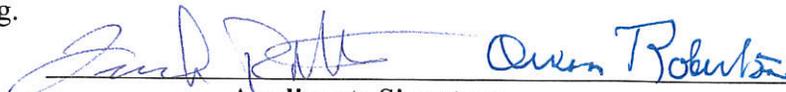
- 1) Have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property;
- 2) Have a financial interest (direct ownership interest of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property; and
- 3) Have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above.

The undersigned Petitioner: Owen C. and Fumiko K. Robertson

Applicant/Petitioner means any person who makes application and any attorney, other person representing or acting on behalf of a person who makes application to the Mayor and Council and Planning Commission.

**Owner/Applicant Certification**

- The Owner/Petitioner 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 Petitioner'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/Petitioner hereby grants permission to enter on the property for inspection during the time application is pending.

  
\_\_\_\_\_  
**Applicants Signature**

Signed, sealed and delivered in presence of:



**Community Development**  
Planning & Zoning Department  
2529 J.O. Stephenson Ave., Kennesaw, GA 30144

Attach to this document a copy of the property/s that have been served notification along with the documentation supplied in the certified mailing.

---

## Section 1909, Part 4 Standards for Decisions – Variances

---

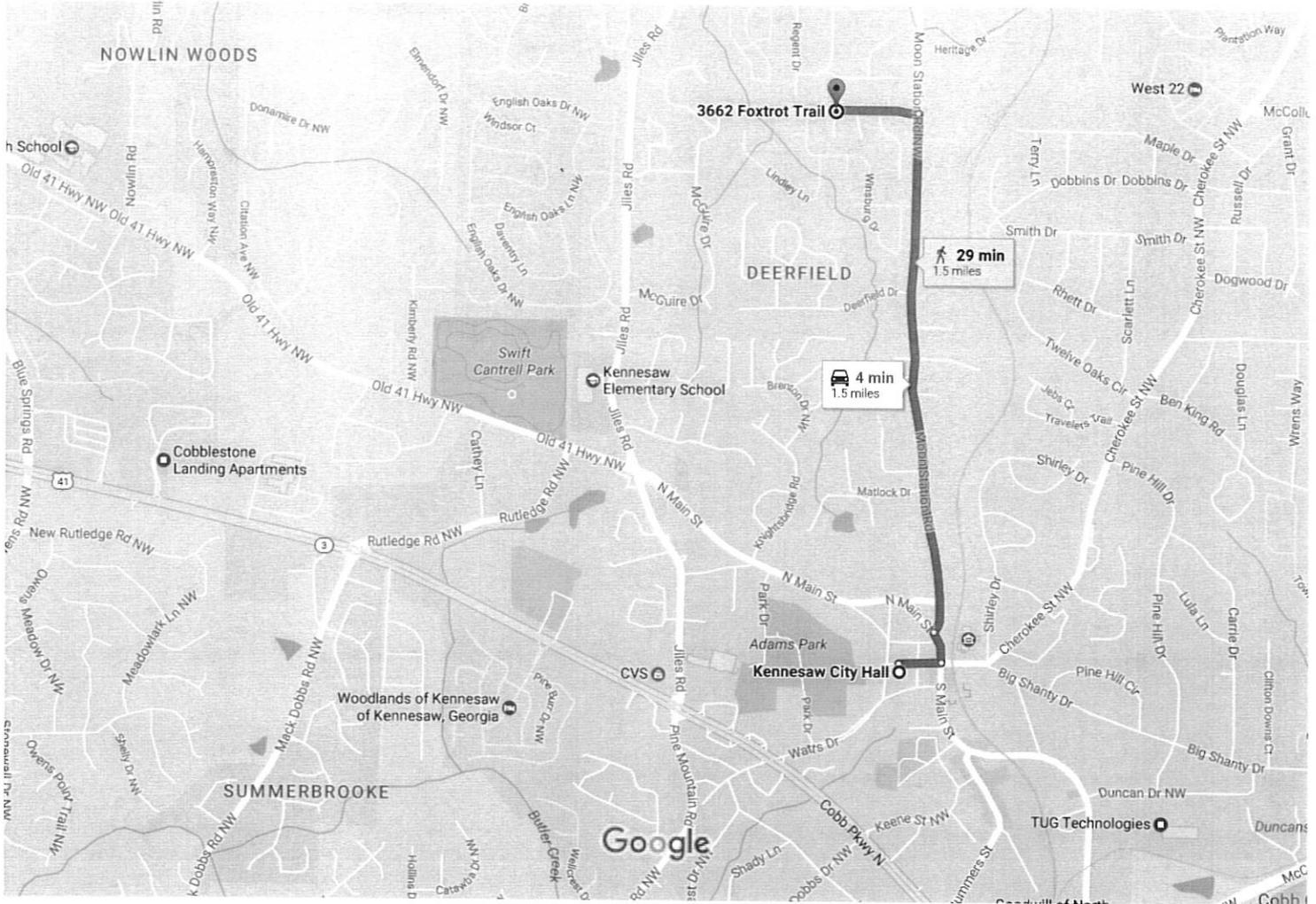
Zoning Variances may be granted in such individual cases of practical difficulty or unnecessary hardships as follows:

	COMMENTS
There is extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.	<i>see next page</i>
The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship.	
Such conditions are peculiar to the particular piece of property involved.	
Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter.	<i>see next page</i>

#### Part 4 Standards for Decisions – Variances continued

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography. The shape of the property is not typical for the community in that the cul-de-sac bubble bulges into the lot, restricting front to back depth, forcing the home to be set back farther in the lot than most homes along Foxtrot Trail.

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter. The structure, as it is currently situated, does not impair the flow of storm water through the drainage easement behind the home. The buffer planting was not affected as well, with the same number of buffer plants installed in this yard as in the other homes along Foxtrot Trail. The three adjacent homeowners have concurred with the variance and do not feel they are negatively impacted. Most of the encroachment consists of the steps off of the back porch (which are supported by 6 - 6x6 pressure treated posts and 5 round metal posts.



Map data ©2017 Google 1000 ft

### Kennesaw City Hall

2529 J O Stephenson Ave, Kennesaw, GA 30144

- ↑ 1. Head east on J O Stephenson Ave toward Lil General Cloggers Ln 486 ft

---

- ↶ 2. Turn left onto N Main St 371 ft

---

- ↷ 3. Turn right onto Moon Station Rd 1.1 mi

---

- ↶ 4. Turn left onto Foxtrot Trail 0.2 mi

### 3662 Foxtrot Trail

Deed Book 15438 Pg 1583  
Filed and Recorded May-01-2017 03:40pm  
2017-0047667  
Real Estate Transfer Tax \$338.90  
0332017009339

  
Rebecca Keaton  
Clerk of Superior Court Cobb Cty. Ga.

**Record and Return to:**

Sparks|King|Watts|Reddick, LLC  
3475 Dallas Highway, Bldg. 300, Ste. 320  
Marietta, GA 30064  
Order No.: GA-WSC170273PUR

**LIMITED WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF COBB

THIS INDENTURE, made this 27th day of April, 2017, between

**Sansea Properties, LLC, a Georgia limited liability company**

as party or parties of the first part, hereinafter called Grantor, and

**Owen C. Robertson, Jr. and Fumiko K. Robertson as Joint Tenants with Rights of Survivorship and not as Tenants in Common**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN AND 00/100's DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 101 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, and being Lot 18, Victoria Crossing Active Adult Community, Phase I, as per that certain Final Plat prepared by Krewson Vickrey Engineers & Land Surveyors, bearing the seal and certification of Edward G. Vickrey, Georgia Registered Land Surveyor No. 2563, dated February 5, 2015, and last revision being recorded in Plat Book 275, Pages 203-205, Records of Cobb County, Georgia. Said plat is incorporated herein for a more complete delineation of caption property.

Parcel 20010103490

Subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described Property unto the said Grantee against the lawful claims and demands of all persons claiming by, through or under the above named Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered  
in the presence of:

  
\_\_\_\_\_  
Unofficial Witness

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 8-7-7

[Notary Seal]



**GRANTOR:**

Sansea Properties, LLC, a Georgia limited liability company

BY:  \_\_\_\_\_ (Seal)  
Josh Fox  
Controller



**CITY OF KENNESAW**

2529 J O STEPHENSON AVE  
KENNESAW, GA 30144

[\(Return to Search\)](#)

Parcel Information			
Parcel:	20010103490	Statement:	635756
Sequence ID:		Nacis:	
Allow Split Billing:	<input checked="" type="checkbox"/>	Account Source:	RE
Cadastral:		Review Code:	
Subdivision:		Lien Amount Total:	\$0.00
Lot Size/Lot Type:		Jurisdiction:	
Nbhd:		Zoning Code:	
Foreclosure Date:		Foreclosure Number:	
		Parent Parcel:	
Tract Description:	3662 FOXTROT TRL		
Primary Owner Information			
Primary Owner:	BARNES MILL VDL LLC	Mailing Info:	
Address 1:		Loan Number:	
Address 2:	PO BOX 5074	Mailing Name:	
City, State Zipcode:	MARIETTA, GA 30061	Mortgage Name:	

**Parcel Statements**

Statement Number	Year	Status	Source	Assessed	Taxable	Billed Tax	Payment Date	Tax Due	Interest Due	Penalty Due	Fees Due	Total Balance
635756	2016		RE	22,000	22,000	209.00	11/29/2016	.00	.00	.00	.00	.00
Receipt Number	Payment Date	Paid By	Method			Tax	Interest	Penalty	Fees	Total Discount	Over/Under	CCR Receipt
116565	11/29/2016	SANSEA PROPERTIES LLC	Check			209.00	.00	.00	.00	209.00	.00	44759

**Parcel Owners**

Owner	Name Code	Owner Type	Percent	Mailing Name	Mortgagee	Loan Number
BARNES MILL VDL LLC	86140611	PRIMARY	100.00			

**Parcel Lien Holders**

Owner	Name Code	Owner Type	Percent	Mailing Name	Mortgagee	Loan Number
No records found						

**Parcel Sales History**

Instrument Number	Date	Instrument Type	Gross Sale Price	Adjustments	Net Sale Price	Accounts
No records found						



# COBB COUNTY TAX BILL 2016

Pay online at [www.cobbtax.org](http://www.cobbtax.org) or 1-866-729-2622  
See the back of this bill for more payment information



Scan to  
pay online!

**CARLA JACKSON** TAX COMMISSIONER  
**CHELLY MCDUFFIE** CHIEF DEPUTY  
Phone: 770-528-8600  
Fax: 770-528-8679

**BARNES MILL VDL LLC**

**3662 FOXTROT TRL**

**YOUR PAYMENT IS DUE October 17, 2016**

Late fees apply October 18, 2016

Parcel ID	Fair Market Value	Assessed Value	Acreage	Tax District	Homestead Exemption
20010103490	55,000	22,000	0.17	3 - City of Kennesaw	NONE

Taxing Authority	Assessed Value	-	Exemption	=	Net Assessment	x	Millage Rate	=	Taxes Due
STATE	22,000	-	0	=	22,000	x	0.000000	=	\$0.00

The Governor and General Assembly passed a tax relief act eliminating your state property tax.

SCHOOL	22,000	-	0	=	22,000	x	0.018900	=	\$415.80
--------	--------	---	---	---	--------	---	----------	---	----------

Levied by the Cobb County Board of Education representing approximately 65.74% of your taxes due.

### COUNTY

Levied by the Board of Commissioners representing approximately 34.26% of your taxes due.

County General	22,000	-	0	=	22,000	x	0.006660	=	\$146.52
County Bond	22,000	-	0	=	22,000	x	0.000230	=	\$5.06
County Fire	22,000	-	0	=	22,000	x	0.002960	=	\$65.12

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due
2016	20010103490	10/17/2016	Pay: N/A	or \$632.50

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due	Amount Enclosed
2016	20010103490	10/17/2016 Pay:	N/A	or \$632.50	_____

### IS YOUR INFORMATION UP TO DATE?

My mailing address  
has changed.

I want to remove  
homestead  
exemptions.

Date Moved: \_\_\_\_\_

New Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature : \_\_\_\_\_

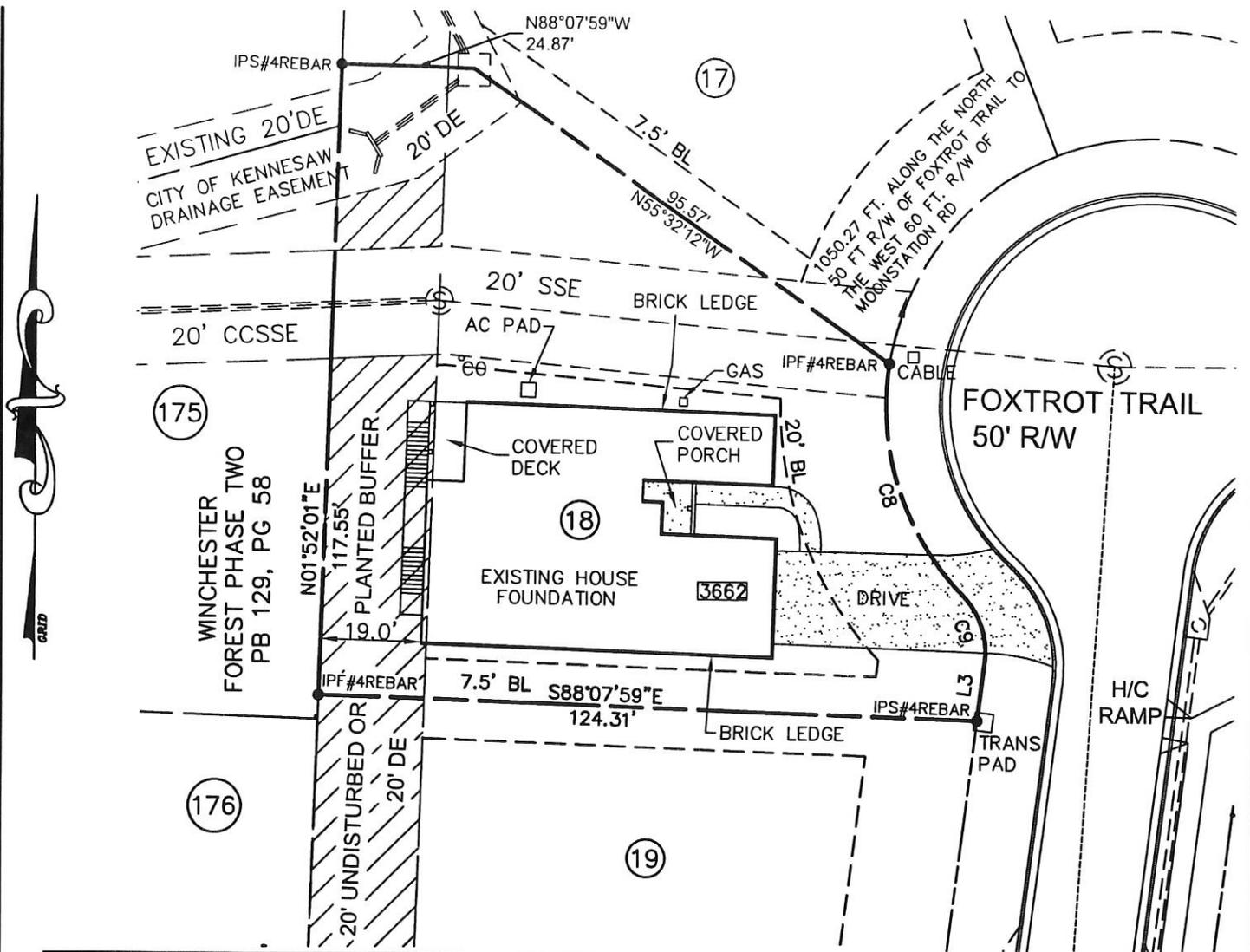
## 2016 COBB COUNTY TAX BILL

BARNES MILL VDL LLC

PO BOX 5074

MARIETTA, GA 30061





CURVE TABLE				
C8	45.26'	46.96'	50.00'	S17°55'19"E
C9	13.16'	13.62'	15.00'	N18°49'11"W

LINE TABLE		
L3	11.23'	S07°11'25"W

REFERENCE PLAT: PB 275 PG 203-205

**FLOOD HAZARD NOTE:**

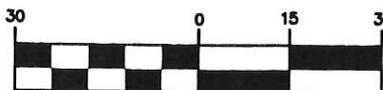
THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD PER FIRM MAP 13067C0036G DATED 12/16/2008 COBB COUNTY GA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 38,937 FEET, AND ANGULAR ERROR OF 4" PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES METHOD.

THIS PLAT WAS CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE IN EXCESS OF ONE FOOT IN 100,000 FEET.

INSTRUMENT USED: TOPCON GPT-3005W W/ CARLSON SURVEYOR DATA COLLECTOR.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT.



1 inch = 30 ft.

AS-BUILT SURVEY FOR:

**SANSEA PROPERTIES LLC**

3662 FOXTROT TRAIL

AREA = 10,925 SF 0.25 ACRES

LAND LOT	101	SHEET NO.
DISTRICT	20th	
SECTION	2nd	SHEET 1 of 1
COUNTY	COBB	
CITY	KENNESAW	
STATE	GEORGIA	



**LAND SYSTEMS LLC**  
LAND SURVEYING SERVICES

1872 Winndale Road  
Dallas Georgia 30157  
(404) 285-2563 Fax 770 445 7405

JOB NO.	2013-89 LOT 18	SUBDIVISION: LOT 18 VICTORIA CROSSING S/D	
DRAWN BY	MV		
CHECKED BY	EV	REVISIONS	DATE
DATE	08/04/16	REVISED LOT LINE BETWEEN LOTS 17-18	9/08/16
SCALE	1"=30'		
FIELD DATE	08/02/16		

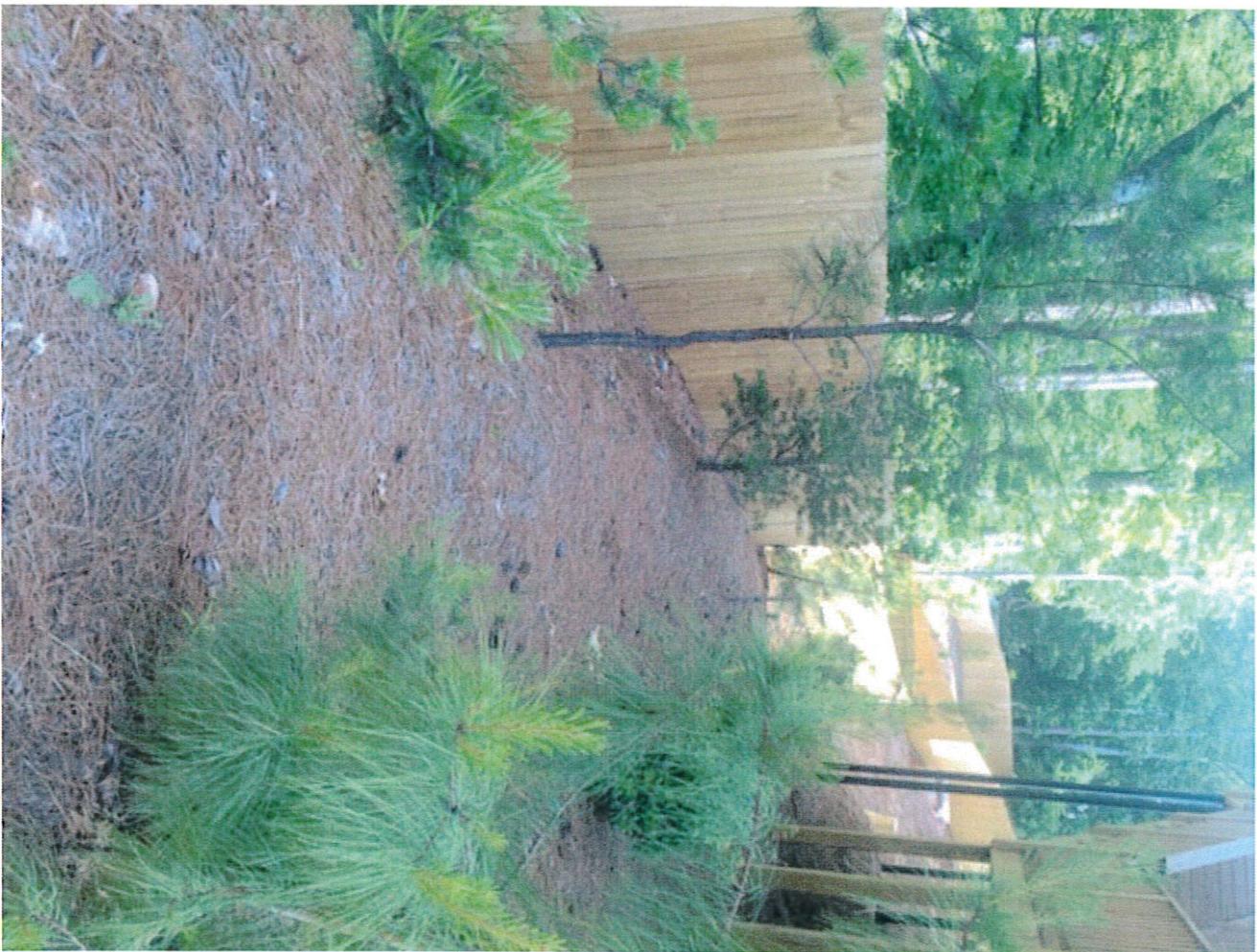
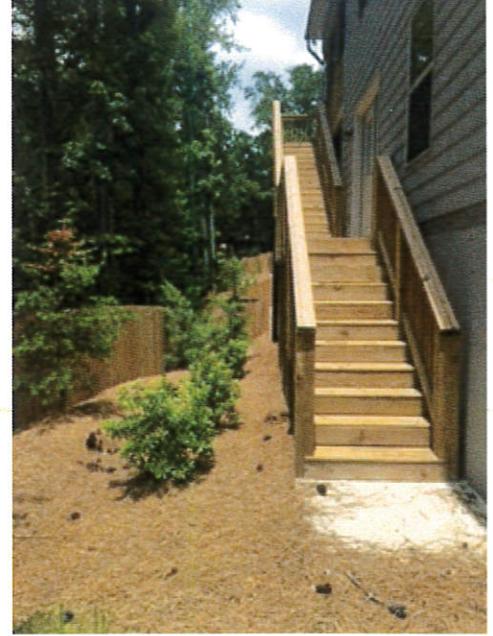


Exhibit "A"



Additional site photos for 3662 Foxtrot Trail