

**JUNE 21, 2011 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 4**

**ITEM #1**

**PURPOSE**

To consider a zoning stipulation amendment for Paul S. Attaway regarding rezoning application #335 of 1985 (Paul S. Attaway), for property located on the north side of Mimosa Drive, west of Austell Road in Land Lot 781 of the 19<sup>th</sup> District.

**BACKGROUND**

The subject property was rezoned to GC with stipulations for “Boat sales only” in 1985. The boat dealership was located at this property from 1985 to 2010. The applicant would like to lease the property to a sign shop, but cannot under the current zoning stipulations. The sign shop will use the property “as is”, and there are no improvements planned for the property. If considered for approval, the applicant would like to have the District Commissioner approve any future uses for the property to provide for a quicker approval process. The Board of Commissioners' decision is attached.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the stipulation amendment.

**ATTACHMENTS**

Current zoning stipulations (Exhibit A)  
Site plan (Exhibit B)  
Other Business application (Exhibit C)

APPLICATION FOR REZONING  
TO THE  
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES  
AND THE  
COBB COUNTY PLANNING COMMISSION  
(type or print clearly)

Application No. 335

Hearing Date \_\_\_\_\_

Applicant D&P MARINE Business Phone 432-5203 Home Phone 427-4822  
(business name)  
Paul S. Attaway Address 1198 Wilburyn Dr. Marietta 30064  
(representative's name, printed)  
Paul S. Attaway Business Phone 432-5203 Home Phone 427-4822  
(representative's signature)

Titleholder H. L. THOMAS AND IDA LEE THOMAS Business Phone \_\_\_\_\_ Home Phone 436-8758  
H. L. Thomas  
Signature \_\_\_\_\_ Address 1369 Brown Rd. S.W. Marietta, 30060  
(attach additional signatures, if needed)

Zoning Request From NS To GC  
(present zoning) (proposed zoning)

For the Purpose of D&P MARINE (BOAT SALES) Size of Tract 2.302 acre(s)  
(subdivision, restaurant, warehouse, apts., etc.)

Location 1358 NIMROSA DR. S.W. (AT INTERSECTION WITH ALSTEEZ RD.)  
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 781 District 19 2<sup>ND</sup> SECT

Recommendation of Planning Commission 10-15-85. Planning Commission recommended  
application be approved for Boat sales only. Motion by Adams, seconded by Thompson;  
carried 5-0.

Stanley A. Thompson Chairman

Board of Commissioners' Decision 10-15-85. Board of Commissioners approved  
application as stated above. Motion by Paschal, seconded by Thompson; carried 5-0.

Earl C. Smith Chairman

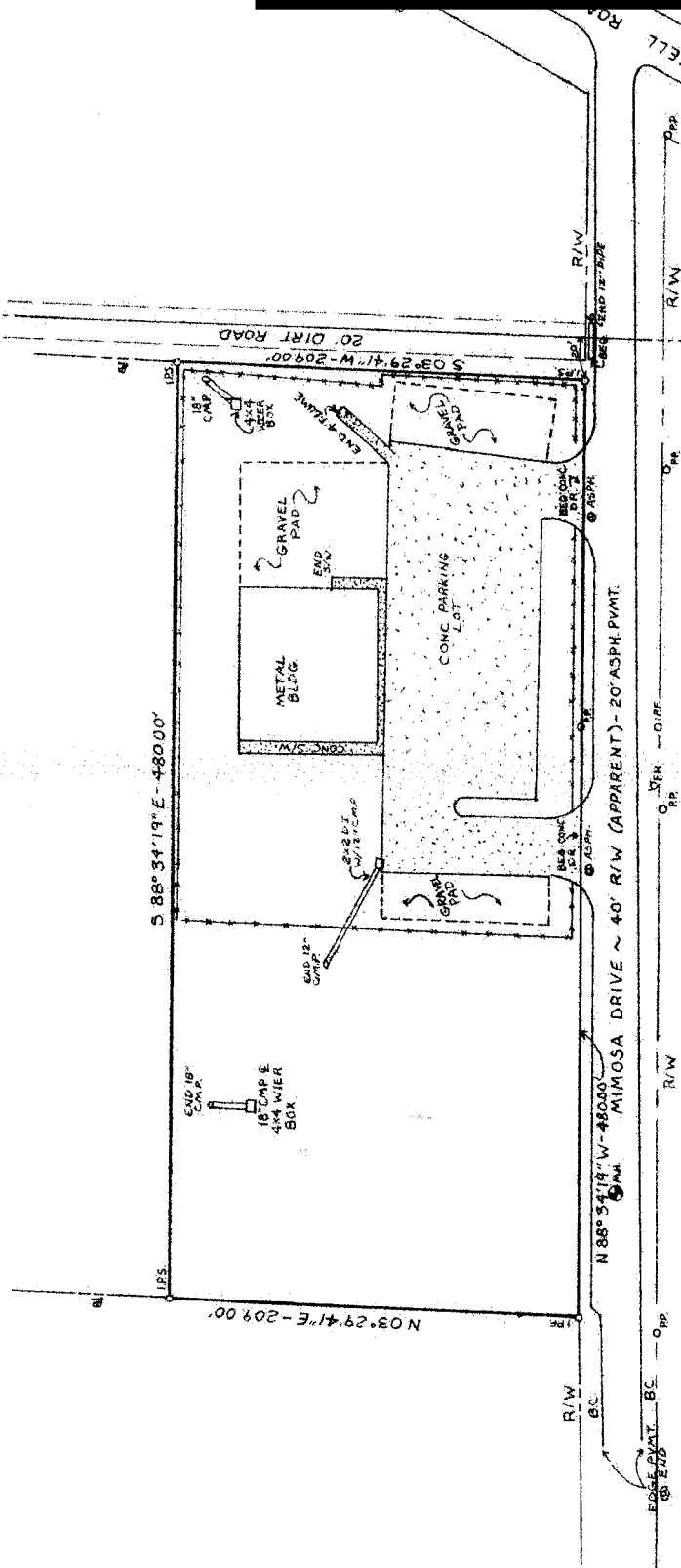


ALL BEARINGS ARE CALCULATED FROM ANGLES TURNED, BASED ON A SINGLE MAGNETIC OBSERVATION.

LL 780

LL 781

June 21, 2011  
Exhibit "B"  
Other Business Item 01



I HAVE, THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED LOT IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

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 L.M.



This survey only includes objects that are visible and is not responsible for underground utilities or other objects that are not apparent by visual observation. I.E. underground gas lines, gas lines, water lines, sewer lines, etc.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY THE METHOD OF THE FOOT PER ANGLE AND AN ANGULAR ERROR OF 0.3 PER ANGLE AND WAS ADJUSTED BY CRANDALL'S METHOD.  
THE DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,000,000 FEET.

<b>ASBULT SURVEY FOR</b> <b>D. &amp; P. MARINE, INC.</b>	LAND LOT 781 GEORGIA	19th DISTRICT DATE 6/14/20	2nd SECTION COBB COUNTY	SCALE 1" = 80' DATE 6/14/20	<b>PAUL LEE</b> CONSULTING ENGINEERING ASSOC., INC. 2784 ATLANTA STREET SUITE A SMYRNA, GEORGIA 30080 (404) 435-2576 S.I.B.B.
	JOB NO. 5188				

June 21, 2011  
Exhibit "C"  
Other Business Item 01

# Application for "Other Business"

## Cobb County, Georgia

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

BOC Hearing Date Requested: 6.21.11

Applicant: PAUL S. ATTAWAY Phone #: 770.633.0423  
(applicant's name printed)

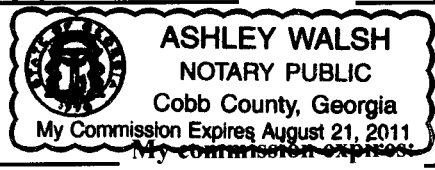
Address: 4821 MIRROR LAKE DR. POWDER SPRINGS GA 30127 E-Mail: PAUL.ATTAWAY@BELLSOUTH.NET

SAME AS ABOVE Address: SAME AS ABOVE  
(representative's name, printed)

Paul S. Attaway Phone #: 770.633.0423 E-Mail: PAUL.ATTAWAY@BELLSOUTH.NET  
(representative's signature)

Signed, sealed and delivered in presence of:

Ashley Walsh  
Notary Public



8/21/2011  
My commission expires:

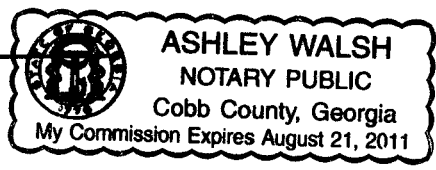
Titleholder(s): PAUL S. ATTAWAY Phone #: 770.633.0423  
(property owner's name printed)

Address: 4821 MIRROR LAKE DR. POWDER SPRINGS GA 30127 E-Mail: PAUL.ATTAWAY@BELLSOUTH.NET

Paul S. Attaway  
(Property owner's signature)

Signed, sealed and delivered in presence of:

Ashley Walsh  
Notary Public



8/21/2011  
My commission expires:

Commission District: 4 Zoning Case: 335 OF 1985

Date of Zoning Decision: 10-15-85 Original Date of Hearing: 10-15-85

Location: 1400 MIMOSA DR. MARIETTA GA INTERSECTION WITH AUSTELL RD  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 781 District(s): 19 2<sup>ND</sup> SECTION

State specifically the need or reason(s) for Other Business: DUE TO SEVERE DOWNTURN IN RECREATIONAL BOAT SALES & SERVICE BEGINNING ABOUT THE TIME OF THE SEVERE DROUGHT IN 2008 AND FOLLOWING DUE TO THE ECONOMIC DEPRESSION, THERE IS NOT AN ECONOMIC USE OF THE PROPERTY FOR BOAT SALES ONLY. THEREFORE, I REQUEST THE STIPULATION BOAT SALES ONLY BE REMOVED TO ALLOW MORE ECONOMICALLY VIABLE USES OF THE PROPERTY. I HAVE ATTACHED THE "GC" PERMITTED USES DOCUMENT WITH ITEMS MARKED THAT I FEEL COULD BE

(List or attach additional information if needed)