

PRELIMINARY ZONING ANALYSIS

Planning Commission Hearing Date: April 1, 2014

Board of Commissioners Hearing Date: April 15, 2014

Due Date: March 7, 2014

Date Distributed/Mailed Out: February 20, 2014



Cobb County...Expect the Best!



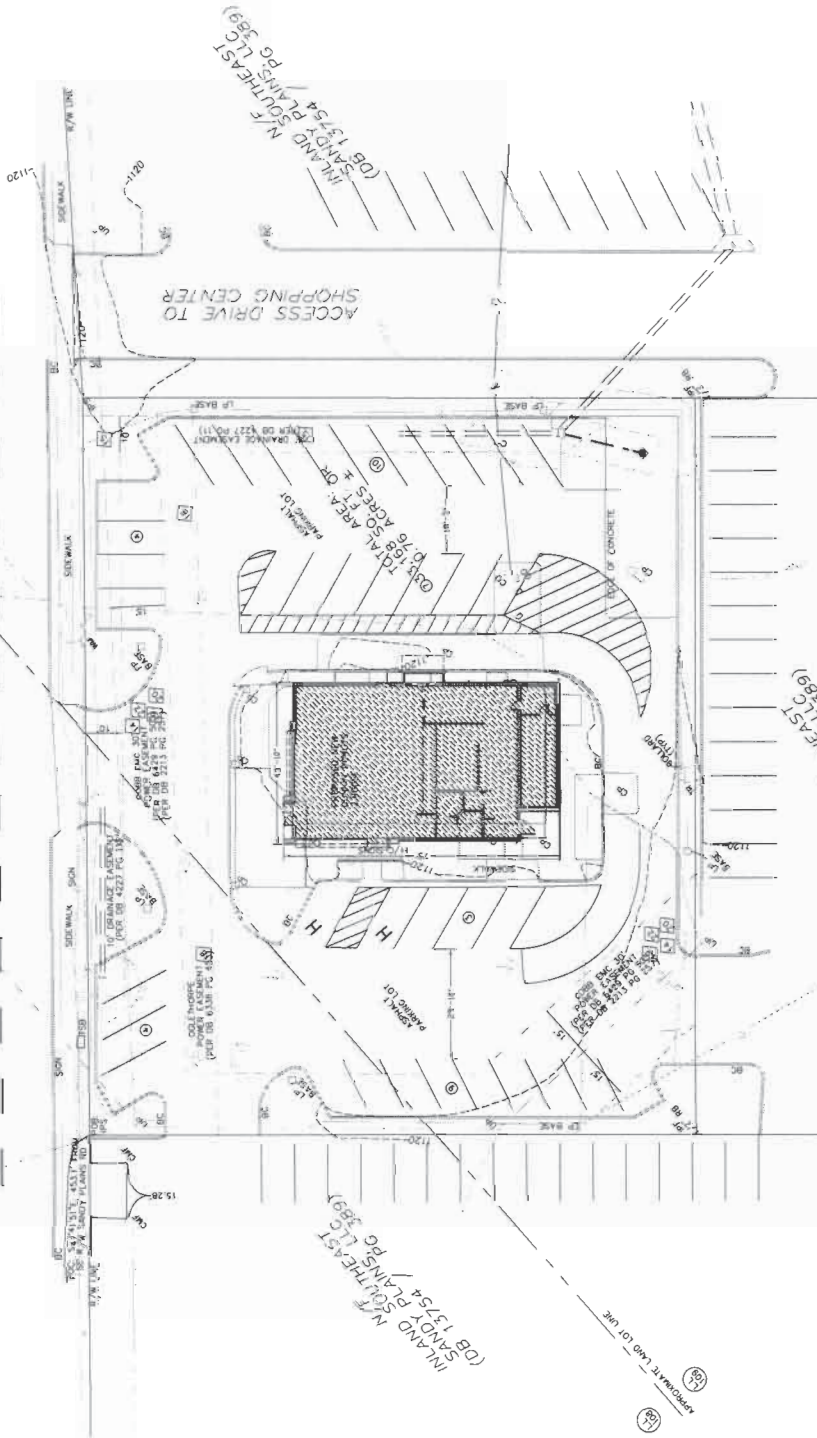
1 SITE PLAN
1/8" = 1'-0"

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 FEB -6 AM 10:03
COBB COUNTY ZONING DIVISION

APPROPRIATE LAND LOT LINE

GA STATE ROUTE #92 ~ WOODSTOCK ROAD
(VARIABLE WIDTH R/W)
(PUBLIC ROAD)

GRASS MEDIAN



N/F SANDY PLAINS, LLC
(JOB 13754 / PG 389)

N/F SANDY PLAINS, LLC
(JOB 13754 / PG 389)

APPROPRIATE LAND LOT LINE

APPLICANT: James Laskaris

(772) 260-7055

REPRESENTATIVE: Amanda Woodruff

(404) 285-1124

TITLEHOLDER: DDR Southeast SP Outlot 1, LLC

PROPERTY LOCATION: Southwest side of Woodstock Road,

northwest of Mabry Road, southeast of Sandy Plains Road

(4661 Woodstock Road)

ACCESS TO PROPERTY: Woodstock Road

PHYSICAL CHARACTERISTICS TO SITE: Former McDonald's

site

PETITION NO: Z-13

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: NS

PROPOSED ZONING: NRC

PROPOSED USE: Restaurant w/Drive-Thru

SIZE OF TRACT: 0.76 acres

DISTRICT: 16

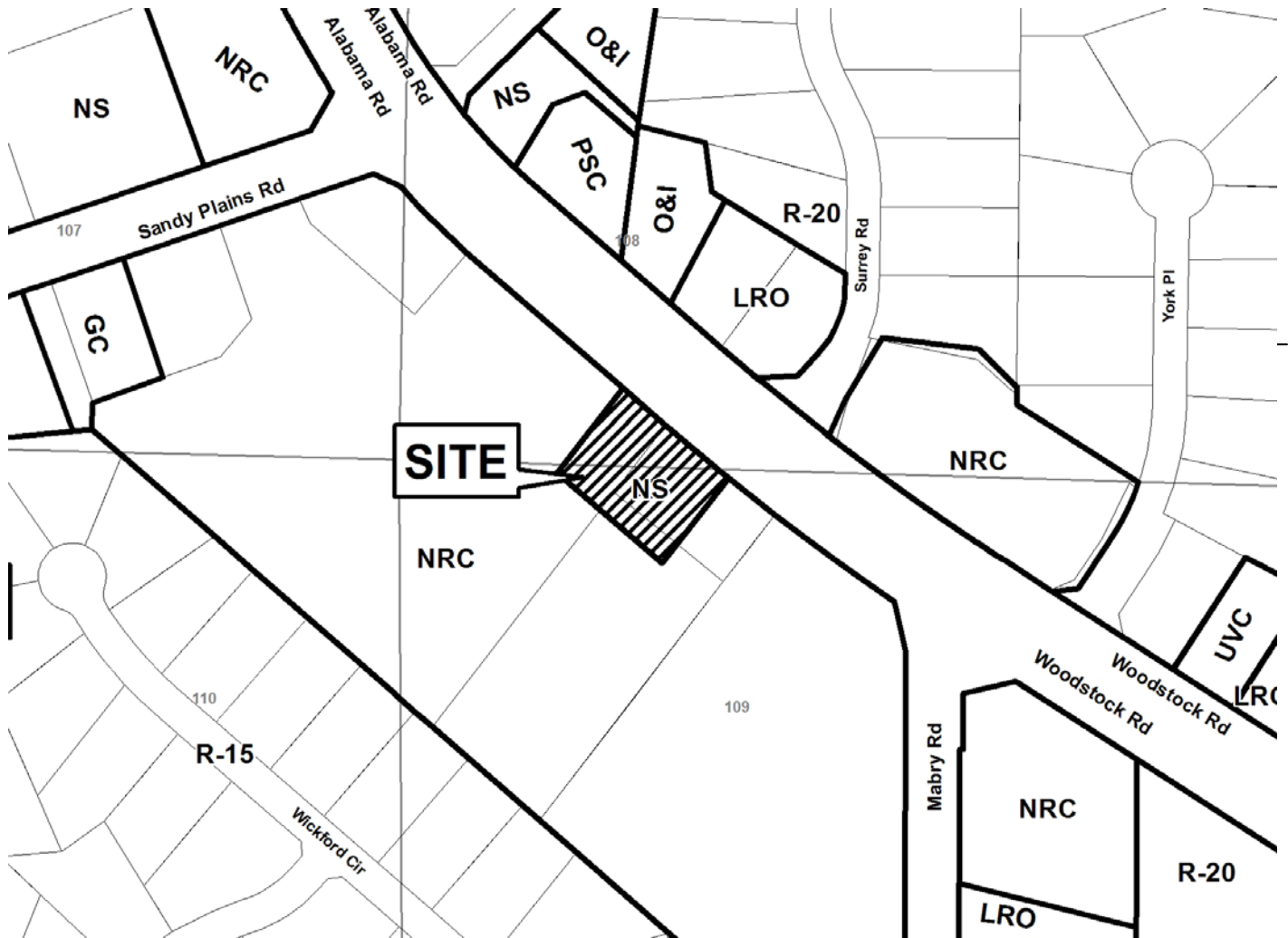
LAND LOT(S): 108,109

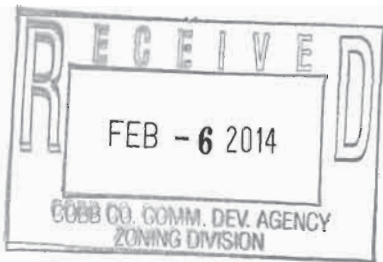
PARCEL(S): 22

TAXES: PAID X **DUE**

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT





Application #: 7-13
PC Hearing Date: 4-1-14
BOC Hearing Date: 4-15-14

Summary of Intent for Rezoning

Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): NA
b) Proposed building architecture: NA
c) Proposed selling prices(s): NA
d) List all requested variances: NA

Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Restaurant w/ Drive-Thru
b) Proposed building architecture: Wood frame w/ Stucco & Brick
c) Proposed hours/days of operation: 5am - 11pm
d) List all requested variances: NONE

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 FEB - 6 AM 10: 02
COBB COUNTY ZONING DIVISION

Part 3. Other Pertinent Information (List or attach additional information if needed)

Old McDonald's Site w/ Drive-Thru
Building removed to Pad Only

Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). NONE

Part 5. Is this application a result of a Code Enforcement action? No ☒; Yes ☐ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: Amanda Kathleen Woodruff Date: 2/6/14
Applicant name (printed): Amanda Kathleen Woodruff

MEDITATION CENTER
540 SOUTH GORDON ROAD
MARLBTON GA 30126

SITE PLAN

DATE 01/16/14

1

STATEMENT OF FLOOD HAZARD
NO PORTION OF THE PROPERTY LAY WITHIN AN AREA
DESIGNATED FLOOD HAZARD ZONE PER THE COBB COUNTY
F.L.R.M. COMMUNITY PANEL # 13067 C0212H
MAPS REVISED 03-04-2013

OWNER/DEVELOPER
CAN NGUYEN-24 HR CONTACT
164 WILHELMINA DRIVE
AUSTELL, GA 30108
PH: (578) 200 8808
TH: (578) 200 8808
E: NGUYEN@YAHOO.COM

FILED IN OFFICE
2014 FEB -6 PM 12:00

COBB COUNTY ZONING DIVISION

**PARKING REQUIREMENT FOR
MEDITATION CENTER OF 20 SEATS**

PARKING REQUIREMENT:
1 SPOT PER 4 SEATS
20/4 = 5 SPACES

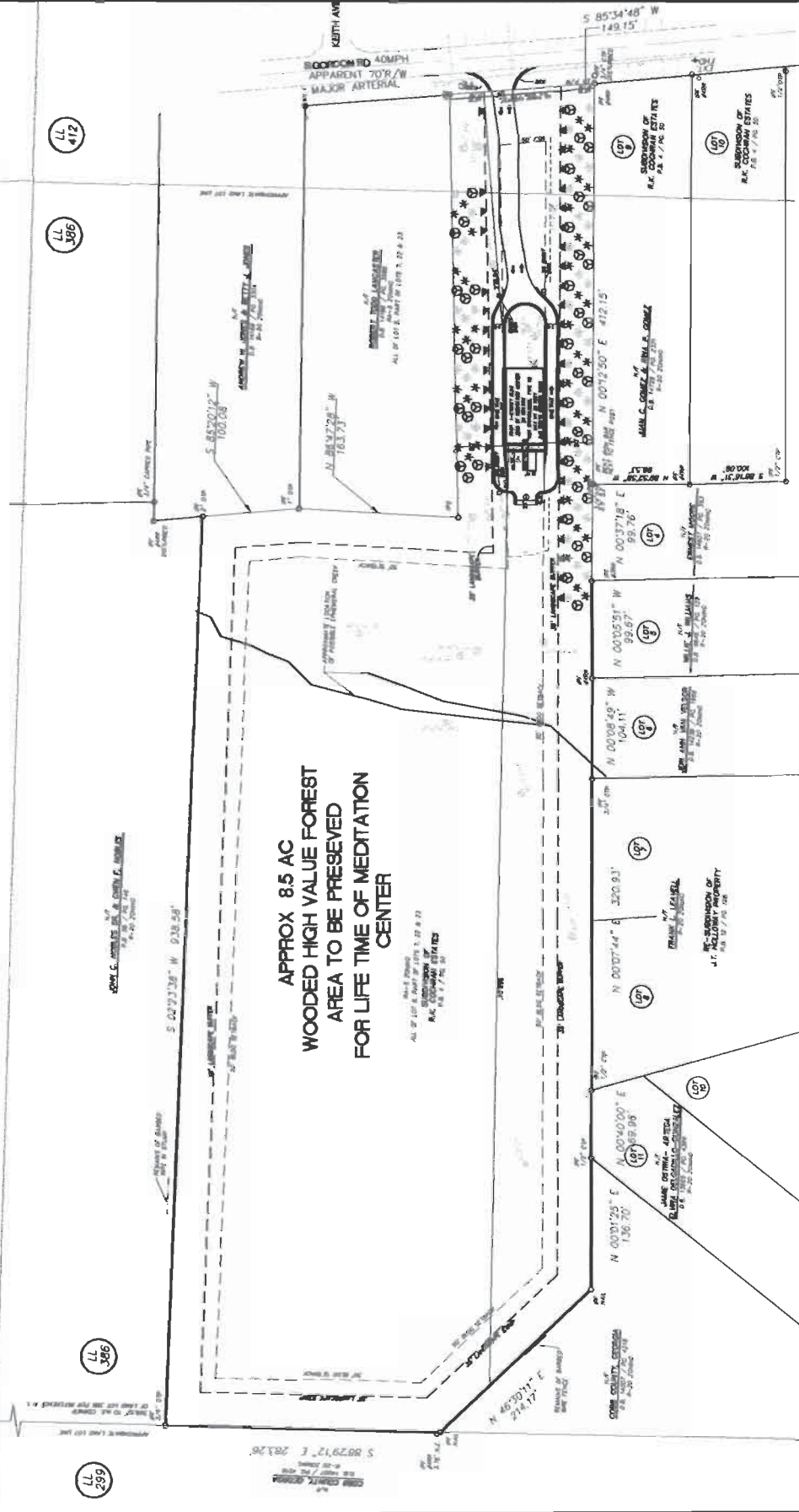
**PARKING SPACES PROVIDED = 5
INCLUDING 1 HANDICAP SPACE**

NOTES

SITE ACREAGE - 10.296 ACRES.
CURRENT ZONING - RA5/PROP. - R20
PROPOSED USE - MEDITATION CENTER
BLDG SETBACK - 50 FEET
BUFFERS - 35 FT LANDSCAPE STRIP AS
STREAM - EPHEMERAL (0 FT BUFFERS)
WETLANDS = 0 ACRES.
CEMETRIES - 0 ACRES.
FLOODPLAIN - 0 ACRES.

BOUNDARY SURVEY BY CORNERSTONE
SURVEYING SERVICES, DATED 11/15/13.

APPROX 8.5 AC
WOODED HIGH VALUE FOREST
AREA TO BE PRESERVED
FOR LIFE TIME OF MEDITATION
CENTER



APPLICANT: Can Nguyen

(678) 200-6808

REPRESENTATIVE: George Awuku

(404) 597-6745

TITLEHOLDER: Can Van Nguyen

PROPERTY LOCATION: North side of South Gordon Road, east of
Starling Drive, west of Mitchell Lane

(540 South Gordon Road)

ACCESS TO PROPERTY: South Gordon Road

PHYSICAL CHARACTERISTICS TO SITE: Vacant, undeveloped
acreage

CONTIGUOUS ZONING/DEVELOPMENT

PETITION NO: Z-14

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: RA-5

PROPOSED ZONING: R-20

PROPOSED USE: Meditation Center

SIZE OF TRACT: 10.296 acres

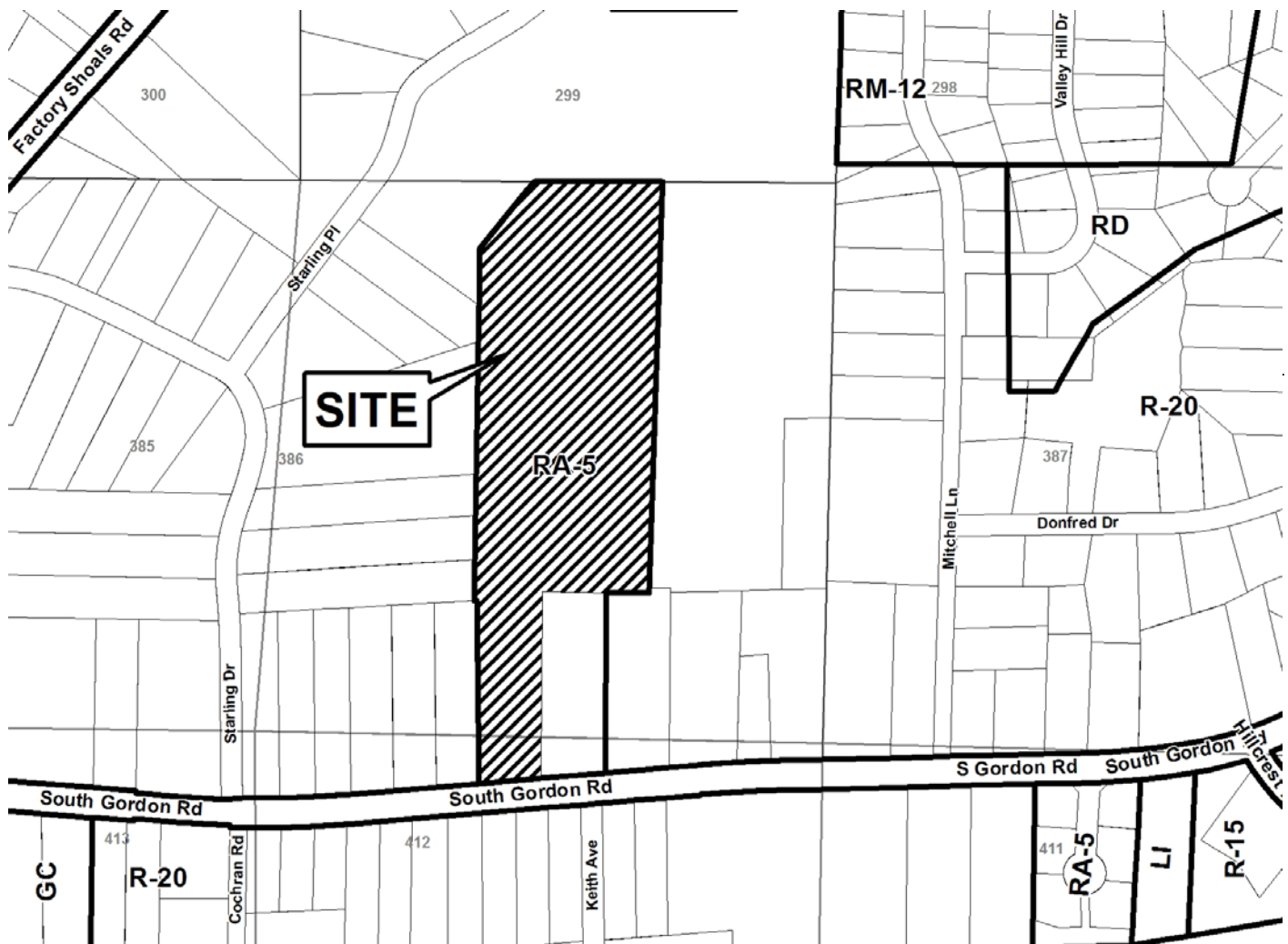
DISTRICT: 18

LAND LOT(S): 386,412

PARCEL(S): 15

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4





Application #: Z-14
PC Hearing Date: 4-1-14
BOC Hearing Date: 4-15-14

Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 3200 SF
b) Proposed building architecture: _____
c) Proposed selling prices(s): N/A
d) List all requested variances: N/A

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): _____
b) Proposed building architecture: _____
c) Proposed hours/days of operation: _____
d) List all requested variances: NONE

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 FEB -6 PM 12:05
COBB COUNTY ZONING DIVISION

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

NONE

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). NO

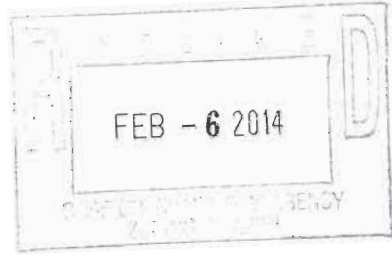
.....
Part 5. Is this application a result of a Code Enforcement action? No X; Yes ____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: _____

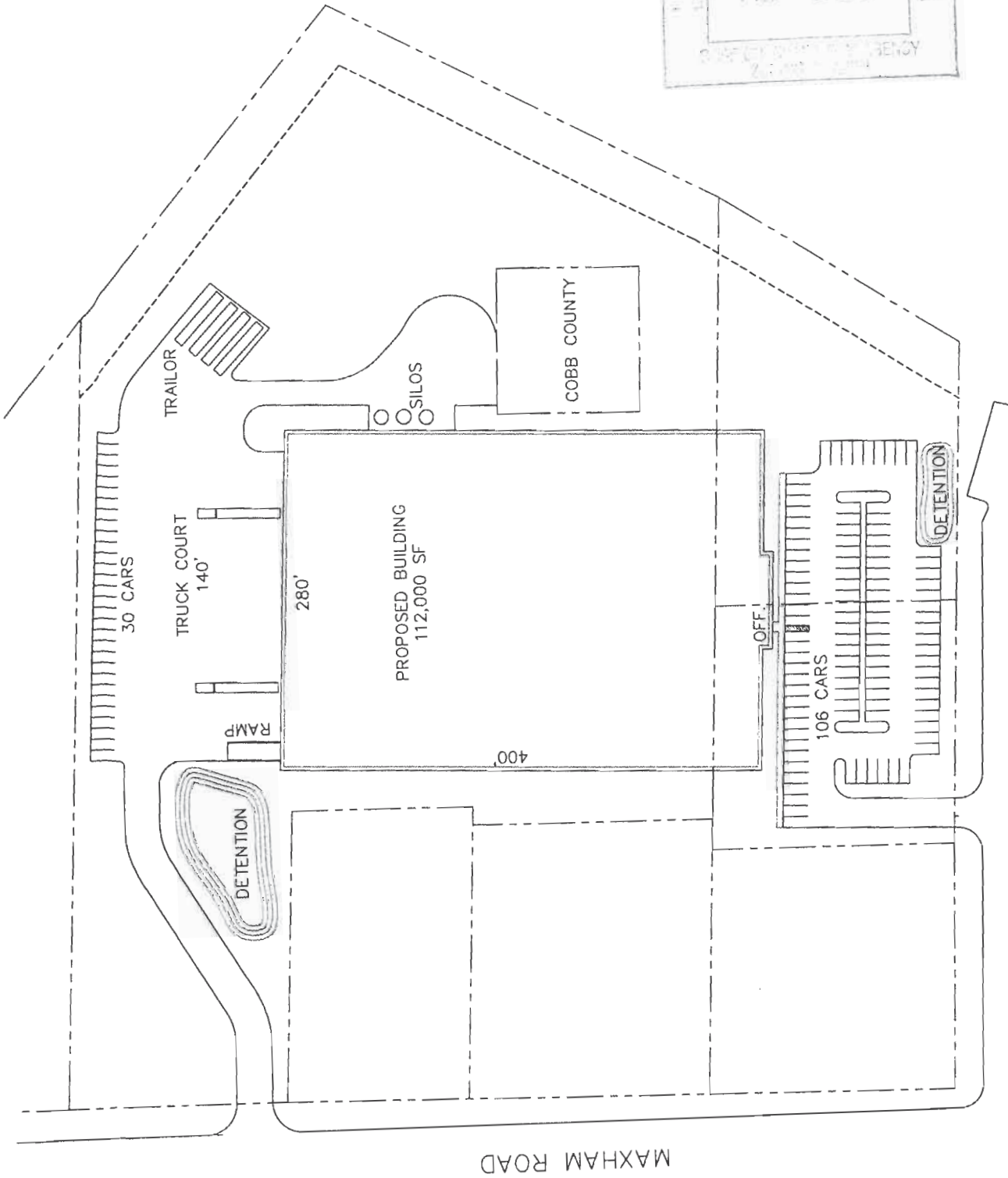
Date: _____

Applicant name (printed): CAN NGUYEN

Z-15
(2014)



JM WILLIAMS
CONTRACTORS
INC.



MAXHAM ROAD

Site Plan - Scheme K

KENNEDY
ASSOCIATES

27-JAN-2014 600



APPLICANT: Ernie Green Industries, Inc.

(770) 739-2728

REPRESENTATIVE: J. Kevin Moore (770) 429-1499

Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: Silver Creek Properties, Inc.

PROPERTY LOCATION: East side of Maxham Road, south of

Old Alabama Road.

ACCESS TO PROPERTY: Maxham Road

PHYSICAL CHARACTERISTICS TO SITE: Staging area for

storm sewer construction

PETITION NO: Z-15

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: R-20

PROPOSED ZONING: LI

PROPOSED USE: Tier 1 Plastic

Manufacturing Facility

SIZE OF TRACT: 7.634 acres

DISTRICT: 18

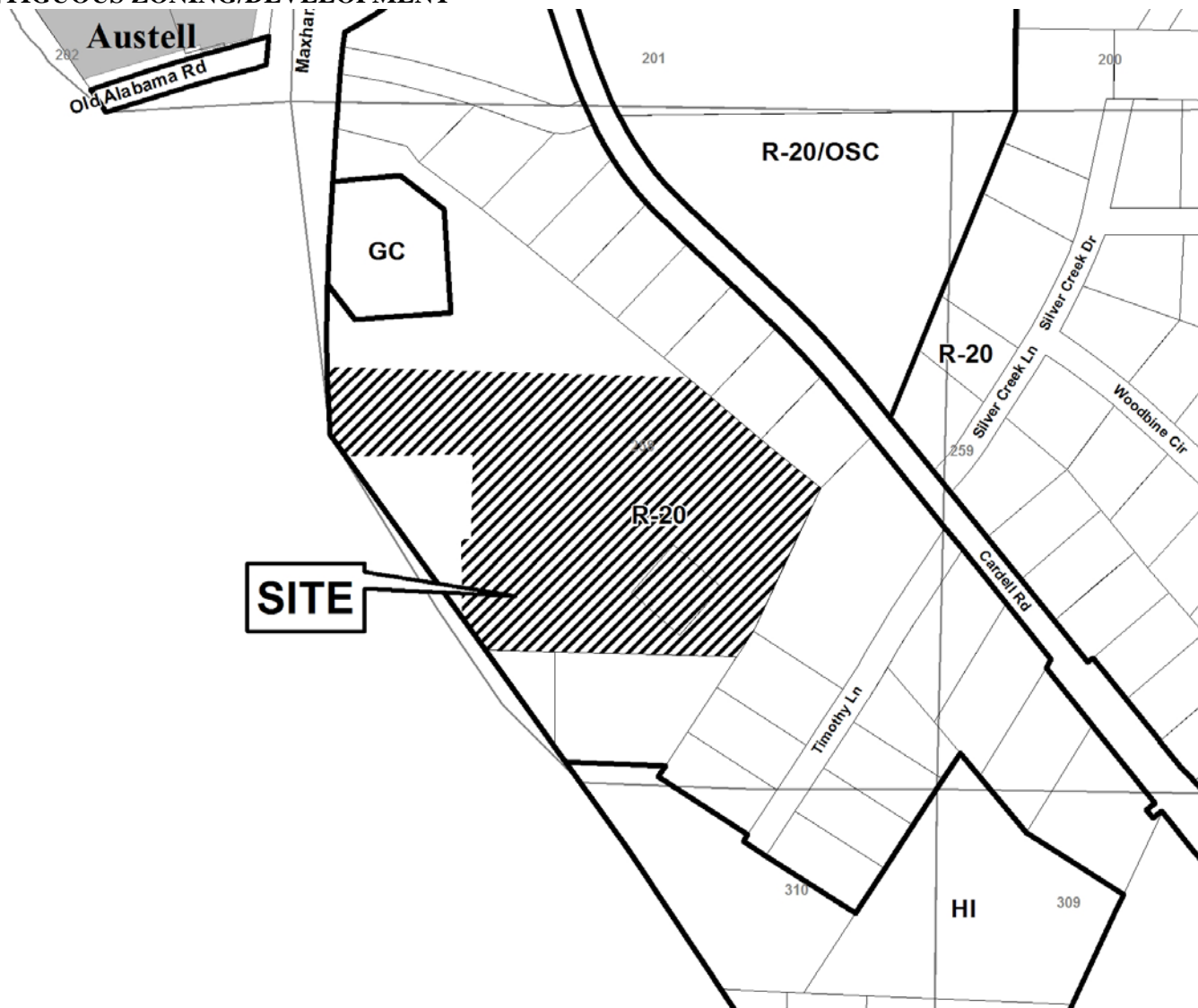
LAND LOT(S): 258

PARCEL(S): 31

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT



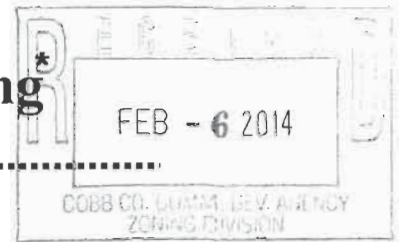


Application #: Z- 15 (2014)

PC Hearing Date: 04/01/2014

BOC Hearing Date: 04/15/2014

Summary of Intent for Rezoning



.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): Not Applicable
- b) Proposed building architecture: Not Applicable
- c) Proposed selling prices(s): Not Applicable
- d) List all requested variances: Not Applicable
-

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Light Industrial Manufacturing
- b) Proposed building architecture: Tilt-wall Building with Concrete Panel Exterior
- c) Proposed hours/days of operation: Normal Business Hours
- d) List all requested variances: None known at this time
-

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

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.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

.....

.....
Part 5. Is this application a result of a Code Enforcement action? No ☒ ; Yes ☐ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: 02/06/2014

J. Kevin Moore, Georgia Bar No. 519728

Applicant name (printed): Attorneys for Applicant and Property Owner

Z-16
(2014)

HARTMAN DISTRIBUTION CENTER
COBB COUNTY, GA
ZONING SITE PLAN



C1.0.0
18
Cobb County, Georgia



REVISED
RECEIVED
FEB 19 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

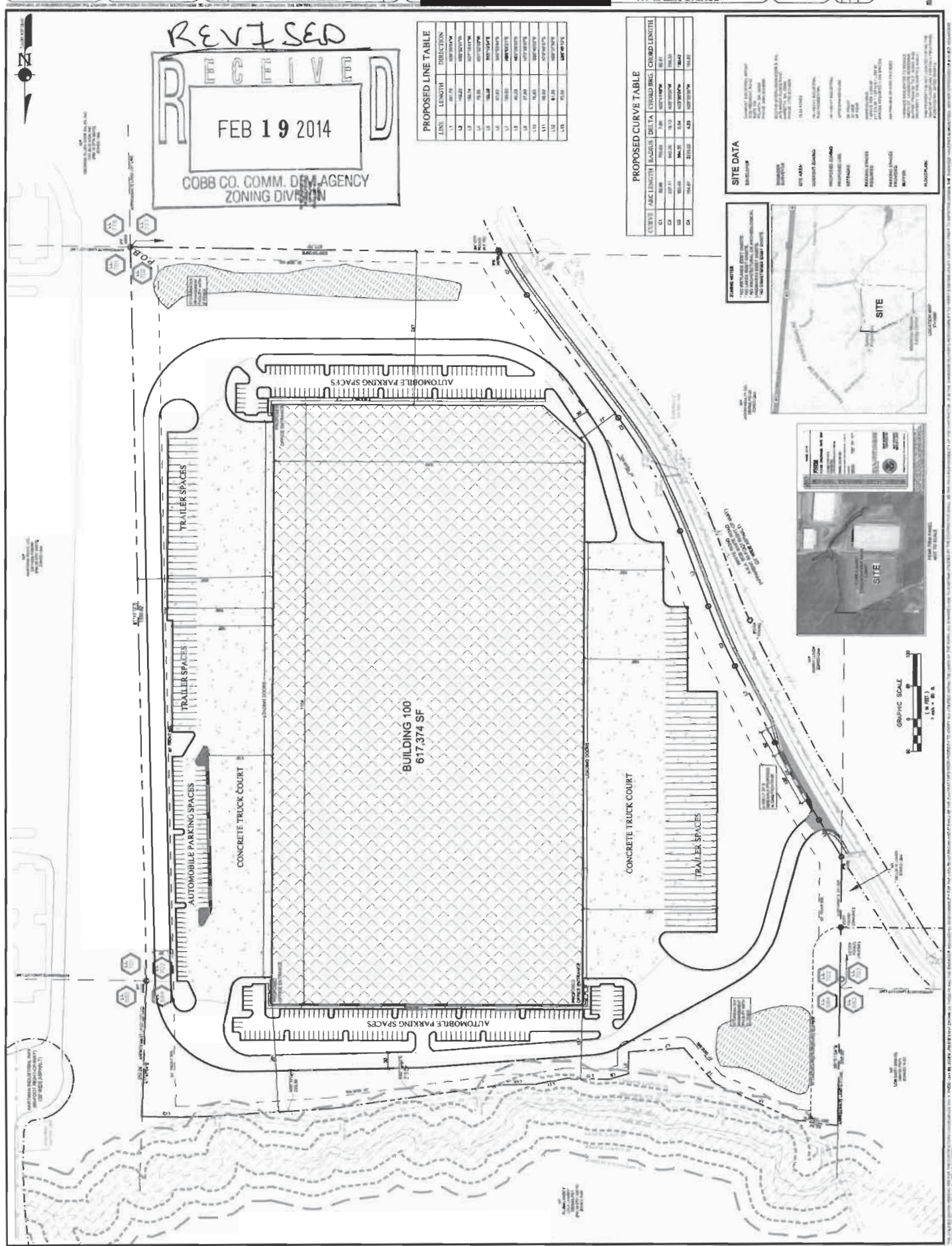
PROPOSED LINE TABLE

LINE	LENGTH	DIRECTION
1.1	10.00	N 89° 59' 59" W
1.2	10.00	N 89° 59' 59" W
1.3	10.00	N 89° 59' 59" W
1.4	10.00	N 89° 59' 59" W
1.5	10.00	N 89° 59' 59" W
1.6	10.00	N 89° 59' 59" W
1.7	10.00	N 89° 59' 59" W
1.8	10.00	N 89° 59' 59" W
1.9	10.00	N 89° 59' 59" W
1.10	10.00	N 89° 59' 59" W
1.11	10.00	N 89° 59' 59" W
1.12	10.00	N 89° 59' 59" W
1.13	10.00	N 89° 59' 59" W
1.14	10.00	N 89° 59' 59" W
1.15	10.00	N 89° 59' 59" W

PROPOSED CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA	CHORD BEG.	CHORD END	CHORD LENGTH
C1	10.00	100.00	180.00	100.00	100.00	100.00
C2	10.00	100.00	180.00	100.00	100.00	100.00
C3	10.00	100.00	180.00	100.00	100.00	100.00
C4	10.00	100.00	180.00	100.00	100.00	100.00

SITE DATA
 PROJECT: HARTMAN DISTRIBUTION CENTER
 LOCATION: 10000 HARTMAN DRIVE, COBB COUNTY, GA
 OWNER: HARTMAN DISTRIBUTION CENTER
 DESIGNER: DAVID A. HARTMAN, P.E.
 DATE: FEBRUARY 19, 2014



APPLICANT: CRP Oakmont Hartman Road, L.L.C.

(404) 869-9990

REPRESENTATIVE: John H. Moore (770) 429-1499

Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: J&E Bob White Associates, LLC, Duke Realty

Limited Partnership, Savta & Saba, LLC; and The Minor's Trust

for the Benefit of Frederick Michael Lansky dated July 29, 1993

PROPERTY LOCATION: Northeast side of White Road; Terminus of

Hartman Industrial Way

ACCESS TO PROPERTY: White Road

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped

acreage

PETITION NO: Z-16

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: HI,LI,R-20

PROPOSED ZONING: HI

PROPOSED USE: Office/Warehouse

SIZE OF TRACT: 42.08 acres

DISTRICT: 18

LAND LOT(S): 684,685,701,702

PARCEL(S): 1,2

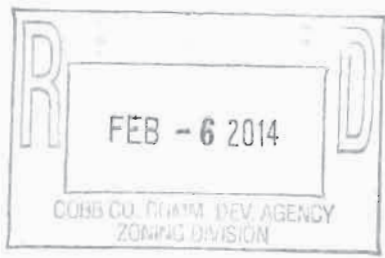
TAXES: PAID X **DUE**

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT



STIPULATIONS:



Application #: Z- 6 (2014)

PC Hearing Date: 04/01/2014

BOC Hearing Date: 04/15/2014

Summary of Intent for Rezoning*

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): Not Applicable
- b) Proposed building architecture: Not Applicable
- c) Proposed selling prices(s): Not Applicable
- d) List all requested variances: Not Applicable
-

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Office/Warehouse
- b) Proposed building architecture: Tilt-Up Concrete and Glass
- c) Proposed hours/days of operation: Normal Business Hours
- d) List all requested variances: None known at this time
-

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

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.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time

.....

.....
Part 5. Is this application a result of a Code Enforcement action? No X; Yes ____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: February 6, 2014

Applicant name (printed): John H. Moore; Georgia Bar No. 519800
Attorneys for Applicant and Property Owners

*Applicant specifically reserves the right to amend any portion of the Summary of Intent for Rezoning, or any other part of the Application for Rezoning, at any time during the rezoning process. Revised August 21, 2013

APPLICANT: CRP EAH MD, L.L.C.

(770) 541-5256

REPRESENTATIVE: John H. Moore (770) 429-1499

Moore Ingram John & Steele, LLP

TITLEHOLDER: CRP EAH MD, L.L.C., a Delaware limited liability company

PROPERTY LOCATION: West side of Murdock Road, across from Bunker Hill Road (2001 Murdock Road).

ACCESS TO PROPERTY: Murdock Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family house and undeveloped acreage

PETITION NO: Z-17

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: R-20

PROPOSED ZONING: R-15

PROPOSED USE: Single-family Subdivision

SIZE OF TRACT: 8.68 acres

DISTRICT: 16

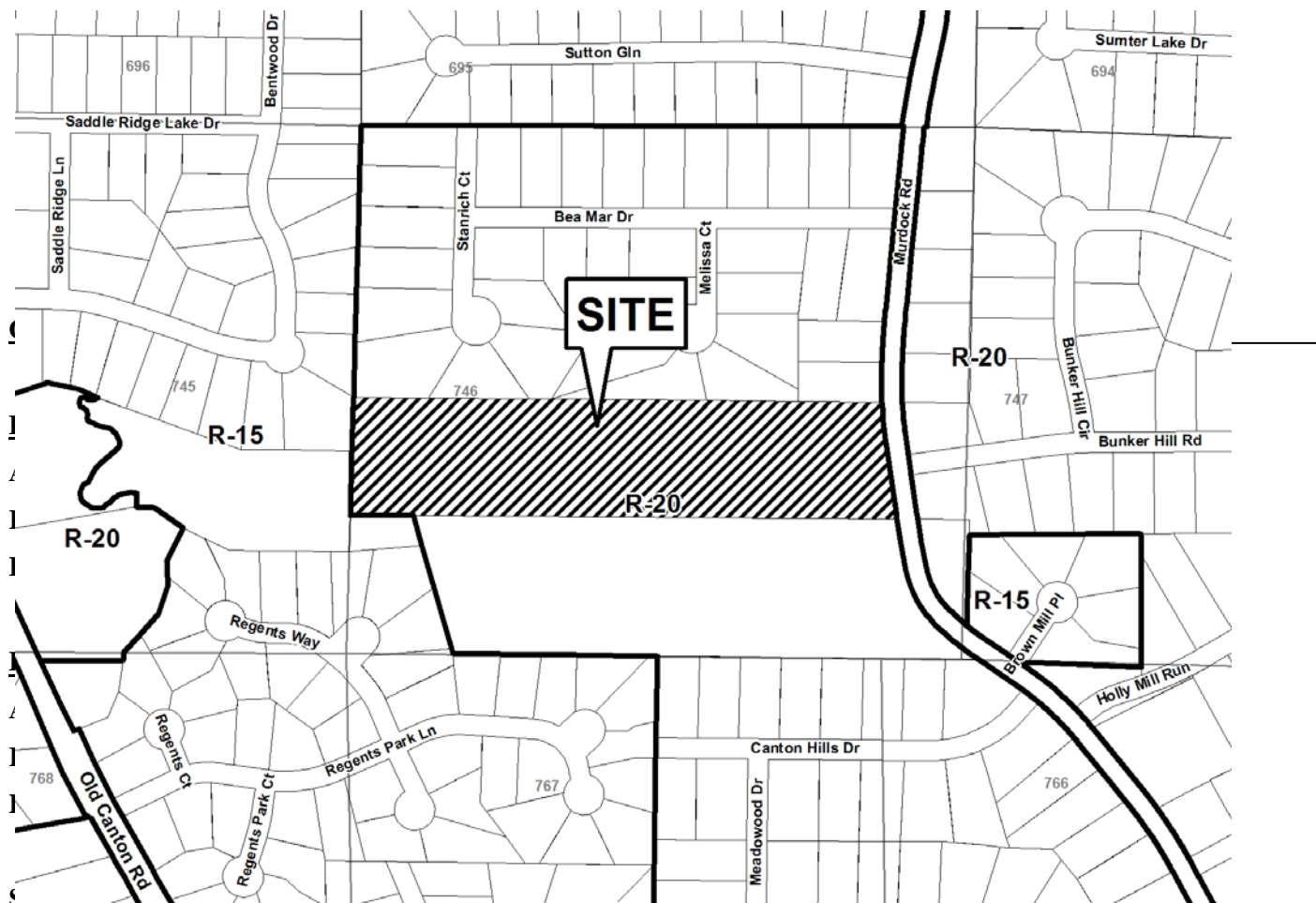
LAND LOT(S): 746

PARCEL(S): 2

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT



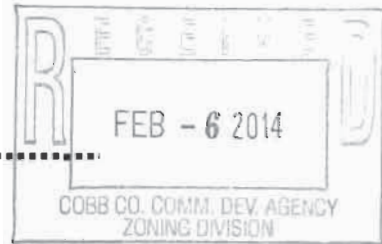


Application #: Z- 17 (2014)

PC Hearing Date: 04/01/2014

BOC Hearing Date: 04/15/2014

Summary of Intent for Rezoning*



.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 3,000 - 4,200 square feet
- b) Proposed building architecture: Traditional (mix of brick, stone, hardi-plank, cedar shake)
- c) Proposed selling prices(s): High 500s - Mid-600s
- d) List all requested variances: (1) Front setback-30 feet to 20 feet; (2) Side setback-10 feet to 5 feet (other side will have 15 feet) 20 feet between structures;

.....
(3) 4 lots under 15,000 square feet

Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Not Applicable
- b) Proposed building architecture: Not Applicable
- c) Proposed hours/days of operation: Not Applicable
- d) List all requested variances: Not Applicable

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

.....

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

.....
Part 5. Is this application a result of a Code Enforcement action? No ☒ ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

MOORE INGRAM JOHNSON & STEELE, LLP

Applicant signature: BY: [Signature] Date: February 6, 2014

Applicant name (printed): John H. Moore, Georgia Bar No. 519800
Attorneys for Applicant/Property Owner

***Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any part of the Application for Rezoning, at any time during the rezoning process.** Revised August 21, 2013

APPLICANT: Prime Interest, Inc.

(770) 596-3251

REPRESENTATIVE: Kenneth Wood

(770) 380-5969

TITLEHOLDER: 4730 Floyd Road LLC; Elizabeth Barnes Skelton

PROPERTY LOCATION: South side of Glore Road, west of

Floyd Road, and at the northern terminus of Green Valley Road

ACCESS TO PROPERTY: Glore Road

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

and accessory structure

CONTIGUOUS ZONING/DEVELOPMENT

PETITION NO: Z-18

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: R-20

PROPOSED ZONING: R-15/OSC, RA-5

PROPOSED USE: Single-family Subdivision

SIZE OF TRACT: 38.1 acres

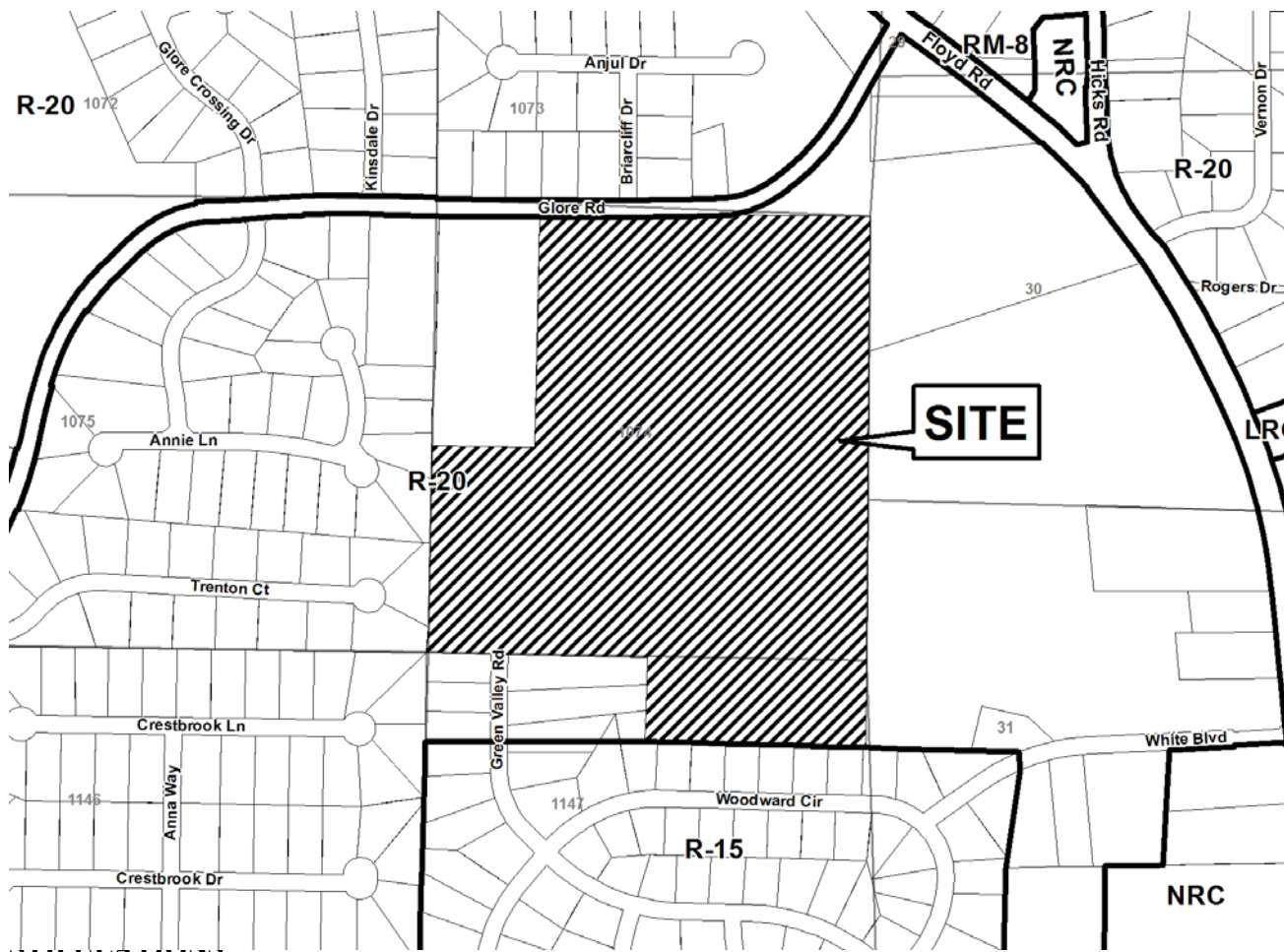
DISTRICT: 19

LAND LOT(S): 1074

PARCEL(S): 1

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4





Application #: Z-18

PC Hearing Date: 4-1-14

BOC Hearing Date: 4-15-14

Summary of Intent for Rezoning

Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 2,200sf - 3,200sf
- b) Proposed building architecture: Traditional, stacked stone, brick, hardy & shake
- c) Proposed selling prices(s): \$300,000 +
- d) List all requested variances: Reduce lot width (RA-5 tract) from 70' to 65'
while still meeting minimum lot size requirements.

Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): n/a
- b) Proposed building architecture: n/a
- c) Proposed hours/days of operation: n/a
- d) List all requested variances: n/a

Part 3. Other Pertinent Information (List or attach additional information if needed)

n/a

Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). no

Part 5. Is this application a result of a Code Enforcement action? No X; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: _____

Date: 2/5/2014

Applicant name (printed): _____

Kenneth Wong

LUP-13
(2014)

CLEARWATER DRIVE
50' R/W

PLEASE SEE
ATTACHED PHOTOS
OF PROPERTY

CHORD=
N 59° 20' 24" E
113.32'
ARC= 113.62'
RADIUS=452.78'

270' TO R/W
FREYDALE ROAD
(AS PER REF. PLAT)

N. OR F.
NORTH GEORGIA
MINERAL RAILROAD 100' R/W

FIRE HYDRANT

IPF3/4"OTP

~110'

30' @

NO LONGER
EXISTS

EX. ENCLOSED
CARPORT

-135-

L.L.
721

L.L.
722

1 STY. BRICK
W/BSMT.

EX.
SUNROOM

EX.
DETACHED
GARAGE 26'x24'
-134- W d
0.71 ACRES

PATIO

190.51'

IPF3/4"OTP

S 40° 42' 34" E

178.67'

IPF3/4"OTP

S 88° 45' 00" W

198.63'

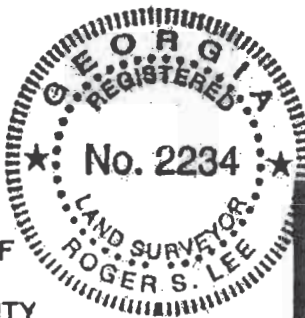
JOHN KNOX CHURCH PROPERTY

ALL MATTERS OF TITLE
ARE EXCEPTED. THIS
PLAT SUBJECT TO ALL
LEGAL EASEMENTS &
RIGHT-OF-WAY,
PUBLIC OR PRIVATE.

FIELD E/C = N/A (OPEN END TRAV.)
PLAT E/C = 1 FT. IN 15,000+ FT.
EQUIPMENT USED : TOPCON CTS-2
NO ADJUSTMENTS WERE MADE.

THIS PROPERTY IS NOT LOCATED IN A
FEDERAL FLOOD AREA AS INDICATED BY
F.I.A. OFFICIAL FLOOD HAZARD MAPS.

GRAPHIC SCALE
60' 120'



Roger S. Lee

SURVEY FOR

MICHAEL D. HILGERS
RACHEL D. HILGERS (NADDOR)

LOT - 134

FREYWOOD ESTATES

PLAT BOOK II PAGE 49

LAND LOT 721

DISTRICT - 17 SECTION - 2

COUNTY - COBB

STATE - GEORGIA

DATE: 1-29-1997 SCALE: 1" = 60'

CC RL

DRAWN: MB

CHKD.: RL

JOB NO.

97-32

LEE -
BARGER &
ASSOC., INC.
LAND SURVEYING
P.O. BOX 1145
WOODSTOCK, GA. 30188
(770)926-5565

Please do not remove... thank you!

APPLICANT: Deserving Peace International

(770) 843-6551

REPRESENTATIVE: Rachel D. Naddor

(770) 843-6551

TITLEHOLDER: Rachel D. Naddor

PROPERTY LOCATION: Southeast side of Clearwater Drive,

southwest of Freydale Road

(2150 Clearwater Drive)

ACCESS TO PROPERTY: Clearwater Drive

PHYSICAL CHARACTERISTICS TO SITE: Single-family house

PETITION NO: LUP-13

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: _____

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Group Home

SIZE OF TRACT: 0.71 acres

DISTRICT: 17

LAND LOT(S): 721

PARCEL(S): 47

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT





Application #: Lup-13
PC Hearing Date: 4-1-14
BOC Hearing Date: 4-15-14

TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? Orphanage
 2. Number of employees? 2 - My husband & myself
 3. Days of operation? 7 days
 4. Hours of operation? 24 hours
 5. Number of clients, customers, or sales persons coming to the house per day? NA ; Per week? NA
 6. Where do clients, customers and/or employees park?
Driveway: visitors ; Street: _____ ; Other (Explain): Visitors, including volunteers, will park in existing driveway
 7. Signs? No: ✓ ; Yes: _____. (If yes, then how many, size, and location): _____
 8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): All vehicles are stored in garage / enclosed carport
 9. Deliveries? No ✓ ; Yes _____. (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.) _____
 10. Does the applicant live in the house? Yes ✓ ; No _____
 11. Any outdoor storage? No ✓ ; Yes _____. (If yes, please state what is kept outside): _____
 12. Length of time requested (24 months maximum): 24 months
 13. Is this application a result of a Code Enforcement action? No ✓ ; Yes _____. (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
 14. Any additional information? (Please attach additional information if needed):
Maximum of 6 children
- Applicant signature: Rachel D Nador Date: 2 Feb 2014
- Applicant name (printed): Rachel D Nador

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 FEB -3 AM 11:30
COBB COUNTY ZONING DIVISION



Application #: LUP-13
PC Hearing Date: 4-1-14
BOC Hearing Date: 4-15-14

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? Volunteers; Visitors as needed
2. Number of related adults in the house? 2 (my husband & me)
3. Number of vehicles parked on the driveway? 0 except volunteers/visitors as needed
4. Number of vehicles parked in garage? 2 in garage, 1 in enclosed carport
5. Number of vehicles parked on the street? 0
6. Does the property owner live in the house? Yes ☒ ; No ☐
7. Any outdoor storage? No ☒ ; Yes ☐ (If yes, please state what is kept outside): _____
8. Length of time requested (24 months maximum): 24 months
9. Is this application a result of a Code Enforcement action? No ☒ ; Yes ☐ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
10. Any additional information? (Please attach additional information if needed):
Maximum of 6 children

Applicant signature: Rachel D Naddor Date: 2 Feb 2014

Applicant name (printed): Rachel D Naddor

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: _____

Size of house per Cobb County Tax Assessor records: _____

Number of related adults proposed: _____ Number permitted by code: _____

Number of unrelated adults proposed: _____ Number permitted by code: _____

Number of vehicles proposed: _____ Number permitted by code: _____

Number of vehicles proposed to be parked outside: _____ Number of vehicles permitted: _____

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 FEB -8 AM 11:30
COBB COUNTY ZONING DIVISION

APPLICANT: Early Education, LLC

(404) 416-3455

REPRESENTATIVE: Qiu Fang

(404) 416-3455

TITLEHOLDER: Early Education, LLC

PROPERTY LOCATION: West side of Hurt Road, north of

Plantation Road

(488 Hurt Road)

ACCESS TO PROPERTY: Hurt Road

PHYSICAL CHARACTERISTICS TO SITE: Existing private school

buildings

PETITION NO: LUP-14

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Daycare Center

SIZE OF TRACT: 7.21 acres

DISTRICT: 17

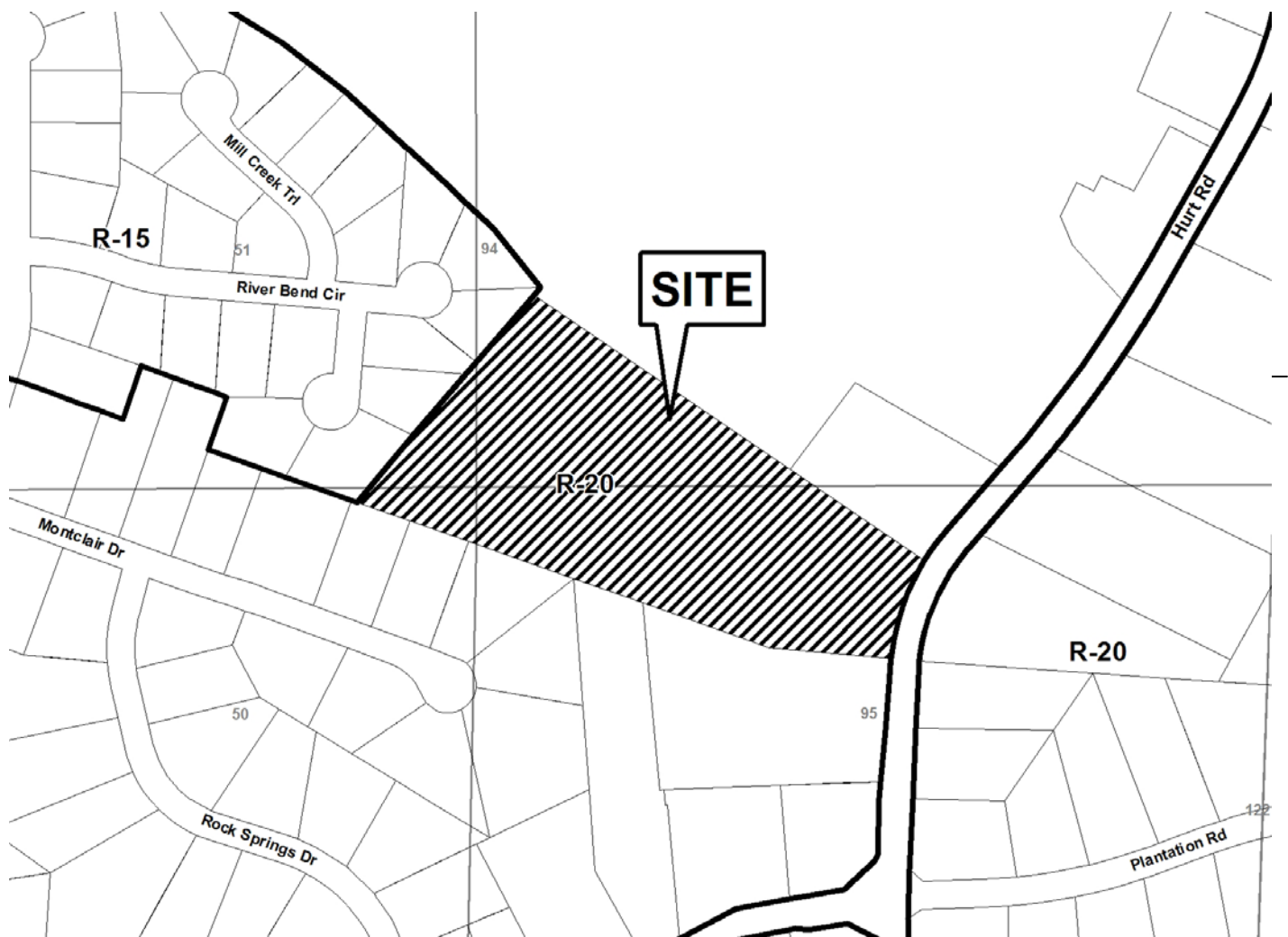
LAND LOT(S): 50,51,94,95

PARCEL(S): 3

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT





Application #: LUP-14
PC Hearing Date: 4-1-14
BOC Hearing Date: 4-15-14

TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? Day Care Center
 2. Number of employees? 11
 3. Days of operation? Monday to Friday
 4. Hours of operation? 7:00 am to 6:30 pm
 5. Number of clients, customers, or sales persons coming to the house per day? _____ ; Per week? _____
 6. Where do clients, customers and/or employees park?
Driveway: _____ ; Street: _____ ; Other (Explain): parking lot
 7. Signs? No: _____ ; Yes: _____. (If yes, then how many, size, and location): _____
 8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 0
 9. Deliveries? No _____ ; Yes * (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
5 times/week USPS, 5 times/week Fedex & UPS.
 10. Does the applicant live in the house? Yes _____ ; No *
 11. Any outdoor storage? No * ; Yes _____ (If yes, please state what is kept outside): _____
 12. Length of time requested (24 months maximum): 24 months
 13. Is this application a result of a Code Enforcement action? No * ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
 14. Any additional information? (Please attach additional information if needed):
A letter stating the purpose of application
- Applicant signature: _____ Date: _____
- Applicant name (printed): _____



Early Education, LLC

LUP-14 (2014)
Applicant's Letter

Feb. 6th, 2014

Cobb County Zoning Office
191 Lawrence St NE
Marietta, GA 30060

Dear Cobb County Zoning Office representative,

The property located at 488 Hurt Road SW, Smyrna, GA 30082 (referred to as "the property") currently operates as an Elementary school accommodating children aged 4-12. We are filing for a temporary land use permit application to operate the property as a day care center. The purpose of filing for the special land use permit is to allow us accommodate children younger than 4 at the property.

Montessori education emphasizes the three year growth cycle with mixed age group environment where kids not only learn from their teachers but also from their older peers through observation, interaction among peers and team work. A typical three year cycle starts at age 3 in an Early Education classroom where we have a mixed age group from 3 to 6 and a wide variety of developmentally appropriate materials to fit a child's learning needs at different age and different level of sophistication. It is developmentally essential for our students to have access to such a classroom environment with diversified age groups.

We appreciate your support on helping us obtain the temporary land use permit and please don't hesitate to contact us if further information needed.

Best Wishes!

Sincerely,

Qiu Fang

CEO

Early Education LLC

Covered Bridge Montessori School

A bridge between today and tomorrow

Cbms395@bellsouth.net

02/06/2014

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 FEB -6 PM 12:26
COBB COUNTY ZONING DIVISION

APPLICANT: New Cingular Wireless PCS, LLC
(770) 708-0565

REPRESENTATIVE: Ellen Smith (770) 661-1216
Holt Ney Zatcoff & Wasserman, LLP

TITLEHOLDER: 1965 Vaughn, LLC

PROPERTY LOCATION: Northwest side of Vaughn Road,
north of Roberts Boulevard
(1965 Vaughn Road)

ACCESS TO PROPERTY: Vaughn Road

PHYSICAL CHARACTERISTICS TO SITE: Office/Warehouse

CONTIGUOUS ZONING/DEVELOPMENT

PETITION NO: SLUP-4

HEARING DATE (PC): 04-01-14

HEARING DATE (BOC): 04-15-14

PRESENT ZONING: LI

PROPOSED ZONING: Special Land
Use Permit

PROPOSED USE: Wireless Communications
Tower

SIZE OF TRACT: 7.67 acres

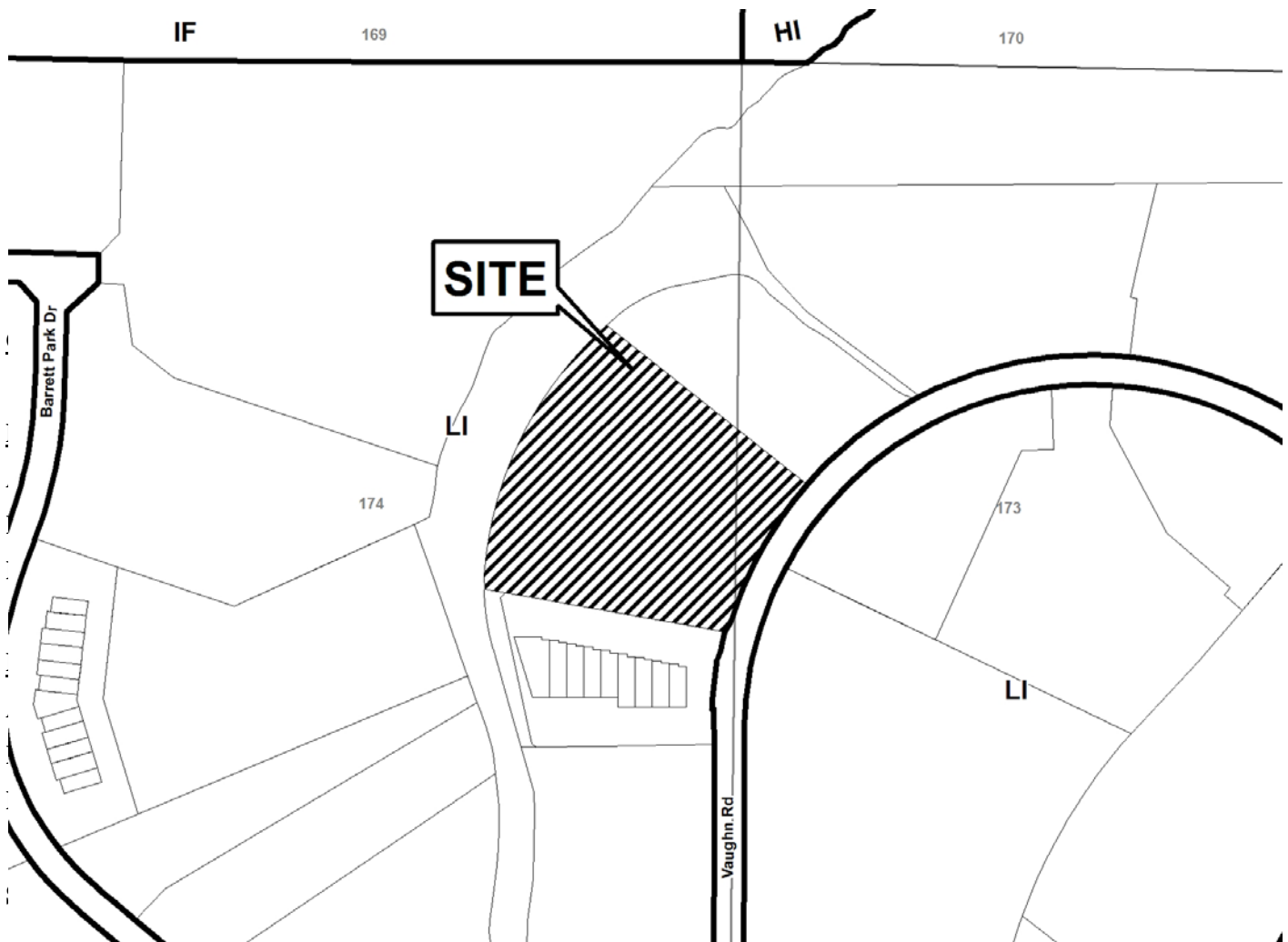
DISTRICT: 20

LAND LOT(S): 173, 174

PARCEL(S): 26

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1



**Application for
Special Land Use Permit
Cobb County, Georgia**

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

COBB COUNTY GEORGIA
FILED 2/11/14
2014 FEB -6 PM 1:34
COBB COUNTY ZONING DIVISION

Application No. SLUP-4
PC Hearing Date: 4-1-14
BOC Hearing Date: 4-15-14

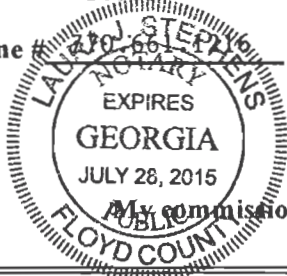
Applicant New Cingular Wireless PCS, LLC **Phone #** 770.708.0565
(applicant's name printed)
660 Hembree Parkway, Suite 120
Address Alpharetta, Georgia 30076 **E-mail** tk6519@att.com

Holt Ney Zatzoff & Wasserman, LLP **Address** 100 Galleria Pkwy, Ste. 1800, Atlanta, Georgia
(representative's name, printed) c/o Ellen W. Smith 30339

[Signature] **Phone #** 404-661-6666 **E-mail** esmith@hnzw.com
(representative's signature) Ellen W. Smith

Signed, sealed and delivered in presence of:

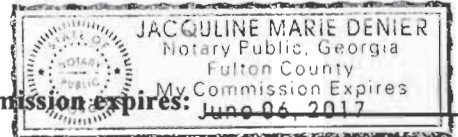
[Signature] **Notary Public**
My commission expires: July 28, 2015



Titleholder 1965 Vaughn, LLC **Phone #** 770-436-3400 **E-mail** apranike@pa-grp.com
(titleholder's name, printed)
Signature [Signature] **Address** 3750 Riverwood Parkway Suite 750
(attach additional signature, if needed) Atlanta GA. 30339

Signed, sealed and delivered in presence of:

[Signature] **Notary Public**
My commission expires: June 06, 2017



Present Zoning LI (Light Industrial) **Size of Tract** 7.67 +/- **Acre(s)**
For the Purpose of Wireless communications tower and associated facilities
Location 1965 Vaughn Road, Kennesaw, Georgia 30160
(street address, if applicable; nearest intersection, etc.)
Land Lot(s) 173 & 174 **District(s)** 20th

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are/are no such assets. If any exist, provide documentation with this application.

[Signature]
(applicant's signature)
Terry R. Kilgore, Area Manager, C & E

We have investigated the site as to the existence of any cemetery located on the above property. I hereby certify that there is/is not such a cemetery. If any exist, provide documentation with this application.

[Signature]
(applicant's signature)
Terry R. Kilgore, Area Manager, C & E

HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Ellen W. Smith

February 6, 2014

BY HAND DELIVERY

Zoning Division

Community Development Agency

Cobb County, Georgia

1150 Powder Springs Street, Suite 400

Marietta, Georgia 30064

Re: Application for Special Land Use Permit, Cobb County, Georgia by New Cingular Wireless PCS, LLC for a wireless communications facility (the "**Application**") to be located at 1965 Vaughn Road, Kennesaw, Georgia 30160 (the "**Property**")

STATEMENT OF PROPOSED SITE IMPROVEMENTS

Ladies and Gentlemen:

This law firm has the pleasure of representing New Cingular Wireless PCS, LLC (also known as "**AT&T**"; the "**Applicant**"), with respect to the Application. Applicant respectfully submits for your consideration the Application, the approval of which will result in the County's issuance of a special land use permit ("**SLUP**") to allow the construction, operation and maintenance of a wireless communications tower and related antennas and equipment (collectively, the "**Facility**") on a 6,400 square foot portion (the "**Site**") of the Property.

Background - The Property and the Site

The Property, owned by 1965 Vaughn Road, LLC ("**Owner**"), is an approximately 7.67-acre tract zoned LI (Light Industrial), and fronting on Vaughn Road. The Property is improved with an existing building and parking area to support the industrial uses contained therein. The Property is surrounded by properties also zoned LI. The Noonday Creek Multiuse Trail forms the northwestern boundary line of the Property.

Owner has leased the Site, together with utility and ingress/egress easements, to Applicant. The Site is located in the southwestern portion of the Property, behind the existing building and adjacent to the existing parking serving the building, and the proposed Facility is a permitted use for the Site, upon issuance of the requested SLUP.

HOLT NEY ZATCOFF & WASSERMAN, LLP

Zoning Division
Community Development Agency
Cobb County, Georgia
February 6, 2014
Page 2

The Facility / Proposed SLUP

The Facility which Applicant plans to construct will include a one hundred foot (100') high monopole tower, ground-mounted communications equipment, and associated minor site improvements to facilitate operations and maintenance of and access to the Facility on the Site.

The Facility in the proposed Site on the Property meets the setback requirements set forth in Section 134-273(3)(a) of Chapter 134 of the Official Code of Cobb County, Georgia, as the same is amended from time to time (such Chapter being the "***Zoning Ordinance***"). Although the Facility is proposed to be located closer to the southern property line (72-feet away) than to the existing building on the Property, the Facility (i) is more 22 feet farther away from that property line than the 50 feet required by Section 134-273(3)(a)(2) (requiring a setback distance equal to one-half of the tower's height as measured from the base to any property boundary), and (ii) cannot be located closer to the existing building without disrupting existing traffic patterns and parking for the existing business operated on the Property.

AT&T is proposed to be the carrier located at the top of the Facility at a "rad center" (*e.g.*, middle of antenna center) height of 96 feet. In addition to AT&T, the Facility is being structurally designed to accommodate up to three additional carriers.

The equipment and other associated site improvements are shown on the plans submitted herewith and are limited to those uses associated with the operation of the antenna or towers and are appropriate in scale and intensity. The entirety of the Site will be enclosed with a six foot (6') high chain link fence with three strands of barbed wire, as more particularly shown on the enclosed plans. Additional details relating to the Site and the Facility are set forth in the plans submitted herewith. (*See Zoning Ordinance §§ 134-273(3)(c) and (d).*)

Applicant confirms that the Facility will meet or exceed current standards of the Federal Aviation Administration, the Federal Communications Commission, and any applicable agency guidelines governing the construction and operation of such a telecommunications tower. Applicant does not expect that the FAA will require the Facility to be lighted.

Once constructed, the Facility will be unmanned. Only monthly site visits by carriers' maintenance technicians are anticipated. The Facility will not have water and sewer services, and it will not generate any waste. Again, the only utility connections required are electric and telephone services. The electricity demand of the Facility will be similar to that of a single-family residence. The Facility will not create a significant demand for community services. In fact, the Facility will provide a service to the community in the form of safe, reliable and

HOLT NEY ZATCOFF & WASSERMAN, LLP

Zoning Division
Community Development Agency
Cobb County, Georgia
February 6, 2014
Page 3

uninterrupted wireless service for use by the general public, emergency services personnel and others in this area of Cobb County.

The Facility will be an integral part of the AT&T wireless network across Cobb County and other portions of the greater Atlanta area, as more particularly described in the radio frequency affidavit included with this Statement.

Zoning Requirements

Chapter 134 of the Zoning Ordinance, and specifically, Section 134-273 thereof, sets forth the zoning requirements applicable to the placement of communications towers and antennas on property within the County. In satisfaction of these requirements, and in addition to this Statement, Applicant hereby submits the following documents for the Division's review:

1. Application for Special Land Use Permit, Cobb County Georgia form, including original notarized signature of Owner and Applicant's representatives¹;
2. A copy of the Property warranty deed to Owner;
3. Metes and Bounds legal descriptions of the Property, Site and easements benefitting the Facility;
4. Copy of the paid tax receipt for the Property;
5. Zoning Standards Analysis (addressing SLUP considerations);
6. Site Plans (including survey and scaled elevation drawing of proposed tower) (5 full sized copies; 2 copies measuring 8 ½ x 11);
7. RF Engineer's Analysis from AT&T supporting the need for the Facility and including a documentation of all towers within a three-mile radius of the proposed Facility (per Zoning Ordinance Section 134-273(3)(m));
8. Application and Consultant Fees (\$6,000.00); and
9. Sign Deposit and Fees (\$318.00).

The Application and the accompanying documents support Applicant's request for the Facility SLUP and comply with all Cobb County zoning requirements.² The Owner and

¹ Applicant will attempt contact neighbors contiguous to the Property and will file the appropriate form when and if it has any signatures. Applicant will also notify in writing all property owners within a 1,000-foot radius of the subject property as shown on the most current tax records. Such notice will be accomplished by mailing a copy of the Application form and proposed site plans by first class mail. Applicant will then file with the Zoning Division of Cobb County a certificate of mailing from the United States Post Office.

² Applicant notifies Cobb County of its constitutional concerns. If the Board denies the Application in whole or in part, then the Property does not have a reasonable economic use under the Zoning Ordinance. The Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl vs.

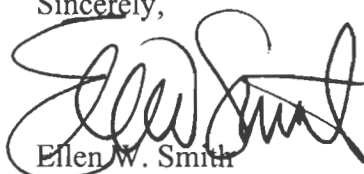
HOLT NEY ZATCOFF & WASSERMAN, LLP

Zoning Division
Community Development Agency
Cobb County, Georgia
February 6, 2014
Page 4

Applicant respectfully request that the Division recommend the approval of the Application to the Board for consideration at the next available public hearing.

We are happy to answer any questions or provide any information that the Division, its consultant or the Board may have with regard to the Application.

Sincerely,



Ellen W. Smith

EWS/ews
Enclosures

Holcomb Bridge Road, 238 Ga. 322 (1977). If the Board denies the Application in whole or in part, such an action will deprive Applicant and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the Board limits its approval of the SLUP by attaching conditions thereto affecting any portion of the Property or the use thereof, either of such actions being taken without Applicant's consent, then such action would deprive Applicant and Owner of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (*see Ga. Const. 1983, Art. I, § 3, para. 1(a)*), and the just compensation clause of the Fifth Amendment to the United States Constitution (*see U.S. Const. Amend. 5*). To the extent that the Zoning Ordinance allows such an action by the Board, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between Applicant and Owner and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Finally, a denial or a conditional approval of the Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and an unconstitutional violation Applicant's rights to substantive and procedural due process as guaranteed by the Georgia Constitution (*see Ga. Const. 1983, Art. I, § 1, para. 1*) and the Fifth and Fourteenth Amendments of the United States Constitution (*see U.S. Const. Amend. 5 and 14*). Applicant further challenges the constitutionality and enforceability of the Zoning Ordinance for lack of objective standards, guidelines or criteria limiting the Board's discretion in deciding applications for SLUP.

Furthermore, the Telecommunications Act of 1996, codified at 47 U.S.C. § 332(c) (the "1996 TCA") was intended to "promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies." *Preamble to 1996 TCA*. The primary mechanisms used by the 1996 TCA to "promote competition and reduce regulation" are prohibitions against local regulations that (i) "unreasonably discriminate among providers of functionally equivalent services" or (ii) "prohibit or have the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B). Also, section 253 of the 1996 TCA provides that "no State or local statute or regulation ... may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." The Board may violate the 1996 TCA on all three grounds if it denies the Application. Nevertheless, Applicant remains optimistic that the Board's consideration of the Application will be conducted in a constitutional and legal manner.