

**DECEMBER 13, 2011 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM # 4

PURPOSE

To consider stipulation amendment for O’Dwyer Homes, Inc. regarding rezoning application Z-197 of 2004 (Integrated Designs International, Inc.), for property located on the west side of Factory Shoals Road, the east side of Wade Road and on the south side of Blair Bridge Road in Land Lots 413 and 414 of the 18th District.

BACKGROUND

The subject property was zoned to RA-5 in 2004 for a subdivision with 76 houses. The subdivision was developed in 2006. There are currently 15 houses constructed. One of the zoning stipulations called for the houses to be a minimum of 2,200 square-feet in size. The applicant would like to amend the house size to a minimum of 1,800 square-feet. The architecture of the proposed houses would be the same as the existing houses (see exhibit C for typical house plans). The applicant has met with the existing home owners about this proposed amendment and understands they will not oppose this request. If approved, all other zoning stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

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

ATTACHMENTS

Other Business Application (Exhibit A)
Zoning stipulations (Exhibit B)
Proposed typical house plans (Exhibit C)

Application for "Other Business"

Cobb County, Georgia

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

BOC Hearing Date Requested: 12-13-11

Applicant: Odwyer Homes Inc Phone #: 770-887-2177
(applicant's name printed)
Address: 850 Old Alpharetta Rd Alpharetta, GA 30005 E-Mail: davep@odwyerhomes.com

DAVE PLANK Address: SAME AS ABOVE
(representative's name, printed)
[Signature] Phone #: (770) 206-0922 E-Mail: davep@odwyerhomes.com
(representative's signature)

Signed, sealed and delivered in presence of: [Signature]
Notary Public M Dawn Watson
Notary Public
State of Georgia
Cherokee County
My Commission Expires: 3/30/12
March 30, 2012

Titleholder(s): Killarney Investments LLC Phone #: 770-887-2177
(property owner's name printed)
Address: 850 Old Alpharetta Rd Alpharetta, GA 30005 E-Mail: Kathy@odwyerhomes.com
[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of: [Signature]
Notary Public M Dawn Watson
Notary Public
State of Georgia
Cherokee County
My Commission Expires: 3/30/12
March 30, 2012

Commission District: 18th Zoning Case: Z-197

Date of Zoning Decision: 12-13-11 Original Date of Hearing: 12-21-04

Location: Lots 17-24 & 27-40 Winding Wade Trail at Crestside @ WADE FARM
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1, 12-28, 40, 42, 44, 46-48, 58-61, 64-66, 69-76 District(s): 9-Cobb County

State specifically the need or reason(s) for Other Business: _____

DISCUSSED AND directed by Commissioner Thompson
as other Business. Reduce the minimum house
size from 2,200 SQ FT TO 1,800 SQ FT
PER House. See house plans for the Derrymore and Shannon
for typical house sizes.
(List or attach additional information if needed)

ORIGINAL DATE OF APPLICATION: 12-21-04

December 13, 2011 Other Business Item 04 Exhibit "B"
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APPLICANTS NAME: INTEGRATED DESIGNS INTERNATIONAL

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

BOC DECISION OF 12-21-04 ZONING HEARING:

INTEGRATED DESIGNS INTERNATIONAL, INC. (Lucy Virginia Wade Voyles and Jacquelyn Elaine Wade Brock, owners) for Rezoning from **R-20** and **PSC** to **RA-5** for the purpose of a Subdivision in Land Lot 414 of the 18th District. Located at the southeast intersection of Blair Bridge Road and Wade Road.

MOTION: Motion by Lee, second by Goreham, to **approve** rezoning to the **RA-5 (detached)** zoning district **subject to:**

- **single-family detached use only**
- **letter of agreeable stipulations from Mr. Parks Huff dated December 15, 2004 (copy attached and made a part of these minutes)**
- **houses along Factory Shoals Road to be brick on three sides**
- **no permits to be issued until variance is approved for entire site and all stipulations are met**
- **no access points for development are authorized until final site plan is approved by the Board of Commissioners**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations, with the exception of curb and gutter along Wade Road and Woodman Trail**
- **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** unanimously

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW
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376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

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TELEPHONE

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MICHAEL P. PRYOR
OF COUNSEL
DAVID P. HARTIN

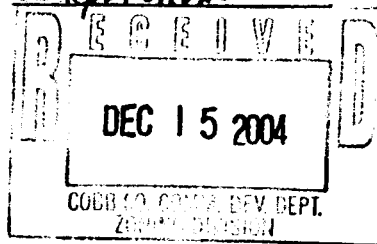
December 15, 2004

Min. Bk. 32 Petition No. Z-197
Doc. Type Letter of Agreeable

Meeting Date Stipulations

VIA HAND DELIVERY

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



Re: Application of Integrated Designs International, Inc. to Rezone a 20 Acre Tract of Land from R-20 and PSC to RA-5 located in Land Lot 413 and 414, 18th District, 2nd Section, Cobb County, Georgia. (Z-197)

Dear John:

As you know, the above-styled case came before the Planning Commission on December 7, 2004. The Planning Commission recommended that the case be placed on the consent agenda for the Board of Commissioners on December 21, 2004 with specific changes made to the stipulation letter. Following are the requested stipulations that my client agrees to becoming a condition of the grant of the zoning.

1. The rezoning shall be for no more than 3.25 units per acre on the subject property and any additional property added to the proposed development.
2. The homes shall have a minimum of 2,200 sq. ft. of climate controlled living space.
3. All homes shall be single family detached homes with a minimum of a two car attached garage.

Petition No. Z-197
Meeting Date 12/21/04
Continued

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
December 15, 2004
Page 2

4. The developer requests a contemporaneous variance to allow flexibility in the location of the homes. The variances are shown on the attached revised site plan.
5. The Applicant requests a front set-back of 20 ft. with side set-backs of 5 ft. on interior lots with a minimum of 15 ft. between buildings. Rear set-backs shall be 30 feet except exterior lots shall have a 40 foot rear setback.
6. The front façade of the homes shall be brick or stone, stucco. A few homes may have a wainscot of brick/stone sides. Any board siding shall be a cement based product. There shall be no vinyl siding. The first two homes off of Factory Shoals Road shall be three sided brick.
7. There shall be a mandatory homeowners association which will own and manage the common greenspace. The Covenants shall also provide for strict architectural standards.
8. The applicant seeks a variance from the curb gutter and sidewalk requirement along Wade Road and Woodman Trail
9. The Applicant has filed a variance application and a zoning application to add an additional five acres to the proposed project. The applicant requests that upon the approval of this separate zoning application that the entrance shall be limited to Factory Shoals Road and there shall be no entrance onto Wade Road.
10. The applicant shall plant trees along the 200 linear foot section of Wade Road that doesn't currently have trees.

Additionally, the applicant requests an additional variance to allow a 40 foot center line radius to form tight blocks and reduce traffic speed. This variance was granted for a similar project off of Atlanta Road in Z-120.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
December 15, 2004
Page 3

Petition No. 2-197
Meeting Date 12/21/04
Continued

Please contact me if you need any additional information.

Sincerely,

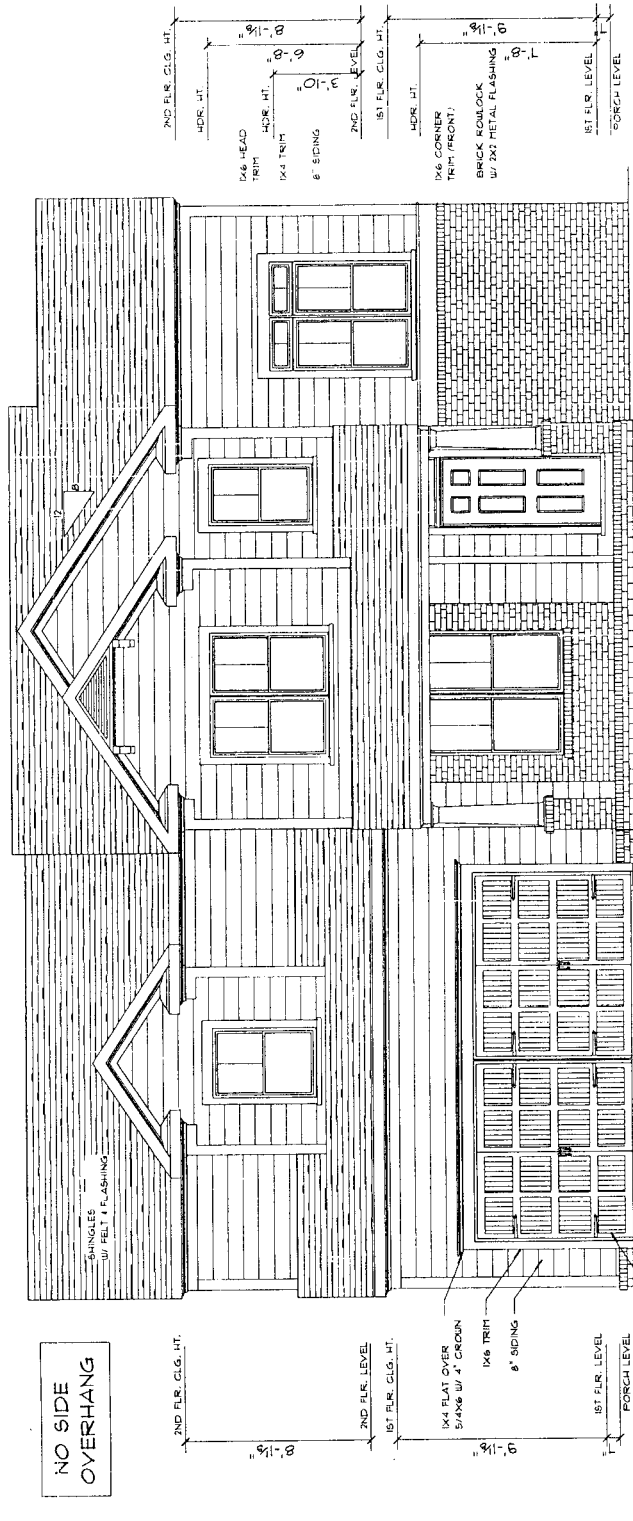
SAMS, LARKIN & HUFF, LLP



Parks F. Huff

PFH/lmb

cc: Cobb County Board of Commissioners – via hand deliver
Cobb County Planning Commission Members
Sandra Richardson, Deputy County Clerk – via hand delivery
Gail Huff, Assistant County Clerk – via hand delivery
Integrated Designs International, Inc.



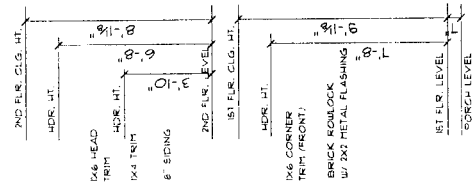
16" BRICK BASE
 36" HIGH W/ TAPERED
 5'-0" COLUMNS

COMMUNITY - LOT 00
 BSM/ RIGHT FRONT/ BRICK & SIDING (B) ELEVATION

copyright © 2011 O'Dwyer Homes, Inc.

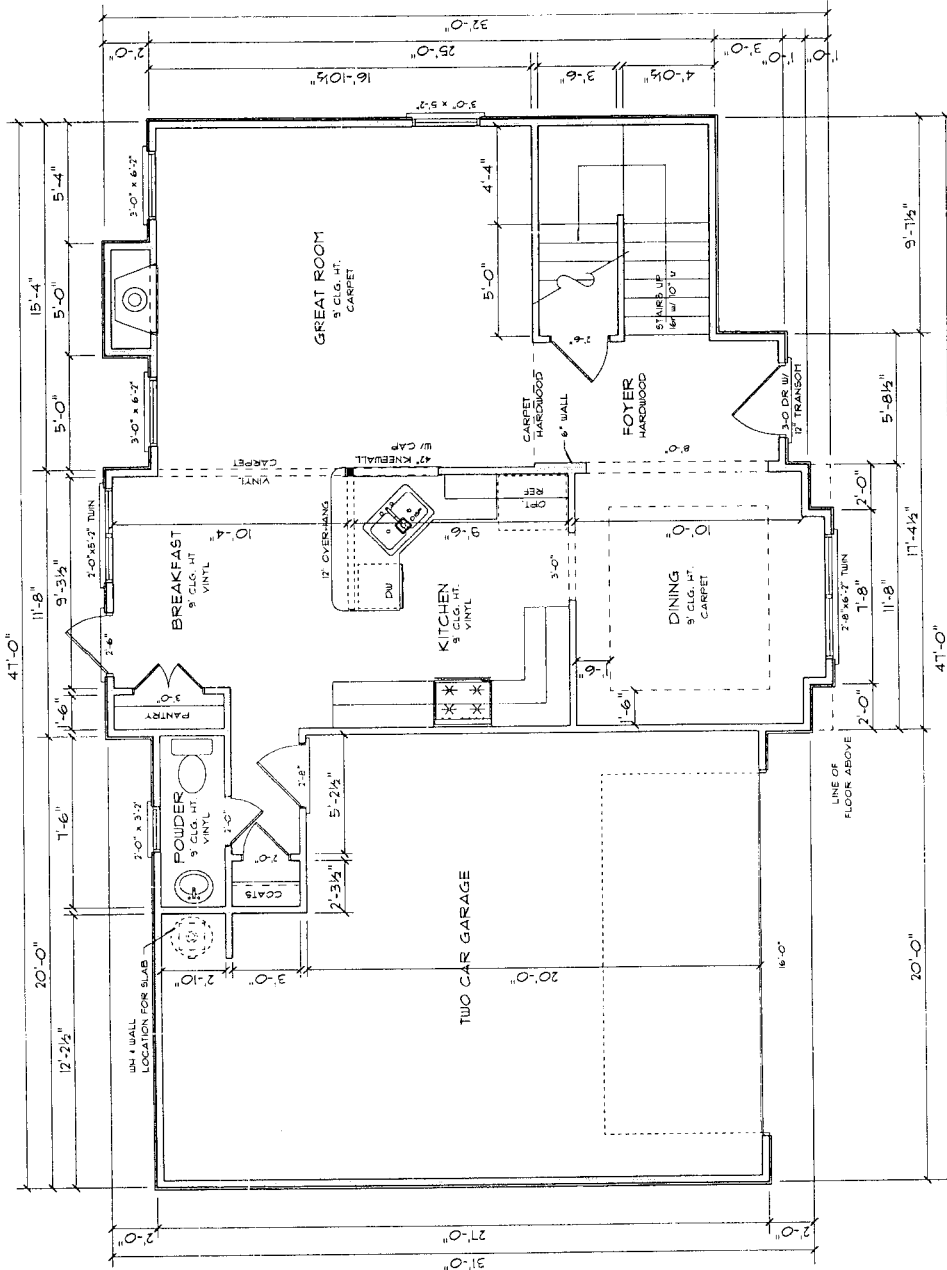
TRUSSED ROOF

DERRYMORE
 October 24, 2011
FRONT ELEVATION
 3/16" Scale



NO SIDE OVERHANG

BEADED PANEL ST. FOR
 5'-0" TYP. SPACED HANDLES
 NON-INSULATED

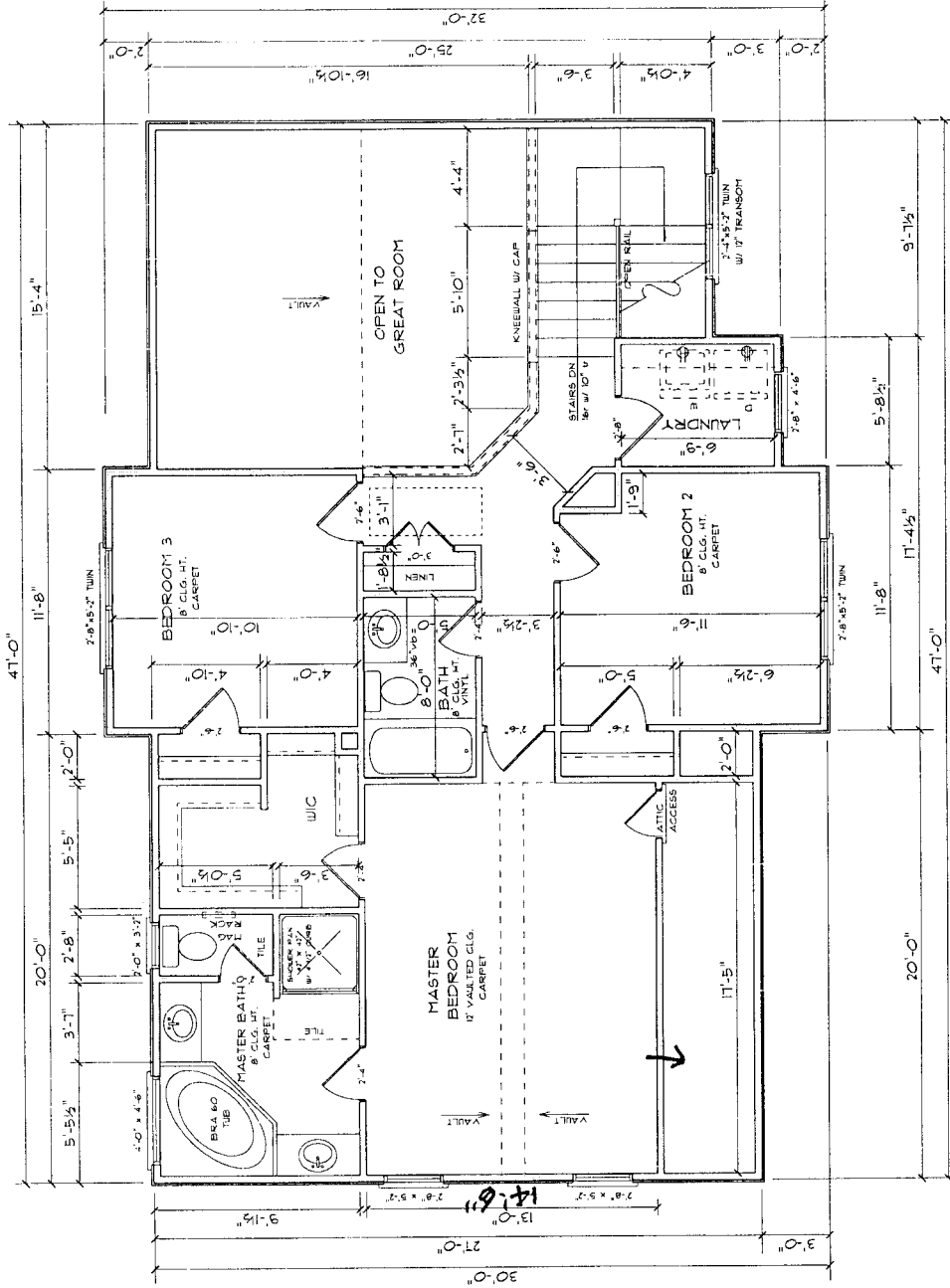


830 SF

1ST FLOOR PLAN
 3/16" Scale
DERRYMORE

November 08, 2011

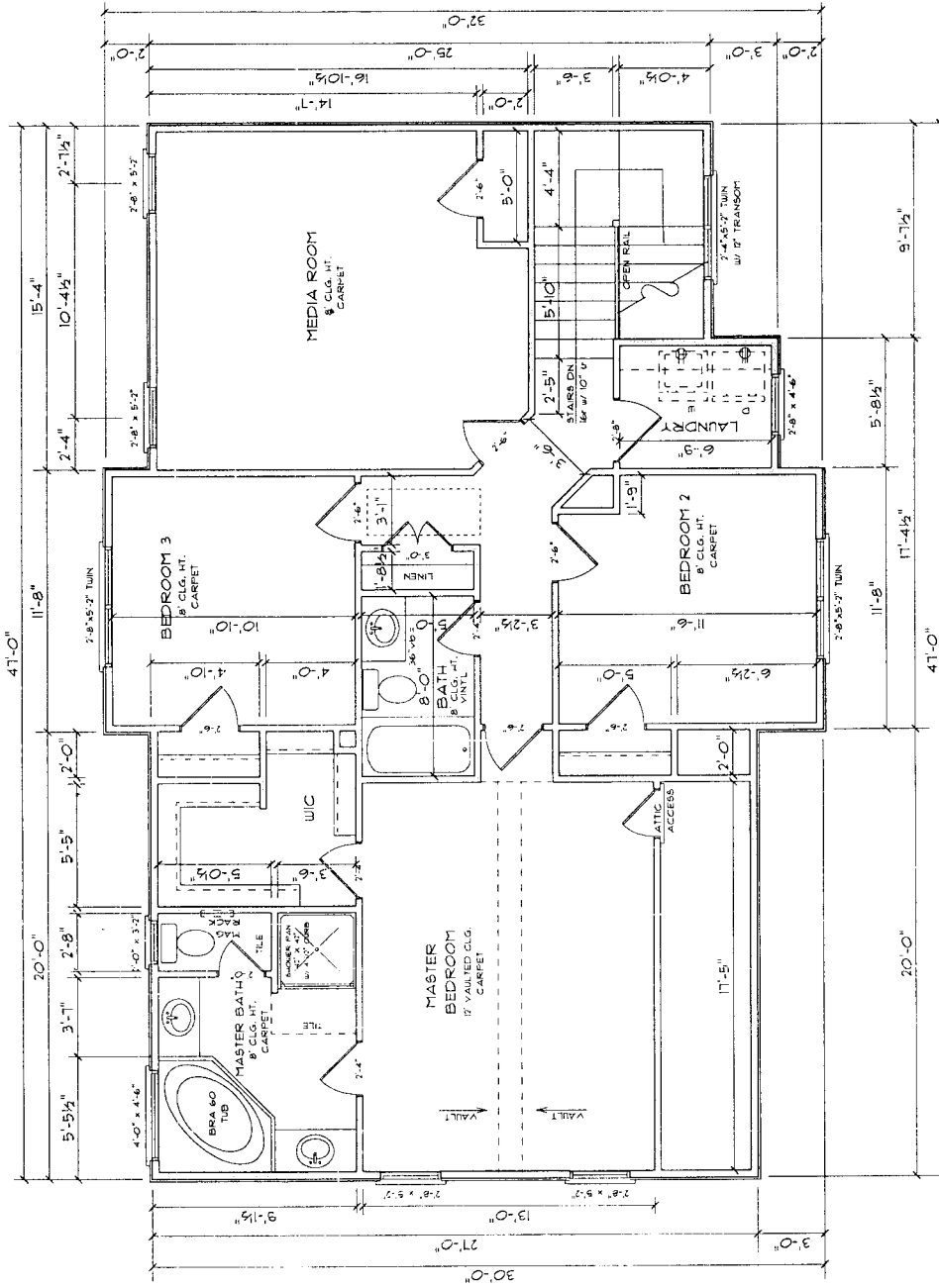
COMMUNITY - LOT 00
 BSM1/ LEFT FRONT/ BRICK & SIDING (B) ELEVATION



COMMUNITY - LOT 00
 BSMT/LEFT FRONT/BRICK & SIDING (B) ELEVATION
 copyright © 2011 O'Dwyer Homes, Inc.

2ND FLOOR PLAN
 3/16" Scale
DERRYMORE
 October 24, 2011

970 SF

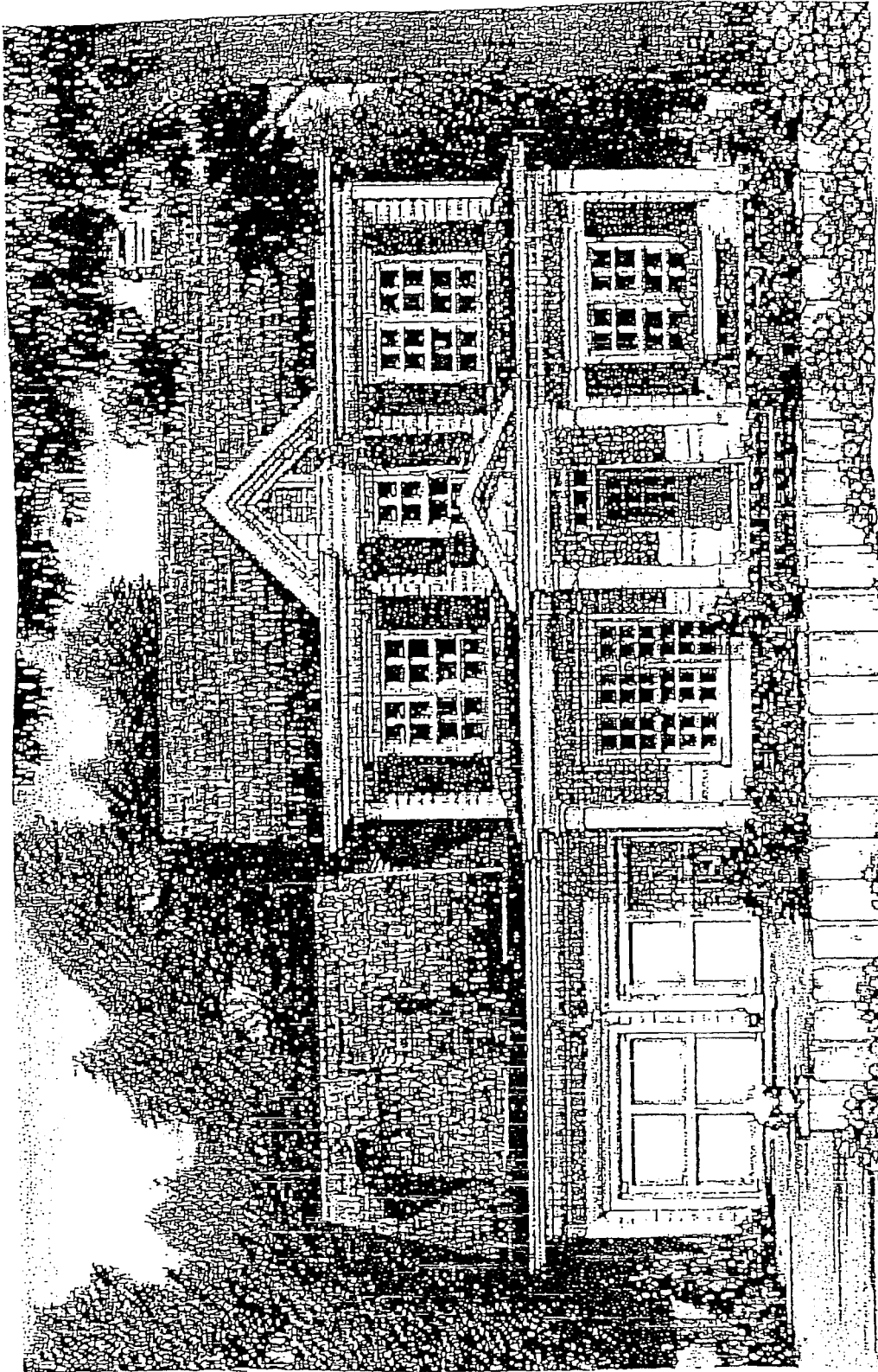


2ND FLOOR PLAN
 3/16" Scale
DERRYMORE
 November 08, 2011

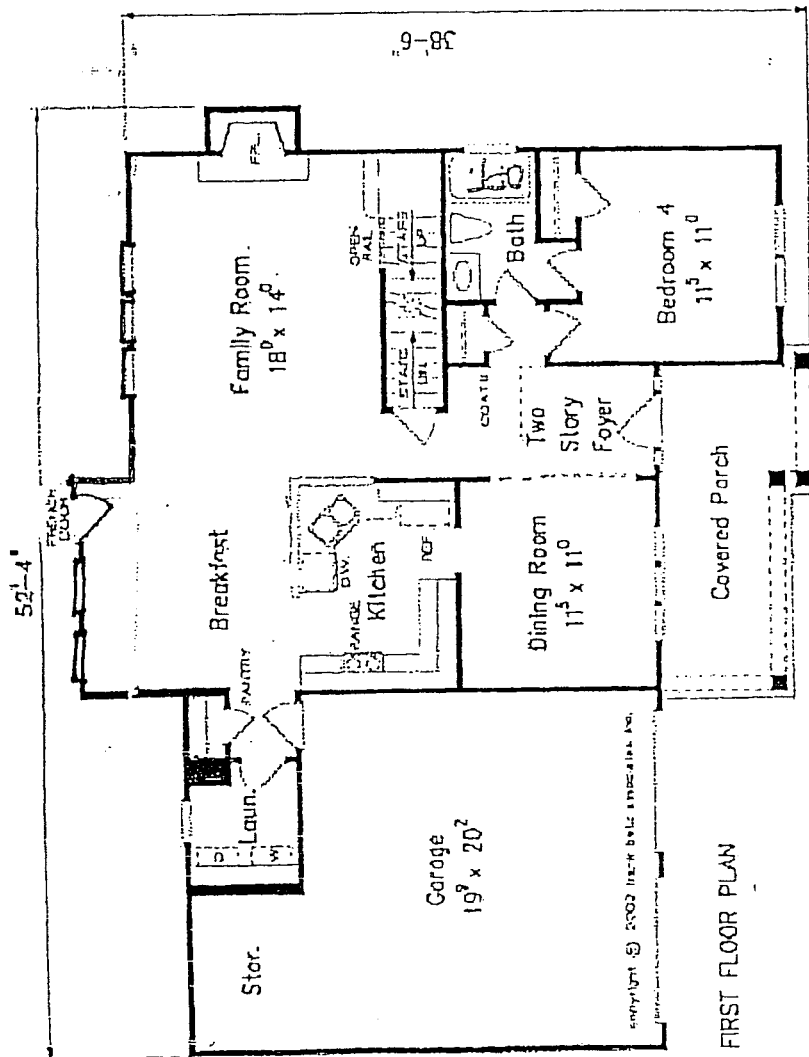
COMMUNITY - LOT 00
 BSMT/ LEFT FRONT/ BRICK & SIDING (B) ELEVATION

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1172 SF

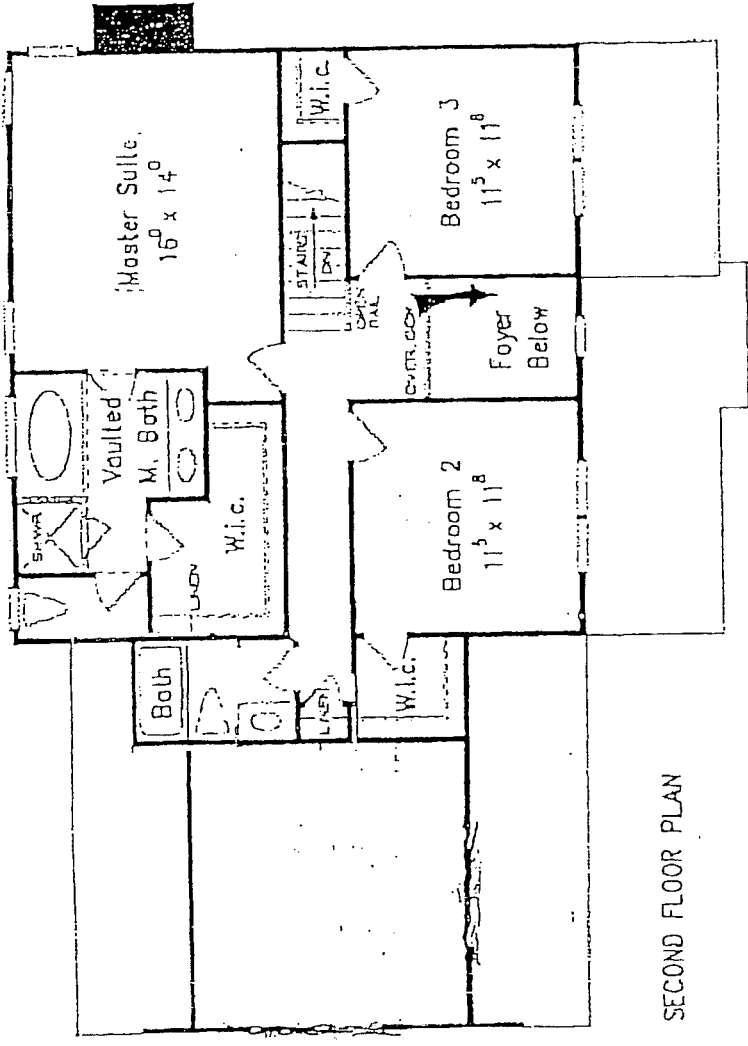


SHANNON PLAN



SHANNON PLAN
1095 SF

FIRST FLOOR PLAN



SECOND FLOOR PLAN

SHANNON PLAN
955 SF