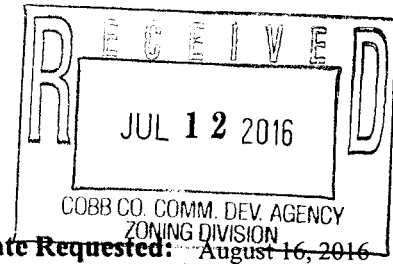


# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: August 16, 2016



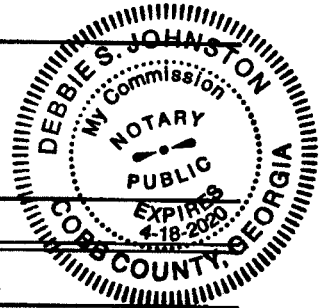
OB-245-2016

**Applicant:** Black Builders, LLC **Phone #:** (678) 725-5195  
(applicant's name printed)

**Address:** 1000 Whitlock Avenue, Suite 320-149, Marietta, GA 30064 **E-Mail:** info@blackbuildersllc.com  
Sams, Larkin, Huff & Balli, LLP 376 Powder Springs Street, Suite 100  
by: Garvis L. Sams, Jr. **Address:** Marietta, GA 30064

(representative's name, printed)  
[Signature] **Phone #:** (770) 422-7016 **E-Mail:** gsams@slhb-law.com  
(representative's signature)

Signed, sealed and delivered in presence of:  
[Signature] My commission expires: \_\_\_\_\_  
Notary Public

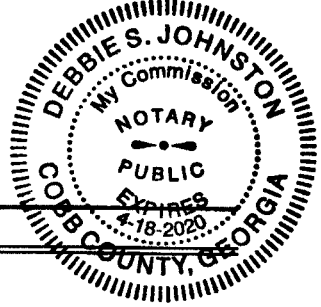


**Titleholder(s):** 300 West Sandtown, LLC **Phone #:** 404 798-5974  
(property owner's name printed)

**Address:** 3820 Highlands Parkway, Smyrna, GA 30082 **E-Mail:** gmcmillan@tpa-grp.com

[Signature]  
(Property owner's signature) Garrison McMillan, Managing Member

Signed, sealed and delivered in presence of:  
[Signature] My commission expires: \_\_\_\_\_  
Notary Public



**Commission District:** Weatherford (1) **Zoning Case:** No. Z-33 (2013)

**Date of Zoning Decision:** September 17, 2013 **Original Date of Hearing:** September 17, 2013

**Location:** West side of West Sandtown Road, southwest of Dallas Highway, across from Old Dallas Road  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 22 & 23 **District(s):** 19th  
331 & 332 20th

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_  
To extend the "reversion clause" as presently stated in Paragraph 9 of the September 11, 2013 Letter of Agreeable Stipulations/  
Conditions which was incorporated into the Minutes approving the rezoning. The original builder/developer did not close on the  
subject property which is now under contract to another builder/developer. All other stipulations/conditions of the rezoning shall  
remain in full force and effect.

(List or attach additional information if needed)

# SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.

JOEL L. LARKIN

PARKS F. HUFF

JAMES A. BALLI

---

ADAM J. ROZEN

SUITE 100

376 POWDER SPRINGS STREET

MARIETTA, GEORGIA 30064-3448

770•422•7016

TELEPHONE

770•426•6583

FACSIMILE

---

SLHB-LAW.COM

July 12, 2016

**VIA HAND DELIVERY:**

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

Re: Other Business Application of Black Builders, LLC concerning the Application of Blake Properties, Inc. (No. Z-33, approved on September 17, 2013) & concerning the Other Business Application which amended the time frame of the reversion clause for an additional eighteen (18) months (O.B. No. 10, approved March 17, 2015)

Dear John:

This firm has been engaged by and represents Black Builders, LLC and its President, William Brian Black. This firm previously represented Blake Properties concerning the underlying rezoning of the subject property which was approved by the Board of Commissioners on September 17, 2013 subject to numerous stipulations/conditions. Additionally, we also represented Black Builders, LLC in connection with the Other Business Application (O.B. No. 10) which was approved by the Board of Commissioners on March 17, 2015. The latest Other Business Application extended the reversion clause eighteen (18) months from March 17, 2015 to September 17, 2016.

The original builder/developer did not close on the subject property nor did the proposed builder/developer close on the property under contract during the pendency of the previous Other Business approval.

Clearly, with the extensive negotiations that took place with contiguous and adjacent property owners during the pendency of the underlying rezoning, it would be unfortunate for all concerned if the entirety of the process had to be repeated. Therefore, we are asking that this Other Business Application be placed on the Board of Commissioners' Other Business Agenda which will immediately follow the Board's regularly scheduled Zoning Hearings on August 16, 2016.

**SAMS, LARKIN, HUFF & BALLI**  
A LIMITED LIABILITY PARTNERSHIP

**VIA HAND DELIVERY:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
July 12, 2016  
Page 2

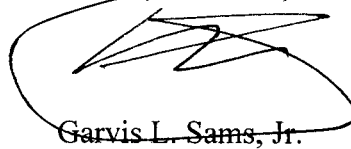
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With respect to the foregoing, please advise me when my staff can pick up the notification signs so that we can ensure that the subject property is properly posted. I will alert the principal participants in the negotiations which were part of the 2013 rezoning proposal and send them a copy of this Application so that they will be aware of the nature of this filing. Of course, all other stipulations/conditions of the rezoning will remain in full force and effect.

In the interim, please do not hesitate to contact me should you have any questions whatsoever regarding these matters. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



Garvis L. Sams, Jr.  
[gsams@slhb-law.com](mailto:gsams@slhb-law.com)

GLS/dsj

Enclosures

cc: Mr. Bob Weatherford, Commissioner (via email w/attachments)  
Mr. Dana Johnson, AICP Director (via email w/attachments)  
Mr. John Dredge, Stone Bridge HOA (via email w/attachments)  
Mr. Rudy Underwood, Stone Bridge HOA (via email w/attachments)  
Lisa Gunn, Esq., Stillwaters Subdivision (via email w/attachments)  
John H. Moore, Esq., MIJS (via email w/attachments)  
Ms. Pamela Shere Googe (via email w/attachments)  
Ms. Keli Gambrill, President, PLAN (via email w/attachments)  
Mr. William Brian Black (via email w/attachments)  
Mr. Garrison McMillan, Managing Member,  
300 West Sandtown, LLC (via email w/attachments)  
Hansell L. Smith, Esq. (via email w/attachments)

MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 17, 2013  
PAGE 8

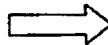
REGULAR CASES

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

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

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

Correction to minutes approved on November 19, 2013, O.B. 1



- ~~Site plan dated August 13, 2013~~ last revised August 21, 2013 (attached and made a part of these minutes)
- Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated September 11, 2013 (attached and made a part of these minutes) *with the following changes:*
  - Item No. 2, revise to read: *"The subject property shall be developed in conformity to the revised site plan dated August 13, 2013."*
  - Item No. 17 – strike in its entirety and replace with: *"Prior to obtaining a land disturbance permit Blake Properties and/or its successor(s) shall post a \$100,000.00 performance bond bound unto Cobb County."*
  - Item No. 17, add subset a.: *"Blake Properties and/or its successor(s) shall pay for a pre and post lake study of Stillwaters lake. The pre and post lake study will be performed by a certified hydrologist or engineer with periodic monitoring of the turbidity of the lake. The studies shall be reviewed by a representative for Blake Properties and/or its successor(s), Cobb County Community Development Director and a representative of Stillwaters. If remediation is required, such costs will be covered by the performance bond. In the event that Blake Properties and/or its successor(s) assigns do not perform any required clean up, Community Development is authorized to pursue the bond funds."*

MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 17, 2013  
PAGE 9

REGULAR CASES (CONT.)

Z-33            **BLAKE PROPERTIES, INC. (CONT)**

- OSC comments in Planning Staff Analysis dated June 7, 2013, *not otherwise in conflict*
- Fire Department comments and recommendations, *not otherwise in conflict*
- Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- Stormwater Management comments and recommendations, *not otherwise in conflict*
- Cobb DOT 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

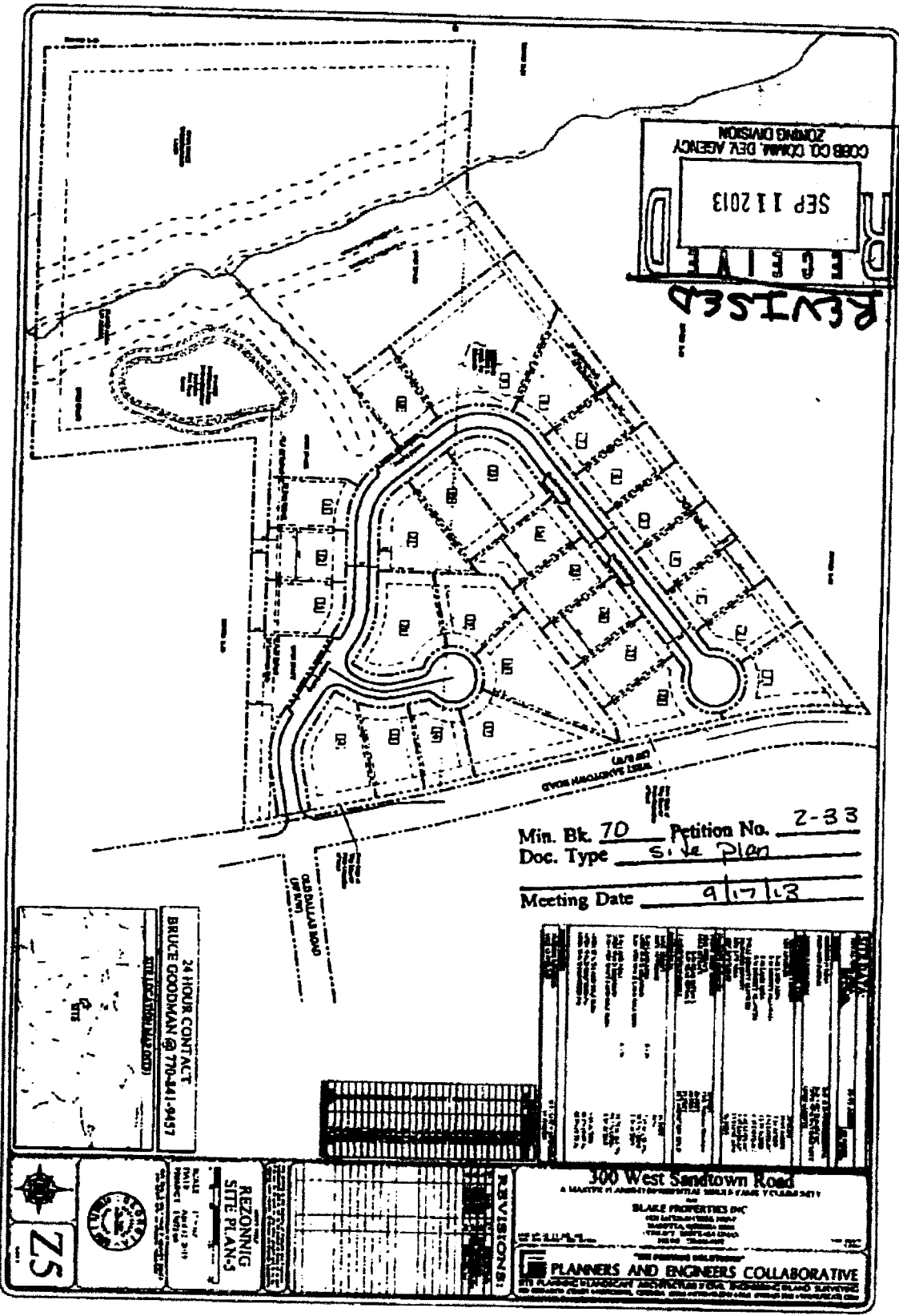
VOTE: ADOPTED 4-0, Chairman Lee absent

Z-40

A. J. REHMANI (A. J. Rehmani and Ronda Rehmani, owners) requesting Rezoning from OS and PSC to GC for the purpose of Indoor/Outdoor Soccer in Land Lot 109 of the 17<sup>th</sup> District and Land Lot 41 of the 18<sup>th</sup> District. Located on the south side of Veterans Memorial Highway, and on the north side of Lee Road, east of Glore Drive, west of Garner Road (381 Veterans Memorial Highway). *(Previously held by the Planning Commission from their July 8, 2013 hearing and previously continued by the Board of Commissioners from their August 20, 2013 hearing)*

The public hearing was opened and Mr. A. J. Rehmani, Mr. Joe Song, and Ms. Sonya Wheatley addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Cupid, second by Ott, to delete Rezoning to the CRC zoning district subject to:



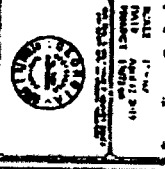
RECEIVED  
 SEP 11 2013  
 COBB COUNTY ZONING DEPARTMENT

Min. Bk. 70 Petition No. 2-33  
 Doc. Type Site Plan  
 Meeting Date 9/17/13

24 HOUR CONTACT  
 BRUCE GOODMAN @ 770-441-9457  
 (SEE LISTING PAGE 100)

NO. 1	DATE	BY	DESCRIPTION

NO. 1	DATE	BY	DESCRIPTION



REZONING  
 SITE PLAN-5

NO. 1	DATE	BY	DESCRIPTION

**300 West Sandtown Road**  
 A MASTER PLAN AND PRELIMINARY SUBDIVISION MAP FOR  
 BLAKE PROPERTIES INC.  
 1000 LITTLETON ROAD  
 ATLANTA, GEORGIA 30338  
 TEL: 404.488.1111  
 WWW.BLAKEPROPERTIES.COM

PLANNERS AND ENGINEERS COLLABORATIVE  
 1115 PLAZA DRIVE, SUITE 100, ATLANTA, GA 30309  
 TEL: 404.525.1111  
 WWW.PECCOLLABORATIVE.COM

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.  
JOLEE L. LARKIN  
PARKS F. HUFF  
JAMES A. BALLI

SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

770-422-7016  
TELEPHONE  
770-426-6593  
FACSIMILE

JUSTIN H. MEEKS

SAMSLARKINHUFF.COM

September 11, 2013

**VIA EMAIL AND  
HAND DELIVERY**

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

Min. Bk. 70 Petition No. 2-33  
Doc. Type letter of agreeable  
conditions  
Meeting Date 9/17/13

Re: Application of Blake Properties, Inc. to Rezone a 20.91 Acre Tract from  
R-20 & R-30 to R-20/R-30 OSC (No. Z-33)

Dear John:

As you know, this firm represents Blake Properties, Inc. concerning the above-captioned Application for Rezoning. In that regard, the Application was continued by the Board of Commissioners and is scheduled to be heard and considered by the Board on September 17, 2013. Recently, I received a letter from the Stonebridge HOA Board of Directors setting out the terms, provisions and revisions under which Stonebridge HOA could support Blake Properties' zoning proposal. At a special called and properly notified meeting of the Stonebridge HOA on September 8, 2013, it was decided that the Stonebridge HOA is supportive of the revised proposal as hereinafter described.

With respect to the foregoing, even though the County's professional staff recommended approval of 32 lots at a density of 1.68 units per acre, enclosed please find the requisite number of copies of a revised site plan which modifies Blake Properties' zoning proposal to one for R-20/R-30 OSC with a total number of twenty-eight (28) lots at a maximum density of 1.47 units per acre. These revisions and the balance of this letter will serve as the culmination of discussions which have taken place since the original filing of the Zoning Application in May of this year. This letter will serve as Blake Properties' expression of agreement with the following revised stipulations which shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter:

1. The revised stipulations and conditions set forth herein shall replace and supersede 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

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**VIA EMAIL AND  
HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
September 11, 2013  
Page 2

Division No 2-33  
Issued Date 9/17/13  
Checked

2. The subject property shall be developed in substantial conformity to that certain revised site plan prepared by Planners and Engineers Collaborative which is being submitted contemporaneously herewith.<sup>1</sup>
3. A maximum number of twenty-eight (28) single family detached homes at a maximum density of 1.47 units per acre.<sup>2</sup>
4. Exceeding Open Space Community (OSC) Regulations, 46.7% (9.78 acres) of the subject property shall remain in contiguous Open Space as shown on the site plan.
5. The minimum house size for the proposed residential community shall range from 3,500 sq. ft. to 4,500 sq. ft. and greater. Each of the homes shall have, at a minimum, an attached 2-car garage which shall be used for the parking and storage of vehicles.<sup>3</sup>
6. The architectural style and composition of the homes shall consist of brick, stacked stone, cedar, hardy plank shake or hardy plank siding as shown on the renderings/elevations which are being submitted contemporaneously herewith. The architectural style and composition shall be applicable to all four (4) sides of each home.<sup>4</sup> All garages shall be side or rear loaded except those products which have side-loaded two car garages in addition to an ancillary single garage as shown on the renderings/elevations.
7. There shall be a minimum of fifteen feet (15') between homes.
8. The creation of a mandatory homeowner's association ("HOA") and the submission of Declaration of Covenants, Conditions and Restrictions ("CCRs"), which shall include, among other components, strict architectural controls.

<sup>1</sup> The subject property is located in an area denominated as Very Low Density Residential ("VLDR") on Cobb County's Future Land Use Map which contemplates densities ranging up to two (2) units per acre. The revised site plan submitted with this letter is at a density of 1.47 units per acre.

<sup>2</sup> A Yield Site Plan prepared by DGM Associates under the existing R-20 & R-30 districts reflects a total of 26 lots at a density of 1.36 units per acre and encroaches into and utilizes what is otherwise designated as Open Space.

<sup>3</sup> Price points are anticipated ranging from Four-Hundred Thousand to Five-Hundred Fifty Thousand Dollars (\$400,000.00 - \$550,000.00).

<sup>4</sup> These products are identical to the architecture which was approved in connection with the recent rezoning for Edward Andrews Homes (No. Z-37).



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A LIMITED LIABILITY PARTNERSHIP

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

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
September 11, 2013  
Page 3

Exhibit No. 2-33  
Date 9/17/13

9. The mandatory HOA shall be responsible for maintaining fencing, landscaping and the entrance to the subdivision, including signage, lighting and irrigation.
10. Subdivision entrance signage shall be ground-based, monument style and consistent with provisions of the Cobb County Sign Ordinance. Additionally, said entrance signage located on West Sandtown Road shall be incorporated into the Landscape Plan for the subdivision and shall be fully landscaped and irrigated.
11. The submission of a Landscape Plan prior to the Zoning hearing on September 17, 2013 which shall be reviewed during the Plan Review process and which shall be subject to final approval by the County Arborist. The Landscape Plan shall include, inter alia, the establishment of an irrigated and landscaped berm/buffer running parallel to West Sandtown Road along the subject property's frontage thereon. Said berm/buffer shall be measured from the elevation of West Sandtown Road and the height and width of same shall be determined by the County's Arborist.
12. Recognition of a forty foot (40') setback and a twenty-five foot (25') landscaped strip contiguous to property zoned R-30 and a thirty-five foot (35') setback and twenty-five foot (25') landscaped strip contiguous to property zoned R-20. The twenty-five foot (25') landscaped strips shall be planted according to Cobb County Buffer Standards which, after the installation of same, shall remain undisturbed except for the removal and/or replacement of any dead or irrevocably diseased vegetation.
13. The installation of a six foot (6') wooden, decorative privacy fence or "Living Fence", approved by the County Arborist, along the common property line of the subject property and the R-30 tract to the south (354 West Sandtown Road).
14. For those lots directly contiguous to Open Space areas, the deeds vesting title in the ultimate owners of said lots shall contain a recital explaining that said lots are being purchased with the owners' acknowledgment that commonly owned Open Space exists to the rear of their respective properties and can not be built upon.
15. The home on the subject property which is presently owned by the Raines Estate shall be incorporated into the proposed residential community on Lot 9; however, said home shall not be subject to stipulations and conditions contained herein with respect to architecture, setbacks and related considerations.

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

**VIA EMAIL AND  
HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
September 11, 2013  
Page 4

Project No. 2-33  
Meeting Date 9/17/13  
Location

16. A Conservation Easement shall be granted and conveyed to Cobb County and shall be recorded along with the Subdivision Covenants in Cobb Superior Court deed records for the purpose of protecting the Open Space from development in perpetuity. Said Conservation Easement shall be submitted to the Planning Division of the Community Development Agency prior to final plat approval.  

The primary purpose of the Open Space is to include the conservation of the water shed which includes the tributary of Mud Creek which traverses the subject property. There shall be no walking or pedestrian trails within the Open Space as shown on previously submitted site plans. Additionally, no trees shall be removed from the Open Space and it shall remain in its current natural state.
17. Blake Properties and/or its successor(s) in interest shall indemnify Stonebridge HOA and Stillwaters HOA and hold them harmless from damages and/or liability regarding damage to the Mud Creek Watershed caused by the proposed development and shall post a surety bond in an amount to be determined by the Community Development Agency Director.
18. Blake Properties and/or its successor(s) in interest shall provide Stonebridge HOA with written notice regarding any changes, modifications or revisions to the proposed development which require Cobb County or District Commissioner review and approval.
19. Blake Properties and/or its successor(s) in interest shall provide surety bonding to ensure the completion of the construction of the sewer project (hereinafter described) which will occur on Stonebridge HOA property.
20. Blake Properties and/or its successor(s) in interest shall return the Stonebridge HOA property to its preexisting condition, subsequent to the installation of a sewer line which will traverse said property, by replacing landscaping with mature plantings; replacing concrete sidewalks; and, replacing irrigation components, electrical utilities and any other portion of the Stonebridge HOA property which may be disturbed during the construction and installation of the sewer line and the subsequent resurfacing and restriping of the parking lot. The resurfacing and restriping of the parking lot shall include the entirety of said parking lot.
21. Compliance with recommendations from the Cobb County Water System with respect to the availability and accessibility of water and sewer for the site. In that regard, an agreement has been reached between Blake Properties and Stonebridge HOA regarding

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A LIMITED LIABILITY PARTNERSHIP

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

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
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the Sewer Easement which will traverse the HOA's recreational property in order to gain access to existing sewer which is located within Moss Stone Lane. The Sewer Easement shall be in substantially the same form as the Sewer Easement submitted to Stonebridge HOA a copy of which is attached hereto and shall be in substantial conformity to the Sanitary Sewer Line exhibit prepared by Gaskins Engineering & Surveying, dated January 9, 2013, a copy of which is also attached hereto.

The construction concerning the installation of the sewer line shall occur and be completed in the timeframe between September 30<sup>th</sup> and March 31<sup>st</sup> unless otherwise approved by the Stonebridge HOA Board of Directors. All stipulations/conditions embodied in this letter relative to the Sanitary Sewer Line shall be specifically incorporated within the above mentioned easement document.

22. The construction of a six foot (6') wooden, decorative privacy fence along the common property line between the Open Space and the Stonebridge HOA recreational area starting at the southwest corner of property located at 354 West Sandtown Road thence running west and terminating at the 75' impervious streambank buffer.
23. Subject to recommendations from the Cobb County Stormwater Management Division with respect to detention, stormwater management hydrological issues, including the following.
  - a. The ultimate location and configuration of on-site detention, stormwater management and water quality components.
  - b. Recognizing the seventy-five foot (75') streambank buffers (150 ft. total) and the placement of same within a Conservation Easement in favor of Cobb County
24. Adherence to the following construction hours:
  - a. 7:00 a.m. until 7:00 p.m. Monday through Friday, from October 1<sup>st</sup> through March 31<sup>st</sup>.
  - b. 7:00 a.m. until 8:00 p.m., Monday through Friday, from April 1<sup>st</sup> through September 30<sup>th</sup>
  - c. 9:00 a.m. until 6:00 p.m. on Saturday.

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

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

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
September 11, 2013  
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- 
- d. No outside work on Sunday unless approved ahead of time by the District Commissioner.
25. All construction and worker vehicles shall be parked on the subject property during the construction and build-out of the subdivision.
26. The roads within the subdivision shall be public roads and built to the County's Design and Detail specifications. The revised site plan reflects compliance with Development Regulation 41.08.02.1 (Local Residential Streets) which requires .50 guest parking per unit (14 spaces). Blake Properties and/or its successor(s) in interest shall be allowed to shift the parking spaces to accommodate the positioning of driveways.
27. Subject to recommendations from the Cobb County Department of Transportation ("DOT"), including the following:
- a. The voluntary donation and conveyance of right-of-way so that the County can achieve forty feet (40') from the centerline of West Sandtown Road
- b. The installation of curb and gutter on both sides of the streets interior to the subdivision and the installation of sidewalk on at least one (1) side of the interior streets within the subdivision.
- c. In accordance with the latest approved SPLOST, the installation of sidewalk, curb and gutter along the subject property's frontage on West Sandtown Road
- d. The installation of a deceleration lane with an appropriate taper.
- e. Insuring minimum sight distance of five-hundred feet (500') or the implementation of remedial measures in which to mitigate same.
28. Subject to recommendations from the Cobb County Fire Department
29. If curb, gutter and sidewalks are not installed and at least one (1) construction permit is not issued within eighteen (18) months of the Board of Commissioners' decision to rezone the subject property, said property shall revert to its R-20 and R-30 zoning districts.

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

**VIA EMAIL AND  
HAND DELIVERY**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
September 11, 2013  
Page 7

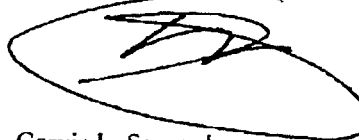
Case No. 2-33  
Date 9/17/13

30. Blake Properties and/or its successor(s) in interest agree to allow the Georgia Native Plant Society to conduct a plant rescue prior to the commencement of construction and development on the subject property.
31. The District Commissioner shall have the authority to approve minor modifications as the development proposal proceeds through the Plan Review process and thereafter (upon prior notice being given to Stonebridge HOA), except for those that:
- a. Increase the density of the residential project.
  - b. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.
  - c. Relocate a structure closer to the property line of adjacent property that is zoned the same or in a more restrictive zoning district.
  - d. Increase the height of a building that is adjacent to a property that is zoned in the same or in a more restrictive zoning district.
  - e. Change access location to a different roadway.

Please do not hesitate to contact me should you or your staff require additional information or documentation prior to the Board of Commissioners hearing and considering this Application on September 17, 2013. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr  
[gsams@samslarkinhuff.com](mailto:gsams@samslarkinhuff.com)

GLS/dsj  
Attachments

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

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

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
September 11, 2013  
Page 8

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2-33  
9/17/13

cc: Members, Cobb County Board of Commissioners (via email w/attachments)  
Mr. Robert L. Hosack, Jr., AICP Director (via email w/attachments)  
Mr. Dana Johnson, AICP Planning Manager (via email w/attachments)  
Mr. Phillip Westbrook, Planner III (via email w/attachments)  
Mr. Jason Campbell, Planner III (via email w/attachments)  
Mr. David Breaden, PE, Cobb County Stormwater Management (via email w/attachments)  
Ms. Jane Stricklin, PE, Cobb County DOT (via email w/attachments)  
Ms. Karen King, Assistant County Clerk (via email w/attachments)  
Ms. Lori Barton, Deputy County Clerk (via email w/attachments)  
Mr. John Dredge (via email w/attachments)  
Mr. Rudy Underwood, President, Stonebridge HOA (via email w/attachments)  
Mr. Kraig Armstrong, Vice President, Stonebridge HOA (via email w/attachments)  
Mr. Scott Hale, Secretary, Stonebridge HOA (via email w/attachments)  
Mr. Rob Vachon, Treasurer, Stonebridge HOA (via email w/attachments)  
Mr. Todd Rice, Director, Stonebridge HOA (via email w/attachments)  
Lisa Gunn, Esq., Stillwaters Subdivision (via email w/attachments)  
John H. Moore, Esq., MIJS (via email w/attachments)  
Ms. Pamela Shearer Googe (via email w/attachments)  
Chief C. J. Collins (via first class mail w/enclosure)  
Ms. Keli Gambrill, President, PLAN (via email w/attachments)  
Mr. Kenneth J. Wood, P.E., LEED AP, Planners and Engineers Collaborative  
(via email w/attachments)  
Mr. Bruce Goodman, Blake Properties (via email w/attachments)

MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
MARCH 17, 2015  
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OTHER BUSINESS (CONT.)

~~O.B. 09 (CONT.)~~

- ~~• Stormwater Management Division comments and recommendations: *The Stormwater Management Division cannot support the proposed increase in allowable impervious surface unless the stormwater management plan is revised. Per the approved hydrology study, the stormwater management facility was designed for a maximum of 40% impervious coverage on the lots. If approved, a revision to the hydrology study and stormwater plan will be required to provide adequate stormwater management and water quality for the development, which is to be approved by Stormwater Management.*~~
- ~~• Stormwater Management to approve impervious surface for each lot~~
- ~~• All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect~~

~~VOTE: ADOPTED unanimously~~

- O.B. 10 To consider amending the zoning stipulations for Black Builders, LLC regarding rezoning application Z-33 of 2013 (Blake Properties, Inc.), for property located on the west side of West Sandtown Road, southwest of Dallas Highway in Land Lots 22 and 23 of the 19<sup>th</sup> District, and Land Lots 331 and 332 of the 20<sup>th</sup> District.

Mr. Pederson provided information regarding a stipulation to have the reversion clause extended 18 months from March 17, 2015. The public hearing was opened and there being no speakers, the hearing was closed. Following presentation and discussion, the following motion was made:

MOTION: Motion by Weatherford, second by Lee, to approve O.B. 10 for stipulation amendment for Black Builders, LLC regarding rezoning application Z-33 of 2013 (Blake Properties, Inc.), for property located on the west side of West Sandtown Road, southwest of Dallas Highway in Land Lots 22 and 23 of the 19<sup>th</sup> District, and Land Lots 331 and 332 of the 20<sup>th</sup> District, subject to:

- 
- **Extend reversion clause 18 months from March 17, 2015**
  - **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: ADOPTED unanimously