

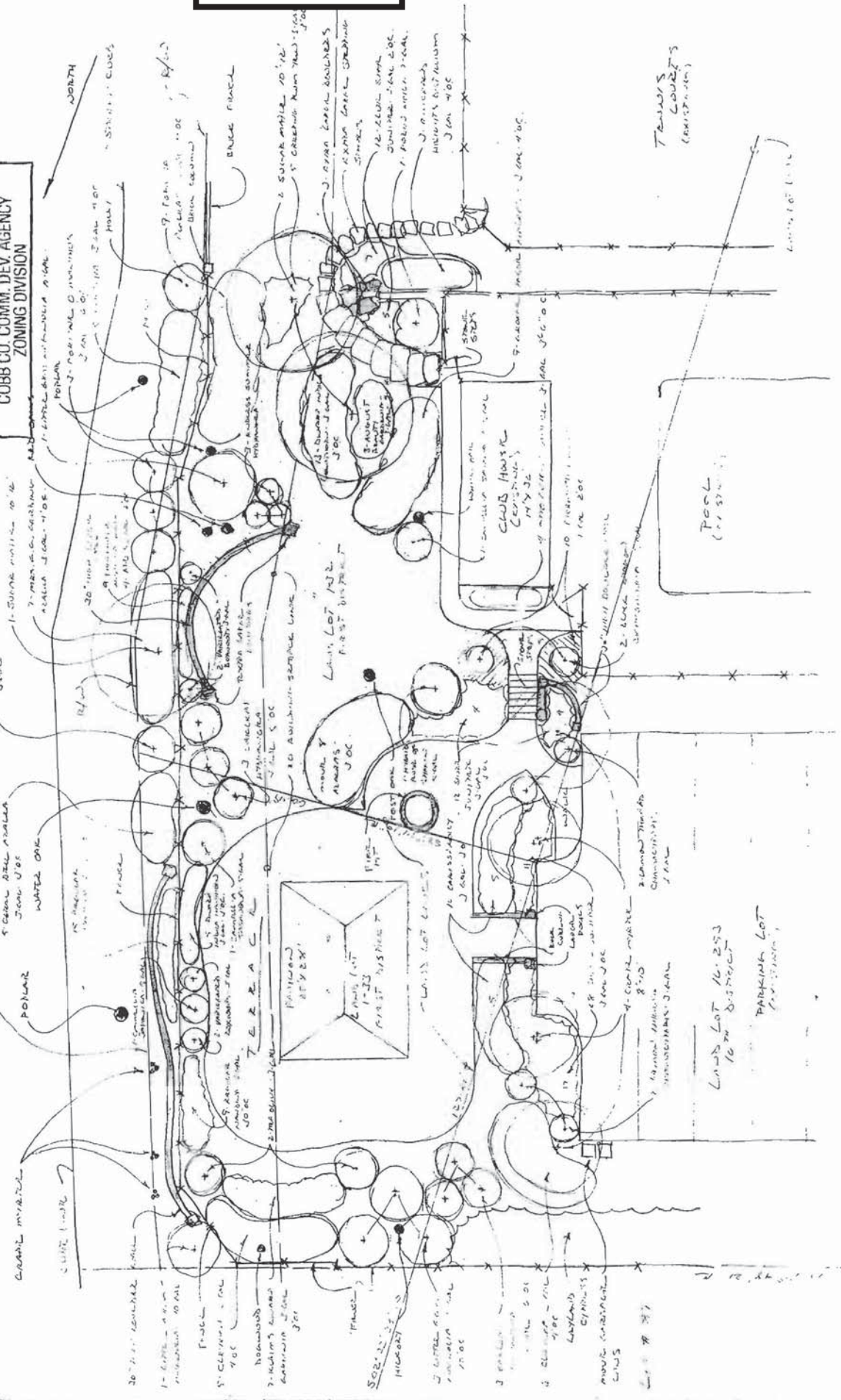


GARIBSON CHAS ANNUITY AREA  
GARIBSON DAMS HOA  
MARRY ROADS  
ROSWELL, GA.  
STEVEN VANDER  
LANDSCAPE ARCHITECT  
770.222.8911  
SCALE: 1" = 10'  
JANUARY 29, 2014  
REVISED: MARCH 25, 2014  
ANNUITY AREA 2014

**RECEIVED**  
AUG - 6 2014  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

- NOTES: SITE TO BE REDIGNED AS 10 LOTS, FIRST 10 LOTS, 1/4 ACRE.  
POOL HOUSE, REST OF PARKING ARE ALL AS PAVED.  
ACCESS TO THE COMMUNITY CENTER SITE IS TO BE MAINTAINED AND EXISTING DRIVEWAY.  
FOR RECONSTRUCTION AT ANOTHER DATE TO BE DETERMINED.
- DRIVEWAYS
  - STORMWATER
  - UTILITIES (RECONSTRUCT)
  - REQUIREMENTS OF ALL TECHNICAL SUBMITTALS
  - UTILITIES (RECONSTRUCT)
  - LIMITS OF 100' FROM STREET FRONT YARD
  - DRIVEWAYS

MARRY ROAD  
50' R/W



TERRACE COURT  
(EXISTING)

LAND LOT 10, 200  
10' R/W DISTRICT

PARKING LOT  
(EXISTING)

**APPLICANT:** Garrison Oaks Homeowners Association  
**PHONE#:** (404) 617-8964 **EMAIL:** ken.callahan@mindspring.com  
**REPRESENTATIVE:** Ken Callahan  
**PHONE#:** (404) 617-8964 **EMAIL:** ken.callahan@mindspring.com  
**TITLEHOLDER:** Garrison Oaks Homeowners Association

**PETITION NO:** Z-68  
**HEARING DATE (PC):** 10-07-14  
**HEARING DATE (BOC):** 10-21-14  
**PRESENT ZONING:** R-15

**PROPERTY LOCATION:** East side of Defender Way, west side of Mabry Road.

**PROPOSED ZONING:** R-15  
with Stipulations

**ACCESS TO PROPERTY:** Defender Way

**PROPOSED USE:** Addition to Recreation Area

**PHYSICAL CHARACTERISTICS TO SITE:** Undeveloped wooded lot

**SIZE OF TRACT:** 0.11 acre  
**DISTRICT:** 1, 16  
**LAND LOT(S):** 33, 253  
**PARCEL(S):** 49  
**TAXES: PAID**  **DUE**

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** Hedgerow Sub Division/ R-15  
**SOUTH:** Garrison Oaks Sub Division/ PRD  
**EAST:** Hedgerow Sub Division/ R-15  
**WEST:** Garrison Oaks Sub Division/ PRD

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

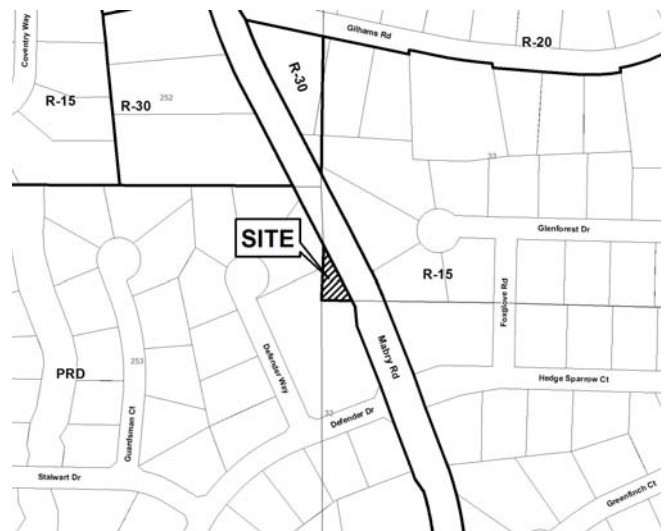
**PLANNING COMMISSION RECOMMENDATION**

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

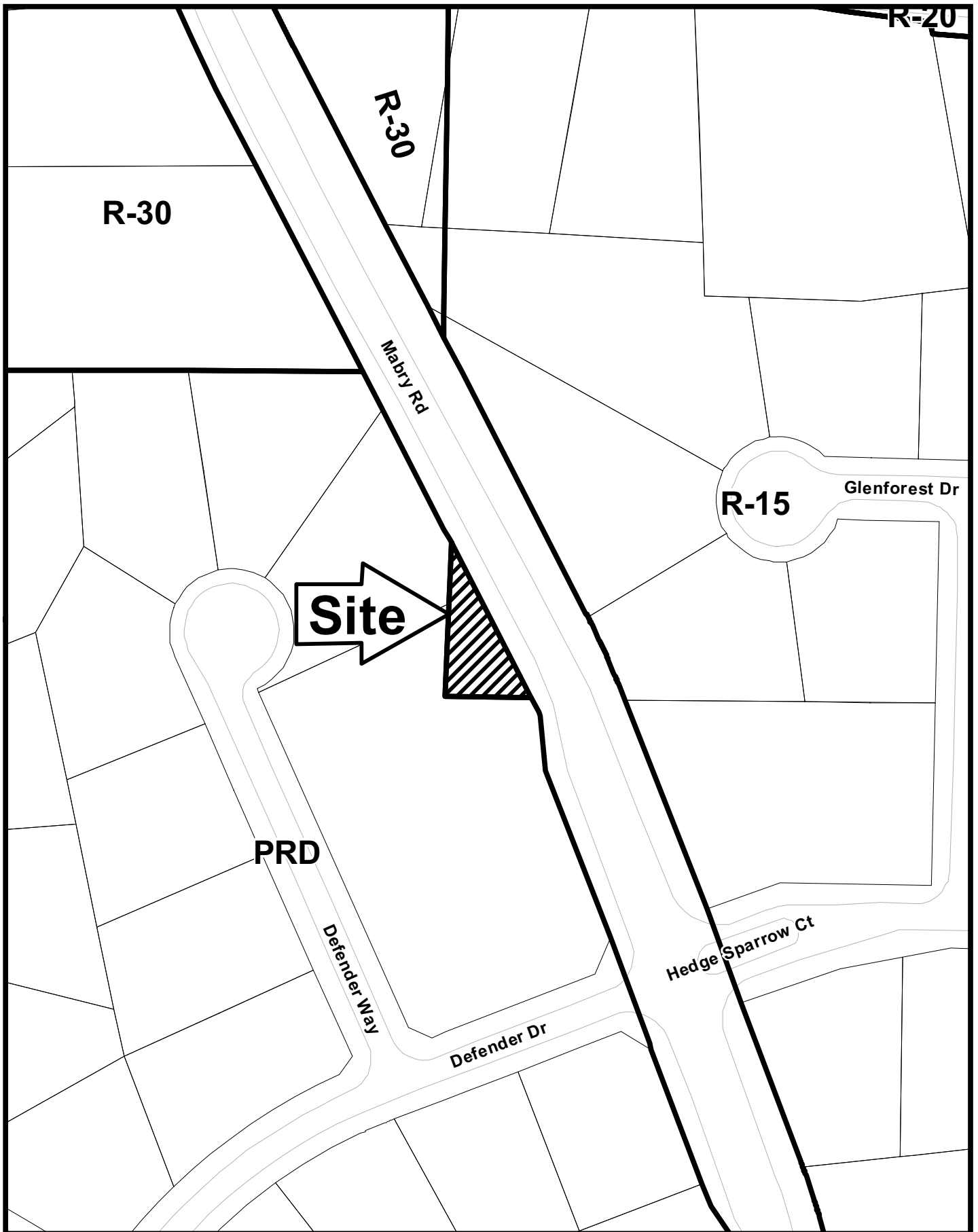
**BOARD OF COMMISSIONERS DECISION**

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

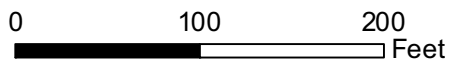
**STIPULATIONS:**





# Z-68



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Garrison Oaks Homeowners Association

**PETITION NO.:** Z-68

**PRESENT ZONING:** R-15

**PETITION FOR:** R-15 W/S

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Donald Wells

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

**Proposed Number of Units:** 0 **Overall Density:** 0 **Units/Acre**

**Staff estimate for allowable # of units:** 0 **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 to R-15 zoning district in order to utilize the property as a part of the existing amenities area for Garrison Oaks Sub Division. The applicant intends to build a 560 square foot pavilion to enhance the recreation area. The applicant does not intend to use this property as a single family home and will provide landscaping improvements to enhance the area.

Garrison Oaks Sub Division was rezoned to PRD in 1998 (Z-5 of 1998), and the first plat was recorded in 1991. Neither the final plat nor rezoning included in the .11 acres of land. The owners of the property deeded the outlot to Garrison Oaks Sub Division HOA in 2006.

**Cemetery Preservation:** No comment.

**APPLICANT:** Garrison Oaks Homeowners Association

**PETITION NO.:** Z-68

**PRESENT ZONING:** R-15

**PETITION FOR:** R-15 W/S

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**SCHOOL COMMENTS:**

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

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

**Additional Comments:**

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**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: Garrison Oaks Homeowners Association

PETITION NO.: Z-68

PRESENT ZONING: R-15

PETITION FOR: R-15 w/Stipulations

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-15 to R-15 w/stipulations for purposes of addition to recreation areas. The 0.11 acre site is located on the east side of Defender Way, west side of Mabry Road.

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category, with R-15 zoning designation. 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.

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 Garrison Oaks HOA

PETITION NO. Z-068

PRESENT ZONING R-15

PETITION FOR R-15 w/stips

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**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): 20" PC / W side of Mabry Road

Additional Comments: No utilities proposed

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.

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**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: In Defender Way R-O-W

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

Treatment Plant: Big Creek

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: No utilities proposed

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: Garrison Oaks Homeowners Association**

**PETITION NO.: Z-68**

**PRESENT ZONING: R-15**

**PETITION FOR: R-15 w/ stips**

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**STORMWATER MANAGEMENT COMMENTS**

Subject to maximum of 35% total impervious coverage for the parcel.



**APPLICANT: Garrison Oaks Homeowners Association**                      **PETITION NO.: Z-68**

**PRESENT ZONING: R-15**                      **PETITION FOR: R-15 with Stipulations**

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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
Mabry Road	8000	Major Collector	35 mph	Cobb County	80'
Defender Way	N/A	Local	25 mph	Cobb County	50'

*Based on 2008 traffic counting data taken by Cobb County DOT (Mabry Road)*

**COMMENTS AND OBSERVATIONS**

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

Defender Way 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 landscaping be placed outside of the line of sight.

Any landscaping placed on the right-of-way will need an approved Landscape License Agreement with the Cobb County Department of Transportation.

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

## STAFF RECOMMENDATIONS

### **Z-68 GARRISON OAKS HOMEOWNERS ASSOCIATION**

- 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. Other properties in the area are similarly zoned and have similar uses.
- 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. While other properties zoning categories vary in the area, the uses are single family, and the sub divisions have neighborhood recreation areas.
- 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 the property to be within the Low Density Residential. The requested zoning category of R-15 for the propose of a neighborhood recreation area would be compatible with the LDR land use category.
- 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 deleting the applicant's rezoning proposal to the PRD category. Staff believes that PRD would fit better with the existing neighborhood and would give the neighborhood an opportunity to enhance the amenity area.

Based on the above analysis, Staff recommends **DELETING** the request to PRD subject to the following conditions:

- Landscape plan to be approved by County Arborist;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations and;
- 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.**

Oct. 2014

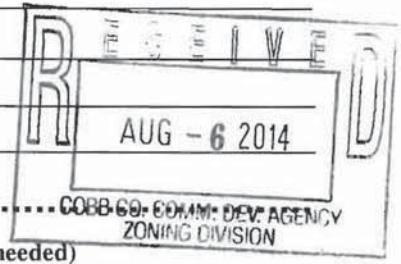
### Summary of Intent for Rezoning

From R15 to R15 w/S

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

- a) Proposed unit square-footage(s): Common Area improvement
- b) Proposed building architecture: Landscape improvement
- c) Proposed selling prices(s): Common Area improvement not for sale
- d) List all requested variances: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



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)

Garrison Oaks Home Owners Association  
seeks to improve undeveloped land into  
a Picnic Area

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).

\_\_\_\_\_  
 \_\_\_\_\_