

Z-80
(2017)

PLAT TO ACCOMPANY REZONING APPLICATION
SOFIA JUAREZ

LOCATED IN LAND LOT 147, 18TH DISTRICT,
2ND SECTION, COBB COUNTY, GEORGIA

6121 SOUTH GORDON ROAD

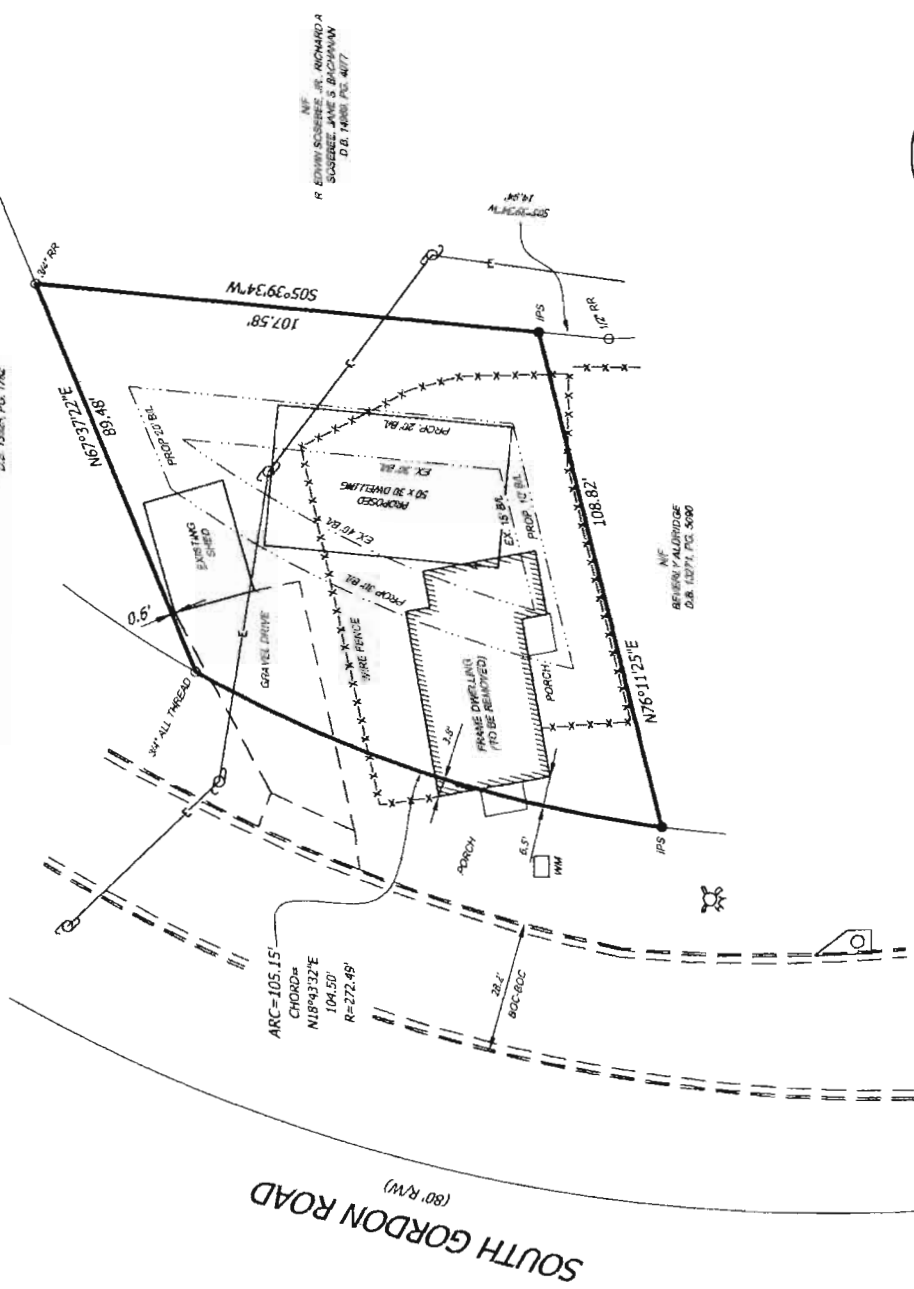
AREA = 0.216 ACRES
9,394 SQ. FT.



SURVEY REFERENCES
1 PLAT OF SURVEY FOR PARKWAY, RD304
BY COBB COUNTY ENGINEERS AND SURVEYING CO.
DATED SEPTEMBER 14, 1979
2 PLAT OF SURVEY FOR HENWELL FOWLER
BY THE CROSSELLE COMPANY
3 PLAT OF SURVEY FOR REYNOLDS ALDRIDGE
PREPARED BY THE CROSSELLE COMPANY
DATED 08/12/2016

PRESENT ZONING
ZONED AS (INDUSTRIOUS SHOPPING)
SETBACKS:
FRONT - 40'
SIDE - 25'
REAR - 20'
MINIMUM LOT SIZE: 20,000 SQ. FT.

PROPOSED ZONING
ZONED R-12
SETBACKS:
FRONT - 30'
SIDE - 15'
REAR - 40'
MINIMUM LOT SIZE: 12,000 SQ. FT.



FLOOD STATEMENT
I HAVE THISEXAMINED THE FLOOD INSURANCE
RATE MAPS, COMMUNITY PANEL NO. 12600021H
THIS DATE, WHICH SHOWS THE SUBJECT
PROPERTY TO BE IN ZONE "X"
0% AREAS DETERMINED TO BE OUTSIDE THE
0.2% ANNUAL FLOOD FLOODPLAIN

- LEGEND**
- CORNER INSTRUMENTATION:
 - 12" x 12" STEEL
 - 8" x 8" GALVANIZED IRON SET WITH 1/2" STEEL
 - CONCRETE
 - CORNER ROUND
 - UNCOMMON
 - TO BE SET WITH:
 - X - FENCE LINE
 - - - - - FENCE LINE
 - - - - - FENCE LINE
 - RN - 4" STEEL REINFORCING ROD
 - OTT - OPEN TOP WATER PIPE
 - CP - CORRUGATED TOP WATER PIPE
 - PP - POWER POLE
 - TR - TRUNK
 - BS - MULTIDRUM
 - W - WATER METER
 - LL - LAND LOT LINE
 - WM - WATER MAIN
 - GL - GAS MAIN
 - SM - OTHER LINES
 - NG - NON-OR-FORMERLY OWNED BY
 - NK - NAIL SET AT BASE
 - D.B. - DEED BOOK
 - P.D. - PLAT BOOK
 - NW - NAIL SET AT CORNER
 - W.M. - WHITE RIGHT OF WAY MONUMENT
 - N.M. - NAIL SET AT CORNER



REVISIONS

DATE	DESCRIPTION



PROJ. NO. 201809 REV. 000006
FIELD SURVEY DATE: 10/15/2016
PLAT DATE: 10/15/2016 SCALE: 1" = 30'



APPLICANT: Sofia Juarez
PHONE #: (770) 819-1706 **EMAIL:** carloslinares111@yahoo.com
REPRESENTATIVE: Sofia Juarez
PHONE #: (770) 819-1706 **EMAIL:** carloslinares111@yahoo.com
TITLEHOLDER: Sofia Juarez and Carlos A. Linares

PETITION NO: Z-80
HEARING DATE (PC): 12-05-17
HEARING DATE (BOC): 12-19-17
PRESENT ZONING: NS

PROPERTY LOCATION: east side of South Gordon Road, north of
Old Alabama Road
(6121 South Gordon Road)

PROPOSED ZONING: R-12

ACCESS TO PROPERTY: South Gordon Road

PROPOSED USE: single-family house

PHYSICAL CHARACTERISTICS TO SITE: single-family home

SIZE OF TRACT: 0.216 acres

DISTRICT: 18

LAND LOT(S): 147

PARCEL(S): 26

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Friendship Baptist Church
SOUTH: NS/ Light Auto Repair Shop
EAST: NS/ Single Family Home
WEST: NS/ Single Family Home

Adjacent Future Land Use:
Northwest: NAC (PI across a 10-foot wide strip)
East: NAC
Southeast: NAC
West: NAC and LDR

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

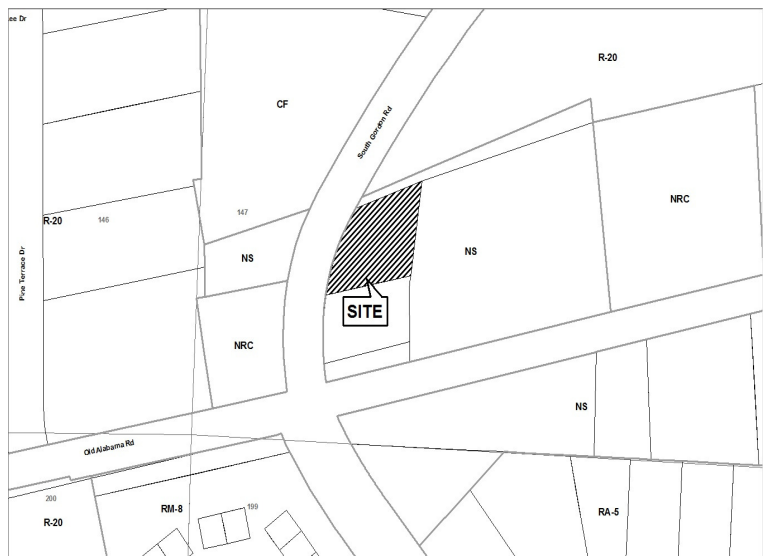
PLANNING COMMISSION RECOMMENDATION

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

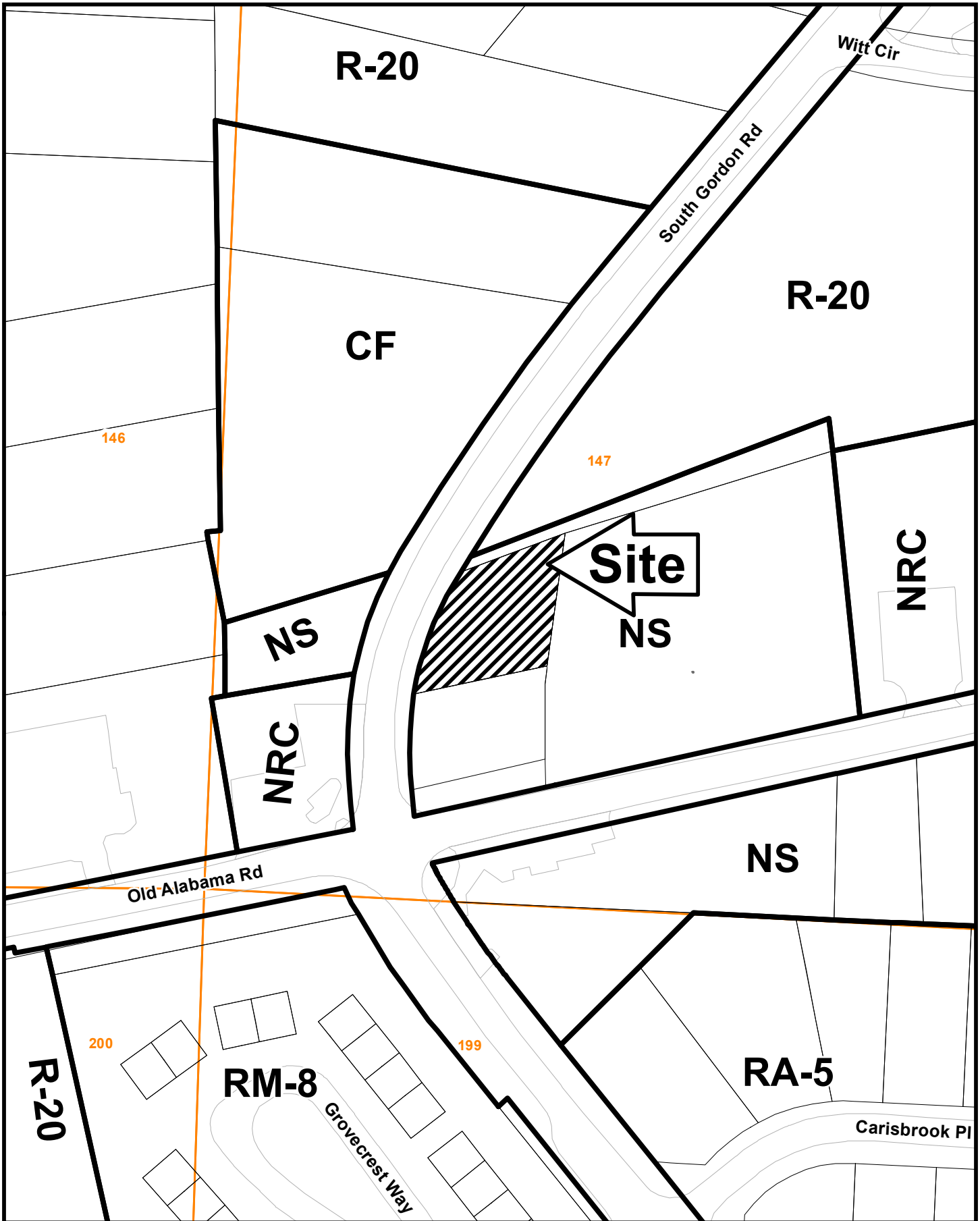
BOARD OF COMMISSIONERS DECISION

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

STIPULATIONS:



Z-80 2017-GIS



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: Sofia Juarez

PETITION NO.: Z-80

PRESENT ZONING: NS

PETITION FOR: R-12

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Units: 1 **Overall Density:** 1.06 **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 applicant is requesting the R-12 zoning district in order to build a single family home. The property currently has a house, built in 1934, that is partially in the right of way. The applicant intends to demolish the existing house and rebuild. The Neighborhood Shopping (NS) zoning is grandfathered on this property. The code requires any NS property outside a Community Activity Center (CAC) or Regional Activity Center (RAC) be rezoned. The new house the applicant intends to build will be approximately 1,367 square feet.

The proposed site plan will require the following contemporaneous variances:

1. Waive the minimum lot size from 12,000 square feet to 9,394 square feet;
2. Waive the front setback from 40 feet to 30 feet;
3. Waive the right side setback from 20 feet to 15 feet;
4. Waive the rear setback from 40 feet to 30 feet;
5. Allow accessory structure on the side of the house and;
6. Waive the requirement that all vehicles must be parked on a hardened and treated surface; and
7. Waive the setback for an accessory structure from 5 feet to .5 feet adjacent to the north property line, and from 40 feet to 10 feet adjacent to the west property line.

Cemetery Preservation: No comment.

APPLICANT: Sofia Juarez

PETITION NO.: Z-80

PRESENT ZONING: NS

PETITION FOR: R-12

SITE PLAN REVIEW SECTION COMMENTS:

The property owner will be required to obtain a Land Disturbance Permit if there are any staff comments or approval stipulations which require any type of site modifications (fencing, landscaping, curb/gutter & sidewalk installation, etc.). Contact Site Plan Review, 770-528-2147.

APPLICANT: Sofia Juarez

PETITION NO.: Z-80

PRESENT ZONING: NS

PETITION FOR: R-12

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Mableton</u>	<u>1059</u>	<u>904</u>	<u> </u>
Elementary <u>Garrett</u>	<u>855</u>	<u>867</u>	<u> </u>
Middle <u>South Cobb</u>	<u>2014</u>	<u>2612</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: Sofia Juarez _____

PETITION NO.: Z-80 _____

PRESENT ZONING: NS _____

PETITION FOR: R-12 _____

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: Sofia Juarez

PETITION NO.: Z-80

PRESENT ZONING: NS

PETITION FOR: R-12

PLANNING COMMENTS:

The applicant is requesting a rezoning to allow the site to be used for a single-family home. The 0.216 acre site is located on the east side of South Gorton Road, north of Old Alabama Road (6121 South Gorton 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 Austell been notified? Yes No / N/A

Comprehensive Plan

This application pertains to a site designated as Neighborhood Activity Center (NAC) future land use category. The purpose of the 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 Guidelines:

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

Adjacent Future Land Use:

Northwest: NAC (Public Institutional across a 10 foot wide strip)
East: NAC
Southeast: NAC
West: NAC and 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 South Cobb 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

APPLICANT: Sofia Juarez

PRESENT ZONING: NS

PETITION NO.: Z-80

PETITION FOR: R-12

PLANNING COMMENTS:

CONT.

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 www.cobbcounty.org/planning.

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 Sophia Juarez

PETITION NO. Z-080

PRESENT ZONING NS

PETITION FOR R-12

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 / E side of South Gordon Road

Additional Comments: existing water customer

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: +/- 500' S in South Gordon Road

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 Connection to sewer required. Env Health Dept has denied a permit for new system
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: Sofia Juarez

PETITION NO.: Z-80

PRESENT ZONING: NS

PETITION FOR: R-12

STORMWATER MANAGEMENT COMMENTS

Site grading plan approved by Stormwater Management Division will be required prior to permitting. All roof downspouts must discharge to the rear of the lot or to the street

APPLICANT: Sofia Juarez

PETITION NO.: Z-80

PRESENT ZONING: NS

PETITION FOR: R-12

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
South Gordon Road	Major Collector	40 mph	Cobb County	80'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
South Gordon Road	North of Creveis Road	1,970	C

*Based on 2016 AADT counting data taken by GDOT, as published on their website, for South Gordon 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

South Gordon 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 gravel driveway on South Gordon Road be paved with a treated hardened surface for a minimum of 25' from the edge of pavement or to the County right-of-way, whichever is greater in length.

STAFF RECOMMENDATIONS

Z-80 SOFIA JUAREZ

- A. It is Staff's opinion that the applicant's rezoning proposal may permit a use that is suitable in view of the use and development of adjacent and nearby properties. There has been a house on this property since 1934; the uses south of the property are commercial uses. Most of the buildings in the area are older, grandfathered uses and will need to be rezoned in the future.
- 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. This property has been used as a home since 1934.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates it as a neighborhood activity center (NAC). 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. It should be noted that the Board of Commissioners uses the future land use map as a guide in the decision making process. 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 requested district is the smallest single family district available, and the setback variances would not be required if the property was an interior portion of a development. Approval of this application will give the owner an opportunity to build a new home on a property where the existing home has had poor maintenance and is in desperate need of demolition.

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

1. Site plan received by the Zoning Division on October 4, 2017, with the District Commissioner approving minor modifications;
2. Gravel driveway to be paved;
3. Remove existing shed prior to permitting new house;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. 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. 2-80

Dec. 2017

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): APPROX. 500 FT 1.367 SQ FT
- b) Proposed building architecture: good story 3-Bedroom
2 Full bathroom Family Room + Kitchen
- c) List all requested variances: _____

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

- a) Proposed use(s): N/A
- 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)

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