Application for "Other Business"
Cobb County, Georgia

OB-009-2016

(Cobb County Zoning Division – 770-528-2035) FEB 9 2016 BOC Hearing Date Requested: 3-15-16

Applicant: Kathryn Stewart Phone #: 770 265 8970
(applicant's name printed)

Address: 2567 Weddington Rdg NE Marietta GA 30068 E-Mail: Kathryn.Stewart@wellsfargo.com

Kathryn Stewart Address: 2567 Weddington Rdg Marietta
(representative's name, printed)

K Stewart Phone #: 770 265 8970 E-Mail: Kathryn.Stewart@wellsfargo.com
(representative's signature)

Signed, sealed and delivered in presence of:

DONALD PAUL WILLIAMS NOTARY PUBLIC FULTON COUNTY, GEORGIA My Commission Expires March 24, 2017

Notary Public My commission expires: 3-24-17

Titleholder(s): Kathryn Stewart Phone #: 770 265 8970
(property owner's name printed)

Address: 2567 Weddington Rdg Marietta GA E-Mail: Kathryn.Stewart@wellsfargo.com

K Stewart
(Property owner's signature)

Signed, sealed and delivered in presence of:

ANNIRATE CLARKE NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES OCTOBER 13, 2018

Notary Public My commission expires: 10-13-2018

Commission District: 2 Zoning Case: Z-22 of 2003

Size of property in acres: 19004.21 sqft Original Date of Hearing:

Location: 2567 Weddington Rdg Marietta (Hood Rd, Roswell Rd, Robinson Rd)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1032 District(s): 16th Section 2

State specifically the need or reason(s) for Other Business:

See Attached. KS

(List or attach additional information if needed)

OB-009-2016

FEB - 9 2016

Application of Other Business continuation of Page 3

State specifically the need or reason for Other Business:

I am requesting approval to retain an 8 foot fence along the back of my property adjacent to Hood Road. I am also requesting approval to retain an 8' 6" foot fence along the back of my property adjacent to the private street Grey Village Way.

My property elevation is 3-6+ feet below both Hood and Grey Village Way. The vehicle headlights come into the back of my house at two points from the Greystone Village subdivision; at the entrance from Hood and the second street inside Greystone. The 8 foot fence eliminates this headlight problem.

When I hired the fence contractor to install the 8 foot fence along Grey Village Way, I requested for the top of the fence to be straight across instead of following the elevation. My intent was to make it more attractive for both me and the surrounding neighbors. Not realizing the outcome of my fence design resulted in some portions of the fence being 1-6 inches over 8 feet. I can correct this problem with 6 inches of fill on my side. The fence was installed 6-9 inches inside the property line. Greystone is not open to me adding fill on their side of the fence so I cannot correct this problem without financial hardship.

History: The fence on my property along Hood road is property of the HOA. It was originally approved for the Developer in 2005 as a 6 foot fence. In 2013, Cobb installed a new storm drain on Hood road and connected it to a drain on my property. Cobb buried the HOA fence when adding soil around the new storm drain. Then in 2015, Cobb took a line of sight easement from my property to accommodate the Greystone Village entrance. Cobb removed the HOA fence and paid me to replace it. I replaced it behind the easement line which dropped it further down the elevation. To avoid killing a 100 year old oak tree I chose to not add soil to elevate my property. I chose to add an 8 foot fence to solve the headlight problem. Now through code violations I am learning more about fence design.

Attached: Pictures of the fence along Hood and Grey Village Way

Kathryn Stewart

2567 Weddington Ridge NE

Marietta GA 30068

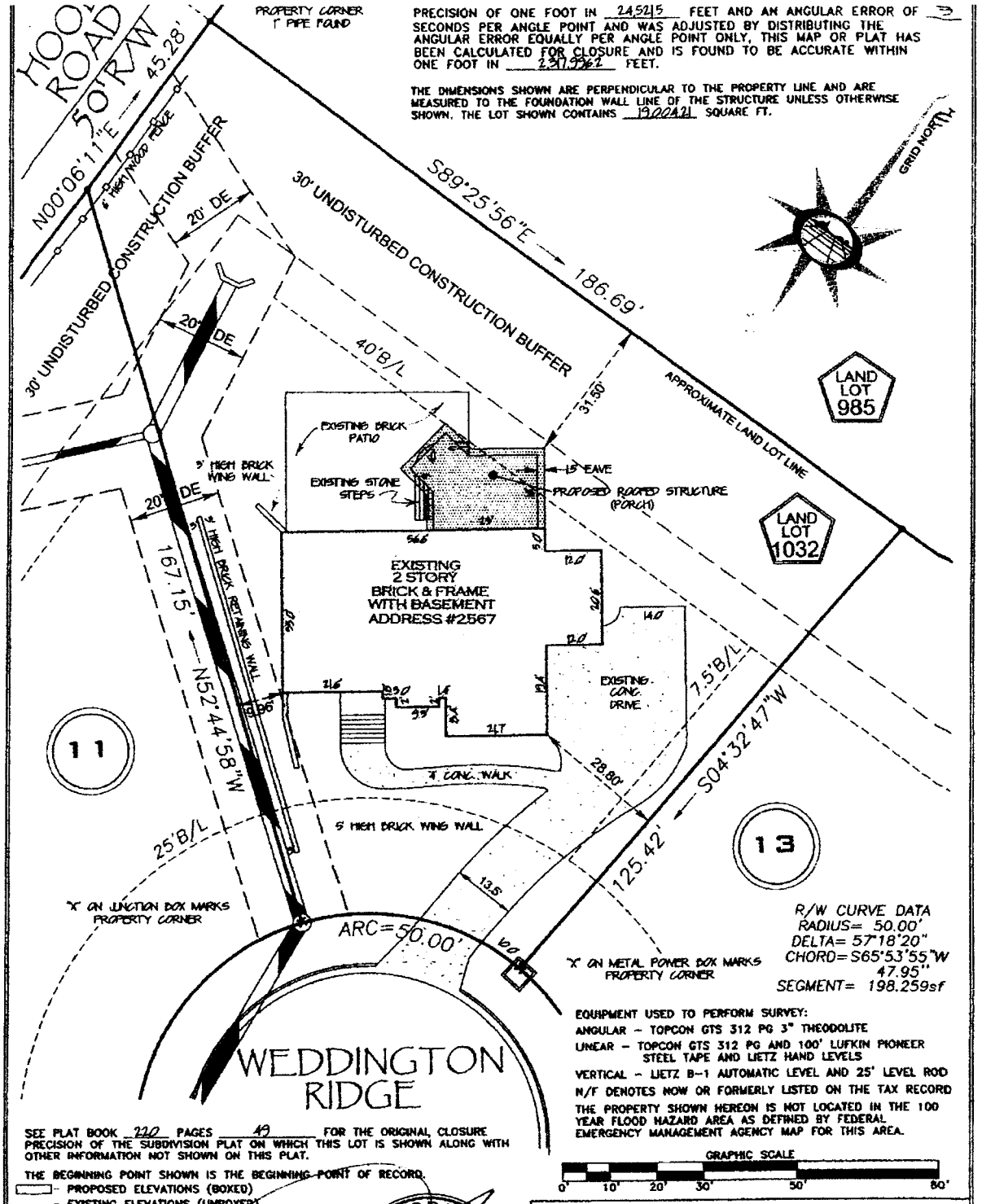
770-265-8970

PAGE 3 OF

Min. Bk. 17 Petition No. V-51
Doc. Type Site Plan
Meeting Date July 11, 2012

PRECISION OF ONE FOOT IN 24,525 FEET AND AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY DISTRIBUTING THE ANGULAR ERROR EQUALLY PER ANGLE POINT ONLY, THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 237,962 FEET.

THE DIMENSIONS SHOWN ARE PERPENDICULAR TO THE PROPERTY LINE AND ARE MEASURED TO THE FOUNDATION WALL LINE OF THE STRUCTURE UNLESS OTHERWISE SHOWN. THE LOT SHOWN CONTAINS 19,002 SQ. FT. SQUARE FT.



R/W CURVE DATA
RADIUS= 50.00'
DELTA= 57°18'20"
CHORD= S65°53'55"W 47.95'
SEGMENT= 198.259sf

EQUIPMENT USED TO PERFORM SURVEY:
ANGULAR – TOPCON GTS 312 PG 3" THEODOLITE
LINEAR – TOPCON GTS 312 PG AND 100' LUFKIN PIONEER STEEL TAPE AND LIETZ HAND LEVELS
VERTICAL – LIETZ B-1 AUTOMATIC LEVEL AND 25' LEVEL ROD
N/F DENOTES NOW OR FORMERLY LISTED ON THE TAX RECORD
THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE 100 YEAR FLOOD HAZARD AREA AS DEFINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY MAP FOR THIS AREA.

SEE PLAT BOOK 220 PAGES 49 FOR THE ORIGINAL CLOSURE PRECISION OF THE SUBDIVISION PLAT ON WHICH THIS LOT IS SHOWN ALONG WITH OTHER INFORMATION NOT SHOWN ON THIS PLAT.

THE BEGINNING POINT SHOWN IS THE BEGINNING POINT OF RECORD.

- PROPOSED ELEVATIONS (BOXED)
- EXISTING ELEVATIONS (UNBOXED)
- ● - 1/2" DIAMETER (REBAR) A SOLID STEEL ROD FOUND AT THE PROPERTY CORNER UNLESS OTHERWISE SHOWN.
- ○ - 1/2" DIAMETER (REBAR) A SOLID STEEL ROD SET AT THE PROPERTY CORNER UNLESS OTHERWISE SHOWN.
- M.H. - SANITARY SEWER MAN HOLE
- P.P. - POWER POLE
- BTOB - BACK TO BACK OF CURB
- F.H. - FIRE HYDRANT
- C.B. - CATCH BASIN
- D.E. - DRAINAGE EASEMENT
- J.B. - JUNCTION BOX
- S.S.E. - SANITARY SEWER EASEMENT
- B.L. - BUILDING SET BACK LINE
- - OVERHEAD WIRE (TELEPHONE OR POWER)
- —T— - 4' ORANGE TREE SAVE FENCE

GEORGIA REGISTERED No. 2269 PROFESSIONAL LAND SURVEYOR F.L. BULLARD

FOR THE FIRM OF
PLANNING AND DEVELOPMENT PC
2972 HUNTERSVILLE HWY.
HOSCHTON GA. 30548-9008
(404) 314-1964

GRAPHIC SCALE
0' 10' 20' 30' 50' 80'

REAR PORCH ADDITION PLAN FOR

KATHRYN STEWART

SUBDIVISION- WEDDINGTON

UNIT - 1 LOT №- 12 BLOCK-

LOCATED IN:
LAND LOT- 1032
DISTRICT- 16th, SECTION 2
CITY- N/A
COUNTY- COBB, GEORGIA

DRAWN BY S.A.C.
CHECKED BY
REVISIONS

SCALE 1" = 20' DATE 05-08-12

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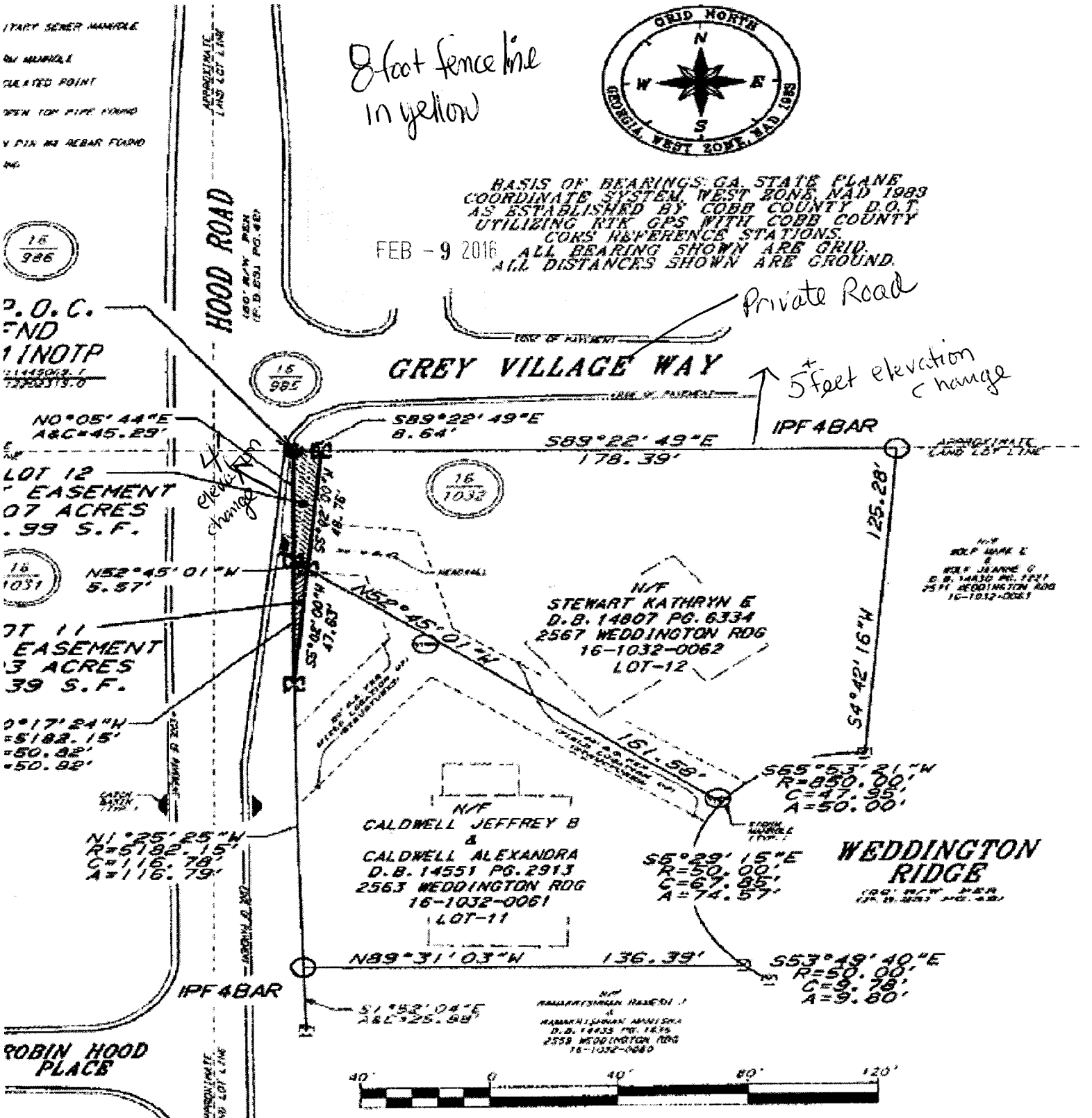
New Survey ordered Feb 5.

REFERENCES:

PLAT BY GASKINS SURVEYING AND ENGINEERING COMPANY, REGISTERED ENGINEER AND REGISTERED GA. LAND SURVEYOR ENTITLED "WEDDINGTON UNIT ONE" FORMERLY KNOWN AS: ROBINSON VALLEY LOCATED IN LAND LOT 1032, 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, DATED: NOVEMBER 5, 2004 (COBB COUNTY RECORDS, PLAT BOOK 231, PAGE 42)



LAST DATE OF FIELD WORK 02-15-2013
FIELD BOOK 371 PAGE 42

NO TITLE PACKAGE WAS PROVIDED. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS THAT MAY OR MAY NOT BE OF RECORED.

Greystone Village Sub
View from Nash House
Hood Road

Grev Vil
Hood Rd

FedEx
FedEx
Hood Rd

Fence along
Hood Rd

ORIGINAL DATE OF APPLICATION: 02-18-03

APPLICANTS NAME: LARRY B. THOMPSON

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

BOC DECISION OF 02-18-03 ZONING HEARING:

LARRY B. THOMPSON (Estate of Elayne G. Smith, owner) for Rezoning from **R-20** to **R-15** for the purpose of a Subdivision in Land Lot 1032 of the 16th District. Located at the northeast intersection of Hood Road and Robinson Road and on the south side of Robinson Road.

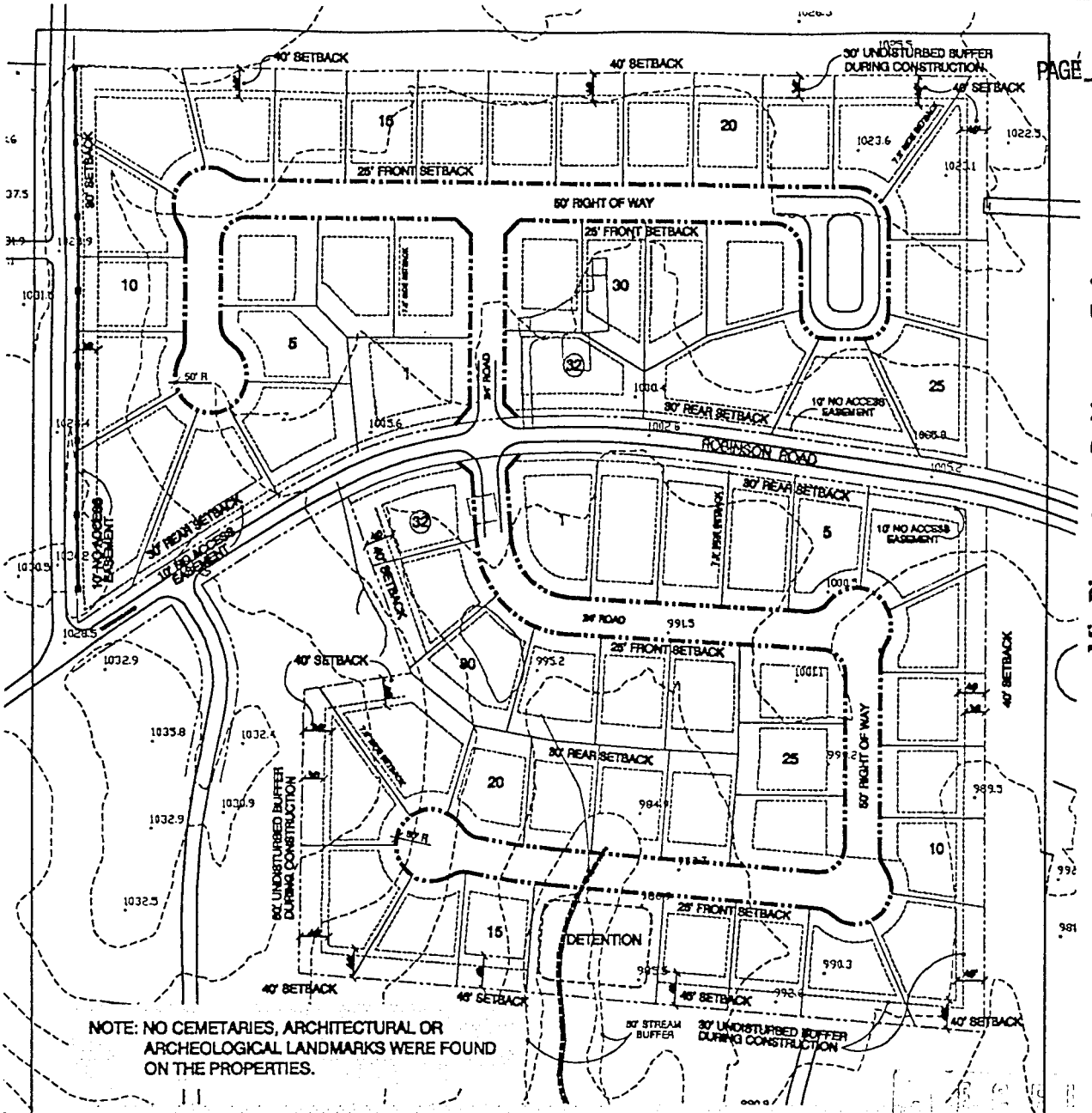
The public hearing was opened and Mr. Parks Huff, Mr. Lee Berman, Mr. Craig Harfood, and Mr. John Nash addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by J. Thompson, second by Olens, to **approve** rezoning to the **R-15** zoning district **subject to:**

- **site plan and proposed landscape plan dated February 13, 2003, with the District Commissioner approving any minor modifications (copy attached and made a part of these minutes)**
- **letter of agreeable stipulations from Mr. Parks Huff dated February 12, 2003, not otherwise in conflict (copy attached and made a part of these minutes),** ***with the following additional paragraphs:***
  - **19. Homeowner Association will be responsible for maintenance of streetscape along Hood Road and Robinson Road to include mulch, grass cutting, fence maintenance, etc.**
  - **20. The developer will brick the foundations of houses along Hood Road.**
- **40-foot rear setback on the lots North of Robinson Road with 30-foot undisturbed buffers; 45-foot rear setback on the lots South of Robinson Road, except for the 6 cul-de-sac lots which shall have 40-foot rear setbacks, with 30-foot undisturbed buffers; buffers applicable during the construction phase only**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations,** ***except the recommendation for "a center turn lane be constructed to mitigate traffic safety concerns."***
- **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**

VOTE: **ADOPTED** unanimously

Min. Bk. 22 Petition No. Z-22
Doc. Type Site plan
Meeting Date Feb. 18 2003



NOTE: NO CEMETARIES, ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS WERE FOUND ON THE PROPERTIES.

PRELIMINARY SUBDIVISION PLAN

ROBINSON PROPERTY

FOR:

THOMPSON DEVELOPMENT COMPANY

December 5, 2002

REVISED:
December 16, 2002
February 13, 2003

REECE, HOOPES & FINCHER
LAND PLANNERS LANDSCAPE ARCHITECTS
ATLANTA, GEORGIA BIRMINGHAM, ALABAMA DESTIN, FLORIDA

R-15 SITE DATA:

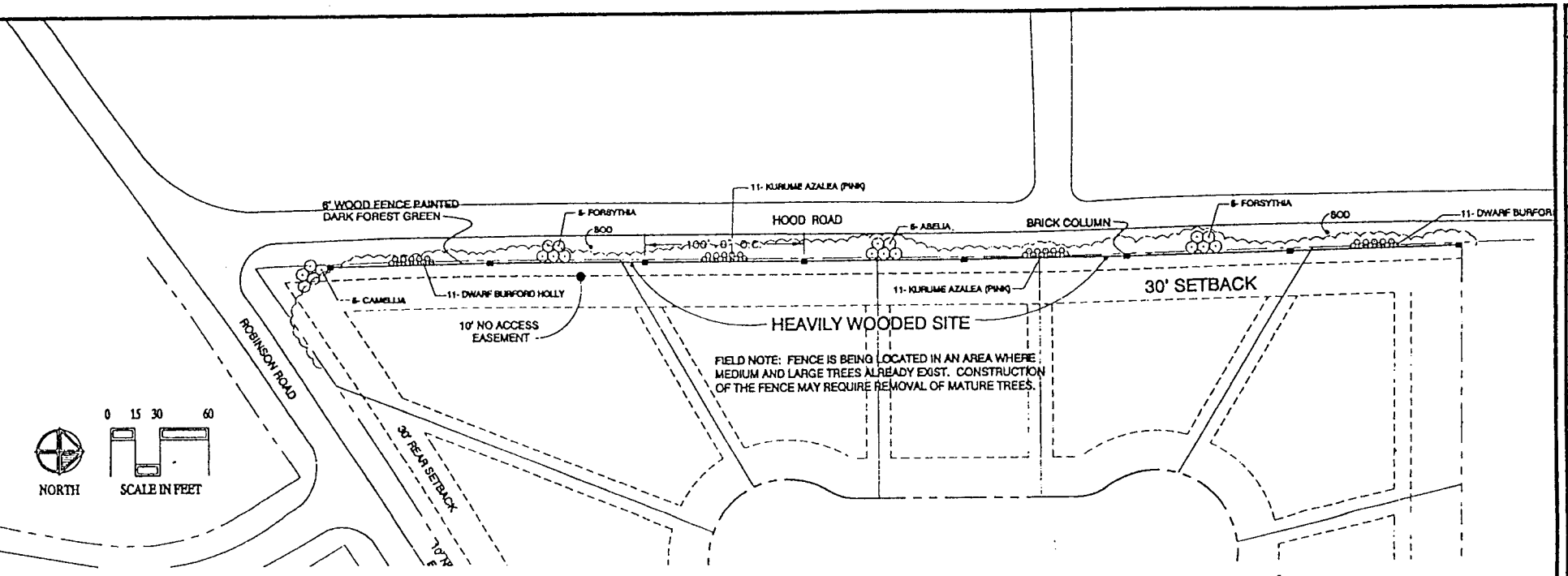
NORTH TRACT:	
TOTAL SITE ACREAGE:	15.4 AC.
TOTAL LOT NUMBER:	32 LOTS
LOT DENSITY:	2.08/AC.
TOTAL LF.:	2,010 LF.
SOUTH TRACT:	
TOTAL SITE ACREAGE:	15.4 AC.
TOTAL LOT NUMBER:	32 LOTS
LOT DENSITY:	2.08/AC.
TOTAL LF.:	1,895 LF.

0 50 100 200

NORTH SCALE IN FEET

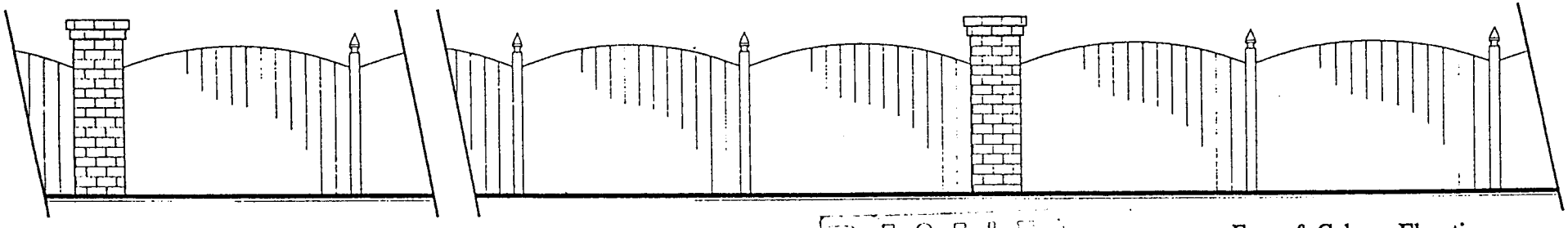
JAP
FEB 14, 2003
1:45pm

NOTE: A CONTEMPORANEOUS VARIANCE IS REQUESTED TO CHANGE THE MINIMUM FRONT YARD SETBACK FROM 35' TO 25' AND THE SIDEYARD SETBACK FROM 10' TO 7.5'. THIS IS A CHANGE IN THE MINIMUM SETBACK REQUIREMENTS; HOWEVER, THE DEVELOPER HAS THE RIGHT TO INCREASE THE FRONTYARD SETBACK FROM THE STREET AT HIS DISCRETION.



Fence & Column Site Plan

Scale: 1" = 30'



Fence & Column Elevation

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

RECEIVED
SCP
FEB 14, 2003
1:45pm

Min. Bk. 22 Petition No. Z-22
Doc. Type proposed landscape plan
Meeting Date Feb. 18, 2003

REECE HOOPES & FINCHER
Land Planners
Landscape Architects
ATLANTA • BIRMINGHAM
DESTIN

Landscape Plan
Robinson Road Tract - Hood Road
Cobb County, Georgia

THOMPSON DEVELOPMENT

PROJECT NO: N/A
SCALE: N/A
DATE: 2/13/03
FILE NAME: N/A
DRAWN BY: N/A
REF. TO: N/A
TITLE NO.: N/A
REVISIONS:

SHEET L-1

PRELIMINARY - NOT FOR CONSTRUCTION

Min. Bk. 22 Petition No. Z-22
Doc. Type letter of stipulation
Meeting Date Feb. 18, 2003

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
M. KYLE GREENE
RICHARD A. HARRAH

OF COUNSEL
DAVID P. HARTIN

770.422.7016
TELEPHONE

770.426.6583
FACSIMILE

SAMSLARKIN@AOL.COM
E-MAIL

February 12, 2003

FEB 12
COBB CO. COMMUNITY DEVELOPMENT DEPT.
ZONING DIVISION
11:23

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Community Development Department
Zoning Division
191 Lawrence Street
Suite 300
Marietta, GA 30060-1661

Re: Rezoning Application for Larry B. Thompson to Rezone a 30± Acre Tract from R-20 to R-15 at the intersection of Hood Road and Robinson Road, 16th District, 2nd Section, Land Lot 1032, Cobb County Georgia. (Z-22)

Dear John:

The following is a compilation of the stipulations and agreement that are the result of a continuing dialogue with the neighborhood and County staff regarding the above-styled rezoning application. This letter supercedes the previous letters of agreeable stipulation dated January 22, 2003, January 29, 2003, February 3, 2003 and February 4, 2003.

1. The maximum number of lots are 64 creating a density of 2.08 units per acre.

2. Minimum house size of 2,100 square feet ranging up to 3,500 square feet.[1]

3. Architectural style of the homes shall be traditional with a mixture of two-story homes and ranch homes depending on the market.

[1]Price points for the subdivision are anticipated to exceed $400,000.00.

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Petition No. Z-22
Meeting Date Feb. 18, 2003
Continued

Mr. John P. Pederson, Planner III
Cobb County Community Development Department
Zoning Division
February 12, 2003
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4. Each home shall have a minimum two-car garage.

5. The developer shall create a mandatory homeowners association and the Declaration of Covenants shall provide for the enforcement of architectural controls to insure the long term integrity of the neighborhood.

6. The submission of a landscape plan during the Plan Review process which shall include the following:

   a. Sodded front yards.

   b. The installation of underground utilities throughout the development.

   c. Compliance with the Cobb County Tree Preservation & Replacement Ordinance, subject to the Arborist's review and approval.

   d. The subdivision entrance sign shall be a ground-based, monument style sign consistent with the provisions of the Cobb County Sign Ordinance and incorporated into a street scape plan for the Robinson Road Corridor.

7. Implementation of a 30' undisturbed buffer around the perimeter of the subject property during the construction phase of the development.

8. The developer will protect mature trees whenever it is reasonable to do so. During construction, within the 30' undisturbed buffer, no trees will be removed with the exception of trees that must be removed for the implementation of utilities or for the removal of dead or diseased trees pursuant to the approval of the County Arborist. Where land is cleared for such utilities, the path for clearing shall be limited to the width required by Cobb County Development Regulations.

9. The applicant agrees to the following conditions related to the Department of Transportation:

   a. Dedication of right-of-way on Robinson Road to achieve 30' from the center line of Robinson Road as it traverses through the subject property.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-22
Meeting Date Feb. 18, 2003
Contested

b. Installation of curb and gutter along Robinson Road as it traverses through the subject property and the implementation of sidewalks on the north side of Robinson Road.

c. 150' deceleration lane with 50' taper for each entry along Robinson Road.

d. Verification of proper sight distance for both entrances on Robinson Road.

e. A no access easement along Hood Road and a stipulation that no driveway or curb cuts will be located on Hood Road.

f. The installation of curb and gutter along Hood Road.

g. The developer will allow a traffic mirror to be placed on the subject property directly across from Willow Ridge Drive as it accesses Robinson Road. The installation and maintenance of the traffic mirror shall be the responsibility of the Willow Ridge Subdivision.

h. The developer will not agree to the installation of a center turn lane on Robinson Road as suggested by the Cobb County Department of Transportation.

i. The streets in the development will not connect to the dead end streets in the adjoining subdivisions.

10. The developer shall provide a sewer stub to the edge of the property known as 956 Hood Road which is presently owned by Mr. Brown.

11. The developer recognizes that the community support is partially based upon his good reputation and he agrees that the property shall not be voluntarily sold to another developer and it is the developer's intention to maintain control of the development until the property is fully developed.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

Z-22
Feb. 18, 2003

Mr. John P. Pederson, Planner III
Cobb County Community Development Department
Zoning Division
February 12, 2003
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12. Applicant shall comply with all of the recommendations of the Stormwater Management Division including the following:

    a. An engineer will evaluate the impact of the proposed development on the down stream storm drainage system and certify that ameliorative measures will be implemented to insure that there is not a negative impact on the present down stream drainage conditions.

    b. There shall be no increase in the peak run-off rate for all storms from two to one hundred year events in compliance with Cobb County Development Regulations.

    c. The developer agrees to have a water management consulting engineer assess the conditions down stream to the four (4) properties in Willow Ridge Drive that the runoff creek runs between. The engineer will quantify the impact that the development's runoff will have and what, if anything, can and should be done to prepare for this impact. Neighbors will be provided a copy of the development runoff assessment and the supplemental down stream assessment.

    d. For the properties along Princeton Mill Run that current experience water runoff that leads to a drainage culvert behind 743 and 741 Princeton Mill Run, the developer agrees to engineer the development of that area so that runoff to the affected properties will not increase as a result of the development.

    e. The developer will design and install detention ponds to avoid creation of standing water in order to prevent stagnation and the breeding of mosquitos.

13. The developer will provide a fencing allowance to be held in escrow for the adjacent properties within the Willow Ridge Subdivision and the Princeton Mills Subdivision on the south side of Robinson Road. The allowance to be placed in escrow will be $14.20 per lineal foot. This allowance can be used by the residents of the Willow Ridge Subdivision and Princeton Mills Subdivision that abut the subject property on the south side of Robinson Road for either the installation of fencing along the property line or the implementation of an enhanced landscaped buffer along this area. Any unused allowance will be released to the developer.

Z-22
Feb. 18, 2003

14. The developer agrees to develop an attractive public street scape along both Robinson and Hood Roads. The street scape shall include a fence and landscaping on both the north and south side of Robinson Road and a sidewalk on the north side of Robinson Road. Along Hood Road, fencing and landscaping shall be installed. The developer will budget $300,000.00 for the street scape improvements. The developer agrees to the creation of an architectural control committee with five (5) members as follows: Larry Thompson; a landscape architect chosen by the developer; a design engineer chosen by the developer; a representative of the Cobb County Zoning Department; and a representative of the East Cobb Civic Association. This architectural control committee shall review and approve the street scape plan for both Hood and Robinson Road.

15. The developer requests a concurrent front setback variance to allow a front setback of 25'. In exchange for this front setback variance, the developer will agree to a 40' rear setback, 30' of which is the previously described undisturbed buffer. Additionally, for the lots that back up to the Willow Ridge Subdivision, the developer agrees to a 45' rear setback except on cul-de-sac lots which will maintain the previously mentioned 40' rear setback.

16. Outside of the previously mentioned non-disturbed buffer, the developer will require builders who purchase the individual lots to preserve as many mature trees as is reasonably possible and he will enforce this requirement as the developer of the subdivision.

17. The developer will provide a sufficient border or landscaping between the detention ponds and the adjacent properties in a way that is attractive to adjacent properties that view the detention pond. Additionally, the developer will attempt to locate the detention pond in the interior of the development instead of on the edge of the development.

18. In an effort to decrease the impact of the proposed development on the neighbors, the developer agrees to the following conditions:

    a. The developer will provide dust abatement in accordance with Cobb County requirements.

    b. The developer will require all builders to limit construction noise to the hours between 7:00 a.m. and 8:00 p.m.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-22
Meeting Date Feb. 18, 2003
Continued

Mr. John P. Pederson, Planner III
Cobb County Community Development Department
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February 12, 2003
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c. All owners that will have their property disturbed by the developer in accessing the sewer and water easements will be contacted before any work is done on their property. Specifically, the residents at 736 Willow Ridge Court expect that their property may be impacted by the equipment that will be connecting the sewer line on or near their property and they shall receive notice prior to any work.

Respectfully submitted,

SAMS, LARKIN & HUFF, LLP

Parks F. Huff

PFH/jbmc

cc: Members, Cobb County Board of Commissioners - Via Hand Delivery
Ms. Sandra Richardson, Assistant County Clerk - Via Hand Delivery
Mr. John Nash, East Cobb Civic Association
Mr. Bob Ott, ECCA
Mr. Larry B. Thompson