

# Memorandum

Subject: PZ 18--029  
Change in Zoning Conditions Silver Springs II (FKA Garden Gate)  
LL802, 803, 826 & 827

Date: **March 4, 2019**

A motion to approve a change in conditions as follows -

"The following three conditions of zoning for the property known as Silver Springs II and described at Plat Book 277 Page 186, Cobb County, Ga. Records ("Subject Property), amend all previous conditions of zoning for said property, in particular those certain zoning conditions recorded at Plat Book 277, Page 190, Cobb County, Ga. Records as follows:.

1. Zoning condition # 10, reading: " All property owners shall become and remain members of the HOA, and shall abide by all covenants applicable to the Property" is hereby *deleted*.
2. Zoning condition # 21, reading: " All residential plans, exterior materials, and building colors are subject to design review approval and shall be consistent with and complementary to existing residential development of the adjoining Silver Springs Village development. The models and elevations shall be complementary to the existing development and subject to design review approval by the Mayor and Council prior to issuance of any land development permits" , is hereby *amended* to read as follows:

" Solely if, and to the extent, required by the City's Unified Development Code and ordinances, all residential plans, exterior materials, building colors, models and elevations shall be complementary to the existing development and subject to design review approval by the Mayor and Council prior to issuance of any land development permits."

3. Notwithstanding anything to the contrary contained in any conditions of zoning for the Subject Property, the City shall have no duty, obligation, or responsibility for enforcement or interpretation of any restrictive covenants, or provisions of restrictive covenants, now or hereafter applicable to the Subject Property. "

**SO MOTIONED** this 4th day of March, 2019.

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Albert Thurman, Mayor

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Patrick Bordelon, Council Member

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Doris Dawkins, Council Member

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Patricia Wisdom, Council Member

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Henry Lust, Council Member

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Thelma C. Farmer, Council Member

Attest: \_\_\_\_\_  
Kelly Axt, City Clerk