

**SEPTEMBER 18, 2018 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM OB-047

PURPOSE

To consider a site plan amendment for Broadlands Homeowners Association, Inc. regarding rezoning application Z-89 of 1993 for property located on the north side of White Blossom Court, north of Willow Oak Trail in Land Lots 86 and 137 of the 19th District (In between 750 and 752 White Blossom Court).

BACKGROUND

The subject property was rezoned to Planned Residential Development (PRD) in 1993 for a 251-lot subdivision. PRD subdivisions are always zoned site plan specific. The homeowner’s association would like to amend the site plan to refurbish their parking lot adjacent their lake recreation area. The proposed revision would improve the parking for this part of the subdivision by adding 4 parking spaces so residents don’t have to park in the street. There are currently no parking spaces in this area. If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

Stormwater Management: Subject to Plan Review comments and approval of proposed site grading plan.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan amendment.

ATTACHMENT

Other Business application.

Application for "Other Business"

Cobb County, Georgia

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

BOC Hearing Date Requested: 9-18-18
OB-047-2018

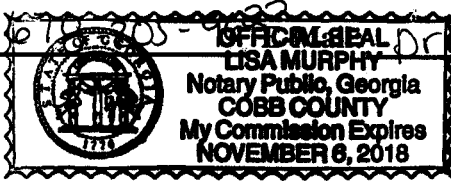
RECEIVED
AUG 14 2018
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Applicant: Broadlands Homeowners Ass'n, Inc.
(applicant's name printed) Phone #: 678 363 6479

Address: 624 Russetwood Lane
Powder Springs, GA 30127 E-Mail: DHINDES@allinonemgmt.com

Rick Miller Address: 4560 Willow Oaks Trail
(representative's name, printed)

[Signature]
(representative's signature) Phone #: 678-363-6479

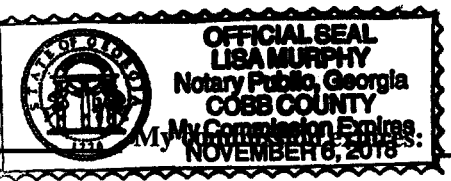


Signed, sealed and delivered in presence of:
[Signature] My commission expires: 11-6-2018
Notary Public

Titleholder(s): Broadlands Homeowners Ass'n Inc. Phone #: 678-363-6479
(property owner's name printed)

Address: 624 Russetwood Lane E-Mail: dhindes@allinonemgmt.com
Powder Springs, GA. 30127

[Signature]
(Property owner's signature)



Signed, sealed and delivered in presence of:
[Signature] My commission expires: 11-6-2018
Notary Public

Commission District: _____ Zoning Case: 289/993

Size of property in acres: 7.56 Original Date of Hearing: 9/21/93

Location: 624 Russetwood Lane
(street address, if applicable; nearest intersection, etc.)

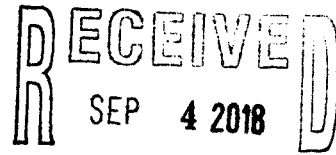
Land Lot(s): 136 District(s): 19th

State specifically the need or reason(s) for Other Business: To Address
a revised parking plan for a
clubhouse to obtain a CO for
a clubhouse

(List or attach additional information if needed)

September 4, 2018

Cobb County Zoning Division



OB-47
Revised
Request

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

RE: Broadlands Homeowners Association, Inc. – Revised Variance Application for “Other Business”

To Whom it May Concern:

The Broadlands Homeowners Association, Inc., (“HOA”) has filed an “other business” variance application with the County. Hearing is scheduled for September 18. This is a revised application request, which is described below and supported by supplemental drawings.

Revised request:

Our request is that the County waive the requirement for the minimum number of parking spaces. Currently, county code (134.201) requires 1 legal parking space for every 5 homes in the subdivision. We are currently 8 spaces short of this requirement. We are asking the County to waive the requirement **with regard to 4 spaces only**. This would leave us 4 spaces short of the minimum requirement.

Background

Upon further review of the parking situation in our neighborhood, and after lengthy discussions with affected homeowners, the Board of Directors of the HOA has determined that a revised application is necessary to better meet the needs of homeowners. The parking area, as currently designed, can accommodate 4 spaces without modification. Anything more than 4 spaces will encroach on green space next to the parking area. Also, adding additional parking in this area is likely to increase the incidence of crime and nuisance activity in this area, which is already prone to these types of incidents. Homeowners adjacent regularly call the police to report illegal and unsavory activities.

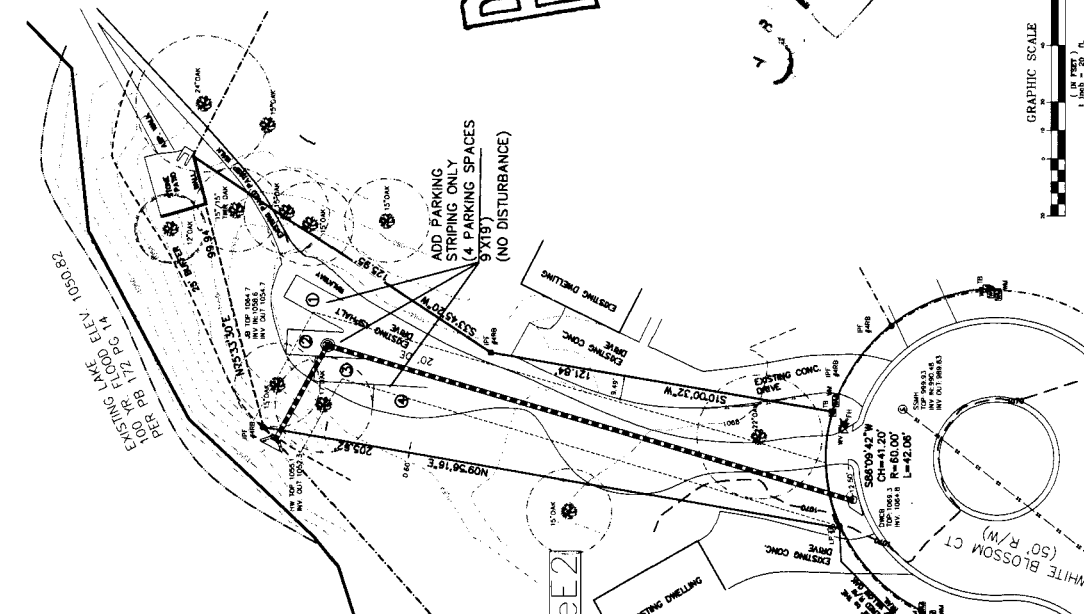
Also, the HOA is actively pursuing plans to build more parking near Site A of our permit. This would more than fulfill the minimum parking requirement and would more effectively address our parking needs.

Respectfully Submitted,

Broadlands Homeowners Association, Inc.

Rick Miller, President

NOTE: THIS SITE IS WITHIN 200' OF STATE WATERS
 SBT-S-ALT DOUBLE ROW SHALL BE PLACED ADJACENT TO ALL STATE WATERS
 NOTE: EXISTING WALK CONTIGUES AROUND LAKE
 NOTE: WATER LEVEL AT TIME OF SURVEY- 1046.4'
 NOTE: UTILIZE EXISTING DRIVEWAY FOR CONSTRUCTION EXIT



VARIANCE PLAN
SITE B-WHITE BLOSSOM CT
FCS ATLANTA, LLC
 SUBDIVISION: THE BROADLANDS
 LAND LOT 136, 19TH DISTRICT, 2ND SECTION
 COBB COUNTY, GEORGIA
 EXISTING ZONING: R-3

10,660 SQ FT
 0.24 ACRES

INDIVIDUAL DISTURBED AREA= 0.13 AC

CONCRETE PRO	
PROVIDER	CONCRETE PRO
PROVIDER	CONCRETE PRO
PROVIDER	CONCRETE PRO
PROVIDER	CONCRETE PRO
PROVIDER	CONCRETE PRO
PROVIDER	CONCRETE PRO

EXISTING IMPERVIOUS AREA= 4,615 SQ FT

RECEIVED
SEP 4 2018
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

REVISED

LEGEND:

AS	ASBESTOS	OT	OPEN TOP POND
BT	BURIED TRENCH	RE	REINFORCING BAR (REBAR)
CB	CARPED	SB	SHOULDER BARRIERS
CC	CURB	SW	SWITCH
CD	CONCRETE DRIVE	TR	TRENCH
CE	CONCRETE EASEMENT	UP	UPPER
CF	CONCRETE FENCE	VS	VISIBILITY SIGN
CG	CONCRETE GRASS	WA	WATER VALVE
CH	CONCRETE HATCH	WC	WATER CURB
CI	CONCRETE INLET	WD	WATER DRAIN
CJ	CONCRETE JUNCTION	WE	WATER EASEMENT
CK	CONCRETE KICK	WF	WATER FLOW
CL	CONCRETE LAWN	WG	WATER GRASS
CM	CONCRETE MANTLE	WH	WATER HOSE
CN	CONCRETE NAIL	WI	WATER ILLUMINATION
CO	CONCRETE OIL	WJ	WATER JUNCTION
CP	CONCRETE PAVEMENT	WK	WATER KICK
CQ	CONCRETE QUARRY	WL	WATER LAWN
CR	CONCRETE ROAD	WM	WATER MANTLE
CS	CONCRETE SIDEWALK	WN	WATER NAIL
CT	CONCRETE TRENCH	WO	WATER OIL
CU	CONCRETE UNDER	WP	WATER PAVEMENT
CV	CONCRETE VALVE	WQ	WATER QUARRY
CW	CONCRETE WALL	WR	WATER ROAD
CX	CONCRETE WALK	WS	WATER SIDEWALK
CY	CONCRETE YARD	WT	WATER TRENCH
CZ	CONCRETE ZONE	WU	WATER UNDER

EROSION AND SEDIMENT CONTROL LEGEND
 (FOR DETAILS SEE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA, FIFTH EDITION)

STRUCTURAL PRACTICES

SB-1	SEDIMENT BARRIER-TYPE SENSITIVE FABRIC HEIGHT: 28", STEEL POST
SB-2	SEDIMENT BARRIER-TYPE SENSITIVE WOVEN WIRE FENCE BACKING
SB-3	SEDIMENT BARRIER-TYPE SENSITIVE POST AT 6' O.C. MAX
SB-4	INLET SEDIMENT TRAP (FGS IN A BLANKET)
SB-5	INLET SEDIMENT TRAP (WITH FENCING)
SB-6	TEMPORARY SEDIMENT TRAP
SB-7	EROSION CONTROL MATING BLANKETS
SB-8	CHECK DAM MAT/BALE

VEGETATIVE MEASURES

SD-1	DUST CONTROL ON DISTURBED AREAS
SD-2	DISTURBED AREA STABILIZATION (WITH MULCHING)
SD-3	DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION)
SD-4	DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION) (WITH MULCHING)
SD-5	DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION)

CONCRETE WASH AREA

NOTE: THIS LOT HAS A REQUIREMENT TO PLANT FOUR SHADE TREES. THESE TREES MUST BE PLANTED IN THE FRONT YARD WITH AT LEAST ONE TREE TO BE THREE IN CALIPER PLANTED IN THE REAR YARD WITH A MINIMUM OF TWO INCHES CALIPER. THESE TREES MUST BE CERTIFIED BY AN OCCUPANCY INSPECTOR AND SHALL NOT BE RELEASED UNLESS THE TREES ARE PLANTED.

TERTIARY PERMITTEES ARE NOT REQUIRED TO...
 SITE IS LESS THAN 5 ACRES
 DISTURBED

NOTE: THE RESPONSIBILITY OF THE BUILDER TO MEET ZONING REQUIREMENTS:
 -NO DECKS, PATIOS, OR PERMANENT STRUCTURES PERMITTED IN BUFFERS OR EASEMENTS.
 -UNLESS OTHERWISE NOTED, ALL STORM, AND WATER STRUCTURES ARE EXISTING
 -THE BUILDER MUST ENSURE THAT ALL IMPERVIOUS RUNOFF AND/OR DRAINAGE EASEMENTS DRAIN TO THE STREET AND NOT ONTO OTHER LOTS
 -SITE A, 632 RUSSETWOOD LANE, IS ALSO OWNED BY BROADLANDS AND SHALL BE GRADED SIMULTANEOUSLY

IF YOU DIG GEORGIA...
 CALL US FIRST!
 1-800-282-7411
 UTILITIES PROTECTION CENTER
 IT'S THE LAW!

GSNCC
 GEORGIA STATE NATURE CONSERVATION COMMISSION
 THOMAS EDWARD REELEY, JR.
 LICENSE # CERTIFIED DESIGN PROFESSIONAL
 0000000498
 EXPIRES: 01/24/2018

3595 Canton Road
 Marietta, GA 30066
 (678) 355-9808
 www.frontlinelandsurveying.com

DATE OF FIELD SURVEY	09/20/18
DATE OF RECORDING	09/20/18
SCALE	1" = 20'
PROJECT	DBA FORTEBERRY CONSTRUCTION SERVICES LLC
PARCEL NO.	1914 DISTRICT
LOT NO.	136
SECTION	2
TOWNSHIP	19TH DISTRICT
COUNTY	COBB COUNTY
STATE	GEORGIA
DRAWN BY	FRONTLINE
CHECKED BY	FRONTLINE
DATE	09/20/18

OB-47 reused site plan

Cobb County

(type or print clearly)

Application No. 289
Hearing Date: 8-17-53

Applicant Mr Rice + Stolz Inc Business Phone 340-2555 Home Phone 250-1044

Will Stolz Address Three Acornia Suite 1420 Atlanta 30
(representative's name, printed)

[Signature] Business Phone 340-2555
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

RECEIVED
AUG 14 2018
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Notary Public, Jackson County, Georgia
My Commission Expires Oct. 4, 1994

Titleholder Shirley of Neelyton Business Phone 948-5228 Home Phone 459 1011

Signature [Signature] Address 840 Midway Rd
(attach additional signatures, if needed) Powder Springs Ga 30073

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

Notary Public, Douglas County, Georgia
My Commission Expires Feb. 4, 1995
My commission expires: Renewed to PRD on 2-15-99

Zoning Request From R-30 to ~~PRD~~ ~~to~~ ~~Stark~~
(present zoning) (proposed zoning) R-20-C

For the Purpose of subdivision Size of Tract 144 Acre(s)
(subdivision, restaurant, warehouse, apt., etc.)

Location Midway Rd

Land Lot(s) 86, 87, 88, 136, 137, 160, 161 District 19th
(street address, if applicable; nearest intersection, etc.)

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are/are no such assets. If any, they are as follows:

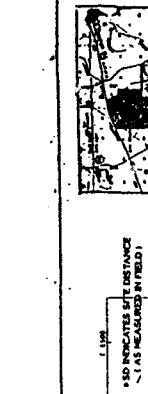
COPY

[Signature]
(applicant's signature)

We have investigated the site as to the existence of any cemetery located on the above property. I hereby certify that there is/is not such a cemetery. If any, they are as follows:

original missing - see book for allocations from 8/93 through 2/94

[Signature]
(applicant's signature)



ATTACHMENT A

TABLATIONS

TOTAL AREA	143.3 AC.
TOTAL LOTS	251
AVERAGE LOT SIZE	17,500 S.F.
MINIMUM LOT SIZE	12,250 S.F.
DENSITY OF DEVELOPMENT WILL NOT EXCEED	1.75 LOTS PER ACRE
REQUIRED MINIMUM OPEN SPACE	3.6 AC.
NUMBER OF LOTS > 510 S.F.	

OPEN SPACE PROVIDED INCLUDES:

- GREEN BELT
- AMENITY AREAS
- TREES

TOTAL OPEN SPACE PROVIDED 36.0 AC.

NOTE: MORE THAN 10% OF REQUIRED MINIMUM OPEN SPACE LIES OUTSIDE THE FLOODPLAIN/WETLAND AREAS.

- GENERAL NOTES:
 - ALL COMMON AREAS AND 10% OF EACH ISLAND WILL BE MAINTAINED BY HOMEOWNERS ASSOCIATION.
 - ALL AREAS ARE MEASURED BY THE PLANIMETER.
 - THE FLOOD AND ARE APPROPRIATE ONLY.
 - 510 S.F. MINIMUM HOUSE SIZE.
- AREA EXCLUDES ROADS, R/W AND FLOOD PLAIN

PLANNING INFORMATION SHEET

Project Name: [Blank]

Project No: [Blank]

Site Location: [Blank]

City: [Blank]

County: [Blank]

State: [Blank]

Date: [Blank]

Author: [Blank]

Checker: [Blank]

Scale: [Blank]

North Arrow: [Blank]

Project Description: [Blank]

Project Location: [Blank]

Project Status: [Blank]

Project Contact: [Blank]

Project Phone: [Blank]

Project Fax: [Blank]

Project Email: [Blank]

Project Website: [Blank]

Project Address: [Blank]

Project City: [Blank]

Project State: [Blank]

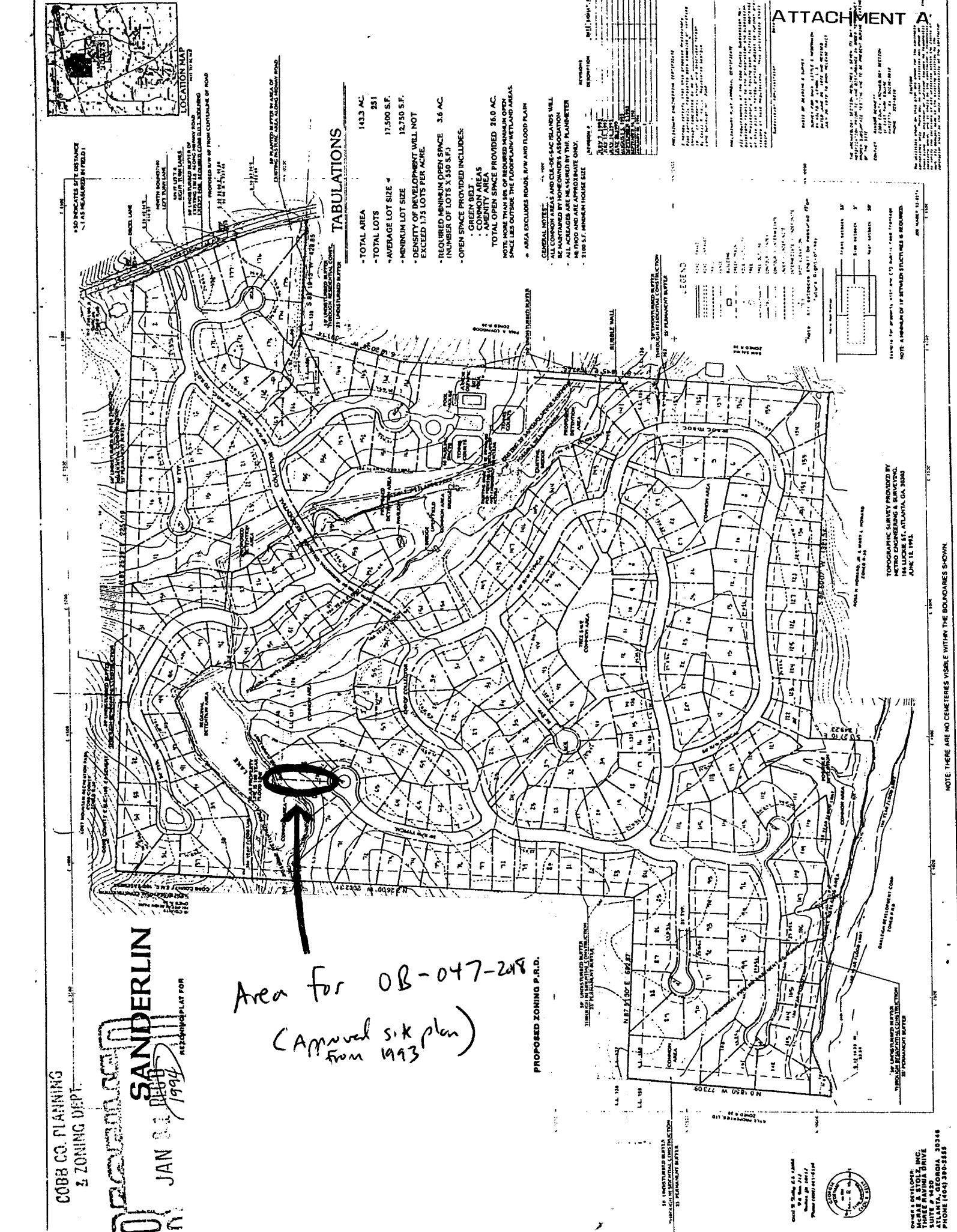
Project Zip: [Blank]

Project Country: [Blank]

Project Postal Code: [Blank]

Project Latitude: [Blank]

Project Longitude: [Blank]



COBB CO. PLANNING & ZONING DEPT.

SANDERLIN

JAN 01 1994

Area for OB-047-248
(Approved s.i.k plan from 1993)

PROPOSED ZONING P.R.D.

TOPOGRAPHIC SURVEY PROVIDED BY [Blank] AT ATLANTA, GA. 1993.

NOTE: A NUMBER OF IF BETWEEN STRUCTURES IS REQUIRED.

NOTE: THERE ARE NO METERS VISIBLE WITHIN THE BOUNDARIES SHOWN.

OWNER'S DEVELOPER: [Blank]

ATLANTA, GEORGIA 30348

PHONE (404) 380-2855

Minutes of the meeting of the Cobb County Planning Commission and the Cobb County Board of Commissioners held on **February 15, 1994** in the Second Floor Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

**RECONSIDERATION OF APPLICATION Z-89 OF 1993 (MCRAE AND STOLZ, INC.)
TO CONSIDER REQUEST TO REZONE PROPERTY TO THE PRD ZONING DISTRICT**

To consider request for reconsideration and rezoning of property to the PRD zoning district. Subject property was deleted to a "straight" R-20 zoning classification without additional stipulations at the September 21, 1993 Zoning Hearing. Property is located in Land Lots 86, 87, 88, 136, 137, 160 and 161 of the 19th District, on the west side of Midway Road, south of Dallas Highway.

Following a public hearing, the Board of Commissioners offered the following motion: **MOTION:** Motion to rezone property (application #Z-89 of 1993 -- McRae and Stolz, Inc.) to the PRD zoning district to site plan submitted dated February 11, 1994 and further subject to: 1) letter of agreeable conditions dated February 14, 1994, marked as Exhibit "A"; 3) all "applicable" Staff recommendations to remain in effect; 4) dismissal of any pending litigation; 5) development to meet all PRD requirements (this includes but is not limited to meeting requirement of 15 feet between structures and no additional setback variances). Motion by Wysong, second by Poole, carried 4-1, Cooper opposed. **CLERK'S NOTE:** A substitute motion by Cooper to uphold the previous ruling of the Board of Commissioners that rezoned property to a "straight" R-20 zoning district, died due to the lack of a second.

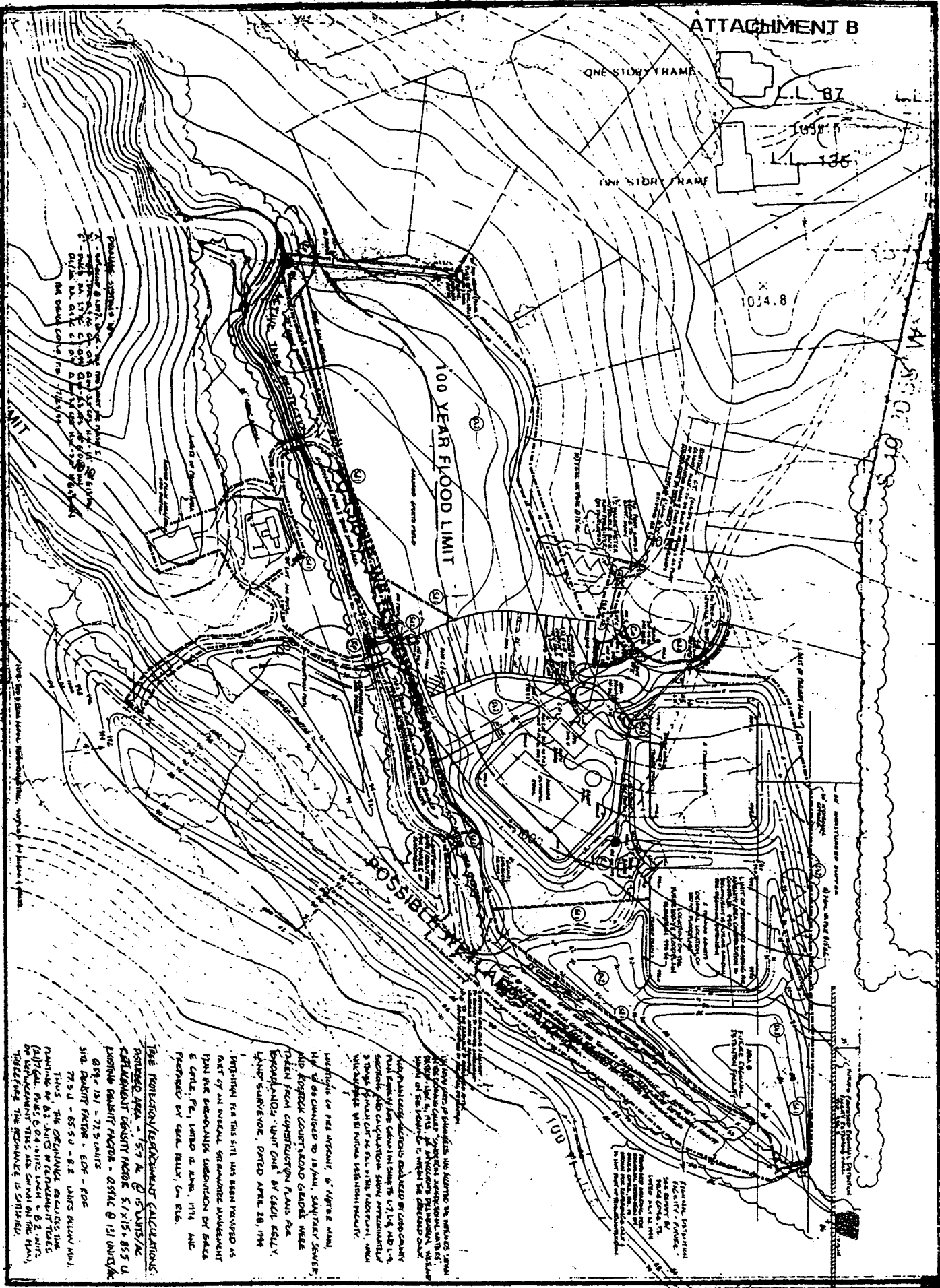
*See attached page for
minutes of 8-16-94*

Minutes of the meeting of the Cobb County Board of Commissioners Zoning Hearing held on August 16, 1994 in the Second Floor Commissioners' Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

**REQUEST SITE PLAN AMENDMENT FOR MCRAE AND STOLZ - APPLICATION Z-89
ORIGINALLY HEARD ON AUGUST 17, 1993**

To consider a site plan amendment for McRae and Stolz for Broadlands amenity area, Application Z-89, originally heard on August 17, 1993, located on the west side of Midway Road, in Land Lots 86, 87, 136, 137, 160 and 161 of the 19th District.

Following a brief presentation by Mark Danneman and confirmation by Mr. Danneman that the affected adjoining property owner does not object to the request, the Board of Commissioners **approved** site plan amendment for the relocation of the recreation area (revise layout of the pool and tennis areas) **subject to: 1) amenity area site plan marked as Exhibit "B"; 2) all other previously approved conditions to remain in effect.** Motion by Poole, second by Wysong, carried 5-0.



PROPOSED SITE PLAN
 1. ALL EXISTING UTILITIES TO BE MAINTAINED AND PROTECTED.
 2. ALL NEW UTILITIES TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF ATLANTA UTILITIES DEPARTMENT SPECIFICATIONS.
 3. ALL UTILITIES TO BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.
 4. ALL UTILITIES TO BE PROTECTED BY CONCRETE OR METAL CASING.
 5. ALL UTILITIES TO BE MARKED WITH REFLECTOR PIPES AT 10' INTERVALS.
 6. ALL UTILITIES TO BE MAINTAINED AND PROTECTED THROUGHOUT THE LIFE OF THE PROJECT.

100 YEAR FLOOD LIMIT

POSSIBLE FUTURE DEVELOPMENT

THE PROTECTION/REPAIRMENT CALCULATIONS:
 PROPOSED AREA - 57 AC @ 15 UNITS/AC
 EXISTING DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC
 PROPOSED DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC
 PROPOSED DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC
 PROPOSED DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC

THE PROTECTION/REPAIRMENT CALCULATIONS:
 PROPOSED AREA - 57 AC @ 15 UNITS/AC
 EXISTING DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC
 PROPOSED DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC
 PROPOSED DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC
 PROPOSED DENSITY FACTOR - 0.57 AC @ 15 UNITS/AC

	GRADING, DRAINAGE, EROSION CONTROL, TREE PROTECTION AND UTILITY PLAN BROADLANDS AMENITY AREA COBB COUNTY, GEORGIA		PREPARED BY: ROBERT H. HINES ENGINEER 10000 10000 10000
	SHEET L-2 OF 9	DATE: 10/15/11 SCALE: AS SHOWN PROJECT NO.: 11-00000	

McRae & Stolz, Inc.

THREE RAVINIA DRIVE
SUITE 1420
ATLANTA, GEORGIA 30546
404/390-2555
Fax: 404/390-2556

July 27, 1994

Mrs. Judy Williams
Cobb County Planning and Zoning Dept.
100 Cherokee Street
Suite 500
Marietta, GA 30090-9674

RE: Broadlands Amenity Area plan prepared by Reece
Hoopes and Fincher dated July 13, 1994


Dear Judy:

Please consider this letter as a request for an administrative variance. The purpose of the variance is to facilitate the approval of the above referenced set of plans. As you have noted, the plans we have submitted do not match the original plan as it was zoned. The primary difference is that we have changed the layout of the pool/tennis area.

When we spoke on the phone, you said it would be helpful if we had the consent of Paul Lovingood who is the adjoining property owner. I have discussed this with Mr. Lovingood and he is prepared to support our request. If you need to confirm his support, he can be reached at 428-1878.

Should you have questions regarding our request, please do not hesitate to contact me.

Sincerely,



Will Stolz

WS/ds

289 of 1993
 EXHIBIT "B" - as referenced in zoning minutes of 8-16-94 (CM)

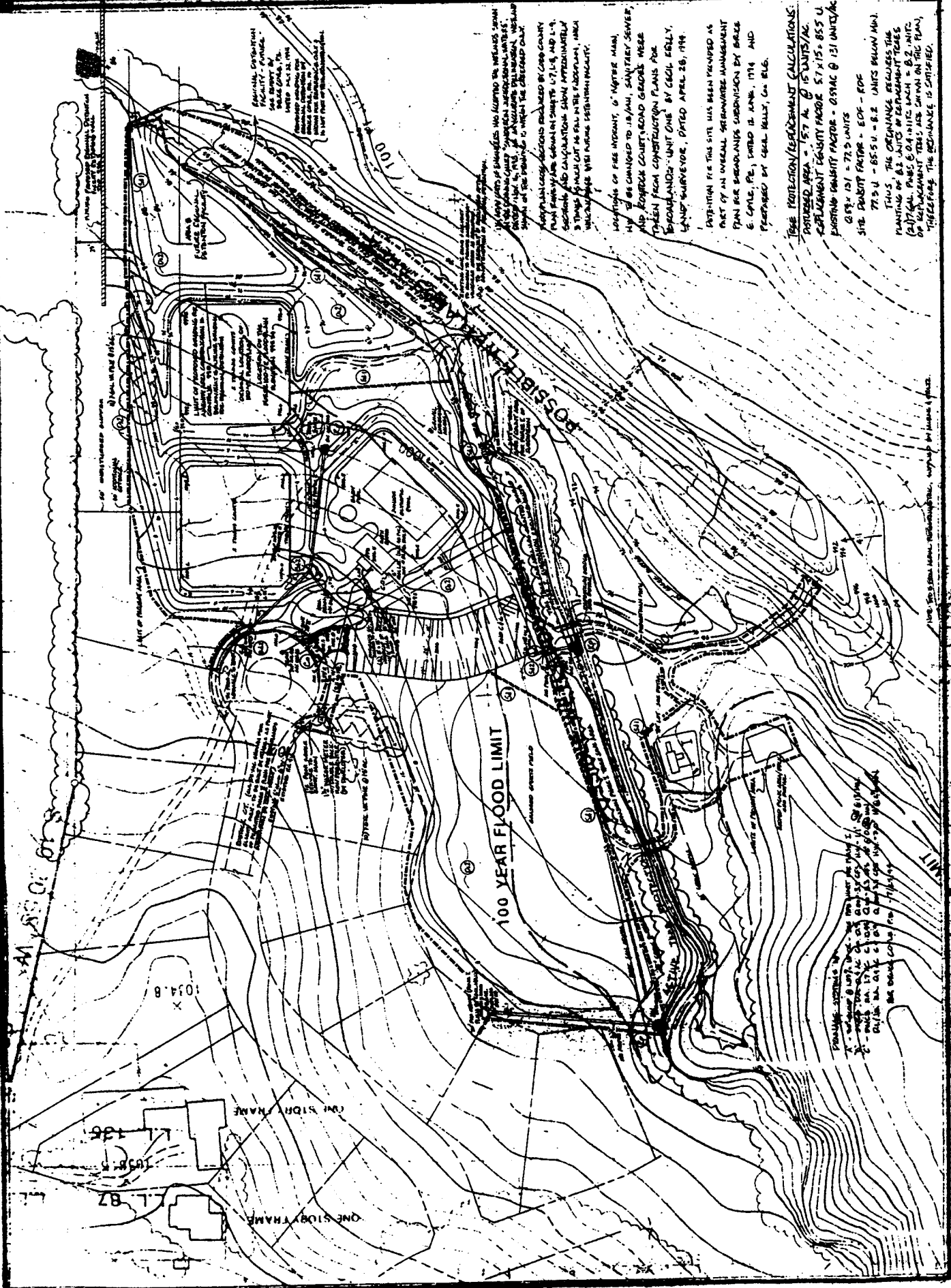
BROADLANDS AMENITY AREA
 COCS COURT, GEORGIA

GRADING, DRAINAGE, EROSION CONTROL, TREE PROTECTION AND UTILITY PLAN



DATE	10/1/88
BY	...
CHECKED	...
SCALE	AS SHOWN
SHEET	1 OF 2

L-2
 OF 9



NOTE: THIS IS A PRELIMINARY PLAN. REVISIONS WILL BE MADE AS NECESSARY.

**AUGUST 16, 1994 ZONING HEARING
OTHER BUSINESS**

ITEM #3

PURPOSE

To consider a site plan amendment for McRae and Stoltz for Broadlands amenity area, Application Z-89, originally heard on August 17, 1993, located on the west side of Midway Road, in Land Lots 86, 87, 136, 137, 160 and 161 of the 19th District.

BACKGROUND

The purpose of this amendment is to revise layout of the pool and tennis areas. The pool and tennis court have basically been reversed. A copy of the original layout is attached (ATTACHMENT A). A copy of the proposed layout is attached (ATTACHMENT B). The request letter is also attached (ATTACHMENT C).

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider approval of the site plan amendment for the recreation area. All other previously approved conditions are to remain in effect.

ATTACHMENT

Original Site Plan (ATTACHMENT A)
Proposed Site Plan (ATTACHMENT B)
Request Letter (ATTACHMENT C)

MOORE & ROGERS

ATTORNEYS AT LAW

192 ANDERSON STREET

MARIETTA, GEORGIA 30060

JOHN H. MOORE
THOMAS H. ROGERS, III
STEPHEN C. STEELE
WILLIAM R. JOHNSON
ROBERT D. INGRAM
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
SARAH L. BARGO
SARA J. MURPHREE
DIANE M. BUSCH
JERE C. SMITH
CLAYTON O. CARMACK
JEFFREY A. WATKINS

POST OFFICE BOX 2325
MARIETTA, GEORGIA 30060

TELEPHONE
(404) 429-1499

TELECOPIER
(404) 429-8631

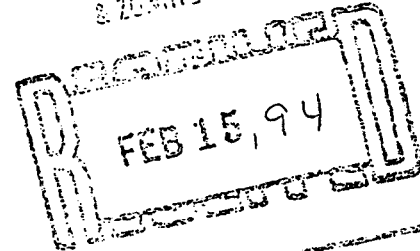
February 14, 1994

EXHIBIT "A"

as referenced in
Zoning Minutes

COBB CO. PLANNING
& ZONING DEPT.

2-15-94
C



Hand Delivered

Mr. Mark Danneman
Zoning Administrator
Cobb County Planning and Zoning Department
Suite 500
100 Cherokee Street
Marietta, GA 30090-9674

RE: Application No.: Z-89
Applicant: McRae & Stolz, Inc.
Property Owner: Shirley Y. Mykytyn
Property: 143.3 acres, more or less, located in
Land Lots 86, 87, 88, 136, 137,
160, 161, 19th District, 2nd Section
Cobb County, Georgia, being located on
Midway Road

Dear Mark:

Based on various meetings with the Board of Commissioners, Fred D. Bentley, Jr., in his capacity as County Attorney, Applicant and Owner, area residents, and staff, we wish to submit this letter of agreed stipulations and conditions which shall become a part of the requested zoning and binding upon the property if the zoning application is approved as submitted. This letter shall supersede and replace, in full, our letters to you dated August 16, 1993, and September 10, 1993.

- (1) The property shall be zoned to a PRD zoning classification pursuant to the Plan of Development prepared by Reece, Hoopes & Fincher, Land Planners, last revised February 11, 1994.
- (2) The property shall be developed for single-family residences on a maximum of 251 lots and a density of 1.75 units per acre.

MOORE & ROGERS

Mr. Mark Danneman
Zoning Administrator
Cobb County Planning and Zoning Department
Page Two
February 14, 1994

- (3) All residences constructed upon the property shall be traditional styling and shall contain a minimum square footage of 2,100 square feet.
- (4) The average lot size of the lots within the proposed subdivision shall be 17,650 square feet, excluding road, right-of-way, and flood plain.
- (5) Signage shall be monument style, ground based.
- (6) There shall be a 50 foot undisturbed restricted area during construction which shall reduce to a 25 foot undisturbed buffer after construction. This 25 foot buffer shall be included as a provision in the protective covenants which will be recorded with regard to the proposed subdivision. Excepting:
 - (a) That those lots immediately adjacent to the Cobb EMC power easement and Lost Mountain Park shall be restricted to a 30 foot undisturbed restricted area during construction;
 - (b) That there shall be a 50 foot undisturbed buffer along the area of the proposed subdivision separating the proposed amenities area from the property of Paul A. Lovingood;
 - (c) That there shall be a 50 foot undisturbed buffer along Midway Road and in the areas wherein there is no existing planting this area shall be planted; and
 - (d) The buffer set forth hereinabove may be disturbed to the extent necessary to provide for required storm water detention, including any facilities relating thereto.
- (7) Applicant agrees to dedicate to Cobb County and construct, at its cost, a northbound turn lane of travel adjacent to the subject property along Midway Road, all construction to be in compliance with Cobb County Ordinances.

MOORE & ROGERS

Mr. Mark Danneman
Zoning Administrator
Cobb County Planning and Zoning Department
Page Three
February 14, 1994

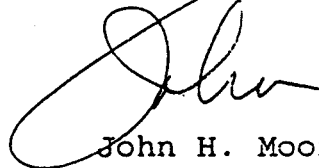
- (8) Applicant shall comply with the requirements set forth in that certain hydrology study by Bruce E. Coyle, Georgia Registered Professional Engineer, as submitted to Cobb County through Henry Mingledorf, together with any amendments to such plan, which are made in conjunction with Cobb County during development to control storm water runoff, such detention areas and detention facilities referenced on the site plan shall be used and constructed by Applicant during development of the proposed subdivision and shall be deleted, enlarged, or altered only upon requirement of Cobb County as determined during the development phase of the project.
- (9) Applicant, at its cost, agrees to construct an acceleration/deceleration lane adjacent to the subject property along Midway Road as required by the Cobb County Department of Transportation, such construction to be in conformance with existing Cobb County Ordinances.

We believe that the requested zoning, pursuant to the referenced site plan and the revised stipulations contained herein, will provide an enhancement to the property while preserving the ambience of the surrounding area. Thank you for your consideration in this matter.

With kindest regards, I remain

Very truly yours,

MOORE & ROGERS



John H. Moore

MOORE & ROGERS

Mr. Mark Danneman
Zoning Administrator
Cobb County Planning and Zoning Department
Page Four
February 14, 1994

c: Mr. Joe Murphy
Ms. Katherine Jackson
Mrs. Mary L. Howard

Cobb County Board of Commissioners:
William J. Byrne, Chairman
William A. Cooper
C. Freeman Poole
Joe L. Thompson
Gordon J. Wysong

Cobb County Planning Commission:
Henley A. Vansant, Chairman
Murray Homan
Richard M. Jones
Jerry Dawson
Jean Hallinan