

# Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 08/14/10

**Applicant:** Panayiotis and Zoe Theofandidis Phone #: (770) 394-5821  
(applicant's name printed)

**Address:** 5155 Hensley Drive, Dunwoody, GA 30338 E-Mail: N/A

**SAMS, LARKIN & HUFF, LLP** 376 Powder Springs Street, Suite 100

**Melissa P. Haisten** Address: Marietta, GA 30064

(representative's name, printed)

By: Melissa P. Haisten Phone #: (770) 422-7016 E-Mail: mhaisten@samslarkin.com  
Melissa P. Haisten, Attorney for Applicant

Signed, sealed and delivered in presence of:

Rebecca R. Lavergne My commission expires: \_\_\_\_\_  
Notary Public



**Titleholder(s)** Zoe Theofanidis and Panayiotis Theofanidis Phone #: (770) 394-5821  
(property owner's name, printed)

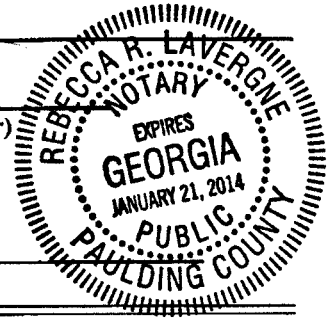
**Address** 5155 Hensley Drive, Dunwoody, GA 30338 E-Mail: N/A

Zoe Theofanidis  
Zoe Theofanidis (Property Owner)

Panayiotis Theofanidis  
Panayiotis Theofanidis (Property Owner)

Signed, sealed and delivered in presence of:

Rebecca R. Lavergne My commission expires: \_\_\_\_\_  
Notary Public



**Commission District:** Thea Powell (3) **Zoning Case:** Z-1 (2008)

**Date of Zoning Decision:** 02/19/08 **Original Date of Hearing:** 02/19/08

**Location:** Southeasterly intersection of Canton Road and Chesterfield Drive  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 588 **District(s):** 16th

**State specifically the need or reason(s) for Other Business:** To construct a small parking lot and driveway on Canton Road in order to use the existing structure for office or low-impact retail uses.

To request the delay of the existing stipulations on the property until such time that the property is completely redeveloped.

(List or attach additional information if needed)

**SAMS, LARKIN & HUFF**  
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

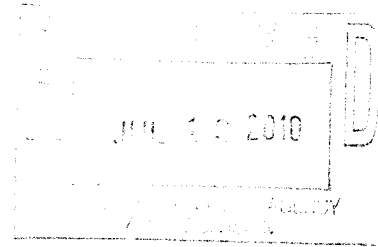
MELISSA P. HAISTEN  
JUSTIN H. MEEKS

July 13, 2010

SAMSLARKINHUFF.COM

**VIA HAND DELIVERY**

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



Re: Other Business Agenda Application Regarding the Application  
of J & J Construction, Inc. (No. Z-1 [2008])

Dear John:

This firm has been engaged by and represents Panayiotis and Zoe Theofanidis. In that regard, our clients now own the subject property of Z-1 of 2008.

With respect to the foregoing, our clients understand that the property is now zoned for commercial use, however, they are unable to completely redevelop the property at this time. They would like to be able to lease the existing structure for office or "light" retail uses. In order to do so, they will need to construct a commercial driveway on Canton Road and a small parking lot. In that regard, our clients seek to amend the previously approved rezoning to allow the above-described use. They would also like to keep the existing stipulations for the retail development proposed by J & J Construction on the property due to the time and effort spent by all who negotiated those stipulations, but to delay the imposition of those stipulations until such time that the property is completely redeveloped. We have met with Commissioner Powell regarding the application and have established communication with the surrounding neighborhood as well. We will continue to work with all parties throughout the application process. To that end, enclosed please find an "Other Business" application which includes a copy of the original zoning minutes and staff analysis and recommendations regarding the original zoning application.

It is my understanding that the application requires a thirty (30) day posting and that the subject property will need to be posted by July 18, 2010 in order to appear on the Board of Commissioners' "Other Business" agenda on August 17, 2010. Please let me know when the notification signage is prepared. Upon receiving that notification, I will ensure that someone

**VIA HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
Page 2  
July 13, 2010

from my office arranges to pick up the signage and that the subject property is posted accordingly.

In the interim, please do not hesitate to call should you have any questions whatsoever regarding these matters. With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Melissa P. Haisten  
[mhaisten@samslarkinhuff.com](mailto:mhaisten@samslarkinhuff.com)

MPH/jbmc  
Enclosures

cc: Ms. Thea Powell, Commissioner – VIA Hand Delivery – w/enclosures  
Mr. Robert L. Hosack, Jr., AICP, Director – VIA Hand Delivery – w/enclosures  
Mr. and Mrs. Panayiotis Theofanidis

**Site Notes:**

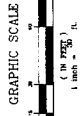
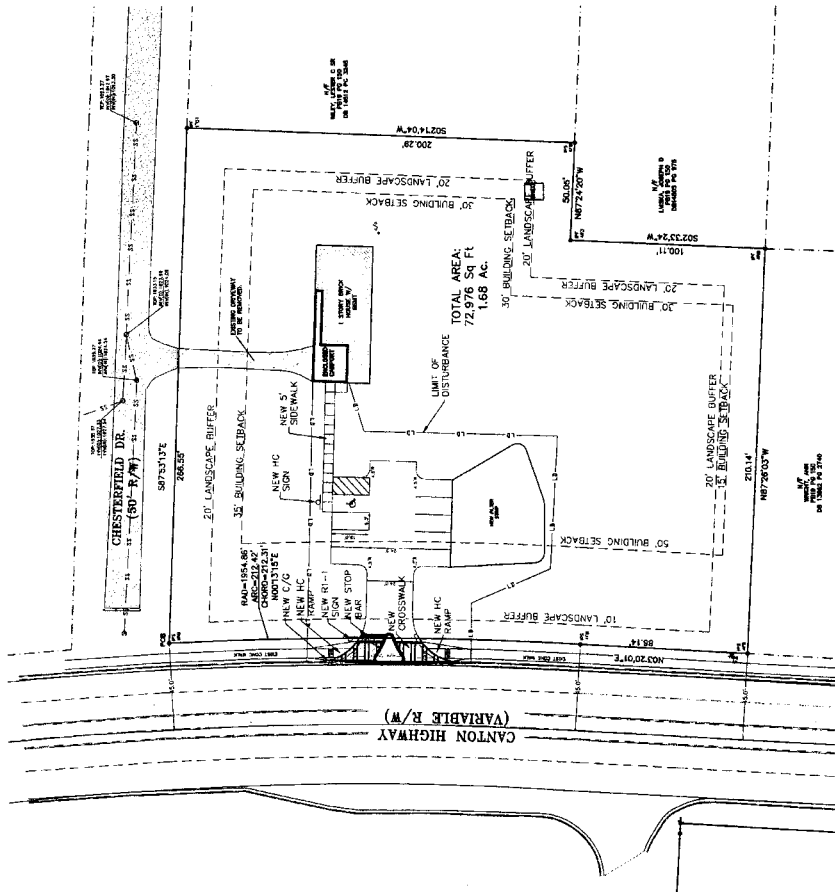
1. THE SITE CONTAINS 1.68 ACRES
2. TOTAL DISTURBED AREA = 0.36 ACRES
3. CURRENTLY ZONED, O/C
4. SURVEY INFORMATION TAKEN FROM SURVEYS PERFORMED BY FRONTLINE SURVEYING & MAPPING, INC. DATED 11/20/09
5. PERMITS FOR THIS PROJECT ARE ON FILE AT THE OFFICE OF COBB COUNTY, GEORGIA
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7. THE CONTRACTOR SHALL MAINTAIN EXISTING ROADWAY TRAVELWAY AT ALL TIMES
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**Cobb County General Notes:**

1. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
2. THE CONTRACTOR SHALL MAINTAIN EXISTING ROADWAY TRAVELWAY AT ALL TIMES.
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**PETE & ZOE THEOFANIDIS**

850 CHESTERFIELD DRIVE  
 LAND LOT 588, 16th DISTRICT  
 OF COBB COUNTY, GEORGIA  
 ZONING: O/C  
 PER: 16058800520, 10058800530, 16058800440



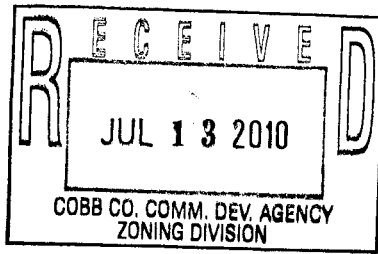
24 HOUR CONTACT  
 770-354-5821

3506 Canton Road  
 Marietta, GA 30066  
 Phone: (770) 354-5821  
 Fax: (770) 354-5809  
 www.frontlinesurveying.com

REVISIONS:  
 BY: DATE:

SITE PLAN  
**PETE & ZOE THEOFANIDIS**  
 LAND LOT 588 16th DISTRICT  
 COBB COUNTY, GEORGIA  
 2nd SECTION

DRAWN BY: CHB DRAWN DATE: 07/26/10  
 REVIEWED BY: CHB SCALE: 1" = 30'  
 SHEET: C-1  
 JOB # 44496



TOTAL SITE ACRES = 1.68 ACRES  
 TOTAL DISTURBED AREA = 0.36 ACRES  
 TOTAL PROP/PERFORMED IMP. AREA = 0.01 ACRES (4876 SF)  
 NO STORMWATER DETENTION IS PROVIDED AS PART OF THE SITE DEVELOPMENT