

GARVIS L. SAMS, JR  
JOEL L. LARKIN  
PARKS F. HUFF

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP  
SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

770•422•7016  
TELEPHONE  
770.426.6583  
FACSIMILE

August 24, 2020

**VIA EMAIL & HAND-DELIVERY**

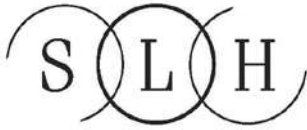
Mr. John P. Pederson, AICP, Manager  
Cobb County Community Development Agency  
Zoning Division  
1150 Powder Springs Road  
Suite 400  
Marietta, GA 30064

Re: Application of Meritage Homes of Georgia to Rezone a 30.58 Acre Tract from R-20 to RM-8; Land Lots 31, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia.

Dear Mr. Pederson:

Meritage Homes of Georgia, LLC applied to rezone the above-described property to RM-8 for a proposed additional phase to Willowcrest. In 2017, the Cobb County Board of Commissioners approved Z-44 on the adjacent 47-acre tract which became the very successful Willowcrest neighborhood. Because of the success of this community, Meritage seeks to rezone the 30 acres that lies between Willowcrest and the Lidl Grocery Store. The new phase of Willowcrest will continue with the same architectural and development pattern in the existing neighborhood. Meritage will connect the neighborhood street that runs parallel to Floyd Road with the new development and follow the same streetscape that has been created with the cottages that front Floyd Road. The new neighborhood will also create a connection to White Boulevard.

Throughout the process Meritage has worked with community stakeholders and has made significant changes to the proposal based upon this feedback. The initial application proposed a mixture of 202 townhomes and single-family homes. The plan changed multiple times to increase greenspace and most importantly to save the existing historic home, a Colonial Revival Georgian farmhouse built in 1920. The home is categorized as a Georgia's Natural, Archaeological and Historic Resource for architecture and agricultural reasons. Although the home is not on the National Register of Historic Places (NRHP), according to a Cultural Resource Survey prepared by R.S. Webb and Associates, it would qualify for this designation. Meritage received feedback that preserving this home and some of the surrounding grounds was important to the community. Meritage is able to commit to the cost associated with restoring the home and upgrading it to meet current occupancy requirements because it will become a central amenity for all of Willowcrest. Below is a list of conditions that Meritage will agree to



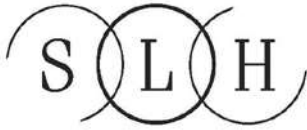
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becoming a condition on the grant of the proposed rezoning to RM-8 if the zoning approval includes the units included in the attached site plan.

- 1.) The property will be developed consistent with the attached site plan which includes 20 detached rear entry homes that will face Floyd Road and 168 townhomes attached as Exhibit "A." The zoning shall include the setbacks as detailed in the site plan.
- 2.) The subject property will be added to the covenants that apply to the existing Willowcrest neighborhood and the amenity areas in both phases will be accessible to all the residents.
- 3.) The single-family detached homes will face Floyd Road with an attached two-car garage being accessed from the rear. The architecture will be consistent with the approved architecture for Willowcrest and as attached as Exhibit "B." Any additional elevations will be approved by the District Commissioner.
- 4.) There will not be more than five (5) of the same elevation in the proposed 20 detached homes.
- 5.) The existing house at 4730 Floyd Road will be restored and incorporated as an amenity for Willowcrest. The home will be restored to meet current fire safety occupancy requirements and will be owned and maintained by the Homeowners Association.
- 6.) The entrance on Floyd Road will be limited to a right in and right out. Both the road access onto Floyd Road and the connection to White Boulevard will meet Cobb DOT design specifications.
- 7.) The development shall comply with the guest parking requirements.
- 8.) To help address concerns about traffic, Meritage will agree to contribute \$100,000 towards the installation of a signal at Floyd Road and Glore Road. The funds will be paid prior to the issuance of the first CO and will be held in escrow by Cobb County. If not used within three (3) years, the funds will be returned to the developer.
- 9.) The property will be subject to covenants with strict architectural controls including the creation of an architectural control committee. The covenants shall create a homeowners



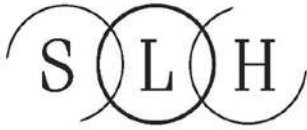
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association that will be responsible for the maintenance of all the common areas including the restored historic home. The subject property will be added to the existing Willowcrest HOA and residents of both phases will have access to all the amenities.

- 10.) The internal streets will have sidewalks on both sides of the street and the streets shall be private.
- 11.) An eight (8) foot wide sidewalk will be built along Floyd Road to connect to the multiuse trail.
- 12.) Meritage will work with the Cobb County School Board to determine the best location for a bus stop. An appropriate sidewalk and waiting area shall be created to accommodate children waiting for the bus.
- 13.) The homes will be “for sale” only and the covenants shall have a 10% rental maximum.
- 14.) The applicant will install a mulch walking trail as depicted on the site plan from the guest parking adjacent to lot 111 to the Willowcrest Street to the west if a stream buffer variance can be obtained.
- 15.) Any stormwater detention facilities shall be screened with a vinyl black coated chain link fence with landscaping incorporated to create a visual screen.
- 16.) The townhomes will be consistent with the townhomes currently being built in Willowcrest and the architecture attached as Exhibit “C.” However, the townhomes will have additional architectural details including:
  - a) The siding that leads to a front door will have a stone or brick water table.
  - b) When the end of a building faces a street or open space the end shall include a water table of brick or stone.
  - c) The townhomes that have two stories of brick architecture will break up each story with brick soldering to provide separation and relief between the two stories.
  - d) Shutters will be added to full size front facing windows.



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- 17.) Minor modifications to the agreed to stipulations, including the site plan, may be approved by the District Commissioner, except those that:
- a. Increase the density of a residential project;
  - b. Reduce the size of an approved buffer adjacent to 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;
  - f. Would be more direct contradiction or conflict with any of the stipulations of rezoning;
  - g. Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
  - h. Any stormwater detention facilities shall be screened with a vinyl black coated chain link fence with landscaping incorporated to create a visual screen.

With respect to the foregoing, enclosed please find the requisite number of copies of a revised site plan. Thank you in advance for your assistance in this matter. Please feel free to contact me should you have any questions or concerns.

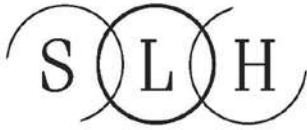
Sincerely,

SAMS, LARKIN & HUFF, LLP

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

Parks F. Huff, Attorney for the Applicant  
phuff@samslarkinhuff.com

PFH/jcc  
Enclosures



**VIA EMAIL & HAND-DELIVERY**

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cc: Members, Cobb County Board of Commissioners (via email w/attachments)  
Dr. Jackie McMorris, County Manager (via email w/attachments)  
Members, Cobb County Planning Commission (via email w/attachments)  
Board of Commission Assistants (via email w/attachments)  
Ms. Jessica Guinn, AICP, Director (via email w/attachments)  
Mr. Jason S. Gaines, AICP, Planning Manager (via email w/attachments)  
Ms. Jeannie Peyton, Sr. Planner (via email w/attachments)  
Mr. Terry Martin, Planner III (via email w/attachments)  
Mr. Donald Wells, Planner I (via email w/attachments)  
Ms. Tannessa Bates, Planner I (via email w/attachments)  
Ms. Pamela Mabry, County Clerk (via email w/attachments)  
Ms. Robin Stone, Deputy County Clerk (via email w/attachments)  
Ms. Leila Washington, Deputy County Clerk (via email w/attachments)  
Ms. Mary Lanning, RLA, Fire Marshal's Department (via email w/attachments)  
Mr. David Breaden, P.E. (via email w/attachments)  
Mr. Carl Carver, P.E. (via email w/attachments)  
Ms. Amy Diaz, P.E. (via email w/attachments)  
Ms. Robin Meyer, MIC (via email w/attachments)  
Mr. Clay Kirkley

# EXHIBIT “A”

**WILLOW CREST PHASE II**  
 A MASTER PLANNED RESIDENTIAL DEVELOPMENT  
 FOR  
 MERITAGE HOMES OF GEORGIA  
 2700 CUMBERLAND PARKWAY  
 SUITE 400  
 ATLANTA, GEORGIA 30339  
 PHONE: 678-494-9332  
 "WE PROVIDE SOLUTIONS"  
**PLANNERS AND ENGINEERS COLLABORATIVE**  
 SITE PLANNING LANDSCAPE ARCHITECTURE & CIVIL ENGINEERING & LAND SURVEYING  
 800 RESEARCH COURT • FLYCATCHER CORNER, GORDON SQUARE • FAX (770) 451-9919 •

**REVISIONS:**

NO.	DATE	BY	DESCRIPTION
1	08/19/2020	NOV	Commissioner's Certificate
2	08/19/2020	NOV	Commissioner's Certificate

**REZONING SITE PLAN**

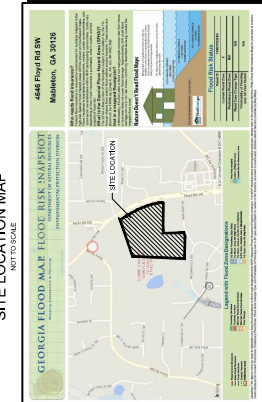
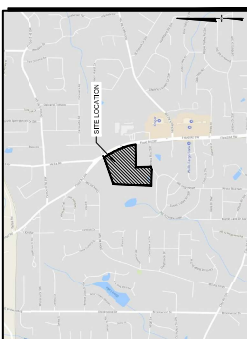
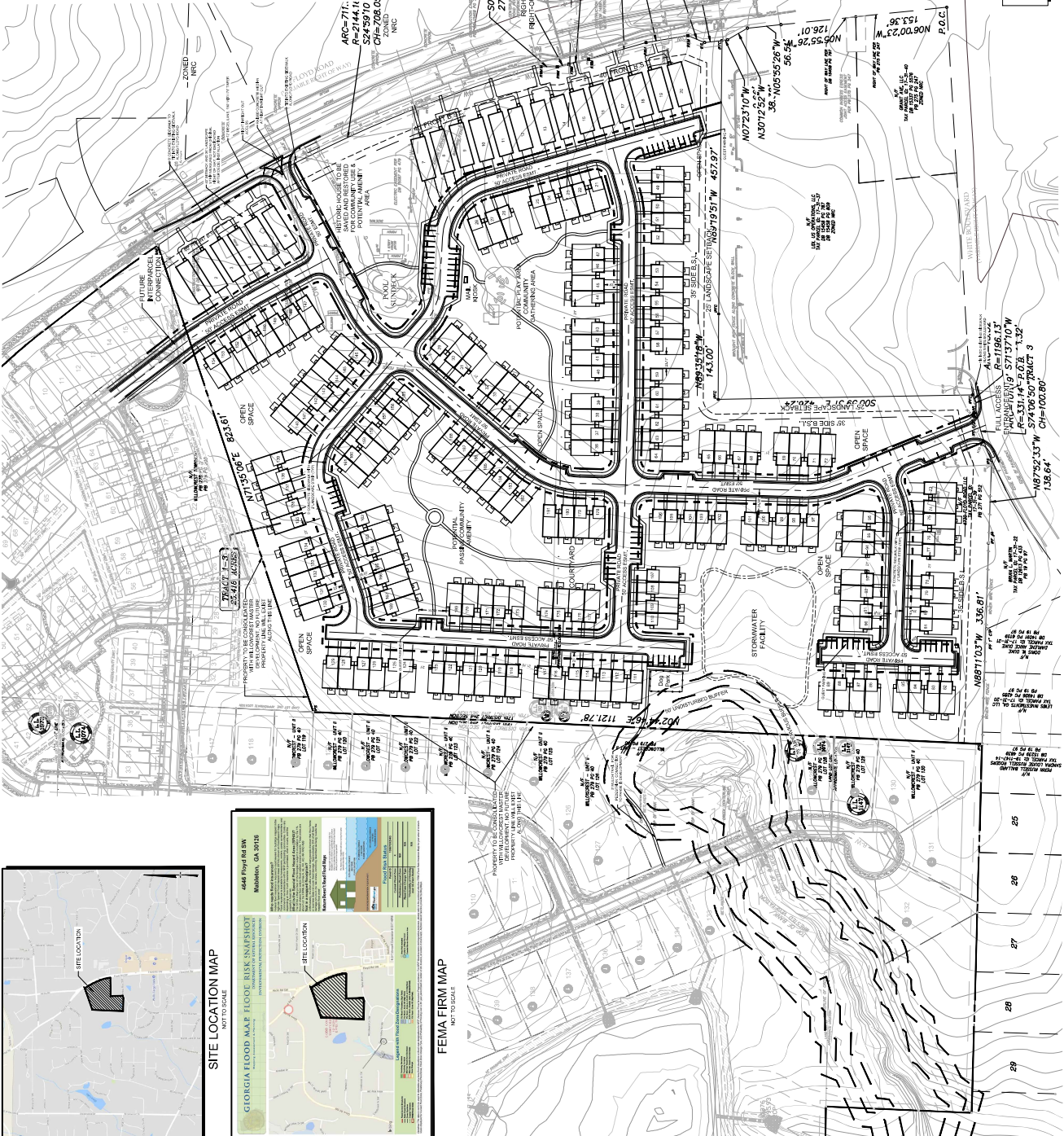
SCALE: 1" = 80'  
 DATE: JUNE 10, 2020  
 PROJECT: 13250.01

THIS SEAL IS ONLY VALID IF COUNTERSIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

24 HOUR CONTACT:  
 CLAY KIRKLEY  
 404-606-5348

**SITE DATA:**

SITE AREA	25.18 ACRES
ZONING	P-20 & P-NC
EXISTING ZONING	R-100
PROPOSED ZONING	R-100
COUNTY	DEKALB COUNTY
STATE	GEORGIA
TOTAL SITE AREA	25.18 ACRES
FRONT YARD SETBACK	30 FEET
REAR YARD SETBACK	30 FEET
SIDE YARD SETBACK	30 FEET
LANDSCAPE BUFFER REQUIREMENTS	30 FEET
MAX. IMPERVIOUS COVERAGE	45%
24 HOUR CONTACT	CLAY KIRKLEY
24 HOUR CONTACT	404-606-5348



**FEMA FIRM MAP**  
 404-606-5348

# EXHIBIT “B”





Calhoun E



Lockwood C



Lockwood D



Rutledge C



Rutledge E



Tanner C



Tanner D

# EXHIBIT “C”





**261 Asheville C**



**261 Asheville D**



**261 Asheville E**



**262 Bakersfield C**



**262 Bakersfield E**