

# MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP  
WWW.MIJS.COM

**MARIETTA, GEORGIA**  
EMERSON OVERLOOK  
326 ROSWELL STREET  
SUITE 100  
MARIETTA, GEORGIA 30060  
TELEPHONE (770) 429-1499

**KNOXVILLE, TENNESSEE**  
408 N. CEDAR BLUFF ROAD  
SUITE 500  
KNOXVILLE, TENNESSEE 37923  
TELEPHONE (865) 892-9039

**JACKSONVILLE, FLORIDA**  
10201 CENTURION PARKWAY N.  
SUITE 401  
JACKSONVILLE, FLORIDA 32256  
TELEPHONE (904) 428-1465

**BRENTWOOD, TENNESSEE**  
5300 MARYLAND WAY  
SUITE 200  
BRENTWOOD, TENNESSEE 37027  
TELEPHONE (615) 425-7347

**LEXINGTON, KENTUCKY**  
771 CORPORATE DRIVE  
SUITE 430  
LEXINGTON, KENTUCKY 40503  
TELEPHONE (859) 309-0026

**ORLANDO, FLORIDA**  
7380 WEST SAND LAKE ROAD  
SUITE 500  
ORLANDO, FLORIDA 32819  
TELEPHONE (407) 367-8233

**HARRISBURG, PENNSYLVANIA**  
3909 HARTZDALE DRIVE  
SUITE 901  
CAMP HILL, PENNSYLVANIA 17011  
TELEPHONE (717) 790-2854

August 31, 2020

Via E-mail Only

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

RE:       Application for Rezoning   - Application No. Z-40 (2020)  
          Applicant:               Brooks Chadwick Capital, LLC  
          Property Owner:       Mrs. Glennis Fricks Willis  
          Property:               49.2 acres, more or less, located on the easterly  
  and westerly sides of Wesley Chapel Road,  
  southerly of Sandy Plains Road, at the southern  
  terminus of Fox Wood Court, and at the eastern  
  terminus of Hanover Court, Land Lots 183, 184,  
  185, 248, and 249, 16<sup>th</sup> District, 2<sup>nd</sup> Section,  
  Cobb County, Georgia

Dear John:

On behalf of the Applicant, Brooks Chadwick Capital, LLC (hereinafter "Applicant"); as well as, the Property Owner, please allow this to serve as a supplement to the letter of agreeable stipulations and conditions dated and submitted to your office on August 26, 2020, as follows:

- (1) The trees planted, as provided for in Stipulation No. 18 of the August 26, 2020, stipulation letter, are being planted for the shared screening benefit of the Subject Property and Highlands at Wesley Chapel. Such trees shall not be removed and shall be protected and maintained permanently by the future mandatory homeowners association of the Subject Property via a "landscape easement" which shall be depicted on the final plat and protected and enforced through the Declaration of Covenants, Easements, and Restrictions such that, should a tree die or be removed, the future homeowners association will be responsible for its replacement.

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 2 of 3  
August 31, 2020

- (2) On proposed lots 7-11, the Covenants for the future homeowners association of the Subject Property shall preclude solid or "privacy" fencing and, in the space between the trees planted as provided for in Stipulation No. 18 and the undisturbed buffer described in Stipulation No. 17, of the August 26, 2020, stipulation letter, restrict fencing material to visually nonobtrusive fencing materials (no solid or "privacy fence") no more than six (6) feet in height, such as wrought iron-style, black painted aluminum fencing, or similar fencing. Such restriction shall preclude columnar supports other than standard size posts to minimize the impact on natural and planted vegetative screening.
- (3) Applicant agrees there shall be a minimum fifteen (15) foot undisturbed perimeter buffer during development and construction; except for, those specific areas identified on the Site Plan attached as Exhibit "B," in which disturbance is permitted. Any such identified areas disturbed shall be replanted with a staggered row of evergreen trees, on ten (10) foot centers, and a minimum of eight (8) feet in height at planting.

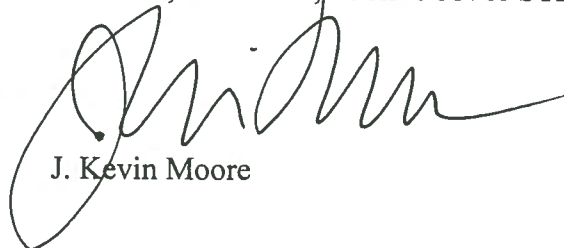
The balance and remainder of the August 26, 2020, stipulation letter, which is not otherwise in direct conflict with the supplemental stipulations set forth above, is unchanged by this supplemental letter.

Again, we very much appreciate your assistance and consideration of the requested rezoning and proposed project.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc  
Attachment

# MOORE INGRAM JOHNSON & STEELE

Mr. John P. Pederson, AICP  
Zoning Division Manager  
Zoning Division  
Cobb County Community Development Agency  
Page 3 of 3  
August 31, 2020

c: Cobb County Board of Commissioners:  
Mike Boyce, Chairman  
JoAnn Birrell  
Lisa N. Cupid  
Keli A. Gambrill  
Robert J. Ott  
(With Copy of Attachment)

Cobb County Planning Commission:  
Galt Porter, Chairman  
Alice Summerour  
Judy Williams  
Fred Beloin  
Anthony Waybright  
(With Copy of Attachment)

Jeannie Peyton  
Senior Planner  
Zoning Division  
Cobb County Community Development Agency  
(With Copy of Attachment)

Jill Flamm, President  
East Cobb Civic Association, Inc.  
(With Copy of Attachment)

Brian Daughdrill, Esq.  
Counsel for Highlands at Wesley Chapel Subdivision  
(With Copy of Attachment)

Brooks Chadwick Capital, LLC  
(With Copy of Attachment)

