

APPLICANT: Nick Letsos and Anna N. Letsos
404-636-0847

REPRESENTATIVE: Sams, Larkin & Huff, LLP
Garvis L. Sams, Jr. 770-422-7016

TITLEHOLDER: Nick Letsos and Anna N. Letsos

PROPERTY LOCATION: Located at the northwest intersection of
Canton Road and Westerly Way.

ACCESS TO PROPERTY: Canton Road

PHYSICAL CHARACTERISTICS TO SITE: Two buildings on a
large lot

PETITION NO: Z-36

HEARING DATE (PC): 12-01-09

HEARING DATE (BOC): 12-15-09

PRESENT ZONING: GC

PROPOSED ZONING: GC

PROPOSED USE: Vehicular Sales, Service,
Repair and Retail

SIZE OF TRACT: 3.434 acres

DISTRICT: 16

LAND LOT(S): 660

PARCEL(S): 5, 6, 7

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** NS/ Polo Club Cleaners
- SOUTH:** SC, GC/ Chimney Cottages, Conoco (closed)
- EAST:** NRC, LRO/ Heath Linebacker Engineering
- WEST:** R-20/ Fraser subdivision

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

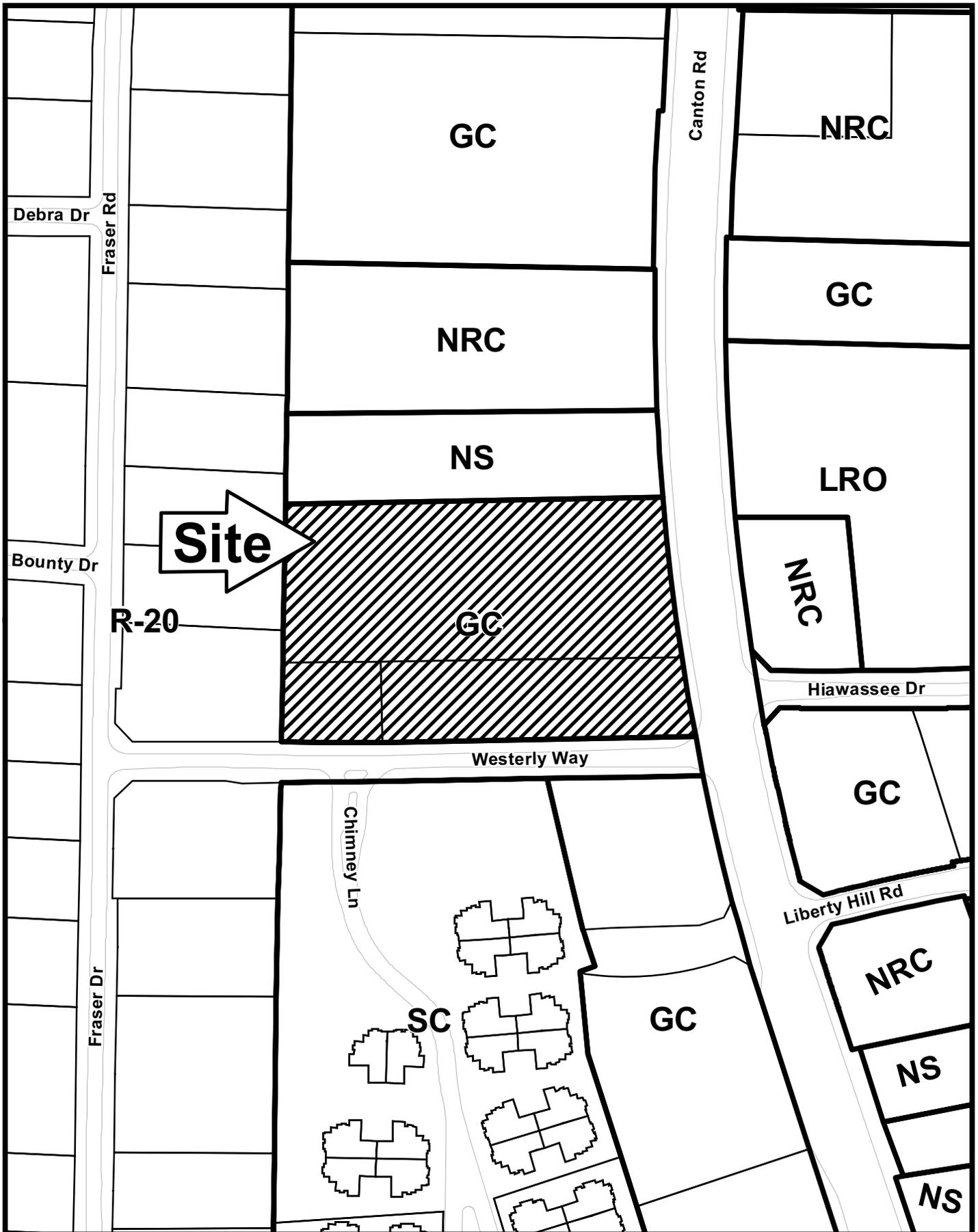
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-36



This map is provided for display and planning purposes only. It is not meant to be a legal description.

100 0 100 Feet



City Boundary
Zoning Boundary

APPLICANT: Nick Letsos and Anna N. Letsos

PETITION NO.: Z-36

PRESENT ZONING: GC

PETITION FOR: GC

PLANNING COMMENTS: **Staff Member Responsible:** John P. Pederson, AICP

Land Use Plan Recommendation: Neighborhood Activity Center

Existing Number of Buildings: 2 **Total Square Footage of Development:** 4,000

F.A.R.: 0.03 **Square Footage/Acre:** 1,164

Parking Spaces Required: 50 **Parking Spaces Provided:** 50

The applicant is requesting rezoning to GC for vehicular sales, service, repair, and retail. The property is zoned GC outside of a Community or Regional Activity Center, and has lost its grandfather status. The applicant would like GC *with conditions*, because the applicant wants the ability to sell used cars. The property currently has two houses that were converted to offices years ago, which have been used for used car sales. The business is anticipated to be open Monday through Saturday, from 8:00 am to 7:00 pm. The applicant has submitted a Zoning Impact Statement, which is attached for review (see Exhibit "A"), and a letter of agreeable stipulations (see Exhibit "B"). The previous stipulations are attached for review, which includes many stipulations regarding buffering, fencing, and access (see Exhibit "C").

Historic Preservation: After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Cemetery Preservation: No comment.

FIRE COMMENTS:

Must submit plans to the Cobb County Fire Marshal's Office to start the Certificate of Occupancy process.

APPLICANT: Nick Letsos and Anna N. Letsos

PETITION NO.: Z-36

PRESENT ZONING: GC

PETITION FOR: GC

PLANNING DIVISION COMMENTS:

Master Plan/Corridor Study

According to the 2005 Canton Road Corridor Study, the following are items for consideration for the subject parcel:

- Retail and office uses should be restricted so that there are no twenty-four (24) hour establishments along the corridor;
- When the property is redeveloped, the NAC designation areas shall allow a maximum building footprint of 35,000 sq. ft. for retail uses;
- The site is located in an area that has been identified for mixed use development adjacent to redevelopment sites (Map #8);
- Mixed use developments within a NAC are limited to two stories in height;
- Area from Sandy Plains Connector to Piedmont Road is recognized as the Loft District, which promotes residential-type uses in this portion of the corridor, similar to the Brumby Loft development theme in the City of Marietta.
- When the property is redeveloped, all aspects of the Canton Road Design Guidelines will need to be incorporated into the site plan and architecture of the site;
- The site is also in the general vicinity of a “Home Run” site (Map #6) slated for mixed use; and
- Staff requests that a stipulation be included that has the applicant meet the sidewalk, street tree, and street light standards as detailed in the Canton Road Design Guidelines.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area Canton Road Design Guidelines

Does the current site plan comply with the design requirements?

Yes No Not applicable

APPLICANT Nick Letsos and Anna Letsos

PETITION NO. Z-036

PRESENT ZONING GC

PETITION FOR GC

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? Yes No
Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s) 12" DI / W side Canton Rd

Additional Comments: Master meter required for retail development

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

In Drainage Basin? Yes No
At Development? Yes No

Approximate Distance to Nearest Sewer: 75' S / S side Westerly Way

Estimated Waste Generation (in G.P.D.): **A D F** 50** **Peak** 124**

Treatment Plant: Noonday

Plant Capacity Available? Yes No
Line Capacity Available? Yes No
Projected Plant Availability: 0 - 5 year 5 - 10 years over 10 years
Dry Sewers Required? Yes No
Off-site Easements Required? Yes* No
Flow Test Required? Yes No
Septic Tank Recommended by this Department? Yes No
Subject to Health Department Approval? Yes No

* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Health Department OK with existing septic system for existing car sales & buildings with no additions/expansions. Development of retail would require sewer connection.

**Expected wastewater generation for vehicular sales only.

Notes FYI:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or off site easements, dedication of on and/or off site water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Nick Letsos and Anna N. Letsos

PETITION NO.: Z-36

PRESENT ZONING: GC

PETITION FOR: GC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek Trib #3 FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream **existing storm conveyance system**.

APPLICANT: Nick Letsos and Anna N. Letsos

PETITION NO.: Z-36

PRESENT ZONING: GC

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DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. Additional parking to meet the one acre minimum will require an increase of more than 5000 sq ft of impervious area. Stormwater management must be provided for the new paved area to meet detention and water quality requirements. Stormwater management for the entire site must be provided upon re-development.

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PETITION NO.: Z-36

PRESENT ZONING: GC

PETITION FOR: GC

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Canton Road	32500	Arterial	45 mph	Cobb County	100'
Westerly Way	N/A	Local	25 mph	Cobb County	50'

Based on 2009 traffic counting data taken by Cobb County DOT.

COMMENTS AND OBSERVATIONS

Canton Road is classified as an Arterial and according to the available information, the existing right-of-way does not meet the minimum requirements for this classification.

Westerly Way is classified as a Local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Canton Road is identified in the 2005 SPLOST as a roadway safety and operational improvement project.

Install sidewalk along the road frontages.

Eliminate the southern driveway along Canton Road.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the west side of Canton Road, a minimum of 50' from the roadway centerline.

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed roadway improvement project along Canton Road.

Recommend installing sidewalk along the road frontages.

Recommend eliminating the southern driveway along Canton Road.

Recommend upgrading existing driveway to meet commercial standards.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-36 NICK LETSOS AND ANNA N. LETSOS

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The area contains a variety of commercial properties including retail, auto repair, offices and restaurants.

- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal would be consistent with other properties. This section of Canton Road is predominantly commercial. However, properties along Canton Road have been transitioning out of the GC zoning district into less intense zoning districts.

- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.

- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Neighborhood Activity Center. The GC zoning district is intended for a Community Activity Center and Regional Activity Center.

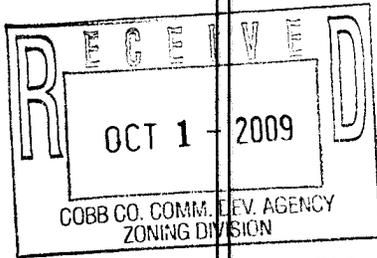
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for deleting the applicant's rezoning proposal to NRC. The applicant's proposal would be in accordance with the *Cobb County Comprehensive Plan* with the NRC zoning district. The applicant's proposal would be compatible with and consistent to other commercially zoned properties in the area. The property has been used commercially for many years without adversely affecting properties in the area. Deletion to NRC would allow the applicant to have a large range of retail and commercial businesses, but would not allow used car sales. The prior stipulations from Z-163 of 1989 had many stipulations that were placed on this property to protect the residentially zoned property to the west; Staff believes many of these stipulations should be carried over to this rezoning.

Based on the above analysis, Staff recommends DELETION to NRC subject to the following conditions:

- Site plan received by the Zoning Division October 30, 2009, with the District Commissioner approving minor modifications;
- Letter from Mr. Garvis L. Sams, Jr, dated November 3, 2009 (not in conflict with these stipulations);
- Subject to the Canton Road Design Guidelines;
- Planning Division comments;
- No outdoor storage;
- 50-foot undisturbed buffer along the western property line;
- Eight-foot privacy fence along the western property line;
- Heavy landscaping around the detention facility;
- Architectural design be approved by the District Commissioner;
- No access to Westerly Way;
- Fire Department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

**ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION
OF NICK LETSOS and ANNA N. LETSOS**



COME NOW, NICK LETSOS and ANNA N. LETSOS, and, pursuant to

§134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of the Canton Road Corridor.

- B. The zoning proposal will have no adverse effect or impact upon the exiting uses or usability of adjacent or nearby properties the preponderance of which are commercial and located within the confines of a Neighborhood Activity Center.

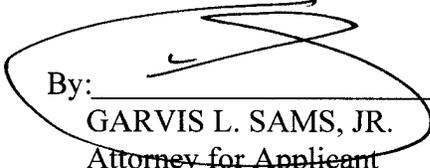
- C. The subject property to be affected by the zoning proposal has no economic use as currently zoned and constitutes a non-conforming circumstance.

- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.

- E. The zoning proposal is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the subject property lying and being within an existing Neighborhood Activity Center (NAC).
- F. There is no substantial relationship between the existing non-conforming zoning classification of GC which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Canton Road Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 1st day of October, 2009.

SAMS, LARKIN & HUFF, LLP

By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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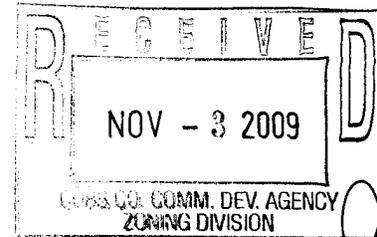
GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

MELISSA P. HAISTEN
JUSTIN H. MEEKS

November 3, 2009

VIA E-MAIL and
HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661



Re: Application of Nick Letsos and Anna N. Letsos to Rezone a 3.434
Acre Tract from GC to NRC (No. Z-36)

Dear John:

As you know, I represent the applicants who are also the property owners concerning the above-captioned Application for Rezoning. In that regard, the application is scheduled to be heard and considered by the Cobb County Planning Commission on December 1, 2009 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on December 15, 2009.

In accordance with the direction received from the County's professional staff and consistent with our ongoing discussions with representatives of Canton Road Neighbors, Inc. and the Northeast Cobb Homeowners Group, I have been authorized by my client to submit this letter of agreeable stipulations which, if the Application for Rezoning is approved, shall become conditions and a part of the grant of the requested rezoning and binding upon the subject property thereafter. The referenced stipulations are as follows, to-wit:

1. The stipulations and conditions set forth herein shall replace and supercede 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 General Commercial (GC) to Neighborhood Retail Commercial (NRC) in substantial conformity to that certain revised site plan filed under separate cover on October 30, 2009.

VIA E-MAIL and
HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Page 2
November 3, 2009

3. The total site area consists of 3.434 acres and is proposed to be utilized for retail and/or vehicular sales, service and repair.¹
4. The architectural style and composition of the buildings on the subject property shall remain the same as the buildings which presently exist thereon.
5. Signage shall remain the same; however, any additional signage shall be ground-based, monument style with finished materials and color being in substantial conformity to the existing architectural style and composition.
6. The applicant intends to utilize the existing parking and security lighting on the site. However, the revised site plan reflects additional pavement which brings the property into compliance with the requirement that there be at least one (1) acre of paved area.
7. The dumpsters servicing the site shall be enclosed with a minimum 6' high enclosure consistent with the architectural style as aforementioned on three (3) sides, with an opaque wooden door on the access side which shall remain in the closed position except when the dumpster is being emptied. All dumpsters shall have rubber lids to minimize noise.
8. The following otherwise permitted uses under the GC classification shall be prohibited:
 - a. Video arcades as a primary business.
 - b. Tattoo parlors and body piercing shops.
 - c. Pawn shops, title pawn shops or check cashing establishments.
 - d. Shooting ranges.
 - e. Any business which principally features sexually explicit products or drug related paraphernalia.

¹ The property is zoned GC but lost its "grandfathered" exemption when it ceased being utilized for a period in excess of six (6) months necessitating the filing of this Application for Rezoning.

VIA E-MAIL and
HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Page 3
November 3, 2009

- f. Designated recycling and collection locations.
 - g. Group homes.
 - h. In-home day care.
 - i. Rest homes, personal care homes or convalescent homes.
 - j. Self service laundry facilities.
9. There shall be no outside paging systems, phone bells or loudspeakers.
10. Upon a redevelopment of the subject property, the submission of a landscape plan during the Plan Review process subject to review and approval by the Community Development Agency.
11. Upon a redevelopment of the subject property, compliance with the following recommendations from the Cobb County Department of Transportation:
- a. The voluntary donation and conveyance of additional right-of-way so that the County can achieve 50' from the centerline of Canton Road.
 - b. The installation of sidewalk, curb and gutter along the subject property's frontage.
 - c. Closing or converting to right-in/right-out status the driveway closest to Westerly Way.
 - d. Upgrading the remaining commercial driveway to commercial standards.
12. Compliance with the recommendations from Stormwater Management Division with respect to the location, configuration and methodology of on site detention and water quality ponds, upon a redevelopment of the subject property.
13. Compliance with recommendations from the Cobb County Fire Department as set forth in the Zoning Analysis.

VIA E-MAIL and
HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Department
Page 4
November 3, 2009

14. Compliance with the recommendations of the Cobb County Water System with respect to the availability and acquisition of water and sewer to service the subject property.
15. Minor modifications to the site plan, landscape plan and this letter of agreeable stipulations/conditions may be reviewed and approved by the District Commissioner.

The subject property, being situated within the confines of a Neighborhood Activity Center ("NAC") contemplates the uses proposed, some of which also happen to be the uses employed on the property for an extended length of time. Please do not hesitate to call should you require any further information or documentation prior to the formulation of your staff analysis and recommendations. With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



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

GLSjr/jbmc

cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery
Members, Cobb County Planning Commission – VIA E-Mail
Mr. Robert L. Hosack, Jr., AICP, Director – VIA Hand Delivery
Mr. Mark A. Danneman, Manager – VIA Hand Delivery
Mr. David Breaden, P.E. – VIA E-Mail
Ms. Jane Stricklin, P.E. – VIA E-Mail
Ms. Karen King, Deputy County Clerk – VIA Hand Delivery
Ms. Lori Presnell, Deputy County Clerk – VIA Hand Delivery
Ms. Carol Brown, President, Canton Road Neighbors – VIA E-Mail
Mr. Norm DeWalt, President, Northeast Cobb Homeowners Group – VIA E-Mail
Mr. and Mrs. Nick Letsos

Application for Rezoning COBB COUNTY

Z-36 (2009)
Exhibit "C"
Previous Stipulations

(type or print clearly)

Application No. 2-163
Hearing Date 8-15-89

Applicant NICK LETSOS AND ANNA LETSOS Business Phone 872-1254 Home Phone 636-0847
GARVIS L. SAMS, JR. Address 49 ATLANTA STREET, MARIETTA, GA 30060
(representative's name, printed)
[Signature] Business Phone 422-6502 Home Phone _____
(representative's signature)

Titleholder NICK LETSOS AND ANNA LETSOS Business Phone 872-1254 Home Phone 636-0847
Signature [Signature] Address 1837 Angelique Dr., Decatur, GA 30033
(attach additional signatures, if needed)
[Signature]

Zoning Request From NS and R-15 To GC
(present zoning) (proposed zoning)
For the Purpose of SHOPPING CENTER Size of Tract 3.4749 acre(s)

Location AT THE NORTHEAST INTERSECTION OF CANTON HIGHWAY (State Route 5) and WESTERLY WAY
(subdivision, restaurant, warehouse, apts., etc.) (street address, if applicable, nearest intersection, etc.)
Land Lot(s) 660 District 16th

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are no there are such assets. If any, they are as follows:

[Signature] Applicant's Signature
[Signature]

FOR OFFICIAL USE ONLY

Recommendation of Planning Commission 8-15-89 Planning Commission held application until the September 19, 1989 Zoning Hearing. Motion by Christian, second by Dameron, carried 4-0, 9/19/89 At the September Zoning Hearing the Planning Commission did not make a recommendation to the Board of Commissioners due to the lack of three affirmative votes on motion to approve by Wise, second by Vansant. VOTE: 2-1-1, Dameron opposed and Jones abstained.

[Signature] Chairman

Board of Commissioners' Decision 9/19/89 Board of Commissioners held application until the October 17, 1989 Zoning Hearing on motion by Burton, second by Smith, carried 5-0, 10/17/89 Board of Commissioners approved application subject to: 1) undisturbed 50 foot buffer along the western property line; 2) eight (8) foot privacy fence along the western property line; (continued)

[Signature] Chairman

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COBB COUNTY BOARD OF COMMISSIONERS
COBB COUNTY PLANNING COMMISSION

**Z-36 (2009)
Exhibit "C"
Previous Stipulations**

Date of Application: _____

Date of Hearing: _____

Applicant's Name: Nick and Anna Letsos

Recommendation of Planning Commission (Continued from Page 1)

_____ Chairman.

Final Decision of Board of Commissioners (Continued from Page 1)

3) heavy landscaping and a six (6) foot chain link fence, with visual screening, around the detention facility; 4) total compliance with the Cobb County Tree Ordinance, subject to Arbotist's review, with all trees within the 50 foot buffer remaining; 5) ground based monument style signage located only on Canton Highway, with no portable or billboard signs; 6) relocation of the fully enclosed and visually screened service area to be located along the northern property line, as far away as feasible from the existing single family residences to the west of the site; 7) architectural design and style to be subject to Staff review and approval; 8) environmental type lighting to be reviewed and approved by Cobb DOT; 9) removing any access to Westerly Way; 10) no re-aligning of Westerly Way with Liberty Hill; 11) Development Control Department letter dated September 19, 1989. Motion by Burton, second by Smith. Vote: 3-2, Powell and Secrist opposed.

Philip L. Secrist
Chairman

WARREN
EPSTEIN
& Associates, Architects, Inc.

PROPOSED SHOPPING CENTER FOR
ANNA & MIKO LETSOS
COSS COUNTY, GEORGIA

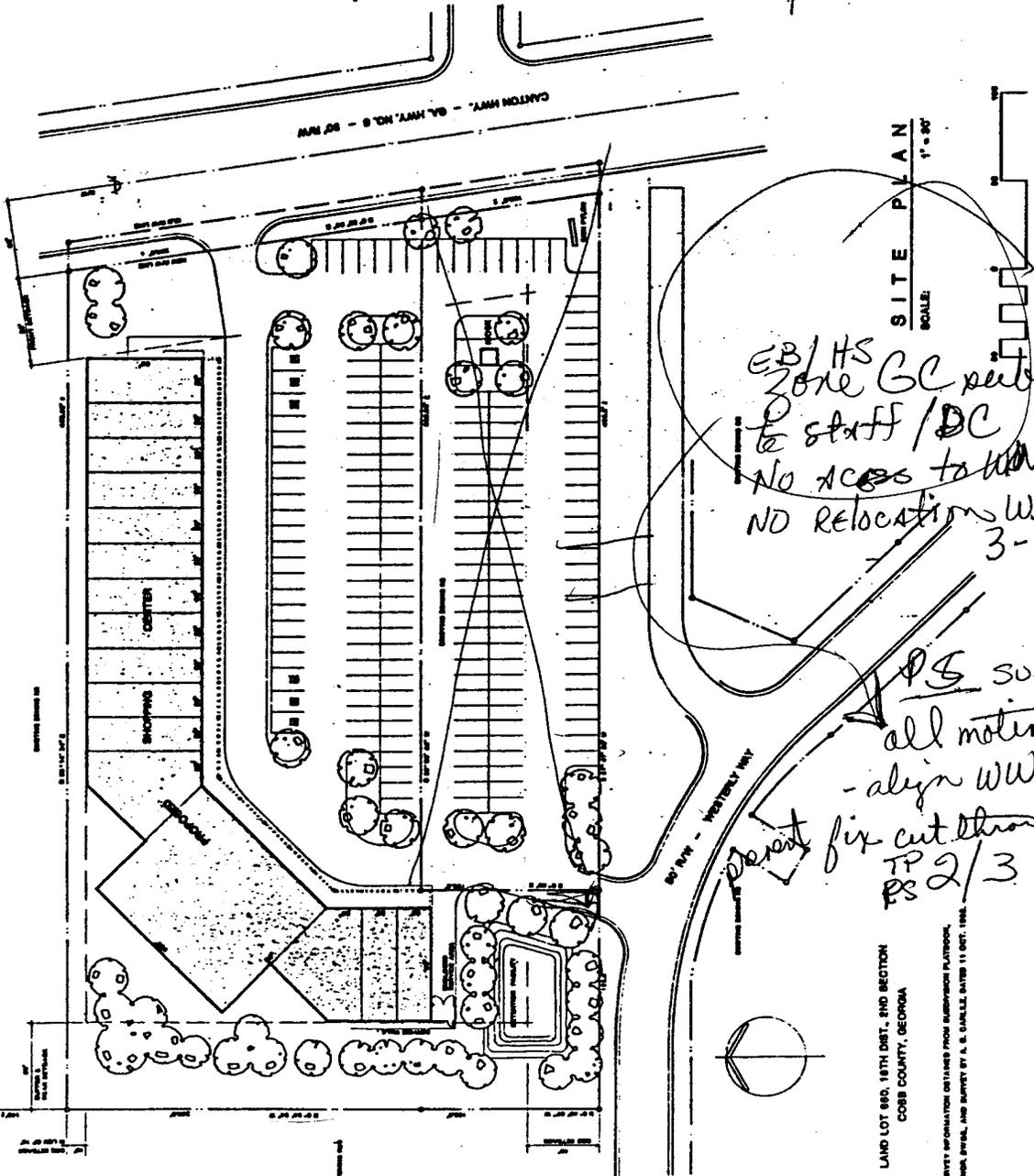
TABULATION

LAND AREA:	8.47481 ACRES
GROSS BUILDING AREA:	50,806 S.Q.F.T.
PARKING REQUIRED:	1 CAR/200 S.Q.F.T. (NET)
PARKING PROVIDED:	183 CARS
	178 CARS

NOTES

1. SITE DEVELOPMENT SHALL COMPLY WITH COSS COUNTY TREE PRESERVATION AND REPLACEMENT ORDINANCE.
2. SITE IS NOT WITHIN THE 100-YEAR FLOODPLAIN AS INDICATED BY THE FLOOD BOUNDARY AND FLOODWAY MAP, COSS CO., GA.

Recall delete NS
Staff
Dev Con
delete lobb DOT
NO Acc WW.
Not moving WW.



EB/HS
Zone GC subject
to staff/DC
NO ACCESS to WW.
NO Relocations WW
3-2 TP
PS

PS sub motion
TP
all motion of EB
- align WW be maintained
prevent fix cut through traffic
TP 2/3
PS

LAND LOT 690, 18TH DIST. 1ND SECTION
COSS COUNTY, GEORGIA

MAPET INFORMATION OBTAINED FROM SUBDIVISION PLATBOOK,
NOT SURE PARK, AND SURVEY BY A. S. DANALLE DATED 11 OCT. 1988.