

**DECEMBER 17, 2013 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 2**

**ITEM # 5**

**PURPOSE**

To consider a Settlement of Litigation for Teague Investments, L.P.; et al., regarding rezoning application Z-41 (Walton Communities, LLC) of 2011, for property located on the northeasterly side of Spring Hill Parkway, southwesterly of the intersection of Mt. Wilkinson Parkway and Spring Hill Parkway in Land Lot 812, 813, 843 and 844 of the 17<sup>th</sup> District, and to also consider a site plan amendment for Teague Investments, L.P . regarding rezoning application Z-24 (Cotter Properties & Development, LLC) of 2013, for property located on the west side of Spring Hill Parkway, north of Spring Hill Road, and at the eastern terminus of Vista Way in Land Lots 772, 813 and 814 of the 17<sup>th</sup> District.

**BACKGROUND**

The applicant’s rezoning application (Z-41 of 2011) for a condominium building was denied by the Board of Commissioners on March 20, 2012. The applicant filed a lawsuit in Superior Court challenging the Board of Commissioners’ decision. Prior to this case going to court, meetings and discussions occurred and a settlement proposal was formulated, which is attached for review (letters from Mr. Kevin Moore dated October 22, 2013 and November 8, 2013). The Board of Commissioners' decision for Z-41 of 2011 is attached for review. Additionally, as part of the settlement proposal, the applicant will access the Z-41 property through the adjacent property, which was rezoned to RA-5 (Z-24 of 2013) in June of this year. The Z-24 property was zoned to the site plan, so Teague Investments would need to amend the Z-24 site plan to allow access for the Z-41 property. If approved, all other previous zoning stipulations for Z-24 of 2013 would remain in effect.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the Settlement of Litigation proposal for Z-41 of 2011, and to consider the proposed site plan amendment for Z-24 of 2013.

**ATTACHMENTS**

Minutes for Z41 of 2011, minutes for Z-24 of 2013, and Settlement proposal letters from Mr. Kevin Moore.

MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
MARCH 20, 2012  
PAGE 6

~~CONSENT AGENDA (Continued)~~

~~LUP-1 PARADISE CONCEPTS, INC. D/B/A NATURE SUPPLY CENTRE  
(Continued)~~

- ~~• no more than two (2) dump truck loads of Granite 57 stone on property~~
- ~~• no more than one (1) trailer of pine straw and wheat straw on property for the purpose of storage~~
- ~~• no more than more than four (4) dump truck loads of tree clippings and/or tree mulch to be on the property~~
- ~~• no more than four (4) dump truck loads of fill dirt on property~~
- ~~• landscaping buffer consisting of trees, a minimum of three feet (3') in height, to be planted on a three foot (3') center along the southeast property line (for a total of 571 feet), to be approved by the County Arborist~~
- ~~• Fire Department comments and recommendations~~
- ~~• Stormwater Management Division comments and recommendations~~
- ~~• Cobb DOT comments and recommendations, with six (6) months from this date to complete deceleration lane on Floyd Road.~~

~~VOTE: ADOPTED unanimously~~

REGULAR AGENDA

Z-41<sup>11</sup> WALTON COMMUNITIES, LLC (Teague Investments, L.P.; Teague Spring Hill, L.L.C.; and Teague-Morris/Zimmerman, LLC, owners) requesting Rezoning from **RM-8, RM-12, R-15 and R-30** to **UC** for the purpose of Residential Condominiums in Land Lots 812, 813, 843 and 844 of the 17th District. Located on the northwesterly side of Spring Hill Parkway, southwesterly of the intersection of Mt. Wilkinson Parkway and Spring Hill Parkway.

MINUTES OF ZONING HEARING  
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REGULAR AGENDA (Continued)

Z-41<sup>11</sup> WALTON COMMUNITIES, LLC (Continued)

The public hearing was opened and Mr. John Moore, Mr. Kurt Graham, and Mr. Frank Savini addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Goreham, to **deny** Rezoning request.

VOTE: **ADOPTED** unanimously

~~Z-42<sup>11</sup> BANKHEAD C & D TRANSFER STATION, LLC (owner) requesting Rezoning from GC to HI for the purpose of a Transfer Station in Land Lot 282 of the 18<sup>th</sup> District. Located on the southwest side of Veterans Memorial Highway, east of Discovery Boulevard. *(Continued by Staff from the November 1, 2011 Planning Commission hearing, continued by the Board of Commissioners from their December 13, 2011 hearing and continued by Staff until the April 17, 2012 Board of Commissioners hearing; therefore was not considered at this hearing)*~~

Z-47<sup>11</sup> TRINITAS VENTURES, LLC (Argonaut Associates, LTD, owner) requesting Rezoning from GC and OS to UC for the purpose of Urban Condominiums in Land Lots 360 and 361 of the 16<sup>th</sup> District and Land Lots 95 and 96 of the 20<sup>th</sup> District. Located on the west side of Busbee Drive, south of George Busbee Parkway; and on the east side of Interstate 75.

The public hearing was opened and Mr. John Moore and Mr. Scott Peters addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Ott, to **hold** Rezoning request until the April 17, 2012 Board of Commissioners' Zoning hearing.

~~VOTE: **ADOPTED** unanimously~~

ORIGINAL DATE OF APPLICATION: 06-18-13APPLICANTS NAME: COTTER PROPERTIES & DEVELOPMENT, LLCTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 06-18-13 ZONING HEARING:**

**COTTER PROPERTIES & DEVELOPMENT, LLC** (Charles A. Jones Estate, Augusta P. Jones, Norma M. and AA Gentry c/o Aubry Gentry and Rawn Lee Shaw, owners) requesting Rezoning from **R-30** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 772, 813 and 814 of the 17<sup>th</sup> District. Located on the west side of Spring Hill Parkway, north of Spring Hill Road; and the eastern terminus of Vista Way (3303 and 3313 Cumberland Drive, 3400, 3410, 3420, 3440 and 3450 Spring Hill Parkway).

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

**MOTION:** Motion by Ott, second by Cupid, to **approve** Rezoning to the **RA-5** zoning district **subject to:**

- **Site plan dated June 3, 2013 defined as Exhibit A (attached and made a part of these minutes), as modified in the sketch provided by Mr. Garvis L. Sams, Jr. (attached and made a part of these minutes)**
- **Letter of agreeable conditions from Mr. Parks Huff dated June 14, 2013, including exhibits (attached and made a part of these minutes) *with the following change:***
  - **Item No. 9 – add to end: “Streets to meet Cobb DOT standards.”**
- **Interior private streets must have curb and gutter and a compliant sidewalk on one side**
- **Allowance for Georgia native plant rescue prior to issuance of Land Disturbance Permit**
- **Fire Department comments and recommendations**
- **Water and Sewer Division comments and recommendation**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**

**VOTE:** **ADOPTED** unanimously







**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  
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FACSIMILE

JUSTIN H. MEERS

SAMSLARKINHUFF.COM

June 14, 2013

**VIA EMAIL**  
**AND HAND DELIVERY**

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

Min. Bk. 69 Petition No. Z-24  
Doc. Type Letter of  
agreeable conditions  
Meeting Date June 18, 2013

Re: Application of Cotter Properties & Development, LLC to Rezone a 13.3+ Acre Tract from R-30 to RA-5; Land Lots 813 & 814, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (Z-24).

Dear John:

I represent Cotter Properties & Development, LLC in relation to the above-described zoning application. The application is scheduled to be heard by the Planning Commission on June 4, 2013 and thereafter by the Board of Commissioners on June 18, 2013. The applicant has engaged the surrounding community and adjacent property owners to revise the proposal to address specific concerns. Following is a list of stipulations that are a result of this dialogue. The applicant requests that the zoning be approved subject to the following stipulations. These stipulations supersede a previous letter dated May 30, 2013.

- 1) The zoning will be RA-5 for a 46 lot single-family detached subdivision as depicted in the revised site plan which yields a density of approximately 3.5 units per acre. The revised site plan is attached as Exhibit "A". The zoning is site plan specific.
- 2) The applicant will create open space between lots 12 and 13 to create a buffer for the neighborhood and specifically the property owner located at the intersection of Valley Vista Drive and Vista Way. The rear 25 feet of this open space will be deeded to the adjacent property owner subject to easement for utilities after the final platting of the subdivision. Upon transfer of this property, that portion of greenspace will delete to R-30 zoning to match the zoning of the lot it will be added to.
- 3) The single family homes will be architecturally similar to the attached photographs (Exhibit "B"). The homes will include a mixture of materials from brick, stone, shake

SAMS, LARKIN & HUFF  
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Petition No.   2-24    
Meeting Date   6-18-2013    
Continued

**VIA EMAIL  
AND HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
June 14, 2013  
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shingles, standing seam awnings and other architectural details as shown in the photographs. There shall be architectural elements on three sides and the rear architecture of homes that are visible from adjacent roadways will not be 100% board siding.

- 4) The homes will be a minimum of 2500 square feet of climate controlled space and have at a minimum a two car garage. The homes may range up to 4500 square feet with finished basements. All garages will be used for vehicle parking only.
- 5) The applicant will agree to a comprehensive landscaping and buffer plan that will include the following:
  - a. Lots 9, 10, 11 and 12 will have a 30 foot landscaped buffer that will be designed with input from the county arborist with an emphasis on providing an opaque visual barrier. All plantings must be selected from a list provided by the County Arborist.
  - b. The open space will have a 25 foot landscaped buffer planted adjacent to the 25 foot wide portion of the property that will be transferred to the adjacent property owner after the final plat is recorded.
  - c. The remaining lots on the western boundary of the subject property will have a 25 foot wide landscaped buffer that will be designed with input from the county arborist with an emphasis to create an opaque visual barrier at maturity. All landscaped and buffered areas may be penetrated for the purpose of utilities and stormwater control.
  - d. There shall be a stained 6 foot high shadow box fence along the southern and western boundary line similar to the picture attached as Exhibit "C."
  - e. To ensure the integrity and the maintenance of the fence and the buffer, the applicant will create covenants that will be managed by a homeowners association that will be responsible for the maintenance of the fence and the 25 to 30 foot landscaping buffer. The plat will specifically recognize the buffer and require that the plantings not be removed by the lot owners and that if plants and trees die

SAMS, LARRIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

Petition No 2-24  
Meeting Date 6-18-2013  
Continued

VIA EMAIL

AND HAND DELIVERY

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
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they must be replaced with similar species. The deeds shall also contain a notice to the purchaser that the buffer is to be maintained and replaced if damaged.

- f. The detention pond will be surrounded by a fence and will have landscaping to minimize the visibility of the detention area from view of property owners outside of the development.
- g. The landscaping and fencing will be in place by April 2014.
- 6) The applicant agrees that the RA-5 zoning will revert to R-30 if an LDP is not obtained within 18 months without further action by Cobb County or the property owners.
- 7) Contemporaneously with this zoning, the minimum lot size is 6,000 square feet.
- 8) The applicant will comply with Stormwater Management Division comments. Specifically, the applicant will provide for stormwater management behind the homes at the bottom of the slope to channel the water to the detention pond and to limit bypass drainage.
- 9) The development will have private streets. The applicant will comply with the DOT recommendations regarding the entrance on Spring Hill Parkway.
- 10) During construction, the stub street known as Vista Way will only be used to move heavy equipment onto the property for the completion of the detention pond and the installation of erosion control measures. It will not be used as the primary access for workers, materials and equipment. No vehicles or construction equipment will be parked along Vista Way, Valley Vista Drive or Spring Hill Parkway. The main construction entrance will be off of Spring Hill Parkway.
- 11) Street lights will be environmentally sensitive down cast lighting to minimize light pollution leaving the site. All electrical utilities will be underground.
- 12) There shall be a mandatory homeowners association that will include architectural controls and maintenance of common property including the fencing and buffer landscaping. The HOA will also be responsible for maintenance of private streets and water, sewer, and stormwater systems.

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

Project No. Z-24  
Meeting Date 6-18-2013  
City/County

**VIA EMAIL  
AND HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
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- 13) The house that currently exists on the property may be used as a construction office, but if it is not so used, it will be boarded up within 30 days of the closing of the property and demolished within 60 days of the closing date. If a tenant is still in the house at closing the dates will be 30 and 60 days from the date the tenant moves out.
- 14) In order to address the Fire Department comments, the applicant will do the following:
- a) Each home will have at a minimum a two car garage. There will be a restrictive covenant that prohibits conversion of the garage space to living area or to another use and it will require that the garage space remain clear for vehicle parking at all times.
  - b) Each driveway will have a minimum area of seventeen (17) feet wide by twenty (20) feet in depth to allow for the parking of two additional vehicles in the driveway.
  - c) There shall be no on street parking allowed. The covenants will restrict on-street parking and the streets shall all be marked as fire lanes in accordance with Cobb County Code Section 118-231(c) and the plat will also reflect the fire lanes.
  - d) Each purchaser will be required to sign a statement as follows: "As a property owner, I recognize that my home and my neighbor's homes must be accessible by the fire department at all times. Therefore, parking along the street is prohibited. All streets are fire lanes and will be enforced as fire lanes. In order to provide adequate guest parking each home will be required to keep both garage spaces open and available for vehicle parking and keep open two additional spaces in the driveway for vehicle parking so each home will have parking available for four vehicles." Each successive homeowner will also be required to sign this statement.
  - e) These conditions relating to fire access will be a zoning condition enforceable by the county as a zoning condition and by the Fire Department as a fire lane. Additionally, the conditions will be contained within the covenants of the development and enforceable by the homeowner's association.
- 15) The District Commissioner can make minor modifications to these conditions if the modification does not change the purpose of the condition.

Revision No. 2-24  
Meeting Date 6-18-2013  
Continued**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP**VIA EMAIL  
AND HAND DELIVERY**Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
June 14, 2013  
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The above-described conditions are intended to address concerns regarding buffers, drainage and development intensity. The single-family detached proposal acts as a transition from the intense development located across Spring Hill Parkway from the subject property. Please contact me if you have any questions regarding the proposed conditions.

Very truly yours,

SAMS, LARKIN &amp; HUFF, LLP

Parks F. Huff  
[phuff@samslarkinhuff.com](mailto:phuff@samslarkinhuff.com)PFH/dvm  
Enclosures

cc: Members, Cobb County Board of Commissioners (via email)  
Members, Cobb County Planning Commission (via email)  
Mr. Robert L. Hosack, Jr., AICP Director (via email)  
Mr. Jason Campbell, Planner III (via email)  
Mr. David Breaden, P.E., Cobb County Stormwater Management (via email)  
Ms. Jane Stricklin, PE, Cobb County DOT (via email)  
Ms. Karen King, Assistant County Clerk (via email)  
Ms. Lori Barton, Deputy County Clerk (via email)  
Kurt Graham (via email)  
Frank Savini (via email)  
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Sam Heaton (via email)  
Jay Westbrook (via email)

# MOORE INGRAM JOHNSON & STEELE

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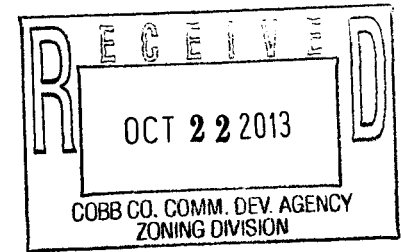
OF COUNSEL:  
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN  
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\*\*\* ALSO ADMITTED IN CA  
^ ALSO ADMITTED IN TX  
‡ ALSO ADMITTED IN AL  
‡ ALSO ADMITTED IN KY  
+ ALSO ADMITTED IN SC  
# ALSO ADMITTED IN NC  
♦ ADMITTED ONLY IN TN  
◊ ADMITTED ONLY IN FL

October 22, 2013

*Hand Delivered*

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



RE: Teague Investments, L.P.; et al., v. Cobb County, Georgia; et al.  
Civil Action, File Number: 12-1-03934-34  
Superior Court of Cobb County

Dear John:

As you know, the undersigned and this firm represent Walton Communities, LLC, the Applicant, Teague Investments, L.P.; Teague Spring Hill, L.L.C.; and Teague-Morris/Zimmerman, LLC, the Property Owners, (hereinafter collectively referred to as "Owners"), in their pending zoning appeal as to property totaling 23.5 acres, more or less, located on the northwesterly side of Spring Hill Parkway, southwesterly of the intersection of Mt. Wilkinson Parkway and Spring Hill Parkway, Land Lots 812, 813, 843, and 844, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"), which was the subject of the above-referenced Application for Rezoning, same being Application No. Z-41 (2011). The appeal arose as a result of the denial by the Board of Commissioners of the prior, subject Application for Rezoning.

The settlement, as proposed in this letter, and the accompanying revised Zoning Plan, result from efforts by all parties to resolve the issues presented without the necessity of further litigation.



**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
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My client agrees to the following stipulations and conditions, subject to the Zoning Plan, which, if approved, as submitted, shall be in complete settlement of the pending zoning appeal and shall be binding upon the Subject Property. This settlement letter of agreeable stipulations and conditions shall supersede and replace in full any and all other letters of agreeable stipulations and conditions submitted in connection with the Application for Rezoning and the zoning appeal not specifically enumerated herein. The referenced stipulations are as follows:

- (1) Rezoning of the Subject Property shall be from the existing zoning categories of RM-8, RM-12, R-15, and R-30 to the proposed zoning category of RA-5, site plan specific to that certain revised Zoning Plan prepared by Essential Engineering Services, L.L.C. dated October 7, 2013, filed contemporaneously with this proposed settlement letter of agreeable stipulations and conditions.
- (2) The zoning will be RA-5 for a 40 lot single-family detached subdivision as depicted in the revised Zoning Plan which yields a density of approximately 1.70 units per acre. The revised Zoning Plan is attached as Exhibit "A."
- (3) The development will have internal ingress egress through the site plan case # Z-24. Zoning case # Z-24 will be modified to allow for this road extension along with moving the detention facility to this parcel to provide stormwater detention for both parcels of land.
- (4) The single-family homes will be architecturally similar to the attached photographs (Exhibit "B"). The homes will include a mixture of materials from brick, stone, shake shingles, standing seam awnings, and other architectural detail as shown in the photographs. There shall be architectural elements on three sides and the rear architecture of homes that are visible from adjacent roadways will not be 100% board siding.
- (5) The homes will be a minimum of 2,250 square feet of climate controlled space and have, at a minimum, a two-car garage. The homes may range up to 4,000 square feet with finished basements. All garages will be used for vehicle parking only.
- (6) The minimum lot size is 5,250 square feet.
- (7) The development will have private streets.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
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- (8) There shall be a mandatory homeowners association that will include architectural control and maintenance of common property. The HOA will also be responsible for maintenance of private streets, water, sewer, and stormwater systems.
- (9) In order to address the Fire Department comments, the applicant will do the following:
- (a) Each home will have, at a minimum, a two-car garage. There will be a restrictive covenant that prohibits conversion of the garage space to living area or to another use and it will require that garage space remain clear for vehicle parking at all times;
  - (b) Each driveway will have a minimum area of seventeen (17) feet wide by twenty (20) feet in depth to allow for the parking of two (2) additional vehicles in the driveway;
  - (c) There shall be no on-street parking allowed. The covenants will restrict on-street parking and the streets shall all be marked as fire lanes in accordance with Cobb County Code § 118-23 1(c) and the plat will also reflect the fire lanes;
  - (d) Each purchaser will be required to sign a statement as follows:  

As a property owner, I recognize that my home and my neighbor's homes must be accessible by the Fire Department at all times. Therefore, parking along the street is prohibited. All streets will be enforced as fire lanes. In order to provide adequate guest parking, each home will be required to keep both garage spaces open and available for vehicle parking and keep open two additional spaces in the driveway for vehicle parking so each home will have parking available for four (4) vehicles.
- Each successive homeowner will also be required to sign this statement.
- (e) These conditions relating to fire access will be a zoning condition, enforceable by the county as a zoning condition and by the Fire Department as a fire lane. Additionally, the conditions will be contained

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Administrator  
Zoning Division  
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within the covenants of the development and enforceable by the mandatory homeowners association.

- (10) Minor modifications to be approved by the District Commissioner, except for those that:
- (a) Increase the density of a residential project or the overall square footage of a non-residential project;
  - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
  - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
  - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district; and
  - (e) Change an access location to a different roadway.

This proposal is submitted in settlement and compromise of the pending zoning appeal and shall not otherwise be used in any hearing, trial, arbitration, or mediation of said appeal. If the settlement, as proposed, is approved by the Board of Commissioners, my client agrees to dismiss, with prejudice, the pending litigation case and to pay its own legal expenses and litigation costs.

We respectfully request this settlement proposal be submitted to the Cobb County Board of Commissioners during the next available Executive Session and subsequently be placed upon the Zoning Hearing agenda before the Board of Commissioners as soon as practical thereafter. In order to meet the required time frame for posting and advertising of the Subject Property, we would request your expeditious review and handling of this request.

We believe the requested settlement is an appropriate use of the Subject Property while taking into consideration the changing conditions of the area and the properties and owners surrounding the proposed development. The proposed residential community shall be of the highest quality, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this settlement proposal.

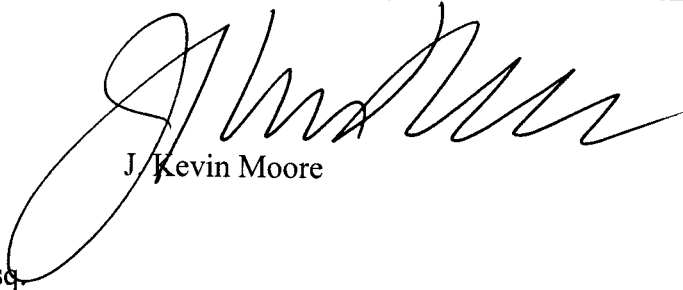
**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Page 5 of 5  
October 22, 2013

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

Attachments

c: Joseph B. Atkins, Esq.  
Senior Assistant County Attorney  
(With Copies of Attachments)

Walton Communities, LLC  
(With Copies of Attachments)

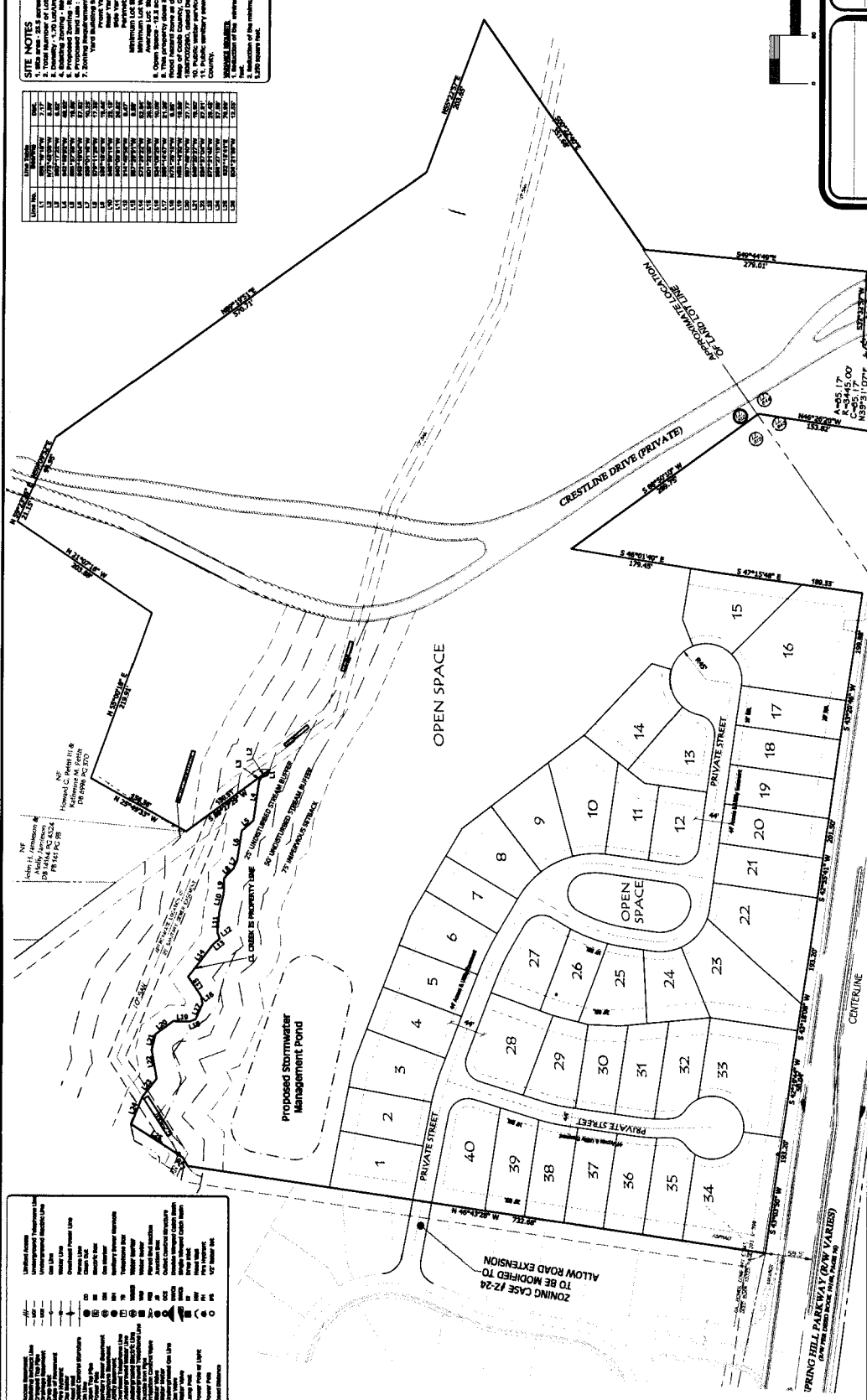
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LOT NO.	AREA (SQ. FT.)	AREA (SQ. YD.)
1	10,000	727.67
2	10,000	727.67
3	10,000	727.67
4	10,000	727.67
5	10,000	727.67
6	10,000	727.67
7	10,000	727.67
8	10,000	727.67
9	10,000	727.67
10	10,000	727.67
11	10,000	727.67
12	10,000	727.67
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31	10,000	727.67
32	10,000	727.67
33	10,000	727.67
34	10,000	727.67
35	10,000	727.67
36	10,000	727.67
37	10,000	727.67
38	10,000	727.67
39	10,000	727.67
40	10,000	727.67

**LOT SIZE CHECK**

LOT NO.	AREA (SQ. FT.)	AREA (SQ. YD.)
1	10,000	727.67
2	10,000	727.67
3	10,000	727.67
4	10,000	727.67
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6	10,000	727.67
7	10,000	727.67
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35	10,000	727.67
36	10,000	727.67
37	10,000	727.67
38	10,000	727.67
39	10,000	727.67
40	10,000	727.67



**LEGEND**

Symbol	Description
○	Lot Boundary
○	Proposed Lot Boundary
○	Proposed Stormwater Management Pond
○	Proposed Road Extension
○	Proposed Open Space
○	Proposed Private Street
○	Proposed Crestline Drive
○	Proposed Spring Hill Parkway
○	Proposed Centerline
○	Proposed Allow Road Extension
○	Proposed Zoning Case #2-24
○	Proposed Stormwater Management Pond
○	Proposed Open Space
○	Proposed Private Street
○	Proposed Crestline Drive
○	Proposed Spring Hill Parkway
○	Proposed Centerline
○	Proposed Allow Road Extension
○	Proposed Zoning Case #2-24

**Zoning Plan**

**Spring Hill Parkway Tract II**

Land Lots 812 & 813  
17th District, 2nd Section  
Cobb County  
Georgia

October 7, 2013  
Scale: 1" = 60'

CH: DMEL/Concept/Amg  
Job Alt:  
Sheet 1 of 1

**RECEIVED**

**OCT 22 2013**

**COBB CO. COMM. DEV. AGENCY**  
**ZONING DIVISION**

**EES**

**ESSENTIAL ENGINEERING SERVICES**

1400 W. BENTLEY AVENUE, SUITE 1100  
DUNWOODY, GEORGIA 30329  
Phone: 404-487-8888  
www.essentialengineers.com

**OWNER / DEVELOPER**

**24 HOUR - EMERGENCY CONTACT**

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**EXHIBIT "A"**

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

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RYAN C. EDENS\*  
JULIE C. FULLER\*  
JODI B. LODEN\*  
TAMMI L. BROWN  
TRAVIS R. JACKSON  
DAVID A. HURTADO  
J. MARSHALL WEHUNT  
JONATHAN J. SMITH  
MONTROYA M. HO-SANG†  
TRISTAN B. MORRISON\*\*\*\*  
WILLIAM B. WARIHAY#  
W. COLLINS BROWN  
ROBERT A. BUTLER  
COLLEEN K. HORN\*\*\*\*\*  
GRAHAM P. ROBERTS  
DAVID J. OTTEN\*  
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DAVID P. CONLEY  
LYNDSY J. HURST

B. CHASE ELLEBY  
G. BARDIN HOOKS  
DAPHNE S. WITHROW  
WILLIAM W. MCGOWAN, II†  
TYLER R. MORGAN\*  
MARIANNA L. JABLONSKI\*

OF COUNSEL:  
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
\*\*\*\* ALSO ADMITTED IN CA  
^ ALSO ADMITTED IN TX  
# ALSO ADMITTED IN AL  
‡ ALSO ADMITTED IN KY  
+ ALSO ADMITTED IN SC  
+ ALSO ADMITTED IN NC  
‡ ADMITTED ONLY IN TN  
◊ ADMITTED ONLY IN FL

November 8, 2013

Hand Delivered

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

RE: Teague Investments, L.P.; et al., v. Cobb County, Georgia; et al.  
Civil Action, File Number: 12-1-03934-34  
Superior Court of Cobb County

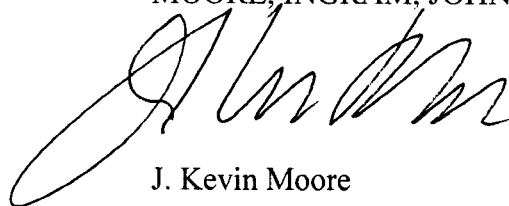
Dear John:

As an amendment to the letter of proposed agreeable stipulations and conditions filed with your office on October 23, 2013, as part of the settlement of the above-referenced zoning appeal (Application No. Z-41 (2011)), submitted are the photographs referenced in subparagraph (4) as Exhibit "B." The balance and remainder of the letter of proposed agreeable zoning stipulations and conditions remains unchanged.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc  
Attachments

COBB COUNTY GEORGIA  
FILED IN OFFICE  
2013 NOV -8 PM 3:15  
COBB COUNTY ZONING DIVISION

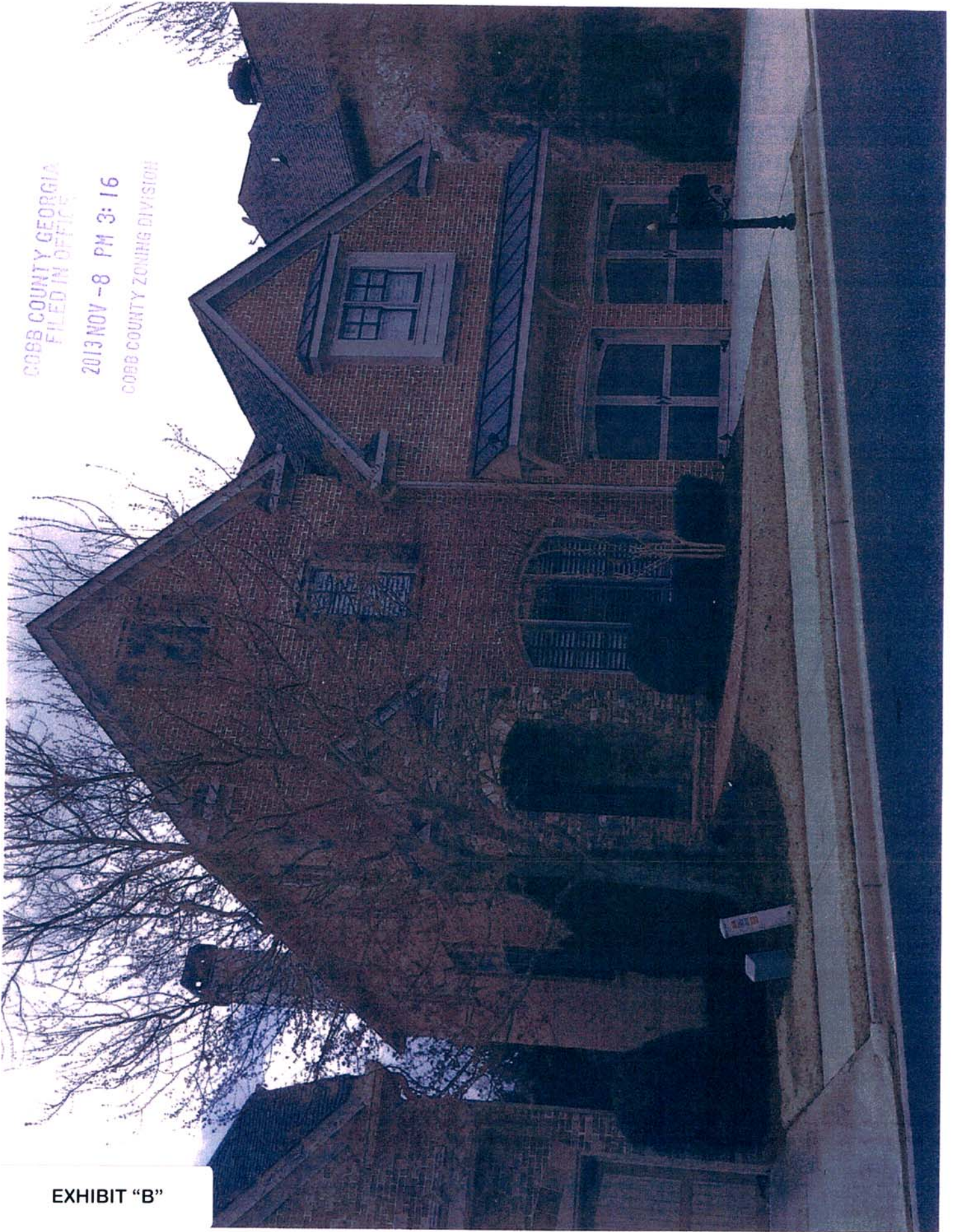
**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Administrator  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 2  
November 8, 2013

c: Joseph B. Atkins, Esq.  
Senior Assistant County Attorney  
(With Copies of Attachments)

Walton Communities, LLC  
(With Copies of Attachments)





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COBB COUNTY ZONING DIVISION

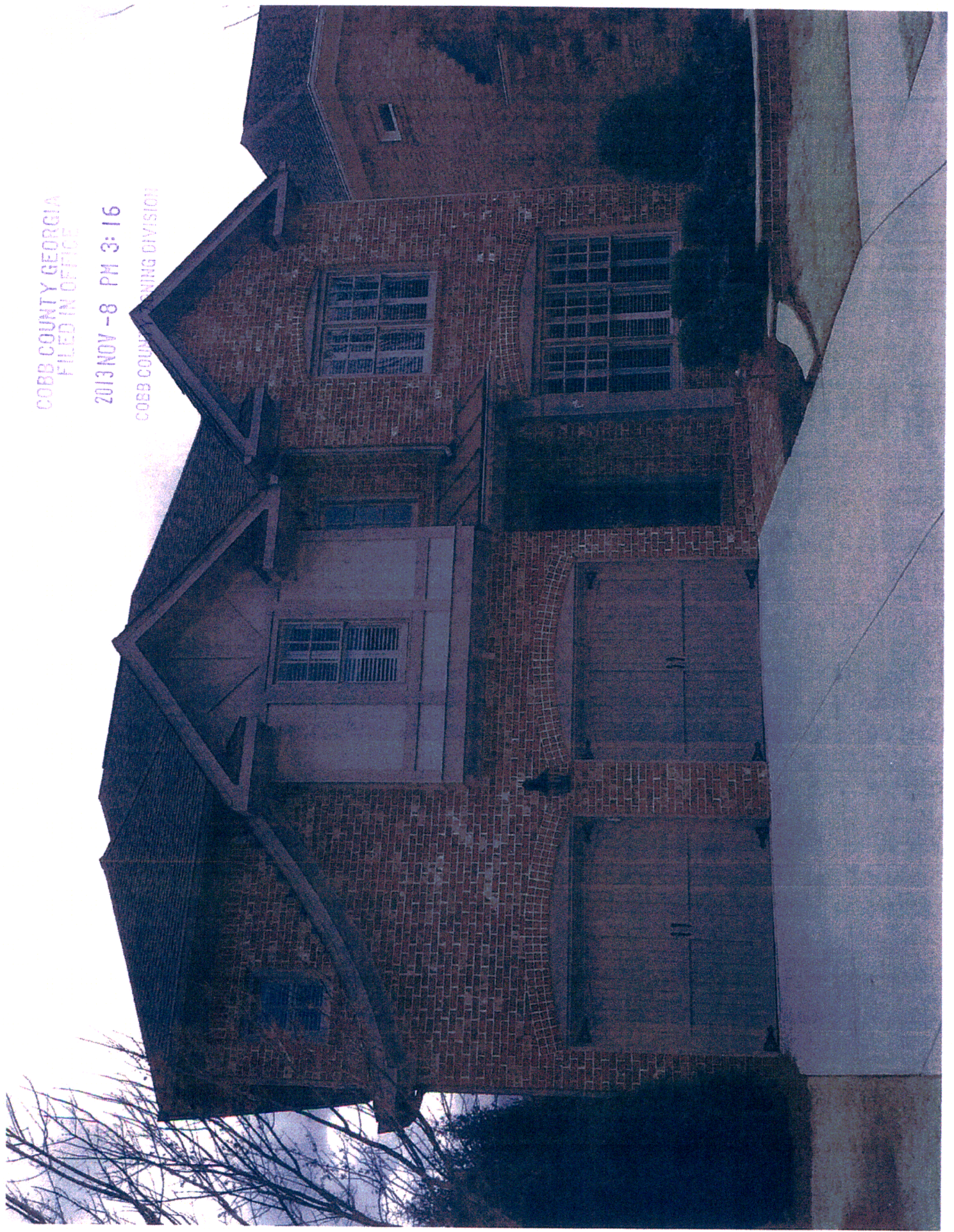




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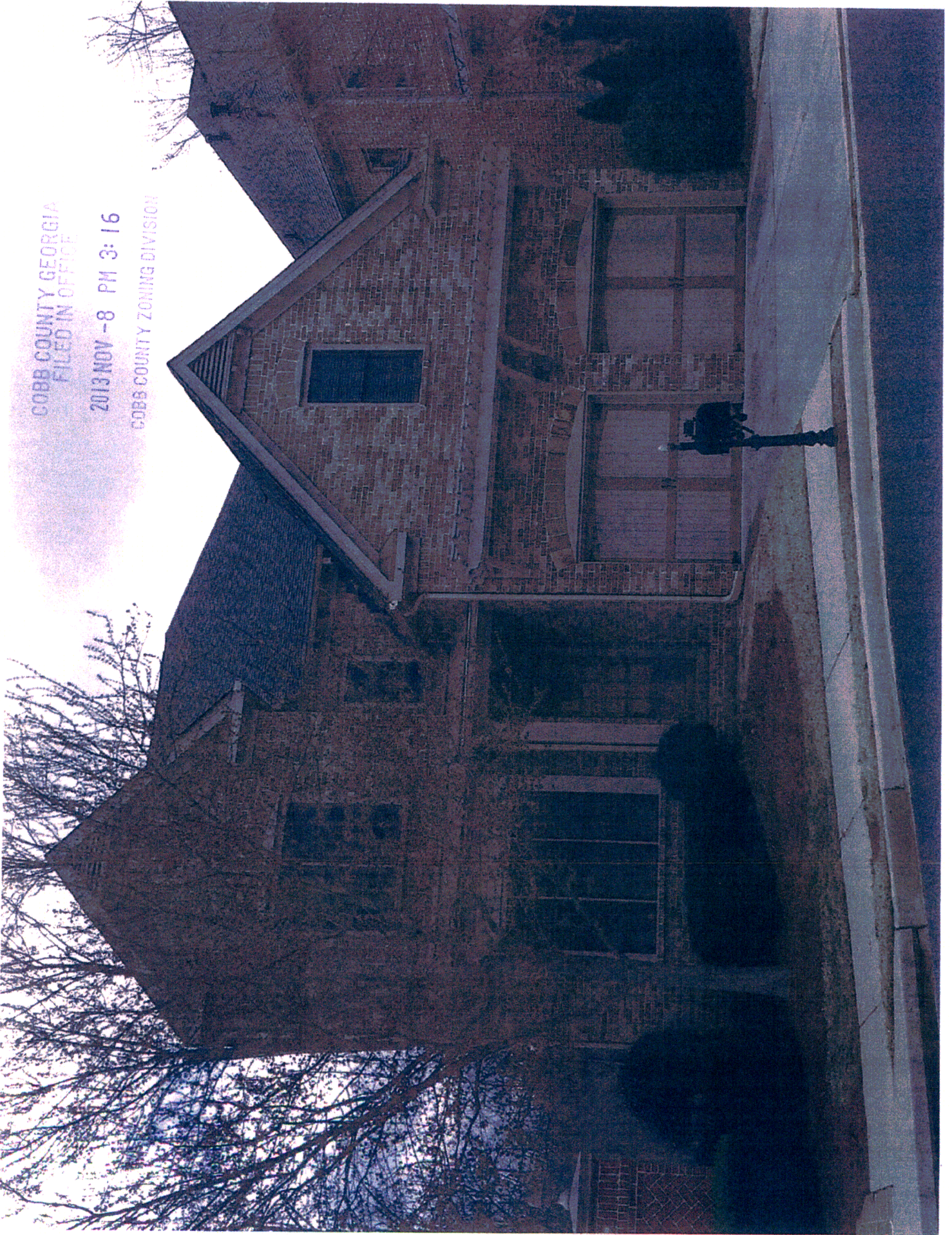




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COBB COUNTY ZONING DEPARTMENT

