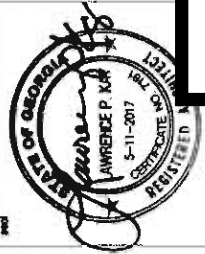




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Z-68  
 2017

date	description
4-7-2017	PRELIM
5-11-2017	ISSUES
	drawn
	checked
	project no.
	revisions

2045  
 ANDERSON  
 R-20

sheet  
 R-20

### TRACT DATA

- ZONED: R-20  
 TRACT SIZE: 0.78AC +/-  
 MIN. LOT WIDTH: 90'  
 MIN. BLDG. SEPERATION: 20'  
 MIN. SIDE SETBACK: 10'
- VARIANCES:  
 1. LOT SIZE REDUCTION TO 16,000SF  
 2. FRONT SET BACK REDUCTION TO 15'

FOR MORE INFORMATION CONTACT:  
 DANNY KAY  
 404.558.3558



ANDERSON DRIVE

APPLICANT: 2045 Anderson, LLC

PHONE #: 404-558-3558 EMAIL: danny@idiarchitects.com

REPRESENTATIVE: Kevin Moore

PHONE #: 770-429-1499 EMAIL: jkm@mijs.com

TITLEHOLDER: 2045 Anderson, LLC

PROPERTY LOCATION: Located on the north side of Anderson Drive, west of Atlanta Road

ACCESS TO PROPERTY: Anderson Drive

PHYSICAL CHARACTERISTICS TO SITE: Single-family house

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-20/Dan Ridge Estates  
**SOUTH:** RA-5/Stonehaven at Vinings  
**EAST:** R-20/Spring Hill Subdivision  
**WEST:** RA-5/Stonehaven at Vinings

*Adjacent Future Land Use:*

Northeast: Low Density Residential (LDR)  
Southeast: Low Density Residential (LDR) and Medium Density Residential (MDR)  
Southwest: Low Density Residential (LDR)  
Northwest: Low Density Residential (LDR) and Medium Density Residential (MDR)

PETITION NO: Z-68

HEARING DATE (PC): 10-03-17

HEARING DATE (BOC): 10-17-17

PRESENT ZONING: R-20

PROPOSED ZONING: R-15

PROPOSED USE: Two residential lots

SIZE OF TRACT: 0.78 acres

DISTRICT: 17

LAND LOT(S): 697, 698

PARCEL(S): 13

TAXES: PAID X DUE \_\_\_\_\_

COMMISSION DISTRICT: 2

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

**PLANNING COMMISSION RECOMMENDATION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

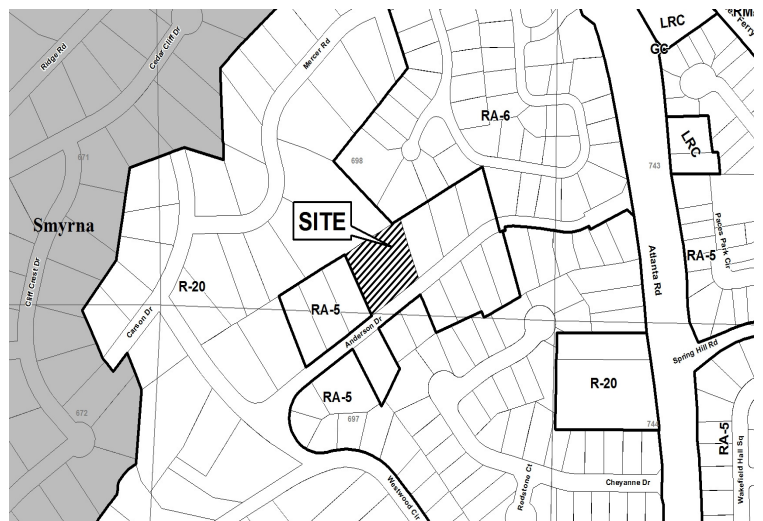
**BOARD OF COMMISSIONERS DECISION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

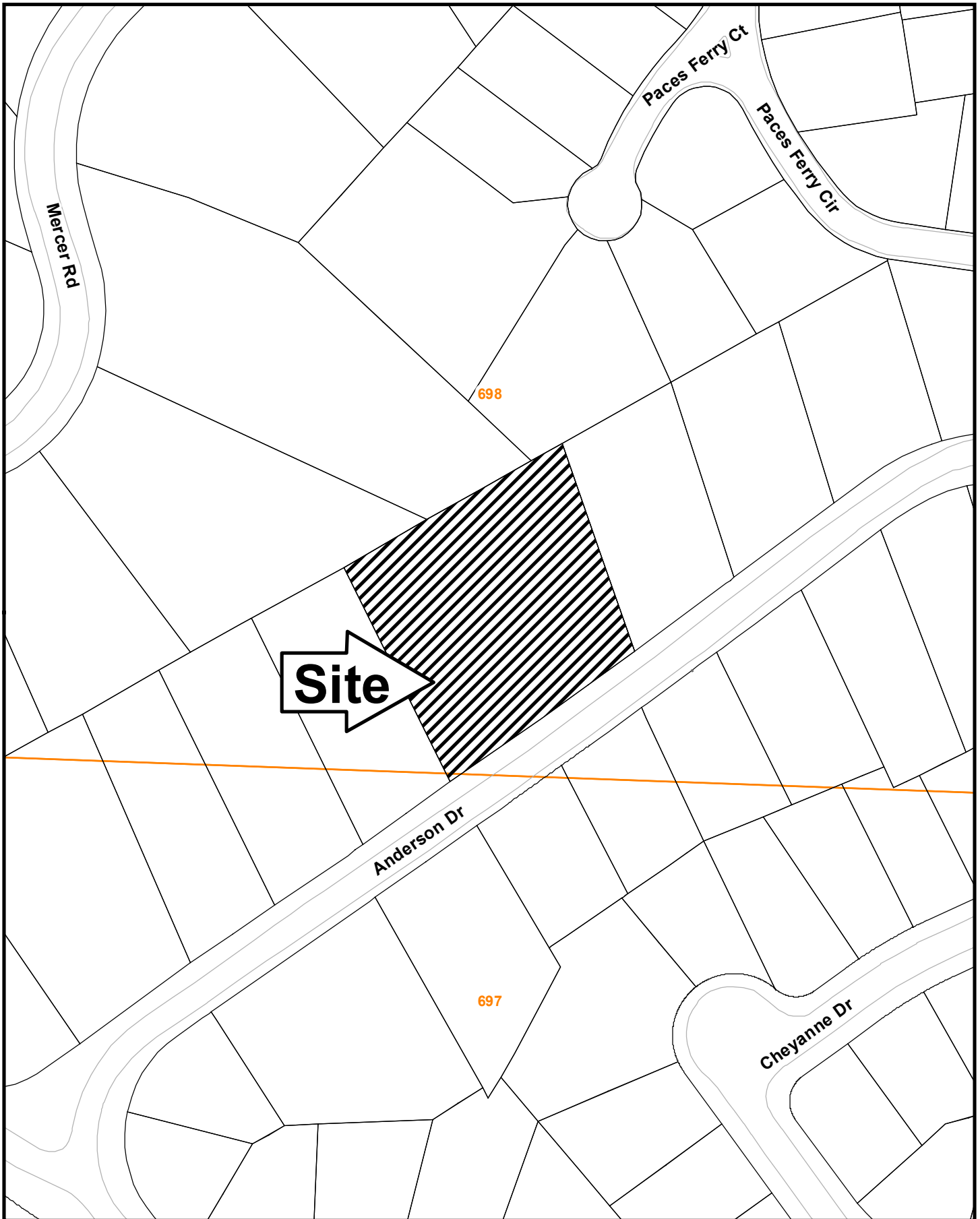
REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

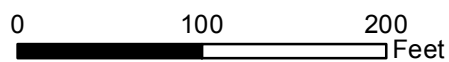
STIPULATIONS:





# Z-68 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: 2045 Anderson, LLC

PETITION NO.: Z-68

PRESENT ZONING: R-20

PETITION FOR: R-15

\*\*\*\*\*

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: 2.49 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-15 zoning district for the purpose of two single-family residential houses. The houses will be traditional and will range in size from 3,500 to 4,200 square feet.

The proposed site plan will require a contemporaneous variance to waive the front setback from the required 35 feet to 15 feet. The site plan indicates an increased rear setback of 35 feet instead of the 30 feet required for R-15.

\*Section 134-167 of the Cobb County Zoning Ordinance allows for additional right-of-way to be utilized in the density calculation.

Cemetery Preservation: No comment.

APPLICANT: 2045 Anderson, LLC

PETITION NO.: Z-68

PRESENT ZONING: R-20

PETITION FOR: R-15

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Nickajack Elementary</u>	<u>1058</u>	<u>1025</u>	<u>                    </u>
<u>Campbell</u>	<u>1451</u>	<u>1203</u>	<u>                    </u>
<u>Middle Campbell</u>	<u>2788</u>	<u>2637</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 these schools.

\*\*\*\*\*

**APPLICANT:** 2045 Anderson

**PETITION NO.:** Z-68

**PRESENT ZONING:** R-20

**PETITION FOR:** R-15

\*\*\*\*\*

**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: 2045 Anderson, LLC

PETITION NO.: Z-68

PRESENT ZONING: R-20

PETITION FOR: R-15

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to R-15 for the purpose of two residential lots. The 0.78 acre site is located on the north side of Anderson Drive, west of Atlanta 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 Smyrna 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. 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:

Northeast: Low Density Residential (LDR)  
Southeast: Low Density Residential (LDR) and Medium Density Residential (MDR)  
Southwest: Low Density Residential (LDR)  
Northwest: Low Density Residential (LDR) and Medium Density Residential (MDR)

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: 2045 Anderson, LLC**

**PRESENT ZONING: R-20**

**PETITION NO.: Z-68**

**PETITION FOR: R-15**

\*\*\*\*\*

**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 2045 Anderson, LLC

PETITION NO. Z-068

PRESENT ZONING R-20

PETITION FOR R-15

\*\*\*\*\*

**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): 6" CI / NW side of Anderson Circle

Additional Comments: Water is available

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: Anderson Drive ROW

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 Sewer is available  
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: 2045 Anderson, LLC**

**PETITION NO.: Z-68**

**PRESENT ZONING: R-20**

**PETITION FOR: R-15**

\*\*\*\*\*

<b>STORMWATER MANAGEMENT COMMENTS</b>
---------------------------------------

Site grading plans approved by Stormwater Management Division will be required prior to permitting.

**APPLICANT:** 2045 Anderson, LLC

**PETITION NO.:** Z-68

**PRESENT ZONING:** R-20

**PETITION FOR:** R-15

\*\*\*\*\*

**TRANSPORTATION COMMENTS:**

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Anderson Drive	Local	25 mph	Cobb County	50'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Anderson Drive	N/A	N/A	N/A

**COMMENTS AND OBSERVATIONS**

Anderson Drive 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 Anderson Drive, a minimum of 25' from the roadway centerline.

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

## STAFF RECOMMENDATIONS

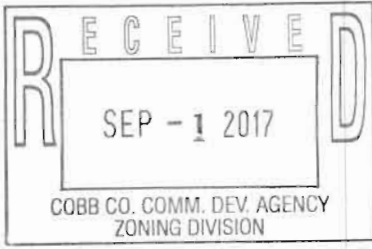
### **Z-68 2045 ANDERSON, LLC**

- 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. Other properties in the area include single-family houses on similar lots.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The area is made up of single-family subdivisions with zonings and densities that include: Dan Ridge Estates (zoned R-20 at approximately 1.72 units per acre); Stonehaven at Vinings (zoned RA-5 at 2.59 units per acre); and 2000 Paces Ferry Unit 2 (zoned RA-6 at approximately 4.71 units per acre).
- 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 in the Low Density Residential (LDR) land use category, having a density range of 1-2.5 units per acre. Similar rezonings have taken place in this area. The proposed development of two residential lots will be in keeping with the character of surrounding properties. It should be noted that the Board of Commissioners, in making land use decisions, use the future land use map as a guide in the decision making process, but there are circumstances when decisions will be made that are contrary to this document based upon a change in market conditions, information unbeknownst to staff/community in the preparation of this document, or some other condition.
- 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 applicant's proposed use and density are similar to what is already existing in this area. Section 134-167 of the Cobb County Zoning Ordinance allows for additional right-of-way to be utilized in the density calculation. The proposed density is within the range of densities for nearby developments.

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

1. Site plan received by the Zoning Division on September 1, 2017, with the District Commissioner approving minor modifications;
2. Variance from Zoning Comments section;
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.**



Application No. Z-68 (2017)
Hearing Dates: PC: 10/03/2017
BOC: 10/17/2017

Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): 3,500 - 4, 200 square feet
b) Proposed building architecture: Traditional
c) 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: Not Applicable
c) Proposed hours/days of operation: Not Applicable
d) List all requested variances: Not Applicable

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 this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.