

APPLICANT: Egbel Faibille

(404) 421-2474

REPRESENTATIVE: Tommy Ork

(678) 618-0517

TITLEHOLDER: Egbel Faibille

PROPERTY LOCATION: East side of Austell Road, south of

Fairview Drive

(4511 Austell Road).

ACCESS TO PROPERTY: Austell Road

PHYSICAL CHARACTERISTICS TO SITE: Existing house

PETITION NO: Z-30

HEARING DATE (PC): 06-03-14

HEARING DATE (BOC): 06-17-14

PRESENT ZONING: R-20

PROPOSED ZONING: O&I

PROPOSED USE: Office

SIZE OF TRACT: 1.74 acres

DISTRICT: 19

LAND LOT(S): 1067

PARCEL(S): 6

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: OI, R-20/ Blackford & Blackford law office, Fairview Homes subdivision

SOUTH: GC/ undeveloped

EAST: R-20/ Fairview Homes subdivision

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** _____

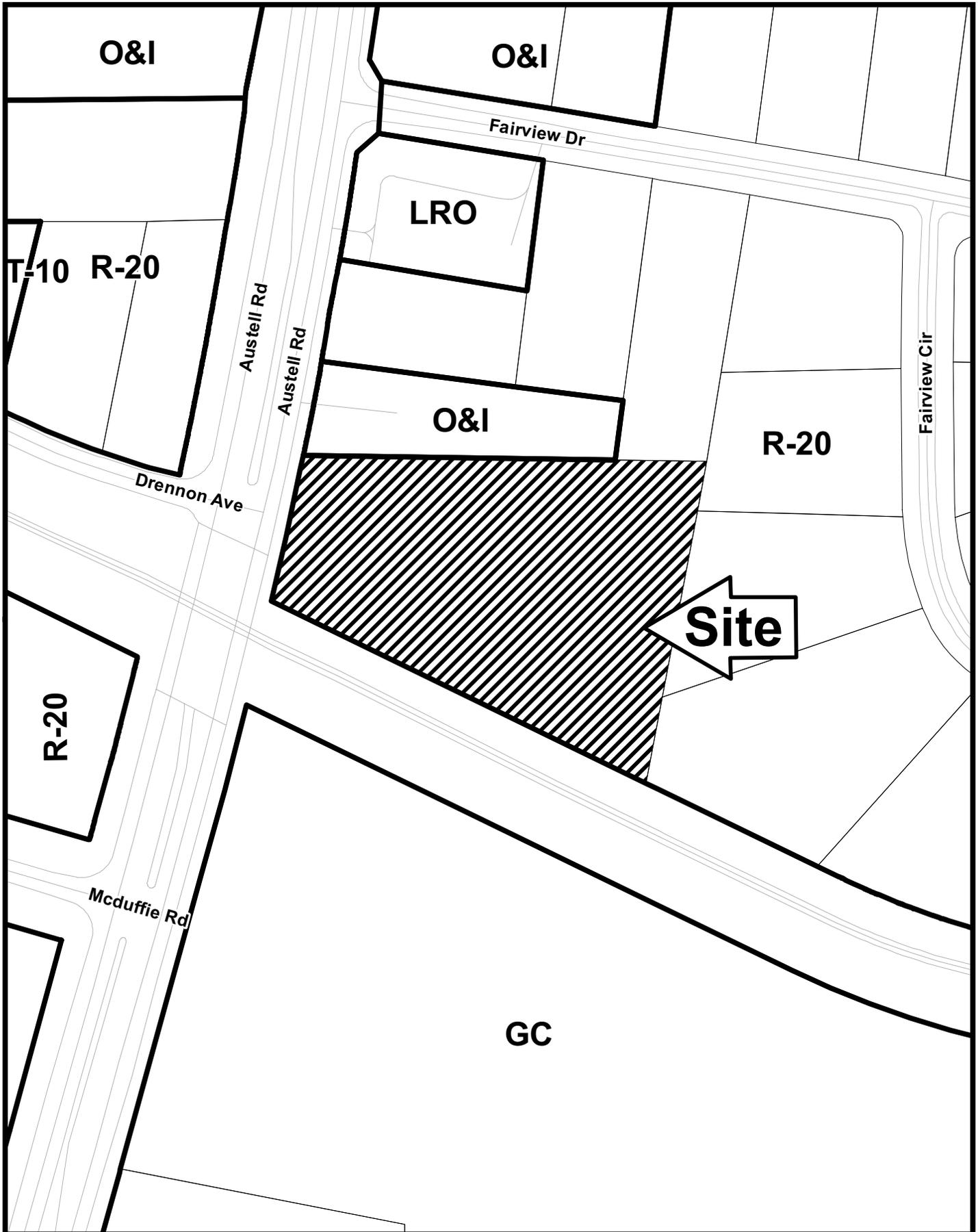
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

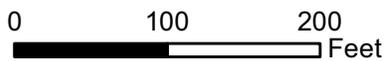
STIPULATIONS:



Z-30



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Egbel Faibille

PETITION NO.: Z-30

PRESENT ZONING: R-20

PETITION FOR: O&I

ZONING COMMENTS:

Staff Member Responsible: John P. Pederson

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 6,000 s.f.

F.A.R.: 0.08 **Square Footage/Acre:** 3,448

Parking Spaces Required: 22 **Parking Spaces Provided:** 30

The applicant is requesting rezoning to the O&I zoning district in order to built a one-story professional office building. The building would have a brick and stucco exterior, and a rendering is attached for review. It is anticipated that the office will be open 9:00 a.m. to 6:00 p.m., predominately on weekdays.

The applicant is showing a variance for the dimensions in the parking lot. Specially, there are showing the drive aisle bring 22 feet in width in lieu of the requirement of 24 feet in width, and the depth of the parking space being 18 feet in lieu of 19 feet deep.

Cemetery Preservation: No comment.

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: Egbel Faibille

PETITION NO.: Z-30

PRESENT ZONING: R-20

PETITION FOR: O&I

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to O & I for purpose of an office. The 1.8 acre site is located on the east side of Austell Road, south of Fairview Drive.

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with R-20 zoning designation. The purpose of the (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

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 Egbel Faibille

PETITION NO. Z-030

PRESENT ZONING R-20

PETITION FOR O&I

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 / E side of Austell Road

Additional Comments:

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: +/- 1,050' SE across Silver Comet Trail

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 Comments: Ok for septic system with limitations on building size and usage, with Health Dept. approval.

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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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley 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.

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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. This site drains to the southeast through the rear of several existing lots within the Fairview Homes Subdivision and ultimately into a small concrete lined channel along the Silver Comet Trail. The proposed detention pond will create a concentrated discharge point that will have to be addressed at Plan Review. Either a drop structure will be required on Cobb County property to properly convey the runoff down the steep 20+ foot elevation drop to the Silver Comet Trail channel or a drainage easement obtained from the adjacent residential parcels. In either case, the existing capacity of the Trail channel conveyance is limited and must be accounted for in the site stormwater management design.

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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
Austell Road	34,500	Arterial	45 mph	Georgia DOT	100'

Based on 2013 traffic counting data taken by Georgia DOT (Austell Road)

COMMENTS AND OBSERVATIONS

Austell Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend GDOT permits for all work that encroaches upon State right-of-way.

Recommend driveway be aligned with Drennon Avenue.

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 of 500 feet.

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

STAFF RECOMMENDATIONS

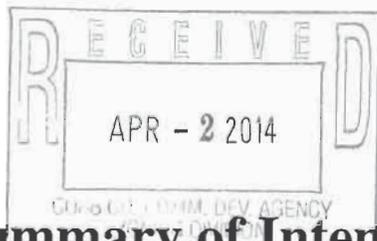
Z-30 EGBEL FAIBILLE

- 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 area contains a mixture of commercial properties and residential properties.
- 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 applicant's proposal would be consistent with other commercial properties in the area. Additionally, the applicant's proposal would replace an unaesthetic house with an architecturally pleasing new office building.
- 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 Neighborhood 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 proposal is in accordance with the *Cobb County Comprehensive Plan*. The applicant's proposal would be compatible with and consistent to other commercially zoned properties in the area. The applicant's proposal would replace a distressed house with new office buildings, which is a very good precedent for Austell Road.

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

- Site plan received by the Zoning Division April 2, 2014, with the District Commissioner approving minor modifications;
- Building architecture to be substantially similar to the elevation received by the Zoning Division April 2, 2014, with the District Commissioner approving the final plan;
- Fire Department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations; and
- DOT 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.



Application No. Z-30

6-3-14

6-17-14

Summary of Intent for Rezoning

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

- 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): OFFICE
- b) Proposed building architecture: STEEL STRUCTURE WITH BRICK AND STUCCO
- c) Proposed hours/days of operation: 9 AM - 6 PM
- 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

**ANALYSIS OF THE IMPACT OF PROPOSED REZONING OF 4511 AUSTELL RD.
ASUTELL GA 30106**



3/31/14

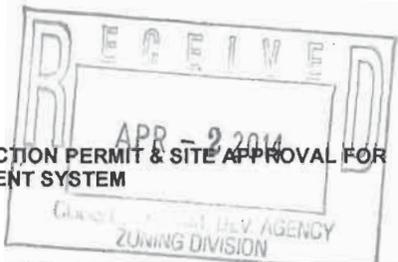
- 1. The adjacent and nearby property is a commercial use property.**
- 2. The property next to proposed rezoning is a law office.**
- 3. The proposed rezoning will compliment adjacent and nearby property.**
- 4. The proposed rezoning will have a positive impact on the county tax base.**
- 5. The proposed rezoning will not negatively impact the existing street because the would-be occupants already use the street for commute.**
- 6. The proposed rezoning conforms to the current land use.**

Property owner:

Egbel Faibille



APPLICATION FOR CONSTRUCTION PERMIT & SITE APPROVAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEM



250

Z-30 (2014) Health Department Approval

DHD # 08C033-60892 Date Paid 2-18-14 Receipt # no receipt Amount Paid 700 550 Check # VISA Date & Time Inspection inv # 368622 Septic Contractor

Street Address 4511 AUSTELL RD City AUSTELL Zip 30106 Subdivision Name Land Lot 1007 District 19 Section

I hereby apply for a construction permit to install an on-site sewage management system and agree that the system will be installed to conform to the requirements of the Rules of the Georgia Department of Human Resources, Chapter 290-5-26. I understand that a final inspection is required. I will notify Cobb & Douglas Public Health upon completion of construction and before applying the final cover.

Signature (owner or applicant) Thomas Will Date 2/14/14 Property Owner's Name EGBEL FAIBILLE Home Phone 678 618 0517 Owner's Address 4511 AUSTELL RD AUSTELL 30106 Permit Applicant's Name EGBEL FAIBILLE Applicant's Address

Type of Facility [] Single Family [x] Other Office/Warehouse MAX. 65 Employees # Gallons/day 1625

Water Supply [] Community [x] Public [] Individual Located Required Distance for Possible Pollution Source? [] Yes [] No

Lot Size Front: ft. Back: ft. Right Side: ft. Left Side: ft. Square ft (or acres): 1.74

House Design [x] Ground Level [] Split Level [] With Basement Plumbing Outlet Level [] Ground Level [] Split Level [] Basement

Soil Conditions (Absorption Field) Percolation Rate 60 Min/in Water Table Depth 772 in Suitable Soil Type Pacolet Stony Variant Loading Rate Gal/s q ft Depth to Rock 50 in

Sewage Disposal [] Conventional (Gravel) [x] Alternative High Capacity [] Experimental

Total Capacity Septic Tank 1500 Gals Dosing Tank 1000 Gals ATU Tank Gals Grease Trap Gals

Layout Method [x] Distribution Box [] Serial Field [] Level Field [] Other Garbage Grinder? [] Yes [x] No

Absorption Field Area Total sq. ft. Total linear ft. 840' Trench depth (inches) 18"-26" Trench width (inches) 36" chamber 30" polystyrene Aggregate Depth (inches)

Distribution Box [x] Yes [] No # Lines 6 Length of each Line 140' ft

Site Approved [x] Yes [] No Agreement letter for experimental system attached? [] Yes [] No [] NA

- Special Conditions: Install a 1500 Gal. septic tank followed by a 1000 Gal septic tank without dividers, install a filter on the outlet of the 1000 gal. tank. Install a 1000 Gal. Pump tank, provide pump sizing calculation, hp rating and model # before installation. Install a d-box on a concrete pad as outlined in manual. Install 840 linear feet of high capacity trenches utilizing equal distribution at a depth of 18"-26" as outlined on the approved site plan. All field lines shall remain a minimum of 15 feet from any embankments and 100 feet from any wells or springs. All field lines shall remain a minimum of 50 feet from any streams or other bodies of water. Reserve area shall be preserved for future repairs. System design is for a maximum of 1625GPD and no more than 65 employees. See attached approved site plan for complete details.



I certify that the location of the house, septic tank and drain field meets local codes and the Department of Natural Resources, EPD, Chapter 391-3-16-.01 for water supply, water sheds. Owner Thomas Will Date 2/18/14

Permit Permit (TEC) #

A permit is hereby granted to install or construct the on-site sewage management system described above. This permit is not valid unless properly signed below, and expires twelve (12) months from the issue date.

Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by representatives of the Georgia Department of Human Resources or the Cobb & Douglas Public Health shall not be construed as a guarantee that such system will function satisfactorily for a given period of time; furthermore, said representatives do not, by an action taken in affecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system. Any site modification including burial of debris may void this permit.

Approved by [Signature] Title EHS TO Issue Date 3/20/14

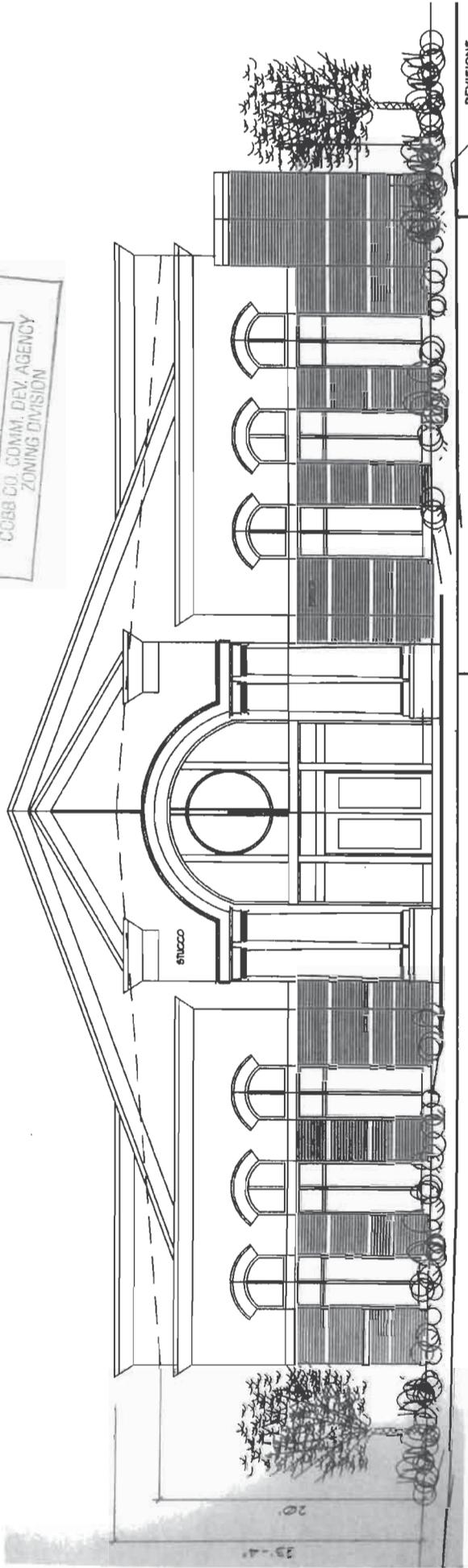
MUST BE INSTALLED IN ACCORDANCE WITH APPROVED SITE PLAN COBB COUNTY HEALTH DEPT

PERMIT VALID FOR ONE YEAR ONLY NOT TRANSFERABLE

ONSS Construction Permit Revised 01/23/2013

FRONT ELEVATION OF PROPOSED OFFICE BUILDING

RECEIVED
APR - 2 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



Z-30 (2014)
Proposed
Building
Elevation