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JOEL L. LARKIN
PARKS F. HUFF
ADAM J. ROZEN

SAMS, LARKIN & HUFF
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376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

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January 29, 2020

(REVISED STIPULATION LETTER)

VIA EMAIL & HAND-DELIVERY

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

RECEIVED
JAN 29 2020

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

REVISED

Re: Application of KO Management, Inc. to Rezone a ±5.44 Acre Tract from R-20 & NRC to RA-5; Land Lot 37 & 39; 17th & 18th District, 2nd Section, Cobb County, Georgia (Z-56 of 2019)

Dear John:

As you are aware, this firm has been engaged by and represents the Applicant, KO Management, Inc. The Applicant has been working on a revised site plan that incorporates the suggestions of the Planning Commission. Attached, please find a copy of a revised site plan that eliminates two (2) homes, increases the number of guest parking and increases lot sizes.

The property at issue ("Subject Property") consists of a 5.44 acre tract of land which is situated on the west side of Mableton Parkway; the north side of Wood Valley Road; and on the east side of Glore Circle for the purposes of the construction and development a single-family residential community consisting of a total maximum number of 19 quality-built, custom, single-family detached homes.

While this application has been pending, we have established an extensive dialogue with the County's professional staff and the Mableton Improvement Coalition.

With respect to the foregoing and based upon those discussions and the direction from the District Commissioner and the Board, the Applicant agrees to the following *revised* stipulations, which, upon approval of this request, shall become conditions and a part of the grant of the requested Rezoning and binding upon the Subject Property thereafter. The referenced stipulations/conditions are as follows, to wit:

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1. The neighborhood shall be developed consistent with the attached revised site plan including the variances shown on the site plan.
2. There will be a 20-foot landscaped buffer along Mableton Parkway that will be outside of the residential lots and owned by the Homeowners' Association ("HOA").
3. There will be a 20-foot rear setback from the 20-foot-wide landscaped buffer for the homes that are adjacent to Mableton Parkway. Lot 19 shall have a normal side setback adjacent to the 20-foot landscaped buffer.
4. The homes shall have a minimum of a two (2) car garage. The garages shall not be used for storage and shall not be converted to living space.
5. The homes to be constructed shall be a minimum of 2,000 square feet and shall be made of materials such as wood, brick, stone and cementitious board siding. The architectural style shall be consistent with the four attached elevations or another style that is approved by the Zoning Architectural Control Committee. The final elevations shall be reviewed by a Zoning Architectural Control Committee, with the final approval by the District Commissioner. The Committee shall include the builder or developer, a representative of the Community Development Department and a representative from the Mableton Improvement Coalition.
6. Compliance with recommendations from the Stormwater Management Division with respect to detention, water quality, hydrology and down-stream considerations including the configuration and positioning of on-site detention areas.
7. There shall be established a Landscape Review Committee comprised of the Mableton Improvement Coalition, the developer, and the Community Development Department. This Committee shall review all the landscaping and fencing visible from Mableton Parkway and the adjacent residential properties on Wood Valley Road and Glore Circle.
8. KO Management agrees to the creation of a mandatory HOA consistent with custom-built communities. The mandatory HOA shall be responsible for the upkeep and maintenance of all common areas, open space areas, the landscaped buffer adjacent to Mableton Parkway, entrance area, mail kiosks, subdivision entrance signage and the like contained within the proposed residential community.

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Additionally, and in conjunction with the creation of the mandatory HOA, the Applicant agrees to the recordation and enforcement of the Declaration of Covenants, Conditions and Restrictions ("CCRs") applicable to the proposed community. The CCR's shall limit the number of rental units to no more than three (3) in the entire community.

9. All setbacks, landscaped and buffer areas may be penetrated for the purposes of access, utilities, stormwater management, drainage facilities and any and all slopes or other required engineering features including Fire Marshall directives or regulations.
10. No Land Disturbance Permit ("LDP") will be issued until the existing homes on Glore Circle are demolished. The existing home on Wood Valley Road will be used as a construction office and it will be demolished prior to the issuance of the 15th building permit.
11. The District Commissioner shall have the authority to approve minor modifications to these stipulations/conditions, the referenced site plan, lighting, landscaping, architecture, site features, signage and the like as needed or necessary, except for those that:
 - a. Increase the number of lots or the density of the residential community.
 - b. Reduce the size of an approved buffer adjacent to property which is zoned the same or in a more restrictive zoning district.
 - c. Relocate a structure closer to the property line of an adjacent property which is zoned the same or in a more restrictive zoning.
 - d. Increase the height of a building which is adjacent to a property which is zoned the same or a more restrictive zoning district.
 - e. Change an access location to a different roadway.
 - f. Are in direct contradiction to or in conflict with the Cobb County Code of Ordinances and the Zoning Ordinance.
 - g. Require a Variance(s) waiving applicable regulations of the Cobb County Zoning Ordinance.

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Please do not hesitate to contact me should you, the Staff or the Board Members require any further information or documentation prior to the hearing before the Planning Commission on February 5, 2020.

Sincerely,

SAMS, LARKIN & HUFF, LLP



Parks F. Huff
phuff@samslarkinhuff.com

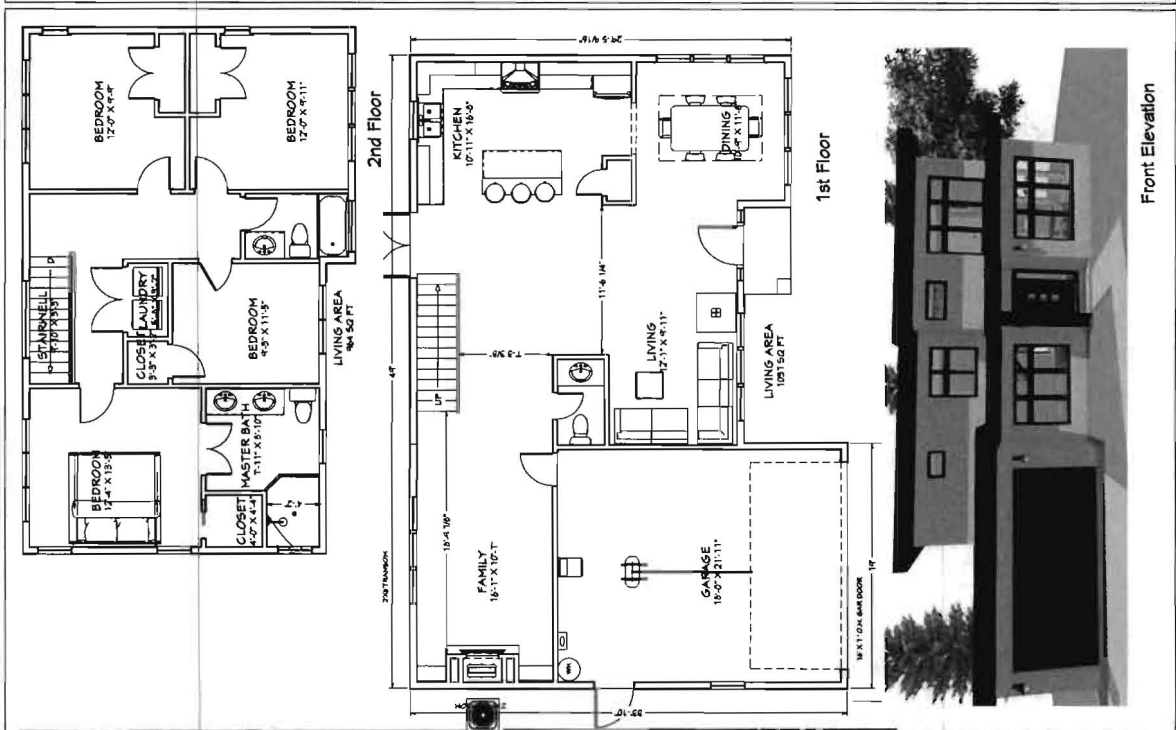
PFH/lkj

Enclosures/Attachments

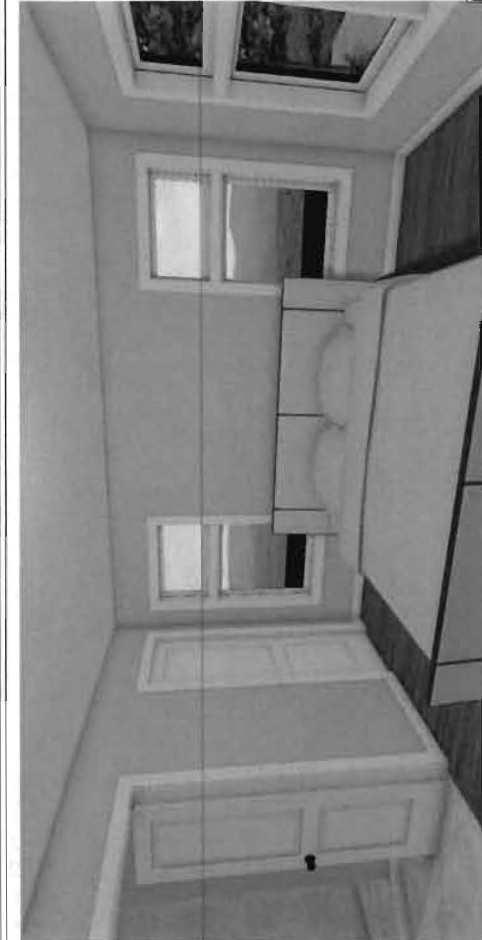
cc: Members, Cobb County Planning Commission (via email)
Robin Meyer, Mableton Improvement Coalition (via email)
Ms. Amy Diaz, P.E. (via email)
Mr. Dave Breaden, P.E. (via email)

WUBB CO. COMM. DEV. AGENCY
ZONING DIVISION

REVISÉ



Front Elevation



Expanded Master Bedroom



Family Room
Fire Place
Shelves
& TV.



Kitchen From Dining Room

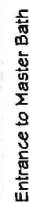
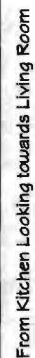


Entrance to Master Bath

Looking out from Kitchen

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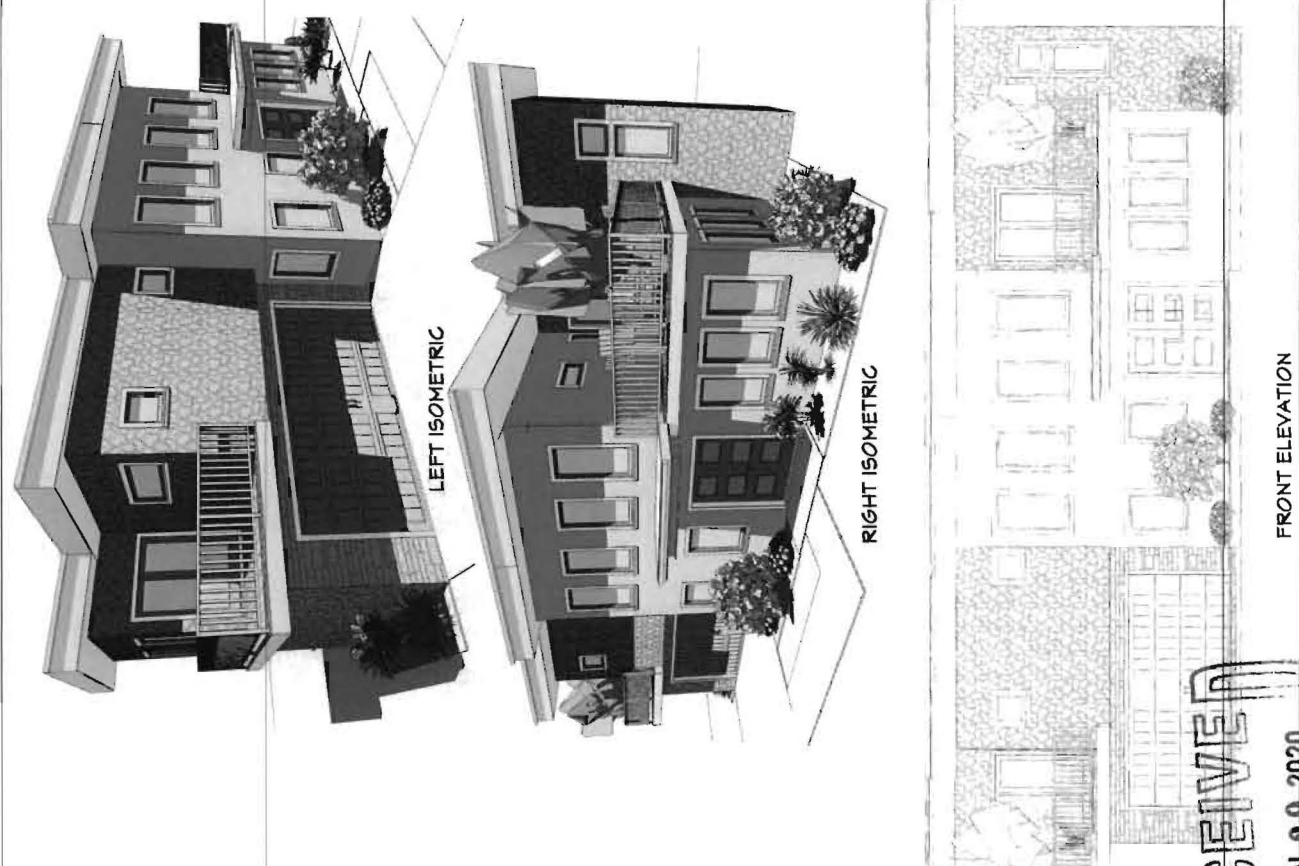


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COMM. DIVISION

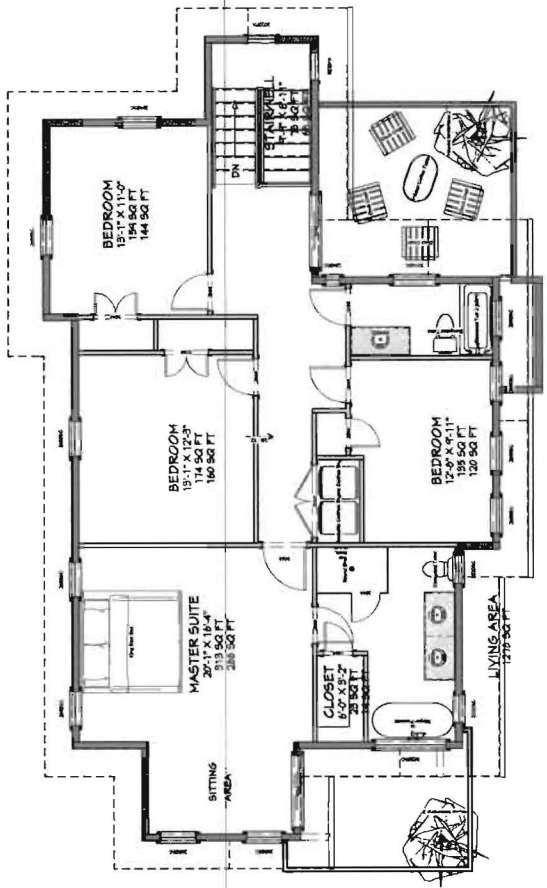
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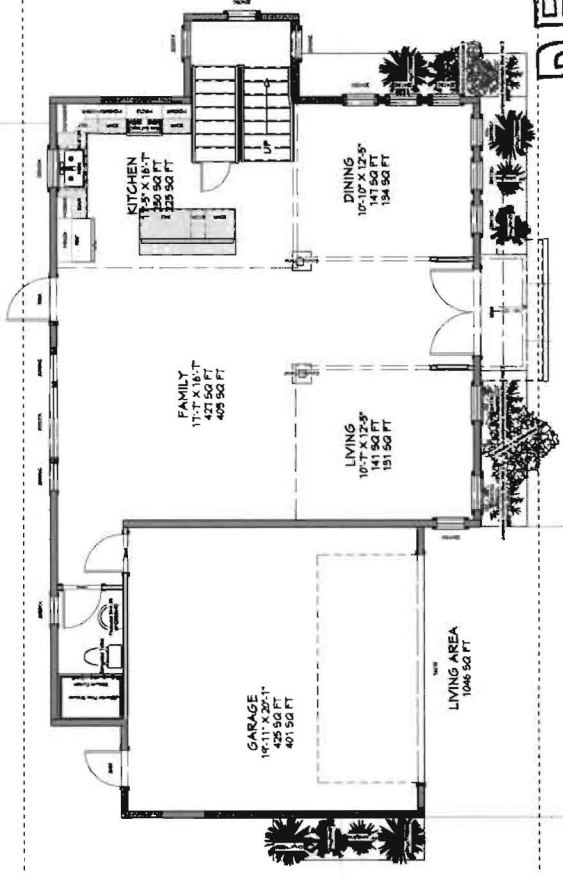
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ZONING DIVISION

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2nd Floor



1st Floor

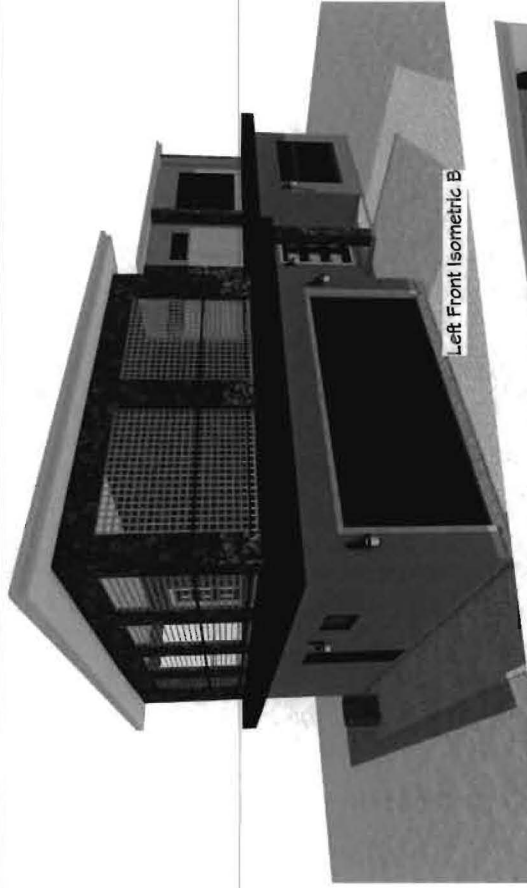
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MODEL #2 REVISED

DATE:	10/23/2019
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SCALE: 1/4"

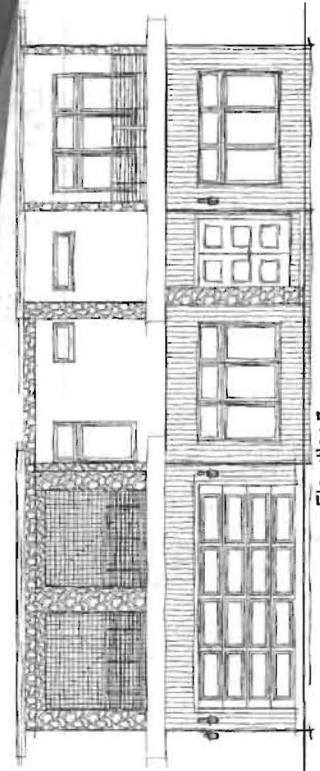
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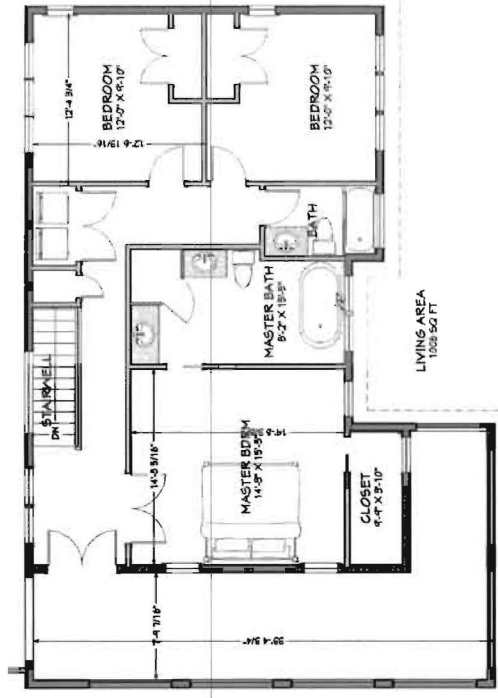
Left Front Isometric B



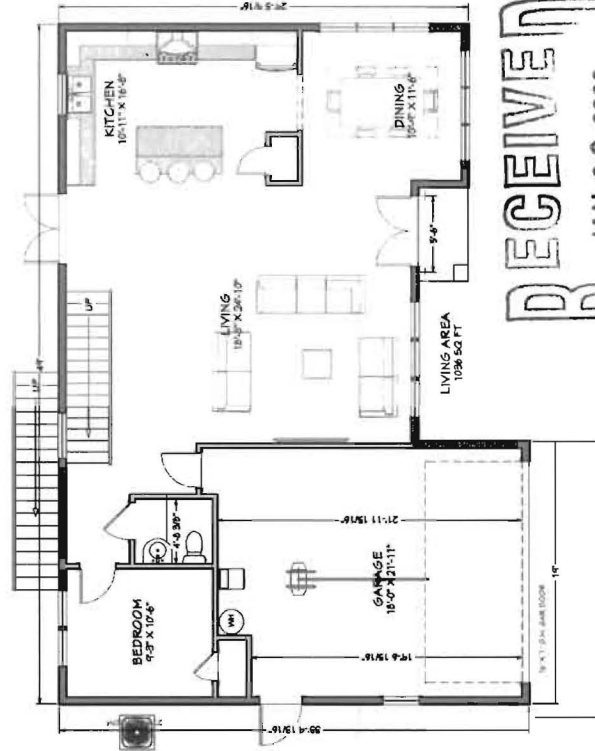
Right Front Isometric



Elevation 7



2nd Floor

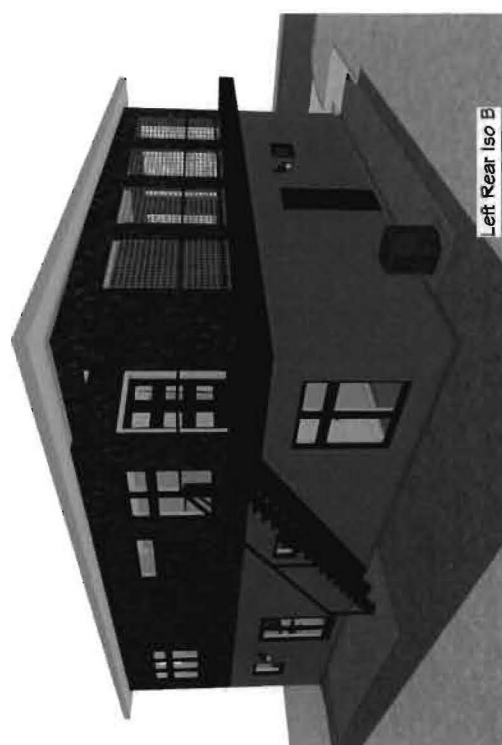
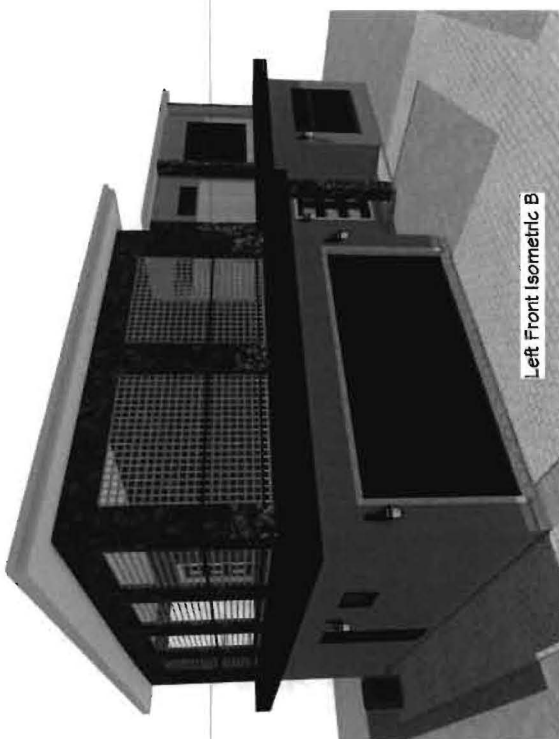


1st Floor

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COMMUNITY COMM. DEV. AGENCY
ZONING DIVISION

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COBB COUNTY COMMISSIONERS
ZONING DIVISION

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MODEL # 2 REVISED

3310 MABELTON PARKWAY
MABELTON, GEORGIA

DATE:	10/23/2019
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SCALE: 1/4"

SHEET:



Front Elevation Sketch

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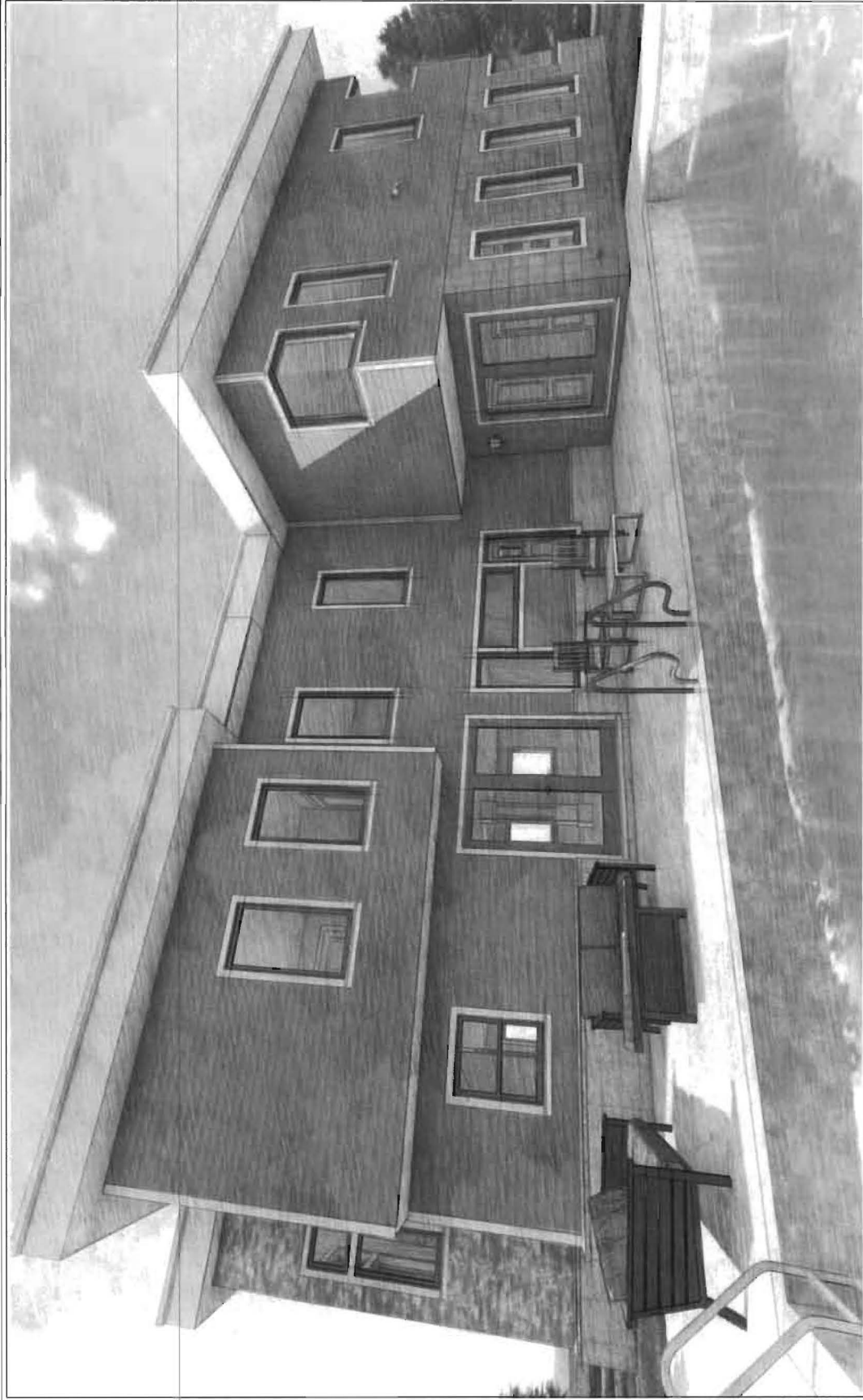


COBB COUNTY OFFICE
ZONING DIVISION

Let us discover your vision!
Southern Drafting & Design
813-601-5516

Kareems Model #2
Full Options
For Lot 10

DATE	1/27/2020
SCALE	
SHEET	



Rear Elevation Sketch

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COBB COUNTY GOVERNMENT
PLANNING & ZONING DIVISION

MODEL NAME: KARREMS MODEL #2 FULL OPTIONS FOR LOT 10	DRAWINGS PROVIDED BY: Southern Drafting & Design 813-461-5516 Let us discuss your vision!	DATE:	1/27/2020
		SCALE:	
		SHEET:	