

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

ITEM # 1

PURPOSE

To consider a stipulation amendment for Willoughby & Sewell Development regarding application Z-204 (Willoughby & Sewell Development Company, Inc.) of 2004, for property located on the south side of Burnt Hickory Road, west of County Line Road, and on the north side of Fernstone Drive in Land Lots 191 and 228 of the 20th District.

BACKGROUND

The subject property was zoned PRD with stipulations in 2005. The rezoning stipulations created a 15 foot undisturbed buffer along the rear of certain lots in the subdivision. The only exception to the undisturbed buffer was an allowance to plant additional plantings approved by the County Arborist. The applicant is requesting that the zoning stipulations be amended to also allow fences within the buffer. The applicant has submitted a letter signed by eight property owners for this request. The applicant and other property owners understand no other structures or buildings would be permitted in the buffer area. If approved, all other zoning stipulations would remain in effect. The Board of Commissioners' decision is attached (see Exhibit A). The request has been submitted to Staff, which has no comments.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider the proposed stipulation amendment.

ATTACHMENTS

Zoning Stipulations (Exhibit A)
Other Business Application (Exhibit B)
Site plan (Exhibit C)

**MINUTES OF ZONING HEARING
 COBB COUNTY BOARD OF COMMISSIONERS
 FEBRUARY 15, 2005
 9:10 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, February 15, 2005, at 9:10 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-204⁰⁴

WILLOUGHBY & SEWELL DEVELOPMENT COMPANY, INC.
 (Connie X. Crunkleton, et al., owners) for Rezoning from PD and R-30 to R-15 for the purpose of a Subdivision in Land Lots 191 and 228 of the 20th District. Located on the south side of Burnt Hickory Road, west of County Line Road, north of Fernstone Drive.

The public hearing was opened and Mr. John Moore and Ms. Laqueta Ballew addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Olens, to approve rezoning to the PRD zoning district subject to:

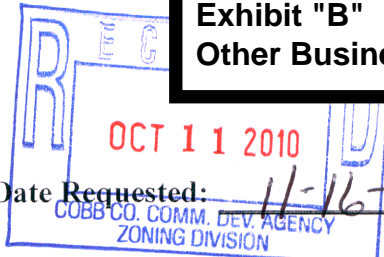
- letter of agreeable stipulations from Mr. John Moore dated February 9, 2005, *with the following revisions and additions:* (copy attached and made a part of these minutes)
 - Paragraph 2 – delete reference to "... site plan specific ..." and insert "with the final site plan to be approved by the District Commissioner."
 - Paragraph 15 – revised to read: "Applicant agrees to establish along the rear of each and every lot backing up to another lot within the proposed community a buffer to be considered undisturbed, except for plantings approved by the County Arborist, and protected by a conservation easement placed as a restriction on the deed of every property where the said buffer is exacted."
 - Paragraph 30 – additional paragraph to read: "Applicant to widen Burnt Hickory Road to provide left-turn access into the subdivision."
- letter of agreeable stipulations from Mr. John Moore dated February 11, 2005 (copy attached and made a part of these minutes)
- all possible efforts to keep wetlands off lots and to establish detention to help downstream families

STIPULATED TO
 BE AMENDED
 TO ALLOW FENCES



Application for "Other Business"
Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 11-16-10Applicant: Willoughby & Sewell Development Phone #: 770-425-9980
(applicant's name printed)Address: 1781 Brookstone Walk E-Mail: wsdev@bellsouth.net
Acworth, GA 30101Joe Sewell Address: 1781 Brookstone Walk
(representative's name, printed) Acworth, GA 30101Joe Sewell Phone #: 770-425-9980 E-Mail: wsdev@bellsouth.net
(representative's signature)

Signed, sealed and delivered in presence of:

Tammi Cass My commission expires: March 12, 2013
Notary PublicTitleholder(s): Willoughby & Sewell Development Phone #: 770-425-9980
(property owner's name printed)Address: 1781 Brookstone Walk E-Mail: wsdev@bellsouth.net
Acworth, GA 30101Joe Sewell
(Property owner's signature)

Signed, sealed and delivered in presence of:

Tammi Cass My commission expires: March 12, 2013
Notary PublicCommission District: 20th Zoning Case: 2-204'04Date of Zoning Decision: 2-15-05 Original Date of Hearing: 2-15-05Location: The Farm @ Brookstone
(street address, if applicable; nearest intersection, etc.)Land Lot(s): 191 and 228 District(s): 20thState specifically the need or reason(s) for Other Business: We would
like to leave the undisturbed landscape
buffer on each lot as it reads, but we
would like to be able to install fences
as needed by individual homeowners.

October 8, 2010

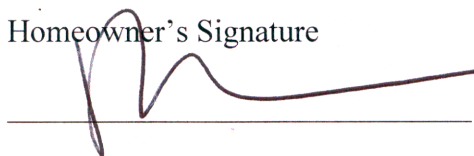
Cobb County Zoning Division
1150 Powder Springs Street
Suite 400
Marietta, GA 30064

To Whom It May Concern

I am aware of the 15 foot undisturbed landscape buffer on my lot and I agree that I should be able to install a fence as needed within this "buffer".

Homeowner's Signature

Homeowner's Address



6362 Farmview Dr



6350 Farmview Dr



6340 Farmview Drive



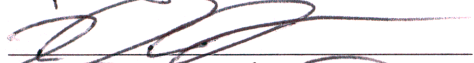
6330 Farmview Dr



6324 Farmview Dr



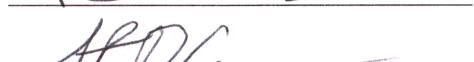
6318 FARMVIEW DR



6312 Farmview Dr



6345 Farmview Dr



1652 FARMVIEW PL

