



# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP

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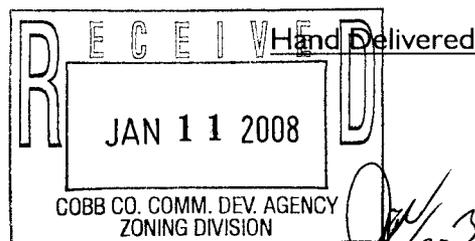
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◆ ADMITTED ONLY IN TN

January 11, 2008

Mr. Mark A. Danneman  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Suite 300  
191 Lawrence Street  
Marietta, Georgia 30060-1661



RE: Application for Stipulation Amendment - Vinings Orchard Development  
Application No.: Z-64 (2006)  
Developer: Vinings Orchard, LLC  
Property: 4.92 acres located on the northeast side of  
Log Cabin Drive, Land Lots 893 and 901,  
17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear Mark:

The undersigned and this firm represent Vinings Orchard, LLC, who is the Developer of the property located on the northeast side of Log Cabin Drive, Land Lots 893 and 901, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, comprising approximately 4.92 acres (hereinafter referred to as the "Subject Property" or "Property"). The Cobb County Board of Commissioners rezoned the Subject Property to the RA-5 (detached) zoning classification on May 16, 2006, pursuant to Application No. Z-64 (2006). The Cobb County Board of Commissioners conditioned rezoning approval upon multiple stipulations; including, but not limited to, the following:

The residences shall have a minimum of 3,000 square feet of heated and cooled living space with garages that are located toward the front half of the proposed residences.

(See Stipulation No. 5 of letter dated May 16, 2006, from J. Kevin Moore.)

At this time, and through this correspondence, my client requests a stipulation amendment to modify this condition of rezoning as follows:

**MOORE INGRAM JOHNSON & STEELE**

Mr. Mark A. Danneman  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 2  
January 11, 2008

The residences shall have a minimum of 3,000 square feet of heated and cooled living space. Garages in the development shall be located toward the front half of the proposed residences unless the adjacent homeowner(s) at the rear of a lot is notified that a proposed home has a garage that will be built towards or at the rear of the home and the adjacent homeowner does not object.

The varied location of garages of the residences would allow necessary flexibility and preserve the quality and character of the overall development. Furthermore, my client has and/or would obtain the consent of the adjacent owners affected by this request.

Except as otherwise herein set forth, the balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments, of the Board of Commissioners Zoning Hearing held on May 16, 2006, are unchanged by this request.

We believe this request for a stipulation amendment is reasonable; as well as, extremely limited. In further support of the requested stipulation amendment, also attached are copies of the House Location Plan and proposed elevations. Once you have had an opportunity to review this request, please place this matter on the "Other Business" agenda before the Cobb County Board of Commissioners on February 19, 2008. If you should have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

c: The Honorable Joe L. Thompson  
Eastern District Commissioner  
Cobb County Board of Commissioners  
(With Copies of Attachments)

Vinings Orchard, LLC  
(With Copies of Attachments)

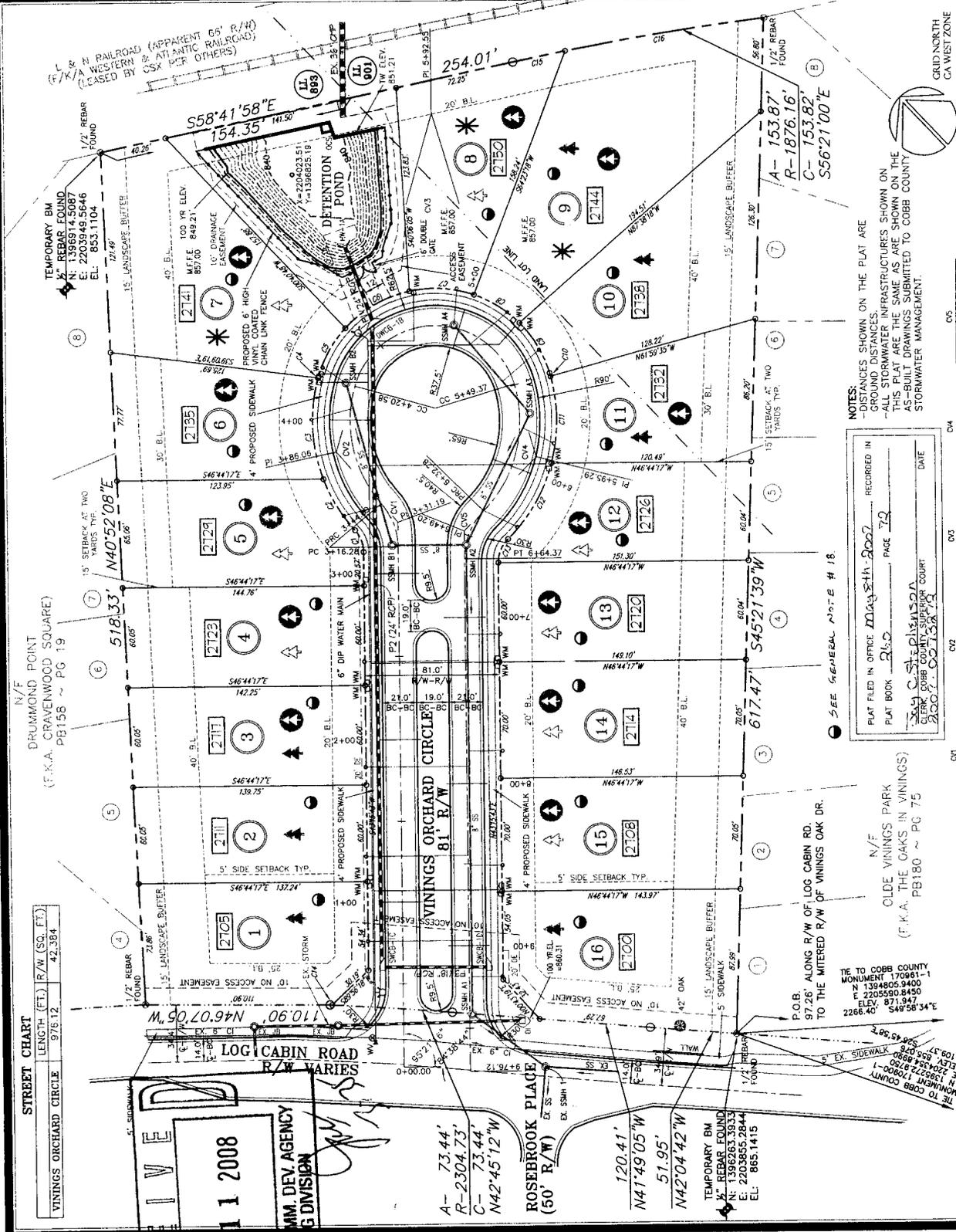


**MDA**  
 MCFARLAND-DYER & ASSOCIATES, INC.  
 124 S. WILSON ST., SUITE 200  
 ATLANTA, GA 30334  
 TEL: (404) 525-1100  
 WWW.COMPLANET.COM

DATE	04-16-2007
DESCRIPTION	FINAL PLAN
DRAWN BY	TMS
CHECKED BY	CD
SHRIPPED BY	CD
JOB NO.	06-0312
COPYRIGHT	2007
MCFARLAND-DYER & ASSOCIATES, INC.	

SURVEY FOR:  
**VININGS ORCHARD**  
 SUBDIVISION  
 L. 893 & 901 7TH DISTRICT 2ND SECTION  
 COBB COUNTY, GEORGIA

FINAL PLAT  
 SHEET 2 OF 2



NOTES:  
 -DISTANCES SHOWN ON THE PLAT ARE GROUND DISTANCES. INFRASTRUCTURES SHOWN ON THIS PLAT ARE THE SAME AS ARE SHOWN ON THE AS-BUILT DRAWINGS SUBMITTED TO COBB COUNTY STORMWATER MANAGEMENT.

PI	North	East	Delta North	Delta East	Delta	Angle	Le
3+31.19	31+86.06	139.623	0.00	0.00	0.00	0.00	0.00
139.623	139.623	220.011	0.00	0.00	0.00	0.00	0.00
220.011	220.011	147.54	0.00	0.00	0.00	0.00	0.00
147.54	147.54	55.57	0.00	0.00	0.00	0.00	0.00
55.57	55.57	75.69	0.00	0.00	0.00	0.00	0.00
75.69	75.69	120.00	0.00	0.00	0.00	0.00	0.00
120.00	120.00	171.87	0.00	0.00	0.00	0.00	0.00
171.87	171.87	45.52	0.00	0.00	0.00	0.00	0.00
45.52	45.52	55.72	0.00	0.00	0.00	0.00	0.00
55.72	55.72	56.02	0.00	0.00	0.00	0.00	0.00
56.02	56.02	34.86	0.00	0.00	0.00	0.00	0.00
34.86	34.86	131.14	0.00	0.00	0.00	0.00	0.00
131.14	131.14	86.02	0.00	0.00	0.00	0.00	0.00
86.02	86.02	28.04	0.00	0.00	0.00	0.00	0.00
28.04	28.04	14.92	0.00	0.00	0.00	0.00	0.00
14.92	14.92	14.92	0.00	0.00	0.00	0.00	0.00
14.92	14.92	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

PLAT FILED IN OFFICE: May 14, 2007 RECORDED IN  
 PLAT BOOK: 210 PAGE: 72  
 CLERK: COBB COUNTY CLERK DATE: \_\_\_\_\_

TO COBB COUNTY MONUMENT 170961-1  
 ELEV. 871.947  
 TO COBB COUNTY MONUMENT 170961-1  
 ELEV. 871.947  
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 ELEV. 871.947

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 ELEV. 871.947

TO COBB COUNTY MONUMENT 170961-1  
 ELEV. 871.947  
 TO COBB COUNTY MONUMENT 170961-1  
 ELEV. 871.947

**STREET CHART**

VININGS ORCHARD CIRCLE	LENGTH (FT.)	R/W (SQ. FT.)
	976.12	42,384

**RECEIVED**  
 JAN 11 2008  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

A- 73.44'  
 R- 2304.73'  
 C- 73.44'  
 N42°45'12"W

ROSEBROOK PLACE  
 (50' R/W)  
 120.41'  
 N41°49'05"W  
 51.95'  
 N42°04'42"W

TEMPORARY BM  
 X- REBAR FOUND  
 N: 1396263.3933  
 E: 2203855.2844  
 EL: 865.1415

TEMPORARY BM  
 X- REBAR FOUND  
 N: 1396914.5087  
 E: 2203949.5646  
 EL: 863.1104

TEMPORARY BM  
 X- REBAR FOUND  
 N: 1396263.3933  
 E: 2203855.2844  
 EL: 865.1415

This plat was prepared for the exclusive use of the person, persons, or entity named herein. This plat does not extend to any unnamed person, persons, or entity without the express recertification of the surveyor naming such person, persons, or entity.