Post 8-20-17

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AUG 15 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

OB-038-

Application for "Other Business"
Cobb County, Georgia

(Cobb County Zoning Division – 770-528-2035) **BOC Hearing Date Requested:** 9-19-17

Applicant: Bobby L Terrell **Phone #:** 404 643 0505
(applicant's name printed)

Address: 222 Hawkins Store Rd. **E-Mail:**

Bobby L. TERRELL **Address:** 905 Blackwell Rd
(representative's name, printed)

(representative's signature) **Phone #:** 404 643 0505 **E-Mail:** CherokeeRealty@bellsouth.net

Signed, sealed and delivered in presence of:

Shan A Beith
Notary Public **My commission expires:** June 27, 2020

SHAN A BEITH NOTARY EXPIRES GEORGIA JUNE 27, 2020 PUBLIC CHEROKEE COUNTY

Titleholder(s): JOAN PLETCH CLAYTON **Phone #:** 770-428-4102
(property owner's name printed)

Address: 194 LAKESIDE DR NW, KENNESAW GA 30144 **E-Mail:** claytonjb@comcast.net

Joan Pletch Clayton
(Property owner's signature)

Signed, sealed and delivered in presence of:

Shan A Beith
Notary Public **My commission expires:** June 27, 2020

SHAN A BEITH NOTARY EXPIRES GEORGIA JUNE 27, 2020 PUBLIC CHEROKEE COUNTY

Commission District: 3 **Zoning Case:** Z-24

Size of property in acres: .44 A **Original Date of Hearing:** 2012

Location: 222 Hawkins Store Rd.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 149 **District(s):** 16

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

Retail Sales

Change use from group home to retail.

J.P.

(List or attach additional information if needed)

 APPLICATION NO. Z-24

ORIGINAL DATE OF APPLICATION: 06-19-12

APPLICANTS NAME: **MONICA T. MADDEN**

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

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BOC DECISION OF 06-19-12 ZONING HEARING:

MONICA T. MADDEN (Joan Pletch Clayton, owner) requesting Rezoning from **LRO** to **NRC** for the purpose of a Hair Salon in Land Lot 149 of the 16th District. Located on the north side of Hawkins Store Road, east of Bells Ferry Road (222 Hawkins Store Road).

MOTION: Motion by Goreham, second by Birrell, as part of the Consent Agenda, to **approve** Rezoning to the **NRC** zoning district **subject to:**

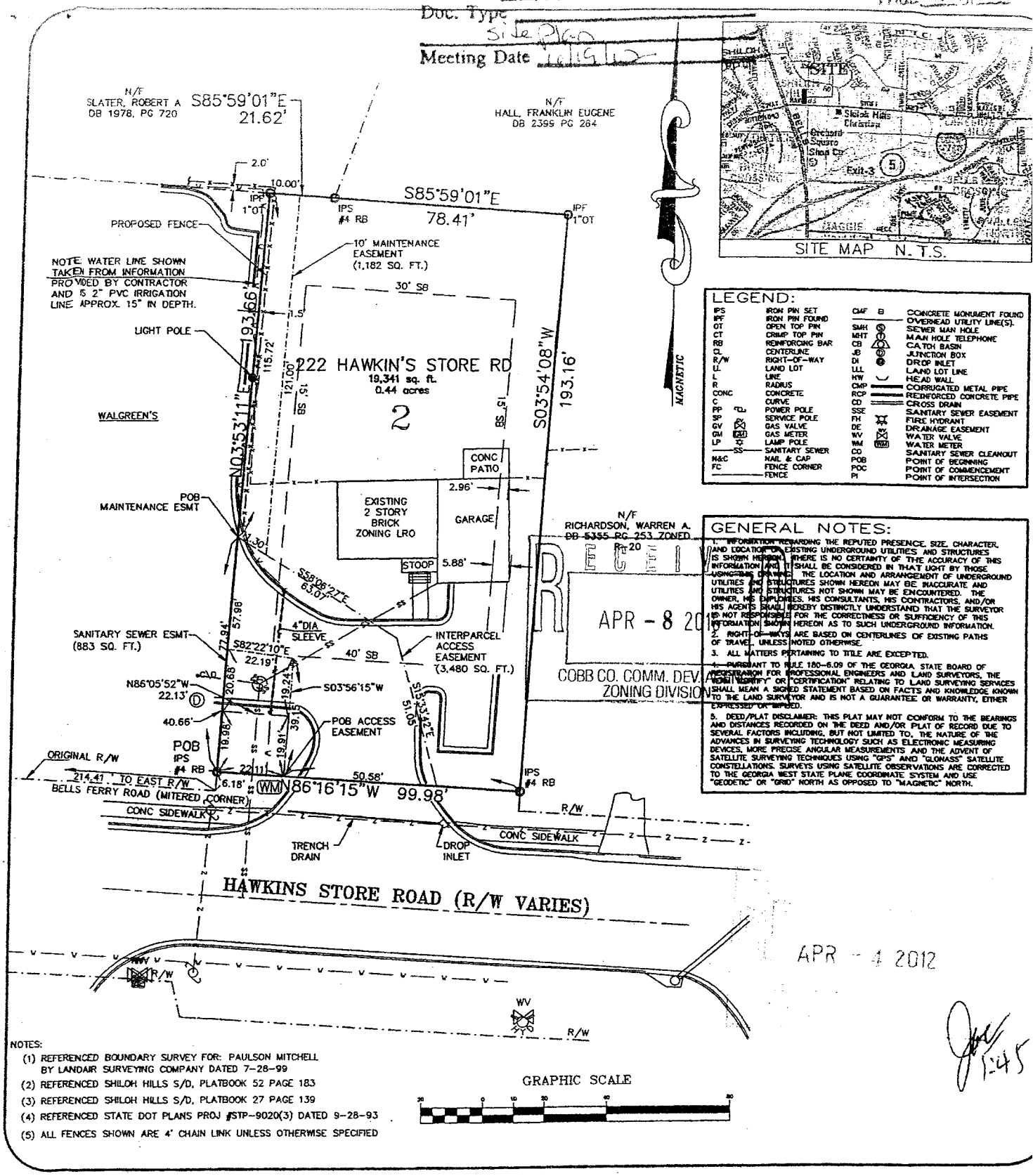
1 • **site plan received by the Zoning Division on April 4, 2012, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
2 • **for this use *only* and by appointment *only*, with any changes in use to come back for approval by the Board of Commissioners as an Other Business Item**
3 • **Water and Sewer Division comments and recommendations**
4 • **Cobb DOT comments and recommendations**
5 • **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. 6626 Petition No. _____ PAGE 2 OF 2

Doc. Type Site Plan

Meeting Date 10/19/12



APR - 8 20

COBB CO. COMM. DEV.
ZONING DIVISION

APR - 4 2012

LEGEND:

IPS	IRON PIN SET	CMF			CONCRETE MONUMENT FOUND
IPF	IRON PIN FOUND				OVERHEAD UTILITY LINE(S).
OT	OPEN TOP PIN	SMH			SEWER MAN HOLE
CT	CRIMP TOP PIN	MHT			MAN HOLE TELEPHONE
RB	REINFORCING BAR	CB			CATCH BASIN
℄	CENTERLINE	JB			JUNCTION BOX
R/W	RIGHT-OF-WAY	DI			DROP INLET
LL	LAND LOT	LLL			LAND LOT LINE
L	LINE	HW			HEAD WALL
R	RADIUS	CMP			CORRUGATED METAL PIPE
CONC	CONCRETE	RCP			REINFORCED CONCRETE PIPE
C	CURVE	CD			CROSS DRAIN
PP	POWER POLE	SSE			SANITARY SEWER EASEMENT
SP	SERVICE POLE	FH			FIRE HYDRANT
GV	GAS VALVE	DE			DRAINAGE EASEMENT
GM	GAS METER	WV			WATER VALVE
LP	LAMP POLE	WM			WATER METER
	SANITARY SEWER	CO			SANITARY SEWER CLEANOUT
N&C	NAIL & CAP	POB			POINT OF BEGINNING
FC	FENCE CORNER	POC			POINT OF COMMENCEMENT
	FENCE	PI			POINT OF INTERSECTION

GENERAL NOTES:

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE WORD "IDENTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
5. DEED/PLAT DISCLAIMER: THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE ADVENT OF SATELLITE SURVEYING TECHNIQUES USING "GPS" AND "GLONASS" SATELLITE CONSTELLATIONS. SURVEYS USING SATELLITE OBSERVATIONS ARE CORRECTED TO THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM AND USE "GEODETIC" OR "GRID" NORTH AS OPPOSED TO "MAGNETIC" NORTH.

NOTES:

(1) REFERENCED BOUNDARY SURVEY FOR: PAULSON MITCHELL BY LANDAIR SURVEYING COMPANY DATED 7-28-99

(2) REFERENCED SHILOH HILLS S/D, PLATBOOK 52 PAGE 183

(3) REFERENCED SHILOH HILLS S/D, PLATBOOK 27 PAGE 139

(4) REFERENCED STATE DOT PLANS PROJ #STP-9020(3) DATED 9-28-93

(5) ALL FENCES SHOWN ARE 4' CHAIN LINK UNLESS OTHERWISE SPECIFIED

GRAPHIC SCALE

20 0 10 20 40 80

1:45

JOB # 26009

GEORGIA REGISTERED No. 2402 PROFESSIONAL LAND SURVEYOR THOMAS EDWARD DEKI JR.

PLAT PREPARED FOR:

MAUDE DEVELOPEMENT

DATE 05/12/04

SCALE 1" = 20'

LAND LOT 149 16TH DISTRICT SECTION COBB COUNTY, GEORGIA

LOT 2 BLOCK UNIT

SUBDIVISION SHILOH HILLS

REVISION	BY:	DATE:
ADDED EASEMENTS	DHR	5/12/04
IRRIGATION LINE	TEP	5/18/04

SURVEYED:

COMPUTED:

APPROVED:

I HAVE THIS DATE EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND THAT BY GRAPHIC PLOTTING ONLY THE REFERENCE PARCEL IS (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

MAP ID 13067C0010F EFFECTIVE DATE: 8/18/92

PB 52 PAGE 183

DB _____ PAGE _____

FRONTLINE SURVEYING & MAPPING, INC.

3595 Canton Road
Bld. A-9, Ste. 272
Marietta, GA 30066
Ph. (678) 355-9905
Fax (678) 355-9805
E-mail: frntlinesurv@mindspring.co

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN N/A FEET, AN ANGULAR ERROR OF N/A SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR MAKING SAID PERSON, PERSONS OR ENTITY. SUCH DOCUMENTS, AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT © 1995 FRONTLINE SURVEYING AND MAPPING, INC.

*** ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED ***

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OTHER BUSINESS (CONT.)

O.B. 25 To consider a stipulation amendment for Janice A. Shomo regarding rezoning application Z-24 of 2012 (Monica T. Madden), for property located on the north side of Hawkins Store Road, east of Bells Ferry Road, in Land Lot 149 of the 16th District.

Mr. Pederson provided information regarding a stipulation amendment to use property as a group home. The public hearing was opened and Ms. Janice Shomo addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Ott, to **approve** O.B. 25 for stipulation amendment regarding application Z-24 of 2012 (Monica T. Madden), for property located on the north side of Hawkins Store Road, east of Bells Ferry Road, in Land Lot 149 of the 16th District, subject to:

1. **Letter of agreeable conditions from Ms. Janice A. Shomo dated April 6, 2016 (attached and made a part of these minutes)**
2. **Allowance of group home as an additional permitted use**
3. **Maximum of six residents and one resident manager**
4. **Sprinkler system and fire alarm must be installed prior to issuance of a Certificate of Occupancy**
5. **Water and Sewer comments:** ***Additional sewer fee may be assessed based upon calculated wastewater generation.***
6. **All previous stipulations and conditions,** ***not otherwise in conflict,*** **to remain in effect**

VOTE **ADOPTED** 4-0, Lee absent

O.B. 26 To consider amending the site plan and stipulations for Kyle Salone and Deborah M. White regarding rezoning application Z-20 (Yancey Development) of 2003, for property located at 1945 Heatherbrooke Lane and 1952 Heatherbrook Way in Land Lots 193 and 194 of the 20th District.

Mr. Pederson provided information regarding site plan and stipulation amendments to amending buffer area. The public hearing was opened and Mr. Michael Theade, Mr. Kyle Salone, Ms. Deborah White, Mr. Michael Cronauer, and Mr. Louis McQueen addressed the Board. Following presentation and discussion, the following motion was made:

Min. Bk. 79 Petition No. O.B.
Doc. Type letter

Meeting Date 5-17-16

EXHIBIT "A"

Thriving together to preserve independence
For Adults Looking for a new Life Purpose

Zoning Impact Statement for the Rezoning application for

Janice A. Shomo, LMSW, CAS, Notary

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ZONING DIVISION

April 6, 2016

Zoning Division Manager

Re: 222 Hawkins Store Road, Kennesaw, Ga 30144

Dear Sir/Madam:

I have signed a lease on December 2015 with option to purchase said property within two years from current title holder, Joan P. Clayton for the purpose of operating and providing a residential group home offering clinical care management, life skills and individual therapeutic services to woman age 22 and older living with a confirming diagnosable disabilities but are functionally mobile who need to get back on their feet and make improvements in life. I have been a licensed social work since 2010 in Georgia and hold a Master's Degree from Fordham University as a Clinical Social Worker for twenty five years throughout the Northeast and continuing to be a change agent when moving to Georgia in 2004.

A. This property, zoned commercial and under code for use of a group home will provide me the opportunity to manage a counseling private practice and offer intensive one on one residential clinical care services between four to six single woman who need housing, resource counseling and life skills oversight. This property meets the required criteria for a Group Home and professional counseling office in that it is suitable because of its immediate connection to commercial zoned property occupied by a Walgreens Pharmacy where medications can be obtained, a Publix Supermarket and strip mall, where employment can be obtain, without the use of a vehicle along with shared parking and a shared driveway. This property also provides easy access for Medicaid Transportation and Paratransit to pick up and drop off any client that has medical, educational and/or vocational needs.

B. There will be no adverse effect to the existing property, adjacent or nearby properties.

C. The property was left abandoned by previous tenant, Monica Madden, owner of Royal Beauty Salon and Spa, leaving extensive internal and external damage which included plumbing, electrical mal functions, high utilities bills and garbage disposal problems that caused rodents internally and externally. All above listed problems have been rectified since March 2016.

D. There will no longer be any excessive burden on the adjacent community, on transportation and all visitors and residents with a vehicle will have up to eight parking spaces belonging to this property and

Petition No. O.B.25
Meeting Date 5-17-16
Continued

EXHIBIT "4"

TransitionRehab

Thriving together to preserve independence
For Adults Looking for a new Life Purpose

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ZONING DIVISION

Continued

utilities and garbage disposal along with lawn service has been secured between January and March 2016.

E. A group home for adult woman conforms completely with the policy and intent of the land use plan for long-term care of individuals who need community resources, care and oversight

F. The property is in the immediate vicinity of medical providers, religious institutes, the Tommy Nobis Center and Department of Vocational Rehabilitation where individuals with disabilities learn and relearn skills to move forward in life.

G. The property and all aspects of the group home and counseling center will be managed, owned and operated by a Licensed Social Worker and staffed with a live-in House Manager who is also a Master's level Social Worker with five years of human service training. In addition, the purpose of any one living with a disability to feel safe, secure and able to live within a community is the goal.

H. The Fire Marshall has been contacted.

I respectfully request your support of the application to help people with a disability, especially woman who need guidance, community resources and housing services.

Sincerely,

Janice A. Shomo, LMSW

Janice A. Shomo, LMSW, CAS, Notary
Owner/Director of Shomatrix Solutions Group, Inc,
DBA Transition Rehab