

**FEBRUARY 16, 2010 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM #1

PURPOSE

To consider amending the site plan for Freelan Enterprises, LLC regarding Z-105 (ATTIC SELF-STORAGE INC.) of August 19, 1997, for property located on the north side of Dallas Highway, east of Bob Cox Road in Land Lots 315 and 332 of the 20th District.

BACKGROUND

The subject property is zoned NRC and was part of a larger, approximately 6 acre tract that was approved as part of a Settlement of Litigation involving a Self-Service Storage Facility. As part of the Settlement of Litigation, the site plan, building exterior, landscaping, lighting, setbacks, buffering and access for this tract had to be submitted to the Board of Commissioners. On July 15, 2008, the Board of Commissioners approved a site plan for a car wash facility. The Board of Commissioners decision is attached. This request is to amend the approved site plan to allow the addition of a canopy as indicated on the attached proposed site plan. Also attached is a letter of agreeable stipulations dated February 8, 2010, submitted by the applicant. The Other Business application is also attached.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider approval of the proposed site plan subject to the attached agreeable stipulations and the requirements at plan review and all other previously approved conditions/stipulations to remain in effect.

ATTACHMENTS

Board of Commissioners Decision
Proposed Site Plan
Agreeable Stipulations Dated 2/8/10
Other Business Application

ORIGINAL DATE OF APPLICATION: 08-19-97APPLICANTS NAME: ATTIC SELF-STORAGE INC.

**THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**

BOC DECISION OF 07-15-08 ZONING HEARING:

**OTHER BUSINESS ITEM #1 - TO CONSIDER AMENDING THE SITE PLAN FOR
FREELAN ENTERPRISES, LLC REGARDING Z-105 (ATTIC SELF-STORAGE INC.)
OF AUGUST 19, 1997**

To consider amending the site plan for Freelan Enterprises, LLC regarding Z-105 (Attic Self-Storage Inc.) of August 19, 1997, for property located on the north side of Dallas Highway, east of Bob Cox Road in Land Lots 315 and 332 of the 20th District.

Mr. Mark Danneman, Zoning Division Manager, provided information regarding request for site plan amendment. The public hearing was opened and Mr. Parks Huff and Ms. Kelli Gambrell addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Lee, to **approve** Other Business Item #1 for Freelan Enterprises, LLC regarding Z-105 (Attic Self-Storage Inc.) of August 19, 1997, for property located on the north side of Dallas Highway, east of Bob Cox Road in Land Lots 315 and 332 of the 20th District **subject to:**

- **site plan submitted received by the Zoning Division on June 3, 2008 (attached and made a part of these minutes)**
- **car wash water to be fully recyclable**
- **vacuum unit to have built in sound attenuation**
- **no additional temporary or permanent canopies (other than the existing and pay kiosk area) are allowed**
- **all other previous zoning stipulations and conditions not in conflict to remain in effect**

VOTE: **ADOPTED** unanimously



EMC ENGINEERING SERVICES, INC.
 1101 W. CAMPBELL ST. SUITE 100
 DALLAS, TEXAS 75241
 TEL: 972.242.1100
 FAX: 972.242.1101
 WWW: EMC-ENGINEERING.COM

NO.	DATE	DESCRIPTION

AUTOBUFFS
 SITE PLAN
 AUTOBUFFS DALLAS HIGHWAY

SCALE: 1" = 20'

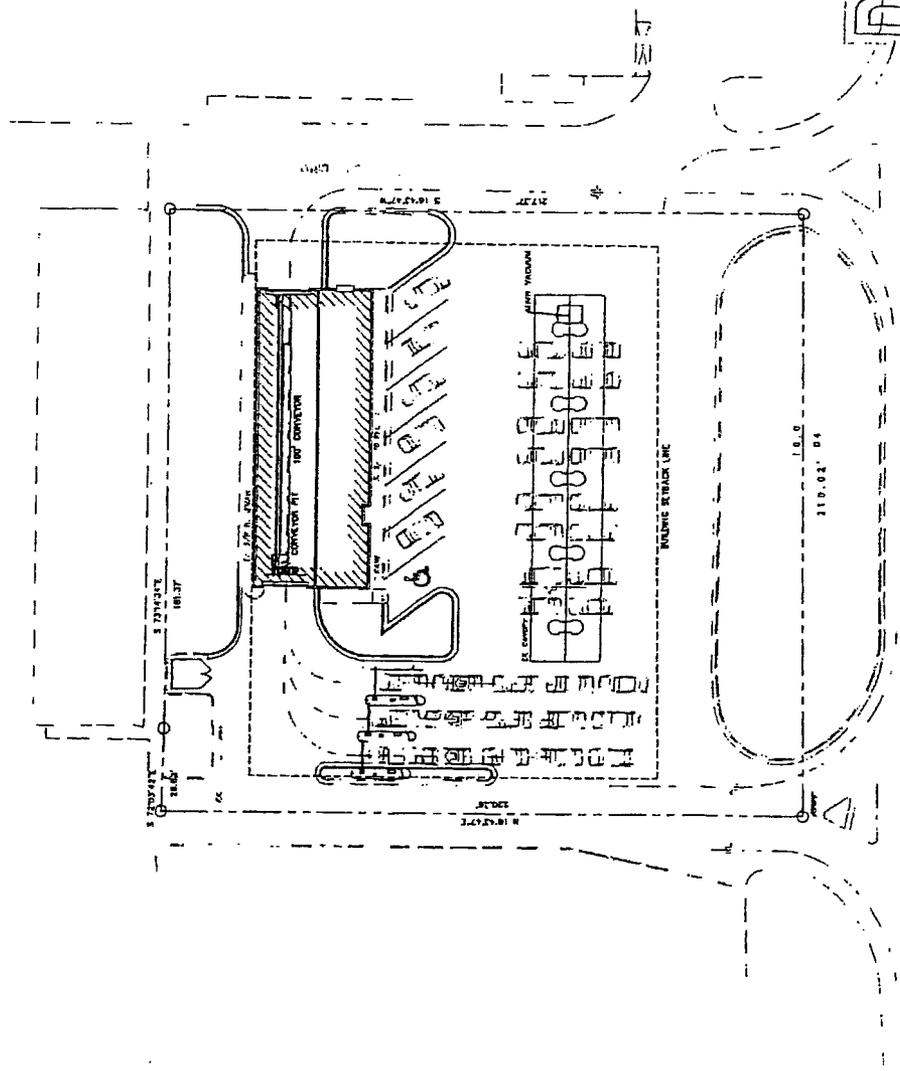


DATE	06/15/08
PROJECT	5196
SCALE	1" = 20'
DATE	06/15/08
PROJECT	5196
SCALE	1" = 20'
DATE	06/15/08
PROJECT	5196
SCALE	1" = 20'

PAGE 43 OF 43

O.B. #1
 Min. Bk. 56 Petition No. Z-105 '07
 Doc. Type Site Plan
 Meeting Date 7-15-08

RECEIVED
 JUN - 3 2008
 YAMAD-2345
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION



18 10 00 11 11 Y



UTILITY PROTECTION CENTER
CAUTION



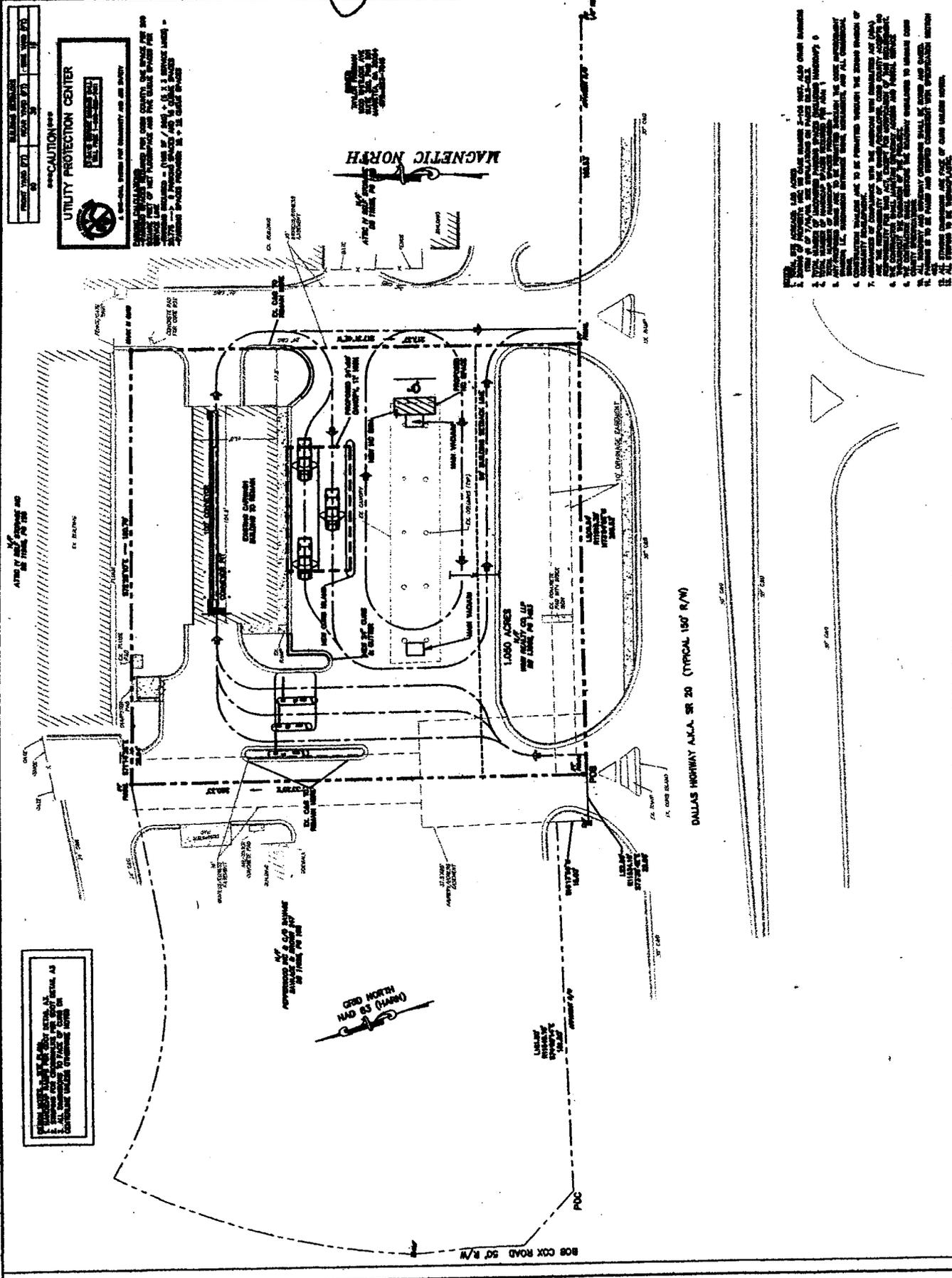
Table with 2 columns and 4 rows, likely a schedule or index.

Vertical text on the right side of the top header.

ABROR COMPANY
CONTRACTOR GENERAL CONTRACTOR
4400 W. MAIN STREET
SUITE 100
ALPHARETTA, GEORGIA, 30004
PHONE: 404-487-1555
FAX: 404-487-1555

AUTOWAYS DALLAS HWY
3900 DALLAS HWY
LAND LOT 200, 201H DISTRICT
AND SECTION
COBB COUNTY, GEORGIA

DATE PLAN
C.I.O.



- 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND UTILITIES PRIOR TO THE START OF CONSTRUCTION.
- 2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
- 4. THE CONTRACTOR SHALL MAINTAIN ADEQUATE EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PERIOD.
- 5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE FACILITIES TO PREVENT STAGNATION OF WATER.
- 6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

UTILITY PROTECTION CENTER
CAUTION

MAGNETIC NORTH

DALLAS HIGHWAY AKA SR 20 (TYPICAL 150' R/W)

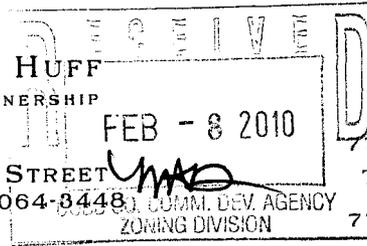
808 COX ROAD 50' R/W

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

MELISSA P. HAISTEN
JUSTIN H. MEEKS

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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



770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

February 8, 2010

SAMSLARKINHUFF.COM

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
191 Lawrence Street, Suite 300
Marietta, Georgia 30060-1661

Re: Other Business Agenda Item for Freelan Enterprises, LLC

Dear John:

I represent the applicant relating to their Other Business Agenda Item requesting the approval of a site plan modification to allow for the construction of a canopy as depicted in the site plan submitted with the application. The applicant operates a car wash on property known as 3330 Dallas Highway and would like to add the canopy to provide a shaded and covered area to detail cars as an added service to its customers. The Board of Commissioners at their meeting on February 16, 2010 will review the application. Following is a list of stipulations that my client is agreeable to becoming a condition on the grant of the site plan modification to allow the construction of the proposed canopy:

- 1) The canopy will be constructed with the same materials and colors that were used in the existing canopy.
- 2) The applicant will not build any additional structures, including temporary tents without the approval of the District Commissioner.
- 3) The operation of the existing electronic sign will be limited so that there won't be any flashing, varying light intensity or animation. Animation does not include the movement of the words across the screen.
- 4) The brightness level of the electronic sign will comply with the current electronic signage standards including the use of a sensor so that the brightness level adjusts with the ambient light conditions.

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
February 8, 2010
Page 2

The car wash has been embraced by the community and provides a valuable service. The proposed site-plan modification will help the applicant better serve its customers. Please let me know if you need any additional information.

Very truly yours,

SAMS, LARKIN & HUFF, LLP


Parks F. Huff
phuff@samslarkinhuff.com

PFH/snb

cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery
Mr. Robert L. Hosack, Jr., AICP, Director – VIA Hand Delivery
Mr. Mark A. Danneman, Manager – VIA Hand Delivery
Ms. Jane Stricklin, P.E. – VIA E-Mail
Mr. David Breaden, P.E. – VIA E-Mail
Ms. Karen King, Assistant County Clerk – VIA Hand Delivery
Ms. Lori Presnell, Deputy County Clerk – VIA Hand Delivery
Mr. Taylor Freeman

Application for "Other Business" Cobb County, Georgia

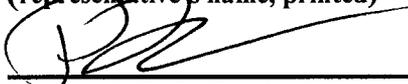
(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 12/15/09

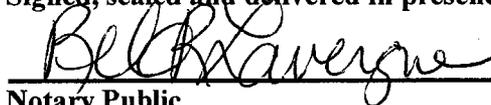
Applicant: Freelan Enterprises, LLC Phone #: 770/943-5967
(applicant's name printed)

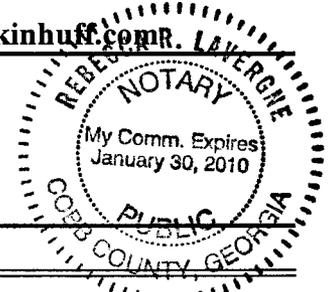
Address: 1000 Whitlock Avenue, Marietta, GA 30066 E-Mail: freemantaylor@comcast.net
SAMS, LARKIN & HUFF, LLP 376 Powder Springs Street, Suite 100

By: Parks F. Huff Address: Marietta, GA 30064
(representative's name, printed)

 Phone #: 770/422-7016 E-Mail: phuff@samslarkinbuff.com
(representative's signature)

Signed, sealed and delivered in presence of:

 My commission expires: _____
Notary Public



Commission District: 1 Zoning Case: Z-105 (1997) & 7-15-08 OB-1

Date of Zoning Decision: 9/15/98, 7/15/08 Original Date of Hearing: 8-19-97

Location: 3330 Dallas Highway, Marietta, GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 332 District(s): 20

State specifically the need or reason(s) for Other Business: Modify the approval of the site plan for the existing car wash to add a canopy between the existing building and the existing canopy.

(List or attach additional information if needed)