

**NOVEMBER 21, 2017 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 4**

**ITEM OB-056**

To consider a site plan amendment for Mark G. Lee regarding rezoning application Z-68 of 1991 (Sue E. Wadsworth), for property located on the west side of Austell-Powder Springs Road at McKay Road, in Land Lot 1019 of the 19<sup>th</sup> District (4448 Austell-Powder Springs Road).

**BACKGROUND**

The subject property was zoned to GC in 1991 for a septic tank cleaning business subject to many stipulations including a site plan specific condition. The applicant would like to amend the approved site plan to renovate the property for a professional office use. The property will be upgraded by removing one of the driveway cuts, replacing gravel parking & access with parking paved to county standards, and renovating the existing building. If approved, all other zoning stipulations would remain in effect.

**STAFF COMMENTS**

**Cobb DOT:** 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 west side of Austell Powder Springs Road, a minimum of 50’ from the roadway centerline. Recommend a deceleration lane or large turn radius on Austell Powder Springs Road for the entrance. Recommend curb, gutter, and sidewalk along the Austell Powder Springs Road frontage.

**RECOMMENDATION**

The Board of Commissioners consider the request for the site plan and stipulation amendments.

**ATTACHMENTS**

Other Business application and stipulations.

# Application for "Other Business" Cobb County, Georgia

OB-056-2017

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 11-21-17

Applicant: MARK G. Lee Phone #: 770-435-2576  
(applicant's name printed)

Address: 3982 Austell Powder Springs Rd. E-Mail: mark.lee@plcea.com

MARK G. Lee Address: SAME  
(representative's name, printed)

[Signature] Phone #: 770-616-0570 E-Mail: SAME  
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: 11/13/2017  
Notary Public

Titleholder(s): Jim Castle Phone #: 404-915-8516  
(property owner's name printed)

Address: 1828 Austin Bridge Rd, Douglasville, GA 30109 E-Mail: jimccastle@gmail.com

[Signature]  
(Property owner's signature)

Signed, sealed and delivered in presence of:  
[Signature] My commission expires: 11/13/2017  
Notary Public

Commission District: 4 Zoning Case: Z-68 (1991)

Size of property in acres: 0.58 Original Date of Hearing: 11-19-1991

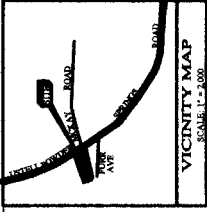
Location: 4448 Austell Powder Springs Road, Powder Springs, Ga. 30127  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 1019 District(s): 19th

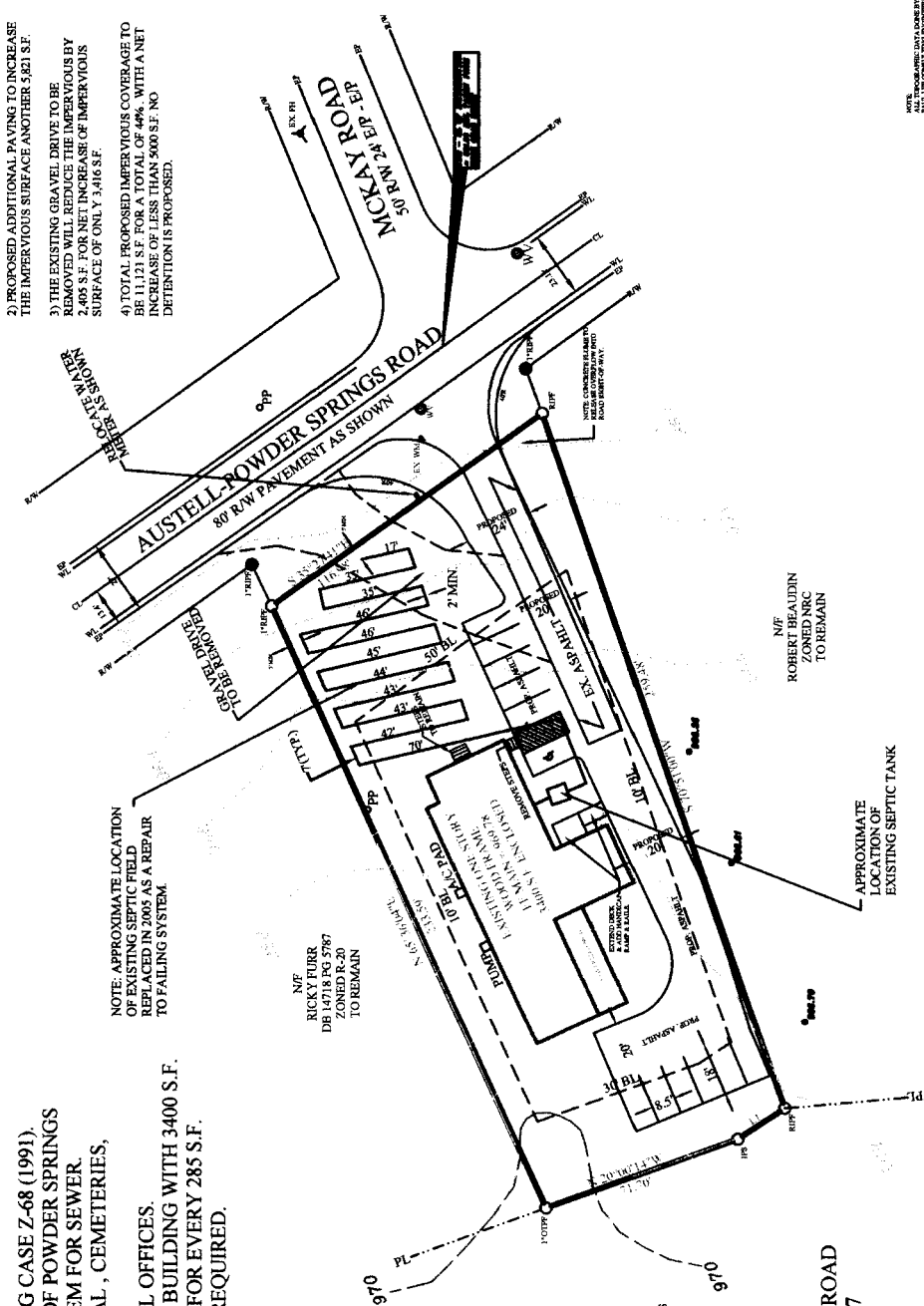
State specifically the need or reason(s) for Other Business: To Amend the  
SITE Plan Approved By zoning

(List or attach additional information if needed)

DB-056-2017 Proposed Site plan.



- GENERAL NOTES:**
- 1) EXISTING IMPERVIOUS COVERAGE 7,704 S.F. INCLUDES EXISTING STRUCTURE, GRAVEL DRIVE AND ASPHALT DRIVE. TOTAL EXISTING COVERAGE 30.5%.
  - 2) PROPOSED ADDITIONAL PAVING TO INCREASE THE IMPERVIOUS SURFACE ANOTHER 5,821 S.F.
  - 3) THE EXISTING GRAVEL DRIVE TO BE REMOVED WILL REDUCE THE IMPERVIOUS SURFACE OF ONLY 3,416 S.F.
  - 4) TOTAL PROPOSED IMPERVIOUS COVERAGE TO BE 11,121 S.F. FOR A TOTAL OF 44%. WITH A NET INCREASE OF LESS THAN 5000 S.F. NO DETENTION IS PROPOSED.



- GENERAL NOTES:**
1. PROPERTY ZONED: GC ZONING CASE Z-68 (1991).
  2. PROPERTY SERVED BY CITY OF POWDER SPRINGS WATER. ONSITE SEPTIC SYSTEM FOR SEWER.
  3. NO HISTORIC, ARCHITECTURAL, CEMETERIES, WETLANDS, OR STREAMS.
  4. PROPOSED USE PROFESSIONAL OFFICES.
  5. EXISTING ONE STORY FRAME BUILDING WITH 3400 S.F.
  6. PARKING REQUIRED 1 SPACE FOR EVERY 285 S.F. 3400 S.F./285 S.F. = 12 SPACES REQUIRED.

TRACT AREA = 0.58 ACRES (25,368 S.F.)

LINE	BEARING	DISTANCE
1-1	N 11° 34' 30" W	19.87'

NF  
RICKY FURR  
DB 14718 PG 5787  
ZONED R-20  
TO REMAIN

NF  
WILLIAMS ROBERTS  
DB 14739 PG 3101  
ZONED R-20  
TO REMAIN

NF  
ROBERT BEAUDIN  
ZONED R-20  
TO REMAIN

**ADDRESS**  
4448 AUSTELL-POWDER SPRINGS ROAD  
POWDER SPRINGS, GEORGIA 30127  
TAX ID# 19101900270  
DEED BOOK 14183 PAGE 1592

**LEGEND**

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
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LAND LOT 019 19TH DISTRICT 2ND SECTION  
COBB COUNTY, GEORGIA

PAUL LEE CONSULTING ENGINEERING ASSOCIATES, INC.  
1901 AUSTELL-POWDER SPRINGS ROAD, POWDER SPRINGS, GEORGIA 30127  
PH: (770) 481-5774 FAX: (770) 481-5775 EMAIL: paul@leeassoc.com

DATE: 12-27-17  
SCALE: 1" = 20'  
DESIGNED: [Signature]  
CHECKED: [Signature]  
DATE: 12-27-17

**MARK & TARA LEE**

THE CLIENT AGREES TO HOLD THE ENGINEER HARMLESS FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE ENGINEER'S NEGLIGENCE, ACTIVE NEGLIGENCE, OR WILLFUL AND WANTON MISFEASANCE, BUT NOT FROM THE ENGINEER'S ACTIVE NEGLIGENCE OR WILLFUL AND WANTON MISFEASANCE.

ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

DATE: 12-27-17  
SCALE: 1" = 20'  
DESIGNED: [Signature]  
CHECKED: [Signature]  
DATE: 12-27-17

# Application for Rezoning Cobb County

(type or print clearly)

Application No. 268  
Hearing Date: 11-19-91

Applicant Sue E. Wadsworth Business Phone 439-1448 Home Phone 445-6676

Garvis L. Sams, Jr. Address Suite 200, 376 Powder Springs St., Marietta, GA 30064

(representative's name, printed)

[Signature] Business Phone (404) 422-7016

(representative's signature)

Signed, sealed and delivered in presence of:

[Signature: Debbie S. Mabry]  
Notary Public

MY COMMISSION EXPIRES APR. 7, 1992

My commission expires: \_\_\_\_\_

Titleholder Sue E. Wadsworth Business Phone 439-1448 Home Phone 445-6676

Signature [Signature: Sue E. Wadsworth] Address 4448 Austell-Powder Springs Road  
Powder Springs, Georgia 30073

(attach additional signatures, if needed)

Signed, sealed and delivered in presence of:

[Signature: Debbie S. Mabry]  
Notary Public

MY COMMISSION EXPIRES APR. 7, 1992

My commission expires: \_\_\_\_\_

Zoning Request From R-20 to General Commercial (GC)  
(present zoning) (proposed zoning)

For the Purpose of Sewer & Drain Service Size of Tract 0.582 Acre(s)  
(subdivision, restaurant, warehouse, apt., etc.)

Location 4448 Austell-Powder Springs Road, Powder Springs, Georgia 30073  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 1019 District 19th

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there ~~are~~ are no such assets. If any, they are as follows:

\_\_\_\_\_  
\_\_\_\_\_

[Signature: Sue E. Wadsworth]  
(applicant's signature)

We have investigated the site as to the existence of any cemetery located on the above property. I hereby certify that there ~~is~~ is not such a cemetery. If any, they are as follows:

\_\_\_\_\_  
\_\_\_\_\_

[Signature: Sue E. Wadsworth]  
(applicant's signature)

Original Date of Application: 11-19-91

Applicant's Name: SUE E. WADSWORTH

**THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY PLANNING COMMISSION AND THE COBB COUNTY BOARD OF COMMISSIONERS**

PLANNING COMMISSION RECOMMENDATION 11-19-91 The Planning Commission recommended approval of application subject to: 1) letter of agreeable conditions submitted by Garvis Sams, Jr. and dated October 24, 1991 with revision of numbers (4) and (6) to be revised as follows: (4) subject to Cobb Department of Transportation recommendations #1 and #3, and (6) subject to revised plan submitted 11-5-91 (letter is marked as Exhibit "A"); 2) no waste products to be stored on site; 3) no major mechanical repair work to be done on site; 4) trucks and heavy equipment to be parked to the rear of the site; 5) any outside storage to be accommodated by two existing sheds located to the rear of the site. Motion by Hallinan, second by Dameron, carried 3-0.

BOC DECISION 11-19-91 The Board of Commissioners approved application as recommended by the Planning Commission. VOTE: 5-0.

Karen L. Hach  
Karen L. Hach, Deputy Clerk  
Cobb County Board of Commissioners

## LAW OFFICES

GARVIS L. SAMS, JR.  
SUITE 200  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064

(404) 488-7016  
TELEPHONE

## EXHIBIT "A"

*As referenced in  
Zoning Minutes of 11-15-91.  
Karen Ketch  
Deputy Clerk*

(404) 488-6883  
FACSIMILE

October 24, 1991

**RECEIVED**  
NOV 01 1991

COBB COUNTY  
PLANNING & ZONING  
DEPARTMENT

**VIA HAND DELIVERY**

Ms. Patti Wilson  
Senior Planner  
Cobb County Zoning Department  
100 Cherokee Street  
Suite 500  
Marietta, Georgia 30090

Re: Application of Sue E. Wadsworth to rezone from R-20 to  
General Commercial (GC) - Application No. Z-68

Dear Patti:

In accordance with our conference in your office last week, please allow this letter to serve as Ms. Wadsworth's expression of agreement with the following stipulations of zoning which, if her Application is approved, she would consent to having such stipulations become conditions of the rezoning:

- 1) Utilization of the existing structure only, with any new construction to be submitted to the Staff for approval prior to the issuance of any permits;
- 2) Ground-based, monument-style signage with no portable or billboard signs;
- 3) Low-intensity, environmental-type lighting, subject to review and approval by Staff;
- 4) Subject to all recommendations and conditions by the Cobb County Department of Transportation regarding site distance requirements and ingress to and egress from Austell-Powder Springs Road (U.S. 278);
- 5) Subject to all recommendations and conditions imposed by the Cobb County Development Control Department;
- 6) A rezoning of the subject property subject to the plan as submitted; and,
- 7) Maintenance of the four (4) ft. chain link fence that presently surrounds the subject property.

**VIA HAND DELIVERY**

Ms. Patti Wilson  
Senior Planner  
Cobb County Zoning Department  
October 24, 1991  
Page 2

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NOV 02 1991

COBB COUNTY  
PLANNING & ZONING  
DEPARTMENT

The 1990-2000 Comprehensive Land Use Plan indicates that the subject property is located at the epicenter of a Community Activity Center (CAC) and that Ms. Wadsworth's zoning proposal should be acceptable from a land use planning standpoint, particularly when considered in the context of development along this section of the Austell-Powder Springs Road Corridor. Moreover, what Ms. Wadsworth proposes, in concert with the stipulations/conditions to which she is amenable, comports with the policy and intent of the Land Use Plan which recommends development consistent with those uses and zonings contemplated by a Community Activity Center, which includes General Commercial (GC).

If there are any further stipulations/conditions or concessions that you think would be appropriate from a land use planning perspective or if the Staff requires any further information before making its ultimate recommendation to the Board of Commissioners, please do not hesitate to contact me.

Very truly yours,



Garvis E. Sans, Jr.

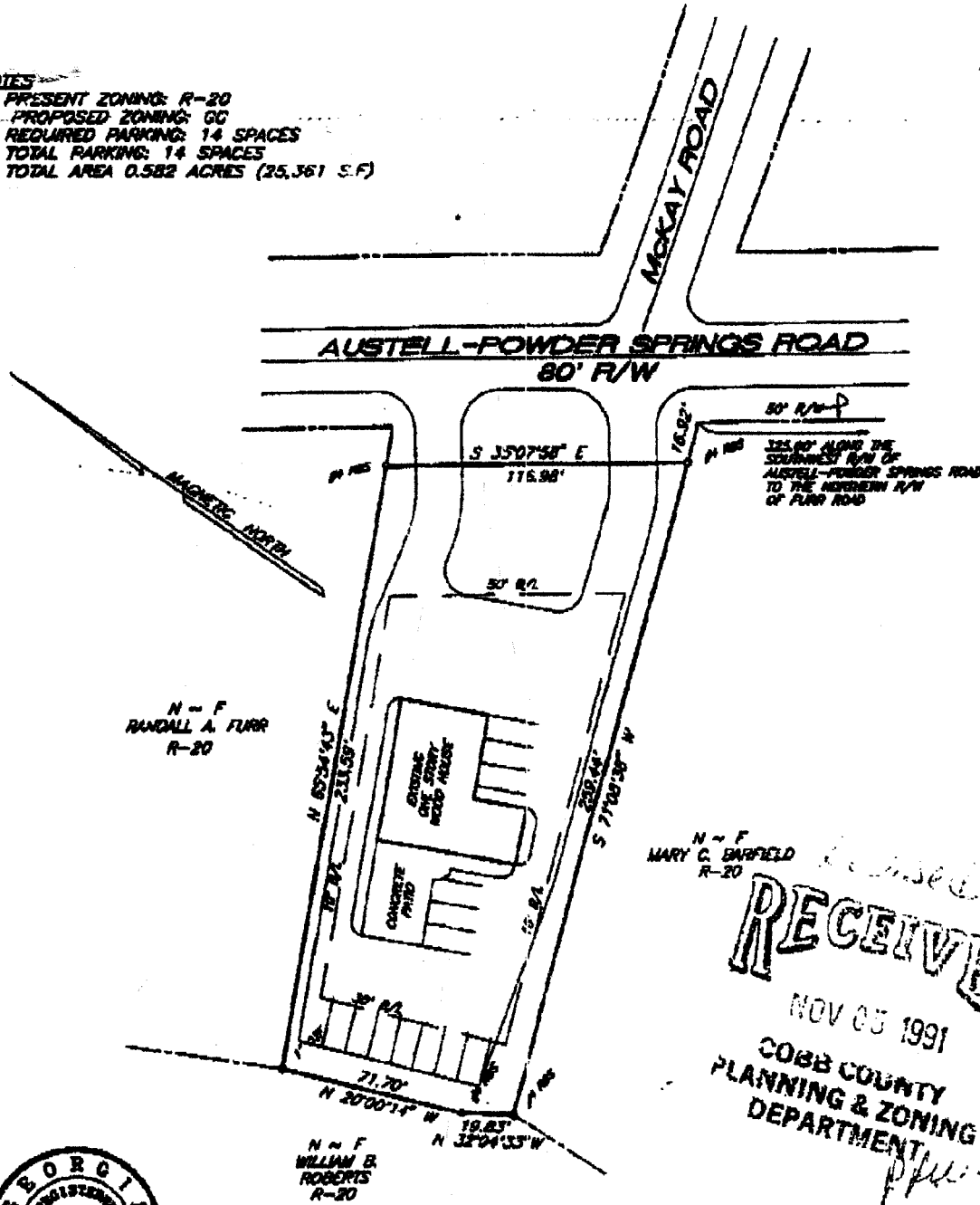
GLS, Jr./dsm

cc: Members, Cobb County Board of Commissioners  
Members, Cobb County Planning Commission

THIS PLAN IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/10,000"; ANGULAR PRECISION: 05" ±. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAN: 1/25,000". MATTERS OF TITLE ARE EXCEPTED.

**NOTES**

- 1. PRESENT ZONING: R-20
- 2. PROPOSED ZONING: GC
- 3. REQUIRED PARKING: 14 SPACES
- 4. TOTAL PARKING: 14 SPACES
- 5. TOTAL AREA 0.582 ACRES (25,361 S.F.)



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NOV 03 1991

COBB COUNTY  
PLANNING & ZONING  
DEPARTMENT



THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A. (F.L.A.) COMMUNITY PANEL 7 130002 0002 B DATED SEPTEMBER 28, 1989



DATE	7/29/91	REVISIONS	1/5/91
SCALE	1" = 40'		
DRAWN BY	J.V.B.		
CHECKED BY	J.S.B./T.M.		
	J.S.B./T.M./MCKAY.C.D.		

SURVEY AND ZONING PLAN FOR:  
**SUE E. WADSWORTH**

**GASKINS SURVEYING CO.**

1285 POWDER SPRINGS RD.  
MARIETTA, GEORGIA  
(404) 424-7168

LOCATED IN L.L. 1019  
19th DIST. 2nd SECT.  
COBB COUNTY, GA.



ZONING R-20

PETITION FOR GC

PLANNING COMMENTS:

Staff Member Responsible: Patti Wilson

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings N/A Total Square Footage of Development 2,800

F.A.R. 4,811 Square Footage/Acre

Parking Spaces Required 10 Parking Spaces Provided 14

Additional Comments:

- Applicant intends to use the existing single-story building on site to house a sewer and drain/septic tank cleaning operation and a commercial waste disposal service.
- The applicant stores to the rear of the main building three pump trucks, two pick-up (service) trucks, and one 1 1/2 ton truck with trailer attached.
- No waste is stored on site. Waste is transported to West Georgia via the pump trucks.
- No repair work pertaining to the business itself is done on site. Only minor repair of vehicles and routine maintenance of the existing structure are performed.
- Tools are stored in two 8 foot X 10 foot sheds located to the rear of the existing single-story wood building.
- A four-foot chain link fence surrounds the site.
- Employees include one receptionist and one sales person.
- Businesses previously conducted at this location include a plumbing/electrical company and a remodeling service. The present business has operated from this location since December 1989.

Agreeable Conditions:

- See letter of agreeable stipulations submitted by Garvis Sams, Jr. and dated October 24, 1991 (exhibit).
- No major repairs on site.
- Revised site plan to indicate the location of two existing driveways.

Historic Preservation: There is no significant impact on the historic site(s) listed in the Cobb County Historic Preservation Commission's historic sites inventory (found in Architecture, Archaeology and Landscapes) and which is located in this, or adjacent, land lot.

Archaeology Section: No significant impact.

Cemetery Preservation: No comment.

APPLICANT Sue E. Wadsworth

PETITION NO. 6-00

PRESENT ZONING R-20

PETITION FOR GC

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NOTE: Comments only reflect what facilities are currently in existence at the time of review.

**WATER COMMENTS:**

Available at Development: Yes No Fire Flow Test Required: Yes No  
Size of Existing Main and Location: \_\_\_\_\_  
Additional Comments: City of Powder Springs service area.

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:**

In Drainage Basin: Yes No At Development: Yes No  
Approximate Distance To Nearest Sewer: \_\_\_\_\_  
Estimated Waste Generation \_\_\_\_\_ ADF \_\_\_\_\_ Peak.  
Treatment Plant: \_\_\_\_\_  
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  
Flow Test Required: Yes No  
LETTER OF ALLOCATION Issued: Yes No  
Septic Tank: Not recommended by this Department.  
Subject to Health Department approval.  
Additional Comments: City of Powder Springs service area.

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 off site easements, dedication of on and/or off site water & sewer to Cobb County, as may be required. Bonding does not insure water/sewer capacity.

\*\*\*\*\*  
**FIRE COMMENTS:**

Station No. & Location	Response Time	
1. <u>Rescue #6, Highway #278</u>	<u>3</u>	<u>X</u> adequate <u>inadequate</u>
2. <u>Engine #6, Highway #278</u>	<u>3</u>	<u>X</u> adequate <u>inadequate</u>
3. <u>Engine #10, Powder Springs Rd.</u>	<u>6</u>	<u>X</u> adequate <u>inadequate</u>

GPM Requirements 1,500 Water Main Size Required: 10 inch  
Additional Comments: \_\_\_\_\_

PETITIONANT Sue E. Wadsworth  
PRESENT ZONING R-20

PETITION NO. Z-68  
PETITION FOR GC

\*\*\*\*\*

**TRAFFIC COMMENTS:**

	<u>Average Daily Trips</u>	<u>Classification</u>	<u>Minimum Right-of-Way Requirements</u>
<u>Austell-Powder Springs Rd.</u>	<u>11,939</u>	<u>Arterial</u>	<u>100'</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Additional Comments:

The site has two existing gravel driveways which access Austell/Powder Springs Road. The proposed driveway shown on the submitted site plan needs to align with McKay Road.

Recommendation:

1. Recommend Austell-Powder Springs Road be brought up to minimum standards in accordance with the Cobb County Major Thoroughfare Plan and as required in Standards for Residential and Commercial Development.
2. One driveway to serve the property, which must be paved 25 feet (minimum) from the edge of the roadway into the site.
3. Georgia Department of Transportation permit is required.

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Area Schools</u>	<u>Instructional Units Available</u>	<u># of Teachers Assigned</u>	<u>Average Daily Attendance</u>	<u>Capacity</u>

<u>Funded Future Construction School Grade Level</u>	<u>Anticipated Completion Of Construction</u>	<u>Planned Enrollment</u>

\*\*\*\*\*

**DRAINAGE COMMENTS:**

Basin Affected Powder Springs Creek Within 100 Yr. Flood Plain Yes  No

Is Project Located Within MRPA Yes  No

Percentage & Location of Floodplain N/A

Additional Comments: Control site runoff not to exceed capacity of downstream storm drainage systems. Minimize runoff into public roads.

This document is prepared to meet the requirements of the Cobb County Tree Preservation and Replacement