

Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: ZONING DIVISION 18

RECEIVED
AUG 10 2018
OB-44-2018

Applicant: Radial Property Group Phone #: 770-364-1888
(applicant's name printed)

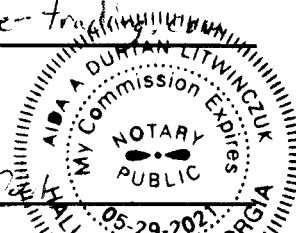
Address: 5704 Wayne Crest Dr., Flowery Branch, GA 30542 E-Mail: alex@wayne-trading.com

Alex Wayne Address: 5704 Wayne Crest Dr., Flowery Branch, GA 30542
(representative's name, printed)

[Signature] Phone #: 770 364 1888 E-Mail: alex@wayne-trading.com
(representative's signature)

Signed, sealed and delivered in presence of:

Aida A. Durian-Litwinczuk My commission expires: 05/29/2021
Notary Public



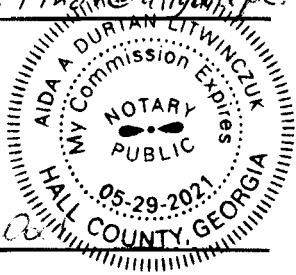
Titleholder(s): Tindels + Allgood, LLC Phone #: 678-614-3004
(property owner's name printed)

Address: 2540 Lawrenceville Hwy, Lawrenceville, GA E-Mail: perry.tindels@tindelsallgoodpc.com

[Signature]
(Property owner's signature)

Signed, sealed and delivered in presence of:

Aida A. Durian-Litwinczuk My commission expires: 05/29/2021
Notary Public



Commission District: 3 Zoning Case: Z-173 of 1999

Size of property in acres: .669 Original Date of Hearing: 12/21/99

Location: 1000 Piedmont Road, Marietta, GA
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 517 and 564 District(s): 16

State specifically the need or reason(s) for Other Business: Amend stipulation #2 to include Banks and financial institutions, Group homes, Nursery schools and child day care centers and Professional offices.

(List or attach additional information if needed)

OB-44-2018 Existing site plan

NO.	DATE	BY
1	07/10/18	JK
2	07/10/18	JK
3	07/10/18	JK
4	07/10/18	JK
5	07/10/18	JK
6	07/10/18	JK
7	07/10/18	JK
8	07/10/18	JK
9	07/10/18	JK
10	07/10/18	JK

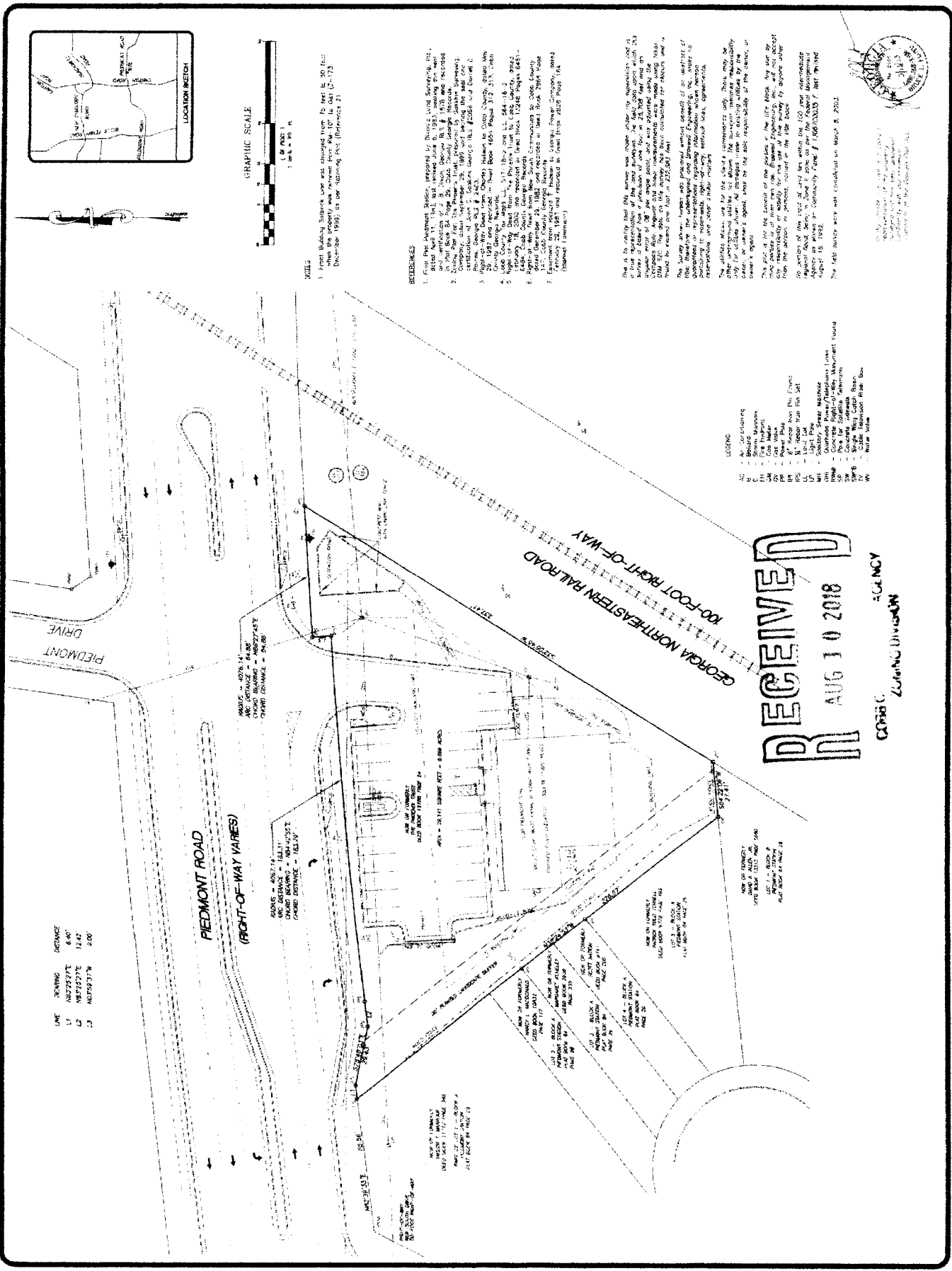
Boundary Survey For:
Tindor's and Algood, LLC

NOT APPROVED FOR CONSTRUCTION
 APPROVED FOR CONSTRUCTION



Land Lots 57 and 56A
16th District - 2nd Section
Cobb County, Georgia

NO.	DATE	BY
1	07/10/18	JK
2	07/10/18	JK
3	07/10/18	JK
4	07/10/18	JK
5	07/10/18	JK
6	07/10/18	JK
7	07/10/18	JK
8	07/10/18	JK
9	07/10/18	JK
10	07/10/18	JK



LINE	Bearing	Distance
L1	N87°55'27"E	6.46'
L2	N87°55'27"E	12.42'
L3	N87°55'37"W	5.00'

PEDMONT ROAD
(RIGHT-OF-WAY VARIES)

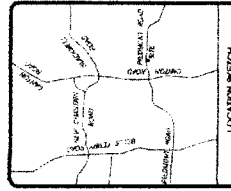
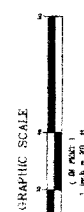
ARC DISTANCE = 4927.74'
ARC DISTANCE = 64.82'
CHORD DISTANCE = 183.20'

ARC DISTANCE = 143.17'
CHORD DISTANCE = 183.20'

GEORGIA NORTHEASTERN PARKWAY
100-FOOT RIGHT-OF-WAY

RECEIVED
AUG 10 2018
Cobb County
Zoning Division

AGENCY
Zoning Division



1. From Public Survey, prepared by Bruce Lind Surveying, Inc., dated 11/15/17, showing the location of the subject property as shown on the plat of the same, recorded in Cobb County, Georgia, Book 125, Page 144, and as shown on the plat of the same, recorded in Cobb County, Georgia, Book 125, Page 144, and as shown on the plat of the same, recorded in Cobb County, Georgia, Book 125, Page 144.

REFERENCES

1. From Plat of Survey, prepared by Bruce Lind Surveying, Inc., dated 11/15/17, showing the location of the subject property as shown on the plat of the same, recorded in Cobb County, Georgia, Book 125, Page 144, and as shown on the plat of the same, recorded in Cobb County, Georgia, Book 125, Page 144, and as shown on the plat of the same, recorded in Cobb County, Georgia, Book 125, Page 144.
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It is to be noted that this survey was made under the supervision and in the presence of the undersigned, who is a duly licensed Professional Engineer in the State of Georgia, and who is hereby certifying that the same is true and correct in all particulars.

The undersigned hereby certifies that the same is true and correct in all particulars, and that he is a duly licensed Professional Engineer in the State of Georgia, and who is hereby certifying that the same is true and correct in all particulars.



This plat was prepared by the undersigned on August 8, 2018.

Application for Rezoning Cobb County

COBBLAND DIVISION
ZONING AGENCY

RECEIVED
AUG 10 2018

Application No. 2-173
PC Hearing: 12-7-99
BOC Hearing: 12-21-99

Applicant The Phoenix Trust Business Phone 770/422-7016 Home Phone _____
SAMS & LARKIN, LLP
Garvis L. Sams, Jr. Address 376 Powder Springs Street, Suite 100
Marietta, Georgia 30064

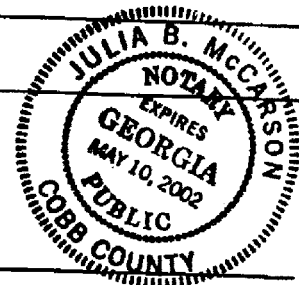
(representative's name, printed)

(representative's signature)

Signed, sealed and delivered in presence of:

Julia B. McCarson
Notary Public

My commission expires: _____



Titleholder The Phoenix Trust Business Phone 770/422-7016 Home Phone _____

Signature By: Monty G. White, Jr. Address c/o Sams & Larkin, LLP
(attach additional signatures, if needed) 376 Powder Springs Street, Suite 100
Marietta, Georgia 30064

Signed, sealed and delivered in presence of:

Julia B. McCarson
Notary Public

My commission expires: 5/10/2002

Zoning Request From RM10-T (present zoning) to Office & Institutional (O&I) (proposed zoning)

For the Purpose of Office building Size of Tract 0.71 Acre(s)
(subdivision, restaurant, warehouse, apt., etc.)

Location Southerly side of Piedmont Road, west of the L&N Railroad
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 517 & 564 District 16th

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:

THE PHOENIX TRUST
By: Monty G. White, Jr. (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:

THE PHOENIX TRUST
By: Monty G. White, Jr. (applicant's signature)

ORIGINAL DATE OF APPLICATION: 12-21-99APPLICANTS NAME: THE PHOENIX TRUSTTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 12-21-99 ZONING HEARING:**

THE PHOENIX TRUST for Rezoning from **RM-10T** to **OI** for the purpose of an Office Building in Land Lots 517 and 564 of the 16th District. Located on the south side of Piedmont Road, west of L & N Railroad. Mr. Garvis Sams, representative for The Phoenix Trust, provided information regarding rezoning request. The applicant agreed to delete request to the LRO zoning district. Following presentation and discussion, the Board of Commissioners **deleted** rezoning to the LRO zoning district subject to: **1) letter of agreeable stipulations/conditions from Mr. Sams dated November 8, 1999 (copy of letter attached and made a part of these minutes); 2) six foot wooden opaque privacy fence to be approved by Plan Review staff.** Motion by Olens, carried 5-0.

SAMS & LARKIN
A LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064

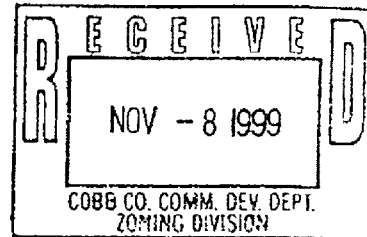
GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
M. KYLE GREENE
DAVID Y. KWON
OF COUNSEL
DAVID P. HARTIN

November 8, 1999

(770) 422-7016
TELEPHONE
(770) 426-6583
FACSIMILE
SAMSLARKIN@AOL.COM
E-MAIL

VIA HAND DELIVERY

Mr. Edwin L. Thomas, Jr., Principal Planner
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661



Re: Application of The Phoenix Trust to Rezone a 0.71 Acre Tract from
RM-10T to O&I (No. Z-173)

Dear Ed:

This firm has been engaged by and represents The Phoenix Trust which is the applicant and property owner concerning the above-captioned application for rezoning. The application is scheduled to be heard by the Cobb County Planning Commission on December 7, 1999 and, thereafter, by the Cobb County Board of Commissioners on December 21, 1999.

Consistent with the dialogue established with staff during the pendency of the application, my client has authorized me to submit this letter of agreeable stipulations. Upon the zoning application being approved, as submitted or revised, the following stipulations shall become conditions and a part of the requested rezoning and shall be binding upon the subject property thereafter:

1. Deletion to the Low Rise Office (LRO) classification.
2. Utilization of the subject property only for the following use under the LRO classification:
Offices for heating and air conditioning business.
3. Architectural style of the office shall be residential in appearance and style with pitched roof.

Petition No. Z-173 of 1999
Meeting Date Dec. 21, 1999
Continued

VIA HAND DELIVERY

Mr. Edwin L. Thomas, Jr., Principal Planner
Cobb County Zoning Department
Page 2
November 8, 1999

4. Landscaping for the proposed development shall be pursuant to a specific landscape plan which shall be submitted during the Plan Review process and subject to the staff and Arborist's review and approval, including the following:
 - a. Dumpsters shall be incorporated into the landscape plan and shall be screened on at least three (3) sides consistent with the architectural theme and composition as aforementioned. All dumpsters shall have rubber lids and bumpers to minimize noise or, in lieu of dumpsters, the applicant may utilize at grade trash compaction facilities which shall also be screened.
 - b. HVAC and mechanical systems shall be incorporated into the landscape plan and screened from view.
 - c. Subject to staff and the Arborist's recommendations concerning the erection of any fencing (6 foot wooden opaque privacy fence) or landscaping between the subject property and the RM-10T development to the west.
 - d. No outside storage.
5. Subject to recommendations from the Stormwater Management Division with respect to the ultimate location and configuration of detention facilities on the site.
6. Compliance with all Cobb County Development Standards and Ordinances related to project improvements, except as otherwise approved by the Board of Commissioners.
7. Subject to recommendations of the Cobb County Department of Transportation, including the following:
 - a. The construction of a deceleration lane and sidewalk.
 - b. Verification of minimum sight distance of 475 feet or the implementation of remedial measures in order to mitigate same.

SAMS & LARKIN
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-173 of 1999
Meeting Date Dec. 21, 1999
Continued

VIA HAND DELIVERY

Mr. Edwin L. Thomas, Jr., Principal Planner
Cobb County Zoning Department
Page 3
November 8, 1999

- c. Entering into a Development Agreement, pursuant to O.C.G.A. §36-71-13, for the dedication of the foregoing system improvements to mitigate traffic concerns.
 - d. It is the applicant's understanding that DOT does not require additional right-of-way along Piedmont Road.
8. Signage shall be ground based, monument style consistent with the architectural theme. There shall be no flashing sign components and no exterior illumination of the sign by remote floodlighting.
 9. All exterior lighting shall consist of shoe box type, environmentally sensitive lighting with any lighting being shielded to prevent outward illumination.

Please let me know if there are any further stipulations/conditions of zoning which you think would be appropriate from a land use planning perspective or if you and the staff require any additional information or documentation prior to formulating your ultimate recommendation to the Planning Commission and the Board of Commissioners.

Very truly yours,

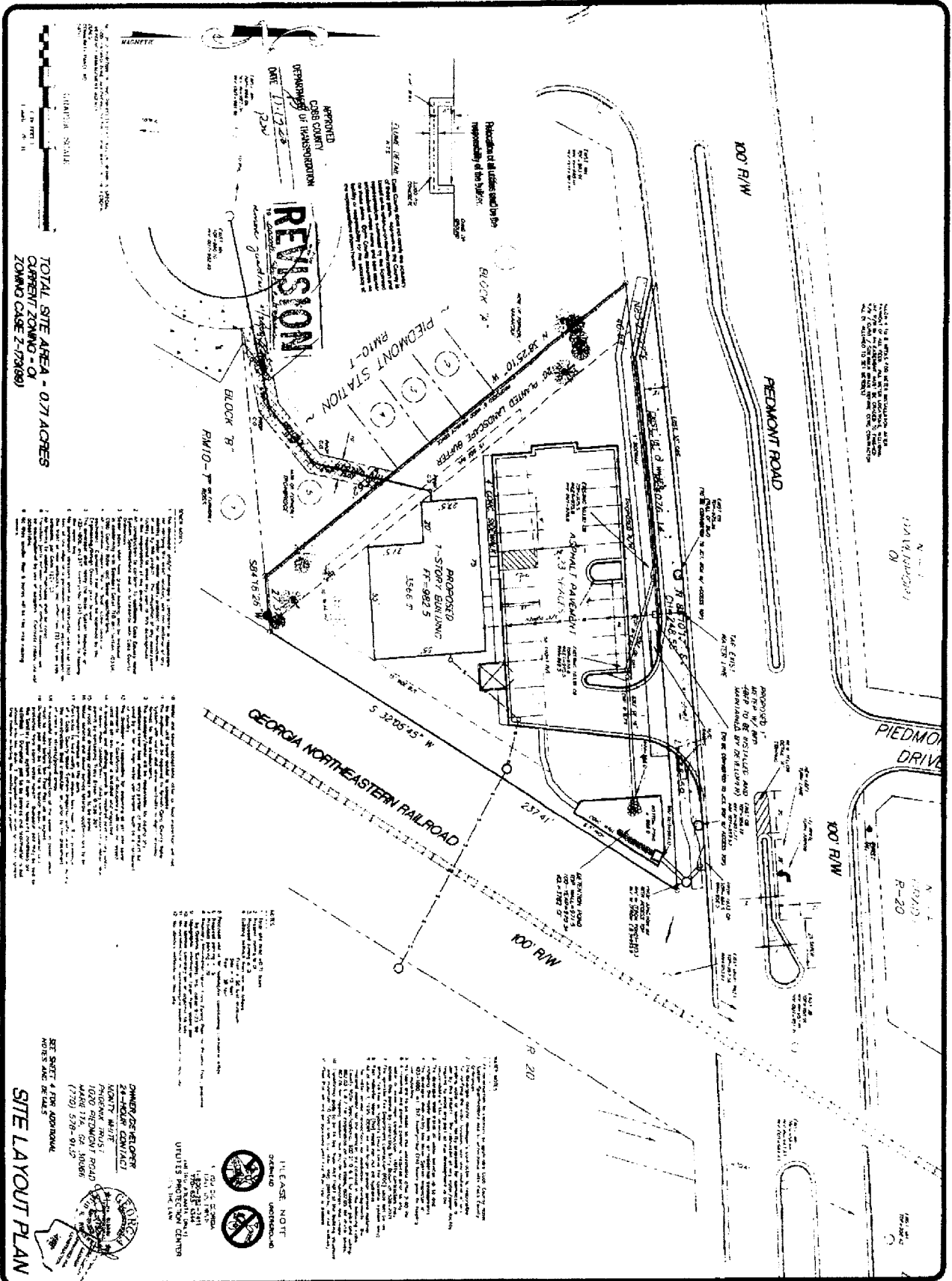
SAMS & LARKIN, LLP



Garvis L. Sams, Jr.

GLSjr/jbmc

- cc: Members, Cobb County Board of Commissioners
- Members, Cobb County Planning Commission
- Ms. Karen King, Deputy Clerk
- Mr. David V. Poteet
- Ms. Vicky Plunkett
- Mr. Monty G. White, Jr.



TOTAL SITE AREA - 0.71 ACRES
 CURRENT ZONING - O1
 ZONING CASE Z-779(88)

REVISION

APPROVED
 COBB COUNTY
 DEPARTMENT OF TRANSPORTATION
 DATE 11/13/23
 BY [Signature]

NOTES:

1. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE 7.5 ACRES OF LAND SHOWN ON THIS PLAN.
2. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE 7.5 ACRES OF LAND SHOWN ON THIS PLAN.
3. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE 7.5 ACRES OF LAND SHOWN ON THIS PLAN.
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9. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE 7.5 ACRES OF LAND SHOWN ON THIS PLAN.
10. THE PROPOSED OFFICE BUILDING IS TO BE CONSTRUCTED ON THE 7.5 ACRES OF LAND SHOWN ON THIS PLAN.

PHENIX DEVELOPMENT
 10200 PIEDMONT ROAD
 WARE 17A, GA 30066
 (770) 578-9125

UTILITY PROTECTION CENTER
 10200 PIEDMONT ROAD
 WARE 17A, GA 30066
 (770) 578-9125

SEE SHEET 4 FOR APPROVAL NOTES AND DETAILS

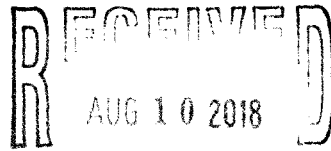
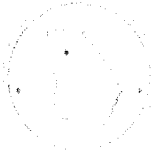
SITE LAYOUT PLAN

THE PHOENIX TRUST
 PROPOSED OFFICE BUILDING

APPROVED FOR CONSTRUCTION
 APPROVED FOR CONSTRUCTION

LAND LOTS 517 AND 564
 16TH DISTRICT
 2ND SECTION
 COBB COUNTY, GEORGIA

NO.	DATE	DESCRIPTION
1	11/13/23	APPROVED FOR CONSTRUCTION
2		
3		
4		
5		
6		
7		
8		
9		
10		



Printed: 8/9/2018

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

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

TINDOLS ALLGOOD LLC

TINDOLS & ALLGOOD LLC

Payment Date: 9/29/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due	
2017	16056400940	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	\$4,915.34	\$0.00



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