

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
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ORLANDO, FLORIDA 32819
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SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

December 1, 2021

Via E-mail Only

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-69 (2021)
 Applicant: Connelly Land Group LLC
 Property Owners: SH/Stroud Road, LLC and
 Shares Holding, L.L.C.
 Property: 17.72 acres, more or less, located on the
 northerly side of Hunnicutt Road, easterly of
 Mableton Parkway, Land Lots 391 and 392,
 18th District, 2nd Section, Cobb County,
 Georgia

Dear John:

The undersigned and this firm represent Connelly Land Group LLC, the Applicant (hereinafter "Applicant"), and the Property Owner, SH/Stroud Road, LLC and Shares Holding, L.L.C. (hereinafter collectively "Owners" or "Property Owners"), in their Application for Rezoning with regard to a total tract of 17.72 acres, more or less, located on the northerly side of Hunnicutt Road, easterly of Mableton Parkway, Land Lots 391 and 392, 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 Cobb County Departmental representatives; ongoing meetings and communications with area residents and homeowner representatives; reviewing the Departmental Comments and Staff Recommendations; and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this 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. The proposed stipulations are as follows:

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- (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 classifications of R-20 and R-15 to the proposed zoning classification of RA-5, site plan specific to the revised Rezoning Site Plan ("Site Plan") prepared for Applicant by Civil Consulting Engineers, Inc., dated and last revised November 30, 2021, and submitted contemporaneously with this letter of agreeable stipulations and conditions. A reduced copy of the revised Site Plan is attached to this stipulation letter as Exhibit "A" and incorporated herein by reference.
- (3) By this letter of agreeable stipulations and conditions, Applicant makes the following additional amendments and revisions to its Application for Rezoning:
 - (a) The acreage is amended from 19.15 acres, as shown in the Application for Rezoning and related filings, to 17.72 acres, as shown on the revised Site Plan, referenced above and submitted herewith;
 - (b) Property owner Bennett Hutchison, IV, and the property owned by him, are deleted from the Application for Rezoning; and
 - (c) The proposed zoning category is deleted from RM-8, as shown in the Application for Rezoning and related filings, to RA-5, as shown on the revised Site Plan referenced above.
- (4) The Subject Property consists of 17.72 acres, more or less, and shall be developed for a single-family residential community containing a maximum of thirty-nine (39) residences.
- (5) The proposed residences shall be Traditional or Craftsman in style and architecture and shall have exterior facades consisting of brick, stone, stacked stone, stucco-type, masonry siding, cedar shake shingles, hardi-plank, board and batten, cementitious siding, and combinations thereof, with complementary accents. The homes within the proposed community shall be substantially similar to the elevations attached collectively as Exhibit "B."

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- (6) The homes shall have two-car garages. No garage areas within the proposed residences shall be converted into heated living space for the homes.
- (7) The proposed homes shall have a minimum of 2,000 square feet, upwards to 2,400 square feet, or greater.
- (8) 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.
- (9) Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which shall contain covenants, rules, and regulations applicable to the proposed community, including the ten percent rental restriction and garage use restriction.
- (10) Additionally, and in conjunction with the Declaration of Covenants, Easements, and Restrictions, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, all common areas, open space area, stormwater management landscape areas, general landscaped areas, mail kiosk, fencing, and the like contained within the community.
- (11) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the proposed residences, as allowed by the power provider.
- (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 consistent with the architecture and style of the residences within the community.
- (13) The entrance landscaping shall be professionally designed, implemented, and maintained. Maintenance of the entrance area shall be by the mandatory homeowners association as set forth in the Declaration of Covenants, Easements, and Restrictions.
- (14) Setbacks for the proposed community shall be as set forth on the revised Site Plan.

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- (15) The amenity area for the proposed community shall consist of, at a minimum, a community gathering area and structure (i.e., pavilion, fire pit) for the residents and their guests; as well as, passive open areas.
- (16) Applicant agrees to construct an internal sidewalk along one side of the streets within the proposed community which shall connect to exterior street sidewalks, if available.
- (17) Owens Pond, as denoted on the revised Site Plan, shall be maintained by the mandatory homeowners association. This restriction shall also be set forth in the Declaration of Covenants, Easements, and Restrictions.
- (18) All utilities servicing the residences within the proposed community shall be located underground.
- (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;
 - (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;

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- (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) All landscaping referenced herein; including, but not limited to, the frontage, entrance area, and the like, 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.
- (21) Detention and water quality facilities for the proposed community shall be as shown and reflected on the revised Site Plan, unless approved otherwise by Cobb County Stormwater Management. Said facilities shall be screened by black, vinyl-clad chain link fencing, a minimum of six (6) feet in height with landscaping to the exterior of the fencing 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. The detention areas will comply in design and capacity requirements of Cobb County Stormwater Management.
- (22) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (23) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing.
- (24) Applicant agrees to the following system improvements to mitigate traffic concerns:
- (a) Installation of deceleration lane for ingress into the proposed community; and
 - (b) Installation of left-turn lane on Hunnicutt Road at entrance area.

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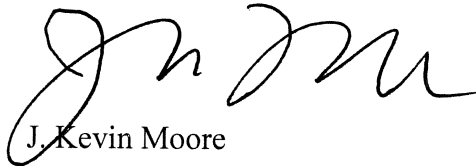
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We believe the requested zoning, together with the revised Site Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration developments and uses of properties in the surrounding area. The 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.

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)

Cobb County Planning Commission
Fred Beloin, Chairman
David Anderson
Deborah Dance
Michael Hughes
Stephen Vault
(With Copies of Attachments)

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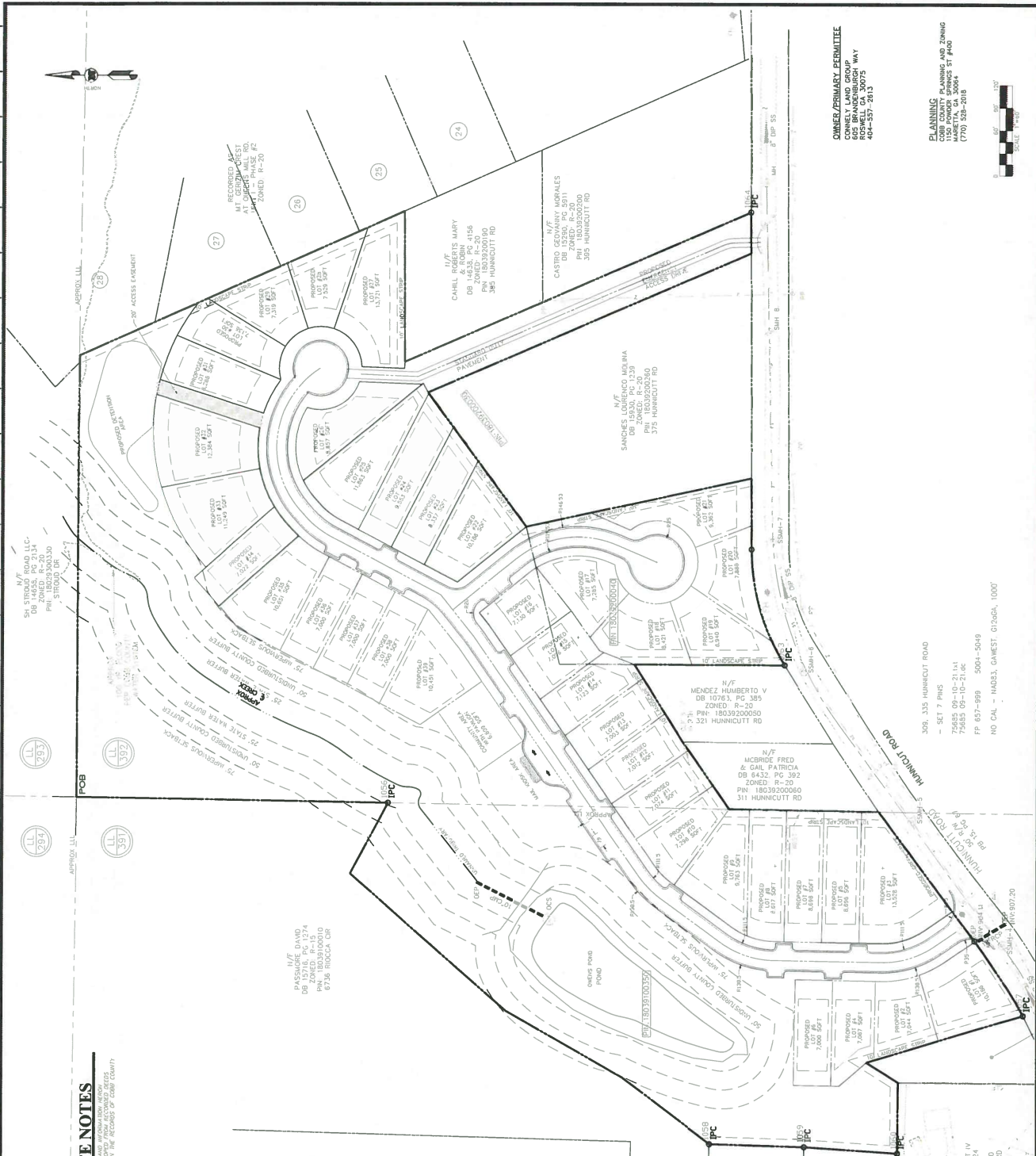
c: Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Robin Meyer
Mableton Improvement Coalition
(With Copies of Attachments)

Mary Rose Barnes
(With Copies of Attachments)

Connelly Land Group LLC
(With Copies of Attachments)

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10



FEMA MAP
THE PROPERTY IS LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS SHOWN ON FIRM COMMUNITY PANEL NUMBER 130722000A DATED JANUARY 4, 2013.

LEGEND - PROPOSED
SEBACK LINE
PROPERTY LINE
HEAVY DUTY ASPHALT
SIDEWALKS

SITE DATA
TOTAL AREA: 10.1 ACRES
TOTAL LOTS: 100
TOTAL ACRES PER LOT: 0.101 ACRES
TOTAL SPACES PER LOT: 100
TOTAL SPACES PER ACRE: 1000
TOTAL SPACES PER ACRE: 1000

SETBACK DATA

DIRECTION	REAR SETBACK	FRONT SETBACK	SIDE SETBACK
WEST	25 FEET	25 FEET	5 FEET
EAST	25 FEET	25 FEET	5 FEET
SOUTH	25 FEET	25 FEET	5 FEET
NORTH	25 FEET	25 FEET	5 FEET

MARRIETTE
PLANNING AND ZONING DEPARTMENT
1000 W. BENTLEY AVENUE
MARRIETTE, GA 30060
(770) 538-2018



EXHIBIT "B"

"The Julianne"

4 BEDROOMS
3-1/2 BATHS



CRAWFORD CREEK
HOMEBUILDERS

Crawford Creek HomeBuilders



"The Ashley I"

5 BEDROOMS
3 BATHS

Crawford Creek HomeBuilders



CRAWFORD CREEK
HOMEBUILDERS



"The Laurel 1"

4 BEDROOMS
2-1/2 BATHS

Crawford Creek HomeBuilders



CRAWFORD CREEK
HOMEBUILDERS



"The Scarlett I"

5 BEDROOMS
3 BATHS

Crawford Creek HomeBuilders



CRAWFORD CREEK
HOMEBUILDERS



The Presleigh

5 BEDROOMS
3 1/2 BATHS

SHOWN WITH OPTIONAL WRAP AROUND PORCH



CRAWFORD CREEK
HOMEBUILDERS

Crawford Creek HomeBuilders