

# SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

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ADAM J. ROZEN

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SLHB-LAW.COM

June 8, 2017

**VIA EMAIL & HAND DELIVERY:**

Mr. Ken Suddreth, Director  
Smyrna Community Development  
3180 Atlanta Road  
Smyrna, GA 30080

Re: Application of Craftmark Development, LLC to Rezone a 0.84 acre tract from R-15 to RAD Conditional (No. Z17-008)

Dear Ken:

As a follow-up to our meeting with you and Senior Planner Rusty Martin last week and, as a result of our continuing discussions and negotiations with Park Place residents, enclosed please find a revised site plan. Clearly, one of the most recognizable components of the revised site plan depicts the repositioning of the driveway serving Lot 1.

In addition to the foregoing, other revisions to the June 1, 2017 stipulation letter and Rezoning proposal are as follows:

1. The Park Side Homeowners Association (“HOA”) shall review and have the authority to approve elevations, architectural features and the colors of the proposed homes.
2. The HOA shall also have the authority to review and approve both landscaping and fence components along driveways and in front of the proposed homes which face Spy Glass Court.
3. There shall be a ten foot (10’) landscape buffer along the subject property’s frontage on Spy Glass Court which shall be reviewed and approved by the HOA with the continuing maintenance of said buffer being the responsibility of the homeowner(s) of each home.
4. To the extent necessary and in order to accommodate the slopes attendant to the lots (subject to review and approval by the City of Smyrna) stairs may be added to the walkways which connect the proposed homes to the sidewalk on Spy Glass Court.

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5. Deleting paragraph 8(g) and its footnote in their entirety to add the following:

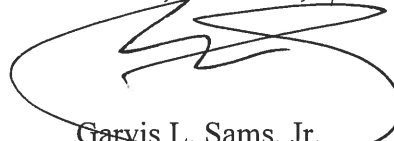
“At the expiration of thirty (30) days after the City’s approval of the Rezoning, Craftmark shall deposit the sum of \$20,000.00 into an account designated by Park Place HOA for the uses and purposes which the HOA deems suitable and appropriate.”

6. All of the other stipulations/conditions not in conflict herewith as contained in the June 1, 2017 stipulation letter shall remain in full force and effect.

Please do not hesitate to contact me should you have any questions whatsoever regarding these latest developments. 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/dls

Enclosures/Attachment

cc: Honorable Max Bacon, Mayor (via email w/attachment)  
Members, City of Smyrna City Council (via email w/attachment)  
Members, City of Smyrna Planning & Zoning Board (via email w/attachment)  
Ms. Tammi Saddler Jones, Interim City Administrator (via email w/attachment)  
Scott A. Cochran, Esq. (via email w/attachment)  
Mr. Eric Randall, P.E., City Engineer (via email w/attachment)  
Mr. Timothy Grubaugh, Deputy Fire Marshal (via email w/attachment)  
Mr. Scott Stokes, Public Works Director (via email w/attachment)  
Ms. Terri Graham, City Clerk (via email w/attachment)  
Mr. Rusty Martin, AICP, Senior Planner (via email w/attachment)  
Mr. Jason Gaines, AICP, Park Place resident (via email w/attachment)  
Hal Higgins, Esq., Park Place resident (via email w/attachment)  
Mr. Jordon Tench, P.E., Land Development Manager, O’Dwyer Properties  
(via email w/attachment)  
Mr. Brent Benson, Craftmark Development, LLC (via email w/attachment)  
Mr. Jeff Smith, P.E., Ridge Planning & Engineering (via email w/attachment)