

# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: 09/17/2013

**Applicant:** Brooks Chadwick Capital, LLC Phone #: (404) 281-4554  
(applicant's name printed)

**Address:** Suite 230, 255 Village Parkway, Marietta, GA 30067 E-Mail: todd@brooks Chadwick.com  
Moore Ingram Johnson & Steele, LLP

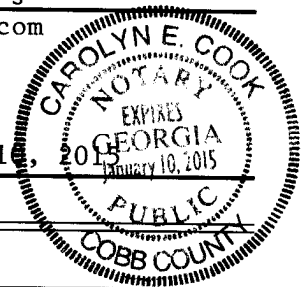
**John H. Moore** Address: Emerson Overlook, 326 Roswell Street  
(representative's name, printed) Marietta, GA 30060

BY: [Signature] Phone #: (770) 429-1499 E-Mail: jmoore@mij.s.com  
(representative's signature) Georgia Bar No. 519800 w7@mij.s.com

Signed, sealed and delivered in presence of:

[Signature: Carolyn E. Cook]  
Notary Public

My commission expires: January 10, 2015



**Titleholder(s):** Kenneth H. Young and Jenny Lee Young Phone #: \_\_\_\_\_  
(property owner's name printed)

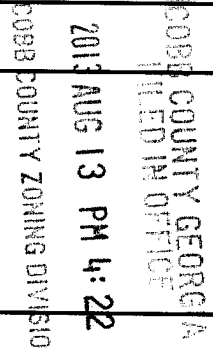
**Address:** 3812 Rock Ivy Trail, Roswell, GA 30075 E-Mail: \_\_\_\_\_

See Attached Exhibit "A" for Titleholders' Signatures  
(Property owner's signature)

Signed, sealed and delivered in presence of:

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



**Commission District:** 3 (Birrell) **Zoning Case:** Z-95 (1997)

**Date of Zoning Decision:** 08/19/1997 **Original Date of Hearing:** 08/19/1997

**Location:** Northeasterly side of Childers Road and at the current end of Huntridge Drive  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 48 **District(s):** 1st

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

See Exhibit "B" attached hereto and incorporated herein by reference.

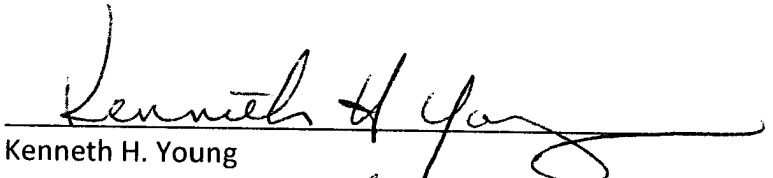

(List or attach additional information if needed)

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS**  
**(Site Plan Amendment)**

Application No.: Z-95 (1997)  
Original Hearing Date: August 19, 1997  
Date of Zoning Decision: August 19, 1997  
Current Hearing Date: September 17, 2013

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

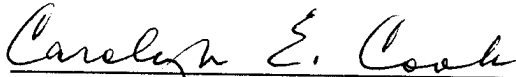
Applicant: Brooks Chadwick Capital, LLC  
Titleholders: Kenneth H. Young and Jenny Lee Young

  
Kenneth H. Young  
  
Jenny Lee Young

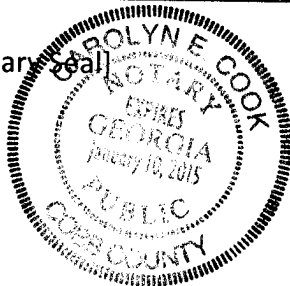
Address: 3812 Rock Ivy Trail  
Roswell, Georgia 30075

Telephone No.: ( ) \_\_\_\_\_

Signed, sealed, and delivered in the presence of:

  
Notary Public  
Commission Expires: 01-10-2015

[Notary Seal]



COBB COUNTY GEORGIA  
FILED IN OFFICE  
2013 AUG 13 PM 4:23  
COBB COUNTY ZONING DIVISION

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

**Application No.:** Z-95 (1997)  
**Original Hearing Date:** August 19, 1997  
**Date of Zoning Decision:** August 19, 1997  
**Current Hearing Date:** September 17, 2013

**Applicant:** Brooks Chadwick Capital, LLC  
**Titleholders:** Kenneth H. Young and Jenny Lee Young

COBB COUNTY GEORGIA  
FILED IN OFFICE  
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COBB COUNTY ZONING DIVISION

On August 19, 1997, the Cobb County Board of Commissioners approved rezoning of a tract of 57.8 acre tract of property located on the northwesterly side of Childers Road, west of Hampstead Lane and east of Huntridge Drive to the Planned Residential District ("PRD") zoning classification. The property which is the subject of this Application for "Other Business" is a portion of this rezoned property, being 19.6 acres, located in Land Lots 48, 1<sup>st</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, and being proposed Unit III of Old Ivy Subdivision ("Property" or "Subject Property"). The original approval by the Cobb County Board of Commissioners referenced development would be as reflected on a revised site plan which was attached and made a part of the final Minutes approving rezoning (a copy of said site plan being attached hereto as Exhibit "1" and incorporated herein by reference; as well as, being made a part of the overall Application for "Other Business").

The Applicant and Property Owners, by and through this Application for "Other Business," request an amendment to the previously approved site plan related to the overall development which will be specific only as to the Subject Property, as follows:

- (1) Applicant seeks approval of the Site Plan submitted with this Application for "Other Business," same being dated July 16, 2013, prepared for Applicant by Centerline Surveying Systems, Inc. which seeks approval of the revised lot layout for development of the Subject Property. A reduced copy of the Site Plan is attached hereto as Exhibit "2" and incorporated herein by reference.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on August 19, 1997, in Application No. Z-95 (1997), are unaltered and unchanged by this request for site plan amendment.

The proposed amendment of the Site Plan presented herein in no way adversely impacts or affects the quality of the overall development approved in the original rezoning of the Subject Property. If the requested amendment is approved, as submitted, it shall become an additional part of the final rezoning and shall be binding upon the proposed development of the Subject Property.

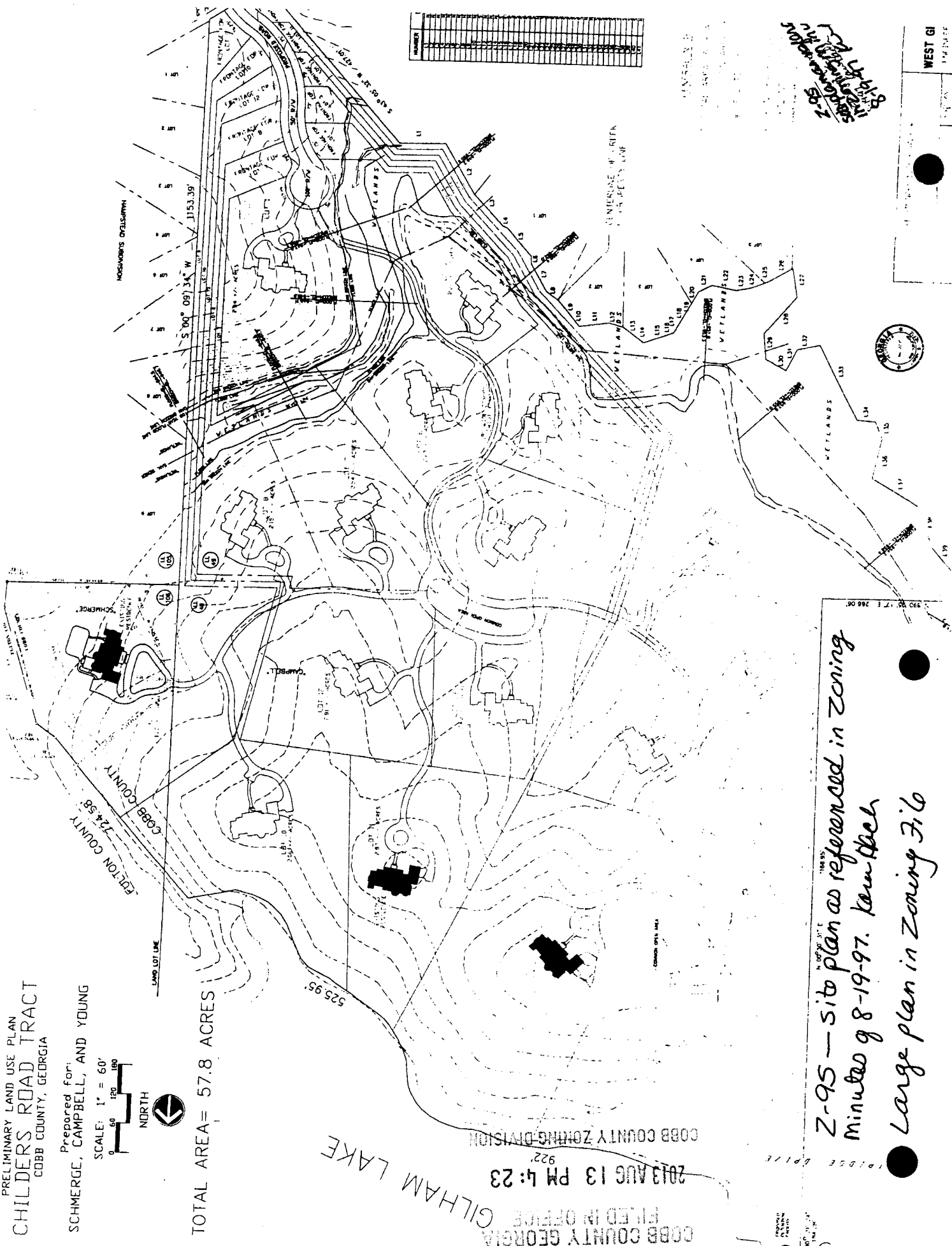
PRELIMINARY LAND USE PLAN  
**CHILDERS ROAD TRACT**  
 COBB COUNTY, GEORGIA

Prepared for:  
 SCHMERGE, CAMPBELL, AND YOUNG

SCALE: 1" = 60'  
 0 60 120 180  
 NORTH

TOTAL AREA = 57.8 ACRES

Exhibit "1"



Z-95 - site plan as referenced in zoning minutes of 8-19-97. Kam-then  
 Large plan in zoning file

*Handwritten notes:*  
 1-85  
 1-86  
 1-87  
 1-88  
 1-89  
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WEST GI

**APPLICANT**  
**BROOKS CHADWICK CAPITAL**  
 255 VILLAGE PARKWAY, SUITE 230  
 MARIETTA, GEORGIA 30067

CURVE TABLE			
CURVE	RADIUS	LENGTH	CHORD
C1	290.00'	33.84'	33.82'
C2	50.00'	42.10'	40.86'
C3	200.00'	98.01'	98.00'
C4	350.00'	192.37'	190.74'
C5	300.00'	50.27'	50.21'

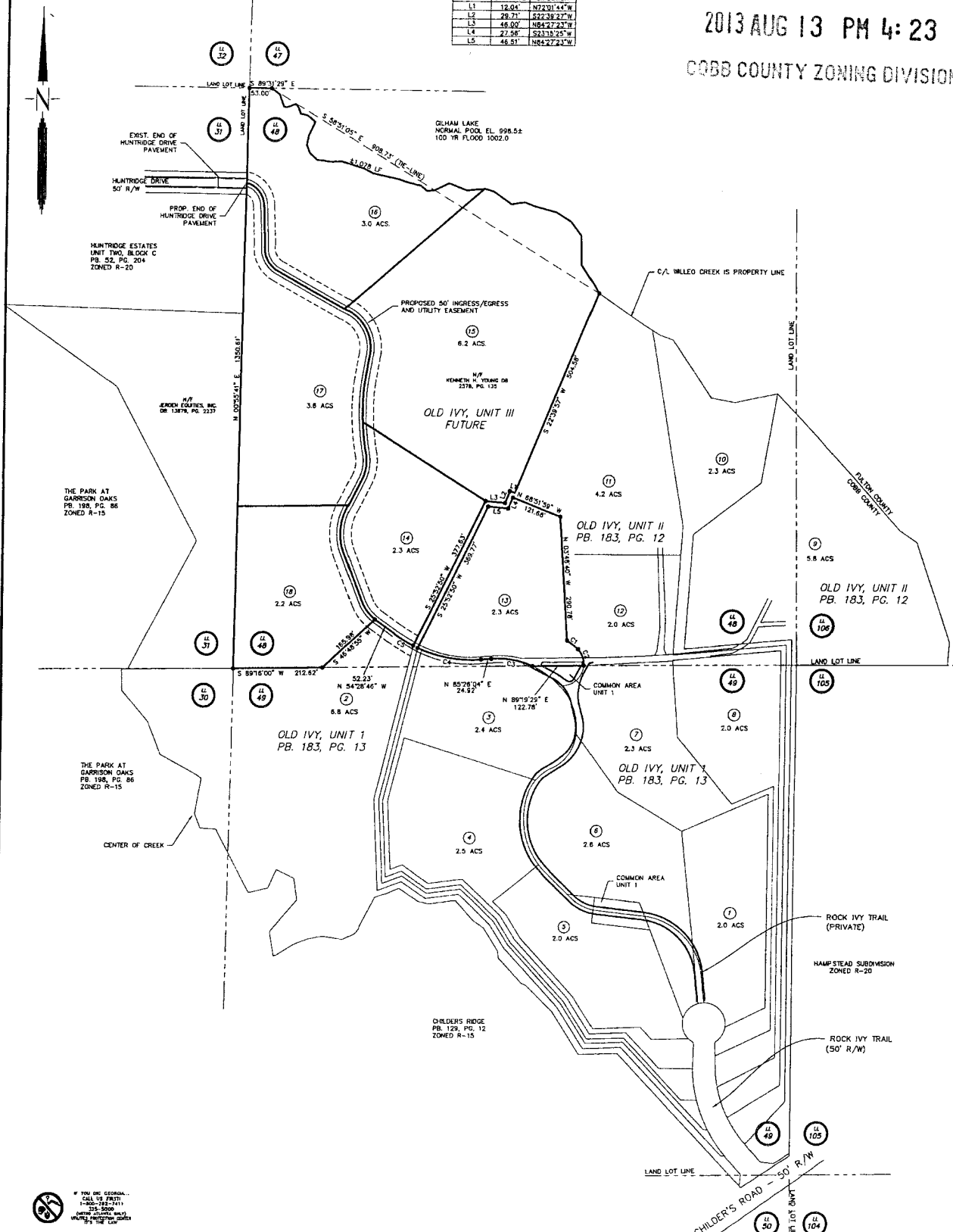
LINE TABLE		
LINE	DISTANCE	DIRECTION
L1	12.04'	N72°01'44"W
L2	28.71'	S72°39'27"W
L3	46.00'	N84°27'23"W
L4	27.58'	S23°15'25"W
L5	46.51'	N84°27'23"W

NO PORTION OF THE PROPERTY LOCATED WITHIN UNIT III IS WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO COBB COUNTY F.I.R.M. PANEL 0066 C COMMUNITY NUMBER 130052, DATED: DEC. 16, 2008.

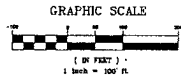
**COBB COUNTY, GEORGIA**  
**FILED IN OFFICE**

2013 AUG 13 PM 4:23

COBB COUNTY ZONING DIVISION



**CAUTION**  
 THE SURVEY SHOWS ARE SHOWN FOR THE CONTRACTOR'S CONSIDERATION ONLY. MAKE SURE ALL OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATING, MARKING AND DEPTH OF ALL UTILITIES UNDER THE CARES OF THE WORK. ALL SHOWN ARE TO BE CHECKED BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



**Exhibit "2"**

BOUNDARY INFORMATION SHOWN IS COMPILED FROM CURRENT FIELD WORK PREVIOUS SURVEYS AND RECORD DEEDS. OLD IVY UNITS I & II ARE TAKEN FROM RECORDED FINAL PLATS AS REFERENCED. OLD IVY UNIT III IS COMPILED FROM CURRENT FIELD SURVEYS AND PREVIOUS SURVEYS BY OTHERS OF PROPERTY OWNED BY DR. YOUNG.

SHEET No.	DATE	REVISION DESCRIPTION	BY
1	7-18-13		
2			

SITE PLAN REVISION FOR:  
**BROOKS CHADWICK CAPITAL**  
 BEING KNOWN AS OLD IVY FUTURE UNIT 3  
 LOCATED IN LAND LOT 48  
 1ST DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA

**Centerline Surveying Systems, Inc.**  
 1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144  
 PHONE: (770) 424-0028 FAX: (770) 424-2399

COBB COUNTY GEORGIA  
FILED IN OFFICE

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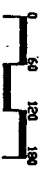
COBB COUNTY ZONING DIVISION

**OVERALL SITE PLAN APPROVED BY  
BOARD OF COMMISSIONERS PURSUANT  
TO APPLICATION FOR REZONING –  
AUGUST 19, 1997**

PRELIMINARY LAND USE PLAN  
**CHILDERS ROAD TRACT**  
 COBB COUNTY, GEORGIA

Prepared for:  
**SCHMERGE, CAMPBELL, AND YOUNG**

SCALE: 1" = 60'

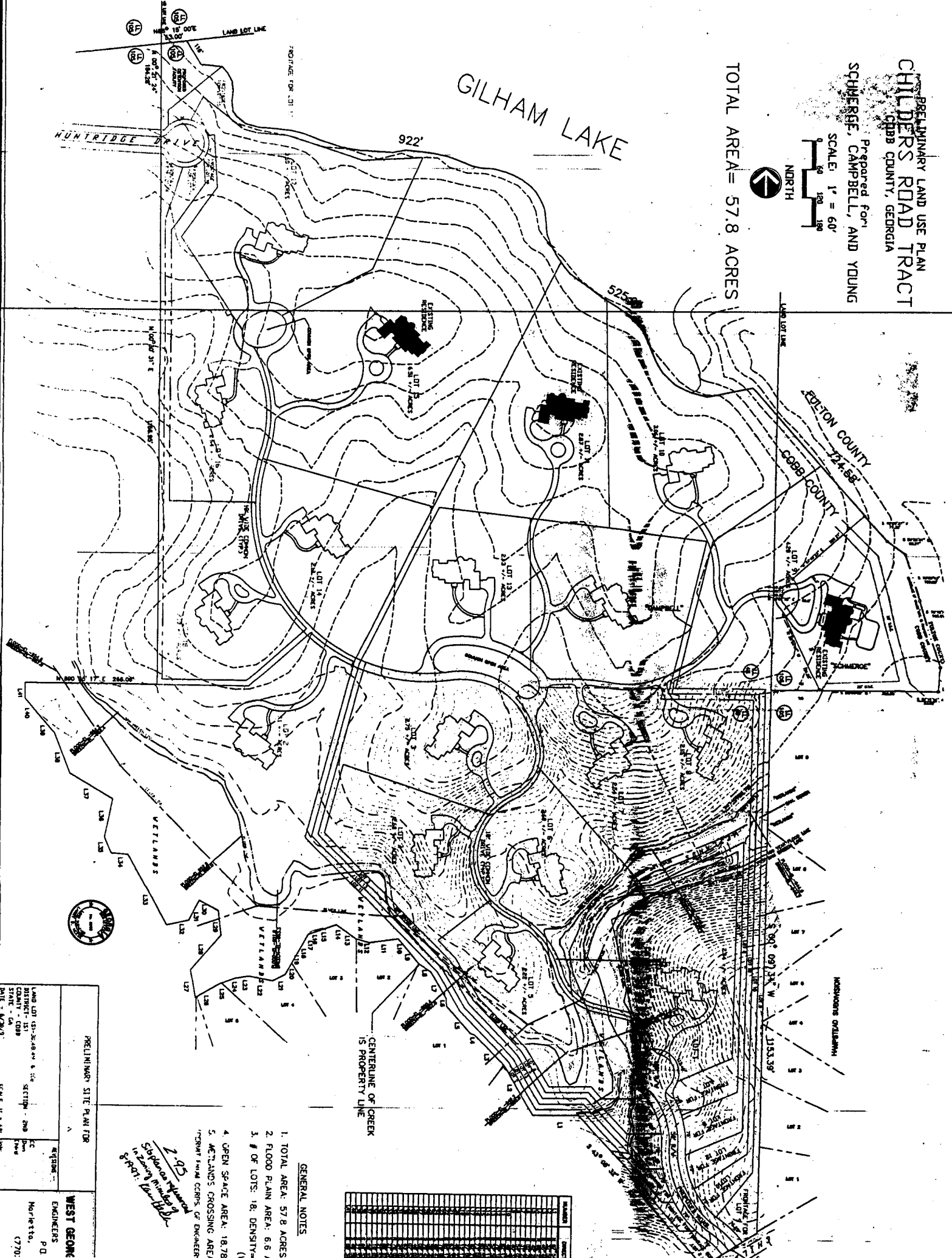


NORTH



TOTAL AREA = 57.8 ACRES

GILHAM LAKE



**GENERAL NOTES**

1. TOTAL AREA: 57.8 ACRES
  2. FLOOD PLAIN AREA: 6.6 /
  3. # OF LOTS: 18; DENSITY=
  4. OPEN SPACE AREA: 18.78
  5. WETLANDS CROSSING AREA /
- DESIGNED BY: SCHMERGE, CAMPBELL, AND YOUNG  
 ENGINEERS

*Site plan showing  
 1-10  
 in 200' scale  
 8/10/11*

NO.	DESCRIPTION	AMOUNT
1	TOTAL AREA	57.8 ACRES
2	FLOOD PLAIN AREA	6.6 ACRES
3	OPEN SPACE AREA	18.78 ACRES
4	WETLANDS CROSSING AREA	1.5 ACRES
5	WETLANDS CROSSING AREA	1.5 ACRES
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99	WETLANDS CROSSING AREA	1.5 ACRES
100	WETLANDS CROSSING AREA	1.5 ACRES

PRELIMINARY SITE PLAN FOR

LAND LOT 131-140 of a 100-acre tract  
 DISTRICT - 151  
 COUNTY - COBB  
 STATE - GA

SCALE: 1" = 60'

WEST GEORGIA ENGINEERS  
 P.D. Norberto, C770

**PROPOSED ZONING SITE PLAN  
FOR AMENDMENT BY BOARD OF  
COMMISSIONERS PURSUANT TO  
APPLICATION FOR “OTHER BUSINESS” –  
SEPTEMBER 17, 2013**

COBB COUNTY GEORGIA  
FILED IN OFFICE

2013 AUG 13 PM 4: 23

COBB COUNTY ZONING DIVISION



**APPLICANT**  
**BROOKS CHADWICK CAPITAL**  
 255 VILLAGE PARKWAY, SUITE 230  
 MARIETTA, GEORGIA 30067

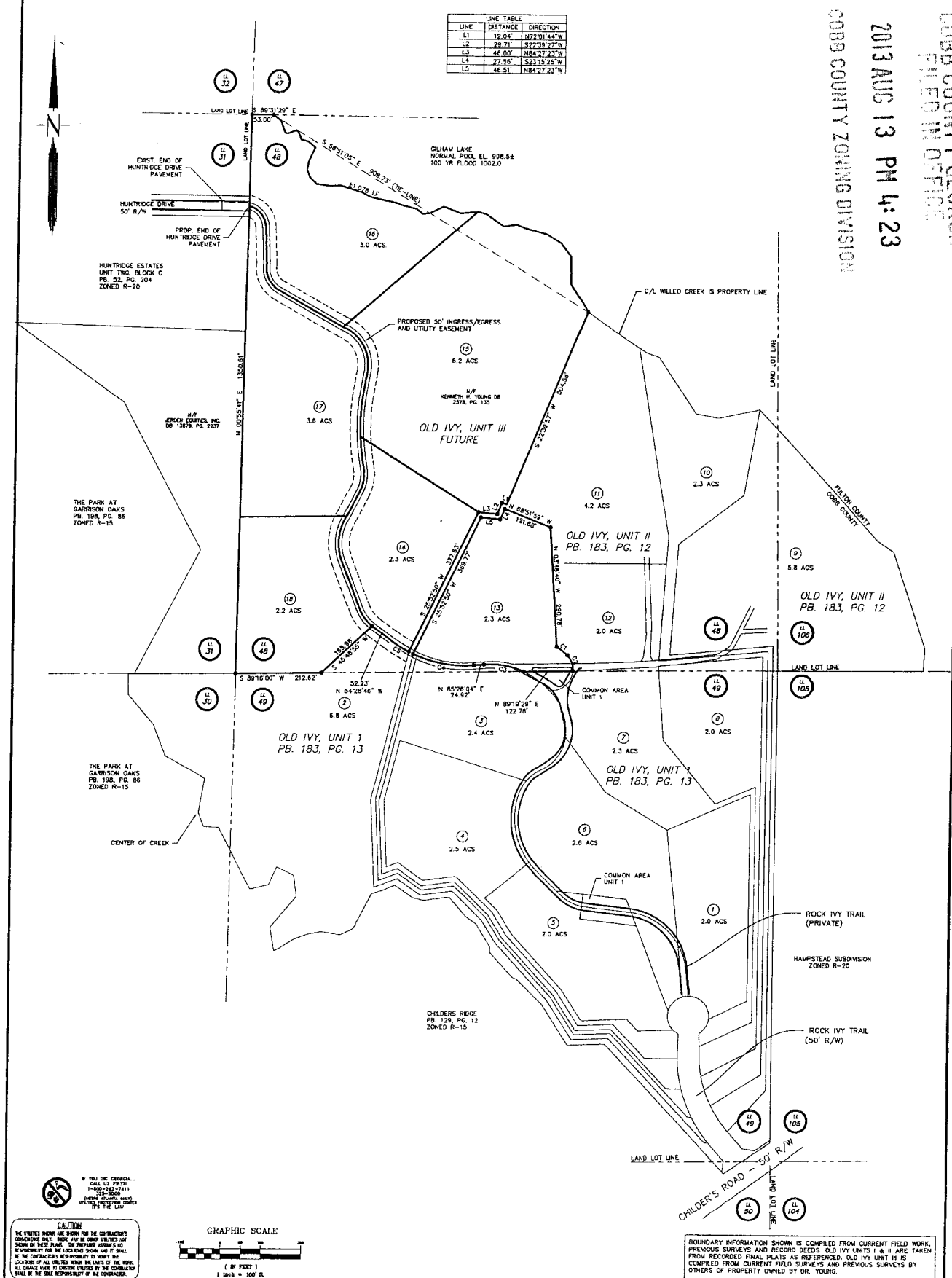
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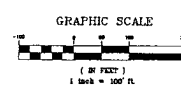
NO PORTION OF THE PROPERTY LOCATED WITHIN UNIT III IS WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO COBB COUNTY F.I.R.M. PANEL 0086 C COMMUNITY NUMBER 130052, DATED: DEC. 16, 2008.

**SITE NOTES:**  
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL  
 CURRENT ZONING - PRD

**COBB COUNTY GEORGIA**  
**FILED IN OFFICE**  
**2013 AUG 13 PM 4:23**  
**COBB COUNTY ZONING DIVISION**



**CAUTION**  
 THE UNITS SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONSIDERATION ONLY. THERE MAY BE OTHER UNITS NOT SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATING SYSTEM AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UNITS UNDER THE LIMITS OF THE WORK. ALL UNITS MUST BE LOCATED BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



BOUNDARY INFORMATION SHOWN IS COMPILED FROM CURRENT FIELD WORK, PREVIOUS SURVEYS AND RECORD DEEDS. OLD IVY UNITS I & II ARE TAKEN FROM RECORDED FINAL PLATS AS REFERENCED. OLD IVY UNIT III IS COMPILED FROM CURRENT FIELD SURVEYS AND PREVIOUS SURVEYS BY OTHERS OF PROPERTY OWNED BY DR. YOUNG.

SHEET No.	DRAWN BY: DP	CHECKED BY:	NO.	DATE	REVISION DESCRIPTION	BY
1			1	7-18-13		
			2			

**SITE PLAN REVISION FOR:**  
**BROOKS CHADWICK CAPITAL**  
 BEING KNOWN AS OLD IVY FUTURE UNIT 3  
 LOCATED IN LAND LOT 48  
 1ST DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA

**Centerline Surveying Systems, Inc.**  
 1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144  
 PHONE: (770) 424-0028 FAX: (770) 424-2389

**OFFICIAL MINUTES OF COBB COUNTY  
BOARD OF COMMISSIONERS ZONING  
HEARING FOR Z-95 (1997) –  
AUGUST 19, 1997**

COBB COUNTY GEORGIA  
FILED IN OFFICE

2013 AUG 13 PM 4: 23

COBB COUNTY ZONING DIVISION

**CONSENT AGENDA**

- MH-9** **BETTY JO BARNES** (Betty Jo Barnes, owner) for a **Land Use Permit** (renewal) for the purpose of Parking a Mobile Home (medical hardship) in Land Lot 75 of the 20<sup>th</sup> District. 1 acre. Located on the west side of Acworth-Dallas Road, west of Georgia Highway 92. The Board of Commissioners, as part of the Consent Agenda, **approved** Land Use Permit for **12 months**. Motion by Wysong, second by W. Thompson, carried 5-0.
- Z-94** **CORNERSTONE INVESTMENTS COMPANY** (G. F. Doyal, L. C. Doyal, et al, owners) for Rezoning from **R-20** to **R-15** for the purpose of a Subdivision in Land Lots 416, 417, 472 and 473 in the 19<sup>th</sup> District. 52.8 acres. Located on the south side of Macland Road, east of Bankstone Road. The Board of Commissioners, as part of the Consent Agenda, **approved** Rezoning to the **R-15 zoning district** subject to: 1) **minimum house size of 1,800 square feet**; 2) **project subject to Stormwater Management Division comments and recommendations**; 3) **Water and Sewer comments and recommendations**; 4) **project subject to Cobb DOT comments and recommendations**; 5) **owner/developer required to meet all Cobb County development requirements and ordinances related to project improvements**. Motion by Wysong, second by W. Thompson, carried 5-0.
- Z-95** **SCHMERGE, CAMPBELL & YOUNG** (Julia H. Green, Judith F. Schmerge, A. G. Schmerge and Diane Gilkey, owners) for Rezoning from **R-30** and **PRD** to **PRD** for the purpose of a Subdivision in Land Lots 30, 48, 49 and 106 of the 1<sup>st</sup> District. 57.8 acres. Located on the northwest side of Childers Road, west of Hampstead Lane and east of Huntridge Drive. The Board of Commissioners, as part of the Consent Agenda, **approved** Rezoning to the **PRD zoning district** subject to: 1) **minimum house size of 4,000 square feet**; 2) **home sites to be located as shown on revised site plan for setback purposes (plan attached and made a part hereof)**; 3) **private drive to be recorded as a permanent access easement to serve all 18 lots**; 4) **protective covenants to be recorded conveying all responsibility for maintenance/upkeep of any open space, bridges, and private drives to the homeowners**; 5) **Water and Sewer comments and recommendations**; 6) **project subject to Cobb DOT comments and recommendations**; 7) **project subject to Stormwater Management Division comments and recommendations**; 8) **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**. Motion by Wysong, second by W. Thompson, carried 5-0.

PRELIMINARY LAND USE PLAN  
**CHILDERS ROAD TRACT**  
 COBB COUNTY, GEORGIA

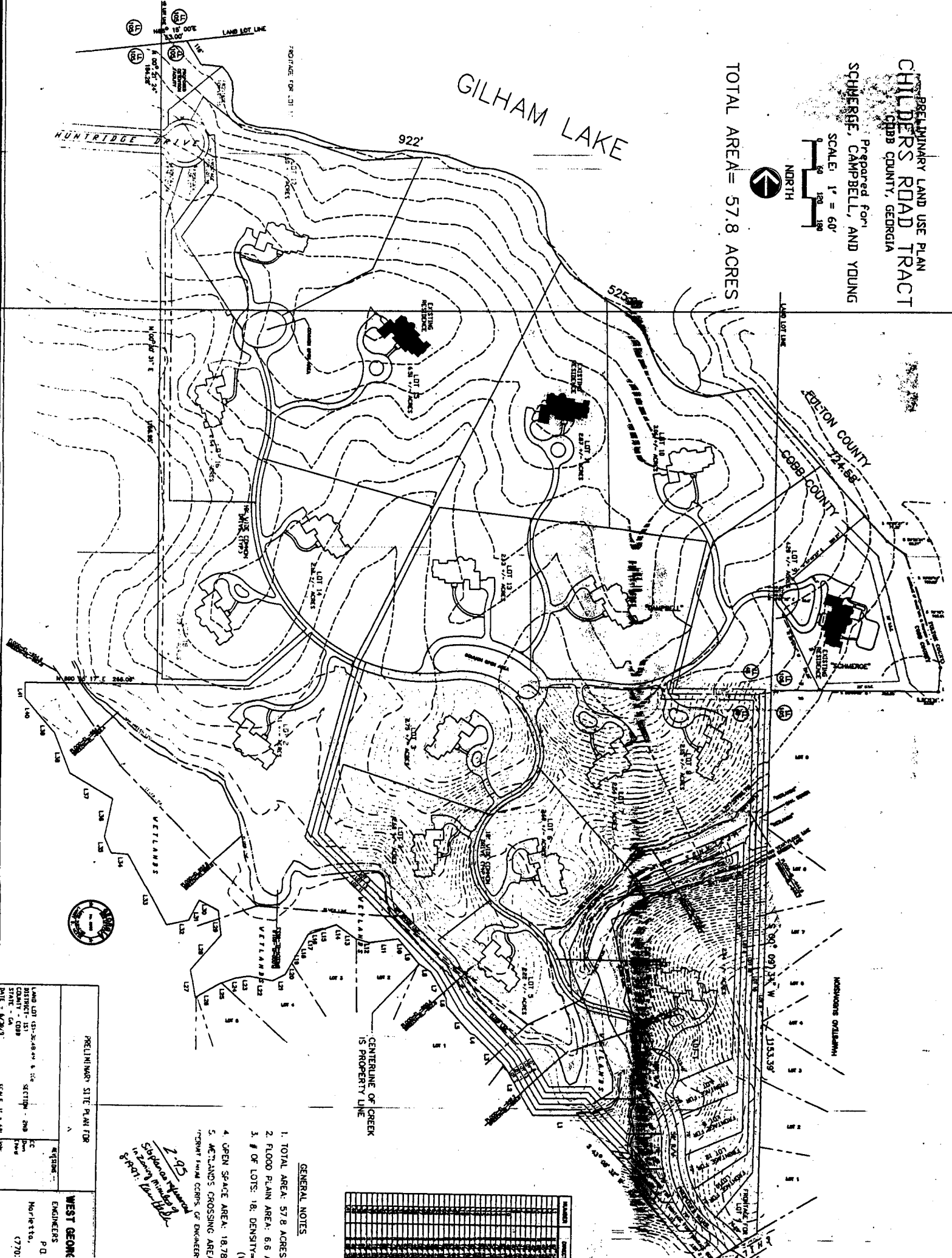
Prepared for:  
**SCHMERGE, CAMPBELL, AND YOUNG**

SCALE: 1" = 60'



TOTAL AREA = 57.8 ACRES

GILHAM LAKE



**GENERAL NOTES**

1. TOTAL AREA: 57.8 ACRES
  2. FLOOD PLAIN AREA: 6.6 /
  3. # OF LOTS: 18; DENSITY=
  4. OPEN SPACE AREA: 18.78
  5. WETLANDS CROSSING AREA /
- DESIGNED BY: SCHEMERGE, CAMPBELL & YOUNG, INC.  
 DATE: 11/20/78

CENTERLINE OF CREEK  
 IS PROPERTY LINE

NO.	DESCRIPTION	AREA
1	TOTAL AREA	57.8
2	FLOOD PLAIN AREA	6.6
3	WETLANDS CROSSING AREA	
4	OPEN SPACE AREA	18.78
5	WETLANDS CROSSING AREA	
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17	WETLANDS CROSSING AREA	
18	WETLANDS CROSSING AREA	

PRELIMINARY SITE PLAN FOR

LAND LOT 131-138-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200

SCALE: 1" = 60'

**WEST GEOM**  
 ENGINEERS  
 P.O.  
 Norcross, GA  
 3770