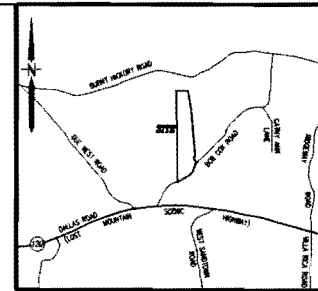


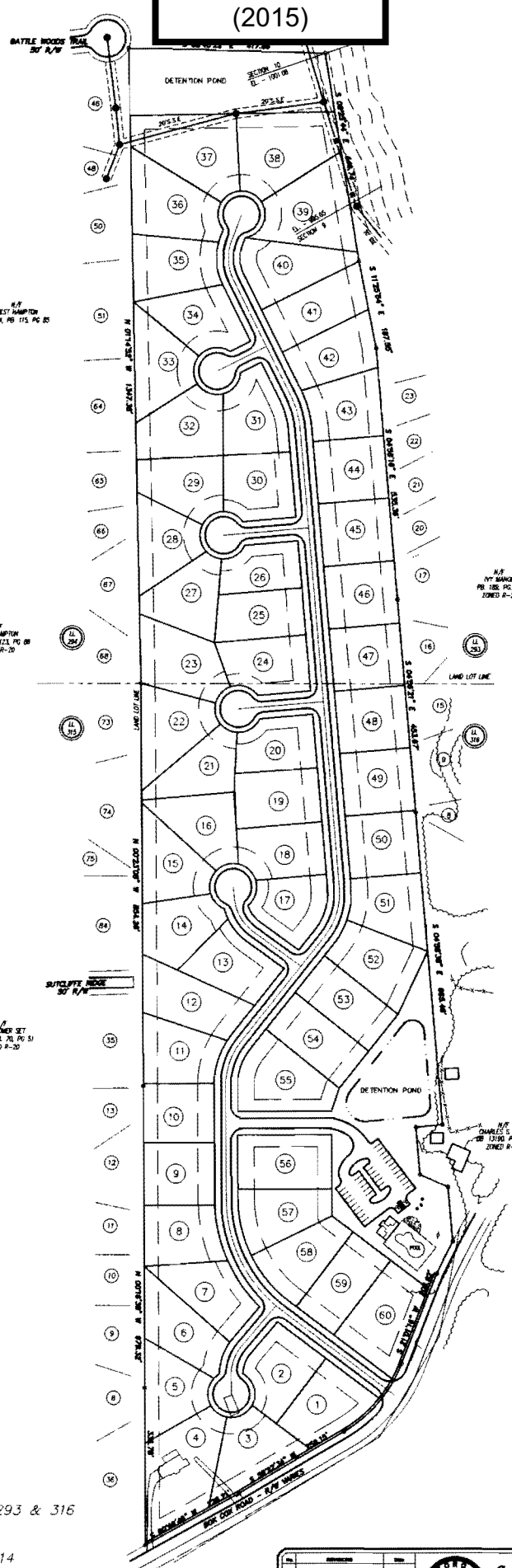
Z-29  
(2015)

JAN 30 2015  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



LOCATION MAP SCALE - 1"=2000'

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A 100 YEAR FEMA FLOOD ZONE ACCORDING TO COBB COUNTY FIRM PANEL 8075 9 COMMUNITY #30092 DATED AUG 18, 1992



**SITE NOTES:**  
PROPOSED USE - SINGLE FAMILY RESIDENTIAL  
CURRENT ZONING - R-30 & R-20  
PROPOSED ZONING - R-20  
TOTAL AREA - 38.317 ACRES  
APPROX. FLOOD PLAIN AREA - 0.71 ACS  
TOTAL RESIDENTIAL UNITS - 60  
RESIDENTIAL DENSITY - 1.50 UNITS PER ACRE

**BUILDING SETBACK REQUIREMENTS:**  
FRONT - 30'  
REAR - 30'  
SIDE - 10'  
MAJOR SIDE - 25'

CONCEPTUAL PLAN FOR:  
**PROVINCE**

PROPERTY IS LOCATED IN LAND LOTS 293 & 316  
IN THE 20TH DISTRICT, 2ND SECTION  
COBB COUNTY, GEORGIA  
SCALE: 1" = 100' DATE: JAN. 25, 2014



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NO.	DESCRIPTION	DATE



**Centerline Surveying Systems, Inc.**  
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA 30144  
PHONE (770) 424-0028 FAX (770) 424-2399

PROJECT No: 714029 Sheet No. 1 of 1

**APPLICANT:** Province Homes, LLC  
**PHONE#:** (770) 509-7009 **EMAIL:** mblackwood@province.com  
**REPRESENTATIVE:** John H. Moore  
**PHONE#:** (770) 429-1499 **EMAIL:** jmoore@mijs.com  
**TITLEHOLDER:** The Estate of Lillian Dean Little Haskins

**PETITION NO:** Z-29  
**HEARING DATE (PC):** 04-07-15  
**HEARING DATE (BOC):** 04-21-15  
**PRESENT ZONING:** R-30, R-20

**PROPERTY LOCATION:** North side of Bob Cox Road, east of Lake Somerset Drive and at the eastern terminus of Sutcliffe Ridge.

**PROPOSED ZONING:** R-20  
**PROPOSED USE:** Single-Family Subdivision

**ACCESS TO PROPERTY:** Bob Cox Road

**SIZE OF TRACT:** 38.317 acres

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house and wooded acreage

**DISTRICT:** 20  
**LAND LOT(S):** 293, 316  
**PARCEL(S):** 8, 1

**TAXES: PAID** X **DUE** \_\_\_\_\_  
**COMMISSION DISTRICT:** 1

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/West Hampton Subdivision
- SOUTH:** R-20/Single-family houses
- EAST:** R-20/Single-family house and R-20/Ivy Manor Subdivision
- WEST:** R-20/Lake Somerset Subdivision and R-20/West Hampton Subdivision

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

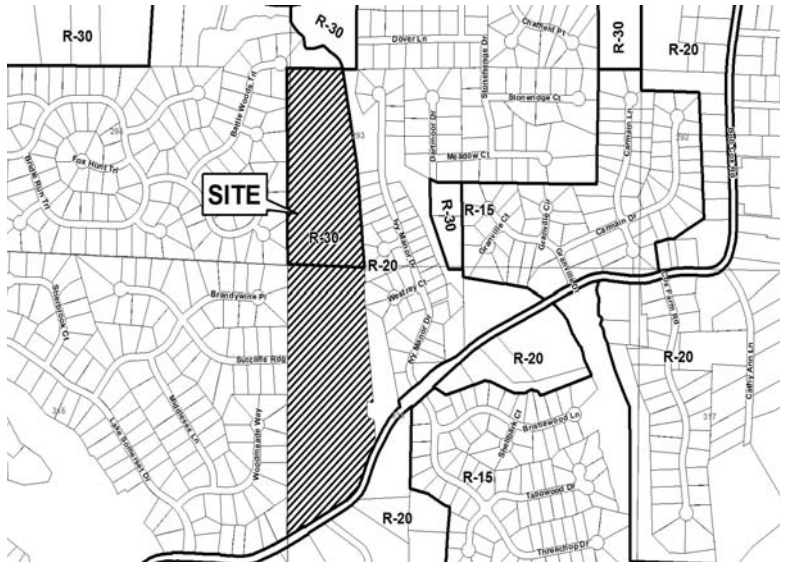
**PLANNING COMMISSION RECOMMENDATION**

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

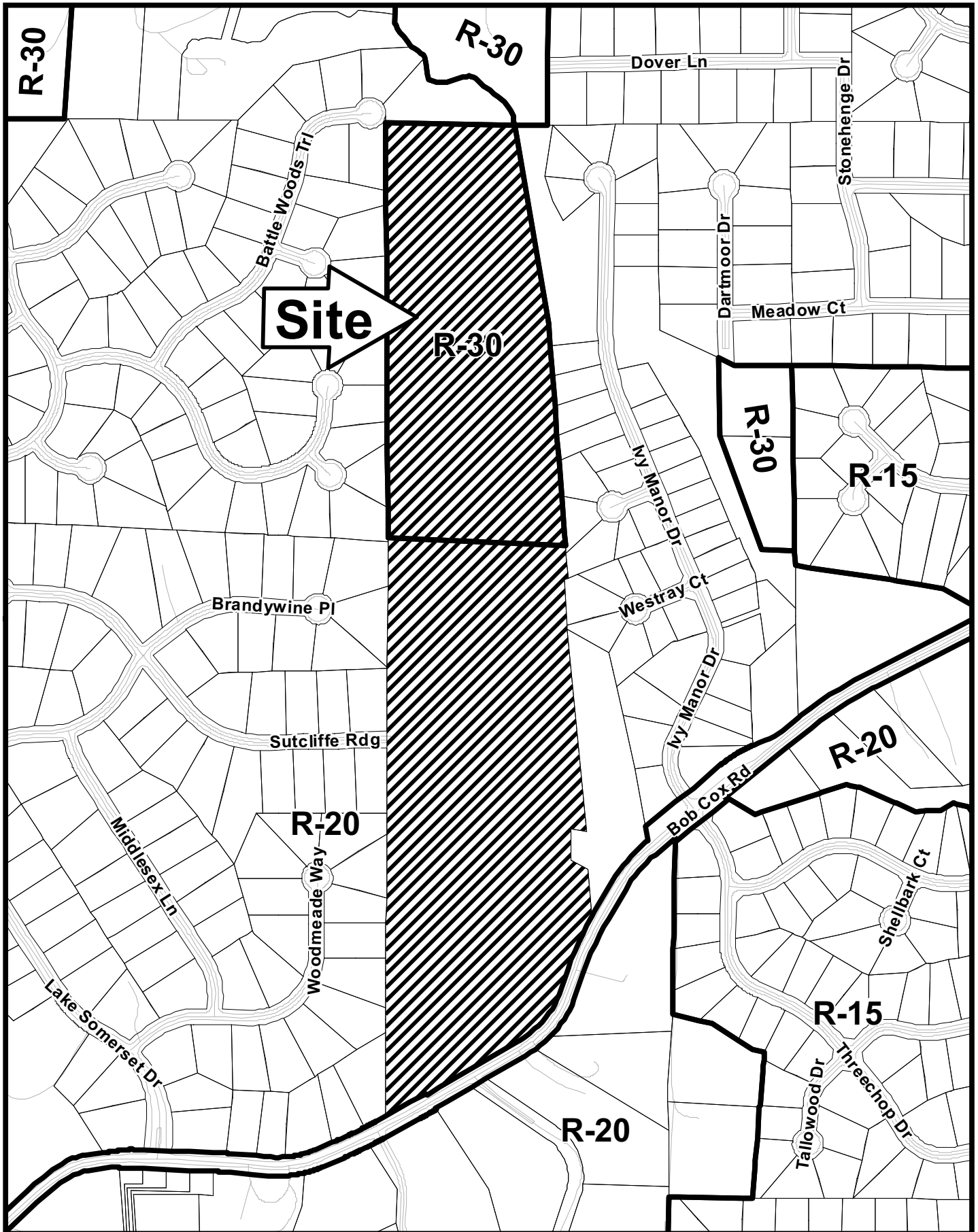
**BOARD OF COMMISSIONERS DECISION**

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

**STIPULATIONS:**



# Z-29



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

0 400 800 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** Province Homes, LLC

**PETITION NO.:** Z-29

**PRESENT ZONING:** R-30, R-20

**PETITION FOR:** R-20

\*\*\*\*\*

**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:** 60                      **Overall Density:** 1.60                      **Units/Acre**

**Staff estimate for allowable # of units:** 56 **Units\***    **Increase of:** 4 **Units/Lots**  
(R-20 Portion 40/R-30 Portion 16)

Applicant is requesting the R-20 zoning category for the development of a 60-lot residential subdivision. The minimum house size will be 2,800 square feet and will range up to 3,500 square feet and greater. The architecture will be traditional/craftsman and the proposed selling prices will be \$450,000 and greater. Applicant is proposing 20 feet between houses.

The applicant is requesting to waive the required front setback of 35 feet to 30 feet.

**Cemetery Preservation:** No comment.

**APPLICANT:** Province Homes, LLC

**PETITION NO.:** Z-29

**PRESENT ZONING:** R-30, R-20

**PETITION FOR:** R-20

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Still</u>	<u>770</u>	<u>Under</u>	<u>                    </u>
<b>Elementary</b>			
<u>Lovinggood</u>	<u>1,428</u>	<u>Over</u>	<u>                    </u>
<b>Middle</b>			
<u>Hillgrove</u>	<u>2,301</u>	<u>Over</u>	<u>                    </u>

**High**

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

**Additional Comments:** Approval of this petition could seriously adversely impact the enrollment at Lovinggood Middle School and Hillgrove High School, as both of these schools are severely over capacity at this time.

\*\*\*\*\*

**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: Province Homes, LLC

PETITION NO.: Z-29

PRESENT ZONING: R-30, R-20

PETITION FOR: R-20

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 and R-30 to R-20 for purpose of single-family subdivision. The 38.31 acre site is located on the north side of Bob Cox Road, east of Lake Somerset Drive and at the eastern terminus of Sutcliffe Ridge.

**Comprehensive Plan**

The parcel is within a Low Density Residential (LDR) future land use category, with R-20 and R-30 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**

It has been determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional is to be considered at site plan review. This survey, if completed, should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff.

**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.

APPLICANT: Province Homes, LLC

PETITION NO.: Z-29

PRESENT ZONING: R-30, R-20

PETITION FOR: R-20

\*\*\*\*\*

**PLANNING COMMENTS:** (Continued)

***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

Is this property within the Six Flags Special Service District?

Yes       No

APPLICANT Province Homes LLC

PETITION NO. Z-029

PRESENT ZONING R-30, 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): 8" CI/ N side of Bob Cox Rd

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: On site

Estimated Waste Generation (in G.P.D.): A D F= 24,000 Peak= 60,000

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:

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: Province Homes, LLC

PETITION NO.: Z-29

PRESENT ZONING: R-30, R-20

PETITION FOR: R-20

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Mud Creek FLOOD HAZARD INFO: Zone A

- 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: within floodplain

- 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 CONDITIONS

- 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 stream and Ivy Manor S/D detention pond.

APPLICANT: Province Homes, LLC

PETITION NO.: Z-29

PRESENT ZONING: R-30, R-20

PETITION FOR: R-20

\*\*\*\*\*

**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 parcel drains to the east through and adjacent homestead parcel and the Ivy Manor Subdivision to a tributary to Mud Creek. Two stormwater management facilities are proposed. The northern pond will discharge directly to the receiving stream. The discharge point for the southern pond is via a conveyance across the Cook Property (3040Bob Cox Road) that is not well defined. This channel will need at be improved or piped per the current owner’s preference to convey the site runoff to the existing Ivy Manor S/D storm system.
2. A drainage easement along the rear of lots 38-51 will likely be required to convey site runoff to the proposed stormwater management facilities and to limit off site bypass.

\*\*\*\*\*

**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
Bob Cox Road	3600	Minor Collector	35	Cobb	60'

*Based on [2009] traffic counting data taken by Cobb County DOT*

**COMMENTS AND OBSERVATIONS**

Bob Cox Road is classified as a minor collector and according to the available information the existing right-of-way may meet the minimum requirements for this classification.

**RECOMMENDATIONS**

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

Recommend applicant verify that minimum right-of-way is available for Bob Cox Road and if it is not, recommend applicant consider entering into a development agreement pursuant to 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 Bob Cox Road, a minimum of 30' from the roadway centerline.

Recommend traffic generation statement.

Recommend deceleration lane for the Bob Cox Road access.

Recommend left turn lane for the Bob Cox Road access.

Recommend sidewalks on, at least, one side of the street within subdivision.

Recommend applicant verify that minimum intersection sight distance is available for Bob Cox Road access and if it is not, implement remedial measures, subject to the Department's approval.

## STAFF RECOMMENDATIONS

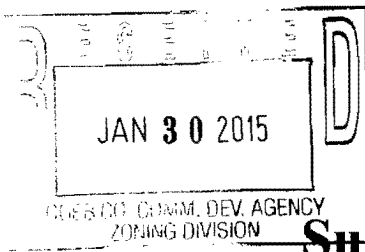
### **Z-29 PROVINCE HOMES, LLC**

- 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. Nearby properties are similarly zoned with similar densities.
- 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 proposed development will be similar to existing zonings in the area and will be accessed by an internal street.
- 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 the Low Density Residential (LDR) land use category having densities ranging from 1-2.5 units per acre. Applicant's request for 1.60 units per acre is within the LDR range and the range of other subdivisions in the area. Some of the other developments in the area include: Lake Somerset Unit 4 (zoned R-20 at approximately 1.50 units per acre); West Carrington Unit I (zoned R-15 at 1.72 units per acre); Ivy Manor (zoned R-20 at 1.9 units per acre); West Hampton Unit V (zoned R-20 at 1.92 units per acre); and Woodington Unit One (zoned R-15 at 2.03 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 approving the applicant's rezoning proposal. Applicant's request for R-20 and the proposed density of 1.60 units per acre is consistent with the *Cobb County Comprehensive Plan* designation of LDR (1-2.5 units per acre), and the proposed density of 1.60 units per acre is within the approximate 1.50 units per acre to 2.03 units per acre range of other developments in this area.

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

- Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
- Minimum lot size of 20,000 square feet;
- Water and Sewer Division comments and recommendations;
- Stormwater Management 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.**



Application No. z-29 (2015)

April 2015

## Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): Minimum 2,800 sf, upwards to 3,500 sf, and greater
- b) Proposed building architecture: Traditional/Craftsman
- c) Proposed selling prices(s): \$450,000 and greater
- d) List all requested variances: None known at this time

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Not Applicable.
- 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 known at this time.

**\*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.**