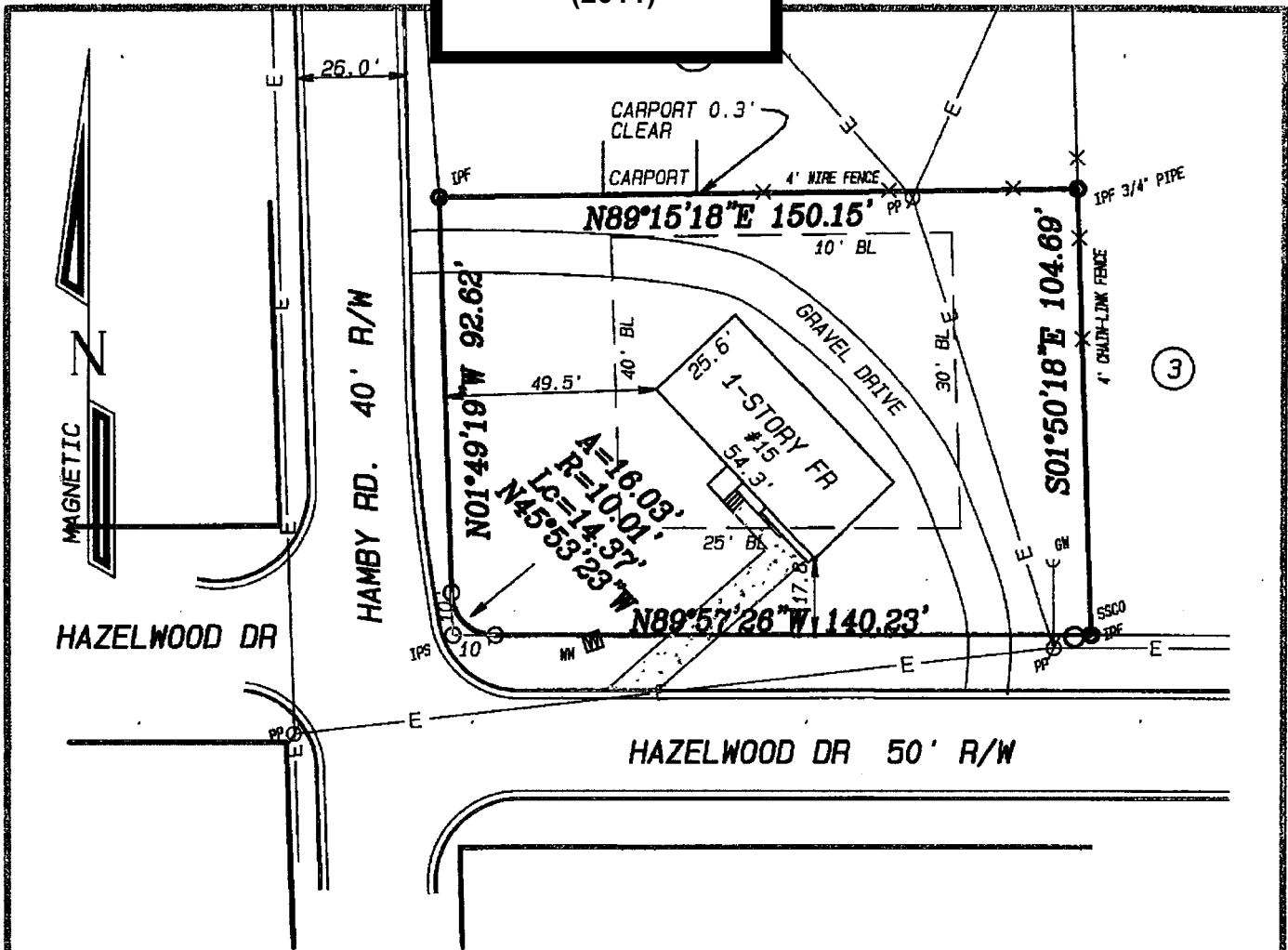


Z-18  
(2011)



**SURVEY NOTES:**

1. EQUIPMENT = TOPCON GTS 303 TOTAL STATION
2. DATE OF SURVEY: 2-12-09
3. I HAVE, THIS DATE, EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130052, PANEL 1286, DATED DECEMBER 16, 2008, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
4. #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.

CURRENT ZONING: GC  
 MIN. FRONT BL: 40'  
 MIN. SIDE BL: 10'  
 MIN. MAJOR SIDE BL: 25'  
 MIN. REAR BL: 30'  
 MIN. LOT SIZE: 20,000 SQ. FT.  
 ACTUAL LOT SIZE: 15,542 SQ. FT.

GRAPHIC SCALE 1"=40'

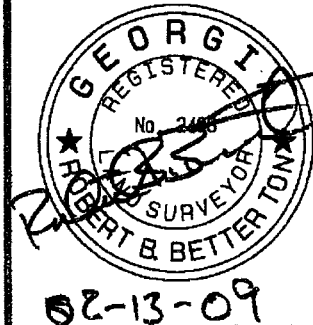


REF: PLAT BOOK 9, PAGE 214

**BETTERTON**  
**SURVEYING & DESIGN, INC.**

LAND SURVEYING,  
 LAND PLANNING,  
 SUBDIVISION & COMMERCIAL  
 SITE DESIGN

1111 SOUTH MARIETTA PARKWAY, SUITE A  
 MARIETTA, GEORGIA 30060  
 (678) 483-0242



**FINAL SURVEY**

LOT #2 BLOCK B  
 HAMBY ACRES

LOCATED IN: LAND LOT 1243  
 16TH DISTRICT, 2ND SECTION,  
 COBB COUNTY, GEORGIA  
 SCALE: 1" = 40FT  
 DATE: 2/13/2009  
 PREPARED FOR:

**WILLIAM B. BARBEE**

**APPLICANT:** William Barbee  
770-655-0391

**PETITION NO.:** Z-18

**REPRESENTATIVE:** Karl Lutjens  
404-797-3423

**HEARING DATE (PC):** 06-07-2011

**HEARING DATE (BOC):** 06-21-2011

**TITLEHOLDER:** William Barbee

**PRESENT ZONING:** GC

**PROPOSED ZONING:** R-15

**PROPERTY LOCATION:** At the northeastern intersection of Hamby Road and Hazelwood Drive.

**PROPOSED USE:** Single Family House

**ACCESS TO PROPERTY:** Hamby Road and Hazelwood Drive

**SIZE OF TRACT:** 0.357 acre

**DISTRICT:** 16

**PHYSICAL CHARACTERISTICS TO SITE:** Vacant house

**LAND LOT(S):** 1243

**PARCEL(S):** 19

**TAXES:** PAID  DUE

**FUTURE LAND USE MAP:** Community Activity Center

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** GC/Used as residential
- SOUTH:** GC/House used for commercial
- EAST:** GC/House
- WEST:** GC/Atkins Interior Contractors

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

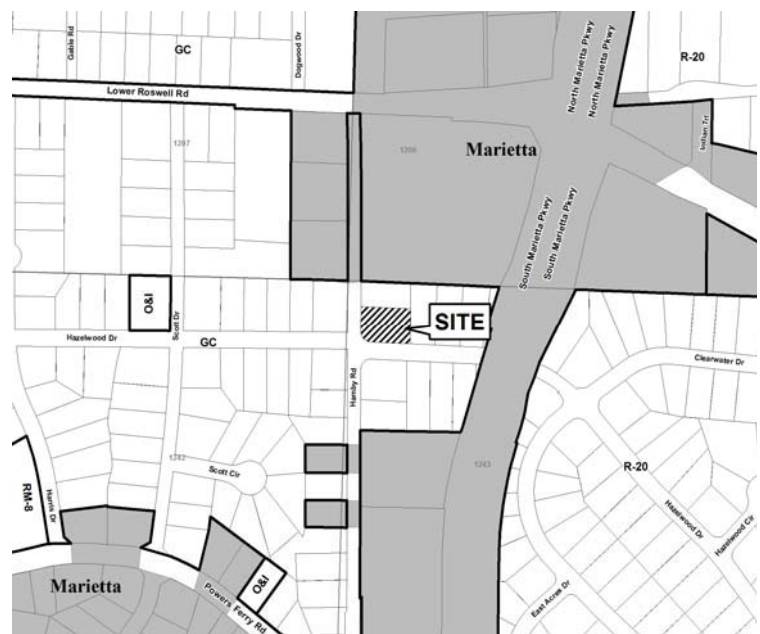
**BOARD OF COMMISSIONERS DECISION**

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

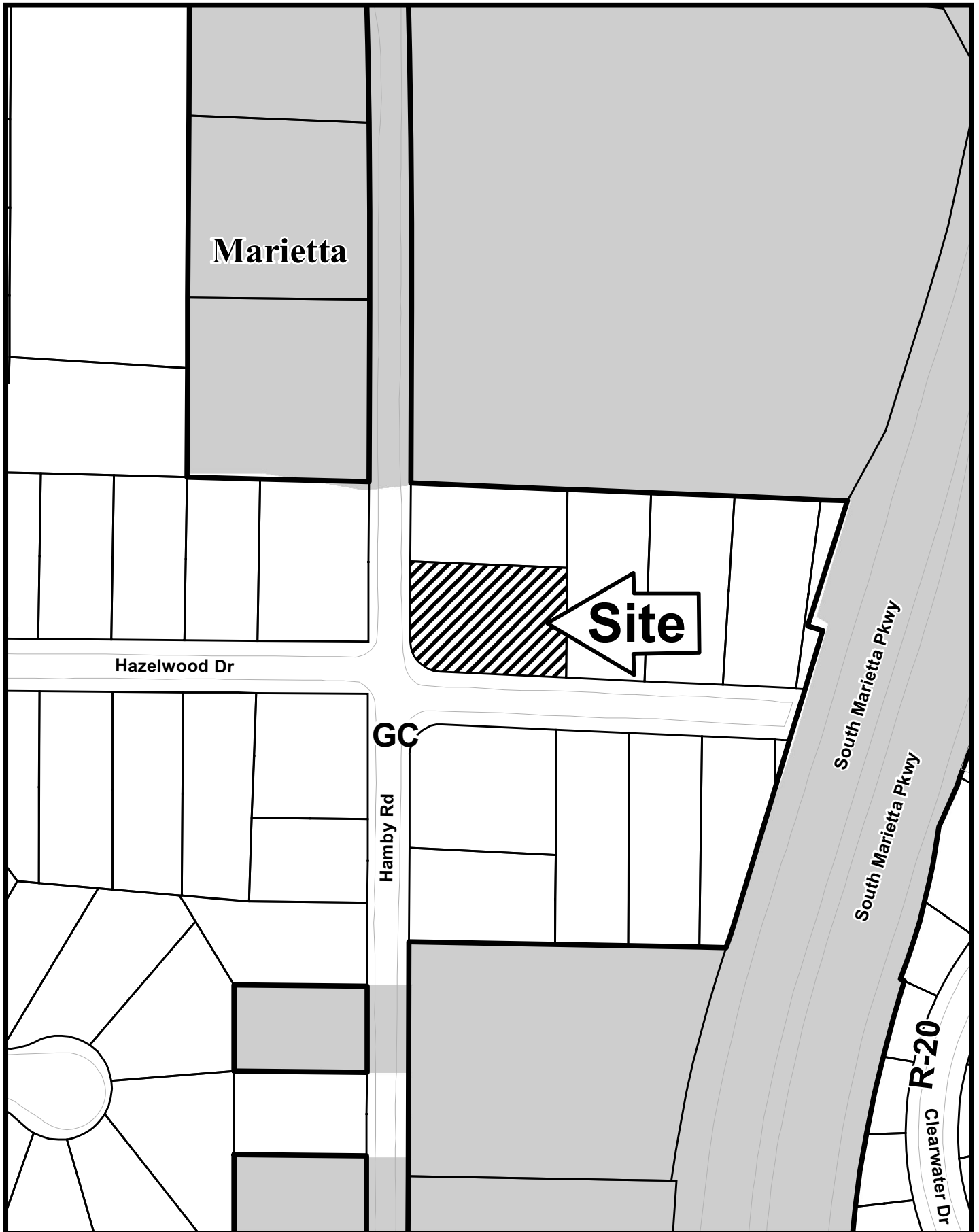
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

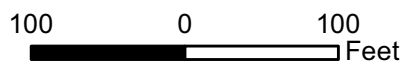
**STIPULATIONS:**





# Z-18



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** William Barbee

**PETITION No.:** Z-18

**PRESENT ZONING:** GC

**PETITION FOR:** R-15

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Community Activity Center

<b>Proposed Number of Units:</b>	<u>1</u>	<b>Overall Density:</b>	<u>2.8</u>	<b>Units/Acre</b>
----------------------------------	----------	-------------------------	------------	-------------------

<b>Present Zoning Would Allow:</b>	<u>0</u>	<b>Units</b>	<b>Increase of:</b>	<u>1</u>	<b>Units/Lots</b>
------------------------------------	----------	--------------	---------------------	----------	-------------------

Applicant is requesting to rezone the subject property to the R-15 in order to use the property for single-family residential. The existing 1,390 square-foot ranch house will remain on the property to be used as residential.

**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.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**APPLICANT:** William Barbee

**PETITION No.:** Z-18

**PRESENT ZONING:** GC

**PETITION FOR:** R-15

\*\*\*\*\*

**SCHOOL COMMENTS:**

Name of School	Enrollment	Capacity Status	Number of Portable Classroom
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Additional Comments:**

\*\*\*\*\*

**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 William Barbee

PETITION NO. Z-018

PRESENT ZONING GC

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): **CITY OF MARIETTA SERVICE AREA**

Additional Comments: Water customer, per City Of Marietta Water

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: **CITY OF MARIETTA SERVICE AREA**

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

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

Drw 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: Current Marietta sewer customer, per City of Marietta Water

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: William Barbee**

**PETITION NO.: Z-18**

**PRESENT ZONING: GC**

**PETITION FOR: R-15**

\*\*\*\*\*

<b>DRAINAGE COMMENTS</b>
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No comments.

APPLICANT: William Barbee

PETITION NO.: Z-18

PRESENT ZONING: GC

PETITION FOR: R-15

\*\*\*\*\*

**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
Hamby Road	1200	Local	25 mph	Cobb County	50'
Hazelwood Drive	100	Local	25 mph	Cobb County	50'

*Based on 2004 traffic counting data taken by Cobb County DOT (Hamby Road)  
Based on 2004 traffic counting data taken by Cobb County DOT (Hazelwood Drive)*

**COMMENTS AND OBSERVATIONS**

Hamby Road 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.

Hazelwood Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

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 Hamby Road, a minimum of 25' from the roadway centerline.

Recommend upgrading the current driveway to comply with Cobb County residential driveway standards.

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



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## STAFF RECOMMENDATIONS

### Z-18 WILLIAM BARBEE

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Adjacent and nearby properties were adopted in 1972 as GC and over the years have gone to commercial uses allowed under the GC category.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. Other properties in the area have gone to commercial uses that are allowed under their present GC zoning.
- 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 indicates this property is located in the Community Activity Center land use category. While the house may have been used as a residence in the past, its current zoning and future land use category indicate a trend that has been developing over a long period of time for properties in this area to be used for commercial purposes, in compliance with the zoning and future land use maps.
- 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 denying the applicant's rezoning proposal. Other houses in this area have gone to commercial uses over the years, since 1972, in compliance with the zoning and land use maps.

Based on the above analysis, Staff recommends DENIAL of this application.

**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.**

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## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 1390 SF
  - b) Proposed building architecture: RESIDENTIAL HOME (EXISTING) RANCH
  - c) Proposed selling prices(s): N/A
  - d) List all requested variances: NONE
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- 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)

THE HOME/STRUCTURE ON THIS LOT IS AN EXISTING HOME SITE. THE OWNER WISHES TO REZONE TO RESIDENTIAL BECAUSE THE COMMERCIAL USE IS NO LONGER APPLICABLE.

.....  
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? NO  
(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).

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