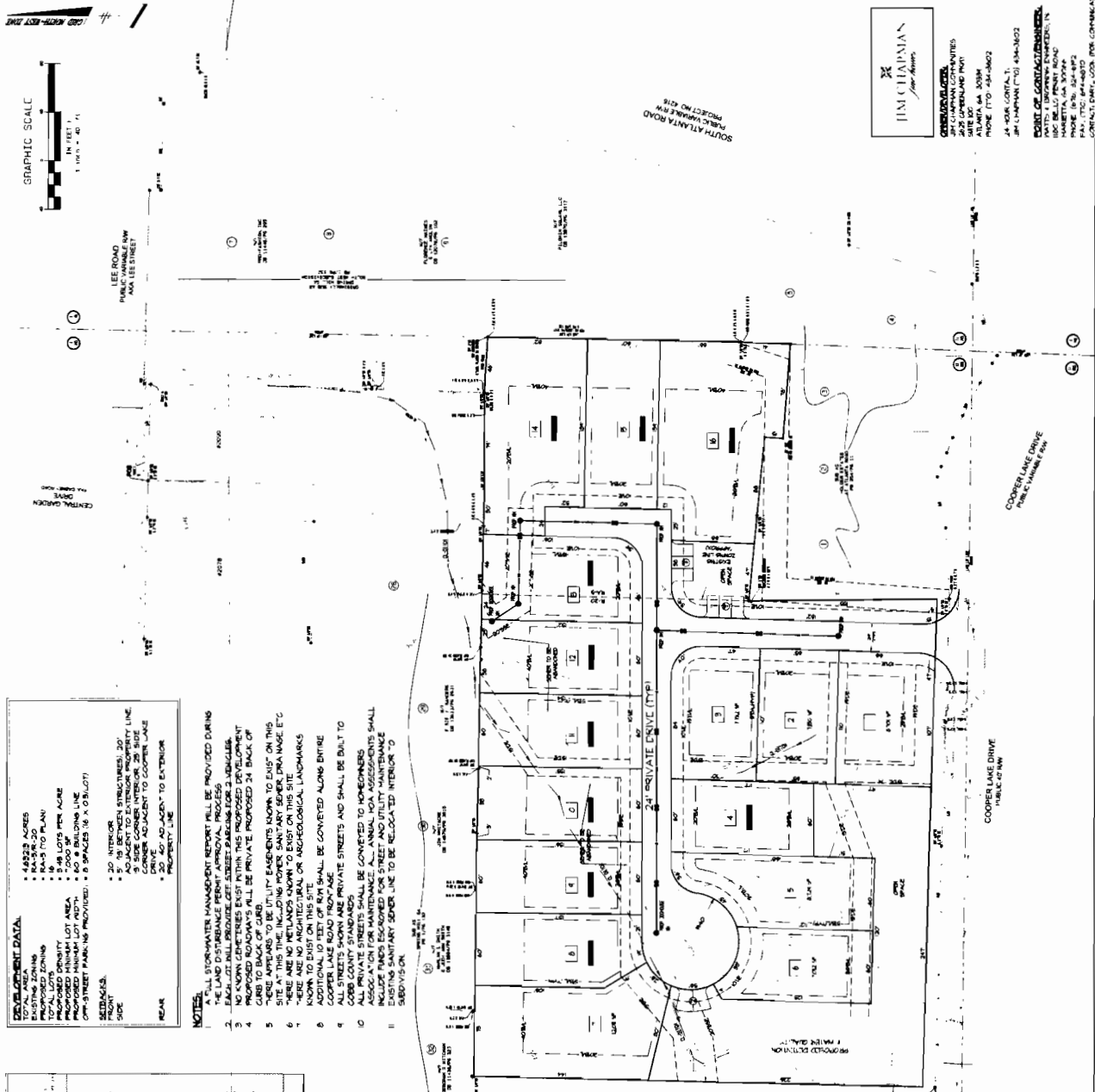


ZONING PLAN
FOR
COOPER LAKE DRIVE
TRACT
LOCATED IN
LAND LOT 646
17TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA



DATE PREPARED	1/11/10
SITE PREPARED BY	M. J. JAMES
DRAWN BY	M. J. JAMES
CHECKED BY	M. J. JAMES
SCALE	AS SHOWN
PROJECT NO.	157050605 - 01001014

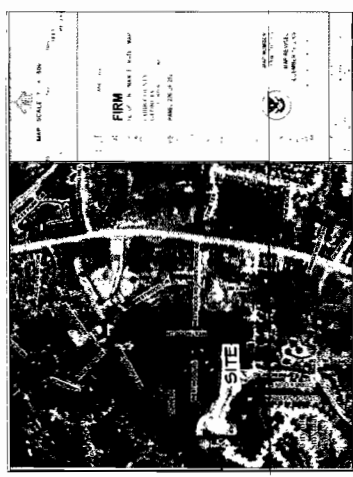


DEVELOPMENT DATA:

- 14,929 ACRES
- 24,315,200
- 24,315,200
- 3.88 LOTS PER ACRE
- 40' BUILDING LINE
- 8' SIDE SETBACKS (8' X 8' BAY)
- 20' INTERIORS
- 3' TO BROWN STRUCTURES, 20' TO OTHERS
- ADJACENT TO EXISTING PROPERTY LINE
- CORNER ADJACENT TO COOPER LAKE DRIVE
- 20' TO ADJACENT TO EXISTING PROPERTY LINE

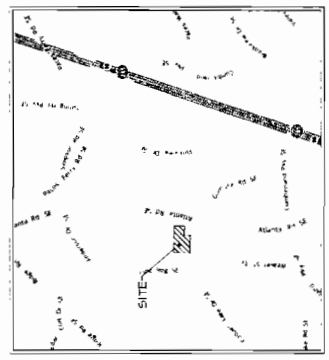
NOTES:

- ALL INFORMATION MANUALLY REPORT WILL BE PROVIDED DURING THE CONSTRUCTION PERIOD.
- ALL LOT DIMENSIONS SHALL BE AS SHOWN ON THIS PLAN.
- NO KNOWN UTILITIES EXIST WITHIN THIS PROPOSED DEVELOPMENT AREA.
- ALL UTILITIES SHALL BE PRIVATE PROPOSED 24" DIAMETER COBB TO BACK OF CURB.
- "HERE APPEARS TO BE UTILITY EASEMENTS KNOWN TO EXIST ON THIS SITE AT THIS TIME INCLUDING POWER SANITARY SEWER DRA MAZE ETC."
- "HERE ARE NO ARCHITECTURAL OR GEOLOGICAL LANDMARKS KNOWN TO EXIST ON THIS SITE."
- ADDITIONAL 10 FEET OF ROW SHALL BE CONVERTED ALONG ENTIRE COOPER LAKE DRIVE AND PRIVATE DRIVE.
- ALL STREETS SHOWN ARE PRIVATE STREETS AND SHALL BE BUILT TO COBB COUNTY STANDARDS.
- ALL PRIVATE STREETS SHALL BE CONVERTED TO HOV-2 HIGHWAY AND SHALL BE MAINTAINED BY THE HOV-2 OWNERS. ALL UTILITIES SHALL INCLUDE FUND ESCROWED FOR STREET AND UTILITY MAINTENANCE.
- EXISTING SANITARY SEWER LINE TO BE RELOCATED INTERIOR TO SUBDIVISION.



FIRM FLOOD MAP

THIS IS A FIRM FLOOD MAP OF THE PROJECT AREA. THE FIRM FLOOD MAP IS A PRODUCT OF THE NATIONAL FLOOD INSURANCE PROGRAM AND IS NOT GUARANTEED BY THE FEDERAL GOVERNMENT. THE FIRM FLOOD MAP IS A PRODUCT OF THE NATIONAL FLOOD INSURANCE PROGRAM AND IS NOT GUARANTEED BY THE FEDERAL GOVERNMENT.



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JAN - 7 2016

COBB COUNTY PLANNING AND ZONING DEPARTMENT

FIRM	1/1/10
DATE	1/1/10
PROJECT NO.	157050605 - 01001014

DATE	1/1/10
PROJECT NO.	157050605 - 01001014

APPLICANT: Jim Chapman Communities, Inc.

PHONE#: 770-560-9167 **EMAIL:** jim@jimchapmancommunities.com

REPRESENTATIVE: Garvis L. Sams, Jr.

PHONE#: 770-422-7016 **EMAIL:** gsams@slhb-law.com

TITLEHOLDER: Due to individual parcels, a complete list of titleholders is available in the Zoning Office

PROPERTY LOCATION: North side of Cooper Lake Drive, west of Atlanta Road

ACCESS TO PROPERTY: Cooper Lake Drive

PHYSICAL CHARACTERISTICS TO SITE: Vacant and existing single-family houses

PETITION NO: Z-22

HEARING DATE (PC): 03-01-16

HEARING DATE (BOC): 03-15-16

PRESENT ZONING: RA-5, R-20

PROPOSED ZONING: RA-5

PROPOSED USE: Single Family Residential

SIZE OF TRACT: 4.63 acres

DISTRICT: 17

LAND LOT(S): 696

PARCEL(S): 23, 24, 26, 27, 112

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Spring Hill Subdivision

SOUTH: R-20/ Single-family houses

EAST: RA-5/ Holden Estates

WEST: RA-5/ Olde Whiteoak Estates

Adjacent Future Land Use:

North: Low Density Residential (LDR) and Medium Density Residential (MDR)

East: Medium Density Residential (MDR)

South: Medium Density Residential (MDR)

West: Low Density Residential (LDR)

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

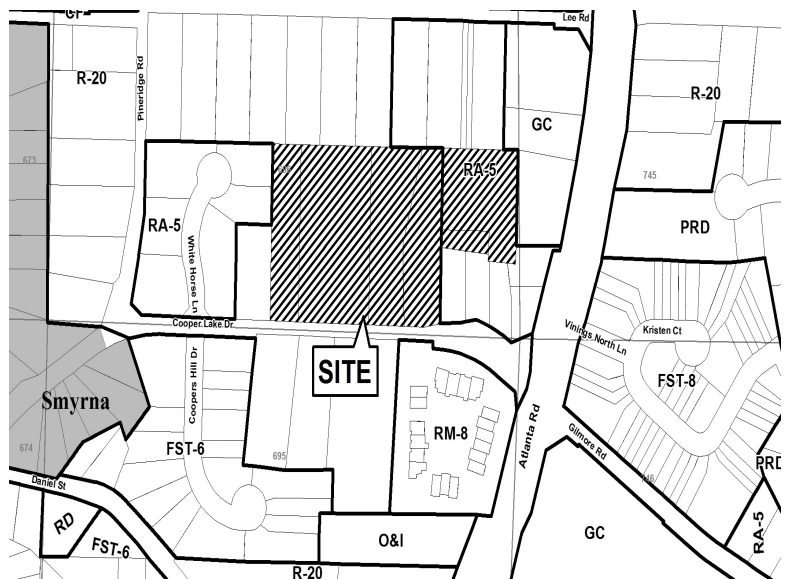
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

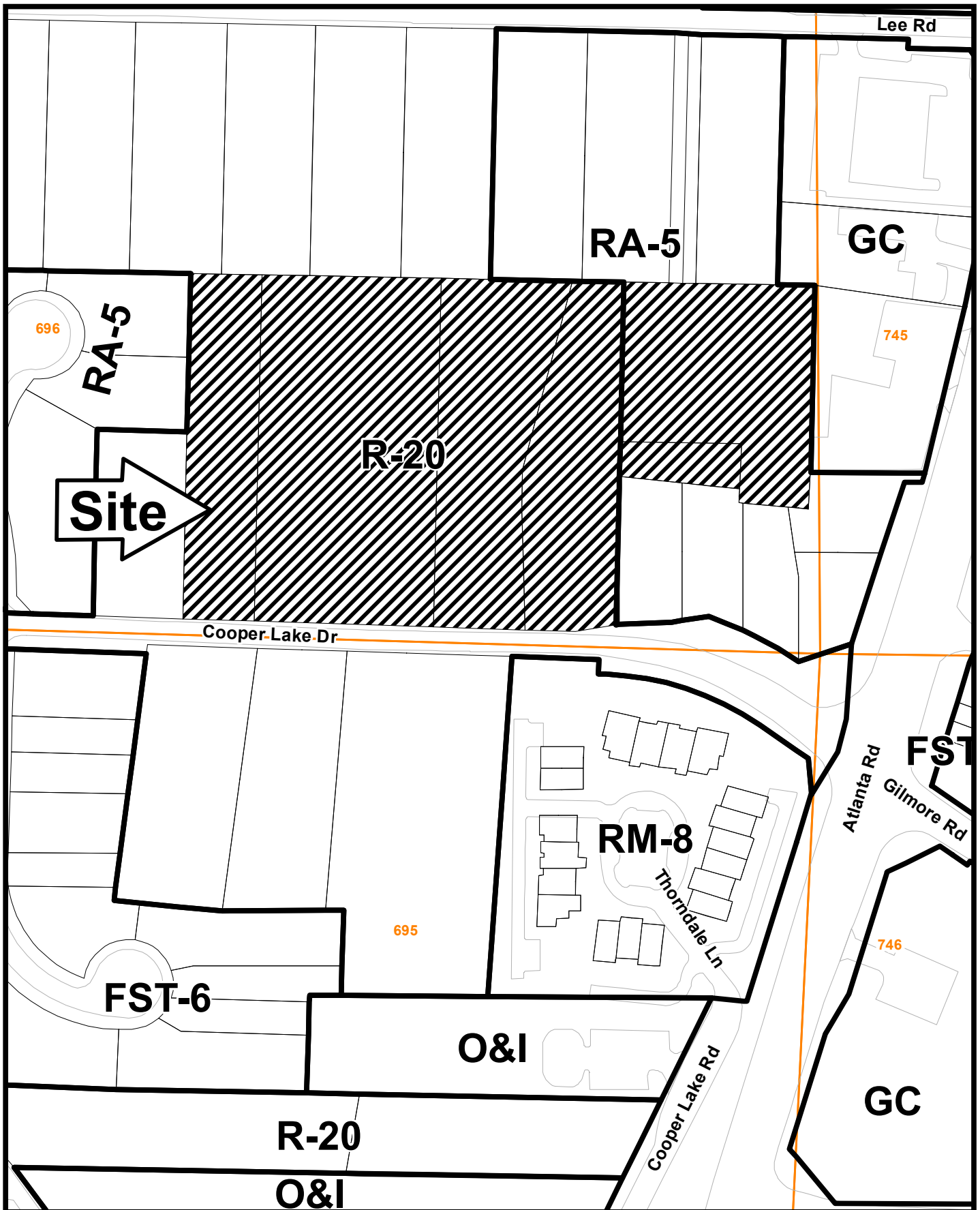
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

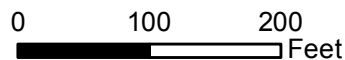
STIPULATIONS:



Z-22



This map is provided for display and planning purposes only. It is not meant to be a legal description.



City Boundary
Zoning Boundary

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Low Density Residential and Medium Density Residential

Proposed Number of Units: 16 **Overall Density:** 3.45 **Units/Acre**

Staff estimate for allowable # of units: 12 **Units*** **Increase of:** 4 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances. Five lots on the current RA-5 property and eight lots on the current R-20 property.

The applicant is requesting a rezoning from the existing RA-5 and R-20 Single-family Residential Districts to the RA-5 Single-family Residential District in order to develop a residential subdivision of 16 detached homes. The proposed homes will range from 3,000 square feet and higher and be traditional in architecture with proposed selling prices of \$700,000 and above. The proposed street will be a private drive.

The applicant is showing contemporaneous variances including:

1. Reduce the road frontage from 35 feet to 28 feet on a cul-de-sac and from 50 feet to 37 feet on an interior road;
2. Reduce the lot width from 50 feet to 45 feet on a cul-de-sac;
3. Waive the front setback from 25 feet to 20 feet.

Cemetery Preservation: No comment.

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Nickajack</u>	<u>1,017</u>	<u>Under</u>	<u> </u>
Elementary <u>Campbell</u>	<u>1,437</u>	<u>Over</u>	<u> </u>
Middle <u>Campbell</u>	<u>2,669</u>	<u>Over</u>	<u> </u>

High

- School attendance zones are subject to revision at any time.

Additional Comments: Approval of this petition could negatively impact the enrollment at Campbell Middle School and Campbell High School as these schools are over capacity at this time.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

PLANNING COMMENTS:

The applicant is requesting a rezoning from RA-5 and R-20 to RA-5 for the purpose of a single family residential subdivision. The .8994 acre site is located on the northwest side of Powder Springs Road at 2380 Powder Springs Road.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of Smyrna been notified? Yes No / N/A

Comprehensive Plan

The parcels are within a Low Density Residential (LDR) and Medium Density Residential (MDR) future land use categories, with R-20 and RA-5 zoning designations. The purpose of the Low Density Residential (LDR) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre, and non supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre, depending on existing conditions such as product type and mix, structure/building height, tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing between two and one-half (2.5) and five (5) dwelling units per acre. This category presents a range of densities.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Low Density Residential (LDR) and Medium Density Residential (MDR)
East: Medium Density Residential (MDR)
South: Medium Density Residential (MDR)
West: Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

PLANNING COMMENTS: (Continued)

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The _____ Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Jim Chapman Communities, Inc.

PETITION NO. Z-022

PRESENT ZONING RA-5, R-20

PETITION FOR RA-5

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 6" AC / N side of Cooper Lake Rd.

Additional Comments: Acceptance of water/sewer infrastructure contingent upon design to be worked out at Plan Review

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: On site. Relocation design necessary at Plan Review.

Estimated Waste Generation (in G.P.D.): A D F= 2,560 Peak= 6,400

Treatment Plant: South Cobb

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Preferred design of sewer relocation will likely require offsite easement at Plan Review
Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Laurel Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving system.

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. This parcel drains to the west through existing residential lots. The site receives stormwater runoff from commercial and residential parcels located to the east along Atlanta Road which must be conveyed through the site. There is an existing 54-inch CMP culvert located at the downstream property line. However, the capacity of this pipe is limited by a 36-inch RCP culvert within 30 feet of the property line. Both properties located immediately to the west have experienced flooding due to upstream runoff. The applicant is proposing to pass the existing offsite runoff through the site to the current discharge point. However, due to the existing downstream drainage issues, the onsite runoff from the proposed development will be discharged through a new pipe system to be installed within the Cooper Lake Drive right-of-way.
2. Since private streets are proposed all stormwater management within the development will be privately maintained as well.

APPLICANT: Jim Chapman Communities, Inc.

PETITION NO.: Z-22

PRESENT ZONING: RA-5, R-20

PETITION FOR: RA-5

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Cooper Lake Road	4100	Minor Collector	35 mph	Cobb County	60'

Based on 2010 traffic counting data taken by Cobb County DOT for Cooper Lake Road.

COMMENTS AND OBSERVATIONS

Cooper Lake Road is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Cooper Lake Road, a minimum of 30' from the roadway centerline.

Recommend replacing disturbed curb, gutter, and sidewalk along the Cooper Lake Road frontage.

Recommend a taper for the Cooper Lake Road access.

Recommend private streets be constructed to the Cobb County Standard Specifications.

Recommend applicant verify that minimum intersection sight distance is available for ingress and egress maneuvers for the site if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390 feet.

STAFF RECOMMENDATIONS

Z-22 JIM CHAPMAN COMMUNITIES, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Adjacent and nearby properties are zoned RA-5, RST-6, RM-8, R-20, O&I and GC.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal would be compatible with other properties in the area. The applicant's proposal would be an aesthetic upgrade of this property and would continue to encourage the trend of redeveloping properties in the area.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates a part of the property to be in the Medium Density Residential Land Use Category with densities ranging from 2.5 to 5 units per acre. The proposed density is 3.45 units per acre. However, a portion of the property is designated as Low Density Residential along Cooper Lake Road, but it has RA-5, RST-6 and RM-8 zoning adjoining or near this property.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. A portion of the applicant's proposal is located in a Medium Density Residential Land Use Category. The applicant's proposal would be consistent with newer subdivisions in the area such as Olde Whiteoak Estates to the west (2.25 upa), Holden Estates to the east (4.50 upa) and Paces Walk to the southeast (7.70 upa). Moreover, the applicant's proposal would continue to help develop older, distressed properties.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

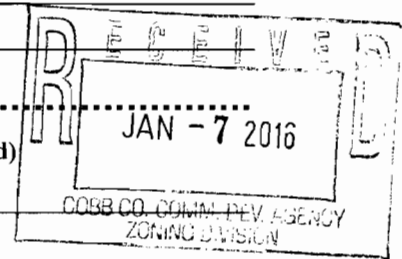
1. Site plan received by the Zoning Division on January 7, 2016, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

Summary of Intent for Rezoning *

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) **Proposed unit square-footage(s):** Ranging from 3,000 sq. ft. to 4,000 sq. ft. and higher
- b) **Proposed building architecture:** Traditional (see attached photographs & renderings/elevations)
- c) **Proposed selling prices(s):** \$700,000 and above
- d) **List all requested variances:** None at this time



.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) **Proposed use(s):** Not Applicable
- b) **Proposed building architecture:** _____
- c) **Proposed hours/days of operation:** _____
- d) **List all requested variances:** _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The subject property is situated on Cobb County's Future Land Use Map in areas that are denominated both as Medium Density Residential ("MDR") and Low Density Residential ("LDR"). A previous application for rezoning concerning essentially the same property (No. Z-32[2014]) was recommended for APPROVAL, with staff noting that adjacent and nearby properties are zoned RA-5, FST-6, RM-8, R-20, O&I and GC.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

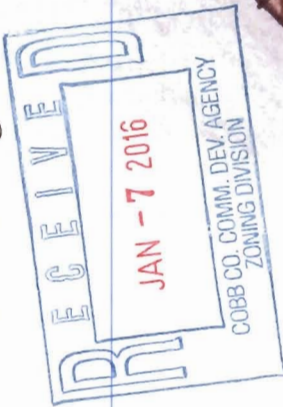
(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). Not Applicable

* Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

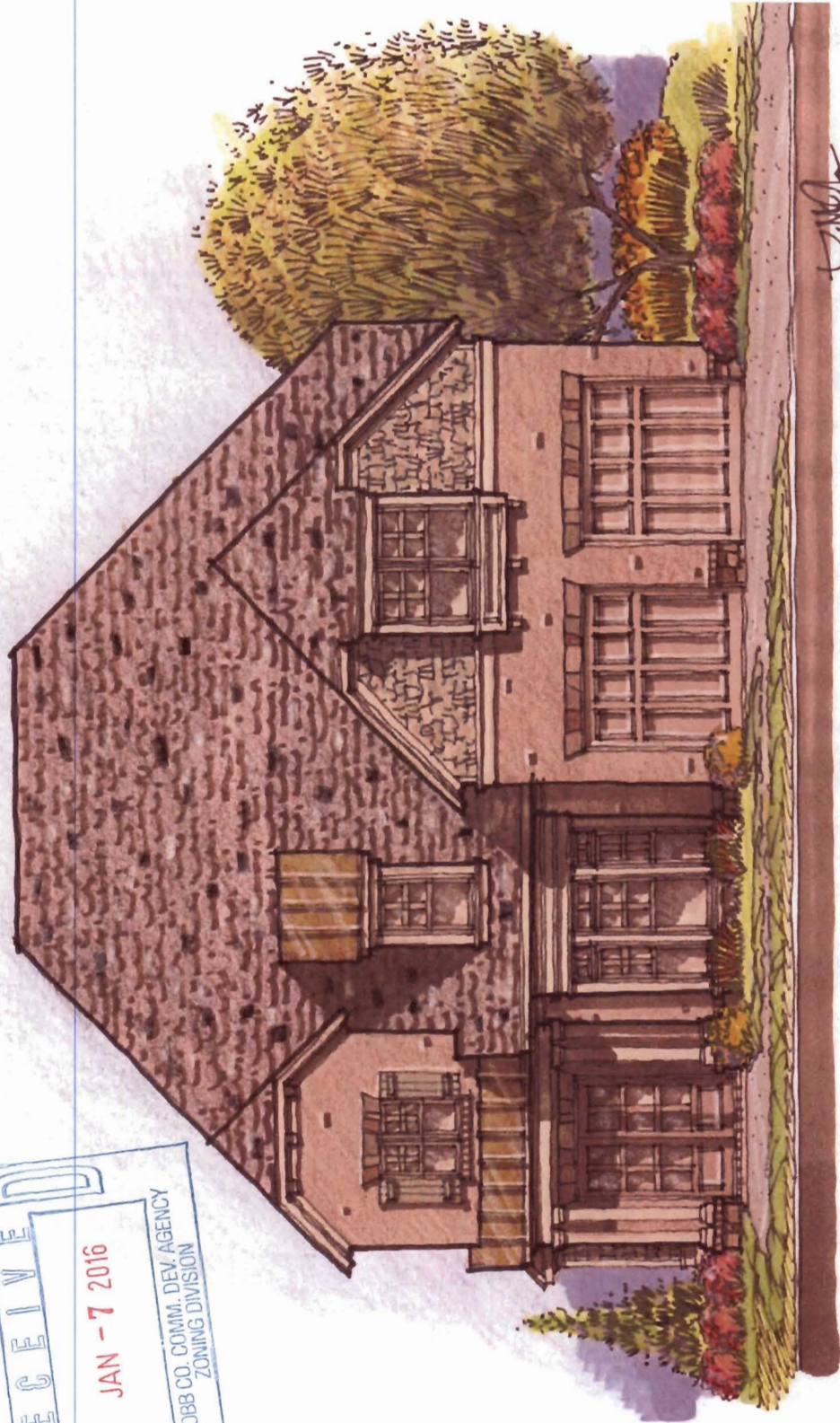


JIM CHAPMAN
COMMUNITIES

Well Earned Elegance



The Medlock



JimChapmanCommunities.com

Building Trust. Building Futures.

Due to the evolutionary nature of our design improvement process, there may be actual versus design variations in room dimensions, door swings and window and door locations. These floor plans and any dimensions and square footages shown herein are only approximations. Any homeowner who is concerned about any representations regarding the floor plans should do his or her own investigation as to the dimensions, measurements and square footage of his/her home. We reserve the right to substitute materials of comparable quality. These plans are the sole and absolute property of Jim Chapman Communities, Inc. Use or copying of these plans, without the express written consent of Jim Chapman Communities, Inc., is illegal.





JIM CHAPMAN
COMMUNITIES

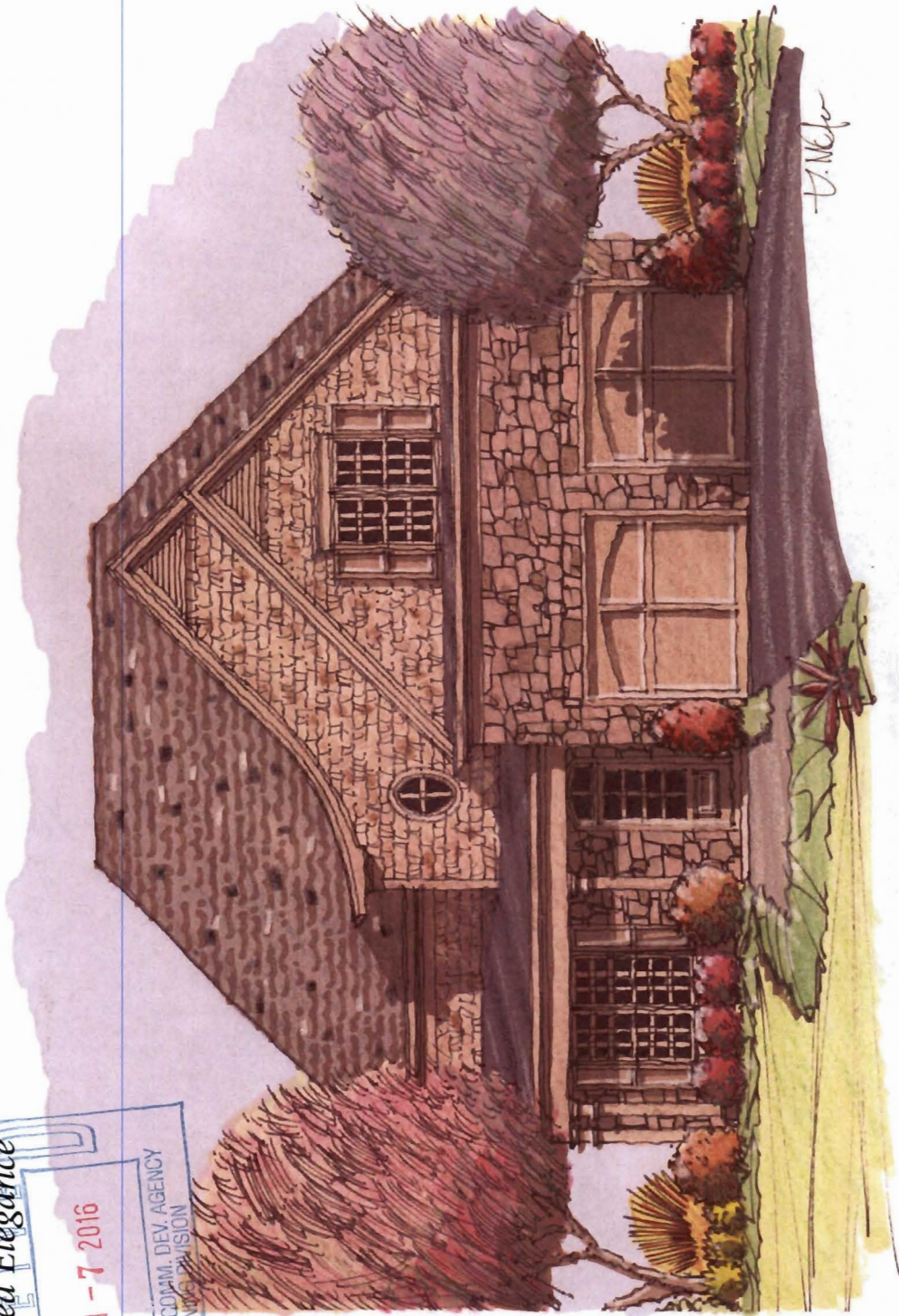
Well Earned Elegance

PERMITTED

JAN - 7 2016

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

The Ansley II



JimChapmanCommunities.com

Building Trust. Building Futures.

Due to the evolutionary nature of our design improvement process, there may be actual versus design variations in room dimensions, door swings and window and door locations. These floor plans and any dimensions and square footages shown herein are only approximations. Any homeowner who is concerned about any representations regarding the floor plans should do his or her own investigation as to the dimensions, measurements and square footage of his/her home. We reserve the right to substitute materials of comparable quality. These plans are the sole and absolute property of Jim Chapman Communities, Inc. Use or copying of these plans, without the express written consent of Jim Chapman Communities, Inc., is illegal.





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ZONING DIVISION