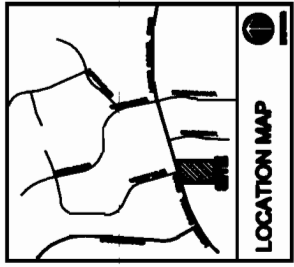


| | | | | | | |
|--|--|--------------------------|---|--|---------------------------|------------------------|
| <p>AT LOWER ROSWELL SUBDIVISION 3140 LOWER ROSWELL ROAD MARISTA, GEORGIA 30088 LAND LOT 1628, 16TH DISTRICT 2ND, SECTION, COBB COUNTY, GEORGIA</p> | | <p>NEW SITE PLAN</p> |  | <p>OWNER/DEVELOPER A P HUGHES, INC. 1375 MARISTA DRIVE MARISTA, GA 30088 PH: 770-988-1000</p> | <p>REVISIONS DATE</p> | <p>20-2-1 2015</p> |
|--|--|--------------------------|---|--|---------------------------|------------------------|

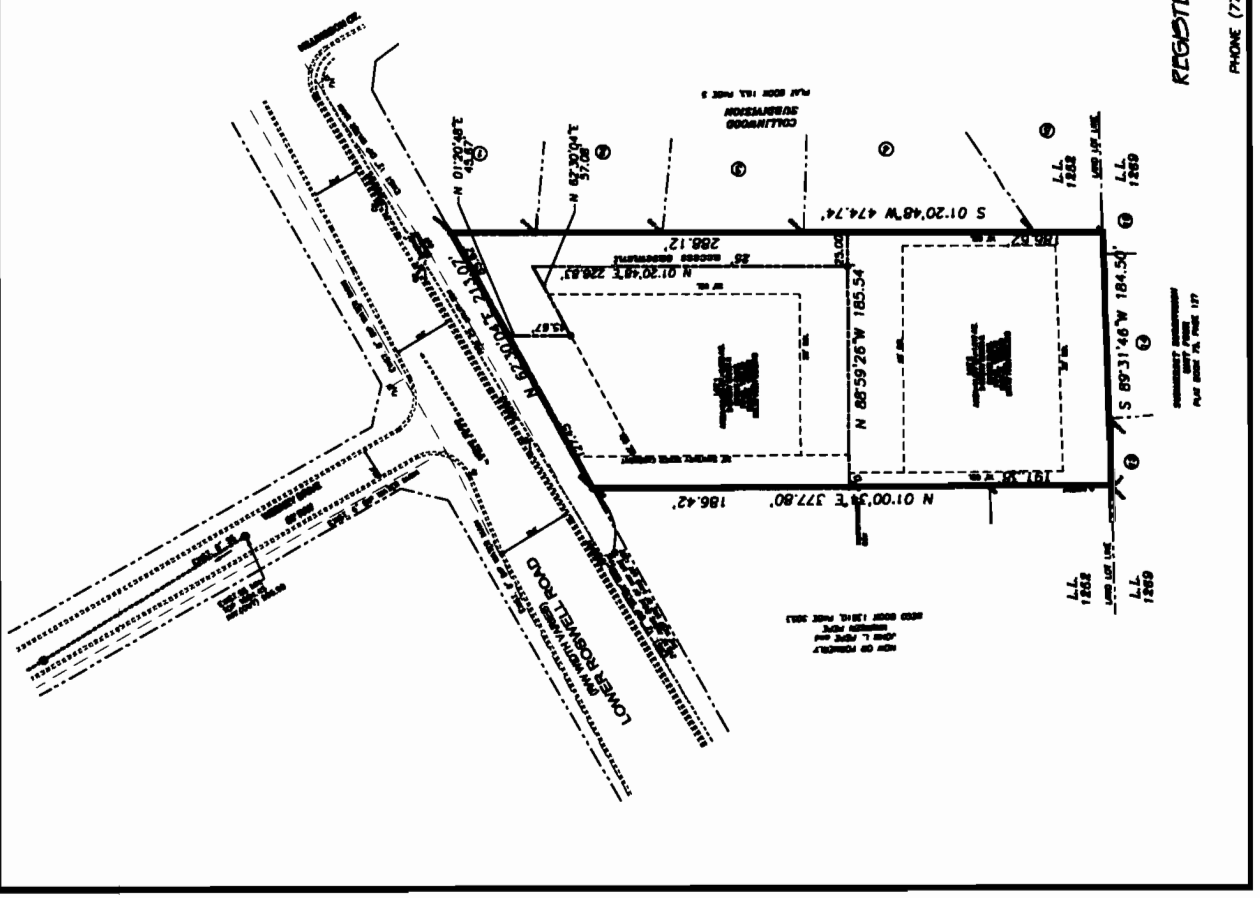
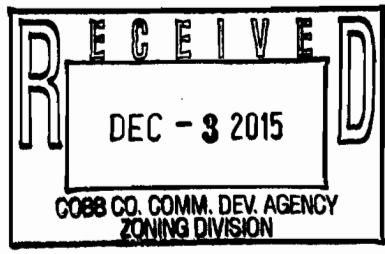


COBB COUNTY 'ZONING'
PERMIT NO. 0812088

LEGAL DESCRIPTION
 "3140 LOWER ROSWELL ROAD,"
 ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 1628 of the 16th District, 2nd Section, Cobb County, Georgia, and being more particularly described as follows:
 BEGINNING at an iron pin located on the southerly right of way line of Lower Roswell Road (right of way widths varies), said iron pin being located 174.74 feet along the southerly right of way line of Lower Roswell Road from the southerly right of way line of Lower Roswell Road and the west line of Land Lot 1552; thence, proceed along the southerly right of way line of Lower Roswell Road North 02 degrees 30 minutes 04 seconds East a distance of 213.07 feet to an iron pin, thence leaving said southerly right of way line of Lower Roswell Road and proceed South 01 degree 20 minutes 48 seconds West a distance of 174.74 feet to an iron pin on the south line of Land Lot 1552; thence along the south line of Land Lot 1552 South 89 degrees 34 minutes 34 seconds West a distance of 184.50 feet to an iron pin on the south line of Land Lot 1552 and proceed North 01 degree 00 minutes 54 seconds East a distance of 377.80 feet to an iron pin on the southerly right of way line of Lower Roswell Road and THE POINT OF BEGINNING; said property being shown as 3.182 Acres (79,142 square feet), tract of land on a survey for Oscar Tadizadish prepared by Registered Land Surveyor, Inc., certified by Claude S. Brown, Georgia Registered Land Surveyor No. 2430, dated April 24, 2013, in which certain survey is incorporated herein by its reference and made a part hereof.

NEW SITE DATA:
 TOTAL SITE AREA 79,142 SF. = 1.82 ACRES
 CURRENT ZONING: RESIDENTIAL R-20,
 (MIN. 20,000 SF.)
 PROPOSED USE: SINGLE FAMILY HOUSE
 LOT 1 AREA 34,864 SF. = 0.800 ACRES
 LOT 2 AREA 44,277 SF. = 1.017 ACRES
 BUILDING SET BACKS:
 FRONT 30 FEET
 SIDES 10 FEET
 REAR 30 FEET

SITE DESCRIPTION:
 THIS TRACT IS A SINGLE-FAMILY RESIDENTIAL TRACT TO BE DEVELOPED AS A SINGLE-FAMILY RESIDENTIAL TRACT.
CRITICAL/SENSITIVE AREAS OF THE SITE:
 NONE.
100 YEAR FLOOD NOTE:
 NO PORTION OF THIS PROPERTY APPEARS TO BE WITHIN THE 100 YEAR FLOOD PLAIN ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13040C0101E (REV. 11/04/04).
PARKING SPACES:
 NONE.
LANDSCAPE BUFFER:
 NONE.
UTILITIES:
 NONE.
FEATURES:
 NONE.



24 HOUR CONTACT
 OWNER/DEVELOPER
A P HUGHES, INC.
 ALL CONTACTS
 1375 MARISTA DRIVE
 MARISTA, GA 30088
 PH: 770-988-1000

REGISTERED LAND SURVEYORS, INC.
 135 SAVANNA ESTATES DRIVE
 CANTON, GEORGIA 30115
 PHONE (770) 988-7876 FAX (770) 988-2745

APPLICANT: AP Homes, Inc.

PHONE#: (770) 639-1009 EMAIL: aparvinian@gmail.com

REPRESENTATIVE: Ali Parvinian

PHONE#: (770) 639-1009 EMAIL: aparvinian@gmail.com

TITLEHOLDER: AP Homes, Inc.

PROPERTY LOCATION: South side of Lower Roswell Road, east of Old Canton Road (3140 Lower Roswell Road).

ACCESS TO PROPERTY: Lower Roswell Road

PHYSICAL CHARACTERISTICS TO SITE: Wooded lot

PETITION NO: Z-10

HEARING DATE (PC): 02-02-16

HEARING DATE (BOC): 02-16-16

PRESENT ZONING: R-80

PROPOSED ZONING: R-20

PROPOSED USE: Single-Family Residential

SIZE OF TRACT: 1.82 acres

DISTRICT: 16

LAND LOT(S): 1252

PARCEL(S): 8

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Sentinel Lake Subdivision

SOUTH: R-20/Somerset Subdivision

EAST: R-15/Collinwood Subdivision

WEST: R-80/Single-family house

Adjacent Future Land Use:

North: Low Density Residential (LDR)

East: Low Density Residential (LDR)

South: Low Density Residential (LDR)

West: Low Density Residential (LDR)

OPPOSITION: NO. OPPOSED PETITION NO: _____ SPOKESMAN _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

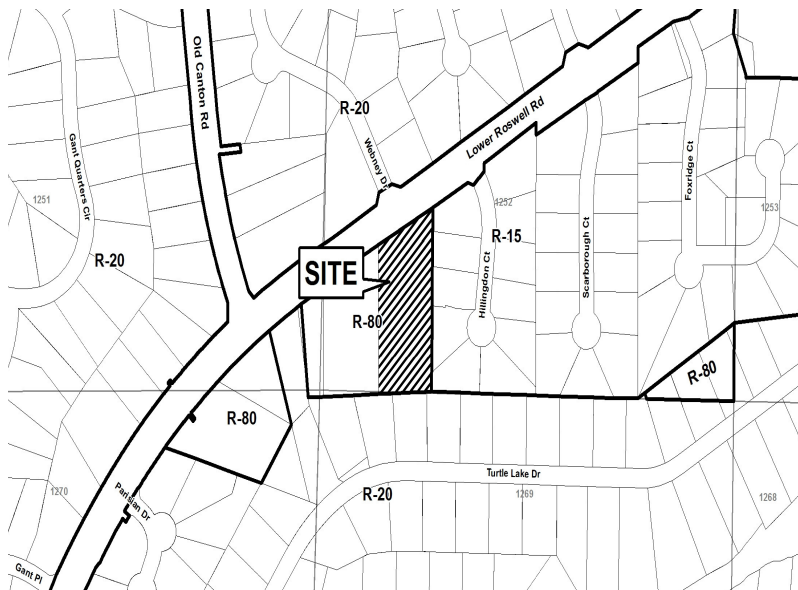
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

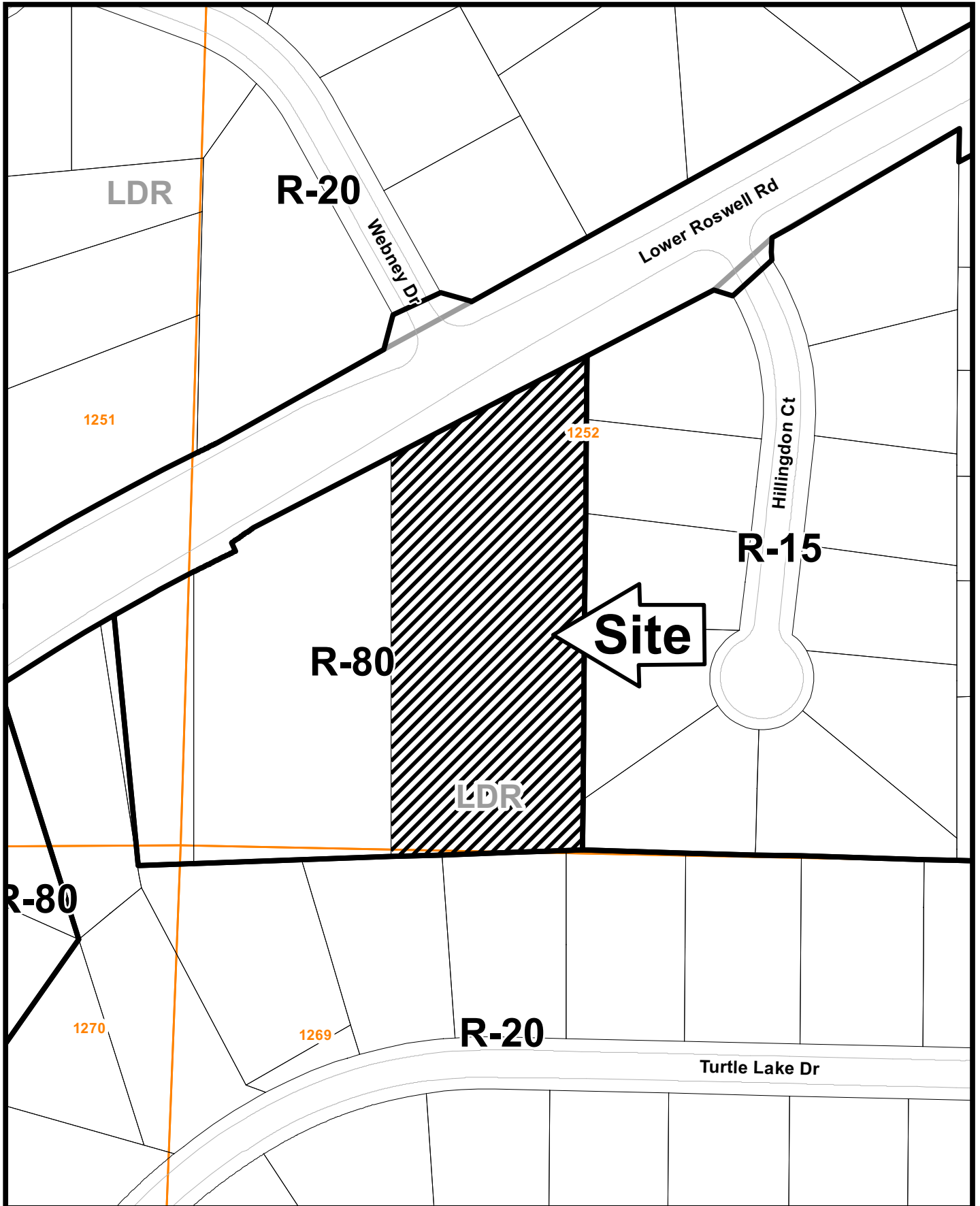
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS:



Z-10



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

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

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: 2 **Overall Density:** 1.09 **Units/Acre**

Staff estimate for allowable # of units: 1 **Units*** **Increase of:** 1 **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.

Applicant is requesting the R-20 zoning district for the purpose of developing two single-family lots. Lot 1 will be 34,864 square feet and Lot 2 will be 44,277 square feet, exceeding the minimum 20,000 square-foot required lot size for the requested R-20. The proposed houses will be 4,000 square feet and the proposed selling price will be \$750,000. The houses will be brick with some siding.

Cemetery Preservation: No comment.

SCHOOL COMMENTS:

| <u>Name of School</u> | <u>Enrollment</u> | <u>Capacity</u> <u>Status</u> | <u>Number of</u> <u>Portable</u> <u>Classrooms</u> |
|---------------------------------------|-------------------|----------------------------------|--|
| <u>East Valley</u> | <u>679</u> | <u>Over</u> | <u> </u> |
| Elementary <u>East Cobb</u> | <u>1,223</u> | <u>Under</u> | <u> </u> |
| Middle <u>Wheeler</u> | <u>2,117</u> | <u>Under</u> | <u> </u> |

High

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

Additional Comments:

APPLICANT: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

PETITION FOR: R-20

FIRE COMMENTS:

1. Driveway must have a minimum 12' driving surface width with minimum 25' inside turning radius.
2. Fully developed landscaping shall be at least 7'0" from center of drive (14' clear width) and 13'6" vertical clearance. (Indicate on plan minimum setbacks).
3. Maximum grade shall not exceed 18%.
4. Driveway must extend within 150' of the most remote portion of the structure.
5. Driveway is limited to 1000' maximum from roadway unless an approved turn-around is provided. (See note below.)
6. Driveway must support 25 Tons (50,000 lbs.)
7. Provide emergency access to all gates securing Fire Dept. access with a minimum 12'-0" clear width
8. Hydrant within 500' of remote structure, minimum 6" main*
(Required Flow: 1000 gpm @ 20 psi)
9. Fire Flow Test from closest existing hydrant*
(Required Flow: 1000 gpm @ 20 psi)

APPLICANT: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

PETITION FOR: R-20

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-80 to R-20 for the purpose of single family residential. The 1.82 acre site is located on the south side of Lower Roswell Road, east of Old Canton Road.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category, with R-20 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, and non supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre, depending on existing conditions such as product type and mix, structure/building height, tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Low Density Residential (LDR)
East: Low Density Residential (LDR)
South: Low Density Residential (LDR)
West: Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

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.

APPLICANT: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

PETITION FOR: R-20

PLANNING COMMENTS: (Continued)

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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

APPLICANT AP Homes Inc

PETITION NO. Z-010

PRESENT ZONING R-80

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): 12" DI / S side of Lower Roswell 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: On site via recently-approved plans

Estimated Waste Generation (in G.P.D.): A D F= 320 Peak= 800

Treatment Plant: Sutton

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: Construction plans for sewer extension by developer approved December 2015

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: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

PETITION FOR: R-20

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sope 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 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 – Somerset Lake .
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 _____.

APPLICANT: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

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. Lot grading plans must be approved by Stormwater Management Division prior to issuance of building permits. Although there is a recorded drainage easement along the rear of this parcel within the Somerset Subdivision, there is no well-defined conveyance and existing drainage issues. Lot 2 will require the installation of dry wells to reduce the potential impact of any concentrated runoff to the south into the adjacent lots within Somerset Subdivision.

APPLICANT: AP Homes, Inc.

PETITION NO.: Z-10

PRESENT ZONING: R-80

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 |
|--------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Lower Roswell Road | 18,100 | Arterial | 40 mph | Cobb County | 100' |
| | | | | | |

Based on 2010 traffic counting data taken by Cobb County DOT for Lower Roswell Road.

COMMENTS AND OBSERVATIONS

Lower Roswell Road is classified as an arterial and according to the available information the existing right-of-way does not 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 consider entering into a development agreement pursuant of 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 east side of Lower Roswell Road, a minimum of 50' from the roadway centerline.

Recommend replacing disturbed curb, gutter, and sidewalk along the Lower Roswell Road frontage.

Recommend one shared driveway for both tracts.

STAFF RECOMMENDATIONS

Z-10 AP HOMES, INC.

- 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. Adjacent and nearby properties are similarly zoned for single-family houses.
- 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 only add one additional single-family lot for a total of two.
- 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 as being within the Low Density Residential (LDR) land use category, having densities ranging from 1-2.5 units per acre. The requested R-20 zoning district is compatible with the LDR land use category and the proposed density of 1.09 units per acre is within the LDR density range. Nearby properties with similar densities include: Sentinel Lake Phase II (zoned R-20 at approximately 1.06 units per acre); Old Canton Place (zoned R-20 at 1.23 units per acre); Gant Quarters Unit Three (zoned R-20 at approximately 1.74 units per acre); Somerset Subdivision Unit Four (zoned R-20 at approximately 1.89 units per acre); and Collinwood Subdivision (zoned R-15 at 2.36 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. Other properties in this area are similarly zoned and the proposal is to divide the subject property to create two single-family lots, adding only lot to what would be allowed under the current R-80 zoning.

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

1. Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. 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.

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): Lot square footage 39350 each
- b) Proposed building architecture: Building square footage 4000
- c) Proposed selling prices(s): 750,000.
- d) List all requested variances: _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed) DEC - 8 2015

- 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)

We have 1.82 Acres of Building lot R-80 which
Trying To re zone to build Two residential R-20
Houses.

.....
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).

No

12/2/2015

Z-10 (2016)
Attachment to
Summary of Intent

To whom it may concern:

My name is Alan Parvinian and my company name is AP Homes Inc. LLC. I am a small residential builder in Cobb County and have recently purchased a building lot located at 3140 Lower Roswell Rd. The size of the property is about 1.82 acres and it is presently zoned R-80. Currently, this lot is on a septic but I have already obtained a sewer permit from Cobb County Water System to run sewage for this property. With your approval, my intent is to re-zone this lot from R-80 to R-20 so that I can build two houses on the property, with each subdivided lot having a total of 39,350 square feet along with a sewer line connected for both houses.

Thank you very much for your time and consideration of this matter.

Sincerely,



Alan Parvinian
AP Homes Inc. LLC

DEC - 3 2015