

**FEBRUARY 19, 2013 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 2**

**ITEM # 7**

**PURPOSE**

To consider approval of a site plan for Pope & Land Enterprises, Inc. regarding rezoning application Z-160 of 1998 (George H. Johnson and Charles C. Barton), for property located at the northwesterly intersection of Cobb Parkway and Akers Mill Road in Land Lot 948 of the 17<sup>th</sup> District.

**BACKGROUND**

The subject property was zoned GC for commercial development in 1998. One of the zoning stipulations requires the developer to have the Board of Commissioners’ approve the final development of the property. The property currently has a bank and a retail building. The applicant has submitted a proposed plan that places another retail building on the property, in between the two existing buildings. The proposed building will be constructed of stucco and glass, will be one-story in height with 8,000 square feet. If approved, all previous zoning stipulations would remain in effect.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan approval.

**ATTACHMENTS**

Other Business application, zoning stipulations, proposed site plan and proposed building architecture.

# Application for "Other Business" Cobb County, Georgia

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

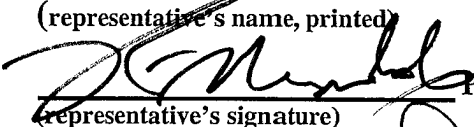
BOC Hearing Date Requested: 2/19/2013

**Applicant:** Pope & Land Enterprises, Inc. Phone #: 770-980-0808  
(applicant's name printed)

**Address:** 3225 Cumberland Blvd., Suite 400 E-Mail: rmaddux@popeandland.com

Robert Maddux Address: Same

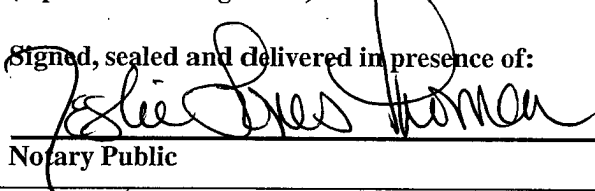
(representative's name, printed)



Phone #: 404-604-6556 E-Mail: \_\_\_\_\_

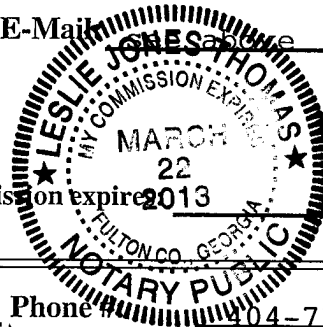
(representative's signature)

Signed, sealed and delivered in presence of:



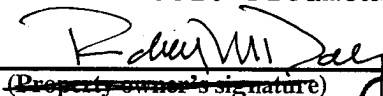
My commission expires 2013

Notary Public



**Titleholder(s)** DCP Cumberland Investors, LLC. Phone #: 404-771-7979  
(property owner's name printed)

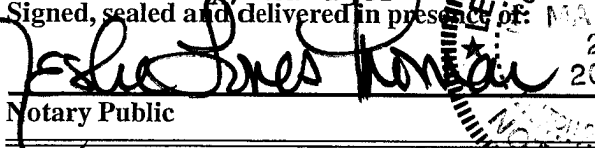
**Address:** 3520 Piedmont Road, Suite 125, Atl.GA E-Mail: bday@daycp.com



(Property owner's signature)

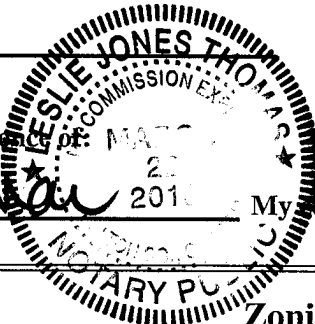
Robert M Day, Manager

Signed, sealed and delivered in presence of:



My commission expires: \_\_\_\_\_

Notary Public



**Commission District:** 2 **Zoning Case:** z-160 of 1998

**Date of Zoning Decision:** \_\_\_\_\_ **Original Date of Hearing:** 11-17-98

**Location:** 2931 and 2905 Cobb Parkway  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 0948 **District(s):** 17

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

See exhibit "B" and "C" attached here to

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(List or attach additional information if needed)

## **EXHIBIT "B"**

A. Applicant is seeking B.O.C. Approval of proposed redevelopment/site plan "Exhibit A" attached hereto as agreed to in previously approved zoning case Z-160, dated 11-17-98.

B. Execution of the proposed redevelopment plan will require applicant/property owner to combine the two existing parcels into a Single Parcel. Combining these two parcels will require property owner to seek B.O.C. approval of building setbacks as proposed in "Exhibit A".

# Application for Rezoning Cobb County

Application No. 2-160  
PC Hearing: 11-3-98  
BOC Hearing: 11-17-98

Applicant George H. Johnson and Charles C. Barton Business Phone 770/ 955-1822 Home Phone 770/ 955-5305

Peter M. Degnan Address 1201 W. Peachtree Street, NW, Atlanta, GA 30309

(representative's name, printed)

Peter M. Degnan

(representative's signature)

Business Phone 404/ 881-7743 or 881-7745

Signed, sealed and delivered in presence of:

Maude G. Lee  
Notary Public

Notary Public, Cobb County, Georgia  
My Commission Expires October 30, 1998  
My commission expires: \_\_\_\_\_

Titleholder SEE ATTACHED EXHIBIT "A" Business Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature SEE ATTACHED EXHIBIT "A" Address \_\_\_\_\_

(attach additional signatures, if needed)

Signed, sealed and delivered in presence of:

\_\_\_\_\_  
Notary Public My commission expires: \_\_\_\_\_

Zoning Request From PSC to GC (tract 1=0.7672) (tract 2=2.1501)

For the Purpose of To bring the zoning in compliance with the zoning regulations of Cobb Co. (present zoning) (proposed zoning) The Size of Tract 2.9174 Acre(s)

Location 2931 and 2905 Cobb Parkway (subdivision, restaurant, warehouse, apt., etc.) existing use of the property are a bank and retail commercial.

Land Lot(s) 948 (street address, if applicable; nearest intersection, etc.) District 17th

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are no such assets. If any, they are as follows:

George H. Johnson  
George H. Johnson (applicant's signature)

Charles C. Barton  
Charles C. Barton (applicant's signature)

We have investigated the site as to the existence of any cemetery located on the above property. I hereby certify that there is not such a cemetery. If any, they are as follows:

George H. Johnson  
George H. Johnson (applicant's signature)

Charles C. Barton  
Charles C. Barton (applicant's signature)

PAGE 2 OF 23

APPLICATION NO. Z-160

ORIGINAL DATE OF APPLICATION: 11-98

APPLICANTS NAME: GEORGE H. JOHNSON AND CHARLES C. BARTON

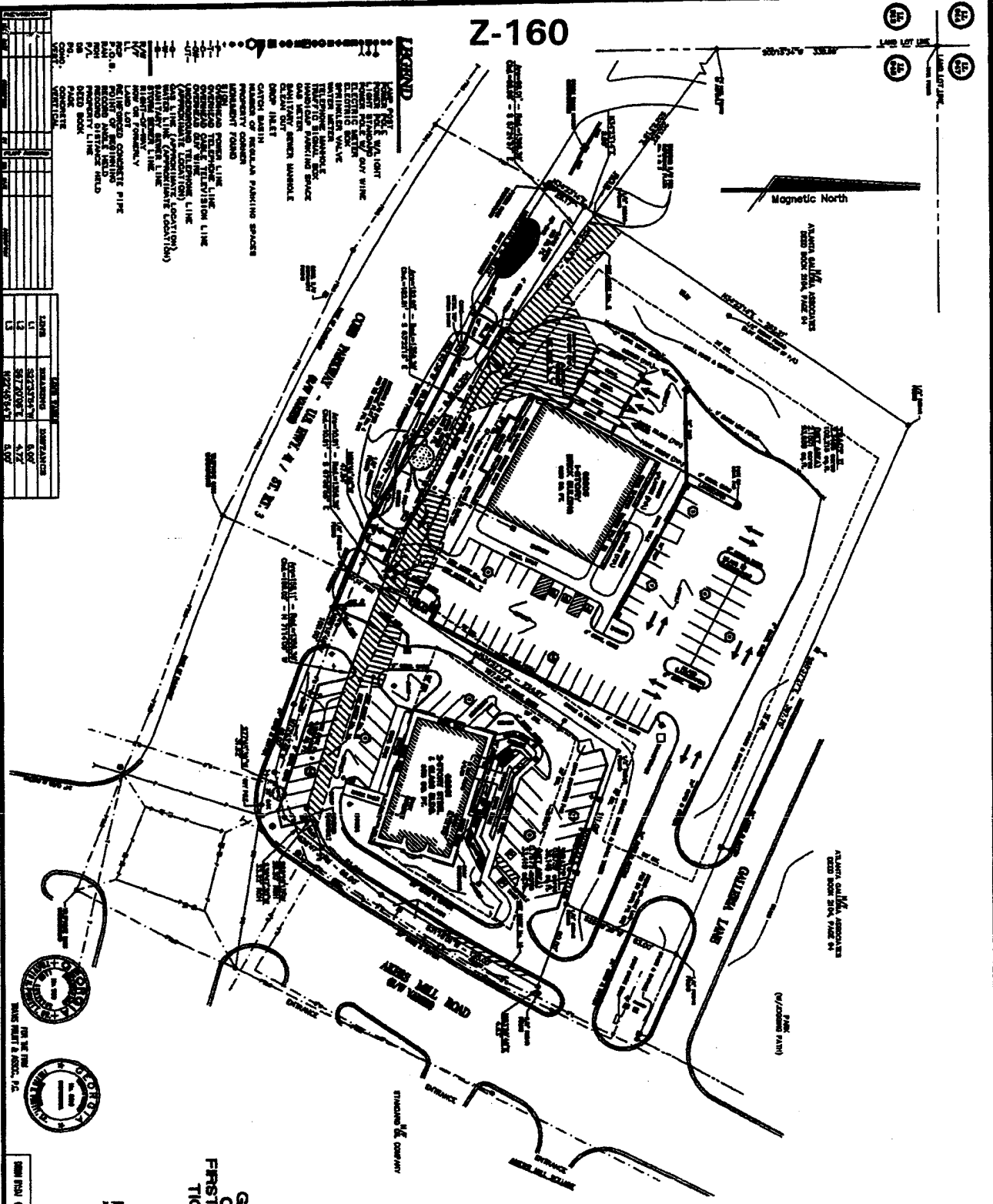
THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 11-17-98 ZONING HEARING:**

**GEORGE H. JOHNSON AND CHARLES C. BARTON** for Rezoning from PSC to GC for the purpose of Retail in Land Lot 948 of the 17<sup>th</sup> District. 2.9174 acres. Located at the northwest intersection of Cobb Parkway and Akers Mill Road. The Board of Commissioners, as part of the Consent Agenda, approved Rezoning to the GC zoning district subject to: 1) this project subject to Stormwater Management Division comments and recommendations; 2) project subject to Cobb Department of Transportation comments and recommendations; 3) Board of Commissioners to have final approval on the development of property. Motion by Wysong, second by W. Thompson, carried 5-0.

Plan  
From  
1998  
re zoning

# Z-160



SYMBOL	DESCRIPTION
(Symbol)	Water Main
(Symbol)	Sewer Main
(Symbol)	Gas Main
(Symbol)	Electric Main
(Symbol)	Telephone Main
(Symbol)	Fire Alarm Main
(Symbol)	Storm Sewer
(Symbol)	Drainage
(Symbol)	Proposed Concrete Pipe
(Symbol)	Proposed Storm Sewer
(Symbol)	Proposed Drainage
(Symbol)	Proposed Electric
(Symbol)	Proposed Gas
(Symbol)	Proposed Telephone
(Symbol)	Proposed Fire Alarm
(Symbol)	Proposed Storm Sewer
(Symbol)	Proposed Drainage
(Symbol)	Proposed Electric
(Symbol)	Proposed Gas
(Symbol)	Proposed Telephone
(Symbol)	Proposed Fire Alarm

**NOTES:**

1. ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY.
2. THE LOCATION AND DEPTH OF UTILITIES ARE SUBJECT TO CHANGE.
3. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN.
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10. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN.

**REFERENCE PLANS:**

1. 17TH DISTRICT - 2ND SECTION  
 2. COB COUNTY, GEORGIA  
 3. JULY 10, 1998  
 4. 1" = 30'

**ENGINEER:**  
 GEORGE H. JOHNSON,  
 CHARLES C. BARTON,  
 FIRST UNION NATIONAL BANK,  
 TICOR TITLE INSURANCE  
 COMPANY

**DATE:** 10/15/98

**PROJECT:** 17TH DISTRICT - 2ND SECTION  
 COB COUNTY, GEORGIA  
 JULY 10, 1998  
 1" = 30'

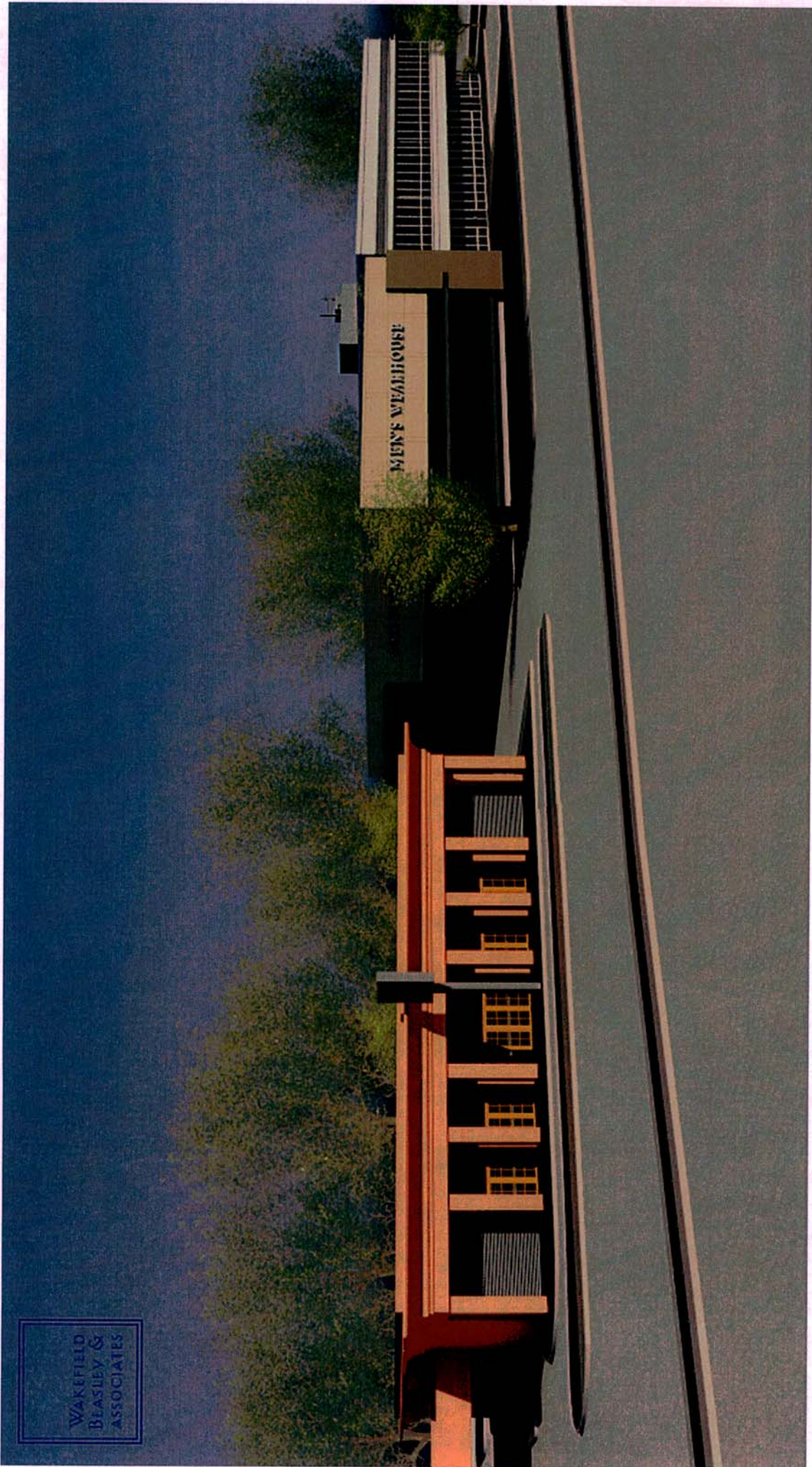
**SCALE:** 1" = 30'

**DATE:** 10/15/98

**PROJECT:** 17TH DISTRICT - 2ND SECTION  
 COB COUNTY, GEORGIA  
 JULY 10, 1998  
 1" = 30'



OB#7  
Proposal



WAKEFIELD  
BEASLEY &  
ASSOCIATES