

**FEBRUARY 21, 2012 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 5

PURPOSE

To consider a site plan and stipulation amendment for Mr. Vernard Robbins regarding rezoning application Z-59 of 2004, for property located on the west side of Lost Mountain Road, north of Macland Road, and on the north side of Thayer Drive in Land Lots 429 and 430 of the 19th District.

BACKGROUND

The subject property was rezoned to R-20 OSC in 2004 for an open space subdivision. The subdivision was developed and approximately half of the 44 lots have houses on them. There are 8.61 acres of open space on this 25 acre tract, which will remain as open space. This Other Business request is being brought forward by Mr. Vernard Robbins, who lives at 4190 Thayer Drive. This particular request has to deal with a 30 foot undisturbed buffer along the rear of some of the lots. Per the zoning stipulations, the buffer area cannot have anything built in it except invisible fencing for the containment of animals. Mr. Robbins would like to amend the zoning stipulations to also allow other types of fencing in the buffer area. He would like to install a picket fence to keep his children in the backyard and he is aware no other structures can be placed in the buffer area. It should be noted that the buffer area to the rear of Mr. Robbins house was part of an old house riding arena, which did not have any vegetation to begin with. If approved, all other zoning stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

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

ATTACHMENTS

Other Business Application (Exhibit A)
Stipulations (Exhibit B)

Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: 2/21/12

Applicant: Vernard Robbins Phone #: 404-771-2145
(applicant's name printed)

Address: 4190 Thayer Dr. Powder Springs, 30127 E-Mail: VernardAT1@hotmail.com

Same as above Address: same as above
(representative's name, printed)

[Signature] Phone #: 404-771-2145 E-Mail: VernardAT1@hotmail.com
(representative's signature)

Signed, sealed and delivered in presence of: Marcia D. Goodwill
Notary Public, Cobb County, Georgia
My Commission Expires October 9, 2014
My commission expires: 10/9/2014
Notary Public

Titleholder(s): Vernard Robbins Phone #: 404-771-2145
(property owner's name printed)

Address: 4190 Thayer Dr. Powder Springs, 30127 E-Mail: Vernardat1@hotmail.com

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of: Marcia D. Goodwill
Notary Public, Cobb County, Georgia
My Commission Expires October 9, 2014
My commission expires: 10/9/2014
Notary Public

Commission District: 1 Zoning Case: Z-59 of 2004

Date of Zoning Decision: 5-18-04 Original Date of Hearing: 5-18-04

Location: Lost Mountain Trail subdivision on Lost Mt. Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 429, 430 District(s): 19

State specifically the need or reason(s) for Other Business: Building a fence perpendicular to the buffer zone. The zoning stipulations allow underground invisible fencing. Would like to amend the stipulations to allow other types of fencing in the buffer area.

(List or attach additional information if needed)

APPLICANTS NAME: SIR PROPERTIES, INC.

February 21, 2012
Other Business Item 05
Exhibit B

THE FOLLOWING REPRESENTS THE FINAL DECISIONS
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 05-18-04 ZONING HEARING:

SIR PROPERTIES, INC. (Brenda and Amanda Howard, owners) for Rezoning from **R-30** to **R-20 OSC** for the purpose of a Subdivision in Land Lots 429 and 430 of the 19th District. Located on the west side of Lost Mountain Road, north of Macland Road.

The public hearing was opened and Mr. Garvis Sams, Jr., and Mr. Patrick Hilton addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Olens, to **approve** rezoning to the **R-20 OSC** zoning district **subject to:**

- revised site plan received by the Zoning Division May 6, 2004 with District Commissioner to approve minor modifications to site layout (copy attached and made a part of these minutes)
- letter of agreeable stipulations from Mr. Garvis Sams, Jr., dated April 14, 2004 *with the following change:* (copy attached and made a part of these minutes)
 - Paragraph 6: Subject to recommendations from the Stormwater Management Division with respect to the ultimate location, configuration and methodology of on-side detention and water quality ponds *with the District Commissioner to approve final site plan following Plan Review.*
- letter of agreeable stipulation from Mr. Garvis Sams, Jr., dated May 6, 2004 (copy attached and made a part of these minutes)
- pre- and post-development hydrology study on nearby lake(s) in compliance with Cobb County Code
- tree save plan to be approved by the County Arborist
- maintained natural perimeter buffers to be enhanced with living trees, bushes and other plantings ecologically compatible to the area (not to be clear cut or mowed) and to be maintained by the owner, and approved by the County Arborist who shall have final authority as to plantings; only dead, dying, diseased, or invasive vines or plants (i.e. kudzu, poison ivy, etc.) may be removed from buffer; no storage or structures, including swing sets, signs, tree houses, trailers, storage buildings and/or other non-growing items to be placed in the buffer, invisible fencing (i.e. electronic underground fence for containment of animals) is acceptable
- Planning Staff analysis
- Historic Preservation comments and recommendations

Fence
Stipulation →

Z-59 Continued on next page

Solar Land Surveying Company

P.O. BOX 723953 ATLANTA, GEORGIA 30339-0953
TELEPHONE (770) 794-9055 FAX (770) 794-9052

UNTAINT TRAILS SUBDIVISION
DATE 4/26/05
SCALE 1" = 100'
COBB COUNTY, GEORGIA
SECTION 2ND
TRACT 19TH

LOT #	AREA (SQ. FT.)	AREA (ACRES)
LOT 1	1,113.55	0.0254
LOT 2	1,113.55	0.0254
LOT 3	1,113.55	0.0254
LOT 4	1,113.55	0.0254
LOT 5	1,113.55	0.0254
LOT 6	1,113.55	0.0254
LOT 7	1,113.55	0.0254
LOT 8	1,113.55	0.0254
LOT 9	1,113.55	0.0254
LOT 10	1,113.55	0.0254
LOT 11	1,113.55	0.0254
LOT 12	1,113.55	0.0254
LOT 13	1,113.55	0.0254
LOT 14	1,113.55	0.0254
LOT 15	1,113.55	0.0254
LOT 16	1,113.55	0.0254
LOT 17	1,113.55	0.0254
LOT 18	1,113.55	0.0254
LOT 19	1,113.55	0.0254
LOT 20	1,113.55	0.0254
LOT 21	1,113.55	0.0254
LOT 22	1,113.55	0.0254
LOT 23	1,113.55	0.0254
LOT 24	1,113.55	0.0254
LOT 25	1,113.55	0.0254
LOT 26	1,113.55	0.0254
LOT 27	1,113.55	0.0254
LOT 28	1,113.55	0.0254
LOT 29	1,113.55	0.0254
LOT 30	1,113.55	0.0254
LOT 31	1,113.55	0.0254
LOT 32	1,113.55	0.0254
LOT 33	1,113.55	0.0254
LOT 34	1,113.55	0.0254
LOT 35	1,113.55	0.0254
LOT 36	1,113.55	0.0254
LOT 37	1,113.55	0.0254
LOT 38	1,113.55	0.0254
LOT 39	1,113.55	0.0254
LOT 40	1,113.55	0.0254
LOT 41	1,113.55	0.0254
LOT 42	1,113.55	0.0254
LOT 43	1,113.55	0.0254
LOT 44	1,113.55	0.0254
LOT 45	1,113.55	0.0254
LOT 46	1,113.55	0.0254
LOT 47	1,113.55	0.0254
LOT 48	1,113.55	0.0254
LOT 49	1,113.55	0.0254
LOT 50	1,113.55	0.0254

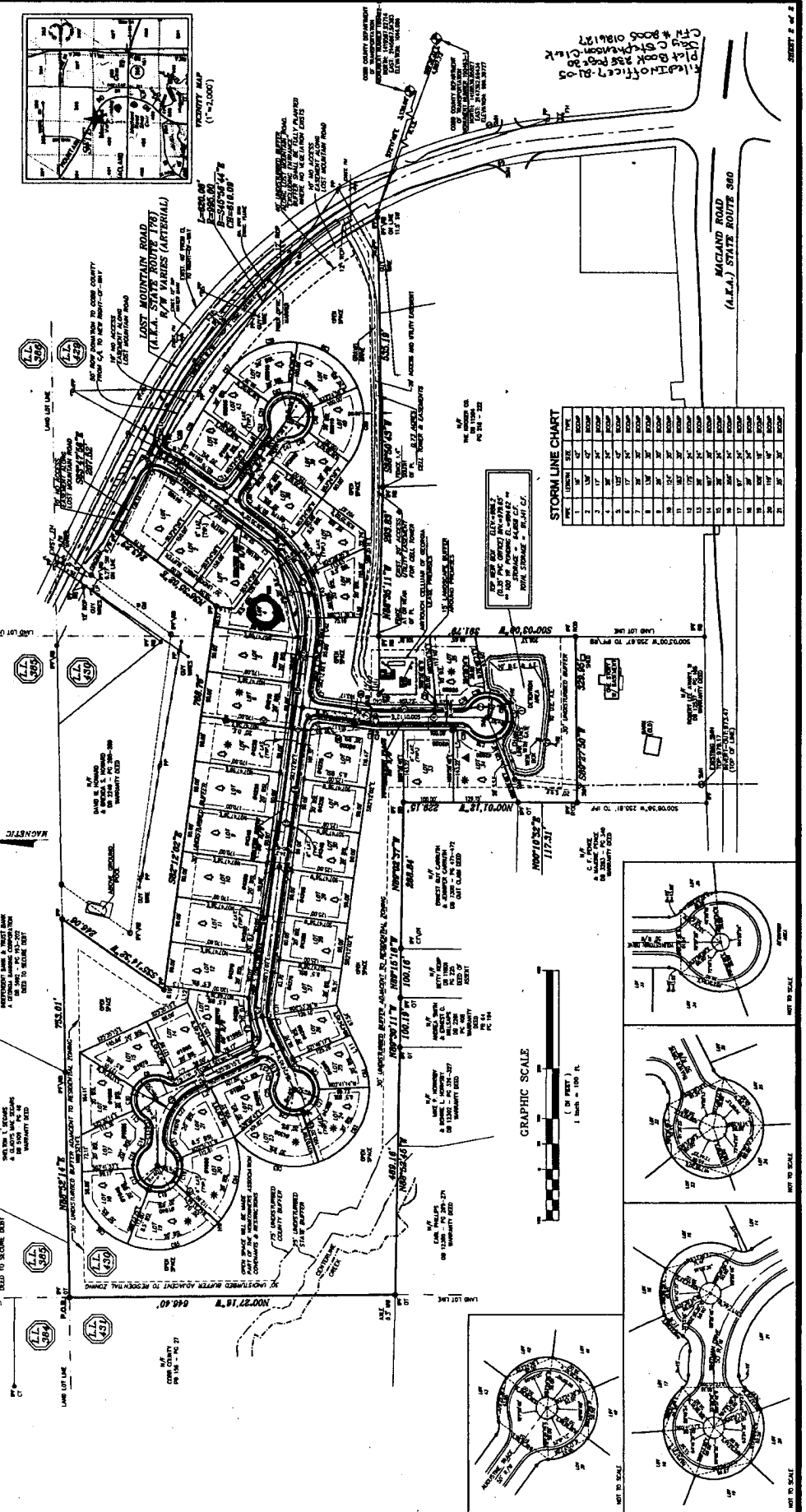
West Mountain Trails

F.K.A. HIGH HILL ESTATES
F.K.A. FOXCROFT
LAND LOTS 429 & 430
19th DISTRICT, 2nd SECTION
COBB COUNTY, GEORGIA

TOTAL AREA
1,113.55 SQ. FT.
26.56 ACRES
MINUS: 2.08 ACRES (DONATION)
MINUS: 0.13 ACRES (CELL TOWER)
TOTAL 25.01 ACRES TO BE DEVELOPED

OWNER / DEVELOPER:
COONCE PARTNERS, LLC
11010 ROCKCREEK BLVD.
DALLAS, GEORGIA 30097
PHONE: 678-586-1500

CURVE TABLE					CURVE TABLE				
CHORD	BEARING	LENGTH	RADIUS	ANGLE	CHORD	BEARING	LENGTH	RADIUS	ANGLE
429	S 50.00° E	111.36	500.00	100.00					
430	S 50.00° E	111.36	500.00	100.00					
431	S 50.00° E	111.36	500.00	100.00					
432	S 50.00° E	111.36	500.00	100.00					
433	S 50.00° E	111.36	500.00	100.00					
434	S 50.00° E	111.36	500.00	100.00					
435	S 50.00° E	111.36	500.00	100.00					
436	S 50.00° E	111.36	500.00	100.00					
437	S 50.00° E	111.36	500.00	100.00					
438	S 50.00° E	111.36	500.00	100.00					
439	S 50.00° E	111.36	500.00	100.00					
440	S 50.00° E	111.36	500.00	100.00					
441	S 50.00° E	111.36	500.00	100.00					
442	S 50.00° E	111.36	500.00	100.00					
443	S 50.00° E	111.36	500.00	100.00					
444	S 50.00° E	111.36	500.00	100.00					
445	S 50.00° E	111.36	500.00	100.00					
446	S 50.00° E	111.36	500.00	100.00					
447	S 50.00° E	111.36	500.00	100.00					
448	S 50.00° E	111.36	500.00	100.00					
449	S 50.00° E	111.36	500.00	100.00					
450	S 50.00° E	111.36	500.00	100.00					



LINE	SIZE	CHART
1	18"	1/2"
2	18"	1/2"
3	18"	1/2"
4	18"	1/2"
5	18"	1/2"
6	18"	1/2"
7	18"	1/2"
8	18"	1/2"
9	18"	1/2"
10	18"	1/2"
11	18"	1/2"
12	18"	1/2"
13	18"	1/2"
14	18"	1/2"
15	18"	1/2"
16	18"	1/2"
17	18"	1/2"
18	18"	1/2"
19	18"	1/2"
20	18"	1/2"
21	18"	1/2"
22	18"	1/2"
23	18"	1/2"
24	18"	1/2"
25	18"	1/2"
26	18"	1/2"
27	18"	1/2"
28	18"	1/2"
29	18"	1/2"
30	18"	1/2"

