

PRELIMINARY ZONING ANALYSIS

Planning Commission Hearing Date: August 4, 2009
Board of Commissioners Hearing Date: August 18, 2009

Due Date: June 26, 2009

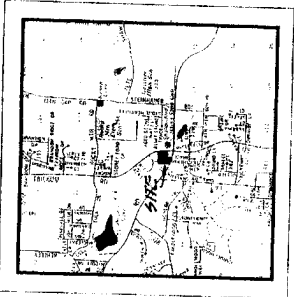
Date Distributed/Mailed Out: June 10, 2009



Cobb County... Expect the Best!

Z-23
(2009)

AREA THESE TRACTS
 TRACT "A" 93,791.79 SQ. FT.
 2.1531 ACRES
 TRACT "B" 10,253.1 ACRES
 0.2349 ACRES
 TRACT "C" 18,966.00 SQ. FT.
 0.4354 ACRES



LOCATION MAP
NOT TO SCALE

REFERENCE MATERIAL
 PROPOSED SITE DEVELOPMENT PLAN FOR
 A SURVEY BY ASSOC. INC. DATED MAY
 15, 1991, AND REVISED 6-23-1983.

FLOOD HAZARD NOTE

The Flood Hazard Zone shown on this plan is based on a 1% Annual Exceedance Probability (AEP) Flood. The Flood Hazard Zone is shown on this plan as a shaded area. The Flood Hazard Zone is shown on this plan as a shaded area. The Flood Hazard Zone is shown on this plan as a shaded area.

PRECISION OF SURVEY

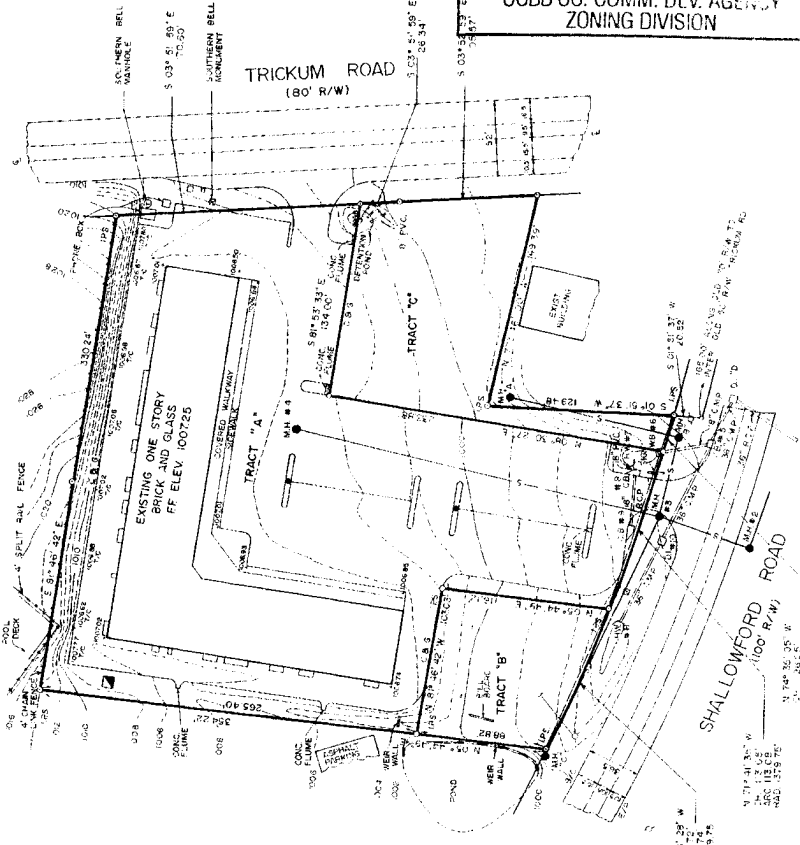
The field data upon which this plan is based has a relative precision of 1:50,000. The field data has a relative precision of 1:50,000. The field data has a relative precision of 1:50,000.



David A. Burre Engineers & Surveyors, Inc.
 Consulting — Surveying — Land Planning
 11660 Alpharetta Hwy. Suite 100 Roswell, Ga 30076 (404) 412-9500



RECORDED
 JUN 4 2009
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION



NO.	DATE	REVISION
1	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
2	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
3	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
4	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
5	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
6	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
7	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
8	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
9	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
10	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR

LASSITER VILLAGE
 2.50 SECTION COBB COUNTY GA

NO.	DATE	REVISION
1	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
2	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
3	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
4	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
5	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
6	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
7	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
8	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
9	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
10	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR

NO.	DATE	REVISION
1	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
2	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
3	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
4	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
5	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
6	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
7	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
8	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
9	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR
10	06/04/09	AS-BUILT AND TOPOGRAPHIC SURVEY FOR

- LEGEND
- 1. WEB BAY
 - 2. RETAINING WALL
 - 3. CONCRETE
 - 4. BRICK
 - 5. GLASS
 - 6. METAL
 - 7. ASPHALT
 - 8. GRAVEL
 - 9. SAND
 - 10. GRAVEL
 - 11. SAND
 - 12. GRAVEL
 - 13. SAND
 - 14. GRAVEL
 - 15. SAND
 - 16. GRAVEL
 - 17. SAND
 - 18. GRAVEL
 - 19. SAND
 - 20. GRAVEL
 - 21. SAND
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 - 26. GRAVEL
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 - 93. SAND
 - 94. GRAVEL
 - 95. SAND
 - 96. GRAVEL
 - 97. SAND
 - 98. GRAVEL
 - 99. SAND
 - 100. GRAVEL

NOTE: TOPOGRAPHY SHOWN HEREON
 IS PER GROUND METHODS
 CONTOUR INTERVAL IS TWO
 (2) FEET



GRAPHIC SCALE

APPLICANT: Shallowford, Ltd.

404-256-0268

REPRESENTATIVE: Larry J. Baugh

404-256-0268

TITLEHOLDER: Shallowford, Ltd.

PROPERTY LOCATION: Located at the northwesterly intersection of Shallowford Road and Trickum Road.

ACCESS TO PROPERTY: Shallowford Road, Trickum Road

PHYSICAL CHARACTERISTICS TO SITE: Existing shopping center

PETITION NO: Z-23

HEARING DATE (PC): 08-04-09

HEARING DATE (BOC): 08-18-09

PRESENT ZONING: GC

PROPOSED ZONING: NRC

PROPOSED USE: Shopping Center

SIZE OF TRACT: 2.397 acres

DISTRICT: 16

LAND LOT(S): 310

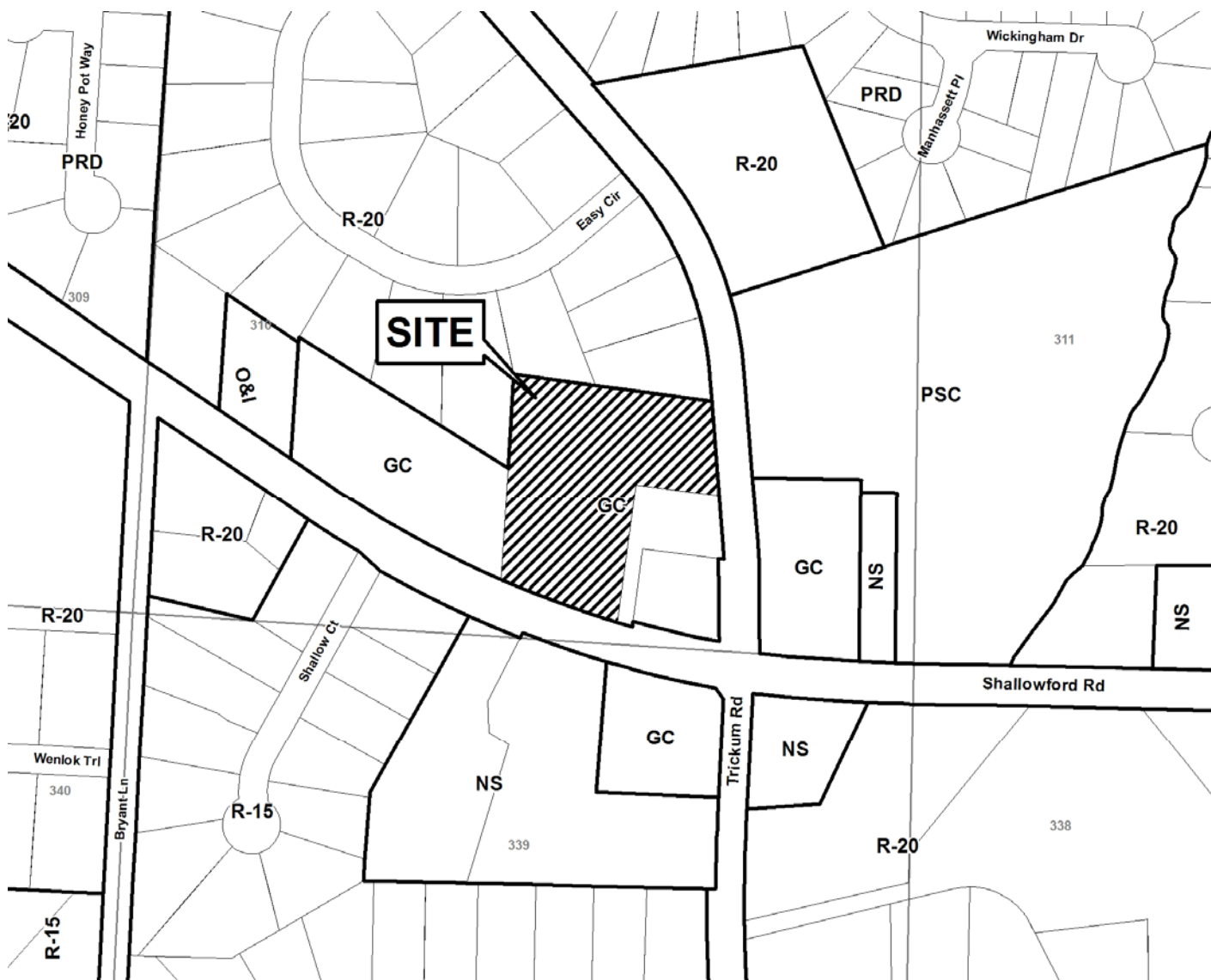
PARCEL(S): 3

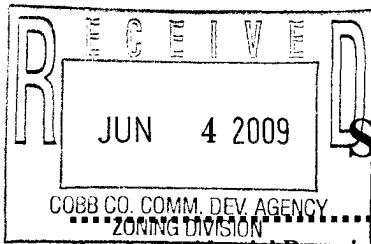
TAXES: PAID X DUE _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Neighborhood Activity Center





Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): _____
- b) Proposed building architecture: _____
- c) Proposed selling prices(s): _____
- d) List all requested variances: _____

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

- a) Proposed use(s): change to Neighborhood Retail Commercial (NRC)
from General Commercial (GC)
- 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)

At Commissioner Bob Ott's request, we are asking
for rezoning as to be in line with Cobb County's
current zoning criteria

.....
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).

No

**Z-24
(2009)**



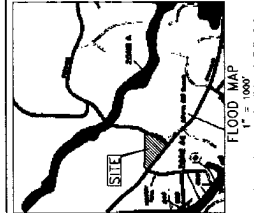
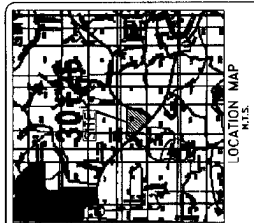
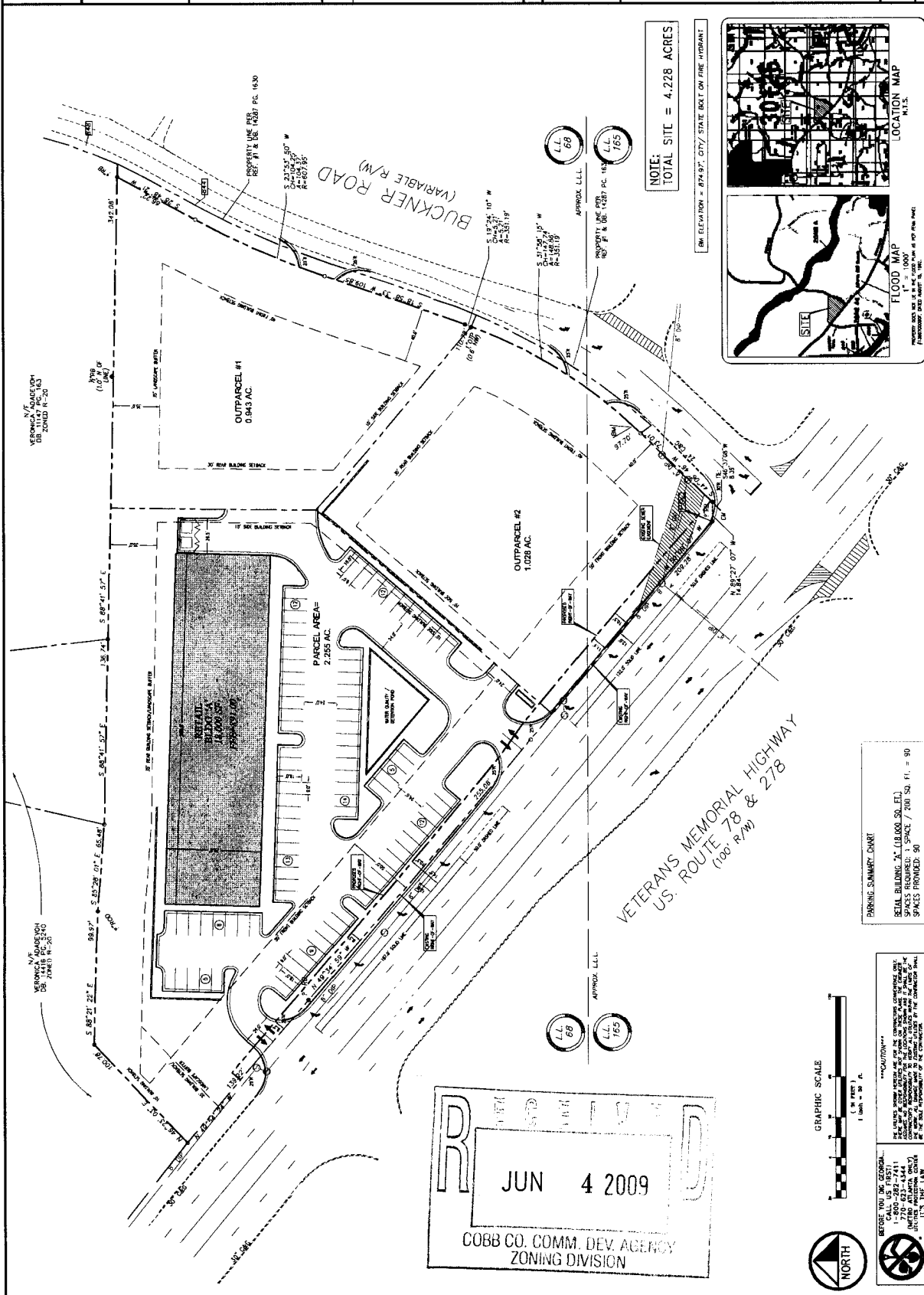
HIGHLAND ENGINEERING, INC.
 1453 LINDEN PARKWAY, SUITE 200
 ATLANTA, GEORGIA 30345
 WWW.HIGHLANDENG.COM
 (404) 708-2121 FAX: 708-2122

William C. Gibbs (Designer)
 115 Springs Alley
 Cape Hope, FL 33946
 (941) 698-0080

No.	Revision	Date

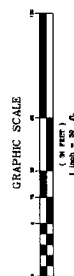
Project No. 09-010 No. _____
 Design By: CGB
 Drawn By: CGB
 Checked By: CGB
 Date: 6/1/09

ZONING PLAN
 BUCKNER ROAD
 COBB COUNTY, GEORGIA
 LAND LOTS 68 & 165 - 18th DISTRICT - 2ND SECTION
 Drawing No. _____
 Scale: _____
 Date: _____



NOTE:
 TOTAL SITE = 4.228 ACRES
 MIN. ELEVATION = 874.97, CITY/STATE DOT ON FIRE HYDRANT

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JUN 4 2009
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION



BEFORE YOU DR. GEORGIA... CALL US FIRST! 1-770-633-4344
 WE URGE YOU TO CONTACT THE COBB COUNTY PLANNING AND ZONING DEPARTMENT FOR A PRELIMINARY REVIEW OF YOUR PROJECT BEFORE YOU SUBMIT YOUR APPLICATION TO THE COBB COUNTY COMMISSION. WE WILL BE AVAILABLE TO ASSIST YOU THROUGHOUT THE ENTIRE PROCESS.

PARKING SUMMARY SHEET
 RETAIL BUILDING: 3' (18,000 SQ. FT.)
 SPACES REQUIRED: 1 SPACE / 700 SQ. FT. = 90
 SPACES PROVIDED: 90

VERONICA MADRICH
 DE 71418 PG. 3240
 N/E

VERONICA MADRICH
 DE 71418 PG. 3240
 N/E

APPLICANT: William E. Gillan

941-698-0080

REPRESENTATIVE: Sams, Larkin & Huff, LLP

Garvis L. Sams, Jr. 770-422-7016

TITLEHOLDER: William E. Gillan and Lee James Wagner

PROPERTY LOCATION: Located at the northwesterly intersection of Veterans Memorial Highway and Buckner Road.

ACCESS TO PROPERTY: Veterans Memorial Highway, Buckner Road

PHYSICAL CHARACTERISTICS TO SITE: _____

PETITION NO: Z-24

HEARING DATE (PC): 08-04-09

HEARING DATE (BOC): 08-18-09

PRESENT ZONING: GC, NRC, R-20

PROPOSED ZONING: NRC

PROPOSED USE: Office And Retail

SIZE OF TRACT: 4.228 acres

DISTRICT: 18

LAND LOT(S): 68, 165

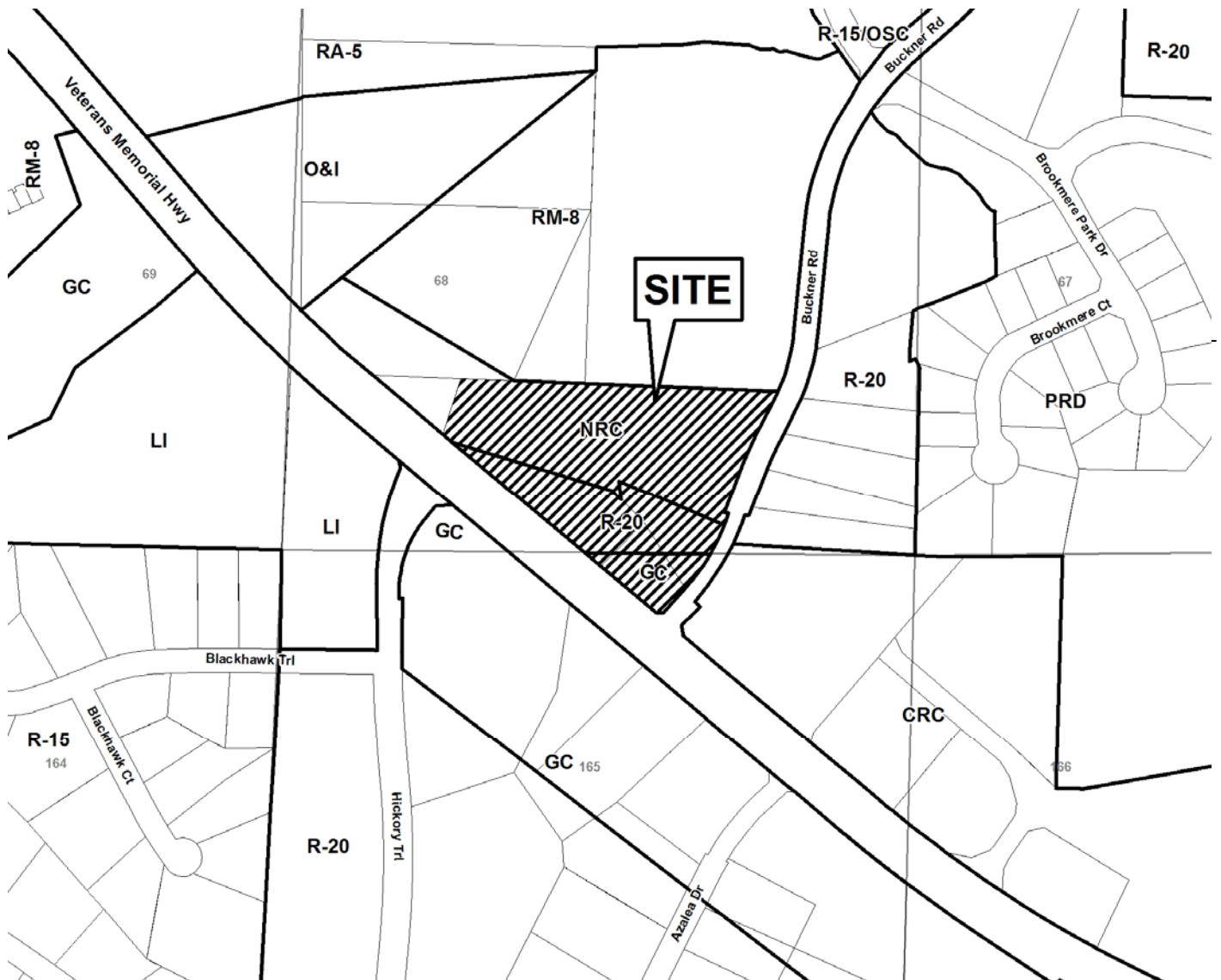
PARCEL(S): 8, 2-4

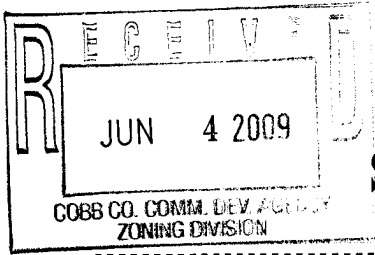
TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Neighborhood Activity Center, Community Activity Center, Med. Density Res.





Application No. z-24
2009

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed selling prices(s): _____
 - d) List all requested variances: _____
- _____
- _____
- _____

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

- a) Proposed use(s): Office and Retail.
 - b) Proposed building architecture: Traditional – a mixture of brick, stacked stone and EFIS.
 - c) Proposed hours/days of operation: The retail and office will be dependent upon the ultimate occupants/users.
 - d) List all requested variances: None.
- _____
- _____
- _____

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

The subject property is situated within the confines of a Community Activity Center on Cobb County's Future Land Use Map which contemplates commercial and institutional utilization of the subject property.

*The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

Center Point
ENGINEERING

1000 BUCKINGHAM AVENUE
SUITE 200
ALPHARETTA, GEORGIA 30201
P: 770.383.3333
F: 770.383.3334
WWW.CPENG.COM

CORPORATE DEVELOPMENT
CORPORATE EDGE
ASSOCIATES, LLC
1000 BUCKINGHAM AVENUE
SUITE 200
ALPHARETTA, GEORGIA 30201
P: 770.383.3333
F: 770.383.3334
WWW.CPENG.COM

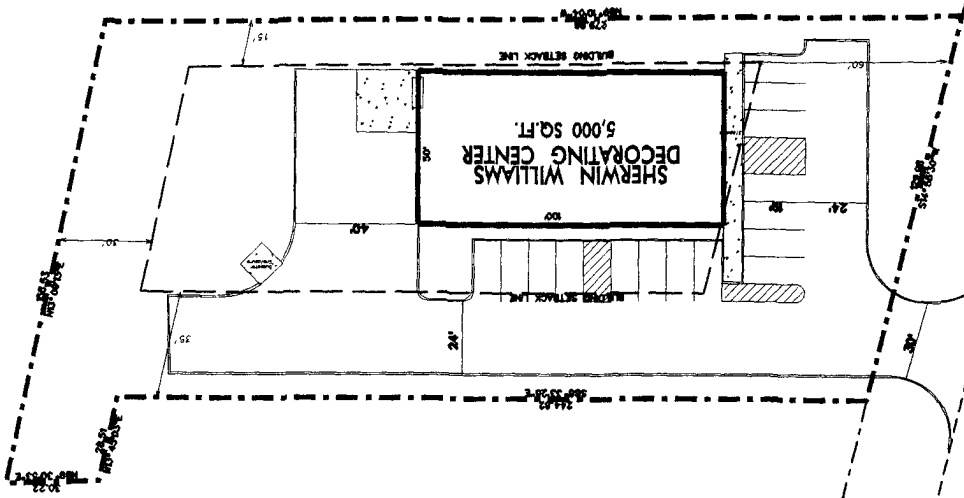
24 HR. EMERGENCY
SERVICES
CALL 770.383.3333

SHERWIN WILLIAMS
DECORATING CENTER

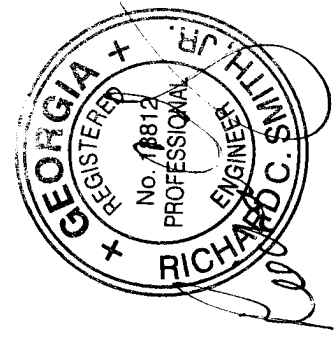
ZONING

Z-25
(2009)

DATE	1/11/09	SCALE	AS SHOWN	SHEET	1 OF 1
REVISION	RIGHT TO COBB COUNTY ENGINEERING				
DESIGNER	P.A. LAMAR				
DRAWN	P.A. LAMAR				
CHECKED	P.A. LAMAR				
DATE	1/11/09				
PROJECT NO.	1000 BUCKINGHAM AVENUE				



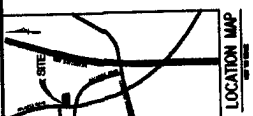
1. THIS PARCEL IS LOCATED ENTIRELY WITHIN LAND LOT 745, 17th DISTRICT.
2. NO LAKES OR STREAMS EXIST ON SITE.
3. NO UTILITY EASEMENTS EXIST ON SITE.
4. NO PORTION OF THIS PROPERTY IS WITHIN A 100 YEAR FLOODPLAIN AREA.
5. NO WETLANDS EXIST ON SITE.
6. NO STREAM BUFFERS EXIST ON SITE.



24 HR. EMERGENCY CONTRACT
SERVICES
CALL 770.383.3333

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ZONING DIVISION

ATLANTA ROAD (R / W VARIES)
NO ADDITIONAL RIGHT-OF-WAY REQUIRED



APPLICANT: Corporate Ridge Associates, LLC

770-919-1500

REPRESENTATIVE: Mike Samples

770-919-1500

TITLEHOLDER: Maris Pantels

PROPERTY LOCATION: Located on the east side of Atlanta Road,
north of Gilmore Road.

ACCESS TO PROPERTY: Atlanta Road

PHYSICAL CHARACTERISTICS TO SITE: _____

PETITION NO: Z-25

HEARING DATE (PC): 08-04-09

HEARING DATE (BOC): 08-18-09

PRESENT ZONING: R-20

PROPOSED ZONING: LRC

PROPOSED USE: Decorating And
Design Center

SIZE OF TRACT: 0.8 acre

DISTRICT: 17

LAND LOT(S): 745

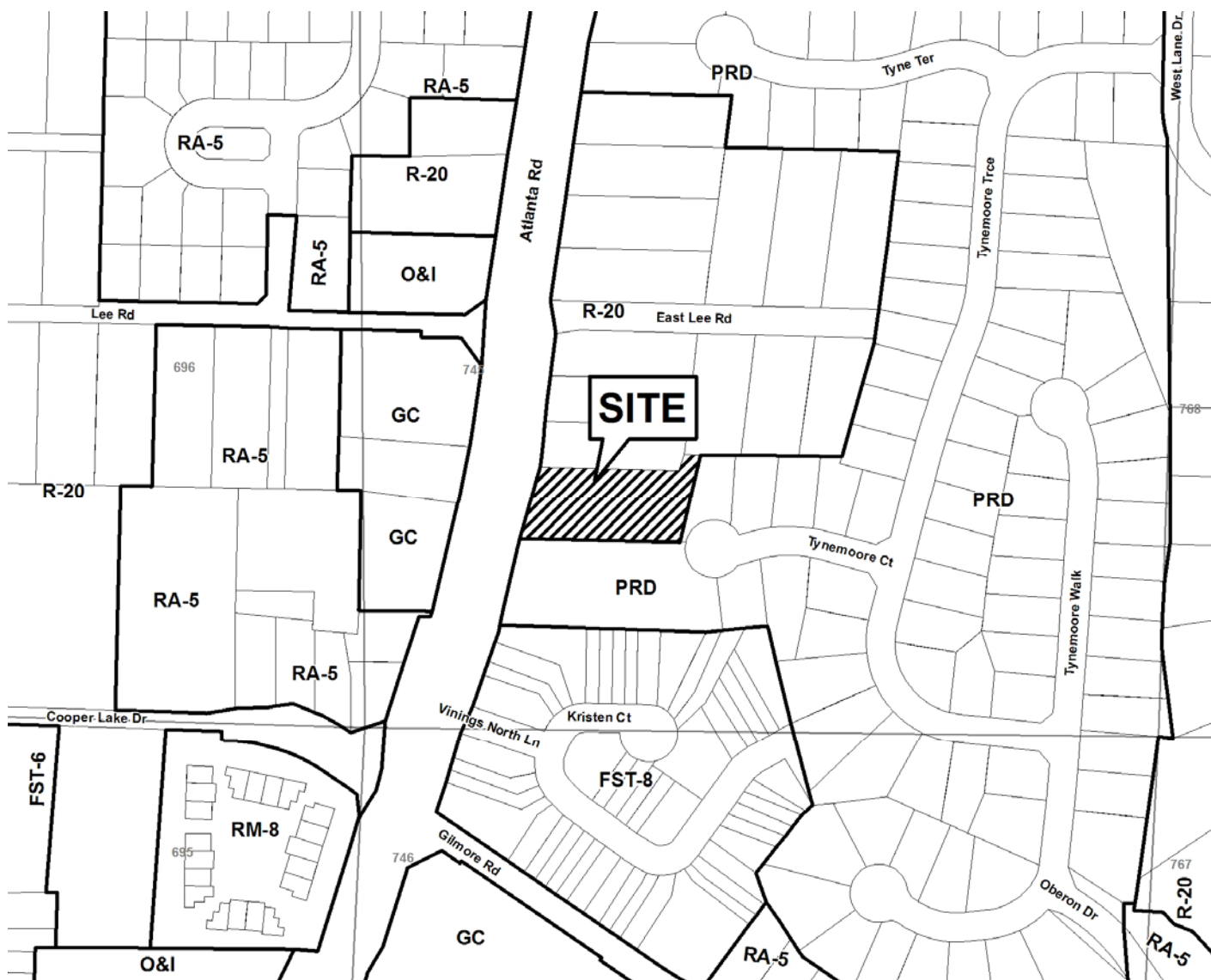
PARCEL(S): 17

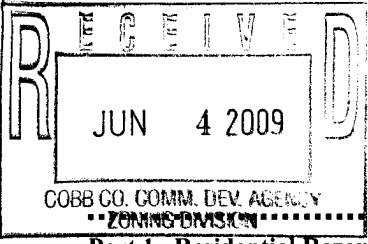
TAXES: PAID X DUE _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: High Density Residential





Summary of Intent for Rezoning

Part 1. Residential Rezoning Information (attach additional information if needed) *NOT APPLICABLE*

- a) Proposed unit square-footage(s): _____
- b) Proposed building architecture: _____
- c) Proposed selling prices(s): _____
- d) List all requested variances: _____

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

- a) Proposed use(s): DECORATING CENTER
- b) Proposed building architecture: BRICK, WILL COMPLY WITH COBB COUNTY ARCHITECTURAL GUIDELINES.
- c) Proposed hours/days of operation: MONDAY - FRIDAY 7:00 AM TO 6:00 PM
SATURDAY 7:00 AM TO 5:00 PM SUNDAY 11:00 AM TO 3:00 PM
- d) List all requested variances: NONE

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

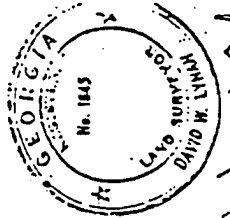
NONE

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).

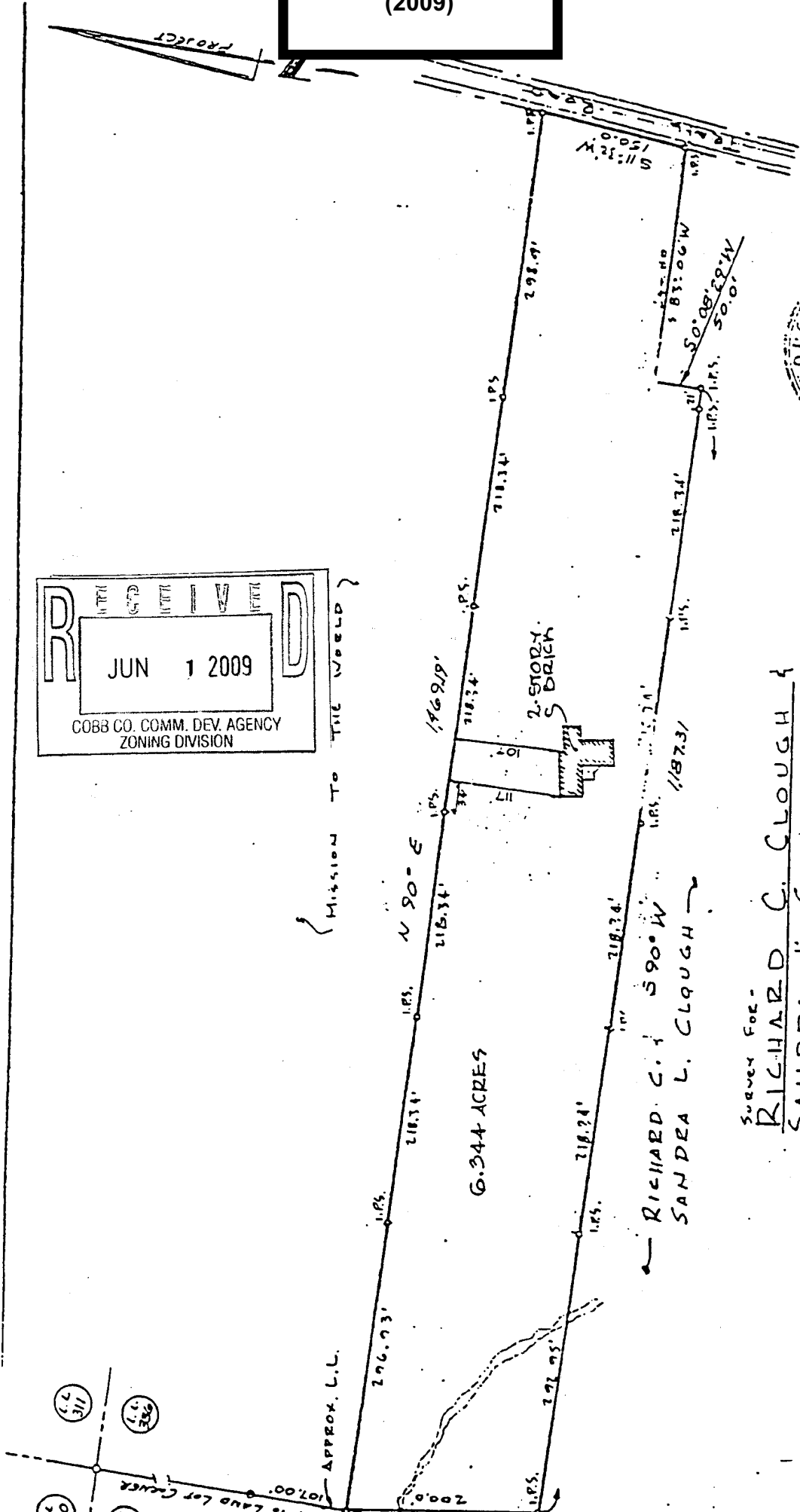
No

LUP-19
(2009)

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ZONING DIVISION



David W. Linn



MISSION TO THE WORLD

6.344 ACRES

2-STORY BRICK

RICHARD C. CLOUGH
SANDREA L. CLOUGH

SURVEY FOR

RICHARD C. CLOUGH
SANDREA L. CLOUGH

LAND LOT 336, 20TH DISTRICT,
INSPECTION, COBB COUNTY, GA.

D.W. LYNN SURVEYORS

DEC. 21, 1980
REV. FEB. 16, 1988
REV. JUNE 8, 1988

APPLICANT: Sandy Clough
770-428-9406

REPRESENTATIVE: Rick Clough
770-428-9406

TITLEHOLDER: Sandy L. Clough and Richard C. Clough

PROPERTY LOCATION: Located on the west side of Trail Road,
northwesterly of Midway Road (25 Trail Road).

ACCESS TO PROPERTY: Trail Road

PHYSICAL CHARACTERISTICS TO SITE: Existing house

PETITION NO: LUP-19

HEARING DATE (PC): 08-04-09

HEARING DATE (BOC): 08-18-09

PRESENT ZONING: R-30

PROPOSED ZONING: Land Use Permit
(Renewal)

PROPOSED USE: Artist Studio

SIZE OF TRACT: 11 acres

DISTRICT: 20

LAND LOT(S): 336

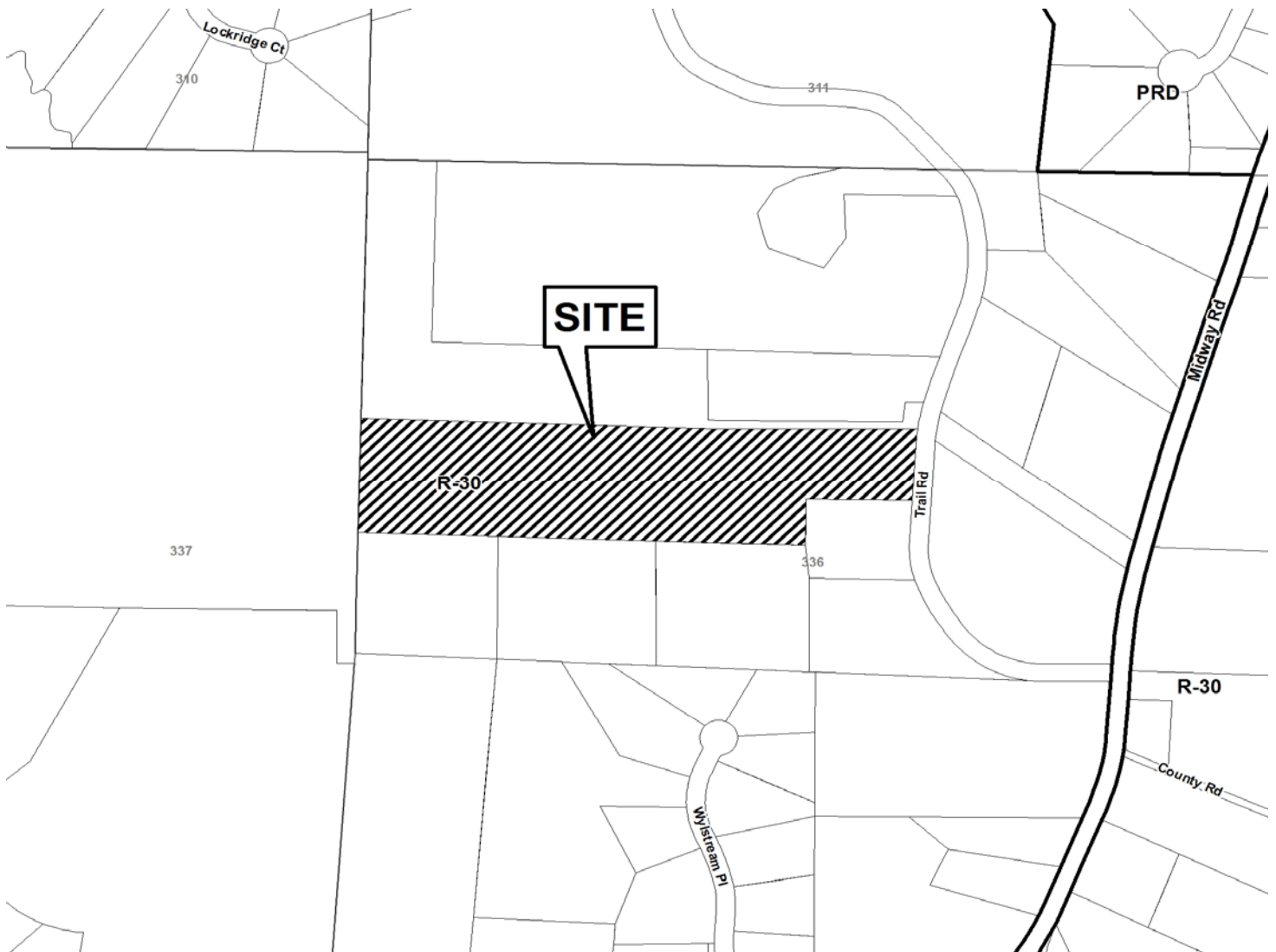
PARCEL(S): 35

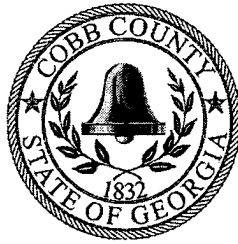
TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Rural Residential





Application #: LUP-19
PC Hearing Date: 8-4-09
BOC Hearing Date: 8-18-09

TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? Acoust Snow
2. Number of employees? 2
3. Days of operation? 5
4. Hours of operation? 8-5
5. Number of clients, customers, or sales persons coming to the house per day? _____ ; Per week? 1
6. Where do clients, customers and/or employees park?
Driveway: ; Street: _____ ; Other (Explain): _____
7. Signs? No: ; Yes: _____. (If yes, then how many, size, and location): _____
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 0
9. Deliveries? No _____ ; Yes (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
2 per week various
10. Does the applicant live in the house? Yes ; No _____
11. Any outdoor storage? No ; Yes _____ (If yes, please state what is kept outside): _____
12. Length of time requested: _____
13. Any additional information? (Please attach additional information if needed):

Applicant signature: Rick Coualt Date: 6/1/09

Applicant name (printed): Rick Coualt

LUP-20
(2009)



EASTMAN PRESBYTERIAN CHURCH
3125 SEMELL MILL ROAD
15TH DISTRICT, 2ND SECTION, LAND LOT 87B, PARCEL 1
COBB COUNTY, GEORGIA

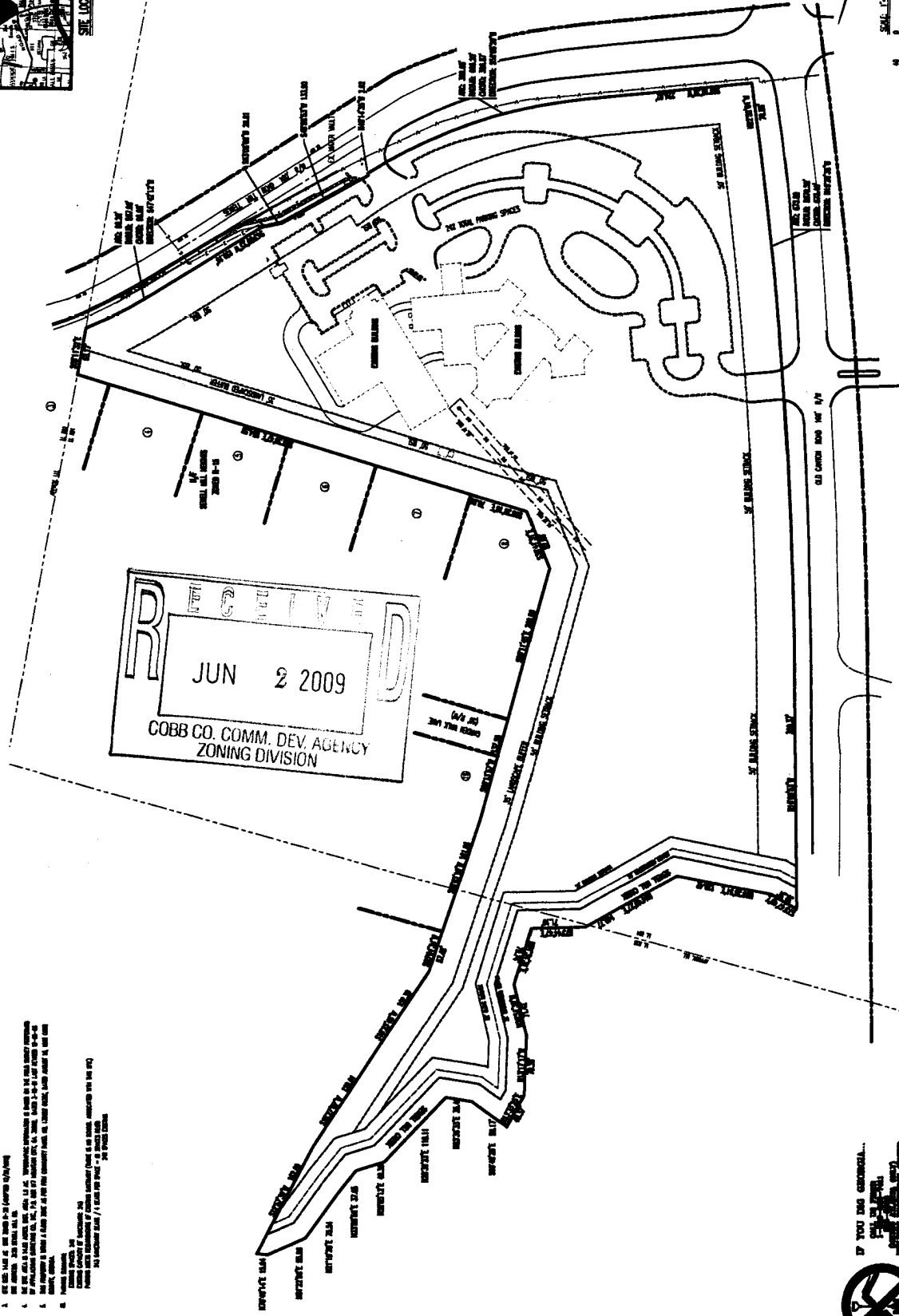
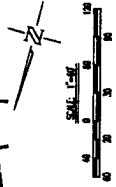
SHEET TITLE: SITE PLAN
DATE: 05-27-09
JOB NO: 31-0000
CONTRACT NO: 11
SHEET NUMBER: 1-1

31-0000 (1) SHEETS

REVISIONS	DATE	BY	DESCRIPTION



SITE LOCATION



RECEIVED
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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

- SEE NOTES:**
1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 2. THE PROPERTY IS BOUNDARY BY THE COBB COUNTY ZONING ORDINANCES, AND THE PROPERTY IS SUBJECT TO THE COBB COUNTY ZONING ORDINANCES.
 3. THE PROPERTY IS BOUNDARY BY THE COBB COUNTY ZONING ORDINANCES, AND THE PROPERTY IS SUBJECT TO THE COBB COUNTY ZONING ORDINANCES.
 4. THE PROPERTY IS BOUNDARY BY THE COBB COUNTY ZONING ORDINANCES, AND THE PROPERTY IS SUBJECT TO THE COBB COUNTY ZONING ORDINANCES.
 5. THE PROPERTY IS BOUNDARY BY THE COBB COUNTY ZONING ORDINANCES, AND THE PROPERTY IS SUBJECT TO THE COBB COUNTY ZONING ORDINANCES.
 6. THE PROPERTY IS BOUNDARY BY THE COBB COUNTY ZONING ORDINANCES, AND THE PROPERTY IS SUBJECT TO THE COBB COUNTY ZONING ORDINANCES.



APPLICANT: Eastminster Presbyterian Church of Marietta, Inc.
770-977-2976

REPRESENTATIVE: Sams, Larkin & Huff, LLP
Parks F. Huff 770-422-7016

TITLEHOLDER: Eastminster Presbyterian Church of Marietta, Inc.

PROPERTY LOCATION: Located at the northeast intersection of
Sewell Mill Road and Old Canton Road, and at the western terminus of
Garden Lane Drive

ACCESS TO PROPERTY: Sewell Mill Road, Old Canton Road

PHYSICAL CHARACTERISTICS TO SITE: Existing church

PETITION NO: LUP-20

HEARING DATE (PC): 08-04-09

HEARING DATE (BOC): 08-18-09

PRESENT ZONING: R-20, R-30

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Child Care And Preschool

SIZE OF TRACT: 14.5 acres

DISTRICT: 16

LAND LOT(S): 838, 891

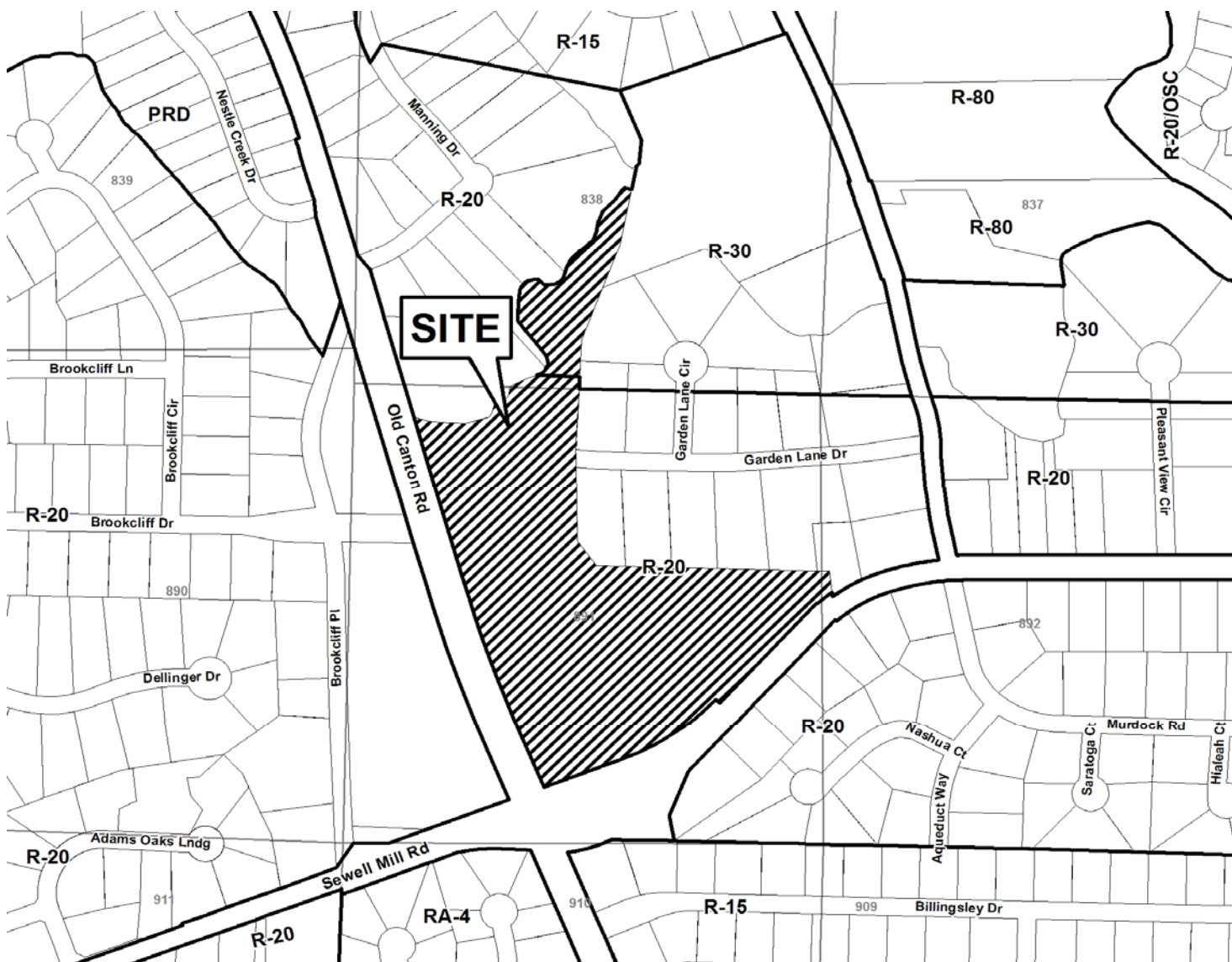
PARCEL(S): 2, 1

TAXES: PAID Exempt **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Public Institutional





Application #: LUP-20

PC Hearing Date: 8/04/09

BOC Hearing Date: 8/18/09

TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? Child Care/Pre-School
2. Number of employees? 12
3. Days of operation? Monday through Friday
4. Hours of operation? 9:00 a.m. to 1:00 p.m.
5. Number of clients, customers, or sales persons coming to the house per day? 165 Children ;Per week? _____
6. Where do clients, customers and/or employees park?
Driveway: _____ ; Street: _____ ; Other (Explain):
The church has a large parking lot.
7. Signs? No: _____ ; Yes: XX . (If yes, then how many, size, and location): Use existing signage
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): _____
Typical passenger vehicles
9. Deliveries? No XX ; Yes _____ (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
10. Does the applicant live in the house? Yes _____ ; No N/A
11. Any outdoor storage? No XX ; Yes _____ (If yes, please state what is kept outside): _____
12. Length of time requested: 2 years
13. Any additional information? (Please attach additional information if needed):

Eastminster Presbyterian Church of Marietta, Inc.

Applicant signature: By: [Signature] Date: _____
Parks F. Huff, Attorney for Applicant

Applicant name (printed): Eastminster Presbyterian Church of Marietta, Inc.

APPLICANT/OWNER
T-Mobile
 South, LLC
 FOUR CONCOURSE PARKWAY
 SUITE 300
 SANDY SPRINGS, GA 30328
 PHONE: (770) 604-8980
 FAX: (770) 595-3049

PREPARED BY:
WALKER ENGINEERING INCORPORATED
 8451 DUNWOODY PLACE
 SANDY SPRINGS, GA 30350
 PHONE: 770-641-7306
 FAX: 770-597-2196

REV	DATE	DESCRIPTION	BY
A	05/19/09	ISSUED FOR PERMIT	MAJ
D	10/27/09	ISSUED FOR CONSTRUCTION	MAJ

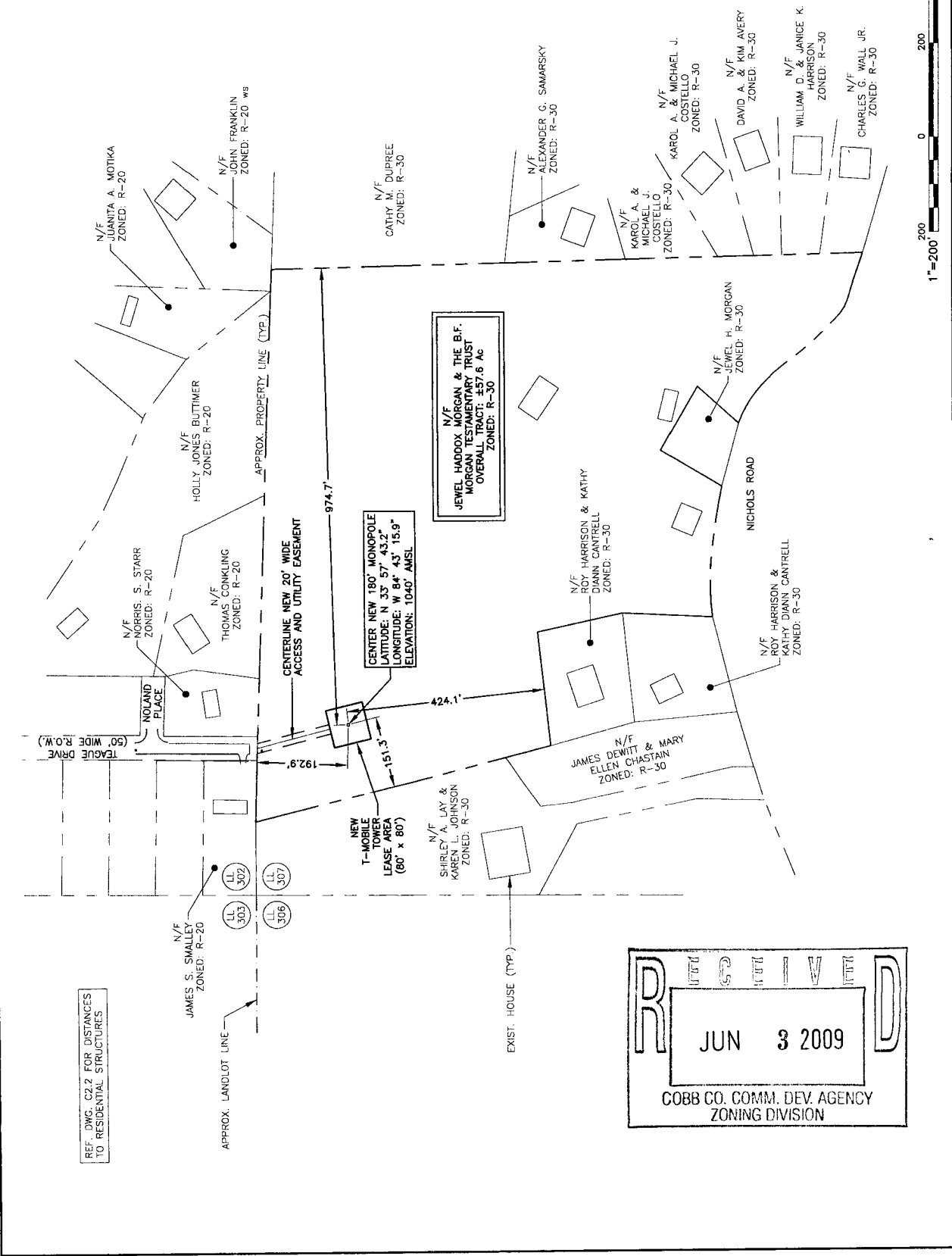
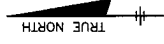
SLUP-10 (2009)

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PROJECT LOCATION
HOLLAND
9AT2159E
 5746 NICHOLS ROAD
 POWDER SPRINGS, GA 30127
 COBB COUNTY

DRAWN BY: MAJ
 CHECKED BY: MAJ
 DATE: 05/19/09
 JOB NO.: 0904-023RT
 SITE NO.: 9AT2159E
 DRAWING DESCRIPTION:
OVERALL SITE PLAN

DRAWING NUMBER:
C3



REF DWG. C2.2 FOR DISTANCES TO RESIDENTIAL STRUCTURES

RECEIVED

JUN 3 2009

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: T-Mobile South, LLC

678-920-1262 Lannie Greene

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP

John H. Moore 770-429-1499

TITLEHOLDER: Jewel Haddox Morgan

PROPERTY LOCATION: Located on the north side of Nichols Road, west of Holland Road, and at the southern terminus of Teague Drive.

ACCESS TO PROPERTY: Teague Drive, Holland Road

PHYSICAL CHARACTERISTICS TO SITE: Wooded

PETITION NO: SLUP-10

HEARING DATE (PC): 08-04-09

HEARING DATE (BOC): 08-18-09

PRESENT ZONING: R-30

PROPOSED ZONING: Special Land Use Permit

PROPOSED USE: Telecommunications Tower And Related Equipment

SIZE OF TRACT: 59.5 acres

DISTRICT: 307

LAND LOT(S): 20

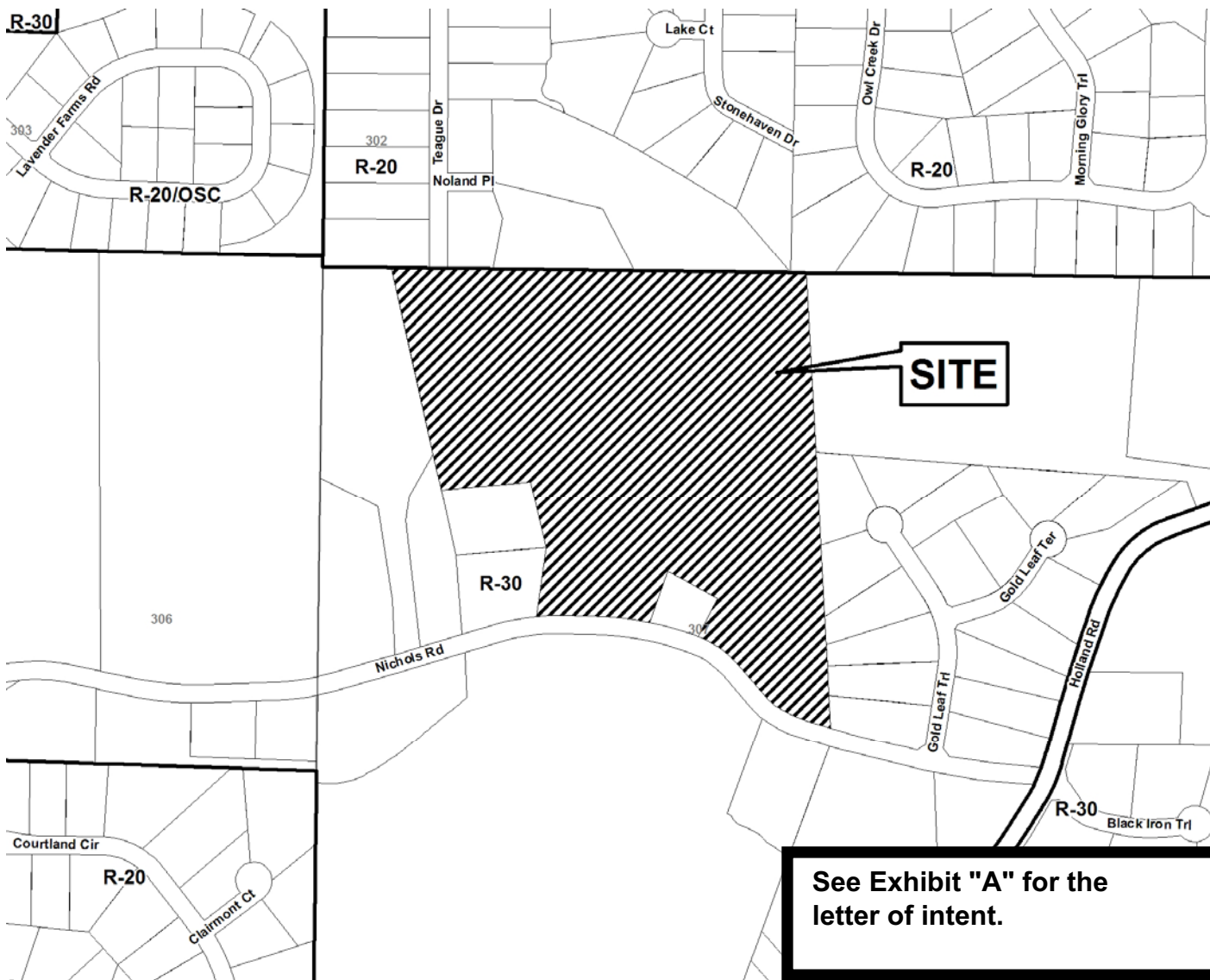
PARCEL(S): 6

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Very Low Density Residential

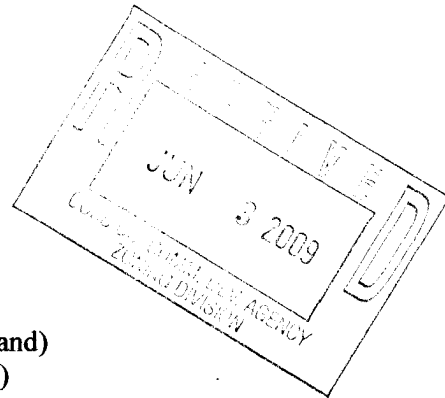




June 4, 2009

BY HAND DELIVERY

Cobb County Board of Commissioners
Cobb County Planning Commission
C/O Cobb County Community Planning Department
191 Lawrence Street
Marietta, GA 30132



RE: Application for a Special Land Use Permit:
T-Mobile South LLC Wireless Facility (9AT2159E/Holland)
Located at 5746 Nichols Road (Tax Parcel 20030700060)

Dear Honorable Commissioners:

This Letter of Intent is submitted to the Cobb County Community Planning Department in connection with and as support for the above referenced Special Land Use Permit application submitted for consideration by the Cobb County Planning Commission and the Cobb County Board of Commissioners (the "Application"). T-Mobile respectfully submits this Application, the approval of which will grant the necessary zoning approval that will allow T-Mobile to install, operate and maintain a wireless telecommunications facility and related antennas and equipment.

As depicted on the site plans submitted, the facility will include a 185-foot high multi-tenant, monopole and ground-mounted communications equipment to be located within a 6,400 square foot lease area. This facility will be an integral part of the wireless network providing personal wireless service across Cobb County, and will allow for the provision of safe, reliable and uninterrupted wireless coverage to the public in this area of Cobb County, where T-Mobile currently has no facility and thus is not able to provide adequate wireless coverage.

T-Mobile believes that the application and the accompanying documentation support this request for a wireless facility. Furthermore, this facility will comply with all the requirements of Section 134-273 of the Cobb County Zoning Ordinance. The property owner and T-Mobile respectfully request that the Cobb County Board of Commissioners approve this Application

SITE SELECTION PROCESS

T-Mobile's Radio Frequency Engineering Division studied the immediate area of Nichols Road and Antioch Road (the "coverage objective") to determine where a facility would need to be located in order to adequately address the coverage objective, which includes providing coverage to the residential areas in this part of Cobb. The limits of the search area were defined by a ring which encompasses a radius of approximately 0.5 mile.

T-Mobile first attempts to search out possible co-location opportunities. This is not only preferred by Cobb County but also by T-Mobile in that it is less expensive and less time consuming. Unfortunately there are no existing tower facilities or tall structures within the area capable of accommodating T-Mobile's antennas and equipment. Also, pursuant to *Section 134-273, Television, land mobile, communication, microwave and radio transmission antennas and towers over 35 feet in height. (3) Design, location and safety requirements. b. At the time of filing the application for a tower, the applicant shall provide a site plan and information regarding topography, coverage zone and tower*

height requirements. It is strongly encouraged that the applicant provide documentation of all towers within a one mile radius of the proposed location, to include the number of users approved to collocate and the number of users existing on said towers, there are no available structures within a one mile (1.6 kilometers) radius of the proposed location according to the Federal Communications Commission website (please see Exhibit I).

The search area consists of residentially zoned parcels which are developed as such. T-Mobile seeks to minimize the perceived impacts that a wireless facility has on residential areas. Typically T-Mobile will seek larger and more commercial or agricultural properties. The closest commercial node was over a mile to the southeast at Mars Hill Road and Dallas Highway. This area is too far to accomplish T-Mobile's coverage goals.

Due to its ongoing relationship with the Cobb County School District, T-Mobile representatives approached Vaughn Elementary about the possibility of placing a facility on the school's 20 acre tract. However the school's administration was not interested in pursuing an arrangement.

Other parcels were investigated but property owners were either not interested or the property was not as well suited for the proposed facility. The subject site was selected because of its size and wooded nature that would help in concealing the proposed facility. The property is the largest tract within the search area and allows for the facility to meet all applicable setbacks which include the height of the tower from any off-site residential structure.

THE PROPERTY

The property is located at 5746 Nichols Road and is approximately 60 acres and zoned R-30. The parcel consists of heavily wooded areas in addition to pasture and agricultural fields. The proposed facility will be accessed from Teague Drive which borders the northerly property line. Properties adjoining the subject site are zoned for residential uses and include occupied single-family residential homes. Due to the location of the facility on the subject site, the proposed facility will be well screened from adjoining properties.

THE FACILITY

T-Mobile has leased a 6,400 square feet area for the construction and permanent location of the proposed facility plus the right to use the property for utilities and access to the facility. T-Mobile plans to construct a 185' monopole structure at the facility. The monopole will be designed to meet all wind loading requirements for Cobb County. Additionally the facility will meet all local, state, and federal requirements in its design, construction, and operation. The proposed facility, including the monopole and ground area, will be designed for total of four additional wireless service providers (including T-Mobile). This will help in providing the infrastructure necessary for adequate wireless services for residential areas in this area of Cobb County.

T-Mobile will need only electric and telephone utilities for the facility and will therefore have little impact on County services. Once constructed, the facility will be unmanned and therefore there will be minimal site visits to the site; the facility will not have an impact upon the traffic along Teague Drive. This facility, since designed at 185' in overall height, will not be required to be outfitted with artificial lighting according to FAA standards; no strobe, beacon or other lighting devices will be placed on this facility.

The facility will also meet *Cobb County Zoning Ordinance Section. 134-273. Television, land mobile, communication, microwave and radio transmission antennas and towers over 35 feet in height. (3) Design, location and safety requirements. a. All towers and antennae in excess of 70 feet must be set back a distance equal to the full height of the tower from any adjoining off-site residential structure or as safety concerns may dictate* with a setback of 271' from the closest off-site residential structure; well within the required 185'.

In addition to the off-site residential setback the proposed facility will meet *Cobb County Zoning Ordinance Section. 134-273. Television, land mobile, communication, microwave and radio transmission antennas and towers over 35 feet in height. (5) Landscape buffer and screening requirement. Unless otherwise noted within this section's requirements, or otherwise approved by the board of commissioners, the special land use permit hearing, any commercial tower or antenna which abuts a residentially zoned property shall have a minimum 40-foot setback from the residential property, 15 feet of which should be a landscaped, screening buffer between the tower and the residentially zoned property which will be subject to county staff approval. Required buffers may be included within required setbacks; however, in such case that the required buffer is greater than the required setback, the required buffer shall be adhered to. Additionally, necessary private utilities and/or access drives may be allowed through, over or across a landscaped buffer. Any such uses which are proposed through, over or across a designated, undisturbed buffer must be approved pursuant to an original site plan or site plan modification as set forth under section 134-126* with setbacks of 151' to the westerly property line; 193' to the northerly property line; 975' to the easterly property line; and 424' to the southerly property line. The proposed facility includes a 10' landscaped buffer in addition to the surrounding natural buffer which well exceeds the above requirement and meets the intent of the Ordinance.

In accordance to Section 134-37, Special land use permits, of the Cobb County Zoning Ordinance, the following standards and factors are found to be relevant to the exercise of the County's zoning powers and shall govern the review of all proposed Special Land Use Permit.

- (1) Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.

The proposed facility will meet all of the requirements set forth by Cobb County regulations which are written to protect surrounding and nearby properties. The facility is well buffered from adjoining properties

- (2) Whether or not the use is otherwise compatible with the neighborhood.

The Cobb County Zoning Ordinance allows wireless facility within residential areas with the approval of a Special Land Use Permit. Furthermore, the Cobb County Zoning Ordinance defines the requirements that a wireless facility must meet in relationship to residential properties (i.e. setbacks and landscape buffers). This site meets the requirements set forth and therefore is compatible based on the meeting of requirements of the Cobb County Zoning Ordinance.

- (3) Whether or not the use proposed will result in a nuisance as defined under state law.

This proposed facility is not considered a nuisance defined under state law.

(4) Whether or not quiet enjoyment of surrounding property will be adversely affected.

The proposed facility meets all of the requirements set forth by the Cobb County Zoning Ordinance which was written and adopted to protect adjoining and nearby properties. Furthermore this facility will not emit noise or odors. The facility will be unmanned and will not impact county services.

(5) Whether or not property values of surrounding property will be adversely affected.

The proposed facility meets all of the requirements set forth by the Cobb County Zoning Ordinance which was written and adopted to protect property values. Additionally there is no conclusive evidence available that shows that wireless facilities have an impact on property values. Over the past 20 years, wireless technology and facilities have become an important part of the infrastructure.

(6) Whether or not adequate provisions are made for parking and traffic considerations.

Once constructed the facility will be unmanned and will have minimal impact upon traffic. The facility is designed to accommodate parking needs.

(7) Whether or not the site or intensity of the use is appropriate.

The proposed facility meets the regulations of the Cobb County Zoning Ordinance which allows this particular use in a residential when certain criteria is met and a Special Land Use Permit is approved. The criteria outlined in the Zoning Ordinance takes into account this type of use.

(8) Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.

The Cobb County Zoning Ordinance allows this particular use in a residential when certain criteria is met and a Special Land Use Permit is approved.

(9) Whether or not adequate provisions are made regarding hours of operation.

The facility will be operational 24 hours a day, 7 days a week, however, the facility will be unmanned.

(10) Whether or not adequate controls and limits are placed on commercial and business deliveries.

With the exception of the construction period, there will be no deliveries made to the facility.

(11) Whether or not adequate landscape plans are incorporated to ensure appropriate transition.

The facility will include a 10' landscape buffer in addition to a substantial undisturbed natural buffer.

(12) Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

The facility exceeds all Federal requirements in regards to radio frequency emissions and will not have any impact upon public health, safety, welfare or moral concerns or surrounding neighborhoods. The site will actually enhance public safety with Enhanced 911 service in this area of Cobb County.

(13) Whether the application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.

This site meets all requirements provided for in Section 134-273 of the Cobb County Zoning Ordinance.

(14) Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.

This application includes all requested documentation.

In support of this application T-Mobile South LLC includes the following:

1. Special Land Use Permit Application
2. Exhibit A - Property Deed
3. Exhibit B - Legal Description
4. Exhibit C - Tax Map/Search area Analysis
5. Exhibit D - Zoning Map with Search Area Overlay
6. Exhibit E - Description of Proposed Tower's Area of Service: Coverage Maps
7. Exhibit F - Photo Simulations of the Proposed Tower
8. Exhibit G - Radio Frequency Engineer's Statement Regarding Facility
9. Exhibit H - T-Mobile's FCC License
10. Exhibit I - FCC Registration search for structure within a one mile (1.6 kilometers) radius
11. Exhibit J - Constitutional Challenge
12. Five sets of Site Plans (11" X 17")
13. Two sets of Site Plans (8 1/2" X 11")

T-Mobile is happy to answer any questions or provide any additional information that Cobb County may have with regards to this Application. Please feel free to call me at (678) 920 - 1262, if you have any questions.

Sincerely,



Lannie Greene
Agent for T-Mobile South LLC

DATE	DESCRIPTION

SLUP-11 (2009)

The survey and plot were performed under the direct supervision of a duly licensed and registered Professional Surveyor. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping profession. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping profession. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping profession.

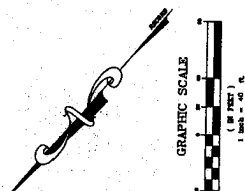
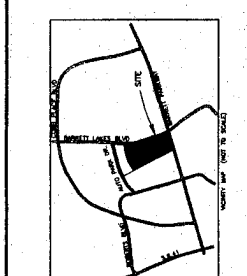
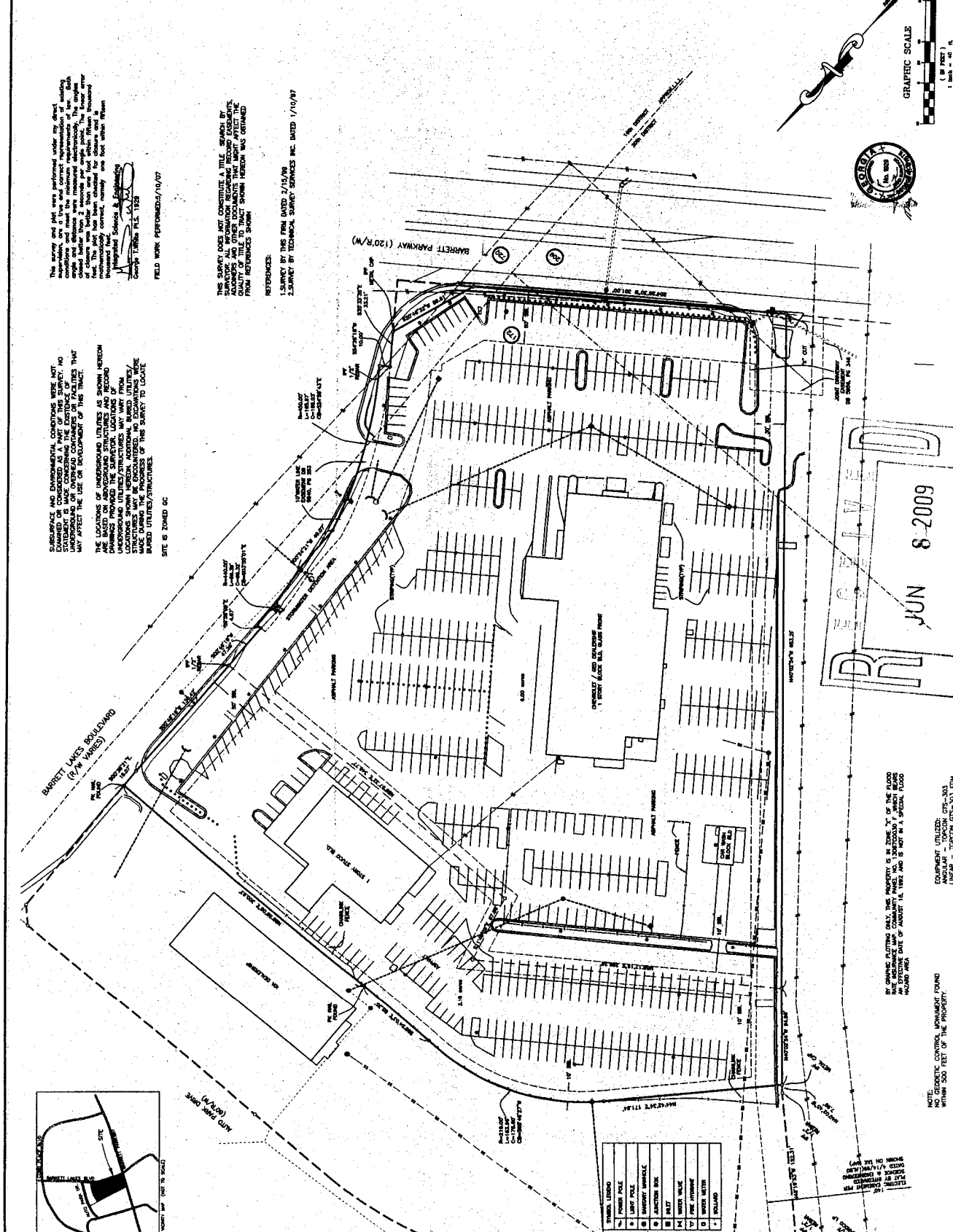
THIS SURVEY DOES NOT CONSTITUTE A TITLE OPINION. SURVEYOR'S RESPONSIBILITY IS LIMITED TO THE ACCURACY OF THE SURVEY DATA AND THE QUALITY OF THE SURVEY INSTRUMENTS AND METHODS USED. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE SURVEY DATA OR THE QUALITY OF THE SURVEY INSTRUMENTS AND METHODS USED.

REFERENCES:
1. SURVEY BY THIS FIRM DATED 2/15/09
2. SURVEY BY TECHNICAL SURVEY SERVICES INC. DATED 7/10/97

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT INVESTIGATED BY THIS SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY UNDERGROUND OR ABOVEGROUND UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR OCCUPANCY OF THE TRACT.

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON RECORD DRAWINGS PROVIDED BY THE SURVEYOR AND HIS PREDECESSORS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE TRACT AND HAS FOUND NO EVIDENCE OF ANY UNDERGROUND UTILITIES OR FACILITIES THAT WOULD AFFECT THE USE OR OCCUPANCY OF THE TRACT.

THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE TRACT AND HAS FOUND NO EVIDENCE OF ANY UNDERGROUND UTILITIES OR FACILITIES THAT WOULD AFFECT THE USE OR OCCUPANCY OF THE TRACT.



RECEIVED
JUN 8 2009
0686 CO. COMM. DEV. AGENCY
ZONING DIVISION

NOTE: NO GEODETIC CONTROL MONUMENT FOUND WITHIN 300 FEET OF THE PROPERTY.
EQUIPMENT UTILIZED: GPS-RTK
LEICA DISTANCE MEASUREMENT SYSTEM (DMS)
LEICA TOTAL STATION TS-302 EDN

1	TRIPLET LEVEL
2	LEVELING ROD
3	LEVELING STAFF
4	LEVELING SIGHTING
5	LEVELING BENCH
6	LEVELING MARK
7	LEVELING POINT
8	LEVELING CONTROL
9	LEVELING MONUMENT
10	LEVELING SURVEY

APPLICANT: HSH Properties, LLLP
 678-715-5393

REPRESENTATIVE: H. Steve Harrell, II
 678-731-0444

TITLEHOLDER: HSH Properties, LLLP

PROPERTY LOCATION: Located on the west side of Barrett Lakes
 Boulevard, between Auto Park Drive and Ernest Barrett Parkway

ACCESS TO PROPERTY: Auto Park Drive, Barrett Lakes
 Boulevard, Ernest Barrett Parkway

PHYSICAL CHARACTERISTICS TO SITE: _____

PETITION NO: SLUP-11
HEARING DATE (PC): 08-04-09
HEARING DATE (BOC): 08-18-09
PRESENT ZONING: GC

PROPOSED ZONING: Special Land Use
 Permit

PROPOSED USE: Used car sales

SIZE OF TRACT: 8.2 acres

DISTRICT: 16, 20

LAND LOT(S): 720, 172, 209

PARCEL(S): 5, 16, 26

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

FUTURE LAND USE MAP: Regional Activity Center- Sub Area for Retail Services

