

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

ITEM OB-79

PURPOSE

To consider a site plan and stipulation amendment for McConnell Green, LLC regarding case Z-75 of 2016. The property is located on the northwest corner of Lost Mountain Road and Corner Road, on the east side of McConnell Road, and on the north side of Pickens Road, in Land Lots 139, 140 and 157 of the 19th District.

BACKGROUND

The property was rezoned to RSL in 2016 for a 97-lot senior living subdivision subject to many stipulations. The applicant is in the process of adding 17-lots to the subdivision via rezoning application Z-62 of 2018. The applicant would like slide down five of the 17-lots into the 2016 property to provide for a better site plan for the two phases. This would increase the density of the 2016 property from 2.08 units per acre to 2.18 units per acre. There would be a commiserate reduction in density for the Z-62 of 2018 property from 2.9 units per acre to 2.03 units per acre. The applicant would be developing the same housing product in both phases. If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

Stormwater Management: Subject to Plan Review comments and approval of revised site grading plans.

Water and Sewer: Lots subject to \$3,000 per ERU Lost Mountain High Service Fee depending on finished floor elevation.

(Continued on the next page)

DECEMBER 18, 2018 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1
PAGE 2

ITEM OB-79 (Continued)

Cobb DOT: 1) Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the west side of Lost Mountain Road, a minimum of 55’ from the roadway centerline; 2) Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements; 3) Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway; 4) Recommend a 10’ no access easement for the lots that border Lost Mountain Road; 5) Recommend removing and closing driveway aprons along Lost Mountain Road frontage that development renders unnecessary; 6) Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed SPLOST project – Dallas Highway at Lost Mountain/Mars Hill Road (X2305). Additional right-of-way on the west side of Lost Mountain Road, a minimum of 55’ from the centerline, will be needed for the SPLOST project. Permanent easements will be needed for grading and drainage improvements.

RECOMMENDATION

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

ATTACHMENTS

Other Business Application and zoning stipulations.

Application for "Other Business"

OB-79

Cobb County, Georgia

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

BOC Hearing Date Requested: 12/18/2018

Applicant: McConnell Green, LLC Phone #: _____

(applicant's name printed)

Address: P.O. Box 1205 Woodstock, GA 30188 E-Mail: _____

SAMS, LARKIN, HUFF & BALLI, LLP

Parks F. Huff, Esq. Address: 376 Powder Springs St., Ste. 100, Marietta, GA 30064

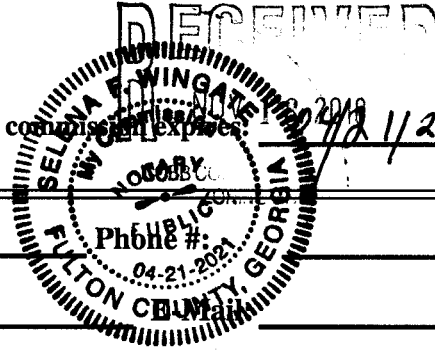
(representative's name, printed)

[Signature] Phone #: 770-422-7016 E-Mail: phuff@slhb-law.com

(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: 11/2021
Notary Public



Titleholder(s) : McConnell Green, LLC

(property owner's name printed)

Address: same as above

See Attached
(Property owner's signature)

Signed, sealed and delivered in presence of:

Notary Public My commission expires: _____

Commission District: 1 **Zoning Case:** Z-75 of 2016

Size of property in acres: 46.72 acres **Original Date of Hearing:** 12/20/2016

Location: northwest corner of Lost Mountain Road and Corner Road
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 139, 140 & 157 **District(s):** 19th

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

Windsong is adding additional lots to McConnell Green (Z-62). The layout works better if lots approved in Z-62 are moved down to the original phase. ~~Therefore, the request is to increase the density and the lot yield in the original phase of McConnell Green by moving all or part of 5 lots from the new phase. Paragraph 2 of the stipulation letter will be amended to allow a maximum of 102 homes and maximum of 2.18 units per acre. The density increase shall be tied to the commensurate decrease in homes from Z-62(2018).~~

(List or attach additional information if needed)

CERTIFICATE REGARDING CORPORATE AUTHORITY TO PURSUE REZONING

RECEIVED
NOV 13 2018

1.

My name is STEVEN ROWEYN. I am the secretary, assistant secretary or other officer to whom the

operating agreement has delegated the responsibility for authenticating records of the company McConnell Green, LLC, a Limited Liability Company (the "Applicant"). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Application to file an Other Business item for certain real property located in Cobb County, Georgia.

2.

In accordance with the Requirements for Completing a Cobb County Public Application, I hereby attest on behalf of the Applicant that I have reviewed the Application and related documents which are being filed simultaneously therewith by the Applicant Company (collectively, the "Public Hearing Application") to which this Certificate is attached and hereby certify:

- (a) That signature or facsimile affixed to the Application is in fact the seal of the Applicant and is a true representation thereof; and
- (b) That the officer or other representative of the Applicant who executed the Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Application on behalf of the Applicant, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Application and the filing of the Application by the Applicant is with the express permission of the Applicant Company.

MCCONNELL GREEN, LLC

(SEAL)

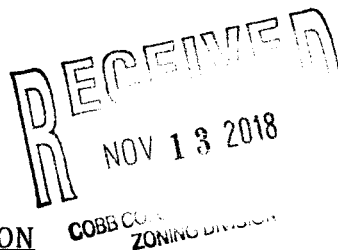
By: *Steven Roweyn*

Its: *Patrick J*

ATTACHMENT TO APPLICATION FOR OTHER BUSINESS

Application No.: 2 06-79
PC Hearing Date:
BOC Hearing Date: 12-18-19

Applicant: McConnell Green, LLC
Titleholder: McConnell Green, LLC
PIN#: 19014000010



PROPERTY OWNER'S CERTIFICATION

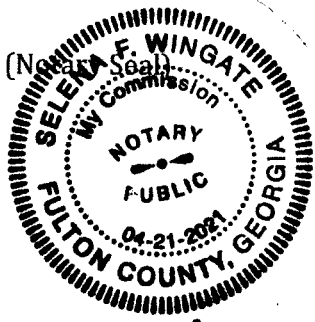
The undersigned(s) below, or as attached, is the owner of the property considered in this application.

[Signature] 11/13/18
Signature of Owner Date

Address: 120 COUNTRY CIRCLE DR.
WOODSTOCK, GA - 30188

Telephone No.: (770) 516-3409

[Signature] 11/13/18
Signature of Notary Public Date



PROPERTY/FINANCIAL DISCLOSURE REPORT¹ BY APPLICANT²

(A separate form must be completed by each applicant* - please see definition below)

Does any member of the Board of Commissioners or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? NO

If so, describe the nature and extent of such interest: _____

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COBB


Does any member of the Board of Commissioners or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? NO

If so, describe the nature and extent of such interest: _____

Does any member of the Board of Commissioners or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? NO

If so, describe the relationship and the nature and extent of such interest: _____

I certify that the foregoing information is true and correct, this 13 day of NOV., 2018.


Applicant's Signature

¹If the answer to any of the above is "Yes," then the member of the Board of Commissioners or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the Board of Commissioners of Cobb County, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

²Applicant means any person who applies for a rezoning action and any attorney, or other person representing or acting on behalf of a person who applies for a rezoning action.

CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

(A separate form must be completed by each applicant* - please see definition below)

Has the applicant² made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Board of Commissioners or Planning Commission who will consider the application?

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APR 13 2018
ZONING

YES

If so, the applicant and the attorney representing the applicant must file a disclosure report with the Board of Commissioners of Cobb County within ten (10) days after this application is first filed.

Please apply the following information that will be considered as the required disclosure:

The name of the member(s) of the Board of Commissioners or Planning Commission to whom the campaign contribution or gift was made: _____

BOB WATHORFORD

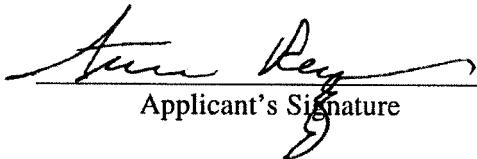
The dollar amount of each campaign contribution made by the applicant to the member(s) of the Board of Commissioners or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution: _____

COMMITTEE TO ELECT BOB WATHORFORD 1500.00

4/11/18

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Board of Commissioners or Planning Commission during the two (2) years immediately preceding the filing of this application: _____

I certify that the foregoing information is true and correct, this 13 day of NOV, 20 18.


Applicant's Signature

¹If the answer to any of the above is "Yes," then the member of the Board of Commissioners or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the Board of Commissioners of Cobb County, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

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CAMPAIGN DISCLOSURE REPORT BY APPLICANT¹

Has the Applicant made, within two (2) years immediately preceding the filing of this Application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Board of Commissioners or Planning Commission who will consider the Application?

NOV 15 2018
COBB ZONING DIVISION

Yes _____

If so, the Applicant and the attorney representing the Application must file a disclosure report with the Board of Commissioners of Cobb County within ten (10) days after this Application is first filed.

Please supply the following information which will be considered as the required disclosure:

The name of the member(s) of the Board of Commissioners or Planning Commission to whom the campaign contribution or gift was made: Lisa Cupid, JoAnn Birrell and Bob Weatherford.

The dollar amount of each campaign contribution made by the Applicant to the member(s) of the Board of Commissioners or Planning Commission during the two (2) years immediately preceding the filing of this Application and the date of each such contribution: (Note: These disclosures cover the Primary Election, Primary Run-off Election and General Election Cycles for the applicable period). Lisa Cupid - \$1,040.00 on 6/19/17, JoAnn Birrell - \$2,000.00 on 8/29/17 and \$2,000.00 on 1/25/18 and Bob Weatherford - \$2,300.00 on 1/24/18 and \$2,000.00 on 5/4/18. (Unless otherwise noted, contributions are to be calculated as each partner of SLHB contributing one-fourth of any amount).

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the Applicant to the member(s) of the Board of Commissioners or Planning Commission during the two (2) years immediately preceding the filing of this Application: N/A

I certify that the foregoing information is true and correct, this the 13 day of Nov, 2018.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

PARKS F. HUFF
Attorney for Applicant

¹Applicant means any person who applies for a rezoning action and any attorney, or other person representing or acting on behalf of a person who applies for a rezoning action.

PROPERTY/FINANCIAL DISCLOSURE REPORT² BY APPLICANT³

(A separate form must be completed by each applicant* - please see definition below.)

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NOV 13 2018
COB

Does any member of the Board of Commissioners or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?
No

If so, describe the nature and extent of such interest: N/A

Does any member of the Board of Commissioners or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten percent (10%) or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?
No

If so, describe the nature and extent of such interest: N/A

Does any member of the Board of Commissioners or Planning Commission have a spouse, mother, father, brother, sister, son, or daughter who has any interest described above? No

If so, describe the relationship and the nature and extent of such interest: N/A

I certify that the foregoing information is true and correct, this the 13th day of Nov, 2018.

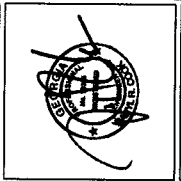
SAMS, LARKIN, HUFF & BALLI, LLP

By: [Signature]
PARKS F. HUFF
Attorney for Applicant

²If the answer to any of the above is "Yes", then the member of the Board of Commissioners or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the Board of Commissioners of Cobb County, Georgia. A copy should be filed with this Application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

³Applicant means any person who applies for a rezoning action and any attorney, or other person representing or acting on behalf of a person who applies for a rezoning action.

VARIANCE/MODIFICATION EXHIBIT
FOR
MCCONNELL GREEN NORTH
LAND LOTS 83 & 84 - 19th DISTRICT - 2nd SECTION
COBB COUNTY, GEORGIA

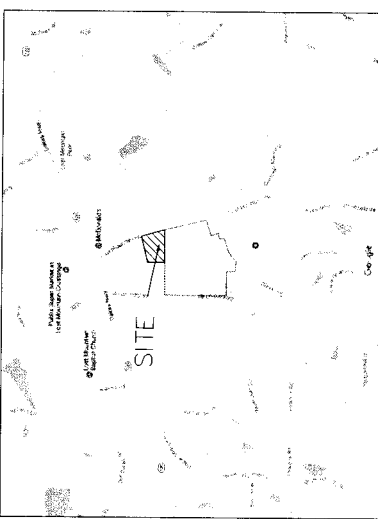


NO.	DESCRIPTION
1	NO. 1917141
2	NO. 1917142
3	NO. 1917143
4	NO. 1917144
5	NO. 1917145
6	NO. 1917146
7	NO. 1917147
8	NO. 1917148
9	NO. 1917149
10	NO. 1917150

WATTS ENGINEERING, INC.
CIVIL ENGINEERS
1100 N. WILSON ROAD
MARIETTA, GEORGIA 30066-0030
PHONE: 770.429.3333
FAX: 770.429.3333
LIC# 0002213 - PE/CIVIL/01/14

DESIGNED BY:	DKC
DRAWN BY:	JLT
CHECKED BY:	DKC
DATE:	03/20/18
JOB NUMBER:	190714
PROJECT NUMBER:	1

9-7-B-0
Project
Site
Notes



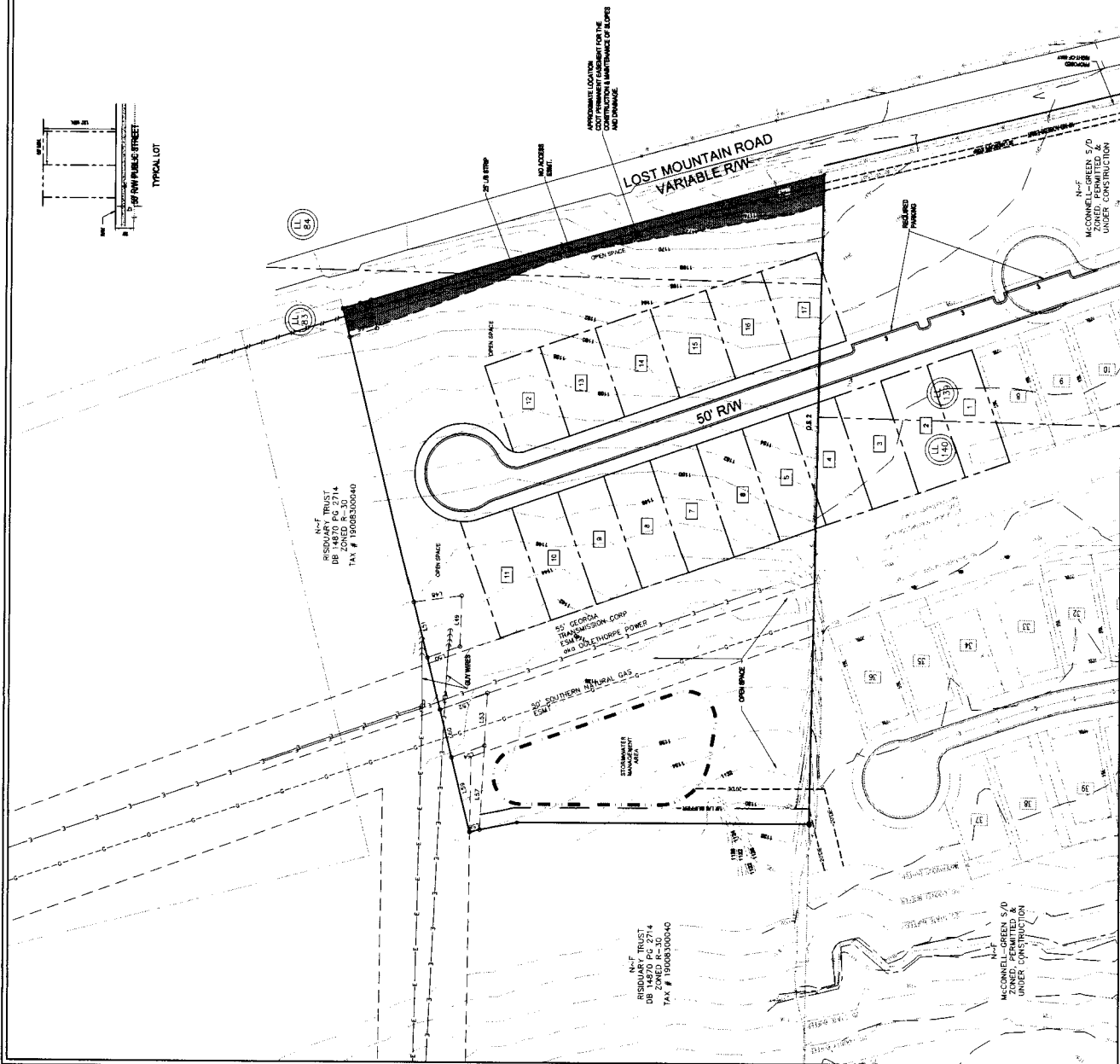
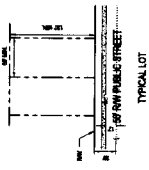
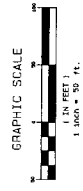
Curve #	Length	Radius	Chord Bearing	Chord
C1	11.56	1035.64'	10082.23'	517.50'
C2	11.56	1035.64'	10082.23'	517.50'

Line #	Direction	Length
L1	S 77° 03' 32" W	29.38
L2	N 75° 00' 00" E	18.75
L3	N 75° 00' 00" E	18.75
L4	S 77° 03' 32" W	29.38

Line #	Direction	Length
L5	S 77° 03' 32" W	29.38
L6	N 75° 00' 00" E	18.75
L7	N 75° 00' 00" E	18.75
L8	S 77° 03' 32" W	29.38

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COBB COUNTY PLANNING AND ZONING DIVISION



N-T
BISBURY TRUST
DB 14870 PC 2714
TAX # 130608300040

N-T
BISBURY TRUST
DB 14870 PC 2714
ZONED R-30
TAX # 130608300040

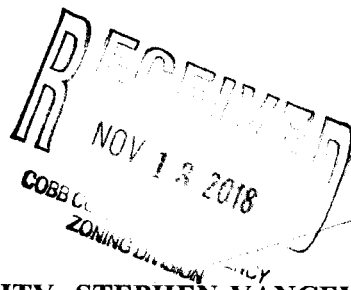
N-T
MCCONNELL-GREEN S/O
ZONED, PERMITTED &
UNDER CONSTRUCTION

IMPERVIOUS CALCULATIONS
 1. 100% IMPERVIOUS AREA
 2. 100% IMPERVIOUS AREA
 3. 100% IMPERVIOUS AREA
 4. 100% IMPERVIOUS AREA
 5. 100% IMPERVIOUS AREA
 6. 100% IMPERVIOUS AREA
 7. 100% IMPERVIOUS AREA
 8. 100% IMPERVIOUS AREA
 9. 100% IMPERVIOUS AREA
 10. 100% IMPERVIOUS AREA
 TOTAL % SITE IMPERVIOUS AREA = 100%

REQUIRED PARKING (PER CODE)
 0.5 SPACES PER UNIT SPACES REQUIRED
 9 SPACES PROVIDED

OPEN SPACE CALCULATIONS
 OPEN SPACE = 1.5 AC
 TOTAL LOT AREA = 1.5 AC
 TOTAL OPEN SPACE = 1.5 AC
 PERCENT OPEN SPACE = 100%

NOTES
 1. THIS PLAN IS THE PROPERTY OF WATTS ENGINEERING, INC.
 2. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.
 3. THIS PLAN IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.
 4. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY WATTS ENGINEERING, INC.
 5. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.
 6. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.
 7. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.
 8. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.
 9. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.
 10. THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN PERMISSION OF WATTS ENGINEERING, INC.



~~CONSENT AGENDA (CONT.)~~

~~Z-120 SOUTH COBB REDEVELOPMENT AUTHORITY; STEPHEN YANCEY;
PHILLIP YANCEY (CONT.)~~

- ~~10. Water and Sewer Division comments and recommendations, *not otherwise in conflict*~~
- ~~11. Stormwater Management Division comments and recommendations, *not otherwise in conflict*~~
- ~~12. Department of Transportation comments and recommendations, *not otherwise in conflict*~~

Z-75 WINDSONG PROPERTIES, LLC (Clarence Luther McConnell, Jr.; Gayle L. Norton, a/k/a/ Gayle L. Richards, owners) requesting Rezoning from R-30 to RSL for the purpose of Residential Senior Living (non-supportive) in Land Lots 139, 140, & 157 of the 19th District. Located on the northwest corner of Lost Mountain Road and Corner Road, on the east side of McConnell Road, and on the north side of Pickens Road. *(Previously continued by the Board of Commissioners from the September 20, 2016, and October 18, 2016 hearings; Held from the November 15, 2016 hearing until the December 20, 2016 hearing).*

To approve Z-75 to the RSL zoning category, subject to:

1. Letter of agreeable conditions from Mr. Parks Huff dated December 20, 2016 (attached and made a part of these minutes)
2. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
3. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
4. Department of Transportation comments and recommendations, *not otherwise in conflict*
5. 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

CONSENT VOTE: ADOPTED 5-0

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

ADAM J. ROZEN

WWW.SLHB-LAW.COM

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NOV 20 2018
December 20, 2018

COBB CO. CLERK OF SUPERIOR COURT
ZONING DIVISION

Min. Bk. 81 Petition No. Z-75
Doc. Type letter

Meeting Date 12-20-16

VIA HAND DELIVERY AND EMAIL

Mr. Jason Campbell, Planner III
Cobb County Zoning Department
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of Windsong Properties LLC to Rezone a 46.72 Acre Tract from R-30 to RSL – Non-Supportive; Land Lots 139, 140 & 157, 19th District, 2nd Section, Cobb County, Georgia (Z-75)

Dear Jason:

Windsong Properties, LLC proposes a new Residential Senior Living (RSL) community on Lost Mountain Road at Corner Road. The proposed Windsong neighborhood is well positioned with convenient access to the West Cobb Senior Center and adjacent park, shopping and doctor's offices. The surrounding community has expressed concerns regarding the proposed neighborhood. Windsong has met with the community on several different occasions and made multiple changes to the proposal to address their concerns. Following is a list of stipulations that addresses the neighborhood concerns and has resulted in their support for the application.

1. The Windsong community will be an age-restricted active adult community in compliance with the Cobb County Residential Senior Living (RSL) Zoning Ordinance for a Nonsupportive Community and in compliance with the Federal Fair Housing Act. The proposed community will be established and maintained as a residential community intended for the housing of persons 55 years of age or older in accordance with the exemption requirements for an age restricted community pursuant to the Housing for Older Persons Act of 1995 contained in the Fair Housing Act (42 U.S.C. §3607, et seq.) ("HOPA") and O.C.G.A. § 8-3-200, et seq., as applicable. No person under eighteen (18) years of age may occupy any home in the proposed community, provided, however, the following shall not be prohibited: (1) occupancy of a person under eighteen (18) years of age to the extent the same is necessary to provide a reasonable accommodation to a resident with disabilities in accordance with the Fair Housing Act or otherwise consistent with O.C.G.A. § 8-3-200, et seq.; or (2) entertaining by the permitted occupant of guests

VIA HAND DELIVERY

Mr. Jason Campbell, Planner III
Cobb County Zoning Department
December 20, 2016
Page 2

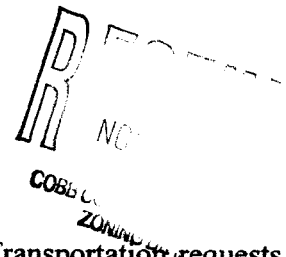
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COBB COUNTY
ZONING DIVISION

- of any age, including temporary residency by such guests for a period not to exceed thirty (30) consecutive days or an aggregate of ninety (90) days in any calendar year. In addition to a condition of zoning, the foregoing restriction shall be incorporated into restrictive covenants to be recorded in the Cobb County, Georgia land records and enforceable by a mandatory membership owners association having jurisdiction over the proposed community.
2. There shall be a maximum of 97 homes located on 46.72 acres for a gross density of approximately 2.08 units per acre.
 3. A minimum of 30% of the property will be dedicated greenspace and amenity area. A color rendering showing the conceptual depiction of the greenspace is attached as Exhibit "A."
 4. The Windsong homes will be consistent in architecture and size to the elevations and floor plans that are attached as shown in the revised Exhibit "B." The homes will be a minimum of 1,500 square feet and range to above 2,400 square feet. The builder will be Windsong and the product will be Windsong product. Any changes in the builder must be approved by the Board of Commissioners as an Other Business Item.
 5. All homes will be low maintenance homes with exterior siding being brick, stone and/or cementitious siding material. Windows and door will also be low maintenance and energy efficient products ensuring active adults can spend time with family and friends rather than on maintaining a home. All homes will also comply with Easy Living Standards as promulgated by the Atlanta Regional Commission and AARP. Additionally, no more than 10% of the units will be leased at one time.
 6. All landscaping, other than the fenced courtyards, shall be maintained by a professional landscaping company hired and supervised by the Homeowners Association.
 7. There shall be a minimum of ten (10) feet between each home allowing for design flexibility and increase in tree buffers.
 8. Windsong will provide a clubhouse no less than 2,500 square feet for residents to gather, will provide a bocce court or a pickleball court, a community garden, dog park, walking trails and will build all interior sidewalks at a width of five feet to facilitate walking.

VIA HAND DELIVERY

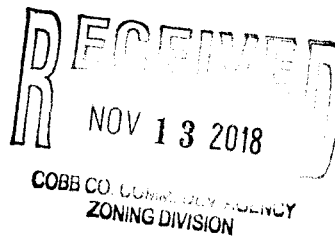
Mr. Jason Campbell, Planner III
Cobb County Zoning Department
December 20, 2016
Page 3



9. Windsong will comply with the Cobb Department of Transportation requests regarding road improvements related to the community entrance located on Corner Road including, but not limited to a deceleration lane. In order to provide an alternative ingress and egress, Windsong will install an additional entrance on McConnell Road in compliance with Cobb DOT specifications.
10. Windsong will reserve up to twenty (20) feet of right of way along Lost Mountain Road to be donated to Cobb County for the purpose of enabling Cobb DOT road improvement project, SPLOST Project #X2305, which will provide additional lanes along Lost Mountain Road. The actual width of the donation will be determined at plan review.
11. Windsong will donate right of way along McConnell Road so the county has twenty-five (25) feet from the centerline. Windsong will make a payment in lieu of installing curb gutter, or sidewalk along McConnell Road.
12. Along the Corner Road and Pickens Road frontage, Windsong will provide a seventy - five (75) foot graded landscape buffer which will include a five (5) foot berm, and a stained four-rail wooden horse fence (matching the fence on Lost Mountain Road at Oakleigh) with stacked stone columns (which will tie into the entrance feature), except in areas that conflict with utility easements.
13. Along Lost Mountain Road and McConnell Road, Windsong will provide a fifty (50) foot graded buffer which will include a twenty-five (25) foot landscape strip with double staggered rows of drought tolerant evergreens 5-6' tall, creating an opaque barrier at maturity and a stained four-rail wooden horse fence (matching the fence on Lost Mountain Road at Oakleigh) and a five (5) foot berm wherever the existing road elevation is equal to or greater than a level buffer area.
14. Along the North property line, Windsong will provide a fifteen (15) foot undisturbed buffer and will add landscaping where the buffer is sparsely vegetated.
15. Along the Leatherwood property lines, Windsong will provide a one hundred seventy - five (175) foot undisturbed buffer. Water quality ponds within the buffer will be surrounded by a fifteen (15) foot landscape strip.

VIA HAND DELIVERY

Mr. Jason Campbell, Planner III
Cobb County Zoning Department
December 20, 2016
Page 4



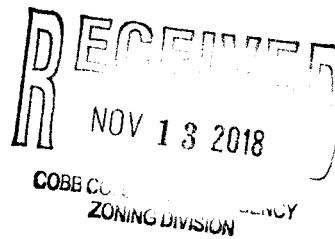
16. All the Perimeter landscape strips will be planted with drought tolerant native trees: Green Giant Thuja Aborvitaes, Burford Hollies, Little Gem Magnolias, and Chindo Sweet Viburnum. For variety, Carolina Sapphire Cypress, Cryptomeria, Virginia Pines, etc. will be included.
17. All the landscaping will be reviewed and approved by the county arborist. Once installed, the homeowners association will be responsible for all landscaping to ensure that it is properly maintained.
18. If the property does not begin development within twenty four months from the date of approval, the property shall revert to R-30. Development shall be defined as having an approved LDP and beginning the installation of sediment and erosion control measures. All the buffers, stipulations and conditions contained in this letter shall be binding upon future owners including the developer, the builder, the individual homeowners and the homeowners association.
19. Minor modifications to the within stipulations/conditions, site plan, lighting, landscaping, architecture, site features and the like may be approved by the District Commissioner as needed or necessary except for those that:
 - a. Increase the density over 97 home sites.
 - b. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.
 - c. Increase the height of a building that is adjacent to property that is zoned the same or more restrictive zoning district.
 - d. Change access location to a different roadway.
 - e. Change the minimum heated square footage of the residences.
 - f. Require a variance or contravention of the terms and provisions of the Cobb County Zoning Ordinance.

SAMS, LARKIN, HUFF & BALLI
A LIMITED LIABILITY PARTNERSHIP

Petition No. 2-75
Meeting Date 12-20-16
Continued

VIA HAND DELIVERY

Mr. Jason Campbell, Planner III
Cobb County Zoning Department
December 20, 2016
Page 5



- g. Any modifications which do not qualify as minor modifications shall either come back for consideration in the context of an Other Business Application or an Application for Rezoning dependent upon direction from the Manager of the Zoning Division.

Windsong understands its active adult buyers and the proposed new community will serve the needs of the senior citizens of West Cobb. Please contact me if you have any questions regarding the proposed conditions.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP

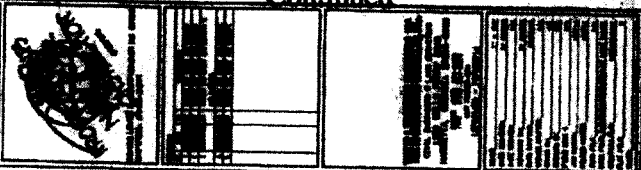
A handwritten signature in black ink, appearing to be "Parks F. Huff".

Parks F. Huff
phuff@slhb-law.com

PFH/sfw
Enclosures

cc: Members, Cobb County Board of Commissioners
Mr. John Pederson, Zoning Division Manager
Mr. David Breaden, P.E.
Mr. Ashley White, Cobb DOT
Mr. Tim Davidson, Cobb Water System
Ms. Lori Barton, Deputy County Clerk
Mr. Eric Burt via email eric_burt@agilent.com
Windsong Properties, LLC

LOT LAYOUT EXHIBIT
FOR
WINDSONG AT LOST
MOUNTAIN
LOCATED IN
LAND LOTS 194, 140 AND 141
19TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA



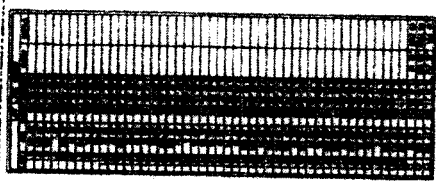
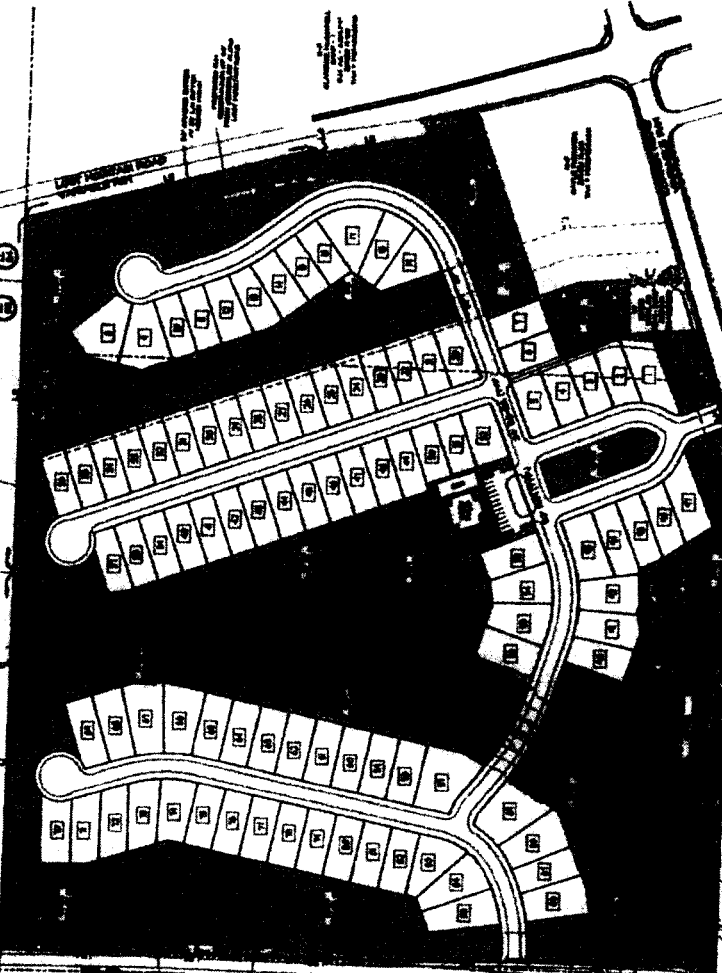
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RECEIVED
NOV 13 2018
COBB COUNTY ZONING DIVISION

Exhibit A



A table with multiple columns and rows, likely providing detailed information for each lot, such as lot number, area, and other specifications.