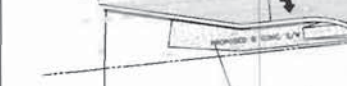


Z-52
(2015)

EXISTING ZONING: R-10 SINGLE-FAMILY RESIDENTIAL DISTRICT
LOT SIZE AND SETBACK REQUIREMENTS: THE MINIMUM LOT AREA FOR A SINGLE-FAMILY RESIDENTIAL TRACT SHALL BE 4,000 SQ. FT. THE MINIMUM LOT FRONT SETBACK SHALL BE 25 FEET. THE MINIMUM LOT SIDE AND REAR SETBACKS SHALL BE 5 FEET.
MINIMUM LOT WIDTH AT FRONT SETBACK LINE: 28 FEET
MAXIMUM BUILDING HEIGHT: 30 FEET
MINIMUM PUBLIC ROAD FRONTAGE: 75 FEET OR 10% OF LOT AREA, WHICHEVER IS GREATER.
FRONT SETBACK: 25 FEET
SIDE SETBACK: 5 FEET
REAR SETBACK: 5 FEET
HEIGHTS TO FEEL
STAIRS AND ELEVATION REQUIREMENTS: EXISTING BUILDINGS
PARKING REQUIREMENTS ARE AS FOLLOWS
A MINIMUM OF ONE SPACE FOR EACH RESIDENCE
COUNTY JUDICIAL DISTRICT: MIDDLEBURY JUDICIAL DISTRICT
COUNTY CLERK: JAMES H. BASKIN, JR., 100 EAST ST.
COUNTY COMMISSIONER: BOB MCDONALD, 100 EAST ST.
NO FUTURE TRACTS ARE BEING SUBMITTED AT THIS TIME.
PROPOSED ZONING: Z-52 COMMERCIAL BUSINESS CENTER, DISTRICT
REQUIREMENTS ARE AS FOLLOWS
MINIMUM LOT AREA: 44,857 SQUARE FEET
MINIMUM LOT FRONT SETBACK: 50 FEET
MINIMUM FRONT YARD SETBACK: 25 FEET
MINIMUM SIDE SETBACK: 25 FEET
MINIMUM REAR SETBACK: 15 FEET
LANDSCAPING: BATTERS AND ELEVATION REQUIREMENTS, UNLESS OTHERWISE SPECIFIED BY THE CITY ENGINEER, SHALL BE AS FOLLOWS:
1. FRONT YARD: PLANTINGS SHALL BE INSTALLED WITHIN 10 FEET OF THE FRONT SETBACK. PLANTINGS SHALL BE 4 FEET TALL AT MATURE. PLANTINGS SHALL BE INSTALLED AT A RATE OF ONE PLANT PER 100 SQUARE FEET.
2. SIDE AND REAR YARD: PLANTINGS SHALL BE INSTALLED WITHIN 5 FEET OF THE SIDE AND REAR SETBACK. PLANTINGS SHALL BE 6 FEET TALL AT MATURE. PLANTINGS SHALL BE INSTALLED AT A RATE OF ONE PLANT PER 100 SQUARE FEET.
3. STREET FRONTAGE: PLANTINGS SHALL BE INSTALLED WITHIN 10 FEET OF THE STREET FRONTAGE. PLANTINGS SHALL BE 6 FEET TALL AT MATURE. PLANTINGS SHALL BE INSTALLED AT A RATE OF ONE PLANT PER 100 SQUARE FEET.
4. DRIVEWAYS: PLANTINGS SHALL BE INSTALLED WITHIN 5 FEET OF THE DRIVEWAY. PLANTINGS SHALL BE 6 FEET TALL AT MATURE. PLANTINGS SHALL BE INSTALLED AT A RATE OF ONE PLANT PER 100 SQUARE FEET.
5. SIDEWALKS: PLANTINGS SHALL BE INSTALLED WITHIN 5 FEET OF THE SIDEWALK. PLANTINGS SHALL BE 6 FEET TALL AT MATURE. PLANTINGS SHALL BE INSTALLED AT A RATE OF ONE PLANT PER 100 SQUARE FEET.
6. BATTERS: PLANTINGS SHALL BE INSTALLED WITHIN 5 FEET OF THE BATTERS. PLANTINGS SHALL BE 6 FEET TALL AT MATURE. PLANTINGS SHALL BE INSTALLED AT A RATE OF ONE PLANT PER 100 SQUARE FEET.
7. ELEVATION: THE ELEVATION OF THE BUILDING SHALL BE AS FOLLOWS:
a. FINISH FLOOR: 100.00 FEET
b. FINISH GRADE: 100.00 FEET
c. FINISH BASE: 100.00 FEET
d. FINISH CEILING: 100.00 FEET
e. FINISH ROOF: 100.00 FEET
f. FINISH DRIVEWAY: 100.00 FEET
g. FINISH SIDEWALK: 100.00 FEET
h. FINISH PAVEMENT: 100.00 FEET
i. FINISH CURB: 100.00 FEET
j. FINISH STREET: 100.00 FEET
k. FINISH ELEVATION: 100.00 FEET
TOTAL SQUARE FOOTAGE: 44,857 SQ. FT.
TOTAL SPACES PROVIDED: 43,417 SQUARE FEET



VICINITY MAP N.T.S.

FUTURE LAND USE MAP N.T.S.

REMAINING PORTION OF THE PROJECT SITE (TRACT 2) 44,857 SQ. FEET 1.0302 ACRES

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REMAINING PORTION OF THE PROJECT SITE (TRACT 2) 44,857 SQ. FEET 1.0302 ACRES

REVISIONS:
PROJECT: RESTAURANT
PROJECT ADDRESS: WHITE BLVD & FLOYD RD
PROJECT ADDRESS: MABLETON, COBB CO., GA
CLIENT: VRE MABLETON, LLC
CLIENT ADDRESS: 1211 WHITE CHAPEL BLVD
CLIENT ADDRESS: SOUTHLAKE, TX 76092
DATE: 01/24/2015 Dwg: PR-JI

LAND LOT: 31 DISTRICT 17
TOTAL SQUARE FEET: 44,857
TOTAL SPACES PROVIDED: 43,417
TOTAL SPACES PROVIDED AS NOT ACCEPTABLE SPACES: 0

24-HOUR EMERGENCY CONTACT: SHAWN BURKETT (504) 577-2017

WHITE BOULEVARD
RIGHT-OF-WAY VARIES

POINT OF BEGINNING

PROPOSED RESTAURANT 2,955 SF

PROPOSED PAVED PARKING 4,000 SF

PROPOSED UNPAVED PARKING 10,000 SF

PROPOSED DRIVEWAY 1,000 SF

PROPOSED SIDEWALK 1,000 SF

PROPOSED CURB 1,000 SF

PROPOSED STREET 1,000 SF

PROPOSED ELEVATION: 100.00 FEET

PROPOSED BATTERS: 5 FEET

24-HOUR EMERGENCY CONTACT: SHAWN BURKETT (504) 577-2017

Civil Consulting Engineers, Inc.
122 CEDAR WOODS TRAIL
CANTON, GA 30114
678-462-1072
CIVILCONSULTING@CCEI.COM

REZONING PLAN

PROPOSED RESTAURANT 2,955 SF

PROPOSED PAVED PARKING 4,000 SF

PROPOSED UNPAVED PARKING 10,000 SF

PROPOSED DRIVEWAY 1,000 SF

PROPOSED SIDEWALK 1,000 SF

PROPOSED CURB 1,000 SF

RECEIVED
MAY 14 2015
CITY OF MABLETON, GA
Planning Division

4142003723
800 1500
How to file below:
Call 800 1500

APPLICANT: VRE Mableton, LLC

PHONE#: (817) 328-0296 **EMAIL:** sburkett@verticalcm.com

REPRESENTATIVE: Garvis L. Sams, Jr.

PHONE#: (770) 422-7016 **EMAIL:** Garvis L. Sams, Jr.

TITLEHOLDER: 4730 Floyd Road, LLC, Betty James Barnes

PROPERTY LOCATION: Northwest corner of Floyd Road and White Boulevard.

ACCESS TO PROPERTY: Floyd Road and White Boulevard

PHYSICAL CHARACTERISTICS TO SITE: Wooded, undeveloped

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Single-family residential

SOUTH: NRC/ McDonald's

EAST: NRC/ Commercial Retail

WEST: R-20/ Single-family residential

PETITION NO: Z-52

HEARING DATE (PC): 06-02-15

HEARING DATE (BOC): 06-16-15

PRESENT ZONING: R-20

PROPOSED ZONING: NRC

PROPOSED USE: Restaurant

SIZE OF TRACT: 1.019 acres

DISTRICT: 17

LAND LOT(S): 31

PARCEL(S): 40

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** _____

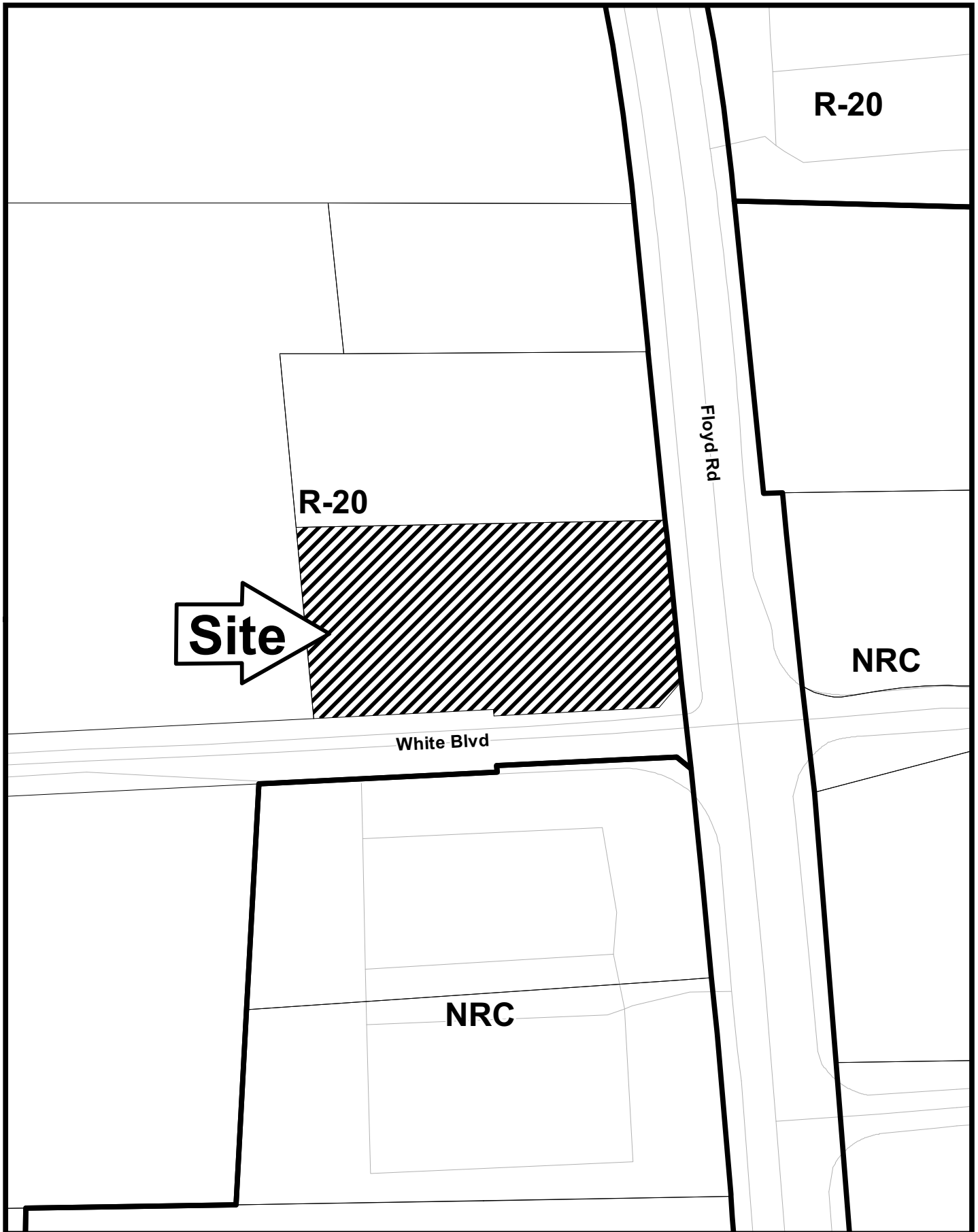
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

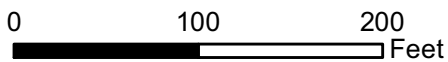
STIPULATIONS:



Z-52



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



-  City Boundary
-  Zoning Boundary

APPLICANT: VRE Mableton, LLC

PETITION NO.: Z-52

PRESENT ZONING: R-20

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: NAC neighborhood activity center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 2,985 sq. ft.

F.A.R.: 0.07 **Square Footage/Acre:** 2,898.06 sq. ft.

Parking Spaces Required: 25 **Parking Spaces Provided:** 43

The applicant is requesting a rezoning of the subject property from the current R-20 single-family residential district to the NRC neighborhood retail commercial district in order to develop a Hardee’s “fast causal” restaurant. The site, which is currently undeveloped and wooded, will be built out with the company’s “classic” prototype and the applicant has submitted renderings of the proposed building. The proposed hours will be from 6:00 a.m. to 11:00 p.m., seven (7) days a week.

As presented, the applicant’s proposal will require the following variances:

1. Waiver of the front setback from the required 50 feet along an arterial roadway to 40 feet;
2. Waiver of the minor side setback from the required 15 feet to 10 feet;
3. Waiver of the landscaped screening buffer adjacent to residentially zoned property (along the northern property line) from the required 20 feet to eight (8) feet

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: VRE Mableton, LLC

PETITION NO.: Z-52

PRESENT ZONING: R-20

PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to NRC for purpose of restaurant. The 01.019 acre site is located on the northwest corner of Floyd Road and White Boulevard.

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with R-20 zoning designation. The purpose of the Neighborhood Activity Center (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.

Specific Area Policy Guideline:

- In order to better implement and promote the nodal concept of development at the intersection of Floyd Road and Nickajack Road, the Board of Commissioners has extended the NAC to the west side of Floyd Road in Land Lots 31 and 32 of the 17th District. In order to encourage development plans which are architecturally compatible with the existing uses on the east side of Floyd Road and to promote coordinated access within the NAC, the Board of Commissioners has determined the necessity for a unified development plan for this extension. All highlighted properties or substantial combination thereof, must be assembled and included in one rezoning/development plan. Buffering to adjacent residential uses, architectural compatibility, shared access and land use transition will be of paramount importance and assemblage rezoning applications will be evaluated for appropriateness based upon this criteria. The map of this highlighted area is shown in the Appendix.

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: VRE Mableton, LLC

PETITION NO.: Z-52

PRESENT ZONING: R-20

PETITION FOR: NRC

PLANNING COMMENTS: (Continued)

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 Community Development Agency, Planning Division at 770.528.2018 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

Is this property within the Six Flags Special Service District?

Yes No

APPLICANT VRE Mableton, LLC

PETITION NO. Z-052

PRESENT ZONING R-20

PETITION FOR NRC

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" DI / N side of White Blvd

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: In White Blvd ROW

Estimated Waste Generation (in G.P.D.): A D F= 816 Peak= 2,040

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: VRE Mableton, LLC

PETITION NO.: Z-52

PRESENT ZONING: R-20

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Clay Branch 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 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 receiving culvert under White Boulevard.

APPLICANT: VRE Mableton, LLC

PETITION NO.: Z-52

PRESENT ZONING: R-20

PETITION FOR: NRC

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. The entire site drains to the south into the right-of-way of White Boulevard. The proposed underground stormwater management facility must be tied directly to the existing culvert under White Blvd. Allowable peak discharges from the site must not exceed the capacity of this existing pipe system.

APPLICANT: VRE Mableton, LLC

PETITION NO.: Z-52

PRESENT ZONING: R-20

PETITION FOR: NRC

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
Floyd Road	35,200	Arterial	40 mph	Cobb County	100'
White Blvd	N/A	Local	25 mph	Cobb County	50'

Based on 2007 traffic counting data taken by Cobb DOT (Floyd Road)

COMMENTS AND OBSERVATIONS

Floyd 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.

White Blvd is classified as a local 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 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 White Blvd, a minimum of 25' from the roadway centerline.

Recommend a deceleration lane on Floyd Road for the entrance.

Recommend replacing disturbed curb, gutter, and trail along the Floyd Road frontage.

Recommend curb, gutter, and sidewalk along the White Boulevard frontage.

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

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STAFF RECOMMENDATIONS

Z-52 VRE MABLETON, 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. The proposed use is similar to other fast-food restaurants and commercial uses in the immediate area located along Floyd Road, an arterial roadway.
- 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 closest residential neighbor to the north is also owned by one of the co-titleholders of the subject property.
- 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 NAC neighborhood activity center, the request furthers the goals of the *Plan* by providing a use that serves neighborhood residents and businesses.
- 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. Located within an NAC, the request will allow the development that can be utilized by area residents and businesses. The proposed "fast casual" restaurant is located on Floyd Road, an arterial roadway, where other, similar uses currently exist. While the applicant is presenting a plan that demonstrates variances as to setbacks and buffering, the nearest residential neighbor is also a co-titleholder signed on to the application indicating support for the request.

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

- Site plan received by the Zoning Division on April 27, 2015, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Fire Department 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.

Application No. z-52

June 2015

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): Hardee's Fast Casual Restaurant
 - b) Proposed building architecture: Hardee's "classic" prototype is being submitted contemporaneously herewith.
 - c) Proposed hours/days of operation: 6:00 a.m. until 11:00 p.m. - 7 days per week.
 - d) List all requested variances: Waiver of the landscape buffer on the northern side of the subject property from 20' to 10'.
- _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The subject property is located within the confines of a Neighborhood Activity Center ("NAC") as shown on Cobb County's Future Land Use Map. Each of the four (4) quadrants of this signalized intersection are developed and utilized Commercially.

.....
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).

Not applicable.

*The Applicant reserves the right to revise or modify this Summary of Intent for Rezoning and the related documents submitted contemporaneously herewith at any time during the pendency of the Application for Rezoning.

ZONING IMPACT STATEMENT
FOR THE REZONING APPLICATION
OF 4730 FLOYD ROAD, LLC

COMES NOW, VRE Mableton, LLC, and pursuant to § 134-121(a)(7) of the Cobb County Zoning Ordinance, files this its Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of Floyd Road Corridor. The subject property is zoned R-20; however, the preponderance of properties within this section of the Floyd Road Corridor are zoned and utilized for Commercial purposes.

- B. The zoning proposal will have no adverse effect or impact upon the exiting uses or usability of adjacent or nearby properties.

- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. The existing R-20 zoning classification is a significant economic detriment to the owner of the subject property.

- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.
- E. The zoning proposal is consistent with the uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the subject property being within a Neighborhood Activity Center ("NAC") under and pursuant to Cobb County's Future Land Use Map and Comprehensive Land Use Plan.
- F. There is no substantial relationship between the existing zoning classifications of R-20 and NRC which limits the property in terms of its present utilization and the public health, safety and general welfare.

Respectfully submitted, this the 24th day of April, 2015.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950



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