



GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

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

November 2, 2022

(STIPULATION LETTER, REVISED SITE PLAN & ARCHITECTURE)

VIA HAND DELIVERY & EMAIL:

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

RECEIVED
NOV 02 2022

COPY
COBB CO. COMM DEV. AGENCY
ZONING DIVISION

Re: Application of Hamilton Homes Holdings, LLC. to Rezone an approximate
5.684± Acre Tract of Land from R-20 to RM-8 (No. Z-71 [2022])

Dear John:

This firm represents Hamilton Homes Holding, LLC ("Hamilton") regarding the above-captioned Application for Rezoning. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on December 6, 2022. Thereafter, the Application will be heard and considered for final action by the Cobb County Board of Commissioners on December 20, 2022.

The property at issue ("Subject Property") consists of a 5.621 acre tract of land which is located on the southwest side of Floyd Road, the northwest side of Glore Road and at the terminus of Anjul Drive. Hamilton's request is for a rezoning from R-20 to RM-8 for the construction and development of a Townhome Community as shown on the Revised Site Plan which is being submitted concurrently herewith. Hamilton's Application for Rezoning was submitted by the Applicant Pro Se on September 1, 2022 for this undeveloped tract of land.

Hamilton is requesting a rezoning to the RM-8 zoning classification in order to develop a community of 32 Townhomes, with 1,600 square foot minimum house size and with an overall density of 5.6 units per acre. It was originally thought by staff that we would need for the existing eastern cul-de-sac of Anjul Drive to be abandoned and incorporated into the project with the internal streets to be public rights-of-way. However, even though it will, in fact, be incorporated into the overall community, Hamilton is the record titleholder of that portion of the Subject Property.

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During the pendency of this Application, we have established a dialogue with the County's Professional Staff and have also spoken with certain area residents regarding the Application. Additionally, we have spoken to representatives of the Mableton Improvement Coalition ("MIC"). In that regard, I am authorized to submit this letter of agreeable stipulations/ conditions to which Hamilton is amenable to becoming 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:

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 concerning the property which constitutes the subject matter of the above-captioned Application for Rezoning.
2. The Subject Property is presently zoned R-20 and shall be developed in substantial conformity to that certain revised site plan prepared by Mark G. Lee, Paul Lee Consulting Engineering Associates, Inc. (dated October 18, 2022) which is being submitted concurrently herewith.
3. The Subject Property shall be developed for the purposes accommodating 32 Townhomes as shown in the revised site plan at a proposed maximum density of 5.6 units per acre.¹
4. The architectural style and composition of the homes shall be in substantial compliance with the architectural images which are being submitted concurrently herewith.
5. Home sizes shall range from a minimum of 1,600 square feet to 2,000 square feet and higher which dictates expected price points consistent with such products within this sub-area of Cobb County.
6. Compliance with recommendations from the Cobb County Department of Transportation ("DOT") which include:
 - a. Streets, lighting and utilities shall be constructed to the Cobb County Standard Specifications for public streets, which include prohibition of perpendicular parking within the right-of-way.

¹ The Subject Property is surrounded by Medium-High Density residential developments and other properties zoned RSL, RM-8 and PRD.

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- b. Replacement of any disturbed curb, gutter and sidewalk along the Floyd Road and Glore Road frontages.
 - c. Creating a ten foot (10') no access easement along the Floyd Road and Glore Road frontages.
 - d. Entering into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of the following system improvements to mitigate traffic concerns: The donation of right-of-way on the west side of Floyd Road, a minimum of fifty feet (50') feet from the roadway centerline.
- 7. Compliance with recommendations from the Cobb County Fire Marshal's Office regarding life safety and fire prevention.
- 8. Compliance with the recommendations from the Cobb County Water System with respect to the availability of water and sewer for the Subject Property.
- 9. Compliance with recommendations from Stormwater Management Division, including:
 - a. The preparation and submission of a downstream Sediment Survey and evaluation of the existing stormwater management facility within Concord Village Subdivision.
 - b. Existing off-site stormwater management pond downstream located within Concord Village shall be modeled hydrologically in series with the proposed stormwater management for this development to confirm that there are no adverse effects from this development.
 - c. A review of the storm drain pipe capacity of the immediate downstream pipe.
- 10. Hamilton shall set up a mandatory Homeowners Association ("HOA") with strict architectural controls and will submit Covenants, Conditions and Restrictions ("CCRs") which will govern and regulate community infrastructure and assume responsibility for the upkeep and maintenance of all common areas, fencing, vegetation and analogous features. However, the HOA will have no responsibility for the internal road network, all of which will meet Cobb County standards for public streets.

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11. The submission of a Landscape Plan during the Plan Review Process which will be subject to review by the County Arborist and subject to final review and approval by the District Commissioner.
12. The Application for Rezoning includes requests for the following contemporaneous Variances to allow setbacks to be as shown on the Revised Site Plan:
 - a. Homes facing Anjul Drive (3 buildings with 16 units):
 - i. Front and rear setbacks of 35'
 - ii. Side setbacks adjacent to the new road of 25'
 - b. Homes facing the new road on southeast side (3 buildings with 13 units):
 - i. Front setbacks of 20'
 - ii. Rear setbacks of 35'
 - iii. Side setbacks of 25'
 - c. Homes facing the new road on northwest side (1 building with 3 units):
 - i. Front setbacks of 25'
 - ii. Rear setbacks of 35'
13. The District Commissioner shall have the authority to approve certain minor modifications to the site plan, the architecture and the stipulations/conditions 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 in a more restrictive zoning district.
 - b. Relocate a structure closer to the property line of an adjacent property which is zoned in a more restrictive zoning district.
 - c. Increase the height of a building adjacent to property which is zoned in a more restrictive zoning district.
 - d. Change access locations to different roadways.
 - e. Seek additional Variances to provisions of the Cobb County Zoning Ordinance.

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Please do not hesitate to contact me should you or your Staff have any questions concerning the stipulations and conditions mentioned above prior to the formulation of the final Zoning Analysis and Staff Recommendations. With kind regards, I am

Very truly yours,

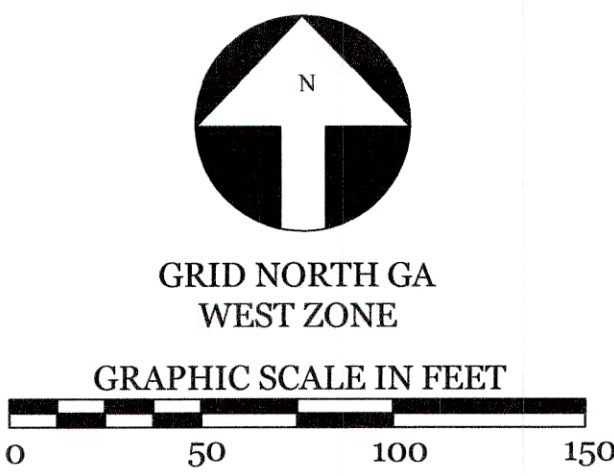
SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS, Jr./klk
Enclosures/Attachments

cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)
Dr. Jackie McMorris, County Manager (via email w/attachments)
Board of Commissioners Assistants (via email w/attachments)
Ms. Jessica Guinn, AICP, Director (via email w/attachments)
Ms. Jeannie Peyton, Senior Planner (via email w/attachments)
Mr. Terry Martin, AICP, Planner III (via email w/attachments)
Ms. Margie Vazquez, Planner II (via email w/attachments)
Mr. LeDarius Scott, Planner I (via email w/attachments)
Mr. Cameron Jones, Planner I (via email w/attachments)
Ms. Pamela Mabry, County Clerk (via email w/attachments)
Ms. Robin Stone, Deputy County Clerk (via email w/attachments)
Ms. Leila Washington, Deputy County Clerk (via email w/attachments)
Mr. Jeffrey Byrd, Fire Marshal's Office (via email w/attachments)
Ms. Amy Diaz, P.E., Cobb DOT (via email w/attachments)
Ms. Abby Rettig, Cobb DOT (via email w/attachments)
Mr. Carl Carver, P.E., Stormwater Management Division (via email w/attachments)
Mr. Tim Davidson, Plan Review Engineer, Water System (via email w/attachments)
Ms. Robin Meyer, MIC (via email w/attachments)
Ms. Becca Ford, MIC (via email w/attachments)
Mr. Mark G. Lee, RLS (via email w/attachments)
Mr. Samuel Austin (via email w/attachments)



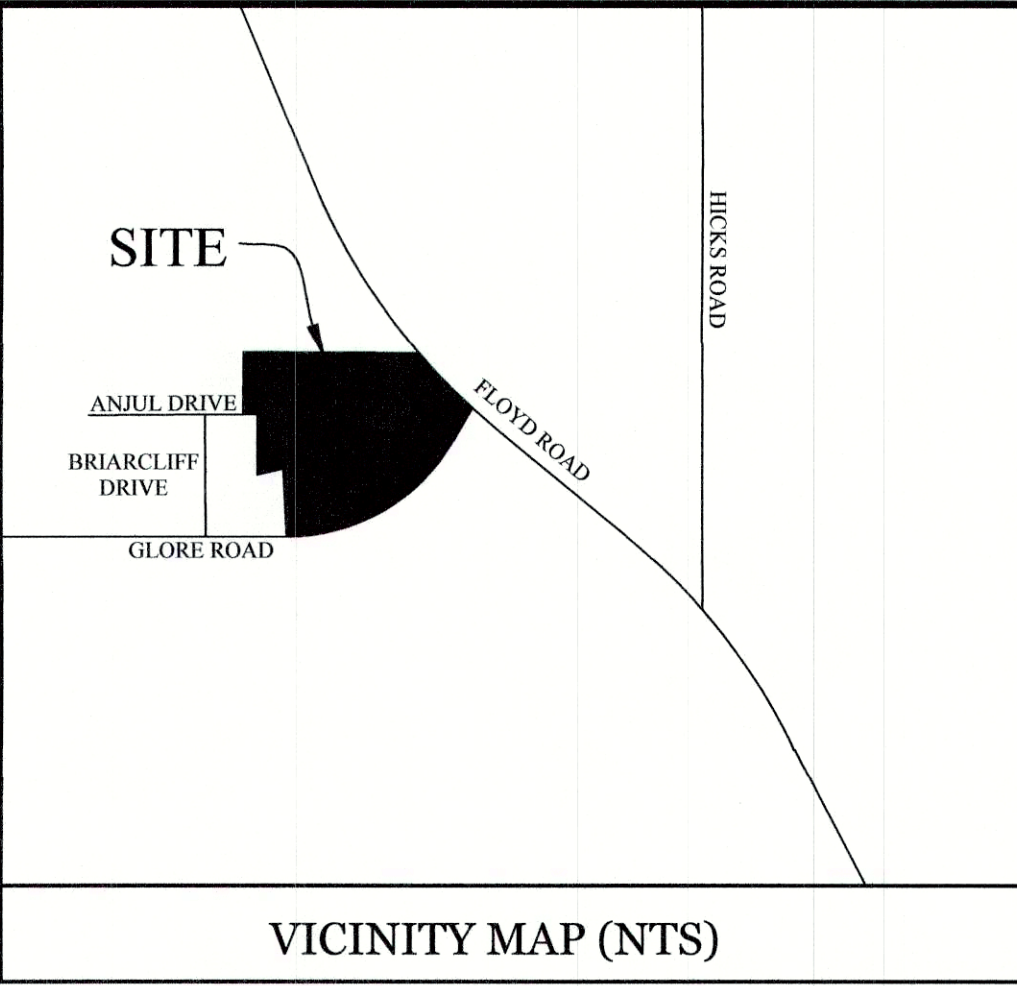
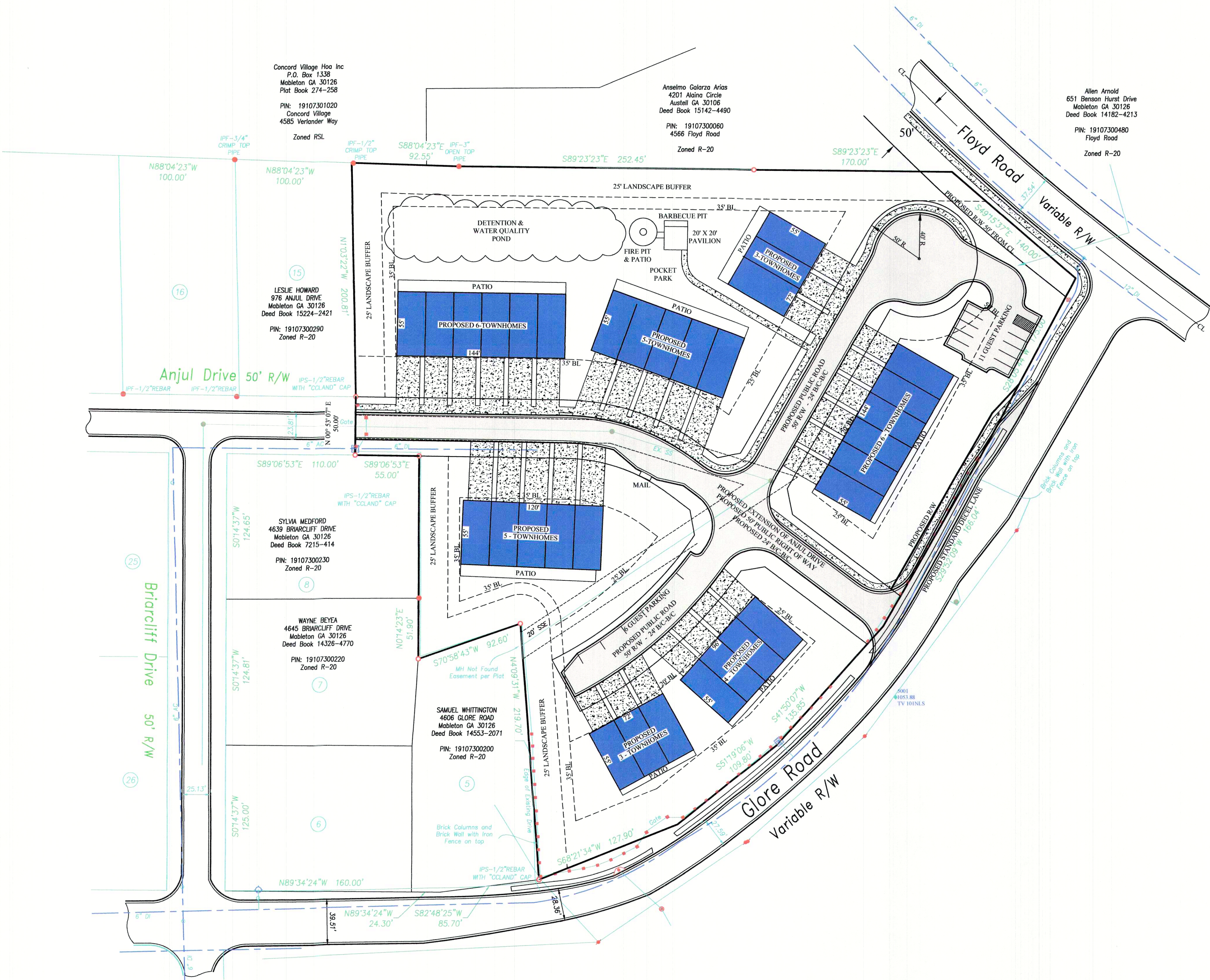
TRACT AREA= 5.684 ACRES (247,592.22 S.F.)

SITE ADDRESS:

4598 GLORE ROAD
MABLETON, GA. 30126
DB 4598 PG 5404
PARCEL ID: 19107300180

GENERAL NOTES:

1. PROPERTY ZONED: R-20
2. PROPOSED ZONING: RM-8
3. SETBACKS REQUIRED PER RM-8 ZONING:
 - FRONT: 50'
 - SIDE: 35'
 - REAR: 40'
4. PROPOSED USE: TOWNHOMES
5. PROPOSED # OF UNITS: 32
6. DENSITY: 5.6 UNITS PER ACRE
7. PARKING REQUIRED: 2 SPACES FOR EVERY UNIT
8. GUEST PARKING REQUIRED: 0.50 GUEST SPACES PER UNIT.
32 X 0.50 = 16 GUEST SPACES MINIMUM.
17 GUEST SPACES PROVIDED.
9. PROPERTY SERVED BY COBB WATER & SEWER.
10. EXISTING IMPERVIOUS COVERAGE: 11.54 % (28,265 S.F. COVERAGE)
11. PROPOSED IMPERVIOUS COVERAGE: 42.16 % (79,995.75 S.F. COVERAGE/4.356 ACRES REMAINING)
12. PROPOSED DETENTION & WATER QUALITY POND AS PER COUNTY STANDARDS.
13. AS PER FIRM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO: 13067C0204 G DATED 12-16-08, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS. IT IS IN A ZONE " X ".
14. THIS PROPERTY DOES NOT HAVE A CEMETERY, WETLANDS, HISTORIC OR ARCHITECTURAL FEATURES LOCATED ON THE PROPERTY.
15. ALL BOUNDARY INFORMATION TAKEN FROM A RETRACEMENT SURVEY FOR BRENDA PORTER PREPARED BY CC LAND SURVEYORS, INC. SEALED AND CERTIFIED BY CATHY B. COSTARIDES, GPS NO. 2568, DATED SEPTEMBER 9, 2021.
16. ALL EXISTING STRUCTURES & UTILITIES TO BE REMOVED OR RELOCATED AS NEEDED.
17. VARIANCES REQUESTED: TO ALLOW ALL SETBACKS TO BE AS SHOWN ON THIS REZONING PLAN.
 - 17.1. HOMES FACING ANJUL DRIVE (3 BUILDINGS W/16 UNITS)
 - 17.1.1. FRONT & REAR SETBACKS: 35'
 - 17.1.2. SIDE SETBACKS ADJACENT TO NEW ROAD: 25'
 - 17.2. HOMES FACING NEW ROAD ON SOUTHEAST SIDE (3 BUILDINGS W/13 UNITS)
 - 17.2.1. FRONT SETBACKS: 20'
 - 17.2.2. REAR SETBACKS: 35'
 - 17.2.3. SIDE SETBACKS: 25'
 - 17.3. HOMES FACING NEW ROAD ON NORTHWEST SIDE (1 BUILDING W/3 UNITS)
 - 17.3.1. FRONT SETBACKS: 25'
 - 17.3.2. REAR SETBACKS: 35'



LEGEND			
AC	AIR COMPRESSOR	GM	GAS METER
B/C	BACK OF CURB	GP	GRAVEL PAD
BL	BUILDING LINE	GW	GUIDE WIRE
BOC	BACK OF CURB	HW	HEADWALL
BSMH	BELLSOUTH MANHOLE	ISL	ISLAND
CC	CONCRETE CANOPY	LL	LAND LOT
CO	CLEANOUT	LLL	LAND LOT LINE
CONC.	CONCRETE	LS	LANDSCAPE AREA
CP	CONCRETE PAD	N/F	NOW OR FORMERLY
CWV	COVERED WALKWAY	NS	NAIL SET
DB	DEED BOOK	OHL	OVERHEAD LINE
EC	EDGE OF CONCRETE	OTPF	OPEN TOP PIN FOUND
EP	EDGE OF PAVEMENT	PG	PAGE
EX	EXISTING	PL	PROPERTY LINE
FH	FIRE HYDRANT	PP	POWER POLE
PROP	PROPOSED	RCP	REINFORCED CONCRETE PIPE
RIPF	REBAR IRON PIN FOUND	RMP	RIGHT-OF-WAY MARKER FOUND
R/W	RIGHT-OF-WAY	SSL	SANITARY SEWER LINE
SUB.	SUBDIVISION	S/W	SIDEWALK
UB	UTILITY BOX	WMB	WATER METER BOX
WV	WATER VALVE	WV	WATER VALVE
FENCE	FENCE		

NOTE: ALL RIPF & RIPS ARE #4 REBAR UNLESS OTHERWISE NOTED.

REZONING PLAN FOR

HAMILTON HOMES ASSET GROUP

LOTS 1-4, 9, 11-14
LAND LOT 1073
COBB COUNTY,

BRIARCLIFF ESTATES
19TH DISTRICT
GEORGIA

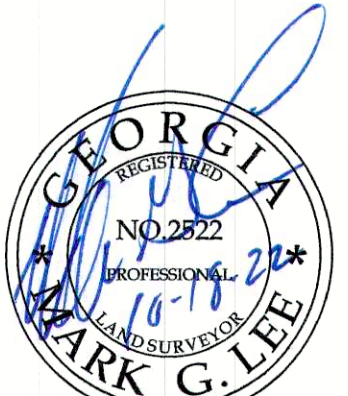
PB 63 PG 13
2ND SECTION
GEORGIA

NO. 1
DATE 10-18-22

REVISION
REVISED LAYOUT FOR PUBLIC STREETS, EDITED NOTES ON SETBACKS, IMPERVIOUS, GUEST PARKING, DENSITY, & ADDED VARIANCE INFORMATION.

BY MGL
DRAWN MGL
CHECKED MGL
SCALE 1"= 50'
DATE 8-30-22

PAUL LEE CONSULTING ENGINEERING ASSOCIATES, INC.
PLANNING - ENGINEERING - LAND SURVEYING
44 DARBY'S CROSSING DRIVE, SUITE 200, HIRAM, GA. 30141
Ph. (770) 435-2576 - Email: mark.lee@plea.com



THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE (IN CONTRASTING INK) OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

Now Selling



Two-story Townhomes

