

**OCTOBER 16, 2018 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM OB-053

PURPOSE

To consider a stipulation amendment for 3757 Floyd Road Property, LLC regarding rezoning application Z-43 of 2017 for property located on the north side of Hurt Road, and on the east side of Floyd Road in Land Lots 848 and 849 of the 19th District (Floyd Road).

BACKGROUND

The subject property was rezoned to RM-8 in 2017 for a townhouse development subject many stipulations. The applicant was asking for 51 units which had a density of 6.98 units per acre. The Planning Commission recommended that the development be deleted to RA-6 and reduced to 44 units, which is 6.02 units per acre. The Board of Commissioners approved the rezoning request to the RM-8 zoning district subject to the Planning Commission recommendation. It has become unclear whether the Board of Commissioners intended for the applicant to have 44 units or 51 units, since the Board of Commissioners approved request to RM-8. If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

No comments.

RECOMMENDATION

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

ATTACHMENT

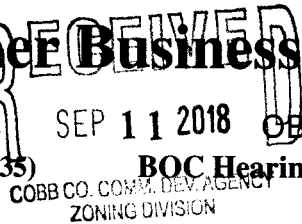
Other Business application.

(Stipulation Amendment)

Application for "Other Business"

Cobb County, Georgia

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



SEP 11 2018

OB Application No.: OB- 53 -2018

BOC Hearing Date Requested: October 16, 2018

Applicant: 3757 Floyd Rd Property, LLC

(applicant's name printed)

Phone #: (770) 368-3085

Address: 6685 Peachtree Industrial Boulevard, Doraville, GA 30360

E-Mail: pkelly@mki-inc.com

MOORE INGRAM JOHNSON & STEELE, LLP

J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

(representative's name, printed)

Marietta, GA 30060

BY: *J. Moore*

Phone #: (770) 429-1499

E-Mail: jkm@mijs.com

(representative's signature) Georgia Bar No. 519728



Signed, sealed and delivered in presence of:

Carolyn E. Cook

My commission expires: January 10, 2019

Notary Public

Titleholder(s): 3757 Floyd Rd Property, LLC

(property owner's name printed)

Phone #: (770) 368-3085

Address: 6685 Peachtree Industrial Boulevard, Doraville, GA 30360

E-Mail: pkelly@mki-inc.com

See Attached Exhibit "A"

(Property owner's signature)

Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Commission District: 4 (Cupid)

Zoning Case: Z-43 (2017)

Size of property in acres: 7.31 +/-

Original Date of Hearing: 08/15/2017

Location: Easterly side of Floyd Road; northwesterly side of Hurt Road

(street address, if applicable; nearest intersection, etc.) (3751 and portion of 3757 Floyd Road)

Land Lot(s): 848, 849

District(s): 19th

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)

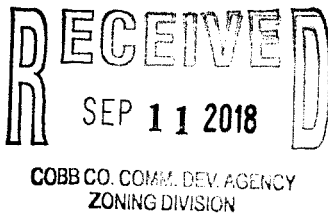
**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS
(STIPULATION AMENDMENT)**

OB Application No.: OB- 53 -2018
Application No: Z-43 (2017)
Original Hearing Date: August 15, 2017
Date of Zoning Decision: September 19, 2017
Current Hearing Date: October 16, 2018

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant/Titleholder: 3757 Floyd Rd Property, LLC


3757 Floyd Rd Property, LLC

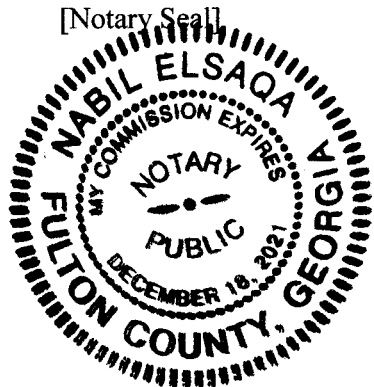


BY: 
Patrick Kelly
Managing Member

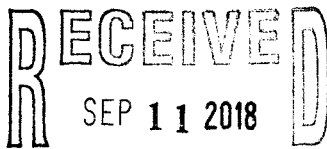
Date Executed: September 10, 2018
Address: 6685 Peachtree Industrial Boulevard
Doraville, Georgia 30360
Telephone No.: (770) 368-30854

Signed, sealed, and delivered in the presence of:


Notary Public
Commission Expires: 12/18/2021



**EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS
(STIPULATION AMENDMENT)**



COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

OB Application No.:	OB- <u>53</u> -2018
Application No:	Z-43 (2017)
Original Hearing Date:	August 15, 2017
Date of Zoning Decision:	September 19, 2017
Current Hearing Date:	October 16, 2018

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant/Titleholder: 3757 Floyd Rd Property, LLC

3757 Floyd Rd Property, LLC, as Applicant and Property Owner in this Application for "Other Business" (hereinafter collectively "Applicant"), is the owner of approximately 7.31 acres of real property located on the easterly side of Floyd Road and the northwesterly side of Hurt Road, Land Lots 848 and 849, 19th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). On September 19, 2017, the Cobb County Board of Commissioners approved development of the Property to the RM-8 zoning classification, with the final minutes referencing the Planning Commission Comments and Recommendations and certain other enumerated stipulations.

Through this Application for "Other Business," Applicant seeks clarification of the final Board of Commission minutes approving the rezoning. The clarification sought is as follows:

The Planning Commission Comments and Recommendations made through the Planning Commission minutes of August 1, 2017, are contradictory as the minutes incorporated the letter of agreeable conditions dated July 26, 2017 (copy accompanying this Application although not specifically attached to the Planning Commission minutes). Within the specific stipulations, the Planning Commission recommends a maximum of forty-four (44) units for the proposed development. The unit number set forth in the stipulation letter, adopted as part of the minutes, is fifty-one (51).

Applicant seeks clarification and approval by the Board of Commissioners that a maximum of fifty-one (51) units is the approved number of units for the proposed development.

The clarification sought herein in no way adversely impact or affect the quality or integrity of the development initially approved by the Cobb County Board of Commissioners, and is sought for clarification only.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and any attachments thereto, of the Board of Commissioners Zoning Hearing held on September 19, 2017, as to the rezoning of the Subject Property; as well as any other amendments by Board of Commission approval or District Commissioner approval, which are not otherwise in conflict herein, are unaltered or unchanged by this request for Site Plan and Stipulation Amendment.

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SEP 11 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
REZONING Z-43 (2017)
– SEPTEMBER 19, 2017**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 19, 2017
9:00 A.M.**

RECEIVED
SEP 11 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

The Board of Commissioners' Zoning Hearing was held on Tuesday, September 19, 2017 at 9:00 a.m. in the second floor public meeting room of the Cobb County Building A, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Mike Boyce
Commissioner JoAnn Birrell
Commissioner Cupid
Commissioner Bob Ott
Commissioner Bob Weatherford

Z-43 **3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting Rezoning from **PSC** and **GC** to **RM-8** for the purpose of a Townhome Community in Land Lots 848 and 849 of the 19th District. Located on the north side of Hurt Road, and on the east side of Floyd Road. *(Previously continued by the Board of Commissioners from their August 15, 2017 hearing until the September 19, 2017 Board of Commissioners hearing)*

The public hearing was opened, and Mr. Kevin Moore addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Cupid, second by Weatherford, to approve Z-43 to the **RM-8** zoning category, subject to:

- 1. Planning Commission comments and recommendations**
- 2. Applicant agrees that the exterior elevations of the proposed townhomes shall be substantially similar to the rendering attached to the September 18, 2017 email correspondence from Mr. Kevin Moore to Commissioner Cupid (attached and made a part of these minutes) in terms of the use of colors, as well as, the mixture and composition of the exterior materials (primarily brick, painted brick, and stone with accent areas consisting of hardi-shake, board and batten, and hardi-lap siding); final architectural elevations shall be approved to the District Commissioner during Plan Review**

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

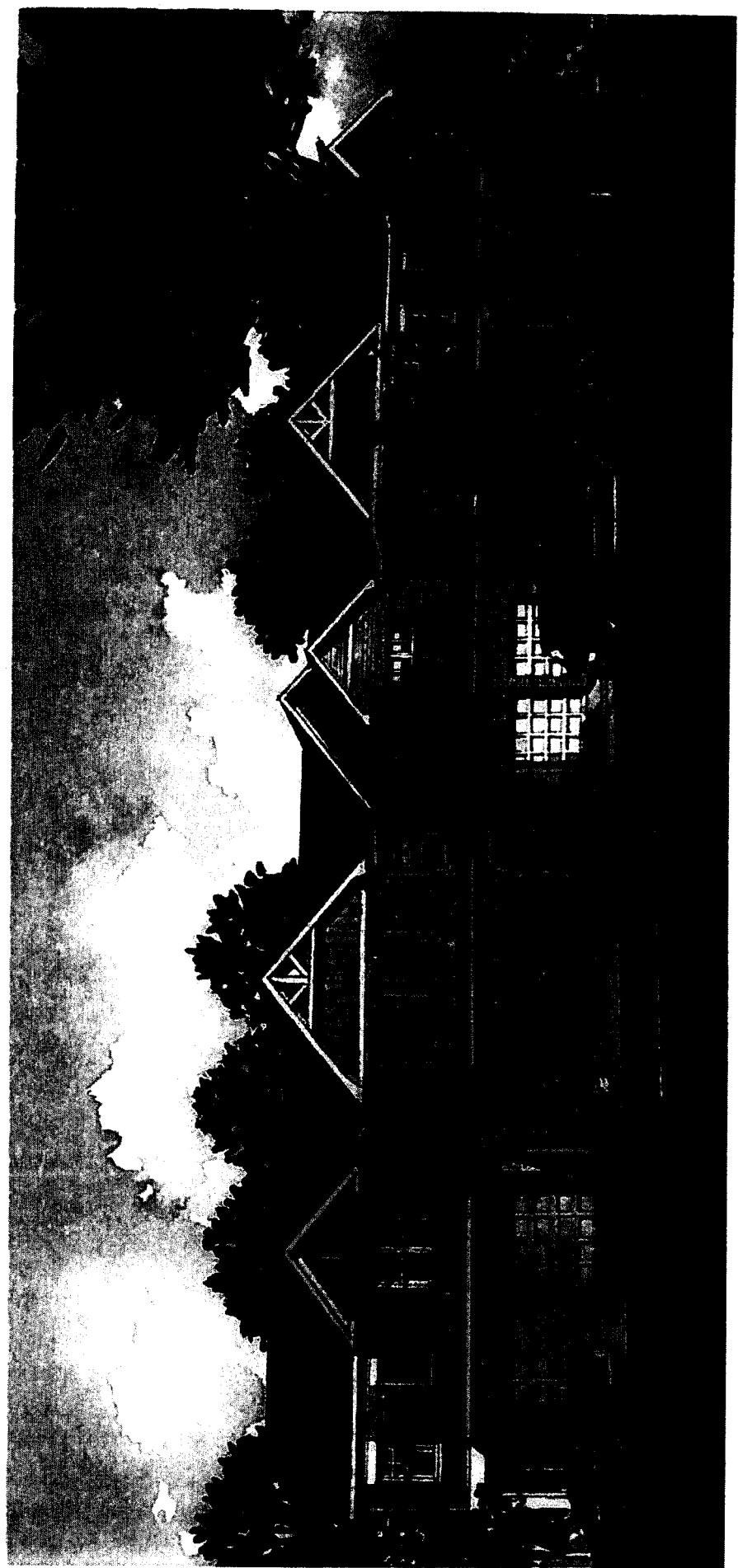
3. **Applicant agrees that prior to turnover of the mandatory homeowner's association to the future homeowners, Applicant shall establish a fund for the association for the future maintenance of the private streets, with a reasonably sufficient amount to enable the association to fund future maintenance costs on a sound financial basis**
4. **Pedestrian access to be provided to the north**
5. **List of interior options and amenities to be reviewed and approved by the District Commissioner during Plan Review**
6. **Staff comments and recommendations, *not otherwise in conflict***

VOTE: ADOPTED 5-0

Min. Bl. 82 Petition No. 2-43
Doc. Type Townhome rendering
attached to email (on State Zoning Division)
Meeting Date 9-19-17

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**MINUTES OF COBB COUNTY PLANNING
COMMISSION ZONING HEARING AS TO
APPLICATION FOR REZONING Z-43 (2017)
– AUGUST 1, 2017**

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 1, 2017
9:00 A.M.**

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

The Planning Commission Zoning Hearing was held on Tuesday, August 1, 2017 in the second floor public meeting room, Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Mike Terry, Chairman
Skip Gunther
Galt Porter
Thea Powell
Judy Williams

Z-43

3757 FLOYD RD PROPERTY, LLC (3757 Floyd Rd Property, LLC, owner) requesting Rezoning from **PSC** and **GC** to **RM-8** for the purpose of a Townhome Community in Land Lots 848 and 849 of the 19th District. Located on the north side of Hurt Road, and on the east side of Floyd Road.

The public hearing was opened, and Mr. Kevin Moore, Ms. Anita Green, Mr. Neal Zimmerman, Ms. Gayle Ollanove, Ms. Raeha Kim, and Ms. Martha Harding addressed the Commission. Following presentation and discussion, the following motion was made:

MOTION: Motion by Porter, second by Williams, to recommend deletion of Z-43 to the RA-6 zoning category, subject to:

1. Final site plan to be approved by the District Commissioner
2. Letter of agreeable conditions from Mr. John Moore dated July 26, 2017, *not otherwise in conflict* with Staff comments or stipulations stated herein (on file in the Zoning Division)
3. Elevations as presented at this hearing (on file in the Zoning Division); any other elevations to be approved by the District Commissioner
4. Maximum of 44 units (6.02 units per acre)
5. Minimum 15 foot landscape buffer on the eastern property line (this is in addition to any buffer required on the adjoining property); 30 foot buffer required on the northern and western property lines; if access road along the western property line is added, then 30 foot buffer will be east of that access
6. All fencing to be powder coated wrought iron style aluminum fencing, including detention area; District Commissioner to approve any other type fencing
7. All units to have a minimum of a two car garage; garages not to be converted to other uses and be used primarily for the parking of vehicles, with only incidental storage that does not interfere with the parking of vehicles; driveways in front of garages to be a minimum of 22 feet in length

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 1, 2017
9:00 A.M.**

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

The Planning Commission Zoning Hearing was held on Tuesday, August 1, 2017 in the second floor public meeting room, Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Mike Terry, Chairman
Skip Gunther
Galt Porter
Thea Powell
Judy Williams

Z-43

3757 FLOYD RD PROPERTY, LLC (CONT.)

- 8. Landscape and buffer plan to be approved by the County Arborist and District Commissioner**
- 9. No more than 10% of units to be rental and should be included in the covenants**
- 10. Guest parking to be at a ratio of one half space per unit and be included on the site plan**
- 11. The District Commissioner may approve minor modifications, *except* for those that:
 - A. Increase the density of a residential project or the overall square footage of a non-residential project**
 - B. Cause a reduction in the size of an approved buffer**
 - C. Cause the relocation of a structure closer to the property line of an adjacent property that is zoned the same or is more restrictive zoning**
 - D. Increase the height of a building that is adjacent to a property that is zoned the same or is in a more restrictive zoning category**
 - E. Change access to a different roadway**
 - F. Change that is in conflict with an expressed stipulation or condition in this zoning**
 - G. Requires a variance or violates Cobb County Ordinance****
- 12. Staff comments and recommendations, *not otherwise in conflict*, including Zoning Division, Planning Division, Fire Department, Water and Sewer Division, Stormwater Management Division, and Department of Transportation**

VOTE: ADOPTED 5-0

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**STIPULATION LETTER DATED AND FILED
JULY 26, 2017, AS TO Z-43 (2017)**

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

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STEPHEN C. STEELE
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ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
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VICTOR P. VALMUS
ANGELA H. SMITH†
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ANGELA D. TARTLINE
PHILIP C. THOMPSON
SHANE MAYES
ALEXANDER B. MORRISON*

GREGORY H. FULLER*
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RYAN M. INGRAM
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CHARLES E. PIERCE*
WILMA R. BUSH
TODD I. HEIRD*
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JULIE C. FULLER*
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NORBERT D. HUMMEL, IV
DAVID P. CONLEY
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JACKSONVILLE, FLORIDA 32268
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BRENTWOOD, TENNESSEE 37027
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2333 ALEXANDRIA DRIVE
LEXINGTON, KENTUCKY 40504
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885 ISLAND PARK DR • STE B
CHARLESTON, SOUTH CAROLINA 29492
TELEPHONE (843) 302-0002

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7380 W. SAND LAKE RD • STE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-8233

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CHRISTIAN H. LAYCOCK
LIZA D. HARRELL**
JESSICA A. KING
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CHRISTOPHER W. SHERMAN*
KENNETH D. HALL
RAHUL SHETH
GRANT S. TALL
KIMBERLY E. YOUNG*
BRENT R. LAMAN*
CHRISTOPHER R. BROOKS*
ALLISON M. HELSINGER*
MICHAEL R. BEANE*
MICHAEL E. PATTERSON***
NELOFAR AGHARAHIMI*
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JARED C. WILLIAMS***
CHRISTOPHER G. ROWE*
TIFFANY B. SHERRILL*
DAVID W. SAMMONS*
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LAUREN E. SMITH*
LESLIE M. ROWE
TAYLOR W. WILLIAMS
ALAN M. LONG
MATTHEW R. HALL*
TYLER S. WATERFIELD**

OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
*** ALSO ADMITTED IN CA
^ ALSO ADMITTED IN TX
^ ALSO ADMITTED IN AL
^ ALSO ADMITTED IN KY
^ ALSO ADMITTED IN SC
^ ALSO ADMITTED IN NC
^ ALSO ADMITTED IN IN
^ ALSO ADMITTED IN NY
^ ADMITTED ONLY IN TN
^ ADMITTED ONLY IN FL
^ ADMITTED ONLY IN SC
^ ADMITTED ONLY IN KY

July 26, 2017

Hand Delivered

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

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JUL 26 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

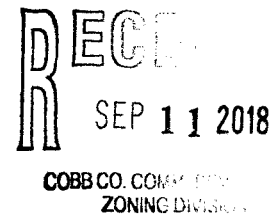
RE: Application for Rezoning - Application No. Z-43 (2017)
Applicant/Property Owner: 3757 Floyd Rd Property, LLC
Property: 7.31 acres, more or less, located on the north side of Hurt Road and the east side of Floyd Road (3751 and a portion of 3757 Floyd Road), Land Lots 848 and 849, 19th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent 3757 Floyd Rd Property, LLC, who is the Applicant and Property Owner (hereinafter collectively "Applicant"), in its Application for Rezoning with regard to property located on the north side of Hurt Road and the east side of Floyd Road, being 3751 and a portion of 3757 Floyd Road, totaling 7.31 acres, more or less, Land Lots 848 and 849, 19th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meeting with Planning and Zoning Staff and various Cobb County Departmental Representatives, reviewing the Departmental Comments and Staff

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 7
July 26, 2017



Recommendations; as well as the uses of surrounding properties, and discussions and meetings with area residents and homeowner representatives, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (1) The 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 on the Subject Property; together with any and all prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning category of Planned Shopping Center ("PSC") to the proposed zoning category of RM-8, site plan specific to the Rezoning Plat prepared by DGM Land Planning Consultants, Inc. dated and last revised July 24, 2017, and filed with the Zoning Office contemporaneously with the filing of this stipulation letter. A reduced copy of the revised Rezoning Plat is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (3) By this letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Rezoning Plat for the proposed development, hereinabove referenced, same being prepared for Applicant by DGM Land Planning Consultants, Inc. dated and last revised July 24, 2017, and filed with the Zoning Office contemporaneously with the filing of this letter of agreeable stipulations and conditions.
- (4) The Subject Property shall be developed for a residential community, in the townhome style, containing a maximum of fifty-one (51) residences.
- (5) The proposed townhomes shall have a minimum of 1,800 square feet, ranging upwards to 2,400 square feet, and greater.
- (6) The proposed townhomes shall be traditional in style and architecture and shall have minimum two-car garages, which shall not be converted to heated and cooled living space nor used solely for storage. Applicant shall include this restriction in the Declaration of Covenants, Easements, and Restrictions to be enforced by the mandatory homeowners association.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 7
July 26, 2017

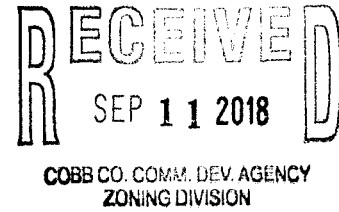
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COBB CO. COMMUNITY DEVELOPMENT
ZONING DIVISION

- (7) The front elevations of the proposed townhomes shall have a minimum of seventy (70) percent masonry (i.e., brick, stone or stacked stone, or any combination thereof); as well as “carriage-style” garage doors. Side and rear elevations of the proposed townhomes may also utilize masonry (i.e., brick, stone, stacked stone, or combinations thereof); as well as, stucco, cement fiber, board and batten, cement lap siding, cement shake, or cedar shake shingles, or combinations thereof, all in keeping with the appropriate style and architecture and use of such products on the front elevations. No vinyl materials shall be used on the exterior of the proposed townhome residences. The townhomes within the proposed community shall be substantially similar in style and architecture to the elevations to be submitted at the upcoming hearings.
- (8) Applicant agrees to install a solid wooden privacy fence around the proposed community. This privacy fence shall be substantially similar to the privacy fence at Robinson Park Subdivision.
- (9) The proposed residential community shall be a “condominium” development as that term is used and defined under the Cobb County Zoning Ordinance and shall comply in all respects with the Cobb County Zoning Ordinance; and shall not be subject to the “Georgia Condominium Act.”
- (10) Applicant agrees to the recording and enforcement of a Declaration of Restrictive Covenants which shall contain covenants, rules, and regulations applicable to the proposed townhome community.
- (11) Additionally, and in conjunction with the Declaration of Restrictive Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space, private streets, mail kiosk, exterior yard areas and home exteriors, stormwater management area, and the like, contained within the community.
- (12) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the townhomes, as offered by the power provider.
- (13) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, stucco,

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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July 26, 2017

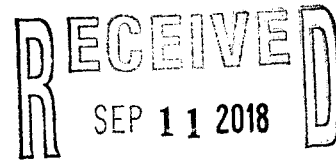


or combinations thereof, with accents, complementary to materials used in the construction of the homes within the community. Maintenance of the entrance area shall be by the mandatory homeowners association as set forth in the declaration of covenants, easements, and restrictions. The landscaping within the entrance area shall be irrigated.

- (14) The setbacks for the proposed community shall be as follows:
 - (a) Front setback - Fifty (50) feet (collector);
 - (b) Side setback - Thirty-five (35) feet; and
 - (c) Rear setback - Forty (40) feet.
- (15) The open space area, as more particularly shown on the Rezoning Plat, shall be used by the residents for passive recreational purposes, including connectivity to existing sidewalks and trails, if any, located outside and in close proximity to the proposed community.
- (16) The proposed townhome community shall have private streets, twenty-four (24) feet in width, from back-of-curb to back-of-curb. Construction of the private streets shall comply in all respects as to materials, base, and other requirements with the Cobb County Code.
- (17) Applicant shall be allowed to provide for a gated community, at its option, but consistent with Cobb County requirements.
- (18) All utilities servicing the residences within the proposed community shall be located underground.
- (19) All landscaping referenced herein; including, but not limited to, the frontage, entrance area, and open space areas, shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community.
- (20) Detention facilities for the proposed community shall be screened by black, vinyl-clad chain link fencing. The fencing shall be six (6) feet in height with landscaping to the exterior of the fencing for purposes of visual screening.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 5 of 7
July 26, 2017



COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

- (21) Minor modifications to the within stipulations, the referenced Rezoning Plat, lighting, landscaping, building architecture, signage, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;
 - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district; or
 - (e) Change an access location to a different roadway.
- (22) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (23) Applicant agrees to comply with all Cobb County Development Standards and Ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (24) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed by Cobb County or any utility provider.
- (25) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property during development of infrastructure and construction of townhomes, and shall not be parked on or along Floyd Road or Hurt Road, or the sidewalks along Floyd Road or Hurt Road.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 6 of 7
July 26, 2017

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SEP 11 2018

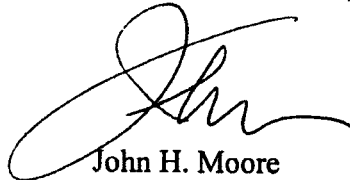
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

We believe the requested zoning, together with the Rezoning Plat and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration developments and uses of properties in the surrounding area. The proposed residential townhome community shall be a quality development and shall be compatible with surrounding neighborhoods and an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Attachment

c: Cobb County Board of Commissioners:
Mike Boyce, Chairman
JoAnn Birrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford
(With Copy of Attachment)

Cobb County Planning Commission:
Mike Terry, Chairman
Thea Powell
Judy Williams
Skip Gunther
Galt Porter
(With Copy of Attachment)

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 7 of 7
July 26, 2017

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

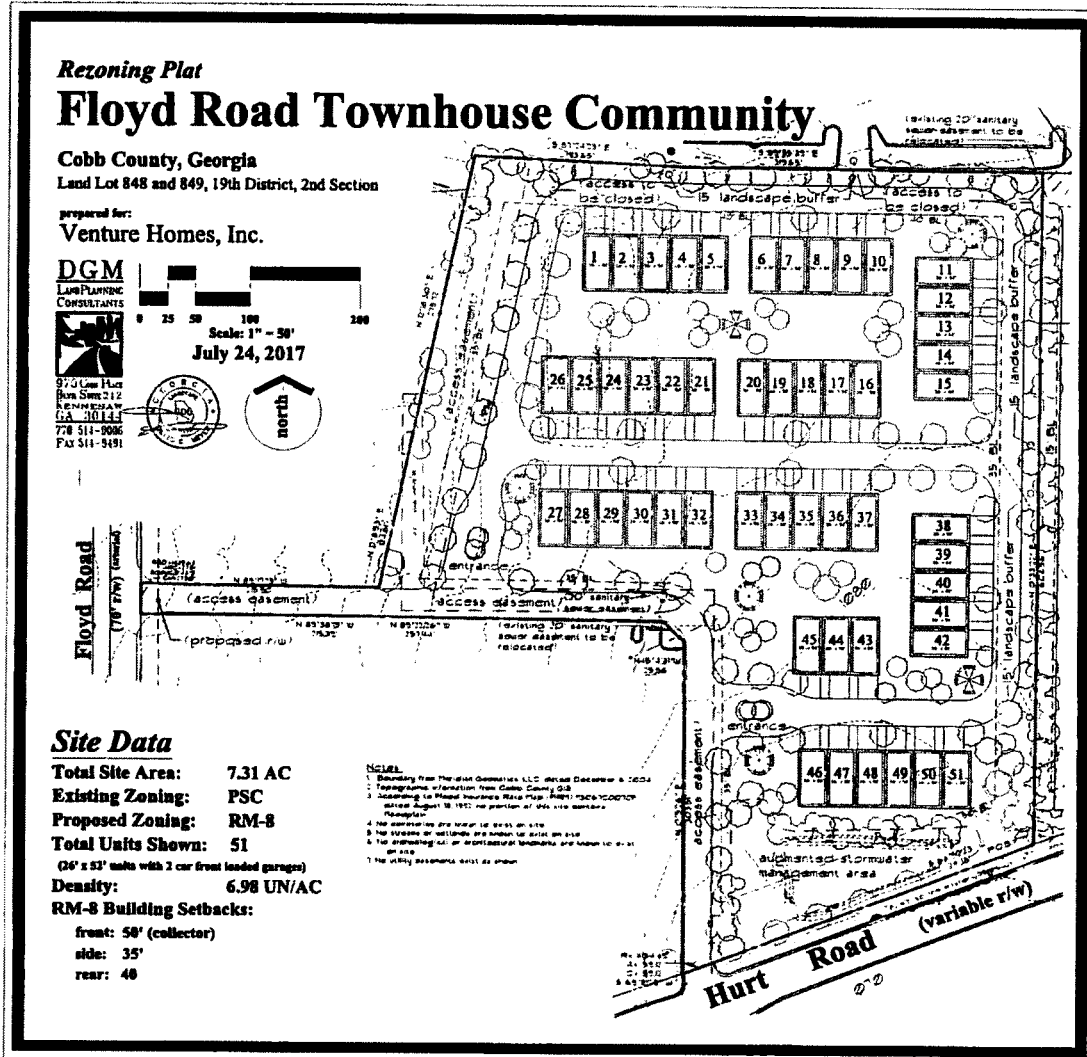
c: Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Bob Corn
Area Resident
(With Copy of Attachment)

3757 Floyd Rd Property, LLC
Venture Homes, LLC
(With Copy of Attachment)

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ZONING DIVISION

EXHIBIT "A"

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**2017 PAID AD VALOREM PROPERTY TAX
RECIPT FOR SUBJECT PROPERTY
(TAX PARCEL NO. 18084900080)**



Printed: 9/9/2018

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
3757 FLOYD ROAD LLC

3757 FLOYD RD PROPERTY LLC

Payment Date: 10/16/2017

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2017	19084900080	10/15/2017	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$9,515.67	\$0.00	



Scan this code with your mobile phone to view this bill!

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ZONING DIVISION