

**OCTOBER 20, 2009 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 3**

ITEM #5

PURPOSE

To consider amending the site plan and stipulations for Dr. Ruth Clemans regarding Z-116 (SEMBLER CENTERS, INC.) of September 17, 1996, for property located at the southeast intersection of Sandy Plains Road and Shallowford Road in Land Lots 386, 387 and 406 of the 16th District. (Previously a portion of Z-95 (Evelyn J. Gordy-Rankin) of December 18, 1990)

BACKGROUND

The subject property is zoned CRC subject to numerous conditions/stipulations which have been adhered to throughout the completion of this project. One of the stipulations is the project is site plan specific. The approved site plan is attached. Another stipulation requires all buildings to be approved by an Architectural Control Committee (ACC). This site was originally built as a Hollywood Video store. Dr. Clemans has renovated the Hollywood Video store and seeks to amend the site plan to allow the building to be used as a dentist office and a restaurant. An exterior elevation of the new building is attached. The restaurant building is proposing an outdoor seating area that was not shown on the original site plan. The present owner wants to divide the building into two separately owned businesses, one as her dental practice and sell the other portion to a prospective restaurant instead of leasing it. The proposed site plan is attached. The existing renovation has been approved by the ACC, but the outdoor seating area and refrigeration unit will have to be resubmitted for approval. The parking is presently adequate for the proposed uses. The Other Business application is attached.

FUNDING

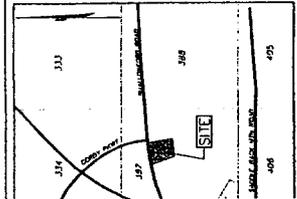
N/A

RECOMMENDATION

The Board of Commissioners consider the request to amend the site plan as requested and, if approved, all other previously approved conditions/stipulations should remain in effect.

ATTACHMENTS

Approved Site Plan
Exterior Elevation
Proposed Site plan
Other Business Application



LOCATION MAP

DESIGNER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND THE ARCHITECTURAL DRAINAGE SYSTEM. THE DESIGNER DOES NOT ACCEPT RESPONSIBILITY FOR THE DEVELOPER'S COMB COUNTY ACCEPTS NO RESPONSIBILITY FOR THE BUILDING OR THE ARCHITECTURAL DRAINAGE SYSTEM. THE DESIGNER DOES NOT ACCEPT RESPONSIBILITY FOR THE DEVELOPER'S COMB COUNTY ACCEPTS NO RESPONSIBILITY FOR THE BUILDING OR THE ARCHITECTURAL DRAINAGE SYSTEM.

NOTE: SEE ARCHITECTURAL DRAINAGE FOR EXACT BUILDING FOOTPRINT AND ARCHITECTURAL DRAINAGE SYSTEM. THE DESIGNER DOES NOT ACCEPT RESPONSIBILITY FOR THE DEVELOPER'S COMB COUNTY ACCEPTS NO RESPONSIBILITY FOR THE BUILDING OR THE ARCHITECTURAL DRAINAGE SYSTEM.

ATLANTA CENTER FOR SEDATION DENTISTRY
 3452 SHALLOWFORD ROAD, SUITE A
 MARIETTA, GEORGIA 30062

PEACOCK ARCHITECTS
 2000 RIVEREDGE PARKWAY
 SUITE 200
 ATLANTA, GEORGIA 30328
 (404) 214-5200 PHONE

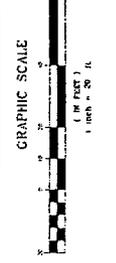
HAINES ASSOCIATES
 CONSULTING ENGINEERS
 1550 NORTH BROWN ROAD
 SUITE 200
 GEORGETOWN, GEORGIA 30424
 PHONE (770) 481-7500
 FAX (770) 481-7700

ATLANTA CENTER FOR SEDATION DENTISTRY
 3452 SHALLOWFORD ROAD, SUITE A
 MARIETTA, GEORGIA 30062

| NO. | BY | DATE | DESCRIPTION |
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| 1 | SAF | 09/03/09 | COMMENTS PER OWNER |

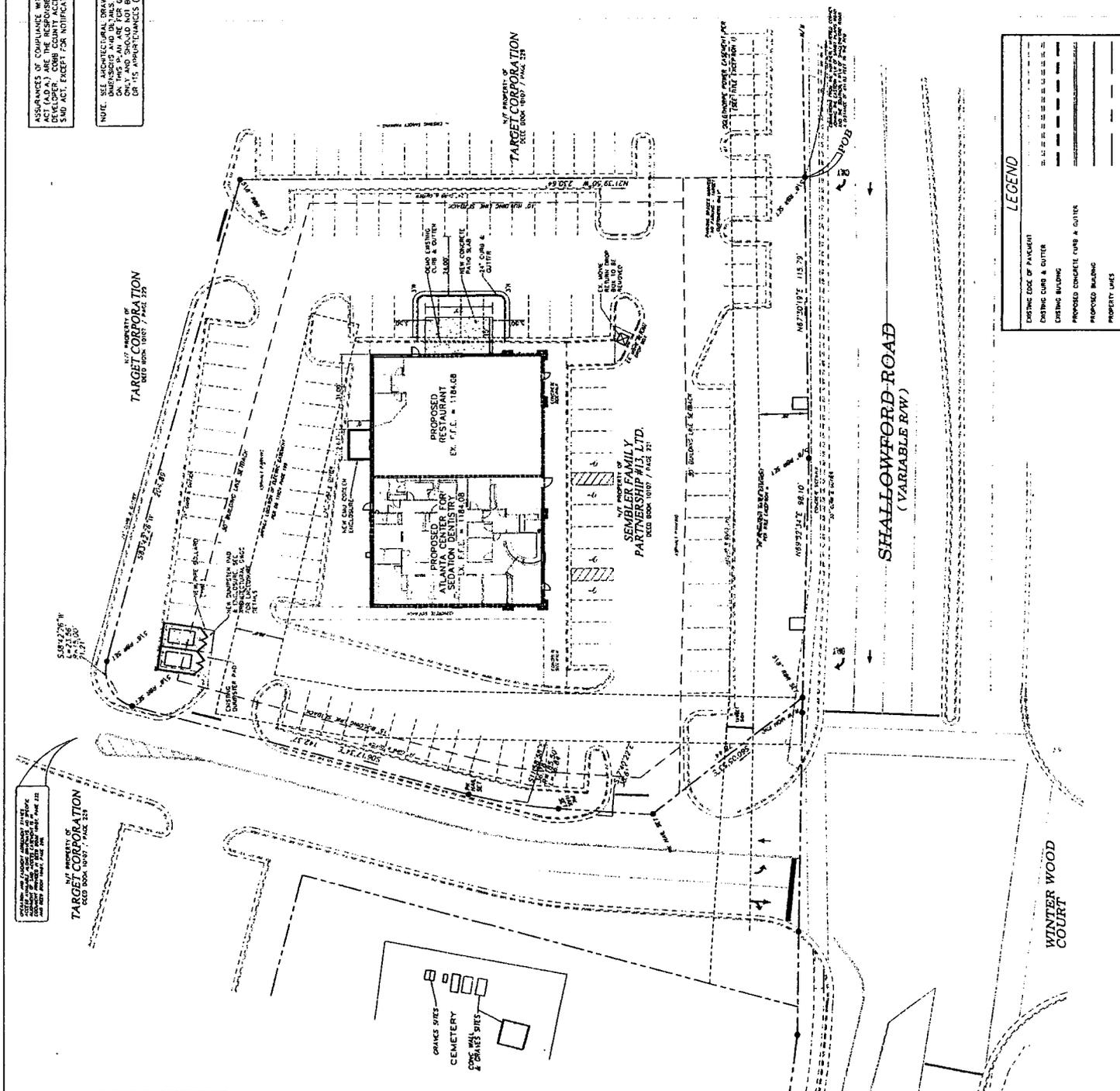
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| DATE | DATE |
| SHEET TITLE | SHEET NUMBER |

SITE PLAN



LEGEND

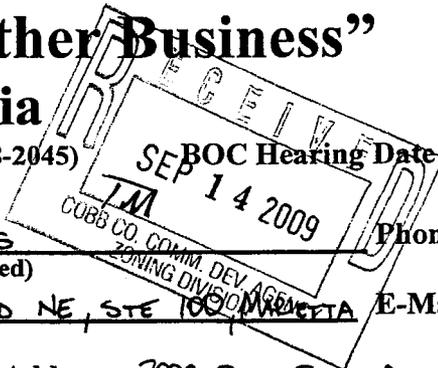
| | |
|-------------------------------------|-----|
| EXISTING EDGE OF PAVEMENT | --- |
| EXISTING CURB & GUTTER | --- |
| EXISTING BUILDING | --- |
| PROPOSED CONCRETE PAVEMENT & GUTTER | --- |
| PROPOSED BUILDING | --- |
| PROPERTY LINES | --- |



IF TO CONSTRUCTOR
 is below,
 ations you dig.

Application for "Other Business" Cobb County, Georgia

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



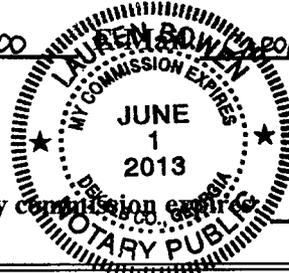
BOC Hearing Date Requested: 20 Oct 2009

Applicant: DR. RUTH CLEMNS Phone #: 404.786.3202
(applicant's name printed)

Address: 3052 SHALLOWFORD RD NE, STE 100, MARIETTA E-Mail: DRRUTH@ATTRACTIVESMILES.COM

CAROLINE BURNET Address: 2000 RIVEREDGE PLWY, STE 700 ATLANTA, GA 30328
(representative's name, printed)

Carli J. Burnet Phone #: 404.214.5200
(representative's signature) CAROLINE@PEACOCKPARTNERSHIP.COM



Signed, sealed and delivered in presence of:

Lauren Bowen My commission expires 10-1-13
Notary Public

Commission District: 3 Zoning Case: Z-223 OF 1988 / Z-95 OF 1990

Date of Zoning Decision: 18 Dec 1990 / 15 Nov 1988 Original Date of Hearing: 18 Dec 1990 / 15 Nov 1988

Location: 3052 SHALLOWFORD RD NE, MARIETTA GA 30062
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 387 District(s): 16

State specifically the need or reason(s) for Other Business: THE BUILDING OWNER
WISHES TO SUBDIVIDE AND SELL THE BUILDING AS A CONDOMINIUM
RATHER THAN LEASE THE VACANT SPACE.

(List or attach additional information if needed)