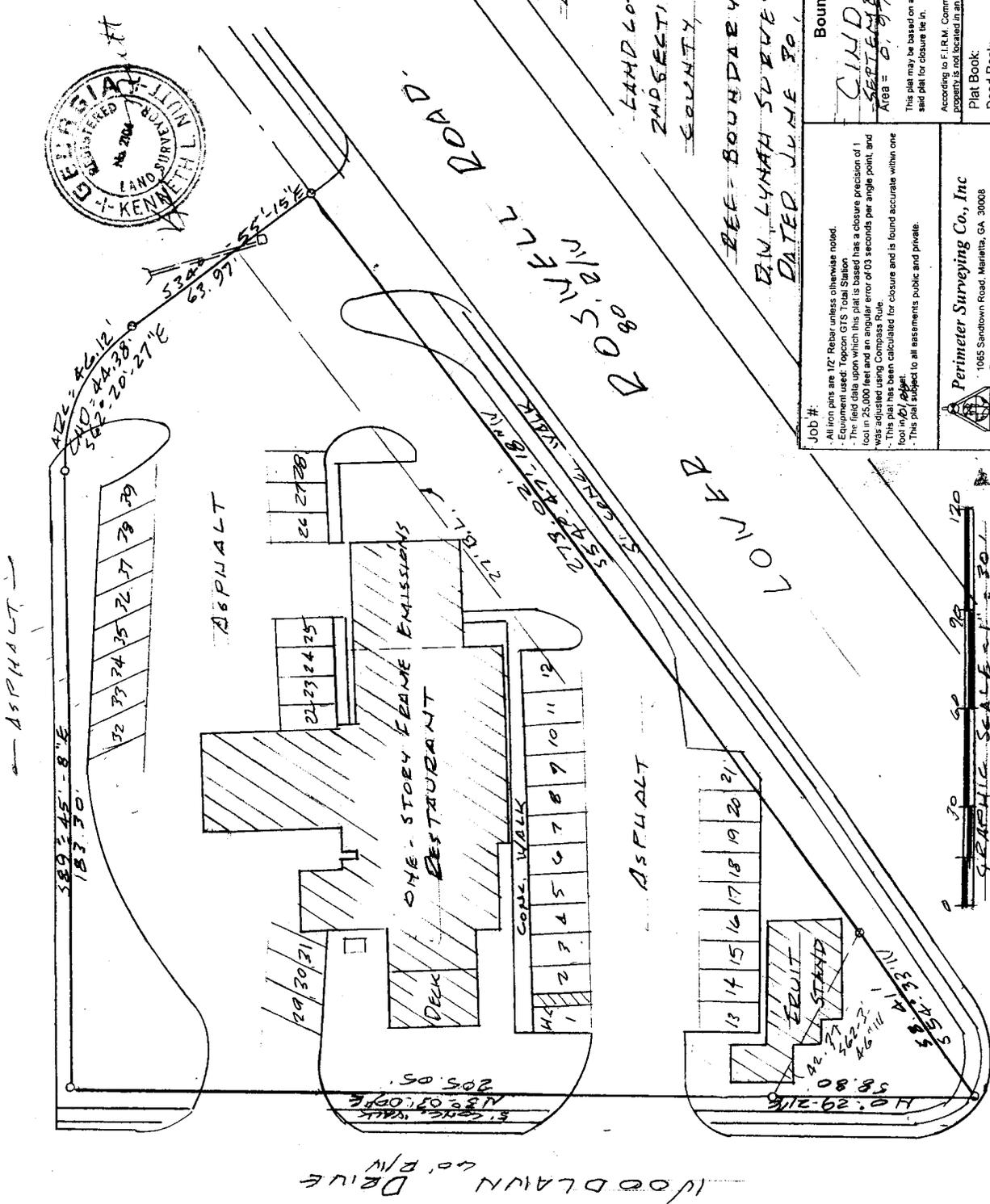
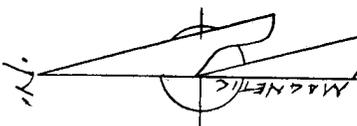


Z-39  
(2010)



REF BOUNDARY SURVEY BY  
DAN LYNNAH SURVEYORS, SURVEY  
DATED JUNE 30, 1998

Boundary Survey for  
CINDY CORNELLY  
SEPTEMBER 17, 2010  
Area = 0.971 A=23

This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.  
According to F.I.R.M. Community Panel # \_\_\_\_\_ dated \_\_\_\_\_ this plat is indicated in an area having Special Flood Hazards.  
Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_  
Deed Book: \_\_\_\_\_ Page: \_\_\_\_\_

Job #:  
All iron pins are 1/2" Rebar unless otherwise noted.  
Equipment used: Topcon GTS Total Station  
The iron upon which this plat is based has a closure precision of 1 foot in 250,000 feet and an angular error of 0.03 seconds per angle point, and was adjusted using the Colwell Method.  
This plat has been calculated for closure and is found accurate within one foot in 421,000 feet.  
This plat subject to all assessments public and private.

Perimeter Surveying Co., Inc  
1065 Sandtown Road, Marietta, GA 30008  
Phone: (770) 425-6624 Fax: (770) 425-6768

**RECEIVED**  
OCT - 6 2010  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

**APPLICANT:** Cindy B. Cornely

678-522-4910

**REPRESENTATIVE:** Cindy Cornely

678-522-4910

**TITLEHOLDER:** Cindy B. Cornely

**PROPERTY LOCATION:** Northeast intersection of Lower Roswell Road and Woodlawn Drive.

**ACCESS TO PROPERTY:** Lower Roswell Road and Woodlawn Drive.

**PHYSICAL CHARACTERISTICS TO SITE:** Existing commercial emissions, restaurant and office building and a fruitstand.

**PETITION NO:** Z-39

**HEARING DATE (PC):** 12-01-10

**HEARING DATE (BOC):** 12-14-10

**PRESENT ZONING:** NS

**PROPOSED ZONING:** CRC

**PROPOSED USE:** Dog Boarding

**SIZE OF TRACT:** 0.97 acre

**DISTRICT:** 1

**LAND LOT(S):** 69

**PARCEL(S):** 9

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** NS/Retail Center

**SOUTH:** GC/Auto Repair Center and R-20/Single-family House

**EAST:** NS/Retail Center

**WEST:** SC/Gates on Woodlawn Condominiums

**OPPOSITION:** NO. OPPOSED \_\_\_\_\_ **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

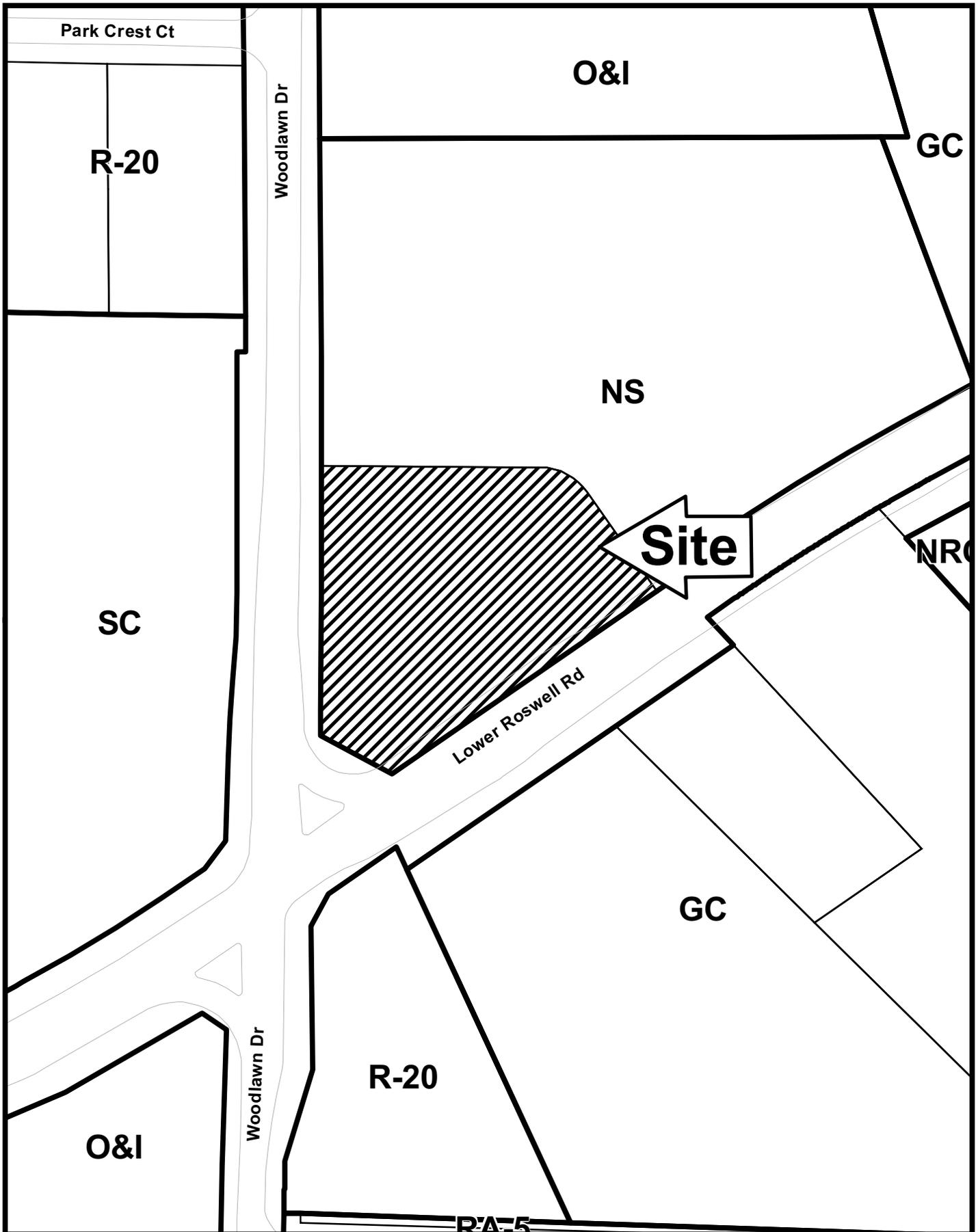
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# Z-39



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Cindy Cornely

PETITION NO.: Z-39

PRESENT ZONING: NS

PETITION FOR: CRC

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Community Activity Center

**Proposed Number of Buildings:** 2 (Existing) **Total Square Footage of Development:** 6,950

**F.A.R.:** 0.164 **Square Footage/Acre:** 7,164

**Parking Spaces Required:** 39 **Parking Spaces Provided:** 39

Applicant is requesting the CRC zoning category in order to add a dog boarding business at the existing commercial center. No architectural changes are proposed for the existing building. The retail aspect of the business will be open from 9 a.m. until 6 p.m. Monday through Friday and 9 a.m. until 5 p.m. on Saturday, with boardings lasting overnight. The proposed boarding business will be for 10-12 dogs. Also located on the property is a fruit stand that was granted a variance on 11/13/02 (V-135). Under the CRC zoning category, an indoor boarding facility is allowed with no outside runs, approval of the county health department, no nuisance as defined by state law, the building being soundproofed and the installation of an internal air exchange system (excluding the air conditioning system). Applicant's Summary of Intent is attached for your review.

**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:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

\*\*\*\*\*

**FIRE COMMENTS:**

(4665 Lower Roswell Rd)

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

APPLICANT Cindy Cornely

PETITION NO. Z-039

PRESENT ZONING NS

PETITION FOR CRC

\*\*\*\*\*

**WATER COMMENTS:** NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development:  Yes  No

Fire Flow Test Required:  Yes  No

Size / Location of Existing Water Main(s): **12" DI / S side Lower Roswell Rd**

Additional Comments: Records show property as connected and active

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:** NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin:  Yes  No

At Development:  Yes  No

Approximate Distance to Nearest Sewer: **At Site**

Estimated Waste Generation (in G.P.D.): **A D F** 0 new **Peak=** 0 new

Treatment Plant: **Sutton**

Plant Capacity:  Available  Not Available

Line Capacity:  Available  Not Available

Projected Plant Availability:  0 - 5 years  5 - 10 years  over 10 years

Drv Sewers Required:  Yes  No

Off-site Easements Required:  Yes\*  No \*If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form ans stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required:  Yes  No

Letter of Allocation issued:  Yes  No

Septic Tank Recommended by this Department:  Yes  No

Subject to Health Department Approval:  Yes  No

Additional Records show site as connected to sewer  
Comments:

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 offsite easements, dedication of on and/or offsite 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: Cindy Cornely**

**PETITION NO.: Z-39**

**PRESENT ZONING: NS**

**PETITION FOR: CRC**

\*\*\*\*\*

<b>DRAINAGE COMMENTS</b>
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No comments (No site changes are proposed).

**APPLICANT: Cindy Cornely**

**PETITION NO.: Z-39**

**PRESENT ZONING: NS**

**PETITION FOR: CRC**

\*\*\*\*\*

**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
Lower Roswell Road	18100	Arterial	40 mph	Cobb County	100'
Woodlawn Drive	11200	Major Collector	35 mph	Cobb County	80'

*Based on 2009 traffic counting data taken by Georgia DOT (Lower Roswell Road)  
Based on 2008 traffic counting data taken by Cobb County DOT (Woodlawn Drive)*

**RECOMMENDATIONS**

Lower Roswell 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. 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 north side of Lower Roswell Road Road, a minimum of 50' from the roadway centerline.

Woodlawn Drive is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification. 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 east side of Woodlawn Drive, a minimum of 40' from the roadway centerline.

Recommend deceleration lane(s) as determined at plan review when site is redeveloped.

Recommend removing the southern driveway on Woodlawn Road upon redevelopment.

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

## STAFF RECOMMENDATIONS

### Z-39 CINDY CORNELY

- 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 applicant's proposal is located in an area containing a mixture of retail, office, restaurant and auto repair businesses.
- 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 property currently contains a mixture of commercial uses and can accommodate the proposed dog boarding facility.
- 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 Community 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 approving the applicant's rezoning proposal. The applicant's rezoning proposal is in accordance with the *Cobb County Comprehensive Plan*, which indicates this property is in the Community Activity Center land use category. The applicant's proposal is located in an area containing other retail, restaurant, office and auto repair business and the subject property has been used many years as a retail center.

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

- Site plan submitted to the Zoning Division on October 6, 2010, with the District Commissioner approving minor modifications;
- Indoor dog boarding kennel allowed as outlined in the CRC section of the Cobb County Zoning Ordinance – no outside runs, approval of county health department, must not create a nuisance as defined by state law, building to be soundproofed, internal air exchange system required (excluding air conditioning system);
- Water and Sewer comments and recommendations;
- Fire Department comments and recommendations; and
- 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.**

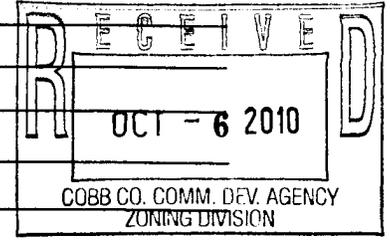
Dec. 2010

# Summary of Intent for Rezoning

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

N/A

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_



.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Dog Boarding
- b) Proposed building architecture: NO Changes
- c) Proposed hours/days of operation: 9AM - 6 PM retail, BOARDING  
Over night
- d) List all requested variances: From NS to CRC

.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

N/A

.....  
**Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?**

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). NO