

(Site Plan Approval)  
**Application for "Other Business"**\*

**Cobb County, Georgia**

(Cobb County Zoning Division - 770-528-2035)

OB Application No.: OB-30-2022

BOC Hearing Date Requested: June 21, 2022

**Applicant:** Traton, LLC

(applicant's name printed)

Phone #: (770) 427-9064

**Address:** 720 Kennesaw Avenue, Marietta, GA 30064

E-Mail: kcohen@tratonhomes.com

MOORE INGRAM JOHNSON & STEELE, LLP

rparvey@tratonhomes.com

J. Kevin Moore

Address: Emerson Overlook, Suite 100, 326 Roswell Street

(representative's name, printed)

Marietta, GA 30060

BY: [Signature]

Phone #: (770) 429-1499

E-Mail: jkm@mijs.com

(representative's signature) Georgia Bar No. 519728



Signed, sealed and delivered in presence of:

[Signature: Carolyn E. Cook]

My commission expires: January 10, 2023

Notary Public

**Titleholder(s):** Wilkins Walk Land, LP

(property owner's name printed)

Phone #: (770) 390-9378

**Address:** 3715 Northside Parkway, N.W., Bldg. 400, Suite 375, Atlanta, GA 30327 E-Mail: r.carter@westplan.com



See Attached Exhibit "A" for Titleholder's Representative's Signature

(Property owner's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_

Notary Public

**Commission District:** 4 (Sheffield)

**Zoning Case:** Z-18 (2006)

**Size of property in acres:** 9.818+/-

**Original Date of Hearing:** 02/21/2006

**Location:** Northeasterly side of Floyd Road; westerly side of Hicks Road; southerly of Concord Road

(street address, if applicable; nearest intersection, etc.)<sup>(4521, 4515, 4525, 4545, 4645, 4655 Floyd Road & two unnumbered parcels)</sup>  
<sup>(4632, 4602 Hicks Road)</sup>

**Land Lot(s):** 29, 30/1000, 1073

**District(s):** 17th/19th

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

See Exhibit "B" attached and incorporated herein by reference.

\*Applicant specifically reserves the right to amend any information set forth in this Application for "Other Business," or any other portion of the Application, at any time during the "Other Business" process.

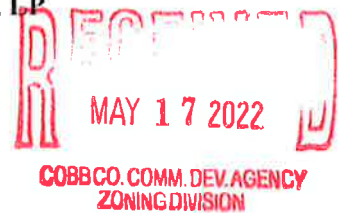
(List or attach additional information if needed)

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"**  
**(SITE PLAN APPROVAL)**

OB Application No.: OB- 30 (2022)  
Zoning Application No.: Z-18 (2006)  
Original Zoning Hearing Date: February 21, 2006  
Date of Zoning Decision: February 21, 2006  
Current OB Hearing Date: June 21, 2022

**Applicant:** Traton, LLC  
**Titleholder:** Wilkins Walk Land, LP

WILKINS WALK LAND, LP,  
a Georgia Limited Partnership



BY: WILKINS WALK LAND GP, INC.,  
General Partner

BY: C. Robert Carter  
TITLE: Manager

[Corporate Seal]

Printed Name: C. Robert Carter, II

Date Executed: May 17, 2022

Address: 3715 Northside Parkway, N.W.  
Building 400, Suite 375  
Atlanta, Georgia 30327

Telephone No.: (770) 390-9378  
E-mail: r.carter@westplan.com

Signed, sealed, and delivered in the presence of:

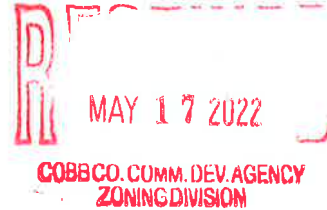
Carolyn E. Cook  
Notary Public  
Commission Expires: January 10, 2023



**EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"**  
**(SITE PLAN APPROVAL)**

**OB Application No.:** OB-30 (2022)  
**Zoning Application No.:** Z-18 (2006)  
**Original Zoning Hearing Date:** February 21, 2006  
**Date of Zoning Decision:** February 21, 2006  
**Current OB Hearing Date:** June 21, 2022

**Applicant:** Traton, LLC  
**Titleholder:** Wilkins Walk Land, LP



**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

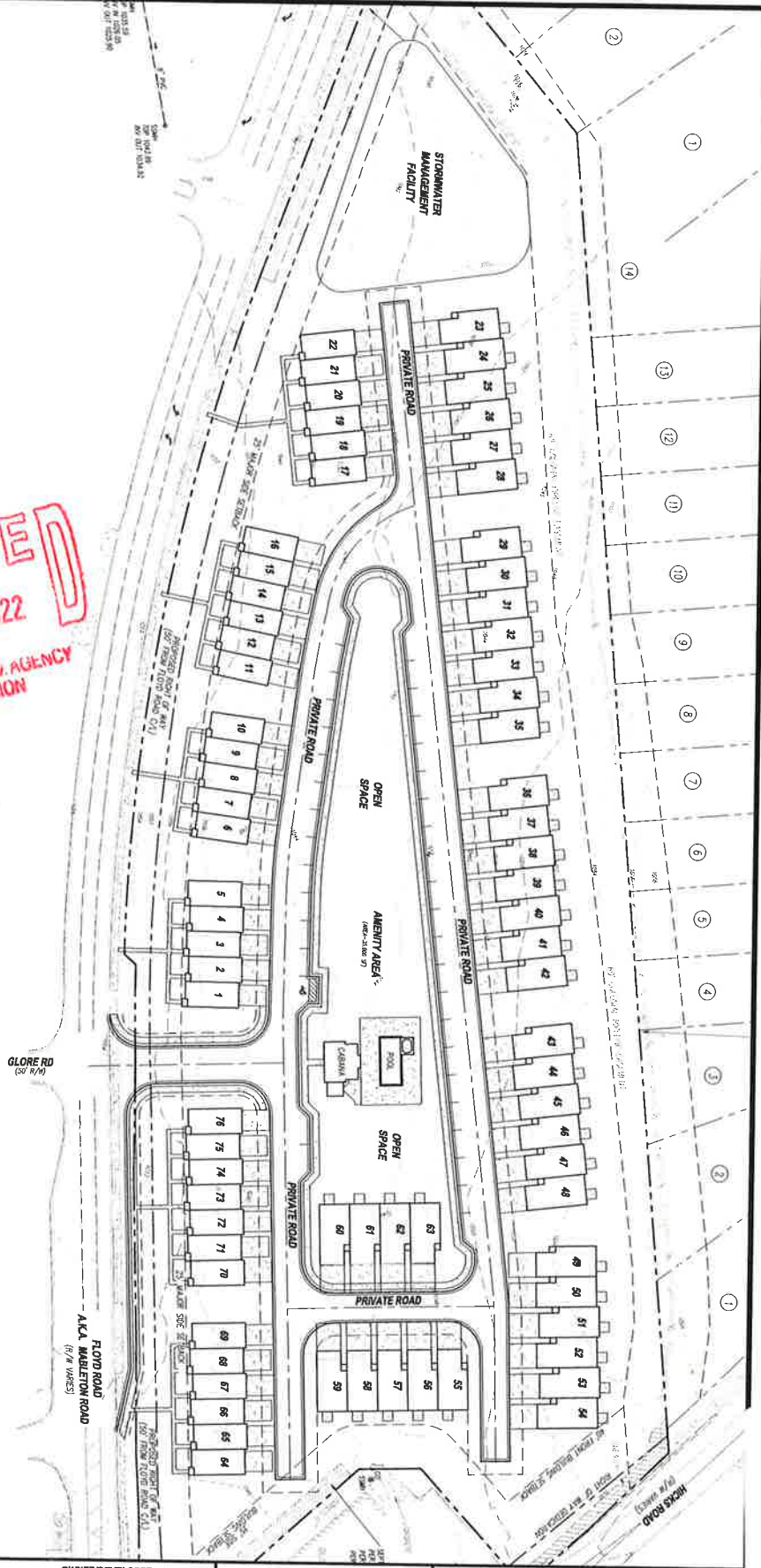
The property which is the subject of this Application for "Other Business" is approximately 9.818 acres located on the northeasterly side of Floyd Road, the westerly side of Hicks Road, southerly of Concord Road, Land Lots 29 and 30, 17<sup>th</sup> District, and Land Lots 1000 and 1073, 19<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). The Subject Property was part of a larger tract which was rezoned by the Cobb County Board of Commissioners on February 21, 2006, being Application No. Z-18 (2006), to the RA-5 and RM-8 zoning classifications. The property zoned to the RA-5 zoning classification has been developed. The Subject Property was rezoned to the RM-8 zoning classification, and has remained undeveloped.

Traton, LLC, Applicant in this Application for "Other Business" (hereinafter "Applicant") is seeking approval by the Cobb County Board of Commissioners of a revised Site Plan, and any required stipulation amendments, to allow for development of a townhome community pursuant to the RM-8 rezoning of the Property in 2006. Applicant presents for approval the Site Plan prepared by Ridge Planning and Engineering, dated February 10, 2022, last revised May 10, 2022, a reduced copy of which is attached as Exhibit "1," and is further submitted with the overall "Other Business" Application package.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and any attachments thereto, of the Board of Commissioners Zoning Hearing related to the rezoning of the Subject Property; as well as any amendments by "Other Business" or District Commissioner approval applicable to the Subject Property, which are not otherwise in conflict herein, are unaltered or unchanged by this request for Site Plan Approval.

The Site Plan Approval proposed and presented herein in no way adversely impacts or affects the quality or integrity of the overall development initially approved by the Cobb County Board of Commissioners. If the Site Plan is approved, as submitted, it shall become an additional part of the final rezoning and shall be binding upon development of the Subject Property.

**RECEIVED**  
 MAY 17 2022  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



**24 HOUR CONTACT:**

**JEFF SMITH**  
 404.328.6280

**DEVELOPMENT SUMMARY**

NO. OF LOTS	54
NO. OF UNITS	54
NO. OF GARAGES	54
NO. OF STORIES	2
NO. OF PARKING SPACES	54
NO. OF DRIVEWAYS	54
NO. OF SIDEWALKS	54
NO. OF STAIRS	54
NO. OF ELEVATORS	0
NO. OF BICYCLE RACKS	0
NO. OF STORAGE UNITS	0
NO. OF COMMERCIAL UNITS	0
NO. OF INDUSTRIAL UNITS	0
NO. OF OFFICE UNITS	0
NO. OF RETAIL UNITS	0
NO. OF RESTAURANT UNITS	0
NO. OF SERVICE UNITS	0
NO. OF OTHER UNITS	0

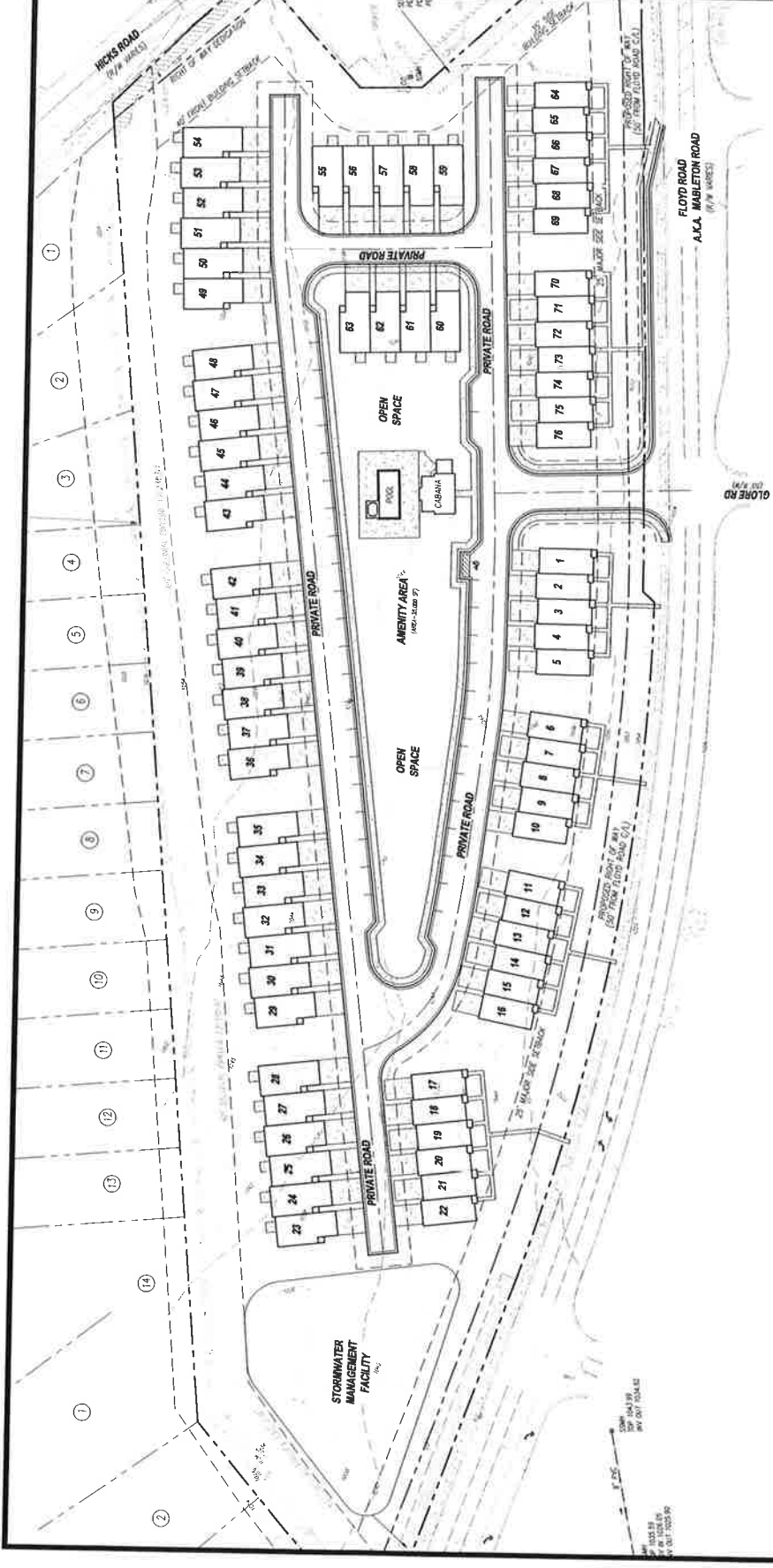
**GEORGIA 811**  
 Utilities Protection Center, Inc.  
 Call before you dig.

1" = 40' (IN FEET)  
 1" = 40' (IN FEET)

"1" LIBHX3

	<p><b>OWNER/DEVELOPER</b></p> <p><b>TRATON HOMES</b></p> <p>720 KENNESAW AVE        MARIETTA, GA 30060</p>	<p><b>LAND PLAN</b></p> <p>WILKINS WALK</p> <p>LAND LOTS 28, 30 &amp; 1073        17th &amp; 18th DISTRICT        COBB COUNTY, GEORGIA</p>	<p><b>RIDGE PLANNING AND ENGINEERING®</b></p> <p>6234 Old Highway 5, Suite 20250        Marietta, Georgia 30186        Office: 770.938.9000</p>									
<p><b>REVISIONS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> <p><b>SITE PLAN</b></p> <p><b>C200</b></p>	NO.	DATE	DESCRIPTION							<p>DATE OF PREPARATION: MARCH 2022        DATE OF REVISION: N/A</p>		
NO.	DATE	DESCRIPTION										

**SITE PLAN PRESENTED FOR  
APPROVAL BY COBB COUNTY BOARD OF  
COMMISSIONERS AS TO  
RM-8 DEVELOPMENT  
PURSUANT TO  
APPLICATION FOR “OTHER BUSINESS”  
FOR JUNE 21, 2022 AGENDA**



**GEORGIA811**  
 Utilities Protection Center, Inc.  
 Know what's below.  
 Call before you dig.

SCALE: 1" = 40' FT.  
 40 20 0

WE HEREBY CERTIFY THAT THE CONSULTING ENGINEER HAS REVIEWED THE PLANS AND SPECIFICATIONS AND IS NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE CONSULTING ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE CONSULTING ENGINEER SHALL NOT BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.

**24 HOUR CONTACT:**  
**JEFF SMITH**  
**404.328.6280**

DEVELOPMENT SUMMARY	
PROJECT NAME	WILKINS WALK
OWNER	TRATON HOMES
DESIGNER	RIDGE PLANNING AND ENGINEERING
DATE	03/22/2022
SCALE	1" = 40' FT.
PROJECT NO.	17-0000000000
DATE	03/22/2022
PROJECT NO.	17-0000000000
DATE	03/22/2022
PROJECT NO.	17-0000000000
DATE	03/22/2022

**RECEIVED**  
 MAY 17 2022  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

**SITE PLAN APPROVED BY COBB COUNTY  
BOARD OF COMMISSIONERS  
PURSUANT TO  
APPLICATION FOR REZONING  
Z-18 (2006) – FEBRUARY 21, 2006**

**RECEIVED**  
MAY 17 2022  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

# Wilkins Walk

Cobb County, Georgia Land Lots 29, 30, 1000, & 1073, 17th District & 19th District, 2nd Section

prepared for:

**Weaver and Woodbery**



**DGM**  
 Land Planning  
 Consultants  
 9750 Peachtree  
 Dunwoody, GA 30338  
 Atlanta, GA 30328  
 Tel: 404-414-4444  
 Fax: 404-414-4441



Scale: 1" = 100'  
 January 31, 2006



## Site Data

Total Site Area: 19.798 AC  
 Existing Zoning: R-20/NRC  
 Total Units Shown: 116  
 Overall Density: 5.86 UN/AC

## Parcel A- Single Family Neighborhood

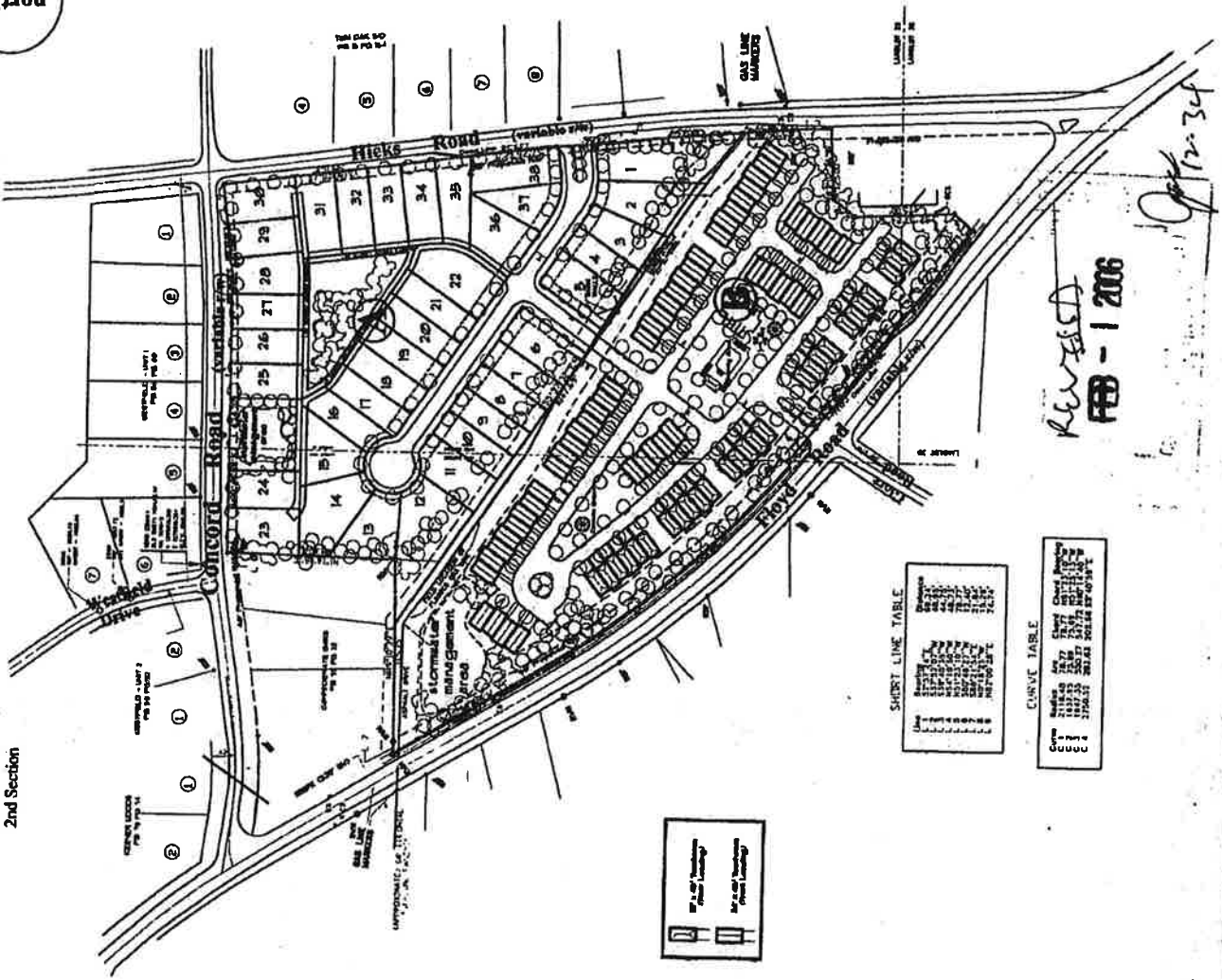
Area: 9.980 AC  
 Proposed Zoning: RA-5  
 Total Lots Shown: 38  
 Density: 3.81 UN/AC  
 Minimum Lot Size: 7,000 SF  
 Minimum Lot Width: 50'  
 Building Setbacks:  
 front: 20'  
 rear: 25'  
 side: 5'

## Parcel B- Townhome Community

Area: 9.818 AC  
 Proposed Zoning: RM-8  
 Total Units Shown: 78  
 Density: 7.94 UN/AC  
 (27-22's x 46' attached townhome units)  
 (51-24's x 46' attached townhome units)  
 Minimum Distance Between Bldgs: 30'

### Notes:

1. Existing survey and topographic information by AARCOY Surveying Co. dated 10/20/05.
2. According to Flood Insurance Rate Map (FIRM) 13063-100010P, August 18, 1993, no portion of this site contains floodplain.
3. No cemeteries are known to exist on this site.
4. Stream and wetland classifications are to be determined.
5. No archeological or architectural landmarks are known to exist on this site.
6. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.



SHORT LINE TABLE

Station	Length	Curve
1+00.00	100.00	100.00
2+00.00	100.00	100.00
3+00.00	100.00	100.00
4+00.00	100.00	100.00
5+00.00	100.00	100.00
6+00.00	100.00	100.00
7+00.00	100.00	100.00
8+00.00	100.00	100.00
9+00.00	100.00	100.00
10+00.00	100.00	100.00

CURVE TABLE

Station	Length	Curve
1+00.00	100.00	100.00
2+00.00	100.00	100.00
3+00.00	100.00	100.00
4+00.00	100.00	100.00
5+00.00	100.00	100.00
6+00.00	100.00	100.00
7+00.00	100.00	100.00
8+00.00	100.00	100.00
9+00.00	100.00	100.00
10+00.00	100.00	100.00

REVISIONS  
 FEB - 1 2006



**OFFICIAL MINUTES OF COBB COUNTY  
BOARD OF COMMISSIONERS ZONING  
HEARING AS TO APPLICATION FOR  
REZONING NO. Z-18 (2006)  
- FEBRUARY 21, 2006**

**RECEIVED**  
MAY 17 2022  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

MINUTES OF ZONING HEARING  
COBB COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 21, 2006  
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, February 21, 2006, at 9:00 a.m. in the second floor public meeting room of the Cobb County building. Present and comprising a quorum of the Commission were:

Chairman Samuel S. Olens  
Commissioner Helen Goreham  
Commissioner Joe L. Thompson  
Commissioner Tim Lee  
Commissioner Annette Kesting

Z-18

**WEAVER & WOODBERY COMPANY** (Estate of Mary Frances Moss Englett, William Luther Englett as Administrator, Jeff D. Hughes a/k/a Jefferson Davis Hughes, Faye W. Barber, E. E. Beavers Family Partnership, LP, John A. Glore, Estate of Gladys Glore Walker, John A. Glore and Ronald J. Glore as Co-Executors, Estate of Don C. Wilkins, William Donald Wilkins as Executor, Estate of James Calvin Cox, Michael Enfinger as Administrator, Alan F. and Margaret Carol Ashe, Katheryn Wood Anderson, Simon Dube, Michael E. Enfinger, Alfred D. Thurston, Jr., Sara T. Stripe, Ruby Ballew, Estate of Theodore F. Kiger, Jackie Theodore Kiger, Timothy Franklin Kiger a/k/a Timothy F. Kiger and Donna Joan Kiger as Co-Executors and Jack T. Kiger, owners) requesting Rezoning from **R-20** and **NRC** to **RA-5** and **RM-8** for the purpose of Attached and Detached Residential Community in Land Lots 29 and 30 of the 17<sup>th</sup> District and Land Lots 1000 and 1073 of the 19<sup>th</sup> District. Located at the southwest intersection of Concord Road and Hicks Road and on the east side of Floyd Road, south of Concord Road.

MOTION: Motion by Lee, second by Goreham, as part of the Consent Agenda, to approve rezoning to the **RA-5 (detached)** and **RM-8** zoning districts **subject to:**

- letter of agreeable stipulations from Mr. John Moore dated February 1, 2006, *not otherwise in conflict* (copy attached and made a part of these minutes)
- installation of wrought iron fence with brick, stucco, or stacked stone columns along Floyd Road
- interior sidewalks to connect to five-foot wide sidewalk along Floyd Road
- removal of two RM-8 buildings closest to Hicks Road, thereby reducing the total to 114 units

VOTE: **ADOPTED** unanimously

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
192 ANDERSON STREET

MARIETTA, GEORGIA 30060

WWW.MIJS.COM

JOHN H. MOORE  
STEPHEN C. STEELE  
WILLIAM R. JOHNSON†  
ROBERT D. INGRAM†  
J. BRIAN O'NEIL  
G. PHILLIP BEGGS  
ELDON L. BASHAM  
MATTHEW J. HOWARD  
JERE C. SMITH  
CLAYTON O. CARMACK  
KEVIN B. CARLOCK†  
ALEXANDER T. GALLOWAY III†  
J. KEVIN MOORE  
RODNEY R. McCOLLOCH  
SUSAN S. STUART  
DANIEL A. LANDIS\*\*\*  
BRIAN D. SMITH

HARRY R. TEAR III  
W. TROY HART†  
JEFFREY A. DAXE  
MELISSA W. GILBERT  
TIMOTHY W. BAILEY  
JOYCE W. HARPER  
AMY K. WEBER  
COURTNEY H. MOORE  
KIM A. ROPER  
TARA C. RIDDLE  
JOSHUA M. BOOTH\*  
KELLI L. WOLK  
C. LEE DAVIS†  
TANYA L. CROSSE\*  
ROBERT W. BROWN II  
VICTOR P. VALMUS  
JEFFERY L. DICKERSON

## BILLING ADDRESS

P.O. BOX 3305  
MARIETTA, GEORGIA 30061

TELEPHONE (770) 428-1499  
TELECOPIER (770) 429-8631

## TENNESSEE OFFICE

CEDAR RIDGE OFFICE PARK  
SUITE 463  
408 N. CEDAR BLUFF ROAD  
KNOXVILLE, TENNESSEE 37923

TELEPHONE (865) 592-9039  
TELECOPIER (865) 692-9071

T. SHANE MAYES  
ANGELA H. SMITH  
OPHELIA W. CHAN  
DARRELL L. SUTTON  
KASI R. WHITAKER  
AUTUMN L. VEAZEY  
NICHOLAS J. PETERSON\*  
JEFFREY K. STINSON  
ELIZABETH ANN GUERRANT  
JAMES D. WALKER III  
CHRISTOPHER D. GUNNELS\*  
CHRISTOPHER L. MOORE  
JENNIFER S. WHITE\*  
KHRISTIE L. KELLY†  
RYAN G. PRESCOTT  
RICARDO J. DeMEDEIROS  
BRETT A. MILLER

KAREN S. KURTZ  
CHRISTOPHER C. MINGLEDORFF  
MORGAN E. FOSTER  
KATHERINE G. CRONE  
RICHARD V. MERRITT

OF COUNSEL:  
JOHN L. SKELTON, JR.

1 ALSO ADMITTED IN TN  
\* ALSO ADMITTED IN FL  
\*\* ALSO ADMITTED IN OH  
\*\*\* ALSO ADMITTED IN NC  
• ADMITTED ONLY IN TN

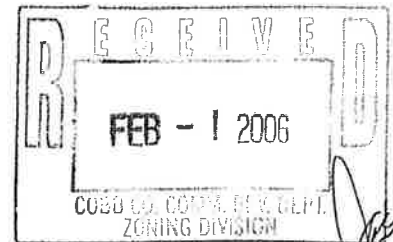
WRITER'S DIRECT  
DIAL NUMBER

February 1, 2006

Min. Bk. 39 Petition No. Z-18  
Doc. Type Letter of Agreeable  
Stipulations  
Meeting Date 2/21/06

Hand Delivered

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Suite 300  
191 Lawrence Street  
Marietta, Georgia 30060-1661



RE: Application for Rezoning  
Application No.: Z-18 (2006)  
Applicant: Weaver & Woodbery Company  
Property Owners: William L. Englett; the Estate  
of Mary Moss Englett; Jeff D.  
Hughes; E. E. Beavers Family  
Partnership, L.P.; et al.  
Property: 19.798 acres located on the  
northeasterly side of Floyd  
Road, just north of the inter-  
section of Floyd Road and Hicks  
Road, Land Lots 29 and 30,  
17<sup>th</sup> District, and Land Lots  
1000 and 1073, 19<sup>th</sup> District,  
2<sup>nd</sup> Section, Cobb County,  
Georgia

Dear John:

As you know, this firm represents Weaver & Woodbery Company, the Applicant (hereinafter referred to as "Applicant"), and the Property Owners enumerated in the Application for Rezoning (hereinafter collectively referred to as "Owners"), in their Application for Rezoning regarding a total tract of 19.798 acres located on the northeasterly side of Floyd Road, just north of

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 10  
February 1, 2006

the intersection of Floyd Road and Hicks Road, Land Lots 29 and 30, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Subject Property"). After meeting with planning and zoning staff, reviewing the staff comments and recommendations, meetings with area residents and homeowners associations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant and Owners 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 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 on the Subject Property.
- (2) Rezoning of the Subject Property shall be from the R-20 and Neighborhood Retail Commercial ("NRC") zoning categories to the proposed RA-5 and RM-8 zoning classifications, with reference to that certain Site Plan prepared for Weaver & Woodbery Company by DGM Land Planning Consultants, Inc. dated December 1, 2005, last revised January 31, 2006.
- (3) By this letter of agreeable stipulations and conditions, Applicant amends its Application for Rezoning to include the revised Site Plan hereinabove set forth, same being prepared for Weaver & Woodbery Company by DGM Land Planning Consultants, Inc. dated December 1, 2005, last revised January 31, 2006.
- (4) The Subject Property consists of 19.798 acres of total site area and shall be developed for a residential community comprised of single-family, detached residences and an attached townhomes.

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page 3 of 10  
February 1, 2006

**STIPULATIONS APPLICABLE TO THE OVERALL DEVELOPMENT**

- (1) The total site area for the proposed project is 19.798 acres with a total number of units for the entire project of one hundred sixteen (116). This results in an overall residential density of 5.86 units per acre.
- (2) The entrance signage to the proposed community shall be located at the entrances shown and reflected on the referenced Site Plan. The signage shall be ground-based, monument style and the entrance area shall be professionally designed, landscaped, and maintained.
- (3) All utilities servicing the residences within the proposed community shall be underground.
- (4) Lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences contained therein.
- (5) All streets within the proposed RM-8 community shall be private with the construction therefor complying in all respects as to materials, base, and other requirements to the Cobb County Code. The cul-de-sac street off Hicks Road within the RA-5 community shall be a public right-of-way.
- (6) Applicant agrees to the creation of a mandatory master homeowners association consistent with up-scale communities within the area. The mandatory master homeowners association shall be responsible for the upkeep and maintenance of all common areas, entrance areas, private streets, landscaped areas, and landscaping within the stormwater management areas contained within the overall single-family community.

**MOORE INGRAM JOHNSON & STEELE**

Petition No. 2-18  
Meeting Date 2/21/06  
Continued

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page 4 of 10  
February 1, 2006

- (7) Additionally, and in conjunction with the creation of the mandatory master homeowners association, Applicant agrees to the recording and enforcement of protective covenants which will contain covenants, rules, and regulations applicable to the overall single-family residential community.
- (8) Minor modifications to the referenced Site Plan, including, but not limited to, the layout of lots and stormwater control measures may be approved by the District Commissioner, as needed or necessary.
- (9) The stormwater management areas shall be as shown and reflected on the referenced Site Plan.
- (10) The stormwater management areas shall be fenced and landscaped for purposes of visual screening. The landscaping shall be approved by the Cobb County arborist during the plan review process.
- (11) There shall be a landscaped area located along the frontage of Floyd Road.
- (12) 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 development.
- (13) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (14) Applicant agrees to comply with all Cobb County development standards and ordinances relating to project improvements, except as approved by the Board of Commissioners or by the Department of Transportation or Community Development Agency, as their authority may allow.

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page 5 of 10  
February 1, 2006

- (15) All buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, detention/retention facilities, drainage facilities, and any and all slopes or other required engineering features of the foregoing.
  
- (16) Applicant agrees to the following system improvements to mitigate traffic concerns:
  - (a) Construction of deceleration lanes at each access point together with a left-turn lane on Hicks Road;
  - (b) Donation of right-of-way forty (40) feet from the existing roadway centerline along the westerly side of Hicks Road;
  - (c) Donation of right-of-way forty (40) feet from the existing roadway centerline along the southerly side of Concord Road;
  - (d) Donation of right-of-way fifty (50) feet from the existing roadway centerline along the northeasterly side of Floyd Road; and
  - (e) Alignment of the entrance to the proposed community located on Floyd Road across from the intersection of Glore Road.

**STIPULATIONS APPLICABLE TO THE PROPOSED RA-5 COMMUNITY**

- (1) The proposed single-family community shall consist of approximately 9.98 acres and shall be developed for a maximum of thirty-eight (38) single-family, detached homes, resulting in a density of 3.81 units per acre.

**MOORE INGRAM JOHNSON & STEELE**

Petition No. Z-18  
Meeting Date 2/21/06  
Continued

Mr. John P. Pederson  
Planner III  
Zoning Division  
Cobb County Community Development Agency  
Page 6 of 10  
February 1, 2006

- (2) Residences to be constructed within the proposed single-family community shall have a minimum of 2,200 square feet, ranging upwards to 3,000 square feet.
- (3) The proposed residences shall be traditional or Craftsman in style and architecture and shall have two car garages.
- (4) Additionally, the fronts of the proposed residences shall be brick, stone, stacked stone, cedar shake-type shingles, or combinations thereof.
- (5) The minimum lot size of lots within the proposed single-family community shall be 7,000 square feet.
- (6) The setbacks for the proposed single-family community shall be as follows:
  - (a) Front setback - Twenty (20) feet (or as shown and reflected on the referenced Site Plan);
  - (b) Rear setback - Twenty-five (25) feet (or as shown and reflected on the referenced Site Plan); and
  - (c) Side setback - Five (5) feet.
- (7) All front yards of the residences to be constructed within the proposed single-family community shall be sodded.
- (8) There shall be a no access easement for all lots located adjacent to Concord Road and Hicks Road. However, access to the proposed units facing Concord Road and Hicks Road shall be by means of a shared alley-way.



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**STIPULATIONS APPLICABLE TO THE PROPOSED RM-8 COMMUNITY**

- (1) The proposed townhome community shall consist of approximately 9.818 acres and shall be developed for a maximum of seventy-eight (78) single-family, attached townhomes, resulting in a density of 7.94 units per acre.
- (2) The proposed townhome community shall be developed under and pursuant to the Cobb County Condominium Ordinance, and not the Georgia Condominium Act.
- (3) Residences to be constructed within the proposed townhome community shall have a minimum of 1,800 square feet, ranging upwards to 2,200 square feet, or greater, of heated living space.
- (4) The proposed townhome residences shall be traditional in style and architecture, shall be a maximum of three-stories in height, and shall have two-car garages, as more particularly shown and reflected on the renderings to be presented to the Planning Commission and Board of Commissioners at their respective hearings.
- (5) The front facades of the proposed townhome residences shall consist of brick, stone, stacked stone, cedar shake-type, or combinations thereof.
- (6) Additionally, the front exterior shall be staggered in order to present a more aesthetically pleasing streetscape.
- (7) The proposed townhome community shall be a condominium development as that term is used and defined under the Cobb County Zoning Ordinance and complying in all respects with the Cobb County Zoning Ordinance.

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- (8) All units within the proposed townhome community shall be "for sale" units only. A maximum of ten (10) percent of the proposed units may be leased at any one time.
- (9) Applicant agrees to the recording and enforcement of a Declaration of Restrictive Covenants which will contain covenants, rules, and regulations applicable to the proposed residential condominium community.
- (10) Additionally, and in conjunction with the Declaration of Restrictive Covenants, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance ways, all common areas, private streets, and stormwater management area contained within the proposed townhome community.
- (11) Amenities within the proposed townhome community shall consist of a pool, cabana, and playground area and common green space areas, as more particularly shown and reflected on the referenced Site Plan.
- (12) There shall be a minimum of thirty (30) feet between buildings within the proposed townhome community.
- (13) All yard areas surrounding the proposed residences shall be sodded and professionally maintained as more particularly set forth in the Declaration of Covenants and Restrictions.

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 the existing conditions of the area surrounding the proposed development. The proposed residential communities shall be quality developments, shall be compatible with surrounding

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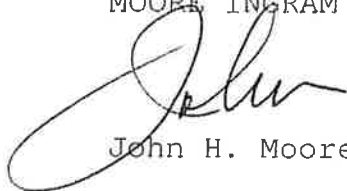
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neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP



John H. Moore

JHM:cc

Enclosures

c: Cobb County Board of Commissioners:  
Samuel S. Olens, Chairman  
Helen C. Goreham  
Annette Kesting  
Joe L. Thompson  
Tim Lee  
(With Copy of Enclosure)

Cobb County Planning Commission:  
Murray Homan, Chairman  
Judy Williams  
Bob Hovey  
Christi S. Trombetti  
Bob Ott  
(With Copy of Enclosure)

Mr. James Cavedo  
Mableton Improvement Coalition  
(With Copy of Enclosure)

Ms. Clarice Barber Page  
Southwest Austell Neighbors  
(With Copy of Enclosure)

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c: Ms. Robin Meyer  
Jerry A. Landers, Jr., Esq.  
Area Residents  
(With Copy of Enclosure)

Weaver & Woodbery Company  
(With Copy of Enclosure)