

**DECEMBER 16, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM OB-73

PURPOSE

To consider a site plan approval for JW Homes, LLC regarding zoning application Z-46 of 2014 (JW Homes, LLC), for property located on the south side of Paul Samuel Road, on the east side of Acworth Due West Road, at the eastern terminus of Justice Drive, at the eastern terminus of West Pointe Drive, and at the southern terminus of Liberty Lane in Land Lots 237, 258 and 259 of the 20th District.

BACKGROUND

The subject property was rezoned to R-20 OSC on October 21, 2014 for a 175 lot single family subdivision. One of the stipulations required the applicant to submit a new site plan that removed three lots from the submitted 178 lot plan, and that plan is attached for the Board of Commissioner’s review. All other zoning conditions will be met as stipulated. The proposal has been submitted to County Staff who do not have any new comments regarding the new site plan. If approved, all previous zoning stipulations would remain in effect.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan approval.

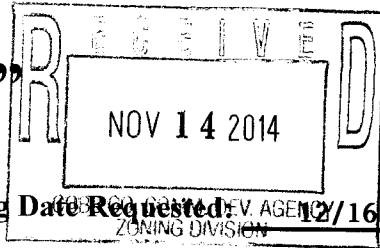
ATTACHMENTS

Other Business application, proposed site plan and stipulations.

(Site Plan Approval)

Application for "Other Business" Cobb County, Georgia

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



OB-73

BOC Hearing Date Requested: 12/16/2014

Applicant: JW Homes, LLC Phone #: (770) 432-7995
(applicant's name printed)

Address: 4125 Atlanta Road, S.E., Smyrna, GA 30080 E-Mail: _____

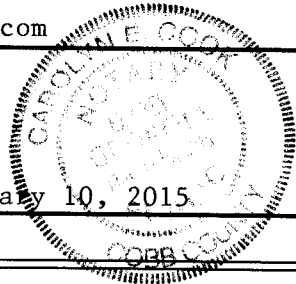
Moore Ingram Johnson & Steele, LLP Emerson Overlook, 326 Roswell Street
J. Kevin Moore Address: Marietta, GA 30060

(representative's name, printed)

BY: [Signature] Phone #: (770) 429-1499 E-Mail: jkm@mijs.com
(representative's signature) Georgia Bar No. 519728

Signed, sealed and delivered in presence of:

[Signature: Carolyn E. Cook] My commission expires: January 10, 2015
Notary Public



Titleholder(s): Paul Samuel Properties, LLP; Double Eagle, LLC;
Laverne and Carl R. Abbott; Phone #: _____

(property owner's name printed) The Estate of Georgia Ruth Parson; and
Address: _____ E-Mail: Mary Diane Parson Bill

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

Signed, sealed and delivered in presence of:

_____ My commission expires: _____
Notary Public

Commission District: 1 (Goreham) **Zoning Case:** Z-46 (2014)

Date of Zoning Decision: 10/21/2014 **Original Date of Hearing:** 07/15/2014

Location: South side of Paul Samuel Road; East side of Acworth Due West Road; Eastern Terminus of Justice Drive; Eastern terminus of West Pointe Drive; Southern (street address, if applicable; nearest intersection, etc.) terminus of Liberty Lane

Land Lot(s): 237, 258, 259 **District(s):** 20th

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 “B” - ATTACHMENT TO APPLICATION FOR “OTHER BUSINESS”
(Site Plan Approval)

Application No.: Z-46 (2014)
Original Hearing Date: July 15, 2014
Date of Zoning Decision: October 21, 2014
Current Hearing Date: December 16, 2014

Applicant: JW Homes, LLC
Titleholders: Paul Samuel Properties, LLP;
Double Eagle, LLC; Carl R. Abbott and
Laverne Abbott; The Estate of Georgia Ruth Parson,
a/k/a Ruth Cantrell Parson, Deceased;
Mary Diane Parson Bill,
f/k/a Dianne [sic] P. Bill,
n/k/a Dianne P. Milton

On October 21, 2014, the Cobb County Board of Commissioners approved rezoning to the R-20/OSC zoning classification approximately 137.183 acres located on the south side of Paul Samuel Road, the east side of Acworth Due West Road, at the eastern terminus of Justice Drive, at the eastern terminus of West Pointe Drive, and at the southern terminus of Liberty Lane, Land Lots 237, 258, and 259, 20th District, 2nd Section, Cobb County, Georgia (hereinafter the “Property” or the “Subject Property”). The rezoning was approved; however, pursuant to the Board’s approval, the final site plan reflecting “removal of three lots” was to come back for approval by the Board as an “Other Business” item.

Therefore, Applicant presents revised Zoning Plans, last revised October 13, 2014, prepared by Ridge Planning and Engineering, for consideration and approval by the Board of Commissioners. Reduced copies of the Zoning Plans, noted as Z.100, Z.101, and Z.102, are attached collectively hereto as Exhibit “A” and incorporated herein by reference.

If the Zoning Plan is approved, as submitted in this Application, it shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

The balance and remainder of the stipulations and conditions specifically enumerated in the final, official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on October 21, 2014, applicable to the Subject Property are unaltered by this request for Site Plan Approval and shall remain in full force and effect.

**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING
AS TO APPLICATION FOR REZONING
NO. Z-46 (2014) – OCTOBER 21, 2014**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
OCTOBER 21, 2014
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, October 21, 2014 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee
Commissioner JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Helen Goreham
Commissioner Bob Ott

Z-46 **JW HOMES, LLC** (Paul Samuel Properties, LLP, Double Edge, LLC, and Laverne and Carl Abbott, owners) requesting Rezoning from R-20 and R-30 to R-20/OSC for the purpose of a Single-Family Residential Subdivision in Land Lots 237, 258 and 259 of the 20th District. Located on the south side of Paul Samuel Road, on the east side of Acworth Due West Road, at the eastern terminus of Justice Drive, at the eastern terminus of West Pointe Drive, and at the southern terminus of Liberty Lane. (Previously continued by Staff)

The public hearing was opened and Mr. Kevin Moore, Mr. William Lathem, Ms. Kelli Gabriell, Mr. Kyle Williams, Mr. Scott Allen, and Ms. Melissa O'Brien addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Ott, to **approve** rezoning to the **R-20 OSC** zoning category subject to:

- **Site plan last revised October 13, 2014, with final site plan showing removal of three lots adjacent to existing residential properties to come back as an Other Business Item (attached and made a part of these minutes)**
- **Letter of agreeable conditions from Mr. Kevin Moore dated October 20, 2014 (attached and made a part of these minutes), with the following changes:**
 - **Item No. 3 – revise to read: “...maximum of one hundred seventy-five (175) single family residences.”**
 - **Item No. 11 – revise second sentence to read: “The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas, open space, landscaping around detention, lake, dam, and entrance areas....”**
 - **Item No. 26 – revise to read: “...establishment of 40’ perimeter buffers, as specifically shown on the revised plan;...”**
- **Planning Division comments and recommendations revised October 20, 2014, not otherwise in conflict (attached and made a part of these minutes)**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
OCTOBER 21, 2014
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, October 21, 2014 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Tim Lee
Commissioner JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Helen Goreham
Commissioner Bob Ott

Z-46 REGULAR AGENDA (CONT.)

- **Fire Department comments and recommendations, *not otherwise in conflict***
- **Water and Sewer Division comments and recommendations, *not otherwise in conflict***
- **Stormwater Management Division comments and recommendations, *not otherwise in conflict***
- **Cobb DOT comments and recommendations, *not otherwise in conflict***
- **Historic Preservation comments and recommendations, *not otherwise in conflict***
- **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**

VOTE: ADOPTED unanimously

Case No. 74 Petition No. 2-46
 Letter of agreement
 10/21/14

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
 WWW.MIJS.COM

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 ELDON L. BASHAM
 MATTHEW J. HOWARD
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 KEVIN B. CARLOCK²
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 J. KEVIN MOORE
 RODNEY R. MCCOLLOCH
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 WILLIAM D. WINDERS, JR.⁴
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 CHARLESTON, SOUTH CAROLINA 29492
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 7380 W. SAND LAKE RD • STE 500
 ORLANDO, FLORIDA 32818
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 DAVID P. CONLEY
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 J. DANIEL COLE
 RYAN S. ROBINSON
 JOSEPH D. SHELLEY
 LESLIE S. SMITH
 CHRISTOPHER L. JOHNSON
 CHRISTIAN H. LAYCOCK
 LIZA D. HARRELL⁹
 JESSICA A. KING
 JOHN A. EARLY
 CHRISTOPHER W. SHERMAN⁹

JOHN T. RICE⁹
 JESS E. MAPLES⁹
 FREDERICK F. FISHER⁹

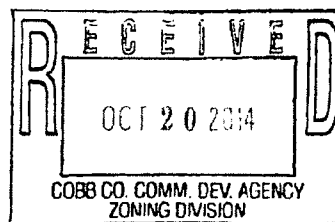
OF COUNSEL:
 JOHN L. SKELTON, JR.⁹

¹ ALSO ADMITTED IN TN
² ALSO ADMITTED IN FL
³ ALSO ADMITTED IN CA
⁴ ALSO ADMITTED IN TX
⁵ ALSO ADMITTED IN AL
⁶ ALSO ADMITTED IN KY
⁷ ALSO ADMITTED IN SC
⁸ ALSO ADMITTED IN NC
⁹ ALSO ADMITTED IN IN
⁰ ADMITTED ONLY IN TN
¹ ADMITTED ONLY IN SC

October 20, 2014

Hand Delivered

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



RE: Application for Rezoning - Application No. Z-46 (2014)
 Applicant: JW Homes, LLC
 Property Owners: Paul Samuel Properties, LLP; Double Eagle, LLC; Laverne and Carl Abbott; and The Estate of Georgia Ruth Parson, a/k/a Ruth Cantrell Parson, Deceased, and Mary Diane Parson Bill, f/k/a Dianne P. Bill, n/k/a Dianne P. Milton
 Property: 136.7011 acres, more or less, located at the intersection of Acworth Due West Road and Paul Samuel Road, Land Lots 237, 258, and 259, 20th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent JW Homes, LLC, the Applicant (hereinafter referred to as "Applicant"), and Paul Samuel Properties, LLP; Double Eagle, LLC; Laverne and Carl Abbott; and The Estate of Georgia Ruth Parson, a/k/a Ruth Cantrell Parson, Deceased, and Dianne P. Milton, the Property Owners (hereinafter collectively referred to as "Owners"), in their Application for Rezoning with regard to property totaling 136.7011 acres located at the

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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intersection of Acworth Due West Road and Paul Samuel Road, Land Lots 237, 258, and 259, 20th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). After numerous meetings with planning and zoning staff and various Cobb County Departmental representatives, ongoing discussions and meetings with area civic and homeowner representatives and residents, reviewing the Staff Comments and Recommendations; as well as, the uses of surrounding properties, and following the presentation to and hearing before the Cobb County Planning Commission and the recommendations thereof, we have been authorized by the Applicant to submit this revised letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter will supersede and replace in full any and all previous letters of agreeable stipulations and conditions submitted in connection with this Application for Rezoning; excepting only the submission of the revised Zoning Plans, dated April 28, 2014, last revised October 13, 2014, submitted on October 17, 2014. The revised stipulations are as follows:

- (1) Approval for the Subject Property shall be from the R-20 and R-30 zoning categories to the R-20/OSC category, site plan specific to the revised Zoning Plan prepared for Applicant by Ridge Planning and Engineering dated April 28, 2014, last revised October 13, 2014. A reduced copy of the revised Zoning Plan is attached hereto as Exhibit "A" and incorporated herein by reference.
- (2) By this letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Zoning Plan for the proposed development hereinabove referenced, same being prepared for Applicant by Ridge Planning and Engineering dated April 28, 2014, last revised October 13, 2014, and filed with the Zoning Office on October 17, 2014.
- (3) The Subject Property consists of 136.7011 acres of total site area and shall be developed for a residential community comprised of a maximum of one hundred seventy-eight (178) single-family residences.
- (4) The proposed development shall contain a minimum of 52.63 acres of dedicated open space, as more particularly shown and reflected on the revised Zoning Plan, subject to final engineering. All pathways and any other amenity in the dedicated open space will be approved by the Zoning Division Manager.
- (5) The minimum lot size of lots within the proposed residential community shall be 10,000 square feet.

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Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
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- (6) The residences within the proposed community shall have a minimum of 3,250 square feet (heated and cooled space), ranging up to 6,000 square feet, and possibly greater.
- (7) The proposed residences shall be traditional in style and architecture and shall have a minimum three-car, attached garage.
- (8) Additionally, the architectural style and composition of the exterior of the homes shall consist of brick, stacked stone, stone, cedar shake-type, hardi-plank shake type, and hardi-plank siding, or combinations thereof, on a minimum of three (3) sides. Photographs representative of the homes to be built within the community are attached hereto collectively as Exhibit "B."
- (9) The minimum setbacks for the proposed residential community shall be as follows:
 - (a) Front setback – Fifteen (15) feet;
 - (b) Interior rear setback – Twenty (20) feet;
 - (c) Side setback – Five (5) feet
(Minimum twenty (20) feet between homes);
Fifteen (15) feet
(Adjacent to street); and
 - (d) Exterior setback – Forty (40) feet
(Adjacent to R-30 zoned property);
Thirty-five (35) feet
(Adjacent to R-20 zoned property).
- (10) Entrance signage shall be ground based, monument-style signage, and shall consist of brick, stone, or combinations thereof, with accents. Entrance landscaping shall be professionally designed, implemented, and maintained. Maintenance of the entrance areas shall be by the mandatory homeowners association as set forth in the declaration of covenants, easements, and restrictions.

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- (11) Applicant agrees to the creation of a mandatory homeowners association consistent with communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas, open space, landscaping around detention areas, and entrance areas contained within the proposed residential community.
- (12) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations applicable to the proposed development.
- (13) The proposed community shall have both active and passive amenities consisting of clubhouse, walking trails, and usable passive park areas.
- (14) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences, as offered by the power provider.
- (15) Applicant agrees to construct internal sidewalks along one side of the streets within the proposed residential community which shall connect to exterior street sidewalks. Said internal sidewalks shall comply in all respects with Cobb County standards and ordinances.
- (16) Applicant agrees to install professional landscaping and street buffer treatment along Paul Samuel Road to be maintained by the homeowners association.
- (17) Applicant agrees to comply with all Cobb County and State of Georgia stream buffer requirements as more particularly shown and reflected on the revised Zoning Plan.
- (18) Stormwater management facilities shall be as shown and reflected on the revised Zoning Plan. Said facilities shall be screened by black, vinyl-clad chain link fencing, black wrought iron-type, or split-rail fencing. The fencing shall be a minimum of four (4) feet in height with landscaping to the exterior of the fencing where needed for purposes of visual screening for proposed lots and proposed rights-of-way. The landscaping shall be approved by the County Arborist during the plan review process.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
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- (19) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the plan review process and incorporated into the overall landscape plan for the proposed community.
- (20) All utilities servicing the residences within the proposed community shall be underground.
- (21) Minor modifications to the revised Zoning Plan, including, but not limited to, the layout of lots and stormwater control measures, may be approved by the District Commissioner, as needed or necessary; except for those changes that increase the density of a residential project; reduce the size of an approved buffer adjacent to a property that is zoned in the same or in a more restrictive zoning district; relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district; increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district; or change an access location to a different roadway.
- (22) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (23) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (24) All buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing.
- (25) Applicant agrees to the following system improvements to mitigate traffic concerns:
 - (a) Donation of right-of-way a maximum of fifty (50) feet in width from the existing roadway centerline along the frontage of property along Acworth Due West Road and Paul Samuel Road;
 - (b) Installation of curb, gutter, and sidewalk along the property frontage on Acworth Due West Road and Paul Samuel Road;

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Zoning Division
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- (c) Installation of curb and gutter along both sides of the streets; as well as, installation of sidewalk along one side of streets within the proposed community;
 - (d) Construction of deceleration lanes for ingress purposes along the property frontage on Acworth Due West Road and Paul Samuel Road; and
 - (e) Construction of left-turn lanes at entrances on Acworth Due West Road and Paul Samuel Road.
- (26) Applicant agrees to the establishment of perimeter buffers as specifically shown on the revised Zoning Plan; said buffers to be natural and maintained buffers, as defined in County Code.
- (27) Applicant agrees to protect the historical earthworks located on the Subject Property as more specifically shown on the revised Zoning Plan; so as to create dedicated open space, to be natural and maintained, as defined in County Code. The historical area public access and layout will be approved by the Cobb County historical staff.
- (28) Stipulations applicable to the Searcy property:
- Establishment of fifteen (15) foot undisturbed buffer along adjacent property line (proposed lots 97-103);
 - Fifteen (15) foot undisturbed buffer will be made a part of the permanent green space and incorporated into the Conservation Easement and owned by the mandatory homeowners association.
 - Installation of a wooden privacy fence, six (6) feet in height, fifteen (15) feet off the Searcy property line, within the undisturbed buffer area (along the property lines of proposed lots 97-103).
 - Supplemental plantings within the undisturbed buffer area shall be added upon agreement between the Applicant and Dr. Searcy, which shall become a final zoning condition, if approved, as presented.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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- (29) Stipulations applicable to the Godwin property:
- Establishment of a twenty (20) foot undisturbed buffer and Conservation Easement along the adjoining property lines between the proposed development and those of Diana Godwin Skehan and Ray Godwin, as more particularly shown and reflected on attached Exhibit "C."
 - Applicant shall repair the broken and downed fence between the properties of the proposed development and those of Diana Godwin Skehan and Ray Godwin, as more particularly shown and reflected on attached Exhibit "C."
 - Installation of new chain link fencing in the area separating the two lakes, including the area spanning the spillway behind the lake on the property owned by Ray Godwin, as it crosses the common property line onto the Subject Property; said chain link fencing also being more particularly shown and reflected on attached Exhibit "C."
 - Applicant agrees to the planting of a combination of Cedar trees, Magnolia trees, Cryptomeria, Ligustrum (for lower buffering), and Arborvitae along the common boundary line between the Diana Godwin Skehan property and the Subject Property.
- (30) There will be a landscape buffer twenty (20) feet in width across the rear of proposed lots 16 through 25, within the rear building setback area.

We believe the requested approval of the Application for Rezoning, pursuant to the revised Zoning Plan, together with the revised stipulations set forth above, is an appropriate use of the Subject Property while taking into consideration the existing conditions of the Property and the area surrounding the proposed development. The proposed residential community shall be a quality development and shall be compatible with the quality of surrounding developments and be an enhancement to the Subject Property and the community. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

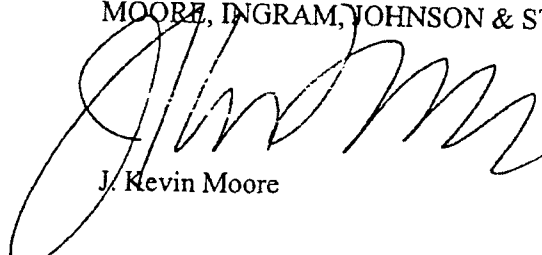
Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Continued

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
Helen C. Goreham
Robert J. Ott
JoAnn Birrell
Lisa N. Cupid
(With Copies of Attachments)

Cobb County Planning Commission:
Bob Hovey
(With Copies of Attachments)

Diana Godwin Skehan Cotney
Ray Godwin
Area Residents
(With Copies of Attachments)

Ashburn P. Searcy, M.D.
Area Resident
(With Copies of Attachments)

Keli Gambrell, President
People Looking After Neighborhoods, Inc.
(With Copies of Attachments)

JW Homes, LLC
(With Copies of Enclosures)

COBB COUNTY COMMUNITY DEVELOPMENT AGENCY
Planning Division
1150 Powder Springs Street
Marietta, Georgia 30060
(770) 528-2018

Planning Staff Analysis

Z-46 REVISED

Date: **October 20, 2014**
Contact: Philip Westbrook

Min. Bk. 74 Petition No. 2-46
Doc. Type Planning Div
Comments
Meeting Date 10/21/14

(770) 528-2014

Property Location: South side of Paul Samuel Rd, east side
of Acworth Due West Rd.

Current Zoning: R-20 / R-30

Land Lot/District: 237,258,259 / 20
Proposed Use: R-20 OSC

Total Area: 136.7011 acres
Floodplain /Wetland Area/Cemetery: 31.10 acres
Amenity Area: 1.19 acres
Net Buildable Area: 104.412 acres
Base Density Allowed: 1.75 upa
Base Density Allowed w/Bonus: 1.92 upa
Proposed Lots: 178
Net Density: 1.70 upa
Future Land Use: Very Low Density Residential (1 to 2 upa)

Open Space Requirement: 47.85 acres or 35%; for bonus 52.63 acres or 38.5%
Open Space Provided: 52.63 acres or 38.5%
Percentage of Open Space within Floodplain, Wetlands, & Lakes w: 58.7%

Setbacks:

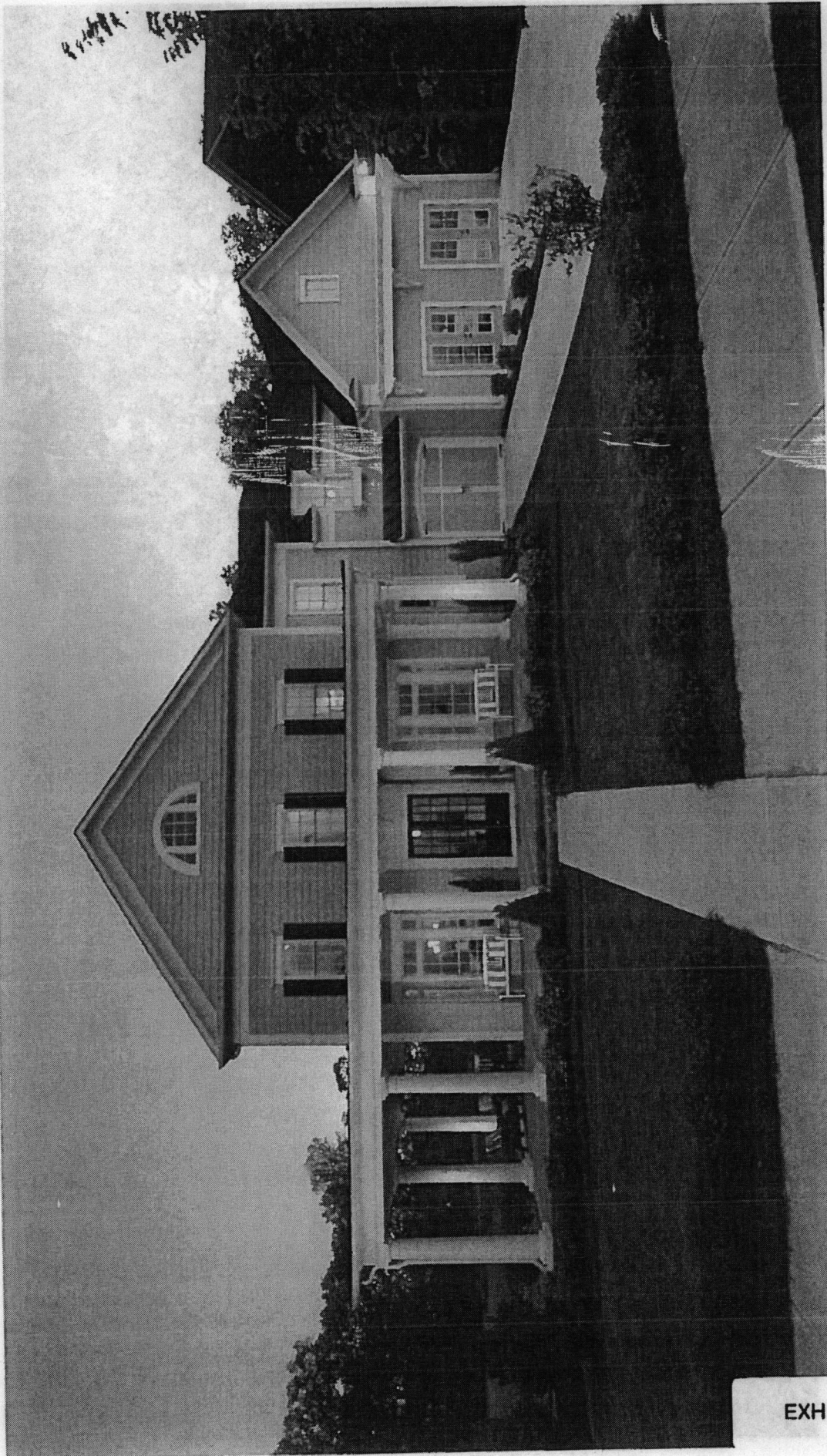
Interior:
Front: 15'; Rear: 20'
Side (adjacent to street): 15'
Side (adjacent to lots): 5' / 20' between buildings
Exterior
Rear: 40' adjacent to R-30
Rear: 35' adjacent to R-20

Comments:

1. All floodplain must be within required open space. Specifically, the revised site plan received Oct. 17, 2014 shows the floodplain boundary traversing through the center of middle detention pond.
2. Need to correctly label the rear setbacks for lots 93 through 98. Site Plan received Oct. 17, 2014 show rear setbacks of 25' but labeled 20'.

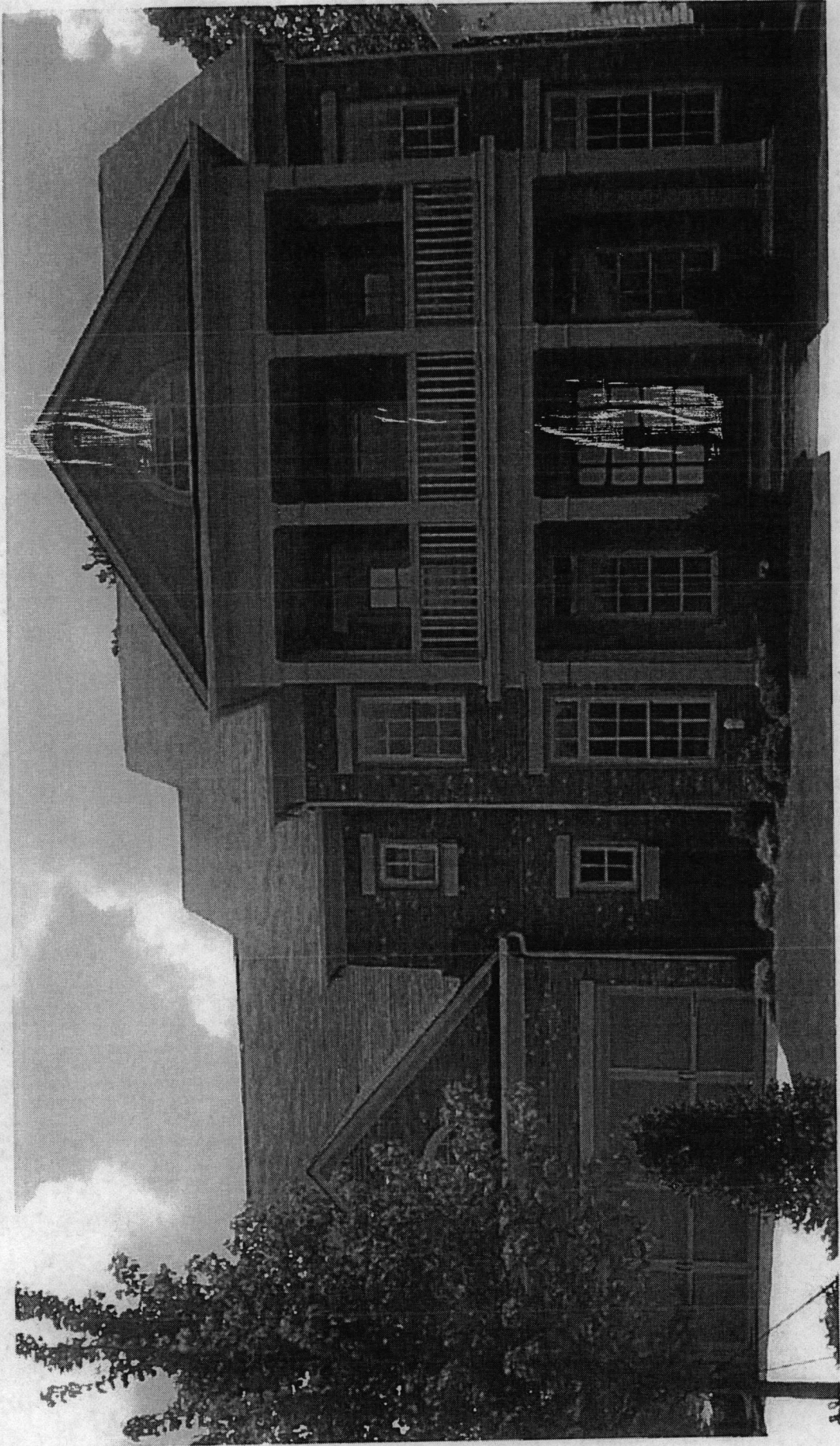
3. Must have Cobb Department of Transportation approved lighting plan (except individual residential lots).
4. A Conservation Easement must be recorded in the mandatory subdivision covenants and with Cobb Superior Court, thereby protecting the "Open Space" from development in perpetuity as owned by the mandatory Home Owners Association. Conservation Easement application must be submitted to the Planning Division before final plat approval.
5. For all lots contiguous to commonly owned open space, staff recommends including a deed that explains that said lots are adjacent to commonly owned Open Space and cannot be disturbed.
6. Recommend split rail fence to be installed within the open space along the common property line between the commonly owned open space and individual lots.

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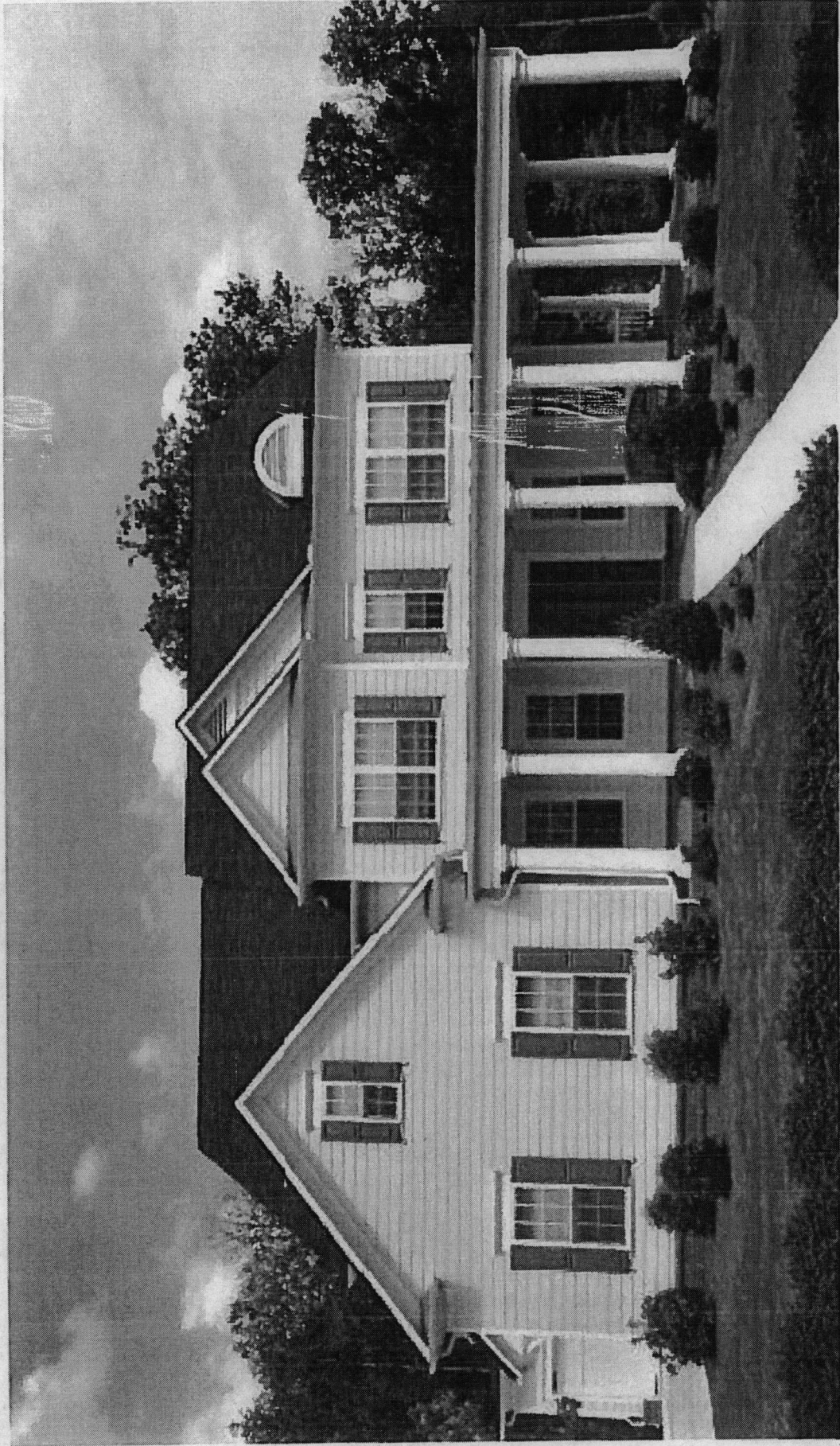


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Meeting Date 10/21/14
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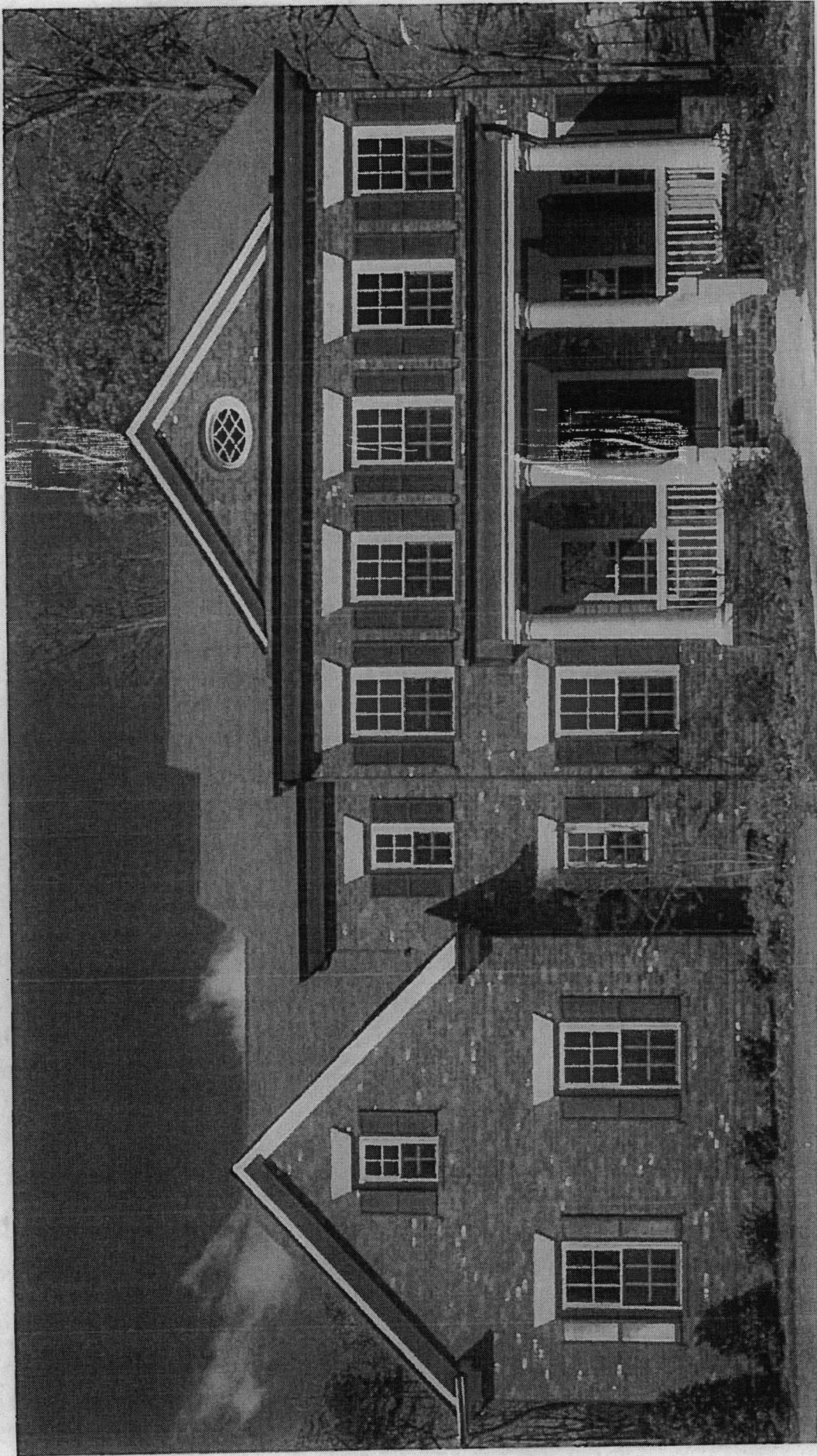
EXHIBIT "B"



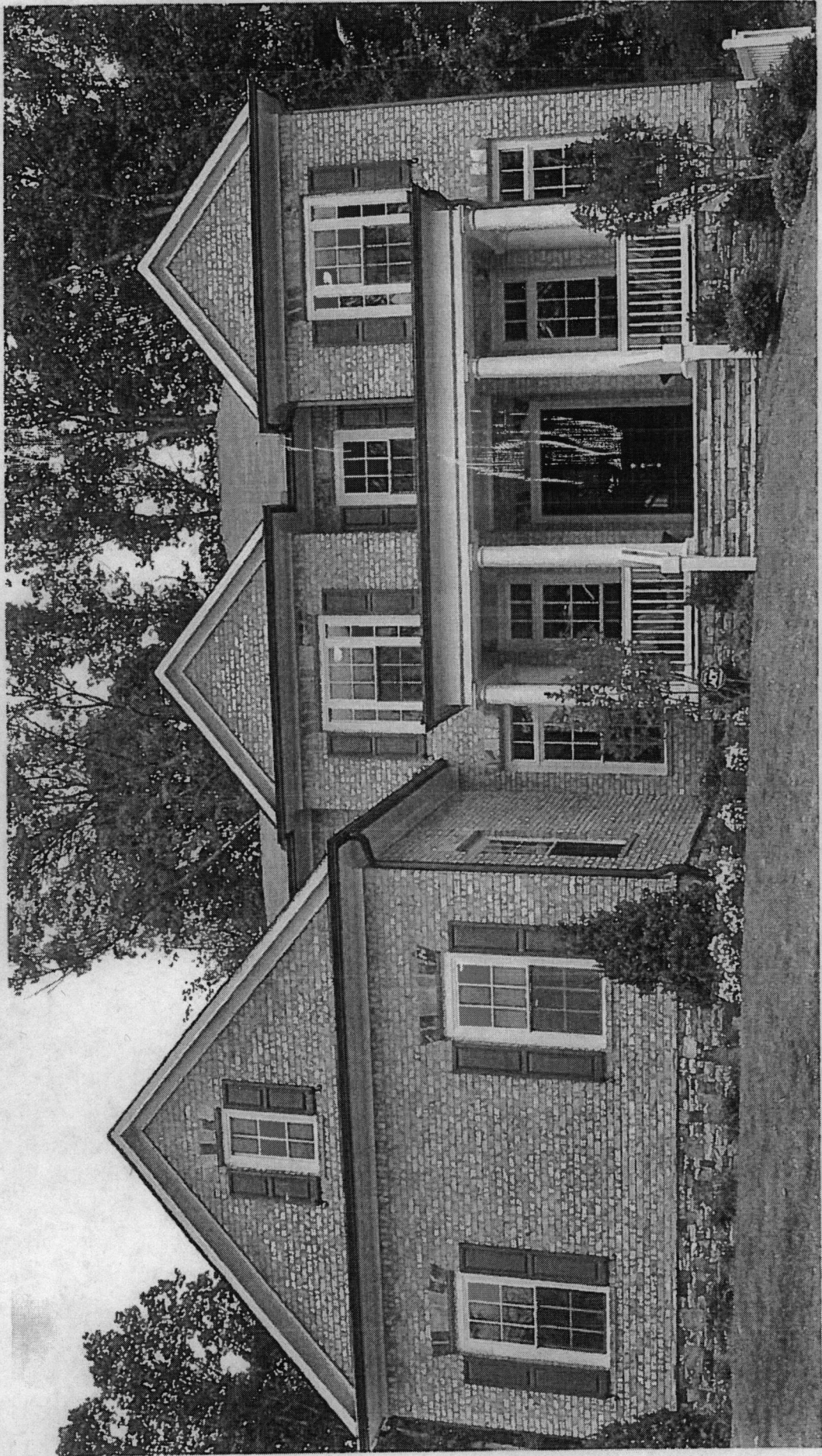
Petition No. 2-46
Meeting Date 10/21/14
Continued



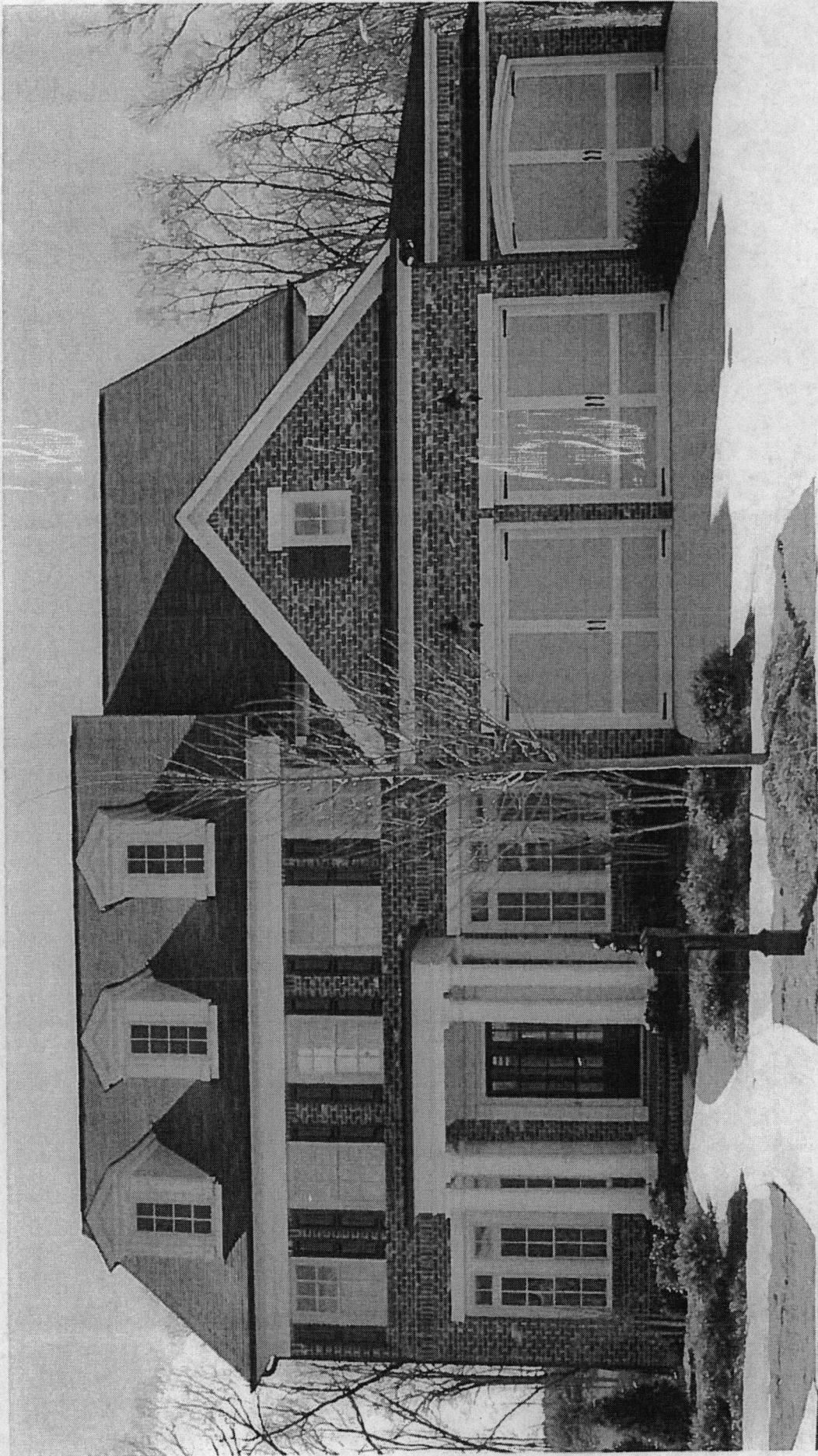
Petition No. 2-46
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Continued



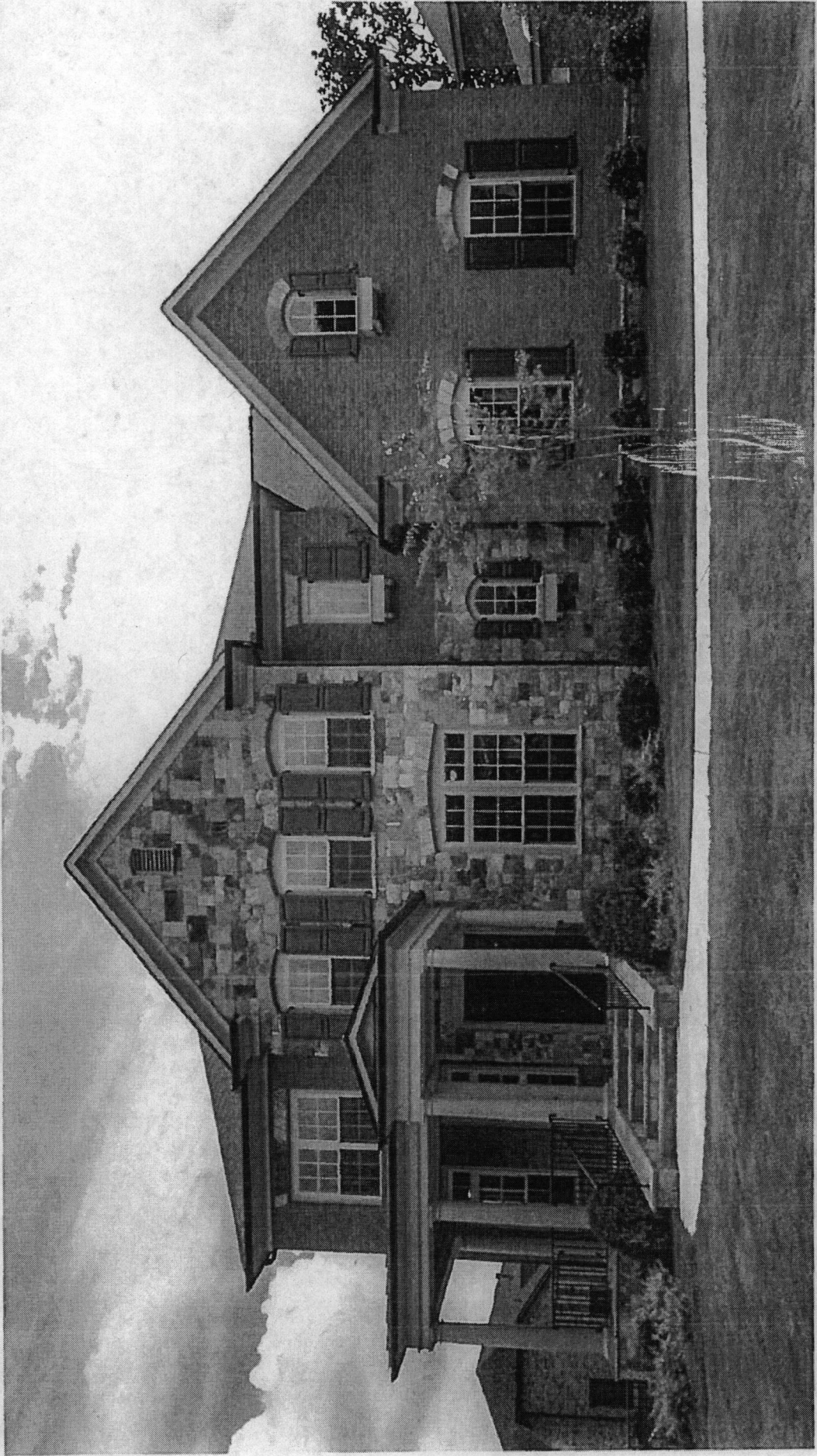
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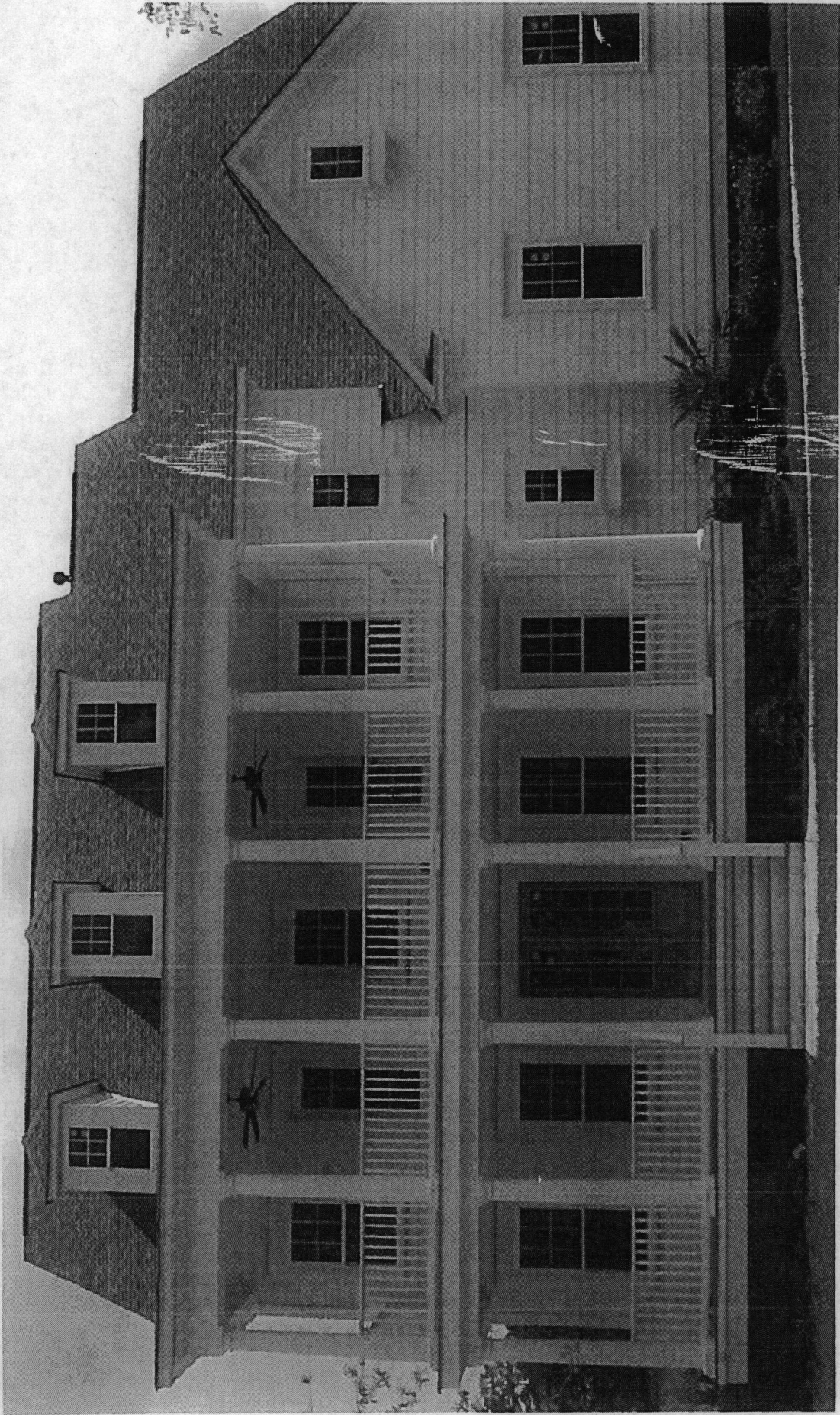
Petition No. 2-46
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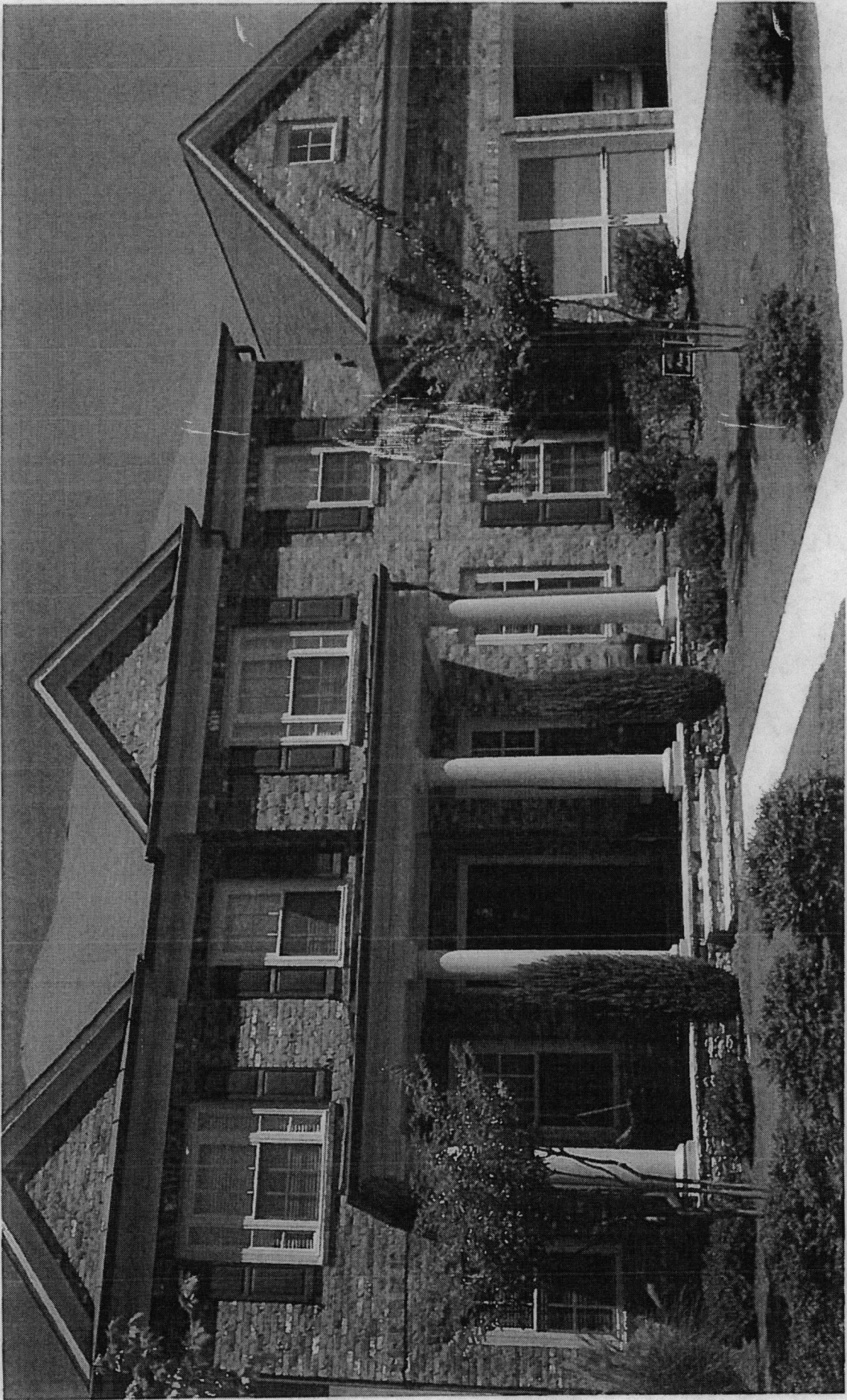
Petition No. 2-40
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Meeting Date 10/21/14
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Petition No. 2-46
Meeting Date 10/21/14
Continued



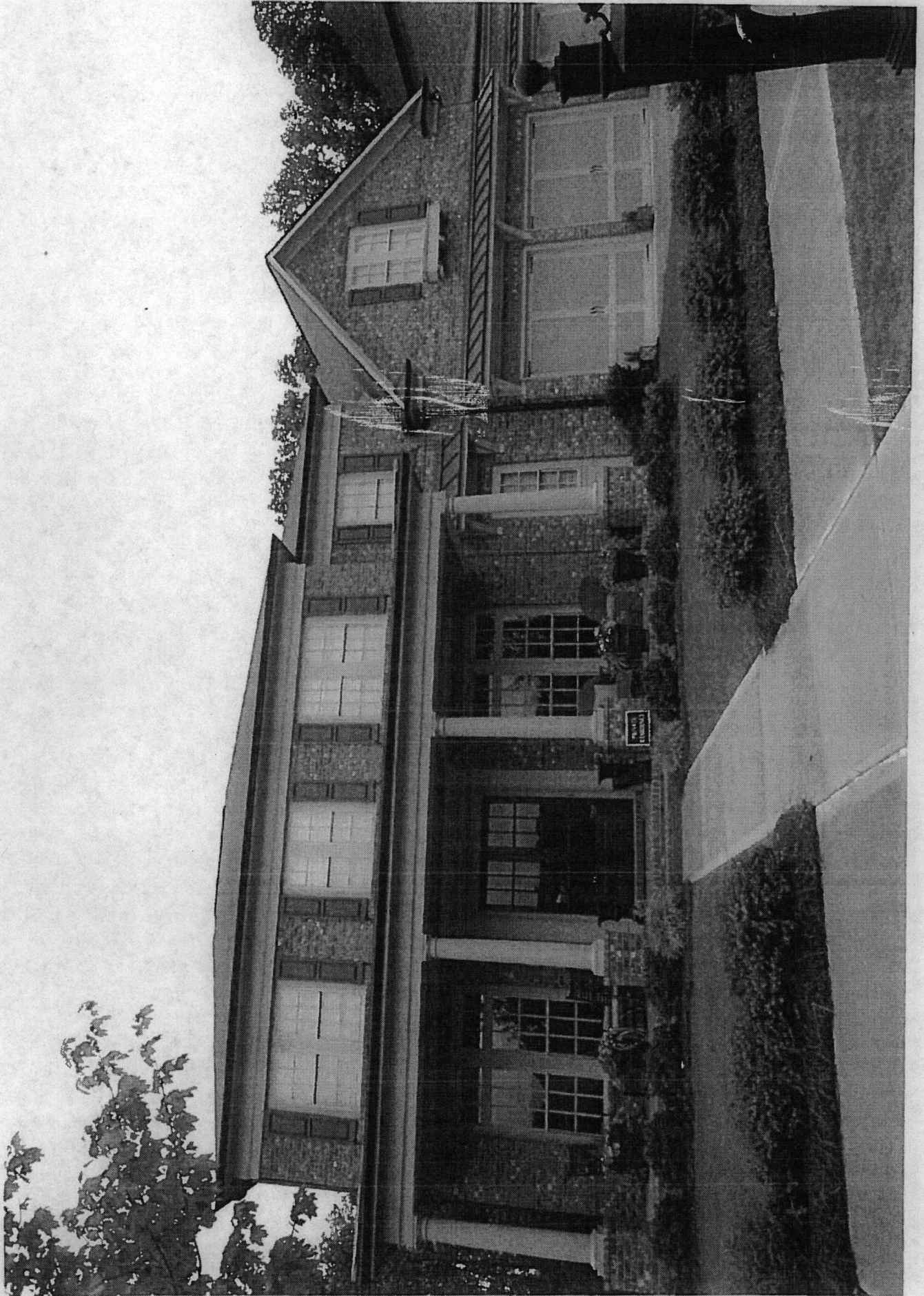
Petition No. 2-46
Meeting Date 10/21/14
Continued



Petition No. 2-46
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Continued



Petition No. 2-46
Meeting Date 10/21/14
Continued



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