

**SEPTEMBER 21, 2010 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 2**

**ITEM # 3**

**PURPOSE**

To consider a site and stipulation amendment for Traton Homes, LLC regarding application Z-75 (Weaver & Woodbery Company) of 2005, for property located on the west side of Atlanta Road, south of Anderson Drive in Land Lots 743 and 744 of the 17<sup>th</sup> District.

**BACKGROUND**

The subject property was zoned RA-5 with stipulations for a 17-acre residential subdivision. This particular request concerns only a 0.83-acre piece of property along Atlanta Road. These three lots were stipulated to access only from inside the subdivision via an access easement through lots 7 and 8. The original developer is no longer involved with the project, and these three lots are being sold to another party. The new owner of these three lots is requesting to have one shared access point from Atlanta Road, with no access from within the subdivision. It should be noted that there was an access point to this property from Atlanta Road prior to approval of the RA-5 subdivision. If approved, all other zoning stipulations would remain in effect. The Board of Commissioners' decision is attached. The request has been submitted to Staff, which has the following comments relating to transportation:

“Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to Department’s approval to achieve the minimum requirement of 500 feet. Recommend Cobb DOT approve the final driveway location.”

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners consider the proposed site plan and stipulation amendment.

**ATTACHMENTS**

Zoning Stipulations (Exhibit A)  
Other Business Application (Exhibit B)  
Approved Site Plan (Exhibit C)  
Proposed Site Plan (Exhibit D)

MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
MAY 17, 2005  
9:05 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, May 17, 2005, at 9:11 a.m. in the second floor public meeting room of the Cobb County building. Present and comprising a quorum of the Commission were:

Chairman Samuel S. Olens  
Commissioner Helen Goreham  
Commissioner Tim Lee  
Commissioner Joe L. Thompson  
Commissioner Annette Kesting

**Z-75**      **WEAVER & WOODBERY COMPANY** (Gladys J. Black, et al., owners) for Rezoning from R-20 to RA-5 for the purpose of Addition of Property for a Previously Approved Subdivision in Land Lots 697, 698, 743 and 744 of the 17<sup>th</sup> District. Located on the west side of Atlanta Road, south of Anderson Drive, the north and south sides of Anderson Drive, west of Atlanta Road and on the north side of Westwood Road.

The public hearing was opened and Mr. John Moore, Ms. Jessica Clymer, Ms. Sandra Hembree, Ms. Mary Rose Barnes and Ms. Suzanne Ballew addressed the Board. Following presentations and discussion, the following motion was made:

**MOTION:** Motion by Thompson, second by Olens, to approve to the RA-5 (detached) zoning district subject to:

- general layout as shown on the site plan dated March 29, 2005, received by the Zoning Division April 27, 2005, with the District Commissioner to approve the final site plan (copy attached and made a part of these minutes *for reference only*)
- letter of agreeable stipulations from Mr. John Moore dated May 11, 2005, *with the following revisions:* (copy attached and made a part of these minutes)
  - Paragraph 17 – revise to read: “All yards of the residences to be constructed within this addition to the proposed community shall be sodded on the four (4) sides”
- Stipulation Revisions and Additions as to Z-75 (2005) to Letter of Agreeable Stipulations and Conditions dated May 11, 2005, presented by Mr. John Moore on May 17, 2005 (copy attached and made a part of these minutes)
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations

- owner/developer to enter into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of system improvements to mitigate traffic concerns

VOTE:            ADOPTED 4-1, Goreham opposed

*Clerk's Note:* Staff was directed to review this area for future amendment on the Comprehensive Land Use Plan and Future Land Use Map for change to medium density residential beginning at the property line of Lot 1 of this development to Atlanta Road.

# Rezoning Plan Anderson & Westwood Road

Land Lots #71, #42, #43 & #44 District 17th, Cook County, Georgia

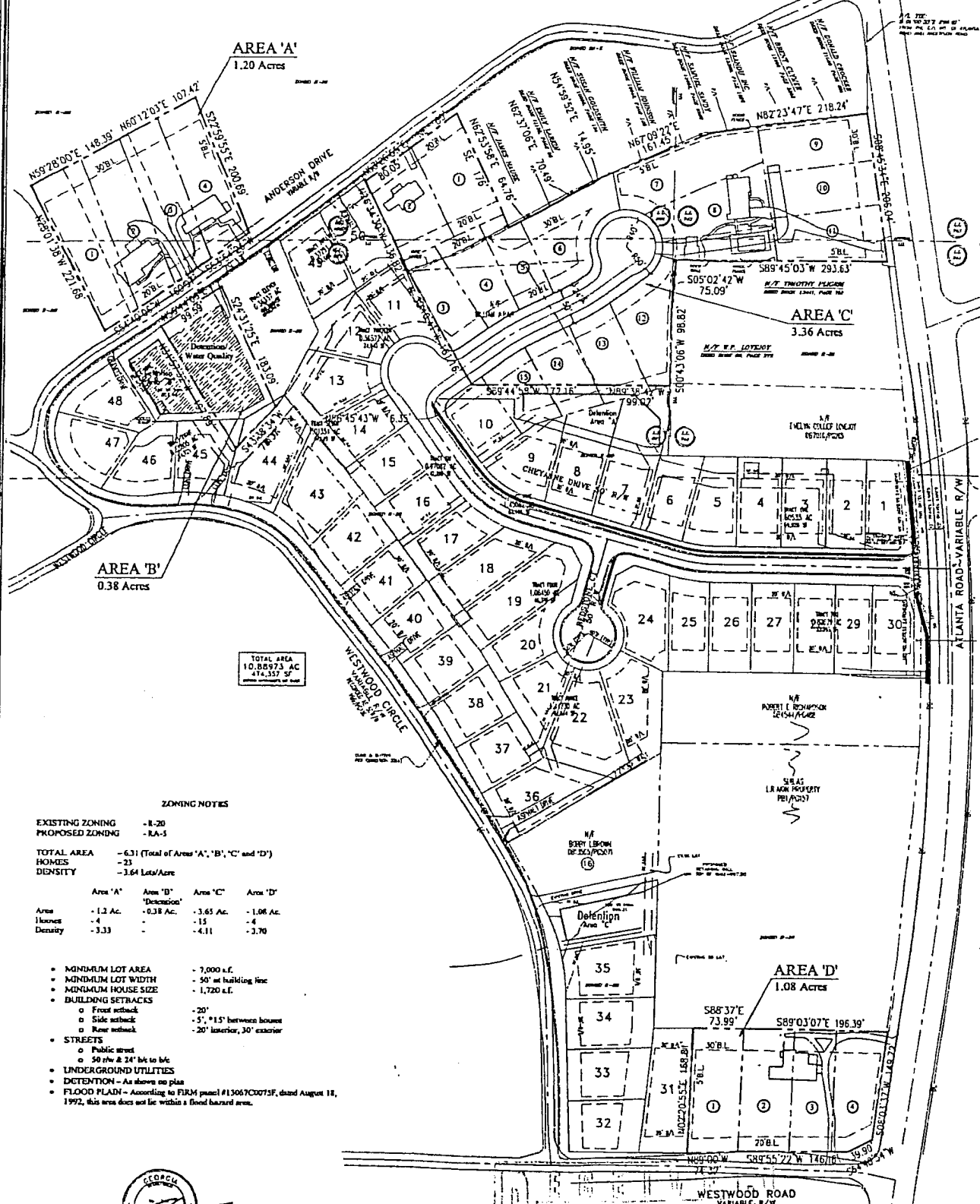
Weaver & Woodbury



770 CHAMBERS STREET, SUITE 200  
ATLANTA, GEORGIA 30301  
PHONE: 404.763.1111

September 21, 2010  
Exhibit "A"  
Other Business Item 03

Min. Bk. 34  
Doc. Type general  
*for reference only*  
Meeting Date May 17, 2005



AREA 'B'  
0.38 Acres

AREA 'A'  
1.20 Acres

AREA 'C'  
3.36 Acres

AREA 'D'  
1.08 Acres

TOTAL AREA  
10.88973 AC  
471,357 S.F.  
(including area of lot 16)

**ZONING NOTES**

EXISTING ZONING - R-20  
PROPOSED ZONING - RA-5

TOTAL AREA - 6.31 (Total of Areas 'A', 'B', 'C' and 'D')  
HOMES - 23  
DENSITY - 3.64 Lots/Acre

	Area 'A'	Area 'B'	Area 'C'	Area 'D'
Area	- 1.2 Ac.	- 0.38 Ac.	- 3.65 Ac.	- 1.08 Ac.
Homes	- 4	- 15	- 4	- 4
Density	- 3.33	-	- 4.11	- 3.70

- MINIMUM LOT AREA - 7,000 s.f.
- MINIMUM LOT WIDTH - 50' at building line
- MINIMUM HOUSE SIZE - 1,720 s.f.
- BUILDING SETBACKS
  - Front setback - 20'
  - Side setback - 5', \*15' between houses
  - Rear setback - 20' rear, 30' exterior
- STREETS
  - Public street - 50' w & 24' h/c to h/c
- UNDERGROUND UTILITIES
- DETENTION - As shown on plan
- FLOOD PLAIN - According to FIRM panel #13067C0075F, dated August 18, 1992, this area does not lie within a flood hazard area.



APR 27 2005



# MOORE INGRAM JOHNSON & ST

A LIMITED LIABILITY PARTNERSHIP  
192 ANDERSON STREET

MARIETTA, GEORGIA 30060

WWW.MIJS.COM

September 21, 2010  
Exhibit "A"  
Other Business Item 03

JOHN H. MOORE  
STEPHEN C. STEELE  
WILLIAM R. JOHNSON†  
ROBERT D. INGRAM†  
J. BRIAN O'NEIL  
G. PHILLIP BEGGS  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
JERE C. SMITH  
CLAYTON O. CARMACK  
KEVIN B. CARLOCK†  
ALEXANDER T. GALLOWAY III†  
J. KEVIN MOORE  
RODNEY R. McCOLLOCH  
SUSAN S. STUART  
DANIEL A. LANDIS\*\*\*  
BRIAN D. SMITH

HARRY R. TEAR III  
W. TROY HART†  
JEFFREY A. DAXE  
MELISSA W. GILBERT  
TIMOTHY W. BAILEY  
JOYCE W. HARPER  
AMY K. WEBER  
COURTNEY H. MOORE  
KIM A. ROPER  
TARA C. RIDDLE  
JOSHUA M. BOOTH\*  
KELLI L. WOLK  
C. LEE DAVIS  
TANYA L. CROSSE\*  
ROBERT W. BROWN II  
VICTOR P. VALMUS  
JEFFERY L. DICKERSON

**MAIN OFFICE**  
POST OFFICE BOX 3305  
MARIETTA, GEORGIA 30061

TELEPHONE (770) 429-1499  
TELECOPIER (770) 429-8631

**TENNESSEE OFFICE**

CEDAR RIDGE OFFICE PARK  
SUITE 463  
408 N. CEDAR BLUFF ROAD  
KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039  
TELECOPIER (865) 692-8671

T. SHANE MAYES  
F. MICHAEL VISCUSE\*\*  
ANGELA H. SMITH  
OPHELIA W. CHAN  
STACEY L. STEWART†  
MEREDITH M. MILBY  
DAVID M. VAN SANT  
DARRELL L. SUTTON  
KASI R. WHITAKER  
AUTUMN L. VEAZEY  
NICHOLAS J. PETERSON\*  
JEFFREY K. STINSON  
BENJAMIN A. WALDEN  
DAVID A. COX  
ELIZABETH ANN GUERRANT

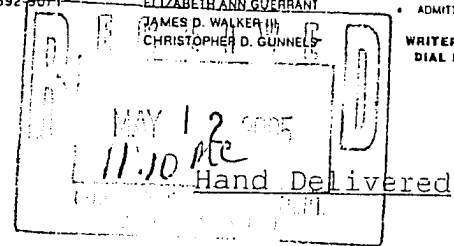
CHRISTOPHER L. MOORE  
JENNIFER S. WHITE†  
KRISTIE L. KELLY†  
RYAN G. PRESCOTT  
RICARDO J. DOMEDEIROS  
L. LAKE JORDAN

OF COUNSEL:  
MICHELLE S. DAVENPORT  
JOHN L. SKELTON, JR.

† ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
\*\* ALSO ADMITTED IN SC  
\*\*\* ALSO ADMITTED IN NC  
• ADMITTED ONLY IN TN

WRITER'S DIRECT  
DIAL NUMBER

May 11, 2005



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

Min. Bk. 34 Petition No. Z-75  
Doc. Type Letter of agreeable  
stipulations  
Meeting Date May 17, 2005

RE: Application for Rezoning  
Application No.: Z-75 (2005)  
Applicant: Weaver & Woodbery Company  
Owners: Gladys J. Black; Haywood W. Bower; Bonnie E. Bower; Dabney Partners, L.L.C.; Terry Gossett; Terry Fife Greene; Michael G. Greene; The Revocable Trust for William A. Pair; and WW Atlanta Road, LLC  
Property: 6.31 acres located on Anderson Drive, Atlanta Road, and Westwood Drive; Land Lots 697, 698, 743, and 744, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear John:

As you know, this firm represents Weaver & Woodbery Company, the Applicant (hereinafter referred to as "Applicant"), and the above named Property Owners (hereinafter collectively referred to as "Owners"), in their Application for Rezoning with regard to a total tract of 6.31 acres located on Anderson Drive, Atlanta Road, and Westwood Drive; Land Lots 697, 698, 743, and 744, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Subject Property"). After meeting with planning and zoning staff,

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page Two  
May 11, 2005

Petition No. Z-75  
Meeting Date May 17, 2005  
Continued

**September 21, 2010**  
**Exhibit "A"**  
**Other Business Item 03**

reviewing the staff comments and recommendations, meetings with area residents and homeowners associations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant and Owners to submit this revised letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full that certain letter of agreeable stipulations and conditions dated and filed April 27, 2005. The revised stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property.
- (2) Rezoning of the Subject Property shall be from the existing R-20 zoning category to the RA-5 zoning classification, site plan specific to that certain revised Rezoning Plan prepared for Weaver & Woodbery Company prepared by Sprinkle Design Conservancy, last dated May 11, 2005.
- (3) By this letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Rezoning Plan hereinabove set forth, same being prepared by Sprinkle Design Conservancy, last dated May 11, 2005.
- (4) The Subject Property shall be developed for additions to the Stonehaven at Vinings community, which is presently in the construction phase and located adjacent to the Subject Property.
- (5) The Subject Property consists of 6.31 acres of total site area and shall contain twenty-one (21) homes. Thus, this proposed additional phase of the Stonehaven at Vinings community has an overall net density of 3.33 units per acre.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page Three  
May 11, 2005

Petition No. Z-75  
Meeting Date May 17, 2005  
Continued

**September 21, 2010  
Exhibit "A"  
Other Business Item 03**

- (6) Homes within the proposed development shall be single-family, detached residences.
- (7) Residences to be constructed within this additional phase of the proposed residential community shall have a minimum of 2,200 square feet, ranging upwards to 4,000 square feet and greater, and shall be traditional or European in styling and architecture.
- (8) Additionally, residences within the proposed community shall be front and both sides brick, stone, stacked stone, stucco-type, cedar shake-type shingles, or combinations thereof.
- (9) As in the previous approval, homes immediately adjacent to Atlanta Road shall have some relief on the side facing Atlanta Road so that it will not present a solid wall.
- (10) Homes along Westwood Circle shall have accents which may include large windows, bay windows, chimney stacks with four-sided masonry, and other such relief.
- (11) With regard to the architectural detail for the homes abutting Atlanta Road and Westwood Circle as referenced in paragraphs (7) and (8) above, such architecture shall be approved by the District Commissioner.
- (12) The minimum lot size of lots within this additional phase of the proposed community shall be 7,000 square feet.
- (13) The setbacks for the addition to the Stonehaven at Vinings community shall be as follows:
  - (a) Front setback - Twenty (20) feet;
  - (b) Rear setback - Twenty (20) feet (interior) and Thirty (30) feet (exterior);
  - (c) Side setback - Five (5) feet (fifteen (15) feet major side) and shall be a minimum between structures).

MOORE INGRAM JOHNSON & STEELE

Petition No. Z-75  
Meeting Date May 17, 2005  
Continued

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page Four  
May 11, 2005

**September 21, 2010  
Exhibit "A"  
Other Business Item 03**

- (14) With regard to Area "D," Applicant agrees to a side setback along Atlanta Road equal to the side setback of the John Willis development on the opposite corner across Westwood Road, which Applicant believes is fifty (50) feet.
- (15) With regard to the existing Oak tree shown and delineated on the referenced Rezoning Plan as a part of proposed Lot 9, Applicant agrees that it will preserve said tree and will have responsibility therefor until conveyed to the ultimate purchaser of the home. Within the "critical root zone" of the above-referenced Oak tree, another tree exists which needs to be removed because it is dying. Applicant agrees no heavy equipment will be used in the removal and the tree will be taken down in sections. Further, this tree removal shall be undertaken within the supervision of a certified arborist.
- (16) Applicant agrees to plant a staggered row of Leyland Cypress on ten (10) foot centers along the line immediately adjacent to a portion of proposed Lots 5, 6, 7, and 9.
- (17) All front yards of the residences to be constructed within this addition to the proposed community shall be sodded.
- (18) All utilities servicing the residences within the proposed development shall be underground.
- (19) Owners of homes within the additional phase to the proposed community shall be under the requirements of the mandatory homeowners association and the recorded covenants, rules, and regulations established in connection therewith under the initial development.
- (20) Minor modifications to the referenced, revised Rezoning Plan, including, but not limited to, the layout of lots and stormwater control measures may be approved by the District Commissioner, as needed or necessary.



MOORE INGRAM JOHNSON & STEELE

Petition No. Z-75  
Meeting Date May 17, 2005  
Continued

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page Five  
May 11, 2005

**September 21, 2010**  
**Exhibit "A"**  
**Other Business Item 03**

- (21) The detention area, noted as Area "B" on the revised Rezoning Plan, shall be landscaped for purposes of visual screening.
- (22) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the plan review process and incorporated into the overall landscape plan for the proposed residential community.
- (23) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (24) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (25) All buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, detention/retention facilities, drainage facilities, and any and all slopes or other required engineering features of the foregoing.

We believe the requested zoning, together with the revised Rezoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the properties and owners thereof surrounding the proposed development and will allow for the enhancement and utilization of the Subject Property in a manner suitable with the recent growth and changes of the surrounding area. The Stonehaven at Vinings community is a quality development and the addition of the Subject Property will allow for flexibility within the development of same. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page Six  
May 11, 2005

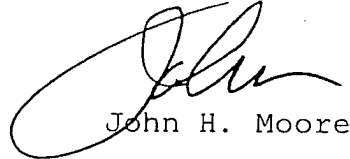
Pctition No. Z-75  
Meeting Date May 17, 2005  
Continued

**September 21, 2010**  
**Exhibit "A"**  
**Other Business Item 03**

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Enclosures

c: Cobb County Board of Commissioners:  
Samuel S. Olens, Chairman  
Helen C. Goreham  
Annette Kesting  
Joe L. Thompson  
Tim Lee  
(With Copy of Enclosure)

Ms. Mary Rose Barnes  
(With Copy of Enclosure)

Ms. Jessica Clymer  
(With Copy of Enclosure)

Weaver & Woodbery Company  
(With Copy of Enclosure)

September 21, 2010  
Exhibit "A"  
Other Business Item 03

Min. Bk. 34 titution No. Z-75  
Doc. Type Stipulation Revisions and  
Additions as to Z-75 (2005)  
Meeting Date May 17, 2005

FILED WITH COUNTY CLERK THIS 17 DAY  
OF May 2005 BY John Moore  
RE Z-75  
David H. Moore  
CLERK/ASST. COUNTY CLERK/DIRECTOR  
COBB COUNTY, GEORGIA

STIPULATION REVISIONS AND ADDITIONS AS TO  
Z-75 (2005) TO LETTER OF AGREEABLE  
STIPULATIONS AND CONDITIONS DATED  
MAY 11, 2005, PRESENTED BY  
MOORE INGRAM JOHNSON & STEELE, LLP

- I. Revisions to paragraphs of the May 11, 2005, letter of agreeable stipulations and conditions are as follows:
  - (1) Paragraph (2) shall be amended to reference the Rezoning Plan dated March 29, 2005.
  - (2) Paragraph (16) shall be deleted in its entirety and the following inserted in lieu thereof:

There shall be a natural and maintained buffer twenty (20) feet in width along the northerly line of a portion of Lot 5 and Lots 6, 7, and 9. This area shall be delineated to the inside of the buffer with an orange fence prior to development, which shall remain during development and construction. The homes constructed on these lots shall be front, both sides, and rear brick, stone, stacked stone, stucco-type, cedar shake-type shingles, or combinations thereof.
  - (3) Paragraph (17) shall be stricken in its entirety and the following inserted in lieu thereof:

All yards of the residences to be constructed within this addition to the proposed community shall be sodded.
  - (4) Paragraph (21) shall be stricken in its entirety and the following inserted in lieu thereof:

The detention area shall be fenced and landscaped to the exterior for the purposes of visual screening and aesthetics for the benefit of the residents of the Stonehaven at Vinings community and the adjacent communities.
- II. Additional paragraphs to the May 11, 2005, letter of agreeable stipulations and conditions are as follows:
  - (26) As to Lots 9, 10, and 11, the homes constructed thereon shall face Atlanta Road and contain four-sided architecture. There shall be no access to Atlanta Road.

**September 21, 2010**  
**Exhibit "A"**  
**Other Business Item 03**

Resolution No. Z-75  
Meeting Date May 17, 2005  
Continued

There shall be a building setback of fifty (50) feet along Atlanta Road and mature, vibrant trees within this area shall be saved. There shall be masonry columns with wrought-iron type fencing along the frontage with Atlanta Road, the columns to match the type contained within the main entrance feature.

- (27) All stipulations applying to Phase I of this development shall apply to this phase where not in conflict therewith.
- (28) There shall be a maximum of three (3) lots in Area "A."
- (29) With regard to Area "D," the following shall apply:
  - (a) A maximum of three (3) lots;
  - (b) A fifty (50) foot setback off Atlanta Road; and
  - (c) Applicant agrees to work with John Willis to make the entrance monument features and fencing compatible with the John Willis development on the south side of Westwood Road.
- (30) There shall be no construction parking along Westwood Road, Westwood Circle, or Anderson Drive which fully blocks the streets.
- (31) Construction-type fencing shall be erected around all detention facilities during the period of construction.
- (32) The Rezoning Plan herein referenced, dated March 29, 2005, shall be redrawn to incorporate all of the changes referenced herein and shall be submitted to the District Commissioner for final approval.

September 21, 2010  
Exhibit "B"  
Other Business Item 03

# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: September 21, 2010

**Applicant:** Traton Homes, LLC Phone #: (770) 427-9064  
(applicant's name printed)

**Address:** 720 Kennesaw Avenue, Marietta, GA 30060 E-Mail: Not Applicable

**Moore Ingram Johnson & Steele, LLP** Emerson Overlook, 326 Roswell Street

**J. Kevin Moore** Address: Marietta, GA 30060

(representative's name, printed)

BY: [Signature] Phone #: (770) 429-1499 E-Mail: jkm@mijs.com; w7@mijs.com

(representative's signature) Georgia Bar No. 519728

Signed, sealed and delivered in presence of:

Carolyn E. Cook My commission expires: January 10, 2011

Notary Public

**Titleholder(s):** Walton Stonehaven, LLC Phone #: (678) 303-4100

(property owner's name printed)

**Address:** 2181 Newmarket Parkway, Marietta, GA 30067 E-Mail: rjones@waltoncommunities.com

com

BY: [Signature]

(Property owner's signature) Roy M. Jones, Manager

Signed, sealed and delivered in presence of:

Carolyn E. Cook My commission expires: January 10, 2011

Notary Public

**Commission District:** 2 (Ott) **Zoning Case:** Z-75 (2005)

**Date of Zoning Decision:** 05/17/2005 **Original Date of Hearing:** 05/17/2005

**Location:** Westerly side of Atlanta Road; northerly of Cheyanne Drive

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

**Land Lot(s):** 743, 744 **District(s):** 17th

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

See Exhibit "A" attached hereto and incorporated herein by reference.

(List or attach additional information if needed)

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"**  
**(SITE PLAN AND STIPULATION AMENDMENT)**

**Application No.:** Z-75 (2005)  
**Original Hearing Date:** May 17, 2005  
**Date of Zoning Decision:** May 17, 2005  
**Current Hearing Date:** September 21, 2010

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant:** Traton Homes, LLC  
**Property Owner:** Walton Stonehaven, LLC

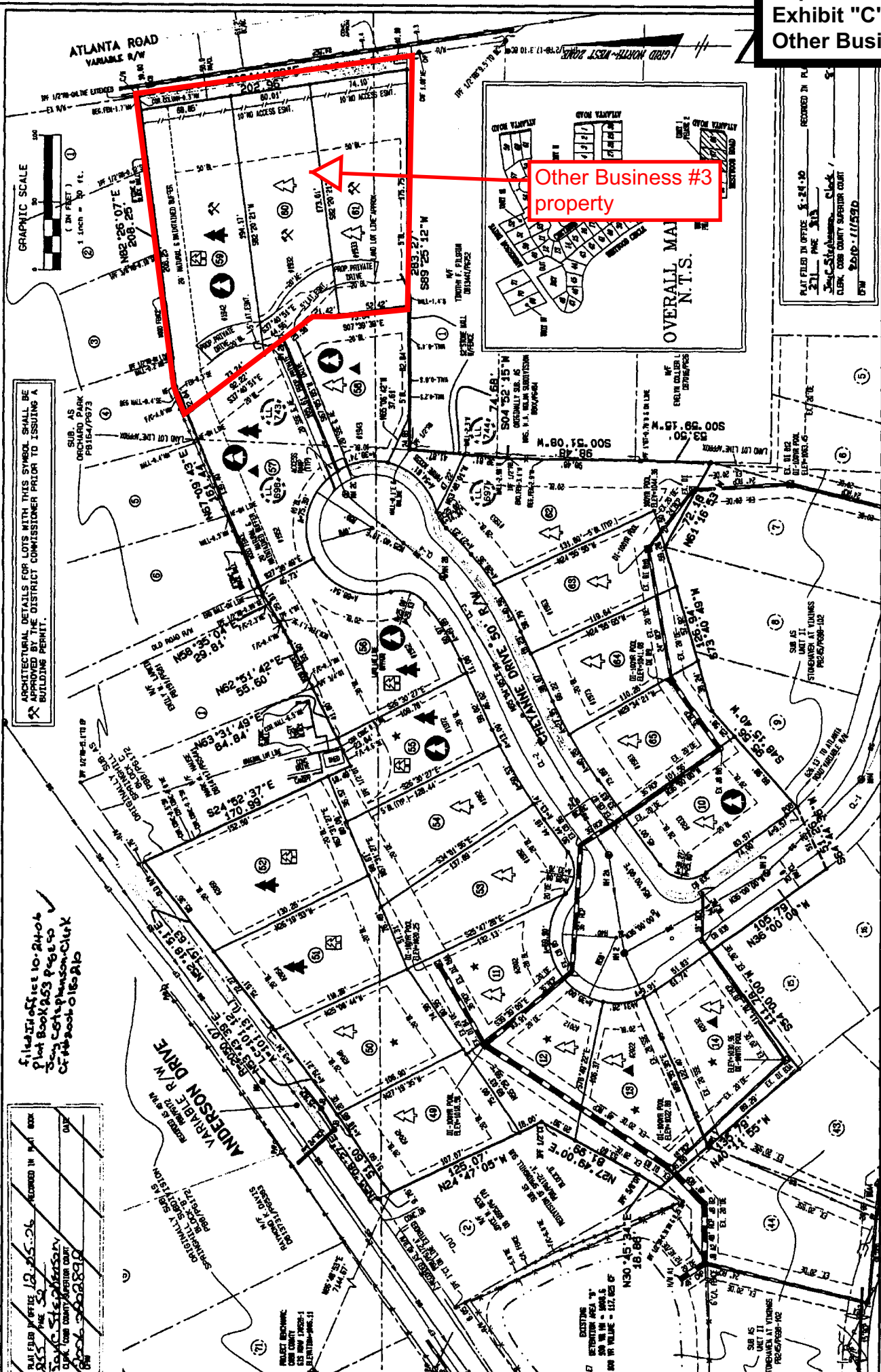
On May 17, 2005, the Cobb County Board of Commissioners approved the rezoning of an approximately 6.31 acre tract to the RA-5 zoning category (hereinafter "Subject Property" or "Property"). The purpose of rezoning the Property was the addition to a previously approved residential development to be known as Stonehaven at Vinings. The approval of the rezoning request was site plan specific referencing the revised Rezoning Plan dated March 29, 2005, filed April 27, 2005 (a copy of which is attached hereto as Exhibit "1"); and was subject to the conditions set forth in the official minutes, as well as the letter of agreeable stipulations and conditions dated May 11, 2005, filed May 12, 2005, and the "Stipulation Revisions and Additions" filed at the hearing of the Board of Commissioners on May 17, 2005.

Applicant seeks to amend a portion of the approved Rezoning Plan and certain stipulations and conditions which relate specifically to three lots noted on the approved Rezoning Plan as Lots 9, 10, and 11, now known as Lots 59, 60, and 61, Unit III. The proposed amendments are as follows:

- (1) Applicant submits the "Proposed Access Plan" prepared by DGM Land Planning Consultants, Inc. dated August 17, 2010, which shows one access and shared driveway to service the three lots from Atlanta Road. Applicant seeks to amend the referenced, approved Rezoning Plan as to Lots 59, 60, and 61 only and substitutes in lieu thereof the "Proposed Access Plan."
- (2) Additionally, paragraph 26 of the "Stipulation Revisions and Additions as to Z-75 (2005) to Letter of Agreeable Stipulations and Conditions dated May 11, 2005, Presented by Moore Ingram Johnson & Steele, LLP" is amended to delete the second sentence, which reads as follows: "[t]here shall be no access to Atlanta Road." Further, any reference within the official minutes relating to no access to Atlanta Road with regard to Lots 59, 60, and 61 shall be deleted.

The proposed amendment does not adversely impact or affect the remaining Stonehaven development or surrounding properties or property owners. The original concept for the three subject lots was to provide access by a rear alley. However, there are significant topographical challenges to provide rear-alley access to these three lots which results in this original concept becoming an unreasonable hardship. If the requested revisions are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the overall Stonehaven at Vinings Subdivision.

The balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on May 17, 2005, as to Z-75 (2005), are unaltered by this requested Site Plan and Stipulation Amendment.



Other Business #3  
 property

ARCHITECTURAL DETAILS FOR LOTS WITH THIS SYMBOL SHALL BE APPROVED BY THE DISTRICT COMMISSIONER PRIOR TO ISSUING A BUILDING PERMIT.

Field office 10-24-06  
 Plat Book 253 Page 50  
 City Commissioner-Clark  
 or the date of 10-24-06

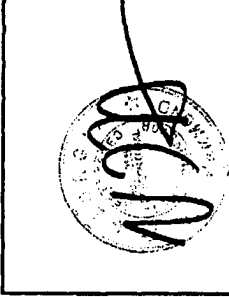
PLAT FILED IN OFFICE 12-25-06 RECORDED IN PLAT BOOK 253 PAGE 50  
 JAMES S. STEPHENSON  
 CLERK, CLERK OF SUPERIOR COURT  
 2008-0028890

PLAT FILED IN OFFICE 9-24-10 RECORDED IN PLAT BOOK 253 PAGE 50  
 JAMES S. STEPHENSON  
 CLERK, CLERK OF SUPERIOR COURT  
 2010-0028900

SCALE: \_\_\_\_\_  
 DATE SURVEYED: 01/16/04  
 DATE PLATED: 1. GREENE  
 SURVEYED BY: \_\_\_\_\_  
 DATE DRAFTED: \_\_\_\_\_  
 UPRATE DRAFTED: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 FIELD BOOK #: 2108  
 JOB NUMBER: \_\_\_\_\_  
 FOLDER NUMBER: \_\_\_\_\_  
 COORD FILE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_

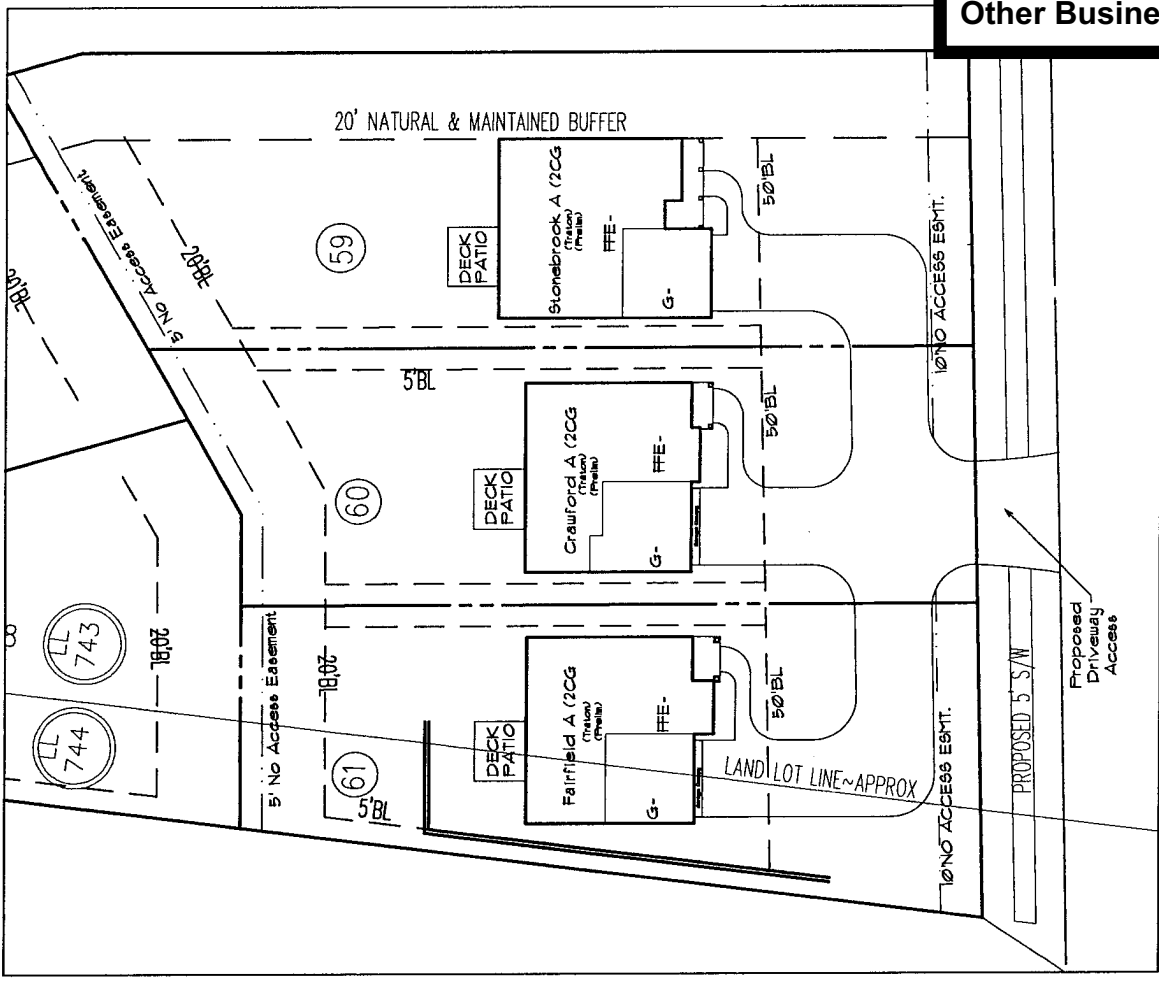
**W&B**  
**WATTS & BROWNING ENGINEERS, INC.**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 5562 PEACHTREE ROAD

NO.	DATE	DESCRIPTION
1.	01/16/04	ADVERSE COUNTY COMMENTS. SEE RETURN MORE PL. SHEET 2 OF 3.
2.	01/16/04	ADVERSE COUNTY COMMENTS. SEE RETURN MORE PL. SHEET 2 OF 3.



FINAL PLAT OF  
**UNIT III**  
**STONEHAVEN AT VININGS**  
 LOCATED IN  
 LAND LOTS 697, 698, 743 & 744





Proposed Access Plan  
**Stonehaven #59,60,61**

Cobb County, Georgia Land Lots 743 & 744, 17th District, 2nd Section

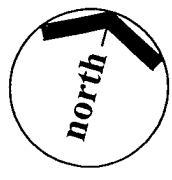
prepared for:

**Traton Corp.**

**DGM**  
 LAND PLANNING  
 CONSULTANTS

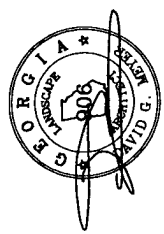


975 Oak Place  
 Bunn Street 212  
 KENNESAW  
 GA 30144  
 770 514-9006  
 FAX 514-9491



August 17th, 2010

Revisions:

**Notes:**

1. Boundary survey by Watts & Browning and topographic information by CCLand Surveyors.
2. According to Flood Insurance Rate Map (FIRM) #1306 TC0075F, August 18, 1992, No portion of this site contains floodplain.
3. No cemeteries are known to exist on site.
4. Stream and wetland classifications are to be determined.
5. No archeological or architectural landmarks are known to exist on site.
6. No Utility easements exist on site and are not shown on site plan.