

2

# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: July 17, 2012

**Applicant:** Word of Faith Family Worship Center, Inc. Phone #: (770) 874-8400  
(applicant's name printed)

**Address:** 212 Riverside Parkway, Austell, GA 30168 **E-Mail:** chardy@woffamily.org

**Moore Ingram Johnson & Steele, LLP** Emerson Overlook, 326 Roswell Street  
**J. Kevin Moore** **Address:** Marietta, GA 30060

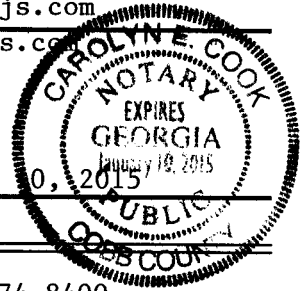
(representative's name, printed)

**BY:** [Signature] Phone #: (770) 429-1499 **E-Mail:** jkm@mij.s.com  
(representative's signature) w7@mij.s.com

Signed, sealed and delivered in presence of:

[Signature: Carolyn E. Cook]  
Notary Public

My commission expires: January 0, 2015



**Titleholder(s):** Word of Faith Family Worship Center Phone #: (770) 874-8400  
(property owner's name printed) Inc.

**Address:** 212 Riverside Parkway, Austell, GA 30168 **E-Mail:** chardy@woffamily.org

**See Exhibit "A" attached hereto for Applicant/Titleholder's Signature**  
(Property owner's signature)

AS 3:35  
JUN 12 2012

Signed, sealed and delivered in presence of:

Notary Public

My commission expires:

**Commission District:** 4 (Thompson) **Zoning Case:** LUP-21 (2011)

**Date of Zoning Decision:** 07/19/2011 **Original Date of Hearing:** 07/19/2011

**Location:** 7680 The Bluffs, N.W.  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 697, 698 **District(s):** 18th

**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"**

**Application No.:** LUP-21 (2011)  
**Original Hearing Date:** July 19, 2011  
**Date of LUP Decision:** July 19, 2011  
**Current Hearing Date:** July 17, 2012

**Applicant/Titleholder:** **Word of Faith Family Worship Center, Inc.**

WORD OF FAITH FAMILY WORSHIP CENTER, INC.

BY: Rev. Cal Hardy  
Reverend Cal Hardy  
Business Administrator

[Corporate Seal]

Address: 212 Riverside Parkway  
Austell, Georgia 30168

Telephone No.: (770) 874-8400

Signed, sealed, and delivered in the presence of:

Jane d. Mims  
Notary Public  
Commission Expires: August 4, 2012

[Notary Seal]

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

**Application No.: LUP-21 (2011)**  
**Original Hearing Date: July 19, 2011**  
**Date of LUP Decision: July 19, 2011**  
**Current Hearing Date: July 17, 2012**

**Applicant/Titleholder: Word of Faith Family Worship Center, Inc.**

On July 19, 2011, the Cobb County Board of Commissioners approved the temporary land use permit allowing Applicant to operate the "Seeds of Excellence" daycare/preschool on the property located at 7680 The Bluffs, subject to a stipulation as follows:

- Maximum of 100 students

Applicant requests the stipulation be amended as follows:

- Maximum of 155 students.

The balance and remainder of the stipulations and conditions specifically enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on July 19, 2011, are unaltered by this request for Stipulation Amendment and shall remain in full force and effect.

The amendment requested and presented above in no way adversely impacts or affects the remainder of the operation of the daycare/preschool. If the requested amendment is approved, as submitted, it shall become a part of the temporary land use permit and shall be binding upon the daycare/preschool.

**RESOLUTION OF WORD OF FAITH FAMILY WORSHIP CENTER, INC.**

THE UNDERSIGNED, being the Chief Executive Officer and Secretary of WORD OF FAITH FAMILY WORSHIP CENTER, INC., a non-profit corporation organized and existing under the laws of the State of Georgia (hereinafter referred to as the "Church"), does hereby waive notice and waive the furnishing of any material otherwise required to be furnished and adopts the following actions and resolutions on behalf of the Church.

WHEREAS, the Church intends to file an Application for "Other Business" as to real property located at 7680 The Bluffs, N.W., Suite 700, Land Lots 697 and 698, 18<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter referred to as the "Subject Property"); and

WHEREAS, in connection with the filing of the Application for "Other Business," the Church must execute certain documents including, without limitation, an Application for "Other Business" and other ancillary documentation (hereinafter collectively referred to as "Application") to consummate the contemplated filing of the Application, and a Resolution is needed to authorize the Application and to specifically authorize the execution on behalf of the Church of all documents necessary to consummate the filing of the Application; and,

WHEREAS, the undersigned has reviewed and approved the form of the Application and related documents; and

WHEREAS, the undersigned are the Chief Executive Officer and Secretary of the Church.

NOW, THEREFORE, BE IT RESOLVED that REVEREND CAL HARDY, Business Administrator of the Church, is hereby authorized to execute the aforesaid Application for "Other Business" and any and all other documents necessary or appropriate to file and complete the approval of an amendment to the previously approved land use permit for the Subject Property.

RESOLVED, FURTHER, that any and all acts related to the filing of the Application and the pursuit of the amendment by REVEREND CAL HARDY are pursuant to the authority hereby presented and are approved, ratified, and accepted as actions of the Church.

RESOLVED, FURTHER, the foregoing resolution was entered upon the minutes of the Church as and for the action of the Church on the date herein specified, and that the foregoing is a true and correct copy of such Resolution as it appears on the records of the Church and that the

signature of the officer is authentic and genuine.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals as of the date set forth below.

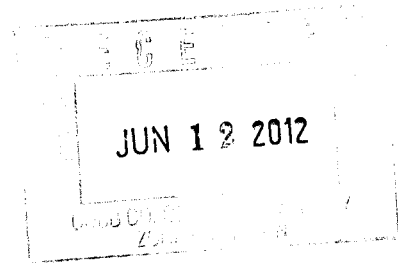
WORD OF FAITH FAMILY WORSHIP  
CENTER, INC.

BY: Dale C. Bronner  
Dale C. Bronner  
Chief Executive Officer

BY: Nina D. Bronner  
Nina D. Bronner  
Secretary

[S E A L]

Date Executed: June 10, 2012



**OFFICIAL MINUTES OF  
COBB COUNTY BOARD OF  
COMMISSIONERS ZONING HEARING  
HELD ON JULY 19, 2011**

**MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
JULY 19, 2011  
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, July 19, 2011 at 10:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee  
Commissioner JoAnn Birrell  
Commissioner Helen Goreham  
Commissioner Robert Ott  
Commissioner Woody Thompson

**LUP-21 WORD OF FAITH FAMILY WORSHIP CENTER, INC.** (owner) requesting a Land Use Permit for the purpose of a Daycare Facility in Land Lots 697 and 698 of the 18<sup>th</sup> District. Located at the northwest intersection of The Bluffs and Riverside Parkway.

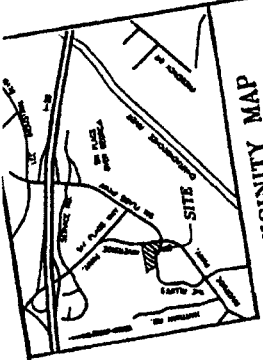
**MOTION:** Motion by Thompson, second by Birrell, as part of the Consent Agenda, to approve Land Use Permit for 24 months subject to:

- site plan received by the Zoning Division on May 11, 2011 with District Commissioner approving minor modifications (attached and made a part of these minutes)
- letter of agreeable conditions from Mr. Kevin Moore dated July 7, 2011 (attached and made a part of these minutes), *with the following changes:*
  - Item No. 1 – Delete in its entirety
  - Item No. 2 – Add to end: *“No electronic sign elements.”*
- maximum of 100 students
- Cobb DOT to approve traffic circulation plan
- Fire Department comments and recommendations
- Cobb DOT comments and recommendations, *not otherwise on conflict*

**VOTE:** ADOPTED unanimously

*Clerk's Note: Commissioner Goreham directed staff to examine the potential for zoning decisions to create situations where non-profits are in competition with private business, such as daycares in churches.*

7/6/07 - FOR COPY USE ONLY.



### VICINITY MAP NOT TO SCALE

**SURVEYORS NOTE:**  
THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSELY BEING OF THE POINTS IN 45.00 FEET AND AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT AND HAS ADJUSTED USING COMPASS RULE.

THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 125,000 FEET OF NETWORK.

ALL DIMENSIONS AND BEARS GIVEN IN THIS PLAN ARE IN FEET AND DECIMAL PARTS THEREOF. ANGULAR MEASUREMENTS ARE GIVEN IN DECIMAL DEGREES.

UNDEVELOPED AREAS ARE BASED ON AERIAL SURVEYS. THERE IS NO OBSERVABLE EVIDENCE OF NETWORK.

THE SUBJECT PROPERTY IS ZONED IN HEAVY INDUSTRIAL. COVERED THROUGH ORDINANCE OF APRIL 11, 2006.

**PROXY VALUE:** 21,000  
**SAC VALUE:** 20,000  
**SEC VALUE:** 20,000  
**REG. VALUE:** 20,000  
**PROPERTY:** 207,500 SQ. FT. (7,850 ACRES)

① INDICATES NUMBER OF PARKING SPACES  
② INDICATES NUMBER OF HANDICAPPED SPACES  
③ INDICATES NUMBER OF BICYCLE SPACES  
④ INDICATES NUMBER OF STORAGE SPACES

ALTA/ACSM SURVEY FOR  
RIVERSIDE BUSINESS PARK  
CRESCENT RESOURCES, LLC,  
7080 THE BLUFFS N.W.  
TAX PARCEL I.D. NO. 1606980000

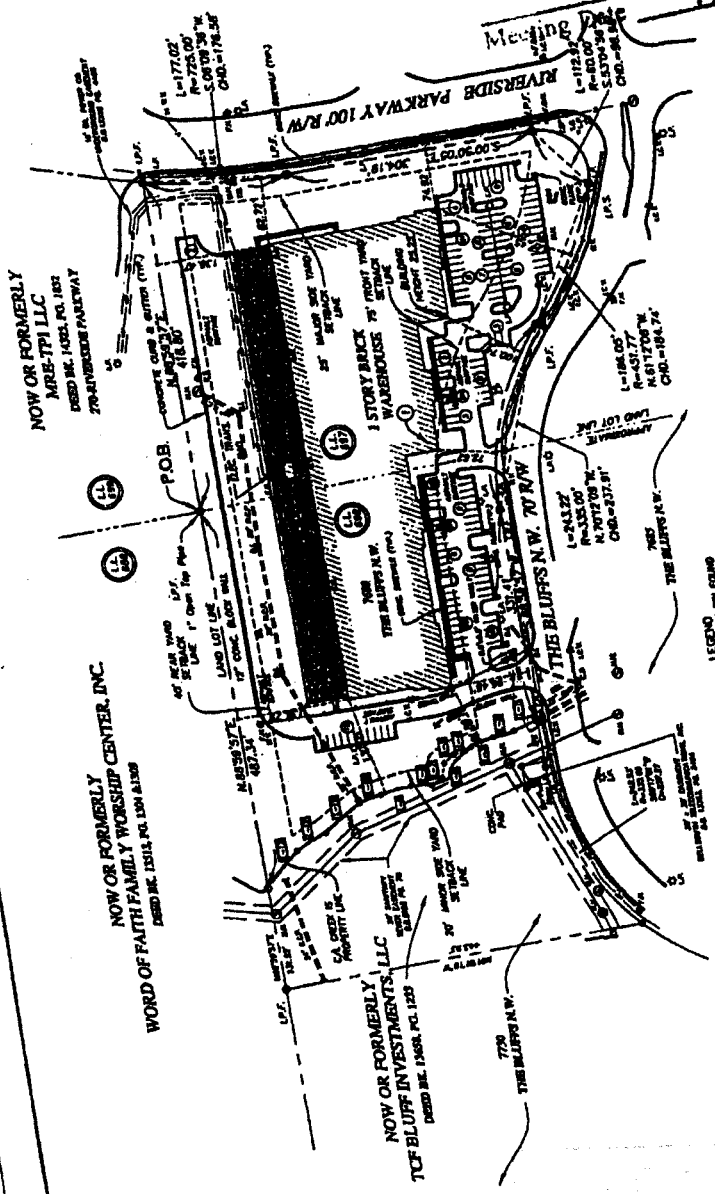
LOCATED IN  
LAND LOTS 697 & 698,  
SECTION 1808 LAND DISTRICT  
COBB COUNTY, GEORGIA

PREPARED BY  
THEY, PARK, HAYDEN & ASSOCIATES, INC.  
ENGINEERS & SURVEYORS  
ATLANTA 30309-8770

**PRPH**  
DATE: 07/06/07  
SCALE: 1" = 100'  
JOB NO.: 6559

Min. Bk. 103 Petition No. W90  
Doc. Type Site Plan

7/19/11



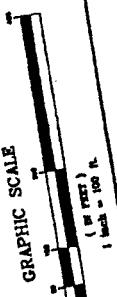
**ENCROACHMENT:**  
① SUBSTANTIAL EVIDENCE OF ENCROACHMENT IS SHOWN ON THIS SITE AND SHALL BE REMOVED TO AN AREA OF 1250 SQ. FT.

- LEGEND FOR THIS PLAN:**
- ① AREA FROM THE P/W MARKET FRONT
  - ② CONCRETE-OR-TYPE
  - ③ CONCRETE
  - ④ AREA OF FORMERLY
  - ⑤ P/W
  - ⑥ AREA OF CONCRETE
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*[Signature]*

NO.	DATE	DESCRIPTION
0	07/06/07	UPDATE-OLD SURVEY-5943



**COURSES-DISTANCES-ALONG CENTERLINE OF CREEK**

L-1	N. 15-40-38 W.	32.28
L-2	N. 09-24-46 W.	23.57
L-3	N. 17-47-57 W.	38.46
L-4	N. 08-06-11 W.	13.68
L-5	N. 34-40-50 W.	15.48
L-6	N. 74-00-28 W.	19.26
L-7	N. 26-34-04 W.	15.14
L-8	N. 09-28-02 E.	26.19
L-9	N. 08-02-59 W.	26.78
L-10	N. 17-22-03 W.	57.07
L-11	N. 33-56-02 W.	40.76
L-12	N. 24-16-40 W.	40.76
L-13	N. 44-35-42 W.	58.99

3:35  
JUN 1 2 2012



# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

JOHN M. MOORE  
STEPHEN C. STEELE  
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ROBERT D. INGRAM<sup>†</sup>  
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G. PHILLIP BEGGS  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
JERE C. SMITH  
CLAYTON O. CARMACK  
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MARIETTA, GEORGIA  
EMERSON OVERLOOK  
326 ROB WELL STREET  
MARIETTA, GEORGIA 30066  
TELEPHONE (770) 429-1499  
TELECOPIER (770) 429-8831  
KNOXVILLE, TENNESSEE  
408 N. CEDAR BLUFF ROAD  
SUITE 600  
KNOXVILLE, TENNESSEE 37923  
TELEPHONE (865) 882-8539  
TELECOPIER (865) 882-8071  
JACKSONVILLE, FLORIDA  
AETNA BUILDING  
841 PRUDENTIAL DRIVE  
12TH FLOOR  
JACKSONVILLE, FLORIDA 32207  
TELEPHONE (904) 371-1952  
TELECOPIER (904) 872-4238  
NASHVILLE, TENNESSEE  
3200 WEST END AVENUE  
SUITE 600  
NASHVILLE, TENNESSEE 37203  
TELEPHONE (615) 428-7347  
TELECOPIER (615) 783-1988  
LOUISVILLE, KENTUCKY  
9800 CORPORATE CAMPUS DRIVE  
SUITE 3000  
LOUISVILLE, KENTUCKY 40223  
TELEPHONE (502) 410-8021  
TELECOPIER (502) 410-8022

DANIEL W. STARNES<sup>†</sup>  
ALEXANDER B. MORRISON<sup>†</sup>  
DOUGLAS W. BUTLER, JR.  
APRIL R. HOLLOWAY  
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BETHANY C. MORRIS  
KATIE R. BRANHAM<sup>\*\*</sup>  
JODIE B. LODEN<sup>†</sup>

OF COUNSEL:  
JOHN L. SKELTON, JR.<sup>†</sup>

<sup>†</sup> ALSO ADMITTED IN TN  
<sup>\*\*</sup> ALSO ADMITTED IN FL  
<sup>\*\*\*</sup> ALSO ADMITTED IN NM  
<sup>\*\*\*\*</sup> ALSO ADMITTED IN CA  
<sup>††</sup> ALSO ADMITTED IN PA  
<sup>†††</sup> ALSO ADMITTED IN TX  
<sup>††††</sup> ALSO ADMITTED IN AL  
<sup>†††††</sup> ALSO ADMITTED IN NY  
<sup>††††††</sup> ALSO ADMITTED IN NV  
<sup>†††††††</sup> ADMITTED ONLY IN TN  
<sup>††††††††</sup> ADMITTED ONLY IN FL

July 7, 2011

Mr. Terry Martin, MPA  
Planner II  
Zoning Division  
Cobb County Community Development Agency  
Suite 400  
1150 Powder Springs Road  
Marietta, Georgia 30064

**Hand Delivered** COBB COUNTY CLERK THIS 7<sup>th</sup> DAY  
OF July 2011 BY Kevin Moore  
RE LUP 21  
Kevin Moore  
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK  
COBB COUNTY, GEORGIA  
Min. Bk. 63 Petition No. LUP 21  
Doc. Type letter of agreeable  
conditions  
Meeting Date 7/19/11

RE: Application for Temporary Land Use Permit - Application No. LUP-2T (2011)  
Applicant/Property Owner: Word of Faith Family Worship Center, Inc.  
Property: 7.515± acres located at Suite 700, 7680 The Bluffs, N.W., Land Lots 697 and 698, 18<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear Terry:

The undersigned and this firm represent the Applicant and Property Owner, Word of Faith Family Worship Center, Inc.. (hereinafter collectively referred to as "Applicant"), with respect to the above-referenced Application for Temporary Land Use Permit and the property located at Suite 700, 7680 The Bluffs, Land Lots 697 and 698, 18<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Subject Property"). After meeting with planning and zoning staff and various departmental representatives and reviewing the staff comments and recommendations and the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Temporary Land Use Permit is approved, as submitted, shall become a part of the grant of the requested land use permit and shall be binding upon the Subject Property. The referenced stipulations are as follows:

**MOORE INGRAM JOHNSON & STEELE**

Mr. Terry Martin, MPA  
Planner II  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 2  
July 7, 2011

Petition No. LUP 21  
Meeting Date 7/19/11  
Continued

- (1) Applicant agrees to obtain a business license for the daycare/preschool facility to be operated on the Subject Property.
  
- (2) Any street frontage signage for the proposed facility shall be either a separate ground-based, monument style sign (no larger than three (3) feet by five (5) feet); shall be an addition to any existing signage; or as otherwise permitted by the Cobb County Sign Ordinance.

We believe the requested Temporary Land Use Permit, pursuant to the stipulations set forth herein, is an appropriate use of the Subject Property. The use sought by the Applicant is beneficial to the surrounding community and will allow for maximum utilization of the existing facilities. As always, we greatly appreciate your consideration in this request.

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

c: Cobb County Board of Commissioners:  
Timothy D. Lee, Chairman  
George W. "Woody" Thompson  
Helen C. Goreham  
Robert Ott  
Joann Birrell

Cobb County Planning Commission:  
Murray Homan, Chairman  
Judy Williams  
Robert Hovey  
Christi S. Trombetti  
Mike Terry

Word of Faith Family Worship Center, Inc.