

**DECEMBER 19, 2017 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM # 061

PURPOSE

To consider a site plan amendment for Loyd Development Services, LLC regarding rezoning application Z-11 of 2017 for property located on the southeast side of Lee Waters Road, south of Jamerson Road, in Land Lot 131 of the 16th District.

BACKGROUND

The subject property was rezoned in 2017 for a 22 lot subdivision. It was rezoned subject to the site plan submitted. The applicant has added two lots to the subdivision via rezoning application Z-72 from November 21, 2017, which bring the total number of lots up to 24 lots. The additional property will help to square up lots 8 & 9 to make the lots a more traditional rectangular shape. If approved, all other zoning stipulations would remain in effect.

STAFF COMMENTS

Stormwater Management: Stormwater management for these two lots has already been accommodated in the approved hydrology study for the Logan Park Subdivision development.

RECOMMENDATION

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

ATTACHMENTS

Other Business application and stipulations.

Application for "Other Business"

Cobb County, Georgia

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

BOC Hearing Date Requested: OB - 61

Applicant: Loyd Development Services, LLC **Phone #:** (770) 868-7591
(applicant's name printed)

Address: 4651 Woodstock Rd., Suite 208-106, Roswell, GA 30075 **E-Mail:** john@loyddevelopment.com

SAMS, LARKIN, HUFF & BALLI, LLP
by: Garvis L. Sams, Jr.

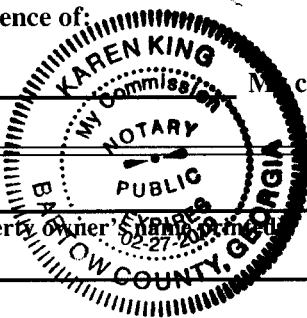
Address: 376 Powder Springs Street, Suite 100, Marietta, GA 30064

(representative's name, printed)

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

Signed, sealed and delivered in presence of:

Karen L. King **My commission expires:** 2-27-19
Notary Public



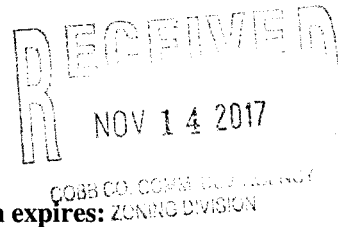
Titleholder(s): See Attached **Phone #:** _____
(property owner's name)

Address: _____ **E-Mail:** _____

(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public **My commission expires:** _____



Commission District: 3 **Zoning Case:** Z-11 of 2017

Size of property in acres: 6.3 (Z-11)
0.5 (Z-72) **Original Date of Hearing:** April 18, 2017

Location: On the southeast side of Lee Waters Road (at its terminus), south of Jamerson Road.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 131 **District(s):** 16th

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

To amend the site plan to include a 0.05 acre (2,204 square feet) tract of land (a portion of 4550 Lee Waters Road) to the Logan Park Subdivision.

(List or attach additional information if needed)

ATTACHMENT TO OTHER APPLICATION

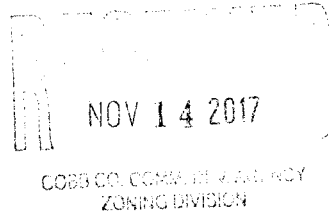
Application No.: OB-61

BOC Hearing Date: 12-19-17

Applicant: LOYD DEVELOPMENT SERVICES, LLC

Titleholder: LOYD DEVELOPMENT SERVICES, LLC

Tax ID #: 16013100040



PROPERTY OWNER'S CERTIFICATION

The undersigned(s) below, or as attached, is the owner of the property considered in this application.

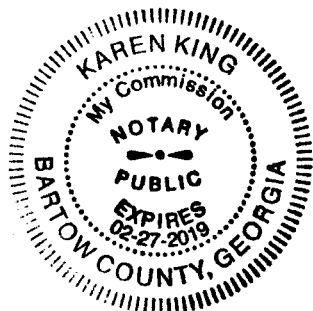
[Signature] 11.10.17
Signature of Owner Date

Address: 41651 Woodstock Rd.
Suite 208-106
Roswell, GA 30075

Telephone No.: 770-868-7591

[Signature] 11-10-17
Signature of Notary Public Date

(Notary Seal)



CERTIFICATE REGARDING CORPORATE AUTHORITY
TO PURSUE OTHER BUSINESS APPLICATION

1.

My name is JOHN LOYD. I am the secretary, assistant secretary or other officer to whom the operating agreement has delegated the responsibility for authenticating records of the company, **LOYD DEVELOPMENT SERVICES, LLC**, a Domestic Limited Liability Company, authorized to transact business in the State of Georgia (the "Titleholder Company"). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Other Business Application regarding certain real property owned by the Titleholder located in Cobb County, Georgia.

RECEIVED
NOV 14 2017

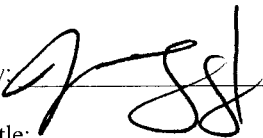
2.

In accordance with the requirements for completing a Cobb County Other Business Application, I hereby attest on behalf of the Titleholder Company that I have reviewed the Other Business Application and related documents which are being filed simultaneously therewith on behalf of the Applicant Company (collectively, the "Other Business Application") to which this Certificate is attached and hereby certify:

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

- (a) That corporate seal or facsimile affixed to the Other Business Application is in fact the seal of the Titleholder Company or a true facsimile thereof; and
- (b) That the officer or other representative of the Titleholder Company who executed the Other Business Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Other Business Application on behalf of the Titleholder Company, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Other Business Application and the filing of the Other Business Application on behalf of the Applicant Company by the officer or other representative of the Applicant Company has been duly authorized by the Titleholder Company.

LOYD DEVELOPMENT SERVICES, LLC.

By:  (CORPORATE SEAL)
Title: _____

OB-061-2017

Proposed site plan

Z.100

REVISIONS



OFFICE OF THE CITY CLERK
CITY OF ATLANTA, GEORGIA



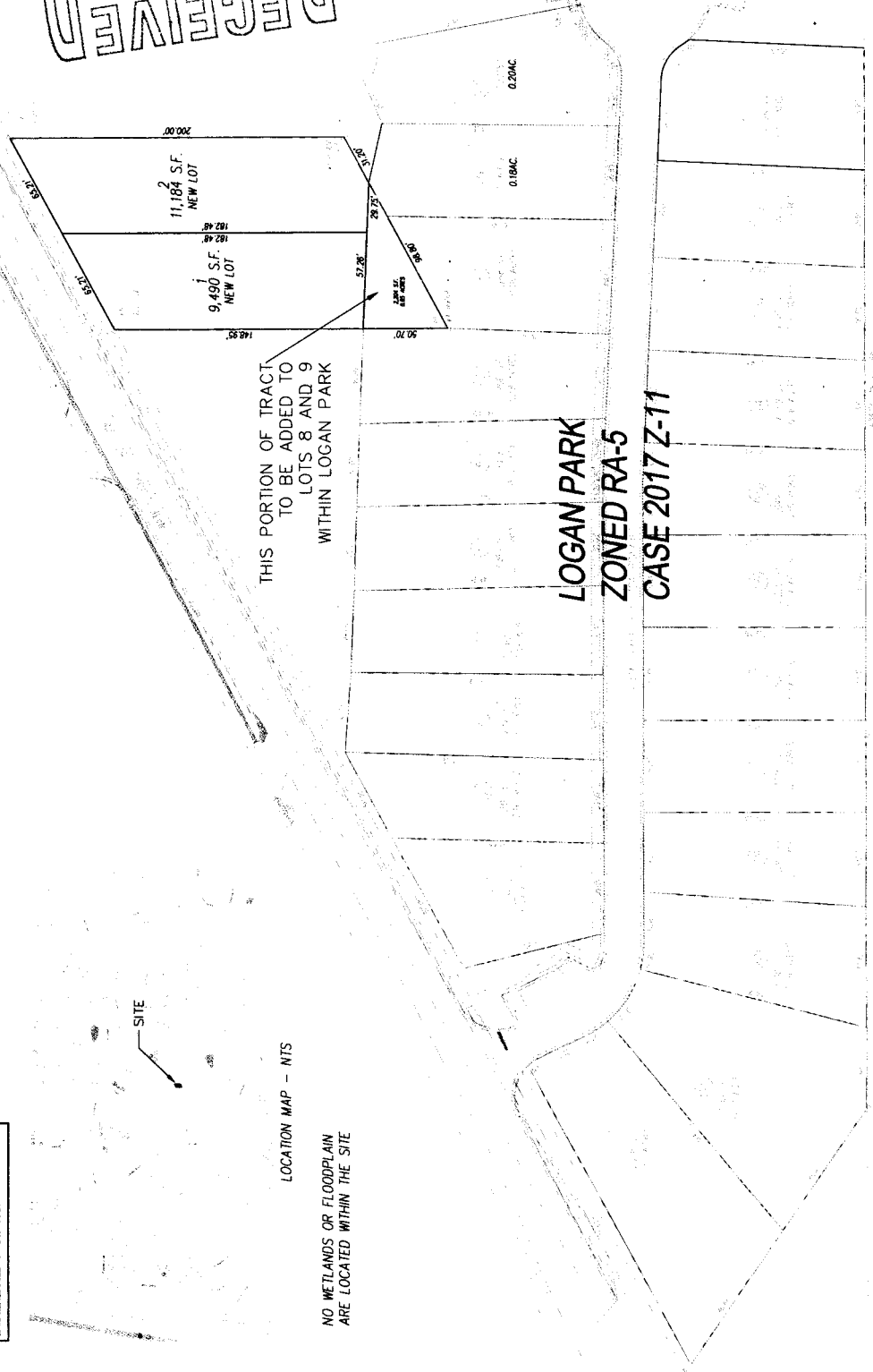
Lloyd Development Services

PROJECT NAME:
4550 LEE WATERS ROAD
COBB COUNTY, GEORGIA
LL131, 18TH DISTRICT



CRESTLINE ENGINEERING
4651 WOODSTOCK ROAD
SUITE 208 ROSWELL, GA 30075
770.868.7591 F.T. 866.319.0672

RECEIVED
NOV 14 2017
COUNTY PLANNING AGENCY
ZONING DIVISION

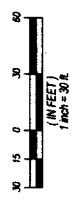


THIS PORTION OF TRACT
TO BE ADDED TO
LOTS 8 AND 9
WITHIN LOGAN PARK

LOGAN PARK
ZONED RA-5
CASE 2017 Z-11

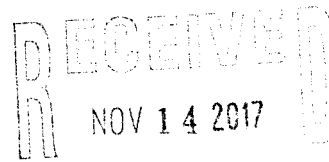
LOCATION MAP - NTS

NO WETLANDS OR FLOODPLAIN
ARE LOCATED WITHIN THE SITE



CONTACT:
JOHN LOYD
770.868.7591

THIS PROJECT IS PREPARED BY THE CONSULTING ENGINEER AND ARCHITECT IN ACCORDANCE WITH THE PROFESSIONAL SEAL AND STATUTE OF THE STATE OF GEORGIA. THE CONSULTING ENGINEER AND ARCHITECT ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE INFORMATION OBTAINED FROM OTHER SOURCES. THE CONSULTING ENGINEER AND ARCHITECT ARE NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE INFORMATION PROVIDED.



COBB COUNTY BOARD OF COMMISSIONERS
APRIL 18, 2017

REGULAR AGENDA (CONT.)

Z-11^{'17} **LOYD DEVELOPMENT SERVICES** (Kenneth E. Jenkins, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Detached Subdivision in Land Lot 131 of the 16th District. Located on the southeast side of Lee Waters Road (at its terminus), south of Jamerson Road. *(Previously continued by Staff until the April 4, 2017 Planning Commission hearing)*

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

MOTION: Motion by Birrell, second by Weatherford, to **approve** Z-11^{'17} to the **RA-5** zoning category, subject to:

1. Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. received by the Zoning Division on March 29, 2017, with attached *revised* site plan (attached and make a part of these minutes), with the following addition:
2. Notification and release from the property owners to make them aware that they are in an Industrial Compatible area, with language being approved by the District Commissioner
3. No more than 10% of the units shall be rental
4. Maximum of 22 lots
5. Planning Commission comments and recommendations, *not otherwise in conflict*
6. Fire Department comments and recommendations, *not otherwise in conflict*
7. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
8. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
9. Department of Transportation comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED** 4-1, Ott opposed

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

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

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

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

ADAM J. ROZEN

SLHB-LAW.COM

March 29, 2017

VIA HAND DELIVERY & 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 Loyd Development Services to Rezone a 6.3± Acre Tract from R-20 to RA-5 (No. Z-11).

Dear John:

As you know, I represent the Applicant concerning the above-captioned Application for Rezoning which is scheduled to be heard and considered by the Cobb County Planning Commission and Board of Commissioners next month.

In that regard, we recently, on March 21, 2017, submitted a Revised Site Plan and Stipulation Letter. As a follow-up to that submission, enclosed please find the requisite number of an additionally Revised Site Plan.

Neither the number of lots, the density nor other substantive matters have changed. However, you will note that the enclosed Revised Site Plan more fully delineates and better depicts the Open Space (16,116 square feet) and the positioning of detention on the site. Please do not hesitate to contact me should you have any questions whatsoever regarding these matters. With kind regards I am,

Very truly yours,

~~SAMS, LARKIN, HUFF & BALLI, LLP~~



Garvis L. Sams, Jr.
gsams@slhb-law.com

GLS/klk
Attachments/Enclosures
cc: Listed on next page

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

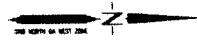
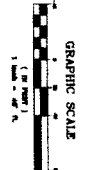
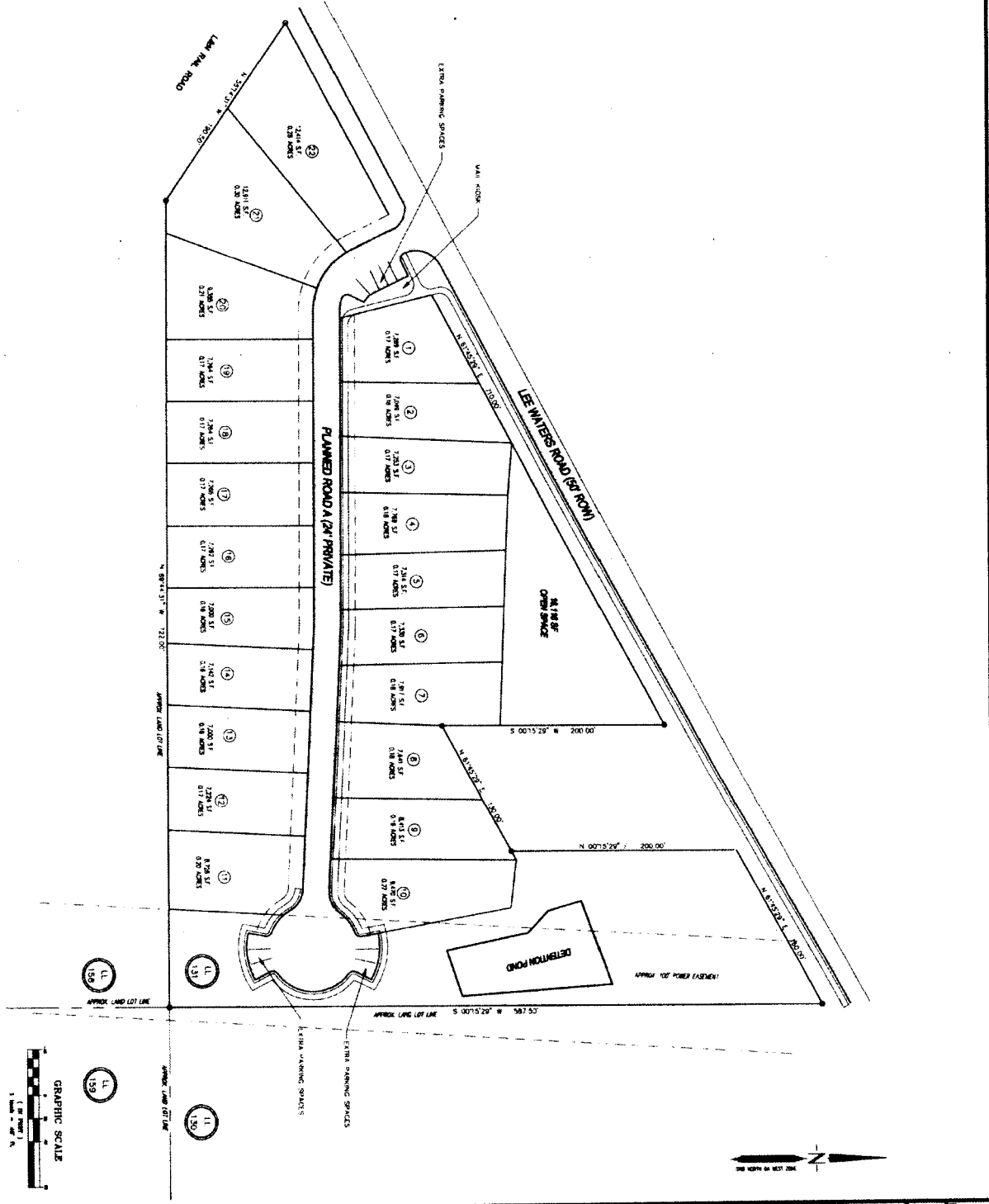
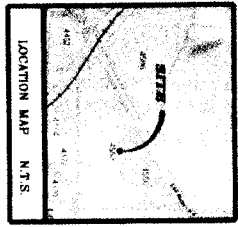
VIA HAND DELIVERY & EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
March 29, 2017
Page 2

cc: Members, Cobb County Board of Commissioners (via email w/attachment)
Members, Cobb County Planning Commission (via email w/attachment)
BOC Commission Assistants (via email w/attachment)
Mr. Dana Johnson, AICP Director (via email w/attachment)
Mr. Lee McClead, Deputy Director (via email w/attachment)
Mr. Jason S. Gaines, AICP Planning Manager (via email w/attachment)
Mr. Jason Campbell, Planner III (via email w/attachment)
Mr. Terry Martin, Planner II (via email w/attachment)
Mr. Donald Wells, Zoning Analyst (via email w/attachment)
Ms. Tannesha Bates, Zoning Analyst (via email w/attachment)
Ms. Pam Mabry, County Clerk (via email w/attachment)
Ms. Lori Barton, Deputy County Clerk (via email w/attachment)
Ms. Robin Presley, Deputy County Clerk (via email w/attachment)
Mr. David Breden, P.E. (via email w/attachment)
Ms. Amy Diaz, P.E. (via email w/attachment)
Ms. Ashley White, P.E. (via email w/attachment)
Mr. Tim Davidson (via email w/attachment)
Ms. Sheri George, GNPS (via email w/attachment)
Ms. Carol Brown, Chairman, CRN (via email w/attachment)
Mr. Mitch Green, owner of 4550 Lee Waters Road (via email w/attachment)
Mr. Fred Jones, owner of 4771 Lee Waters Road (via regular mail)
Mr. John Loyd, LDS (via email w/attachment)
Mr. Doug Patten, Centerline (via email w/attachment)

Petition No. 2-11
 Meeting Date 4-18-17
 Continued

ZONING: EXISTING ZONING R-20
 PROPOSED ZONING R-20
 DISTRICT: 15TH DISTRICT
 COUNTY: COBB COUNTY, GEORGIA
 DATE OF MEETING: 4/18/17
 DATE OF PETITION: 4/18/17
 PREPARED BY: CENTERLINE SURVEYING AND LAND PLANNING, INC.
 PROJECT NO.: 17-001



NO.	DATE	REVISION DESCRIPTION	BY

ZONING PLAN FOR:
LEE WATERS ROAD
 LAND LOT 151, 16TH DISTRICT,
 COBB COUNTY, GEORGIA

centerline
 Surveying and Land Planning, Inc.
 1307 SHELBY ROAD, SUITE 107A, DUNWOODY, GA 30115
 PHONE: (770) 241-2000 FAX: (770) 241-2001

