

(Site Plan and Stipulation Amendment)
Application for "Other Business"

Cobb County, Georgia

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

OB Application No.: OB- 46 -2018

BOC Hearing Date Requested: September 18, 2018

Applicant: KJT Properties, LLC Phone #: (770) 403-4566
(applicant's name printed)

Address: Bldg. 100, 3225 Shallowford Road, Marietta, GA 30062 E-Mail: jredford1952@gmail.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: [Signature] Phone #: (770) 429-1499 E-Mail: jkm@mijs.com
(representative's signature) Georgia Bar No. 519728

Signed, sealed and delivered in presence of:

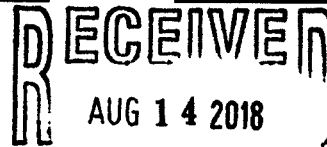
Carolyn E. Cook My commission expires: January 10, 2019
Notary Public



Titleholder(s): KJT Properties, LLC Phone #: (770) 403-4566
(property owner's name printed)

Address: Bldg. 100, 3225 Shallowford Road, Marietta, GA 30062 E-Mail: jredford1952@gmail.com

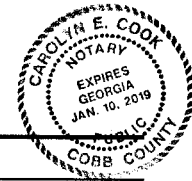
BY: [Signature]
(Property owner's signature) James R. Redford, Manager



Signed, sealed and delivered in presence of:

Carolyn E. Cook My commission expires: January 10, 2019
Notary Public

COBB COUNTY ZONING DIVISION



Commission District: 2 (Ott) **Zoning Case:** Z-92 (2015)

Size of property in acres: 4.38+/- **Original Date of Hearing:** 10/20/2015

Location: Northwesterly side of Childers Road; south of Monet Drive
(street address, if applicable; nearest intersection, etc.) (formerly 3383 and portion of 3363 Childers Road)

Land Lot(s): 28 **District(s):** 1st

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

See Exhibit "A" attached hereto and incorporated herein by reference.

EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(SITE PLAN AND STIPULATION AMENDMENT)

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AUG 14 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

OB Application No.:	OB- <u>46</u> -2018
Application No.:	Z-92 (2015)
Original Hearing Date:	October 20, 2015
Current Hearing Date:	September 18, 2018

Applicant/Property Owner: KJT Properties, LLC

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

KJT Properties, LLC, as Applicant and Property Owner in this Application for "Other Business" (hereinafter collectively "Applicant"), is the owner of approximately 4.38 acres of real property located on the northwesterly side of Childers Road, south of Monet Drive, being formerly known as 3383 Childers Road and a portion of 3363 Childers Road, Land Lot 28, 1st District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). On October 20, 2015, the Cobb County Board of Commissioners approved development of the Property to the R-15 zoning classification, with the final site plan to be approved by the District Commissioner. On or about August 25, 2016, then District Commissioner JoAnn Birrell approved a Site Plan for development of the Property. On February 5, 2018, now District Commissioner Bob Ott approved a revised Site Plan for development of the Property. Copies of the Site Plans previously approved by the District Commissioners are submitted with this Application for "Other Business"; and reduced copies of the approved site plans are attached collectively hereto as Exhibit "1" and incorporated herein by reference.

Applicant, in completing development plans for the single-family residential community, seeks approval by the Cobb County Board of Commissioners for revisions to the previously approved Site Plans and amendments to certain stipulations and conditions related to development of the Subject Property. With this Application for "Other Business," Applicant presents for approval the revised Site Plan prepared for Applicant by WK Dickson, last revised April 6, 2018, a reduced copy of which is attached hereto as Exhibit "2," for ease of reference, and is further submitted with the overall Application package. Applicant specifically seeks amendment to the Site Plan as follows:

- (1) Reduce the required front setback from thirty-five (35) feet to twenty-five (25) feet for Lots 2, 3, 4, 5, 6, and 7; and
- (2) Increase the rear setback from thirty (30) feet to forty (40) feet for Lots 2, 3, 4, 5, 6, and 7.

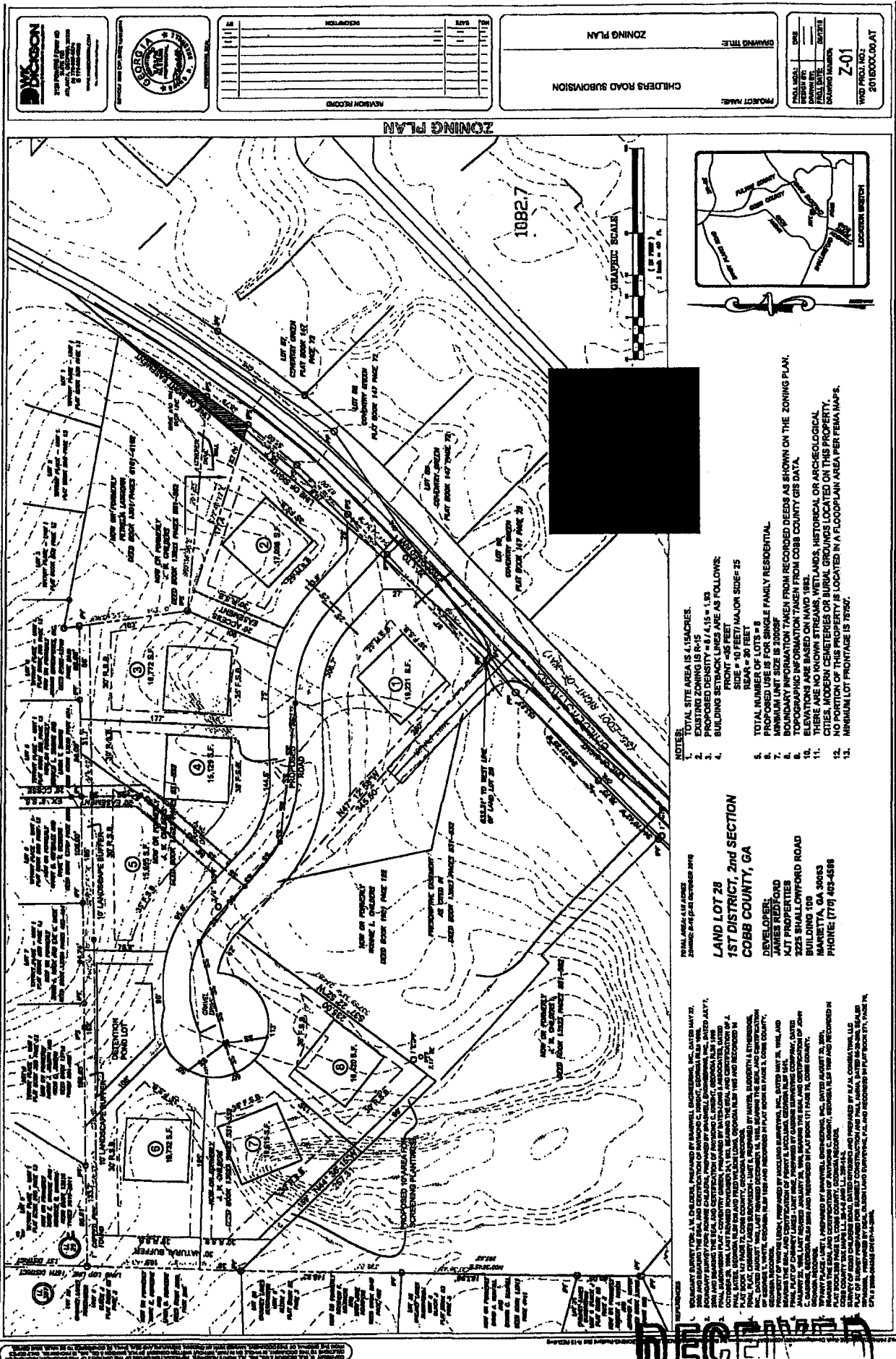
The amendments proposed and presented herein in no way adversely impact or affect the quality or integrity of the development initially approved by the Cobb County Board of Commissioners, and is sought to promote a quality development standard for future residents. If the requested amendments to the Site Plan and stipulations are approved, as submitted, they 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 October 20, 2015, 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 Site Plan and Stipulation Amendment.

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Approved 8/25/16 go to Benell Dist 3 Commission
 2-27-2015



- NOTES:**
- TOTAL SITE AREA IS 4.16 ACRES.
 - EXISTING ZONING IS R-15
 - PROPOSED DENSITY = 8 / 4.15 = 1.93
 - BUILDING SETBACK LINES ARE AS FOLLOWS:
 FRONT - 45 FEET
 REAR - 30 FEET
 SIDE - 10 FEET MAJOR SIDE = 25
 - TOTAL NUMBER OF UNITS IS 25
 - MINIMUM UNIT SIZE IS 2000 SF
 - BOUNDARY INFORMATION TAKEN FROM RECORDED DEEDS AS SHOWN ON THE ZONING PLAN.
 - TOPOGRAPHIC INFORMATION TAKEN FROM COBB COUNTY GIS DATA.
 - ELEVATIONS ARE BASED ON NAVD 1983.
 - THERE ARE NO KNOWN STREAMS, WETLANDS, HISTORICAL OR ARCHAEOLOGICAL SITES, MODERN CEMETERIES OR BURIAL GROUNDS LOCATED ON THIS PROPERTY.
 - ALL UTILITIES ARE LOCATED IN A FLOODPLAIN AREA PER FEMA MAPS.
 - MINIMUM LOT FRONTAGE IS 75 FEET.

**LAND LOT 28
 1ST DISTRICT, 2nd SECTION
 COBB COUNTY, GA**

DEVELOPERS:
 JAMES REDFORD
 J.T. PROPERTIES
 3225 SHALLOWFORD ROAD
 MARIETTA, GA 30063
 PHONE: (770) 493-4588

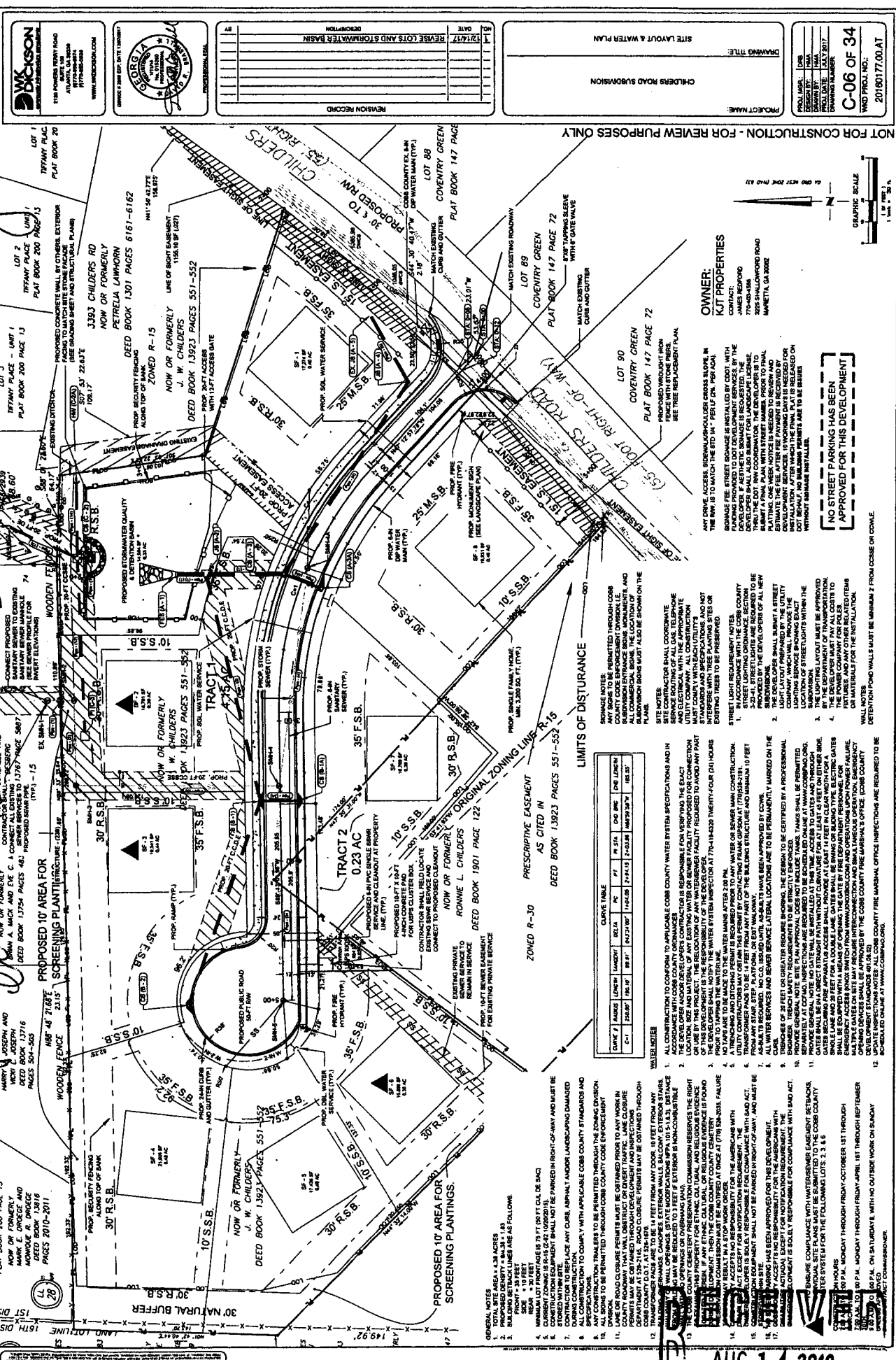
THE INFORMATION ON THIS PLAN IS THE SOLE PROPERTY OF JAMES REDFORD & COMPANY, INC. (JRC), 1000 W. MARKET STREET, SUITE 100, MARIETTA, GA 30063. ANY REPRODUCTION OR DISTRIBUTION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF JRC IS STRICTLY PROHIBITED. THE INFORMATION ON THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY FINANCIAL PRODUCT OR SERVICE. THE INFORMATION ON THIS PLAN IS SUBJECT TO CHANGE WITHOUT NOTICE. THE INFORMATION ON THIS PLAN IS NOT TO BE USED IN ANY MANNER THAT COULD BE DEEMED A VIOLATION OF ANY APPLICABLE LAW, REGULATION, OR CONTRACT. THE INFORMATION ON THIS PLAN IS NOT TO BE USED IN ANY MANNER THAT COULD BE DEEMED A VIOLATION OF ANY APPLICABLE LAW, REGULATION, OR CONTRACT. THE INFORMATION ON THIS PLAN IS NOT TO BE USED IN ANY MANNER THAT COULD BE DEEMED A VIOLATION OF ANY APPLICABLE LAW, REGULATION, OR CONTRACT.

EXHIBIT "1"

AUG 14 2018

COBB COUNTY COMMISSION
 ZONING DIVISION

Approved General of site plan back to Commissioners 2/5/18
 approved with effect to District



2-92/2015

PROJECT NO.: 20160177.00.AT
 C-06 OF 34
 WPD PROJ. NO.:

OWNER: KJT PROPERTIES
 CONTACT: KYLE JOHNSON
 770-483-5886
 2225 SHALLOWFORD ROAD
 HANOVER, VA 22980

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT

NOT FOR CONSTRUCTION - FOR REVIEW PURPOSES ONLY

GRAPHIC SCALE
 1" = 20' (1:240)

DETAILED NOTES:
 1. ALL CONSTRUCTION TO CONFORM TO APPLICABLE COBB COUNTY WATER SYSTEM SPECIFICATIONS AND IN...
 2. THE DEVELOPER AND/OR SUBCONTRACTOR IS RESPONSIBLE FOR VERIFYING THE EXACT LOCATION...
 3. THE DEVELOPER SHALL NOTIFY THE WATER SYSTEM OPERATOR AT 770-419-6329 TWENTY-FOUR (24) HOURS...
 4. NO WORK SHALL BE MADE TO THE WATER MAINS AFTER 2:00 P.M.
 5. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
 6. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
 7. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
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 10. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
 11. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
 12. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...

WATER SYSTEM:
 1. ALL CONSTRUCTION TO CONFORM TO APPLICABLE COBB COUNTY WATER SYSTEM SPECIFICATIONS AND IN...
 2. THE DEVELOPER AND/OR SUBCONTRACTOR IS RESPONSIBLE FOR VERIFYING THE EXACT LOCATION...
 3. THE DEVELOPER SHALL NOTIFY THE WATER SYSTEM OPERATOR AT 770-419-6329 TWENTY-FOUR (24) HOURS...
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 10. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
 11. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...
 12. THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE COBB COUNTY FIRE MARSHAL OFFICE...

GENERAL NOTES:
 1. TOTAL SITE AREA: 1.38 ACRES
 2. PROPOSED DENSITY: 18 UNITS PER ACRE
 3. MINIMUM LOT FRONTAGE: 15 FEET
 4. MINIMUM LOT WIDTH: 15 FEET
 5. MINIMUM LOT DEPTH: 15 FEET
 6. MINIMUM LOT AREA: 225 SQ. FT.
 7. MINIMUM LOT FRONTAGE: 15 FEET
 8. MINIMUM LOT WIDTH: 15 FEET
 9. MINIMUM LOT DEPTH: 15 FEET
 10. MINIMUM LOT AREA: 225 SQ. FT.

AUG 14 2018

2150 POWERS FERRY ROAD
SUITE 100
ATLANTA, GA 30341
(770) 408-3474
WWW.WICKSON.COM

REGISTERED PROFESSIONAL ENGINEER
NO. 12547
STATE OF GEORGIA

NO.	DATE	DESCRIPTION
12/14/17	12/14/17	REVISED SETBACKS
08/07/18	08/07/18	REVISED LOTS AND STORMWATER BASIN

PROJECT NAME: CHILDERS ROAD SUBDIVISION
DRAWING TITLE: PROPOSED SITE LAYOUT

DRWING NUMBER: C-06 OF 34
W/D PROJ. NO.: 20160177.00 AT

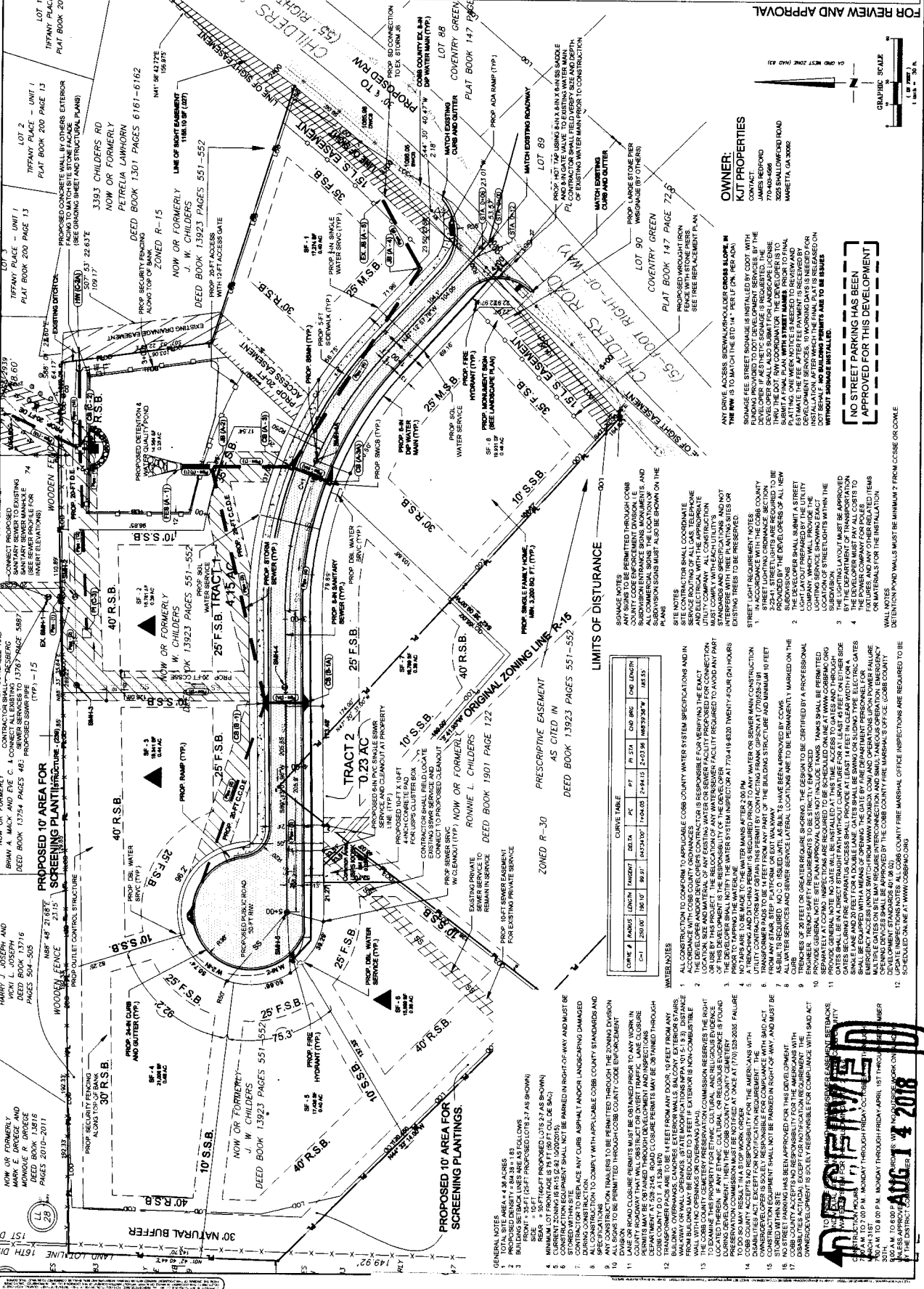


EXHIBIT "2"

OWNER:
KUT PROPERTIES
JAMES BOWEN
770-408-6966
3228 SHALLOFWOOD ROAD
MARIETTA, GA 30062

NO STREET PARKING HAS BEEN APPROVED FOR THIS DEVELOPMENT

SIGNAGE NOTES:
1. UNLIMITED SIGNAGE SHALL BE PERMITTED WITHIN THE COBB COUNTY CODE ENFORCEMENT ZONING DISTRICT.
2. SUBDIVISION ENTRANCE SIGNS, MONUMENTS, AND SUBDIVISION SIGNS MUST ALSO BE SHOWN ON THE PLANS.
3. SIGNAGE SHALL BE INSTALLED BY THE DEVELOPER AND MAINTAINED BY THE DEVELOPER OR HIS AGENT.
4. SIGNAGE SHALL BE INSTALLED BY THE DEVELOPER AND MAINTAINED BY THE DEVELOPER OR HIS AGENT.
5. SIGNAGE SHALL BE INSTALLED BY THE DEVELOPER AND MAINTAINED BY THE DEVELOPER OR HIS AGENT.
6. SIGNAGE SHALL BE INSTALLED BY THE DEVELOPER AND MAINTAINED BY THE DEVELOPER OR HIS AGENT.

WATER NOTES:
1. ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE COBB COUNTY WATER SYSTEM SPECIFICATIONS AND IN ACCORDANCE WITH COBB COUNTY ORDINANCES.
2. THE DEVELOPER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION AND DEPTH OF ALL EXISTING WATER MAINS AND ELECTRICAL UTILITIES.
3. THE LOCATION OF ANY WATER MAINS FACILITY REQUIRED TO AVOID ANY PART OF THIS DEVELOPMENT IS THE RESPONSIBILITY OF THE DEVELOPER.
4. PRIOR TO TAPPING THE WATER MAIN, THE DEVELOPER SHALL OBTAIN THE NECESSARY PERMITS FROM THE CITY OF ATLANTA.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS FROM THE CITY OF ATLANTA.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS FROM THE CITY OF ATLANTA.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS FROM THE CITY OF ATLANTA.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS FROM THE CITY OF ATLANTA.

LIMITS OF DISTURBANCE:
AS CITED IN DEED BOOK 13923 PAGES 551-552

GENERAL NOTES:
1. TOTAL SITE AREA IS 4.8 ACRES.
2. BUILDING SETBACKS ARE AS FOLLOWS:
FRONT - 35 FT (IF PROPOSED LOTS 27 AS SHOWN)
REAR - 30 FT (IF PROPOSED LOTS 27 AS SHOWN)
MINIMUM LOT FRONTAGE IS 75 FT (50 FT CUL-DE-SAC)
STREET FRONTAGE SHALL NOT BE PARKED IN RIGHT-OF-WAY AND MUST BE STORED WITHIN SITE.
DURING CONSTRUCTION, ALL EXISTING CURB ASPHALT AND/OR UNDESIRABLE DAMAGED SURFACES SHALL BE REPAIRED.
CONSTRUCTION TRAILERS TO BE PERMITTED THROUGH COBB COUNTY DIVISION.
ANY CONSTRUCTION TRAILERS TO BE PERMITTED THROUGH COBB COUNTY DIVISION.
LANE OR ROAD CLOSURE PERMITS MUST BE OBTAINED PRIOR TO ANY WORK IN DEED BOOK 13923 PAGES 551-552.
PERMITS MAY BE OBTAINED THROUGH COBB COUNTY DEPARTMENT OF PUBLIC WORKS.
TRANSFER OF PERMITS TO BE OBTAINED THROUGH COBB COUNTY DEPARTMENT OF PUBLIC WORKS.
BUILDINGS OVERHANGS CANNOT EXCEED 14 FEET FROM ANY DOOR, 10 FEET FROM ANY WINDOW, AND 10 FEET FROM ANY BALCONY EXTERIOR STAIRS.
WALLS WITH OVERHANGS OR OVERHANGING ROOFS SHALL BE NON-COMBUSTIBLE.
TO EXAMINE THE PROPERTY FOR ETHNIC, CULTURAL, AND RELIGIOUS EVIDENCE, THE DEVELOPER SHALL CONTACT THE COBB COUNTY HISTORICAL COMMISSION.
PRESERVATION COMMISSION MUST BE NOTIFIED AT ONCE AT (770) 533-2035.
COBB COUNTY ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT EXCEPT FOR NOTIFICATION REQUIREMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR COMPLIANCE WITH SDC ACT.
CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN RIGHT-OF-WAY AND MUST BE STORED WITHIN SITE.
COBB COUNTY ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT EXCEPT FOR NOTIFICATION REQUIREMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR COMPLIANCE WITH SDC ACT.
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CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN RIGHT-OF-WAY AND MUST BE STORED WITHIN SITE.

APPROVED

AUG 14 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**SITE PLAN PRESENTED FOR APPROVAL
IN APPLICATION FOR "OTHER BUSINESS"
AT SEPTEMBER 18, 2018, BOARD OF
COMMISSION ZONING HEARING**

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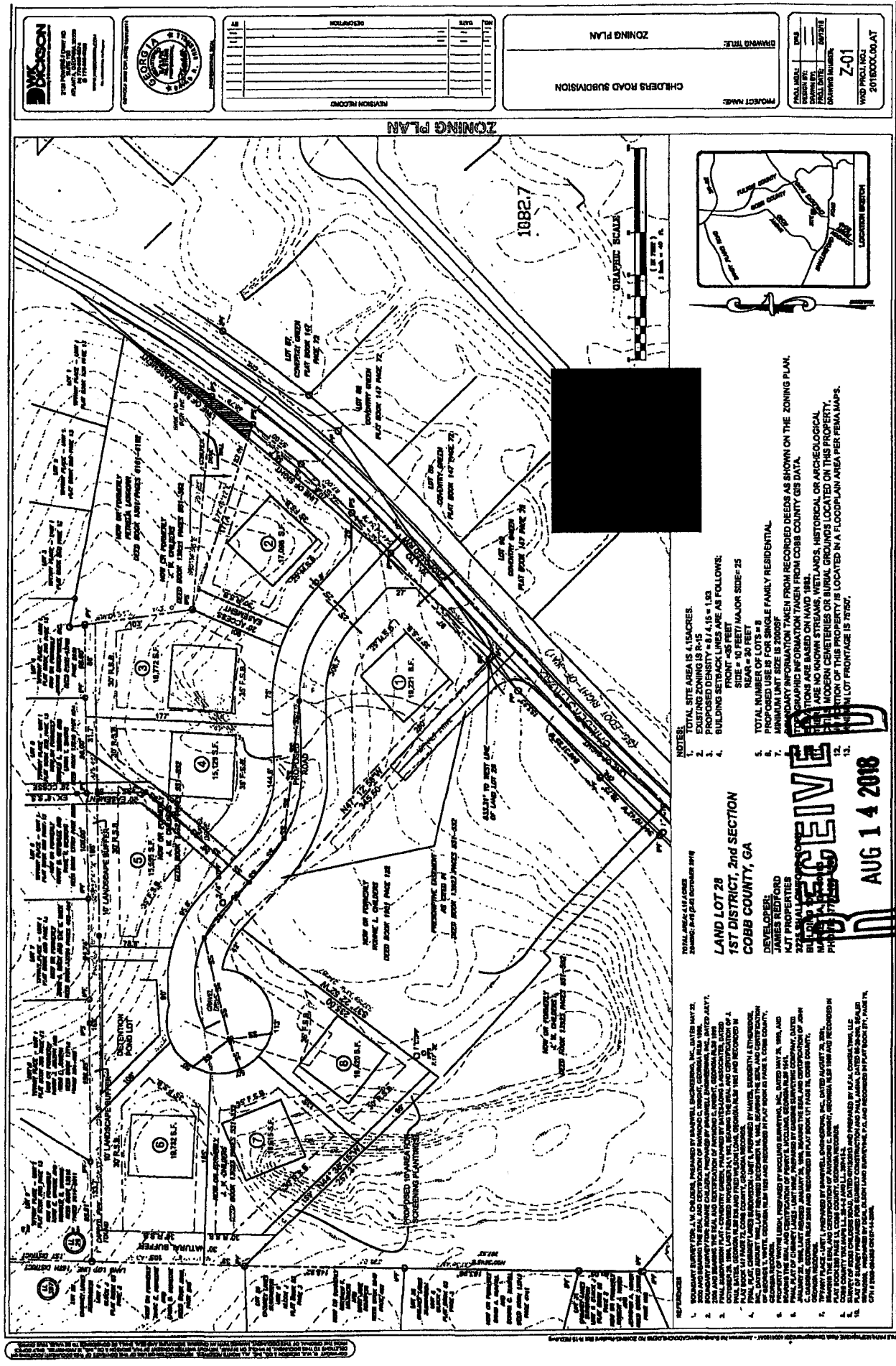
**COBB CO. COMM. DEV. AGENCY
ZONING DIVISION**

**SITE PLAN APPROVED BY
DISTRICT COMMISSIONER
JOANN BIRRELL ON
AUGUST 25, 2016**

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AUG 14 2018

**COBB CO. COMM. DEV. AGENCY
ZONING DIVISION**

Approved 8/25/16 go to Benell Dist 3 Commission
292 2015



NOTES:

- TOTAL SITE AREA IS 4.15 ACRES.
- EXISTING ZONING IS R-15.
- PROPOSED DENSITY = 81.419 = 1.83
- BUILDING SETBACK LINES ARE AS FOLLOWS:
FRONT - 45 FEET
SIDE - 10 FEET / MAJOR SIDE - 25 FEET
REAR - 40 FEET
- TOTAL NUMBER OF LOTS IS 22
- PROPOSED USE IS FOR SINGLE FAMILY RESIDENTIAL.
- MINIMUM LOT SIZE IS 2000 SF.
- ADDITIONAL INFORMATION TAKEN FROM RECORDED DEEDS AS SHOWN ON THE ZONING PLAN.
- BOUNDARY INFORMATION TAKEN FROM COBB COUNTY GIS DATA.
- ARE NO KNOWN STREAMS, WETLANDS, HISTORICAL OR ARCHAEOLOGICAL FINDINGS OR OTHER FEATURES LOCATED ON THIS PROPERTY.
- NOON CEMETERIES OR BURIAL GROUNDS LOCATED ON THIS PROPERTY.
- NO LOT LOCATED IN A FLOOD-PLAIN AREA PER FEMA MAPS.
- NO LOT FRONTAGE IS 15 FEET.

REVISIONS:

- REVISION 1: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.
- REVISION 2: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.
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- REVISION 6: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.
- REVISION 7: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.
- REVISION 8: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.
- REVISION 9: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.
- REVISION 10: 8/25/16, 1:15 P.M. PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN. THE ZONING PLAN WAS PREPARED BY JAMES REDFORD, INC. (DATE MAY 17, 2016) FOR THE SUBMITTER'S REVIEW AND APPROVAL OF THE ZONING PLAN.

**LAND LOT 28
1ST DISTRICT, 2ND SECTION
COBB COUNTY, GA**

**DEVELOPER:
JAMES REDFORD
KJT PROPERTIES**

**DATE:
AUG 14 2018**

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

**SITE PLAN APPROVED BY
DISTRICT COMMISSIONER BOB OTT
ON FEBRUARY 5, 2018**

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AUG 14 2018

**COBB CO. COMM. DEV. AGENCY
ZONING DIVISION**

**OFFICIAL MINUTES OF COBB COUNTY
BOARD OF COMMISSIONERS ZONING
HEARING AS TO APPLICATION FOR
REZONING Z-92 (2015)
– OCTOBER 20, 2015**

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**COBB CO. COMM. DEV. AGENCY
ZONING DIVISION**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
OCTOBER 20, 2015
9:00 A.M.**

The Board of Commissioners Zoning Hearing was held on Tuesday, October 20, 2015 at 9:00 a.m. in the second floor public meeting room of the Cobb County building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Vice Chair JoAnn Birrell
Commissioner Lisa Cupid
Commissioner Bob Ott
Commissioner Bob Weatherford

Chairman Tim Lee – not present

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Z-92 **E-ROCK DEVELOPMENT, LLC** (Melonee Bates, Petrelia Lawhorn, Nancy L. Shababy and Louis M. Shababy, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of a Residential Subdivision in Land Lot 28 of the 1st District. Located on the northwesterly side of Childers Road, south of Monet Drive (3363 and 3383 Childers Road).

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

MOTION: Motion by Birrell, second by Cupid, to approve Z-92 to the **R-15** zoning category, subject to:

- **Final site plan to be approved by the District Commissioner**
- **Letter of agreeable conditions from Mr. Kevin Moore. dated October 20, 2015 (attached and made a part of these minutes)**
- **Maximum of eight lots**
- **No private streets**
- **Any off-site stormwater improvements must have homeowners approval**
- **Removal of any hazardous tanks or environmental cleanup must be done in compliance with local and state agency laws**
- **Any reduction to the front setbacks to be added to the rear setback**
- **Applicant to work with residents of Chimney Lakes & Tiffany Place regarding Stormwater Management process after Plan Review**
- **Fire Department comments and recommendations, *not otherwise in conflict***
- **Water and Sewer Division comments and recommendations, *not otherwise in conflict***
- **Stormwater Management Division comments and recommendations, *not otherwise in conflict***
- **Cobb DOT comments and recommendations, *not otherwise in conflict***
- **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 4-0, Lee absent

MOORE INGRAM JOHNSON & STUBBLE

Mr. Perry Martin, MPA
Planner II
Zoning Division
Cobb County Community Development Agency
Page 2 of 8
October 20, 2015

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reviewing the uses of surrounding properties, and following the presentation to the Commission before the Cobb County Planning Commission. It has been authorized by the Applicant to submit this revised letter of agreement and stipulations, which, if the Application for Rezoning is approved, as submitted, shall be the basis of the grant of the requested rezoning and shall be binding upon the Subject Property. The revised 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 Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning category of R-30 to the proposed zoning category of R-15, site plan specific to the Zoning Plan prepared for Applicant by W.K. Dixon & Co., Inc., dated December 4, 2014, last revised April 15, 2015. A reduced copy of the Zoning Plan is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (3) The Subject Property consists of 4.72 acres of total site area and shall be developed for a residential community comprised of a maximum of ten (10) single-family, detached residences.
- (4) The proposed residences shall have a minimum of 3,200 square feet.
- (5) The proposed residences shall be traditional and Craftsman in style and architecture and shall have a minimum two-car garage.
- (6) The residences within the proposed community shall have four-sided architecture, having all sides of the exterior walls finished with brick, stone, stacked stone, horizontal siding, or similar materials. No vinyl siding materials shall be used on the exterior of the proposed residences.
- (7) The minimum lot size of lots within the proposed residential community shall be 15,000 square feet.
- (8) All front and side yard areas of the proposed residences shall be fully seeded.

RESOLUTION JOHNSON & SUZUKI

Mr. Gary Martin, MPA

Mayor

Zoning Division

Cobb County Community Development Agency

August 11, 2015

August 20, 2015

Priority
Complaint

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ZONING DIVISION

- (9) Entrance signage shall be ground based, monument-style signage, and shall consist of brick, stone, or concrete. The signage shall be constructed with accents and other materials complementary to and consistent with the architectural style of the proposed residences. The signage shall be professionally designed, implemented, and maintained. The signage of the entrance area shall comply with the mandatory homeowners' association as set forth in the declaration of covenants, easements, and restrictions.
- (10) Applicant agrees to the creation of a mandatory Homeowners Association consistent with community standards. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas, open space and outdoor areas, landscaping around recreation areas, and entrance areas 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 protective covenants which will contain covenants, rules, and regulations applicable to the proposed development.
- (12) Street lighting within the proposed community shall be environmentally sensitive, decorative, and chosen to the architecture and style of the residences, as offered by the power provider.
- (13) Applicant agrees to construct an internal sidewalk along one side of the street within the proposed residential community which shall connect to existing street sidewalks. Said internal sidewalk shall comply in all respects with Cobb County standards and ordinances.
- (14) All utilities servicing the residences within the proposed community shall be underground.
- (15) There shall be no direct access from any lots within the proposed community to Childers Road, or any surrounding properties.
- (16) All construction and employee vehicles and equipment will be parked and otherwise located on the site or in a designated area for parking, storage, and construction of residences, and shall not be parked on Childers Road or

MOORE INGRAM JOHNSON & STEBLE

Mr. Terry Martin, MPA
Planner II
Zoning Division
Cobb County Community Development Agency
Page 2 of 8
October 20, 2015

Parish No. 7-2
Martins
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ZONING DIVISION

- surrendring neighborhood streets. There will be no stacking of vehicles on Chiders Road waiting for entry onto the Subject Property.
- (17) Applicant agrees to relocate the existing Live Oak Cypress or, in the alternative, plant new screening plantings along the northwestern boundary of the Subject Property, to the rear of proposed Lots 9 and 10.
- (18) Applicant agrees to provide a thirty (30) foot natural buffer area along the western side of proposed Lots 8 and 9. Only trees which are dead or dying, smaller than six (6) inch caliper, or those necessary and agreed upon by the owners of properties at 3142 Lake Creek (currently Hochstadt) and 3186 Windson Court (currently Reimcke) may be removed for purposes of construction of drainage pipe and inlets to county standards or greater.
- (19) Applicant agrees to establish a planted buffer along the northerly boundary of the Subject Property, adjacent to all lots within the Titany Place Subdivision. This planted buffer shall consist of Live Oak, Cypress or Ligustrum, a minimum of six (6) feet in height, planted on minimum six (6) foot centers. Maintenance of the buffer shall be by the mandatory homeowners association upon completion of the development.
- (20) The District Commissioner shall have the authority to approve minor modifications to these stipulations and conditions and the Zoning Plat 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 area or landscape strip to adjacent property; relocate a structure closer to a property line; or increase the height of a building adjacent to a 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" agenda.
- (21) All landscaping referenced herein shall be approved by the Cobb County Authority as part of the Plan Review process and incorporated into the overall landscape plan for the proposed community, and shall be irrigated as necessary.
- (22) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.

MICHAEL INGRAM JOHNSON & STEELE

Mr. Terry Martin, MPA
Planner II
Zoning Division
Cobb County Community Development Agency
P.O. Box 1078
Cobb County, GA 30144
October 20, 2015

Petition No. 2-2015
Meeting Date 10/20/15
Commissioner

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ZONING DIVISION

- (23) The detention areas shall be as shown and reflected on the referenced Zoning Plan. The areas shall be fenced with a black, vinyl-coated chain link fence, a minimum of six (6) 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. All vegetation and landscaping surrounding the detention areas shall be maintained by the mandatory homeowners association. Any exposed concrete walls shall have a brick or stone façade.

- (24) To further provide for maximum stormwater and erosion control during and following development, Applicant agrees as follows:
 - (a) Proposed Lots 8, 9, and 10 shall be graded to provide drainage from the front of the proposed lots to the cul-de-sac, and ultimately into the detention facility;

 - (b) Applicant agrees to monitor stormwater drainage from the detention areas during development and construction of the proposed development to prevent excessive drainage into the Tiffany Place storm sewer areas. Applicant further agrees to employ the services of an engineer certified in stormwater management to review the capacity of the Tiffany Place storm sewers and to provide documentation to the Applicant and the Tiffany Place Homeowners Association Board as to its adequacy to support the drainage which it currently supports.

 - (c) Applicant agrees that the stormwater management of the proposed development shall be engineered sufficiently to allow for drainage within the development will be directed to the detention facility as shown and reflected on the referenced Zoning Plan;

 - (d) Adequate piping and inlets shall be installed to connect with existing drainage from adjacent property to the south, along the western border, and then to the existing drainage pipe and ballcatch on Windsong Court. Surface water runoff from the rear of proposed Lots 8, 9, and 10 shall be directed to the inlet at the rear (western side) and into piping which will connect with the existing pipe and ballcatch on Windsong Court. All plans related to this control measure shall be approved in accordance with Cobb County standards and ordinances and approved by the Cobb County Stormwater Management Division.

MORRIS RAM JOHNSON & STELLER

Mr. Jerry Martin, MPA

City Manager

Zoning Division

Cobb County Community Development Agency

October 30, 2015

Petition No. _____

Meeting Date _____

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ZONING DIVISION

- (c) Erosion and silt control along the property side of the Subject Property shall be installed and maintained during development of infrastructure and construction of residential lots to prevent silt and excessive water flow onto adjacent property and the lower lake located within Cumincy Lakes Subdivision.
- (25) Applicant agrees to comply with all Cobb County development standards and ordinances relating to parking lots, 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 economic management, including, but not limited to, drainage facilities and any and all other required engineering features of the foregoing. Any disturbed areas must be replanted.
- (27) Applicant agrees to the following system improvements to mitigate traffic concerns:
- (a) Construction of "tapers" along the frontage of the Subject Property on Childers Road;
 - (b) Installation of curb, gutter, and sidewalk along the frontage of the Subject Property on Childers Road.
- (28) Applicant agrees to consult and work with the residents of Fishery Place located at 4712, 4716, 4520, and 4524 Maple Drive concerning the development and construction of the lots adjacent to said residences to ensure all issues are taken to avoid water run-off, drainage, and other adverse construction issues.

The attached zoning petition, with the zoning map and the revised subdivision plat, are being submitted to the Board of Commissioners for their review and approval. The Board of Commissioners will be at the next meeting of the Board of Commissioners, which will be held on November 10, 2015, at 7:00 p.m. in the Board of Commissioners' meeting room, located at 1000 Peachtree Street, N.E., Atlanta, Georgia 30309. The Board of Commissioners will be at the next meeting of the Board of Commissioners, which will be held on November 10, 2015, at 7:00 p.m. in the Board of Commissioners' meeting room, located at 1000 Peachtree Street, N.E., Atlanta, Georgia 30309. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

Mr. Terry Martin, MPA
Planner II
Zoning Division
Cobb County Community Development Agency
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October 20, 2015

Petition No. _____
Meeting Date _____
Continued

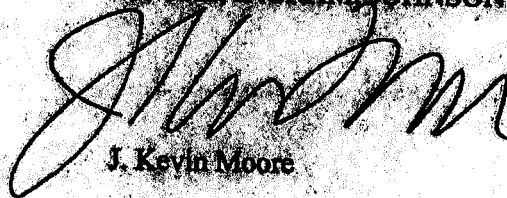
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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachment

c: Cobb County Board of Commissioners:
Timothy D. Lee, Chairman
JoAnn Bitrell
Lisa N. Cupid
Robert J. Ott
Bob Weatherford
(With Copy of Attachment)

Christi S. Trombetti, Member
Cobb County Planning Commission
(With Copy of Attachment)

Jill Flamm, President
First Star
East Cobb Civic Association, Inc.
(With Copy of Attachment)

Mary Kaineake
David Hamill
Area Residents
(With Copy of Attachment)

Louise Briggs
Tiffany Place Homeowners Association
(With Copy of Attachment)

NICHOLE INGRAM JOHNSON & STUBBLE

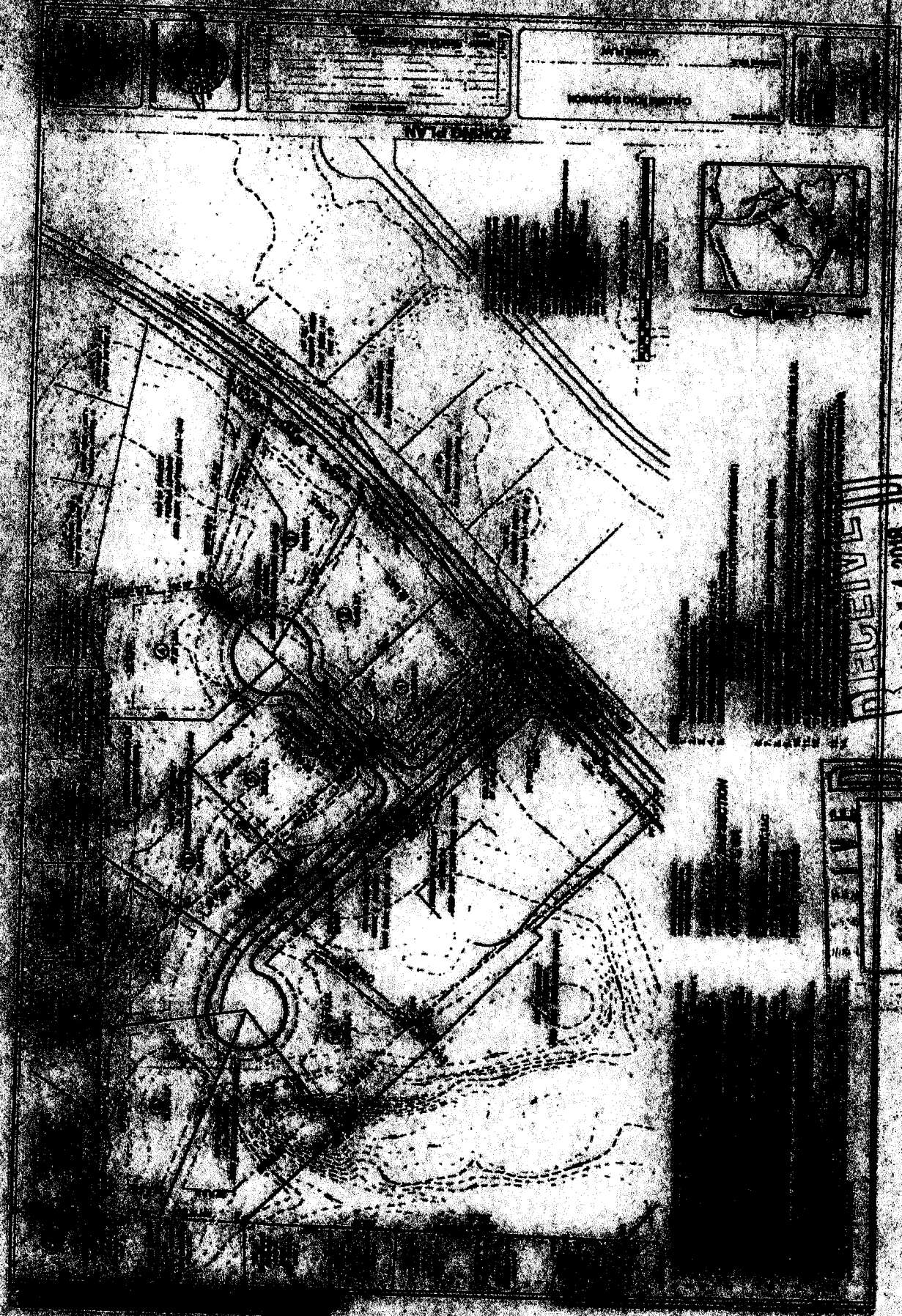
Mr. Terry Martin, MPA
Zoning II
Zoning Division
Cobb County Community Development Agency
Page 8 of 8
October 20, 2015

Petition No. _____
Map No. _____
Continued

E-Rock Development, LLC
(With Copy of Attachment)

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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



BLDG 02

Petition No. _____
Meeting Date 7/25/18
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ZONING DIVISION

**2017 PAID AD VALOREM PROPERTY TAX
RECIPTS FOR SUBJECT PROPERTY
(TAX PARCEL NOS. 01002800020 AND
PORTION OF 0100280005,
NOW TAX PARCEL NO. 01002800630)**



Printed: 8/13/2018

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

Payer:
KJT PROPERTIES LLC

KJT PROPERTIES LLC

Payment Date: 10/13/2017

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2017	01002800020	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	\$6,883.10	\$0.00



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**COBB CO. COMM. DEV. AGENCY
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CARLA JACKSON TAX COMMISSIONER
CHELLY MCDUFFIE CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Printed: 8/14/2018

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
CENTRAL LOAN ADMINISTRATION

SHABABY NANCY L & LOUIS M

Payment Date: 10/6/2017

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2017	01002800050	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	\$6,754.69	\$0.00	



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COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

PARID: 01002800630
KJT PROPERTIES LLC

NEIGHBORHOOD: 16039993

TAX YEAR: 2018
CHILDERS RD

Parcel

Class	Residential Lots
Total Acres	.226
Total Land Sqft	9845
Address	CHILDERS RD
Neighborhood	1603 - 9993 DEVELOPMENT LAND

Owner

Owner	KJT PROPERTIES LLC
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Legal

Tax District	9 - UNINCORPORATED
Subdivision Number	9991

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ZONING DIVISION