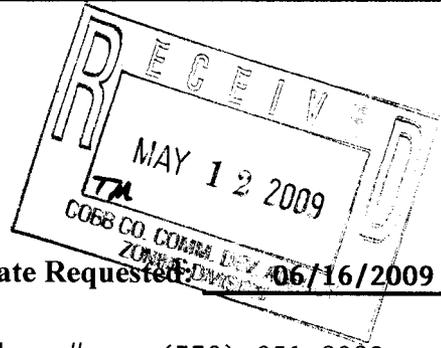


# Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)

BOC Hearing Date Requested: 06/16/2009



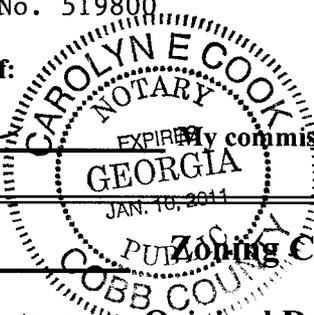
**Applicant:** Vinings Main, L.P. Phone #: (770) 951-8989  
(applicant's name printed)

**Address:** Suite 150, 1110 Northchase Parkway, Marietta, GA 30067 **E-Mail:** \_\_\_\_\_  
Moore Ingram Johnson & Steele, LLP

**John H. Moore** **Address:** Emerson Overlook, 326 Roswell Street, Marietta, GA 30060  
(representative's name, printed)

[Signature] Phone #: (770) 429-1499 E-Mail: jmoore@mij.s.com; w7@mij.s.com  
(representative's signature) Georgia Bar No. 519800

Signed, sealed and delivered in presence of:  
Carolyn E. Cook **Notary Public** **EXPIRES** January 10, 2011  
Notary Public



**Commission District:** 2 **Zoning Case:** Z-118 (2005)

**Date of Zoning Decision:** 12/20/2005 **Original Date of Hearing:** 07/19/2005

**Location:** Southerly side of Paces Ferry Road  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 886, 887, 908 **District(s):** 17th

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

See Exhibit "A" attached hereto and made a part hereof by reference

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(List or attach additional information if needed)

**EXHIBIT "A"**  
**ATTACHMENT TO APPLICATION FOR OTHER BUSINESS**  
**(STIPULATION AMENDMENT)**

<b>Application No.:</b>	<b>Z-118 (2005)</b>
<b>Original Hearing Date:</b>	<b>July 19, 2005</b>
<b>Date of Zoning Decision:</b>	<b>December 20, 2005</b>
<b>Current Hearing Date:</b>	<b>June 16, 2009</b>

**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS**

**Applicant: Vinings Main, L.P.**

Applicant requests amendments to certain stipulations and conditions for the development known as "Vinings Main," approved through the rezoning process by the Board of Commissioners on December 20, 2005. The proposed amendments relate to the leasing and sale of residential units. The requested amendments are as follows:

- (1) All units (148) contained within Buildings 1000, 2000, and 3000 of the development shall remain as "For Sale" condominium units.
- (2) These units shall be continued to be offered "For Sale" to potential homeowners continually during the process herein outlined. However, for a period of five (5) years from final approval by the Board of Commissioners of this proposed amendment, the units may be offered "For Lease."
- (3) The units to be sold shall commence with Building 1000, then proceed to Building 2000, and then to Building 3000, until all units in all three buildings have been fully sold.
- (4) Applicant agrees that during this process and for the time limit set forth herein, it shall maintain an inventory of at least five (5) "For Sale" Units at all times during the conversion process. It is the intent of Applicant to convert all units from a leased status to an owned status as soon as possible.
- (5) The time period for allowable leasing of the units shall be calculated from the date of final approval by the Board of Commissioners to a date five (5) years thereafter. All leases shall be drawn so that no lease shall extend beyond said five-year period. All leases shall further contain a provision that said lease may be terminable upon thirty (30) days' written notice to the tenant, so as to enable said unit to be sold or maintained as one of the five (5) units in available inventory for sale. The leases for the units shall further contain a provision that will allow

relocation of all tenants, as necessary to accommodate sale of units, from and within Building 1000, Building 2000, and Building 3000 to facilitate the conversion process.

- (6) Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearing held on December 20, 2005, in Application No. Z-118 (2005), are unaltered or unchanged by this request for stipulation amendment.