

**JULY 21, 2015 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM OB-028

PURPOSE

To consider amending the zoning stipulations for Del Taco, LLC regarding rezoning application #52 (Alterman Real Estate LTD.) of 1988, for property located on the northern side of Roswell Road, east of Johnson Ferry Road in Land Lots 829, 830, 899 and 900 of the 16th District.

BACKGROUND

The subject property was rezoned to Planned Shopping Center (PSC) in 1988 in order to amend some of the sign stipulations from the original 1977 rezoning which established this shopping center. In particular, the property was restricted in 1988 to one sign on Roswell Road and one sign on Johnson Ferry Road. The applicant is requesting that the stipulations be amended to allow another sign on Roswell Road. The applicant is redeveloping the property as a Del Taco restaurant; the property is a former TCBY store that did have its own sign on Roswell Road. Attached to the Other Business item are the sign renderings and site plan. The proposed sign does meet the sign code. If approved, all stipulations not in conflict will remain in effect.

RECOMMENDATION

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

STAFF COMMENTS

Cobb DOT: Recommend GDOT permits for all work that encroaches upon State right-of-way.

ATTACHMENTS

Other Business Application and zoning stipulations.

(Stipulation Amendment)

Application for "Other Business"

OB-028-2015

Cobb County, Georgia

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

BOC Hearing Date Requested: July 21, 2015

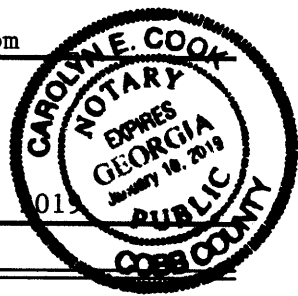
Applicant: Del Taco LLC Phone #: _____
(applicant's name printed)

Address: Suite 200, 25521 Commercentre Drive, E-Mail: _____
Moore Ingram Johnson & Steele, LLP Lake Forest, CA 92630

J. Kevin Moore Address: Emerson Overlook, 326 Roswell Street
(representative's name, printed) Marietta, GA 30060

BY: [Signature] Phone #: (770) 429-1499 E-Mail: jkm@mij.s.com
(representative's signature) Georgia Bar No. 519728

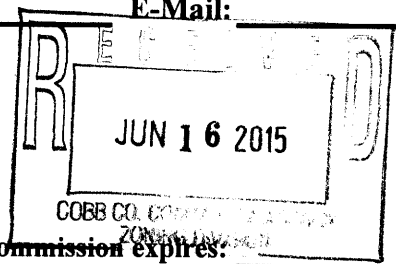
Signed, sealed and delivered in presence of:
Carole E. Cook My commission expires: January 10, 2019
Notary Public



Titleholder(s): East Cobb Crossing, LLC Phone #: _____
(property owner's name printed)

Address: 3162 Johnson Ferry Road, #260-35 E-Mail: _____
Marietta, GA 30062

See Attached Exhibit "A"
(Property owner's signature)



Signed, sealed and delivered in presence of:

Notary Public My commission expires: _____

Commission District: 2 (Ott) **Zoning Case:** 52 (1988)

Date of Zoning Decision: 04/19/1988 **Original Date of Hearing:** 04/19/1988

Location: Northwesterly side of Roswell Road (State Route 120); easterly of Johnson Ferry Road (a/k/a 4305 Roswell Road)
(street address, if applicable; nearest intersection, etc.)

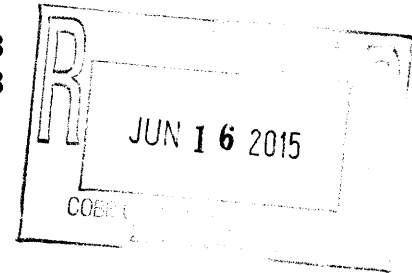
Land Lot(s): 829, 830, 899, 900 **District(s):** 16th

State specifically the need or reason(s) for Other Business: _____
See Exhibit "B" attached hereto and incorporated herein by reference.

(List or attach additional information if needed)

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

OB Application No.:	OB- 028	(2015)
Original Application No.:	52	
Original Hearing Date:	April 19, 1988	
Date of Zoning Decision:	April 19, 1988	
Current Hearing Date:	July 21, 2015	



Applicant:	Del Taco LLC
Titleholder:	East Cobb Crossing, LLC

The property upon which the East Cobb Crossing Shopping Center is located was rezoned by the Cobb County Board of Commissioners on April 19, 1988, to the Planned Shopping Center ("PSC") zoning classification. The Board imposed certain stipulations regarding signage for the shopping center; one of which being "one free-standing sign be allowed on Johnson Ferry Road."

Applicant has renovated an existing structure within the East Cobb Crossing Shopping Center for the operation of a Del Taco restaurant. The site for the restaurant is not located on a separate parcel, but is located within the overall Shopping Center. Under strict application of the stipulations imposed by the Board of Commissioners in approving the rezoning request on April 19, 1988; as well as strict application of the Cobb County Sign Ordinance, Applicant is not entitled to separate signage on Johnson Ferry Road. However, prior occupants and users of the now Del Taco building enjoyed use of an existing pole sign which remains in place today. In order to avoid confusion and loss of important commercial signage, as well as revenue, approval of the requested stipulation amendment is necessary to allow Applicant to proceed with signage upgrades which otherwise meet all other Cobb County Sign Ordinance requirements; and more specifically, to allow for a separate, free-standing sign on Johnson Ferry Road. A complete copy of the sign package for the proposed site is attached collectively hereto as Exhibit "1" and incorporated herein by reference.



PROJECT
 DEL TACO #XXXX

LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE
 SITE PLAN

ACT. REP.
 TRAVIS CROUSER
 PREPARED BY
 GERALD MCCLUNG
 DATE
 07/02/12 NOTED

REVISIONS APPROVAL

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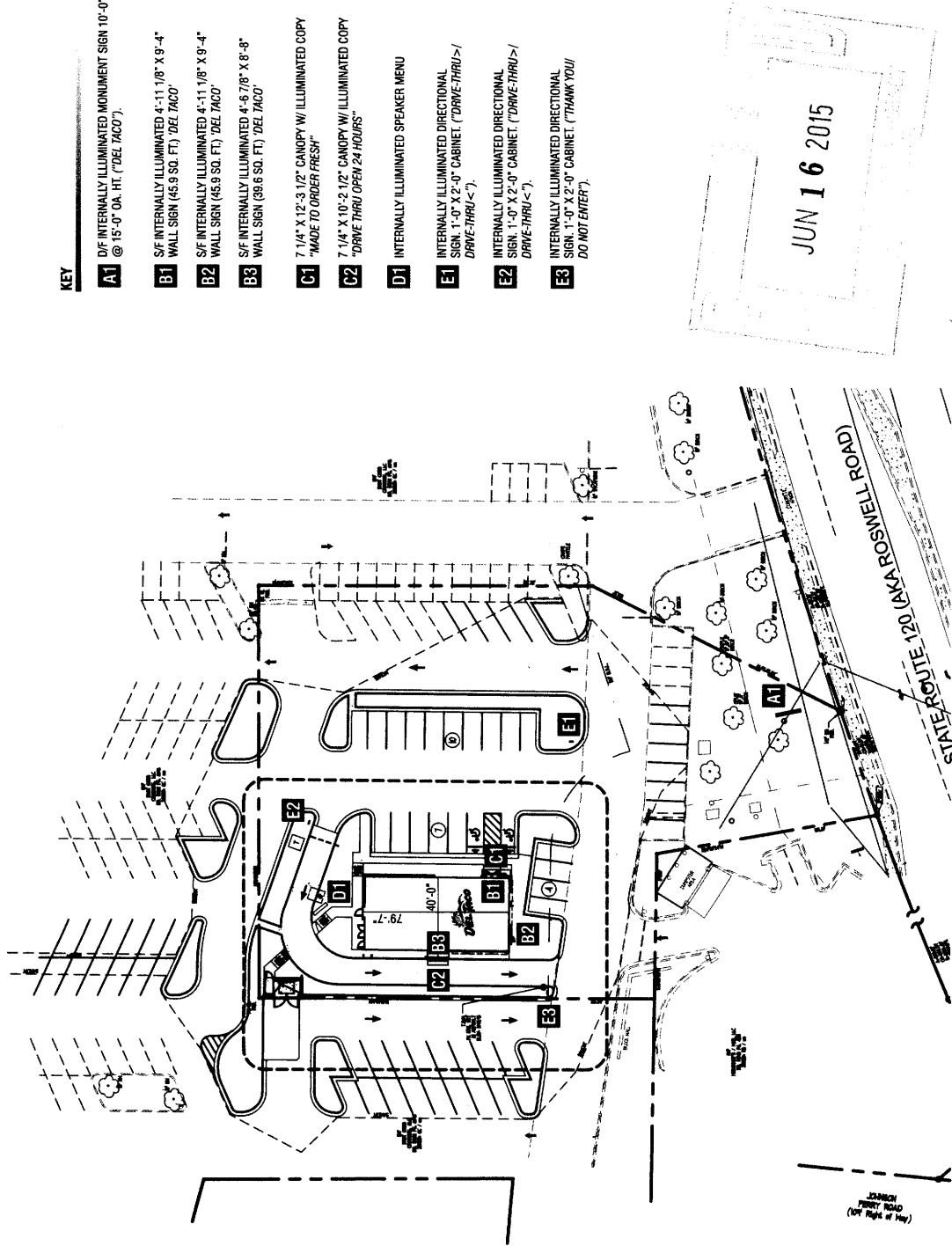
PROJECT NO.	12-805	SHEET #	31272
REVISIONS	4	DATE	

NO.	DATE	BY	REVISIONS
1	08/17/12	JL	7
2	08/17/12	DM	8
3	08/27/12	DM	9
4	08/27/12	DM	10
5			11
6			12

KEY NO.

KEY

- A1** DF INTERNALLY ILLUMINATED MONUMENT SIGN 10'-0" X 12'-0" @ 15'-0" OA. HT. ("DEL TACO").
- B1** SF INTERNALLY ILLUMINATED 4'-11 1/8" X 9'-4" WALL SIGN (45.9 SQ. FT.) "DEL TACO"
- B2** SF INTERNALLY ILLUMINATED 4'-11 1/8" X 9'-4" WALL SIGN (45.9 SQ. FT.) "DEL TACO"
- B3** SF INTERNALLY ILLUMINATED 4'-6 7/8" X 8'-8" WALL SIGN (39.6 SQ. FT.) "DEL TACO"
- C1** 7 1/4" X 12'-3 1/2" CANOPY W/ ILLUMINATED COPY "MADE TO ORDER FRESH"
- C2** 7 1/4" X 10'-2 1/2" CANOPY W/ ILLUMINATED COPY "DRIVE THRU OPEN 24 HOURS"
- D1** INTERNALLY ILLUMINATED SPEAKER MENU
- E1** INTERNALLY ILLUMINATED DIRECTIONAL SIGN 1'-0" X 2'-0" CABINET ("DRIVE THRU >") DRIVE-THRU (<?).
- E2** INTERNALLY ILLUMINATED DIRECTIONAL SIGN 1'-0" X 2'-0" CABINET ("DRIVE THRU >") DRIVE-THRU (<?).
- E3** INTERNALLY ILLUMINATED DIRECTIONAL SIGN 1'-0" X 2'-0" CABINET ("THANK YOU") DO NOT ENTER?.





CLIENT

PROJECT
 DEL TACO #XXXX

LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE
 POLE SIGN

ACT. REP.
 TRAVIS CROUSER
 DESIGNER
 GERALD MCCLUNG
 DATE
 07/02/12
 SCALE
 NOTED

CUSTOMER APPROVAL

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PROJECT #	12-605	PROJECT #	312272
REVISIONS	4	DATE	

REVISIONS	DATE	BY	REASON	
1	08/23/12	JR	7	REVISED
2	08/23/12	DAK	8	REVISED
3	08/23/12	DAK	9	REVISED
4	08/29/12	DAK	10	REVISED
5	08/29/12	DAK	11	REVISED
6			12	REVISED

KEY NO.
A1

COLOR SPECIFICATIONS

PMS MATCH (FOR PRINT)

- C1 PMS 485C Red
- C2 PMS 144C Orange/Yellow
- C3 PMS 116C Yellow
- C4 PMS 383C Green
- C5 White Bleedback
- C6 Paint Black with Satin Finish

PAINT
 Paint Black with Satin Finish

PRIMARY ELECTRICAL 120 V
 TRANSICO TRA-26-1048 EP BALLAST
 120V/ 50-60 HZ/ 2.6 AMPS/ 966V OUTPUT
 SIGN TO BE UL LISTED (W/ DISCONNECT
 SWITCH AS REQUIRED)

UL# HH487279

NOTE: EXISTING "TCBY" POLE SIGN WILL BE REMOVED



D/F INTERNALLY ILLUMINATED 10'-0" x 12'-0" MONUMENT SIGN @ 15'-0" OAH ("DEL TACO") 120 SQ. FT.

SCALE: 3/8" = 1'-0"



PROJECT
 DEL TACO #XXXX

LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE
 ELEVATIONS

ACT/REP
 TRAVIS CROUSER
 DESIGNER
 GERALD MCCLUNG
 DATE
 07/02/12 NOTED

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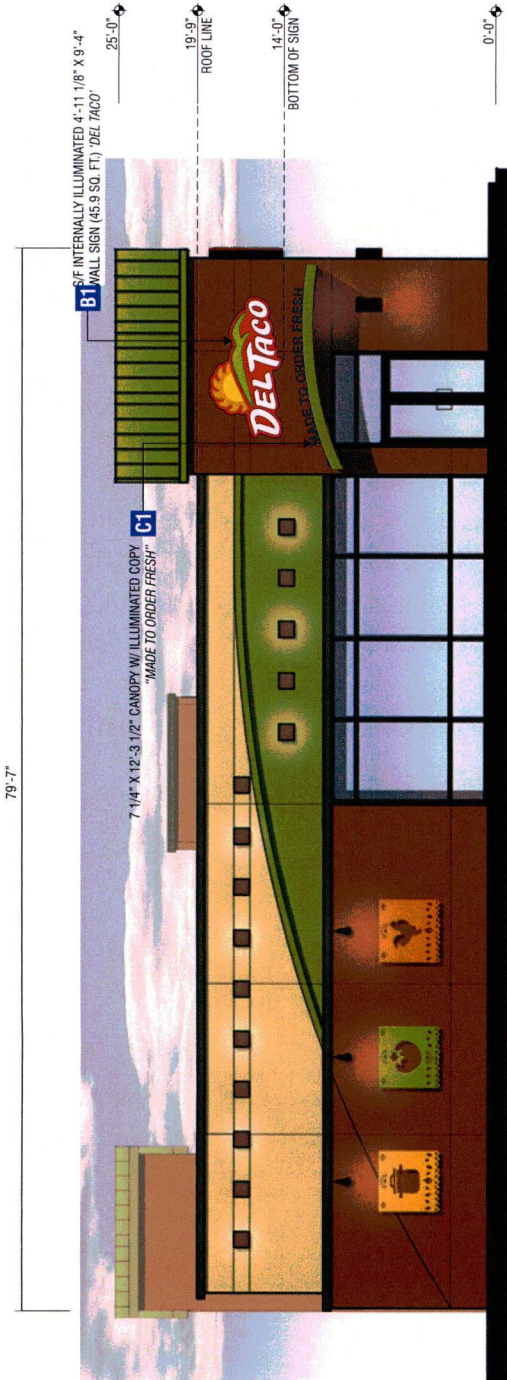
PROJECT	12-605	PROJECT NO.	312272
REVISION NO.	4	DATE	

REVISIONS				
NO.	DATE	BY	DESCRIPTION	
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2	08/15/12	JAK	8	REVISION
3	08/15/12	JAK	9	REVISION
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6	08/15/12	JAK	12	REVISION

KEY NO.

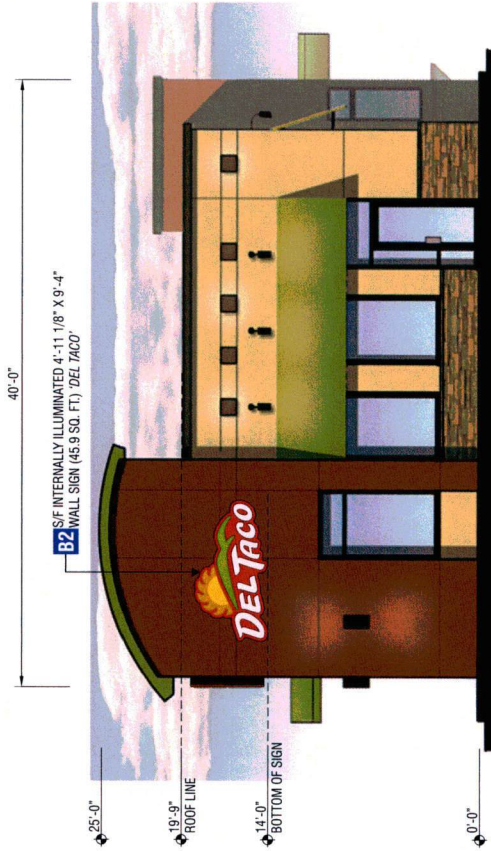
B1 **B2** **C1**

3 of 10



EAST/RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH/FRONT ELEVATION

SCALE: 1/8" = 1'-0"



CLIENT
 PROJECT DEL TACO #XXXX
 LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062
 SHEET TITLE
 ELEVATIONS

ACT. REP
 TRAVIS CROUSER
 DESIGNER
 GERALD MCCLUNG
 DATE
 07/02/12 NOTED
 SCALE
 CUSTOMER APPROVAL

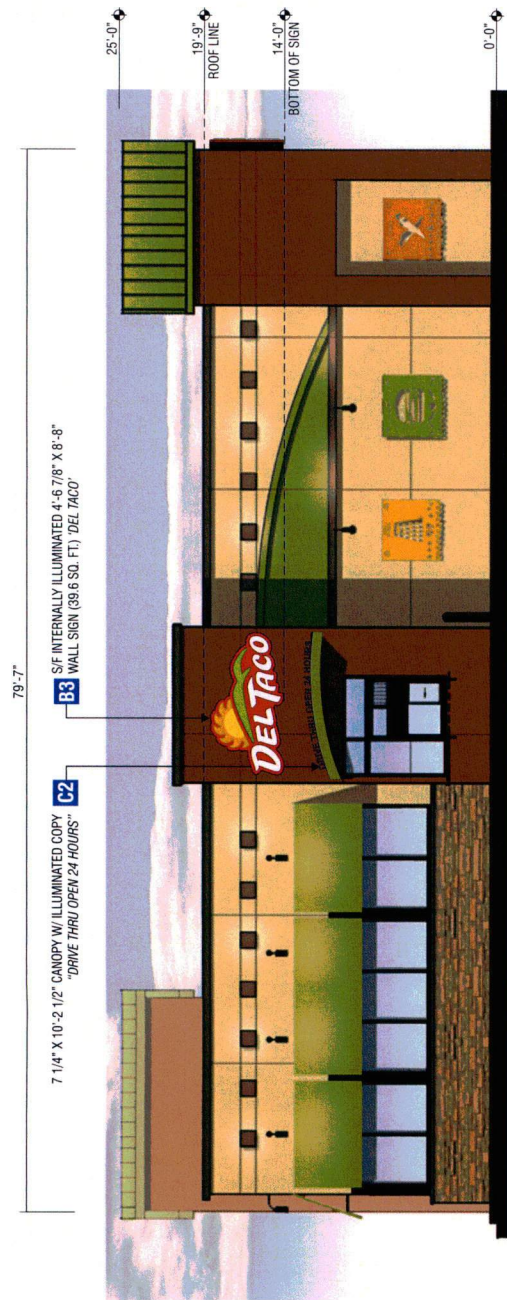
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DRAWING NO.	12-605	PROJECT NO.	312272
REVISION NO.	4	DATE	07/02/12

REVISIONS	DATE	BY	REVISIONS	SEARCH
1	06/27/12	JAM	6	
2	06/27/12	JAM	7	
3	06/27/12	JAM	8	
4	06/27/12	JAM	9	
5	06/27/12	JAM	10	
6			11	
7			12	

KEY NO.
B3 C2



WEST/LEFT ELEVATION

SCALE: 1/8" = 1'-0"



NORTH/REAR ELEVATION

SCALE: 1/8" = 1'-0"



CLIENT

PROJECT
 DEL TACO #XXXX

LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE
 WALL SIGN

ACCT REP
 TRAVIS CROUSER
 DESIGNER
 GERALD MCCLUNG
 DATE
 07/02/12
 SCALE
 NOTED

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PROJECT	12-605	DRAWING NO.	312272
REVISIONS	4	DATE	

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	10/15/12	JR	ISSUED FOR PERMITTING
2	10/15/12	JR	ISSUED FOR PERMITTING
3	10/22/12	JM	ISSUED FOR PERMITTING
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12			

KEY NO.

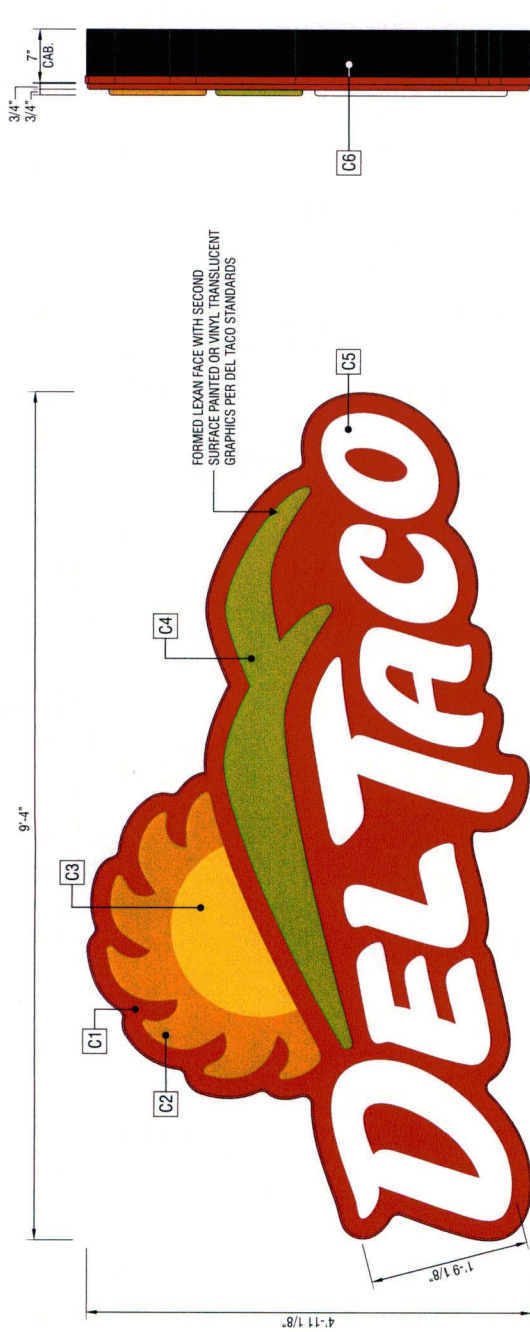
B1 B2

5 of 10

COLOR SPECIFICATIONS

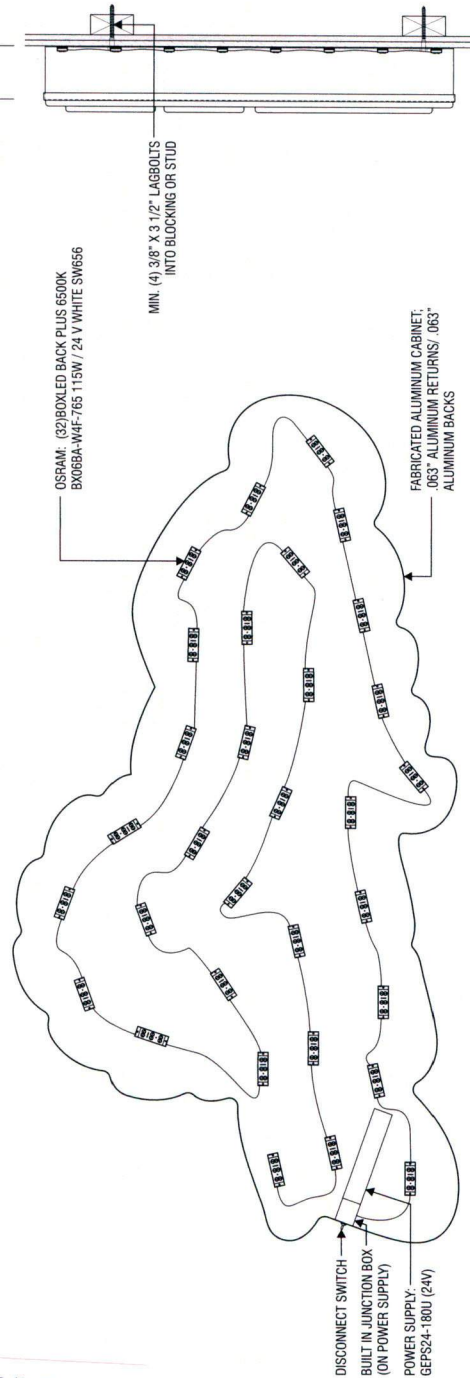
C1	LACRYL TO MATCH PMS 485C
C2	CUSTOM VINYL TO MATCH PMS 144C
C3	3630-015, YELLOW VINYL APPLIED SECOND SURFACE
C4	CUSTOM VINYL TO MATCH PMS 383C
C5	WHITE
C6	PAINT BLACK WITH SATIN FINISH

PRIMARY ELECTRICAL, 120 V
 GE GEPS24-180U POWER SUPPLY
 (24V OUTPUT IN DEDICATED CIRCUIT)
 SIGN TO BE UL LISTED (W/ DISCONNECT SWITCH AS REQUIRED)



ELEVATION VIEW

SIDE VIEW



ELEVATION VIEW

SECTION VIEW

NOTES: 120V POWER. SIGN TO BE UL LISTED WITH APPROVED DISCONNECT SWITCH. GROUNDING AND BONDING IN ACCORDANCE WITH ARTICLE 600 NEC.

S/F WALL SIGN W/ LED ILLUMINATION - LARGE - 45.9 SQUARE FEET

SCALE: 3/4" = 1'-0"



PROJECT
 DEL TACO #XXXX

LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE
 WALL SIGN

ACT. REP.
 TRAVIS CROUSER
 DESIGNER
 GERALD MCCLUNG
 DATE
 07/02/12 NOTED

CUSTOMER APPROVAL

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DRAWING NO.	12-605	PROJECT NO.	312272
ISSUES NO.	4	DATE	

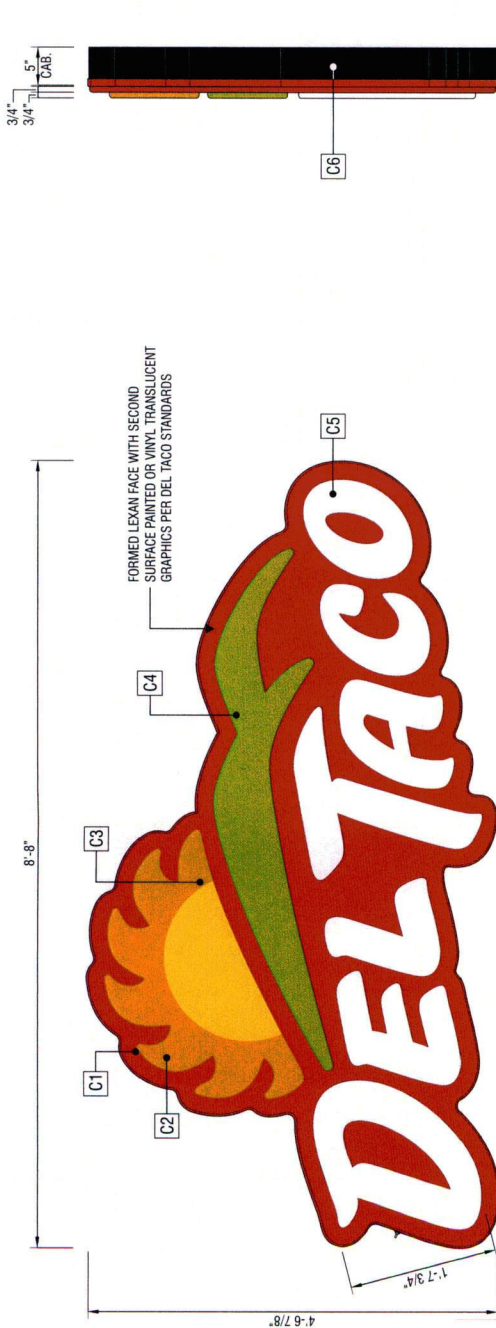
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4	08/07/12	DM	8/1/2012
5	08/07/12	DM	8/1/2012
6	08/07/12	DM	8/1/2012
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12	08/07/12	DM	8/1/2012

KEY NO.
B3

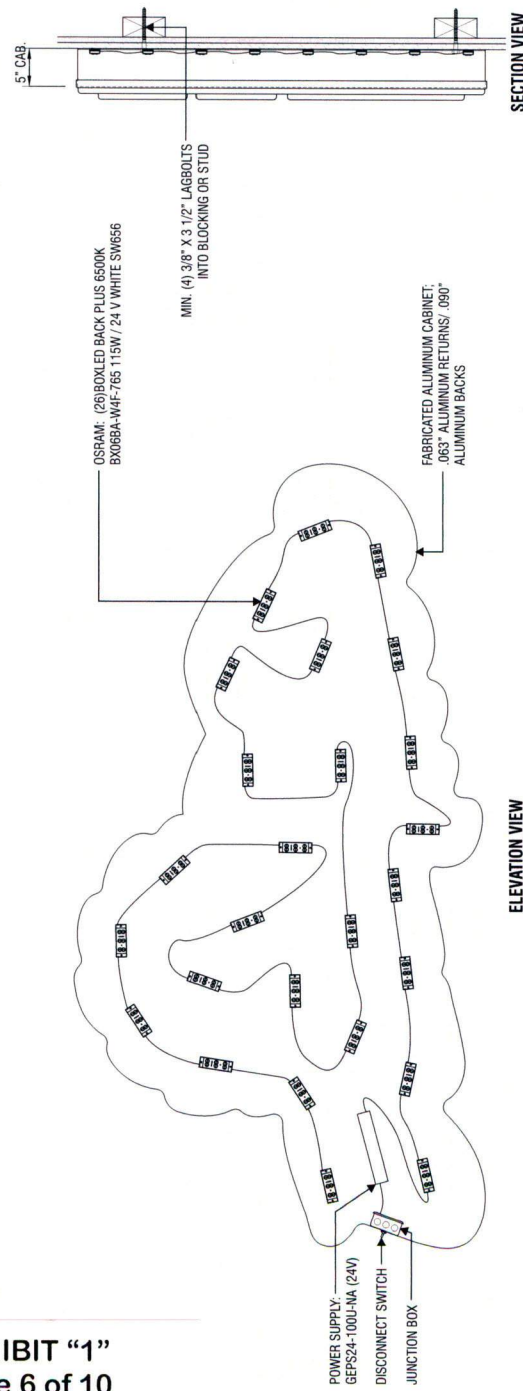
COLOR SPECIFICATIONS

C1	LACRYL TO MATCH PMS 485C
C2	ARLON SERIES 2500-3820 - CUSTOM TO MATCH PMS 144C
C3	3M 3630-015 "YELLOW" TRANSLUCENT VINYL
C4	ARLON SERIES 2500-3819 - CUSTOM TO MATCH PMS 383C
C5	WHITE
C6	PAINT BLACK WITH SATIN FINISH

PRIMARY ELECTRICAL 120 V
 GE GEPS24-1000-NA POWER SUPPLY
 (24V OUTPUT ON DEDICATED CIRCUIT).
 SIGN TO BE UL LISTED (W/ DISCONNECT
 SWITCH AS REQUIRED)



SECTION VIEW



ELEVATION VIEW

ELEVATION VIEW

NOTES: 120V POWER. SIGN TO BE UL LISTED WITH APPROVED DISCONNECT SWITCH. GROUNDING AND BONDING IN ACCORDANCE WITH ARTICLE 600 NEC.

S/F WALL SIGN W/ LED ILLUMINATION - MEDIUM - 39.6 SQUARE FEET

SCALE: 3/4" = 1'-0"

NOTE: DRAWING SUBJECT TO CHANGE PENDING ENGINEERING

COLOR SPECIFICATIONS

C1	PAINT TO MATCH SHERWIN WILLIAMS SW 6712 'LUMI GREEN'
C2	PAINT 'SMOKEY GRAY' SEMI-TRANSLUCENT W/ GLOSS FINISH

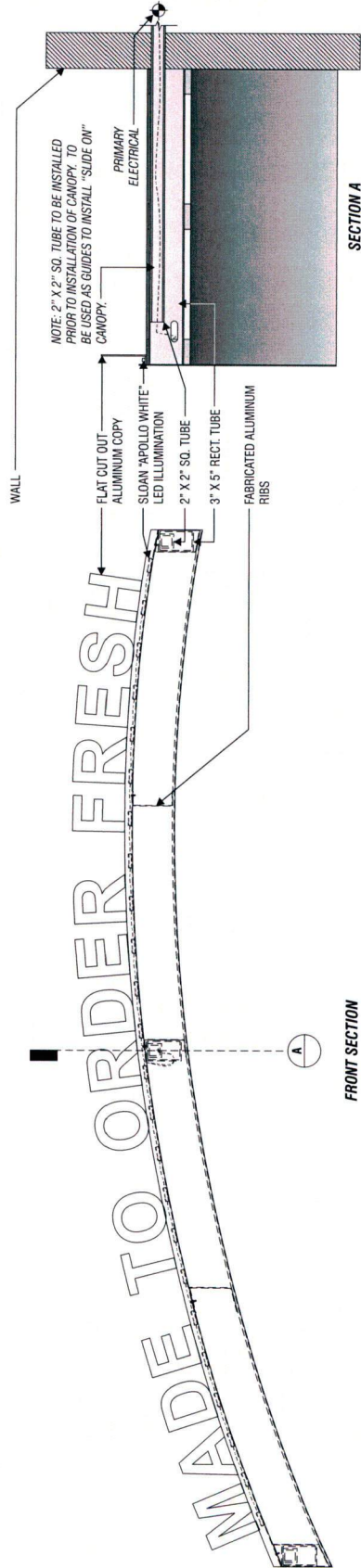
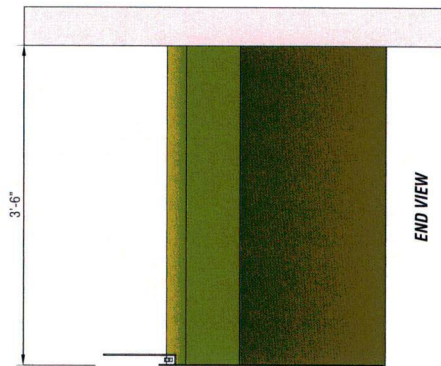
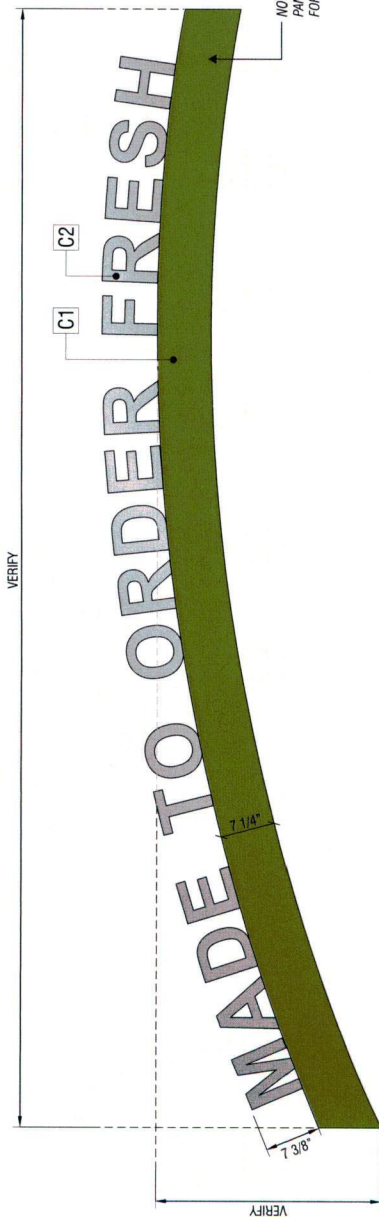


EXHIBIT "1"
Page 7 of 10

CNP
SIGNS & GRAPHICS
4530 Mission Gorge Place
San Diego, CA 92120
Tel: 619.283.8600
Fax: 619.283.8603
Web: www.cnp signs.com



CLIENT
PROJECT DEL TACO #XXXX
LOCATION 4305 ROSWELL ROAD MARIETTA, GA 30062
SHEET TITLE 7 3/8" FLAT CUT OUT CANOPY COPY
ACT. REP. TRAVIS CROUSER
DESIGNER GERALD MCCLUNG
DATE 07/02/12 NOTED
SCALE
CUSTOMER APPROVAL

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DRAWING NO.	12-605
PROJECT NO.	312272
REVISION NO.	4

REVISIONS	BY	DATE	REASON
1	AS	7/10/12	ISSUED
2	AS	7/10/12	ISSUED
3	AS	7/10/12	ISSUED
4	AS	7/10/12	ISSUED
5	AS	7/10/12	ISSUED
6	AS	7/10/12	ISSUED
7	AS	7/10/12	ISSUED
8	AS	7/10/12	ISSUED
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12	AS	7/10/12	ISSUED

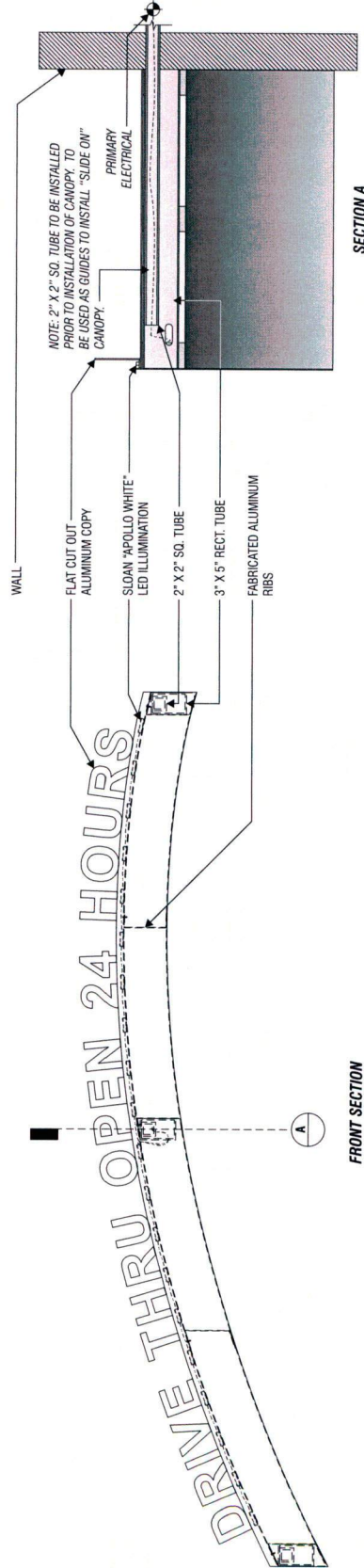
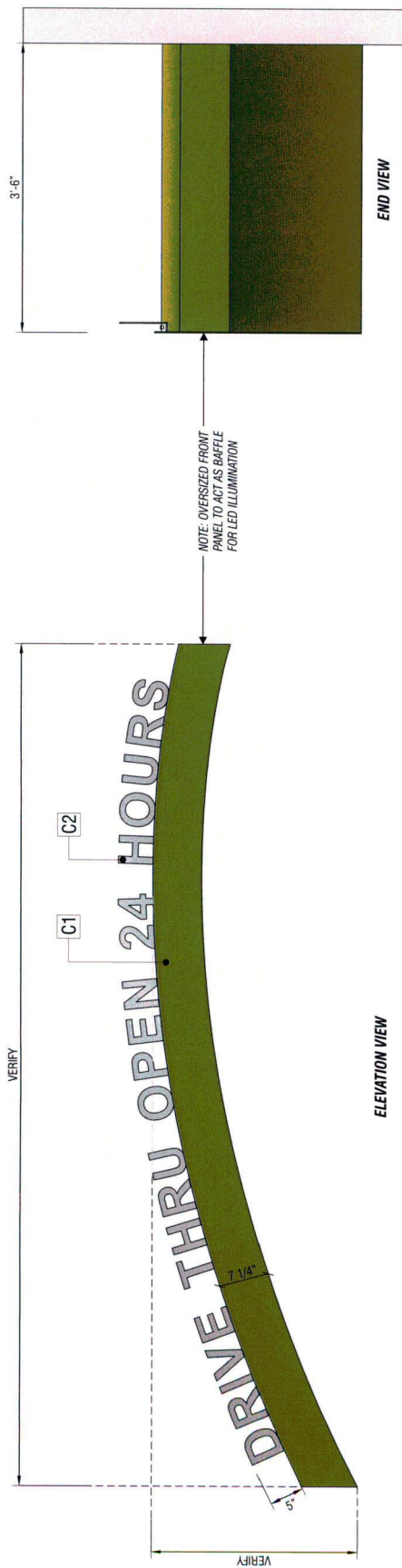
KEY NO.
C1

APPROVED BY: _____ DATE: _____
CUSTOMER APPROVAL

NOTE: DRAWING SUBJECT TO CHANGE PENDING ENGINEERING

COLOR SPECIFICATIONS

C1	PANTO MATCH SHERWIN WILLIAMS SW 6712 'LIVID GREEN'
C2	PANTO 'SMOKEY GRAY' SEMI-TRANSLUCENT W/ GLOSS FINISH



'DRIVE THRU OPEN 24 HOURS' CANOPY W/ ILLUMINATED LETTERS

SCALE: 3/4" = 1'-0"

CNP
SIGNS & GRAPHICS
 4530 Mission Gorge Place
 San Diego, CA 92120
 Tel: 619 283 5800
 Fax: 619 283 5803
 Web: www.cnp-signs.com

DEL TACO
 PROJECT: DEL TACO #XXXX

LOCATION: 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE: 5" FLAT CUT OUT CANOPY
 COPY

ACT. REP: TRAVIS CROUSER
 DESIGNER: GERALD MCCLUNG
 DATE: 07/02/12
 SCALE: NOTED

CUSTOMER APPROVAL

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PROJECT NO.	12-605	PROJECT	312272
REVISIONS	4	DATE	

NO.	DATE	BY	DESCRIPTION
1	08/15/12	JR	ISSUED
2	08/15/12	DM	
3	08/15/12	JRW	
4	08/15/12	DM	
5			
6			
7	08/08/10	ISSUED	
8			
9			
10			
11			
12			

KEY NO. **C2**

APPROVED BY: _____ DATE: _____
 CUSTOMER APPROVAL



PROJECT
 DEL TACO #XXXX

LOCATION
 4305 ROSWELL ROAD
 MARIETTA, GA 30062

SHEET TITLE
MENU BOARD

ACT. REP.
 TRAVIS CROUSER
 DESIGNER
 GERALD MCCLUNG

DATE
 07/02/12 NOTED

CUSTOMER APPROVAL

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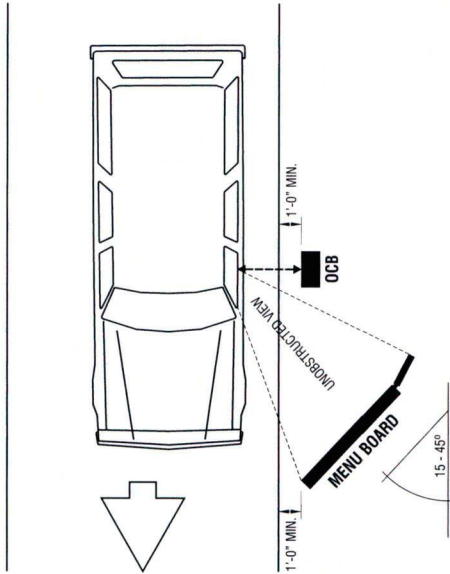
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DATE	12-605	PROJECT #	312272
REVISION NO.	4	WSP	

REVISIONS	DATE	BY	REASON
1	08/13/12	JM	1 7 180000
2	08/13/12	JM	8
3	08/13/12	JM	9
4	08/13/12	JM	10
5	08/13/12	JM	11
6			12

KEY NO.

D1



PLAN VIEW @ MENU BOARD & OCB

SCALE: 3/16" = 1'-0"

NOTE: THE DIAGRAM ABOVE IS ALSO BASED OFF THE "STANDARD" LOCATION DEL TACO CORPORATE HAS PROVIDED TO CNP. IT IS THE GC'S RESPONSIBILITY TO COORDINATE WITH THE OWNER ON THE EXACT LOCATION. CNP WILL NOT BE HELD RESPONSIBLE FOR ANY REMOVALS, RE-POSITIONING AND RE-INSTALLATION. ALL REMOVALS, RE-POSITIONING AND RE-INSTALLATION WILL BE BILLED ON A TRAM BASIS.

POSITION EVERYTHING FROM LOOP SENSOR.

THE LOOP SENSOR SHOULD BE DIRECTLY IN FRONT OF THE OCB. THE OCB SHOULD BE PARALLEL TO THE DRIVE-THRU LANE 7' NOT BLOCK THE MENU BOARD. THE OCB SHOULD BE AT LEAST 12" FROM THE CURB. THE BOLLARD SHOULD BE POSITIONED TO PREVENT DAMAGE FROM AUTOMOBILES.

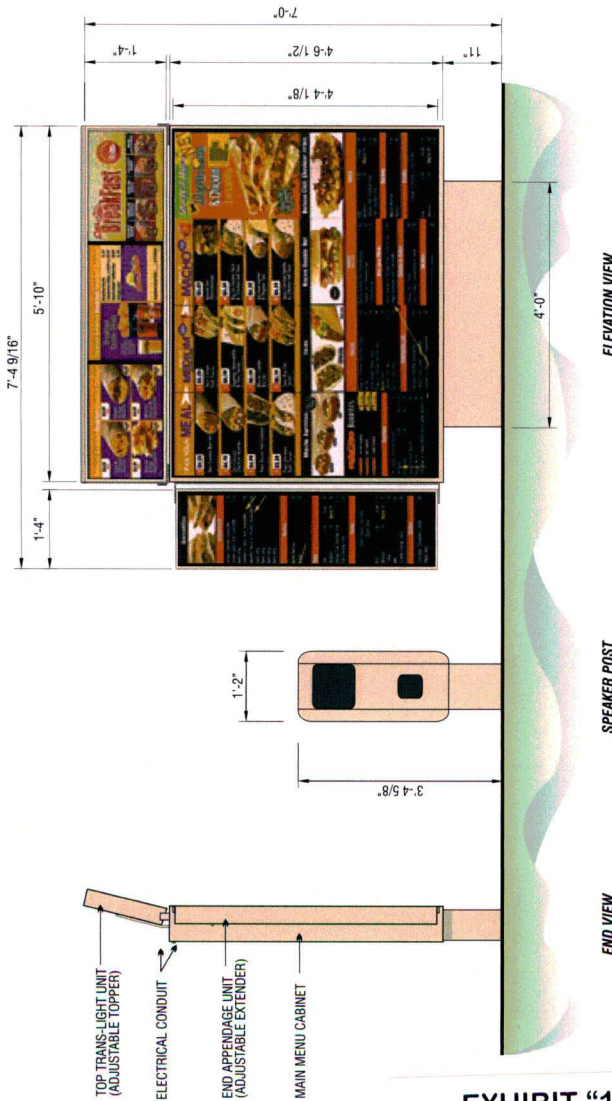
MENU BOARD

THE MENU BOARD SHOULD BE ANGLED BETWEEN 15 AND 45 DEGREES FROM THE CURB FOR OPTIMAL VIEWING.

IF THE OCB BLOCKS THE MENU BOARD, EITHER THE OCB OR THE MENU BOARD WILL NEED TO BE MOVED. THE LOOP SENSOR MUST STAY IN FRONT OF THE OCB. THE IDEAL DISTANCE FROM THE OCB TO THE MENU BOARD IS 10 TO 15 FEET. THE EXTENDERS SHOULD BE AT LEAST 12" FROM THE CURB.

DO'S & DON'TS:

DO MAKE SURE THE CUSTOMER CAN VIEW BOTH THE MENU BOARD AND THE OCB EASILY.
DON'T LOCATE ANYTHING WITHIN 12" OF THE DRIVE-THRU LANE WITHOUT PROTECTING IT FROM MIRRORS.



ELEVATION VIEW

SPEAKER POST

END VIEW

NOTE: ENGINEERING ATTACHED.

ALUMINUM CONSTRUCTION WITH INTERNAL FLUORESCENT ILLUMINATION.
 PAINTED CARDINAL # T009-8G01 ALMOND 90% GLOSS POWDER TYPE POLYESTER T.G.I.C.
 MENU PANELS SHOWN ABOVE BASED ON A STANDARD INDIVIDUAL SIZE OF 14 7/16" x 24 1/4" x 40.25 SQUARE FEET.

INTERNALLY ILLUMINATED MENU DISPLAY

SCALE: 1/2" = 1'-0"

UNLESS SPECIFIED, THIS DRAWING IS NOT FOR PRODUCTION. The information shown on this drawing is for informational purposes only. Colors shown are representations of the indicated specifications, and may not be an exact match of the finished product.

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PROJECT #	12-605	DRAWING #	312272
REVISION NO.	4	DATE	

NO.	DATE	BY	REVISION
1	08/23/12	JR	7
2	10/02/12	DM	8
3	02/22/13	DM	9
4	05/29/14	DM	10
5			11
6			12

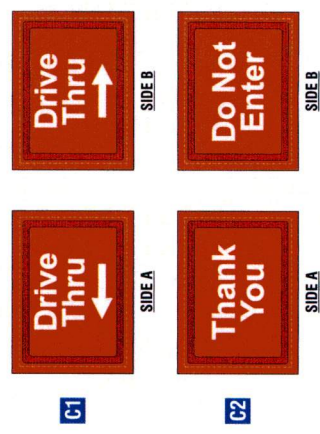
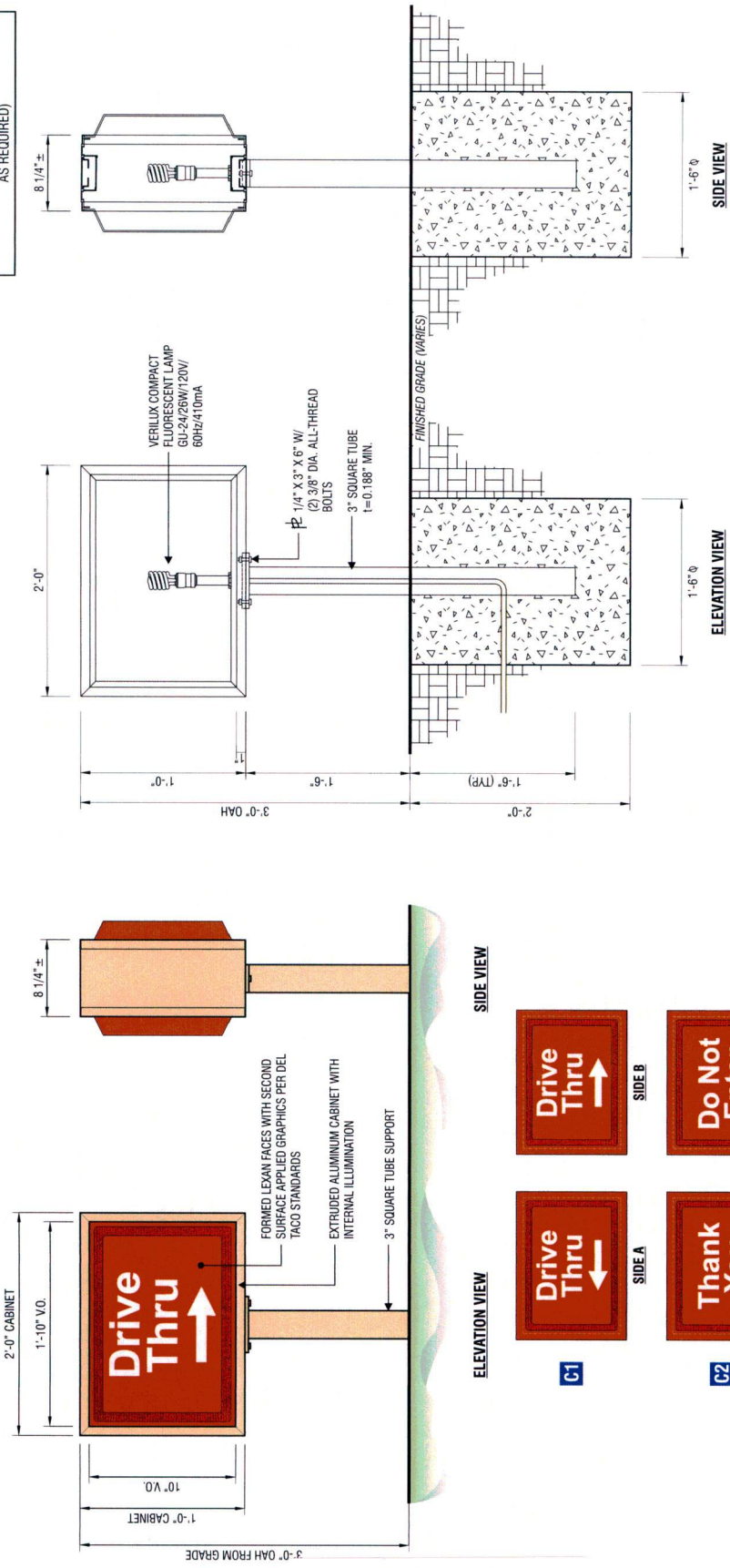
REVISIONS
 E1 E2

COLOR SPECIFICATIONS

C1 Lacey to Match PMS 485C
 Backed with white (Paint)

C2

PRIMARY ELECTRICAL 120 V SIGN TO BE UL LISTED (W/ DISCONNECT SWITCH AS REQUIRED)



**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING
AS TO APPLICATION FOR REZONING
NO. 52 – APRIL 19, 1998**

APPLICATION FOR REZONING
TO THE
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES
AND THE
COBB COUNTY PLANNING COMMISSION
(type or print clearly)

Application No. 52

Hearing Date 4-19-88

Applicant ALTERMAN REAL ESTATE LTD. Business Phone 237-9891 Home Phone 992-2127
(business name)
PAUL ALTERMAN Address 1218 W.Paces Ferry Rd., Suite 104, Atl.
(representative's name, printed)
* Paul Alterman Business Phone 237-9891 Home Phone 992-2127
(representative's signature)

Titleholder ALTERMAN REAL ESTATE LTD Business Phone 237-9891 Home Phone 992-2127
* Signature Paul Alterman Address 1218 W.Paces Ferry Rd., Suite 104 Atl, Ga 30327
(attach additional signatures, if needed)

Zoning Request From _____ with PSC - restrictions To _____ PSC
(present zoning) (proposed zoning)

For the Purpose of _____ Size of Tract 17.8¹⁶ acre(s)
(subdivision, restaurant, warehouse, apts., etc.)

Location JOHNSON FERRY AT ROSWELL RD
(street address, if applicable, nearest intersection, etc.)

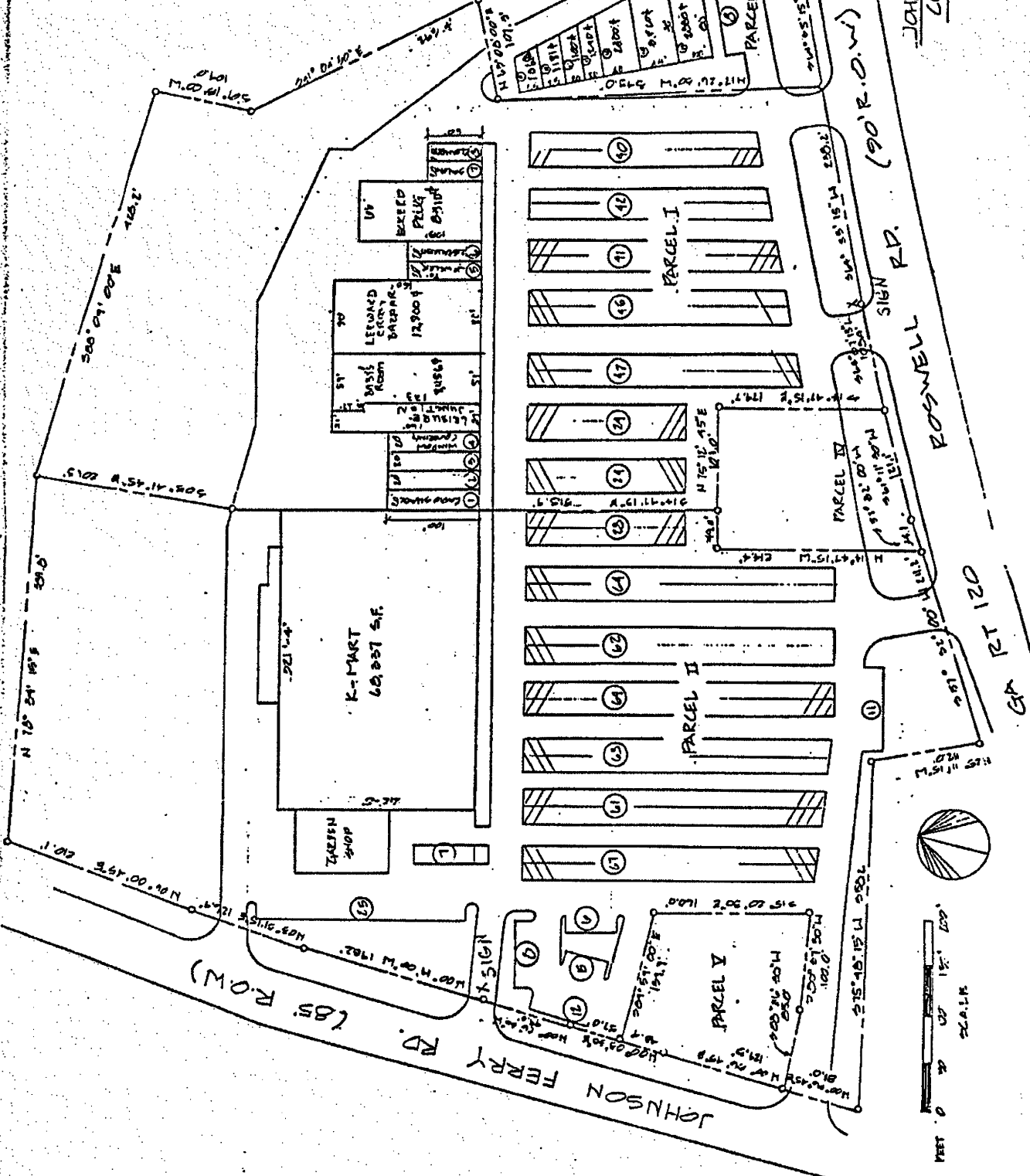
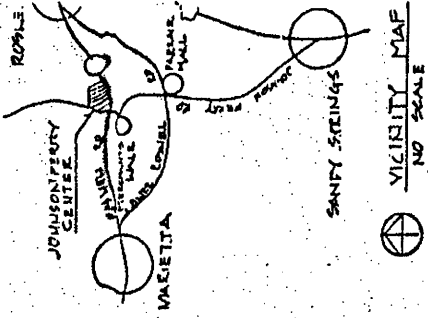
Land Lot(s) 829,830,899,900 District 16th

Recommendation of Planning Commission 4/19/88 - Planning Commission recommended application be approved subject to 1) one free-standing sign be allowed on Johnson Ferry Rd., and one free-standing sign on Roswell Rd; 2) maximum height of signs to be 20 ft.; 3) maximum copy area of each sign to be 120 sq.ft.; 4) signs to be placed outside the required R/W; 5) no portable signs. Motion by Wise, seconded by Jones, carried 5-0.

Henry A. Lawrence Chairman

Board of Commissioners' Decision 4/19/88 - Board of Commissioners approved application as stated above, and requested staff to encourage the applicants to use brick structures. Motion by Powell, seconded by Clay, carried 5-0.

Paul E. Smith Chairman



SITE PLAN
 JOHNSON FERRY CENTE
 COBB COUNTY GA.

DEANIN 6/17/94

