

# Application for "Other Business"

## Cobb County, Georgia

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

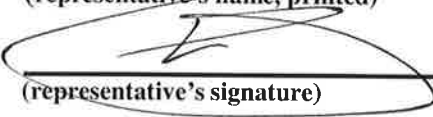
BOC Hearing Date Requested: 07-19-2022

DB-36

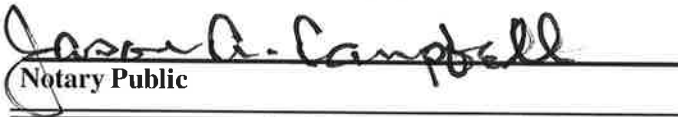
**Applicant:** YGLI, LLC **Phone #:** (678) 262-7153  
(applicant's name printed)

**Address:** 1101 Collier Road, NW, Unit 1, Atlanta, GA 30318 **E-Mail:** tblincorp@gmail.com  
Garvis L. Sams, Jr.

**SAMS, LARKIN & HUFF, LLP** **Address:** Suite 100, 376 Powder Springs, Street, Marietta, GA 30064  
(representative's name, printed)

 **Phone #:** (770) 422-7016 **E-Mail:** gsams@samslarkinbuff.com  
(representative's signature)

Signed, sealed and delivered in presence of:

 **My commission expires:** \_\_\_\_\_  
Notary Public



**Titleholder(s):** SEE ATTACHED SIGNATURE PAGES **Phone #:** \_\_\_\_\_  
(property owner's name printed)

**Address:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

\_\_\_\_\_  
(Property owner's signature)

Signed, sealed and delivered in presence of:

\_\_\_\_\_  
Notary Public **My commission expires:** \_\_\_\_\_



**Commission District:** 4 **Zoning Case:** Z-51 of 2018

**Size of property in acres:** 0.465 ac **Original Date of Hearing:** 09-18-2018

**Location:** Northeast side of Floyd Road, southeast of Floyd Drive (4391 Floyd Road)  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 1000 and 1001 **District(s):** 19

**State specifically the need or reason(s) for Other Business:** Stipulation Amendments and Site Plan Amendment

(List or attach additional information if needed)

ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"

Application No.: OB- 36

BOC Hearing Date: July 19, 2022

Applicant: YGLI, LLC  
Titleholder: YGLI, LLC  
Parcel #: 19100000020



The undersigned(s) below, or as attached, is the owner of the property considered in this application.

YGLI, LLC

A handwritten signature in blue ink, appearing to read "Todd Hurdell".

Printed Name: Todd Hurdell

Date: 6-6-2022

Address: 1101 Collier Rd  
Atlanta, GA

Telephone No.: 678-262-7153

Jason A. Campbell 6-6-2022  
Signature of Notary Public Date

(Notary Seal)



**CERTIFICATE REGARDING CORPORATE AUTHORITY- APPLICATION FOR "OTHER BUSINESS"**

1.  
My name is Todd Lindahl. I am the officer who is delegated the responsibility for authenticating records of **YGLI, LLC**, a Domestic Limited Liability Company (the "Titleholder Company"). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant's Application for "Other Business" regarding certain real property owned by the Titleholder Company located in Cobb County, Georgia.



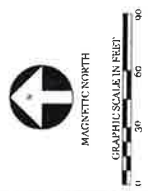
2.  
In accordance with the Requirements for completing a Cobb County Application for "Other Business", I hereby attest on behalf of the Titleholder Company that an authorized representative of Titleholder Company has reviewed the Application for "Other Business" and related documents which are being filed simultaneously therewith on behalf of the Applicant Company (collectively, the "Application for Other Business") to which this Certificate is attached and hereby certify:

- (a) That corporate seal or facsimile affixed hereto is in fact the seal of the Titleholder Company or a true facsimile thereof; and
- (b) That the officer or other representative of the Titleholder Company who executed the Application for "Other Business" does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Application for "Other Business" on behalf of the Titleholder Company, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Application for "Other Business" and the filing of the Application for "Other Business" on behalf of the Titleholder Company by the officer or other representative of the Applicant Company has been duly authorized by the Titleholder Company.

**YGLI, LLC**

By: [Signature]  
Print Name Todd Lindahl  
Its: Member / CFO

(SEAL)



TRACT AREA = 0.465 ACRES (20,236 S.F.)

PROJECT ID

JUN 14 2022

COBB CO. COMM. DEV. AGENCY ZONING DIVISION

GEORGIA DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAY CONSTRUCTION

**SITE ADDRESS:**  
 4391 FLOYD ROAD  
 MABLETON, GA. 30126  
 DB 15939 PG 1153  
 PARCEL ID: 19100000020

EXISTING CONCRETE TO BE REMOVED

EXISTING ASPHALT TO BE REMOVED FOR TREE ISLANDS

PROPOSED ASPHALT



**GENERAL NOTES:**

1. PROPERTY ZONED: NRC
2. PROPOSED ZONING: NRC
3. SETBACKS REQUIRED:
  - FRONT: 5'f
  - SIDE: 5'f
  - MINOR SIDE: 5'f
  - REAR: 30'f

4. PROPOSED USE: PIZZA RESTAURANT, BAR, BAKERY & COFFEE BAR
5. PARKING REQUIRED: 4 SPACES FOR EVERY 100 SF OF PATRON FLOOR AREA. EXISTING 4200 S.F. BUILDING (1000 SF UPSTAIRS, 1000 SF DOWNSTAIRS) WILL BE REMODELED TO PROVIDE 1600 S.F. OF PATRON AREA INSIDE WITH 1000 S.F. OF PATRON AREA OUTSIDE ON THE SIDE PATIO.

SITE TO SHARE PARKING WITH ADJACENT NURSERY LANDSCAPE BUSINESS, SILVER COMET ENTERPRISES, LLC  
 EXISTING NURSERY OFFICE BUILDING CONTAINS 2274 S.F.  
 PARKING REQUIRED FOR NURSERY: 1 SPACE FOR EVERY 285 S.F. OF OFFICE.  
 EXISTING NURSERY OFFICE BUILDING CONTAINS 2274 S.F.

RESTAURANT REQUIREMENTS: 2700 S.F. / 100 S.F. = 97 PARKING SPACES REQUIRED  
 NURSERY REQUIREMENTS: 2274 S.F. / 285 S.F. = 8 PARKING SPACES REQUIRED  
 TOTAL PARKING REQUIRED = 38 SPACES

PARKING PROVIDED: 35 SPACES (AS SHOWN)

PROPERTY SERVED BY COBB WATER & SEWER.

EXISTING IMPERVIOUS COVERAGE: 97.13 % (17,491 S.F. COVERAGE)  
 PROPOSED IMPERVIOUS COVERAGE: 67.86 % (13,798 S.F. COVERAGE)

PROPOSED REMOVAL OF 4,268 S.F. OF CONCRETE & THE ADDITION OF 465 S.F. OF ASPHALT DRIVE. TOTAL DISTURBED AREA OF 4,843 S.F. LESS THAN 5000 S.F. NO DETENTION REQUIRED.

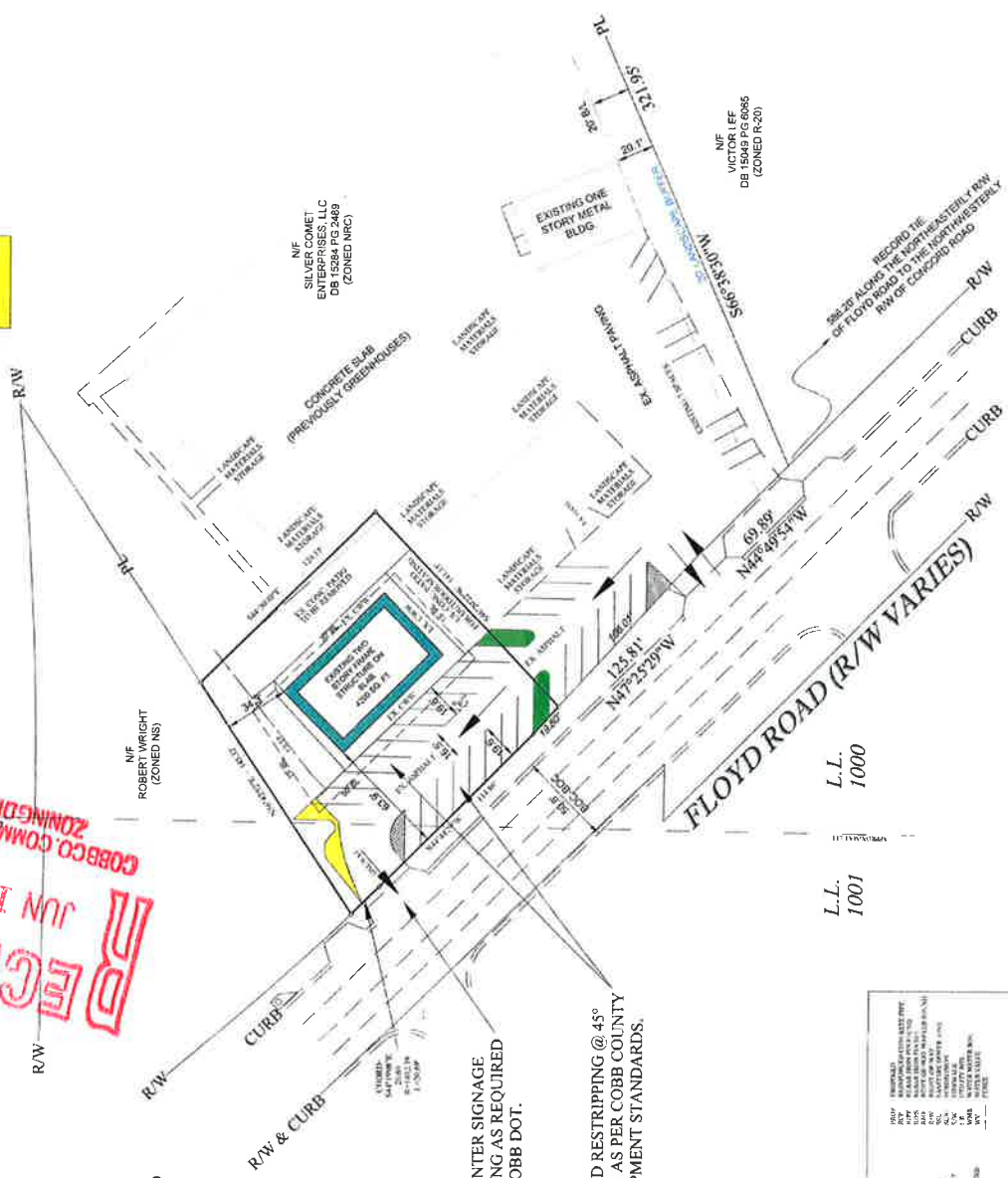
AS PER FIRM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 19065C0020.J DATED 10-05-08, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDOUS IT IS IN A ZONE "X".

THIS PROPERTY DOES NOT HAVE A CEMETERY, WETLANDS, HISTORIC OR ARCHITECTURAL FEATURES LOCATED ON THE PROPERTY.

ALL BOUNDARY INFORMATION TAKEN FROM AN ALTA/ASCM PLAT OF SURVEY PREPARED BY LANIUNO SURVEYING AND MAPPING, INC. SEALED AND CERTIFIED BY JAMES H. KADKA, GPS NO. 3035, DA 10 SEPTEMBER 2015.

THE 100 S.F. ON THE SECOND FLOOR WILL BE REMOVED DURING THE REMODELING PROCESS AS THE FIRST FLOOR CEILINGS WILL BE RAISED; ONLY ATTC SPACE WILL REMAIN.

AN ACCESS CROSS AGREEMENT IS REQUIRED WITH SILVER COMET ENTERPRISES, LLC.



DO NOT ENTER SIGNAGE & STRIPPING AS REQUIRED BY THE COBB DOT.

PROPOSED RESTRIPPING @ 45° PARKING AS PER COBB COUNTY DEVELOPMENT STANDARDS.

**LEGEND**

1" = 10' (AS SHOWN)	EXISTING ASPHALT TO BE REMOVED FOR TREE ISLANDS
2" = 20'	PROPOSED ASPHALT
3" = 30'	EXISTING CONCRETE TO BE REMOVED
4" = 40'	EXISTING ASPHALT
5" = 50'	PROPOSED ASPHALT
6" = 60'	EXISTING CONCRETE TO BE REMOVED
7" = 70'	EXISTING ASPHALT
8" = 80'	PROPOSED ASPHALT
9" = 90'	EXISTING CONCRETE TO BE REMOVED
10" = 100'	EXISTING ASPHALT
11" = 110'	PROPOSED ASPHALT
12" = 120'	EXISTING CONCRETE TO BE REMOVED
13" = 130'	EXISTING ASPHALT
14" = 140'	PROPOSED ASPHALT
15" = 150'	EXISTING CONCRETE TO BE REMOVED
16" = 160'	EXISTING ASPHALT
17" = 170'	PROPOSED ASPHALT
18" = 180'	EXISTING CONCRETE TO BE REMOVED
19" = 190'	EXISTING ASPHALT
20" = 200'	PROPOSED ASPHALT

**YGLL, LLC**

PAUL LEE CONSULTING ENGINEERING ASSOCIATES, INC.  
 4110 WOODBRIDGE DRIVE, SUITE 100, MARIETTA, GA 30067  
 PA (770) 421-5056 - paul.lee@ygllex.com

DATE: 11/14/2022  
 SHEET: 11 OF 11  
 PROJECT: 15939 PG 1153



CONSENT AGENDA (CONT.)

**Z-51**      **THE SILVER MANOR, LLC** (Silver Comet Enterprises, LLC, owner) requesting Rezoning from **NRC** to **CRC** for the purpose of an Assembly Hall for Special Events with Ancillary Offices in Land Lots 1000 and 1001 of the 19<sup>th</sup> District. Located on the northeast side of Floyd Road, southeast of Floyd Drive. *(Continued by the Planning Commission (PC) from their August 7, 2018, hearing until the September 4, 2018, PC hearing).*

To delete Z-51 to the NRC zoning district, subject to:

1. Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated August 24, 2018 (attached and made a part of these minutes)
2. Special Exception use for an Assembly Hall for Special Events
3. Hours of operation Monday through Thursday 9:00 a.m. until 11:00 p.m.; Friday through Sunday 8:00 a.m. until midnight
4. The Architectural/Landscape Review Committee shall review any gates to be installed
5. The District Commissioner shall have final approval of all items under the purview of the Architectural/Landscape Review Committee
6. Should the adjacent property owner not place a fence on the common property line, excluding the 49.94 feet in the southeast corner, or at any time remove the fence, there shall be a privacy fence installed along the common property line by the owner of this property; fence changes shall occur within 90 days of the Board of Commissioners' final decision
7. When the existing fence is relocated, additional fencing will be required; the additional fencing shall be consistent with the existing fencing; as an alternative, new fencing can be used to replace the existing fence; fence changes shall occur within 90 days of the Board of Commissioners' final decision
8. Fire Department comments and recommendations
9. Water and Sewer Division comments and recommendations
10. Stormwater Management Division comments and recommendations
11. Department of Transportation comments and recommendations

**Z-52**      **JOSEPH W. CARTUS, II AND CAROL M. CARTUS** (Carol M. Cartus and Joseph W. Cartus, II, owners) requesting rezoning from **R-80** to **R-40** for the purpose of a Single-Family House in Land Lot 1002 of the 17<sup>th</sup> District. Located on the west side of Timberland Drive, south of Hallmark Drive.

To approve Z-52 to the **R-40** zoning district, subject to:

1. Proposed garage to be architecturally compatible with existing home and to be approved by the District Commissioner

SAMS, LARKIN, HUFF & BALLI  
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.  
JOEL L. LARKIN  
PARKS F. HUFF  
JAMES A. BALLI

SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

ADAM J. ROZEN

Min. Bk. 86 Petition No. 7-51  
Doc. Type letter of agreeable  
conditions  
Meeting Date 9-18-2018

770-422-7016  
TELEPHONE  
770-426-6583  
FACSIMILE

WWW.SLHB-LAW.COM

August 24, 2018

**(REVISED STIPULATION LETTER)**

**VIA EMAIL**

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

Re: Application of The Silver Manor, LLC to Rezone a 0.594 acre tract from NRC to Conditional CRC (No. Z-51)

Dear John:

As you know, this firm represents The Silver Manor, LLC and its Principals, Marissa Simms and Arnold Woods ("Silver Manor") concerning the above captioned Application for Rezoning. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on September 4, 2018 and, thereafter, the Application is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on September 18, 2018.

The property at issue consists of an approximate 0.594 acre tract of land which is zoned Neighborhood Retail Commercial ("NRC") and which is located within the confines of a Neighborhood Activity Center ("NAC") under Cobb County's Future Land Use Map ("FLUM"). Silver Manor seeks a rezoning from NRC to Community Retail Commercial ("CRC") for the purposes of an Event Facility/Assembly Hall which is a permitted use under CRC but which is not included as a permitted use under the existing NRC zoning district.

From an historical perspective, the subject property was a part of a larger tract of land which was originally rezoned to NRC in 2004 (No. Z-126). However, that proposed mixed-use retail development never came to fruition. Later, the property surrounding the subject property was rezoned to Conditional NRC specifically for the purposes of a landscape supply company (No. Z-80 [2014]). The subject property is located in a diverse transitional area which includes the landscape company; a Shell Service Station; an auto care center and car wash; a building which formerly housed a bicycle sales and repair shop; and, the trailhead and parking lot regarding the Silver Comet Trail.

**VIA HAND DELIVERY & EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
August 24, 2018  
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On August 20, 2018, we submitted a revised site plan and a revised legal description reflecting a slight increase in the acreage of the property from 0.465 acres to 0.594. You will recall that, because of the zoning the stipulations-restrictions of the Nature Supply Landscape Company property which surrounds the subject property, there is use-specific language relative to the landscape company. After conferring with District Planning Commissioner Galt Porter and, after speaking directly with you, a solution was reached wherein the site plan was revised to incorporate portions of Silver Manor's parking and to accommodate other utilities previously shown in whole or in part as being located on the landscape company property.

While this Application has been pending, we have engaged very positive discussions with representatives of the Mableton Improvement Coalition ("MIC"), area business owners, property owners, and the County's professional staff. In that regard, we've been authorized by Silver Manor and the property owner, Silver Comet Enterprises, LLC, to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved as submitted and revised herein, shall become a part of the grant of the requested rezoning and shall be binding upon the Subject Property thereafter. The revised stipulations are as follows, to wit:

1. The revised 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 concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. Rezoning of the subject property shall be from the existing zoning category of Conditional NRC to the proposed zoning category of Conditional CRC in substantial conformity to that certain Revised Site Plan prepared by The Crusselle Company which was submitted under separate cover on August 20, 2018.
3. The Applicant proposes the construction of an Event Facility on approximately 0.594 acres, utilizing the existing renovated and rehabbed structure which Silver Manor, as a tenant of that building, has undertaken at its considerable expense. The Event Facility shall be used for weddings, receptions, family gatherings, meetings and the like, together with professional offices as such term is defined within the CRC Classification. The only retail component of the Event Facility shall be temporary "Pop-Up" retail boutiques specifically related to the uses proposed therein and the guests attending specific events.

**VIA HAND DELIVERY & EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
August 24, 2018  
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4. The Applicant agrees that the rezoning sought hereunder shall be limited to the uses specifically set forth above.
5. The proposed Event Facility consists of a renovated and rehabbed two-story structure which contains approximately 4,200 square feet. However, 1,100 square feet of that total square footage is located on the second floor and shall be utilized for storage purposes only. The first floor of the building shall consist of the primary Event Facility with a maximum of five (5) Office Suites, a Conference Room and a "Brides Suite" within the 3,100 square foot footprint of the building.
6. Utilization of the Event Facility shall be limited to a maximum of one-hundred, forty (140) guests at any one time.
7. All events shall end no later than midnight on Friday, Saturday, and Sunday nights. During the week, consisting of Monday through Thursday, the hours of operation shall be from 9:00 a.m. until 9:00 p.m. All of the events shall be held inside the building and the doors of the building shall be closed during all events subject, of course, to the Fire Marshall's rules and regulations.
8. The exterior of the existing structure shall be as-built/as-renovated consisting of its existing architectural composition and features. The architectural style and composition of the building shall appear as depicted on the photograph attached hereto which was taken for purposes of documenting/confirming that the official zoning notifications signs were current. In the future, any change in colors or hues to the building shall continue to be neutral colors such as the building's current color and the colors of beige, brown, cream, and/or taupe.
9. HVAC equipment shall be screened from view by means of bollards incorporated into landscaping components to protect and screen the HVAC and mechanical equipment.
10. The dumpster utilized by Silver Manor for its Event Facility shall be situated as shown on the revised site plan; landscaped in order to shield the dumpster from public vantage points, including streets and sidewalks; enclosed with masonry building materials which are the same, or similar to, the primary structure and which will have gates made of metal; and, which will include a drain to a leech field, if so dictated the by Environmental Health Department for standards regarding dumpster enclosures.



**VIA HAND DELIVERY & EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
August 24, 2018  
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11. Silver Manor's branding signage for the Event Facility shall be ground based, monument style signage. The finish, materials, and colors for such signage shall be of the same composition as the Event Facility. Said signage shall contain no digital or flashing sign components; no roof signs; and no exterior temporary signage. In addition to the foregoing, there shall be interior directional signage, as needed, regarding interior maneuverability and directions regarding ingress to/egress from the subject property.
12. Any additional lighting fixtures for the parking areas shall be environmentally sensitive and shall be fitted with non-glare lenses and cut-off shields to prevent light from extending beyond the perimeter of the subject property.
13. Security lighting shall be wall-packs, hooded, environmentally sensitive and also fitted with non-glare lenses and cut-off shields.
14. There shall be no parking allowed on or along Floyd Road or adjacent properties unless written permission is secured prior thereto.
15. The Applicant agrees to comply with all Cobb County Stormwater Management recommendations regarding detention, water quality and downstream considerations applicable to the Subject Property.
16. All setbacks, landscaping, and buffer areas may be penetrated for purposes of access, utilities and stormwater management, including, but not limited to, detention or water quality and any and all slopes or other required engineering features. As shown on the revised site plan, in accordance with the recommendations from the Stormwater Management Division, there is five foot (5') water quality easement/infiltration component located on the Subject Property.
17. There shall be an Architectural/Landscape Review Committee which shall be charged with the review of any proposed landscaping, signage, fencing or further architectural enhancements. The committee shall consist of a representative of MIC, a representative of the Applicant, and a representative from the Cobb County Community Development Agency. This review shall take place either prior to or during the Plan Review process.
18. The Applicant agrees to comply with the recommendations from the Cobb County Department of Transportation ("DOT") with respect to traffic and transportation issues.

**VIA HAND DELIVERY & EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
August 24, 2018  
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19. The Applicant agrees to comply with all recommendations from the Cobb County Fire Marshall.<sup>1</sup>
  20. The District Commissioner shall have the authority to approve certain minor modifications as the development proposal proceeds through the Plan Review process and thereafter, except for those that:
    - a. Reduce the size of an approved buffer adjacent to property which is zoned the same or in a more restrictive zoning district.
    - b. Relocate a structure closer to the property line of an adjacent property which is zoned the same or in a more restrictive zoning district.
    - c. Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
    - d. Violate the Cobb County Zoning Ordinance.
    - e. Change access location(s) to different roadways.
    - f. Would be in direct conflict with or in direct contradiction to Cobb County regulations.

The requested rezoning, as further revised and submitted herewith, is appropriate from a land use planning perspective particularly considering the context of development within which the Event Facility will be operated; it meets a need within this sub-area of the County regarding the multi-faceted components of the proposed Event Facility; and, will constitute a quality development which will provide a use that is complementary to surrounding developments and uses.

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<sup>1</sup> A preliminary footprint/floorplan was approved by the Fire Marshall in 2017. Silver Manor understands that it will be responsible for engaging an Architect to submit final architectural renderings/elevations, concerning both the interior and exterior of the building, concurrently with the Plan Review process.

SAMS, LARKIN, HUFF & BALLI  
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-51  
Meeting Date 9-18-2018  
Continued

**VIA HAND DELIVERY & EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
August 24, 2018  
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Please do not hesitate to contact me should you or the staff require any further information or documentation prior to this Application being heard and considered by the Planning Commission and the Board of Commissioners in September. With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP

Garvis L. Sams, Jr.  
[gsams@slhb-law.com](mailto:gsams@slhb-law.com)

GLS, Jr./lkj  
Enclosure/Attachment

cc: Members, Cobb County Board of Commissioners (via email w/attachment)  
Mr. Robert L. Hosack, AICP, County Manager (via email w/attachment)  
Members, Cobb County Planning Commission (via email w/attachment)  
BOC Commission Assistants (via email w/attachment)  
Mr. Dana Johnson, AICP, Director (via email w/attachment)  
Mr. Lee McClead, Deputy Director (via email w/attachment)  
Mr. Jason S. Gaines, AICP, Planning Division Manager (via email w/attachment)  
Mr. Jason Campbell, Planner III (via email w/attachment)  
Mr. Terry Martin, Planner III (via email w/attachment)  
Mr. Phillip Westbrook, Planner III (via email w/attachment)  
Mr. Donald Wells, Planner I (via email w/attachment)  
Ms. Tannesha Bates, Planner I (via email w/attachment)  
Ms. Hayley Todd, Planner I (via email w/ attachment)  
Ms. Pamela Mabry, County Clerk (via email w/attachment)  
Ms. Robin Pressley, Deputy County Clerk (via email w/attachment)  
Ms. Leila Washington, Deputy County Clerk (via email w/attachment)  
Captain Robert "Rock" Toler, Fire Department (via email w/attachment)  
Mr. David Breden, P.E. (via email w/attachment)  
Ms. Amy Diaz, P.E. (via email w/attachment)  
Ms. Ashley White, P.E. (via email w/attachment)  
Mr. Tim Davidson (via email w/attachment)  
Ms. Robin Meyer, MIC (via email w/attachment)  
Mr. Parks Kennerly, Silver Comet Enterprises, LLC (via email w/ attachment)  
Mr. Ben Crusselle, RLS (via email w/attachment)