

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 03/18/08

Applicant: Michael E. Boozer
(applicant's name printed)

Phone #: 404/216-9037

Address: 14225 Old Course Drive, Roswell, GA 30075 E-Mail: mikeboozer@readyssetmerchandising.com

SAMS, LARKIN & HUFF, LLP

376 Powder Springs Street, Suite 100

Garvis L. Sams, Jr.

Address: Marietta, GA 30064

(representative's name, printed)

By: Garvis L. Sams, Jr. Phone #: 770/422-7016

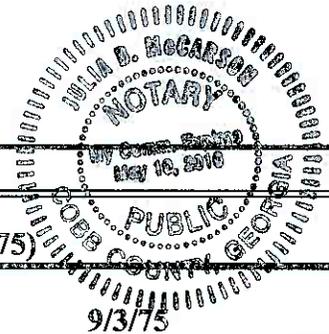
E-Mail: gsams@samslarkinbuff.com

Garvis L. Sams, Jr., Attorney for Applicant

Signed, sealed and delivered in presence of:

Julia B. McCarsen
Notary Public

My commission expires: _____



Commission District: Tim Lee (3)

Zoning Case: 110 (1975)

Date of Zoning Decision: 9/3/75

Original Date of Hearing: 9/3/75

Location: South side of Elnora Drive; west of Shallowford Road

(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 133

District(s): 16th

State specifically the need or reason(s) for Other Business: _____

Site plan modification from original PUD rezoning (No. Z-110 [1975]).

(List or attach additional information if needed)

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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

GARVIS L. SAMS, JR.
JOEL L. LARKIN
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JAMES A. BALLI*
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February 6, 2008

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SAMSLARKINHUFF.COM

*ALSO LICENSED TO PRACTICE
IN ALABAMA

VIA HAND DELIVERY

Mr. Mark A. Danneman, Manager
Cobb County Zoning Department
191 Lawrence Street
Suite 300
Marietta, Georgia 30060-1661



Re: Other Business Agenda Application for Modifications
to Site Plan on behalf of Michael E. Boozer

Dear Mark:

As you know, through your conversations this week with Community Development Director Rob Hosack, I represent Michael E. Boozer. You will recall that Mr. Boozer attempted to file an application to rezone an approximate 1.91 acre tract which formerly served as an amenity area, with swimming pool and cabana, for Dover Downs Subdivision. Originally, the subdivision was rezoned under the PUD classification in 1975 (No. Z-110). However, ultimately, the amenity area fell into a state of disrepair; the Dover Downs Homeowners Association dissolved; and, the amenity area was sold at a tax sale and later conveyed to Mr. Boozer in December of 2007. You and Mr. Hosack have discussed the matter and determined that an application to rezone the subject property can not be filed until such time as the original Dover Downs PUD site plan is amended to approve the deletion of the abandoned amenity area.

I have enclosed copies of the original minutes and the Dover Down Subdivision plat recorded on the Cobb County deed records at Plat Book 67, Page 163. Also enclosed are copies of an excerpt from the Zoning Block Map, tax plat and aerial photo depicting the positioning of the property. Lastly, enclosed are photographs showing the present condition of the abandoned amenity area owned by Mr. Boozer.

I have scheduled a meeting with Commissioner Tim Lee to discuss this matter but wanted to ensure that we met the "Other Business" application deadline so that the matter can be heard in March and thus position my client to file an application to rezone the subject property to the

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VIA HAND DELIVERY

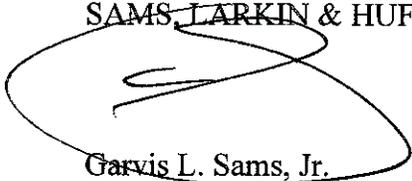
Mr. Mark A. Danneman, Manager
Cobb County Zoning Department
Page 2
February 6, 2008

Office & Institutional (O&I) classification which will have sole access to Elnora Drive next to the Comcast LI property.

Please do not hesitate to call should you have any questions whatsoever regarding these matters. With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.

gsams@samslarkinhuff.com

GLSjr/jbmc

Enclosures

cc: Mr. Michael E. Boozer – w/enclosures

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING A THEODOLITE AND C.D.M. AND HAS A LINEAR PRECISION RATIO OF ONE FT. IN 10,000 FEET AND AN ANGULAR ERROR OF 21 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CHECKED FOR MATHEMATICAL ACCURACY AND CLOSED WITHIN ONE FT. IN 25,000 FEET.

BEARINGS SHOWN ARE CALCULATED FROM ANGLES TURNED BASED ON A SINGLE MAGNETIC OBSERVATION

ELINORA DRIVE
40' R/W



P.M. 813.98' TO THE RIGHT OF WAY OF RAMBLING ROAD

②

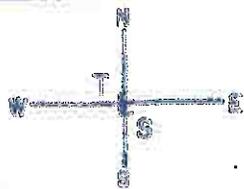
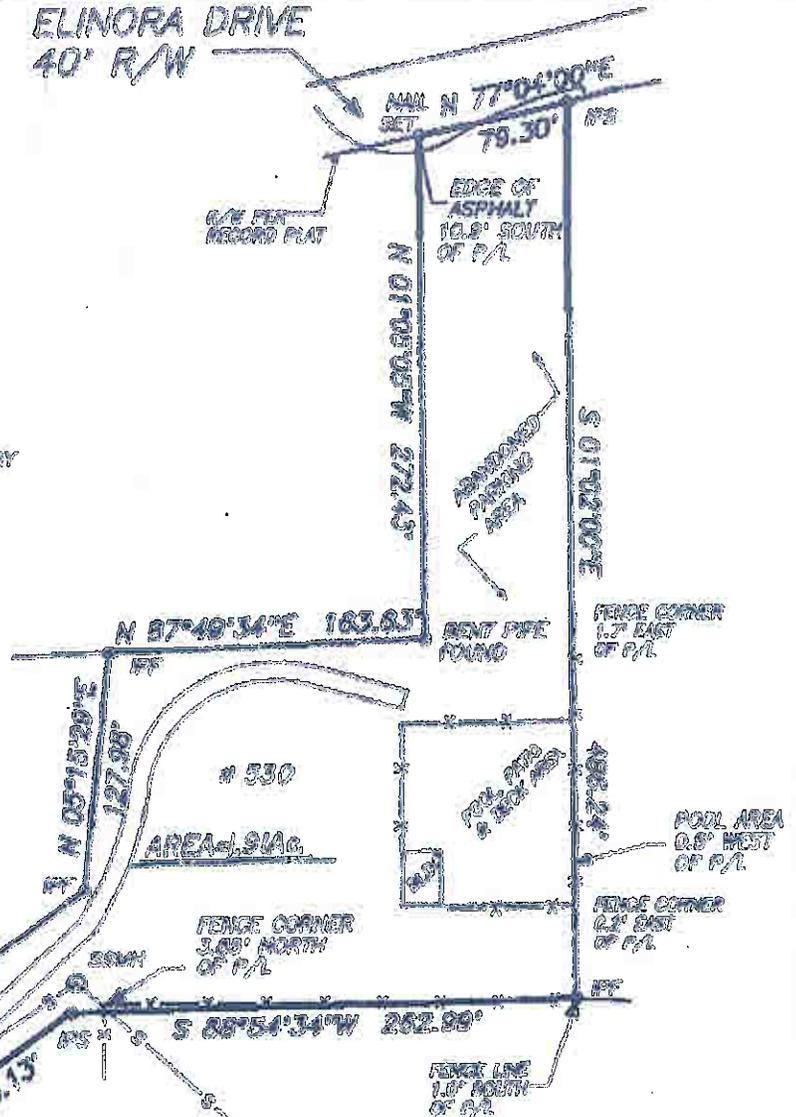
APPROX. LOCATION 100 YEAR FLOODPLAIN FOR RECORD PLAT

①

A=49.97'
R=276.76'
N 30°22'21"W
48.60'

DOVER STREET
50' R/W

LOT 31, BLOCK "B"
DOVER DOWNS COMPOSITE
P.167, P.163



TRU-LINE SURVEYING, INC.
2070 ATTIC PARKWAY SUITE 505
KENNESAW, GEORGIA 30142
OFFICE (770)918-8755
FAX (770)618-8751



SURVEY FOR:

MICHAEL E. BOOZER

LAND LOT: 133	SCALE: 1"=100'
DISTRICT: 16TH	DATE: 12/2/07
SECTION: 2ND	DRAWN BY: DB
COUNTY: COBB	CHECKED BY: WEC
STATE: GEORGIA	JOB NO. 01-6495

IN ANY OTHER THIS PLAT IS A CORRECT COPY OF THE ORIGINAL PLAT AND THE SURVEYOR'S OFFICE SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.