

**DECEMBER 18, 2018 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 1**

ITEM OB-72

PURPOSE

To consider a site plan and stipulation amendment for residents in McClure Farms subdivision regarding rezoning application Z-4 of 2013. The properties are located on the north side of Talisker Lane and on northwestern side of Glengyle Park, in Land Lot 146 of the 20th District (4464 Talisker Lane, 4470 Talisker Lane, 4476 Talisker Lane, 2839 Glengyle Park, 2845 Glengyle Park).

BACKGROUND

The property was rezoned to R-20 in 2013 for a subdivision subject to many stipulations. There is a cemetery on the adjacent property located in the northwest corner. The zoning conditions called for a 35' buffer adjacent to the cemetery with signs that read "CEMETERY PRESERVATION BUFFER- DO NOT DISTURB" every fifty-feet. The applicants would like to delete this stipulation due to the signs location having a negative effect on their properties. The 35'-foot buffer will remain intact. If approved, all previous stipulations not in conflict would remain in effect.

STAFF COMMENTS

Cemetery Preservation: The Cemetery Preservation Commission does not support deleting the required cemetery preservation signage. The Cemetery Preservation Commission would support moving the cemetery preservation sign locations from the edge of the buffer line to attaching the signs to the aluminum wrought-iron style fencing

RECOMMENDATION

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

ATTACHMENTS

Other Business Application and zoning stipulations.

Application for "Other Business"

Lot 6 06-72

Cobb County, Georgia

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

BOC Hearing Date Requested: 12/18/18

Applicant: EDWIN J. SANDERS IV & SUNDAY S. SANDERS Phone #: 404-978-3403
(applicant's name printed)

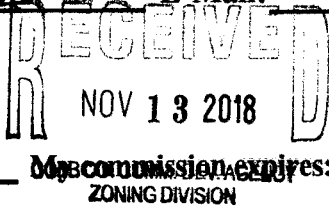
Address: 4828 CHAMPIONS WAY COLUMBUS, GA 31909 E-Mail: eddieiv@me.com

N/A Address: N/A
(representative's name, printed)

N/A Phone #: N/A E-Mail: N/A
(representative's signature)

Signed, sealed and delivered in presence of:

Karen K. Jimmerson
Notary Public



Titleholder(s): EDWIN J. SANDERS IV & SUNDAY S. SANDERS Phone #: 404-978-3403
(property owner's name printed)

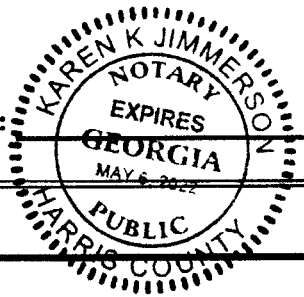
Address: 4470 TALISKER LANE NW Acworth, GA 30101 E-Mail: eddieiv@me.com

E. J. Sanders & Sunday S. Sanders
(Property owner's signature)

Signed, sealed and delivered in presence of:

Karen K. Jimmerson
Notary Public

My commission expires:



Commission District: _____ Zoning Case: _____

Size of property in acres: _____ Original Date of Hearing: _____

Location: 4470 TALISKER LANE NW, Acworth, GA 30101
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): _____ District(s): _____

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

(List or attach additional information if needed)

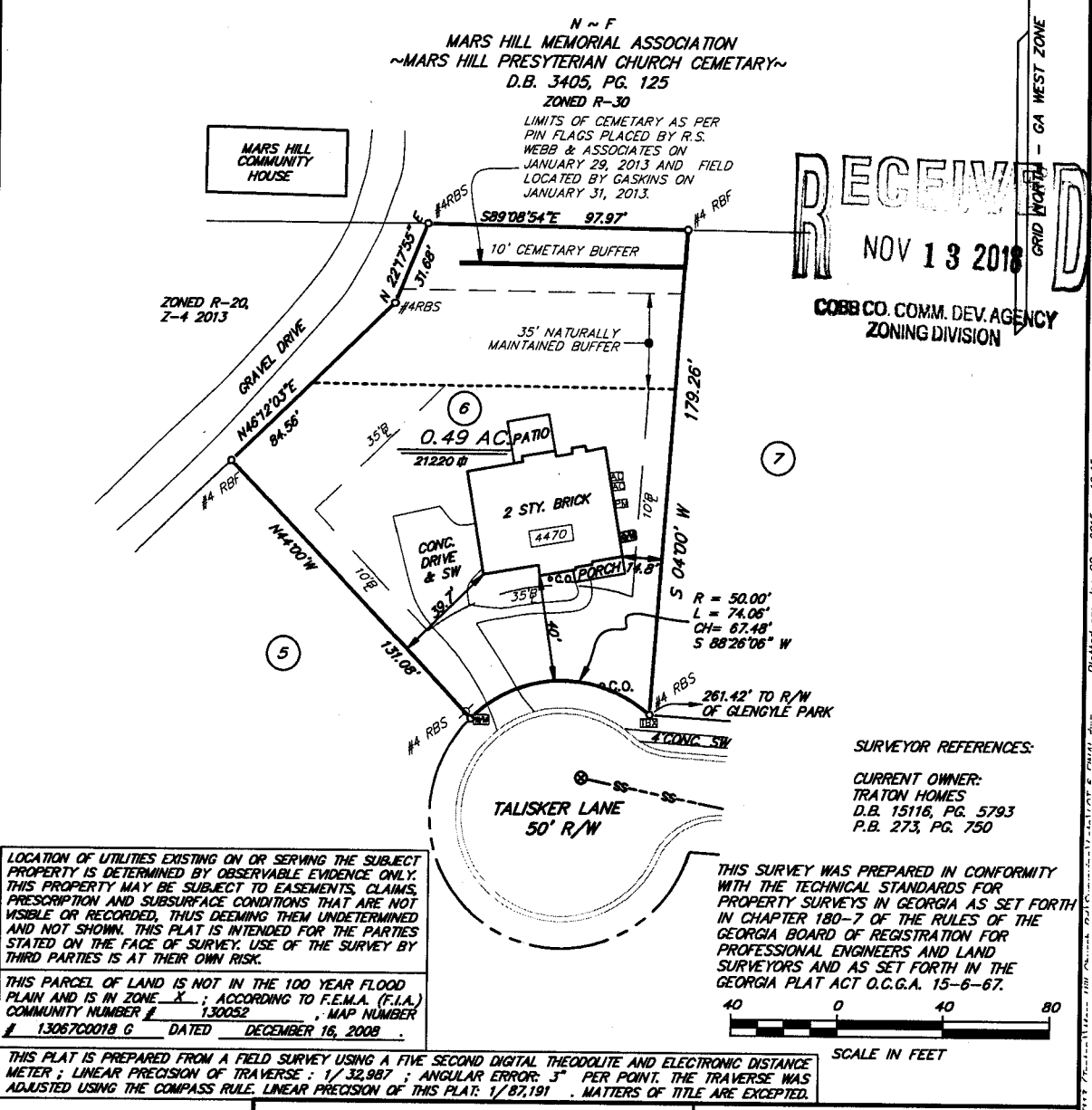
We are submitting the application and our request for other business based on the following reasons.

1. We are appealing the proposed signs.
2. Traton did not disclose to the property owner's there were any type of signage requirements regarding the cemetery.
3. Why is this now an issue? We purchased the property back in January 2015 and have had no issue or mention of said signage requirements to date, until we received this violation.
4. The requirement of the cemetery buffer signage at 50' intervals, 50' from the outer perimeter of the cemetery preservation boundary is excessive. This would place multiple signs at the back of our house.
5. We are in the process of selling our house and these signs will make our house undesirable to any potential buyer. We face a potential loss of our investment in our home and, perhaps foreclosure if we are unable to sell it due to these excessive stipulations.
6. Several potential buyers have walked away from making a potential offer due to there not being a privacy fence or landscaping screen between the house and cemetery. Furthermore, no reasonable person would want to occupy a home where permanent signs or markers would be placed within a few feet of their back door at 50-foot intervals.
7. Furthermore, even if we were not selling the house why would we want to see several of these signs out our windows, while spending time in our backyard, etc. Not to mention they would be a hazard to children, individuals, and/or pets in the yard. Once again this is an unreasonable request.
8. None of the documents provided by the county regarding the suppose violation acknowledge the signage requirements (i.e. are they on post, what size are they, etc.)
9. The case synopsis from our original violation states a different signage requirement agreed to between Traton and the cemetery, not the homeowners. When did the cemetery agree to these requirements and where has this been documented and/or recorded with county?
10. Why is the recorded buffer on the plat not sufficient? This should be disclosed when the property is sold and what the intended purpose for this buffer is.
11. The fence in place does not allow access to the 10' cemetery buffer or cemetery, why is this not sufficient?

RECEIVED
NOV 13 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

LEGEND	
⊙ P.P. - POWER POLE	△ C.B. - CATCH BASIN
⊗ L.P. - LIGHT POLE	▬ R.C.P. - REINFORCED CONCRETE PIPE
⊕ F.H. - FIRE HYDRANT	▬ C.M.P. - CORRUGATED METAL PIPE
⊗ M.H. - SANITARY SEWER MANHOLE	F.F.E. - FINISHED FLOOR ELEVATION
⊕ W/M - WATER METER	• WV - WATER VALVE
⊕ G/M - GAS METER	⊕ TELEPHONE MANHOLE
○ RBS - REINFORCING BAR SET	---E---E- UNDERGROUND ELECTRICAL LINE
○ RBF - REINFORCING BAR FOUND	—+— OVERHEAD POWER LINES
○ CTF - CRIMP TOP PIPE FOUND	△ HW - HEADWALL
○ OTF - OPEN TOP PIPE FOUND	⊠ PBX POWERBOX
⊠ R/W MON. - RIGHT-OF-WAY MONUMENT	— WATER LINE
—X— TYPE OF FENCE	---T---T- UNDERGROUND TELEPHONE LINE
○ J.B. - JUNCTION BOX	---G--- GAS LINE
⊠ D.I. - DROP INLET / YARD INLET	



LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X; ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER # 130052, MAP NUMBER # 1306700018 G DATED DECEMBER 16, 2008.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/32,987; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/87,191. MATTERS OF TITLE ARE EXCEPTED.



Gaskins

SURVEYING - ENGINEERING - PLANNING - CONSULTING - CONSTRUCTION MANAGEMENT

Marietta Office
1266 Powder Springs Rd
Marietta, Georgia 30064
Phone: (770) 424-7168

Canton Office
2288 Marietta Highway
Canton, Georgia 30114
Phone: (770) 479-9698

LSF# 789
www.gascurvey.com

FIELD DATE: 1/6/15	DRAWN BY: KRK
OFFICE DATE: 1/7/15	CHECKED BY: CAE
SCALE: 1"=40'	FILE: P:\1113

FINAL SURVEY FOR
SUNDAY & EDWIN SANDERS
LOT 6, MCCLURE FARMS, UNIT 1

LOCATED IN L.L. 146
20TH DISTRICT, 2ND SECTION
COBB COUNTY, GA.



CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Printed: 11/12/2018

Cobb County Online Tax Receipt

Thank you for your payment!

Payer:
WELLS FARGO REAL ESTATE TAX SERVICE

SANDERS EDWIN J IV & SUNDAY S

Payment Date: 9/13/2018

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2018	20014601510	10/15/2018	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$5,031.00	\$0.00



Scan this code with your mobile phone to view this bill!!!

Application for "Other Business" Cobb County, Georgia

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

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NOV 13 2018
COBBO COUNTY COMMUNITY DEVELOPMENT AGENCY
ZONING DIVISION

L45
OB-72

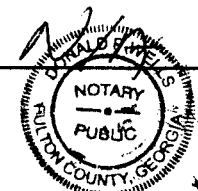
BOC Hearing Date Requested: 12-18-18

Applicant: MARIA FONTANA (applicant's name printed) Phone #: 770/286-0055

Address: 4476 TALISKER LANE, Acworth E-Mail: earl@palletsbymill.com

MARIA FONTANA Address: Same as above (representative's name, printed)

[Signature] Phone #: N/A E-Mail: _____ (representative's signature)

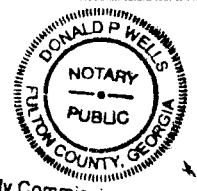


Signed, sealed and delivered in presence of: [Signature] My commission expires: _____ Notary Public

Titleholder(s): MARIA FONTANA (property owner's name printed) Phone #: (770) 286-1939

Address: 4476 Talisker Lane E-Mail: _____
Acworth GA 30101

[Signature] (Property owner's signature)



Signed, sealed and delivered in presence of: [Signature] My commission expires: _____ Notary Public

Commission District: 1 Zoning Case: 2-4 of 2015

Size of property in acres: _____ Original Date of Hearing: 2-19-13

Location: 4476 Talisker Lane Acworth GA 30101
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 146 District(s): 20

State specifically the need or reason(s) for Other Business:
2-4 - 2013 HEARING -
Cemetary putting sign in middle
of back yard

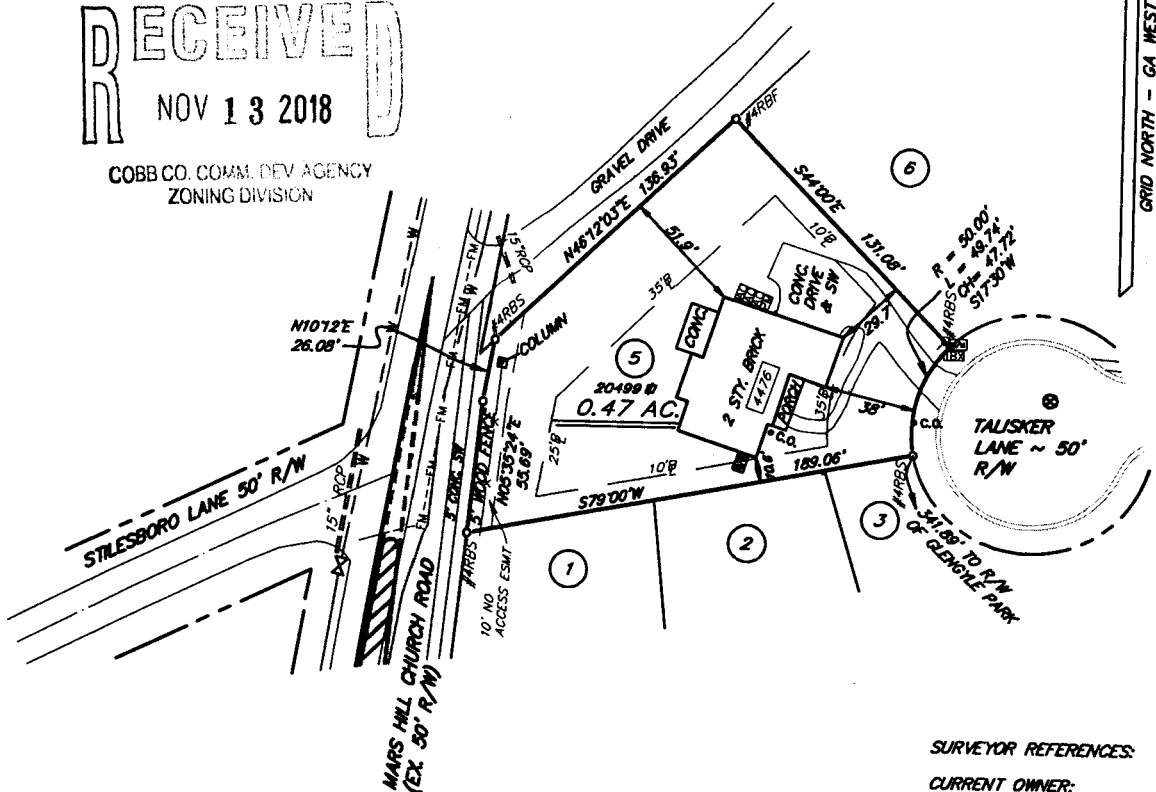
1150 Powder Springs St.
Marletta
-30064 Suite 400

(List or attach additional information if needed)

LEGEND	
⊙ P.P. - POWER POLE	△ C.B. - CATCH BASIN
⊗ L.P. - LIGHT POLE	▬ R.C.P. - REINFORCED CONCRETE PIPE
⊕ F.H. - FIRE HYDRANT	▬ C.M.P. - CORRUGATED METAL PIPE
⊗ M.H. - SANITARY SEWER MANHOLE	F.F.E. - FINISHED FLOOR ELEVATION
⊕ W/M - WATER METER	• W.V. - WATER VALVE
⊕ G/M - GAS METER	⊕ TELEPHONE MANHOLE
○ RBS - REINFORCING BAR SET	---E---E- UNDERGROUND ELECTRICAL LINE
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○ CTF - CRIMP TOP PIPE FOUND	△ HW - HEADWALL
○ OTF - OPEN TOP PIPE FOUND	⊕ PBX - POWERBOX
□ R/W MON. - RIGHT-OF-WAY MONUMENT	▬ WATER LINE
-X- TYPE OF FENCE	---T---T- UNDERGROUND TELEPHONE LINE
○ J.B. - JUNCTION BOX	---G---G- GAS LINE
⊕ D.I. - DROP INLET / YARD INLET	

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NOV 13 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



SURVEYOR REFERENCES:

CURRENT OWNER:
TRATON HOMES
D.B. 15116, PG. 5793
P.B. 273, PG. 750

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

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THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



SCALE IN FEET

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/32,987; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/51,724. MATTERS OF TITLE ARE EXCEPTED.



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Marietta Office
1266 Powder Springs Rd
Marietta, Georgia 30064
Phone: (770) 424-7168

LSFN 789
www.gcasurvey.com

Canton Office
2288 Marietta Highway
Canton, Georgia 30114
Phone: (770) 479-9698

FIELD DATE: 4/30/15	DRAWN BY: KRK
OFFICE DATE: 5/4/15	CHECKED BY: CAE
SCALE: 1"=50'	FILE: P:\7113

FINAL SURVEY FOR
MARIA V. FONTANA
LOT 5, MCCLURE FARMS, UNIT 1

LOCATED IN L.L. 146
20TH DISTRICT, 2ND SECTION
COBB COUNTY, GA.



Printed: 11/13/2018

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer
CHASE

FONTANA MARIA V

Payment Date: 10/3/2018

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2018	20014601500	10/15/2018	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$6,207.18	\$0.00	



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NOV 13 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested: 12-18-18

(2)

Lot # 7

OB-72

Applicant: EDWARD W TRAVIS Phone #: 770-652-2634
(applicant's name printed)

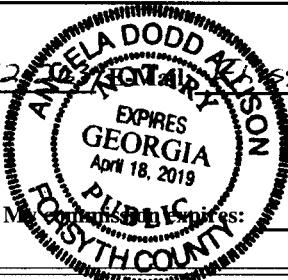
Address: 4464 TALISKER LN NW ACWORTH E-Mail: ELISSA.TRAVIS@GMAIL.COM

EDWARD W TRAVIS Address: 4464 TALISKER LN NW ACWORTH, GA 30101
(representative's name, printed)

Charles Lee Phone #: 770-652-2634 E-Mail: ELISSA.TRAVIS@GMAIL.COM
(representative's signature)

Signed, sealed and delivered in presence of:

Angela Dodd Allison
Notary Public

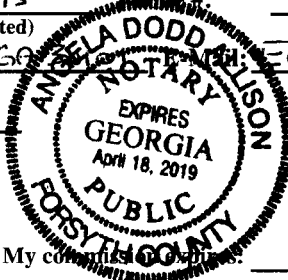


04/18/2019

Titleholder(s): EDWARD + ELISSA TRAVIS Phone #: 770-652-2634
(property owner's name printed)

Address: 4464 TALISKER LN ACWORTH, GA E-Mail: ELISSA.TRAVIS@GMAIL.COM

Charles Lee Anna B Shans
(Property owner's signature)



Signed, sealed and delivered in presence of:

Angela Dodd Allison
Notary Public

My commission expires:

04/18/2019

Commission District: ~~20~~ 1 Zoning Case: 24-2013

Size of property in acres: 0.50 Original Date of Hearing: FEB 19, 2013

Location: 4464 TALISKER LN NW ACWORTH, GA 30101 (lot 7)
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 146 District(s): 20

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

REMOVE STIPULATION REQUIRING SIGNS AT
EDGE OF OUTER BUFFER.

(List or attach additional information if needed)



Printed: 11/13/2018

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
EDWARD W & ELISSA B TRAVIS

TRAVIS EDWARD W & ELISSA B

Payment Date: 10/2/2018

Tax Year	Parcel ID	Due Date	Appeal Amount	Taxes Due
2018	20014601520	10/15/2018	Pay: N/A or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$1,947.10	\$0.00



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Application for "Other Business"

OB-72-2018

Cobb County, Georgia

① Lot #9

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

BOC Hearing Date Requested: 12-18-18

Applicant: DAVID PROVAN

Phone #: 404 824 5201

(applicant's name printed)

Address: 2839 GLEN GYLE PARK NW, ALBANY, GA **E-Mail:** david.provan@gmail.com

DAVID PROVAN

Address: 2839 GLEN GYLE PARK NW, ALBANY, GA, 30101

(representative's name, printed)

David Provan

Phone #: 404-824-5201

E-Mail: david.provan@gmail.com

(representative's signature)

Signed, sealed and delivered in presence of:

Annisha Bates

My commission expires: 12/11/2020

Notary Public

Titleholder(s): DAVID PROVAN

Phone #: 404 824 5201

(property owner's name printed)

Address: 2839 GLEN GYLE PARK NW, ALBANY, GA, 30101 **E-Mail:** david.provan@gmail.com

David Provan

(Property owner's signature)

Signed, sealed and delivered in presence of:

Annisha Bates

My commission expires: 12/11/2020

Notary Public

Commission District: 1

Zoning Case: Z4 of 2013

Size of property in acres: 0.5

Original Date of Hearing: FEB 19, 2013

Location: 2839 GLEN GYLE PARK NW, ALBANY, GA, 30101 (lot 9)

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

Land Lot(s): 9

District(s): 20

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

Remove stipulation about signage for cemetery

(List or attach additional information if needed)

DGM Cobb County Site Plan

LAND PLANNING
CONSULTANTS



1815 Old 41
Way, Suite 330
KENNESAW
GA 30142
770 514-8006
FAX 514-9481

TRATON CORPORATION

120 KENNESAW AVE, MARIETTA, GA 30060

Subdivision: McClure Farms

Lot #: 09

Date: 04-16-14

Scale: 1" = 30'

24HR CONTACT RICK FOSTER (770) 421-9264

Address: 2839 Glenwood Park

County: COBB

Land Lot: 146

District: 20th

Section: 2nd

Unit: -

Concrete Required:

Public Sidewalk: (SF/18) = 0 CY
Driveway: 1166 (SF/18) = 22.6 CY
Walkway: 263 (SF/18) = 3.4 CY
Silt Fence: 210
Sod Required: 8500 SF
Total: 26.0 CY

Impervious Surface:
House: 2921 SF
Driveway: 540 SF
Walkway: 263 SF
Patio: 209 SF
Total: 4633 SF
Lot Area: 21,071 SF
Percent Imp: 22 %

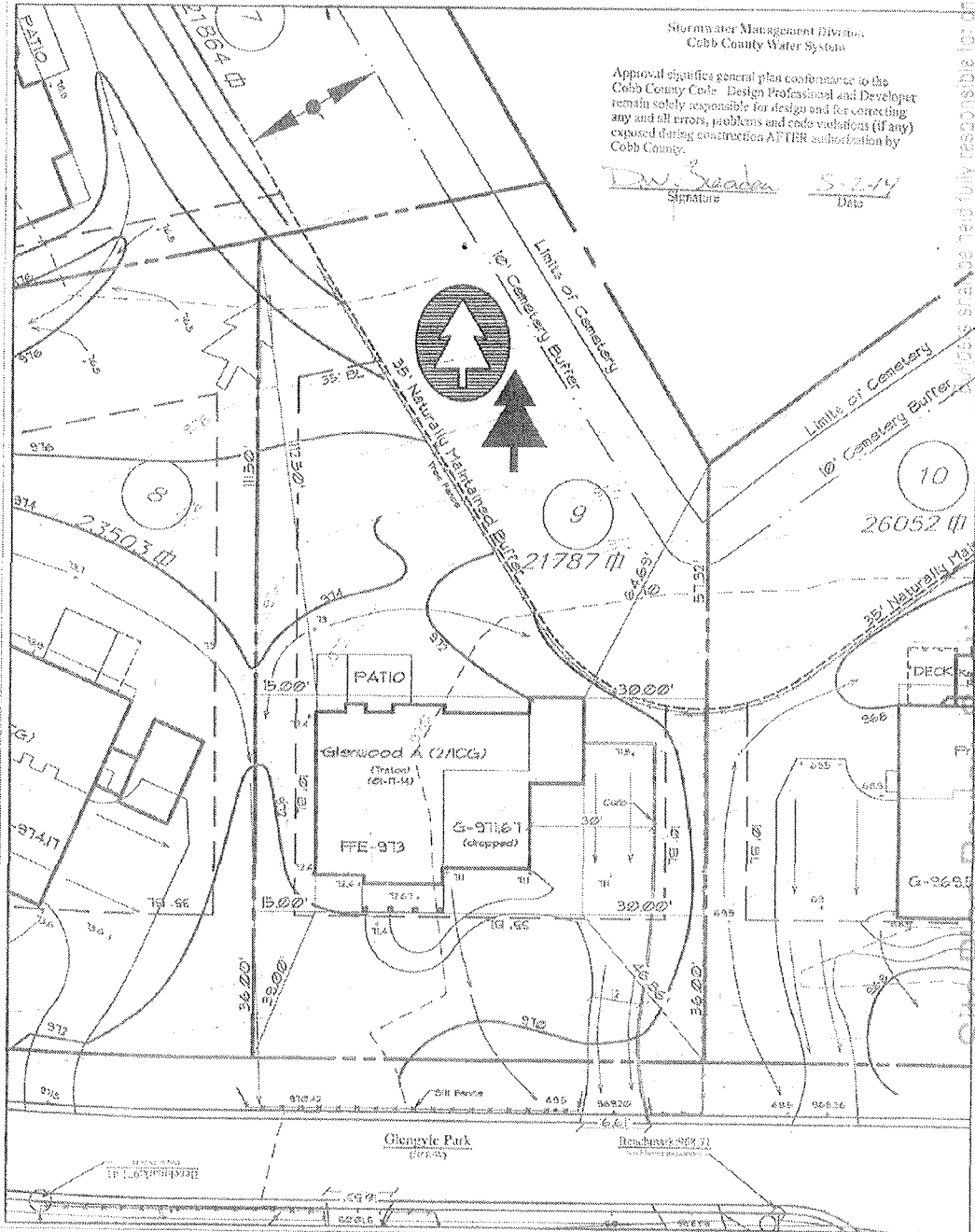


Cut/Fill Estimate:

Fill Required: 1249 CY
(45%) 187 CY
Total: 1431 CY
Cut Generated: 125 CY
Net Surplus (Deficit): 1291 CY



Note: The minimum floor elevation (MFE) for lots 3, 4, 11, 12, 41-58 shall be at least two (2') feet above the adjacent street's top of curb or provide detailed lot grading plan to demonstrate how drainage is handled (to be reviewed by stormwater division). The builder shall provide an adequate scale between the houses to accommodate any overflows from this headwall/inlet at the head of the lots. All lots must comply with this approved hydrology study.

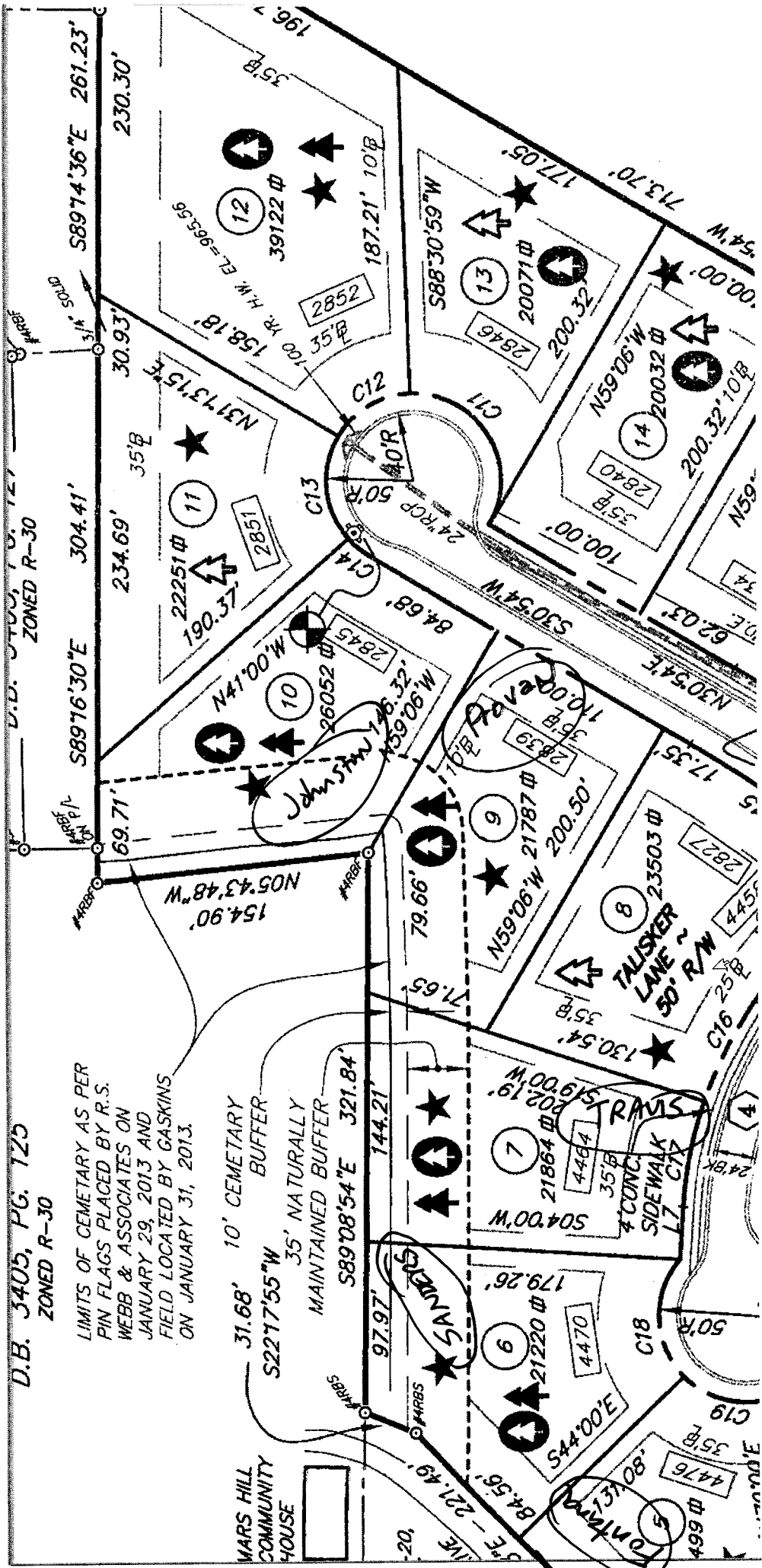


builder shall be held fully responsible for on-site erosion control on their own lots. This includes the effective installation and maintenance of hay bales, silt fence, and construction entrances, etc. In addition, builders will be held responsible for keeping the street(s) adjacent to their lots clear of silt and debris.

D.B. 3405, PG. 125
 ZONED R-30

LIMITS OF CEMETARY AS PER
 PIN FLAGS PLACED BY R.S.
 WEBB & ASSOCIATES ON
 JANUARY 29, 2013 AND
 FIELD LOCATED BY GASKINS
 ON JANUARY 31, 2013.

31.68' 10' CEMETARY
 BUFFER
 S22°17'55"W 35' NATURALLY
 MAINTAINED BUFFER
 S89°08'54"E 321.84'





Printed: 11/13/2018

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
 Phone: 770-528-8600
 Fax: 770-528-8679

Payer:
 CENTRAL LOAN ADMINISTRATION

PROVAN DAVID A & ELIZABETH A

Payment Date: 10/5/2018

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2018	20014601540	10/15/2018	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$5,934.89	\$0.00	



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Application for "Other Business"

OB-72

Cobb County, Georgia

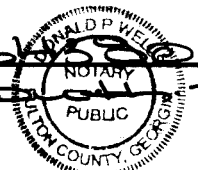
(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 12-18-18

Applicant: Jeffrey M Johnston
(applicant's name printed) Phone #: 770 402 3545

Address: 2845 Glenlyle Park NW E-Mail: john64380@bellsouth.net
(representative's name, printed) Address: 2845 Glenlyle Park NW

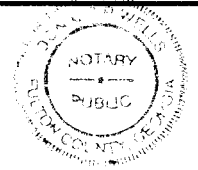
Signature: Jeffrey M Johnston Phone #: 770 402 3545 E-Mail: john64380@bellsouth.net
(representative's signature)



Signed, sealed and delivered in presence of: Donald P Wells My commission expires: _____
Notary Public

Titleholder(s): Same as above Phone #: _____
(property owner's name printed)

Address: _____ E-Mail: _____
Signature: Jeffrey M Johnston
(property owner's signature)



Signed, sealed and delivered in presence of: Donald P Wells My commission expires: _____
Notary Public

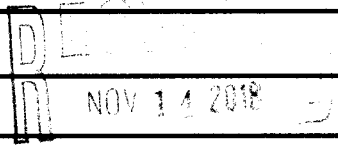
Commission District: 1 Zoning Case: 2-4 of 2013

Size of property in acres: .59 Original Date of Hearing: _____

Location: 2845 Glenlyle Park Acworth, GA 30101
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 146 District(s): 26

State specifically the need or reason(s) for Other Business: Remove stipulation that sign has to be on buffer



COBBO COMM DEV AGENCY ZONING DIVISION

DGM Cobb County Site Plan



1815 Old 41
Bry. Sum 330
KENNESAW
GA 30152
770 514-9006
FAX 514-9491

TRATON CORPORATION

120 KENNESAW AVE, MARIETTA, GA 30060

Date: 04-16-14 Scale: 1"=30'

24HR CONTACT RICK FOSTER (770-421-3064)

Subdivision: McClure Farms Lot #: 10

Address: 2845 Glengyle Park

County: COBB Land Lot: 146

District: 20th

Section: 2nd

Unit: -

Concrete Required:

Public Sidewalk: - (SF/18) = - CY
Driveway: 1111 (SF/18) = 22.0 CY
Walkway: 373 (SF/18) = 4.8 CY
Silt Fence: 251' Total: 26.8 CY
Sod Required: 9500 SF

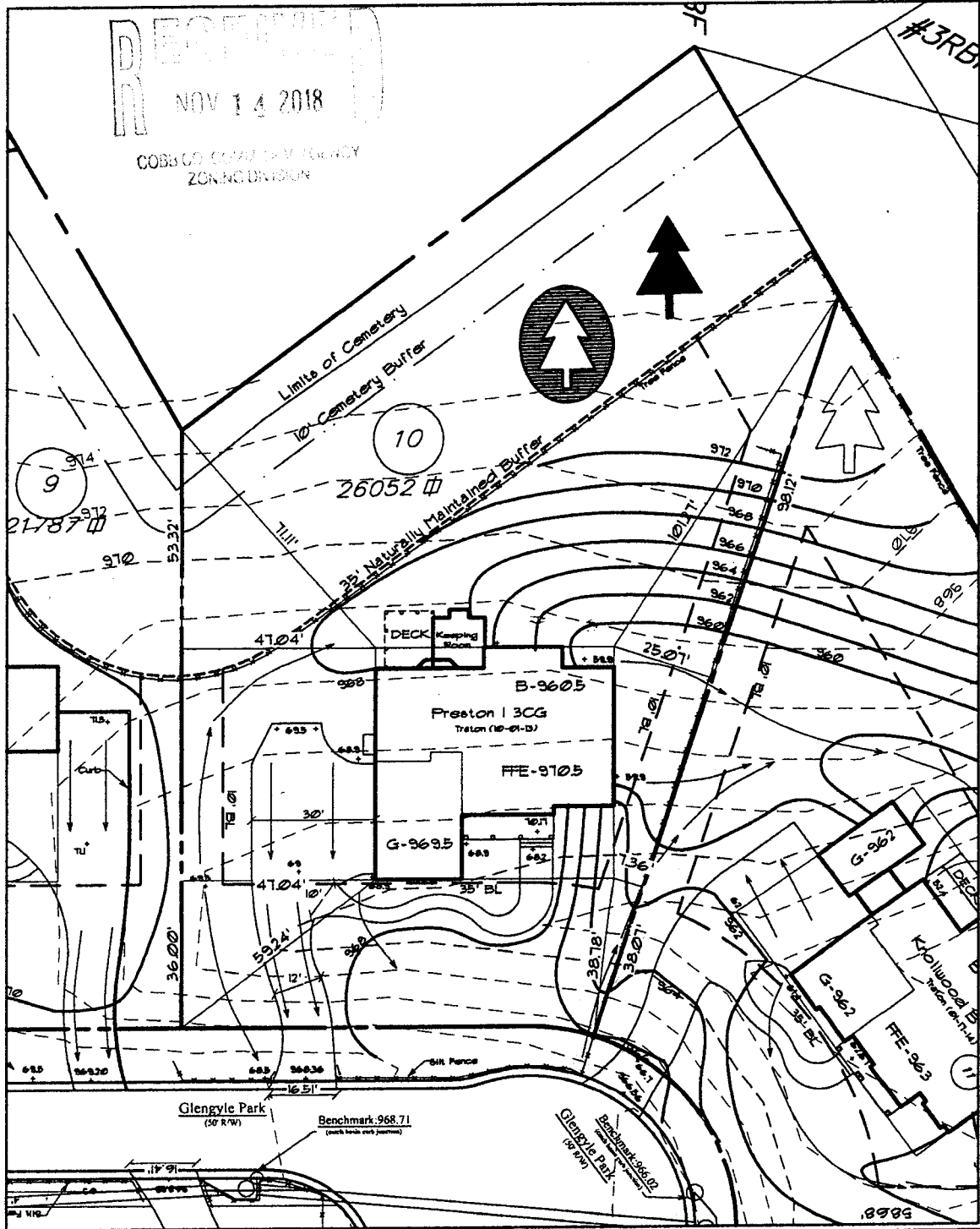
Impervious Surfaces:
House: 2791 SF
Driveway: 516 SF
Walkway: 313 SF
Patio: - SF
Total: 4686 SF
Lot Area: 26,252 SF
Percent Imp: 18 %

Cut/Fill Estimate:

Fill Required: 1853 CY
(+5%) 278 CY
Total: 2131 CY
-Cut Generated: 1278 CY
Net Surplus/Deficit: 1053 CY



Note: The minimum floor elevation (FFE) for lots 3, 4, 11, 12, 41-58 shall be at least two (2') feet above the adjacent street's top of curb or provide detailed lot grading plan to demonstrate how drainage is handled (to be reviewed by stormwater division). The builder shall provide an adequate swale between the houses to accommodate any overflows from the headwall/inlet at the head of the lots. All lots must comply with the approved hydrology study.





Printed: 11/14/2018

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer
JEFFREY & LISA JOHNSTON

JOHNSTON JEFFERY M & LISA M

Payment Date: 10/15/2018

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2018	20014601550	10/15/2018	Pay:	N/A	or	\$0.00

Interest	Penalty	Fees	Total Due	Amount Paid	Balance
\$0.00	\$0.00	\$0.00	\$0.00	\$6,964.36	\$0.00



Scan this code with your mobile phone to view this bill!

RECEIVED
NOV 14 2018
COBB CO. COMM. SERV. DIVISION
ZONING DIVISION

ORIGINAL DATE OF APPLICATION: 02-19-13APPLICANTS NAME: TRATON HOMES, LLCTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 02-19-13 ZONING HEARING:**

TRATON HOMES, LLC (Estate of Fanny B. McClure, owner) requesting Rezoning from **R-30** to **R-20** for the purpose of Single-Family Residential in Land Lot 146 of the 20th District. Located on the easterly side of Mars Hill Church Road, northeasterly of the intersection of Giles Road and Mars Hill Church Road.

The public hearing was opened and Mr. Kevin Moore, Mr. Robert Bruce, Mr. Jimi Richards, Mr. Terry Smith, and Mr. Craig Harfoot addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Ott, to **approve** Rezoning to the **R-20** zoning district **subject to:**

- **Revised site plan received by the Zoning Division February 13, 2013, District Commissioner may approve minor modifications (attached and made a part of these minutes)**
- **Letter of agreeable conditions from Kevin Moore dated February 13, 2013, *not otherwise in conflict* (attached and made a part of these minutes)**
- **Interior sidewalks to connect to sidewalks along Mars Hill Church Road**
- **Detention pond to be buffered with a 20 foot augmented natural maintained buffer or a landscape buffer on the Whitney Station side of the northeast detention pond to be determined at Plan Review; 20 foot augmented natural maintained buffer or landscape buffer on Kingsgate side of south detention pond to be determined at Plan Review**
- **Stamped concrete or similar masonry decorative surface to be used on the sides of the both detention ponds that adjoin neighborhoods**
- **District Commissioner may approve minor changes**
- **Cemetery Preservation comments and recommendations, *not otherwise in conflict, and with the following changes:***
 - ***Buffers established on the cemetery are to be an initial 10 foot buffer reserved to the cemetery from the developer, and beyond that a 35 foot' naturally maintained buffer for a total of a minimum of 45 foot buffer***
 - ***Cemetery boundary lines adjoining the project to be established by survey and approved by Zoning Division Manager***
 - ***Buffer design for the cemetery to be finalized at Plan Review so that all lots continue to meet the R-20 zoning conditions, even if this requires reduction of total number of lots***

ORIGINAL DATE OF APPLICATION: 02-19-13

APPLICANTS NAME: TRATON HOMES, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 02-19-13 ZONING HEARING: (Continued)

- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations, *entrance and sight distance and other conditions to be determined at Plan Review*
- 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** unanimously

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BARNHAM
MATTHEW J. HOWARD
JERRI G. SMITH
CLAYTON O. GARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. MCCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†
JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMIER
WILLIAM R. WINDERS, JR.†

ANGELA H. SMITH†
JOYCE W. HARPER
CHRISTOPHER C. MINGLEDORFF*
ANGELA D. TARTLONE
CAREY E. OLSON*
CHARLES E. PIERCE*
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WILMA R. BUSH
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JAMIE E. KNOESBEL*
ADON J. SOLOMON*
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JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1488

NASHVILLE, TENNESSEE
2300 WEST END AVE • STE 500
NASHVILLE, TENNESSEE 37203
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LOUISVILLE, KENTUCKY
800 CORPORATE CAMPUS DR • STE 3000
LOUISVILLE, KENTUCKY 40223
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CHARLESTON, SOUTH CAROLINA
4000 S. FABER PLACE DR • STE 300
CHARLESTON, SOUTH CAROLINA 29405
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KRISTEN C. STEVENSON*
CARLY M. RECORD
SARAH H. BEST*†
BRIAN L. SCHARF†
ROY H. SPARKS*
RYAN C. EDENS*
JULIE C. FULLER*
JODI B. LOCH†
TAMMI L. BROWN
TRAVIS R. JACKSON
DAVID A. HURTADO
J. MARSHALL WENHUNT
KENDRA A. BIRTSCH†
JONATHAN J. SMITH
MONTROYA M. NO-SANG†
TRISTAN B. MORRISON***
WILLIAM B. WARMATH†
W. COLLINS BROWN
ROBERT A. BUTLER
COLLEEN K. HORN***
GRAHAM P. ROBERTS
DAVID J. OTTEN†

JONATHAN S. FUTREI
JOSHUA D. ARTERS*
NORBERT D. HUMMEI
DAVID P. COMLEY
LYNDBREY J. HURST
B. CHASE ELLBY
G. BARDIN HOOKS
DAPHNE S. WITHROW

OF COUNSEL:
JOHN L. SKELTON, JR.

- † ALSO ADMITTED IN TN
- * ALSO ADMITTED IN FL
- *** ALSO ADMITTED IN GA
- ALSO ADMITTED IN TX
- ALSO ADMITTED IN AL
- ALSO ADMITTED IN KY
- ALSO ADMITTED IN SC
- ALSO ADMITTED IN NC
- ADMITTED ONLY IN TN
- ADMITTED ONLY IN FL

07, Division No. Z-4
Letter of agreeable
conditions
2/19/13

February 13, 2013

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

COBB COUNTY GEORGIA
FILED IN OFFICE
2013 FEB 13 PM 4:29
COBB COUNTY ZONING DIVISION

RE: Application for Rezoning - Application No. Z-4 (2013)
 Applicant: Traton Homes, LLC
 Property Owner: Estate of Fanny B. McClure
 Property: 52.49 acres located on the easterly side of Mars Hill Church Road, northeasterly of the intersection of Giles Road and Mars Hill Church Road, Land Lot 146, 20th District, 2nd Section, Cobb County, Georgia

Dear Jason:

The undersigned and this firm represent Traton Homes, LLC, the Applicant (hereinafter "Applicant"), and the Estate of Fanny B. McClure, the Property Owner (hereinafter referred to as "Owner"), in their Application for Rezoning with regard to property located on the easterly side of Mars Hill Church Road, northeasterly of the intersection of Giles Road and Mars Hill Church Road, and being 52.49 acres, in Land Lot 146, 20th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meeting with planning and

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 4
February 13, 2013

Petition No. 2-4
Hearing Date 2/19/13
Contracted

zoning staff and various Cobb County departmental representatives, reviewing the staff comments and recommendations and the uses of surrounding properties, and the hearing before the Cobb County Planning Commission, we have been authorized by the Applicant to submit this revised 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 zoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full the previous letter of agreeable stipulations and conditions dated and submitted to the Cobb County Planning Commission on February 5, 2013. The revised stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the existing zoning category of R-30 to the proposed zoning category of R-20, with reference to the revised Zoning Plan prepared by Gaskins Surveying and Engineering Company, dated December 4, 2012, last revised February 11, 2013. A reduced copy of the revised Zoning Plan submitted herewith is attached as Exhibit "A" for ease of reference and made a part hereof by reference.
- (2) By this revised letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Zoning Plan hereinabove referenced, same being prepared by Gaskins Surveying and Engineering Company, dated December 4, 2012, last revised February 11, 2013, submitted contemporaneously herewith.
- (3) The Subject Property shall be developed for a single-family residential community.
- (4) Applicant agrees the minimum house size for the homes in the proposed development shall be a minimum of 2,000 square feet of heated and cooled living space.
- (5) Applicant agrees the architectural style and elevations of homes within the proposed development shall be in keeping with the photographs collectively attached hereto as Exhibit "B."
- (6) The entrance signage for the proposed development shall be ground based, monument-style signage.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 3 of 4
February 13, 2013

Petition No. 2-4
Filing Date 2/19/13
CDD #

- (7) Landscaping of the entrance area; as well as the frontage of the proposed development along Mars Hill Church Road, shall be professionally designed, implemented, and maintained.
- (8) All utilities servicing the residences within the proposed development shall be underground.
- (9) Applicant agrees to the installation of interior sidewalks throughout the proposed development, which shall have connectivity to the sidewalk along the frontage of the Subject Property on Mars Hill Church Road.
- (10) Applicant has performed a study by R.S. Webb & Associates to determine the limits of the adjacent cemetery; as well as, the boundaries of the cemetery property. The boundary will be set a minimum of ten (10) feet from the existing cemetery boundary; and, in addition, Applicant will establish a minimum thirty-five (35) foot undisturbed buffer from the newly established boundary line of the cemetery property; and otherwise, agrees to comply with the recommendations of the Cobb County Cemetery Preservation Commission.
- (11) Detention ponds shall be fenced and landscaped in accordance with Cobb County development standards.
- (12) Applicant agrees to all Cobb County Department of Transportation comments and recommendations; including, but not limited to, installation of a left-turn lane on Mars Hill Church Road.

We believe the requested zoning, together with the revised Zoning Plan and the revised 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, as established by Applicant in its communities throughout Cobb County and the Metropolitan Atlanta area; 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 of this project.

MOORE INGRAM JOHNSON & STEELE

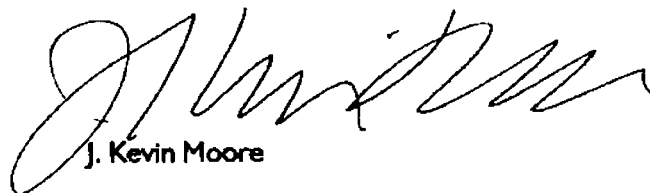
Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 4 of 4
February 13, 2013

Meeting No. 2-4
Meeting Date 2/19/13

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachments

c: **Cobb County Board of Commissioners:**
Timothy D. Lee, Chairman
Helen C. Goreham
Robert Ott
Joann Birrell
Lisa N. Cupid
(With Copies of Attachments)

Bob Hovey, Member
Cobb County Planning Commission
(With Copies of Attachments)

Traton Homes, LLC
(With Copies of Attachments)

APPLICANT: Traton Homes, LLC

PETITION NO.: Z-4

PRESENT ZONING: R-30

PETITION FOR: R-20

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 84 Overall Density: 1.6 Units/Acre

Present Zoning Would Allow: 57 Units Increase of: 27 Units/Lots

Applicant is requesting the R-20 zoning category for the development of an 84-lot single-family subdivision. The proposed houses will range in size from 2,000 square feet to 3,000 square feet and greater. The style of the houses will be traditional having hard surface exteriors with a mixture of architectural elevations and materials. Houses in the proposed development will range in price from the \$300,000s to \$400,000s.

Cemetery Preservation: The Cobb Cemetery Preservation Ordinance and the County Development Standards for Cemeteries call for:

- A. Prepare a site plan identifying the full boundaries with a metes and bounds description
- B. Provide a fifty (50) foot undisturbed natural buffer from the common property line; or a fifty (50) foot undisturbed natural buffer around the perimeter of the outermost burials of the cemetery; whichever provides the greatest protection for the cemetery. The outermost burials to be determined by a professional archaeologist (Cobb County Code 26-29 Section C). the archeology survey will locate all grave shafts and define the boundary. Member(s) of Cemetery Preservation Commission must be present during archaeology survey.
- Lots adjacent to the fifty (56) foot undisturbed natural buffer shall have setbacks in addition to the buffer. The fifty (50) foot undisturbed natural buffer shall be recorded as a conservation easement with the Cemetery Preservation Commission having third party right of enforcement.
- C. Provide and install a permanent six (6) foot chain link fence with gate on the outer perimeter of the cemetery property line. Fence must be 9 gauge with top and bottom rails and fence posts must be set in concrete. Fence may be upgraded to vinyl coated chain link and/or wrought iron.
- D. Provide and install an orange protective fence on the outer perimeter of the fifty (50) foot undisturbed natural buffer before beginning construction. The protective fence to be maintained in good repair throughout the development phase of the project. At completion of the project, the orange protective fence shall be removed from the premises.
- E. Permanent signs stating CEMETERY PRESERVATION BUFFER - DO NOT DISTURB shall be erected at fifty (50) foot intervals along the outer perimeter of the fifty (50) foot undisturbed natural cemetery preservation buffer.
- F. Compliance with all State and local laws and ordinances.
- G. All Cemetery Preservation requirements must be Site Plan specific.

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 18, 2015
PAGE 11

OTHER BUSINESS (CONT.)

O.B. 34 To consider amending the zoning stipulations for Traton Homes, LLC regarding rezoning application Z-4 (Traton Homes, LLC Inc.) of 2013, for property located on the eastern side of Mars Hill Church Road, at Stilesboro Lane in Land Lot 146 of the 20th District.

Mr. Pederson provided information regarding the stipulation amendment to allow for placing the "CEMETERY PRESERVATION BUFFER- DO NOT DISTURB" signs on the fence line that separates the cemetery from the residential properties. The public hearing was opened and Mr. Kevin Moore and Mr. Jimi Richards addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Weatherford, second by Birrell, to **approve** O.B. 34, *as presented*, for Traton Homes, LLC regarding rezoning application Z-4 (Traton Homes, LLC Inc.) of 2013, for property located on the eastern side of Mars Hill Church Road, at Stilesboro Lane in Land Lot 146 of the 20th District, subject to:

- **All previous stipulations and conditions, not otherwise in conflict, to remain in effect**

Clerk's Note: Commissioner Weatherford instructed staff to review the site plan to verify that the developer has completed the stipulations from the original zoning.

Upon further discussion and by general consensus, Commissioner Weatherford brought forward an amended motion.

MOTION: Motion by Weatherford, second by Birrell, to **hold** O.B. 34 until the September 15, 2015 Board of Commissioners Zoning Hearing.

VOTE: **ADOPTED** unanimously

~~**O.B. 35** To consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals from their July 15, 2015 Variance Hearing regarding Variance Application:~~

~~V-77 Hugh Stish~~

~~Mr. Pederson provided information regarding granting a Special Exception for backyard chickens, as pets or food source. The public hearing was opened and there being no speakers, the hearing was closed. Following presentation and discussion, the following motion was made:~~

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 15, 2015
PAGE 3

CONTINUED, HELD, OR WITHDRAWN (CONT.)

O.B. 36 (CONT.)

MOTION: Motion by Cupid, second by Weatherford, to continue O.B. 36 until the October 20, 2015 Board of Commissioners' Zoning Hearing.

VOTE: ~~ADOPTED 4-0, Birrell absent~~

O.B. 34

To consider amending the zoning stipulations for Traton Homes, LLC regarding rezoning application Z-4 (Traton Homes, LLC Inc.) of 2013, for property located on the eastern side of Mars Hill Church Road, at Stilesboro Lane in Land Lot 146 of the 20th District. *(Held by the Board of Commissioners until the September 15, 2015 zoning hearing).*

Mr. Kevin Moore, Applicant's Representative, requested that this petition be withdrawn without prejudice. There was no opposition present regarding this request; therefore, the following motion was made:

MOTION: Motion by Weatherford, second by Ott, to allow O.B. 34 to be **WITHDRAWN WITHOUT PREJUDICE**

VOTE: ADOPTED 4-0, Birrell absent

CONSENT AGENDA

MOTION: Motion by Lee second by Weatherford, to approve the following cases on the Consent Agenda:

Z-86'¹⁴

ZERO ONE, LLC (owner) requesting Rezoning from R-15 to R-15/OSC for the purpose of a Single-Family Subdivision in Land Lots 82 and 151 of the 18th District. Located on the south side of Old Alabama Road, west of South Glenn Forest Street, and at the western end of Angella Drive. *(Previously continued by the Planning Commission from their December 2, 2014 and February 3, 2015 hearings; previously continued by Staff until the August 4, 2015 Planning Commission hearing; and previously held by the Planning Commission until their September 1, 2015 hearing)*