

Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: 6-21-11

Applicant: Noorul A. Siddiqui Phone #: 678-770-8752
(applicant's name printed)

Address: 2478 SAWDA DR ACWORTH GA E-Mail: _____
30101

Noorul Siddiqui Address: same
(representative's name, printed)

[Signature] Phone #: 678-770-8752 E-Mail: _____
(representative's signature)

Signed, sealed and delivered in presence of:

Jason A. Campbell My commission expires: _____
(Notary Public) My Commission Expires October 31, 2011



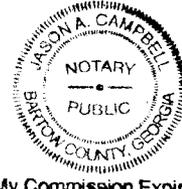
Titleholder(s): Noorul A. Siddiqui Phone #: 678-770-8752
(property owner's name printed)

Address: 2478 SAWDA DR ACWORTH GA E-Mail: _____
30101

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of:

Jason A. Campbell My commission expires: _____
(Notary Public) My Commission Expires October 31, 2011



Commission District: 4 Zoning Case: Z-4 of 2010

Date of Zoning Decision: 2-16-10 Original Date of Hearing: 2-16-10

Location: 2433 Powder Springs Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 714 District(s): 19

State specifically the need or reason(s) for Other Business: Extend the reversion
clause another 12 months due to an ongoing legal
dispute with the former business partner.

see Exhibit "A"

(List or attach additional information if needed)

pd # 359.00
Rec 01673
Jan 5-2011

Exhibit "A"
Z-4 of 2010
Other Business for 6-2-11.

May 2, 2011

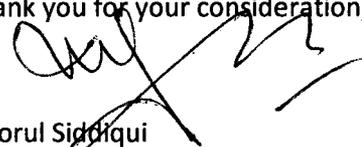
To Whom It May Concern:

I am writing in regards of the Wellcare Assisted Living, located on 2433 Powder Springs Rd. Marietta, GA. 30064. On February 16, 2010, my property, Land Lot 714 of the 19th district, was approved for rezoning from R-20 to NRC for me to start a great assisted living facility. The reconstruction for my facility started in the early months of 2010 but was halted because of a civil suit I was involved with the construction company I had contracted for the reconstruction. I am writing to request an extension for the zoning approval for an additional six (6) months, up to one (1) year.

In August of 2010, I was in a civil lawsuit with Ballard Development, Inc. regarding breach of a binding contract to oversee and finish reconstruction of Wellcare Assisted Living facility. We have enclosed the copy of the lawsuit with this letter, Civil Action File # 10-CV-14294-38 under State Court of Fulton County, State of Georgia. During the early months of 2010, Curtis Ballard of Ballard Development, Inc. aka "Defendant" was contracted to reconstruct Wellcare Assisted Living facility satisfactory to State of Georgia guidelines. The "defendant" repeatedly requesting additional funds in the amounts of Ten thousand dollars (\$10,000.00) and Twenty thousand dollars (\$20,000.00), at the time which the construction was grossly over budget and behind schedule. The "defendant" was court ordered to present a detailed account of all monetary transactions. The "defendant" was unable to provide a detailed account and the ruling was in favor of Noorul Siddiqui aka the "plaintiff." However the ruling was of such, a Lien against the "defendant's" residence of Seventy nine thousand dollars (\$79,000.00). We are unable to specify the timing of payment due to the pending sale of the "defendant's" property. We are continuing our reconstruction of our facility, Wellcare Assisted Living. We are 60% complete with our project and request an additional six (6) months, up to one (1) year, for the completion of our great facility, Wellcare Assisted Living.

In conclusion, I ask you to accept my letter for an extension in our zoning permit for Wellcare Assisted Living. These additional six (6) months, up to one (1) year, will give me a chance to be in complete compliance with the State of Georgia regulations and help the members of my community with great patient care. We beseech you to read our letter with great compassion, in hopes for a new start for our patients and friends.

Thank you for your consideration,



Noorul Siddiqui
Owner, Wellcare Assisted Living

FLOOD STATEMENT

I HAVE EXAMINED THE OFFICIAL FLOOD HAZARD MAP AND FOUND THAT BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY LIES IN A FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP 1306700201G, DATED DEC. 16, 2008.

LEGEND

- IPS IRON PIN SET
- IFT IRON PIN FOUND
- OT OPEN TOP PIN
- CT CRIMP TOP PIN
- REB REINFORCING BAR
- CL CENTERLINE
- R/W RIGHT-OF-WAY
- L/L LAND LOT
- CONC CONCRETE
- PP POWER POLE
- GV GAS VALVE
- PC FENCE CORNER
- X-X- FENCE
- POB POINT OF BEGINNING
- M/F MON NOW OR FORMERLY
- C&S CURB & GUTTER
- FH FIRE HYDRANT
- PP POWER POLE
- WM WATER METER

VICINITY MAP

EXHIBIT "A"

SURVEYOR'S WRITTEN DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying in Land Lot 714 of the 19th District, 2nd Section of Cobb County, Georgia, shown as having a total coverage of 2.25 acres, according to a certain plat of survey for Noorul A. Siddiqui and Shaheez A. Siddiqui dated Oct 21, 2009 prepared by Vedder Surveys & Assoc. (bearing the Seal of George Vedder, GRLS No. 2562), and being more particularly described as follows:

BEGINNING at an iron pin found at the point common to Land Lots 713, 714, 767 and 768, of said district and section; running thence

S89°47'17"W along the lot line common to Land Lots 714 and 767 a distance of 306.57 feet to an iron pin found on the southeastern margin of the right of way of said Powder Springs Road; thence N24°43'29"E along the margin of Powder Springs Road where it intersects with the line common to Land Lots 714 and 713 a distance of 706.32 feet to an iron pin placed; thence continuing S00°56'50"E along the line common to Land Lots 714 and 713 a distance of 190.48 feet to an iron pin found; thence continuing S00°56'50"E along the line common to Land Lots 714 and 713 a distance of 173.48 feet to an iron pin found; thence continuing S00°56'50"E along the line common to Land Lots 714 and 713 a distance of 278.57 feet to an iron pin found at the POINT OF BEGINNING.

Said conveyance is subject to all legal encumbrances, covenants and right of ways, public or private.

ZONING

R-20
FRONT=40'
SIDE=10'
REAR=35'

AREA
98,176 sq. ft.
2.25 acres

ADDRESS:
2433 POWDER SPRINGS ROAD

ZONING
R-20

GRAPHIC SCALE - FEET 1" = 50'

VEDDER SURVEYS & ASSOCIATES
1648 Juliette Road, Forsyth, Ga. 31029
TELEPHONE (678) 544-2585

BOUNDARY SURVEY FOR:
NOORUL A. SIDDIQUI AND
SHAHEEZ A. SIDDIQUI
ADDRESS: 2433 POWDER SPRINGS RD.
DEED BOOK 13,270 PAGE 1801
TAX ID# 19071400010

LAND LOT 714
19TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA
DATE 10/21/2009
SCALE 1" = 50'



The field data upon which this plat is based has a closure of 1 foot in 10,000 feet, an angular error of .32 seconds per angle point and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000 feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat. No State Plane Coordinate Monument found within 500' of this property. All matters pertaining to title are excepted.

Vol. Bk. 59, Petition No. 2-4
Doc. Type Side Plan
Meeting Date February 14, 2010

