

**SEPTEMBER 17, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM # 4

PURPOSE

To consider a stipulation amendment for The Estates at Walden Homeowners Association, Inc. regarding rezoning application Z-5 of 2011 (Brooks Chadwick Capital, LLC), for property located on the north side of Jordan Lake Drive at Walden Estates Drive in Land Lot 610 of the 16th District.

BACKGROUND

The subject property was rezoned to R-15 in 2011 to build a residential subdivision. One of the zoning stipulations called for the entrance monument sign to be removed after the sale of the last house. This was done so the new subdivision would blend in with the existing subdivision. The residents of the newer subdivision would like a small sign to help identify their subdivision. The proposed sign would be five feet tall and approximately four feet wide. The existing subdivision has submitted a letter that is supportive of the newer subdivision's request. If approved, all previous zoning stipulations would remain in effect.

FUNDING

N/A

STAFF COMMENTS

Cobb D.O.T.: Recommend the monument sign not obstruct the visibility at the intersection.

RECOMMENDATION

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

ATTACHMENTS

Other Business application and stipulations.

Application for "Other Business" Cobb County, Georgia

COBB COUNTY GEORGIA
FILED IN OFFICE

4

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

BOC Hearing Date Requested: 2013 AUG -7 AM 11:00 9/17-13

Applicant: The Estates at Walden Homeowners Association, Inc.
(applicant's name printed) Phone #: 404.234.7396

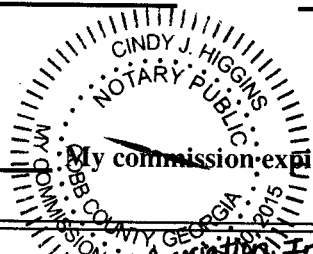
Address: 2571 Walden Estates Dr, Marietta, GA 30062 E-Mail: jbhenshaw@gmail.com

Julie Henshaw Address: 2571 Walden Estates Dr, Marietta, GA 30062
(representative's name, printed)

[Signature] Phone #: 404.234.7396 E-Mail: jbhenshaw@gmail.com
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: May 10, 2015
Notary Public



Titleholder(s): The Estates at Walden Homeowners Association, Inc.
(property owner's name printed) Phone #: 404.234.7396

Address: Parcel 43, LL 610, District 6 E-Mail: jbhenshaw@gmail.com

[Signature], as president
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: May 10, 2015
Notary Public



Commission District: 3 Zoning Case: 8-5 of 2011

Date of Zoning Decision: 2.15.11 Original Date of Hearing: 2.1.11 and 2.15.11

Location: Parcel 43 - corner of Jordan Lake Drive and Walden Estates Drive
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 610 District(s): 16

State specifically the need or reason(s) for Other Business:
amend zoning stipulation to allow for entrance
monument sign into The Estates at Walden
neighborhood.

(List or attach additional information if needed)

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
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used on the exterior of the proposed residences. No residence constructed shall have all three remaining sides solely hardi-plank. The residences shall be in conformity with the East Cobb community-at-large.

- (7) The minimum lot size of lots within the proposed residential community shall be 15,000 square feet.
- (8) The setbacks, except as otherwise expressly set forth herein, for the proposed residential community shall be as follows:
 - (a) Front setback: Twenty-five (25) feet;
 - (b) Rear setback: Forty (40) feet;
 - (c) Side setback: Five (5) feet (fifteen (15) feet between structures) for Lots 9, 10, 11, 21, and 22 (which shall not permit larger footprint); and for the balance of lots, ten (10) feet;
 - (d) Setbacks for Lot 1 of the proposed community shall be as more particularly shown and reflected on the referenced Concept Plan inasmuch as Lot 1 is a three-sided lot.
- (9) All front and side yard areas of the proposed residences shall be fully sodded.
- (10) Applicant agrees to the creation of a mandatory homeowners association consistent with communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas, landscaping around detention areas, and entrance area contained within the proposed residential community.
- (11) 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.
- (12) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall be removed after the sale of the last residence.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
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The entrance landscaping shall be professionally designed and implemented pursuant to the Pond Planting & Conceptual Entrance Landscape Plan prepared for Applicant by Sears, Smith & Associates, Inc., dated January 5, 2011, a reduced copy being attached hereto as Exhibit "B" for ease of reference. Additionally, the entrance landscaping shall be professionally maintained by the mandatory homeowners association as set forth in the declaration of covenants, easements, and restrictions.

- (13) The common space adjacent to the entrance area, and southerly of Lot 1, shall also be professionally designed and landscaped pursuant to the Pond Planting & Conceptual Entrance Landscape Plan; and shall also be maintained as part of the mandatory homeowners association. The landscaping shall be irrigated.
- (14) The detention pond shall be fenced and the area landscaped for purposes of visual screening. Fencing shall be black wrought iron-type fencing. The access gate shall be decorative, black wrought iron-type material, and shall not be located facing Jordan Lake Drive. The detention pond shall be placed approximately twenty-five (25) feet behind the curb on Jordan Lake Drive.
- (15) Additionally, landscaping around the detention area shall be pursuant to the Pond Planting & Conceptual Entrance Landscape Plan, referenced above. There will be a retaining wall along the side of the detention pond closest to the proposed subdivision street. Approximately four (4) feet of the retaining wall will be above ground. Applicant agrees that an earthen berm will be placed on the outside of the retaining wall shielding the retaining wall upon which the landscaping indicated in the referenced Plan shall be planted.
- (16) Applicant agrees to shift the location of the proposed detention pond toward the amenity package as far as engineeringly possibly. Additionally, during construction of the detention facility, Applicant agrees to grade the areas between the detention pond and the amenity area so as to not leave the existing ravine or hole. The work as described in this paragraph shall be subject to Lake Walden Homeowners' Association, Inc. granting to Applicant a temporary construction easement and a permanent easement to allow the referenced work to be completed. In order to meet Applicant's work schedule, these easements must be executed and delivered to Applicant on or before forty-five (45) days from February 15, 2011. If said easements have not been so executed and delivered within the time limit specified, this paragraph shall become null and void.

16-610



Legend

- Parcel
- Parcel Number
- Parcel Address
- Railroad ROW
- Trail ROW
- Water Region
- Land Lots
- Subdivision Boundary
- Cobb Boundary

City Limits

- Acworth
- Austell
- Kennesaw
- Marietta
- Powder Springs
- Smyrna
- Unincorporated

C.I.D Limits

- Cumberland Mill
- Town Center

MISC

- Land hooks
- Water Property line
- Parks

16-544	16-543	16-542
16-609		16-611
16-616	16-615	16-614

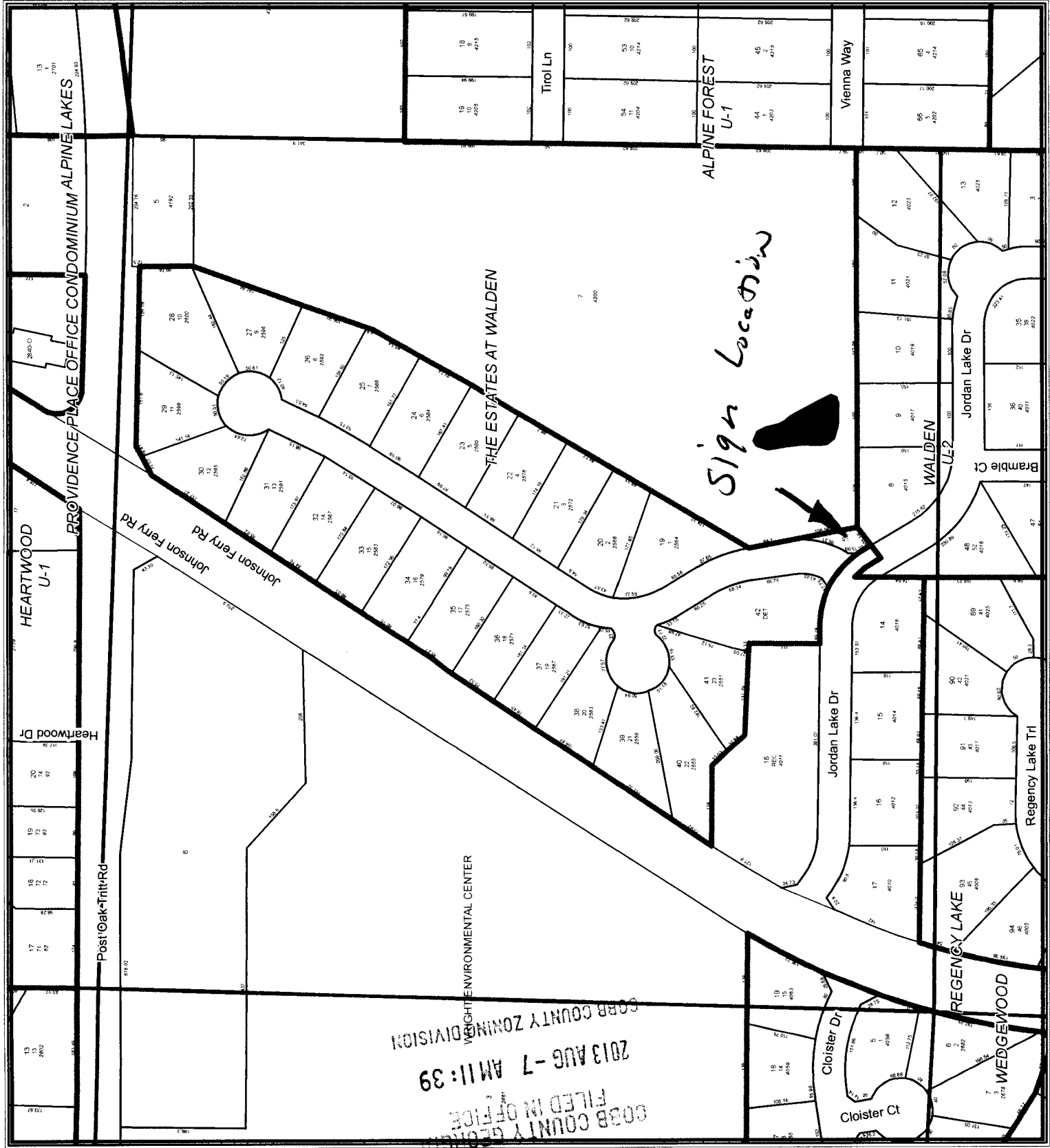
Cobb County
Board of Tax Assessors
Mappping Division
738 Whitlock Ave. Ste 200
Marietta, Georgia 30064
770-528-3100

PLAT
This plat is prepared by the Cobb County Board of Tax Assessors, Mappping Division, and is subject to the provisions of the Georgia Code, Title 48, Chapter 1, Article 1, Section 1-101, which provides that the Board of Tax Assessors is authorized to prepare and issue maps and plats for the purpose of showing the location and boundaries of parcels of land for the purpose of assessing taxes thereon. The Board of Tax Assessors is not responsible for the accuracy of the information shown on this plat. The user of this plat is advised to verify the information shown on this plat with the Cobb County Board of Tax Assessors, Mappping Division, before relying on it for any purpose.

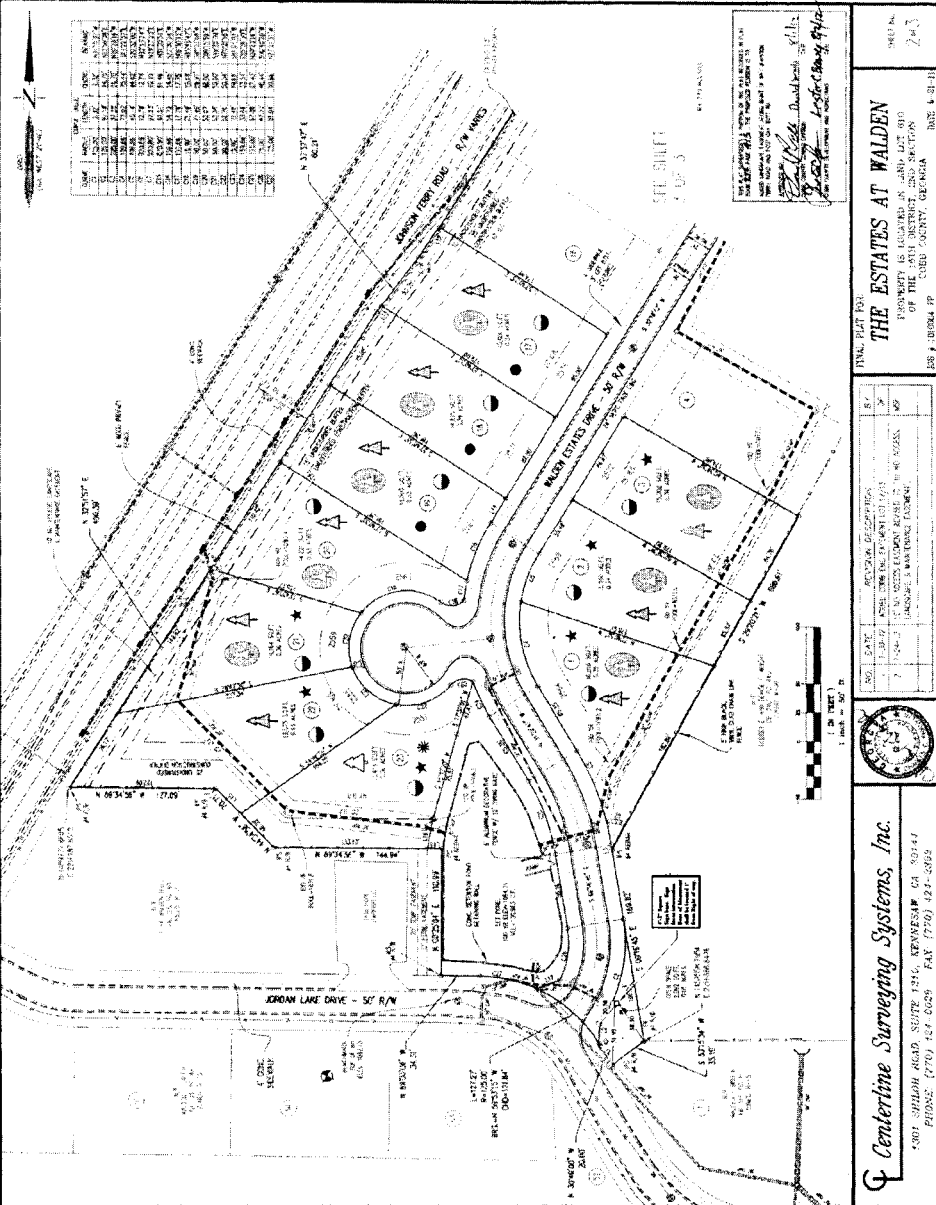
Mappping Division
738 Whitlock Ave. Ste 200
Marietta, Georgia 30064
770-528-3100

Print Date:
Aug 13, 2012

Scale:
0 50 100 200
Feet
(1 inch = 200 ft on A4 size paper)



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COBB COUNTY ZONING DIVISION

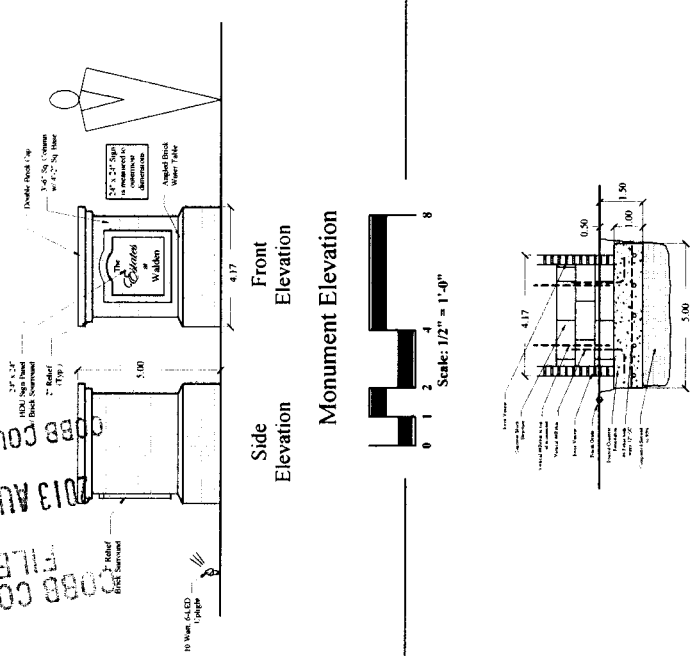


Centerline Surveying Systems, Inc.
 4301 SHILOH ROAD, SUITE 1315, KENNESAW, GA 30144
 PHONE: (770) 421-0229 FAX: (770) 421-0252

THE ESTATES AT WALDEN
 A SUBDIVISION OF THE WEST DISTRICT, 2ND SECTION
 208 J. BIRNEY RD. CUBES COUNTY, GEORGIA 30031

Final Subdivision Plat for this project was taken from the online archive of the Cobb Clerk of Superior Court. Centerline Surveying is the engineer of record on the plat, but is not associated with this Monument permit drawing in any way.

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WHITE PINE
 LAND STUDIO, LLC
 404-406-1577 info@whitepine.landstudio.com



July 15, 2013

Entrance Monument Plan
Estates at Walden
 prepared for:
 Estates at Walden HOA



Walden at East Cobb HOA Inc.

www.walden-hoa.com

3162 Johnson Ferry Road

Suite 260, Box 407

Marietta, GA 30062

August 2, 2013

John P. Pederson, Cobb County Zoning Division Manager

Commissioner JoAnn Birrell

1150 Powder Springs St, Suite 400

Marietta, GA 30064

RE: Estates at Walden Monument Sign

Good Morning,

This letter confirms that Walden at East Cobb Homeowners Association approves the site plan and monument sign design provided to us by The Estates at Walden HOA President Julie Henshaw. A copy is attached.

These plans were approved by the HOA Board, and provided to the homeowners for comment.

Sincerely,

Ron Sprouse

President, Walden at East Cobb HOA Inc.

Copy: Julie Henshaw

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