

**MARCH 20, 2012 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 3**

**ITEM #4**

**PURPOSE**

To consider a site plan and stipulation amendment for Lennar Georgia, Inc. regarding rezoning case Z-14 of 2007 (JAE Properties, LLC), for property located in Land Lot 122 of the 16<sup>th</sup> District, located on the north side of Steinhauer Road, east of Tall Timbers Lane.

**BACKGROUND**

The subject property is zoned R-20 with stipulations for a subdivision. One of the zoning stipulations called for the property to be developed in substantial conformity to the submitted site plan, which showed 18 lots and a small pond. The original developer is no longer involved with the project and Lennar Georgia, Inc. has purchased the property to finish the development. Lennar’s engineer examined the property and found the pond’s dam had been poorly maintained throughout the years, which leads to an unsafe condition on the property today. The applicant would like to remove the pond by breaching the dam. The area of the pond will not be filled in, but instead, will be revegetated. Lennar will then deed restrict the property with a conservation easement in favor of Cobb County. The Cobb County Stormwater Management Division has submitted a memo regarding this proposal. 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 site plan and stipulation amendment.

**ATTACHMENTS**

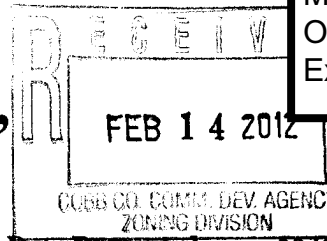
- Other Business Application (Exhibit A)
- Proposed Site Plan (Exhibit B)
- Zoning stipulations and site plan (Exhibit C)
- Stormwater Management Memo (Exhibit D)

March 20, 2012  
Other Business Item #4  
Exhibit A

# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: 03/20/2012



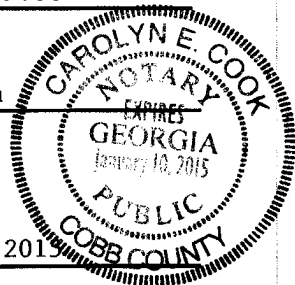
*Joc 4-05*

**Applicant:** Lennar Georgia, Inc. Phone #: (770) 670-2740  
(applicant's name printed)

**Address:** Suite 200, 1000 Holcomb Woods Parkway, **E-Mail:** todd.jones@lennar.com  
Moore Ingram Johnson & Steele, LLP Roswell, GA 30076

**John H. Moore** **Address:** Emerson Overlook, 326 Roswell Street  
(representative's name, printed) Marietta, GA 30060

**BY:** *John H. Moore* Phone #: (770) 429-1499 **E-Mail:** jmoore@mijs.com  
(representative's signature) Georgia Bar No. 519800 w7@mijs.com



Signed, sealed and delivered in presence of:

*Carolyn E. Cook* My commission expires: January 10, 2015  
Notary Public

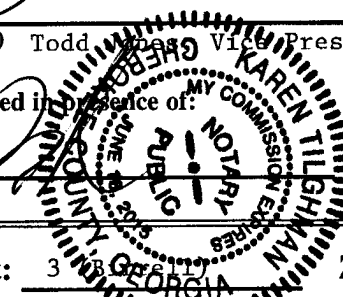
**Titleholder(s):** Lennar Georgia, Inc. Phone #: (770) 670-2740  
(property owner's name printed)

**Address:** Suite 200, 1000 Holcomb Woods Parkway, **E-Mail:** todd.jones@lennar.com  
Roswell, GA 30076

**BY:** *Todd Jones*  
(Property owner's signature) Todd Jones Vice President

Signed, sealed and delivered in presence of:

*Karen Tilghman* My commission expires: 6/16/2015  
Notary Public



**Commission District:** 3 **Zoning Case:** Z-14 (2007)

**Date of Zoning Decision:** 02/20/2007 **Original Date of Hearing:** 02/20/2007

**Location:** Northerly side of Steinhauer Road; Easterly of Tall Timbers Lane  
(street address, if applicable; nearest intersection, etc.)

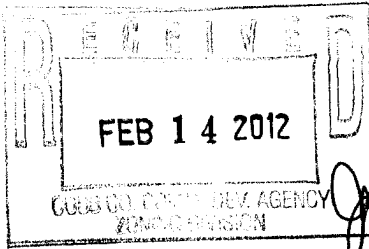
**Land Lot(s):** 122 **District(s):** 16th

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

See Exhibit "A" attached hereto and incorporated herein by reference.

(List or attach additional information if needed)

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS  
(SITE PLAN AND STIPULATION AMENDMENT)**



**Application No.: Z-14 (2007)**  
**Original Hearing Date: February 20, 2007**  
**Date of Zoning Decision: February 20, 2007**  
**Current Hearing Date: March 20, 2012**

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant/Property Owner: Lennar Georgia, Inc.**

On February 20, 2007 the Cobb County Board of Commissioners approved the rezoning of property located on the northerly side of Steinhauer Road, easterly of Tall Timbers Lane, Land Lot 122, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia. The rezoning allowed for the development of a residential subdivision to the R-20 zoning classification consisting of eighteen (18) residential lots. The current Applicant/Property Owner in this Application for "Other Business" requests an amendment to the previously approved site plan and stipulations related to the revisions to the site plan, as follows:

- (1) Applicant/Property Owner proposes to revise the previously approved site plan by changing a portion of the common area to remove the existing pond. Applicant/Property Owner agrees to convey this area, to Cobb County, in perpetuity, as a conservation easement over and across said Property for purposes of stormwater protection.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on February 20, 2007, in Application No. Z-14 (2007), are unaltered and unchanged by this request for site plan and stipulation amendment.

The proposed amendment presented herein in no way adversely impacts or affects the quality of the overall development approved in the original rezoning of the Subject Property. If the requested amendments are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the proposed development.

CENTER LINE OF ROAD CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	150.00'	206.99'	134.38'	183.05'	S44°17'06" W	84°08'34"
C2	150.00'	151.42'	82.87'	148.07'	N59°13'27" W	57°50'18"

TOP OF FIRE HYDRANT ELEVATION

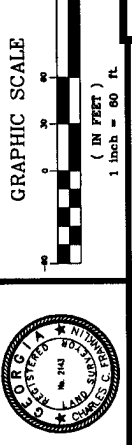
CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	150.00'	7.37'	7.37'	S00°53'18" E
C2	150.00'	78.86'	77.95'	S15°11'13" W
C3	150.00'	64.52'	63.41'	S46°42'32" W
C4	150.00'	20.07'	20.06'	S88°24'58" W
C5	150.00'	55.79'	55.38'	S81°51'10" W
C6	150.00'	72.78'	72.25'	N02°12'40" W
C7	150.00'	101.81'	101.32'	S02°52'35" W
C8	150.00'	64.90'	64.44'	N18°44'44" W
C9	150.00'	27.66'	27.33'	N33°42'07" W
C10	150.00'	10.83'	10.81'	N42°06'07" W
C11	150.00'	52.36'	50.00'	N17°06'05" E
C12	150.00'	52.36'	50.00'	N17°06'05" E
C13	150.00'	62.37'	58.35'	S42°11'34" E
C14	150.00'	57.58'	54.45'	S26°30'11" W
C15	150.00'	119.55'	115.64'	N65°44'44" W
C16	150.00'	137.37'	133.97'	N80°31'17" W
C17	150.00'	162.99'	158.54'	S44°24'25" W

NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN TEN (10) FEET FROM THE EDGE OF A PERMANENT SANITARY SEWER EASEMENT (SSE) ON FRONT OR REAR SETBACKS, OR WITHIN TWO FEET (2') OF A SEWER ON SIDE SETBACKS. AN INDIVIDUAL LOT SITE PLAN MUST BE REVIEWED AND APPROVED BY COBB COUNTY WATER SYSTEM STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

THIS LOT HAS A DESIGNATED TREE PROTECTION AREA, THE DIMENSIONS OF WHICH ARE ON FILE WITH THE COBB COUNTY COMMUNITY DEVELOPMENT AGENCY. THE HOMEOWNER IS RESPONSIBLE FOR MAINTAINING THIS AREA IN AN UNDISTURBED CONDITION UNTIL THE RELEASE OF THE CERTIFICATE OF OCCUPANCY. PROTECTIVE FENCING MUST BE INSTALLED AND MAINTAINED ACCORDING TO COBB COUNTY STANDARDS.

THIS LOT REQUIRES TREES TO BE PLANTED IN ACCORDANCE WITH THE APPROVED TREE PROTECTION AND REPLACEMENT PLAN FOR THIS SUBDIVISION. THE INSTALLATION OF THESE TREES MUST BE REVIEWED BY COBB COUNTY SITE PLAN REVIEW STAFF PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY. THE HOMEOWNER OR LANDSCAPE ARCHITECT AT THE TIME OF THE TREE PROTECTION PLAN SHALL BE RESPONSIBLE FOR THE TREE PROTECTION PLAN (AT LEAST 30 DAYS PRIOR TO THE DATE THAT THE APPROVED PLAN IS REQUESTED). TREE PROTECTION PLAN SHOULD INCLUDE TREE SPECIES, PLANTING METHODS AND PLANT MATERIAL (SIZE, SPECIES, AND QUALITY) MUST BE IN ACCORDANCE WITH THE APPROVED PLAN. OR THE LANDSCAPE ARCHITECT MAY DELAY THE RELEASE OF THE CERTIFICATE OF OCCUPANCY.

**FINAL PLAT FOR:**  
**WEXFORD**  
PREVIOUSLY RECORDED AS LAKE HAVEN  
PROPERTY IS LOCATED IN LAND LOT 122  
OF THE 16TH DISTRICT, 2ND SECTION  
COBB COUNTY, GEORGIA



DRAWN BY:	MAC	DATE:	10/5/11
CHECKED BY:	CCF	DRAWING NO.:	FINAL
JOB NO.:	107031F	SHEET:	1 OF 2
NO.	1	REVISION DESCRIPTION	CHANGED S/D NAME
NO.	2	REVISION DESCRIPTION	REVISED MONUMENT EASEMENT
NO.	3	REVISION DESCRIPTION	POND REMOVED, CREEK ADDED

LINE TABLE

LINE	DIRECTION
L1	N31°19'56" E
L2	N47°29'53" W
L3	S00°00'00" W

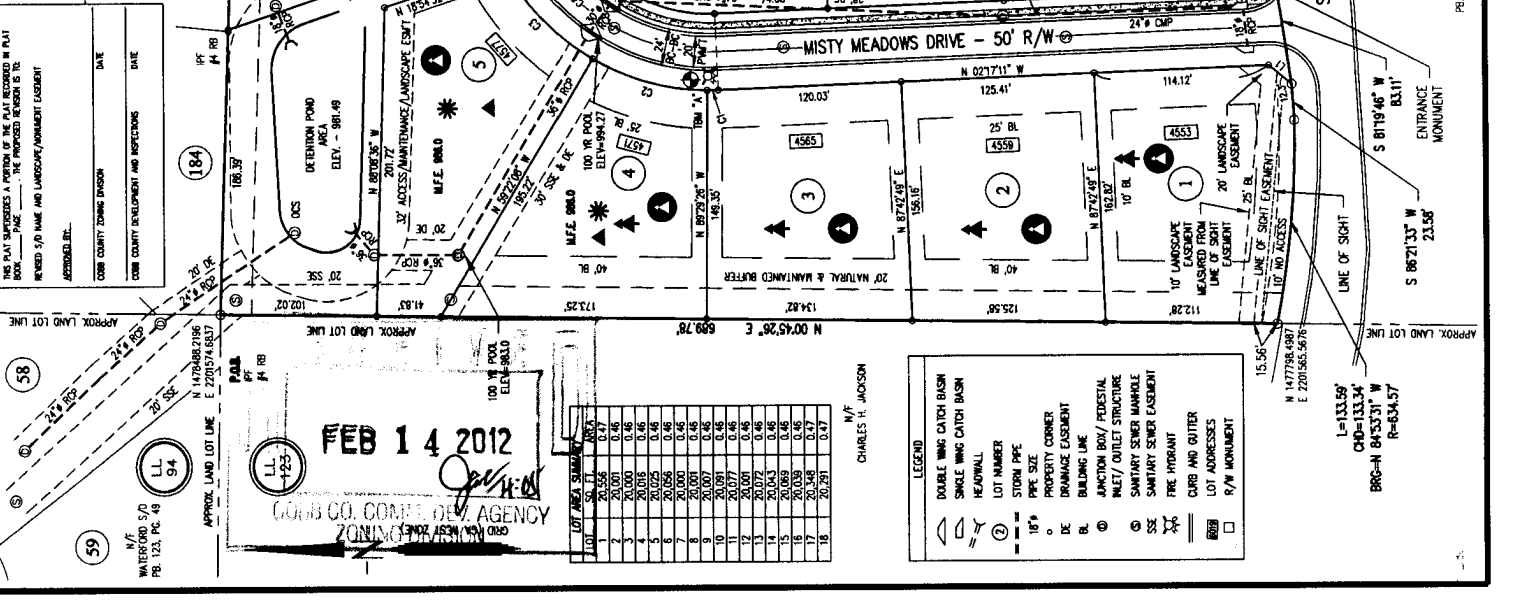
PLAY FIELD IN OFFICE RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE(S) \_\_\_\_\_ DATE \_\_\_\_\_

REVIEWED S/D NAME AND LANDSCAPE/MONUMENT EASEMENT APPROVED, ILL. \_\_\_\_\_ DATE \_\_\_\_\_

COBB COUNTY ZONING DIVISION \_\_\_\_\_ DATE \_\_\_\_\_

COBB COUNTY DEVELOPMENT AND INSPECTIONS \_\_\_\_\_ DATE \_\_\_\_\_

COBB COUNTY CLERK \_\_\_\_\_ DATE \_\_\_\_\_



LEGEND

(Symbol)	DOUBLE WING CATCH BASIN
(Symbol)	SINGLE WING CATCH BASIN
(Symbol)	HEADWALL
(Symbol)	STORM PIPE
(Symbol)	PIPE SIZE
(Symbol)	PROPERTY CORNER
(Symbol)	DRAINAGE EASEMENT
(Symbol)	BUILDING LINE
(Symbol)	FUNCTION ROY / PRESTAL
(Symbol)	INLET / OUTLET STRUCTURE
(Symbol)	SANITARY SENDER MANHOLE
(Symbol)	SANITARY SENDER EASEMENT
(Symbol)	FIRE HYDRANT
(Symbol)	CURB AND GUTTER
(Symbol)	LOT ADDRESSES
(Symbol)	R/W MONUMENT

DATE: FEB 14 2012

CHARLES H. JACKSON

**MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 20, 2007  
9:06 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, February 20, 2007, at 9:06 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Samuel S. Olens  
Commissioner Helen Goreham  
Commissioner Joe L. Thompson  
Commissioner Tim Lee  
Commissioner Annette Kesting

**Z-14**      **JAE PROPERTIES, LLC** (Olivia S. Flanagan, owner) requesting Rezoning from **R-30** to **R-15** for the purpose of a Subdivision in Land Lot 122 of the 16<sup>th</sup> District. Located on the north side of Steinhauer Road, east of Tall Timbers Lane.

**MOTION:** Motion by Lee, second by Kesting, as part of the Consent Agenda, to **delete** rezoning to the **R-20** zoning district **subject to:**

- **property to be developed in substantial conformity to the site plan filed with the Clerk on February 6, 2007, with the District Commissioner approving minor modifications (copy attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. Kevin Moore, dated February 5, 2007, with the following changes: (copy attached and made a part of these minutes)**
  - **Item No. 6 – Amend to reflect: “Front setbacks of twenty-five (25) feet and rear setbacks of forty (40) feet on all lots”**
  - **Item No. 7 – Delete this paragraph regarding setbacks**
  - **Item No. 12 – Add to end of first sentence: “, on all sides.”**
  - **Item No. 21 – Add to the end: “Community Development Director approval required if necessary.”**
- **20 foot natural and maintained buffer, as listed in Item No. 8 of the February 5, 2007 stipulation letter also applies to the “Jackson” property located along the western boundary of site**
- **sanitary sewer easement across the “Jackson” property is to be re-vegetated to the extent allowed and permitted by Cobb County**
- **access allowed to the public sewer infrastructure to the extent that it crosses the “Jackson” property**
- **Fire Department comments and recommendations**

- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **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**

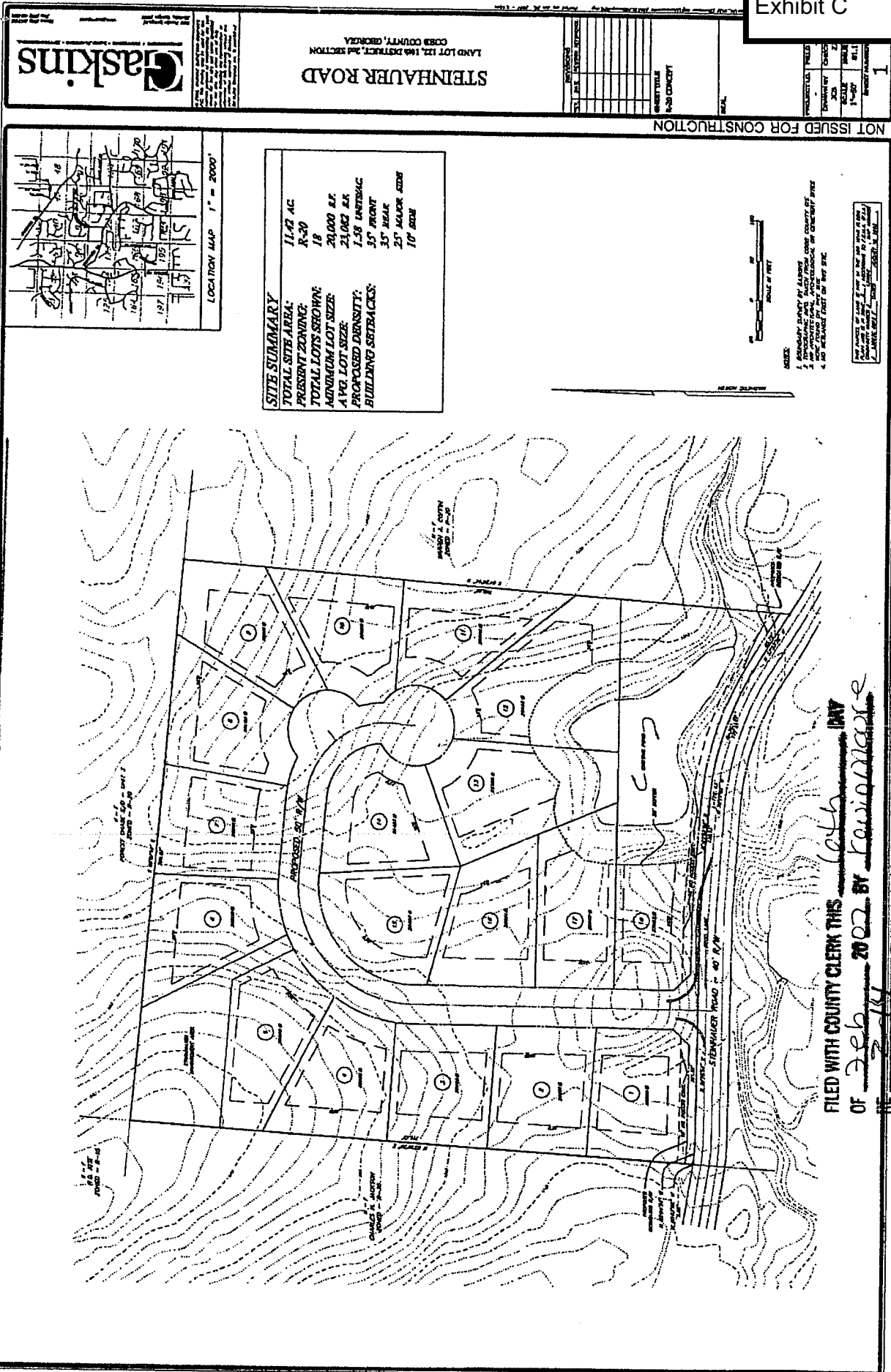
VOTE:       **ADOPTED** unanimously

March 20, 2012  
Other Business Item #4  
Exhibit C

Min. Bk. 47 Petition No. Z-14  
Doc. Type site plan

Mailing Date 2-20-2012

March 20, 2012  
Other Business Item #4  
Exhibit C



# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

JOHN H. MOORE  
STEPHEN C. STEELE  
WILLIAM R. JOHNSON†  
ROBERT D. INGRAM†  
J. BRIAN O'NEIL  
G. PHILLIP BEGGS  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
JERE C. SMITH  
CLAYTON D. CARMACK  
KEVIN B. CARLOCK†  
ALEXANDER T. GALLOWAY III†  
J. KEVIN MOORE  
RODNEY R. MCCOLLOCH  
SUSAN S. STUART  
DANIEL A. LANDIS\*\*\*  
BRIAN D. SMITH

HARRY R. TEAR III  
W. TROY HART†  
JEFFREY A. DAXE  
JOYCE W. HARPER  
AMY K. WEBER  
KIM A. ROPER  
TARA C. RIDDLE  
KELLI L. WOLK  
TANYA L. CROSSE\*  
ROBERT W. BROWN II  
VICTOR P. VALMUS  
JEFFERY L. DICKERSON  
T. SHANE MAYES  
ANGELA H. SMITH  
OPHELIA W. CHAN  
DARRELL L. SUTTON  
KASI R. WHITAKER

192 ANDERSON STREET  
MARIETTA, GEORGIA 30060

TELEPHONE (770) 429-1499  
TELECOPIER (770) 429-8631

**BILLING ADDRESS**  
P.O. BOX 3305 • MARIETTA, GEORGIA 30061

**TENNESSEE OFFICE**  
CEDAR RIDGE OFFICE PARK, SUITE 500  
408 N. CEDAR BLUFF ROAD • KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 692-9039  
TELECOPIER (865) 692-9071

NICHOLAS J. PETERSON\*  
JAMES D. WALKER III  
CHRISTOPHER D. GUNNELS\*  
CHRISTOPHER L. MOORE  
JENNIFER S. WHITE\*  
RYAN G. PRESCOTT  
RICARDO J. DeMEDEIROS  
BRETT A. MILLER  
JACQUELYN D. VAN TUYL\*\*\*\*  
KAREN S. KURTZ  
CHRISTOPHER C. MINGLEDORFF  
KATHERINE G. CRONE  
RYAN E. JARRARD\*  
ANN A. HAMMENECKER\*  
JAMES D. BUSCH\*  
ESTHER VAYMAN  
COLE B. STINSON\*\*\*

SUZANNE E. HENRICKSON  
K. MARTINE NELSON\*  
ANGELA D. CHEATHAM  
G. LAMAR SMITH, JR  
CAREY E. ATKINS\*\*  
STAYCE BURKHART\*\*

OF COUNSEL:  
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
\*\* ALSO ADMITTED IN NM  
\*\*\* ALSO ADMITTED IN NC  
\*\*\*\* ALSO ADMITTED IN OH  
♦ ADMITTED ONLY IN TN  
♦♦ ADMITTED ONLY IN FL

February 5, 2007

Min. Bk. 47 Petition No. Z-14  
Doc. Type Stipulation  
Letter  
Meeting Date 2-20-2007

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Suite 300  
191 Lawrence Street  
Marietta, Georgia 30060-1661

Hand Delivered

RE: Application for Rezoning  
Application No.: Z-14 (2007)  
Applicant: JAE Properties, LLC  
Property Owner: Olivia S. Flanagan,  
f/k/a Olivia Louise Suggs  
Property: 11.32 acres located on the  
northerly side of Steinhauer  
Road, easterly of Trickum Road  
Land Lot 122, 16<sup>th</sup> District,  
2<sup>nd</sup> Section, Cobb County,  
Georgia

Dear John:

The undersigned and this firm represent JAE Properties, LLC, the Applicant (hereinafter referred to as "Applicant"), and Olivia S. Flanagan, the Property Owner (hereinafter referred to as "Owner"), in their Application for Rezoning regarding a total tract of 11.32 acres located on the northerly side of Steinhauer Road, easterly of Trickum Road, Land Lot 122, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Subject Property"). After meeting with planning and zoning staff, reviewing the staff comments and recommendations, and reviewing



**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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Continued

the uses of surrounding properties, we have been authorized by the Applicant and Owner to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Rezoning of the Subject Property shall be from the current R-30 zoning category to the proposed R-20 zoning classification, with reference to that certain Zoning Plat dated January 11, 2007.
- (3) The proposed residential community shall contain a maximum of eighteen (18) single-family, detached homes.
- (4) The proposed residences shall have a minimum of 3,400 square feet.
- (5) The proposed residences shall be traditional in style and architecture. The exteriors of the proposed residences shall contain brick, stone, stacked stone, cedar shake-type shingles, and hardi-plank type siding, with complementary accents, or combinations thereof.
- (6) The setbacks, except as otherwise expressly set forth herein, for the proposed residential community shall be as follows:

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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Continued

- (a) Front setback - Thirty-five (35) feet;
  - (b) Rear setback - Thirty (30) feet;
  - (c) Side setback - Ten (10) feet; and
  - (d) Major side  
Setback - Twenty-five (25) feet.
- (7) All lots which are adjacent to the Forest Chase Subdivision shall have a front setback of twenty-five (25) feet and a rear setback of forty (40) feet. In addition, the homes on such lots shall be placed as near as reasonably possible on the reduced front setback.
- (8) There shall be a natural and maintained buffer (as that term is defined in the Cobb County Zoning Ordinance) a minimum of twenty (20) feet in width adjacent to the Forest Chase Subdivision.
- (9) Applicant agrees to the creation of a mandatory homeowners association consistent with up-scale communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas, landscaping around detention areas, entrance area, and the like, contained within the proposed residential community.
- (10) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations applicable to the proposed development.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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- (11) The entrance area to the proposed community shall contain ground based, monument-style signage. The entrance landscaping shall be professionally designed, landscaped, and maintained. The entrance landscaping shall include tree plantings of an evergreen type for purposes of visual screening adjacent to Steinhauer Road.
- (12) The detention area shall be fenced and substantially landscaped for purposes of visual screening. The landscaping shall be approved by the Cobb County Arborist during the plan review process.
- (13) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the plan review process and incorporated into the overall landscape plan for the proposed community.
- (14) The referenced landscape plan shall include plans for entrance areas, buffer areas, and detention areas, and shall be subject to approval by a Landscape Review Committee consisting of the following representatives:
  - (a) Representative from the developer;
  - (b) Representative from Cobb County;
  - (c) Representative from the Forest Chase Homeowners Association; and
  - (d) Representative from the Avonshire Homeowners Association.

In the event that the Committee cannot reach an agreement, the decision of the Cobb County representative shall control

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
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Continued

- (15) There shall be a minimum fifty (50) foot undisturbed buffer adjacent to the existing pond located on the Subject Property. To the extent such buffer is located on an individual lot, the buffer shall be included as part of, and protected by, the restrictive covenants to be incorporated as part of the proposed subdivision. Such buffer shall also be shown on the final recorded plat for the proposed subdivision which shall constitute a deed restriction for any affected lot.
- (16) There shall be no mass grading of the Subject Property and grading shall be limited to rights-of-way and areas to create the proposed building pads only.
- (17) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (18) All buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing. In the event of such disturbance, all areas shall be re-vegetated in accordance with the landscape plan.
- (19) Minor modifications to the referenced Zoning Plat, including, but not limited to, the layout of lots and stormwater control measures may be approved by the District Commissioner, as needed or necessary.
- (20) Applicant agrees to the following system improvements to mitigate traffic concerns:

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
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- (a) Donation of right-of-way a maximum of thirty (30) feet in width from the existing roadway centerline;
  - (b) Installation of sidewalk, curb, and gutter along the entirety of the property frontage on Steinhauer Road;
  - (c) Verification of minimum sight distance of three hundred ninety (390) feet and implement such measures to correct any deficiency; and
  - (d) Construction of a deceleration lane a minimum of one hundred fifty (150) feet in length along the northerly side of Steinhauer Road.
- (21) The stormwater management design shall be prepared by a certified professional engineer and upon review of Cobb County, should it be necessary to modify the site plan to accommodate stormwater design, such latitude and authority shall be allowable. Further, if necessary, Applicant shall be allowed to utilize the administrative variance process as set forth in Cobb County Code of Ordinances § 50-131(5).

We believe the requested zoning, together with the Zoning Plat and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the area surrounding the proposed development. The proposed residential community shall be a quality development, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

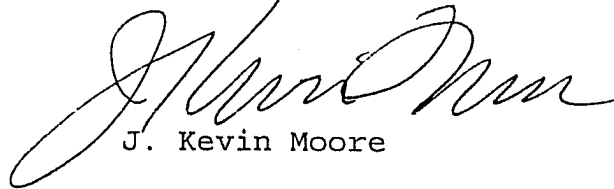
**MOORE INGRAM JOHNSON & STEELE**

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Planner III  
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Cobb County Community Development Agency  
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Petition No. Z-14  
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Continued

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

c: Cobb County Board of Commissioners:  
Samuel S. Olens, Chairman  
Helen C. Goreham  
Annette Kesting  
Joe L. Thompson  
Tim Lee

Cobb County Planning Commission:  
Murray Homan, Chairman  
Judy Williams  
Bob Hovey  
Christi S. Trombetti  
Bob Ott

Mark McClellan  
East Cobb Civic Association, Inc.

Austin Bell  
Forest Chase Homeowners Association

Mary Camacho  
Dianna Thompson  
Area Resident

JAE Properties, LLC



## COBB COUNTY WATER SYSTEM

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**Stormwater Management Division**  
Field Operations Center  
680 South Cobb Drive  
Marietta, Georgia 30060-3113

William J. Higgins, PE  
*Division Manager*

**Date:** March 14, 2012  
**To:** John Pederson  
**From:** David W. Breaden, PE  
**Re:** March Other Business Item No. 4

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The applicant is proposing to breach the existing dam located adjacent to Steinhauer Road within the Wexford Subdivision (formerly Lake Haven S/D). This existing pond was not designed for detention and was left in the development as an amenity feature. All of the detention and water quality requirements for this development are provided in the detention pond at the northeast corner of the site. While this existing pond does provide some water quality benefit, it also poses a liability for the current developer as well as the future homeowners association. This old farm pond does not meet the County's current minimum design standards. The embankment slopes and top-width are sub-standard as is the spillway capacity and freeboard. While the Stormwater Management Division always desires to encourage retaining existing in-stream ponds, the minimal storage benefit provided by this small pond probably do not outweigh the liability associated with potential failure of this structure.

If the Board of Commissioners approve this action, the developer should be required to provide a breach plan to Stormwater Management and Community Development for approval. This plan must include provisions for re-establishing vegetation in the lake bed as well as permanent stabilization of the dam breach. The pond area should also be placed in a conservation easement to permanently protect this area.