

MARCH 20, 2018 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3

ITEM OB-010

PURPOSE

To consider a stipulation amendment for Duncan Land Investments, LLC regarding rezoning application Z-112 of 2016 for property located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive in Land Lot 308 of the 16th District (2035 and 2027 Blackwell Road).

BACKGROUND

The subject property was rezoned in 2016 to R-15 for a seven-lot subdivision. One of the items in the letter of stipulations stated what exterior materials would be on the fronts and the sides of the homes. The applicant would like to amend stipulations #4 to read “Front elevations of homes shall contain brick, stone, stacked stone, cedar shakes, board & batten, or combinations thereof. Side elevations of homes can consist of a brick water table with hardy plank siding (or a comparable product) to finish it off.” 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"

08-010-2018

Cobb County, Georgia

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

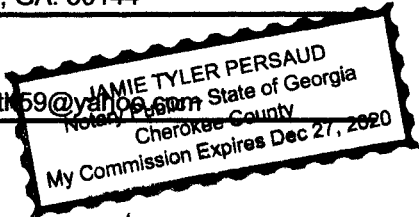
BOC Hearing Date Requested: 3-20-2018

Applicant: Duncan Land Investments, LLC **Phone #:** 678.591.7624
(applicant's name printed)

Address: 4302 Farmbrook Ln., Kennesaw, GA. 30144 **E-Mail:** riversouth59@yahoo.com

Richard Duncan **Address:** 4302 Farmbrook Ln., Kennesaw, GA. 30144
(representative's name, printed)

[Signature] **Phone #:** 678.591.7624 **E-Mail:** riversouth59@yahoo.com
(representative's signature)

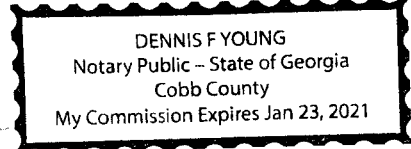


Signed, sealed and delivered in presence of:
[Signature] **My commission expires:** 12/27/2020
Notary Public

Titleholder(s) : Duncan Land Investments, LLC **Phone #:** 678.591.7624
(property owner's name printed)

Address: 4302 Farmbrook Ln., Kennesaw, GA. 30144 **E-Mail:** riversouth59@yahoo.com

[Signature]
(Property owner's signature)



Signed, sealed and delivered in presence of:
[Signature] **My commission expires:** Jan 23 2021
Notary Public

Commission District: 3 **Zoning Case:** Z-112 of 2016

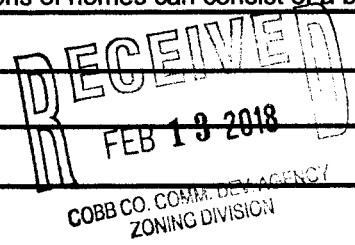
Size of property in acres: _____ **Original Date of Hearing:** May 16, 2017

Location: 2035 and 2027 Blackwell Rd., Marietta, GA. 30066
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 308 **District(s):** 16

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

To request that the following be added to stipulation #4: "Side elevations of homes can consist of a brick water table with hardy plank siding (or a comparable product) to finish it off."



(List or attach additional information if needed)

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
MAY 16, 2017
PAGE 4**

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ZONING DIVISION

CAMPAIGN DISCLOSURE

Mr. Pederson announced that all speakers who have made a campaign contribution totaling \$250.00 or more within the last two years to a local government official considering a zoning case are required to complete the "Campaign Disclosure Form" prior to speaking.

ANNOUNCEMENT

Mr. Pederson announced that a new policy is in effect requiring attorneys, civic groups, or other interested parties to a zoning petition who submit letters or comments *after the Wednesday deadline* must email their correspondence to all the elected officials, commission assistants, and county staff so that this information may be included in the Zoning Division comments and recommendations.

CONSENT AGENDA

MOTION: Motion by Boyce, second by Birrell, to **approve** the Consent Agenda *as presented*:

Z-112¹⁶ **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC and Brumby D. Hanson and Margaret M. Hanson, owners) requesting Rezoning from **R-20 to R-15** for the purpose of a Residential Subdivision in Land Lot 308 of the 16th District. Located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive. *(Previously held by the Planning Commission from their December 6, 2016, February 7, 2017, March 7, 2017, and April 4, 2017 hearings until the May 2, 2017 Planning Commission hearing).*

To **approve** Z-112 to the **R-15** zoning district, subject to:

1. **Site plan dated received by the Zoning Division on April 6, 2017, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
2. **Letter of agreeable conditions from Mr. Richard Duncan dated April 21, 2017 (attached and made a part of these minutes)**
3. **Variance listed in the Zoning Division comments and recommendations**
4. **District Commissioner to approve final elevations**
5. **Water and Sewer Division comments and recommendations**
6. **Stormwater Management Division comments and recommendations**
7. **Department of Transportation comments and recommendations**

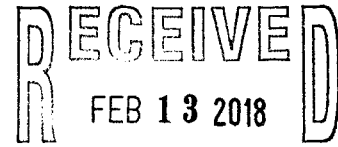
Min. Bk. 82 Petition No. Z-112 '16
Doc. Type letter
Meeting Date 5-16-17

Stipulation Letter

for Zoning Case Z-112

Duncan Land Investments

April 21, 2017



COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

- 1) Applicant seeks rezoning for the subject properties from R-20 to R-15.
- 2) Subject property will be developed for a single family residential development consisting of 7 maximum lots. All lots shall comply with the minimum of 15,000 square feet per lot required by R-15 zoning.
- 3) Minimum house size in the new proposed subdivision will be 2,800 square feet of heated and cooled living space.
- 4) Front elevations of homes shall contain brick, stone, stacked stone, cedar shakes, board and batten, or combinations thereof on a minimum of three sides.
- 5) All lots in the new proposed subdivision will be sodded and irrigated on fronts and sides of lots.
- 6) Should the detention pond construction include concrete walls that are visible above the ground the walls(s) will be faced with brick, stone or other decorative material.
- 7) The entrance signage for the proposed community shall be ground based monument style signage.
- 8) Along Blackwell Rd. there will be decorative fencing along with professionally designed landscaping, which shall include installation of an irrigation system.
- 9) There will be a mandatory HOA that will require maintenance and upkeep of entrance landscaping and fencing.
- 10) Applicant agrees that all worker's vehicles and construction equipment will be parked on site and not on Blackwell Road, or on any other surrounding subdivision streets. No stacking of vehicles on Blackwell Road.
- 11) Construction work hours will comply with Cobb County Code Ordinance. No work on Sunday. Saturday hours will be 9am-5pm.
- 12) Applicant agrees to comply with all Cobb County Stormwater management comments and recommendations, and also all Cobb County DOT comments and recommendations of the subject property.
- 13) All utilities servicing the residents within the proposed subdivision shall be underground.
- 14) The applicant agrees to allow the Georgia Native Plant Society to conduct a "plant rescue" prior to the commencement of construction of the subject property.

Petition No. 2-112 '16
Meeting Date 5-16-17
Continued

15) The District Commissioner shall have the authority to approve minor modifications to these stipulations and the site plan as the development proposal proceeds through the Plan Review process and thereafter. For purposes of this paragraph, any modifications that increase density; reduce the size or composition of an approved buffer or landscape strip to adjacent property; relocate a structure closer to a property line; or, increase the height of a building adjacent to property which are in direct contradiction to or conflict with the foregoing stipulations, will come back through the public hearing process as an "Other Business" Application.

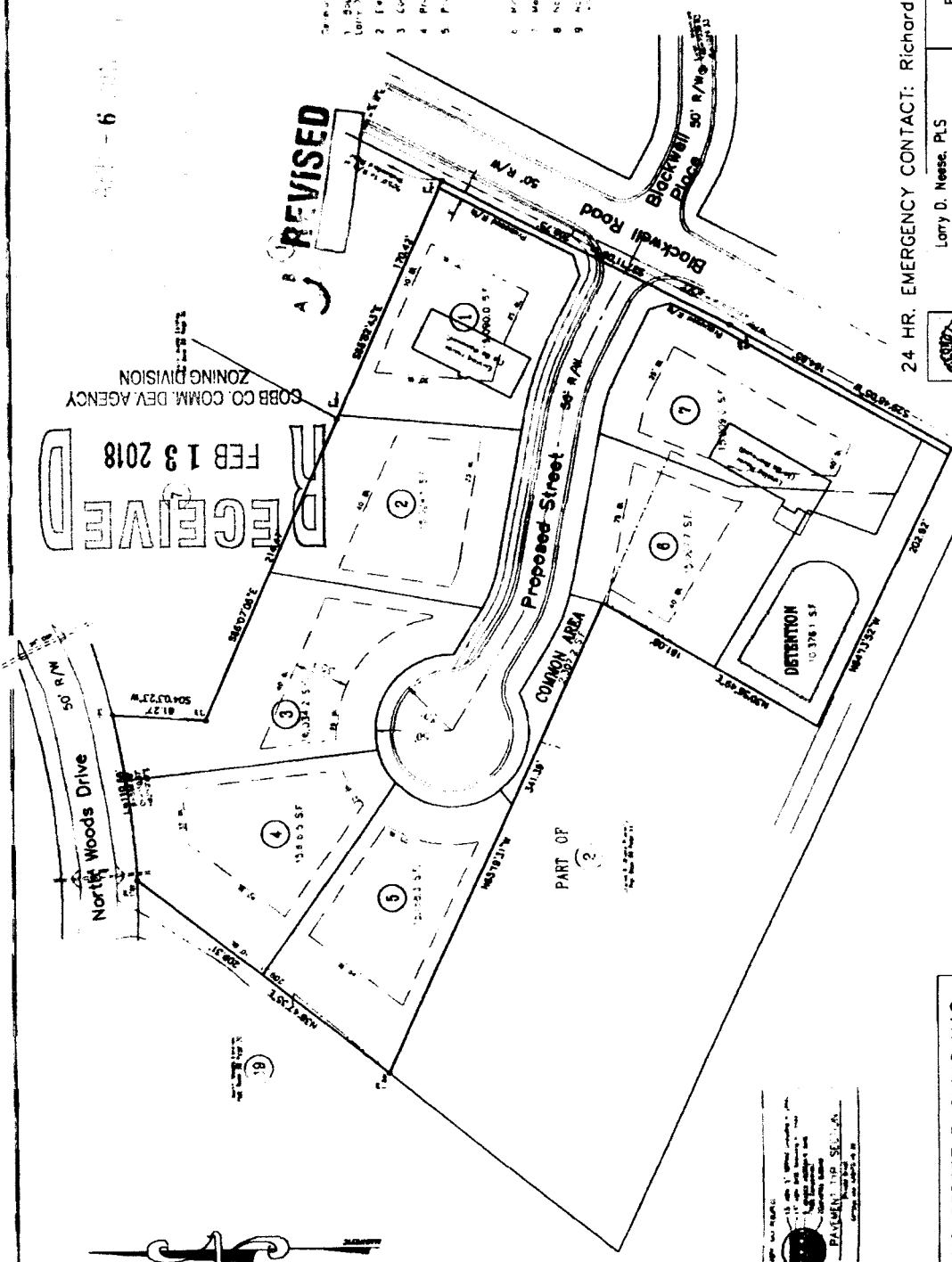
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Location Map

NOTES:
1. All dimensions are in feet.
2. All areas are to be paved.
3. All areas are to be landscaped.
4. All areas are to be finished.
5. All areas are to be graded.
6. All areas are to be compacted.
7. All areas are to be stabilized.
8. All areas are to be seeded.
9. All areas are to be fertilized.
10. All areas are to be irrigated.

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3
Blackwell Estates
14th District
Cobb County
Scale

Larry D. Neece, PLS
194 Cadence Trl
Canton, Georgia 30115
(770) 428-2122
E-Mail: Ldneece@earthlink.net

24 HR. EMERGENCY CONTACT: Richard Duncan 678-591-7624
3,288 Acres



NO STREET PARKING HAS
BEEN APPROVED FOR THIS
DEVELOPMENT

Meeting Date 5-16-17
Mm. Bk. 82 Petition No. Z-112
Doc. Type Site Plan