Application for "Other Business"

OB-40

Cobb County, Georgia

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

BOC Hearing Date Requested: July 15, 2014

RECEIVED
JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Applicant: 2671 Roswell Road, LLC **Phone #:** (404) 229-5799
(applicant's name printed)

Address: 2160 Carlysle Croft Court, Marietta, GA 30062 **E-Mail:** asakhurana@gmail.com

Sams, Larkin, Huff & Balli, LLP
Garvis L. Sams, Jr. **Address:** 376 Powder Springs Street, Suite 100, Marietta, GA 30064
(representative's name, printed)

(representative's signature) **Phone #:** (770) 422-7016 **E-Mail:** gsams@slhb-law.com

Signed, sealed and delivered in presence of:

Debbie S. Johnston **My commission expires:** 04/10/2016
Notary Public

DEBBIE S. JOHNSTON
My Commission
NOTARY
PUBLIC
EXPIRES
April 10, 2016
DOUGLAS COUNTY, GEORGIA

Titleholder(s): Estate of Mary Annette Blackwell Farrell, Deceased & Farrell Realty Partners, LLLP **Phone #:**
(property owner's name printed)

Address: See Attached **E-Mail:**

(Property owner's signature)

Signed, sealed and delivered in presence of:

My commission expires:
Notary Public

Commission District: 3 - Birrell **Zoning Case:** No. Z-51 (2012)

Date of Zoning Decision: May 21, 2014 **Original Date of Hearing:** May 21, 2014

Location: North side of Roswell Road, west of Robert Lane (2671 Roswell Road)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 961, 984 & 985 **District(s):** 16th

State specifically the need or reason(s) for Other Business: To amend/extend the reverter clause which states, as follows: "If the curb and gutter are not installed and at least one (1) construction permit is not pulled within eighteen (18) months of this decision [May 21, 2013], the property will revert back to R-20".

(List or attach additional information if needed)

ATTACHMENT TO OTHER BUSINESS APPLICATION

Application No.: _____

Hearing Date:
Board of Commissioners: July 15, 2014

RECEIVED
JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Applicant: 2671 Roswell Road, LLC

Titleholder: Estate of Mary Annette Blackwell Farrell

Signature: Nancy F. Rikard
Nancy F. Rikard Co-Executor

Address: 1031 Hershey Drive, Marietta, GA 30062

Telephone No.: (770) 973-2280

Signed, sealed and delivered
in the presence of:

Debbie S. Johnston (Notary Seal)
Notary Public
Commission Expires: 4/10/2016

DEBBIE S. JOHNSTON
My Commission
NOTARY
PUBLIC
EXPIRES
April 10, 2016
DOUGLAS COUNTY, GEORGIA

ATTACHMENT TO OTHER BUSINESS APPLICATION

Application No.: _____

Hearing Date:
Board of Commissioners: July 15, 2014

RECEIVED
JUN 10 2014
COBB CO. COMM. DEVELOPMENT AGENCY
ZONING DIVISION

Applicant: 2671 Roswell Road, LLC

Titleholder: Farrell Realty Partners, LLLP

Signature: John M. Farrell III
John M. Farrell, III

Address: 2671 Roswell Road, N.E., Marietta, GA 30062

Telephone No.: 307-266-1220

Signed, sealed and delivered
in the presence of:
Pattie Burgess
Pattie Burgess (Notary Seal)
Notary Public
Commission Expires: March 1, 2018
March 1, 2018

NOTARY PUBLIC
PATTIE BURGESS
STATE OF WYOMING
COUNTY OF NATRONA
My Commission Expires Mar 01, 2018

ATTACHMENT TO OTHER BUSINESS APPLICATION

Application No.: _____

Hearing Date:
Board of Commissioners: July 15, 2014

RECEIVED
JUN 10 2014
COBB CO. CURRENT DEV. AGENCY
ZONING DIVISION

Applicant: 2671 Roswell Road, LLC

Titleholder: Estate of Mary Annette Blackwell Farrell

Signature: _____
John M. Farrell, III, Co-Executor

Address: 2671 Roswell Road, N.E., Marietta, GA 30062

Telephone No.: 307-266-1220

Signed, sealed and delivered
in the presence of:
Pattie Burgess
Pattie Burgess (Notary Public)
Notary Public
Commission Expires: March. 1, 2018
March. 1, 2018

NOTARY PUBLIC
PATTIE BURGESS
STATE OF WYOMING
COUNTY OF NATRONA
My Commission Expires Mar 01, 2018

ATTACHMENT TO OTHER BUSINESS APPLICATION

Application No.: _____

Hearing Date:
Board of Commissioners: July 15, 2014

RECEIVED
JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Applicant: 2671 Roswell Road, LLC

Titleholder: Farrell Realty Partners, LLLP

Signature: _____
Terry B. Farrell

Address: 4521 Postbridge Drive, Plano, TX 75024

Telephone No.: (972) 789-1393

Signed, sealed and delivered
in the presence of:

_____ (Notary Seal)
Notary Public
Commission Expires: 7-29-17

JAMIE MARIE-FAITH BROUSE
NOTARY PUBLIC
STATE OF TEXAS
7-29-2017

ATTACHMENT TO OTHER BUSINESS APPLICATION

Application No.: _____

Hearing Date:
Board of Commissioners: July 15, 2014

RECEIVED
JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Applicant: 2671 Roswell Road, LLC

Titleholder: Estate of Mary Annette Blackwell Farrell

Signature: Terry B. Farrell
Terry B. Farrell, Co-Executor

Address: 4521 Postbridge Drive, Plano, TX 75024

Telephone No.: (972) 789-1393

Signed, sealed and delivered
in the presence of:

Jamie Marie Faith (Notary Seal)
Notary Public
Commission Expires: 7.29.17

JAMIE MARIE-FAITH BROUSE
NOTARY PUBLIC
STATE OF TEXAS
7-29-2017

RECEIVED
JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

REGULAR CASES (CONT.)

Z-51 '12 **ARROWHEAD REAL ESTATE PARTNERS, LLC** (Estate of Mary Annette Blackwell Farrell, deceased, and Farrell Realty Partners, LLLP, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of Single-Family Homes in Land Lots 961, 984 and 985 of the 16th District. Located on the north side of Roswell Road, west of Robert Lane (2671 Roswell Road). ***(Previously continued by the Planning Commission from their December 4, 2012 and February 5, 2013 hearings; previously held by the Planning Commission from their March 5, 2013 hearing; and previously held by the Board of Commissioners from their April 16, 2013 hearing)***

The public hearing was opened and Mr. Garvis L. Sams, Jr. addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Ott, to **delete** Rezoning to the **R-15/OSC** zoning district **subject to:**

- **Maximum of 21 lots for this OSC development**
- **Site plan last revised May 16, 2013, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr., dated May 15, 2013, including landscape/fencing/entrance signage plan and the elevation and house plan renderings (attached and made a part of these minutes)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr., dated May 17, 2013 (attached and made a part of these minutes)**
- **Planning Division analysis dated May 17, 2013 (attached and made a part of these minutes)**
- **If the curb and gutter are not installed and at least one construction permit is not pulled within eighteen months of this decision, the property will revert back to R-20**
- **Planning Commission recommendations,** ***not otherwise in conflict***
- **Fire Department comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations,** ***except requirement for traffic signal at the entrance***

VOTE: **ADOPTED** unanimously

Min. Bk. 68 Petition No. Z-51
Doc. Type Letter of agreeable conditions
Meeting Date May 21, 2013

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

JUSTIN H. MEEKS

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

SAMSLARKINHUFF.COM

May 15, 2013

JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 MAY 15 PM 3:33
COBB COUNTY ZONING DIVISION

VIA HAND DELIVERY
AND EMAIL

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

Re: Application of Arrowhead Real Estate Partners, LLC
To Rezone a 10.589± Acre Tract from R-20 to R-15 OSC
(No. Z-51)

Dear John:

This firm represents Arrowhead Real Estate Partners, LLC ("Arrowhead") regarding the above-styled Application for Rezoning. The Application has been recommended for approval by the County's professional staff and the Cobb County Planning Commission. More recently, the Application was heard and considered by the Cobb County Board of Commissioners on April 16, 2013 at which time the Application was held. The Application is now scheduled to be heard and considered for final action by the Board of Commissioners on May 21, 2013.

In keeping with the direction which we have received from the Board, the County's professional staff and the Planning Commission and, consistent with our discussions with representatives of ECCA, area residents and Commissioner JoAnn Birrell, this letter will serve as a consolidated revised letter of stipulations which, upon the Application for Rezoning being approved as revised, shall become conditions and a part of the grant of the requested Rezoning and binding upon the subject property thereafter. The referenced revised stipulations are as follows, to wit:

1. The revised 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 concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.

Petition No. Z-51 '13
Meeting Date 5-21-13
Continued

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY
AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 2

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2. The subject property shall be developed in accordance with recommendations from the County's professional staff and in conformity to that certain revised site plan, prepared by Planners and Engineers Collaborative, which is being submitted contemporaneously herewith.

3. The construction of a maximum number of twenty-one (21) Single-Family Detached Homes at a maximum density of 1.98 units per acre.[1]

4. In accordance with Open Space Community (OSC) Regulations, 30.3% (3.21 acres) of the subject property shall remain in contiguous open space as shown on the revised site plan.

5. The minimum house size for the proposed residential community shall be twenty-four hundred (2,400) sq. ft. Each of the homes shall have, at a minimum, an attached two (2) car garage which shall be used for the parking and storage of vehicles.

6. The architectural style and composition of the homes shall consist of brick, stacked stone, cedar, Hardy Plank shake or Hardy Plank siding or a combination thereof as shown on the architectural elevations/renderings which were submitted under separate cover on May 3, 2013. The architectural style shall be applicable to at least three (3) sides of each home with the rear of the homes reflecting a masonry water table consisting of stone and/or brick.

7. The creation of a mandatory Homeowner's Association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs"), which shall include, among other components, strict architectural controls.

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[1] Sterling Ridge Chase is zoned R-15 at a density of 2.14 units per acre; Wynmont (contiguous and to the west of Sterling Ridge Chase) is zoned RA-5 at a density of 2.57 units per acre; Bridgegate Subdivision (directly across Roswell Road) is zoned PD and has been developed at a density of 4.03 units per acre.

Petition No. Z-51 '12
Meeting Date 5-21-13
Continued

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY
AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 3

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8. Subdivision entrance signage shall be ground-based, monument style and consistent with provisions of the Cobb County Sign Ordinance. Additionally, said entrance signage located on Roswell Road, shall be incorporated into the landscape plan for the subdivision and shall be fully landscaped and irrigated.

9. The submission of a landscape plan during the Plan Review Process which shall be subject to review and approval by a Landscape Oversight Committee consisting of the Developer, a representative from Sterling Ridge Chase Subdivision, the County Arborist and the District Three (3) Commissioner who shall be the final arbiter with respect to any decisions which can not otherwise be resolved.

10. Recognition of a forty-five foot (45') setback on all lots contiguous to Sterling Ridge Chase Subdivision and a thirty-five foot (35') rear setback on all lots contiguous to Stone Hall Subdivision. Additionally, along the western boundary of the lots contiguous to Sterling Ridge Chase Subdivision, there shall be a fifteen foot (15') landscape strip replanted to Cobb Count Buffer Standards which, after the installation of same, shall remain undisturbed except for the removal and/or replacement of any dead or irrevocably diseased vegetation.

11. For those lots directly contiguous to Open Space areas, the deeds vesting title in the ultimate owners of said lots shall contain a recital explaining that said lots are being purchased with the owners' acknowledgment that commonly owned Open Space exists to the rear of their respective properties and can not be built upon.

12. A Conservation Easement shall be recorded along with the Subdivision Covenants in Cobb Superior Court Deed Records for the purpose of protecting the Open Space from development in perpetuity. Said Conservation Easement shall be submitted to the Planning Division of the Community Development Agency prior to final plat approval.

The Open Space has been meaningfully positioned as an integral part of the community where the primary purpose of the Open Space is to include the conservation of the stream which traverses the subject property. The Open Space may contain walking paths on permeable surfaces. Additionally, according to OSC Regulations, pedestrian easement entrances shall be indicated with signage at access points.

13. There shall be a minimum of fifteen feet (15') between homes.

14. Subject to recommendations from the Cobb County Stormwater Management Division with respect to detention, stormwater management and hydrological issues, including the following:

    a. The ultimate location and configuration of on-site detention, stormwater management and water quality components.

    b. Predevelopment and post-development studies of the lake which is located downstream in Bridgegate Subdivision.

    c. Recognizing the seventy-five ft. (75') streambank buffers (150' total) and the placement of same within a Conservation Easement in favor of Cobb County.

    d. Finished floor elevations will be positioned at least two feet (2') above the overflow low point of Roswell Road.

    e. The master stormwater management ponds as shown on the revised site plan shall be landscaped to visually screen the ponds from Roswell Road. Additionally, stone masonry walls shall be constructed along the front portion of the ponds in addition to the landscaping and fencing components, all of which shall be maintained by the mandatory HOA.

15. Agreeing to adhere to the following construction hours:

    a. 7:00 a.m. until 7:00 p.m., Monday through Friday from October 1st through March 31st.

VIA HAND DELIVERY AND EMAIL

b. 7:00 a.m. until 8:00 p.m., Monday through Friday from April 1st through September 30th.

c. 9:00 a.m. until 6:00 p.m. on Saturdays.

d. No outside work on Sundays unless approved ahead of time by the District Commissioner.

16. All construction and worker vehicles shall be parked on the subject property during the construction and build-out of the subdivision.

17. The roads within the subdivision shall be public roads and built to the County's design and detail specifications.

18. Compliance with parking ratio requirements articulated by the Fire Department (one [1] space per every two [2] homes) by providing eleven (11) parking spaces as shown on the revised site plan.

19. The mandatory HOA shall be responsible for maintaining fencing, landscaping and the entrance to the subdivision, including signage, lighting and irrigation. A rendering/ elevation depicting the manner in which the entrance to the subdivision and the Roswell Road frontage will be designed was submitted under separate cover on March 27, 2013.

20. The installation of a six foot (6'), wooden, decorative privacy fence along the common property lines between Lots 16-18 within the subject property and Lots 9-13 within Sterling Ridge Chase Subdivision predicated upon the election to do so by those individual property owners within Sterling Ridge Chase Subdivision.

21. Subject to recommendations from the Cobb County Department of Transportation ("DOT"), including the following recommendations:

    a. The construction sidewalk, curb and gutter along the subject property's frontage on Roswell Road.

Petition No. Z-51 '12
Meeting Date 5-21-13
Council District

VIA HAND DELIVERY AND EMAIL

b. The construction of a deceleration lane with a taper, subject to GDOT approval, which shall be completed prior to construction of the subdivision.

c. Any encroachments upon Roswell Road Right-of-Way shall be subject to review and approval by the Georgia Department of Transportation.

d. Consistent with staff's recommendations, the installation of curb and gutter along both sides and a sidewalk along one side of the residential community's streets. However, the Developer shall retain the latitude to place sidewalks on both sides of the residential community's streets.

e. Currently, traffic signalization is not warranted at the subdivision's entrance and alignment with the median break on Roswell Road according to representations made by Cobb DOT representatives.

f. The construction of an acceleration lane from the subdivision's point of ingress/egress westward to the common property line within the subject property and Sterling Ridge Chase Subdivision, subject to review and approval by GDOT. Said acceleration lane shall be constructed prior to subdivision construction.

22. Compliance with recommendations from the Cobb County Water System with respect to the availability and accessibility of water and sewer for the site.

23. Subject to recommendations from the Cobb County Fire Department.

24. If curb, gutter and sidewalks are not installed and at least one construction permit is not issued within eighteen (18) months of the Board of Commissioners' decision to rezone the subject property, said property shall revert to its R-20 zoning classification.

25. The Developer agrees to allow The Georgia Native Plant Society to conduct a plant rescue prior to the commencement of construction on the subject property.

26. The District Commissioner shall have the authority to approve minor modifications to these stipulations and the Site Plan as the development proposal proceeds through the Plan and Review Process and thereafter.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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Contin...

2-51 12
5-21-13

VIA HAND DELIVERY
AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 15, 2013
Page 7

Taking a challenged piece of property, in terms of its hydrological features and excessive road frontage, Arrowhead has produced a final revised site plan and revised stipulations which elevate the rezoning proposal to a level where the rezoning is consistent with the Future Land Use Map, the Comprehensive Land Use Plan, existing zonings and densities in the area and consistent with the County's professional staff's recommendations. Additionally, the proposal has met with approval from a separate review conducted by the Planning Division regarding compliance with mandatory OSC components.

Please do not hesitate to contact me should you or the staff require further information or documentation prior to the Application being heard and considered by the Planning Commission and Board of Commissioners next week on May 21, 2013.

Very truly yours,

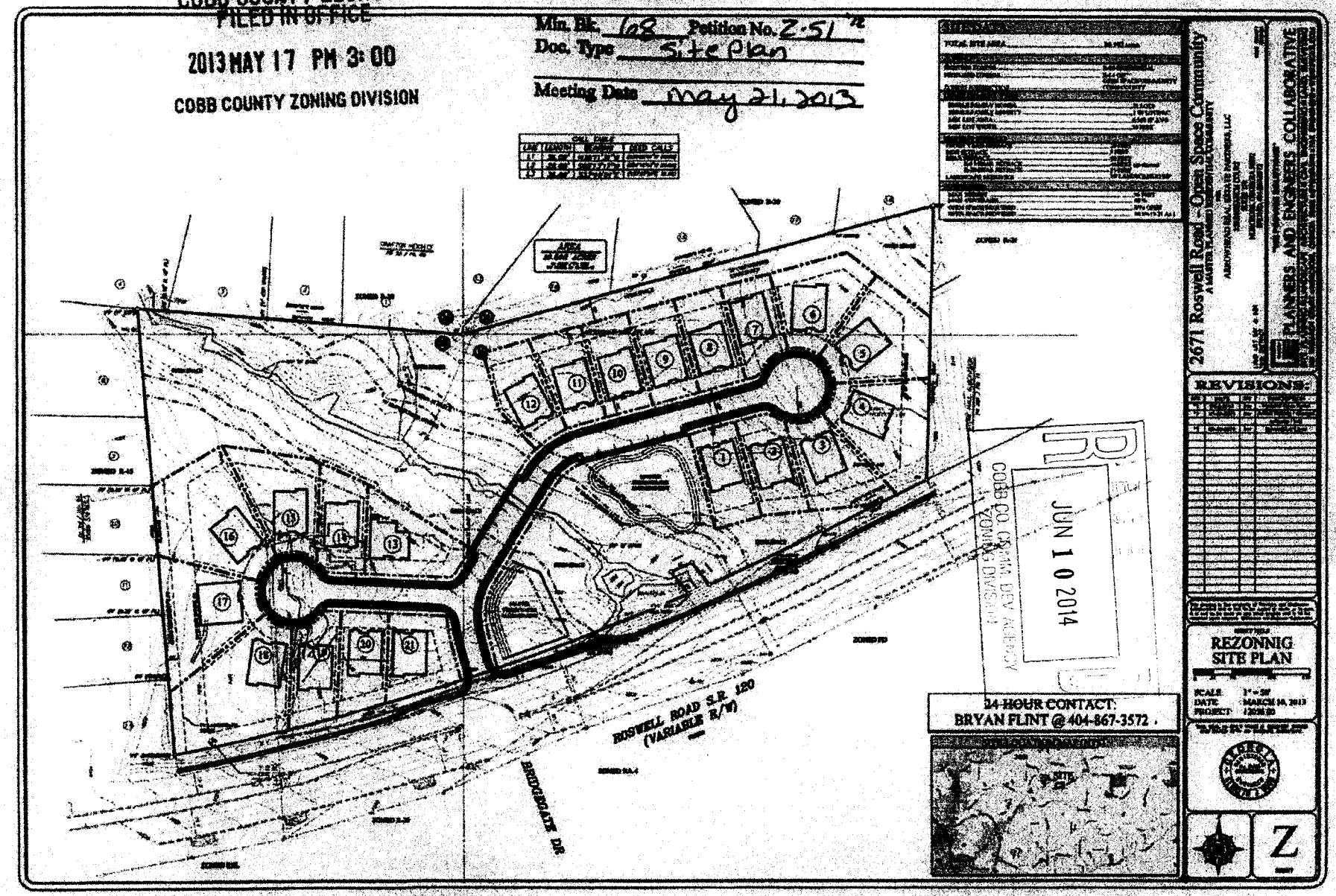
SAMS, LARKIN & HUFF, LLP

Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS/dsj
Enclosures/Attachment
cc: Members, Cobb County Board of Commissioners (via email w/attachment)
Mr. Robert L. Hosack, Jr., AICP Director (via email w/attachment)
Mr. Dana Johnson, AICP Planning Manager (via email w/attachment)
Mr. Phillip Westbrook, Planner III (via email w/attachment)
Mr. Jason A. Campbell, Planner III (via email w/attachment)
Mr. David Breaden, PE, Cobb County Stormwater Management (via email w/attachment)
Ms. Jane Stricklin, PE, Cobb County DOT (via email w/attachment)
Ms. Karen King, Assistant County Clerk (via email w/attachment)
Ms. Lori Barton, Deputy County Clerk (via email w/attachment)
Ms. Jodie Hayes, Sterling Ridge Chase Subdivision (via email w/attachment)

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 MAY 17 PM 3:00
COBB COUNTY ZONING DIVISION

Min. Bk. 168 Petition No. Z-51
Doc. Type Site Plan
Meeting Date May 21, 2013



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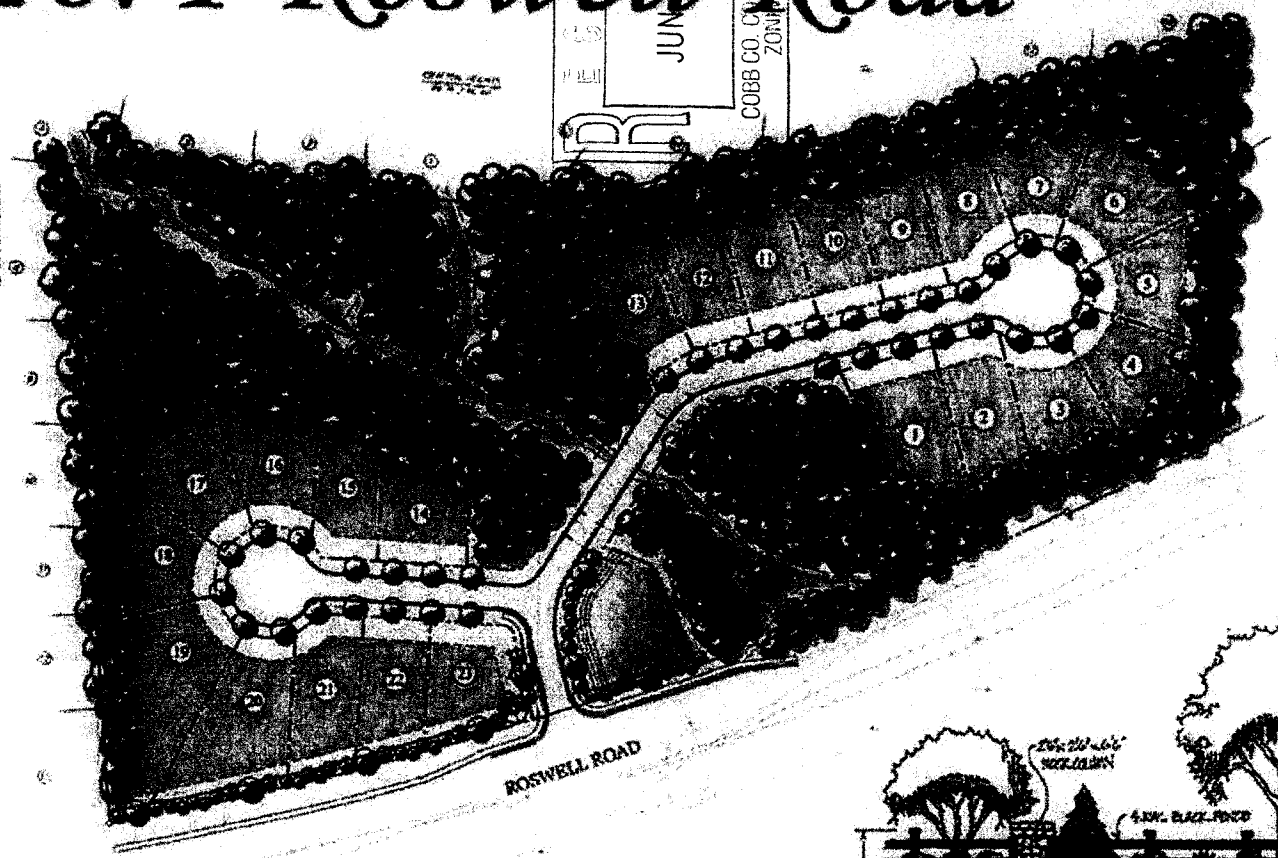
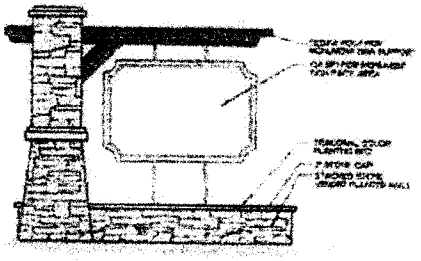
JUN 10 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Petition No. 2-51 12
Meeting Date 5-2-13
Continued

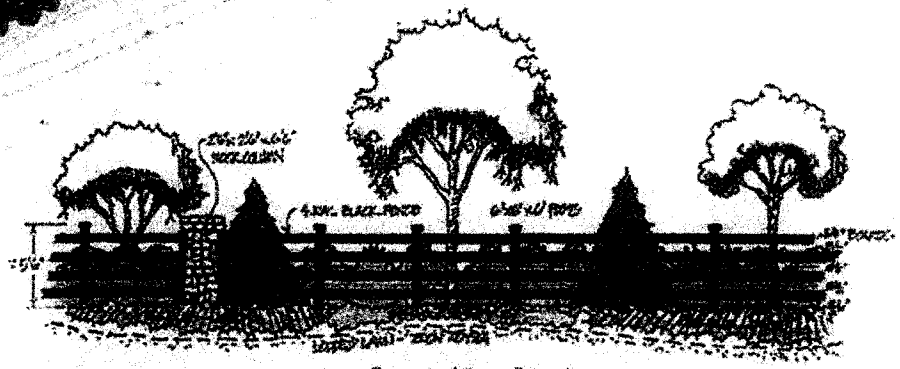
2671 Roswell Road

JUN 10 2014
COBB CO. COMMUNITY AGENCY
ZONING DIVISION





Conceptual Monument Sign



Conceptual Roswell Road
Landscape Strip

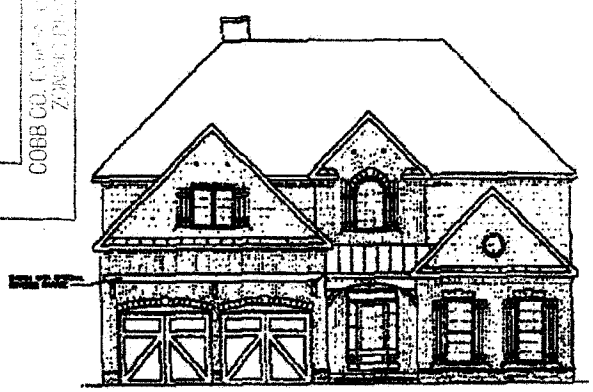
Arrowhead Real Estate Partners, LLC
350 Research Court, Suite 150
Norcross, Georgia 30092
Phone: (404) 867-3572

Planners and Engineers
350 Research Court
Norcross, Georgia 30092
Phone: (770) 451-2741

2-51
5-21-13

JUN 10 2014
COBB CO. ZONING

ELEVATION A



ELEVATION B

ELEVATION C

ELEVATION D

ELEVATION E

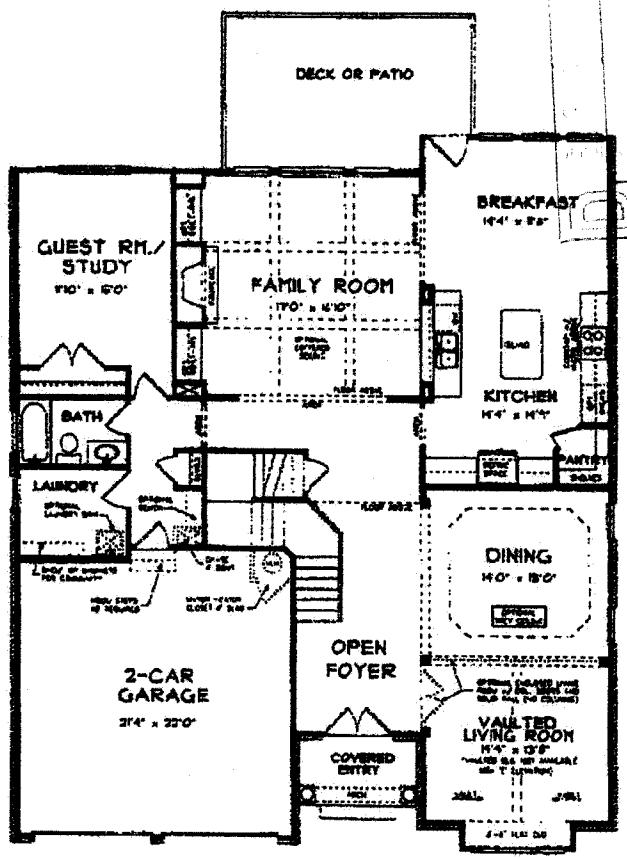
THE WHITMORE

Elevations shown are conceptual and sizes and dimensions shown are approximate. Consult construction drawings for specific details. Continuing a policy of ongoing product improvement, Traton Homes reserves the right of price, plan, and specification changes without prior notice or obligation. Exterior handrails shown are installed only where required by code.

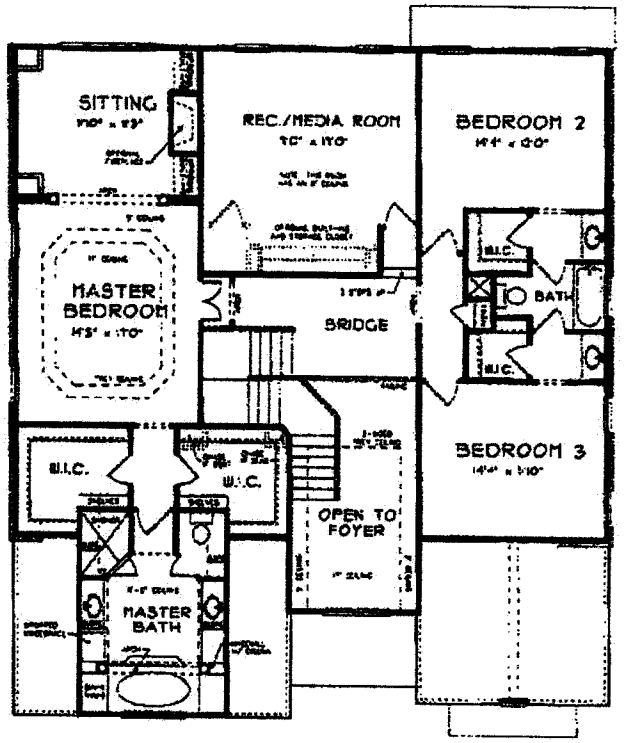
Petition No. 7-51 12
Meeting Date 5-21-13
Continued

THE WHITMORE

JUN 10 2014



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Construction features labeled optional are subject to individual communtity specifications and may be standard in some communities. Floor plans shown are conceptual and sizes and dimensions shown are approximate. Consult construction drawings for specific details. Continuing a policy of ongoing product improvement, Traton Homes reserves the right of price, plan, and specification changes without notice or prior obligation.

June 8, 2012

Min. Bk. 68 Petition No. Z-51 12
Doc. Type Letter of agreeable Conditions
Meeting Date May 21, 2013

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

JUSTIN H. MEEKS

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

SAMSLARKINHUFF.COM

May 17, 2013

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 MAY 17 PM 3:00
COBB COUNTY ZONING DIVISION

VIA HAND DELIVERY
AND EMAIL

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

RECEIVED
JUN 10 2014
COBB CO. COMMUNITY DEV. AGENCY
ZONING DIVISION

Re: Application of Arrowhead Real Estate Partners, LLC
To Rezone a 10.589± Acre Tract from R-20 to R-15
(No. Z-51)

Dear John:

Yesterday, my client and I met with Commissioner JoAnn Birrell, representatives of the East Cobb Civic Association ("ECCA"), and representatives of Sterling Ridge Chase Subdivision and Stone Hall Subdivision concerning the above-captioned Application for Rezoning. As you know, the Application is scheduled to be heard and considered by the Board of Commissioners next week on May 21, 2013. The purpose of the meeting was to finalize and refine the stipulations/conditions contained in our most recent stipulation letter which was submitted on May 15, 2013. Additionally, we have once again revised the site plan to embody the additional minor revisions to the zoning proposal.

With respect to the foregoing, it appears that we have the support of the above-mentioned groups as well as staff and the Planning Commission. In that regard, this letter will serve as a supplement to the May 15, 2013 stipulation letter (a copy of which is enclosed) which shall remain in full force and effect except where in conflict with the following terms and provisions.

As a result of the meeting, Arrowhead agrees to the following supplemental stipulations which shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter.

1. The supplemental stipulations and conditions set forth herein shall be in addition to the stipulations and conditions articulated in the May 15, 2013 stipulation letter concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.

VIA HAND DELIVERY
AND EMAIL

2. The Landscape Oversight Committee shall meet prior to construction beginning on the subject property.

3. The fifteen foot (15') landscape strip which will be replanted to Cobb County Buffer Standards between the subject property and Sterling Ridge Chase Subdivision shall be planted commensurate with the installation of utilities to the site and shall be maintained by Arrowhead until such time as the residential community is turned over to the mandatory HOA. Thereafter, consistent with stipulations/conditions requiring same, the HOA shall be responsible for maintaining said landscaping which shall remain undisturbed except for the removal and/or replacement of any dead or irrevocably diseased vegetation.

4. With respect to the master stormwater management ponds, the construction and landscaping of same, as described in Stipulation 14(e) of the May 15, 2013 letter, shall be subject to review by the Landscape Oversight Committee with respect to all components of said stormwater management ponds.

5. To the extent that individual property owners within Sterling Ridge Chase Subdivision make an election, consistent with Stipulation 20 of the May 15, 2013 stipulation letter, to have Arrowhead install a six foot (6') wooden decorative privacy fence along the common property lines between the subject property and those lots within Sterling Ridge Chase Subdivision, Arrowhead agrees to be responsible for the demolition and/or removal of those owners' fence(s) in addition to the construction and erection of the new fence(s).

6. The revised site plan (which is being submitted contemporaneously herewith) reflects a reconfiguration of Lot 16 to provide additional Open Space behind Lot 9 in Sterling Ridge Chase Subdivision. Correspondingly, the revised site plan also reflects a commensurate addition of lot area to Lot 13 within the subject property with the net result being unchanged percentages with respect to Open Space provided at 30.3% (3.21 acres).

My clients and I appreciate the inordinate amount of time which staff, the Planning Commission, Commissioner Birrell, ECCA and respresentatives of Sterling Ridge Chase and Stone Hall have put into this process which has taken approximately seven and one half (7½) months. In the final analysis, Arrowhead has taken a challenged piece of property, in terms of its

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-51 '12
Meeting Date 5-21-13
Continued

VIA HAND DELIVERY
AND EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
May 17, 2013
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hydrological features and excessive road frontage, and met or exceeded expectations in all regards with respect to the plans and stipulations which are now before the Board of Commissioners for review and final approval next week. Nevertheless, please do not hesitate to contact me should you or staff require further information or documentation prior to the Board hearing this Application on May 21, 2013. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP

Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS/dsj
Enclosures/Attachment
cc: Members, Cobb County Board of Commissioners (via email w/attachment)
Mr. Robert L. Hosack, Jr., AICP Director (via email w/attachment)
Mr. Dana Johnson, AICP Planning Manager (via email w/attachment)
Mr. Phillip Westbrook, Planner III (via email w/attachment)
Mr. Jason A. Campbell, Planner III (via email w/attachment)
Mr. David Breaden, PE, Cobb County Stormwater Management (via email w/attachment)
Ms. Jane Stricklin, PE, Cobb County DOT (via email w/attachment)
Ms. Karen King, Assistant County Clerk (via email w/attachment)
Ms. Lori Barton, Deputy County Clerk (via email w/attachment)
Ms. Jodie Hayes, Sterling Ridge Chase Subdivision (via email w/attachment)
Mr. Massoud Fatemi, Stone Hall Subdivision (via email w/attachment)
Ms. Jill Flamm, ECCA (via email w/attachment)
Ms. Trish Steiner, ECCA (via email w/attachment)
Mr. Bryan Flint, Arrowhead Real Estate Partners, LLC (via email w/attachment)
Mr. Kenneth J. Wood, P.E., LEED AP Planners and Engineers Collaborative (via email w/attachment)

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY
Planning Division
1150 Powder Springs Street
Marietta, Georgia 30060
(770) 528-2018

Min. Bk. 68 Petition No. Z-51 '12
Doc. Type Planning Division Comments
Meeting Date May 21, 2013

Planning Staff Analysis

Z-51 (2012) REVISED

Date: **May 17, 2013**
Contact: Philip Westbrook (770) 528-2014

Property Location: 2671 Roswell Road
Current Zoning: R-20

Land Lot/District: 961, 984 / 16
Proposed Use: R-15 OSC

Total Area: 10.6
Floodplain/Wetland Area/Cemetary: 0
Net Buildable Area: 10.6
Base Density Allowed: 2.1 upa
Base Density Allowed w/Bonus: 2.25 upa
Proposed Lots: 21
Net Density: 1.98 upa

Open Space Requirement: 3.1 acres or 30%
Open Space Requirement for Bonus: 3.49 acres or 33% or greater
Open Space Provided: 3.21 acres or 30.3%
Min. Outside 100 Year Flood: N/A
Open Space in 100 Year Flood: N/A

Setbacks:
Front: 20'
Rear: 20', 30' & 35'
Side: 5' with 15' between structures

Comments:

1. All previous comments have been addressed with Applicant Stipulation Letter from Garvis Sams dated May 15, 2013