

0B-042-2018

(Stipulation Amendment)

# Application for "Other Business"

## Cobb County, Georgia

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

OB Application No.: OB-\_\_\_\_\_-2018

BOC Hearing Date Requested: August 21, 2018



**Applicant:** EAH WR, LLC

(applicant's name printed)

Phone #: (770) 541-5250

**Address:** 2303 Cumberland Parkway, S.E., Atlanta, GA 30339 E-Mail: k.norton@eahomes.com

MOORE INGRAM JOHNSON & STEELE, LLP

**J. Kevin Moore**

**Address:** Emerson Overlook, Suite 100, 326 Roswell Street

(representative's name, printed)

Marietta, GA 30060

**BY:**

Phone #: (770) 429-1499

E-Mail: jkm@mijs.com

(representative's signature) Georgia Bar No. 519728



Signed, sealed and delivered in presence of:

My commission expires: January 10, 2019

Notary Public

**Titleholder(s):** EAH WR, LLC

(property owner's name printed)

Phone #: (770) 541-5250

**Address:** 2303 Cumberland Parkway, S.E., Atlanta, GA 30339 E-Mail: k.norton@eahomes.com

See Attached Exhibit "A"

(Property owner's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

Notary Public

**Commission District:** 3 (Birrell)

**Zoning Case:** Z-69 (2017)

**Size of property in acres:** 12.251+/-

**Original Date of Hearing:** 11/21/2017

Zoning Decision Date: 11/21/2017

**Location:** West side of Wigley Road; south side of Jamerson Road, and the northwestern corner of

(street address, if applicable; nearest intersection, etc.)

Wigley Road and Jims Road

**Land Lot(s):** 98, 119

**District(s):** 16th

**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)**

Application No.: OB- 42 (2018)  
Application No.: Z-69 (2017)  
Original Hearing Date: November 21, 2017  
Date of BOC Zoning Decision: November 21, 2017  
Current Hearing Date: August 21, 2018

**RECEIVED**  
JUL 17 2018

**Applicant/Titleholder: EAH WR, LLC**

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

EAH WR, LLC,  
a Georgia limited liability company

By: EAH Operating Member, LLC,  
a Georgia limited liability company,  
as its Manager

By:   
Title: Managing Member  
Printed Name: PAUL COPLEY

Date Executed: July 16, 2018

Address: 2303 Cumberland Parkway, S.E.  
Atlanta, Georgia 30339

Telephone No.: (770) 541-5250

Signed, sealed, and delivered in the presence of:

  
Notary Public  
Commission Expires: 3-02-2021

[Notary Seal]

**Susan M Kelley**  
**NOTARY PUBLIC**  
**Forsyth County, GEORGIA**  
**My Comm. Expires 03/02/2021**

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

**Application No.:** OB- 42 (2018)  
**Application No.:** Z-69 (2017)  
**Original Hearing Date:** November 21, 2017  
**Date of BOC Zoning Decision:** November 21, 2017  
**Current Hearing Date:** August 21, 2018



**Applicant/Titleholder:** **EAH WR, LLC**

On November 21, 2017, the Cobb County Board of Commissioners approved rezoning to the R-15 zoning category of an approximately 12.251 acre tract located on the west side of Wigley Road, the south side of Jamerson Road, and the northwestern corner of Wigley Road and Jims Road, Land Lots 98 and 119, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). Rezoning was approved subject to certain agreeable stipulations and conditions enumerated in the final, official minutes of the Board of Commissioners Zoning Hearing; as well as, a letter of agreeable stipulations and conditions incorporated by reference into the minutes.

EAH WR, LLC, as Applicant and Property Owner (hereinafter "Applicant"), seeks to waive the last sentence of the stipulations set forth in subparagraph 17 of the October 27, 2017, letter of agreeable stipulations, referenced and attached to the minutes, which reads as follows:

- Any exposed concrete walls shall be faced with brick or stone.

Therefore, the amended subparagraph 17 of the referenced stipulation letter shall read as follows:

- (17) The detention area shall be fenced with a black, vinyl-clad chain link fence, a minimum of four (4) feet in height, with landscaping to the exterior for purposes of visual screening. The landscaping shall be approved by the Cobb County Arborist as part of the Plan Review process.

The detention wall has been constructed and is not visible from any right-of-way or existing or proposed new home site; and further, the detention area will be heavily landscaped. As set forth in the minutes, the final landscape plan will be approved by both the Cobb County Arborist and the District Commissioner. Attached as Exhibit "1" is a copy of the Site Plan dated January 9, 2018, last revised May 16, 2018, which was approved by Cobb County as part of the overall Construction Plans for Everleigh Subdivision. Therefore, the requirement does not appear to serve a purpose in this instance.

The amendment proposed and presented herein in no way adversely impacts or affects the quality or integrity of the development initially approved by the Cobb County Board of Commissioners. If the requested amendment to the stipulations is approved, as submitted, it 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 November 21, 2017, 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.



**OFFICIAL MINUTES OF COBB COUNTY  
BOARD OF COMMISSIONERS ZONING  
HEARING AS TO APPLICATION FOR  
REZONING Z-69 (2017)  
– NOVEMBER 21, 2017**

**MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 21, 2017  
9:00 A.M.**

**RECEIVED**  
JUL 17 2018  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

The Board of Commissioners' Zoning Hearing was held on Tuesday, November 21, 2017 at 9:00 a.m. in the second floor public meeting room of the Cobb County Building A, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairman Mike Boyce  
Commissioner JoAnn Birrell  
Commissioner Cupid  
Commissioner Bob Ott  
Commissioner Bob Weatherford

**Z-69**      **EAH ACQUISITIONS, L.L.C.** (Estate of Dorothy Henrietta Wigley, owner) requesting Rezoning from R-30 and R-15 to R-15 for the purpose of a Single-Family Residential Subdivision in Land Lots 98 and 119 of the 16<sup>th</sup> District. Located on the west side of Wigley Road, on the south side of Jamerson Road, and the northwestern corner of Wigley Road and Jims Road.

The public hearing was opened, and Mr. Kevin Moore addressed the Board. Following presentation and discussion, the following motion was made:

**MOTION:** Motion by Birrell, second by Ott, to approve Z-69 to the R-15 zoning category subject to:

1. Final site plan and landscape plan to be approved by the District Commissioner
2. Letter of agreeable conditions from Mr. Kevin Moore dated October 27, 2017 (attached and made a part of these minutes, with the following changes:
  - A. Item No. 15 – add to end: *“If necessary, Applicant to perform a box turtle rescue.”*
3. Installation of sidewalks for the project's entire frontage on Wigley Road
4. Planning Commission comments and recommendations, *not otherwise in conflict*
5. Staff comments and recommendations, *not otherwise in conflict*

**VOTE: ADOPTED 5-0**

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

**RECEIVED**  
JUL 17 2018

JOHN H. MOORE  
STEPHEN C. STEELE  
WILLIAM R. JOHNSON<sup>1</sup>  
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J. BRIAN O'NEIL  
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ELDON L. BASHAM  
MATTHEW J. HOWARD  
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KEVIN B. CARLOCK<sup>1</sup>  
J. KEVIN MOORE  
RODNEY R. MCCOLLOCH  
SUSAN S. STUART  
BRIAN D. SMITH  
HARRY R. TEAR III  
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CHRISTOPHER C. MINGLEDORFF<sup>1</sup>  
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SHANE MAYES  
ALEXANDER B. MORRISON<sup>1</sup>  
GREGORY H. FULLER<sup>1</sup>  
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JOYCE W. HARPER  
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WILMA R. BUSH  
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SHAWN G. SHELTON  
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KRISTEN C. STEVENSON<sup>1</sup>  
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LESLIE S. NEUBAUER  
JENNIFER B. SIMPSON  
CHRISTIAN H. LAYCOCK  
LIZA D. HARRELL<sup>1</sup>  
JOHN A. EARLY

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**ORLANDO, FLORIDA**  
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MICHAEL R. BEANE<sup>1</sup>  
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KEVIN B. HARRIS  
GARETT P. FRANKLYN<sup>1</sup>

DOBBY R. HAUGHTON  
M. ANDREW WOLKOFF<sup>1</sup>  
SHAREE L. TUMBLING  
MARC R. ROBINSON  
JACKY POWERS<sup>1</sup>  
LINDSEY A. FLEMING  
JONATHAN D. NWILOH  
DANIEL R. FINK

OF COUNSEL:  
JOHN L. SKELTON, JR.<sup>1</sup>

<sup>1</sup> ALSO ADMITTED IN TN  
<sup>2</sup> ALSO ADMITTED IN FL  
<sup>3</sup> ALSO ADMITTED IN GA  
<sup>4</sup> ALSO ADMITTED IN TX  
<sup>5</sup> ALSO ADMITTED IN AL  
<sup>6</sup> ALSO ADMITTED IN KY  
<sup>7</sup> ALSO ADMITTED IN NC  
<sup>8</sup> ALSO ADMITTED IN NC  
<sup>9</sup> ALSO ADMITTED IN IN  
<sup>10</sup> ALSO ADMITTED IN NY  
<sup>11</sup> ADMITTED ONLY IN TN  
<sup>12</sup> ADMITTED ONLY IN FL  
<sup>13</sup> ADMITTED ONLY IN SC  
<sup>14</sup> ADMITTED ONLY IN NY

Min. Bk. 03 Petition No. Z-69  
Doc. Type Letter  
  
Meeting Date 11-21-17

October 27, 2017  
  
Hand Delivered

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

**RECEIVED**  
OCT 27 2017  
COBB CO COMM DEV AGENCY  
ZONING DIVISION

RE: Application for Rezoning - Application No. Z-69 (2017)  
Applicant: EAH Acquisitions, L.L.C.  
Property Owner: The Estate of Dorothy Henrietta Wigley  
Property: 12.29 acres, more or less, located on the westerly side of Wigley Road, south side of Jamerson Road, and the northwestern intersection of Wigley Road and Jims Road; Land Lots 98 and 119, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent EAH Acquisitions, L.L.C., the Applicant (hereinafter referred to as "Applicant"), and the Estate of Dorothy Henrietta Wigley, the Property Owner (hereinafter referred to as "Owner" or "Property Owner"), in their Application for Rezoning with regard to a total tract of 12.29 acres, more or less, located on the westerly side of Wigley Road, the south side of Jamerson Road, and the northwestern intersection of Wigley Road and Jims Road, Land Lots 98 and 119, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Petition No. 2-69  
Meeting Date 11-21-17  
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referred to as the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff, reviewing the Departmental Comments and Staff Recommendations; reviewing the uses of surrounding properties, and continuing discussions with area residents and homeowner representatives, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested rezoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (1) The 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 on the Subject Property; together with any and all prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning categories of R-30 and R-15 to the proposed zoning category of R-15, with reference to the revised Zoning Site Plan prepared by Christopher Planning & Engineering, dated August 28, 2017, last revised September 28, 2017, and submitted to the Zoning Office on October 24, 2017. A reduced copy of the revised Zoning Site Plan is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (3) The Subject Property consists of 12.29 acres of total site area and shall be developed for a residential community comprised of a maximum of nineteen (19) single-family, detached residences.
- (4) The proposed residences shall have a minimum of 2,500 square feet, ranging upwards to 3,200 square feet, and greater.
- (5) The proposed residences shall be traditional in style and architecture and will have a minimum two-car garage.
- (6) The residences within the proposed community shall have exterior elevations comprised of brick, stone, stacked stone, cedar shake, hardi-plank, or board and batten finishes, with complementary accents, or any combinations thereof. No vinyl materials shall be used on the exterior of the proposed residences. Further, the architectural style and elevations of the homes shall be substantially similar to

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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October 27, 2017

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Meeting Date 11-21-17  
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the elevations and/or photographs attached collectively hereto as Exhibit "B" and incorporated herein by reference.

- (7) The minimum lot size of lots within the proposed residential community shall be 15,000 square feet.
- (8) The setbacks for the proposed residential community shall be as follows:
  - (a) Front Setback (Collector): Fifty (50) feet;
  - (b) Front Setback (Local): Forty-five (45) feet;
  - (c) Rear Setback: Forty (40) feet; and
  - (d) Side Setback: Seven and one-half (7.5) feet.
- (9) All front and side yard areas of the proposed residences shall be fully sodded.
- (10) Applicant agrees to the creation of a mandatory homeowners association consistent with communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas; entrance areas, including signage; mail kiosk; open space areas, including walking trails; and private shared drives; contained within the proposed residential community.
- (11) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which will contain covenants, rules, and regulations applicable to the proposed community.
- (12) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents, and shall be consistent with and complementary to the homes within the community.
- (13) The main entrance landscaping; as well as landscaping for the secondary entrances located on Jamerson Road and Jims Road, shall be professionally designed and implemented. Maintenance of the entrance areas shall be by the

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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mandatory homeowners association as set forth in the Declaration of Covenants, Easements, and Restrictions.

- (14) The proposed community shall have walking trails and conservation, open areas for the use and enjoyment of future homeowners.
- (15) Applicant agrees to facilitate a Georgia Native Plant Society "Plant Rescue" to be accomplished on those portions of the Subject Property which will be disturbed.
- (16) All utilities servicing the residences within the proposed community shall be underground.
- (17) The detention area shall be fenced with a black, vinyl-clad chain link fence, a minimum of four (4) feet in height, with landscaping to the exterior for purposes of visual screening. The landscaping shall be approved by the Cobb County Arborist during the Plan Review process. Any exposed concrete walls shall be faced with brick or stone.
- (18) There shall be no direct access from any lots within the proposed community to Jamerson Road, Wigley Road, or Jims Road.
- (19) Access to the residences shall be by private shared drives, as more particularly shown and reflected on the referenced, revised Zoning Site Plan.
- (20) All construction and employee vehicles and equipment will be parked, and otherwise located on, the Subject Property during development of infrastructure and construction of residences, and shall not be parked on or along Jamerson Road, Wigley Road, or Jims Road, or surrounding neighborhood streets. There will be no stacking of vehicles on Wigley Road, Jamerson Road, or Jims Road waiting for entry onto the Subject Property.
- (21) Minor modifications to the within stipulations, the referenced, revised Zoning Site Plan, lighting, signage, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
  - (a) Increase the density of a residential project or the overall square footage of a non-residential project;

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Petition No. 2-69  
Meeting Date 11-21-17  
Continued

- (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
  - (c) Relocate a structure closer to the property line of an 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 the same or in a more restrictive zoning district; or
  - (e) Change an access location to a different roadway;
  - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
  - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
  - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (22) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community, and shall be irrigated as necessary.
- (23) Applicant agrees to comply with all Cobb County and State of Georgia stream buffer requirements.
- (24) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (25) Applicant agrees to comply with all Cobb County Development Standards and Ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.
- (26) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing.

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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Petition No. 2-69  
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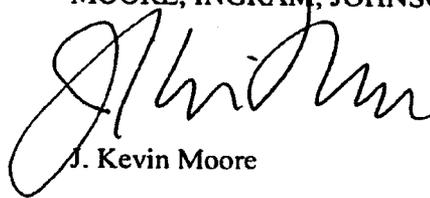
- (27) Applicant agrees to the following system improvements to mitigate traffic concerns:
- (a) Construction of a deceleration lane at the main entrance to the proposed community, a minimum of one hundred fifty (150) feet in length;
  - (b) Verification that minimum sight distance is available; and if not, implement remedial measures to correct any deficiency; and
  - (c) Any existing curb, gutter, and sidewalk along Jamerson Road, Wigley Road, or Jims Road which may be damaged during construction shall be replaced by Applicant following completion of the development.

We believe the requested zoning, together with the revised Zoning Site Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the area and existing neighborhoods and residents surrounding the proposed development. The proposed residential community shall be of the highest quality, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc  
Attachments

**MOORE INGRAM JOHNSON & STEELE**

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 7 of 7  
October 27, 2017

Petition No. 2-69  
Meeting Date 11-21-17  
Continued

c: Cobb County Board of Commissioners:  
Mike Boyce, Chairman  
JoAnn Birrell  
Lisa N. Cupid  
Robert J. Ott  
Bob Weatherford  
(With Copies of Attachments)

Cobb County Planning Commission:  
Mike Terry, Chairman  
Judy Williams  
Thea Powell  
Galt Porter  
Skip Gunther  
(With Copies of Attachments)

Jason A. Campbell  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
(With Copies of Attachments)

Jill Flamm  
Trish Steiner  
East Cobb Civic Association, Inc.  
(With Copies of Attachments)

EAH Acquisitions, L.L.C.  
(With Copies of Attachments)

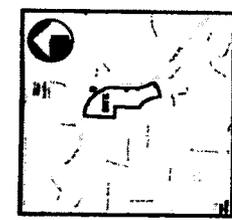
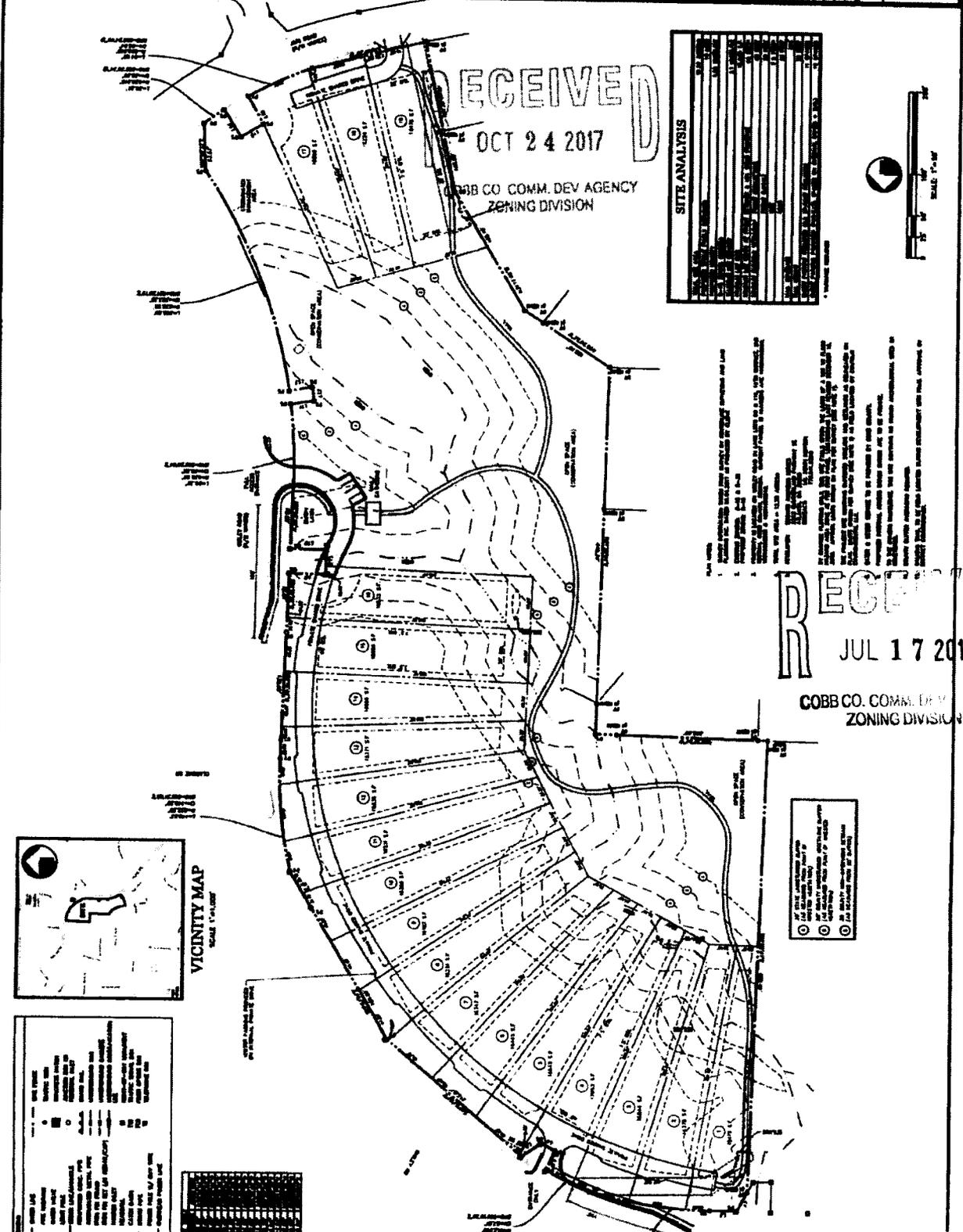
Petition No. 2-69  
 Meeting Date 11-21-17  
 Continued

**CP&B**  
 CHRISTOPHER PLANNING & ENGINEERING

**WIGLEY ROAD TRACT**  
 ZONING SITE PLAN FOR  
 LAND LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

**EDWARD ANDREWS**  
 ARCHITECT  
 25 HANCOCK DRIVE  
 ATLANTA, GA 30308  
 (404) 525-1234

**Z1**  
 ZONING  
 SITE PLAN



SYMBOL	DESCRIPTION
(Symbol)	Proposed Lot
(Symbol)	Adjacent Lot
(Symbol)	Proposed Road
(Symbol)	Adjacent Road
(Symbol)	Proposed Structure
(Symbol)	Adjacent Structure
(Symbol)	Proposed Utility
(Symbol)	Adjacent Utility
(Symbol)	Proposed Easement
(Symbol)	Adjacent Easement
(Symbol)	Proposed Boundary
(Symbol)	Adjacent Boundary
(Symbol)	Proposed Zoning
(Symbol)	Adjacent Zoning
(Symbol)	Proposed Access
(Symbol)	Adjacent Access
(Symbol)	Proposed Drainage
(Symbol)	Adjacent Drainage
(Symbol)	Proposed Survey
(Symbol)	Adjacent Survey
(Symbol)	Proposed Other
(Symbol)	Adjacent Other

**RECEIVED**  
 JUL 17 2018  
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 ZONING DIVISION

**EXHIBIT "A"**

Petition No. 2-67  
Meeting Date 11-21-17  
Continued

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COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

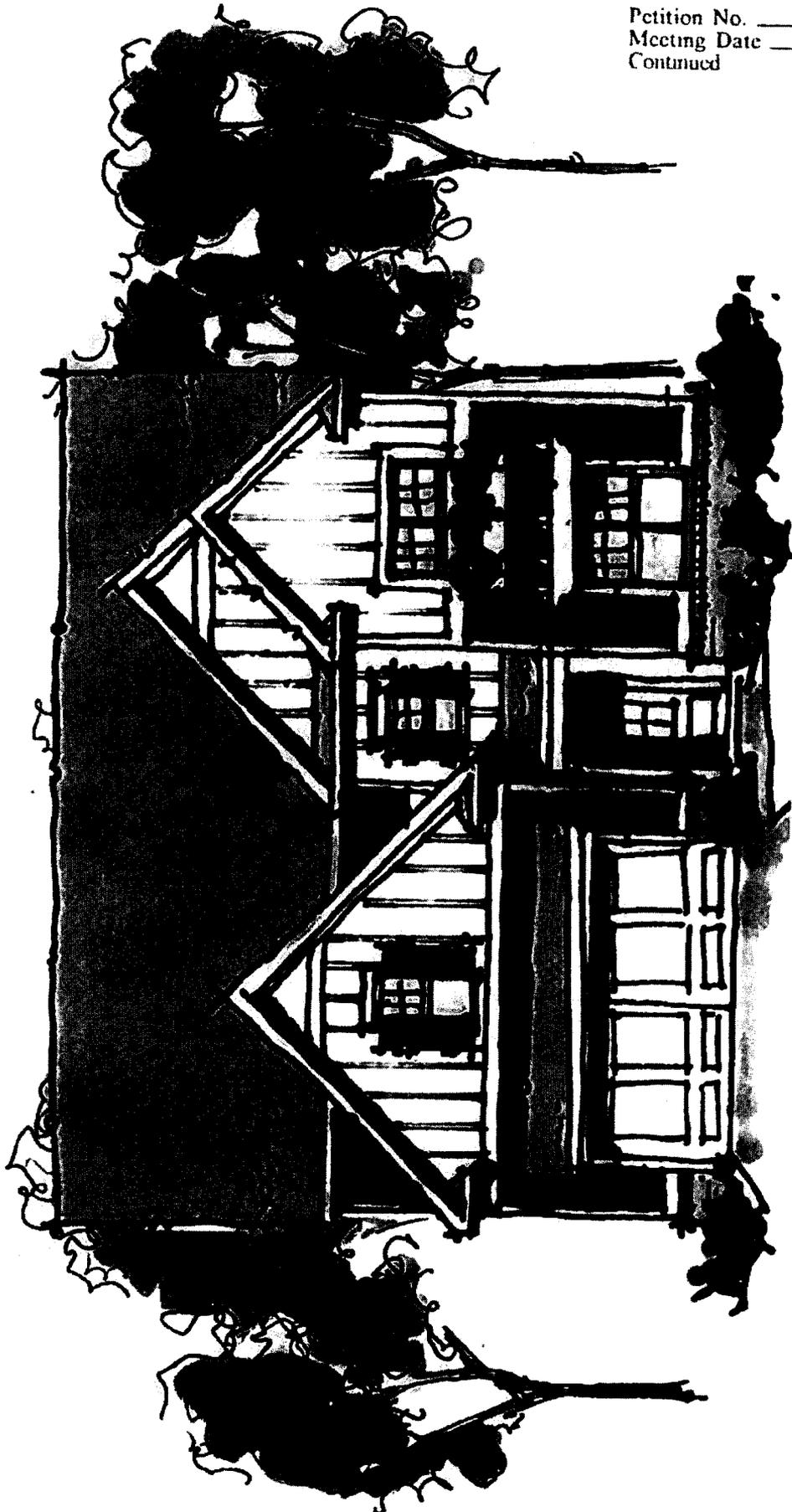
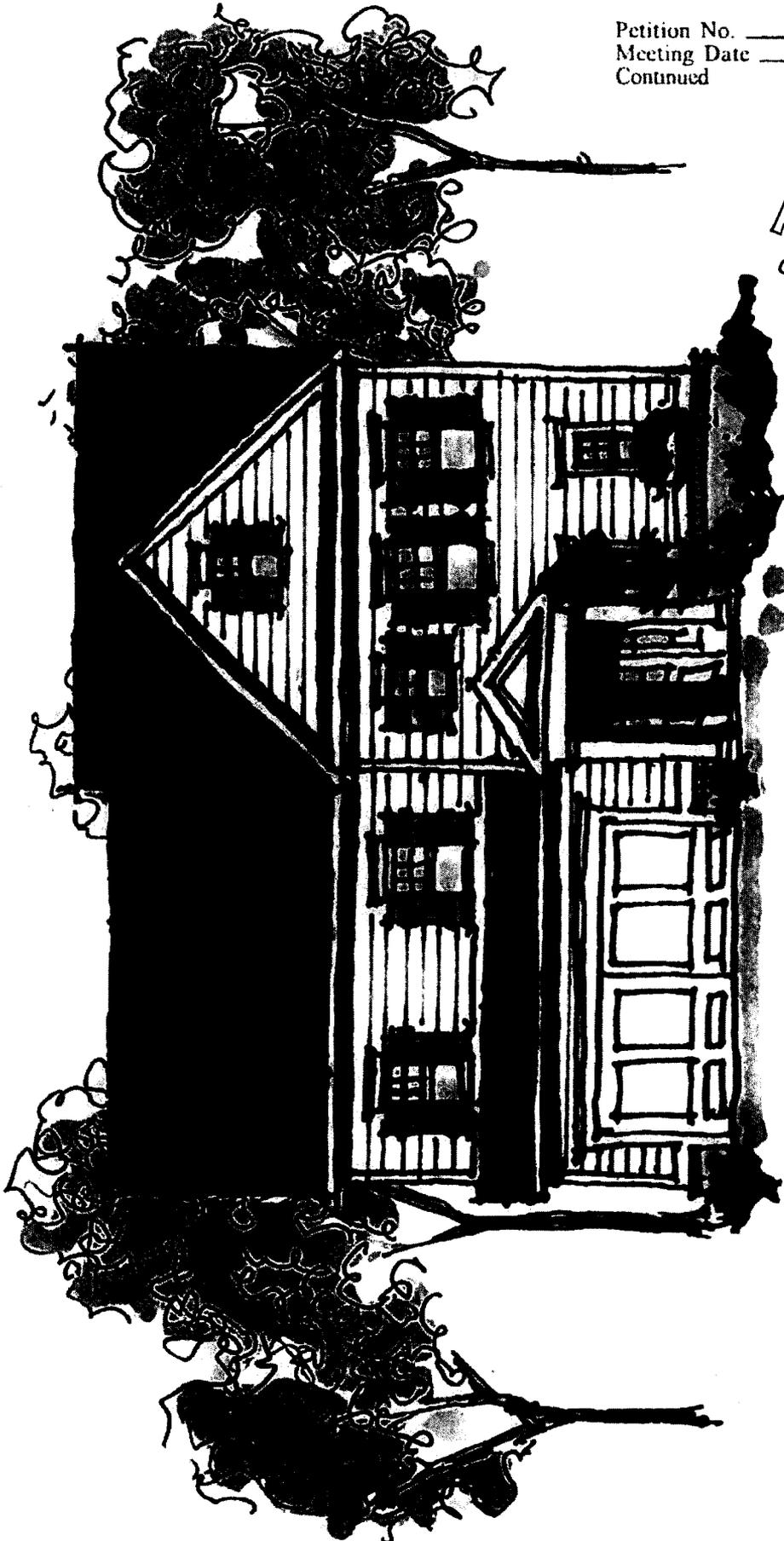


EXHIBIT "B"

Petition No.   Z-69    
Meeting Date   11-21-17    
Continued

**RECEIVED**  
JUL 17 2018

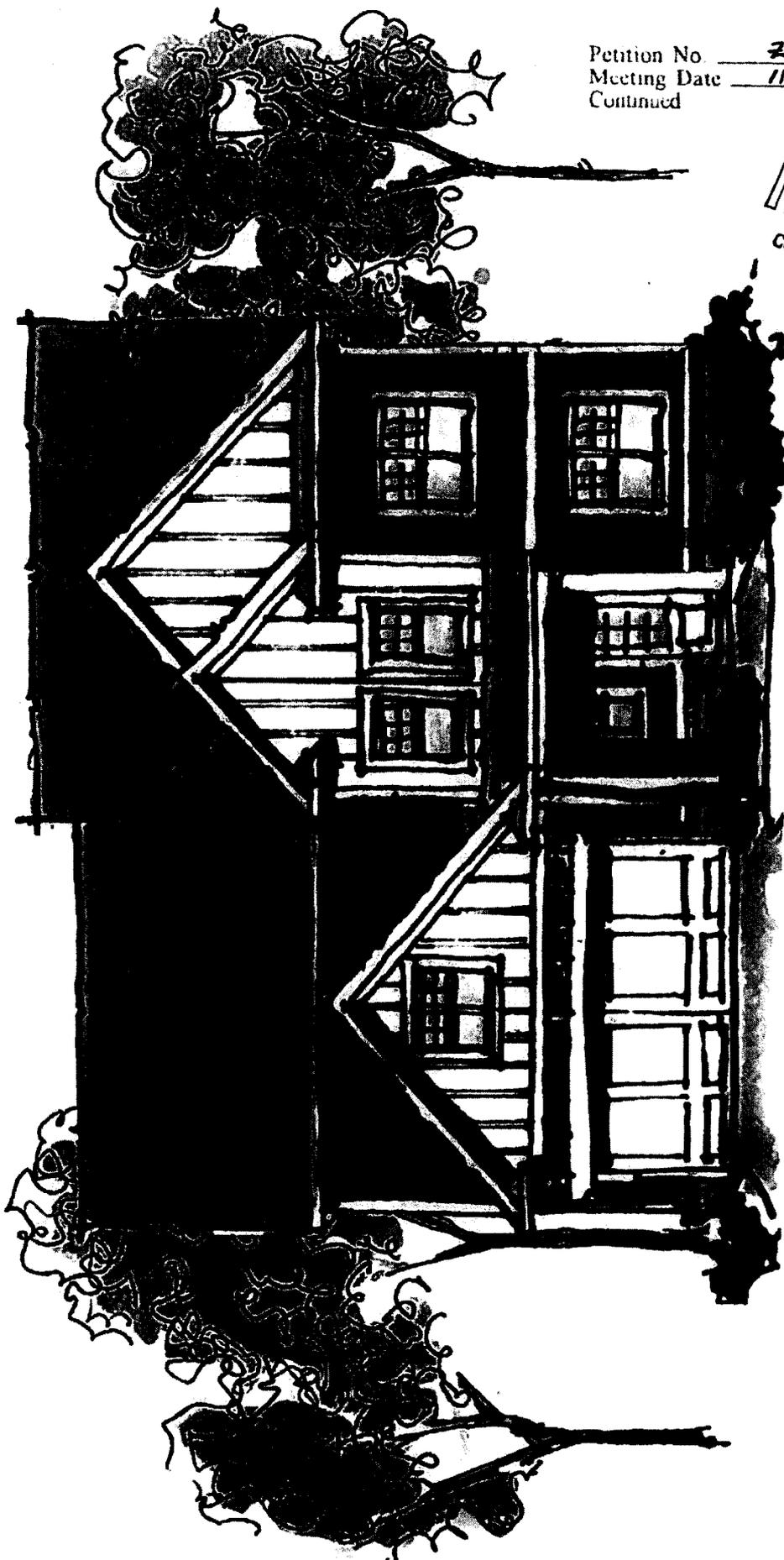
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



Petition No. 2-69  
Meeting Date 11-21-17  
Continued

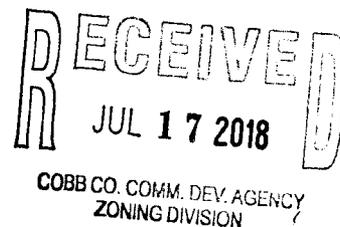
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**MINUTES OF COBB COUNTY PLANNING  
COMMISSION ZONING HEARING AS TO  
APPLICATION FOR REZONING Z-69 (2017)  
– NOVEMBER 7, 2017  
(REFERENCED IN BOARD OF COMMISSION  
ZONING HEARING MINUTES)**

**MINUTES OF ZONING HEARING  
COBB COUNTY PLANNING COMMISSION  
NOVEMBER 7, 2017  
9:00 A.M.**



The Planning Commission Zoning Hearing was held on Tuesday, November 7, 2017 in the second floor public meeting room, Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Mike Terry, Chairman  
Skip Gunther  
Galt Porter  
Thea Powell  
Judy Williams

**Z-69**      **EAH ACQUISITIONS, LLC** (Estate of Dorothy Henrietta Wigley, owner) requesting Rezoning from **R-30** and **R-15** to **R-15** for the purpose of a Single-Family Residential Subdivision in Land Lots 98 and 119 of the 16<sup>th</sup> District. Located on the west side of Wigley Road, on the south side of Jamerson Road, and the northwestern corner of Wigley Road and Jims Road.

The public hearing was opened, and Mr. Kevin Moore, Mr. Sean Gaddis, Ms. Rachel Remenih, Ms. Jennifer Morril, and Mr. Patrick Cahill addressed the Commission. Following presentation and discussion, the following motion was made:

**MOTION:** Motion by Williams, second by Gunther, to recommend approval of Z-69 to the **R-15** zoning category, subject to:

1. Letter of agreeable conditions from Mr. Kevin Moore dated October 27, 2017 (on file in the Zoning Division)
2. Applicant to meet stormwater requirements regarding stream buffer averaging per the County Code
3. Staff comments and recommendations, *not otherwise in conflict*

**VOTE: ADOPTED 4-1, Powell opposed**

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COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

**SITE PLAN REFERENCED IN  
OCTOBER 27, 2017, LETTER OF  
AGREEABLE STIPULATIONS AND  
CONDITIONS**



**SITE PLAN APPROVED BY COBB COUNTY  
AS PART OF CONSTRUCTION AND  
PERMITTING PLANS –  
DATED JANUARY 9, 2018;  
LAST REVISED MAY 16, 2018**



**2017 PAID AD VALOREM PROPERTY TAX  
RECIPTS FOR SUBJECT PROPERTY  
(TAX PARCEL NOS. 16009800020;  
16009800030; 16011900040)**



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

Printed: 7/17/2018

Cobb County Online Tax Receipt

Thank you for your payment.

Payer:  
DOROTHY HENRIETTA WIGLEY ESTATE



WIGLEY DOROTHY HENRIETTA

Payment Date: 9/8/2017

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2017	16009800020	10/15/2017	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$1,069.72	\$0.00	



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

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WIGLEY DOROTHY HENRIETTA

Payment Date: 9/8/2017

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2017	16009800030	10/15/2017	Pay:	N/A	or	\$0.00
Interest	Penalty	Fee	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$280.34	\$0.00	



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ZONING DIVISION

WIGLEY DOROTHY HENRIETTA

Payment Date: 9/8/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2017	16011900040	10/15/2017	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$842.49	\$0.00



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