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O.B.#7

A LIMITED LIABILITY PARTNERSHIP
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February 13, 2013

Hand Delivered

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 FEB 13 AM 11:54
COBB COUNTY ZONING DIVISION

RE: Application for "Other Business" - Application No. Z-160 (1998)
(Item No. 7)

Applicant: Pope & Land Enterprises, Inc.
Property Owner: DCP Cumberland Investors, LLC
Property: 2931 and 2905 Cobb Parkway, Land Lot 948,
17th District, 2nd Section, Cobb County, Georgia

Dear John:

On behalf of the Applicant and Property Owner in the above-referenced Application for "Other Business," please accept this correspondence as our request to formally amend the pending Application as follows:

- (1) Submission herewith of a revised "Site Plan Exhibit 'A,'" dated January 15, 2013, prepared for Applicant by Summit Engineering Consultants, Inc.; and
- (2) Submission of amended and revised Exhibit "B" to the Application for "Other Business."

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 2
February 13, 2013

The original Site Plan Exhibit "A" and Exhibit "B" which were submitted with the filing of the Application for "Other Business" shall be replaced and superseded by the amendments presented and filed herewith.

The balance and remainder of the pending Application for "Other Business" is unaltered by the amendments requested herein.

Thank you for your consideration and assistance in this request. If you should have any questions or require additional information or documentation at this time, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachments

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
Helen C. Goreham
Robert Ott
Joann Birrell
Lisa N. Cupid
(With Copies of Attachments)

Pope & Land Enterprises, Inc.
(With Copies of Attachments)

EXHIBIT "B" - AMENDMENT TO APPLICATION FOR OTHER BUSINESS
(SITE PLAN AND STIPULATION AMENDMENT)

Application No.: Z-160 (1998)
Original Hearing Date: November 17, 1998
Date of Zoning Decision: November 17, 1998
Current Hearing Date: February 19, 2013

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant: Pope & Land Enterprises, Inc.
Property Owner: DCP Cumberland Investors, LLC

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Applicant files this Amendment to Application for "Other Business," deleting Exhibit "B" attached to the Application for "Other Business" filed on or about January 15, 2013, in its entirety and substituting in lieu thereof the following:

- (1) Applicant submits with this Amendment to Application for "Other Business" a revised "Site Plan Exhibit 'A'," dated January 15, 2013, prepared for Applicant by Summit Engineering Consultants, Inc., which more particularly delineates the redevelopment of the Subject Property and the amendments proposed herein.
- (2) Applicant proposes to redevelop the site to reduce the topographical changes existing, and to construct a maximum two-story building, with a maximum of 10,000 square feet. The existing two-story building at the immediate intersection of Akers Mill Road and Cobb Parkway will be renovated.
- (3) Applicant proposes to convert the existing two separate parcels, or tracts, into one unified tract.
- (4) Applicant's existing full-service access to Akers Mill Road shall remain in place and unchanged; allowing left-in/left-out and right-in/right-out movements. However, should Applicant obtain an easement which would allow it and its tenants to use Galleria Lane, a private street, then, and in such event, the existing access shall be converted to a right-in/right-out access.
- (5) Applicant shall reduce the curb cuts to the Subject Property fronting along Cobb Parkway from three (3) curb cuts to two (2) curb cuts; one being a right-in/right-out and the other being a right-out only, as more particularly shown and reflected on the revised Site Plan Exhibit "A" submitted with this Amendment.

- (6) With the proposed redevelopment, the new front for the Subject Property, as per Cobb County Code, will now be Akers Mill Road. Therefore, the front setback shall be reduced from fifty (50) feet to twenty-five (25) feet pursuant to existing conditions. Please note that previously the front for the tract containing this building was Cobb Parkway and the setback was twenty-five (25) feet as a major side setback.

The amendments proposed and presented herein in no way adversely impact or affect the quality or integrity of the existing buildings and its tenants or surrounding developments, but shall serve to enhance the Subject Property and allow for safer access points within the overall development. If the requested amendments are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the Subject Property and the overall development.

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 November 17, 1998, in Application No. Z-160 (1998), are unaltered or unchanged by this request for Site Plan and Stipulation Amendment.

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COBB COUNTY ZONING DIVISION

NP
INSTITUTE OF NUCLEAR
POWER OPERATIONS
DEED BOOK 1887, PAGE 28
ZONED: CC

NP
ATLANTA GALLERIA ASSOCIATES
DEED BOOK 214, PAGE 14
ZONED: CC

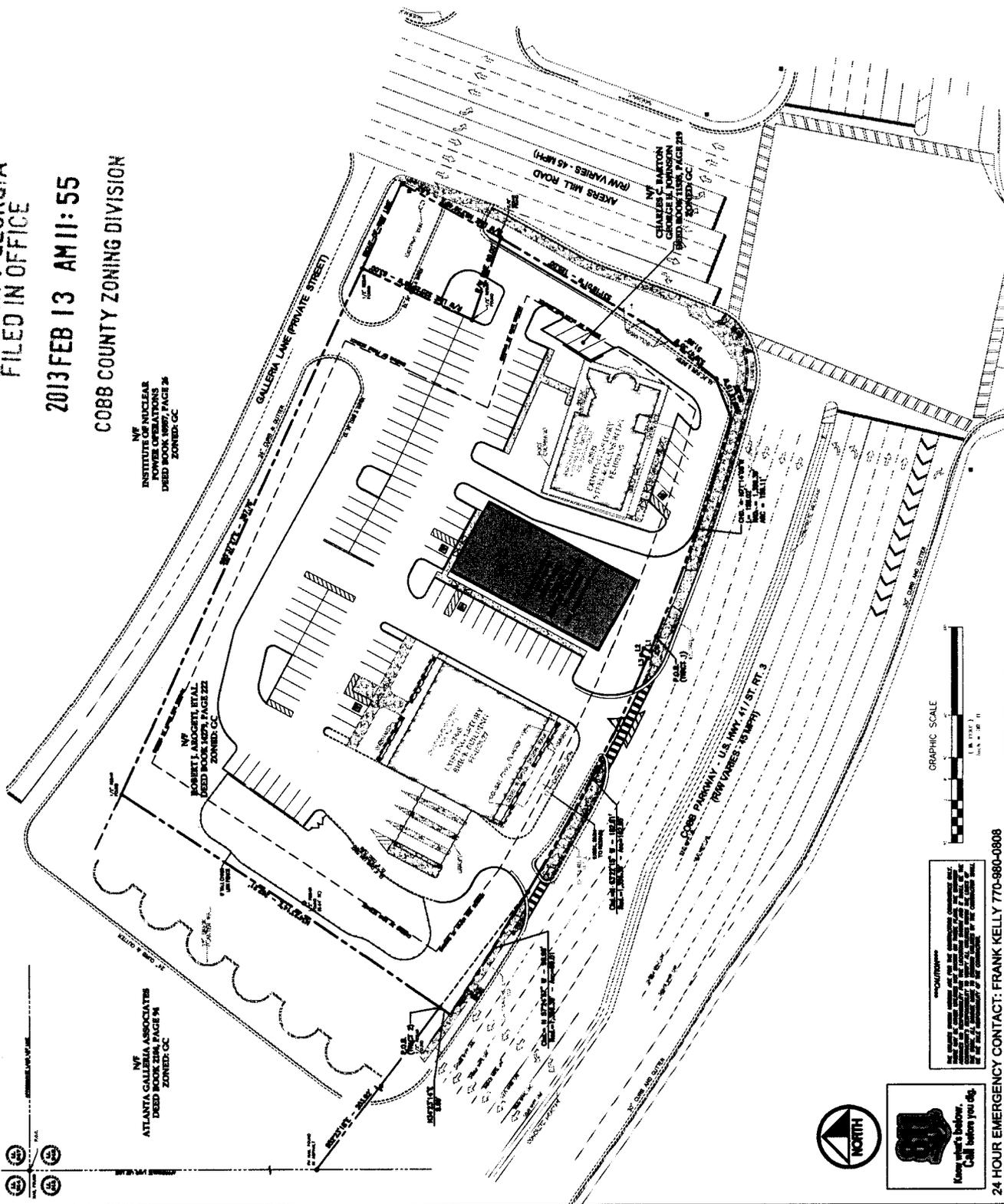
NP
ROBERT LABORATORY, ETAL
DEED BOOK 1479, PAGE 22
ZONED: CC



Project No.	13-028
Drawn By:	OM
Checked By:	OM
Date:	1/22/13
Scale:	1" = 100'
Revised Schedule:	OM

SITE PLAN "EXHIBIT A"
AKERS MILL MEN'S WEARHOUSE
LAND LOT 848 - 17th DISTRICT - 2nd SECTION
COBB COUNTY, GEORGIA

EXHIBIT A
Drawing No.



GRAPHIC SCALE



NOT TO SCALE
THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
THE OWNER AND DESIGNER ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS.
FOR MORE INFORMATION, CONTACT FRANK KELLY AT 770-980-0808.



24 HOUR EMERGENCY CONTACT: FRANK KELLY 770-980-0808