

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
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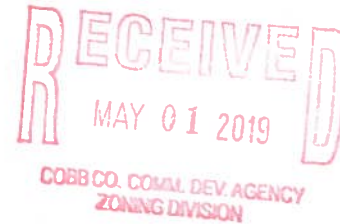
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5000 RITTER ROAD  
SUITE 106  
MECHANICSBURG, PENNSYLVANIA 17055  
TELEPHONE (717) 780-2854

May 1, 2019

*Hand Delivered*

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-11 (2019)  
Applicant/Property Owner:   Family Life Restoration Center, Inc.  
Property:            1.645 acres, more or less, located on the  
southwesterly side of Mableton Parkway,  
north of Susan Drive, being known as  
6328 Mableton Parkway, Land Lot 270,  
18<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County,  
Georgia

Dear John:

The undersigned and this firm represent Family Life Restoration Center, Inc., who is the Applicant and Property Owner (hereinafter collectively referred to as "Applicant"), in the above-referenced Application for Rezoning with regard to a total tract of 1.645 acres, more or less, located on the southwesterly side of Mableton Parkway, north of Susan Drive, Land Lot 270, 18<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, and being more particularly known as 6328 Mableton Parkway (hereinafter the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff, reviewing the Departmental Comments and Staff Recommendations; and ongoing meetings and discussions with area residents and homeowner representatives, 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 rezoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full the previous letter of agreeable stipulations and conditions dated and filed March 27, 2019. The proposed, revised stipulations are as follows:

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Zoning Division  
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- (1) Applicant seeks rezoning of the Subject Property from the existing zoning category of Neighborhood Retail Commercial (“NRC”) to the proposed zoning category of Light Industrial (“LI”), site plan specific to the Boundary Survey dated September 25, 2007, and filed with the Zoning Office contemporaneously with the filing of the Application for Rezoning. A reduced copy of the Boundary Survey is attached to this letter of agreeable stipulations and conditions for ease of reference as Exhibit “A” and incorporated herein by reference.
- (2) Applicant agrees the Property shall be utilized for a jobs training program, with housing for program participants, which housing shall be in a dormitory style.
- (3) Applicant agrees the approval of the requested rezoning of the Subject Property shall be to allow for the continuation of the jobs training program, and related services, offered by the Family Life Restoration Center and Georgia Works! (a regional, state, and national leader in job training and associated housing for program participants). The jobs training program will be administered by a joint collaboration of the Applicant and Georgia Works!.
- (4) Applicant agrees no job training or other related services shall be provided to any individuals not enrolled in the jobs training program from the Subject Property.
- (5) Applicant agrees that all persons residing at the Property must be admitted to the jobs training program and have current and good standing within the jobs training program.
- (6) There shall be no intake of program participants directly on the Subject Property. All screening and intake functions shall be performed off-site.
- (7) The interior of the existing building shall be renovated in accordance with Cobb County Code for housing in a dormitory style. There shall be no more than two (2) program participants per room.
- (8) Applicant agrees the maximum number of participants shall be fifty (50).
- (9) Applicant agrees the exterior of the existing building shall be renovated and upgraded in appearance; including, but not limited to, the building exterior fronting on Mableton Parkway shall be basic brick or stone, or a combination thereof, façade. All upgrades and renovations shall comply with the Mableton Parkway Design Guidelines.

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- (10) Applicant agrees to the installation of a minimum twenty (20) foot landscape buffer along the rear of the property line adjacent to existing residential properties, which buffer shall be planted with evergreen trees, a minimum of six (6) feet in height at planting. In addition, Applicant agrees to the installation of a black, vinyl-coated chain link fence, a minimum of six (6) feet in height, along the interior landscaped buffer line.
- (11) The jobs training program, with associated housing, shall provide for the following minimum elements:
  - a) Regular drug and alcohol screening of all participants;
  - b) Work force and life training;
  - c) Coordination with employers to provide jobs for participants;
  - d) No loitering in or around the Property; and
  - e) Program participants shall have a maximum length of one (1) year in the program (length of stay).
- (12) In the event either Georgia Works! or Applicant ceases to be involved in administering the program, the allowance for housing shall terminate.
- (13) Applicant shall provide transportation for program participants to and from work and other program activities.
- (14) Applicant agrees to secure the perimeter of the Property by the installation of a black, vinyl-coated chain link fence, a minimum of six (6) feet in height along the rear and sides of the Property. Along the rear of the Property, the fencing shall be along the interior landscaped buffer line, as set forth in paragraph (10) above. Roadway fencing along Mableton Parkway shall be decorative or wood-type fencing, and shall meet the standards of the Mableton Parkway Design Guidelines. A landscape strip shall be installed along the frontage of the Subject Property on Mableton Parkway, which landscape strip shall also comply with the Mableton Parkway Design Guidelines.
- (15) Applicant agrees there shall be only one access to the Property, which shall be a secured access, and shall include, but not be limited to, a gated entrance to the Property which shall be manned, at a minimum, by a security officer from 5:00 p.m. through 6:30 a.m. daily. Applicant further agrees to the installation of security cameras strategically placed throughout the Subject Property.

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- (16) Applicant agrees to coordinate and hold quarterly meetings with the community to provide program information and updates to and receive input from area residents and civic associations.

We believe approval of the requested rezoning, pursuant to the revised stipulations set forth herein, is an appropriate use of the Subject Property. Granting of the requested rezoning will allow for the continuation of a much needed program which is beneficial to not only the program participants, but the County as well. We appreciate very much your consideration; as well as, that of the Cobb County Planning Commission and Cobb County Board of Commissioners, in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc  
Attachment

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Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
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c: Cobb County Board of Commissioners:  
Mike Boyce, Chairman  
JoAnn Birrell  
Lisa N. Cupid  
Keli A. Gambrill  
Robert J. Ott  
(With Copy of Attachment)

Cobb County Planning Commission:  
Judy Williams, Chairman  
Fred Beloin  
Skip Gunther  
Galt Porter  
Andy Smith  
(With Copy of Attachment)

Jason A. Campbell  
Planner III  
Zoning Division  
Cobb County Community Development  
(With Copy of Attachment)

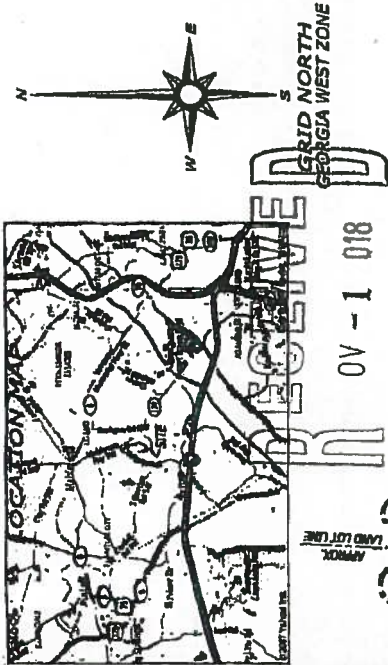
Donald Wells  
Zoning Analyst  
(With Copy of Attachment)

Robin Meyer  
Mableton Improvement Coalition  
(With Copy of Attachment)

Family Life Restoration Center, Inc.  
(With Copy of Attachment)

**SURVEY NOTES:**

- 1) RECORDING AS SHOWN HEREON IS BASED ON GRID NORTH.
- 2) ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES.
- 3) ALL STATEMENTS WITHIN THE CONTRACTUAL AND OTHER AGREEMENTS LOCATED ELSEWHERE HEREON, RELATED TO UTILITIES, STREETS, ETC., AND BEING INCORPORATED BY REFERENCE INTO THIS PLAN, AND BEING INCORPORATED INTO THIS PLAN BY REFERENCE TO THE DATE OF RECORDING, ARE THE SOURCE OF INFORMATION IN SPECIFICALLY REFERENCED HEREON.
- 4) NO INSTRUMENTS OF RECORD OR RECORDS RELATING TO RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO SURVEYOR EXCEPT AS SHOWN.
- 5) NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE ANY DEFECTS AND/OR ABUQUITIES IN THE TITLE.
- 6) ONLY SURFACE UTILITIES, STORM AND SANITARY SEWER STRUCTURES WHICH ARE LOCATED WITHIN THE BOUNDARY AND OUTSIDE OF DESIGNATED EASEMENTS ARE SHOWN. NO EFFORT HAS BEEN MADE TO LOCATE ANY SUB-SURFACE UTILITIES, STORM AND SANITARY SEWER LINES EXCEPT AS SHOWN.
- 7) ENCROACHMENTS ABOVE GROUND ARE SHOWN.
- 8) THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUB-SURFACE STRUCTURES OR GAVE OVERHANGS, EXCEPT AS SHOWN.
- 9) SUBJECT TO RIGHTS-OF-WAY AND EASEMENTS, BOTH RECORDED AND UNRECORDED.
- 10) PROPERTY HAS PHYSICAL ACCESS TO HALELTON PARKWAY AND SUSAN DRIVE.
- 11) FIELD SURVEY WAS COMPLETED SEPTEMBER 24, 2007.
- 12) NO CONTEMPORARY ARCHITECTURAL OR ARCHITECTURAL LANDMARKS ARE KNOWN TO EXIST ON THIS SITE.



Course	Bearing	Distance
L-1	N 01° 21' 18" E	96.70'
L-2	S 81° 07' 25" W	274.89'

**RECORDING INFORMATION:**

PLAY FILED IN OFFICE **6-9-08**  
 RECORDED IN PLAT BOOK: **270**; PAGE: **100**  
**Joy C. Stephenson, Clerk**  
 CLERK, COBB COUNTY SUPERIOR COURT  
 C.F.N.# 2008-78333

**FLOOD INFORMATION:**

BY GRAPHIC FLOODING ONLY, THIS PROPERTY IS REFERENCED TO FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 13067C008B, WHICH BEARS THE EFFECTIVE DATE OF AUGUST 14, 1992. PER F.I.R.M. MAP SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA.

**EQUIPMENT USED FOR MEASUREMENTS:**

ANGULAR: LEICA TS0202 TOTAL STATION  
 LINEAR: LEICA TC1702 TOTAL STATION  
 GPS: TRIMBLE - ProMark 3

**SURVEY DATA:**

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSEURE PRECISION OF ONE FOOT IN 43,763 FEET AND AN ANGULAR ERROR OF 07" PER ANGLE POINT. THE PLAN HAS BEEN CALCULATED FOR CLOSEURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 473,922 FEET.

**PLAT AND DEED REFERENCE:**

- 1) WARRANTY DEED FOR LARRY E. BRILEY AND FLORENCE L. BRILEY RECORDED IN DEED BOOK: 14384; PAGES: 325 - 328; COBB COUNTY RECORDS
- 2) WARRANTY DEED FOR EBE DEVELOPMENT COMPANY, INC. RECORDED IN DEED BOOK: 23679; PAGE: 83; COBB COUNTY RECORDS
- 3) FINAL PLAT OF SURVEY FOR E.C. AND J.S. WASH RECORDED IN PLAT BOOK: 13; PAGE: 74; COBB COUNTY RECORDS
- 4) FINAL PLAT OF SURVEY FOR E.C. AND J.S. WASH PREPARED BY HAROLD L. BUSH GEORGIA R.L.S. NO. 15. RECORDED IN PLAT BOOK: 13; PAGE: 46. COBB COUNTY RECORDS

**OWNER'S ACKNOWLEDGMENT:**

I HEREBY CERTIFY AS THE OWNER OF THE LAND SHOWN ON THIS PLAN AND WHOSE NAME IS SUBSCRIBED HEREON, ACKNOWLEDGE THAT THIS PLAN WAS MADE FROM AN ACTUAL SURVEY, IN CONSIDERATION OF THE APPROVAL OF THIS DEVELOPMENT PLAN AND OTHER VALUABLE CONSIDERATIONS, I FURTHER RELEASE AND HOLD HARMLESS COBB COUNTY FROM ANY AND ALL CLAIMS, DAMAGES ARISING ON ACCOUNT OF THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF THE PROPERTY SHOWN HEREON; ON ACCOUNT OF THE ROADS, UTILITIES, IMPROVEMENTS, DITCHES, CROSS DRAINS, COLLECT, WATER MAIN, SEWER LINES, AND BRIDGES WITHIN THE PROPOSED RIGHTS-OF-WAY AND DISCHARGE OF SURFACE WATER, OR ON ACCOUNT OF THE COLLECTION AND DISCHARGE OF SURFACE WATER, OR ON ACCOUNT OF THE CONSTRUCTION OF STREETS, AND FURTHER I WARRANT THAT I OWN FREE AND CLEAR TITLE TO THE PROPERTY SHOWN HEREON AND AGREE THAT COBB COUNTY SHALL NOT BE LIABLE TO ME, MY HEIRS, SUCCESSORS, OR ASSIGNS FOR ANY CLAIMS OR DAMAGES RESULTING FROM THE CONSTRUCTION OR MAINTENANCE OF CROSS DRAIN EXTENSIONS, DITCHES, STRUCTURES, STREETS, COLLECTS, CURBS, OR SIDEWALKS, THE CHANGING OF COURSES OF STREAMS AND RIVERS, FLOODING FROM NATURAL CREEKS AND RIVERS, SURFACE WATERS, AND ANY OTHER MATTER WHATSOEVER. I FURTHER WARRANT THAT I HAVE THE RIGHT TO SELL AND CONVEY THE LAND ACCORDING TO THIS PLAN AND DO HEREBY BIND OWNERS AND MYSELF SUBSEQUENT IN TITLE TO DEFEND BY VIRTUE OF THESE PRESENTS.

*William L. Howell*  
 DATE: 6/16/08

**COBB COUNTY DEVELOPMENT CERTIFICATION**

THIS PLAN, HAVING BEEN SUBMITTED TO COBB COUNTY AND HAVING BEEN FOUND TO COMPLY WITH THE COBB COUNTY DEVELOPMENT STANDARDS IS APPROVED FOR RECORDING. THE PURPOSE OF THIS PLAN IS TO SHOW CURRENT CONFIGURATION OF EXISTING TRACTS.

*Debra Deane Ramsey*  
 COBB COUNTY WATER SYSTEM  
 DATE: 6-16-08

*John R. Hester*  
 ZONING DIVISION  
 DATE: 6-5-08

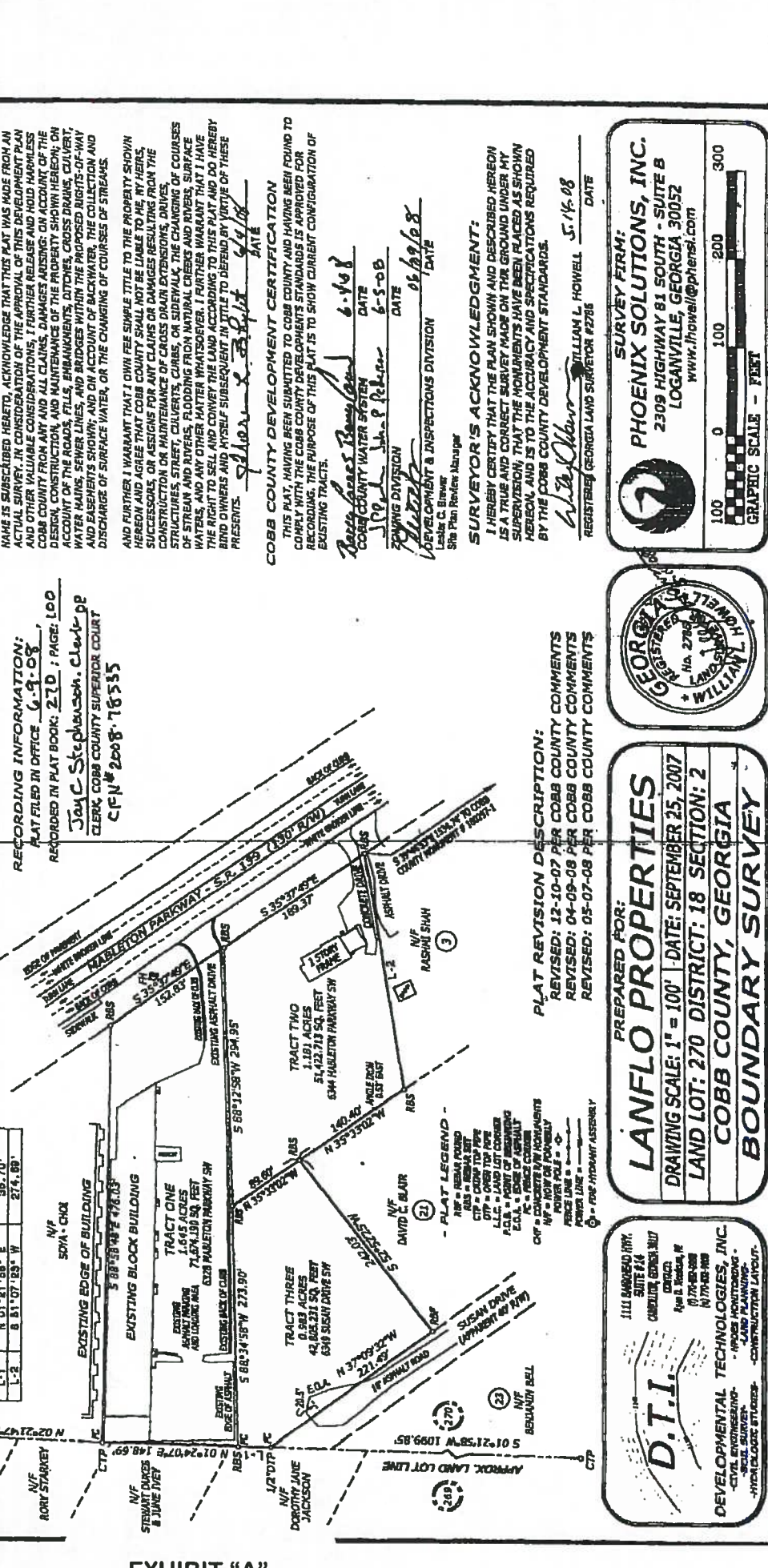
*William L. Howell*  
 DEVELOPMENT & INSPECTIONS DIVISION  
 DATE: 06/19/08

Site Plan Review Manager  
 Leader C. Briner

**SURVEYOR'S ACKNOWLEDGMENT:**

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY MADE ON THE GROUND UNDER MY SUPERVISION; THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON; AND IS TO THE ACCURACY AND SPECIFICATIONS REQUIRED BY THE COBB COUNTY DEVELOPMENT STANDARDS.

*William L. Howell*  
 REGISTERED GEORGIA LAND SURVEYOR #2786  
 DATE: 5/16/08



**GEORGIA REGISTERED LAND SURVEYOR**

WILLIAM L. HOWELL  
 No. 2786

**PHOENIX SOLUTIONS, INC.**  
 2309 HIGHWAY 81 SOUTH - SUITE B  
 LOGANVILLE, GEORGIA 30052  
 WWW.PHOWELLPHENIX.COM

GRAPHIC SCALE - FEET

100 0 100 200 300

**EXHIBIT "A"**