

Z-1
(2013)

RECEIVED
OCT 31 2012
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

*Filed in office
Dec 6, 1923
The Coo Ferry
Club*



SURVEY FOR
ROBERT E. ELSNER

LOCATED IN:
LAND LOTS 11, 12, 105, 106, 127-18TH DIST, 2ND SECT.
COBB COUNTY, GEORGIA

SCALE: 1" = 200' MAR 1974

FRANK L. BOYD & ASSOCIATES
2481 MARLETTA STREET
POWER SPRINGS, GEORGIA

File Z-1

RECEIVED
NOV 13 2012
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Z-1
(2013)



5925

2

1

Holloman Rd

Sullivan Rd

Stout Pkwy

4930

4920

4931

4950

4835

X >
Y >

0 ft
m

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APPLICANT: Ashley and David Staples
678-699-7062 770-235-9996

REPRESENTATIVE: Ashely and David Staples
678-699-7062 770-235-9996

TITLEHOLDER: David A. Staples and Ashley Staples

PROPERTY LOCATION: East side of Holloman Road, northeast side of Stout Parkway, northwest side of Sullivan Road (5925 Holloman Road).

ACCESS TO PROPERTY: Holloman Road and Sullivan Road

PHYSICAL CHARACTERISTICS TO SITE: Horse farm with residence and associated buildings

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-30/residential acreage
- SOUTH:** R-30/residential acreage
- EAST:** R-30/single-family residential
- WEST:** R-30/single-family residential

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

PLANNING COMMISSION RECOMMENDATION

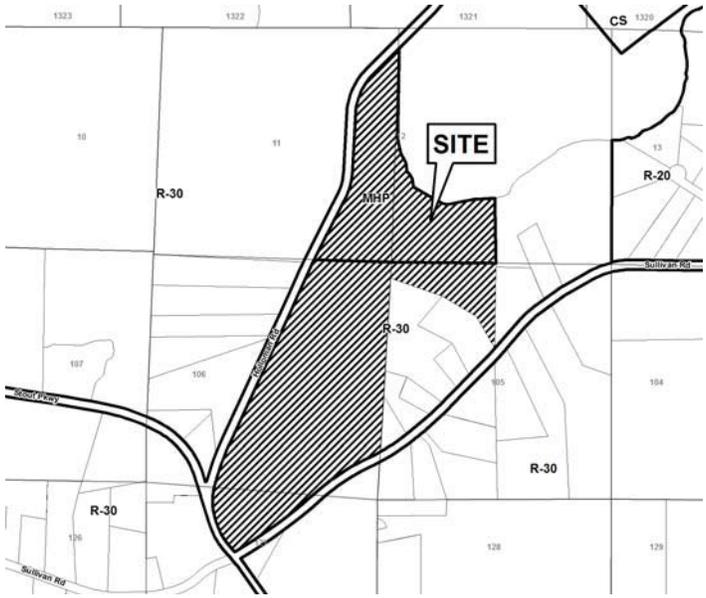
APPROVED **MOTION BY**
REJECTED **SECONDED**
HELD **CARRIED**

BOARD OF COMMISSIONERS DECISION

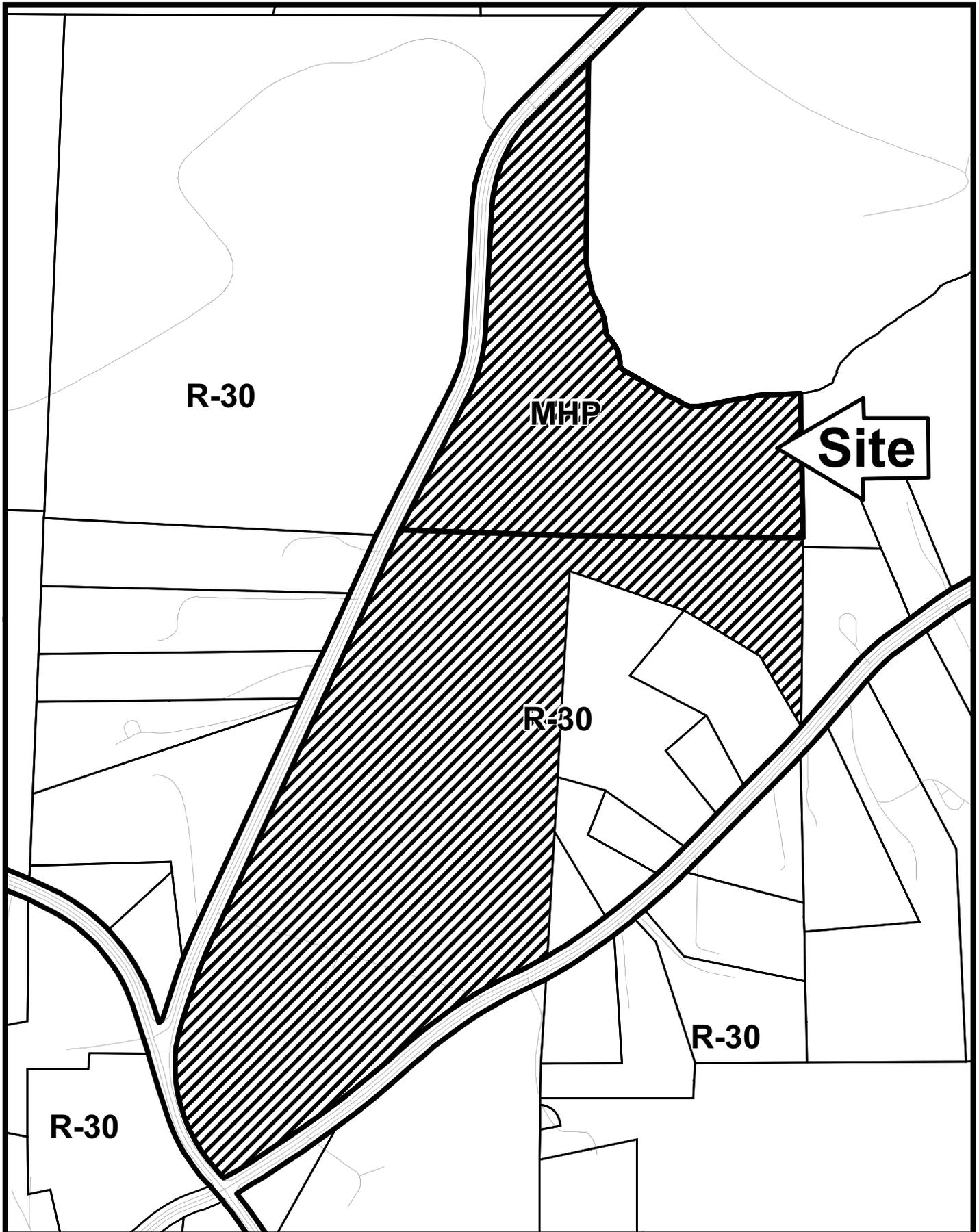
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HELD **CARRIED**

STIPULATIONS:

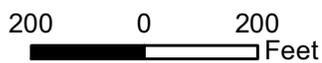
PETITION NO: Z-1
HEARING DATE (PC): 02-05-13
HEARING DATE (BOC): 02-19-13
PRESENT ZONING: MHP, R-30
PROPOSED ZONING: R-30
PROPOSED USE: Residential And Farm Use
SIZE OF TRACT: 38 acres
DISTRICT: 18
LAND LOT(S): 11, 12, 105, 106, 127
PARCEL(S): 1
TAXES: PAID X **DUE**
COMMISSION DISTRICT: 4



Z-1



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



City Boundary
Zoning Boundary

APPLICANT: Ashley and David Staples

PETITION NO.: Z-1

PRESENT ZONING: MHP, R-30

PETITION FOR: R-30

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: VLDR Very Low Density Residential

Proposed Number of Units: Overall Density: Units/Acre

Present Zoning Would Allow: Units Increase of: Units/Lots

The applicants are requesting a rezoning of their property from the existing R-30 single-family residential district and MHP mobile home park district to the R-30 district to consolidate the property’s zoning classification to mirror its currently existing use (residence and nonprofit riding stable). While undergoing the necessary renovations to the property in order to operate their stable and farm, the applicants were made aware of the necessity to obtain the County’s permission to install the desired two signs and four electrical meters. In filing the current applicant to remove the existing, incompatible zoning of MHP district on their property, the applicants wish to request variances of the Board in order to be allowed these signs and meters.

Cemetery Preservation: No comment.

PLANNING COMMENTS:

The applicant is requesting a rezoning from MHP and R-30 to R-30 for purpose residential and farm use. The 38 acre site is located at the east side of Holloman Road, northeast side of Stout Parkway, northwest side of Sullivan Road.

Comprehensive Plan

The parcel is within a Very Low Density (VLDR) area on the future land use map with MHP and R-30 zoning designations. The purpose of the Very Low Density Residential (VLDR) category is to provide for areas that are suitable for very low density housing, particularly in locations which may not have basic services such as sewer, or where the existing or desired residential development pattern is zero to two (2) 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?

APPLICANT: Ashley and David Staples

PETITION NO.: Z-1

PRESENT ZONING: MHP, R-30

PETITION FOR: R-30

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Elementary			
Middle			
High			

Additional Comments:

FIRE 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 Ashley and David Staples

PETITION NO. Z-001

PRESENT ZONING MHP, R-30

PETITION FOR R-30

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): **8" CI S / side of Sullivan Road**

Additional Comments: Property served by well water

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: **Approx 900' North**

Estimated Waste Generation (in G.P.D.): **ADF 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 Comments: Currently on septic. Connection to sanitary sewer neither proposed nor required

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: Ashley & David Staples

PETITION NO.: Z-1

PRESENT ZONING: MHP, R-30

PETITION FOR: R-30

STORMWATER MANAGEMENT COMMENTS

No comments.

APPLICANT: Ashley and David Staples

PETITION NO.: Z-1

PRESENT ZONING: MHP, R-30

PETITION FOR: R-30

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
Holloman Road	2000	Minor Collector	40 mph	Cobb County	60'
Stout Parkway	4200	Minor Collector	35 mph	Cobb County	60'
Sullivan Road	2500	Minor Collector	25 mph	Cobb County	60'

*Based on 2008 traffic counting data taken by Cobb DOT (Holloman Road)
Based on 2004 traffic counting data taken by Cobb DOT (Stout Parkway)
Based on 2008 traffic counting data taken by Cobb DOT (Sullivan Road)*

COMMENTS AND OBSERVATIONS

Holloman Road is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Stout Parkway is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Sullivan Road is classified as a minor collector 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 Holloman Road, a minimum of 30' from the roadway centerline.

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 Stout Parkway, a minimum of 30' from the roadway centerline.

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 Sullivan Road, a minimum of 30' from the roadway centerline.

Recommend driveway be paved with a treated hardened surface for a length of 25' or to the edge of the County right-of-way, whichever is greater.

Recommend no advertising on the right-of-way.

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

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STAFF RECOMMENDATIONS

Z-1 ASHLEY AND DAVID STAPLES

- 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 proposed use, residence and nonprofit riding stables, are both uses allowed by the R-30 single-family residential district and mirror the uses of adjacent parcels.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. With plenty of acreage and being bounded by roadways on several sides, the property can be expected to not have an adverse effect.
- 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*. Located within an area designated as VLDR very low density residential future land use, the requested R-30 district is in keeping with the goals of the *Plan* as it, in turn, removes the existing incompatible zoning classification of MHP district.
- 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 request will facilitate the removal of an existing, incompatible zoning district in the area as well as allow the operation of a nonprofit riding stable as a permitted use under the R-30 district. While the applicants are requesting variances to allow for up to two signs and up to four electrical meters, the request will further the goals of the *Cobb County Comprehensive Plan* in replacing an incompatible zoning district with one that is more fitting to the established uses in the area. It will also allow the usage of the property as desired by the applicants and allowed by the requested R-30 district.

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

- For this applicant only;
- Allowance of up to two signs as shown on applicants' exhibits received by the Zoning Division on November 13, 2012;
- Allowance of up to four electrical meters on property;
- Meters not to be used for another dwelling use or commercial use;
- Fire Department comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Department of Transportation 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.

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Application No. Z-1

Feb. 2013

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): N/A
- b) Proposed building architecture: N/A
- c) Proposed selling prices(s): N/A
- d) List all requested variances: _____

① Permit for up to 4 signs for horse farm located on property

② Installation for up to 4 electrical meters on property

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)

Signs and rezoning as discussed via email with Robert Hosack and Jon Pederson. See attached.

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).

GA Power right of way on property.

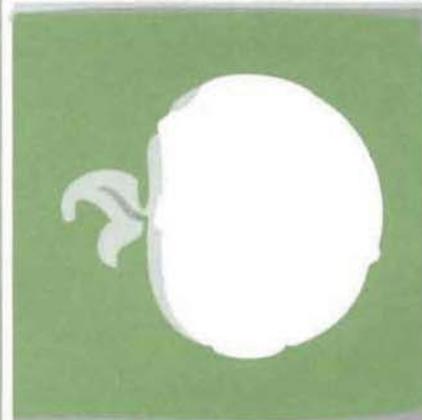
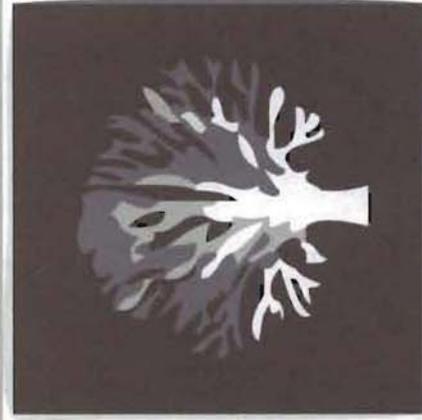
- 2 locations (shown on attached sheet) 1 on Holloman Road, 1 on Sullivan Rd.
- Sign shown on this page will be roughly 4' Long x 3' taller than 6' so that top of sign is no taller than 6'



Pony Tail Acres

Boarding • Lessons • Sales • Training • Breeding

770-235-9996



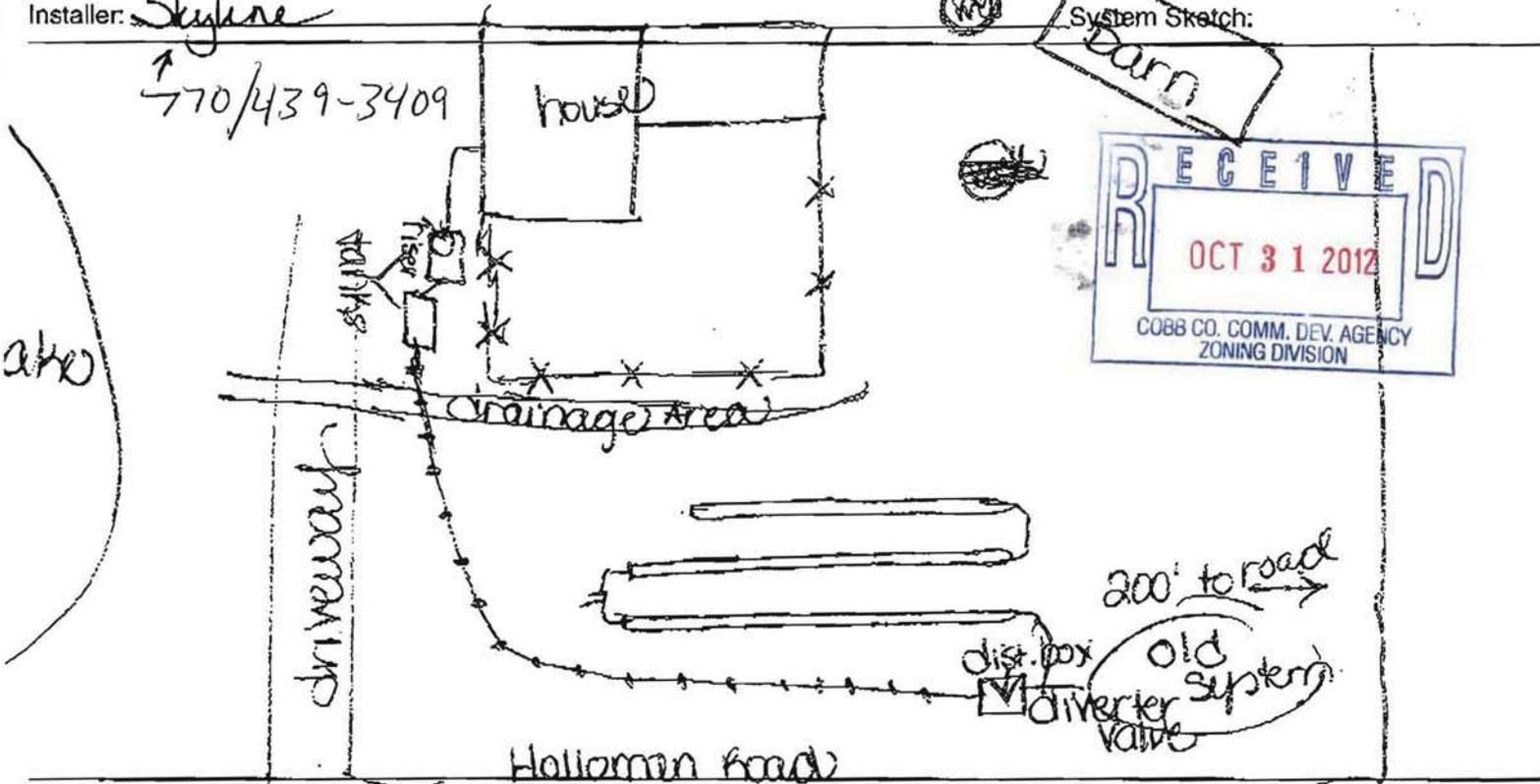


COBB COUNTY BOARD OF HEALTH On-Site Sewage Management System Form

Z-1 (2013)
Board of Health
Record

Date: 10/22/02

Location: 5925 Holloman Road
 Development: previously 4800 Sullivan Rd
 Land Lot: 106 District: 18 Lot and Block: _____
 Owner: Baldanachs CCBH Permit: CB 2124
 Installer: Skylene Building Permit: _____
 System Sketch: _____



GENERAL:

1. Facility Type SFP
2. New or Repair Repair
3. Water Supply well
4. Bedrooms or Gallons/Day 3 + apartments = 4
5. Lot Size over 1 acre
6. Building Line _____

SPECIFICATIONS:

1. Building Sewer Length (ft.) 25'
2. Septic Tank Capacity (gal.) 1500
Distance from Foundation (ft.) 20'
Distance from Well (ft.) 150'
3. Dosing Tank Capacity (gal.) 250
4. Absorption Trench Individual Lengths (ft.)
 #1 70 #2 70 #3 100
 #4 _____ #5 _____ #6 _____
 Total Trench Length (ft.) 300' 20 pieces
 Trench Width (in.) 24"
 Average Trench Depth (in.) 30"
 Aggregate/Chamber Height (in.) 18"
 Nearest Trench to Foundation (ft.) 100'
 Nearest Trench to Well (ft.) 175'
 Nearest Property Line/Distance (ft.) Street 50'

**VIOLATION/COMMENTS: Residents must keep water usage under 12,000 gallons per month for system to function properly.

SYSTEM APPROVAL: Yes No

Inspected by: Jennifer Deveau Contractor Signature: [Signature]

Approval of the on-site sewage management system by representatives of the Cobb County Board of Health shall not be construed as a guarantee that such system will function satisfactorily for a given period of time; furthermore, said County Board of Health does not, by any action taken affecting compliance with these rules, assume any liability for damages which are caused, or which may be caused by malfunction of such system.