



SITE PLAN FOR Y SPRINGS RD JUDISION COUNTY, GEORGIA

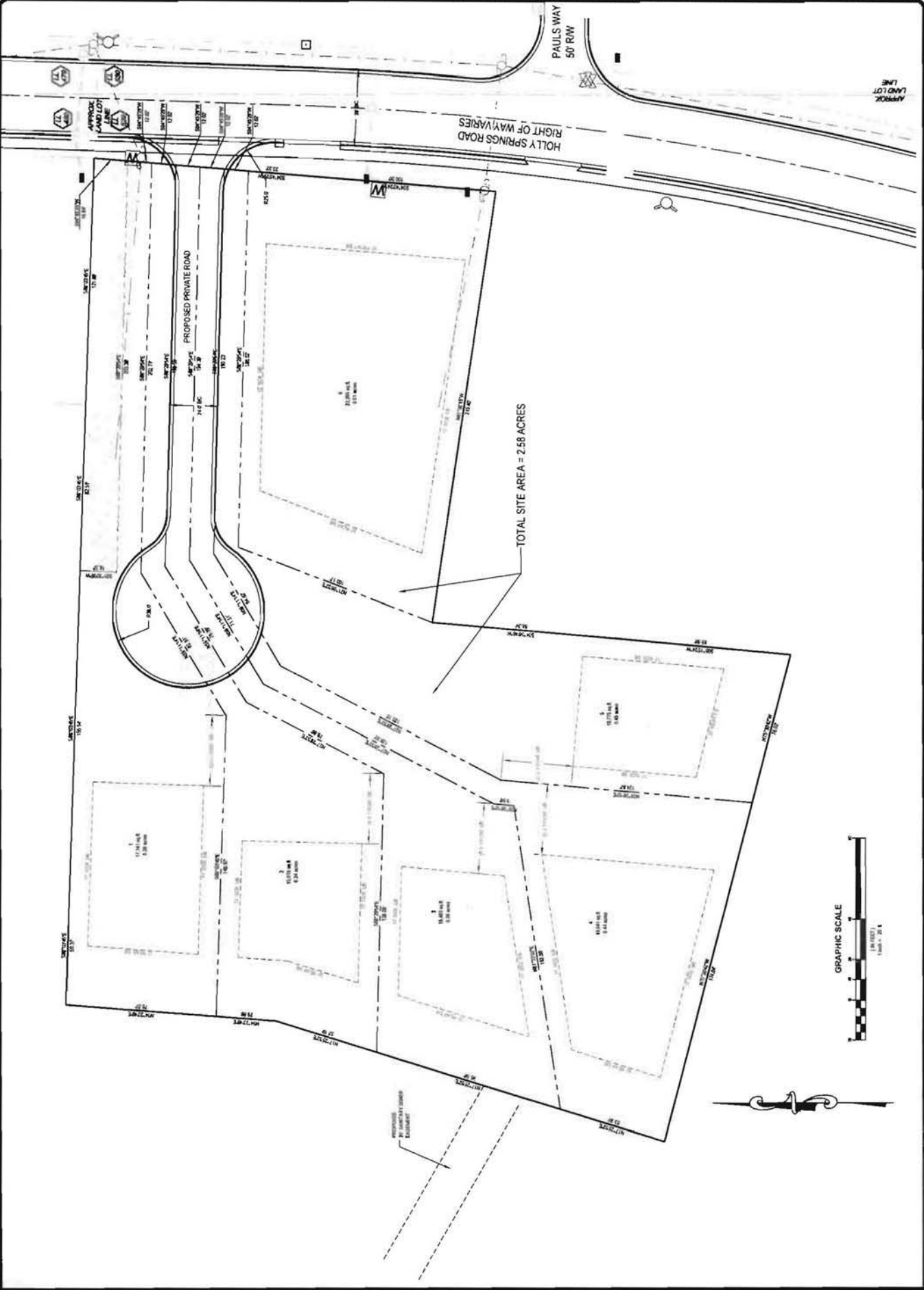
Z-25 (2012)



DATE:	
FILE NUMBER:	
EXPIRES:	
PROJECT:	



SHEET NUMBER 1.0



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APPLICANT: NEDA Investments, LLC
(770) 507-0013

REPRESENTATIVE: Jonathan Adams
(678) 233-7134

TITLEHOLDER: Stephanie L. Wyant, Douglas P. Brown, and
Kevin L. Smith

PROPERTY LOCATION: West side of Holly Springs Road,
northwest of Paul's Way
(2975 and 2985 Holly Springs Road).

ACCESS TO PROPERTY: Holly Springs Road

PHYSICAL CHARACTERISTICS TO SITE: Two existing single-
family houses on two parcels

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Mountain View (County) Subdivision
- SOUTH:** R-20/Single-family Houses
- EAST:** R-20/Barbara Estates
- WEST:** R-20/Holly Mill Subdivision

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-25

HEARING DATE (PC): 06-05-12

HEARING DATE (BOC): 06-19-12

PRESENT ZONING: R-20

PROPOSED ZONING: R-15

PROPOSED USE: Single-Family Subdivision

SIZE OF TRACT: 2.58 acres

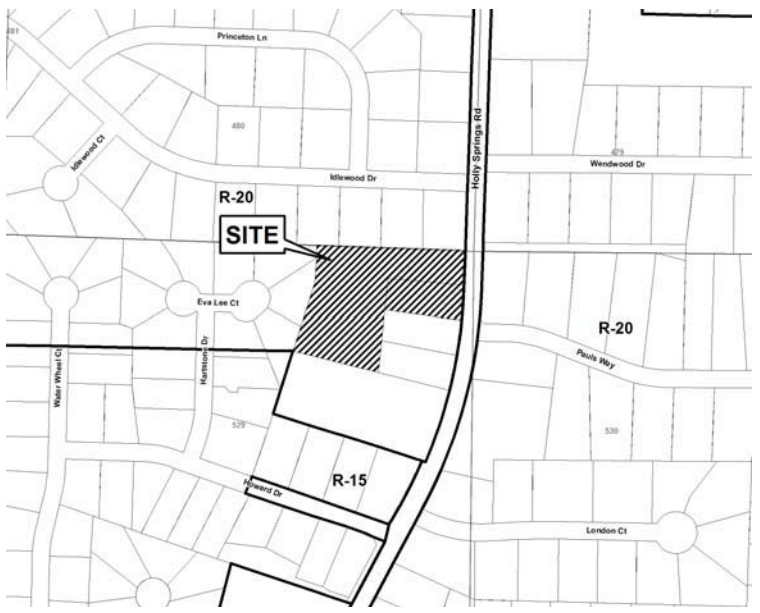
DISTRICT: 16

LAND LOT(S): 529

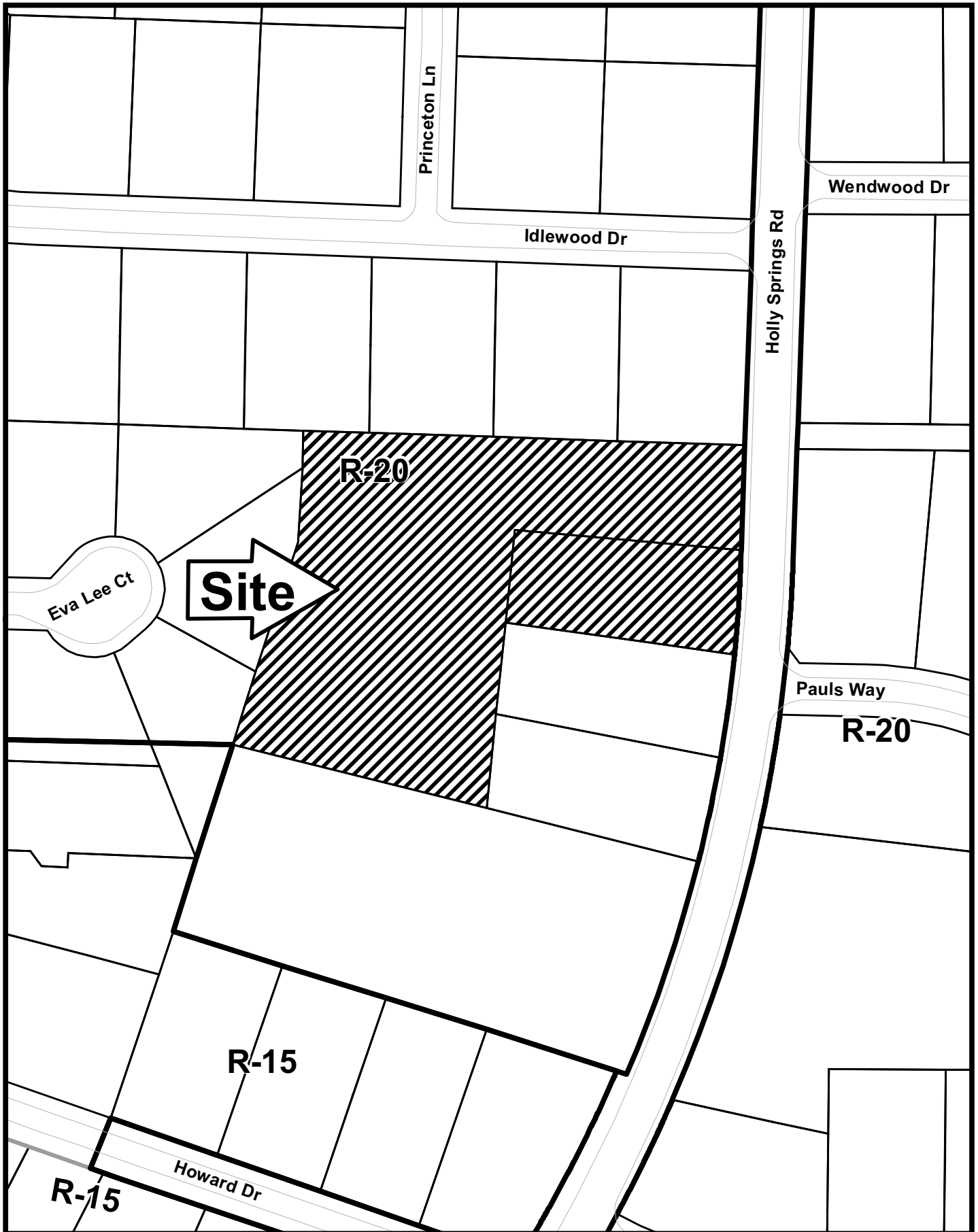
PARCEL(S): 19, 20

TAXES: PAID X **DUE**

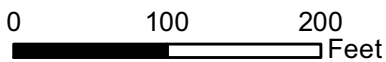
COMMISSION DISTRICT: 3





Z-25



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



-  City Boundary
-  Zoning Boundary

APPLICANT: NEDA Investments, LLC

PETITION NO.: Z-25

PRESENT ZONING: R-20

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 6 **Overall Density:** 2.32 **Units/Acre**

Present Zoning Would Allow: 3(V-89 of 2006) **Units Increase of:** 3 **Units/Lots**

Applicant is requesting the R-15 zoning category in order to develop the two parcels for a six-lot single-family residential subdivision. The proposed site plan indicates all lots meeting the 15,000 square-foot lot size requirement, ranging from 15,019 square feet to 22,285 square feet. Applicant’s site plan proposes a private road to access the development, with the setbacks being arranged parallel with the public road (Holly Springs Road) with the exception of Lot 5, which proposed setbacks to be arranged to run with the proposed private road. The proposed houses will be a minimum of 2,500 square feet and will be two-story/masonry façade with hardi-board accents. The proposed houses will range in price from \$400,000 to \$600,000.

Applicant requests simultaneous variances that include:

1. Reducing the required road frontages for Lots 1 through 5 from the required 75’ to 12’; and
2. Approving setbacks as shown on site plan.

Cemetery Preservation: No comment.

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to R-15 for purposes single-family subdivision. The 2.58 acre site is located at the west side of Holly Springs Road, northwest of Paul’s Way.

Comprehensive Plan

The purpose of the Low Density Residential (**LDR**) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre.

Master Plan/Corridor Study

Not applicable.

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.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Yes No Not applicable

APPLICANT: NEDA Investments, LLC

PETITION NO.: Z-25

PRESENT ZONING: R-20

PETITION FOR: R-15

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Elementary</u>	<u> </u>	<u> </u>	<u> </u>
<u>Middle</u>	<u> </u>	<u> </u>	<u> </u>
<u>High</u>	<u> </u>	<u> </u>	<u> </u>

Additional Comments:

FIRE COMMENTS:

- Driveway must have a minimum 12' driving surface width with minimum 25' inside turning radius.
- Fully developed landscaping shall be at least 7'0" from center of drive (14' clear width) and 13'6" vertical clearance. (Indicate on plan minimum setbacks).
- Maximum grade shall not exceed 18%.
- Driveway must extend within 150' of the most remote portion of the structure.
- Driveway is limited to 1000' maximum from roadway unless an approved turn-around is provided. (See note below.)
- Driveway must support 25 Tons (50,000 lbs.)
- Provide emergency access to all gates securing Fire Dept. access with a minimum 12'-0" clear width
- Hydrant within 500' of remote structure, minimum 6" main*
(Required Flow: 1000 gpm @ 20 psi)
- Fire Flow Test from closest existing hydrant*
(Required Flow: 1000 gpm @ 20 psi)

* An alternate equivalency for the above hydrant/flow test requirements, subject to approval by the Cobb County Fire Marshal's Office is one of the following:

- 1.) NFPA 13D Sprinkler System
- 2.) Complete structure treated with a Class-A Fire Retardant spray meeting a flame spread of 25 or less and smoke development of 450 or less.
- 3.) Non-Combustible construction.

Note

- Dead-end access roads in excess of 1,000 feet shall be provided with a turn-around. Residential cul-de-sac without island: 38-foot outside radius. Hammerhead turn-around: total of 120 feet needed (60 feet from center of drive).

APPLICANT NEDA Investments, Inc.

PETITION NO. Z-025

PRESENT ZONING R-20

PETITION FOR R-15

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" AC / W side of Holly Springs Road*

Additional Comments: Water meters to be set at Holly Springs ROW

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: *175' W in Eva Lee Court*

Estimated Waste Generation (in G.P.D.): **A D F= 2400** **Peak= 6000**

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

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 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: NEDA Investments, LLC

PETITION NO.: Z-25

PRESENT ZONING: R-20

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sope Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving system.

APPLICANT: NEDA Investments, LLC

PETITION NO.: Z-25

PRESENT ZONING: R-20

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. Based on drainage concerns in the adjacent subdivision to the west, all impervious runoff must be directed to the proposed detention pond. Adequate capacity of the existing storm system along Holly Springs Road to receive the proposed pond discharges must be verified at Plan Review. The detention pond must be placed on it's own parcel with adequate access from the public right-of-way.

APPLICANT: NEDA Investments, LLC

PETITION NO.: Z-25

PRESENT ZONING: R-20

PETITION FOR: R-15

COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

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
Holly Springs Road	11700	Arterial	35 mph	Cobb County	100'

Based on 2011 traffic counting data taken by Cobb County (Holly Springs Road)

COMMENTS AND OBSERVATIONS

Holly Springs 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.

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 west side of Holly Springs Road, a minimum of 50' from the roadway centerline.

Recommend replacing any disturbed sidewalk along Holly Springs Road frontage and adding wheelchair ramps at the proposed intersection.

Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement.

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

STAFF RECOMMENDATIONS

Z-25 NEDA INVESTMENTS, LLC

- 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. However, all surrounding properties are a half acre or larger. Adjacent and nearby properties are similarly zoned for single-family residential use.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. While other properties in the area are similarly zoned, the subject property was granted a variance in 2006 for the development of three lots off of a private easement. The proposed development has a density of 2.32 units per acre, an increase of three lots over the previously approved variance (V-89 of 2006). Other developments in the area have densities that range from approximately 1.26 to 2.5 units per acre. Applicant's proposal may exacerbate stormwater problems downstream.
- C. It is Staff's opinion that the applicant's rezoning proposal may result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposal may cause stormwater problems downstream.
- 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 the Low Density Residential (LDR) land use category with densities ranging from 1-2.5 units per acre. Applicant's proposal will have a density of 2.32 units per acre.
- 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 denying the applicant's rezoning proposal. Most surrounding lots are 20,000 square feet or larger and the proposal may cause stormwater problems downstream.

Based on the above analysis, Staff recommends DENIAL.

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.

June
2012

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2,500 sq. ft.
- b) Proposed building architecture: 2-story / masonry facade w/ hardi board accents
- c) Proposed selling prices(s): \$400,000 - 600,000
- d) List all requested variances: ① reduce the minimum lot width at front setback to allow for 12' flag lots. ② approve setbacks as shown on plan.

.....
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?

(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

Z-25 (2012)
Previous
Variance

ORIGINAL DATE OF APPLICATION: 09-13-06

APPLICANT'S NAME: RICHARD LYDICK

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF ZONING APPEALS

THE BELOW STYLED VARIANCE WAS HEARD BY THE COBB COUNTY BOARD OF ZONING APPEALS ON NOVEMBER 8, 2006:

RICHARD LYDICK (owner) requesting a variance to: 1) waive the road frontage on lots 2 and 3 from the required 75 feet to 12 feet; 2) waive the road frontage on lot 1 from the required 75 feet to 56 feet; and 3) waive the rear setback on lots 1 through 3 from the required 35 feet to 30 feet in Land Lot 529 of the 16th District. Located on the west side of Holly Springs Road, south of Davis Road.

The public hearing was opened and a representative for the Applicant addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Trombetti, second by Williams, to approve variance request **subject to:**

- **installation of 6-foot privacy fence along the common drive and to the rear of neighboring lots which face Holly Springs Road**
- **15-foot landscaped buffer between the common drive and lots fronting Holly Springs Road**
- **landscaped screening buffer be installed along detention where faces Holly Springs Road**
- **detention pond be faced with masonry type material**
- **access to the properties fronting Holly Springs Road in front of the subject property be provided, in the event that those three property owners seek to redevelop and would like to share drive way or formulate a shared driveway**
- **Fire Department comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Cobb DOT comments and recommendations**

VOTE: **ADOPTED** unanimously

Cobb County Fire and Emergency Services

Applicant Name: Richard Lydick

Petition Number: V-89

Date: 8/9/06

Fire Marshal Comments

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Residential: Cul-de-sac with an island – minimum 60 foot radius to outside curb, measured to inside of curb, minimum lane width 24 feet or Cul-de-sac without an island – 38 foot outside radius or Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Fire Hydrant

Residential: Fire hydrant within 500 feet of structure.

APPLICANT: Richard Lydick PETITION NO.: V-89
 PHONE: 404-379-5779 DATE OF HEARING: 09-13-06
 REPRESENTATIVE: same PRESENT ZONING: R-20
 PHONE: same LAND LOT(S): 529
 PROPERTY LOCATION: Located on the west side of DISTRICT: 16
Holly Springs Road, south of Davis Road. SIZE OF TRACT: 2.1 acres
 COMMISSION DISTRICT: 3

TYPE OF VARIANCE: 1) Waive the road frontage on lots 2 and 3 from the required 75 feet to 12 feet; 2) waive the road frontage on lot 1 from the required 75 feet to 56 feet; and 3) waive the rear setback on lots 1 through 3 from the required 35 feet to 30 feet.

COMMENTS

TRAFFIC: Recommend one driveway access.

DEVELOPMENT & INSPECTIONS: No comment.

STORMWATER MANAGEMENT: Based on drainage concerns in the adjacent subdivision to the west, all impervious runoff must be directed to the proposed detention pond. Adequate capacity of the existing storm system along Holly Springs Road to receive the proposed pond discharges must be verified at Plan Review. The pond lot must be separate from lot 1 and should be reconfigured such that it lies between lots 1 and 2 and not surrounded by lot 1.

HISTORIC PRESERVATION: No comment.

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.

WATER: Available. Meters must be on Holly Springs right-of-way. Portions above 1,150 feet Mean Sea Level - service lot guaranteed.

SEWER: Available 160 feet west. Connection required for the three lots.

OPPOSITION: NO. OPPOSED _____ PETITION NO. _____ SPOKESMAN _____

BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____

