

**FEBRUARY 18, 2014 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 3**

**ITEM # 2**

**PURPOSE**

To consider a site plan amendment for Birch River Development/ NEDA Investments regarding rezoning application Z-25 of 2012 (NEDA Investments), for property located on the west side of Holly Springs Road, northwest of Paul’s Way in Land Lots 529 of the 16<sup>th</sup> District.

**BACKGROUND**

The subject property was rezoned R-20 for a three lot subdivision in 2012. At the time of rezoning, the property was zoned site plan specific. This proposed amendment entails an approximately 2,000 square foot piece of property that the developer has given to the adjoining property to the west. The property was given to the adjacent property owner to help square-up their shallow lot, and to correct a long time fence location problem. It should be noted that the three lots would still meet the zoning stipulations and criteria for the R-20 zoning district. Additionally, the developer has purchased an adjoining lot to the south and would like to incorporate that lot’s access with the shared driveway; this is shown as a 20’ interparcel access easement. 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.

**ATTACHMENTS**

Other Business application and stipulations.

#2

# Application for "Other Business"

COBB COUNTY GEORGIA  
PLANNING DEPARTMENT

## Cobb County, Georgia

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

2014 JAN -6 AM 12/18/14  
BOC Hearing Date Requested: 2/18/14

Applicant: Birch River Development/NEDA INVESTMENTS Phone #: 678-233-7134  
(applicant's name printed)

Address: 235 Corporate Center Dr., Suite 100, Stockbridge, GA 30281 E-Mail: jadams@havenwood.biz

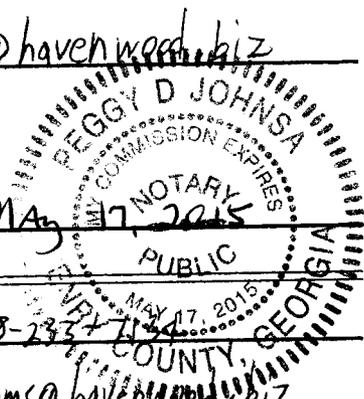
Jonathan Adams Address: 2766 Bentwood Drive, Marietta, GA 30062  
(representative's name, printed)

[Signature] Phone #: 678-233-7134 E-Mail: jadams@havenwood.biz  
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: May 17, 2015



Titleholder(s): Birch River Development, LLC/NEDA INVESTMENTS Phone #: 678-233-7134  
(property owner's name printed)

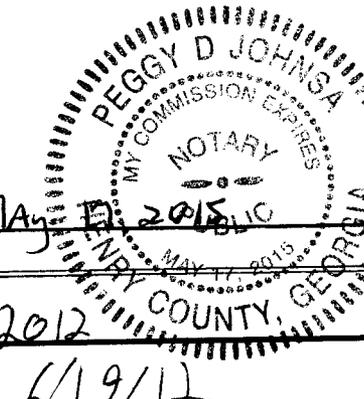
Address: 235 Corporate Center Drive, Suite 100, Stockbridge, GA 30281 E-Mail: jadams@havenwood.biz

X [Signature] Jonathan Adams  
(Property owner's signature)  
SUSAN MENG

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public

My commission expires: May 17, 2015



Commission District: 3

Zoning Case: Z-25 2012

Date of Zoning Decision: 6/19/12

Original Date of Hearing: 6/19/12

Location: 2975 Holly Springs Road, Marietta, GA 30062  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 529 District(s): 16

State specifically the need or reason(s) for Other Business: Adjoining owner, parcel # 16052900620, has a fence that encroaches into the property. We would like to deed a piece of land in accordance with the fence line to the neighbor, as the required dimensions and lot sizes will remain intact.



FINAL PLAT SURVEY FOR  
**CAREY WOODS**  
 LAND LOTS 529 16TH DISTRICT  
 COBB COUNTY, GEORGIA

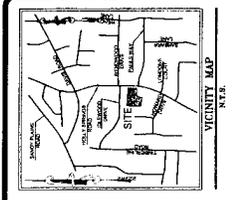
REVISIONS

NO.	DATE	DESCRIPTION

DATE: 12-08-13  
 FILE NUMBER: 13-07  
 DRAWN BY: JALCON  
 REVIEWED BY: JALCON



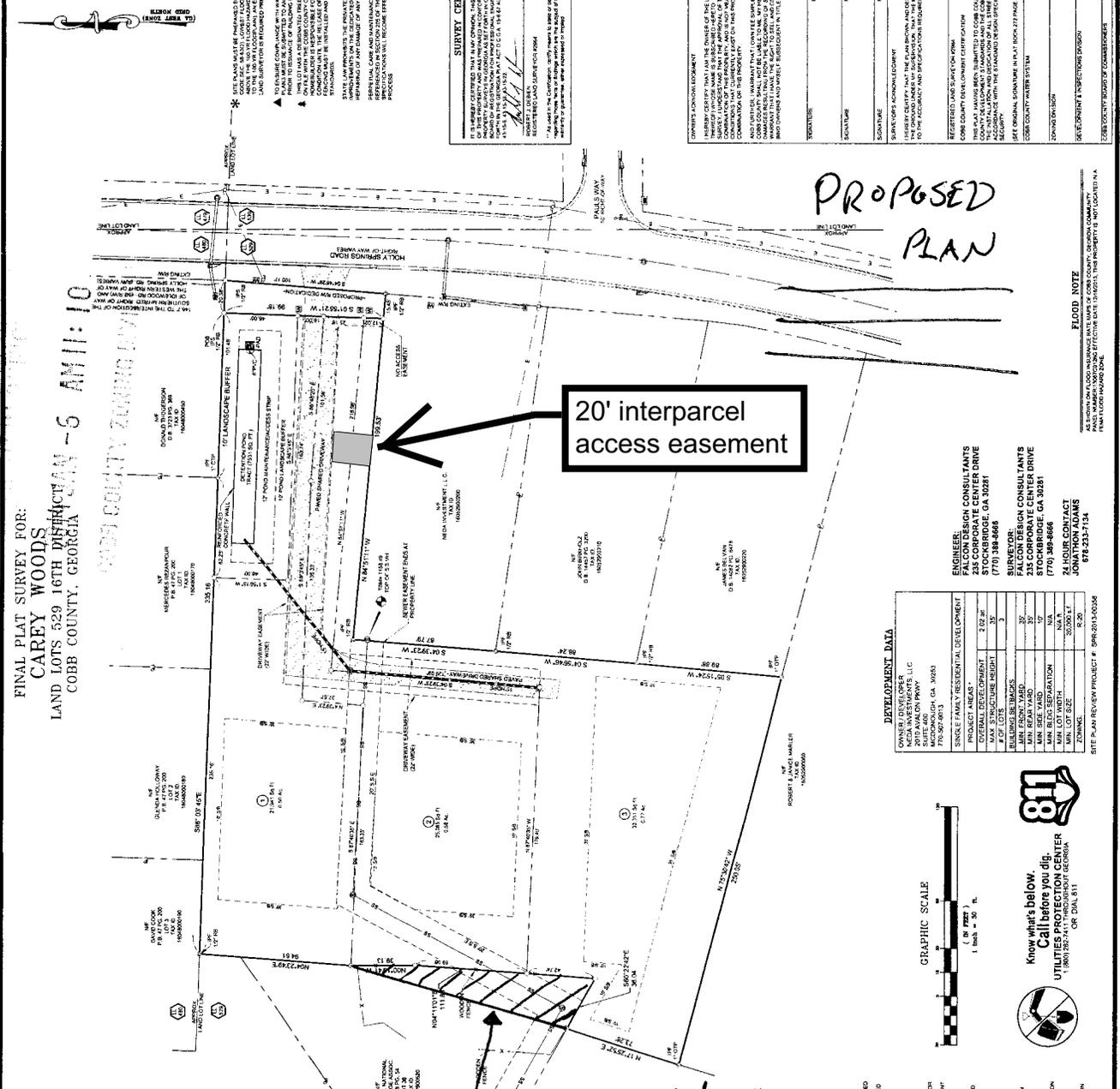
SHEET NUMBER  
**1 OF 1**



THIS PLAN MUST BE APPROVED SUBJECT TO THE REQUIREMENTS OF THE COBB COUNTY PLANNING AND ZONING DEPARTMENT AND THE COBB COUNTY BOARD OF COMMISSIONERS. THE PLANNING AND ZONING DEPARTMENT SHALL REVIEW THIS PLAN FOR CONFORMANCE WITH THE PLANNING AND ZONING CODE AND THE COBB COUNTY BOARD OF COMMISSIONERS SHALL REVIEW THIS PLAN FOR CONFORMANCE WITH THE PLANNING AND ZONING CODE AND THE COBB COUNTY BOARD OF COMMISSIONERS. THE PLANNING AND ZONING DEPARTMENT SHALL REVIEW THIS PLAN FOR CONFORMANCE WITH THE PLANNING AND ZONING CODE AND THE COBB COUNTY BOARD OF COMMISSIONERS SHALL REVIEW THIS PLAN FOR CONFORMANCE WITH THE PLANNING AND ZONING CODE AND THE COBB COUNTY BOARD OF COMMISSIONERS.

**SURVEY CERTIFICATE**  
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct representation of the facts and conditions as shown to me by the owner and as the same appear on the records of the Cobb County Clerk's Office, and that the same have been compared with the original survey and found to be correct and true.

DATE: 12-08-13  
 FILE NUMBER: 13-07  
 DRAWN BY: JALCON  
 REVIEWED BY: JALCON



**PROPOSED PLAN**

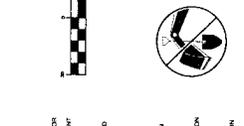
**20' interparcel access easement**

FINAL PLAT SURVEY FOR:  
**CAREY WOODS**  
 LAND LOTS 529 16TH DISTRICT  
 COBB COUNTY, GEORGIA  
 AM 11:10

**DEVELOPMENT DATA**

PROJECT AREA	234 CORP. CENTER DRIVE
PROJECT AREA	234 CORP. CENTER DRIVE
MIN. LOT AREA	10,000 SQ. FT.
MIN. LOT WIDTH	30 FT.
MIN. LOT DEPTH	100 FT.
MIN. LOT FRONT SETBACK	10 FT.
MIN. LOT SIDE SETBACK	10 FT.
MIN. LOT REAR SETBACK	10 FT.
MIN. LOT AREA	10,000 SQ. FT.
MIN. LOT WIDTH	30 FT.
MIN. LOT DEPTH	100 FT.
MIN. LOT FRONT SETBACK	10 FT.
MIN. LOT SIDE SETBACK	10 FT.
MIN. LOT REAR SETBACK	10 FT.

**811**  
 Know what's below.  
 Call before you dig.  
 UTILITIES PROTECTION CENTER  
 1 (800) 382-7411 (TOLL FREE) OR 404-525-0800  
 OR CALL 811



**LEGEND**

1	EXISTING LOT BOUNDARIES
2	EXISTING LOT CORNERS
3	EXISTING LOT DIMENSIONS
4	EXISTING LOT AREA
5	EXISTING LOT PERIMETER
6	EXISTING LOT CENTERLINE
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100	EXISTING LOT CENTERLINE

**SURVEY NOTES**  
 1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROFESSIONAL SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA.  
 2. THE SURVEY WAS CONDUCTED ON THE DATE INDICATED ABOVE.  
 3. THE SURVEY WAS CONDUCTED BY THE SURVEYOR NAMED ABOVE.  
 4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROFESSIONAL SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA.  
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 8. THE SURVEY WAS CONDUCTED ON THE DATE INDICATED ABOVE.  
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 10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROFESSIONAL SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA.

**Area decided to adjacent property owner.**

ORIGINAL DATE OF APPLICATION: 06-19-12APPLICANTS NAME: NEDA INVESTMENTS, LLC

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

**BOC DECISION OF 06-19-12 ZONING HEARING:**

**NEDA INVESTMENTS, LLC** (Stephanie L. Wyant, Douglas P. Brown and Kevin L. Smith, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 529 of the 16<sup>th</sup> District. Located on the west side of Holly Springs Road, northwest of Paul's Way (2975 and 2985 Holly Springs Road).

The public hearing was opened and Mr. Jonathan Adams and Mr. Robert Long addressed the Board. Following presentation and discussion, the following motion was made:

**MOTION:** Motion by Birrell, second by Lee, to delete Rezoning to the **R-20** with **Stipulations** zoning district, **subject to:**

- **specific to *revised* site plan received by the Zoning Division June 1, 2012 (attached and made a part of these minutes)**
- **email correspondence from Mr. Jonathan Adams dated June 1, 2012 (attached and made a part of these minutes)**
- **elevations presented as guidance for architecture (attached and made a part of these minutes)**
- **size of houses to be a minimum of 2,800 square feet**
- **houses to be three (3) sided brick or masonry with the fourth being hardi-plank, with architectural style to be approved by the District Commissioner**
- **Fire Department comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**

**VOTE:** **ADOPTED** unanimously

