

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 15, 2022
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, November 15, 2022, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner Keli Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

Commissioner JoAnn Birrell – not present

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:03 a.m.

***Clerk's Note:** Due to the absence of Commissioner Birrell, Commissioner Gambrill handled the District 3 cases during the hearing.*

Mr. John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn, held, or continued*.

WITHDRAWN, HELD, AND CONTINUED CASES

Z-69 **BEAZER HOMES, LLC** (Diversified Trust Company, Successor Trustee under instrument dated May 1, 1981, for the benefit of Nancy T. [Montgomery] and grandchildren of George A. Montgomery, owners) requesting rezoning from **R-20** to **RA-6** for a single-family detached and townhome community in land lots 655, 656, 713, 714, 715, 725, 726, 727, 787, and 788 of the 16th district. Property is located on the west side of Bells Ferry Road, on the east side of I- 75 and I-575 (2247 Bells Ferry Road; 150, 151, and 154 Laurel Lake Road). *(Previously continued by the Planning Commission (PC) until the December 6, 2022, PC hearing).* **WITHDRAWN WITHOUT PREJUDICE**

Z-70 **DAVID LADNAK, MUST MINISTRIES** (Ministries United for Service and Training, Inc., owner) requesting rezoning from **RM-12** to **RRC** for multi-family residential in land lot 224 of the 17th district. Property is located on the south side of Osborne Road, west of Austell Road (34 Osborne Road). **WITHDRAWN WITHOUT PREJUDICE**

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- Z-75** **ADP - MARS HILL ROAD LLC** (Anthony J. Gatti Living Trust and Lisa Gatti McLean and Christopher Michael Gatti and Gina Marie Gatti, owners) requesting rezoning from **NS, LRO, and R-20** to **NRC and R-20** for a climate controlled self-storage in land lots 231 and 264 of the 20th district. Property is located on the west side of Mars Hill Road, north of Fords Road (Mars Hill Road). **WITHDRAWN WITHOUT PREJUDICE**
- SLUP-5** **PARALLEL TOWERS III, LLC aka PARALLEL INFRASTRUCTURE, LLC** (FDP Properties, LLC, owner) requesting a **Special Land Use Permit** for a cellular tower in land lots 131 and 132 of the 16th district. Property is located on the east side of Canton Road, across from the terminus of Shallowford Road (4648 Canton Rd). *(Previously continued by Staff until the May 3, 2022, Planning Commission (PC) hearing; held by the PC until the June 7, 2022, PC hearing; continued by Staff until the July 5, 2022, PC hearing; continued by Staff until the August 2, 2022, PC hearing; continued by the PC until the September 6, 2022, PC hearing; continued by Staff from the September 6, 2022, and October 4, 2022, PC hearings until the November 1, 2022, PC hearing).* **WITHDRAWN WITHOUT PREJUDICE**
- SLUP-13** **WH STORAGE, LLC** (Kofer Properties, Inc., owner) requesting a **Special Land Use Permit** for a climate-controlled self-storage in land lots 15 and 58 of the 17th district. Property is located on the south side of Windy Hill Road, on the west side of Arkose Drive (749 Windy Hill Road, 2410 Arkose Drive). *(Continued by Staff until the November 1, 2022, Planning Commission hearing).* **WITHDRAWN WITHOUT PREJUDICE**
- SLUP-15** **ADP - MARS HILL ROAD LLC** (Anthony J. Gatti Living Trust, owner) requesting a **Special Land Use Permit** for a climate-controlled self-storage in land lots 231 and 264 of the 20th district. Property is located on the west side of Mars Hill Road, north of Fords Road (Mars Hill Road). **WITHDRAWN WITHOUT PREJUDICE**
- Z-7** **KM HOMES** (Luther John Deavers, Luther Guy Deavers Jr., owners) requesting rezoning from **R-20** to **FST** for a townhome community in land lot 22 of the 20th district. Property is located on the southeast side of Wade Green Road, north of Wooten Lake Road (4556, 4570, and 4600 Wade Green Road). *(Previously continued by Staff from the February 1, 2022, and March 1, 2022, Planning Commission (PC) hearings until the April 5, 2022, PC hearing; held by the PC from the April 5, 2022, PC hearing until the May, 3, 2022, PC hearing; continued by Staff from the May 3, 2022, and June 7, 2022, PC hearings until the July 5, 2022, PC hearing; held by the PC until the August 2, 2022, PC hearing; continued by Staff until the September 6, 2022, PC hearing; held by the PC until the October 4, 2022, PC hearing; continued by Staff until the November 15, 2022, Board of Commissioners' Zoning hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-7 KM HOMES (CONT.)

Mr. Pederson presented the Applicant's request to withdraw without prejudice Z-7; thereafter, the following motion was made:

MOTION: Motion by Gambrill, second by Cupid, to **allow** Z-7 to be *withdrawn without prejudice*.

VOTE: **ADOPTED** 4-0, Birrell not present

Z-50 ROMUSA PROPERTIES, LLC (Romusa Properties, LLC, owner) requesting rezoning from **R-20** to **NRC** for a daycare in land lot 494 of the 19th district. Property is located on the south side of Macland Road, on the west side of West Sandtown Road (2260 West Sandtown Road, 2845 Macland Road). *(Previously held by the Planning Commission (PC) until the September 6, 2022, PC hearing; continued by the Board of Commissioners (BOC) until the October 18, 2022, BOC Zoning hearing; continued by Staff until the November 15, 2022, BOC Zoning hearing).*

Mr. Pederson presented the Applicant's request to withdraw without prejudice Z-50; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **allow** Z-50 to be *withdrawn without prejudice*.

VOTE: **ADOPTED** 4-0, Birrell not present

Z-55 KENNETH B. CLARY (Kenneth B. Clary, owner) requesting rezoning from **R-30** to **R-15** for a single-family subdivision in land lots 25, 54, and 55 of the 1st district. Property is located on the north side of Post Oak Tritt Road, west of McPherson Road (4701 Post Oak Tritt Road). *(Previously continued by Staff from the September 6, 2022, through the December 6, 2022, Planning Commission (PC) hearings until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).*

Z-56 ISSAN CHETTY (Issan Chetty, owner) requesting rezoning from **R-30** to **R-20** for single-family residences in land lot 321 of the 19th district. Property is located on the west side of W. Sandtown Road, north of Friendship Church Road (1534 W. Sandtown Road). *(Previously continued by Staff until the October 4, 2022, Planning Commission (PC) hearing; held by the PC until the November 1, 2022, PC hearing; held until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- Z-58** **PULTE HOME COMPANY** (Marie F. Johnson, owner) requesting rezoning from **R-30** to **R-20/OSC** for a single-family subdivision in land lots 62 and 87 of the 19th district. Property is located on the west side of Midway Road, south of Dallas Highway (636 Midway Road). *(Previously held by the Planning Commission (PC) until the October 4, 2022, PC hearing; continued by the PC from the October 4, 2022 and November 1, 2022, PC hearings until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*
- Z-60** **BRANCH ACQUISITION COMPANY, LLC** (Branch Atlanta Road Associates II, L.P.; SJ Georgia Investor, LLC; Michael Howarth and Christine Howarth, owners) requesting rezoning from **HI** to **RRC** for a mixed-use development in land lots 894 and 900 of the 17th district. Property is located on the south side of Atlanta Road, north of Plant Atkinson Road (4874 and 4888 Atlanta Road, 2840 Plant Atkinson Road). *(Previously continued by Staff from the September 6, 2022, through November 1, 2022, Planning Commission (PC) hearings until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*
- Z-61** **GREEN COMMUNITY DEVELOPMENT, LLC** (Joline D. Cole as Trustee of the Joline D. Cole Living Trust, owner) requesting rezoning from **R-80** and **R-20** to **R-15/OSC** for a single-family subdivision in land lots 27 and 28 of the 17th district and 999 of the 19th district. Property is located on the north side of Bates Road, and on the west side of Hicks Road (900 Bates Road). *(Continued by Staff until the February 21, 2023, Board of Commissioners' Zoning hearing; therefore, was not considered at this hearing).*
- Z-64** **ALLIANCE INDUSTRIAL PARTNERS, LLC** (Carl James Clarkson and Virginia Lee Clarkson Revocable Living Trust, owners) requesting rezoning from **R-20** to **LI** for a warehouse in land lot 705 of the 18th district. Property is located on the east and west side of Factory Shoals Road, north of Six Flags Road (Factory Shoals Road). *(Continued by the Board of Commissioners (BOC) until the December 20, 2022, BOC Zoning hearing; therefore, was not considered at this hearing).*
- Z-65** **DRAPAC INVESTMENTS, LLC** (DRAPAC Group 3, LLC, owner) requesting rezoning from **RA-5** to **RA-5** for a single-family attached and detached subdivision in land lots 87 and 88 of the 18th district. Property is located on the west side of Michael Road, south of Vanesa Circle, at the terminus of Linda Drive, and at the terminus of Oak Hill Drive (Maxham Road). *(Continued by the Planning Commission (PC) until the November 1, 2022, PC hearing; held by the PC until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- Z-66** **ADP - TERRELL MILL LLC** (The Estate of Ruby Inez Fridell, owner) requesting rezoning from **R-80** to **CRC** for a climate-controlled self-storage in land lot 936 of the 17th district. Property is located on the west side of Terrell Mill Road, and on the south side of Delk Road (1140 and 1150 Terrell Mill Road). *(Previously continued by Staff until the November 1, 2022, Planning Commission (PC) hearing; held by the PC until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*
- Z-67** **S&B INVESTMENTS, INC.** (S&B Investments, Inc., owner) requesting rezoning from **GF** and **R-80** to **NRC** for a retail coffee shop in land lots 73 and 81 of the 1st district. Property is located on the west side of Johnson Ferry Road, and on the north side of Paper Mill Road (31 Johnson Ferry Road). *(Previously continued by Staff from the October 4, 2022 and November 1, 2022, PC hearings until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*
- Z-71** **HAMILTON HOMES HOLDINGS LLC** (Hamilton Homes Holdings LLC, owner) requesting rezoning from **R-20** to **RM-8** for a townhome community in land lot 29 of the 17 district and 1073 of the 19th district. Property is located on the southwest side of Floyd Road, on the northwest side of Glore Road, and at the terminus of Anjul Drive (4598 Glore Road, Floyd Road). *(Continued by Staff until the December 6, 2022, Planning Commission hearing; therefore, was not considered at this hearing).*
- Z-72** **BROCK BUILT HOMES LLC** (James R. Groover, owner) requesting rezoning from **R-30** to **R-20/OSC** for a single-family subdivision in land lot 129 of the 19th district. Property is located on the west side of Friendship Church Road, across from Wellsley Drive (880 Friendship Church Road). *(Continued by Staff until the December 6, 2022, Planning Commission hearing; therefore, was not considered at this hearing).*
- Z-74** **BUILDING NEW PATHWAYS, LLC** (Building New Pathways, LLC, owner) requesting rezoning from **O&I** to **CRC** for office and retail in land lot 804 of the 17th district. Property is located on the northwest side of North Park Place, on the north side of Windy Hill Road (1977 North Park Place). *(Continued by Staff until the December 6, 2022, Planning Commission hearing; therefore, was not considered at this hearing).*
- Z-76** **VAZCO PROPERTIES, LLC** (Alci Vaz Da Costa, Jr. and Mirian Costa, owners) requesting rezoning from **R-30** to **O&I** for an assembly hall in land lot 12 of the 19th district. Property is located on the north side of Dallas Highway, west of Midway Road (4796 Dallas Highway). *(Continued by Staff until the December 6, 2022, Planning Commission hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- LUP-21** **ROGER ALEXANDER** (Roger Alexander, owner) requesting a **Temporary Land Use Permit** for vehicle parking in land lot 235 of the 16th district. Property is located on the west side of Keheley Road, north of Myrtle Drive (4175 Keheley Road). *(Continued by Staff until the December 6, 2022, Planning Commission hearing; therefore, was not considered at this hearing).*
- LUP-23** **KOYMAN ELADIO MAZARIEGOS REYES** (Koyman Eladio Mazariegos Reyes, owner) requesting a **Temporary Land Use Permit** for vehicle parking in land lot 626 of the 19th district. Property is located on the south side of Milford Church Road, across from Farmington Drive (1487 Milford Church Road). *(Continued by Staff until the December 6, 2022, Planning Commission hearing; therefore, was not considered at this hearing).*
- SLUP-14** **ADP - TERRELL MILL LLC** (The Estate of Ruby Inez Fridell, owner) requesting a **Special Land Use Permit** for a climate-controlled self-storage in land lot 936 of the 17th district. Property is located on the west side of Terrell Mill Road, and on the south side of Delk Road (1140 and 1150 Terrell Mill Road). *(Previously continued by Staff until the November 1, 2022, Planning Commission (PC) hearing; held by the PC until the December 6, 2022, PC hearing; therefore, was not considered at this hearing).*
- O.B. 48** To consider a reduction of public road frontage for lots 1 and 2 from 75-feet to 47-feet each for Alva Glass. The property is located on the south side of Bullard Road, south of Devonhurst Way in land lot 434 of the 19th district (2011 Bullard Road). *(Previously continued by the Board of Commissioners (BOC) from the September 20, 2022, and October 18, 2022, BOC Zoning hearings until the November 15, 2022, BOC Zoning hearing; continued by Staff until the December 20, 2022, BOC Zoning hearing; therefore, was not considered at this hearing).*
- O.B. 56** To consider amending the site plan for Stein Investment Group regarding rezoning application Z-223 (Evelyn J. Gordy-Rankin) of 1988 and rezoning application Z-95 (Evelyn J. Gordy-Rankin) of 1990, for property located at the northwest intersection of Shallowford Road and Gordy Parkway in land lots 335 and 386 of the 16th district (Gordy Parkway). *(Continued by Staff until the December 20, 2022, Board of Commissioners' Zoning hearing; therefore, was not considered at this hearing).*
- O.B. 58** To consider a stipulation amendment for Axion US, LLC regarding rezoning application Z-24 of 2009 for property located at the northwest intersection of Buckner Road and Veterans Memorial Highway, in land lots 68 and 165 of the 18th district (795 Veterans Memorial Highway). *(Continued by Staff until the December 20, 2022, Board of Commissioners' Zoning hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-59 **GLENSIDE MABLETON, LLC** (Glenside Mableton, LLC, owner) requesting rezoning from **GC** to **O&I** for a climate-controlled self-storage facility in land lot 297 of the 18th district. Property is located on the southwest side of Mableton Parkway, north of South Gordon Road (Mableton Parkway). *(Previously continued by Staff from the September 20, 2022, and October 18, 2022, Board of Commissioners (BOC) Zoning hearings until the November 15, 2022, BOC Zoning hearing).*

Mr. Pederson presented the Applicant's request for a continuance of Z-59; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **continue** Z-59 until the December 20, 2022, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 4-0, Birrell not present

SLUP-11 **GLENSIDE MABLETON, LLC** (Glenside Mableton, LLC, owner) requesting a **Special Land Use Permit** for a climate-controlled self-storage facility in land lot 297 of the 18th district. Property is located on the southwest side of Mableton Parkway, north of South Gordon Road (Mableton Parkway). *(Previously continued by Staff from the September 20, 2022, and October 18, 2022, Board of Commissioners (BOC) Zoning hearings until the November 15, 2022, BOC Zoning hearing).*

Mr. Pederson presented the Applicant's request for a continuance of SLUP-11; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **continue** SLUP-11 until the December 20, 2022, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 4-0, Birrell not present

Mr. Pederson made the following announcements and then read in the cases for the Consent Agenda.

CAMPAIGN DISCLOSURE

All speakers who have made a campaign contribution totaling \$250.00 or more, within the last two years, to a local government official considering a zoning case are required to complete the "Campaign Disclosure Form" prior to speaking.

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INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Wednesday prior to the zoning hearing for consideration. If said information is turned in past the deadline, then it is at the Board's discretion as to whether the information will be considered.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following cases on the Consent Agenda, *as revised*:

Z-73 REALTICORP/THORNTON, LLC (Realticorp/Thornton, LLC, owner) requesting rezoning from **R-20** to **LI** for light industrial in land lot 583 of the 18th district. Property is located on the south side of I-20, on the north side of Interstate West Parkway, east of Thornton Road (Interstate West Parkway).

To **approve** Z-73 to the **LI** zoning district, subject to:

1. **Site Plan received by the Zoning Division on September 1, 2022, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
2. **Final elevation to be approved by the District Commissioner**
3. **Fire Department comments and recommendations**
4. **Stormwater Management Division comments and recommendations**
5. **Water and Sewer Division comments and recommendations**

LUP-20 CHELSEA HURST (Wade Hurst and Chelsea Hurst, owners) requesting a **Temporary Land Use Permit** for produce sales in land lot 535 of the 16th district. Property is located on the west side of Missy Drive, north of Shelby Lane (2917 Missy Drive).

To **approve** LUP-20 for **24 months**, subject to:

1. **No sales from this location**
2. **No exterior signs**
3. **Department of Transportation comments and recommendations**

LUP-22 MARIA ALEJANDRA SILVA ORTEGA (Maria Alejandra Silva Ortega and Maria Claudia Ortega Artunduaga, owners) requesting a **Temporary Land Use Permit** to allow occupancy of an accessory structure in land lots 555 and 598 of the 16th district. Property is located on the north side of Post Oak Tritt Road, east of Post Oak Drive (2329 Post Oak Tritt Road).

To **approve** LUP-22 for **12 months**, subject to:

1. **For family use *only***

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CONSENT AGENDA (CONT.)

LUP-22 MARIA ALEJANDRA SILVA ORTEGA (CONT.)

- 2. For this Applicant *only***
- 3. Detached garage *cannot* contain a kitchenette; Applicant can have any two of the following three items: a refrigerator, a stove with an oven, and/or a sink, but cannot have all three items**
- 4. Staff comments and recommendations**

OTHER BUSINESS

O.B. 61 To consider a site plan approval for Rea Ventures Group, LLC regarding property located at the southwest intersection of Mulkey Road and Lipson Drive, in land lot 858 of the 19th district (Mulkey Road).

To **approve** O.B. 61, subject to:

- 1. Site Plan and elevation received October 26, 2022, as contained in the Other Business packet (attached and made a part of these minutes), with the District Commissioner approving the final site plan and building elevations**
- 2. Built-in ovens to be electric *only***
- 3. Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

O.B. 62 To consider a site plan amendment for Poplar Springs Partners, LLC regarding rezoning application Z-160 of 1999 for property located on the west side of Poplar Springs Road, west of Wright Road in land lot 292 of the 19th district (Poplar Springs Road).

To **approve** O.B. 62, subject to:

- 1. Intergovernmental Agreement (IGA) regarding public safety and access, if needed, to be approved prior to final plat**
- 2. Site Plan received by the Zoning Division on October 11, 2022 contained in the Other Business packet (attached and made a part of these minutes)**
- 3. Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
- 4. All previous stipulations and conditions, *not otherwise in conflict with this amendment*, to remain in effect**

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CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 63 To consider a reduction of required minimum public road frontage for Jennifer Fudge from 75-feet to 28-feet for tract 1, and from 75-feet to 11-feet for tract 2, as well as other variances for existing accessory structures. The property is located on the south side of Cannon Way in land lot 320 of the 20th district (2030 Cannon Way).

To **approve** O.B. 63, subject to:

- 1. Site Plan received by the Zoning Division on October 11, 2022 (attached and made a part of these minutes), that shows the reductions of public road frontage for both lots, as well as the other variances for the existing accessory structures**
- 2. No further subdivision of this property**
- 3. Site Plan Review comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
- 4. Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes), with the deletion of the second sentence**
- 5. Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

Commissioner Sheffield requested that Z-49 (Johnnie Hastings, Integrity Development Group) be added to the Consent Agenda. The Applicant was present, and there was no opposition present. Mr. Pederson read the case into the record, Commissioner Sheffield added her stipulations, and the motion was made to add Z-49 to the Consent Agenda.

Z-49 **JOHNNIE HASTINGS, INTEGRITY DEVELOPMENT GROUP** (Floy A. Clonts, owner) requesting rezoning from **R-20** to **RA-5** for a townhome community in land lots 690 and 691 of the 19th district. Property is located on the west side of Ernest Barrett Parkway, at the terminus of Old Horseshoe Bend Road, north of Macedonia Road (6152 Ernest Barrett Parkway, unaddressed parcel Old Horseshoe Bend Road). *(Previously continued by Staff until the September 6, 2022, Planning Commission (PC) hearing; held by the PC until the October 4, 2022, PC hearing; continued by the Board of Commissioners (BOC) until the November 15, 2022, BOC Zoning hearing).*

To **approve** Z-49 to the **RA-5** zoning district, subject to:

- 1. The development shall have 48 townhomes, at a density of no more than 3.8 units per acre**

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CONSENT AGENDA (CONT.)

**Z-49 JOHNNIE HASTINGS, INTEGRITY DEVELOPMENT GROUP
(CONT.)**

2. Letter of agreeable conditions from Adam J. Rozen dated November 14, 2022 (attached and made a part of these minutes)
3. Hours of construction shall be Monday through Friday from 7:00 a.m. until 7:00 p.m.; Saturday from 8:00 a.m. until 6:00 p.m.; no construction on Sunday
4. All Staff comments and recommendations, *not otherwise in conflict*

MOTION: Motion by Sheffield, second by Cupid, to **add** Z-49 to the Consent Agenda as previously read in.

VOTE: **ADOPTED** 3-1, Gambrill opposed and Birrell not present

Commissioner Sheffield requested that Z-68 (The Revive Land Group, LLC) be added to the Consent Agenda; however, opposition was present, therefore, Z-68 remained on the Regular Agenda.

CONSENT VOTE: **ADOPTED** 4-0, Birrell not present

REGULAR AGENDA

Z-38 DAVID PEARSON COMMUNITIES, INC. (Barnes Farms, LLC, owner) requesting rezoning from **R-30** to **R-15/OSC** for a single-family subdivision in land lots 8 and 9 of the 18th district; 1251, 1266, 1267, 1268, 1269, 1322, 1323, 1324, and 1325 of the 19th district. Property is located on the east and west side of Brown Road, north of Stout Parkway (5690, unaddressed parcel Brown Road). *(Previously continued by Staff from the June 7, 2022, Planning Commission (PC) hearing until the July 5, 2022, PC hearing; held by the PC until the August 2, 2022, PC hearing; continued by the Board of Commissioners (BOC) from the August 16, 2022, BOC Zoning hearing to the September 20, 2022, BOC Zoning hearing; continued by Staff until the October 18, 2022, BOC Zoning hearing; continued by the BOC until the November 15, 2022, BOC Zoning hearing).*

The public hearing was opened; Kevin Moore and Clithon Rice, Jr. addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **delete** Z-38 to the **R-20/OSC** zoning district, subject to:

1. Letter of agreeable conditions from Kevin Moore dated November 9, 2022 (attached and made a part of these minutes)

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REGULAR AGENDA (CONT.)

Z-38 DAVID PEARSON COMMUNITIES, INC. (CONT.)

- 2. Hours of construction shall be Monday through Friday from 7:00 a.m. until 7:00 p.m.; Saturday from 8:00 a.m. until 6:00 p.m.; no construction on Sunday**
- 3. In the event there is a Dam Breach Study, such study shall be submitted for discussion with the District Commissioner**
- 4. All Staff comments and recommendations, *not otherwise in conflict***

VOTE: TIED 2-2, Cupid and Gambrill opposed and Birrell not present

Due to a tie vote on Z-38, the final outcome of the case is pending until a final vote can be taken at the next Board of Commissioners' Zoning Hearing to be held on December 20, 2022.

Z-41 SOUTHERN GAS PARTNERS, LLC (Southern Gas Partners, LLC, owner) requesting rezoning from **NS** and **GC** to **NRC** for a convenience store with fuel sales and carwash in land lot 339 of the 16th district. Property is located on the southwest corner of the intersection of Shallowford Road and Trickum Road (Shallowford Road, 3705 Trickum Road). *(Previously held by the Board of Commissioners (BOC) until the August 16, 2022, BOC Zoning hearing; continued by Staff until the September 20, 2022, BOC Zoning hearing; held by the BOC until the October 18, 2022, BOC Zoning hearing; continued by Staff until the November 15, 2022, BOC Zoning hearing).*

The public hearing was opened; James Courson and Bo Patel addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Gambrill, second by Richardson, to **approve** Z-41 to the **NRC** zoning district, subject to:

- 1. Letter of agreeable conditions from James Courson dated November 8, 2022 (attached and made a part of these minutes), with the following change:**
 - A. Additional language be included which specifies that the Applicant shall give an additional two-foot easement to Cobb Department of Transportation to allow for the future construction of a one foot raised median on Trickum Road**
- 2. Applicant shall work with the County in the construction of the median and shall participate with the County on some basis to try to fund the median**
- 3. District Commission to approve the final Site Plan**

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REGULAR AGENDA (CONT.)

Z-41 SOUTHERN GAS PARTNERS, LLC (CONT.)

- 4. Fire Department comments and recommendations**
- 5. Stormwater Management Division comments and recommendations**
- 6. Water and Sewer Division comments and recommendations**
- 7. Department of Transportation comments and recommendations**
- 8. Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Birrell not present

Z-68 THE REVIVE LAND GROUP, LLC (Estate of Hazel Elizabeth Cash, Estate of Mildred A. Reeves, Estate of Mary Ruth Allen, L.P.; SJ Georgia Investor, LLC; Michael Howarth and Christine Howarth, owners) requesting rezoning from **GC** to **FST** for a townhome community in land lot 45 of the 18th district. Property is located on the south side of Veterans Memorial Highway, west of Allen Road (220, 230, 240, 250, 260, 262, 272, and 280 Veterans Memorial Highway). *(Continued by the Planning Commission (PC) until the November 1, 2022, PC hearing).*

The public hearing was opened; Kevin Moore, Besa Toraln and Izir Pjetri addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second Richardson, to **delete** Z-68 to the **RM-8** zoning district, subject to:

- 1. Letter of agreeable conditions from Kevin Moore dated November 14, 2022 (attached and made a part of these minutes)**
- 2. Hours of construction shall be Monday through Friday from 7:00 a.m. until 7:00 p.m.; Saturday from 8:00 a.m. until 6:00 p.m.; no construction on Sunday**
- 3. Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Birrell not present

Chairwoman Cupid called for a brief recess from 11:13 a.m. until 11:23 a.m.

OTHER BUSINESS

O.B. 59 To consider a reduction of required minimum lot size for livestock (mini-pigs) from 2-acres to .46-acres for Justin Bruce and Jennifer Konvicka. The property located on the east side of Plains Way, north of Sandy Drive in land lot 456 of the 16th district (3270 Plains Way).

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
NOVEMBER 15, 2022
PAGE 14**

OTHER BUSINESS (CONT.)

O.B. 59 (CONT.)

The public hearing was opened; Jennifer Konvicka, Justin Bruce, and Joan Comer addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Gambrill, second by Cupid, to **deny** O.B. 59, subject to:

1. Pigs to be removed from the property by February 1, 2023

VOTE: **ADOPTED** 4-0, Birrell not present

O.B. 60

To consider a reduction of required minimum lot size from 20,000 square-feet to 14,069 square-feet for Danny E. Banks, Jr. The property is located on the north side of Carson Lane, west of Atlanta Road in land lot 698 of the 17th district (3612 Carson Lane).

The public hearing was opened, and Danny E. Banks, Jr. addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Richardson, second by Cupid, to **approve** O.B. 60, subject to:

- 1. Site Plan received by the Zoning Division on October 7, 2022 contained in the Other Business packet and labeled Exhibit "A" dated November 15, 2022 (attached and made a part of these minutes)**
- 2. Site Plan Review comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
- 3. Staff comments and recommendations**

VOTE: **ADOPTED** 4-0, Birrell not present

ADJOURNMENT

The hearing adjourned at 11:46 a.m.



Robin L. Stone, Deputy County Clerk
Cobb County Board of Commissioners

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

November 9, 2022

Via E-mail Only

Min. Bk. 96 Petition No. Z-38
Doc. Type letter
Meeting Date 11-15-2022

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No Z-38 (2022)
 Applicant: David Pearson Communities, Inc.
 Property Owner: Barnes Farms, LLC
 Property: 190.92 acres, more or less, located on the
 easterly and westerly sides of Brown Road
 and northerly of and along a portion of the
 northeasterly side of Stout Parkway, Land
 Lots 8 and 9, 18th District, 2nd Section, and
 Land Lots 1251, 1266, 1267, 1268, 1269,
 1322, 1323, 1324, and 1325, 19th District,
 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent David Pearson Communities, Inc., the Applicant (hereinafter referred to as "Applicant"); as well as, Barnes Farms, LLC, the Property Owner (hereinafter referred to as "Owner" or "Property Owner"), in their Application for Rezoning with regard to 190.92 acres, more or less, located on the easterly and westerly sides of Brown Road, and northerly of and along a portion of the northeasterly side of Stout Parkway, Land Lots 8 and 9, 18th District, 2nd Section, and Land Lots 1251, 1266, 1267, 1268, 1269, 1322, 1323, 1324, and 1325, 19th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meetings and communications with Planning and Zoning Staff and various Cobb County Departmental Representatives, continued meetings and discussions with area residents and homeowner representatives, reviewing the Department Comments and Staff

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 7
November 9, 2022

Petition No. Z-38
Meeting Date 11-15-2022
Continued

Recommendations and the uses of surrounding properties, and following the presentation to and 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 all previous letters of agreeable stipulations and conditions submitted with respect to the referenced Application for Rezoning. The proposed, 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 prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning category of R-30 to the proposed, amended zoning category of R-20/Open Space Community ("R-20/OSC"), site plan specific to the revised Zoning Plan dated July 5, 2021, last revised November 6, 2022, and submitted contemporaneously with this revised letter of agreeable stipulations and conditions. A reduced copy of the overall revised Zoning Plan is attached to this revised stipulation letter as Exhibit "A" and incorporated herein by reference.
- (3) The Subject Property contains approximately 190.92 acres of total site area and shall be developed for a residential community comprised of a maximum of one hundred fourteen (114) single-family, detached residences. The proposed development shall contain a minimum of 124.7 acres for dedicated open space, which open space shall be placed in a conservation easement benefitting Cobb County prior to, or at the time of, a final plat being issued.
- (4) The residences within the proposed community shall have a minimum of 2,000 square feet, and greater.
- (5) The proposed residences shall be Modern Farmhouse in style and architecture and will have a minimum two-car garage. Exteriors of the proposed residences shall be comprised of brick, stone, stacked stone, cedar shake, board and batten, and hardi-plank, with complementary accents, or combinations thereof.

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Continued

- (6) The setbacks for the proposed residential community shall be as shown on the revised Zoning Plan.
- (7) All homes within the proposed community shall be "for sale" units. There shall be no more than a maximum of ten (10) percent of the homes being leased at any one time, which restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.
- (8) Applicant agrees to the creation of a mandatory homeowners association consistent with upscale communities within the area. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all common areas, open space areas, entrance areas, amenity area, mail kiosk, detention area, landscape buffer area, and the like, contained within the proposed residential community.
- (9) Additionally, and in conjunction with the creation of the mandatory homeowners association, Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which will contain covenants, rules, and regulations applicable to the proposed development.
- (10) As a part of the Declaration of Covenants, Easements, and Restrictions, Applicant shall preserve the areas of dedicated open space, as shown and reflected on the final subdivision plat, in perpetuity, for protection from future development and ownership by the mandatory homeowners association.
- (11) Alternatively, Applicant agrees to dedicate the open space, or such portions thereof, to Cobb County, in the event Cobb County approves or otherwise requests such dedications, so long as such dedications occur prior to the recording of a final plat for any portion of the proposed development.
- (12) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, stucco, or combinations thereof, with accents, complementary to materials used in the construction of the homes within the community. The entrance landscaping shall be professionally designed and implemented, with final approval being made by the Cobb County Arborist. Maintenance of the entrance area shall be by the mandatory homeowners association as set forth in the Declaration of Covenants, Easements, and Restrictions.

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Continued

- (13) The community shall have passive and active amenity areas. The amenities shall include, but not be limited to, the following:
 - (a) Designer complimented clubhouse with lounge area, banquet room with kitchen, fitness center, and game room;
 - (b) Large pool with oversized sundeck;
 - (c) Children's playground;
 - (d) Nature trail system; and
 - (e) Pond pavilion with parking.
- (14) Applicant agrees to facilitate a Georgia Native Plant Society "Plant Rescue" to be accomplished on those portions of the Subject Property which will be disturbed.
- (15) Detention areas shall be fenced with fencing 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.
- (16) Minor modifications to the within stipulations, the referenced, revised Zoning Plan, lighting, landscaping, architecture, site features, signage, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;
 - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (e) Change an access location to a different roadway;

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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Continued

- (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (17) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed community.
- (18) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property; except as may be waived or modified by the Cobb County Stormwater Management Division Director.
- (19) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed areas must be replanted with like vegetation.
- (20) Applicant agrees to the following system improvements to mitigate traffic concerns:
- (a) Installation of acceleration and deceleration lanes for ingress and egress into the main entrances on Brown Road of the proposed community; and
 - (b) Installation of a left-turn lane on Brown Road at the main entrance areas.
- (21) Applicant agrees to establish a landscape buffer, twenty (20) feet in width, along the shared boundary adjacent to property now or formerly owned by Wanda Poore, David Crider, and Darla Abad (misabeled as ten (10) feet on the revised Zoning Plan). Such buffer shall include planting of evergreen trees, a minimum of six (6) feet in height at planting, staggered row on ten (10) foot centers. In addition, Applicant agrees to install a wooden privacy fence, a minimum of six (6) feet in height along this shared boundary, which fence shall be maintained by the mandatory homeowners association.

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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November 9, 2022

Petition No. Z-38
Meeting Date 11-15-2022
Continued

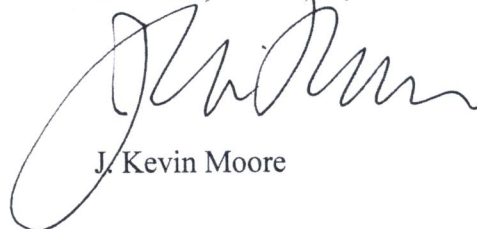
- (22) Applicant agrees to establish a ten (10) foot buffer along the shared boundary adjacent to property now or formerly owned by Peter Mulcare. Such buffer shall include planting of evergreen trees, a minimum of six (6) feet in height at planting, staggered row on ten (10) foot centers. In addition, Applicant agrees to install a wooden privacy fence, a minimum of six (6) feet in height along this shared boundary, which fence shall be maintained by the mandatory homeowners association.
- (23) Applicant will utilize its best efforts, subject to approval of applicable agencies or authorities, to extend a natural gas line to the right-of-way of Stout Parkway which intersects with the most southeastern portion of the Property.
- (24) As noted on the revised Zoning Plan, all fencing or marking requirements under the Open Space Community category shall be satisfied.

We believe the approval of the requested Open Space Community, 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 a quality development, 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 in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc
Attachment

MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 7 of 7
November 9, 2022

Petition No. Z-38
Meeting Date 11-15-2022
Continued

c: Cobb County Board of Commissioners:

Lisa N. Cupid, Chairwoman

JoAnn Birrell

Keli A. Gambrill

Jerica Richardson

Monique Sheffield

(With Copy of Attachment)

Jeannie Peyton

Senior Planner

Zoning Division

Cobb County Community Development Agency

(With Copy of Attachment)

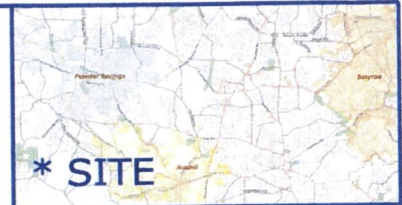
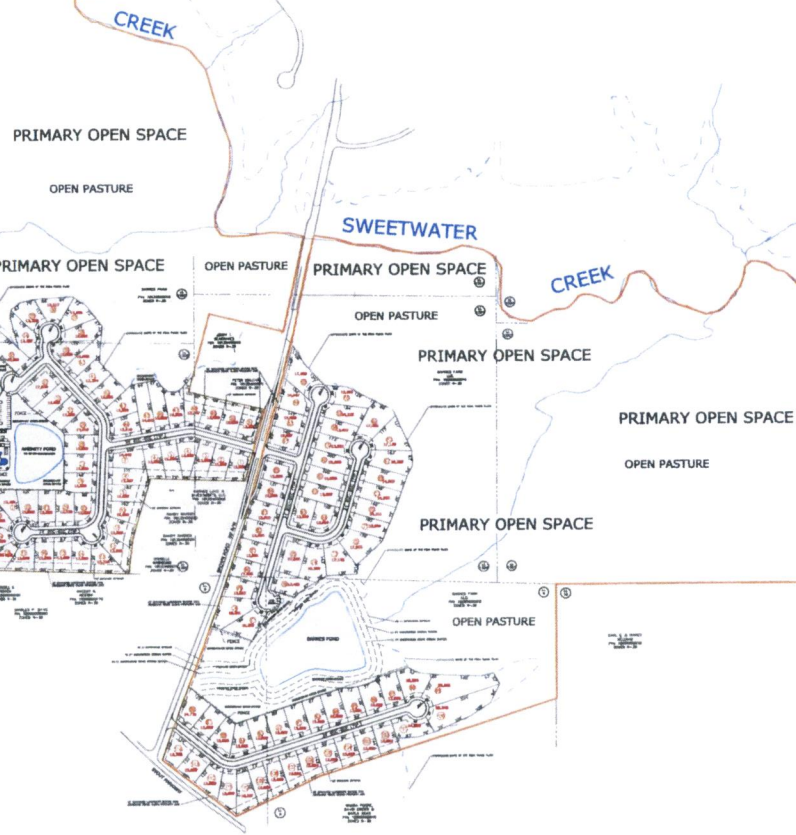
David Pearson Communities, Inc.

(With Copy of Attachment)

FLOOD INFORMATION:
 A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO COBB COUNTY FEMA MAP # 15057C0279B DATED MARCH 4, 2013.

EXHIBIT "A"

EXISTING
EQUESTRIAN PARK
(STOUT PARK)



LOCATION MAP - NTS

- 7.5 ACRE AMENITY INCLUDING:**
- DESIGNER COMPLIMENTED 2 STORY CLUBHOUSE WITH LOUNGE AREA, BANQUET ROOM WITH KITCHEN, GYM AND GAME ROOM
 - LARGE POOL WITH OVERSIZED SUNDECK
 - ZERO ENTRY BEACH POOL
 - KIDS PLAYGROUND
 - NATURE TRAIL SYSTEM
 - POND PAVILLION W/ PARKING
 - APPROXIMATELY 125 AC. OPEN SPACE PRESERVED

SITE NOTES

PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 CURRENT ZONING: R-30
 PROPOSED ZONING: R-20 (OPEN SPACE COMMUNITY)
 TOTAL LOTS: 114
 DENSITY: 1.75 U/A
 MINIMUM LOT SIZE: 13,000 S.F.
 ADDITIONAL FINISHING MAY BE REQUIRED TO BE INSTALLED TO MEET USE ZONING REQUIREMENTS

SETBACKS

FRONT - 20'
 SIDE - 5' WITH 15' BETWEEN BLDGS.
 MAJOR SIDE - 15'
 REAR YARD - 20'
 EXTENSION - 40'
 *LOTS ADJACENT TO R-30 ZONING

AREA SUMMARY

TOTAL TRACT ADDRESS: APPROX. 190.9 AC.
 LOSS AREA OF FLOODPLAIN: 154.7
 AMENITY PARKING: 0.30 AC.
 AMENITY CLUB HOUSE AND POOL: 0.20 AC.
 THERE ARE NO KNOWN CONTAMINANTS ON THIS SITE.
 THERE ARE NO KNOWN UTILITIES OUTSIDE THE LIMITS OF THE FLOOD PLAIN (ALREADY DEPICTED)
 TOTAL NET ADDRESS: 0.50 AC.

OWNER:
BARNES PARK, LLC
447 WILLOW AVE.
MARIETTA, GA 30064
DB: 14662, PG: 696

APPLICANT:
DAVID PEARSON COMMUNITIES, INC.
3000 FIRST BLVD., STE. 400
MARIETTA, GA 30062
CONTACT: DAVID PATTEN, CHIEF
770-294-1974

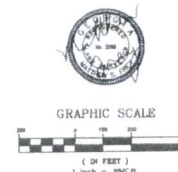
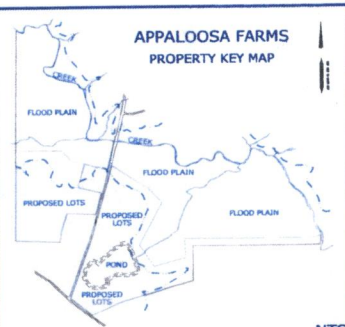
REZONING CONCEPTUAL PLAN FOR
APPALOOSA FARMS

LAND LOTS 1266, 1267, & 1268
 AND LAND LOTS 1324, 1383, & 1382
 16th DISTRICT, 2nd SECTION
 AND LAND LOTS 8 & 9
 16th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA

DAVID PEARSON COMMUNITIES, INC.

3000 FIRST BLVD., STE. 400, MARIETTA, GA 30062, PHONE: 770-321-5832

DRAWN BY:	DP	DATE:	7-5-21
CHECKED BY:	DP	DRAWING NO.:	REZONING
REV. NO.:	APPALOOSA	SHEET:	1 OF 1
NO.	DATE	REVISION DESCRIPTION	BY
2	9-12-22	REDUCED DENSITY ON R-20 OSC	DP
3	11-6-22	REVISED NOTES TO OSC REGS	DP



NTS

ENGINEERING & INSPECTION SYSTEMS, INC.

VIA EMAIL DELIVERY

November 08, 2022

Min. Bk. 96 Petition No. Z-41
Doc. Type letter

Meeting Date 11-15-2022

Mr. John Pederson, AICP
Division Manager
Cobb County Zoning Department
1150 Powder Springs Street
Suite 400
Marietta, GA 30064

Re: Application for Rezoning
Owner and Applicant
Property

Application Number Z-41, 2022
Southern Gas Partners, LLC
3.162 Acres, more or less
Located in LL 310 & 339
16th District, 2nd Section
Cobb County, Georgia

Dear John:

The undersigned and this firm represent Southern Gas Partners, LLC, (hereinafter referred to as "Applicant"), in its application for rezoning of property referenced herein above.

The subject property is comprised of two separate parcels, and will be referenced herein as Tract 1 and Tract 2. Tract 1 consists of 0.861 acres, more or less, and presently is developed with a gas station with fuel pumps and automobile service bays which was constructed in approximately 1996. Tract 2 consists of 2.30 acres, more or less, and is a wooded, undeveloped tract.

Applicant seeks rezoning of Tract 1 from the existing General Commercial (GC) category to the Neighborhood Retail Commercial (NRC) category and rezoning of Tract 2 from the Neighborhood Shopping (NS) to Neighborhood Retail Commercial (NRC), being site plan specific to the Site Plan prepared by Engineering & Inspection Systems, Inc., dated April 04, 2022, last revised November 08, 2022, incorporated herein by reference

We have been authorized by the Applicant, to submit this letter of stipulations, restrictions 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 supersedes any previous stipulation letter submitted with this application.

ENGINEERING & INSPECTION SYSTEMS, INC.

We have had numerous meetings with the planning and zoning staff and with Commissioner JoAnn Birrell, and we have made revisions to the Site Plan and the Stipulation Letter to incorporate staff comments.

Also, we have had multiple meetings with many of the neighbors, and we have had numerous follow-up discussions with the neighbor's representative, Mr. Mel Skelton, via email and telephone to discuss and address their concerns regarding our rezoning application. In direct response to neighborhood concerns and requests, we have made numerous changes and additions to the Site Plan and Stipulation Letter, along with changes and additions that Commissioner Birrell has requested to protect the neighbors. Among those specific changes are the following:

1. To address requests to minimize the noise from the car wash; we have agreed to construct a sound barrier wall, 190 feet in length, 10 feet in height, along the south line of the planned improvements on the car wash site. This wall, as shown on the site plan, will be outside the 100 foot undisturbed buffer detailed in item 5 below.
2. Revise car wash operating hours from 8:00 am to 8:00 pm and restrict the operating hours for the convenience store to 5:00 am to 11:00 pm.
3. Omit the new fuel pumps between the convenience store and the car wash.
4. The existing sediment pond in the buffer area between the car wash and the subdivision to the south will be abandoned.
5. Construct a raised traffic island in the exit drive to Trickum Road to force a right turn only onto Trickum Road.

In addition to the above, we further stipulate to the following:

6. The existing gas station building will be remodeled within the overall existing building area to a condition normally accepted as a modern convenience store in today's market, and as reflected in the attached renderings which are made a part of the Application by reference. The automobile service bays will be eliminated. Tract 2 will be developed with a car wash in accordance with the Site Plan and the renderings which are made a part of herein by reference.
7. The exterior of the buildings will be masonry and stucco, brick, stone and glass.
8. The buildings will be one story, with a maximum height of 35 feet.
9. No variances will be required.
10. All external lighting in the parking areas and on the buildings will be low impact environmental-type lighting. Building lighting will be provided by wall sconces. There will be no building lighting on the south side of the building. Parking lot lighting will be low intensity and will be faced downward with hooding to prevent glare. Lighting along the drive at the rear of the building adjacent to the subdivision to the south will be limited to that sufficient for navigation around the building. No parking lot lighting will shine toward the subdivision to the south. After 8:00 p.m.,

ENGINEERING & INSPECTION SYSTEMS, INC.

lighting on the entire car wash facility will be very low level for security purposes only.

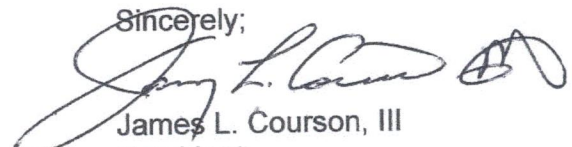
11. Entrance signage will be monument-style in compliance with Cobb County Sign Ordinance and will be permitted by the county during plan approval. There will be no permanent portable signs, billboards or airborne signs displayed on the Subject Property or on the buildings constructed thereon.
12. Existing State and County stream buffers along the southern portion of the Subject Property will be maintained, in accordance with Cobb County Standards, and there will be no intrusion into, or disturbance within these buffers. The clearing/grading limits line shown on the Site plan, beyond which no clearing or grading will occur, will provide a minimum undisturbed buffer of 100 feet between the car wash improvements and the residential area along the south property line. This buffer far exceeds the county imposed stream buffer in this area. The undisturbed buffer between the gas station improvements and the residential property line will be as large as 150 feet. The minimum setback along residential properties required by the requested zoning is only 30 feet.
13. Landscaping along the Shallowford Road right-of-way and the Trickum Road right-of-way, outside the stream buffer area, will be provided in accordance with a landscape plan submitted to, and approved by Cobb County as part of the Land Disturbance Permit process.
14. Trash cans will be located at each vacuum station for the car wash. These cans will be emptied daily to prevent trash on the ground. Trash dumpsters, as shown on the Site Plan, will be enclosed within an enclosure approved by Cobb County development regulations. In order to reduce noise, the convenience store and the car wash will coordinate to have dumpster pick-up at the same time, which will be between 8:00 a.m. and 6:00 p.m. on weekdays.
15. The existing curb cut on Shallowford Road will remain a right-in, right-out traffic maneuver. A new curb cut will be added on Shallowford Road, near the west property line, as shown on the Site Plan, to provide a full access traffic maneuver onto Shallowford Road. A southbound turn lane will be added on Trickum Road and the left turn exit maneuver from the driveway on Trickum Road will be prohibited, as recommended by DOT.
16. Disturbed curb and gutter and sidewalk along the Shallowford Road and Trickum Road property frontage will be replaced during the Land Disturbance Permit process.
17. Applicant will meet all Cobb County Development Standards and Ordinances related to project improvements.

ENGINEERING & INSPECTION SYSTEMS, INC.

18. Loud music will not be allowed on the car wash site at any time. Signs will be posted at each vacuum station expressly prohibiting the playing of loud music anywhere on the premises. Employees will monitor the noise level and ask customers to turn down the volume if excessive.
19. Security cameras will be installed and maintained on the convenience store and on the car wash premises.
20. Detention structures will be designed and constructed on the convenience store and the car wash property to provide detention and water quality to limit the rate of storm water runoff from each site, in compliance with Cobb County storm water management standards. No detention structures will be located within the buffer area.
21. A maintenance agreement will be entered into with Cobb County to ensure annual maintenance of the detention structures, as required by the county storm water management department.
22. The impervious surface of the gas station currently exceeds the allowable 70% of the site area. The interior property line between the two tracts will be adjusted as shown on the Site Plan to increase the size of the gas station tract, and reduce the car wash tract by the same amount, to limit the percentage of impervious surface of the gas station site to approximately 60% of the total site area. A Minor Subdivision Plat to adjust the property line will be submitted to, and approved by Cobb County prior to filing for a Land Disturbance Permit for the property.
23. The development of the convenience store and the car wash will incorporate the requirements of the proposed amendment on zoning, Version 1, dated August 11, 2022, Article V – Supplemental Regulations Section 134-266.
24. The District Commissioner shall have the authority to approve minor revisions to the final site plan and elevations.

Please do not hesitate to contact me should you or your staff any further information or documentation prior to the Board of Commissioner hearing date.

Sincerely;


James L. Courson, III
President

Min. Bk. 96 Petition No. Z-49
Doc. Type letter
Meeting Date 11-15-2022



R O Z E N & R O Z E N, L L P

A Limited Liability Partnership

248 Roswell Street, SE
Marietta, Georgia 30060
(770) 427-7004 (T)
(770) 426-9584 (F)

ROGER J. ROZEN
rjrozen@rozenandrozen.com

ADAM J. ROZEN
ajrozen@rozenandrozen.com

November 14, 2022

REVISED STIPULATION LETTER

VIA EMAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of Integrity Development Group to Rezone a 17.75 Acre Tract from R-20 to RA-5 - Land Lot 690, 691, 19th District, Cobb County, Georgia; Z-49 (2022)

Dear John:

This firm represents the Applicant in the rezoning application known as Z-49 (the "Application"). The Application was heard and recommended for approval by the Cobb County Planning Commission on October 4, 2022. At the October 18, 2022 Agenda before the Cobb County Board of Commissioners ("BOC"), and prior to being heard, the Applicant requested and was granted a continuance to allow additional time for the Applicant to revise the Site Plan. The Application is now, scheduled to be heard for final action by the Cobb County Board of Commissioners ("BOC") on November 15, 2022.

While continued, the Applicant reviewed the Planning Commission recommendation and development considerations for the Application and revised the Site Plan which is attached hereto and incorporated herein by this reference ("Revised Site Plan"). The Revised Site Plan provides for development of the site consistent with the RA-5 Ordinance and at a density that reflects the combination of MDR and LDR and the overall character of current and future development of this Barrett Parkway corridor near its intersections with Macedonia Road and Powder Springs Road.

ROZEN & ROZEN, LLP

A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-49
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Cobb County Zoning Division
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The Applicant now submits the following revised stipulations, revising Stipulation #'s 6, 7, 8, 12, 14 and 15 and providing an additional Stipulation regarding landscaping and the detention pond(s) at Stipulation # 16 ("Revised Stipulation Letter").

With respect to the foregoing, this Revised Stipulation Letter will constitute the Applicant's agreement with the following stipulations which shall become conditions and a part of the grant of the requested rezoning, and binding upon the subject property thereafter. The referenced 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 with respect to the Subject Property and shall be binding upon the Applicant herein, the Subject Property, its owners, tenants and occupants, their heirs, successors and assigns.
2. The rezoning of the Subject Property from the existing R-20 classification to the RA-5 classification and in substantial conformity to that certain "Revised Site Plan", dated November 7, 2022, which is attached hereto as Exhibit "A" and incorporated herein.
3. The entrance and frontage landscaping shall be professionally landscaped, implemented, and maintained; the rendering and design of which shall be incorporated into the overall Landscape Plan.
4. The final Site Plan and Landscape Plan shall be subject to final approval of the District Commissioner.
5. The subject property consists of a total of 17.75 acres, more or less, and shall be developed for a residential community, in an attached townhome style, containing a maximum of 48 townhomes at a density of no more than 3.80 units per acre.
6. The proposed townhomes shall be two stories in height, and be Traditional and Craftsman in style and architecture, and shall have exterior facades consisting of brick, stone, stacked stone, masonry siding, cedar shake shingles, hardi-plank, board and batten, cementitious siding, and combinations thereof, with complementary accents; with no less than 50% brick, stone and shake, or combination thereof on the front

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Cobb County Zoning Division
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façade. No vinyl material shall be used on the exterior of the townhome units. Side elevations shall contain architectural elements such as fenestration, shutters or similar features.

7. All garage doors shall be "carriage-style" and to be painted the same or similar color as the trim of the townhome units and shall include carriage-style hardware.
8. The Architecture and elevations, including the garage doors, shall be subject to final approval of the District Commissioner.
9. The units shall have two car garages; no garage areas within the proposed townhome community shall be converted into heated living space for the units; garages shall remain available for the parking of vehicles; such restrictions shall be included within the Declaration of Covenants, Easements, and Restrictions for the proposed community.
10. The proposed townhomes shall have a minimum of 1,800 square feet of heated and cooled living space.
11. Applicant agrees to the recording and enforcement of the Declaration of Covenants, Easements, and Restrictions which shall contain covenants, rules, and regulations applicable to the proposed townhome community.
12. Additionally, and in conjunction with the Covenants, Applicant agrees to the creation of a mandatory homeowner's association which shall be responsible for the upkeep and maintenance of the exterior of the units, including roofs, entrance area, signage, all common and amenity areas, open space areas, exterior yard areas, general landscaping areas, mail kiosk, fencing, detention pond(s) and the like contained within the community.
13. All units within the proposed townhome community shall be "for sale" units; there shall be no more than a maximum of 10% of units being leased at any one time, which restriction shall be included in the Covenants.

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14. The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combination thereof, with accents consistent with the architecture and style of the residences within the community and shall include wired uplights.
15. Applicant and DOT shall further evaluate safety concerns at the intersection of the community's entrance and Barrett Parkway and any and all available measures that can be taken to ensure the same is addressed.
16. Applicant agrees to the installation of a six-foot (6') vinyl-clad chain link fence around the detention pond(s); except for such portions that may be located in a stream buffer. Applicant further agrees to the installation of landscaping along the eastern line of the detention pond to create a visual barrier.
17. Applicant shall comply with Fire Department, Stormwater Management Division, Water and Sewer Division and Department of Transportation (DOT) comments and recommendations not otherwise in conflict with these conditions.
18. Minor modifications to the within stipulations, lighting, landscaping, architecture, site features, signage, and the like may be approved by the District Commissioner, as needed or necessary, except for those that:
 - a. Reduce the size of an approved buffer
 - b. Relocate a structure closer to the property line of an adjacent residential property;
 - c. Change an access location to a different roadway;
 - d. Would be in direct contradiction or conflict with the Cobb County Code of Ordinances; or
 - e. Would be in direct contradiction or conflict with any Staff Recommendations adopted as part of the final zoning decision.

[Continued on Following Page]

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Cobb County Zoning Division
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Please do not hesitate to contact me should you or Staff require any further information or documentation prior to the hearing before the Board of Commissioners.

Sincerely,

ROZEN & ROZEN, LLP

/s/ Adam J. Rozen

Adam J. Rozen
arozen@slhb-law.com

AJR/

Enclosure/Attachment

cc: Ms. Monique Sheffield, District 4 Commissioner
Members, Cobb County Board of Commissioners
BOC Commission Assistants
Ms. Jeannie Peyton, Senior Planner
Ms. Pam Mabry, County Clerk
Ms. Floy A. Clonts
Mr. Jeff Wilkerson, PE, CPESC, Gaskins LeCraw Engineering
Integrity Development Group

Petition No. Z-49
Meeting Date 11-15-2022
Continued

EXHIBIT “A”

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

November 14, 2022

Via E-mail Only

Min. Bk. 96 Petition No. Z-68
Doc. Type letter
Meeting Date 11-15-2022

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-68 (2022)
Applicant: The Revive Land Group, LLC
Property Owners: The Estate of Hazel Cash (a/k/a Hazel Elizabeth Cash); the Estate of Mildred Allen Reeves; and the Estate of Mary Ruth Allen
Property: 8.737 acres, more or less, located on the southerly side of Veterans Memorial Highway, westerly of Allen Road, Land Lot 45, 18th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent The Revive Land Group, LLC, the Applicant (hereinafter referred to as "Applicant"), and the Estates of Hazel Cash (a/k/a Hazel Elizabeth Cash), Mildred Allen Reeves, and Mary Ruth Allen, the Property Owners (hereinafter collectively referred to as "Owners" or "Property Owners"), in their Application for Rezoning with regard to a total tract of 8.737 acres, more or less, located on the southerly side of Veterans Memorial Highway, westerly of Allen Road, Land Lot 45, 18th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings and discussions with Planning and Zoning Staff and County representatives, ongoing meetings and communications with area residents and homeowner representatives, reviewing the Departmental Comments and Staff Recommendations, reviewing the uses of surrounding properties, and following the presentation to and 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

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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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 all previous letters of agreeable stipulations and conditions, and specifically those dated and submitted on September 26, 2022; October 24, 2022; November 9, 2022; and November 10, 2022. The proposed, 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 prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, Stormwater Management, and Drainage relating to the Subject Property from any previous zoning actions.
- (2) Rezoning of the Subject Property shall be from the existing zoning classification of General Commercial ("GC") to the proposed zoning classification of RM-8, which is a deletion from the requested zoning category of Fee Simple Townhome ("FST"), site plan specific to the revised Conceptual Site Plan ("Site Plan") prepared for Applicant, dated and last revised November 2, 2022, and submitted with this revised letter of agreeable stipulations and conditions. A reduced copy of the revised Site Plan is attached as Exhibit "A" and incorporated herein by reference.
- (3) The Subject Property consists of 8.737 acres, more or less, and shall be developed for a residential community, in the townhome style, containing a maximum of sixty-six (66) residences.
- (4) The proposed townhomes shall be two or three stories in height, and Traditional and Craftsman in style and architecture, shall have exterior facades consisting of brick, stone, stacked stone, masonry siding, cedar shake shingles, hardi-plank, board and batten, cementitious siding, and combinations thereof, with complementary accents. No vinyl materials shall be used on the exterior of the proposed townhome units. Applicant agrees that exterior front facades shall have a minimum of fifty (50) percent brick or stone, or combinations thereof.
- (5) All units within the proposed community shall have a minimum brick, stone, or stacked stone water table for the fronts and sides. In addition, for any side elevation visible from Veterans Memorial Highway, such side elevation shall contain architectural elements such as fenestration, shutters, or other similar features.

Mr. John P. Pederson, AICP
Zoning Division Manager
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- (6) All garage doors shall be "carriage-style" garage doors, including "carriage-style" hardware, and shall be substantially similar in appearance to that depicted in the photograph attached as Exhibit "B."
- (7) Applicant agrees to the creation and establishment of an Architectural Review Committee consisting of a representative of Applicant and/or Developer and/or Owner, a representative of the Mableton Improvement Coalition, and a representative of the Cobb County Community Development Agency. The Architectural Review Committee shall be responsible for the review and approval of all elevations of the units within the proposed community, which shall be consistent with the standards set forth in this letter.
- (8) Applicant agrees the elevation and color palettes collectively attached as Exhibit "C" are provided as examples to guide the Architectural Review Committee in its review and approval of the final elevations, which shall be subject to approval by the District Commissioner.
- (9) The units shall have two-car garages. No garage areas within the proposed townhome community shall be converted into heated living space for the units. Garages shall remain available for parking of vehicles. Such restrictions shall also be included within the Declaration of Covenants, Easements, and Restrictions for the proposed community.
- (10) The proposed townhomes shall have a minimum of 1,800 square feet of heated and cooled living space.
- (11) Applicant agrees to the recording and enforcement of Declaration of Covenants, Easements, and Restrictions ("Covenants") which shall contain covenants, rules, and regulations applicable to the proposed townhome community.
- (12) Additionally, and in conjunction with the Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the exterior of the units, including roofs, entrance area, signage, all common and amenity areas, open space areas, exterior yard areas, general landscaped areas, mail kiosk, fencing, detention areas, and the like contained within the community.

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- (13) All units within the proposed townhome community shall be “for sale” units. There shall be no more than a maximum of ten (10) percent of the units being leased at any one time, which restriction shall be included in the Covenants.
- (14) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents consistent with the architecture and style of the residences within the community. The entrance signage shall have wired up lights.
- (15) The entrance and frontage landscaping shall be professionally designed, implemented, and maintained, and shall be substantially similar to the renderings collectively attached as Exhibit “D” and incorporated herein by reference; which shall include frontage fencing consisting of wrought-iron type aluminum fencing with brick pillars. Maintenance of the entrance and frontage areas shall be by the mandatory homeowners association as set forth in the Covenants.
- (16) The setbacks for the proposed community shall be as shown and reflected on the referenced Site Plan.
- (17) There shall be established a bus waiting area for the children of residents of the proposed community which will be incorporated into the entrance features and landscaping.
- (18) Applicant agrees to the installation of a six-foot, black, vinyl-clad chain link fence along the southern boundary; except for such portions that may be located in a stream buffer.
- (19) Minor modifications to the within stipulations, the referenced, revised Site Plan, lighting, landscaping, architecture, site features, signage, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;
 - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;

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- (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (e) Change an access location to a different roadway;
 - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (20) Applicant agrees to the creation and establishment of a Landscape Review Committee consisting of a representative of Applicant and/or Developer and/or Owner, a representative of the Mableton Improvement Coalition, and a representative of the Cobb County Community Development Agency. The Landscape Review Committee shall be responsible for the review and approval of the landscape, fencing, and buffering plans. The final landscape plan shall be approved by the District Commissioner.
- (21) Detention and water quality facilities for the proposed community shall be as shown and reflected on the Site Plan, unless approved otherwise by Cobb County Stormwater Management. Said facilities shall be screened by a black, vinyl-clad chain link fence, a minimum of six (6) feet in height with landscaping to the exterior of the fencing and around the full perimeter of the detention pond for purposes of visual screening. All landscaping and fencing surrounding the detention areas shall be maintained by the mandatory homeowners association.
- (22) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, detention/retention facilities, drainage facilities, surface parking, and any and all slopes or other required engineering features of the foregoing.

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Zoning Division Manager
Zoning Division
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- (23) Demolition of all existing structures on the Property shall occur at the earlier of ninety (90) days from the issuance of a Land Disturbance Permit, or, ten (10) calendar months from final rezoning approval.
- (24) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (25) Applicant agrees with all Cobb County Department of Transportation comments and recommendations. In addition, by approval of the requested rezoning, and as identified on the revised Site Plan, the following relief from Cobb County Department of Transportation development standards is hereby granted:
 - (1) A minimum radius of sixty (60) feet for the internal road; and
 - (2) Guest parking shall be permitted within thirty-three (33) feet of internal driveways.
- (NOTE: These items are specifically supported by Cobb County Department of Transportation for the revised Site Plan.)
- (26) There shall be a minimum twenty-five (25) foot landscape buffer along the rear and western property lines, where shown on the revised Site Plan. The buffer area may be landscaped, naturally maintained, or both, in order to provide the most effective visual screening to adjacent properties. Where planted, such buffers shall include a staggered, double row of planted trees, a minimum of six (6) feet in height at planting.

We believe the requested zoning, together with the revised Site Plan and revised stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration developments and uses of properties in the surrounding area. The proposed residential community shall be a quality development, 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 in this request.

[Balance of page 6 left intentionally blank]

[Signature contained on page 7]

MOORE INGRAM JOHNSON & STEELE

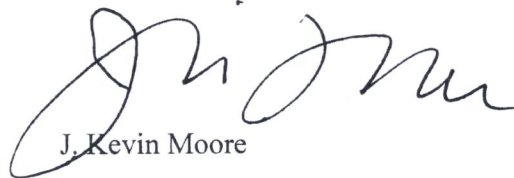
Petition No. 7-68
Meeting Date 11-15-2022
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
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November 14, 2022

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:

Lisa N. Cupid, Chairwoman

JoAnn Birrell

Keli A. Gambrill

Jerica Richardson

Monique Sheffield

(With Copies of Attachments)

Jeannie Peyton

Senior Planner

Zoning Division

Cobb County Community Development Agency

(With Copies of Attachments)

Robin Meyer

Mableton Improvement Coalition

(With Copies of Attachments)

The Revive Land Group, LLC

(With Copies of Attachments)



THE REVIVE LAND GROUP

SOURCE: ENTITLE: REVIVE

ONE ALLIANCE CENTER
 3500 LENOX ROAD
 SUITE 625
 ATLANTA, GEORGIA 30326
 O: (404) 223-8978
 WWW.THEREVIVELANDGROUP.COM

SOMERSET AT VETERANS MEMORIAL
 A MASTER PLANNED RESIDENTIAL DEVELOPMENT

220 VETERANS MEMORIAL HIGHWAY
 MARLETON, GEORGIA 30126

COBB COUNTY
 GEORGIA

LAND LOT: 45
 DISTRICT: 18TH

SOURCE: ENTITLE: REVIVE

ONE ALLIANCE CENTER
 3500 LENOX ROAD
 SUITE 625
 ATLANTA, GEORGIA 30326
 O: (404) 223-8978
 WWW.THEREVIVELANDGROUP.COM

REVISION: 0/0/0

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Petition No. 2-68
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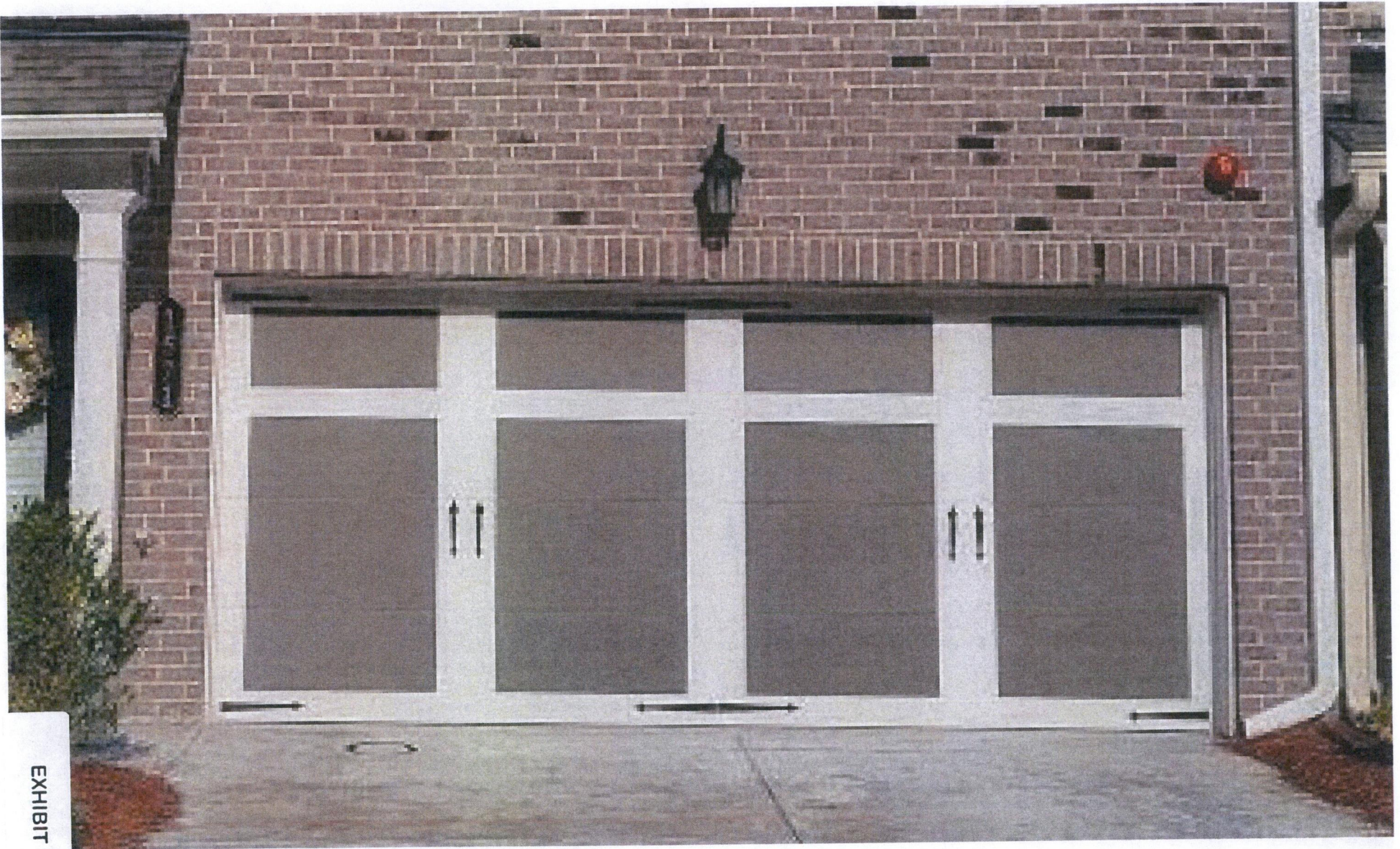


EXHIBIT "B"

Petition No. Z-68
Meeting Date 11-15-2022
Continued



EXHIBIT "C"

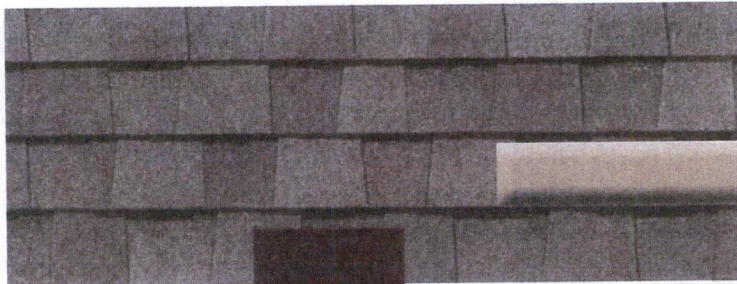
TaylorMorrison

Atlanta
Greystone Townhomes

2.10.22

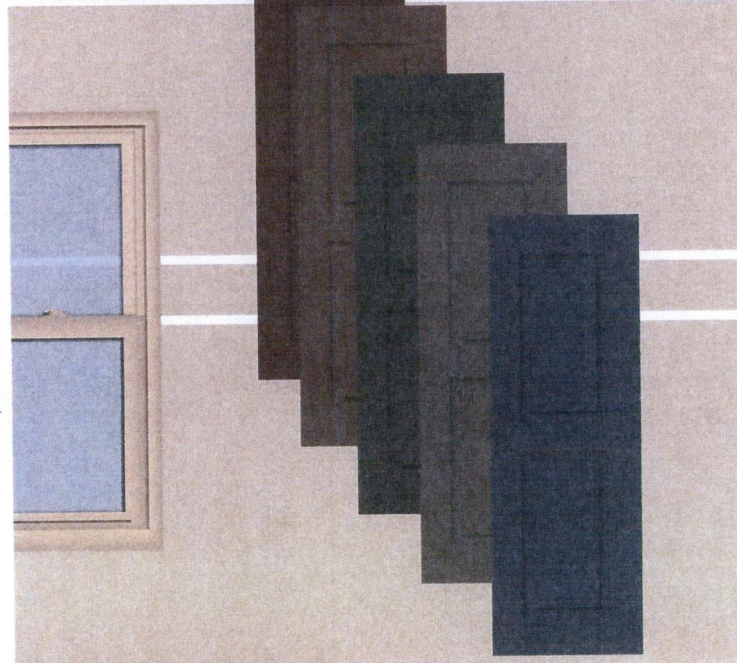
GS 50

Shingle Roofing
CertainTeed
Weathered Wood



Gutters &
Downspouts
Wicker

Windows
Beige



*Door 1 Polished
Mahogany SW
2838*

*Door 2
Van Dyke Brown
SW 7041*

*Door 3
Tricorn Black SW
6258*

*Door 4
Urbane Bronze
SW 7048*

*Door 5
Mount Etna
SW 7625*

All Siding & Trim
*Accessible Beige SW
7036*

Brick Veneer
Henry Brick
Chimney Rock



Brick Mortar
NGB
Southern Ivory

Please Note: Colors are reproduced using printing inks, not actual paint. Always select colors from the manufacturer's color card for best representation of actual color. Colors may vary slightly in actual use due to the area, sheen, surface, applications or lighting.

**Brick image may not reflect actual mortar selection. See actual mortar sample for accurate color.

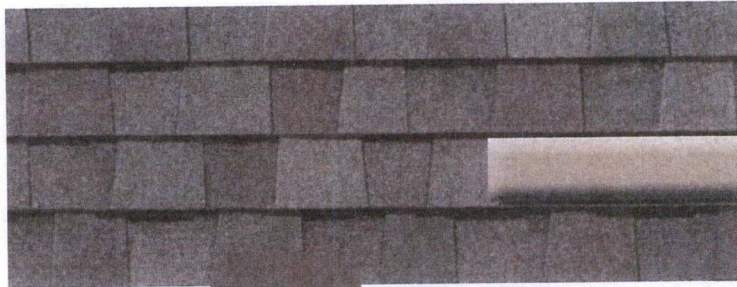
TaylorMorrison

Atlanta
Greystone Townhomes

2.10.22

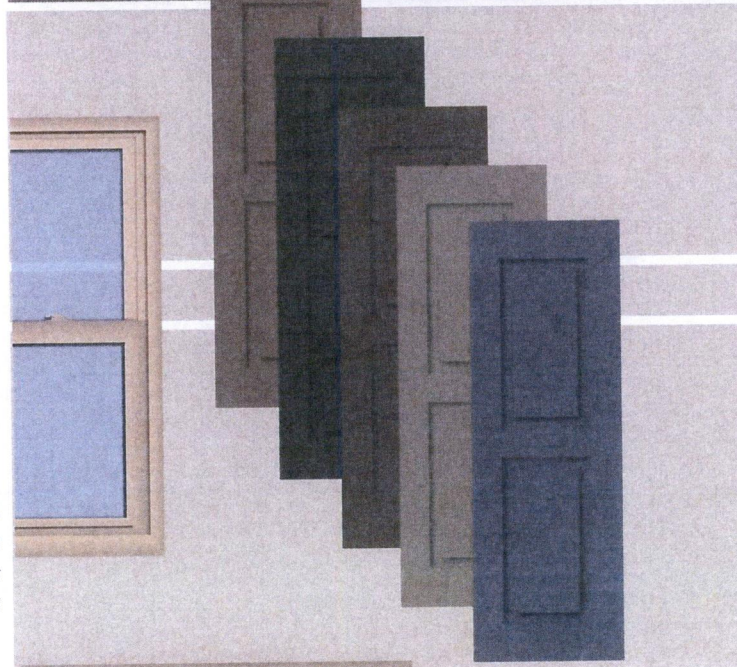
GS 57

Shingle Roofing
CertainTeed
Weathered Wood



Gutters &
Downspouts
Wicker

Windows
Beige



Door 1
Brainstorm
Bronze SW 7033

Door 2
Tricorn Black
SW 6258

Door 3
Black Fox
SW 7020

Door 4
Mountain Road
SW 7743

Door 5
Grays Harbor
SW 6236

All Siding &
Trim
Pediment
SW 7634

Brick Veneer
General Shale
Magnolia Ridge



Brick Mortar
NGB
Coosa Buff

Please Note: Colors are reproduced using printing inks, not actual paint. Always select colors from the manufacturer's color card for best representation of actual color. Colors may vary slightly in actual use due to the area, sheen, surface, applications or lighting.

**Brick image may not reflect actual mortar selection. See actual mortar sample for accurate color.

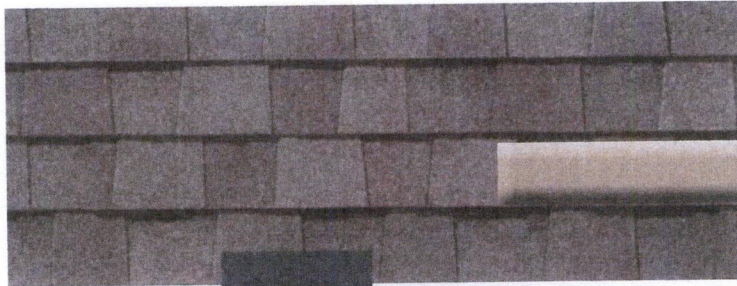
TaylorMorrison

Atlanta
Greystone Townhomes

2.10.22

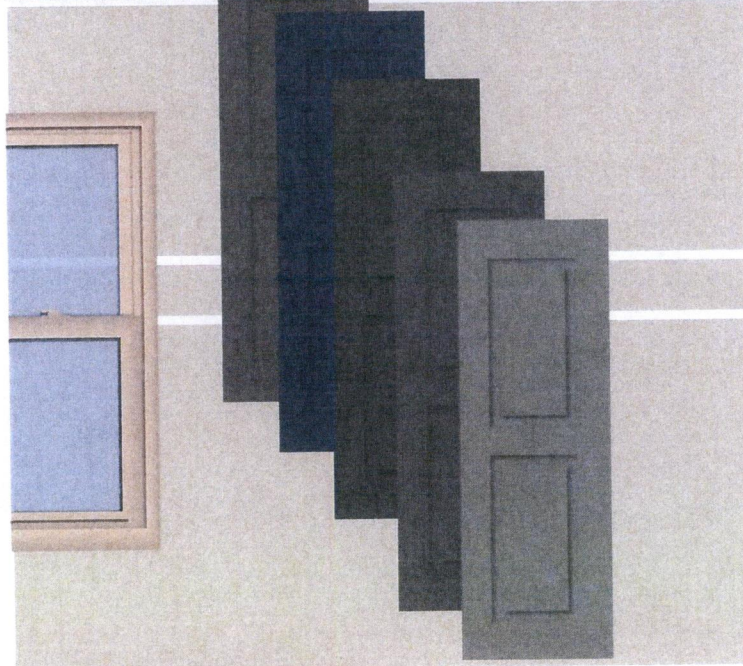
GS 52

Shingle Roofing
CertainTeed
Weathered Wood



Gutters &
Downspouts
Wicker

Windows
Beige



Door 1
Sealskin
SW 7675

Door 2
Dark Night
SW 6237

Door 3
Tricorn Black
SW 6258

Door 4
Iron Ore
SW 7069

Door 5
Retreat
SW 6207

All Siding &
Trim
Useful Gray
SW 7050

Brick Veneer
General Shale
Magnolia Ridge

Brick Mortar
NGB
Southern Ivory



Please Note: Colors are reproduced using printing inks, not actual paint. Always select colors from the manufacturer's color card for best representation of actual color. Colors may vary slightly in actual use due to the area, sheen, surface, applications or lighting.

**Brick image may not reflect actual mortar selection. See actual mortar sample for accurate color.

TaylorMorrison

Atlanta
Greystone Townhomes

2.10.22

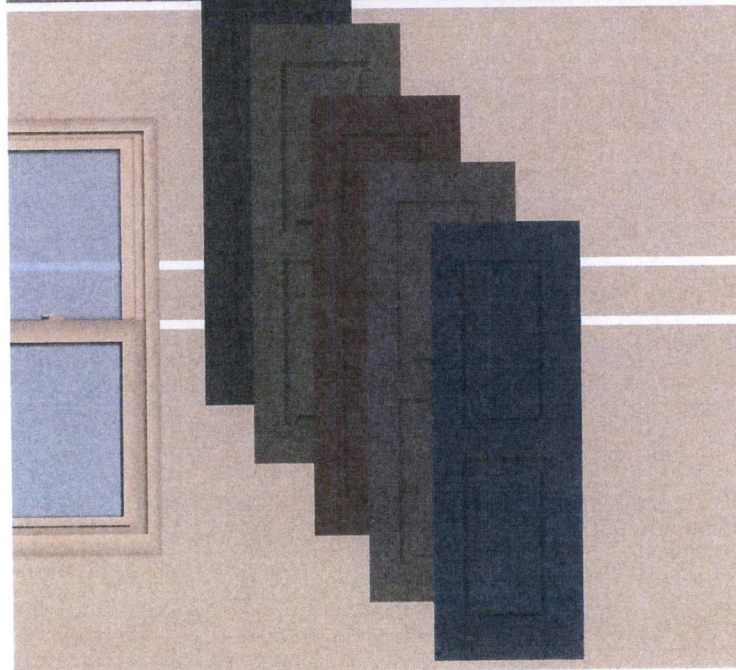
GS 58

Shingle Roofing
CertainTeed
Weathered Wood



Gutters &
Downspouts
Wicker

Windows
Beige



Door 1
Black Magic
SW 6991

Door 2
Roycroft Bronze
Green SW 2846

Door 3
Turkish Coffee
SW 6076

Door 4
Urbane Bronze SW
7048

Door 5
Mount Etna
SW 7625

All Siding &
Trim Urban
Putty
SW 7532

Brick Veneer
General Shale
Sandy Creek



Brick Mortar
NGB
Southern Ivory

Please Note: Colors are reproduced using printing inks, not actual paint. Always select colors from the manufacturer's color card for best representation of actual color. Colors may vary slightly in actual use due to the area, sheen, surface, applications or lighting.

**Brick image may not reflect actual mortar selection. See actual mortar sample for accurate color.

TaylorMorrison

Atlanta
Greystone Townhomes

2.10.22

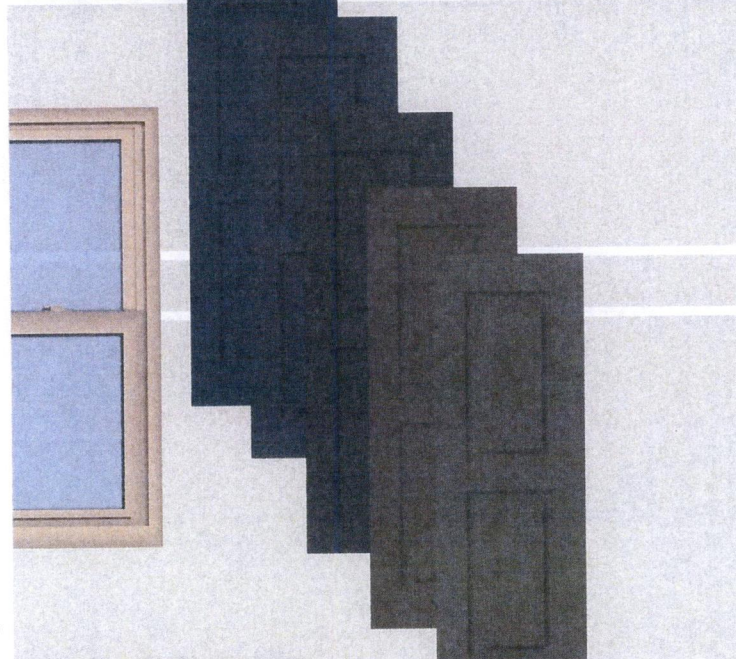
GS 54

Shingle Roofing
CertainTeed
Weathered Wood



Gutters &
Downspouts
Whicker

Windows
Beige



Door 1
Gale Force
SW 7605

Door 2
Mount Etna
SW 7625

Door 3
Black Of Night
SW 6993

Door 4
Black Fox
SW 7020

Door 5
Roycroft Bronze
Green
SW 2846

All Siding &
Trim Heron
Plume SW 6070

Brick Veneer
General Shale
Scottsdale



Brick Mortar
NGB
Coosa Buff

Please Note: Colors are reproduced using printing inks, not actual paint. Always select colors from the manufacturer's color card for best representation of actual color. Colors may vary slightly in actual use due to the area, sheen, surface, applications or lighting.

**Brick image may not reflect actual mortar selection. See actual mortar sample for accurate color.

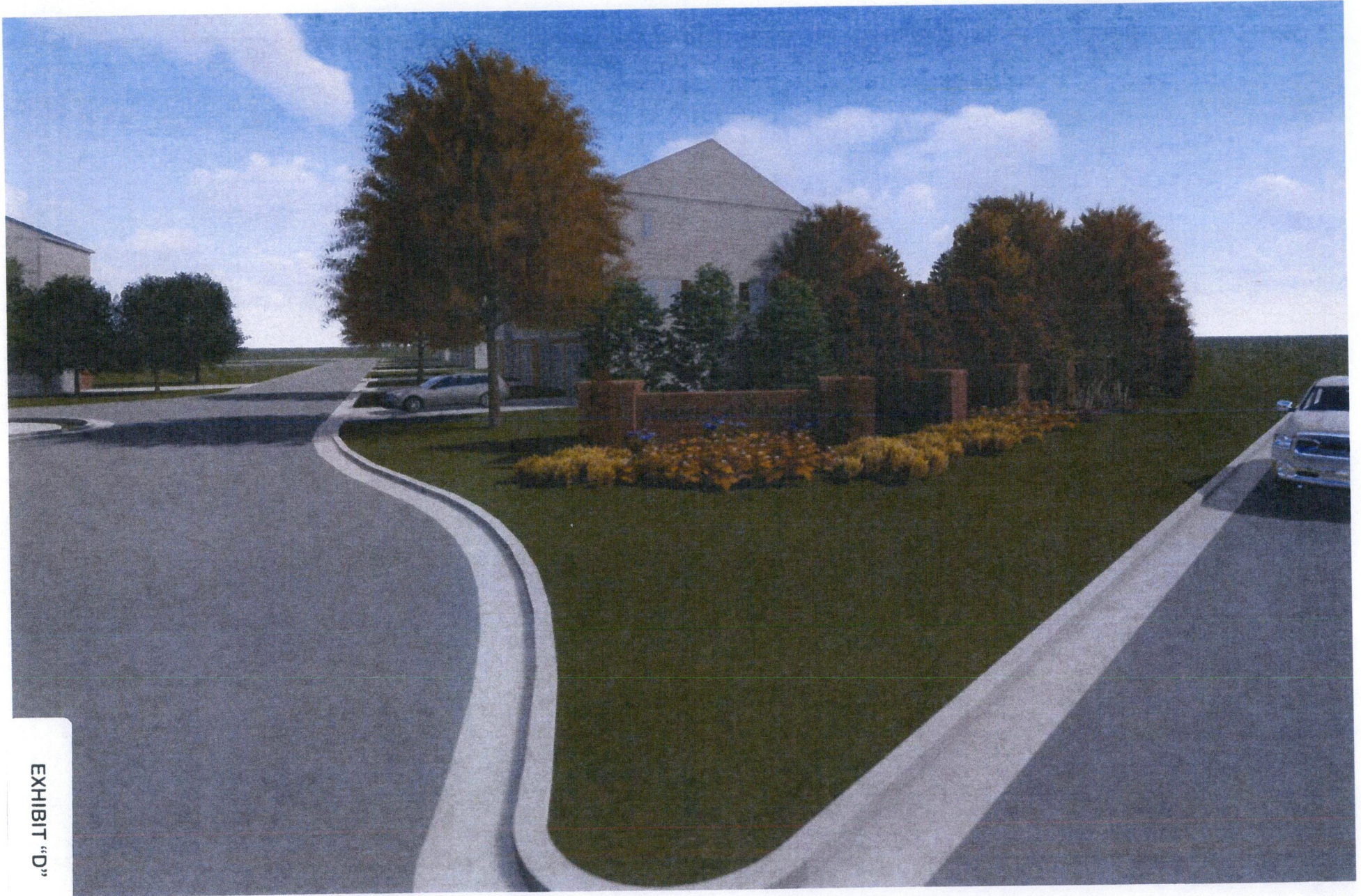


EXHIBIT "D"

Petition No. Z-68
Meeting Date 11-15-2022
Continued





1904 MONROE DRIVE, N.E., SUITE 150
ATLANTA, GEORGIA 30324
PHONE: (404) 873-5874
www.urbanengineers.net

PROFESSIONAL SEAL

[illegible]

PROJECT NAME

INTERSTATE
WEST
LOT J

REALTICORP



SALE CONTACT

PROJECT INFORMATION

PROJECT No. 21801-2

AND LOT(S): 583

16th DISTRICT

COUNTY: COB
SCALE: 1" = 50'

DATE: 09-01-22

SHEET NAME

ZONING

ZONING
SITE PLAN

315

STREET NUMBER

SHEET NUMBER

C-1.0

PROJECT NOTES

1. TOTAL SITE AREA BEING REZONED = 3.37 AC.
2. EXISTING ZONING IS R-20.
3. PROPOSED ZONING IS U.
4. NO CEMETERIES EXISTING ON THE PROPERTY.
5. NO ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS EXISTING ON THE PROPERTY.
6. SURVEY INFORMATION TAKEN FROM 'ALTA/ACSM LAND TITLE SURVEY FOR REALICORP, LLC' PREPARED BY GEOSURVEY DATED 08/02/2011.

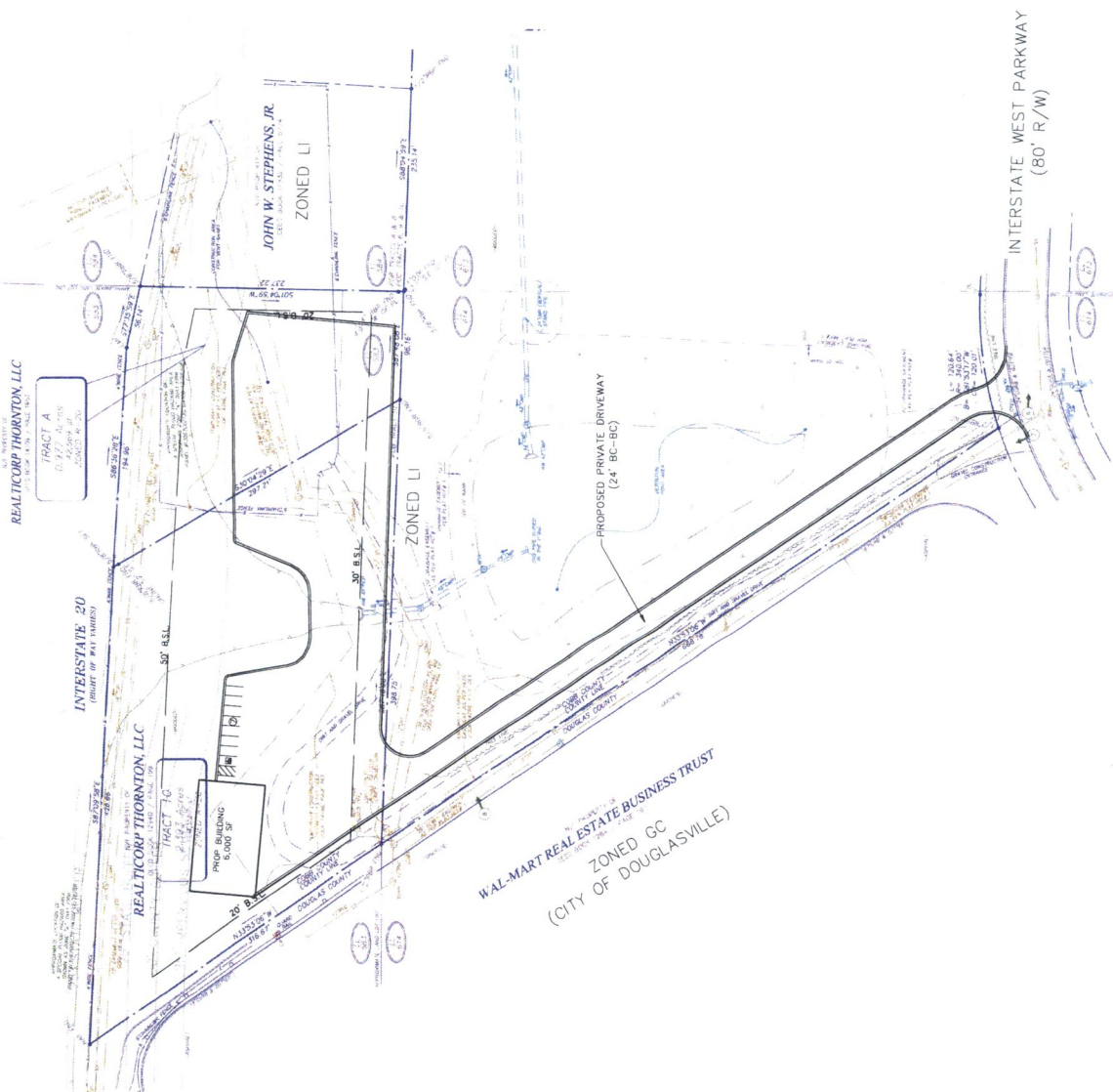
Min. Bk. 96 Petition No. Z-73
Doc. Type Site Plan

Meeting Date 11-15-2022



SCALE: 1" = 50'

RECEIVED
SEP 01 2022
COBB CO COMMUNITY AGENCY
ZONING DIVISION



WAL-MART REAL ESTATE BUSINESS TRUST
ZONED GC
(CITY OF DOUGLASVILLE)

RLISLE
93

Exhibit 'A'
JPP 11-15-22

N/F
INVESTORS GROUP OF AMERICA, LLC
DB 15988, P 782

RECEIVED
OCT 7 2022

COBBLER CRIMINAL JUSTICE AGENCY
TRAINING DIVISION

07P
1076
1074
1072
1070
1068
1066

N46°01'01"E 49.99'

N23°00'38"W 185.62'

S56°55'03"E 151.70'

IPF 1.32' NW
1058
1056
1054
1052

N/F
HAEL TODD BARNHAM
ANTHA A. CARLISLE
PB 276, P 93

COBB COUNTY
CITY OF SMYRNA

S42°32'43"W 135.45'

CARSON LANE (VARIABLE R/W)

10' BUILDING SETBACK
20' COBB S.S.E.

SSCO

SSMH

IPF

IPS

Min. Bk. 96 Petition No. O.B. 60
Doc. Type Site Plan

Meeting Date 11-15-2022

NOVEMBER 15, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2

Min. Bk. 96 Petition No. O.B.60
Doc. Type Site Plan Review
Comments and recommendations
Meeting Date 11-15-2022

ITEM OB-60

PURPOSE

To consider a reduction of required minimum lot size from 20,000 square-feet to 14,069 square-feet for Danny E. Banks, Jr. The property located on the north side of Carson Lane, west of Atlanta Road in Land Lot 698 of the 17th District (3612 Carson Lane).

BACKGROUND

The Board of Commissioners considers all reductions to minimum lot size pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-20 and is required to have 20,000 square feet (0.46 acres). The request is to reduce the lot size from 20,000 square-feet to 14,069 square-feet. Staff researched this property and found the property had 20,305 square feet in 1953. This was at a time when roads were smaller in width and the applicant's property platted to the center of Carson Lane which was a 20' easement road. Throughout the years as this property and adjacent property were sold, property line disputes arose due to overlapping deeds, deed gaps, or prescriptive ownership on Carson Lane. Carson lane is also now a 50' right of way per County GIS. Also, the City of Smyrna has annexed property east, west and south of the property (including Carson Lane) that has affected the lots on Carson Lane.

STAFF COMMENTS

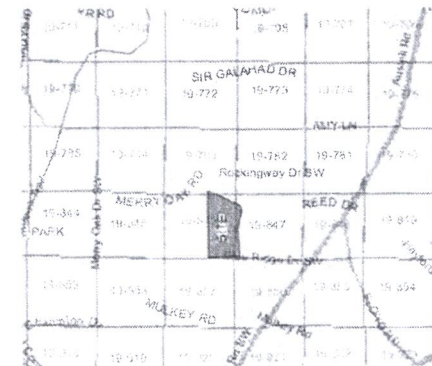
Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.

Water and Sewer: No comments.

Site Plan Review: The dimensions and configuration of this parcel as depicted on the submitted lot split plat do not match the recorded warranty deed for this property or the records of the Cobb County Tax Commissioner. Applicant must provide a boundary survey stamped and sealed by a Georgia registered land surveyor at the time of building permit application. Contact Site Plan Review, 770-528-2147.

Meeting Date 11-15-2022

2 LOCATION MAP



3 DISTRICT AND LANDLOT LINES

AREA CALCS		
	ST	AC
SITE	111,749	8,070
BULDOZING		
1ST P.L.R.	19,512	
2ND P.L.R.	19,512	
3RD P.L.R.	58,512	
TOTAL	58,512	
PERVIOUS		
	60,690	1,852
IMPERVIOUS	52,039	1,218
FAR		
	0.438	
IMPERVIOUS	39.7%	



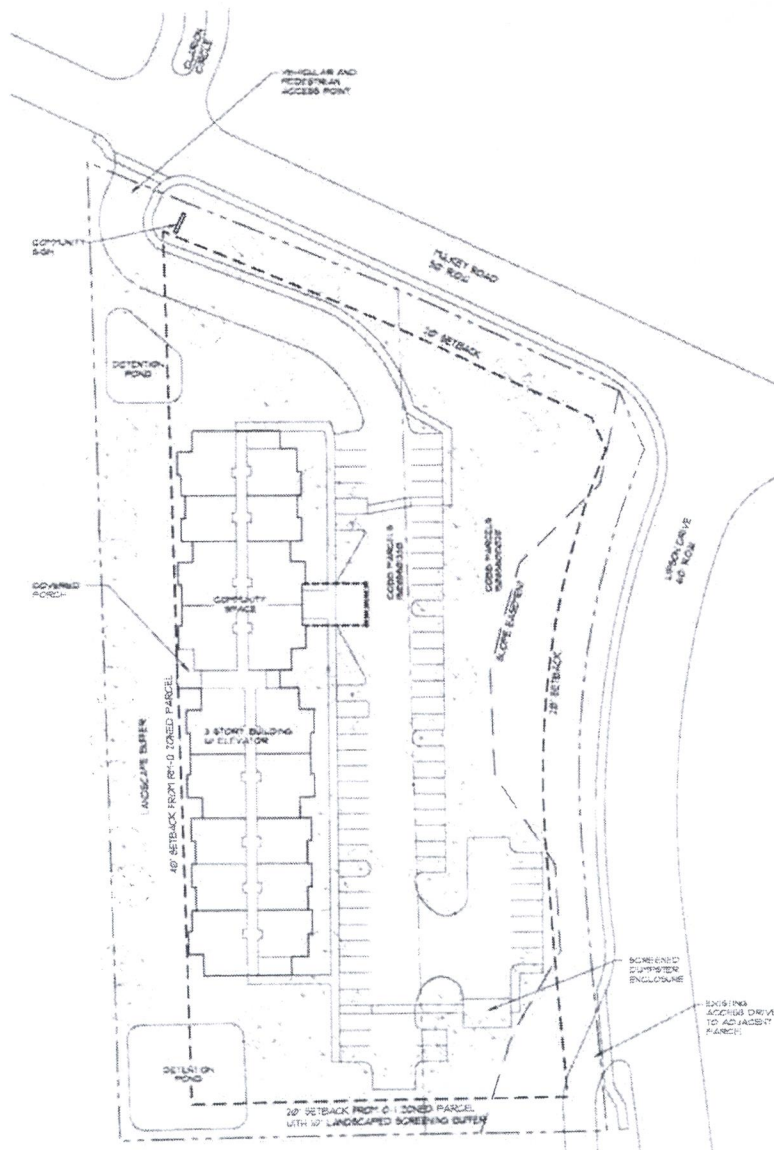
MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-1329 404-377-2600

ABBINGTON MULKEY ROAD
COBB COUNTY, GA

MART
CSP1

OB-61-22
Revised

revised
10-26-22
JPD



DEVELOPMENT INFORMATION

3.07 ACRES

DISTRICT / LANDLOT BOUNDARY
18-858

CURRENT ZONING:
O 41

PROPOSED USE:
SUPPORTIVE RESIDENTIAL FACILITY

3 STORY BUILDING W/ ELEVATOR

24 ONE BEDROOM SENIOR LIVING UNITS
24 TWO BEDROOM SENIOR LIVING UNITS
48 TOTAL SENIOR LIVING UNITS

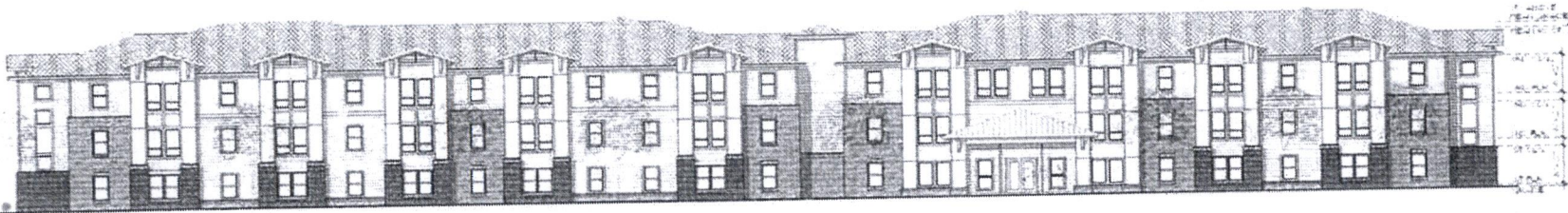
62 PARKING SPACES @ 125 SF/UNIT

24' WAYED DRIVE WIDTH

NO KNOWN LAKES AND STREAMS, UTILITY
EASEMENTS, CEMETERIES, WETLANDS, NOR
100-YEAR FLOOD PLAIN

1 CONCEPTUAL SITE PLAN

Petition No. 0.B.61
 Meeting Date 11-15-2022
 Continued



1 CONCEPTUAL ELEVATION
 5/27/22



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C. 25 CHURCH STREET, SUITE 300, DUBLIN, GEORGIA 30144-3526 404.485.7526	
PROJECT #04 11-15-2022	DATE 03/29/22
ABBINGTON MULKEY ROAD COBB COUNTY, GA	



CE1

RECEIVED
 10-26-22
 JLP

0.B-61-22

**NOVEMBER 15, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4**

Min. Bk. 96 Petition No. O.B.61
Doc. Type Fire Dept comments
and recommendations
Meeting Date 11-15-2022

ITEM OB-61

PURPOSE

To consider a site plan approval for Rea Ventures Group, LLC regarding property located at the southwest intersection of Mulkey Road and Lipson Drive, in Land Lot 858 of the 19th District (Mulkey Road).

BACKGROUND

The applicant is requesting the Board of Commissioners approve the site plan for the proposed Residential Senior Living (RSL) development. Per the O&I zoning code, the RSL use is permitted if the Board of Commissioners approves the site plan. The applicant is proposing a three-story building with 48 living units, with a large community space in the building dedicated to the residents physical and mental wellness. The applicant has picked this location for this project due to its proximity to Wellstar Cobb Hospital, many doctors offices, and Presbyterian Village. Per the RSL code, the units are permitted to have a stovetop unit, microwave, or a portable oven, but are prohibited from having built-in ovens. The applicant would like to have built-in ovens due to safety concerns with portable units.

STAFF COMMENTS

Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.

Cobb DOT: Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Water and Sewer: No comments.

Fire Department: See attached.

Site Plan Review: No comments.

(Continued on the next page)

APPLICANT: Rea Ventures Group, LLC

PETITION NO.: OB-61

PRESENT ZONING: _____

PETITION FOR: _____

FIRE COMMENTS:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County

FIRE HYDRANTS:

Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,500 gpm @ 20 psi)

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2012 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 26 feet maximum of 30 feet from the structure and minimum of 15' from the structure and be positioned parallel to one entire long side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

Gates

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. The gates shall not reduce the operating width of the roadway. Double lane gates shall be a minimum of 20 feet in clear width. Gates shall be of the swinging or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

International Fire Code (IFC) Appendix D

(Adopted by the State of Georgia at the beginning of 2020. Partially noted below.)

SECTION D103

MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders (see Figure D103.1 in Appendix D).

SECTION D106

MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units.

Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2

D106.2 Projects having more than 200 dwelling units.

Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Jeff Byrd

(770) 528-8814

jeffrey.byrd@cobbcounty.org

Meeting Date 11-15-2022

RECEIVED
OCT 11 2022
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

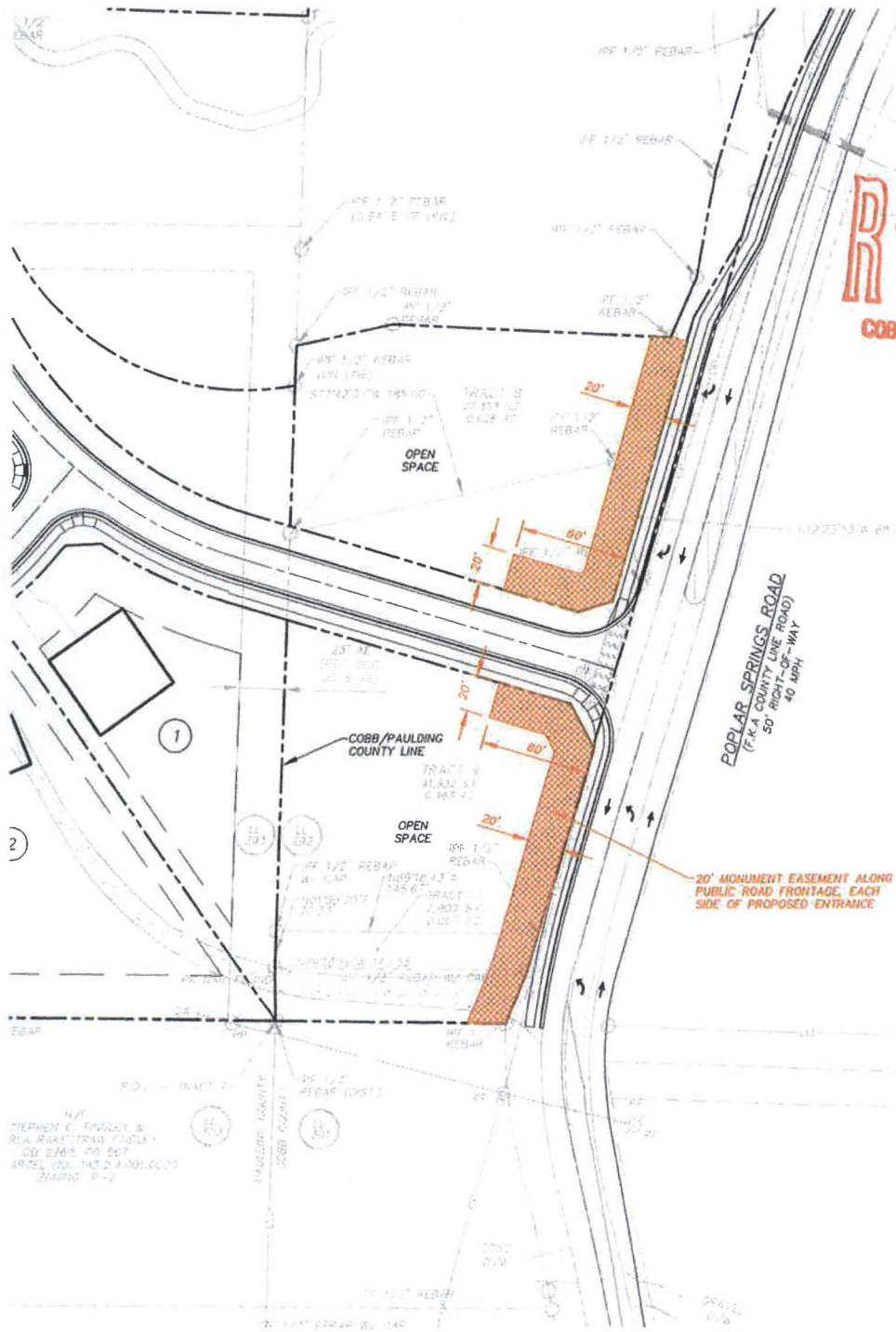


EXHIBIT "1"

NOVEMBER 15, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 1

Min. Bk. 96 Petition No. O.B.62
Doc. Type Fire Dept. comments
and recommendations
Meeting Date 11-15-2022

ITEM OB-62

PURPOSE

To consider a site plan amendment for Poplar Springs Partners, LLC regarding rezoning application Z-160 of 1999 for property located on the west side of Poplar Springs Road, west of Wright Road in Land Lot 292 of the 19th District (Poplar Springs Road).

BACKGROUND

The subject property was rezoned to R-20 OSC as part of an open space subdivision via a settlement of litigation in 2000. The subject property was part of the 17.8-acre open space for the settlement. Unknown at the time, there was an old access easement across the open space that served a property in Paulding County. In 2008, an agenda item (#42 from October 14, 2008) was brought forward to the Board of Commissioners that officially recognized this access easement in order to clarify the zoning record, and the location of the easement was approved. The easement holder would like to develop their property in Paulding County now and would like to move the easement approximately 150-feet south in order to build a safer entrance. The Paulding County owner has worked with the Stonemill Creek HOA to formulate an agreement to move the entrance to where it is now proposed. The applicant states the proposal provides more open space than current conditions. If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.

Fire Department: See attached.

Cobb DOT: Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

APPLICANT: Poplar Springs Partners, LLC

PETITION NO.: OB-62

PRESENT ZONING: _____

PETITION FOR: _____

FIRE COMMENTS:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County

CCFMO does not have any objections to OB-XX-20XX as presented

ACCESS:

Driveway must have a minimum 12 foot driving surface width (CCDS 402.07.01) with a minimum 25 foot inside turning radius.

Fully developed landscaping shall be at least 7 feet 0 inches from center of drive (14 foot clear width) and 13 foot 6 inches vertical clearance.

Maximum grade shall not exceed 18%, angle of departure shall not exceed 8.5%.

Driveway must extend within 150 feet of the most remote portion of the structure.

Driveway is limited to 1000 feet maximum from roadway unless an approved turn-around is provided:

- a) Residential cul-de-sac without an island shall have a 38 foot outside radius. A cul-de-sac with an island reverts to the commercial standards, refer to www.cobbfire.org for dimensions.
- b) Hammerhead turn-around: total of 102 feet needed (45 feet + 12 foot drive + 45 feet) with the turn-around leg to be a minimum of 20 feet wide.

Driveway must support 25 Tons (50,000 lbs.).

Provide emergency access through all gates securing Fire Department access with a minimum 12 foot 0 inch clear width and approved means of operation www.knoxbox.com.

FIRE HYDRANTS:

Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,500 gpm @ 20 psi)

* An alternative equivalency for the above requirements, subject to the approval by the Cobb County Fire Marshal's Office is one of the following:

- 1.) NFPA 13D sprinkler system.
 - 2.) Complete structure (framing and decking materials) treated with a Class A-Fire Retardant spray with a flame spread rating of 25 or less and smoke development of 450 or less.
 - 3.) Non-Combustible construction.
- (Indicate on the site plan which option will be utilized.)

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

FIRE ENGINE ACCESS: The fire department must be able to access the long side of the building.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2012 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

LODGING: Where 4 or more (>3) unrelated residents share a dwelling a new certificate of occupancy is required to include implementation of both a fire alarm and fire sprinkler system.

Gates

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. The gates shall not reduce the operating width of the roadway. Double lane gates shall be a minimum of 20 feet in clear width. Gates shall be of the swinging or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Guest Parking

Occupant parking shall be installed as required by zoning and additional guest parking shall be required as follows:

- Where driveways to two car garages exceed 50 feet in length, no additional guest parking is required.
- Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at .5 spaces per dwelling unit.
- Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1 space per dwelling unit.
- Where only single car garages are provided, additional parking shall be required at 2 spaces per dwelling unit.
- Guest parking spaces must be evenly distributed throughout the project.

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

Auto parts buildings may be required to be protected with a fire sprinkler system. Final determination to be made at building plan review. Be prepared to provide water supply.

International Fire Code (IFC) Appendix D

(Adopted by the State of Georgia at the beginning of 2020. Partially noted below.)

SECTION D103

MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders (see Figure D103.1 in Appendix D).

SECTION D106

MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units.

Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2

D106.2 Projects having more than 200 dwelling units.

Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

SECTION D107

ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have not fewer than two means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and approved fire apparatus access roads. Exception: Projects having a gross building area of up to 124,000 square feet

(11 520 m2) that have a single approved fire apparatus access road where all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Jeff Byrd
(770) 528-8814
jeffrey.byrd@cobbcounty.org