

**MARCH 17, 2015 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM OB-012

PURPOSE

To consider amending the zoning stipulations for Rocklyn Homes, Inc. regarding rezoning application Z-61 (Talley Development) of 2006, for property located on the east side of Veterans Memorial Highway, west of Buckner Road in Land Lots 68 and 69 of the 18th District.

BACKGROUND

The subject property was rezoned in 2006 to RA-5 for a residential subdivision subject to having brick and stone on the fronts of the houses. The applicant has purchased the lots and wishes to offer more of a choice than just brick or stone on the house facades. The applicant is asking to also allow shake, cement board siding, EFIS (synthetic stucco), and board and batten on the fronts of the houses. There are several drawings attached to this Other Business item which show the different house plans featuring different facade treatments. If approved, all previous zoning stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

ATTACHMENTS

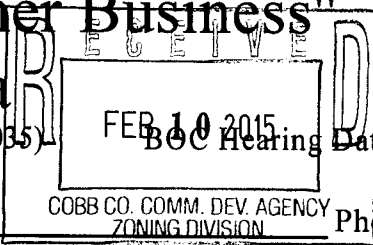
Other Business application and stipulations.

Application for "Other Business"

Cobb County, Georgia

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

OB-012-2015



BOC Hearing Date Requested: 3-17-15

Applicant: Rocklyn Homes Inc.
(applicant's name printed)

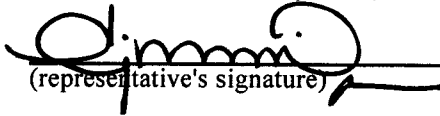
Phone#: (770) 817-2185

Address: 3575 Koger Blvd. Duluth GA. 30096

E-Mail: Ajenkins@Rocklynhomes.com

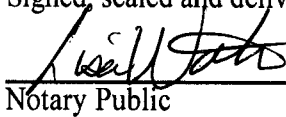
Beuce Jenkins
(representative's name, printed)

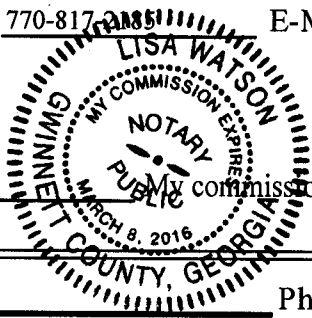
Address: 3505 Koger Blvd. Duluth, GA. 30096


(representative's signature)

Phone#: 770-817-2185 E-Mail: Ajenkins@rocklynhomes.com

Signed, sealed and delivered in presence of-


Notary Public



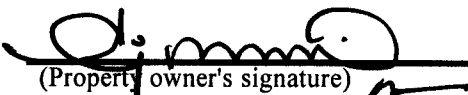
My commission expires: March 8, 2016

Titleholder(s) ROCKLYN HOMES INC.
(property owner's name printed)

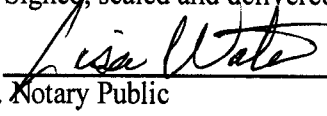
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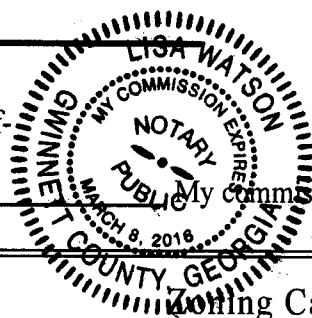
Address: 3575 Koger Blvd Duluth, GA 30096

E-Mail: Ajenkins@Rocklynhomes.com


(Property owner's signature)

Signed, sealed and delivered in presence of-


Notary Public



My commission expires: March 8, 2016

Commission District: 18th

Zoning Case: Z-61

Date of Zoning Decision: 8/15/2006

Original Date of Hearing: 7/6/2006

Location: East side of Veterans Memorial Hwy and west of Buckner Rd
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 68 & 69

District(s): 18th

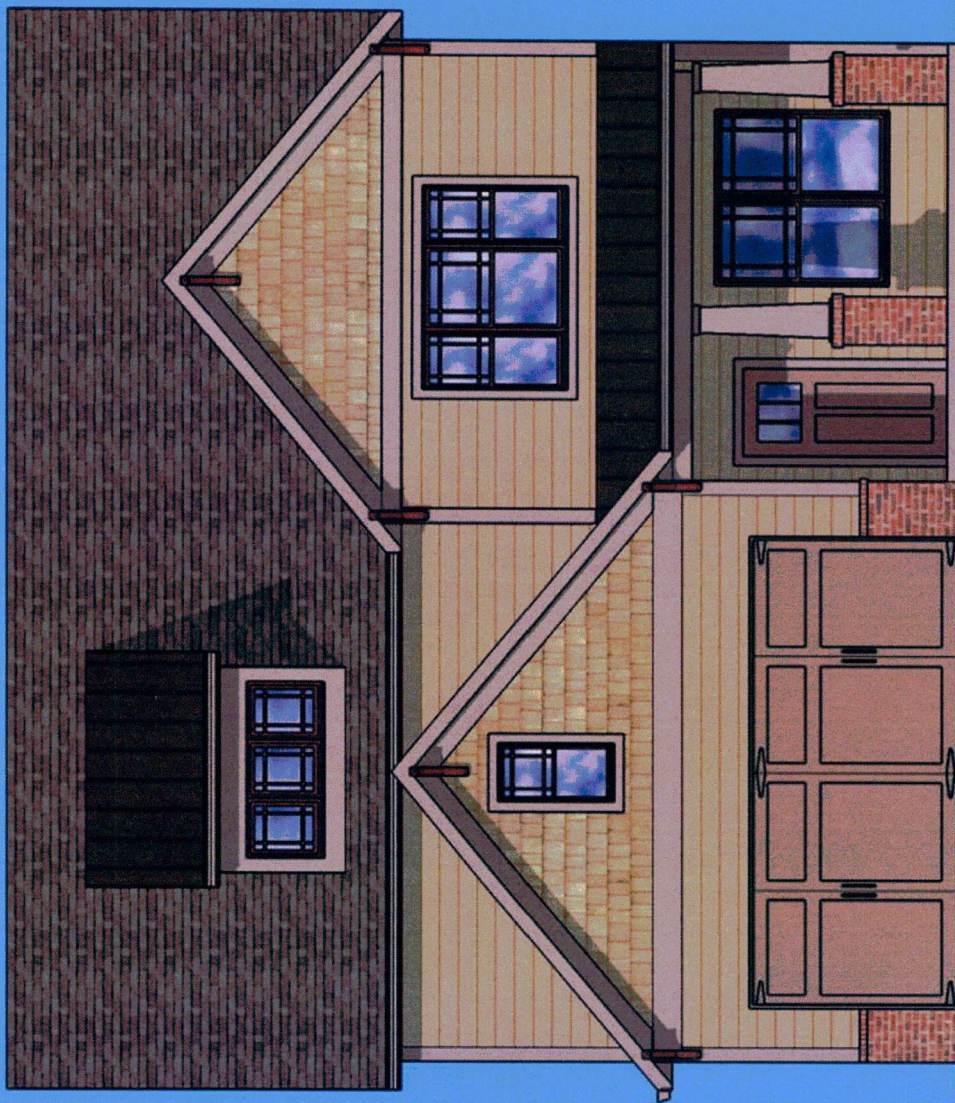
State specifically the need or reason(s) for Other Business: To amend the zoning condition that restricts the use hardi-plank on the front facades of the homes. To allow the use of an eclectic array of elevations to avoid a monotonous appearance of identical homes.

~~To demonstrate that the detention pond can accept more volume than imposed maximum impervious surface area of 40% per lot.~~

~~To clarify impervious area of 40% either on lot by lot or total area of lots combined.~~

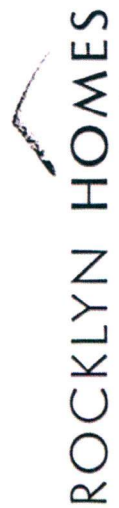
(List or attach additional information if needed)

OB-012-2015



Johnston- Craftsman Style

Volunteer's Ridge

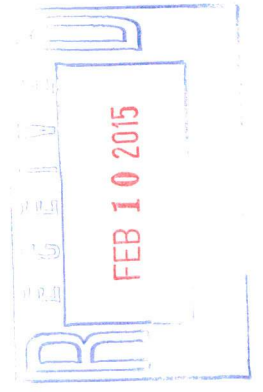
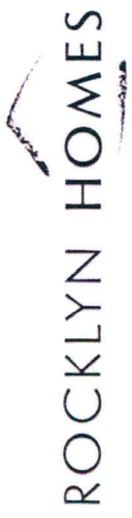


The Most Important Home We'll Build Is Yours

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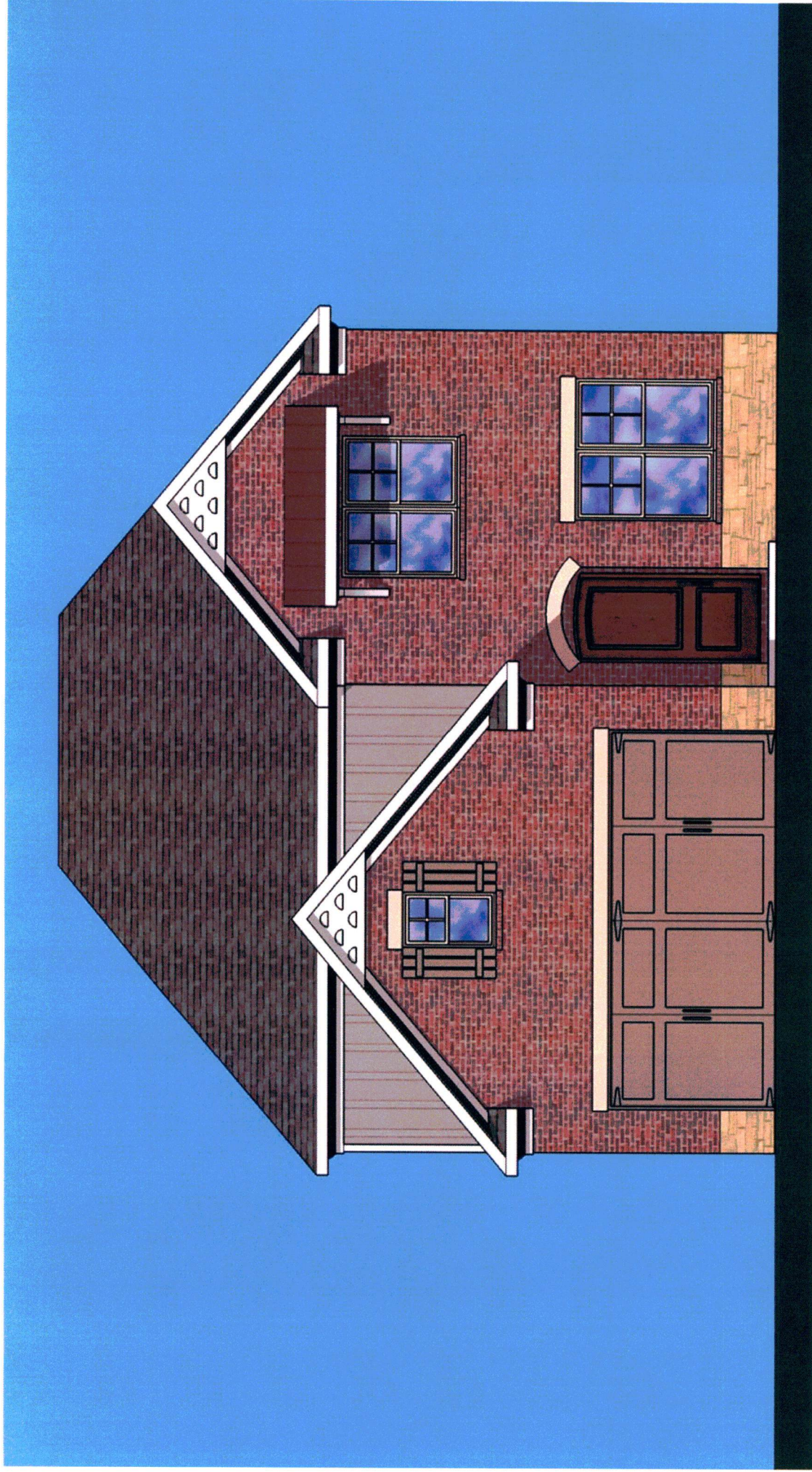


Johnston- Craftsman Style



Volunteer's Ridge

OB-012-2015



Johnston-Manor Style

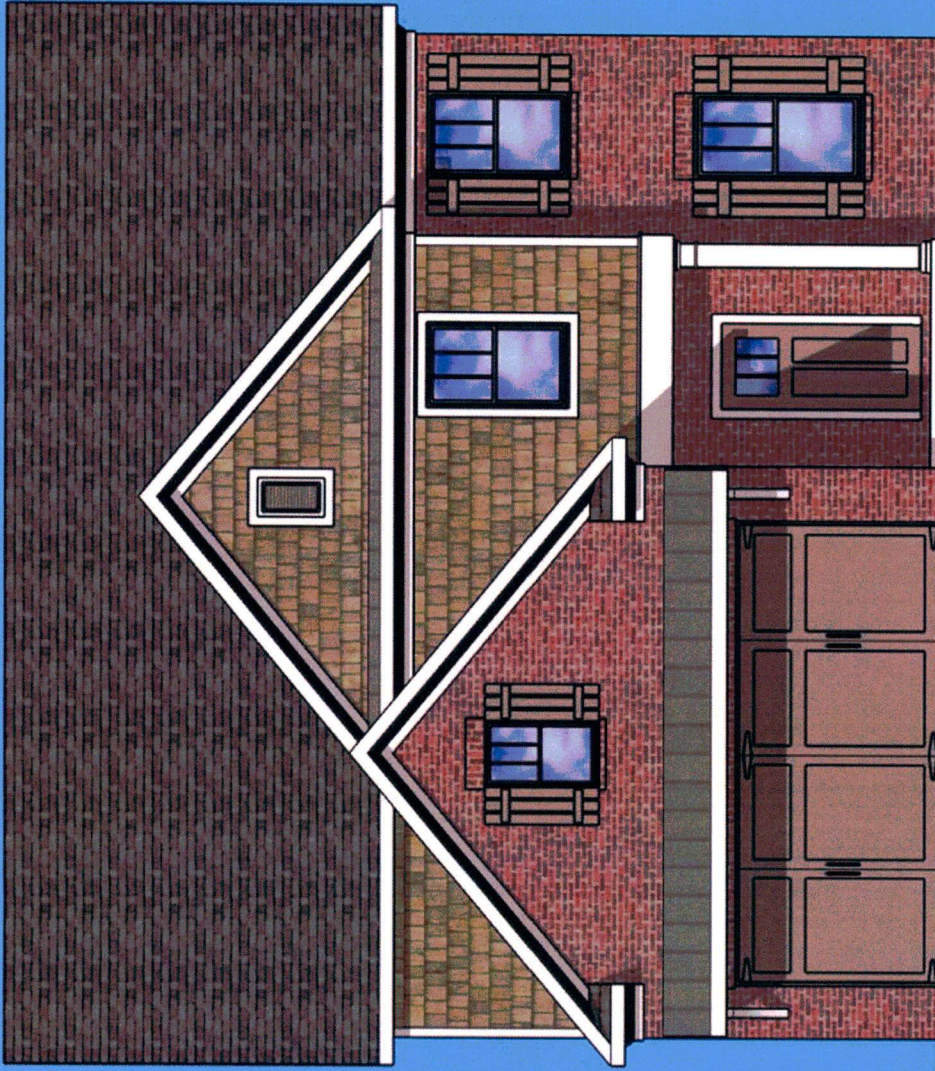
Volunteer's Ridge



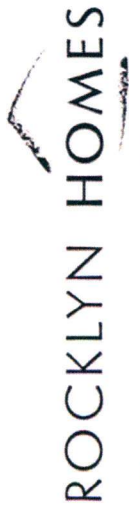
ROCKLYN HOMES

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Johnston- Signature Style



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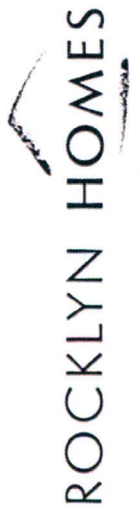


Volunteer's Ridge

OB-012-2015



Mayson- Craftsman Style



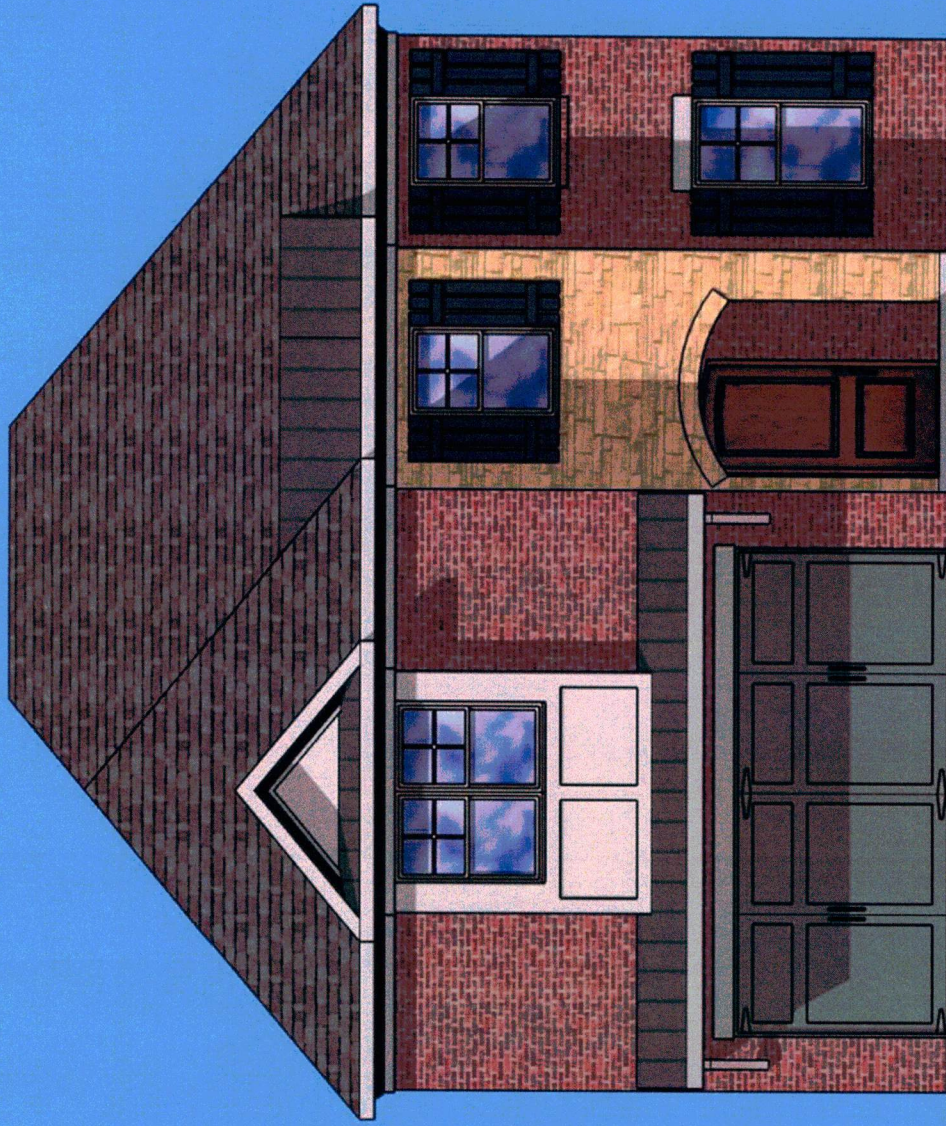
ROCKLYN HOMES

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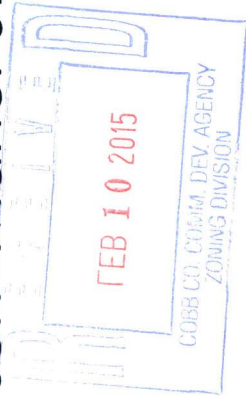


Volunteer's Ridge

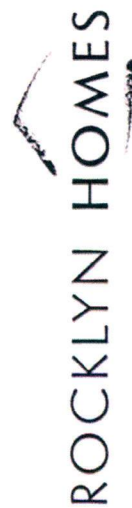
OB-012-2015



Mayson- Manor Style



Volunteer's Ridge



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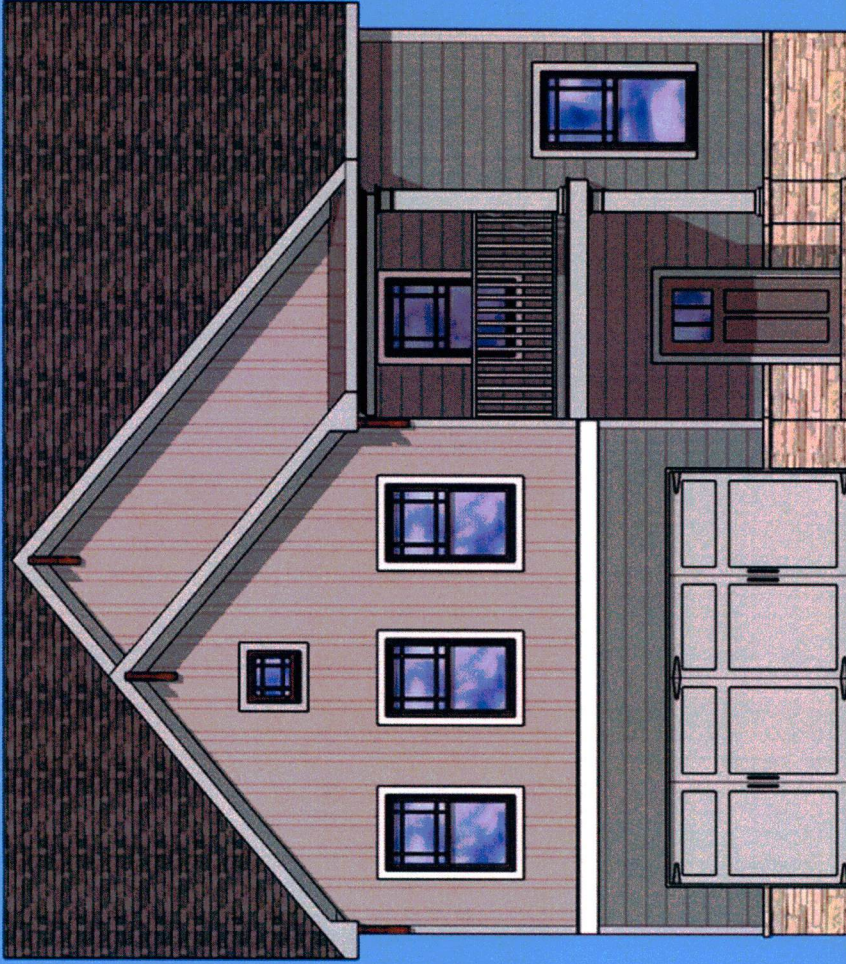
Mayson- Signature Style



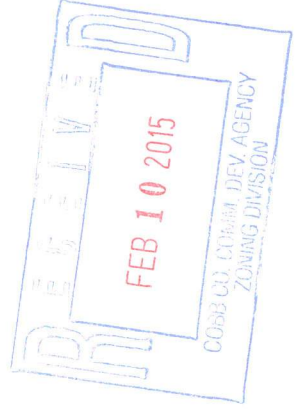
ROCKLYN HOMES

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Volunteer's Ridge

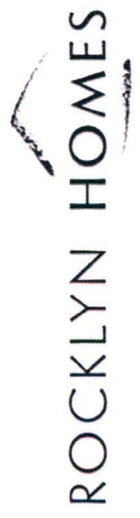


Turner- Craftsman Style



OB-012-2015

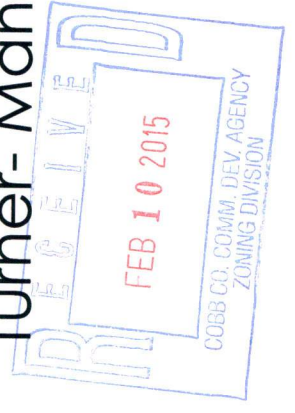
Volunteer's Ridge



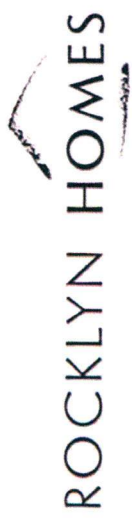
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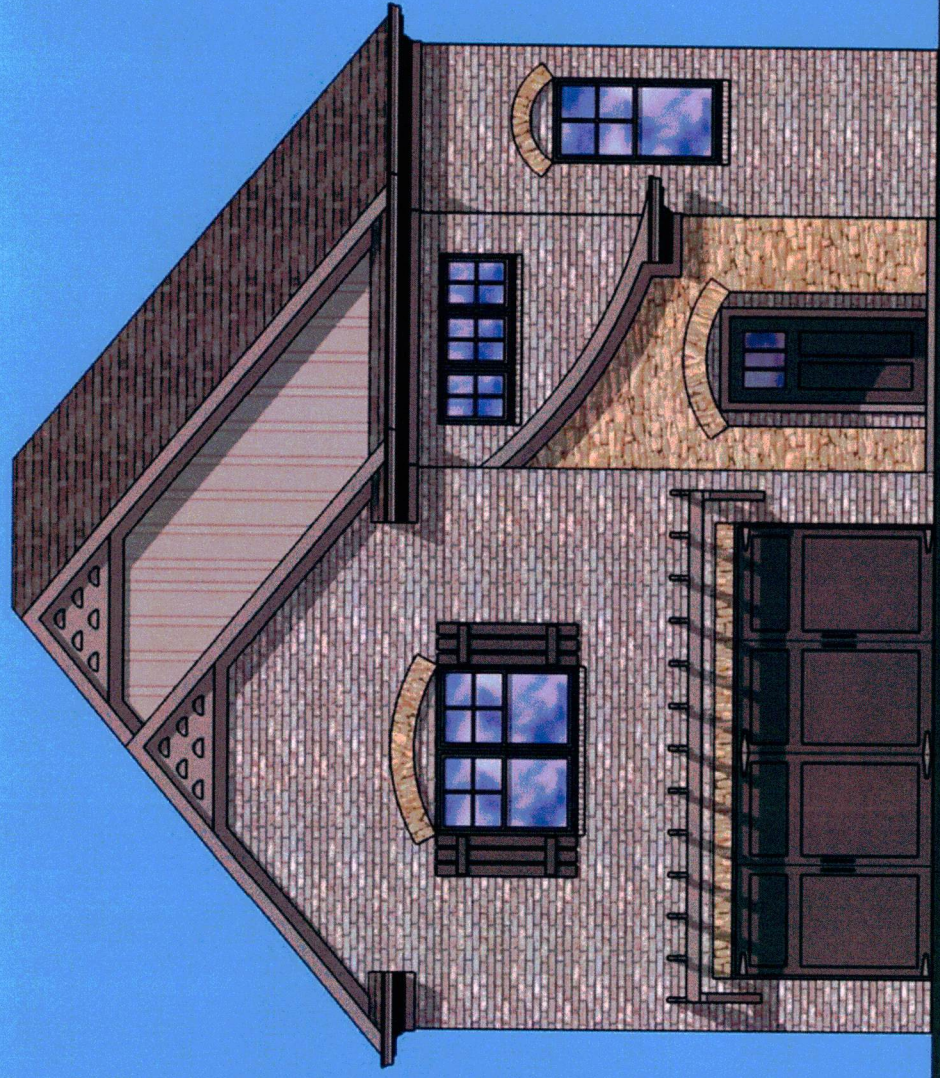
Turner- Manor Style

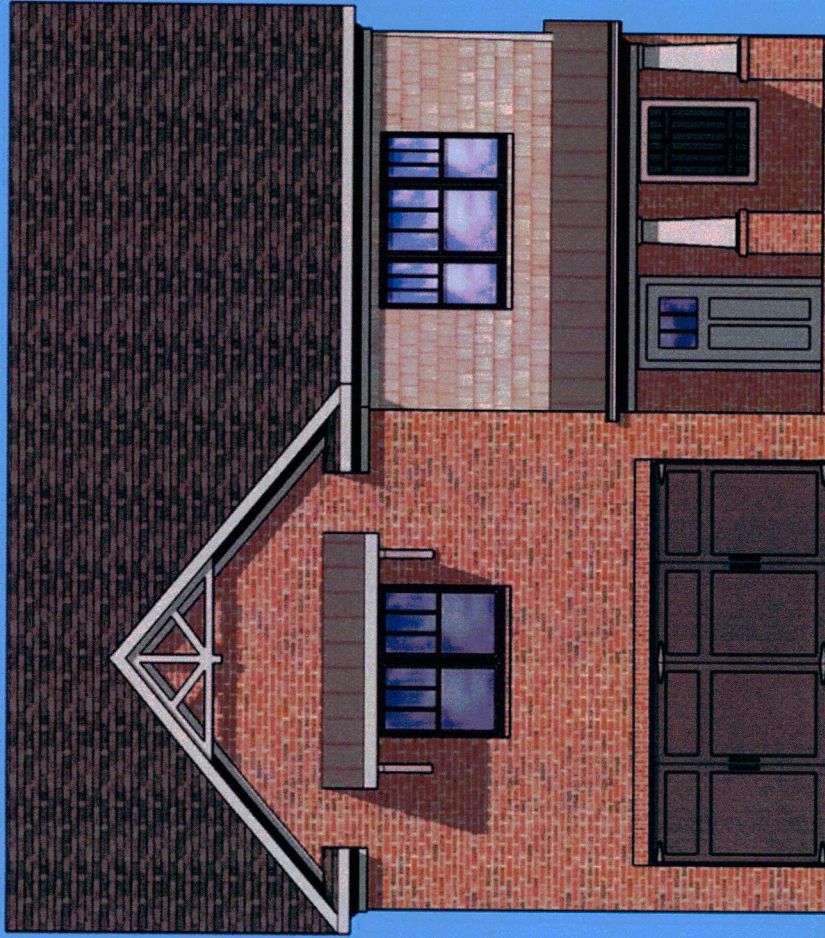


Volunteer's Ridge

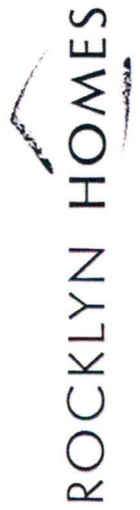


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Turner- Signature Style

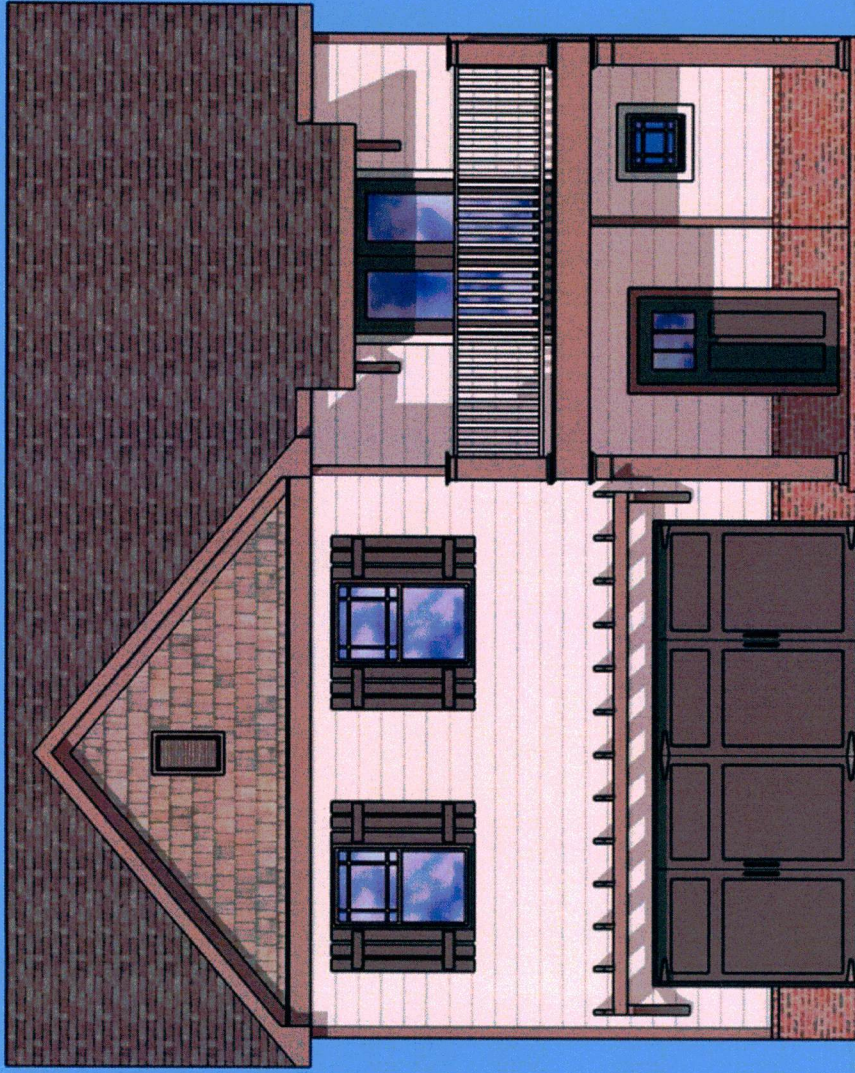


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Volunteer's Ridge



Hooper- Craftsman Style



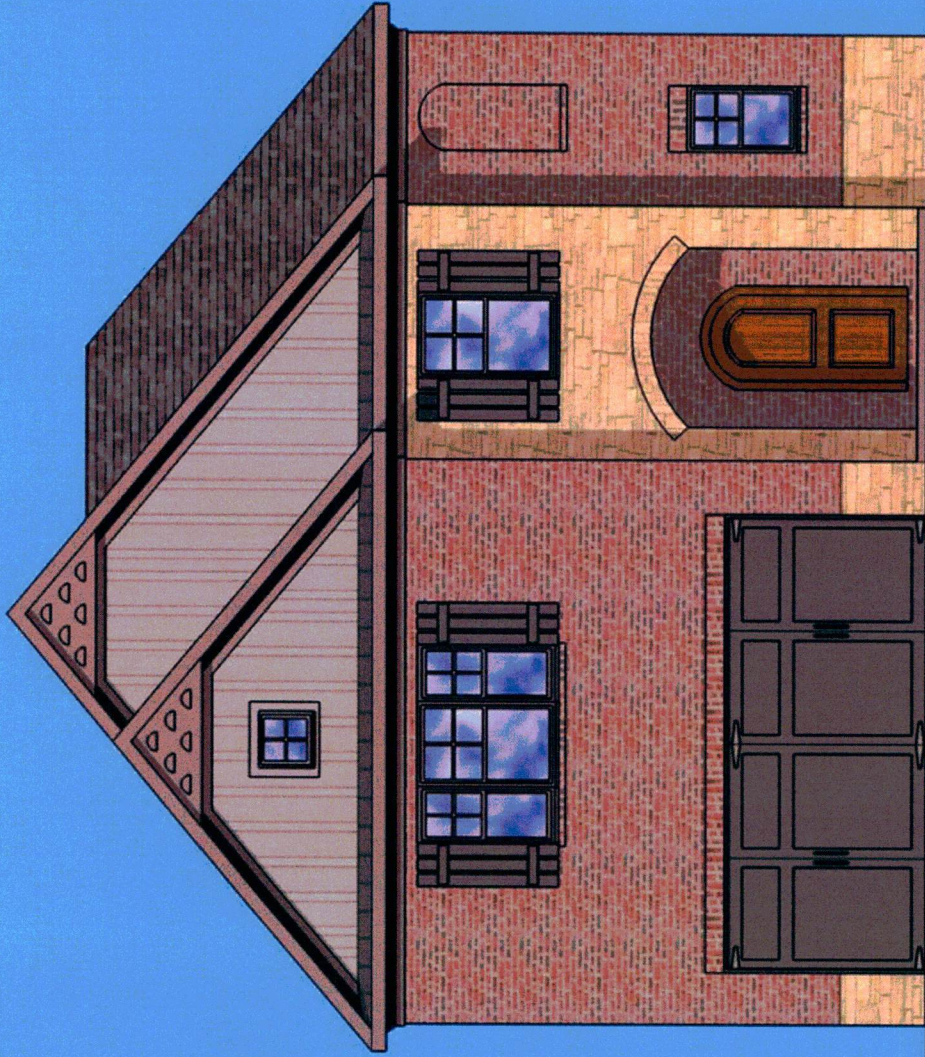
OB-012-2015

Volunteer's Ridge



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Hooper- Manor Style

Volunteer's Ridge



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Hooper- Signature Style

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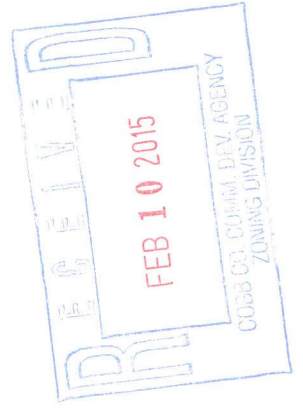
Volunteer's Ridge

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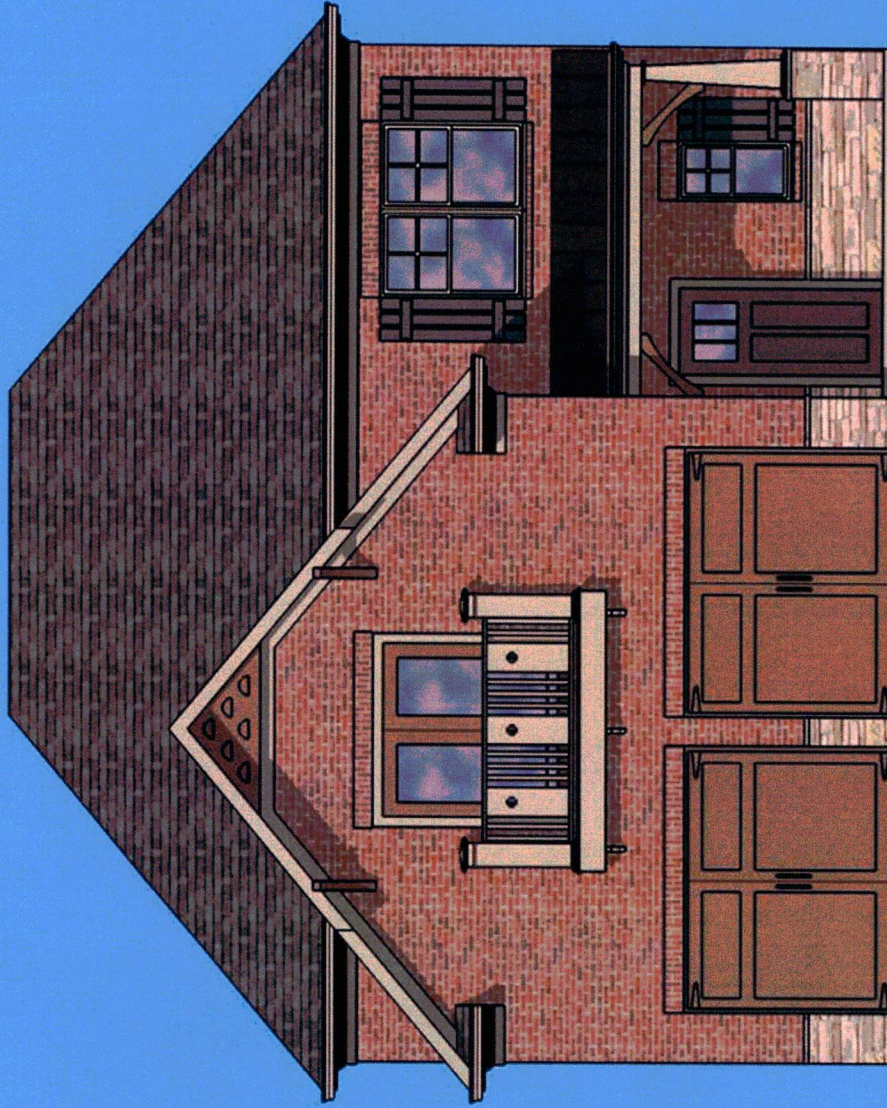


Howell- Craftsman Style

Volunteer's Ridge

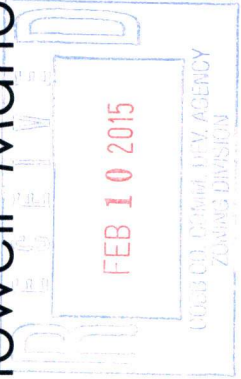


ROCKLYN HOMES
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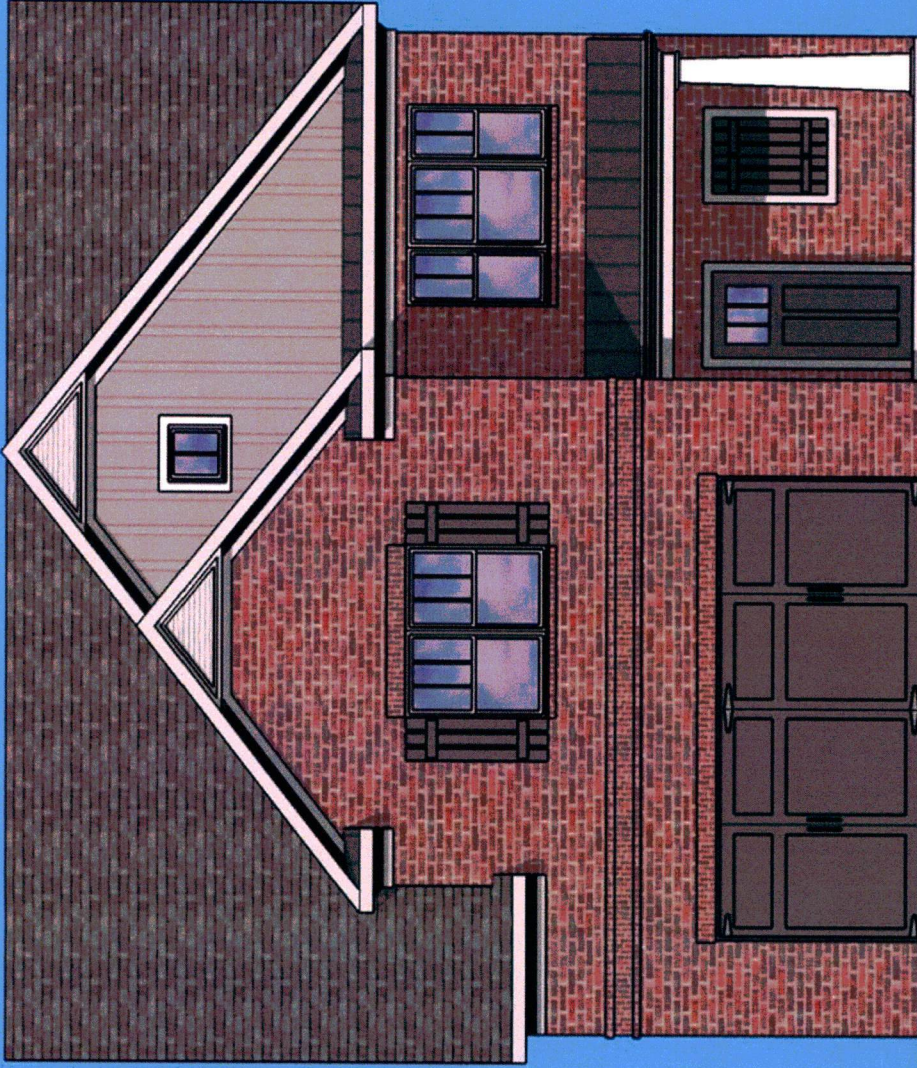
Howell- Manor Style



Volunteer's Ridge

 **ROCKLYN HOMES**
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Howell- Signature Style

Volunteer's Ridge

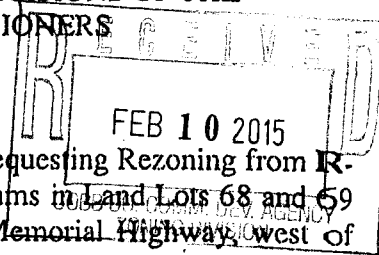


ROCKLYN HOMES

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ORIGINAL DATE OF APPLICATION: 05-16-06APPLICANTS NAME: TALLEY DEVELOPMENTTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 08-15-06 ZONING HEARING:**

TALLEY DEVELOPMENT (Ronald F. Williams, owner) requesting Rezoning from R-20 to RM-8 for the purpose of Townhouse Style Condominiums in Land Lots 68 and 69 of the 18th District. Located on the east side of Veterans Memorial Highway west of Buckner Road.



MOTION: Motion by Goreham, second by Lee, as part of the Consent Agenda, to delete rezoning to the RA-5 (detached) zoning district subject to:

- maximum density 4.50 units per acre
- letter of agreeable stipulations from Mr. James Balli dated June 28, 2006, *not otherwise in conflict*, with the following changes: (copy attached and made a part of these minutes)
 - Page 3, add Item No. 13 – *“Landscape review committee comprised of the County development staff and representative from the Mableton Coalition with District Commissioner to approve final landscape plan.”*
- hardy-plank on sides or rear only
- Fire Department comments and recommendations
- Historic Preservation comments and recommendations
- Water and Sewer comments and recommendations
- Stormwater Management comments and recommendations
- DOT comments and recommendations
- 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

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

Min. Bk. 44 Petition No. Z-61
Doc. Type Stipulation letter
dated 6-28-2006
Meeting Date August 15, 2006

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GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS K. HUFF
JAMES A. BALLI*
MELISSA P. HAISTEN

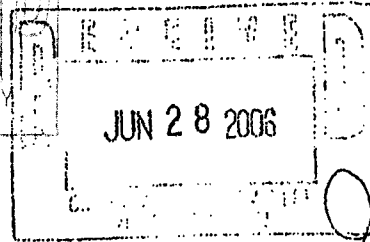
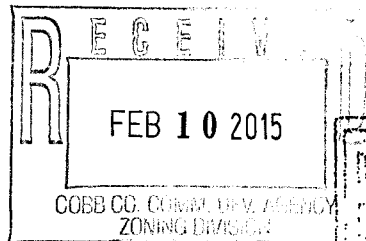
OF COUNSEL
DAVID P. HARTIN

*ALSO LICENSED TO PRACTICE
IN ALABAMA

VIA HAND DELIVERY

Mr. John Pederson, Planner III
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661

June 28, 2006



WWW.SAMSLARKINHUFF.COM

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

Re: Application of Talley Development to Rezone a 12.43 Acre Tract from R-20 to RM-8 (No. Z-61).

Dear John:

This firm represents the Applicant concerning the above-captioned application for a Rezoning. The application was continued and is now scheduled to be heard and considered by the Cobb County Planning Commission on July 6, 2006, and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on July 18, 2006.

As you are aware, Planning and Zoning has recommended approval of the application at a density of 5 units per acre. The application was held at the June Planning Commission meeting. After additional meetings with adjacent property owners and the Mableton Improvement Coalition, I am submitting five (5) large and two (2) reduced copies of an fourth amended Site Plan. Although surrounded by attached town home developments, the Applicant wishes to cooperate with the apparent desire to attempt economically viable detached single-family homes on the Site. The new Site Plan, therefore, sets forth a continued reduction in density to 4.58 units per acre and a reduction from 75 to 57 single family homes. As set forth in the Site Plan, the average lot size is 6,648 square feet and all homes are now single-family detached.

The balance of this letter will serve as my client's expression of agreement with the following stipulations which, upon the rezoning application being approved, as amended and modified hereby, shall become conditions and a part of rezoning binding upon the subject property thereafter:

VIA HAND DELIVERY

Petition No. 2-61
Meeting Date August 15, 2006
Continued

Mr. John Pederson, Planner III
Cobb County Zoning Department
Page 2
June 28, 2006

PAGE 7 OF

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned application for rezoning.
2. The subject property shall be developed for 57 single-family detached homes. The average lot size being 6,648 square feet, contemporaneous variances to be granted to allow (1) the minimum lot size shall be reduced to 4,500 square feet with a minimum distance between homes of 10 feet and (2) as shown on the "typical lot detail" included on the Plan, each lot will have a minimum of 5' side yard setbacks, 20' front yard and 30' rear yard setbacks. All building setback lines shall be as set forth on the Site Plan.
3. To minimize disturbance at or near the property line with Brookmere Subdivision, all lots that are adjacent to Brookmere Subdivision shall maintain the required 40' foot rear yard set back and shall further include a 10' foot landscaping screening buffer. All Lots that are adjacent to Veterans Memorial Highway shall maintain the 50' foot building setback line.
4. The Applicant shall utilize a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ, among others, the use of differing front elevations, architectural styles, building exteriors, setbacks or other similar techniques to provide a more pleasing appearance to the subdivision. The architectural style of the homes will be two-story traditional and the facades must be brick, stone or a cementitious material such as, but not limited to, "hardy-plank." The architectural style and composition shall be consistent with the photographs being submitted herewith.¹
5. All single-family homes shall be 1800 square feet and up. There will be sidewalks as requested by DOT and there shall also be sidewalks along the interior street.
6. Submission of a landscape plan during the Plan Review process, subject to staff review and approval. Mableton Improvement Coalition will also be copied on the landscape plan during the Plan Review Process. The landscaping plan will include appropriate screening between the detention pond area and Brookmere Subdivision.
7. Entrance signage will be monument-style compliant with the Cobb County Sign Ordinance. Applicant will agree to place the "Riverline" logo on all street signs within the community if applicable.

¹ Price points of the single-family homes will be \$300,000 and up.

VIA HAND DELIVERY

Mr. John Pederson, Planner III
Cobb County Zoning Department
Page 3
June 28, 2006

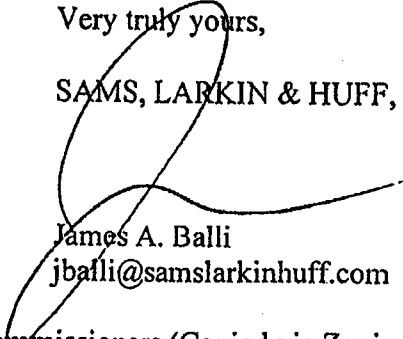
PAGE 8 OF

8. Any minor modifications to the Site Plan shall be approved by the District Commissioner at Plan Review.
9. An agreement to set up a mandatory homeowners' association which shall be responsible for the upkeep and maintenance of all common areas, landscaped areas, amenity areas, fences, lighting and streets within the proposed residential community.
10. A third-party management company shall be hired to manage the day-to-day operations of the homeowners' association, including the management of all association monies.
11. An agreement to record all covenants, rules and regulations applicable to the proposed residential community.
12. Subject to appropriate and applicable Staff comments and recommendations, including agreement to reduce the rezoning category from RM-8 to RA-5 (conditional).

Please do not hesitate to contact me should you or the staff require any further information or documentation prior to the formulation of your analysis and recommendation to the Board of Commissioners and Planning Commission.

Very truly yours,

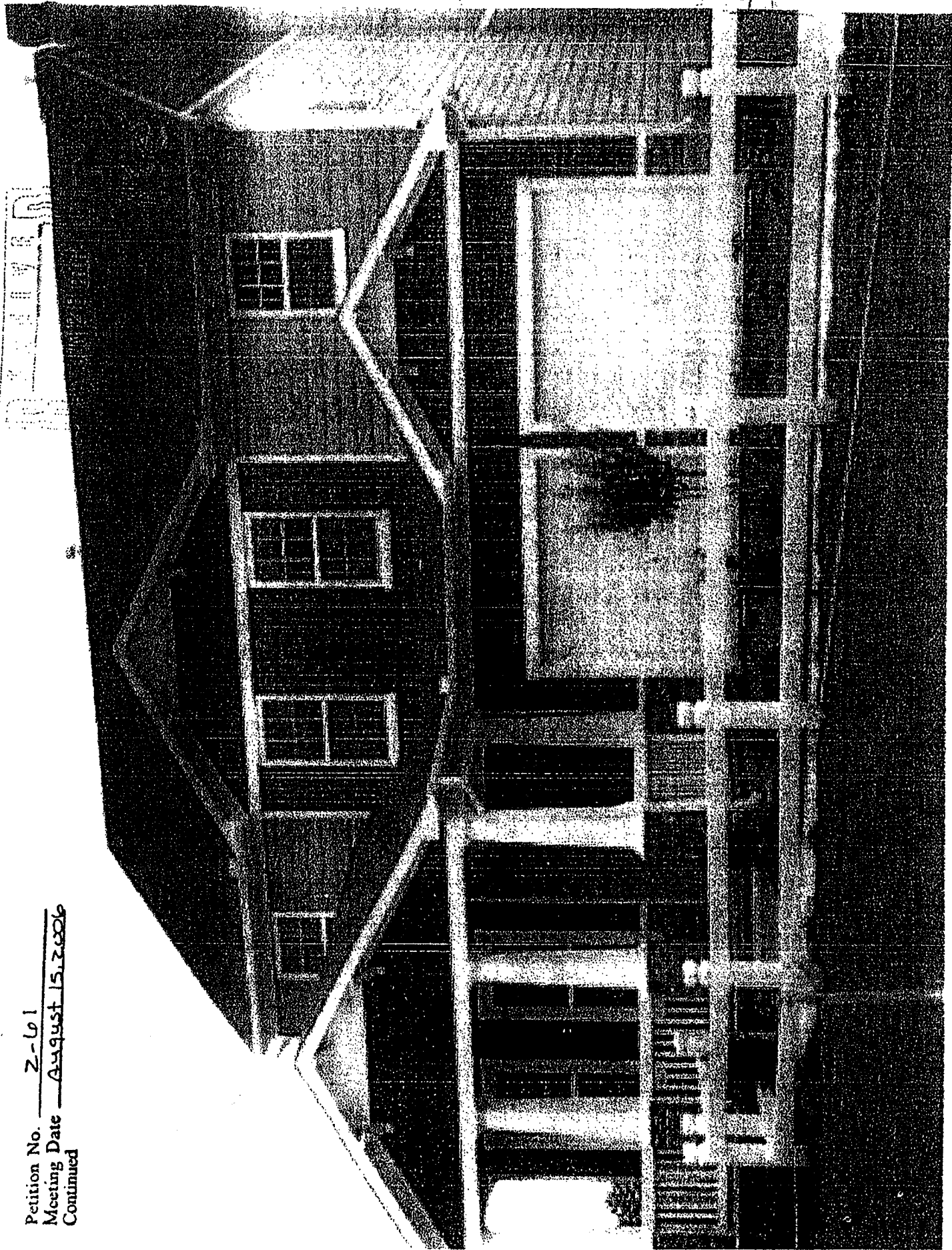
SAMS, LARKIN & HUFF, LLP


James A. Balli
jballi@samslarkinhuff.com

cc: Cobb County Board of Commissioners (Copied via Zoning Department).
Cobb County Planning Commissioners (Copied via email).
Ms. Gail K. Huff, Assistant County Clerk – VIA Hand Delivery
Ms. Karen King, Deputy County Clerk – VIA Hand Delivery
Mr. Brian Clark

Petition No. 2-61
Meeting Date August 15, 2006
Continued

2006



Petition No. Z-61
Meeting Date August 15, 2006
Continued

JUN 28 2006

15-35

10-10

