

(Stipulation Amendment)

Application for "Other Business"

Cobb County, Georgia

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

OB Application No.: OB- 10 -2017

BOC Hearing Date Requested: March 21, 2017

Applicant: Habitat for Humanity of Northwest Metro Atlanta, Inc. **Phone #:** (770) 432-7954
(applicant's name printed)

Address: 1625 Spring Road, Smyrna, GA 30080 **E-Mail:** dmcginnis@nwmetroatlanta
Moore Ingram Johnson & Steele, LLP habitat.org
John H. Moore

Address: Emerson Overlook, 326 Roswell Street
Marietta, GA 30060
(representative's name/printed)

BY: [Signature] **Phone #:** (770) 429-1499 **E-Mail:** jmoore@mijjs.com
(representative's signature) Georgia Bar No. 519800

Signed, sealed and delivered in presence of:

[Signature] **My commission expires:** January 10, 2019
Notary Public



Titleholder(s): SSWL Properties, LLC **Phone #:** _____
(property owner's name printed)

Address: 613 Club Lane, Marietta, GA 30067 **E-Mail:** _____

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

Signed, sealed and delivered in presence of:

_____ **My commission expires:** _____
Notary Public

Commission District: 4 (Cupid) **Zoning Case:** Z-9 (2006)

Size of property in acres: 3.633± **Original Date of Hearing:** 02/21/2006

Location: Southeasterly intersection of Old Bankhead Highway and Cliff Drive and the
Southeasterly intersection of Old Bankhead Highway and Ricky Lane
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 36, 1297 **District(s):** 18th, 19th

State specifically the need or reason(s) for Other Business: _____

See Exhibit "B" attached hereto and incorporated herein by reference.

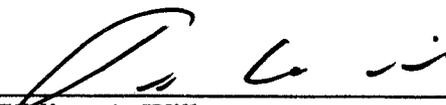
(List or attach additional information if needed)

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

OB Application No.: OB- 10 -2017
Application No.: Z-9 (2006)
Original Hearing Date: February 21, 2006
Date of Zoning Decision: February 21, 2006
Current Hearing Date: March 21, 2017

Applicant: Habitat for Humanity of Northwest Metro Atlanta, Inc.
Titleholder: SSWL Properties, LLC

SSWL PROPERTIES, LLC

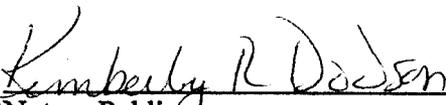
BY: 
William A. Wills
Authorized Manager

Date Executed: 2/13/17

Address: 613 Club Lane
Marietta, Georgia 30067

Telephone No.: (6) 873-1860

Signed, sealed, and delivered in the presence of:


Notary Public
Commission Expires: 6-24-2017

[Notary Seal]

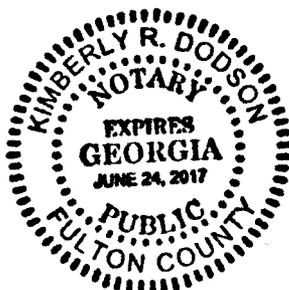


EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

OB Application No.: OB- 10 -2017
Application No.: Z-9 (2006)
Original Hearing Date: February 21, 2006
Date of Zoning Decision: February 21, 2006
Current Hearing Date: March 21, 2017

Applicant: Habitat for Humanity of Northwest Metro Atlanta, Inc.
Titleholder: SSWL Properties, LLC

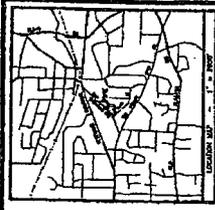
On February 21, 2006, the Cobb County Board of Commissioners approved the rezoning of an approximately 3.633 acres located on the southeasterly intersection of Old Bankhead Highway and Cliff Drive and the southeasterly intersection of Old Bankhead Highway and Ricky Lane, Land Lot 36, 18th District, and Land Lot 1297, 19th District, 2nd Section (hereinafter "Property" or "Subject Property") to the RA-5 (detached) zoning category. With approval of the rezoning, the Board of Commissioners reserved approval of the final site plan by the District Commissioner; as well as imposed certain stipulations and conditions relating to the future development.

Habitat for Humanity of Northwest Metro Atlanta, Inc., as Applicant in this Application for "Other Business" (hereinafter "Applicant"), seeks approval of a Site Plan, together with modification of certain previously approved stipulations applicable to development of the Subject Property, as follows:

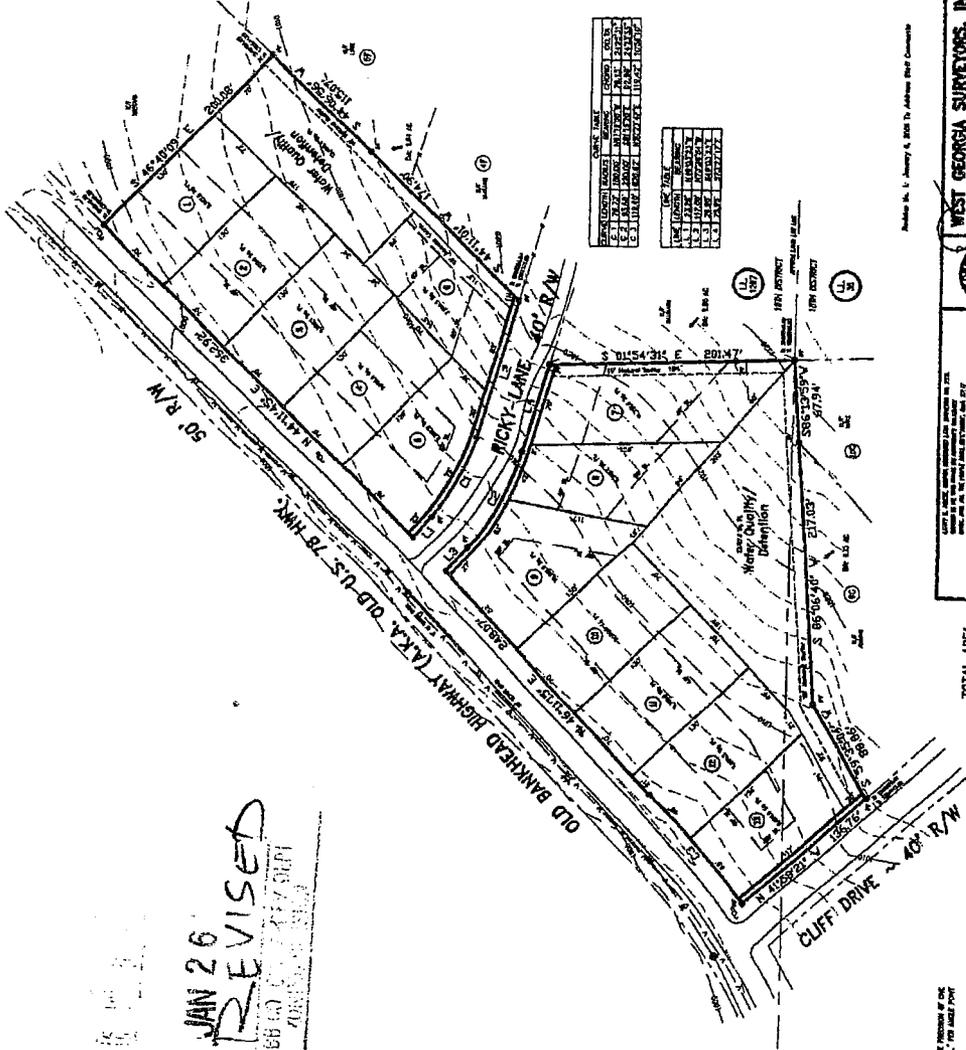
- (1) Applicant requests the first and fifth enumerated points set forth in the official minutes of the February 21, 2006, Cobb County Board of Commission Zoning Hearing be deleted in their entirety; and further seeks approval of the following to be inserted in lieu thereof:
 - Approval of the Site Plan attached as Exhibit "1" for development of the Subject Property. This Site Plan is the same Site Plan which was submitted and made a part of the original rezoning on February 21, 2006.
- (2) Applicant further requests the deletion of the second enumerated point relating to minimum house size and seeks approval of the following:
 - Minimum house size shall range from 1,444 square feet to 1,574 square feet.

The amendments proposed and presented herein in no way adversely impact or affect the quality or integrity of the development initially approved by the Cobb County Board of Commissioners. If the requested approval of the Site Plan and the amendment to the stipulations are approved, as submitted, they shall become an additional part of the final rezoning and shall be binding upon the Subject Property.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and any attachments thereto, of the Board of Commissioners Zoning Hearing held on February 21, 2006, as to the original rezoning of the Subject Property; as well as any other amendments by Board of Commission approval or District Commissioner approval, which are not otherwise in conflict herein, are unaltered or unchanged by this request for Stipulation Amendment.



- GENERAL NOTES:**
1. THIS SURVEY IS THE PROPERTY OF WEST GEORGIA SURVEYORS, INC. DATED JANUARY 11, 2006.
 2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.
 3. ALL BEARINGS ARE TRUE BEARINGS UNLESS OTHERWISE NOTED.
 4. ALL CORNERS ARE TO BE SET BY THE SURVEYOR.
 5. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 6. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 7. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
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 19. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 20. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.



REVISIONS

JAN 26
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 REVISED
 COBB CO. 11/17/05

SECTION	AREA	ACRES
1	1.1117	0.0254
2	1.1117	0.0254
3	1.1117	0.0254
4	1.1117	0.0254
5	1.1117	0.0254
6	1.1117	0.0254
7	1.1117	0.0254
8	1.1117	0.0254
9	1.1117	0.0254
10	1.1117	0.0254
11	1.1117	0.0254
12	1.1117	0.0254
13	1.1117	0.0254
14	1.1117	0.0254
15	1.1117	0.0254
16	1.1117	0.0254
17	1.1117	0.0254
18	1.1117	0.0254
19	1.1117	0.0254
20	1.1117	0.0254

Scale: 1" = 100' ±

Boundary Survey & Zoning Plat
CRABAPPLE VILLAGE

7
 SHEET

WEST GEORGIA SURVEYORS, INC.
 ENGINEERS PLANNERS SURVEYORS
 731 Southtown Road
 Marietta, Georgia 30008
 (770) 488-0122



TOTAL AREA
 PLANNED 5.633 ACRES

OWNER/DEVELOPER
 Name: [Redacted]
 Address: [Redacted]
 City: Marietta, Georgia 30008
 Phone: (770) 488-0122

ENGINEER
 WEST GEORGIA SURVEYORS
 731 SOUTHTOWN ROAD
 MARIETTA, GA 30008
 PHONE: (770) 488-0122

THIS SURVEY IS NOT GUARANTEED AS A FINAL SURVEY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT WAS DESIGNED. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS SURVEY. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS SURVEY. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS SURVEY.

EXHIBIT "1"

**SITE PLAN SUBMITTED FOR APPROVAL BY
BOARD OF COMMISSIONERS PURSUANT
TO APPLICATION FOR “OTHER BUSINESS”
– MARCH 21, 2017**

**OFFICIAL MINUTES OF BOARD OF
COMMISSIONERS ZONING HEARING
FOR APPLICATION FOR REZONING
NO. Z-9 (2006) – FEBRUARY 21, 2006**

PAGE 3 OF 5

APPLICATION NO. Z-9

ORIGINAL DATE OF APPLICATION: 02-21-06

APPLICANTS NAME: DECOTEAU HOMES

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 02-21-06 ZONING HEARING:

DECOTEAU HOMES (Oneil Decoteau, Jr., owner) requesting Rezoning from **RD** to **RA-5** for the purpose of a Subdivision in Land Lot 36 of the 18th District and Land Lot 1297 of the 19th District. Located at the southeasterly intersection of Old Bankhead Highway and Cliff Drive and the southeasterly intersection of Old Bankhead Highway and Ricky Lane.

At the call of the case on the Consent Agenda, Applicant was not present, but arrived after the lunch recess. The following motion was made:

MOTION: Motion by Goreham, second by Lee, to **return** rezoning request to the Consent Agenda.

VOTE: **ADOPTED** unanimously

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

- **all RA-5 zoning criteria to be met, with an exception for lot 8 to reduce road frontage as indicated on revised site plan**
- **minimum house size of 1,700 square feet**
- **letter of agreeable stipulations from Mr. Kevin Jordan dated January 4, 2006 (copy attached and made a part of these minutes)**
- **detention to be approved by Stormwater Management at Plan Review**
- **final site plan to be approved by the District Commissioner**
- **Fire Department comments**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb 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

Min. Bk. 39 Petition No. Z-9
Doc. Type Letter of Agreeable
Stipulations
Meeting Date 2/21/06

Decoteau Homes
7 Northlake Circle,
Peachtree City, GA 30269
Kevin Jordan

2-9.

January 4, 2006 ✓

Dear Mr. John Pederson

We met with neighbors of Haggard Drive and the community to discuss our proposed residential community known as Crabtree Village on Old Bankhead Highway in Mableton, GA. (Z-9 (2006)). The following letter was delivered to Ms. Cheryl Woodall, Ms. Karen Ellis and Mr. John Lowe, all of Haggard Drive, Mableton, Cobb County.

"It was a pleasure to meet you and we appreciate you discussing your questions and concerns with us openly as a courtesy.

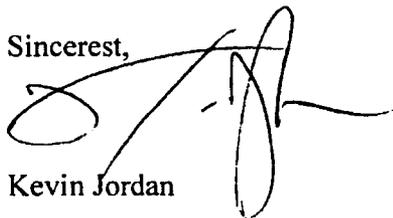
In our meeting, we discussed that we would agree to do the following things and make them a part of our zoning:

- We will install an eight foot dog eared privacy fence along Ms. Karen Ellis' and your property line where it abuts ours. This will help to shield from view our stormwater detention pond.
- We agreed to designate lot 6 as a left hand drive way to keep it further away from the rear property lines.
- We agreed to designate lot 7 as a right hand drive for the same reason.
- All homes will be brick front.

Thanks for talking with us. Again we will construct this community to the high standards set forth by Cobb County Community Development Agency."

Sincerest,

Kevin Jordan



Petition No. 2-9
Meeting Date 2/21/06
Continued

Cc: Ms. Karen Ellis
Mr. John Lowe
Mr. John Pederson
Mr. Murray Homan
Mr. Oniel Decoteau

**2016 PAID AD VALOREM PROPERTY TAX
RECEIPTS FOR TAX PARCEL
NOS. 19129700390 AND 19129700460**



Printed: 2/14/2017

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
NEEL ROBINSON & STAFFORD LLC

HERITAGE BANK

Payment Date: 11/21/2016

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2016	19129700390	10/17/2016	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$3.93	\$17.25	\$0.00	\$0.00	\$366.18	\$0.00



Scan this code with your mobile phone to view this bill!



Printed: 2/13/2017

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer
NEEL ROBINSON & STAFFORD LLC

HERITAGE BANK

Payment Date: 11/21/2016

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2016	19129700460	10/17/2016	Pay: N/A or	\$0.00	
Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$3.34	\$14.66	\$0.00	\$0.00	\$311.25	\$0.00



Scan this code with your mobile phone to view this bill!!!