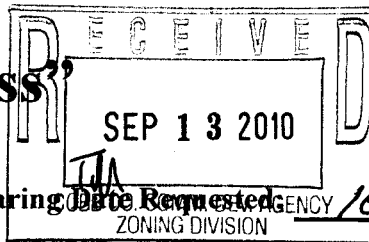


Application for "Other Business" Cobb County, Georgia

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



BOC Hearing Date Requested: 10-19-2010
AGENCY: ZONING DIVISION

Applicant: Richard A. Duncan Phone #: 678-591-7624
(applicant's name printed)

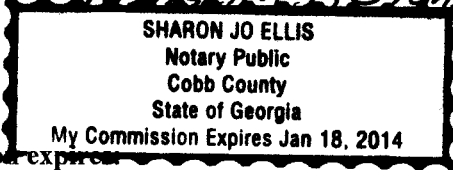
Address: 4302 Frambrook Ln. Kennesaw, GA E-Mail: Riversmith59@yahoo.com

Richard A. Duncan Address: 4302 Frambrook Ln.
(representative's name, printed)

[Signature] Phone #: 678-591-7624 E-Mail: Riversmith59@yahoo.com
(representative's signature)

Signed, sealed and delivered in presence of:

Sharon Ellis My commission expires: _____
Notary Public



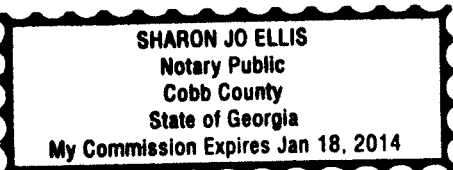
Titleholder(s): GARY M. DUPE, INC Phone #: 770-861-5205
(property owner's name printed)

Address: P.O. Box 800125 Kennesaw, GA 30125 E-Mail: _____

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of:

Sharon Ellis My commission expires: _____
Notary Public



Commission District: 3 Zoning Case: 2-141

Date of Zoning Decision: 9-19-06 Original Date of Hearing: 9-19-06

Location: Intersection of Beneshop + Bryant Ln.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 484 District(s): 16th

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

- ~~1. House Size to be changed from 3000sq ft to 2500sq ft~~
- 1. ~~House Price point to be changed from 500,000 to the 400,000.~~
- 2. ~~House Footprint to approved By Staff rather than District Commissioner~~

(List or attach additional information if needed)

ORIGINAL DATE OF APPLICATION: 09-19-06APPLICANTS NAME: RICHARD DUNCAN

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

BOC DECISION OF 09-19-06 ZONING HEARING:

RICHARD DUNCAN (Richard Duncan, Thomas Larry Horton and Copeland and Patricia Massengale, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Subdivision in Land Lot 484 of the 16th District. Located at the northwestern intersection of Bryant Lane and Beaver Shop Road and on the western side of Bryant Lane, north of Priscilla Drive.

The public hearing was opened and Mr. Richard Duncan and Mr. James Edmondson addressed the Board. Following presentations and discussion, the following motion was made:

MOTION: Motion by Lee, second by Kesting, to **approve** rezoning to the **R-15** zoning district **subject to:**

- **house footprints to be approved by District Commissioner prior to issuance of Land Disturbance Permits**
- **Exhibit "A" from Mr. Richard Duncan received by the Zoning Division August 14, 2006, *not otherwise in conflict* (copy attached and made a part of these minutes)**
- **homeowners association shall be responsible for the proper maintenance of the detention pond as defined by staff**
- **entrance shall contain ground-base monument signage, and professionally designed, landscaped and maintained**
- **landscaping along Bryant Lane, with final approval by the District Commissioner**
- **four-sided architecture on all homes adjacent to Bryant Lane and Beaver Shop Road**
- **no variances are granted with this approval; applicant/developer apply through normal variances process for any setback reductions**
- **grading limited to house pads and streets and utilities**
- **four-way stop sign, subject to staff approval**
- **no alleys, no rear entrance; garages on front only**
- **construction to commence within twenty-four (24) months from the date of final approval of this rezoning request (completion of curb and gutter) or the property shall revert to the original zoning category**
- **engineering plan to include water, sewer and stormwater easements; design to be completed prior to issuance of Land Disturbance Permits with final approval by the District Commissioner**

ORIGINAL DATE OF APPLICATION: 09-19-06

APPLICANTS NAME: RICHARD DUNCAN

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

BOC DECISION OF 09-19-06 ZONING HEARING (Continued):

- **final acceptance of subdivision subject to approval by District Commissioner**
- **Fire Department comments**
- **Historic Preservation comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns**

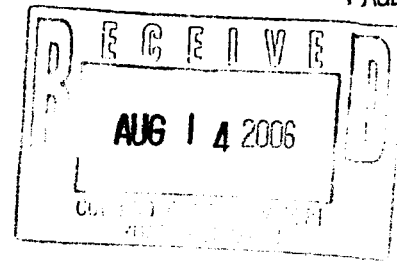
VOTE: **ADOPTED** unanimously

NOTE: See the September 26, 2006 Regular Board of Commissioners meeting minutes, Consent Agenda Item No. 11EE for a correction to rezoning case Z-141.

Min. Bk. 45 Petition No. Z-141
Doc. Type Exhibit A
From Mr. Richard Duncan
Meeting Date Sept. 19, 2006

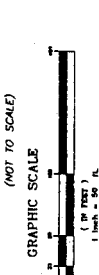
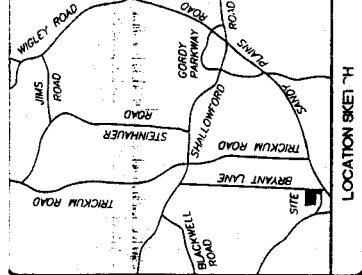
EXHIBIT "A"

PAGE 6 OF 6



STIPULATION PAGE
Z-141

1. Houses will be two-story traditionals with a minimum of 3000 sq ft.
2. Houses will be priced from \$500,000 and up.
3. Houses will have at least 3 sides of brick or stone and rear will be Hardy/Fiber Cement siding.
4. Front and side yards will be of sod with irrigation.
5. The subdivision will have a Mandatory Home Owner's Association.
6. Entrance monument will be brick with stone accents.
7. Entrance landscape will be of sod with irrigation.



THIS PLAN FILED IN OFFICE 523108 RECORDED IN PLAT BOOK 241 PAGE 157 AND 16 AND 16

LINE	BEARING	DISTANCE
C1	N08°50'39"W	17.50'
C2	N08°50'39"W	17.50'
C3	N12°48'15"W	29.39'
C4	S72°00'00"W	20.41'
C5	S72°00'00"W	20.41'
C6	S44°50'30"W	48.71'
C7	S72°00'00"W	20.41'
C8	S18°34'28"W	181.29'
C9	S74°00'18"E	68.62'
C10	S02°00'23"W	172.54'
C11	S87°36'17"E	25.00'
C12	N10°24'00"E	38.46'
C13	N41°54'17"E	15.41'

LINE	BEARING	DISTANCE
L1	N08°50'39"W	17.50'
L2	N08°50'39"W	17.50'
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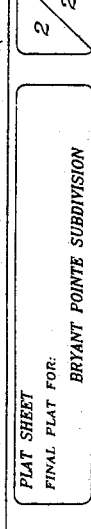
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RECORDS
 1. SURVEY FOR KENNETH L. CHALKER, JR., PREPARED BY KENNEDY SURVEYING CO., INC. DATED FEBRUARY 17, 2004 AND RECORDED IN PLAT BOOK 241 PAGE 157 AND 16.
 2. SURVEY FOR THE STATE OF GEORGIA, PREPARED BY BRUNNEN ENGINEERING, INC. DATED MARCH 17, 2004 AND RECORDED IN PLAT BOOK 241 PAGE 157 AND 16.
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 4. LOT 10 SURVEY FOR WESLEY S. DANAHAN, PREPARED BY BRUNNEN ENGINEERING, INC. DATED JUNE 17, 2004 AND RECORDED IN PLAT BOOK 241 PAGE 157 AND 16.
 5. COBB COUNTY TAX MAP 18-48.

MOMENT	NORTHING	EASTING	ELEVATION	DESCRIPTION
160300-1	1,471,624.88984	2,198,921.73231	1083.971	J.T. BRASS D&A
160300-2	1,470,843.58862	2,240,078.89149	1080.122	J.T. BRASS D&A

THE FIELD SURVEY WORK WAS COMPLETED ON SEPTEMBER 15, 2006.
 I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL SURVEY OF THE SUBJECT PROPERTY BY ME OR PERSONS UNDER MY SUPERVISION THAT IT IS ACCURATE AND CORRECT AND THAT I AM A LICENSED SURVEYOR BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION.

BRUCE L. TOTT, GEORGIA REGISTERED LAND SURVEYOR NUMBER 2735
 157 AND 16 AND 16
 LOT 10 AREAS FOR LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.



CURVE	LENGTH	RADIUS	BEARING	CHORD
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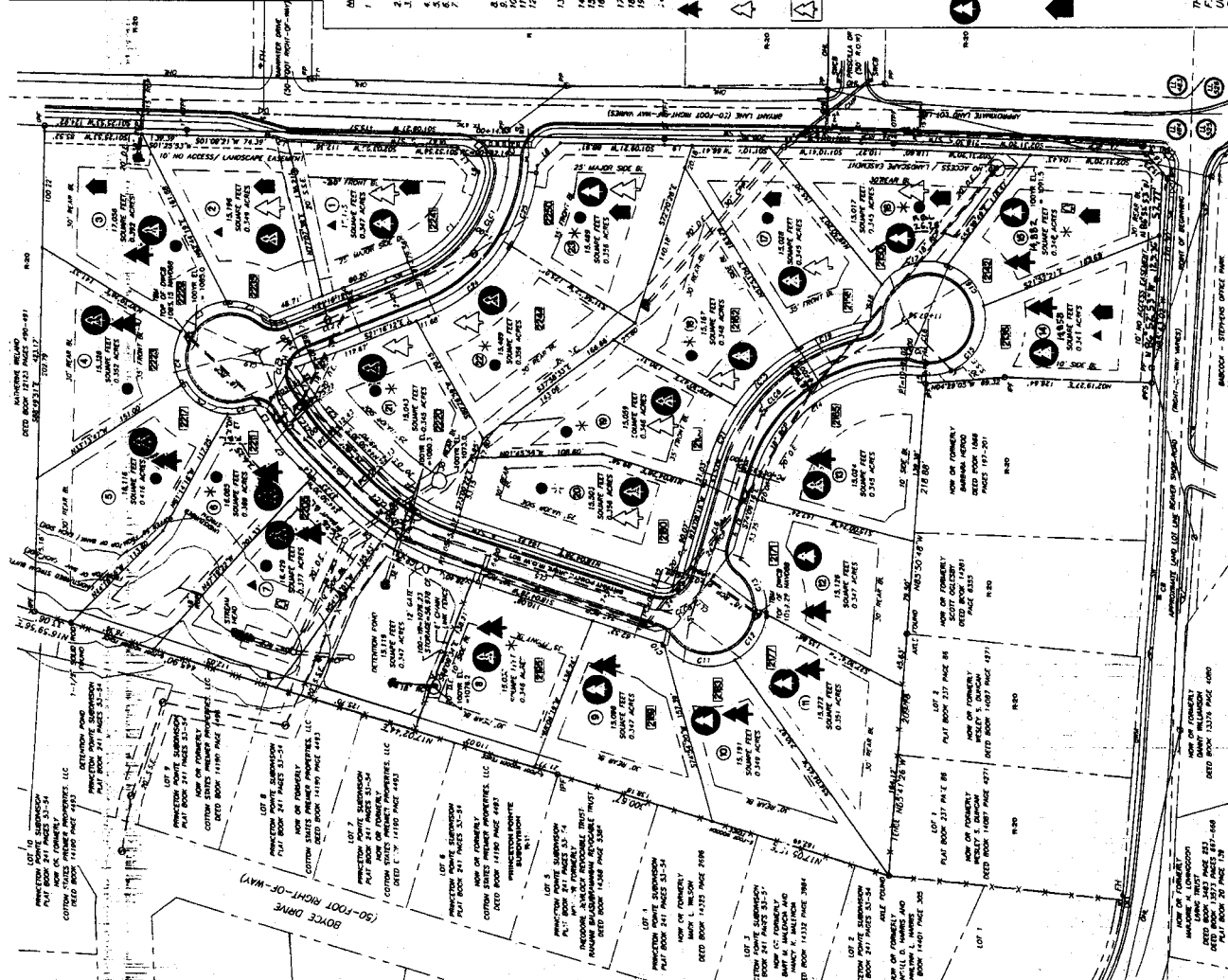
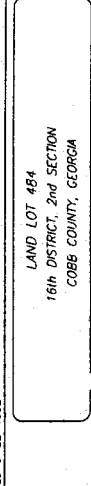
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 Office Location
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 Fax
 (404) 525-5574
 Website
 www.bk-dickson.com
 Community Infrastructure Consultants

BK DICKSON
 Community Infrastructure Consultants

DATE: 9-22-2006
 PROJECT: Bryant Pointe

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