

**NOVEMBER 19, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 1

PURPOSE

To consider correcting the zoning hearing minutes relating to rezoning application Z-33 of 2013 (Blake Properties, Inc.), for property located on the west side of West Sandtown Road, southwest of Dallas Highway in Land Lots 331 and 332 of the 20th District.

BACKGROUND

The subject property was zoned to R-20/R-30 OSC on September 17, 2013 for a subdivision with 28 homes. It was discovered after the zoning hearing minutes were adopted that the date of the site plan was incorrect (site plan dated August 13, 2013). The correct site plan was displayed at the September 17th Zoning Hearing and had a date last revised August 21, 2013, which was received by the Zoning Division September 11, 2013. If approved, all previous zoning stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider correcting the zoning hearing minutes for Z-33 of 2013. The correct site plan was last revised August 21, 2013, which was received by the Zoning Division September 11, 2013.

ATTACHMENTS

Stipulations and correct site plan.

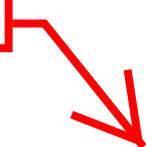
**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
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REGULAR CASES

Z-33 **BLAKE PROPERTIES, INC.** (Estate of Margaret W. Raines, owner) requesting Rezoning from **R-20** and **R-30** to **R-20/OSC** for the purpose of a Single-Family Detached Residential Subdivision in Land Lots 22 and 23 of the 19th District and Land Lots 331 and 332 of the 20th District. Located on the west side of West Sandtown Road, southwest of Dallas Highway, across from Old Dallas Road. *(Previously continued by Staff from the July 8, 2013 Planning Commission from hearing and previously continued by the Board of Commissioners from their August 20, 2013 hearing)*

The public hearing was opened and Mr. Garvis L. Sams, Jr. and Ms. Lisa Gunn addressed the Board. Following presentation and discussion, the following motion was made:

Incorrect site plan



MOTION: Motion by Goreham, second by Birrell, to **delete** Rezoning to the **R-20/R-30** OSC zoning district **subject to:**

- **Site plan dated August 13, 2013 (attached and made a part of these minutes)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated September 11, 2013 (attached and made a part of these minutes) with the following changes:**
 - **Item No. 2, revise to read: “The subject property shall be developed in conformity to the revised site plan dated August 13, 2013.”**
 - **Item No. 17 – strike in its entirety and replace with: “Prior to obtaining a land disturbance permit Blake Properties and/or its successor(s) shall post a \$100,000.00 performance bond bound unto Cobb County.”**
 - **Item No. 17, add subset a.: “Blake Properties and/or its successor(s) shall pay for a pre and post lake study of Stillwaters lake. The pre and post lake study will be performed by a certified hydrologist or engineer with periodic monitoring of the turbidity of the lake. The studies shall be reviewed by a representative for Blake Properties and/or its successor(s), Cobb County Community Development Director and a representative of Stillwaters. If remediation is required, such costs will be covered by the performance bond. In the event that Blake Properties and/or its successor(s) assigns do not perform any required clean up, Community Development is authorized to pursue the bond funds.”**

