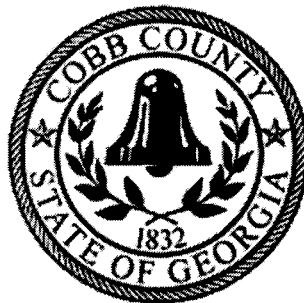


# **PRELIMINARY ZONING ANALYSIS**

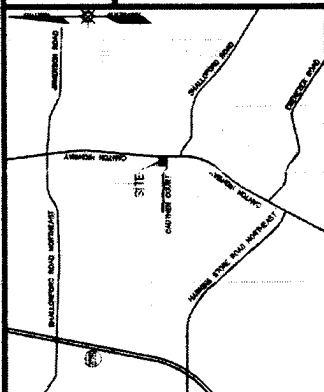
**Planning Commission Hearing Date: August 5, 2008**  
**Board of Commissioners Hearing Date: August 19, 2008**

**Due Date: June 27, 2008**

**Date Distributed/Mailed Out: June 11, 2008**



*Cobb County... Expect the Best!*



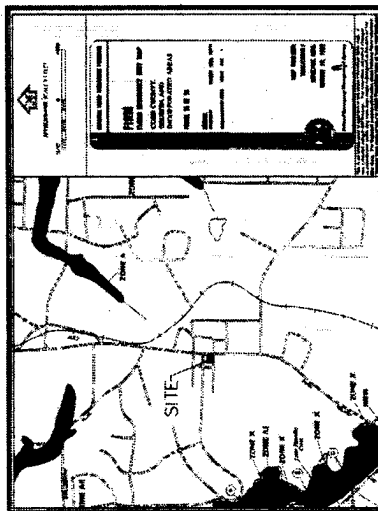
**NTB**  
**\*\*\*\*\* SITE LOCATION MAP \*\*\*\*\***

## SITE DATA

1. SURVEY MAP OF CONDOMINIUMS FORMED WITH 15 UNITS  
 2. PROPOSED ZONING CH. OFFICE  
 3. TOTAL SITE AREA: 1.08 ACRES  
 4. PARKING CALCULATOR: 500 CAR/LOT  
 5. INCREASED PARKING SPACES PER COMMON CH. ZONING OF - OFFICE USE  
 6. PROPOSED PARKING SPACES: 540 (27 PER UNIT)  
 7. THERE ARE NO CEMENTS ON-SITE  
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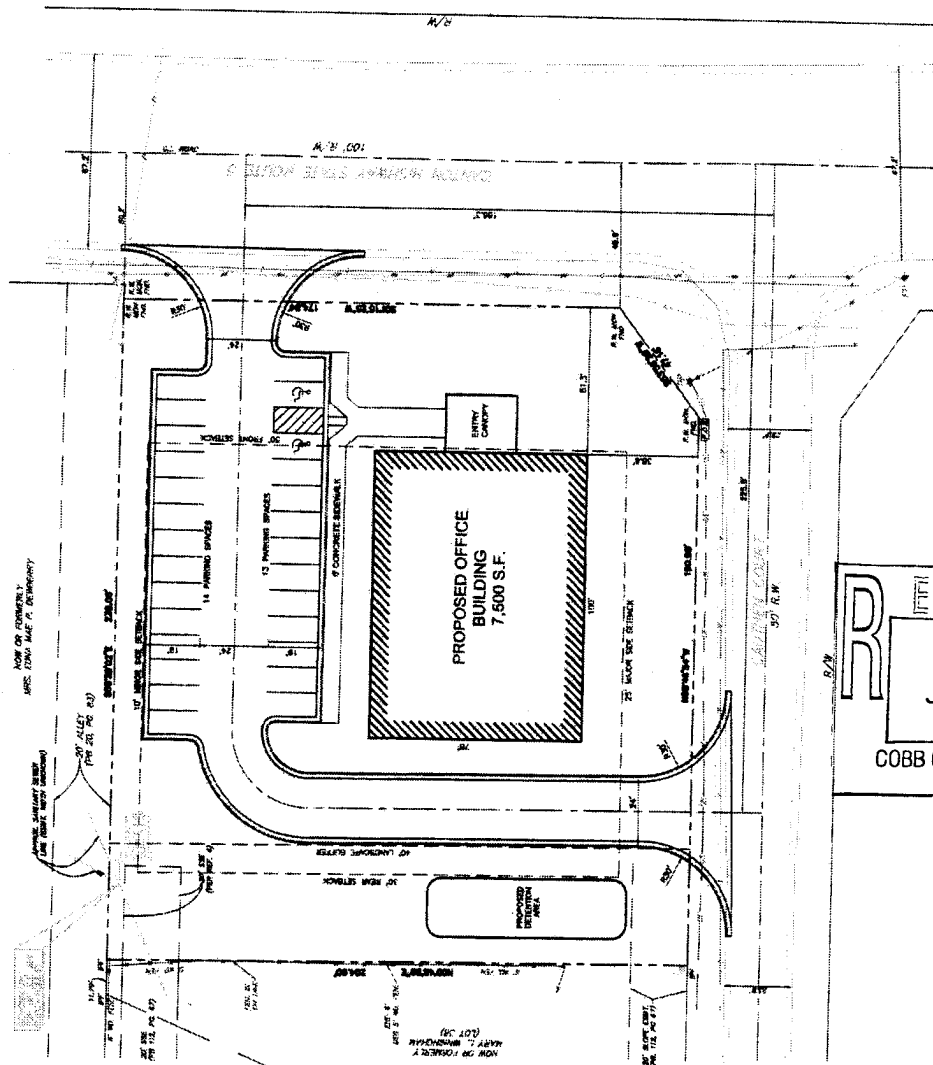
**OWNER/DEVELOPER**  
**CALBERT ENTERPRISES, LLC**  
**975 COBB PLACE BLVD.**  
**SUITE #108**  
**KENNESAW, GA 30144**

**24-HOUR CONTACT**  
**MICHAEL CALBERT**  
**770-331-3794**



**FRAM MAP**  
**NTS**

**GRAPHIC SCALE**



RECEIVED  
JUN - 4 2003  
COBB CO. COMM. DEV. AGENT  
ZONING DIVISION

**APPLICANT:** Calbert Enterprises, LLC  
770-331-3794

**REPRESENTATIVE:** Michael Calbert  
770-424-1731

**TITLEHOLDER:** Calbert Holdings, LLC  
\_\_\_\_\_

**PROPERTY LOCATION:** Located at the northwest intersection of  
Canton Road and Cauthen Court.  
\_\_\_\_\_

**ACCESS TO PROPERTY:** Canton Road and Cauthen Court  
\_\_\_\_\_

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** Z-34

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** GC with  
Stipulations

**PROPOSED ZONING:** GC  
\_\_\_\_\_

**PROPOSED USE:** Office Building  
\_\_\_\_\_

**SIZE OF TRACT:** 1.07 acres

**DISTRICT:** 16

**LAND LOT(S):** 157

**PARCEL(S):** 12

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 3

**FUTURE LAND USE MAP: Neighborhood Activity Center**

**OPPOSITION:** NO. OPPOSED \_\_\_\_ **PETITION NO:** \_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

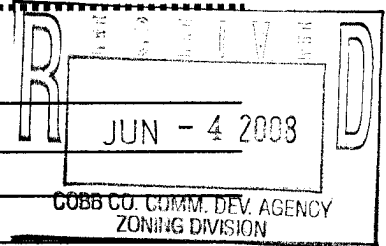
**STIPULATIONS:**



## Summary of Intent for Rezoning

.....  
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): \_\_\_\_\_  
b) Proposed building architecture: \_\_\_\_\_  
c) Proposed selling prices(s): \_\_\_\_\_  
d) List all requested variances: \_\_\_\_\_



.....  
Part 2. Non-residential Rezoning Information (attach additional information if needed)

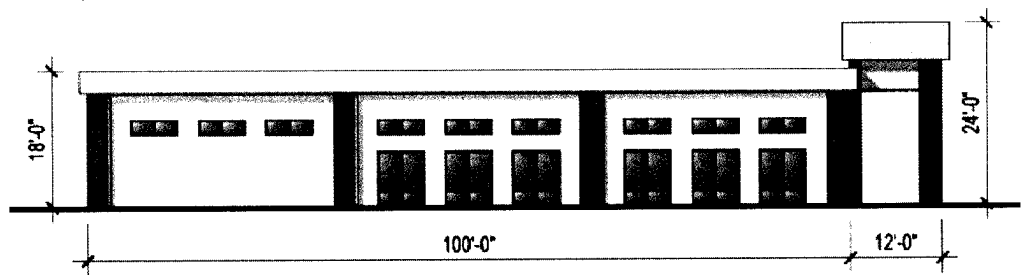
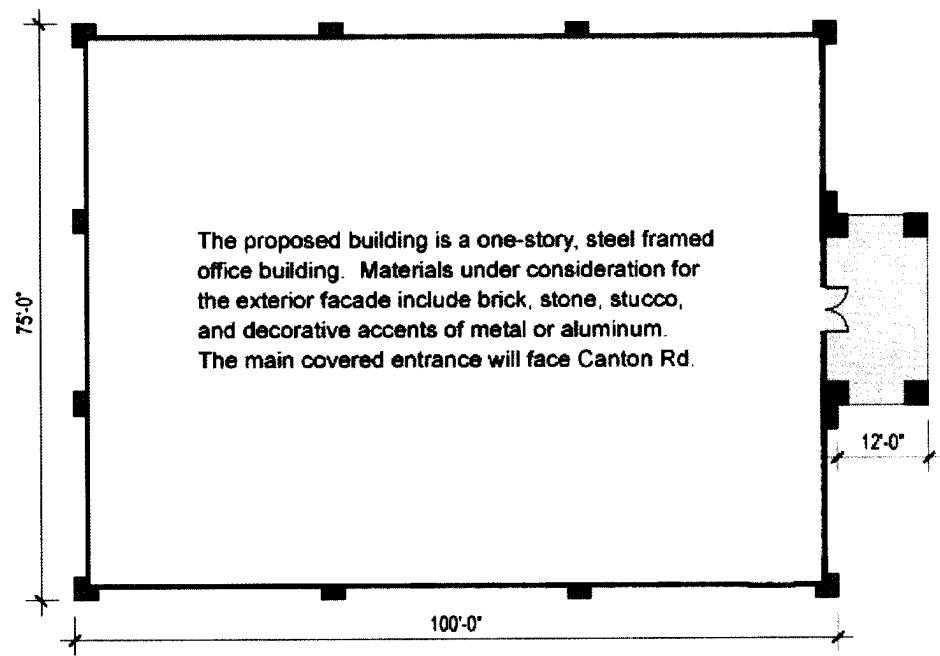
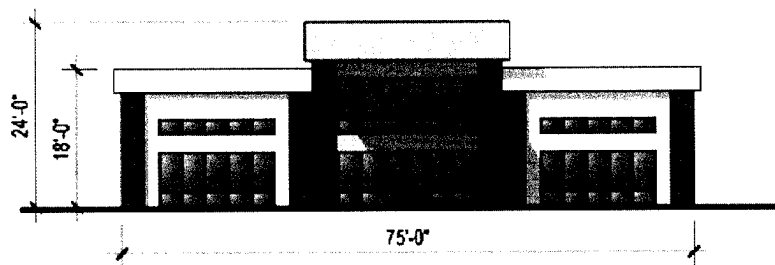
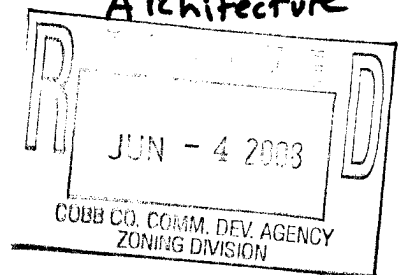
- a) Proposed use(s): OFFICE BUILDING  
b) Proposed building architecture: SEE ATTACHED  
c) Proposed hours/days of operation: 8am - 6pm Mon - Fri  
d) List all requested variances: \_\_\_\_\_

.....  
Part 3. Other Pertinent Information (List or attach additional information if needed)

\_\_\_\_\_  
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Z-34/2008

Building  
Architecture



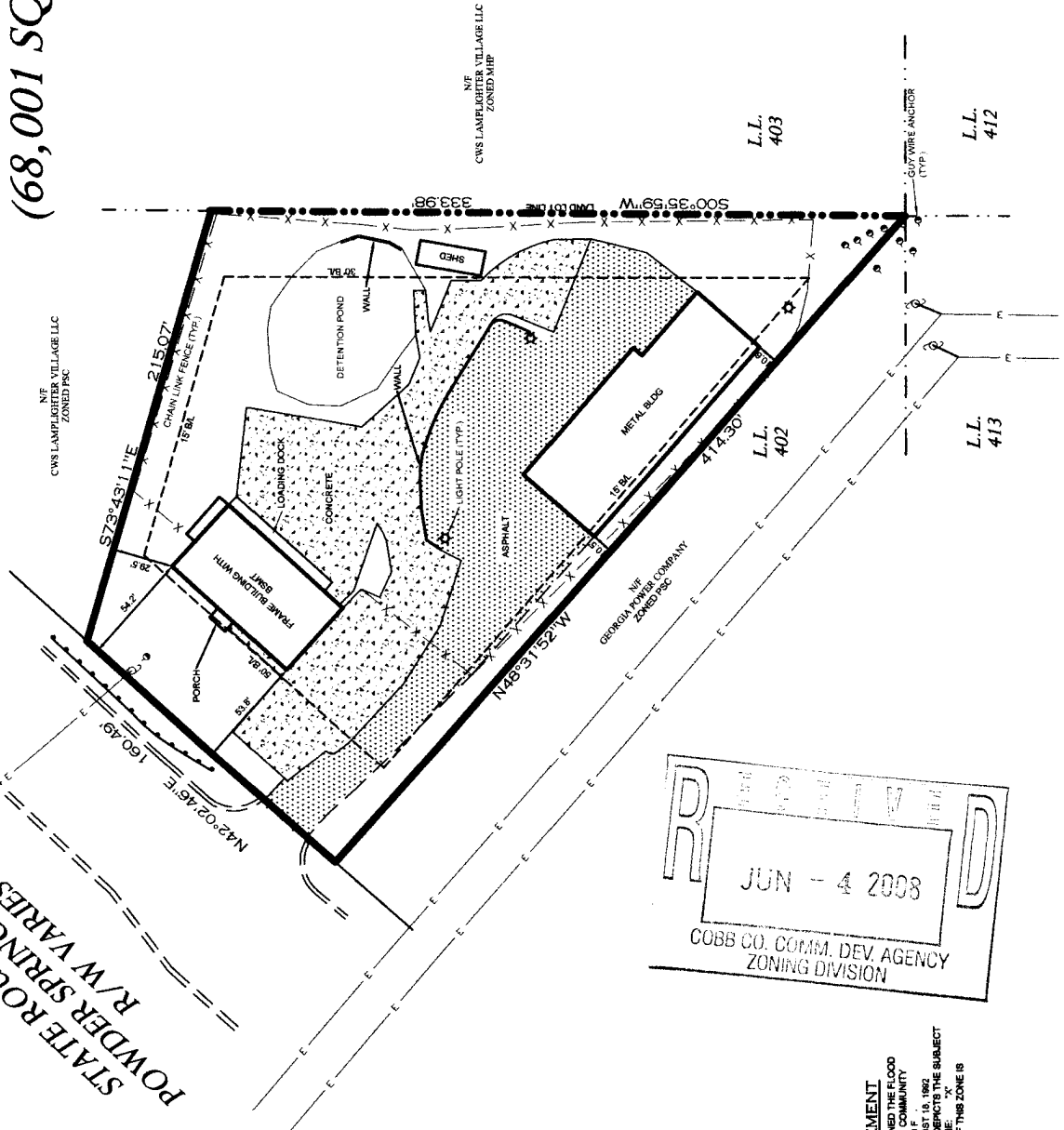
Plat To Accompany Rezoning Application For

# LIONEL D. HOBSON, JR.

LOCATED IN LAND LOT 402, 19TH DISTRICT,  
2ND SECTION, COBB COUNTY, GEORGIA

AREA = 1.561 ACRES  
(68,001 SQ. FT.)

STATE ROUTE 360  
POWDER SPRINGS ROAD  
R/W VARIES



Z-35  
(2008)

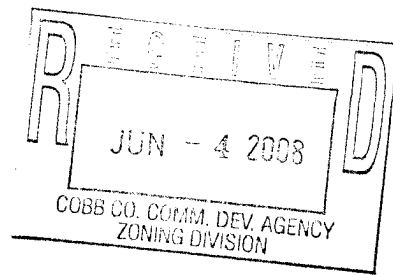
**ZONING NOTE:**  
SUBJECT PROPERTY IS CURRENTLY ZONED  
MRC (MS) WHICH WAS PETITIONED IN 2002.  
THIS PLAT HAS BEEN PREPARED FOR ZONING  
PURPOSES ONLY AND IS NOT FOR  
RECORDING.

**NOTE:**  
THERE MAY BE UNDERGROUND UTILITIES  
LOCATED ON THE SUBJECT PROPERTY  
THAT ARE NOT SHOWN.  
THIS PLAT IS PREPARED FOR EXCLUSIVE USE  
AND THE USER SHALL BE RESPONSIBLE FOR ANY THIRD PARTY'S  
AT THEIR OWN RISK.



DATE	DESCRIPTION

**THE RUSSELLE COMPANY**  
PROFESSIONAL LAND SURVEYORS  
3001 POWDER SPRINGS ROAD  
ALPHARETTA, GEORGIA 30004  
E-MAIL: CRUSSELL@RUSSELLECOMPANY.COM  
PHONE: 404.505.0777 FAX: 404.505.0778  
FIELD SURVEY DATES: 2008  
PLAT DATE: 02/26/08  
SCALE: 1"=50'



**FLOOD STATEMENT**  
I HAVE THIS DATE EXAMINED THE FLOOD  
INSURANCE RATE MAPS, COMMUNITY  
FLOOD HAZARD MAPS, AND THE  
FLOOD HAZARD MAP FOR THE  
PROPERTY TO BE IN ZONE. THE  
CHARACTERISTIC OF THIS ZONE IS  
AN AREA ABOVE THE 100  
YEAR FLOOD PLAIN.

**APPLICANT:** Lionel David Hobson, Jr.

770-843-8779

**REPRESENTATIVE:** Sams, Larkin & Huff, LLP

Garvis L. Sams, Jr. 770-422-7016

**TITLEHOLDER:** Lionel D. Hobson, Jr.

**PROPERTY LOCATION:** Located on the southerly side of Powder Springs Road, north of Macland Road.

**ACCESS TO PROPERTY:** Powder Springs Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** Z-35

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** NRC with Stipulations

**PROPOSED ZONING:** NRC with Stipulations

**PROPOSED USE:** Sign Company

**SIZE OF TRACT:** 1.56 acres

**DISTRICT:** 19

**LAND LOT(S):** 402

**PARCEL(S):** 5

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**FUTURE LAND USE MAP:** Community Activity Center

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

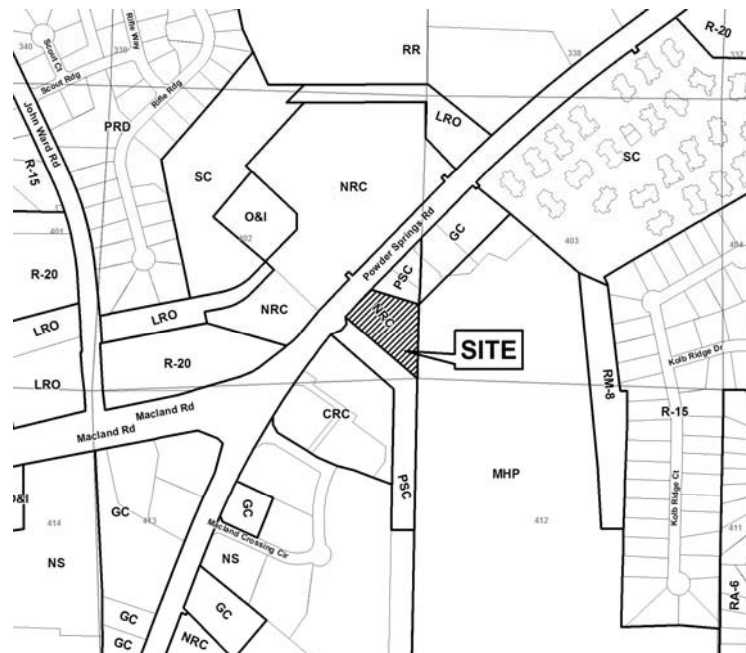
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

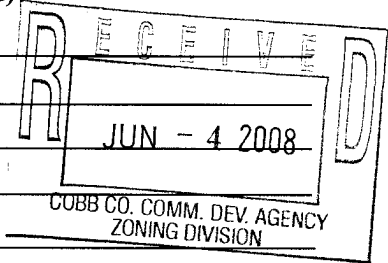
**STIPULATIONS:**



## Summary of Intent for Rezoning\*

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

- a) Proposed unit square-footage(s): \_\_\_\_\_  
b) Proposed building architecture: \_\_\_\_\_  
c) Proposed selling prices(s): \_\_\_\_\_  
d) List all requested variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Sign Company (South Sign Systems)  
\_\_\_\_\_  
b) Proposed building architecture: Utilization of existing building.  
\_\_\_\_\_  
c) Proposed hours/days of operation: Monday through Friday, 8:00 a.m. until 6:00 p.m.  
\_\_\_\_\_  
d) List all requested variances: None  
\_\_\_\_\_  
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.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

The subject property is located within the confines of a Community Activity Center (CAC) under Cobb County's Future Land Use Map which contemplates the type of utilization proposed.  
\_\_\_\_\_  
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\*The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.





**APPLICANT:** Columbia Properties, Inc.

770-953-6262

**REPRESENTATIVE:** Sams, Larkin & Huff, LLP

Parks L. Huff 770-442-7016

**TITLEHOLDER:** Harold Leslie McLendon, Jr., Melissa M. McLendon,

John B. and Deborah M. Dierkes, Ann L. Brown

**PROPERTY LOCATION:** Located at the southwesterly intersection  
of Dallas Highway and Casteel Road.

**ACCESS TO PROPERTY:** Dallas Highway and Casteel Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**FUTURE LAND USE MAP:** Very Low Density Residential & Neighborhood Activity Center

**PETITION NO:** Z-36

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** LRO, R-20

**PROPOSED ZONING:** NRC

**PROPOSED USE:** Retail Center

**SIZE OF TRACT:** 20.2 acres

**DISTRICT:** 20

**LAND LOT(S):** 334

**PARCEL(S):** 2

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**OPPOSITION:** NO. OPPOSED \_\_\_\_ **PETITION NO:** \_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

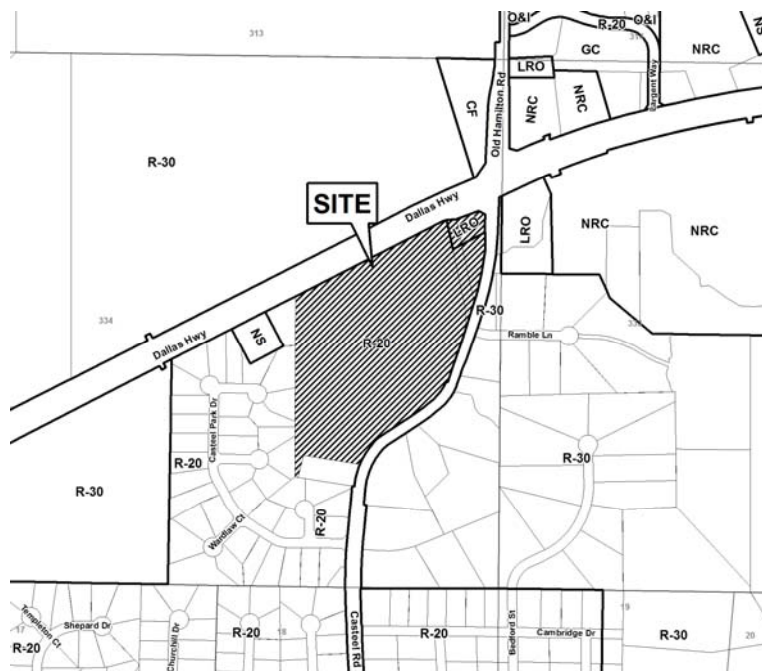
**BOARD OF COMMISSIONERS DECISION**

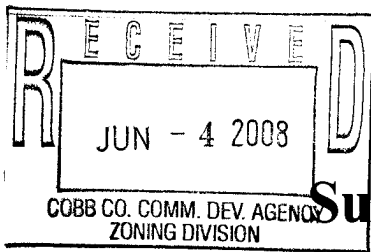
**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**





Application No. Z-36  
2008

## Summary of Intent for Rezoning\*

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Retail development that will include a Fresh Market grocery store.
- b) Proposed building architecture: See attached proposed architecture.
- c) Proposed hours/days of operation: Seven (7) days a week from 8:00 a.m. to 11:00 p.m.
- d) List all requested variances: Not applicable.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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**Part 3. Other Pertinent Information (List or attach additional information if needed)**

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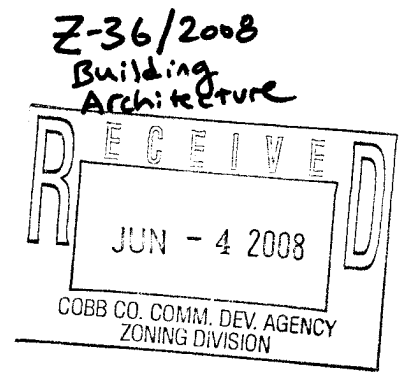
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\*The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

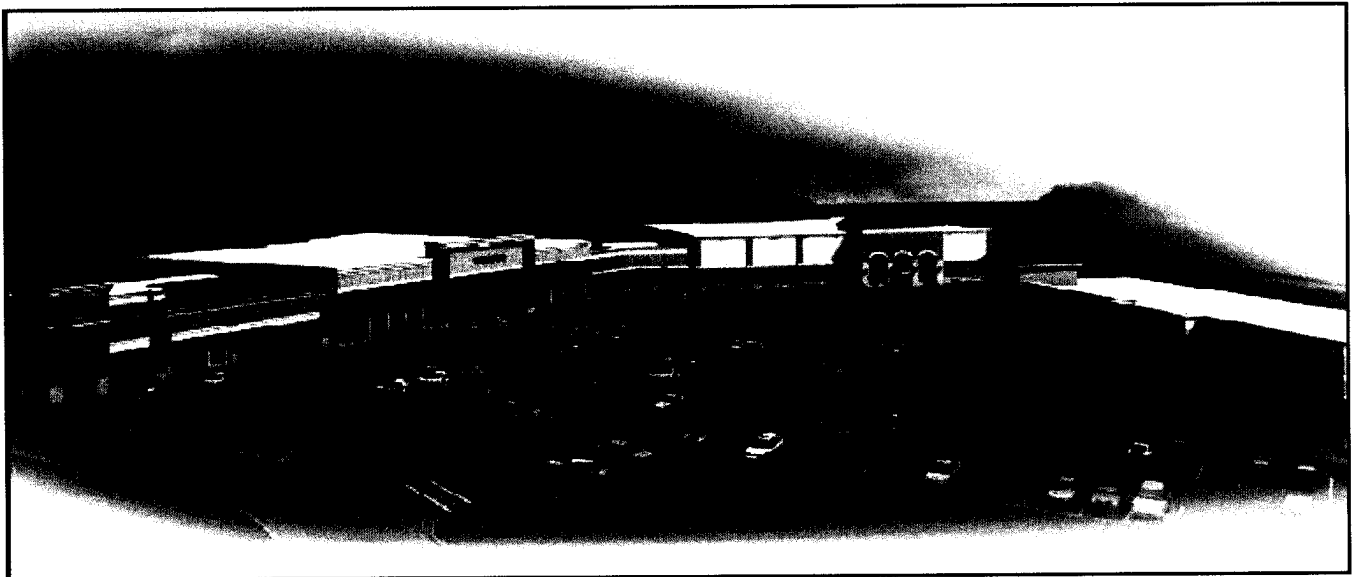


## The Oaks West Cobb



### Architecture and Tenants

- Similar to the downtown square of Marietta, the shopping center is designed around a park-like green space & offers a pedestrian friendly network of sidewalks. The architecture of the shopping center will complement and extend the Old Main Street look & scale of The Avenue West Cobb with rich brick, stone & artificial stucco materials.
- The Oaks West Cobb will be anchored by The Fresh Market. Columbia Properties is currently in discussions with a high-end women's apparel retailer to serve as a co-anchor; other tenants are likely to include retail boutiques and restaurants not currently located in the West Cobb market.



NO.	DATE	DESCRIPTION	BY
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4317 Park Drive - Suite 400  
Norcross, Georgia 30093  
Phone: (770) 416-2911  
Fax: (770) 416-2999  
www.thruwayplanning.com



**Z-37  
(2008)**

**JOHNSON FERRY ROAD**  
ZONING SITE PLAN

**CSBB CO. COMM. DEV. AGENCY**  
ZONING DIVISION

DATE: 6/1/08  
SCALE: 1"=50'  
PROJECT: Z-37  
JUN 08/07/08  
JUN 15/11/08

Sheet No. 03



**SITE ADDRESS:**  
4317 PARK DRIVE  
CITY OF NORCROSS, GEORGIA

**SITE AREA:**  
4.87 ACRES

**PROPOSED SITE ZONING:** OAI

**PROPOSED BUILDING SETBACK LINES:**

**PROPOSED BUILDING SUMMARY:**

**PARKING SUMMARY:**

**LIST OF REQUIREMENTS THAT DO NOT APPLY:**

**PROPOSED BUILDING SUMMARY:**

**PARKING SUMMARY:**

**LIST OF REQUIREMENTS THAT DO NOT APPLY:**

**PROPOSED BUILDING SUMMARY:**

**PARKING SUMMARY:**

**LIST OF REQUIREMENTS THAT DO NOT APPLY:**

**PROPOSED BUILDING SUMMARY:**

**PARKING SUMMARY:**

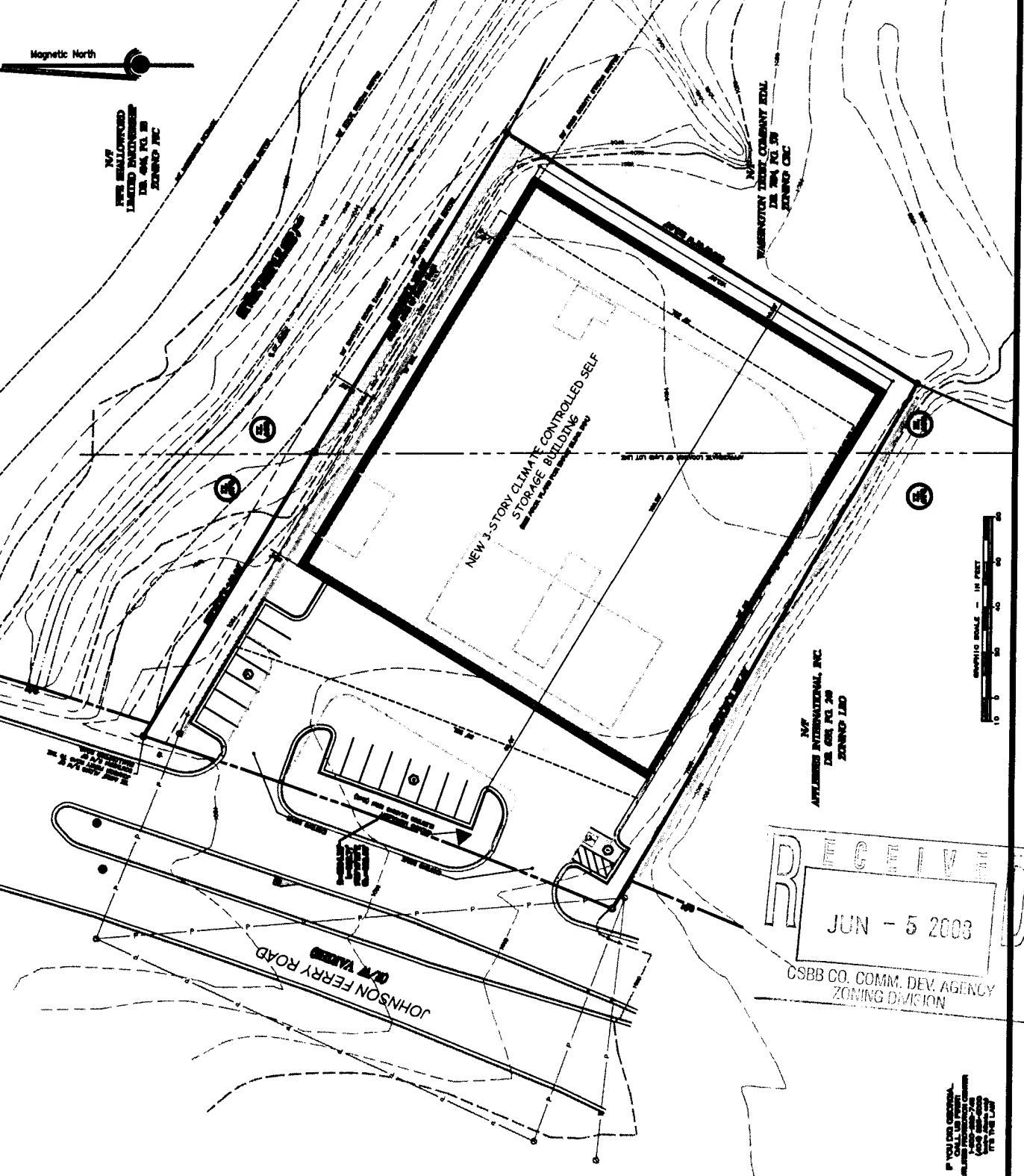
**LIST OF REQUIREMENTS THAT DO NOT APPLY:**

**PROPOSED BUILDING SUMMARY:**

**PARKING SUMMARY:**

**LIST OF REQUIREMENTS THAT DO NOT APPLY:**

**PROPOSED BUILDING SUMMARY:**



**RECEIVED**  
JUN - 5 2008  
CSBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

IF YOU ARE ORIGINALLY  
DESIGNING A PROJECT  
FOR THE CITY OF NORCROSS  
PLEASE SUBMIT THE  
PROJECT TO THE  
ZONING DIVISION



**APPLICANT:** Cooke Enterprises, Inc.

678-797-9797

**REPRESENTATIVE:** Sams, Larkin & Huff, LLP

Garvis L. Sams, Jr. 770-422-7016

**TITLEHOLDER:** Mack and Abe, Inc.

**PROPERTY LOCATION:** Located on the east side of Johnson Ferry Road, south of Shallowford Road.

**ACCESS TO PROPERTY:** Johnson Ferry Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** Z-37

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** GC

**PROPOSED ZONING:** OI

**PROPOSED USE:** Climate Controlled Self-Service Storage Facility

**SIZE OF TRACT:** 1.421 acres

**DISTRICT:** 16

**LAND LOT(S):** 469, 470

**PARCEL(S):** 35

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 3

**FUTURE LAND USE MAP:** Neighborhood Activity Center

**OPPOSITION:** NO. OPPOSED \_\_\_\_ **PETITION NO:** \_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

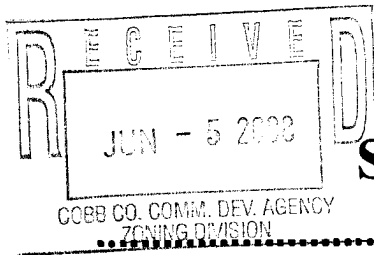
**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**





Application No. z-37  
2008

## Summary of Intent for Rezoning\*

### Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_

### Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Climate Controlled Self Service Storage Facility.
- b) Proposed building architecture: Four-sided brick with EFIS accents.
- c) Proposed hours/days of operation: The hours of operation shall be from 8:00 a.m. until 6:00 p.m. Monday through Saturday and from 1:00 p.m. until 6:00 p.m. on Sundays.
- d) List all requested variances: A waiver of parking ratio requirements as shown on site plan.

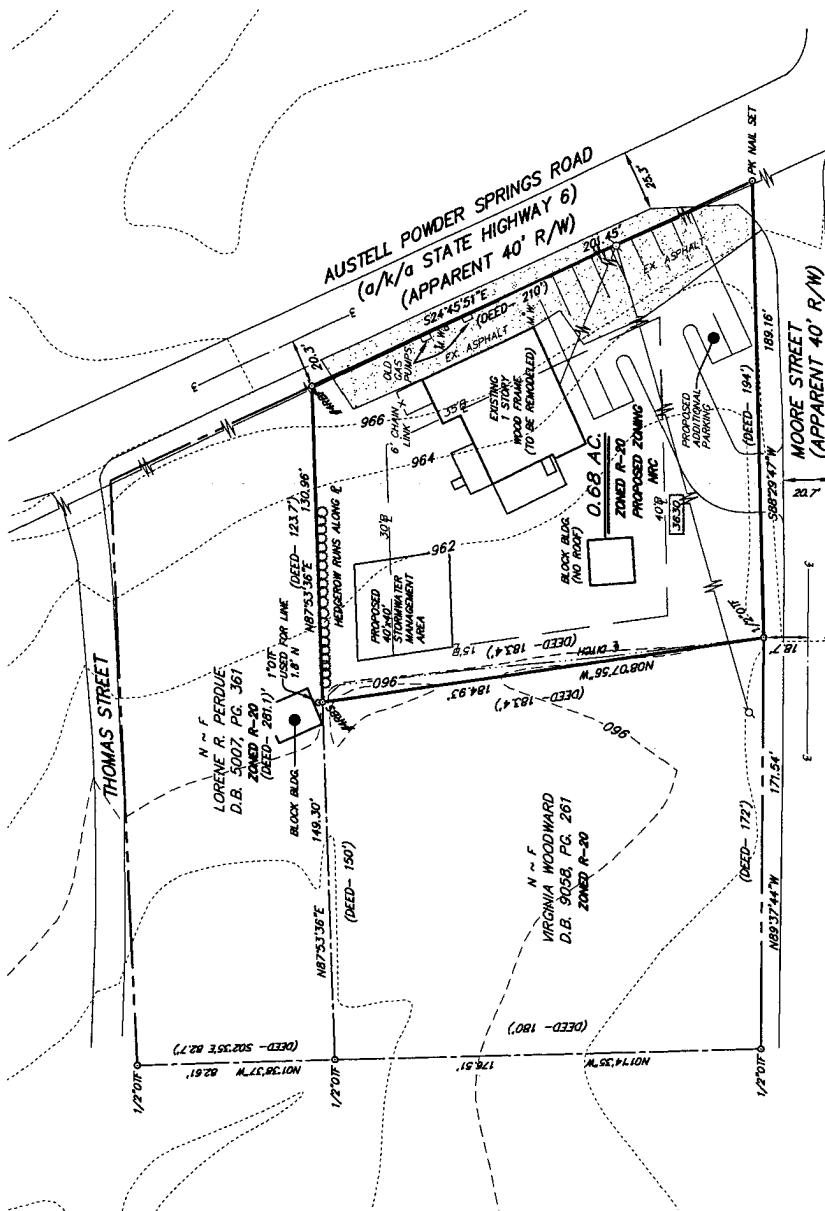
### Part 3. Other Pertinent Information (List or attach additional information if needed)

\*The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.



ZONING PLAT NOTES:

- 1.) EXISTING ZONING ~ R-20
- 2.) PROPOSED ZONING ~ MRC
- 3.) TOTAL SITE AREA ~ 0.68 ACRES
- 4.) BOUNDARY SURVEY BY GASKINS
- 5.) NO CEMETARIES, ARCHEOLOGICAL OR ARCHITECTURAL FEATURES ARE APPARENT ON THIS SITE
- 6.) PROPOSED PARKING SHOWN AS 12 SPACES A/P
- 7.) EXISTING HOUSE TO BE REMODELED.

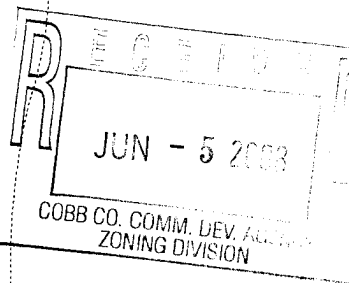


VARIANCE PLAT FOR:

**SHAWN & FERNAND  
PINNOCK**  
3630 MOORE STREET

LOCATED IN L.L. 1092  
19th DISTRICT, 2nd SECTION  
COBB COUNTY, GA.

**Gaskins**  
ENGINEERING • SURVEYING • LAND PLANNING • ENVIRONMENTAL  
1246 Powder Springs Rd. Phone: (770) 424-1188  
Marietta, Georgia 30064 Fax: (770) 424-1993



LEGEND	
P.P.	POWER POLE
L.P.	LIGHT POLE
F.H.	FIRE HYDRANT
M.H.	SANITARY SEWER MANHOLE
W.M.	WATER METER
G.M.	GAS METER
RBS	REINFORCING BAR SET
RB	REINFORCING BAR FOUND
CTF	CRIMP TOP PIPE FOUND
OTF	OPEN TOP PIPE FOUND
R/W MON	RIGHT-OF-WAY MONUMENT
X	TYPE OF FENCE
J.B.	JUNCTION BOX
D.I.	DROP INLET / YARD INLET
C.B.	CATCH BASIN
R.C.P.	REINFORCED CONCRETE PIPE
C.M.P.	CORRUGATED METAL PIPE
F.F.E.	FINISHED FLOOR ELEVATION
WV	WATER VALVE
TM	TELEPHONE MANHOLE
OL	OVERHEAD POWER LINES
HW	HEADWALL
PBX	POWERBOX
ST	STREET ADDRESS
W	WATER LINE
U	UNDERGROUND TELEPHONE LINE
G	GAS LINE
E	UNDERGROUND ELECTRICAL LINE

SURVEYOR'S NOTES:

- 1.) BOUNDARY LINES ALONG THE RIGHT OF WAY OF MOORE STREET AND AUSTELL POWDER SPRINGS ROAD ARE SHOWN BASED ON MONUMENTS FOUND IN THE FIELD AND ON POSSESSION LIMITS.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X-1; ACCORDING TO F.E.M.A. (F.L.A.) COMMUNITY NUMBER 130052, MAP NUMBER 130052 C 0000 F, DATED AUGUST 18, 1992.

THE UNDERGROUND UTILITIES (EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UTILIZING RADIO FREQUENCY TECHNIQUE) THIS TECHNIQUE IS CAPABLE OF LOCATING METALLIC UTILITIES (WITHOUT TRACER WIRE) ARE NOT LOCATED. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THIS TECHNIQUE MAY EXIST ON THIS SITE BUT NOT BE SHOWN AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE MEASUREMENT SYSTEM. THE PLAT IS PREPARED IN ACCORDANCE WITH THE STANDARD PRACTICES OF THE PROFESSION OF SURVEYING AND IS SUBJECT TO THE COMPASS RULE. UNLESS OTHERWISE SPECIFIED, THE PLAT IS PREPARED IN ACCORDANCE WITH THE STANDARD PRACTICES OF THE PROFESSION OF SURVEYING.



**APPLICANT:** Shawn A. Pinnock and Ferdinand Pinnock  
678-366-6361

**REPRESENTATIVE:** Moore Ingram Johnson & Steele, LLP  
J. Kevin Moore 770-429-1499

**TITLEHOLDER:** Shawn A. Pinnock and Ferdinand Pinnock

**PROPERTY LOCATION:** Located at the northwest intersection of  
Austell Powder Springs Road and Moore Street.

**ACCESS TO PROPERTY:** Austell Powder Springs Road and  
Moore Street

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** Z-38

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** NRC

**PROPOSED USE:** Restaurant and Fresh  
Food Sales

**SIZE OF TRACT:** 0.68 acre

**DISTRICT:** 19

**LAND LOT(S):** 1092

**PARCEL(S):** 20

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**FUTURE LAND USE MAP:** Community Activity Center

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

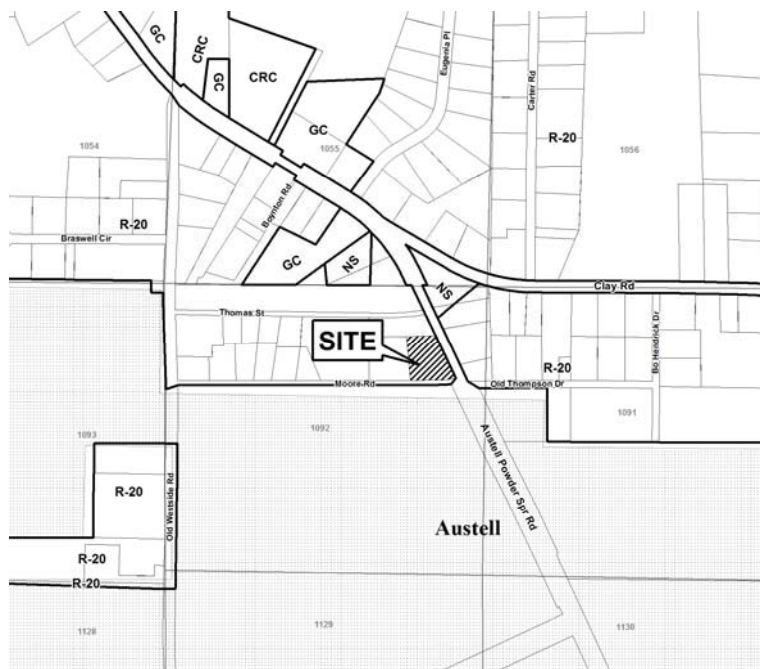
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

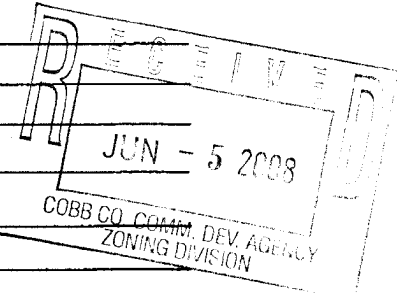
**STIPULATIONS:**



## Summary of Intent for Rezoning\*

.....  
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_



.....  
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Fresh Food Market and Restaurant
- b) Proposed building architecture: Brick and store front  
Wood frame and siding
- c) Proposed hours/days of operation: Monday-Friday - 7:00 a.m.-9:00 p.m.;  
Saturday - 8:00 a.m.-10:00 p.m.; Sunday - 9:00 a.m.-6:00 p.m.
- d) List all requested variances: \_\_\_\_\_

.....  
Part 3. Other Pertinent Information (List or attach additional information if needed)

\_\_\_\_\_  
\*Applicant specifically reserves the right to amend any information set forth herein at any time during the rezoning process.  
\_\_\_\_\_



**APPLICANT:** Rex E. Horney  
678-409-4898

**REPRESENTATIVE:** Moore Ingram Johnson & Steele, LLP  
John H. Moore 770-429-1499

**TITLEHOLDER:** Rex E. Horney

**PROPERTY LOCATION:** Located at the northwest intersection of  
Canton Road and Hawkins Store Road.

**ACCESS TO PROPERTY:** Hawkins Store Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** Z-39

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** CRC with  
Stipulations

**PROPOSED ZONING:** CRC with  
Stipulations

**PROPOSED USE:** Event Center

**SIZE OF TRACT:** 4.68 acres

**DISTRICT:** 16

**LAND LOT(S):** 228, 277

**PARCEL(S):** 4

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 3

**FUTURE LAND USE MAP: Parks/Recreation/Conservation**

**OPPOSITION:** NO. OPPOSED \_\_\_\_ **PETITION NO:** \_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



## Summary of Intent for Rezoning\*

.....  
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Event Center
- b) Proposed building architecture: Stucco, Stone, Hardi-plank, and combinations thereof
- c) Proposed hours/days of operation: Days and hours of operation will vary; however, it is anticipated that it will be used primarily during evenings and weekends.
- d) List all requested variances: None known at this time.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
Part 3. Other Pertinent Information (List or attach additional information if needed)

\_\_\_\_\_  
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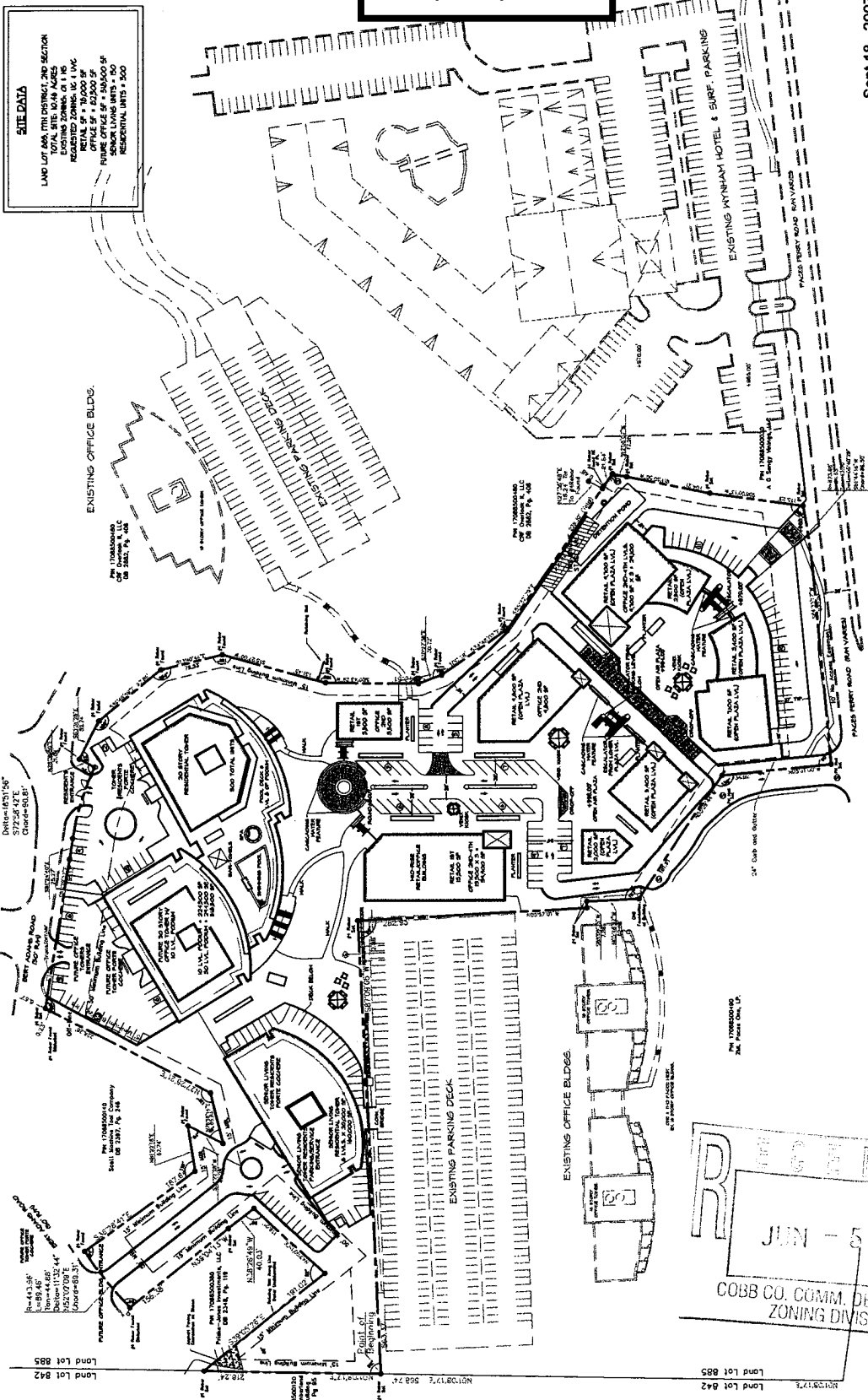
\*Applicant specifically reserves the right to amend any information set forth herein at any time during the rezoning process.

Z-40  
(8002)

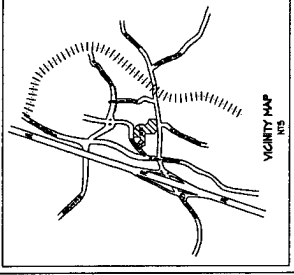
Sept 18, 2007



Preliminary Plan  
**V at VININGS**  
MIXED USE DEVELOPMENT  
Cobb County, Georgia

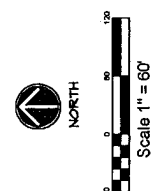


**SITE DATA**  
LAND LOT AREA WITH EXISTING AND SECTION  
TOTAL SITE ACRES  
EXISTING ZONING: C-1.1 NS  
REAR ZONING: C-1.1 NS  
OFFICE SF: 150,000 SF  
OFFICE SF: 150,000 SF  
RESIDENTIAL UNITS: 500



**DEVELOPER**  
DIA Investment Group, LLC  
1111 Peachtree Street, N.E.  
Atlanta, GA 30309  
Phone: (770) 434-1111  
Fax: (770) 434-1111

RECEIVED  
JUN - 5 2008  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



**APPLICANT:** D & A Investment Group, LLC and Pereira

Management, LLC 404-444-1010

**REPRESENTATIVE:** Moore Ingram Johnson & Steele, LLP

John H. Moore 770-429-1499

**TITLEHOLDER:** D & A Investment Group, LLC and Pereira

Management, LLC

**PROPERTY LOCATION:** Located on the north side of Paces Ferry

Road, west of Overlook Parkway and on the south side of Bert Adams

Road, south of Mount Wilkinson Parkway.

**ACCESS TO PROPERTY:** Bert Adams Road, Paces Ferry Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**FUTURE LAND USE MAP:** Regional Activity Center-Sub Area for Office

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**

**PETITION NO:** Z-40

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** OI, NS

**PROPOSED ZONING:** RRC

**PROPOSED USE:** Mixed Use Development

**SIZE OF TRACT:** 10.46 acres

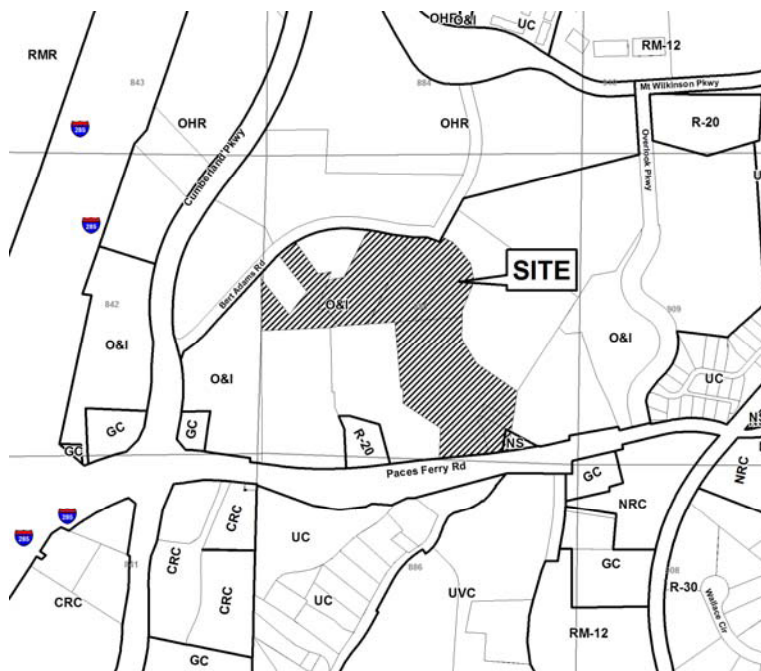
**DISTRICT:** 17

**LAND LOT(S):** 885

**PARCEL(S):** 13, 16, 51, 54, 55

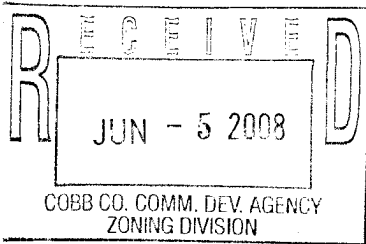
**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2









Application No. z- 40  
(2008)  
2/3

## Summary of Intent for Rezoning

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

- a) Proposed unit square-footage(s): 950-3,500 square feet  
b) Proposed building architecture: Glass metal panels/Stucco/Brick/Monumental Stone  
c) Proposed selling prices(s): \$400-\$600,000 (High-Rise)  
d) List all requested variances: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

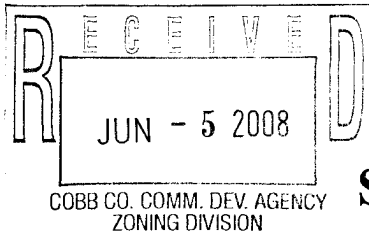
- a) Proposed use(s): Office Building (High-Rise)  
b) Proposed building architecture: Glass metal panels/Stucco/Brick/Monumental Stone  
c) Proposed hours/days of operation: Monday-Friday; 7:00 a.m.-6:00 p.m.  
d) List all requested variances: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

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\_\_\_\_\_

**\*Applicants specifically reserve the right to amend any information set forth herein at any time during the rezoning process.**



Application No. z-40  
(2008)  
3/3

## Summary of Intent for Rezoning

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

- a) Proposed unit square-footage(s): \_\_\_\_\_  
b) Proposed building architecture: \_\_\_\_\_  
c) Proposed selling prices(s): \_\_\_\_\_  
d) List all requested variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Retail  
\_\_\_\_\_  
b) Proposed building architecture: Stucco/Brick  
\_\_\_\_\_  
c) Proposed hours/days of operation: 7:00 a.m.-12:00 a.m.  
\_\_\_\_\_  
d) List all requested variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

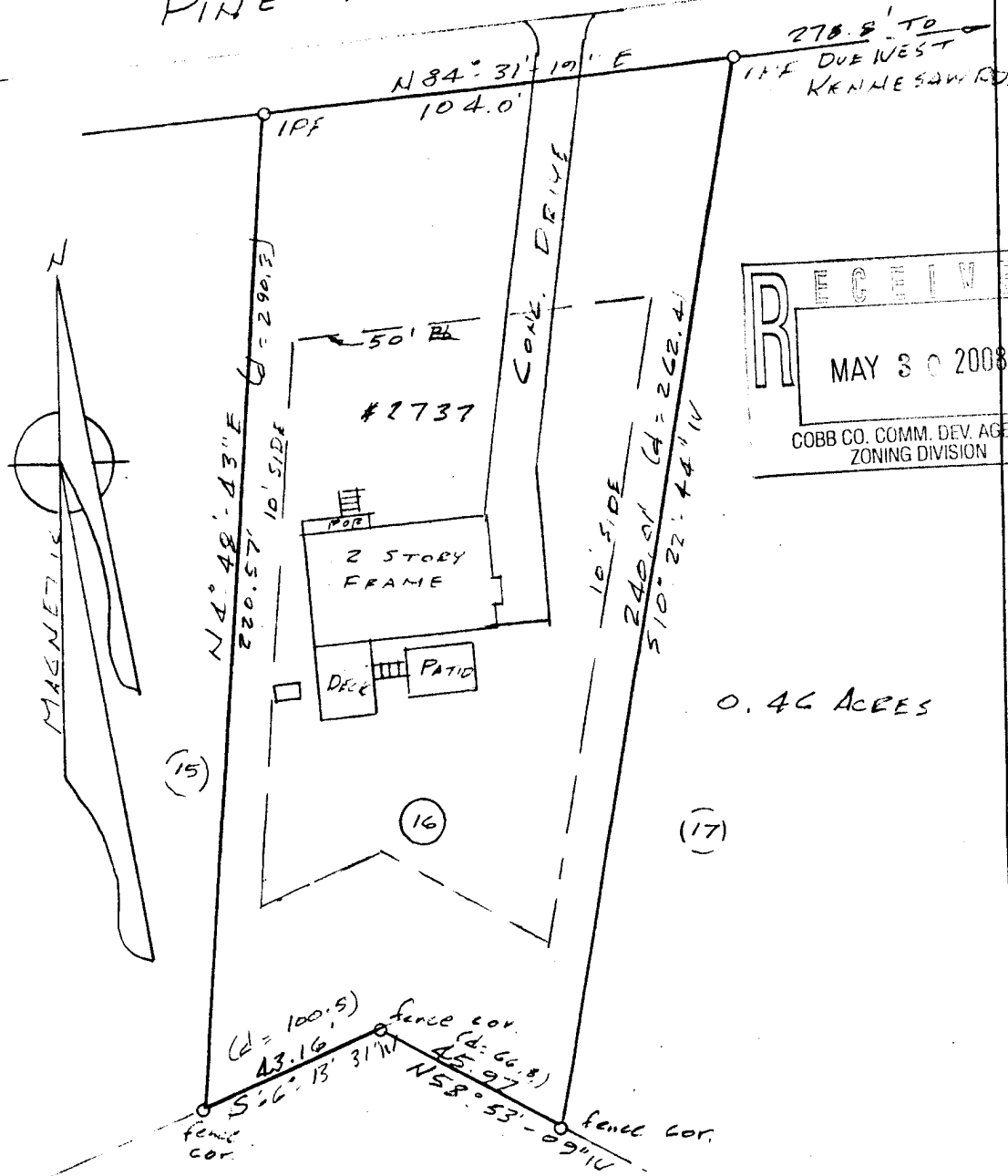
.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*Applicants specifically reserve the right to amend any information set forth herein at any time during the rezoning process.**

**LUP-22  
(2008)**

PINE MOUNTAIN CIRCLE  
SE 1/4 - 34' 00"





RECEIVED  
MAY 30 2008  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

0.46 Acres

I HAVE THIS DATE, EXAMINED THE  
"FIA OFFICIAL FLOOD HAZARD MAP"  
AND FOUND REFERENCED LOT (15 N 10 E)  
IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

LOT 16, WOOD PARK UNIT  
ONE. PLAT BOOK 69 PG 195

		<b>TRU-LINE SURVEYING INC.</b> 2070 ATTIC PARKWAY SUITE 505 KENNESAW, GA. 30064 PHONE (770) 919-8732 FAX (770) 919-8731				SURVEY FOR: <b>ELAINE WHITWORTH</b>	
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. <b>WEL</b>						LAND LOT: <b>241</b>	SCALE: <b>1" = 30'</b>
						DISTRICT: <b>2nd</b>	DATE: <b>MAY 98</b>
						SECTION: <b>2nd</b>	DRAWN BY: <b>EL</b>
						COUNTY: <b>COBLES</b>	CHECKED BY: <b>WEL</b>
						STATE: <b>GEORGIA</b>	JOB NO: <b>01-3858</b>

**APPLICANT:** Elaine Whitworth  
770-429-4988

**REPRESENTATIVE:** Elaine Whitworth  
770-429-4988

**TITLEHOLDER:** Elaine Whitworth

**PROPERTY LOCATION:** Located on the south side of Pine  
Mountain Circle, west of Kennesaw Due West Road.

**ACCESS TO PROPERTY:** Pine Mountain Circle

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** LUP-22

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Family Counseling

**SIZE OF TRACT:** 0.46 acre

**DISTRICT:** 20

**LAND LOT(S):** 241

**PARCEL(S):** 50

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**FUTURE LAND USE MAP:** Low Density Residential

**OPPOSITION:** NO. OPPOSED \_\_\_\_ **PETITION NO:** \_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

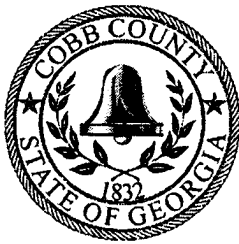
**APPROVED** \_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**





# Community Development Agency

Zoning Division

191 Lawrence Street

Marietta, Georgia 30060-1661

PHONE: (770) 528-2035 FAX: (770) 528-2003

Mark Danneman

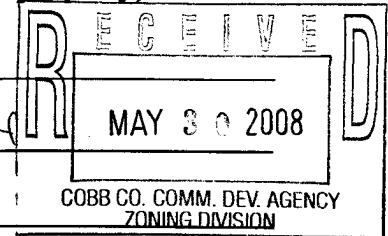
Division Manager

LUP-22/2008

## Temporary Land Use Permit Worksheet

(For temporary commercial use of residentially zoned property)

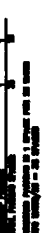
1. Type of business: family Counseling
2. Total number of employees: 0 1 for self
3. Days of operation: 4-5 days
4. Hours of operation: 10am - 8pm
5. Number of nonresidents coming to the house (state the number in the below categories):
  - 5a. Clients: 5 Per Day; 15-20 Per Week.
  - 5b. Customers: 0 Per Day; 0 Per Week.
  - 5c. Sales People: 0 Per Day; 0 Per Week.
  - 5d. Employees: 0 Per Day; 0 Per Week.
6. Where do the clients, customers, sales people or employee's park?
  - 6a. Driveway X ; 6b. Street \_\_\_\_\_ ; 6c. Other (explain) \_\_\_\_\_
7. Will there be any signs? Yes \_\_\_\_\_ ; No X . If yes, then quantity, size and location: \_\_\_\_\_
8. Number and type of Vehicles used for business kept at this property: 0
9. Deliveries? Yes \_\_\_\_\_ ; No X . If yes, then how many per day/week (semi-trucks Fedex, UPS, USPS?) \_\_\_\_\_
10. Does the applicant live in the house? Yes X ; No \_\_\_\_\_
11. Will there any outdoor storage? Yes \_\_\_\_\_ ; No X . If yes, then what will be kept outside? \_\_\_\_\_
12. Will there be any storage of inventory? Yes X ; No X . If yes, then what will be kept? clients records - some
13. Length of time needed or requested? 12 MONTHS
14. Any additional relevant information? (please attach additional information if needed) NO



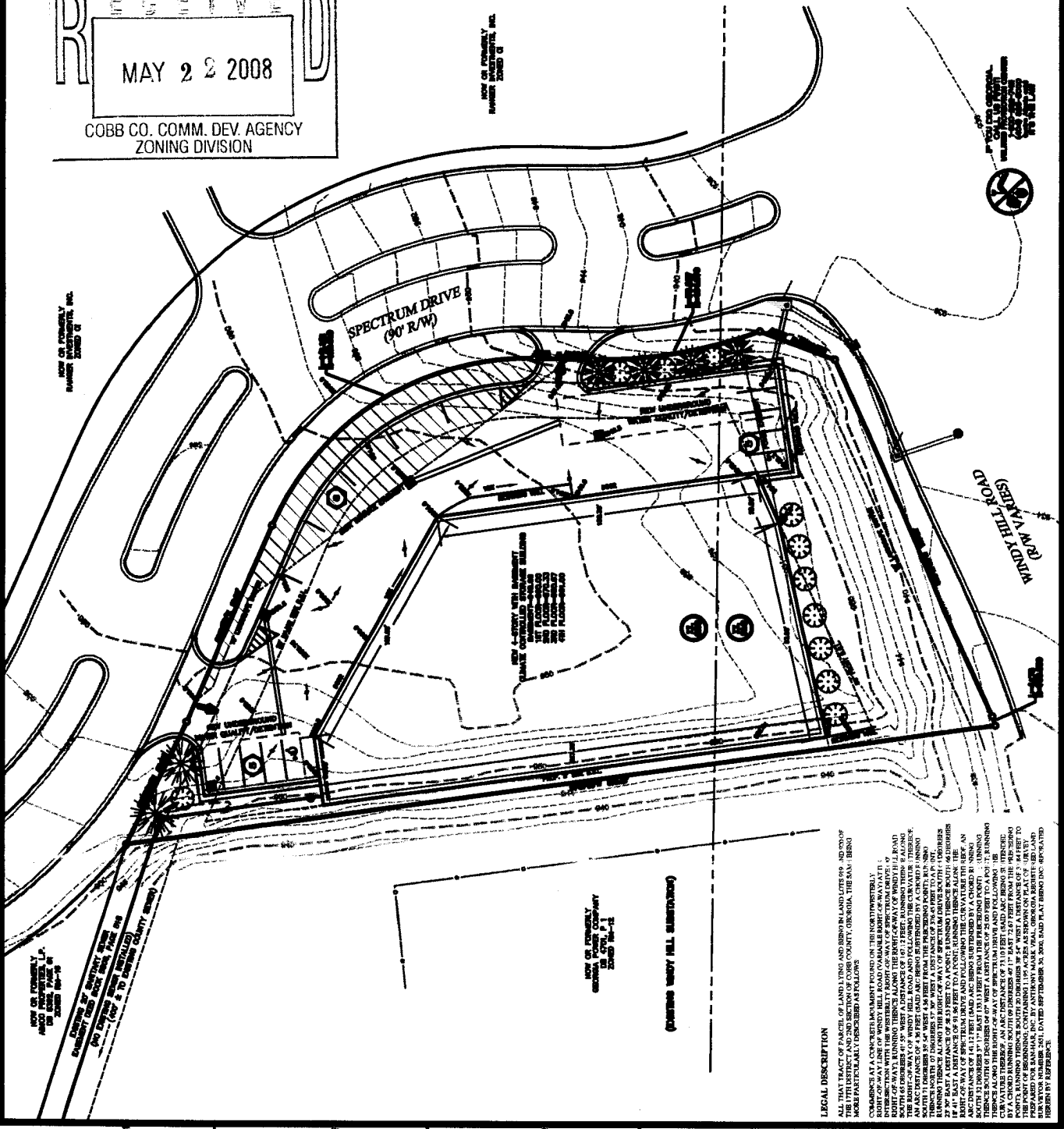
## WINDY HILL ROAD



DATE: 04-25-2008  
 CALE: 1-20  
 N: DBQ145-CP  
 SV:  
 N: 1-DB-Q145  
 N: 151-D-150  
 COPY No. 1 of 1



GRAPHIC SCALE - IN FEET



**LEGAL DESCRIPTION**

[illegible]

VOLUME 145-CP Aug, CONCEPT, CBRN, May, 21, 88-12-33-25 PM, 1:3.1997

**APPLICANT:** Cooke Enterprises, Inc.

678-797-9797

**REPRESENTATIVE:** Sams, Larkin & Huff, LLP

Garvis L. Sams, Jr. 770-422-7016

**TITLEHOLDER:** San-Har, Inc.

**PROPERTY LOCATION:** Located at the northwest intersection of

Windy Hill Road and Spectrum Circle.

**ACCESS TO PROPERTY:** Spectrum Circle

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**FUTURE LAND USE MAP:** Regional Activity Center- Sub Area for High Density Residential

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**

**PETITION NO:** SLUP-11

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** OMR

**PROPOSED ZONING:** SLUP

**PROPOSED USE:** Climate Controlled

Self-Service Storage Facility

**SIZE OF TRACT:** 1.195 acres

**DISTRICT:** 17

**LAND LOT(S):** 919, 920

**PARCEL(S):** 3

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2



APPLICANT/OWNER

**T-Mobile**  
South, LLC  
FOUR CONCOURSE PARKWAY  
SUITE 300  
ATLANTA, GA 30338  
PHONE: (770) 804-8880  
FAX: (770) 350-3049

PREPARED BY:

**WALKER  
ENGINEERING  
INCORPORATED**  
8451 DUNWOODY PLACE  
SANDY SPRINGS, GA 30350  
PHONE: 770-841-7306  
FAX: 770-387-2196

REVISIONS

REV	DATE	DESCRIPTION	BY
A	04/29/08	ISSUED FOR REVIEW	MAJ
B	04/29/08	RE-ISSUED FOR REVIEW	MAJ
C	04/29/08	REVISED FOR REVIEW	MAJ
D	04/29/08	ISSUED FOR CONSTRUCTION	MAJ

SLUP-12  
(2008)



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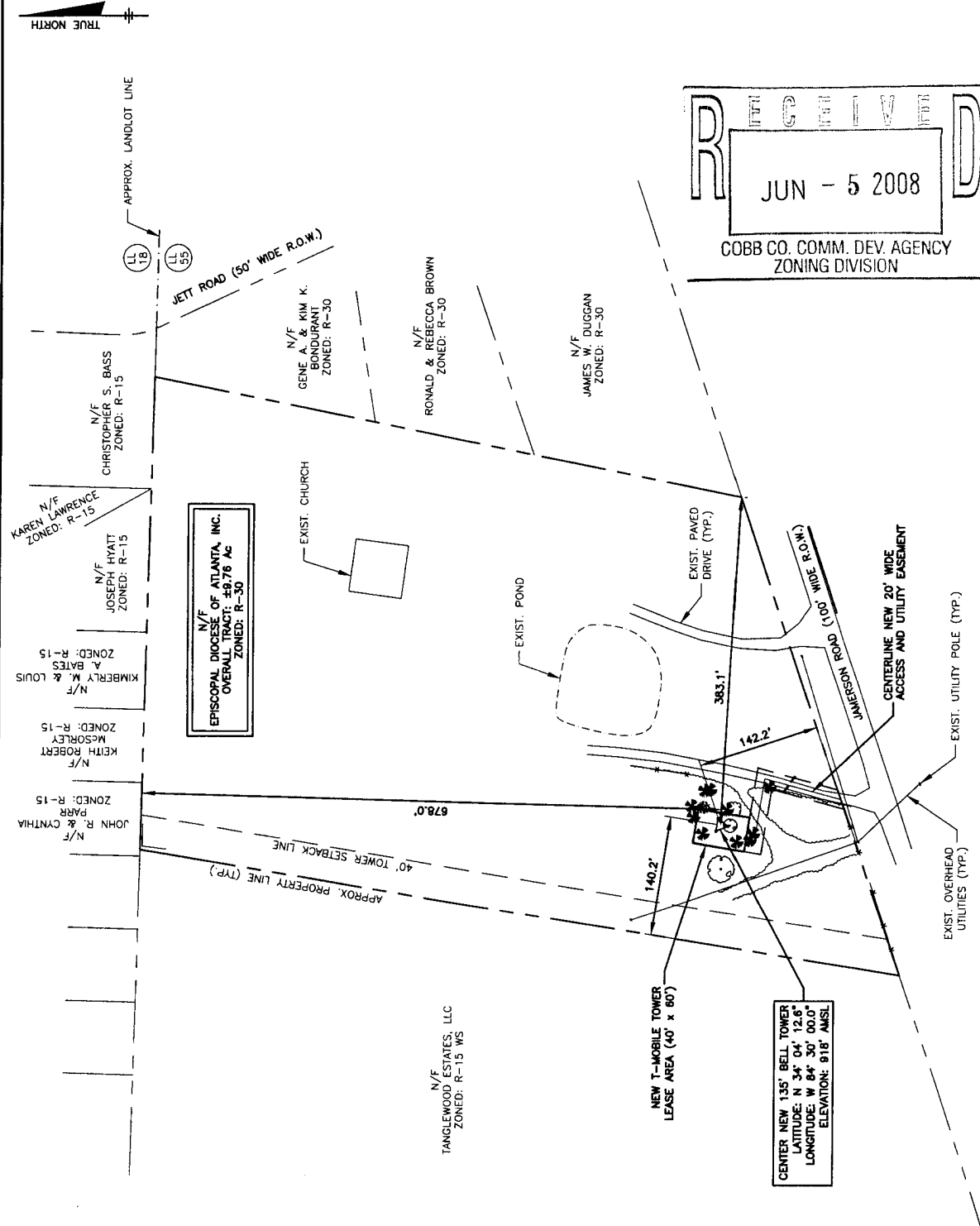
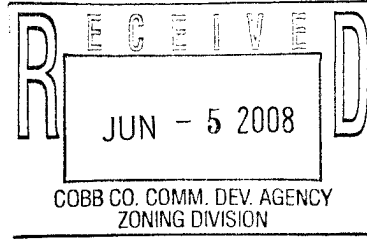
PROJECT LOCATION  
**HAMES ROAD**  
**9AT2081B**  
1673 JAMERSON ROAD  
MARIETTA, GA 30066  
COBB COUNTY

DRAWN BY:	MAJ
CHECKED BY:	MAJ
DATE:	04/29/08
JOB NO.:	0804-0787
SITE NO.:	9AT2081B
DRAWING DESCRIPTION:	

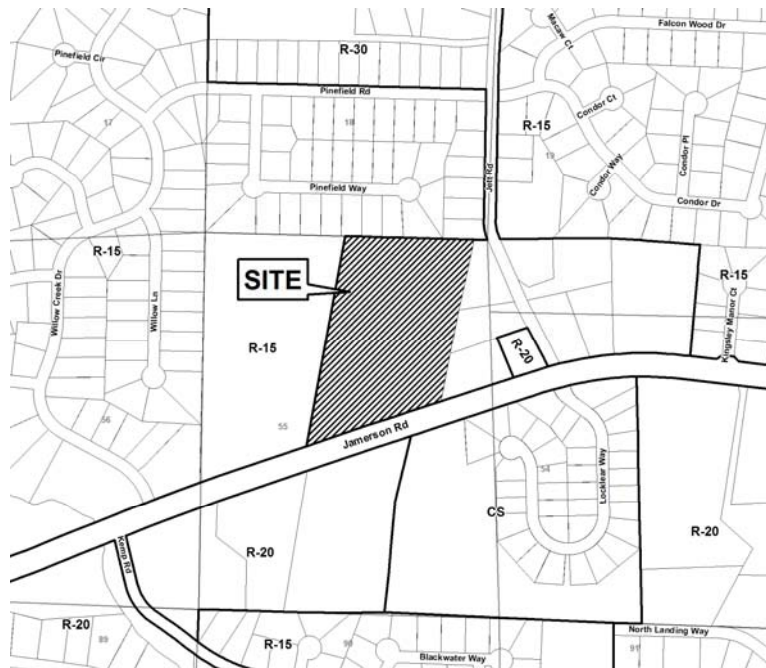
OVERALL SITE PLAN

DRAWING NUMBER:

C3





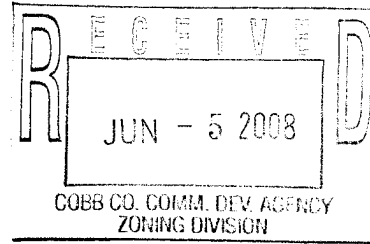




June 5, 2008

**By Hand Delivery**

Cobb County Board of Commissioners  
C/O Cobb County Community Development Department  
191 Lawrence Street  
Marietta, GA 30132



RE: Special Land Use Permit for a Wireless Telecommunications Facility to include a  
135' Stealth Bell Tower located at 1673 Jamerson Road  
Applicant: T-Mobile South, LLC "T-Mobile"  
Site: 9AT2061/Hames Road

Dear Honorable Commissioners:

This Letter of Intent is submitted to the Cobb County Community Development Department in connection with and as support for the above referenced Special Land Use Permit (Application). T-Mobile respectfully submits this request for a Special Land Use Permit for a 135-foot Stealth Bell Tower Facility designed for wireless antennas. The purpose of the communication tower is to provide safe, reliable uninterrupted wireless telecommunication service to the citizen of Cobb County who happen to be T-Mobile customers in the general area of Jamerson Road south of Alabama Road and between Canton Road and Trickum Road and surrounding neighborhoods. T-Mobile initiated its search for a suitable antenna placement within this area first by attempting to co-locate on an existing structure. At present, there are no existing or planned tower structures in or around the search area that would satisfy the coverage objectives and T-Mobile's obligation to the citizens of Cobb County. A Sprint Nextel facility, located approximately one-mile southwest, on Lake Drive, was investigated for possible co-location but did not meet the coverage objectives of T-Mobile due to its distance from the proposed area.

**Site Selection Process**

T-Mobile's Radio Frequency Engineering Division studied the immediate area of Jamerson Road south of Alabama Road and between Canton Road and Trickum Road and surrounding neighborhoods- "the coverage objective" - to determine where a facility would need to be located in order to adequately address that targeted area. The limits of the search area were defined by a ring which encompassed an area approximately 1.25 miles east of Canton Road and 1 mile west of Trickum Road. A search of existing towers or tall structures capable of accommodating T-Mobile's antenna

and equipment was conducted. It was found that these structures were not present in the immediate search area. A Sprint Nextel facility, located on Lake Drive, was investigated for possible co-location but did not meet the coverage objectives of T-Mobile. This tower is located approximately one mile southwest of the proposed site.

The search encompasses residentially zoned properties that are developed with single-family homes. T-Mobile attempts to avoid residentially sensitive areas however, in this particular case it was necessary to pursue a parcel zoned residential. This is becoming more and more of a need for wireless providers as customers use their cell phone instead of their landlines. A Zoning/Tax Map Analysis of the parcels within the search is included with this application as additional Exhibit A.

### **Parcel Description**

The subject parcel is zoned R-30, but is developed with a more office/institutional use - the Church of the Annunciation - Episcopal Church. This parcel includes over 9 acres. The subject parcel is adjoined by tracts zoned R-15 to the north and east, R-30 to the west and a property zoned CS to the south across Jamerson Road.

The parcels to the north and west are developed with single family homes. The proposed Stealth Bell Tower is to be located 680' from the closest parcel to the north and 378.9' to the closest parcel to the east. Both distances are well within the required height of tower from any off-site residential structure. The parcels to the west are currently undeveloped residential lots and the Stealth Bell Tower setback from the closest parcel property line is 144.6', which is again within the height of the tower from any off-site residential structure, if a house were on the parcel. The setback from the right of way of Jamerson Road is proposed to be 138.9' well within the required front yard setback for R30.

Because of the residential nature of this area of Cobb County and the current land use of the subject parcel, T-Mobile proposes a 135-foot Stealth Bell Tower Facility which is more appropriate for a parcel developed with a church. This proposed facility will be placed in front of the Church which is also more appropriate. Also the proposed location places the facility further from existing residential properties which is encouraged by the Cobb County Zoning Ordinance. Furthermore the proposed facility will be well screened with existing vegetation, which will be supplemented with additional plantings if required.

### **Facility Description**

The graveled compound will include a 135-foot Stealth Bell Tower Facility. The structure will be designed for at least two other wireless carriers for a total of three. The communications tower will be accompanied by transmitting equipment mounted on a concrete pad area within a 60' X 40' fenced compound. The site will be accessed by an existing drive.

T-Mobile will take care to maintain as much existing vegetation as possible and said vegetation will be maintained as an undisturbed natural buffer for a visual screen from public views. Once complete the site will be unmanned and visited an average of

once a month for general maintenance. This site will pose no additional burden on County services or utilities.

### **Zoning Requirements**

In accordance with the Cobb County Zoning Ordinance, the following standards and factors are found to be relevant to the exercise of the County's zoning powers and shall govern the review of all proposed amendments to the Land Use Plan:

- 1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property:*

**The proposed wireless telecommunications is to include a Stealth Bell Tower Facility which will be complimentary to the existing church located on the subject parcel. This particular type of structure will have an insignificant impact on adjacent and nearby property in that church's often have steeples or bell towers within residential areas.**

- 2. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property:*

**The proposed wireless facility meets the requirements of the Cobb County Zoning Ordinance which has been developed over time to protect adjacent or nearby properties. The proposed facility will not adversely affect adjacent or nearby properties because of its design, it will be unmanned, will not emit in odor or be visually obtrusive as no artificial lighting will be required on the structure.**

- 3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools:*

**The proposed facility will be unmanned once constructed and will have no impact upon the traffic along Jamerson Road and surrounding streets. In fact this facility, once operational, could have a positive impact upon traffic flow as wireless communications will be available to commuters and there will be needed coverage in the event of emergency calls.**

- 4. Whether the zoning proposal is in conformity with the policy and intent of the land use plan:*

**The current property zoning is R30 which allows wireless facilities. Additionally, the subject parcel is developed with a church which often have alternative designs or stealth structures approved through this process.**

5. *Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change:*

**The proposed facility meets the following criteria:**

- **Meets all applicable setbacks;**
- **Less than 150' (135' feet in height);**
- **An alternative design that will blend with the current use of the subject property;**
- **Will be well screened by existing natural vegetation;**
- **Provide a required service to T-Mobile customers**

**Due to this, the site meets the intent and law of the Cobb County Zoning Ordinance and should therefore be approved.**

In support of the attached application the following is submitted with this Application:

- SLUP Application
- Property Deed
- Legal Description
- Tax Map
- Zoning/Tax Map Analysis of the Search Area (Exhibit A)
- Title Report for the Subject Property
- RF Letter demonstrating need with an inventory of T-Mobile sites and propagation maps (Exhibit B)
- Constitutional Challenge (Exhibit C)
- Property Exempt from Property Tax - Church
- Five copies of survey, site plan with tower elevation (11" X 17")
- Two copies of survey, site plan with tower elevation (8 ½" X 11")

I will be happy to answer any questions or provide additional information if requested.  
Please feel free to give me a call at (678) 920 – 1262.

Sincerely,



Lannie Greene  
Zoning & Permitting Specialist  
Mitrix, Inc. for T-Mobile South, LLC

LOWERSOURCE, INC.  
1000 HAZARD WOODS DRIVE  
SUITE 100  
FARMINGTON, CT 06030  
TEL: 860-646-1100  
FAX: 860-646-1101

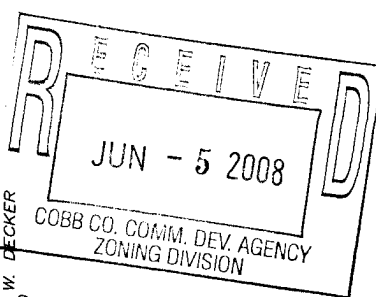
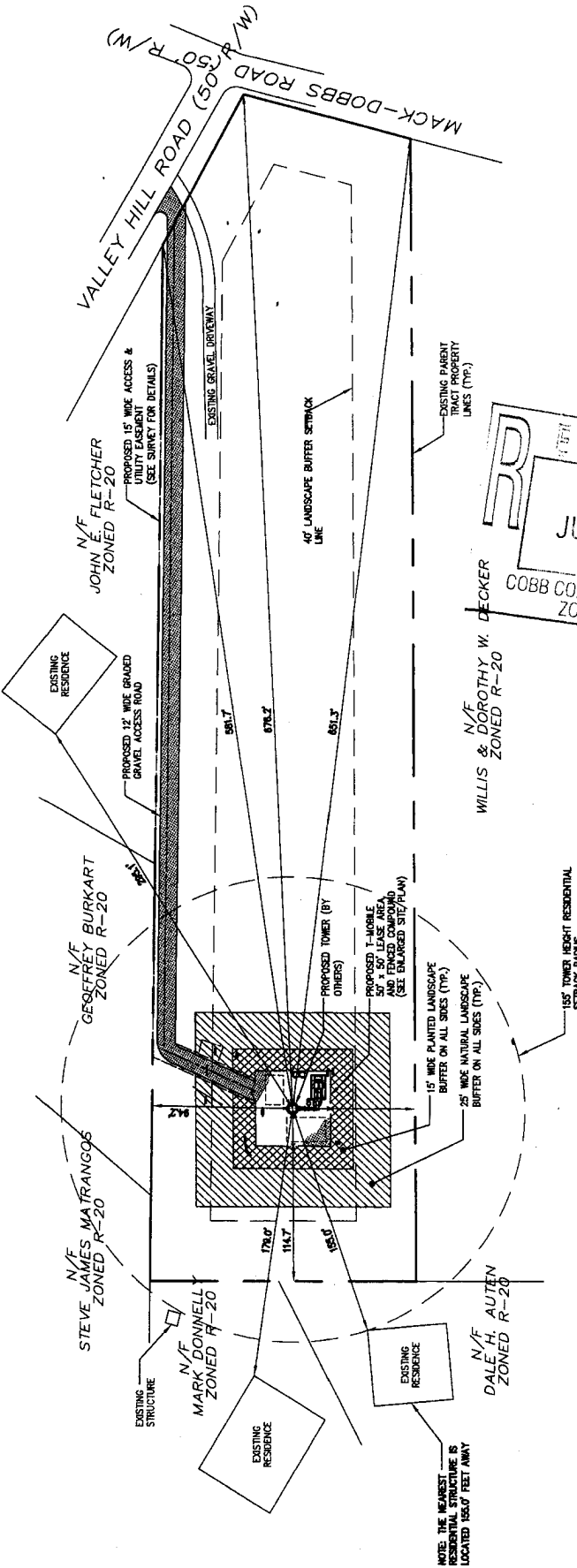
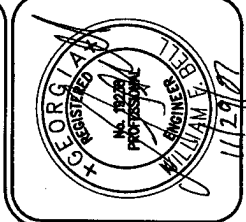
1072	DATE	DESCRIPTION
11/28/07	ISSUED FOR CONSTRUCTION	
11/28/07	ISSUED FOR REVIEW	
11/28/07	ISSUED FOR CONSTRUCTION	
11/28/07	ISSUED FOR REVIEW	
11/28/07	ISSUED FOR CONSTRUCTION	
11/28/07	ISSUED FOR REVIEW	

Mobile-South, LLC

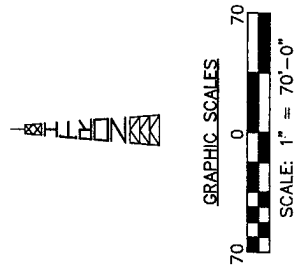
SLUP-13  
(2008)

COUNTRY CREEK  
OVERALL SITE PLAN

C-2



OVERALL SITE PLAN  
SCALE: 1" = 70'-0"



**APPLICANT:** Mitrix Inc. for T-Mobile South, LLC  
404-441-3602

**REPRESENTATIVE:** Sarran Marshall  
404-391-8498

**TITLEHOLDER:** Robert Alton Jackson

**PROPERTY LOCATION:** Located at the southwest intersection of  
Mack Dobbs Road and Valley Hill Road.

**ACCESS TO PROPERTY:** Valley Hill Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** SLUP-13

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** Special Land Use

Permit

**PROPOSED USE:** 150-foot

Telecommunications Tower and Equipment

**SIZE OF TRACT:** 3 acres

**DISTRICT:** 20

**LAND LOT(S):** 201

**PARCEL(S):** 9

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**FUTURE LAND USE MAP:** Low Density Residential

**\*See Exhibit "A" for Letter of Intent**

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

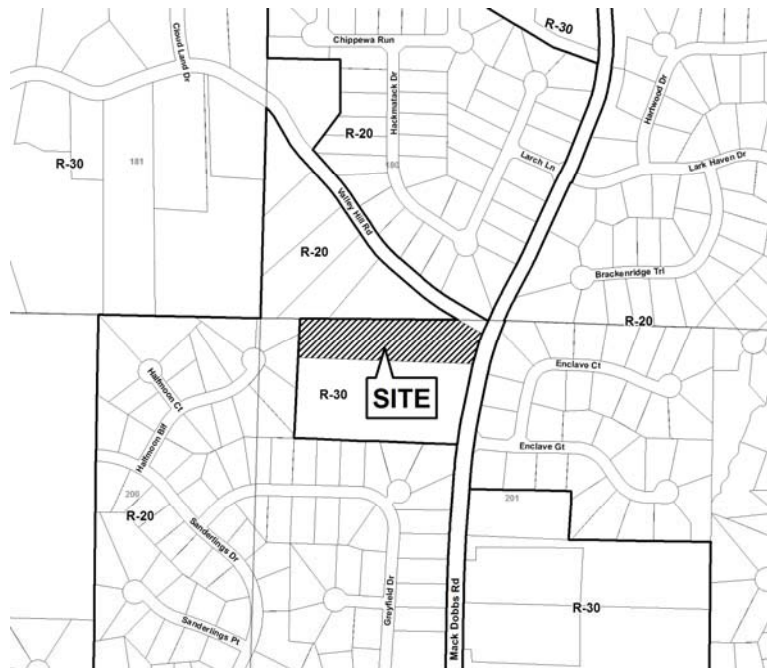
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**

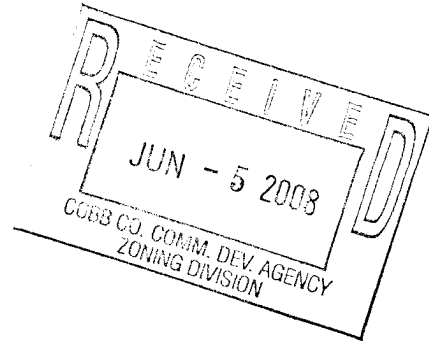




May 26, 2008

**By Hand Delivery**

Mr. John Pederson  
Senior Planner  
Cobb County Community Development Department  
191 Lawrence Street,  
Marietta, GA 30132



RE: Special Use Application – 2095 Mack Dobbs Road, Kennesaw GA 30144  
#20-0201-0-009-0-0000-0-00 consisting of approximately 3.0 Acres. Purpose:  
Development of a Wireless Telecommunications Facility; Applicant: T-Mobile South,  
LLC. "T-Mobile"

Dear Mr. Pederson:

This letter is being written in tandem with a completed Special Use Permit Application requesting approval to construct and operate a wireless telecommunications facility on the above referenced parcel. The purpose of this facility is to provide safe, reliable uninterrupted wireless telecommunication service to the citizens of Cobb County, who happen to be T-Mobile customers, in the area west of the City of Kennesaw between US-41 and Stilesboro Road {See attached Search Area Map – Exhibit A (Section 4)}. T-Mobile initiated its search for suitable antenna placement within this area by first attempting to collocate on an existing tower structure. At present, there are no existing or planned tower structures within or around the search area that would satisfy the coverage objective and T-Mobile's obligation to the citizens of Cobb County. The closest tower facility to the search area is approximately 1.21 miles northeast of the center of the search area {Exhibit A (Section 4)} and already contains T-Mobile antennas and transmitting equipment. Alternatively, a search for non-residentially zoned properties was also initiated; however the entire search area consists of properties that belong to the single family residential zoning district. Non-residentially used properties and other large parcels within the search area were then targeted, with the subject property being the best available option for placing a facility within and adjacent to the search area.

**Site Selection Process:**

T-Mobile's Radio Frequency Engineering Division studied the immediate area between US-41 and Stilesboro Road, west of Kennesaw Due West Road and East of Acworth Due West Road - the "coverage objective" - to determine where a facility would need to be located in order to adequately address the targeted area. The limits of this search area were defined by a ring of approximately 0.5 miles in radius with its center



near the intersection of Ellis Road and Mack Dobbs Road [Exhibit B (Section 4)]. A search for any existing tower facilities or tall structures capable of accommodating T-Mobile's antennas and equipment was conducted. It was found that these structures were not present in that area. At present, there are no existing or planned facilities within 1 mile of the center of the search area. The closest facility is approximately 1.21 miles northeast of the center of the search area. Following, a search for non-residentially zoned properties that would best comply with the requirements of the Cobb County zoning ordinance was also conducted. It was found that the search area consists of the Single Family Residential Zoning Districts – there were no non-residentially zoned properties within or near the search area {Exhibits C and D (Section 4)}. The closest non-residential district is approximately 1.07 miles north of the search area at the location of T-Mobile's existing facility (collocation). A search for non-residentially used property was then conducted; however none was available within the search area. A large portion of the search area consists of planned subdivisions with established single-family residential communities {See attached Tax Map Analysis in Section 5}. Next, a search for large properties that would offer the best elevation and screening with the least impact to the surrounding properties was conducted. Several parcels were identified, however in many cases several of them would still not satisfy the minimum setback requirements and others were simply too far away to effectively address the coverage objective. Of those properties evaluated, parcel 009 had sufficient lot size and the owner was willing to consider the placement of a telecommunication facility on the property. This property is partially wooded with dense mature vegetation in some areas which provide a natural buffer that would effectively screen the proposed location of the facility. Additionally, the selected property has sufficient elevation and would satisfy the coverage objective based on RF engineer review.

### **Parcel Description**

The subject property is a rectangular shaped parcel consisting of approximately 3.0 acres located at the southwest corner of Mack Dobbs Road and Valley Hill Road. The parcel is zoned R-30 and is bounded on all sides by R-20 zoned parcels. It currently occupies the residence of the property owner which is located approximately 456 feet from the proposed facility. The topography is generally level near the front of the parcel then slopes downward approximately 290 feet from the right-of-way of Mack Dobbs Road to the proposed site with a change in elevation of 20 feet. T-Mobile selected the undeveloped portion at the rear of the parcel for placement of the facility primarily because it is large enough to meet the development requirements of the Cobb County ordinance and can accommodate placement of the facility with less obtrusion to the surrounding community. Dense mature vegetation also exists at the rear of the property which offers natural vegetative screening and buffering of the site and lower portions of the facility.

### **Facility Description:**

The proposed facility will consist of a 150-foot "pine tree" style telecommunications facility designed to accommodate T-Mobile and two other wireless service providers that offer similar telecommunication services. The tower structure will

be accompanied by transmitting equipment mounted on a concrete pad area on the ground contained within a 50'x 50' fenced compound. The compound fencing will be composed of decay resistant material, a minimum of six feet in height and contain anti-climbing devices. The facility will be strategically placed in an area approximately 651 feet west of the Mack Dobbs Road right-of-way. A gravel road extending from Valley Hill Road in a westerly direction will provide access to the site. When completed the facility will be unmanned and will not utilize county water or sewer facilities. Traffic will be limited to monthly visits by service personnel. The development plan will seek to preserve the maximum number of existing trees to buffer the site from view.

### **Need for the Proposed Facility:**

T-Mobile's RF engineers have carefully evaluated the coverage objective to determine where a facility would need to be placed in order to properly address service deficiencies. Utilizing existing facilities and structures is always the very first option before a decision is made to build a new facility. This is evident based on T-Mobile's inventory of wireless facilities in Cobb County. As shown on T-Mobile's inventory of existing sites, more than 91% of T-Mobile's facilities are collocations. Additionally, all sites surrounding our coverage objective are collocations. The attached RF letter (Tab 4) with associated maps and coverage plots, with and without the proposed site, was submitted with the application materials. These documents further justify the need for the proposed facility based on existing coverage deficiencies within the coverage objective. Careful review of the submitted coverage plots shows that the proposed site is properly spaced between the existing active sites which would help establish a more efficient and effective network design. This will allow T-Mobile to meet current demands for reliable, uninterrupted wireless PCS service in this portion of Cobb County. Studies show that mobile phone usage in the home increased from **6% of all minutes in 1999 to 27% in 2006**. Recent data from T-Mobile identified the quantity of emergency calls recorded from those sectors of the antenna on surrounding active sites that are directed to our coverage objective. It is recorded that **3,408 E911 calls** were processed on just those antennas from April 1 to May 31, 2007. That's an average of **1,136 calls per month** - in a 61 day period, approximately **38 calls per day**. These emergency calls will not be transmitted if they are made in areas where there is currently no service. This shows the direct impact that wireless PCS coverage has on personal and public safety.

### **Zoning Considerations:**

In accordance with section 134-273 of the Cobb County Code, the proposed development adheres to the following standards:

*Setbacks: Section 6e-4. All towers in excess of 70 feet must be setback a distance equal to the full height of the tower from any adjoining off-site residential structure or as safety concerns may dictate. **The proposed facility satisfies or exceeds the distance requirement for the 150' facility. The closest residential structure is approximately 155 feet west of the property. The proposed setbacks on all other sides greatly exceed the requirement.***

*District Building Setbacks: Section 134-197 of Article IV requires a minimum front yard setback of 50 feet, side yard setbacks of 25', and a rear yard setback of 40'.* **T-Mobile has taken care to comply with the provisions of the Cobb County's zoning ordinance by placing the facility a minimum distance of approximately 80 feet from the closest property line (south). These distances are called out from the edge of the facility on the attached site plan. Additionally, complete legal descriptions of the subject parcel and the proposed T-Mobile Lease Area are contained on page 1 of the accompanying survey (Tab 4).**

*Landscaping: Any commercial tower or antenna which abuts a residentially zoned property shall have a minimum 40 foot setback from the residential property, 15 feet of which would be a landscaped screening buffer between the tower and the residentially zoned property which will be subject to county staff approval."* **The proposed facility is located within a densely wooded portion of the western side of the property. The proposed orientation of the facility will require the removal of some trees which would be replaced with new landscaping. If staff sees it necessary to allow the existing natural vegetation to remain within the required 15-foot landscape buffer, T-Mobile will be happy to comply with that request. Regardless, all required landscaping requirement will be satisfied.**

*Separation: Section 6e-7 requires that any facility 90 feet in height or greater seeking approval under the provisions of this section must be a minimum distance of one-quarter (1/4) mile from any tower 90 feet in height or greater previously permitted by the board of commissioners.* **The proposed facility is 1.21 miles from the nearest facility which also contains T-Mobile's antennas and equipment.**

In support of the attached application T-Mobile South, LLC encloses the following:

1. Letter of Intent (*Sec. 1*).
2. A completed Special Use Application signed and notarized by T-Mobile and the property owner with Campaign and Financial Disclosures; copy of the warranty deed that reflects the current owner(s) of the property (*Sec. 2*);
3. Five copies of the survey, site plan and tower elevation (including two (2) 8 1/2" x 11" copies) (*Sec. 3*);
4. RF letter demonstrating need, Search Area Maps, Propagation Maps and Inventory of T-Mobile's sites (*Sec. 4*);
5. Tax Map Analysis (*Sec. 5*);
6. Fall Zone Letter and FAA Letter (*Sec. 6*);
7. Constitutional Challenge (*Sec. 7*);
8. Photo-simulations showing "pine-tree" like facility in its proposed location on the subject property (*Sec. 8*);
9. T-Mobile's License (*Sec. 9*);
10. A copy of the taxes paid for the subject property, and copies of the \$150.00 check for the application fee and the \$300.00 sign posting fee (*Sec. 10*).

In conclusion, T-Mobile has selected this site and carefully designed the facility to comply with the provisions of the Cobb County zoning ordinance. Specifically, T-Mobile wishes to highlight the following: The parcel is zoned R-30 which allows the construction of telecommunications facilities. The tower placement on the site complies with the specific setback provisions of the Cobb County ordinance being situated at least 80 feet from the closest property line and 651 feet from Mack Dobbs Road. Finally, the tower's design for multiple uses will limit the need for additional towers in the area.

In light of its compliance with all the provisions of the Cobb County ordinance, T-Mobile South, LLC respectfully requests that the Cobb County Planning Board of Commissioners approve its application as submitted.

Sincerely,



Sarran Marshall  
Zoning & Permitting Specialist  
Mittrix, Inc. – for T-Mobile South, LLC

SDM: enclosures



**APPLICANT:** T-Mobile c/o Compass Technology Services

404-226-8915

**REPRESENTATIVE:** Kimberly J. Adams

404-226-8915

**TITLEHOLDER:** Tony K. and Mary Turner

**PROPERTY LOCATION:** Located on the west side of Dallas Acworth  
Highway (Ga. Highway 92), north of Cheatham Road.

**ACCESS TO PROPERTY:** Dallas Acworth Highway (Ga. Highway  
92)

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** SLUP-14

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** Special Land Use

Permit

**PROPOSED USE:** 199-foot

Telecommunications Tower and Equipment

**SIZE OF TRACT:** 4.86 acres

**DISTRICT:** 20

**LAND LOT(S):** 78

**PARCEL(S):** 98

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 1

**FUTURE LAND USE MAP: Rural Residential**

**\*see Exhibit "A" for Letter of Intent**

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

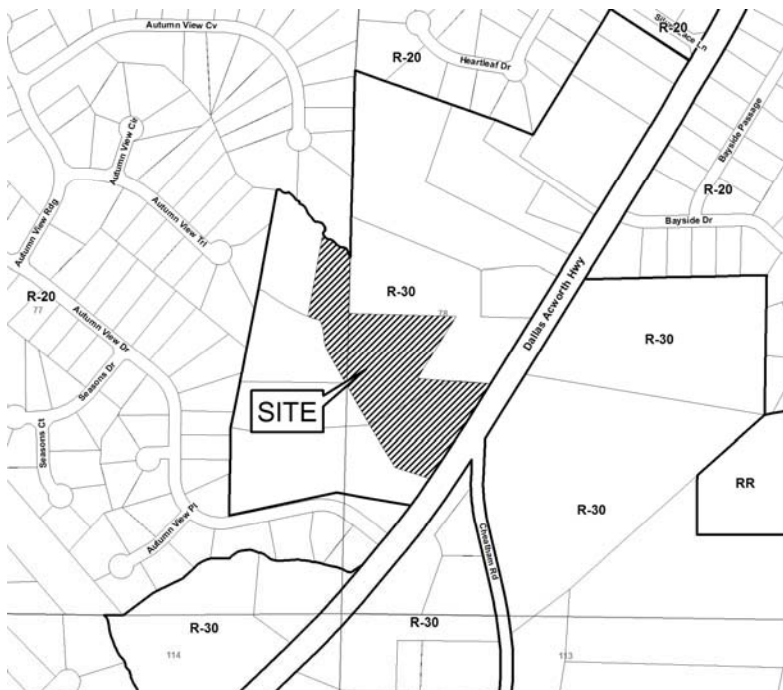
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**

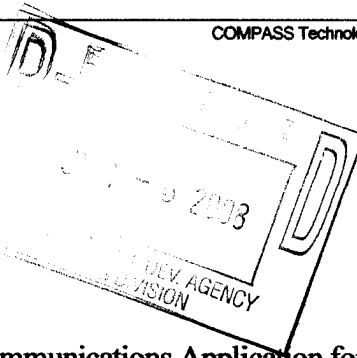




COMPASS Technology Services, Inc • 5449 Bells Ferry Road • Acworth, GA 30102  
Phone: 404-226-8915 • Fax: 404-529-4414

June 5, 2008

Mark Danneman  
Cobb County Zoning Administrator  
191 Lawrence Street  
Marietta, GA 30060



Re: T-Mobile's Telecommunications Application for Special Land Use Permit  
At 3709 Dallas-Acworth Highway (Georgia Highway 92), Acworth  
Cobb County Parcel Number 20007800980  
(T-Mobile Site "Autumn View")

Dear Mr. Danneman:

This letter is written in support of T-Mobile's above-referenced special land use permit application for a proposed telecommunications alternative structure facility. T-Mobile proposes to construct a 195 foot monopole facility (with an additional four foot lightning rod allowance) to provide its FCC mandated wireless telecommunication service to the northwest portion of Cobb County along the Highway 92 corridor and surrounding neighborhoods.

#### Description of Proposed Monopole Facility

The subject property consists of an approximately 4.86 acre tract zoned R-30, and T-Mobile proposes to construct a monopole tower and wireless telecommunications facility.

The purpose of the proposed monopole facility is to provide requisite wireless telecommunications service to the northwest portion of Cobb County. The existing network is not capable of providing the level of coverage required by the customer base in this portion of the County. Specifically, this proposed site will provide coverage along busy Highway 92 corridor and the surrounding neighborhoods. In addition to meeting T-Mobile Communications' requisite service needs, the proposed monopole facility will have the added benefit of accommodating three other carriers who could co-locate its antennas on the proposed monopole.

The proposed monopole facility will be sited on the subject property in a manner designed to minimize its impact on any other properties. The proposed facility will be located in a portion of the property that is buffered by tree growth. The setbacks and existing vegetative growth as well as a proposed landscape strip will provide a buffer to screen the view of the monopole facility from adjacent roads and properties.

The proposed monopole has been designed to be as aesthetically attractive and compatible with the surrounding area as possible. The monopole will be more slender and considerably less visually obtrusive than traditional lattice towers. Finally, the monopole will be constructed of galvanized steel and 195 feet in height with an additional four foot lightning rod.

The proposed facility will be unmanned and will not require water or sewer service. This unmanned site is designed such that it requires minimal visits by a field engineer to maintain the facility of approximately two visits a month. Therefore, the proposed site will not have any substantial negative effect to the traffic, noise, or safety of the surrounding area. The site will be secured with the requisite fencing to prevent unauthorized access. Finally, the proposed site will not cause detriment to the surrounding properties or property owners.

There are no existing towers or other tall structures located within or near T-Mobile's requisite service area on which to locate its antennas. Additional justification and documentation have been provided to by T-Mobile's Radio Frequency Engineer to further address this issue. The proposed property was selected because it is of a multi-acreage tract that is well buffered with existing mature tree growth thus providing better buffering from the surrounding properties and Dallas-Acworth Highway.

#### Compliance with the Zoning Ordinance

T-Mobile's proposed monopole facility will comply with all of the standards of the Cobb County Zoning Ordinance. Pursuant to Section 134-273 (2), T-Mobile proposed facility is allowed with a special land use permit, and such approval is therefore requested to construct this facility. The following information is provided in response to the requirements of Section 134-273:

1. *Setbacks:* The proposed monopole facility meets the Cobb County requirement that the tower be set back a distance equal to the full height of the tower from any adjoining off-site residential structure or as safety dictates. The total tip height of the proposed monopole with lightning rod will not exceed 199 feet, and the closest off-site residential structure is located 270 feet from the proposed monopole.
2. *Accessory Structure:* There will be a small unmanned equipment cabinet at the base of the proposed monopole that will house T-Mobile's switch equipment and is appropriate in scale and intensity with the proposed site.
3. *Fencing:* The proposed monopole facility will be surrounded by an eight security fencing to prevent unauthorized access to the site.
4. *Regulatory Compliance:* The proposed monopole facility will meet or exceed all requirements and standards of the FAA, the FCC, and other governing agencies as may be established and amended.
5. *Structural Compliance:* As required by the Cobb County Zoning Ordinance, at the time of filing for building permit, tower drawings for the monopole will be submitted that have been certified by an independent registered structural engineer as meeting all current safety and design standards of all applicable codes.
6. *Collocation:* T-Mobile has explored the usage of any existing towers and there are no such towers located in or near the area to meet T-Mobile's coverage objectives. Therefore, a new tower is required, but the proposed monopole will be constructed to accommodate three additional carriers so that it may collocate on the facility as well.
7. *Nonresidential Sites:* Unfortunately, there is not any non-residentially zoned or used property available in the area on which to locate T-Mobile's site. The Northwest Christian Church on the adjoining property was contacted about potential tower placement, but T-Mobile was unable to negotiate a lease



agreement with this owner. Finally, the subject property is a multi-acreage tract and consistent with the standard of discouraging the usage of platted residential subdivision lots.

8. *Height:* The proposed monopole height of 195 feet (199 feet with lightning rod) is the minimum height required to meet T-Mobile's coverage objectives for this area.
9. *Abandonment:* In the unlikely event that T-Mobile should cease operate at this site for a twenty-four month period, T-Mobile understands the special land use permit will be revoked.
10. *Landscaping:* The proposed monopole facility is in compliance with the requirement that a 40 foot setback, 15 feet of which must be a landscape strip, be provided when adjoining residentially zoned property. The proposed fenced compound is located at least 40 feet from all property lines and will be surrounded by a 15 landscape buffer that complies with Cobb County's tree and landscaping requirements. The minimum height of the proposed landscaping trees will be five feet tall at the time of planting, and it will be regularly maintained.

Finally, T-Mobile has submitted all of the requisite application materials including but not limited to the proposed site plan, T-Mobile's coverage plots and site objective report, and Section 106 Report.

#### Critical Need for This Cell Site

Additionally, T-Mobile submits the following information to help clarify its need for the proposed monopole.

T-Mobile offers two-way wireless telephone service through its use of a wireless radio system. To provide public radio service, a carrier must obtain from the Federal Communications Commission ("FCC") both a permit to construct the requisite facilities and a license to operate a system in defined service areas using designated radio frequencies. The FCC has approved T-Mobile for the subject service area, and T-Mobile is currently offering wireless telecommunications service pursuant to the rules and regulations of the FCC.

In a cellular radio system, low powered transmitters and stored program controllers are located at certain points ("cell-sites") throughout the cellular service area. The cell-sites are connected by telephone facilities to a central switching center. In conjunction with the equipment at the cell-sites, the central switching center provides two critical functions relating to the operation of each system. First, it supervises the setting up of each call and establishes the connection that routes the call over the trunk that leads to the low powered transmitter nearest the mobile unit. Second, the central switching center further reroutes the call to a second low powered transmitter that initially conducted the radio transmission. Regular cable telephone facilities interconnect the central switching center to public telephone networks. Thus, subscribers with mobile telephones are provided with regular telephone service quality.

Currently, in the subject service area approved by the FCC, a network of cell-sites and central switching centers has been installed. In order to provide quality service to all parts of the subject service area, T-Mobile must install additional cell-sites. The height and location of the antennas in the grid system of a cellular radio system (taking into account the contour of the land and the radius of the antennas' reliable transmission area) dictate that each cell-site be precisely located within the grid relative to other cell-sites and

the central switching center. The grid for the subject service area establishes that the subject property be one of the cell-sites for the subject cellular radio system.

Statement of Constitutional Rights

Finally, for the purpose of preserving its legal rights, T-Mobile sets forth the following statement of its constitutional rights.

An unnecessary hardship would be created by the denial of the requested special land use permit. Any modification of the grid system and/or relocation of the cell-sites would cause the applicant irreparable damage in terms of time and expense.

The special land use permit requested, if granted, would not cause substantial detriment to the public good or impair the purposes or the intent of the Cobb County Code. The property is zoned such to allow the particular use intended. The monopole and the equipment structures will not interfere with the current or future use of surrounding properties.

Failure to grant the requested special land use permit would be unconstitutional and would constitute a taking of property without just and adequate compensation and without due process of law in violation of the Fourteenth Amendment to the United States Constitution and Article 1, Section 1, Paragraph 1 and Article 1, Section III, Paragraph 1 of the Constitution of Georgia. A denial of the requested special land use permit would also be unconstitutional because it would discriminate in an arbitrary and capricious manner between T-Mobile and the owner of the subject property and owners of similarly situated property in violation of Article 1, Section III, Paragraph III of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Such denial would deprive T-Mobile and the property owner of their liberty and property rights. Such action would not substantially advance legitimate state interests but would cause T-Mobile and the property owner significant detriment.

For all the above reasons, T-Mobile respectfully requests that the necessary special land use permit requested be granted.

Very truly yours,

T-Mobile South LLC



Kimberly J. Adams  
Zoning and Permitting Manager  
COMPASS Technology Services  
Agent for T-Mobile South LLC



APPLICANT: T-Mobile

404-226-8915

REPRESENTATIVE: Kimberly J. Adams

404-226-8915

TITLEHOLDER: East Cobb Presbyterian Church (PCA), Inc.

PROPERTY LOCATION: Located on the southeasterly side of

Roswell Road, south of Shady Hill Road.

ACCESS TO PROPERTY: Roswell Road

PHYSICAL CHARACTERISTICS TO SITE: \_\_\_\_\_

#### CONTIGUOUS ZONING/DEVELOPMENT

NORTH:

SOUTH:

EAST:

WEST:

PETITION NO: SLUP-15

HEARING DATE (PC): 08-05-08

HEARING DATE (BOC): 08-19-08

PRESENT ZONING: R-80

PROPOSED ZONING: Special Land Use

Permit

PROPOSED USE: 120-Foot

Telecommunications Tower

SIZE OF TRACT: 8.15 acres

DISTRICT: 1

LAND LOT(S): 17

PARCEL(S): 9

TAXES: PAID Exempt DUE \_\_\_\_\_

COMMISSION DISTRICT: 2

FUTURE LAND USE MAP: Public Institutional

\*see Exhibit "A" for Letter of Intent

OPPOSITION: NO. OPPOSED \_\_\_\_\_ PETITION NO: \_\_\_\_\_ SPOKESMAN \_\_\_\_\_

#### PLANNING COMMISSION RECOMMENDATION

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

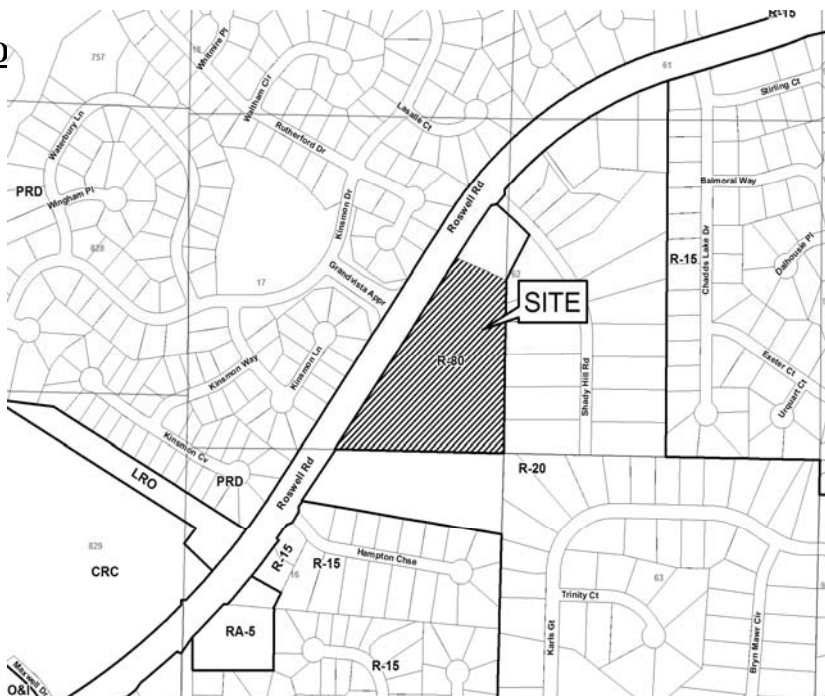
#### BOARD OF COMMISSIONERS DECISION

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

STIPULATIONS:





COMPASS Technology Services, Inc. • 5449 Bells Ferry Road • Acworth, GA 30102  
Phone: 404-226-8915 • Fax: 404-529-4414

April 3, 2008

Mark Danneman  
Cobb County Zoning Administrator  
191 Lawrence Street  
Marietta, GA 30060

Re: T-Mobile's Telecommunications Application for Special Land Use Permit  
At East Cobb Presbyterian Church, 4616 Roswell Road, Marietta  
Cobb County Parcel Number 01-0017-0-003-0  
(T-Mobile Site "Shady Hill")

Dear Mr. Danneman:

This letter is written in support of T-Mobile's above-referenced special land use permit application for a proposed telecommunications alternative structure facility. T-Mobile proposes to construct a 120 foot monopine facility to provide its FCC mandated wireless telecommunication service to the eastern portion of Cobb County along the Roswell Road corridor and surrounding neighborhoods.

Description of Proposed Monopole Facility

The subject property consists of an approximately 8.15 acre tract zoned R-80, and T-Mobile proposes to construct an alternative structure pine tree and wireless telecommunications facility. The subject property is currently owned by and the site of East Cobb Presbyterian Church.

The purpose of the proposed monopine facility is to provide requisite wireless telecommunications service to the eastern portion of Cobb County. The existing network is not capable of providing the level of coverage required by the customer base in this portion of the County. Specifically, this proposed site will provide coverage along the busy Roswell Road corridor near the Shady Hill Road intersection and the surrounding neighborhoods. In addition to meeting T-Mobile Communications' requisite service needs, the proposed monopine facility will have the added benefit of accommodating one other carrier who could co-locate its antennas on the proposed monopine.

The proposed monopine facility will be sited on the subject property in a manner designed to minimize its impact on any other properties. The proposed facility will be located in a portion of the property that is buffered by mature tree along the southern property line and existing pine trees and high tension power lines between the site and Roswell Road to the west. The setbacks and existing vegetative growth as well as a proposed landscape strip will provide a buffer to screen the view of the monopine facility from adjacent roads and properties.

The proposed monopine has been designed to be as aesthetically attractive and compatible with the surrounding area as possible. This alternative structure is designed to resemble a pine tree with branches to

shroud the equipment and blend with the surrounding area.

The proposed facility will be unmanned and will not require water or sewer service. This unmanned site is designed such that it requires minimal visits by a field engineer to maintain the facility of approximately two visits a month. The field engineer will utilize an existing access drive into the subject property. Therefore, the proposed site will not have any substantial negative effect to the traffic, noise, or safety of the surrounding area. The site will be secured with the requisite fencing to prevent unauthorized access. Finally, the proposed site will not cause detriment to the surrounding properties or property owners.

There are no existing towers or other tall structures located within or near T-Mobile's requisite service area on which to locate its antennas. Additional justification and documentation have been provided to by T-Mobile's Radio Frequency Engineer to further address this issue. The proposed property was selected because it is of a non-residentially used, large acreage tract that is well buffered with existing mature tree growth thus providing better buffering from the surrounding properties.

#### Compliance with the Zoning Ordinance

T-Mobile's proposed monopine facility will comply with all of the standards of the Cobb County Zoning Ordinance. Pursuant to Section 134-273 (2)), T-Mobile proposed facility is allowed with a special land use permit, and such approval is therefore requested to construct this facility. The following information is provided in response to the requirements of Section 134-273:

1. *Setbacks:* The proposed monopine facility meets the Cobb County requirement that the tower be set back a distance equal to the full height of the tower from any adjoining off-site residential structure or as safety dictates. The total tip height of the proposed monopine with lightning rod will not exceed 126 feet, and the closest off-site residential structure is located 138.7 feet from the proposed monopine.
2. *Accessory Structure:* There will be a small unmanned equipment cabinet at the base of the proposed monopine that will house T-Mobile's switch equipment, and it is appropriate in scale and intensity with the proposed site.
3. *Fencing:* The proposed monopine facility will be surrounded by security fencing to prevent unauthorized access to the site. T-Mobile proposes to utilize a eight foot tall wooden privacy fence to surround the proposed compound.
4. *Regulatory Compliance:* The proposed monopine facility will meet or exceed all requirements and standards of the FAA, the FCC, and other governing agencies as may be established and amended.
5. *Structural Compliance:* As required by the Cobb County Zoning Ordinance, at the time of filing for building permit, tower drawings for the monopine will be submitted that have been certified by an independent registered structural engineer as meeting all current safety and design standards of all applicable codes.
6. *Collocation:* T-Mobile has explored the usage of any existing towers, and unfortunately, there are no such towers located in or near the area to meet T-Mobile's coverage objectives. Therefore, a new tower is required, but the proposed monopine will be constructed to accommodate an additional carrier so that it may collocate on the facility as well.

7. *Nonresidential Sites:* The proposed facility is in compliance with the Code requirement encouraging the usage of non-residential sites and discouraging the usage of platted residential subdivision lots. Although the subject property is residentially zoned, it is a multi-acreage lot that is the site of East Cobb Presbyterian Church which is not a residential use.
8. *Height:* The proposed monopine height of 120 feet (126 feet with lightning rod) is the minimum height required to meet T-Mobile's coverage objectives for this area.
9. *Abandonment:* In the unlikely event that T-Mobile should cease to operate at this site for a twenty-four month period, T-Mobile understands the special land use permit will be revoked.
10. *Landscaping:* The proposed monopine facility is in compliance with the requirement that a 40 foot setback, 15 feet of which must be a landscape strip, be provided when adjoining residentially zoned property. The proposed facility is located at least 50 feet from all property lines and will be surrounded by a 15 landscape buffer that complies with Cobb County's tree and landscaping requirements. The minimum height of the proposed landscaping trees will be five feet tall at the time of planting, and it will be regularly maintained.

Finally, T-Mobile has submitted all of the requisite application materials including but not limited to the proposed site plan, T-Mobile's coverage plots and site objective report, and a copy of the lease agreement between T-Mobile and East Cobb Presbyterian Church.

#### Critical Need for This Cell Site

Additionally, T-Mobile submits the following information to help clarify its need for the proposed monopole.

T-Mobile offers two-way wireless telephone service through its use of a wireless radio system. To provide public radio service, a carrier must obtain from the Federal Communications Commission ("FCC") both a permit to construct the requisite facilities and a license to operate a system in defined service areas using designated radio frequencies. The FCC has approved T-Mobile for the subject service area, and T-Mobile is currently offering wireless telecommunications service pursuant to the rules and regulations of the FCC.

In a cellular radio system, low powered transmitters and stored program controllers are located at certain points ("cell-sites") throughout the cellular service area. The cell-sites are connected by telephone facilities to a central switching center. In conjunction with the equipment at the cell-sites, the central switching center provides two critical functions relating to the operation of each system. First, it supervises the setting up of each call and establishes the connection that routes the call over the trunk that leads to the low powered transmitter nearest the mobile unit. Second, the central switching center further reroutes the call to a second low powered transmitter that initially conducted the radio transmission. Regular cable telephone facilities interconnect the central switching center to public telephone networks. Thus, subscribers with mobile telephones are provided with regular telephone service quality.

Currently, in the subject service area approved by the FCC, a network of cell-sites and central switching centers has been installed. In order to provide quality service to all parts of the subject service area, T-Mobile must install additional cell-sites. The height and location of the antennas in the grid system of a

cellular radio system (taking into account the contour of the land and the radius of the antennas' reliable transmission area) dictate that each cell-site be precisely located within the grid relative to other cell-sites and the central switching center. The grid for the subject service area establishes that the subject property be one of the cell-sites for the subject cellular radio system.

Statement of Constitutional Rights

Finally, for the purpose of preserving its legal rights, T-Mobile sets forth the following statement of its constitutional rights.

An unnecessary hardship would be created by the denial of the requested special land use permit. Any modification of the grid system and/or relocation of the cell-sites would cause the applicant irreparable damage in terms of time and expense.

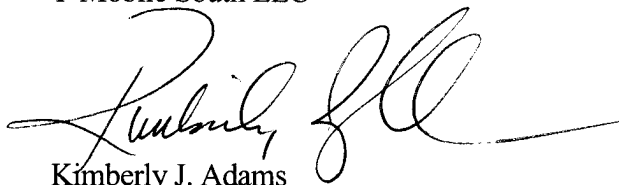
The special land use permit requested, if granted, would not cause substantial detriment to the public good or impair the purposes or the intent of the Cobb County Code. The property is zoned such to allow the particular use intended. The monopine and the equipment structures will not interfere with the current or future use of surrounding properties.

Failure to grant the requested special land use permit would be unconstitutional and would constitute a taking of property without just and adequate compensation and without due process of law in violation of the Fourteenth Amendment to the United States Constitution and Article 1, Section 1, Paragraph 1 and Article 1, Section III, Paragraph 1 of the Constitution of Georgia. A denial of the requested special land use permit would also be unconstitutional because it would discriminate in an arbitrary and capricious manner between T-Mobile and the owner of the subject property and owners of similarly situated property in violation of Article 1, Section III, Paragraph III of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Such denial would deprive T-Mobile and the property owner of their liberty and property rights. Such action would not substantially advance legitimate state interests but would cause T-Mobile and the property owner significant detriment.

For all the above reasons, T-Mobile respectfully requests that the necessary special land use permit requested be granted.

Very truly yours,

T-Mobile South LLC

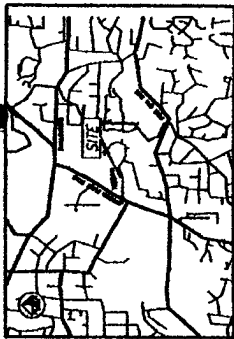
A handwritten signature in black ink, appearing to read 'Kimberly J. Adams', followed by a long horizontal flourish.

Kimberly J. Adams  
Zoning and Permitting Manager  
COMPASS Technology Services  
Agent for T-Mobile South LLC



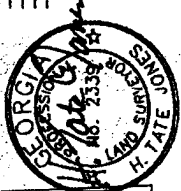
SLUP-16  
(2008)

JOHNSON FERRY Specific Purpose Survey Land Lot 539 18th District Cobb County, Georgia	SITE NO. A1056	7/7/00 RUS	1-01-20261	S1
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CONTROL POINTS  
POINT #1 NORTH 1462864.45 2218138.29  
POINT #2 EAST 1462834.42 2218123.35

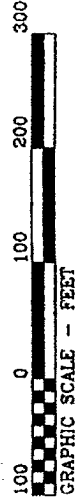
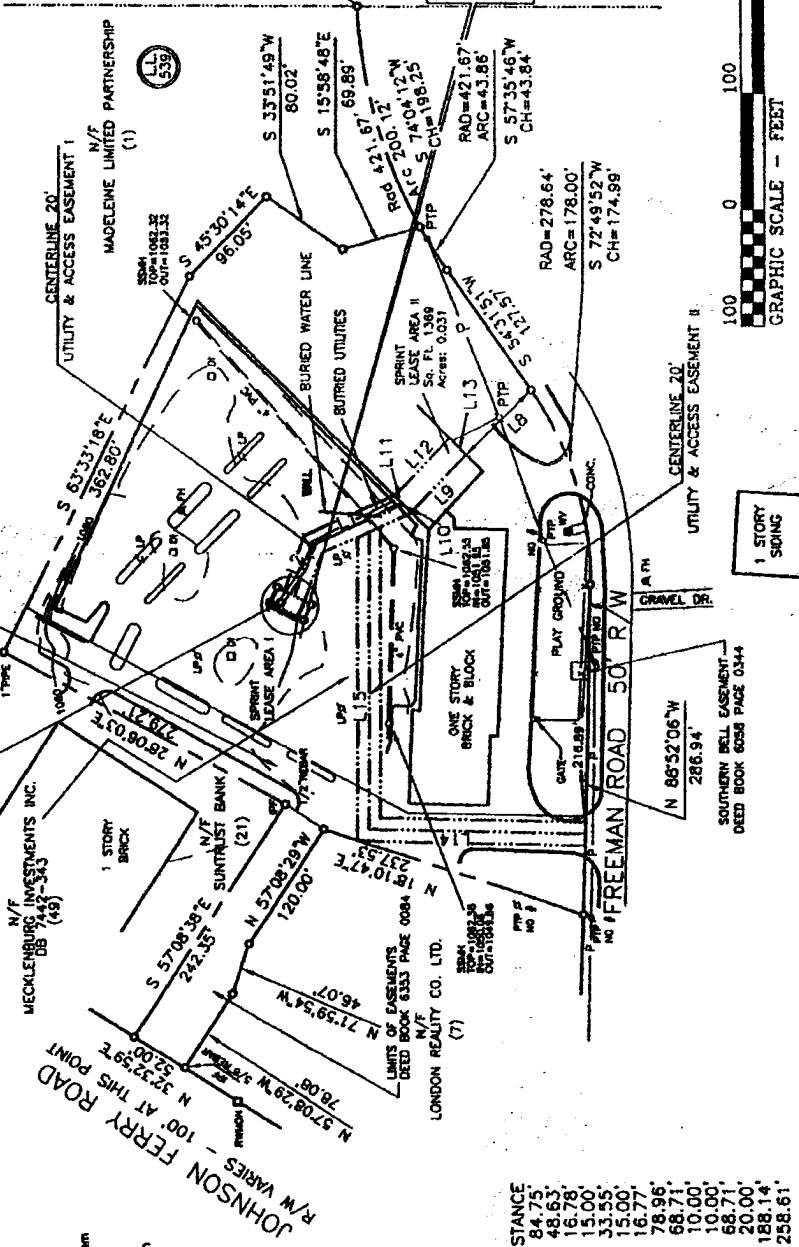
- Legend:
- Existing Property Line
  - Proposed Property Line
  - Existing Easement
  - Proposed Easement
  - Existing Right of Way
  - Proposed Right of Way
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  - Centerline 20'
  - Centerline 50' R/W
  - Centerline 100' R/W
  - Centerline 150' R/W
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RECEIVED  
JUN - 6 2008  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

N=1462861.73  
E=2218125.01  
LAT=34°01'16.19"  
LONG=-84°25'32.20"  
ELEVATION=1062.51'

LIMITS OF EASEMENT  
DEED BOOK 6812 PAGE 0033



1 STORY  
SOUND

- Notes:
- The map parcel No. 16-539-09
  - Property owner: Mecklenburg Investments Inc. Deed Book 7142, page 343
  - Survey shown are based on Google Earth data. Dimensions shown are for information only and are not to be used for legal purposes.
  - All dimensions shown to describe the survey are true and correct. Dimensions from the center of the tower to undisturbed property lines are approximate.
  - Boundary and easement shown on the present tract are taken from deed or plat information and are not to be used for legal purposes.
  - This report was prepared for the purpose of the line of this survey. Therefore, this survey is not to be used for any other purpose.
  - This survey was made according to the specifications provided by the client. This is not a boundary survey. There may be property or other issues that a full boundary survey would reveal.
  - This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The final date upon which this survey is based has a precision of one foot in 20,792 feet and an angular error of 5" per angle point and was adjusted using least squares.
  - Angular and linear measurements were made using a Topcon-332 Electronic Total Station.
  - The survey was made on the following dates: 10/01/00, 10/02/00, 10/03/00, 10/04/00, 10/05/00, 10/06/00, 10/07/00, 10/08/00, 10/09/00, 10/10/00, 10/11/00, 10/12/00, 10/13/00, 10/14/00, 10/15/00, 10/16/00, 10/17/00, 10/18/00, 10/19/00, 10/20/00, 10/21/00, 10/22/00, 10/23/00, 10/24/00, 10/25/00, 10/26/00, 10/27/00, 10/28/00, 10/29/00, 10/30/00, 10/31/00, 11/01/00, 11/02/00, 11/03/00, 11/04/00, 11/05/00, 11/06/00, 11/07/00, 11/08/00, 11/09/00, 11/10/00, 11/11/00, 11/12/00, 11/13/00, 11/14/00, 11/15/00, 11/16/00, 11/17/00, 11/18/00, 11/19/00, 11/20/00, 11/21/00, 11/22/00, 11/23/00, 11/24/00, 11/25/00, 11/26/00, 11/27/00, 11/28/00, 11/29/00, 11/30/00, 12/01/00, 12/02/00, 12/03/00, 12/04/00, 12/05/00, 12/06/00, 12/07/00, 12/08/00, 12/09/00, 12/10/00, 12/11/00, 12/12/00, 12/13/00, 12/14/00, 12/15/00, 12/16/00, 12/17/00, 12/18/00, 12/19/00, 12/20/00, 12/21/00, 12/22/00, 12/23/00, 12/24/00, 12/25/00, 12/26/00, 12/27/00, 12/28/00, 12/29/00, 12/30/00, 12/31/00.
  - Land shown is not to be used for legal purposes.
  - Survey was made by the following persons: H. Tate, J. Tate, K. Tate, L. Tate, M. Tate, N. Tate, O. Tate, P. Tate, Q. Tate, R. Tate, S. Tate, T. Tate, U. Tate, V. Tate, W. Tate, X. Tate, Y. Tate, Z. Tate.
  - Survey was made on the following dates: 10/01/00, 10/02/00, 10/03/00, 10/04/00, 10/05/00, 10/06/00, 10/07/00, 10/08/00, 10/09/00, 10/10/00, 10/11/00, 10/12/00, 10/13/00, 10/14/00, 10/15/00, 10/16/00, 10/17/00, 10/18/00, 10/19/00, 10/20/00, 10/21/00, 10/22/00, 10/23/00, 10/24/00, 10/25/00, 10/26/00, 10/27/00, 10/28/00, 10/29/00, 10/30/00, 10/31/00, 11/01/00, 11/02/00, 11/03/00, 11/04/00, 11/05/00, 11/06/00, 11/07/00, 11/08/00, 11/09/00, 11/10/00, 11/11/00, 11/12/00, 11/13/00, 11/14/00, 11/15/00, 11/16/00, 11/17/00, 11/18/00, 11/19/00, 11/20/00, 11/21/00, 11/22/00, 11/23/00, 11/24/00, 11/25/00, 11/26/00, 11/27/00, 11/28/00, 11/29/00, 11/30/00, 12/01/00, 12/02/00, 12/03/00, 12/04/00, 12/05/00, 12/06/00, 12/07/00, 12/08/00, 12/09/00, 12/10/00, 12/11/00, 12/12/00, 12/13/00, 12/14/00, 12/15/00, 12/16/00, 12/17/00, 12/18/00, 12/19/00, 12/20/00, 12/21/00, 12/22/00, 12/23/00, 12/24/00, 12/25/00, 12/26/00, 12/27/00, 12/28/00, 12/29/00, 12/30/00, 12/31/00.
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  - Survey was made on the following dates: 10/01/00, 10/02/00, 10/03/00, 10/04/00, 10/05/00, 10/06/00, 10/07/00, 10/08/00, 10/09/00, 10/10/00, 10/11/00, 10/12/00, 10/13/00, 10/14/00, 10/15/00, 10/16/00, 10/17/00, 10/18/00, 10/19/00, 10/20/00, 10/21/00, 10/22/00, 10/23/00, 10/24/00, 10/25/00, 10/26/00, 10/27/00, 10/28/00, 10/29/00, 10/30/00, 10/31/00, 11/01/00, 11/02/00, 11/03/00, 11/04/00, 11/05/00, 11/06/00, 11/07/00, 11/08/00, 11/09/00, 11/10/00, 11/11/00, 11/12/00, 11/13/00, 11/14/00, 11/15/00, 11/16/00, 11/17/00, 11/18/00, 11/19/00, 11/20/00, 11/21/00, 11/22/00, 11/23/00, 11/24/00, 11/25/00, 11/26/00, 11/27/00, 11/28/00, 11/29/00, 11/30/00, 12/01/00, 12/02/00, 12/03/00, 12/04/00, 12/05/00, 12/06/00, 12/07/00, 12/08/00, 12/09/00, 12/10/00, 12/11/00, 12/12/00, 12/13/00, 12/14/00, 12/15/00, 12/16/00, 12/17/00, 12/18/00, 12/19/00, 12/20/00, 12/21/00, 12/22/00, 12/23/00, 12/24/00, 12/25/00, 12/26/00, 12/27/00, 12/28/00, 12/29/00, 12/30/00, 12/31/00.
  - Survey was made by the following persons: H. Tate, J. Tate, K. Tate, L. Tate, M. Tate, N. Tate, O. Tate, P. Tate, Q. Tate, R. Tate, S. Tate, T. Tate, U. Tate, V. Tate, W. Tate, X. Tate, Y. Tate, Z. Tate.
  - Survey was made on the following dates: 10/01/00, 10/02/00, 10/03/00, 10/04/00, 10/05/00, 10/06/00, 10/07/00, 10/08/00, 10/09/00, 10/10/00, 10/11/00, 10/12/00, 10/13/00, 10/14/00, 10/15/00, 10/16/00, 10/17/00, 10/18/00, 10/19/00, 10/20/00, 10/21/00, 10/22/00, 10/23/00, 10/24/00, 10/25/00, 10/26/00, 10/27/00, 10/28/00, 10/29/00, 10/30/00, 10/31/00, 11/01/00, 11/02/00, 11/03/00, 11/04/00, 11/05/00, 11/06/00, 11/07/00, 11/08/00, 11/09/00, 11/10/00, 11/11/00, 11/12/00, 11/13/00, 11/14/00, 11/15/00, 11/16/00, 11/17/00, 11/18/00, 11/19/00, 11/20/00, 11/21/00, 11/22/00, 11/23/00, 11/24/00, 11/25/00, 11/26/00, 11/27/00, 11/28/00, 11/29/00, 11/30/00, 12/01/00, 12/02/00, 12/03/00, 12/04/00, 12/05/00, 12/06/00, 12/07/00, 12/08/00, 12/09/00, 12/10/00, 12/11/00, 12/12/00, 12/13/00, 12/14/00, 12/15/00, 12/16/00, 12/17/00, 12/18/00, 12/19/00, 12/20/00, 12/21/00, 12/22/00, 12/23/00, 12/24/00, 12/25/00, 12/26/00, 12/27/00, 12/28/00, 12/29/00, 12/30/00, 12/31/00.

Re: Site C188E  
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L1	N 23°54'47"W	84.75'
L2	N 69°50'05"W	48.63'
L3	S 26°27'08"W	16.78'
L4	N 63°32'54"W	15.00'
L5	N 26°27'06"E	33.55'
L6	S 63°32'54"E	15.00'
L7	S 26°27'06"W	16.77'
L8	N 44°26'23"W	78.96'
L9	N 45°46'47"W	68.71'
L10	N 44°13'13"E	10.00'
L11	N 44°13'13"E	10.00'
L12	S 45°46'47"E	68.71'
L13	S 44°13'13"W	20.00'
L14	N 01°12'20"E	188.14'
L15	N 90°00'00"E	258.61'

**APPLICANT:** Mittrix, Inc. for T-Mobile South  
678-920-1262

**REPRESENTATIVE:** Lannie Green  
678-920-1262

**TITLEHOLDER:** MCIXI, LLC

Road, north of Lassiter Road and on the north side of Freeman Road,  
east of Johnson Ferry Road

### PHYSICAL CHARACTERISTICS TO SITE:

**WEST:**

**\*see Exhibit “A” for the Letter of Intent**

**COMMISSION DISTRICT:** 3

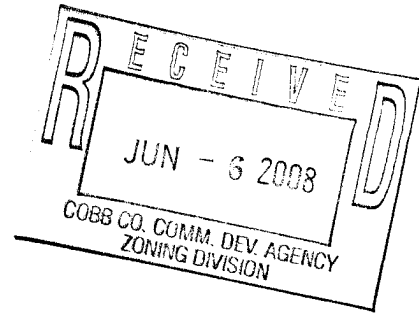




June 5, 2008

**By Hand Delivery**

Cobb County Board of Commissioners  
C/O Cobb County Community Development Department  
191 Lawrence Street  
Marietta, GA 30132



RE: Special Land Use Permit for a 16.8' Extension of an Existing 148.4' Wireless Telecommunications Facility Structure for an overall height 165' located at 3000 Johnson Ferry Road  
Applicant: T-Mobile South, LLC "T-Mobile"  
Site: 9AT2283/Childers Road

Dear Honorable Commissioners:

This Letter of Intent is submitted to the Cobb County Community Development Department in connection with and as support for the above referenced Special Land Use Permit (Application). T-Mobile respectfully submits this request for a Special Land Use Permit to extend an existing 148.4' monopole structure owned by Crown Castle, another 16.8' for a new overall height of 165'. The purpose of this extension is to provide safe, reliable uninterrupted wireless telecommunication service to the citizens of Cobb County who happen to be T-Mobile customers in the general area of Johnson Ferry Road and Shallowford Road and surrounding neighborhoods. T-Mobile initiated its search for a suitable antenna placement within this area first by attempting to co-locate on an existing structure. This particular monopole structure was available for co-location but in order to meet the needs of T-Mobile it needs to be extended.

**Site Selection Process**

T-Mobile's Radio Frequency Engineering Division studied the immediate area east of Childers Road and the residential areas that are north and south of Shallowford Road- "the coverage objective" - to determine where a facility would need to be located in order to adequately address that targeted area. The search encompasses residentially zoned properties that are developed with single-family homes. T-Mobile attempts to avoid residentially sensitive areas and in this case by extending this existing structure T-Mobile can provide adequate coverage without the need to construct a facility within the residentially developed areas around Shallowford Road.

### **Parcel/Facility Description**

The subject parcel is zoned NRC, Neighborhood Retail Commercial and is developed with shopping center. The equipment is to be placed within a suite of the shopping center. The parcels to the north, west and south are zoned and developed commercially. Parcels to the west are zoned and developed residentially.

The proposed facility will be extended 16.8' for a new overall height of 165'. The extension has been designed by a Professional Engineer and will be constructed to meet all applicable state, federal and Cobb County regulations. All ground equipment will be placed within an existing suite and therefore no expansion of the existing facility will be require expansion.

### **Zoning Requirements**

In accordance with the Cobb County Zoning Ordinance, the following standards and factors are found to be relevant to the exercise of the County's zoning powers and shall govern the review of all proposed amendments to the Land Use Plan:

1. *Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property:*

**The proposed wireless telecommunications is to extend an existing monopole structure therefore is considered collocation which is encouraged by Cobb County. This proposal will not impact adjacent or nearby properties.**

2. *Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property:*

**This is an extension of only 16.8' to allow co-location and will not adversely affect existing use or usability of adjacent or nearby properties.**

3. *Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools:*

**The proposed facility will be unmanned once constructed and will have no impact upon the traffic along Johnson Ferry Road and surrounding streets. In fact this facility, once operational, could have a positive impact upon traffic flow as wireless communications will be available to commuters and there will be needed coverage in the event of emergency calls.**

4. *Whether the zoning proposal is in conformity with the policy and intent of the land use plan:*

**The current property zoning is NRC which allows wireless facilities. Additionally, the subject parcel is developed with a shopping center. Cobb County encourages co-location and by approving this Application T-Mobile can co-locate.**

5. *Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change:*

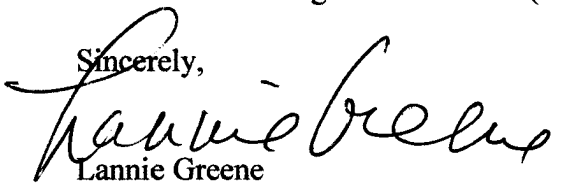
**The proposed facility currently meets Cobb County regulations and the proposal is for co-location by extending this existing monopole structure. This proposal meets the intent and law of the Cobb County Zoning Ordinance and should therefore be approved.**

In support of the attached application the following is submitted with this Application:

- SLUP Application
- Property Deed
- Legal Description
- RF Letter demonstrating need with an inventory of T-Mobile sites and propagation maps
- Constitutional Challenge
- Property Tax Receipt
- Five copies of survey
- Five copies of site plan with tower elevation (11" X 17")
- Two copies of site plan with tower elevation (8 ½" X 11")
- Five copies of the tower extension details (11" X 17")
- Two copies of the tower extension details (8 ½" X 17")

I will be happy to answer any questions or provide additional information if requested. Please feel free to give me a call at (678) 920 – 1262.

Sincerely,

  
Lannie Greene  
Zoning & Permitting Specialist  
Mittrix, Inc. for T-Mobile South, LLC

APPLICANT/OWNER

**T-Mobile South, LLC**  
FOUR CONCOURSE PARKWAY  
SUITE 300  
ATLANTA, GA 30328  
PHONE: (770) 604-8860  
FAX: (770) 580-3048

PREPARED BY:

**WALKER ENGINEERING INCORPORATED**  
8451 DUNWOODY PLACE  
SANDY SPRINGS, GA 30350  
PHONE: (770) 440-1100  
FAX: 770

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**SLUP-17  
(2008)**

**PRELIMINARY  
NOT FOR CONSTRUCTION**

DATE: 08/21/08

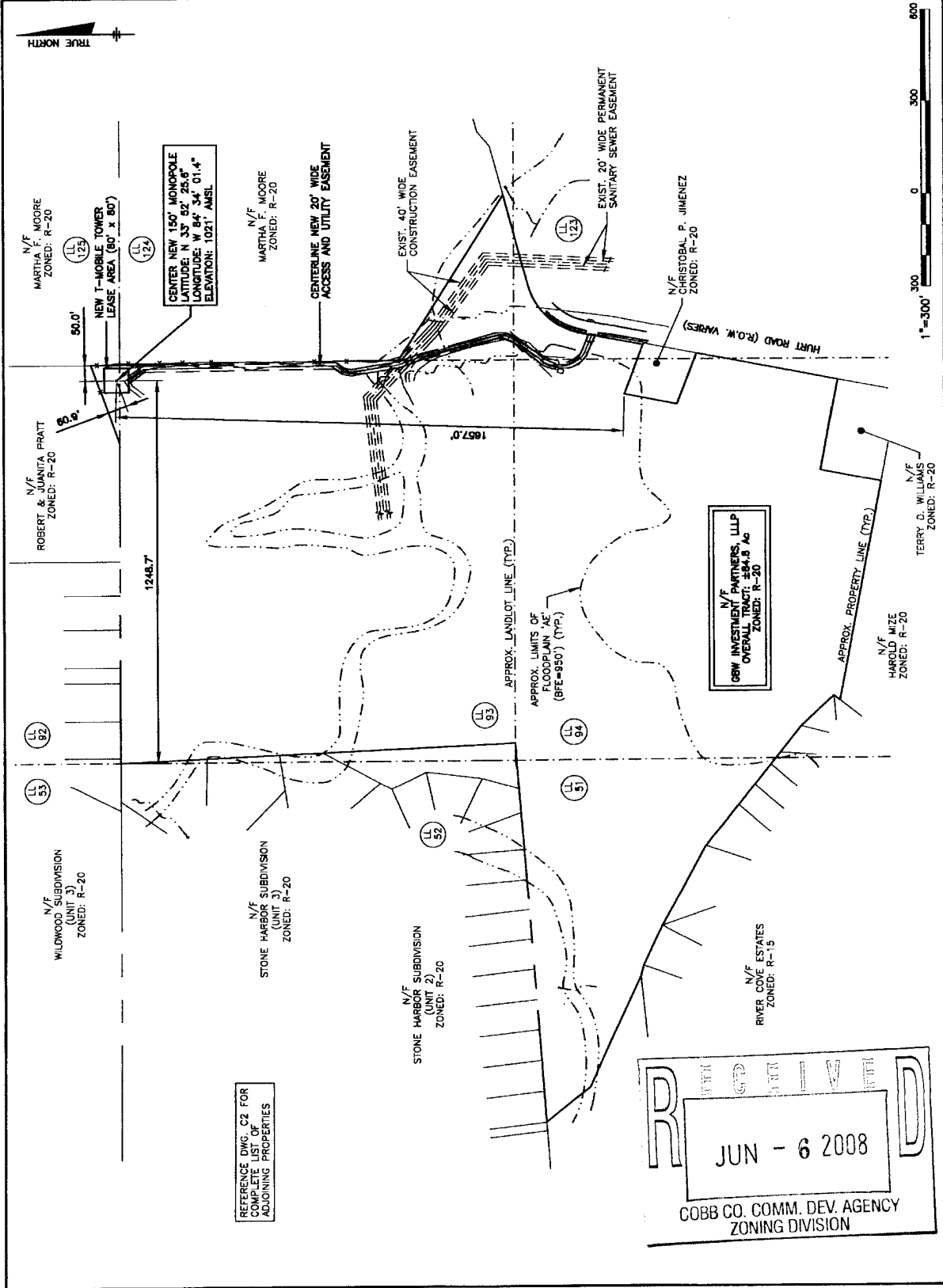
CONSTRUCTION OF THIS PROJECT IS SUBJECT TO THE APPROVAL OF THE COBB COUNTY ZONING DIVISION. THE APPLICANT/OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COBB COUNTY ZONING DIVISION AND THE COBB COUNTY BOARD OF COMMISSIONERS. THE APPLICANT/OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COBB COUNTY ZONING DIVISION AND THE COBB COUNTY BOARD OF COMMISSIONERS.

**TAMMY LYNN**  
8AT2244B  
448 HURT ROAD  
SMYRNA, GA 30080  
COBB COUNTY

DESIGNED BY:	MAJ
CHECKED BY:	MAJ
DATE:	08/21/08
JOB NO. 1:	0804-00397
SITE NO. 1:	8AT2244B
DRAWING DESCRIPTION:	

**OVERALL SITE PLAN**

C3



REFERENCE DWG. C2 FOR  
COMPLETE LIST OF  
ADJOINING PROPERTIES

**RECEIVED**  
JUN - 6 2008  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

**APPLICANT:** Mitrix Inc., for T-Mobile South, LLC

770-717-9120

**REPRESENTATIVE:** Sarran Marshall

404-441-3602

**TITLEHOLDER:** Chad Williams, GBW Investment Partners, L.L.L.P.

**PROPERTY LOCATION:** Located on the northwesterly side of

Hurt Road, west of Alexander Place.

**ACCESS TO PROPERTY:** Hurt Road

**PHYSICAL CHARACTERISTICS TO SITE:** \_\_\_\_\_

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:**

**SOUTH:**

**EAST:**

**WEST:**

**PETITION NO:** SLUP-17

**HEARING DATE (PC):** 08-05-08

**HEARING DATE (BOC):** 08-19-08

**PRESENT ZONING:** R-30

**PROPOSED ZONING:** Special Land Use

Permit

**PROPOSED USE:** 150-foot

Telecommunications Tower and Equipment

**SIZE OF TRACT:** 84.8 acres

**DISTRICT:** 17

**LAND LOT(S):** 94

**PARCEL(S):** 8

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**FUTURE LAND USE MAP:** Low Density Residential

**\*see Exhibit "A" for the Letter of Intent**

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

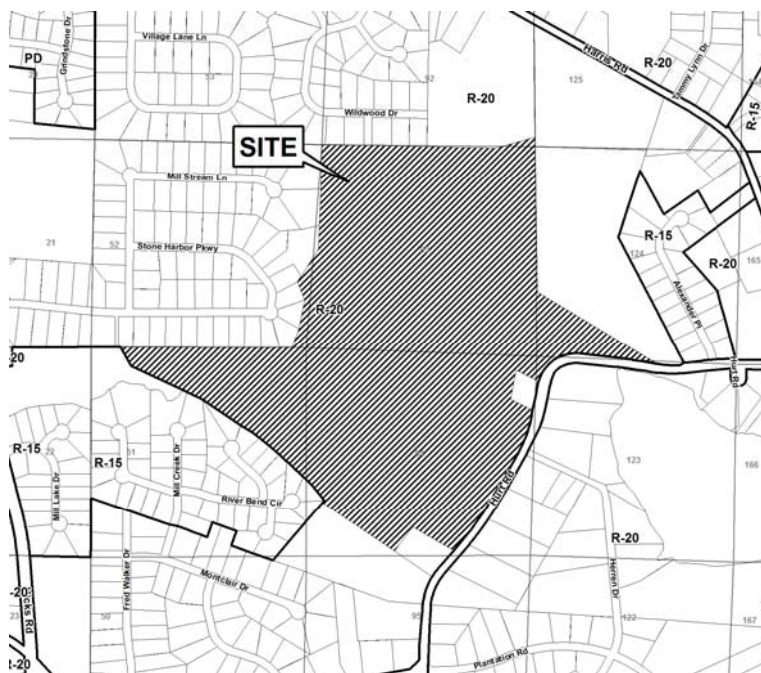
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**

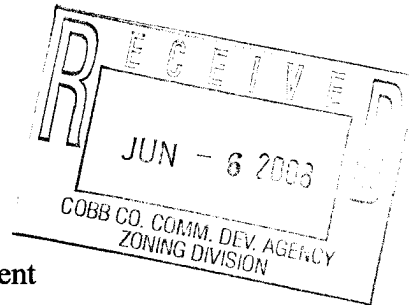




May 23, 2007

**By Hand Delivery**

Mr. John Pederson  
Senior Planner  
Cobb County Community Development Department  
191 Lawrence Street,  
Marietta, GA 30132



RE: Special Use Application – 448 Hurt Road, Smyrna GA 30080 #17-0094-0-008-0-0000-0-00 consisting of approximately 84.8 Acres. Purpose: Development of a Wireless Telecommunications Facility; Applicant: T-Mobile South, LLC. "T-Mobile"

Dear Mr. Pederson:

This letter is being written in tandem with a completed Special Use Permit Application requesting approval to construct and operate a wireless telecommunications facility on the above referenced parcel. The purpose of this facility is to provide safe, reliable uninterrupted wireless telecommunication service to the citizens of Cobb County who happen to be T-Mobile customers in the area west of Smyrna between Hicks Road to the west, Smyrna Powder Springs Road to the north, Old Concord Road to the east and Hurt Road to the south. {See attached Search Area Map – Exhibit A (Section 4)}. T-Mobile initiated its search for a suitable antenna placement within this area by first attempting to collocate on an existing tower structure. At present, there are no existing or planned tower structures in or around the search area that would satisfy the coverage objective and T-Mobile's obligation to the citizens of Cobb County. The closest tower facility is approximately 1.33 miles northwest of the center of the search area {Exhibit A (Section 4)} and already contains T-Mobile's antennas and transmitting equipment.

**Site Selection Process**

T-Mobile's Radio Frequency Engineering Division studied the immediate area of Hicks Road to the west, Smyrna Powder Springs Road to the north, Old Concord Road to the east and Hurt Road to the south - the "coverage objective" - to determine where a facility would need to be located in order to adequately address that targeted area. The limits of this search area were defined by a ring of approximately 0.35 miles from the southwest intersection of Church Road and Tammy Lynn Drive [Exhibit B (Section 4)]. A search for any existing tower facilities or tall structures capable of accommodating T-Mobile's antennas and equipment was conducted. It was found that these structures were not present in that area. At present, there are no existing or planned facilities within 1 mile of the proposed facility. The closest facility is approximately 1.33 miles northwest



of the center of the search area. Following, a search for non-residentially zoned properties that would best comply with the requirements of the Cobb County zoning ordinance was also conducted. We found that the entire search area is residentially zoned. There were no non-residentially zoned properties within or near the search area. The closest non-residential district is approximately 0.82 miles west of the center of the search area {Exhibits C and D (Section 4)}. A search for other non-residentially used property was then conducted; however none was available within the search area. A large portion of the search area consists of planned subdivisions with established single-family residential communities. Next, a search for large properties that would offer the best elevation and screening with the least impact to the surrounding properties was conducted. Several parcels were identified, however many property owners were not willing to lease a portion of their property to T-Mobile {See attached Tax Map Analysis in Section 5}. Of those properties evaluated, parcel 5 was the largest (84 acres) and is very capable of accommodating the proposed facility. Additionally, the owner was willing to consider the placement of a telecommunication facility on the property. Most of this property is wooded with dense mature vegetation in most areas which provide a natural buffer that would effectively screen the proposed location of the facility. **Consequently, Mittrix, Inc. would like to request that the landscape requirement be waived to allow a 10-foot wide natural buffer which will consist of the existing mature dense vegetation.** The selected property has adequate elevation and would satisfy the coverage objective based on RF engineer review.

#### **Parcel Description:**

The site is an irregular shaped parcel consisting of approximately 84.8 acres. The parcel is zoned R-20 and is bounded by residential zoning districts on all sides. However, those adjoining parcels are much smaller. There are residential structures partially on the north, east and west sides of the tract. The southern portion of the parcel is bordered by South Huff Road. All adjoining residences are buffered by at least 600 feet of dense mature vegetation between the proposed site and any existing residence. The subject property currently occupies a fishing pond that is operated by the property owner and is located approximately 1,200 feet from the proposed facility. Adjacent, to the east are residential parcels that are occupied by single family residences. The proposed facility is approximately 607 feet from the closest residence. The topography varies drastically with generally level areas at the location of the proposed Facility. The development requirements of Cobb County's ordinance will be satisfied with the proposed facility with the least obtrusion to the surrounding community.

#### **Facility Description:**

The facility will consist of a 150-foot "monopole" style telecommunications facility structure designed to accommodate T-Mobile and two other wireless service providers that offer similar telecommunication services. The tower structure will be accompanied by transmitting equipment mounted on a concrete pad area on the ground contained within an 80'x 80' fenced compound. The compound fencing will be composed of decay resistant material, a minimum of 6 feet in height and contain anti-climbing devices. The facility will be strategically placed in an area approximately 1,500

feet north of Hurt Road. An existing gravel road extends from Hurt Road in a northerly direction will provide access to the property and will be extended to the site. When completed the facility will be unmanned and will not utilize county water or sewer facilities. Traffic will be limited to monthly visits by service personnel. The development plan will seek to preserve the maximum number of existing trees to buffer the site from view.

#### **Need for the Proposed Facility:**

T-Mobile's RF engineers have carefully evaluated the coverage objective to determine where a facility would need to be placed in order to properly address service deficiencies. Utilizing existing facilities and structures is always the very first option before a decision is made to build a new facility. This is evident based on T-Mobile's inventory of wireless facilities in Cobb County. As shown on T-Mobile's inventory of existing sites, more than 91% of T-Mobile's facilities are collocations. Additionally, all sites surrounding our coverage objective are collocations. The attached RF letter with associated maps and coverage plots, with and without the proposed site, was submitted with the application materials. These documents further justify the need for the proposed facility based on existing coverage deficiencies within the coverage objective. Careful review of the submitted coverage plots shows that the proposed site is properly spaced between the existing active sites which would help establish a more efficient and effective network design. This will allow T-Mobile to meet current demands for reliable, uninterrupted wireless PCS service in this portion of Cobb County. Studies show that mobile phone usage in the home increased from 6% of all minutes in 1999 to **27% in 2006**. Among these calls are also emergency calls. This shows the direct impact that wireless PCS coverage will have on personal and public safety.

#### **Zoning Considerations:**

In accordance with section 134-273 of the Cobb County Code, the proposed development adheres to the following standards:

*Setbacks: Section 6e-4. All towers in excess of 70 feet must be setback a distance equal to the full height of the tower from any adjoining off-site residential structure or as safety concerns may dictate. **The proposed facility is located approximately 50 feet from the closest property line, which exceeds the 10-foot setback requirement for the R-20 District. The closest residential structure is approximately 607 feet south of the proposed Facility Location. The proposed setbacks will exceed the requirement.***

*District Building Setbacks: Section 134-197 of Article IV requires a minimum front yard setback of 40 feet, side yard setbacks of 10', and a rear yard setback of 35'. **T-Mobile has taken care to comply with the provisions of the Cobb County's zoning ordinance by placing the facility a minimum setback of approximately 607 feet from the closest residence. These distances are called out from the centerline of tower on the attached site plan. Additionally, complete legal descriptions of the subject***

**parcel and the proposed T-Mobile Lease Area are contained on page 1 of the accompanying survey.**

*Landscaping: Any commercial tower or antenna which abuts a residentially zoned property shall have a minimum 40 foot setback from the residential property, 15 feet of which would be a landscaped screening buffer between the tower and the residentially zoned property which will be subject to county staff approval."* **The proposed facility is located within a densely wooded portion of the north side of the property. Consequently, Mittrix, Inc. would like to request that the landscape requirement be waived to allow a 10-foot wide natural buffer which will consist of the existing mature dense vegetation. If staff sees it necessary to allow the existing natural vegetation to remain within the required 10-foot landscape buffer, T-Mobile will be happy to comply with that request. Regardless, all required landscaping requirement will be satisfied.**

*Separation: Section 6e-7 requires that any facility 90 feet in height or greater seeking approval under the provisions of this section must be a minimum distance of one-quarter (1/4) mile from any tower 90 feet in height or greater previously permitted by the board of commissioners.* **The proposed facility is 1.12 miles from the nearest facility which also contains T-Mobile's antennas and equipment.**

In support of the attached application T-Mobile South, LLC encloses the following:

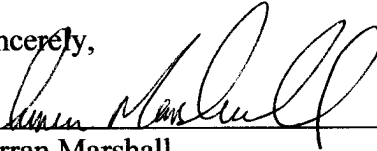
1. Letter of Intent (Sec. 1).
2. A completed Special Use Application signed and notarized by T-Mobile and the property owner with Campaign and Financial Disclosures; copy of the warranty deed that reflects the current owner(s) of the property (Sec. 2);
3. Five copies of the survey, site plan and tower elevation (including two (2) 8 1/2" x 11" copies) (Sec. 3);
4. RF letter demonstrating need, Search Area Maps, Propagation Maps and Inventory of T-Mobile's sites (Sec. 4);
5. Tax Map Analysis (Sec. 5);
6. Fall Zone Letter and FAA Letter (Sec. 6);
7. Constitutional Challenge (Sec. 7);
8. Photo-simulations showing "pine-tree" like facility in its proposed location on the subject property (Sec. 8);
9. T-Mobile's License (Sec. 9);
10. A copy of the taxes paid for the subject property, and copies of the \$150.00 check for the application fee and the \$300.00 sign posting fee (Sec. 10).

In conclusion, T-Mobile has selected this site and carefully designed the facility to comply with the provisions of the Cobb County zoning ordinance. Specifically, T-Mobile wishes to highlight the following: The parcel is zoned R-30 which allows the construction of telecommunications facilities. The tower placement on the site complies with the specific setback provisions of the Cobb County ordinance being situated at least 203 feet from the closest property line and 795 feet from the public rights-of-way.

Finally, the tower's design for multiple uses will limit the need for additional towers in the area.

In light of its compliance with all the provisions of the Cobb County ordinance, T-Mobile South, LLC respectfully requests that the Cobb County Planning Board of Commissioners approve its application as submitted.

Sincerely,



Sarran Marshall  
Zoning & Permitting Specialist  
Mittrix, Inc. – for T-Mobile South, LLC

SDM: enclosures