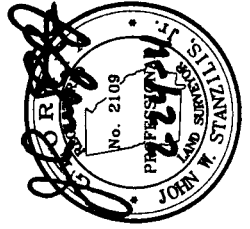
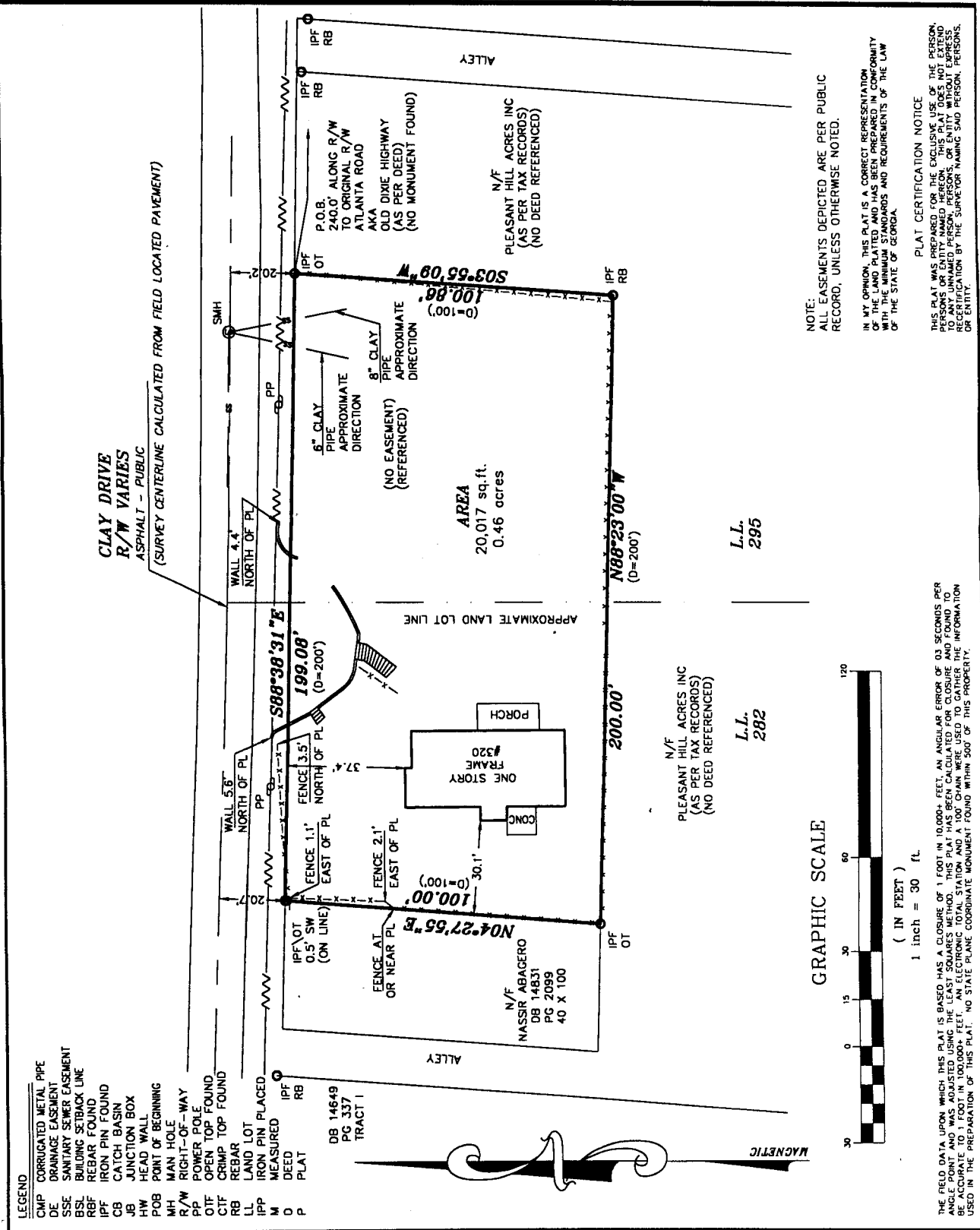


ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR: NASSIR ABABOR ABAGERO		DATE	02/07/11
OWNER / PURCHASER NASSIR ABABOR ABAGERO		SCALE	1" = 30'
LAND LOT 282 & 295 17TH DISTRICT 2ND SECTION COBB COUNTY, GEORGIA			
BLOCK		UNIT	AREA OF LOT:
LOT			



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.



APPLICANT: Nassir Abagero
404-422-5701

REPRESENTATIVE: Nassir Abagero
404-422-5701

TITLEHOLDER: Nassir Ababor Abagero

PROPERTY LOCATION: On the south side of Clay Drive,
west of Atlanta Road

ACCESS TO PROPERTY: Clay Drive

PHYSICAL CHARACTERISTICS TO SITE: One story, single
family residence, wood construction

FUTURE LAND USE MAP: Industrial Compatible

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: MHP/Mobile home park

SOUTH: GC/Single family house, Mobile home park

EAST: GC/Automotive sales/service

WEST: R-20/Single family house

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:

PETITION NO: Z-22

HEARING DATE (PC): 06-07-2011

HEARING DATE (BOC): 06-21-2011

PRESENT ZONING: R-20, GC

PROPOSED ZONING: R-20

PROPOSED USE: Single Family House

SIZE OF TRACT: 0.46 acre

DISTRICT: 17

LAND LOT(S): 282, 295

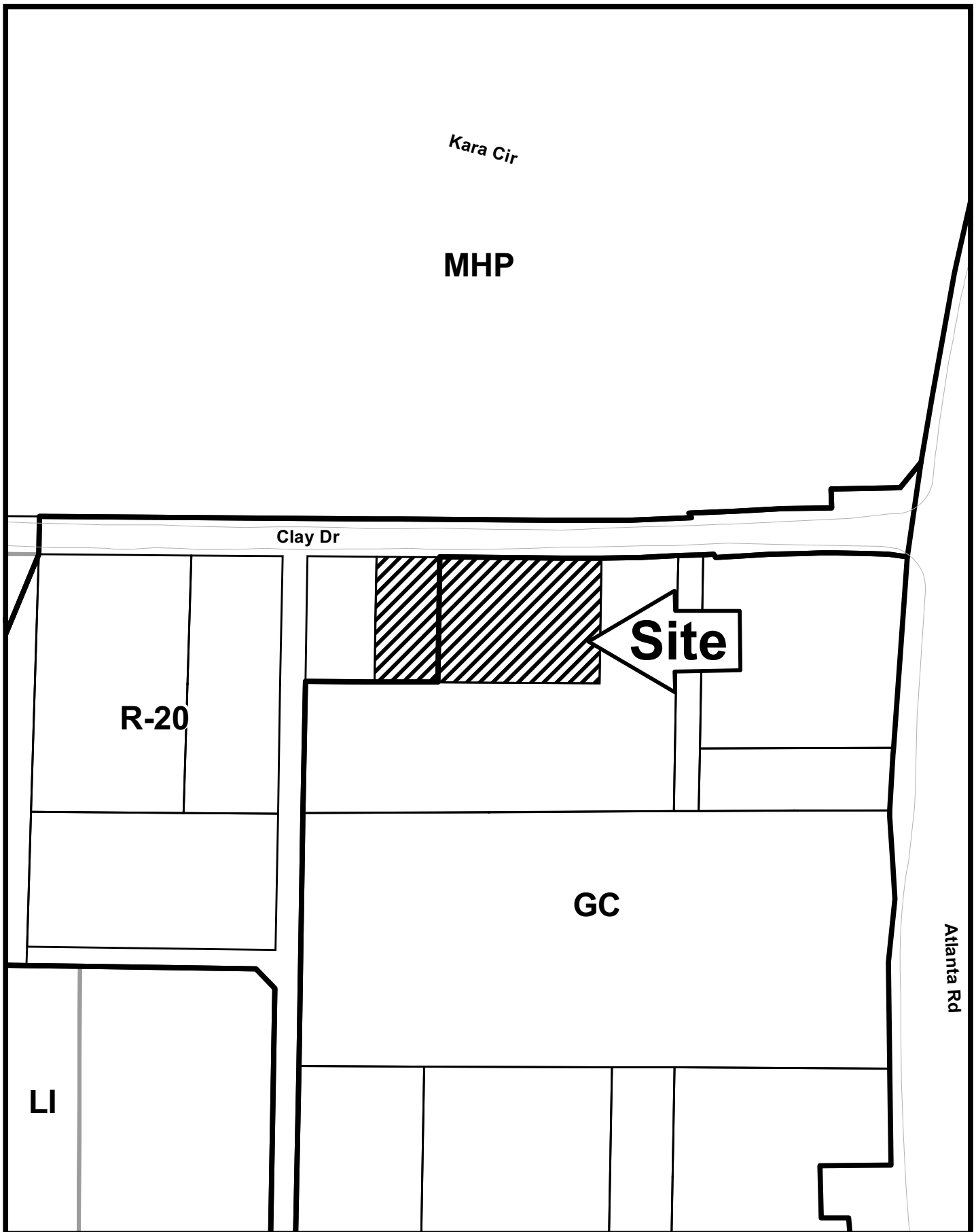
PARCEL(S): 2

TAXES: PAID ☒ **DUE** ☐

COMMISSION DISTRICT: 4



Z-22



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: Nassir Abagero

PETITION No.: Z-22

PRESENT ZONING: R-20, GC

PETITION FOR: R-20

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Industrial Compatible

Proposed Number of Units:	<u>1</u>	Overall Density:	<u>2</u>	Units/Acre
Present Zoning Would Allow:	<u>1</u>	Units Increase of:	<u>0</u>	Units/Lots

The applicant is requesting a rezoning of this single family home and property to R-20 single-family residential district from its current split zoning of GC general commercial district and R-20. While no substantial changes to the property are proposed, the applicant is working on repairing the property and the split residential/commercial zoning poses problems obtaining necessary permits, etc. The existing home location violates the required R-20 rear setback of 35 feet. Therefore, the request, if approved, may be approved subject to the submitted site plan in regards to existing rear setback encroachment only.

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.

APPLICANT: Nassir Abagero

PETITION No.: Z-22

PRESENT ZONING: R-20, GC

PETITION FOR: R-20

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classroom
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Additional Comments:

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT Nassir Abagero

PETITION NO. Z-022

PRESENT ZONING R-20 and GC

PETITION FOR R-20

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): 6" AC / N side Clay Drive

Additional Comments: Records show property 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: On Site

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

Treatment Plant: **South Cobb**

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

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

Drw 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 and 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 property connected
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: Nassir Abagero

PETITION NO.: Z-22

PRESENT ZONING: R-20 & GC

PETITION FOR: R-20

DRAINAGE COMMENTS

No comments.

APPLICANT: Nassir Abagero

PETITION NO.: Z-22

PRESENT ZONING: R-20 and GC

PETITION FOR: R-20

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
Clay Drive	300	Local	25 mph	Cobb County	50'

Based on 2000 traffic counting data taken by Cobb County DOT (Clay Drive)

COMMENTS AND OBSERVATIONS

Clay Drive is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

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 south side of Clay Drive, a minimum of 25' from the roadway centerline.

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

THIS
PAGE
INTENTIONALLY
LEFT
BLANK

STAFF RECOMMENDATIONS

Z-22 NASSIR ABAGERO

- 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 request is to change zoning to reflect the existing use of the property only.
- 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 request does not propose any further additions to the property. Approval of the request would allow the applicant to improve the appearance of the property.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates the property to be within the IC Industrial Compatible land use category. Rather than residential uses, this category envisions light industrial, office/warehouse, and distribution uses.
- 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. There are residential uses on three sides of the applicant's property. Approval of the request would allow the applicant to aesthetically improve the property.

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

- Single-family use only;
- Site plan received by Zoning Division on April 4, 2011 in regards to existing rear setback encroachment only;
- Fire department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations;
- DOT 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.

Application No.

Z-22

2011

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 100 by 200 ft.
b) Proposed building architecture: Traditional
c) Proposed selling prices(s): None - personal house
d) List all requested variances: Rear setback (existing)
- _____

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

- a) Proposed use(s): _____
b) Proposed building architecture: _____
c) Proposed hours/days of operation: _____
d) List all requested variances: _____
- _____

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

-
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? no.
(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).
- _____
