

Z-42
(2017)

LEGEND

- C.B. --- CATCH BASIN
- D.E. --- DRAINAGE EASEMENT
- I.P.F. --- IRON PIN FOUND
- I.P.S. --- IRON PIN SET
- H.W. --- HEADWALL
- R/W --- RIGHT OF WAY
- N/F --- NOW OR FORMERLY
- ⊕ --- BUILDING LINE

40' Ⓟ PER TERRY MARTIN AT
COBB COUNTY ZONING

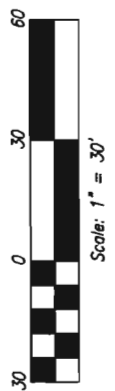
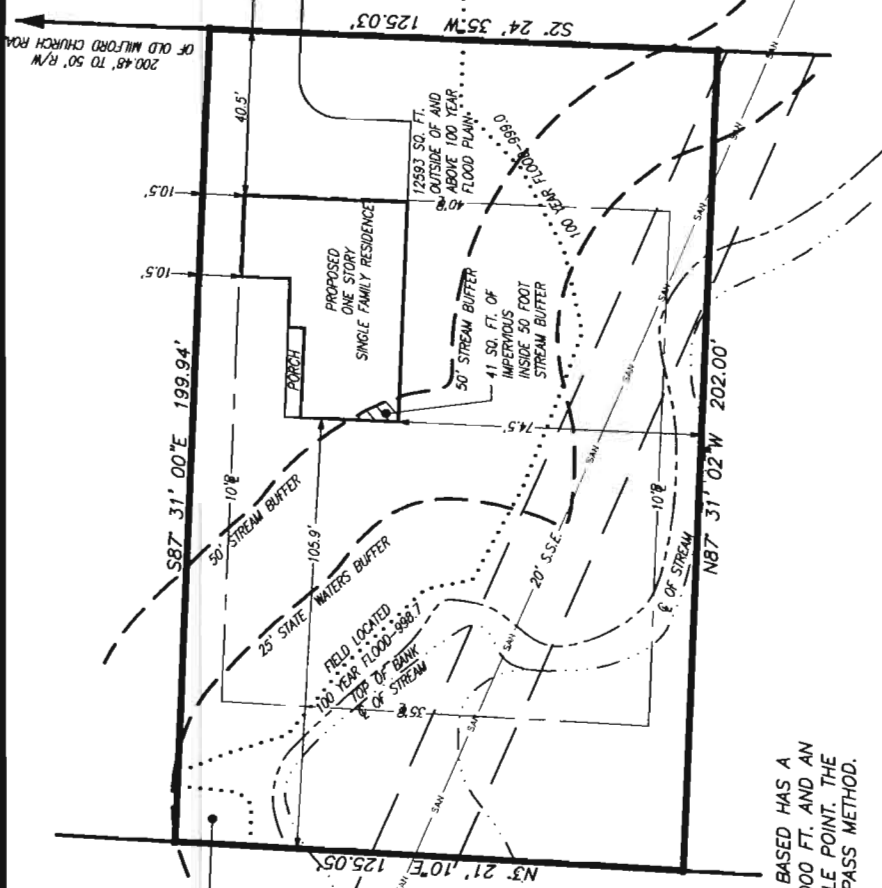
RECEIVED
JUL 13 2017
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

REVISED
HICKS ROAD
80' R/W

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-57, 43-15-4, 43-15-6, 43-15-19, 43-15-22



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
James A. Evans
GEORGIA REGISTERED LAND SURVEYOR



Scale: 1" = 30'

NORTH

PROPERTY ZONED: R-20
BUILDING SETBACK LINES
FRONT - 40 FEET
SIDE - 10 FEET
REAR - 35 FEET
TOTAL AREA - 25,128 SQ. FT.
OR 0.5769 ACRES

REFERENCE:

PROPERTY ZONING AND SETBACKS SHOULD BE VERIFIED WITH GOVERNING AUTHORITY.

EQUIPMENT USED: TOPCON TOTAL STATION

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FT. IN >/= 15,000 FT. AND AN ANGULAR ERROR OF </= 5 SEC. PER ANGLE POINT. THE FIELD DATA WAS ADJUSTED USING THE COMPASS METHOD.

FLOOD STATEMENT
THIS PROPERTY IS PARTIALLY LOCATED IN A FLOOD HAZARD AREA ZONE "SHADED ZONE X" ACCORDING TO F.I.R.M. PANEL #13067C0114 H LAST REVISED MARCH 4, 2013.

J.A. EVANS & ASSOCIATES
3279 POWDER SPRINGS ROAD
POWDER SPRINGS, GA. 30127
PH. (770)943-0000

ZONING PLAT FOR
HICKS ROAD
TAX PARCEL #19070300570
L.L. 703, DIST. 19, SECT. 2
COBB COUNTY, GEORGIA

SURVEYED HLP
DRAWN HICKS ROAD
DWG NAME
DATE JULY 12, 2017

APPLICANT: Tina T. Ayers & Veronica N. Ayers
PHONE #: 678-575-2134 **EMAIL:** tayers01@att.net
REPRESENTATIVE: Tina T. Ayers
PHONE #: 678-575-2134 **EMAIL:** tayers01@att.net
TITLEHOLDER: Tina T. Ayers and Veronica N. Ayers

PETITION NO: Z-42
HEARING DATE (PC): 08-01-17
HEARING DATE (BOC): 08-15-17
PRESENT ZONING: O&I

PROPERTY LOCATION: West side of Hicks Road, south of
Old Milford Church Road

PROPOSED ZONING: R-20

ACCESS TO PROPERTY: Hicks Road

PROPOSED USE: Single-family House

PHYSICAL CHARACTERISTICS TO SITE: One story brick ranch

SIZE OF TRACT: 0.58 ac

DISTRICT: 19

LAND LOT(S): 703

PARCEL(S): 57

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: OI/ Single-family Residence
SOUTH: R-20/ Single-family Residence
EAST: R-15/ Milford Park
WEST: R-20/ Single-family Residences

Adjacent Future Land Use:
 North: Low Density Residential (LDR)
 East: Park / Recreational/ Conservation (PRC)
 South: Low Density Residential (LDR)
 West: Low Density Residential (LDR)

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

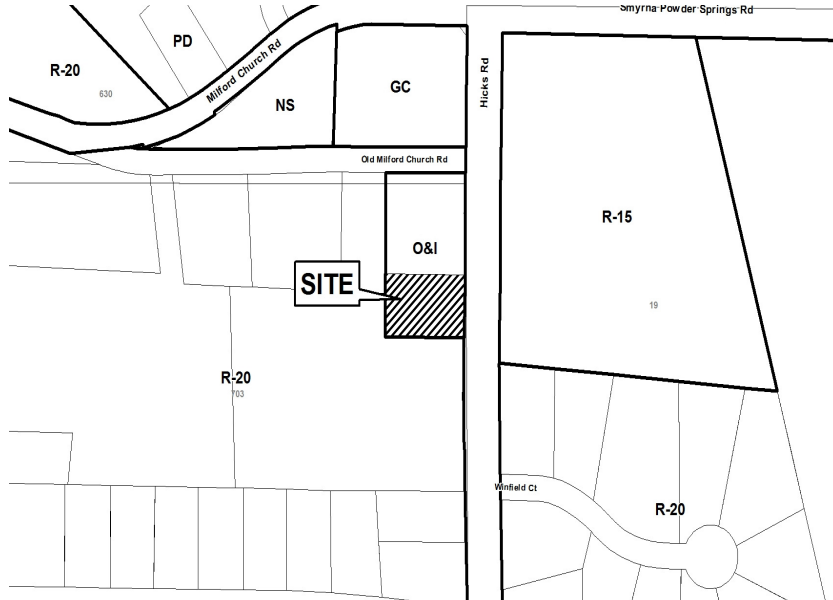
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

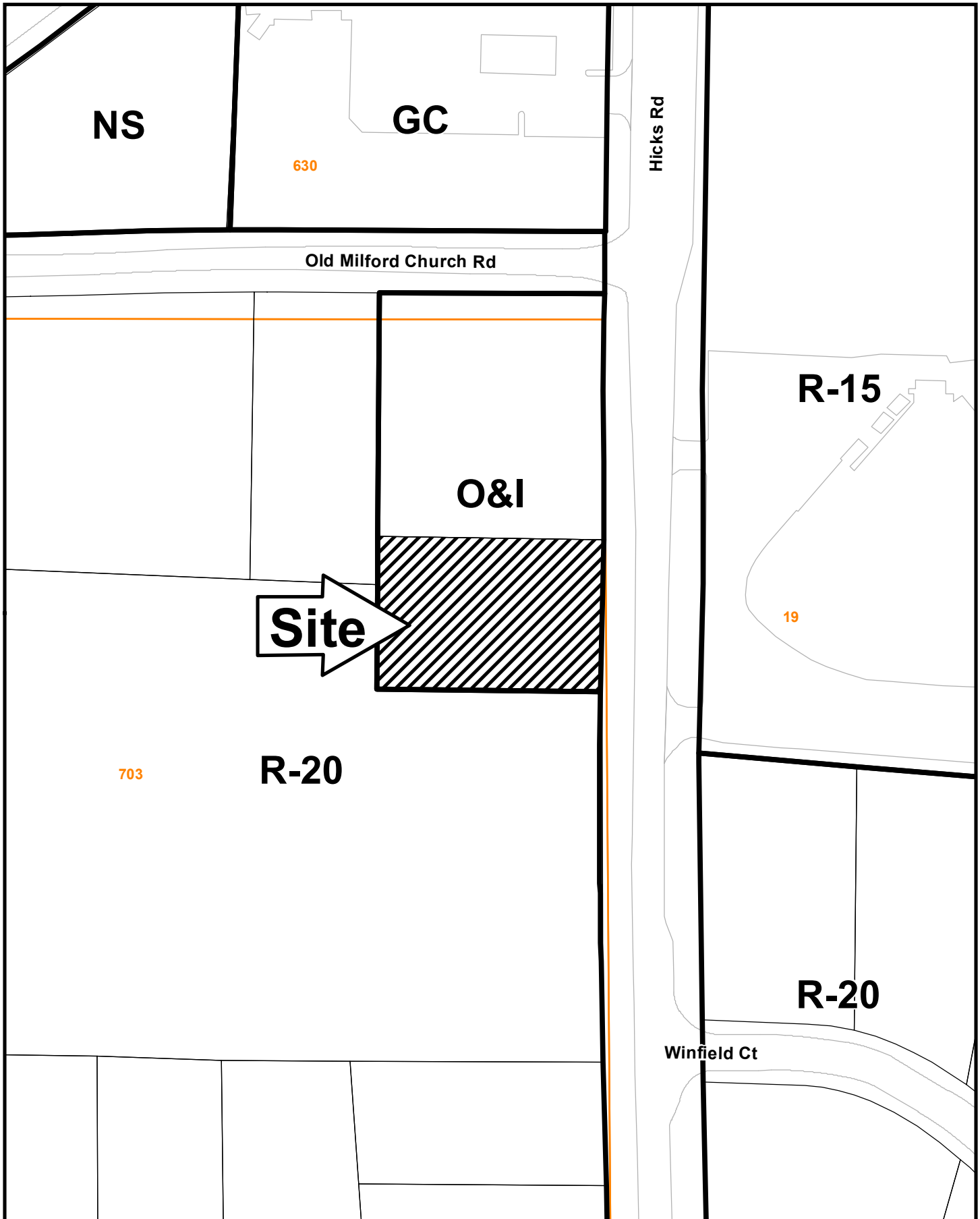
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

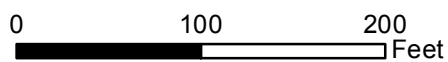
STIPULATIONS:





Z-42 2017-GIS



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Tina T. Ayers & Veronica N. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

PETITION FOR: R-20

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: LDR Low Density Residential

Proposed Number of Units: 1 Overall Density: 2 Units/Acre

Staff estimate for allowable # of units: 0 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.

The applicants are requesting a rezoning of the subject property from the current O&I office and institutional district to the R-20 single-family residential district in order to build a 1,456 sq. ft. single story residence. The property and adjacent parcel immediately to the north were rezoned to the current O&I district in 1990 per case Z-51. As neither has been developed for commercial and/or office uses, the request will allow the rezoning to once again be residential and to be developed as proposed.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission’s Inventory Listing which is located in this, or adjacent land lot.

APPLICANT: Tina T. Ayers & Veronica N. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

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>Birney</u>	<u>874</u>	<u>818</u>	<u> </u>
Elementary			
<u>Floyd</u>	<u>912</u>	<u>1046</u>	<u> </u>
Middle			
<u>Osborne</u>	<u>2103</u>	<u>2062</u>	<u> </u>

High

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

Additional Comments: Approval of this petition will not have an impact on the enrollment at Cobb County Schools.

APPLICANT: Tina T Ayers

PETITION NO.: Z-42

FIRE COMMENTS:

NO 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: Tina T. Ayers & Veronica N. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

PETITION FOR: R-20

PLANNING COMMENTS:

The applicant is requesting a rezoning from O&I to R-20 for the purpose of single family house. The .058 acre site is located on the west side of Hicks Road, south of Old Milford Church 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 O&I 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.

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: Park / Recreational/ Conservation (PRC)
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.

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.

APPLICANT: Tina T. Ayers & Veronica N. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

PETITION FOR: R-20

PLANNING COMMENTS:

CONT.

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?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Noise Zone
- Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Tina T Ayres & Veronica N Ayres

PETITION NO. Z-042

PRESENT ZONING O&I

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): 10" CI / W side of Hicks 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= 160 Peak= 400

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

Dry 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: House will be subject to easement setback requirements

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: Tina T. Ayers & Veronica N. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

PETITION FOR: R-20

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Mill Creek No. 2 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 easements 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 stream.

APPLICANT: Tina T. Ayers & Veronica N. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

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.

ADDITIONAL COMMENTS

1. Applicant must verify by field survey that parcel meets minimum 12,500 sf area above computed 100-year floodplain elevation required by Cobb County Code to be considered a buildable residential parcel.
2. Residential building permit must be approved by Stormwater Management. An elevation certificate will be required.

APPLICANT: Tina T. Ayers

PETITION NO.: Z-42

PRESENT ZONING: O&I

PETITION FOR: R-20

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Hicks Road	Major Collector	45 mph	Cobb County	80'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Hicks Road	South of Old Milford Church Road	13,000	F

*Based on 2015AADT counting data taken by GDOT, as published on their website, for Hicks Road.
 Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.
 LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

COMMENTS AND OBSERVATIONS

Hicks Road is classified as a major collector and according to the available information the existing right-of-way does 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 driveway be equidistant from Milford Park entrances. Recommend location be determined during plan review, subject to Cobb County DOT approval.

STAFF RECOMMENDATIONS

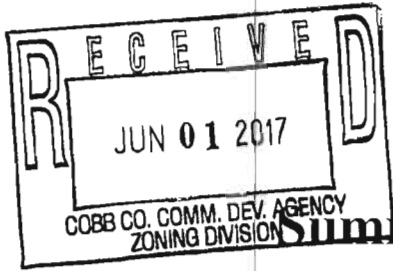
Z-42 TINA T. AYERS & VERONICA N. AYERS

- 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. Save for the corner of Milfrod Church and Hicks Roads to the north, the predominate development in the immediate area is for residential including attendant uses such as a County Park (Milford Park) and Birney Elementary School.
- 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. Though previously zoned for office use, this and the northerly adjoining parcel were never developed as such. The present request will allow the applicant to build one (1) single-family residence in keeping with adjacent uses.
- 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 LDR low density residential future land use category. This category forecasts development of low density housing between one (1) and two and one-half (2.5) dwelling units per acre. The request which is for a single home, calculates to a density of two (2) units per acre, within that range forecasted.
- 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 property, currently zoned for office use, was never developed as such. This request would allow the applicant to construct the proposed single-family residence. This type of housing development, being low density in nature, would be in keeping with immediately adjacent properties and the wider area as well.

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

1. Development for one (1) single-family residence within setbacks required by the R-20 zoning district;
2. Fire Department comments and recommendations;
3. Sewer and Water Division comments and recommendations;
4. Stormwater Management Division comments and recommendations; and
5. 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-42

Aug. 2017

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 1456 square feet
- b) Proposed building architecture: Single family home
- c) List all requested variances: _____

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

- a) Proposed use(s): Residential property
- b) Proposed building architecture: one story single family residence
- c) Proposed hours/days of operation: N/A
- 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).

No

