

APPLICANT: Miguel Alvarez

(404) 461-8881

REPRESENTATIVE: Miguel Alvarez

(404) 461-8881

TITLEHOLDER: Miguel Z. Alvarez

PROPERTY LOCATION: South side of Concord Drive, east of

Old Concord Road

(1741 Concord Drive).

ACCESS TO PROPERTY: Concord Drive

PHYSICAL CHARACTERISTICS TO SITE: existing residence,

duplex

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: NS/ Single-family Residence

SOUTH: R-15, R-20/ Aircraft Homes, Inc. Subdivision

EAST: NS/ Duplex

WEST: NS/ Duplex

PETITION NO: Z-29

HEARING DATE (PC): 06-03-14

HEARING DATE (BOC): 06-17-14

PRESENT ZONING: NS ,R-20

PROPOSED ZONING: R-20

PROPOSED USE: Single-Family Residential

SIZE OF TRACT: 0.470 acre

DISTRICT: 17

LAND LOT(S): 351

PARCEL(S): 142

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

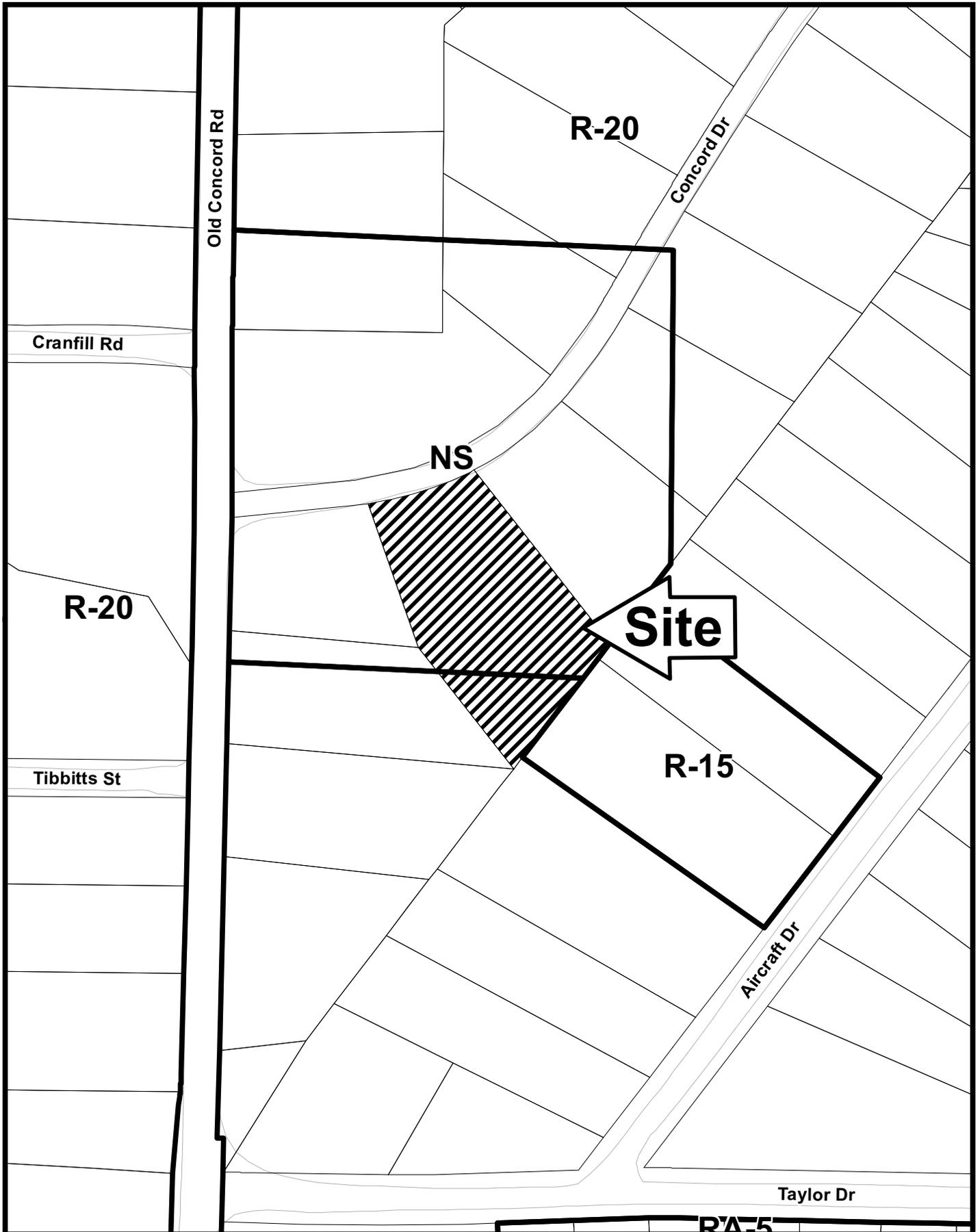
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

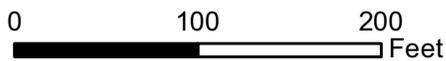
STIPULATIONS:



Z-29



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Miguel Alvarez

PETITION NO.: Z-29

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

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

Proposed Number of Units: 1 **Overall Density:** 2.13 **Units/Acre**

Staff estimate for allowable # of units: 1 **Units*** **Increase of:** 0 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

The applicant is requesting a rezoning from the existing NS neighborhood shopping district and R-20 single-family residential district in order to remove the “grandfathered” status of this existing duplex and convert it into a single-family residence. Having been zoned NS and R-20 since 1972, the current request will allow the renovation and continued use of the existing structure. A contemporaneous variance waiving the front setback from the required 35 feet to 30 feet should be considered with this request to accommodate the existing front porch encroachment.

Cemetery Preservation: No comment.

APPLICANT: Miguel Alvarez

PETITION NO.: Z-29

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

SCHOOL COMMENTS:

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

- School attendance zones are subject to revision at any time.

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: Miguel Alvarez

PETITION NO.: Z-29

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

PLANNING COMMENTS:

The applicant is requesting a rezoning from NS and R-20 to R-20 for purpose of single family residential. The 0.47 acre site is located on the south side of Concord Drive, east of Old Concord Road.

Comprehensive Plan

The parcel is within the Low Density Residential (LDR) area future land use category, with NS and R-20 zoning designations. 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. This category presents a range of densities.

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?

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?

Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Office of Economic Development at 770.528.2607 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

APPLICANT Miguel Alvarez

PETITION NO. Z-029

PRESENT ZONING NS, R-20

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" DI / S side of Concord Drive

Additional Comments: Existing water customer(s). If converting to single family residence, only one domestic meter is allowed.

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

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 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 Existing sewer customer(s). If converting to single family residence, only one active sewer tap is allowed

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.

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PRESENT ZONING: NS, R-20

PETITION FOR: R-20

STORMWATER MANAGEMENT COMMENTS

No comments.

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PRESENT ZONING: NS, R-20

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
Concord Drive	N/A	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

Concord Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

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

Recommend one driveway.

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

STAFF RECOMMENDATIONS

Z-29 MIGUEL ALVAREZ

- 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 will not result in a change of the established residential use of this property and will facilitate a decrease in density.
- 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 will allow the renovation of an existing residential structure into a single-family residence in keeping with those in the surrounding, established neighborhoods.
- 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 delineated as LDR low density residential, the use will facilitate the *Plan's* goals of providing areas of low density housing.
- 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. Zoned both NS and R-20 since 1972, the current request to rezone the property to R-20 will allow for the renovation and reuse of the existing duplex as a single-family residence. This is a goal that is in keeping with surrounding, established homes as well as the goals of the *Cobb County Comprehensive Plan*.

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

- Front setback variance to 30 feet for existing encroachments only;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations.

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 #: Z-29
PC Hearing Date: 6-3-14
BOC Hearing Date: 6-17-14

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 20,471 s.f.
- b) Proposed building architecture: Single Family Home
- c) Proposed selling prices(s): N/A
- d) List all requested variances: One

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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). None

.....
Part 5. Is this application a result of a Code Enforcement action? No Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: ~~Miguel~~ Date: 4-2-14
Applicant name (printed): Miguel Alvarez