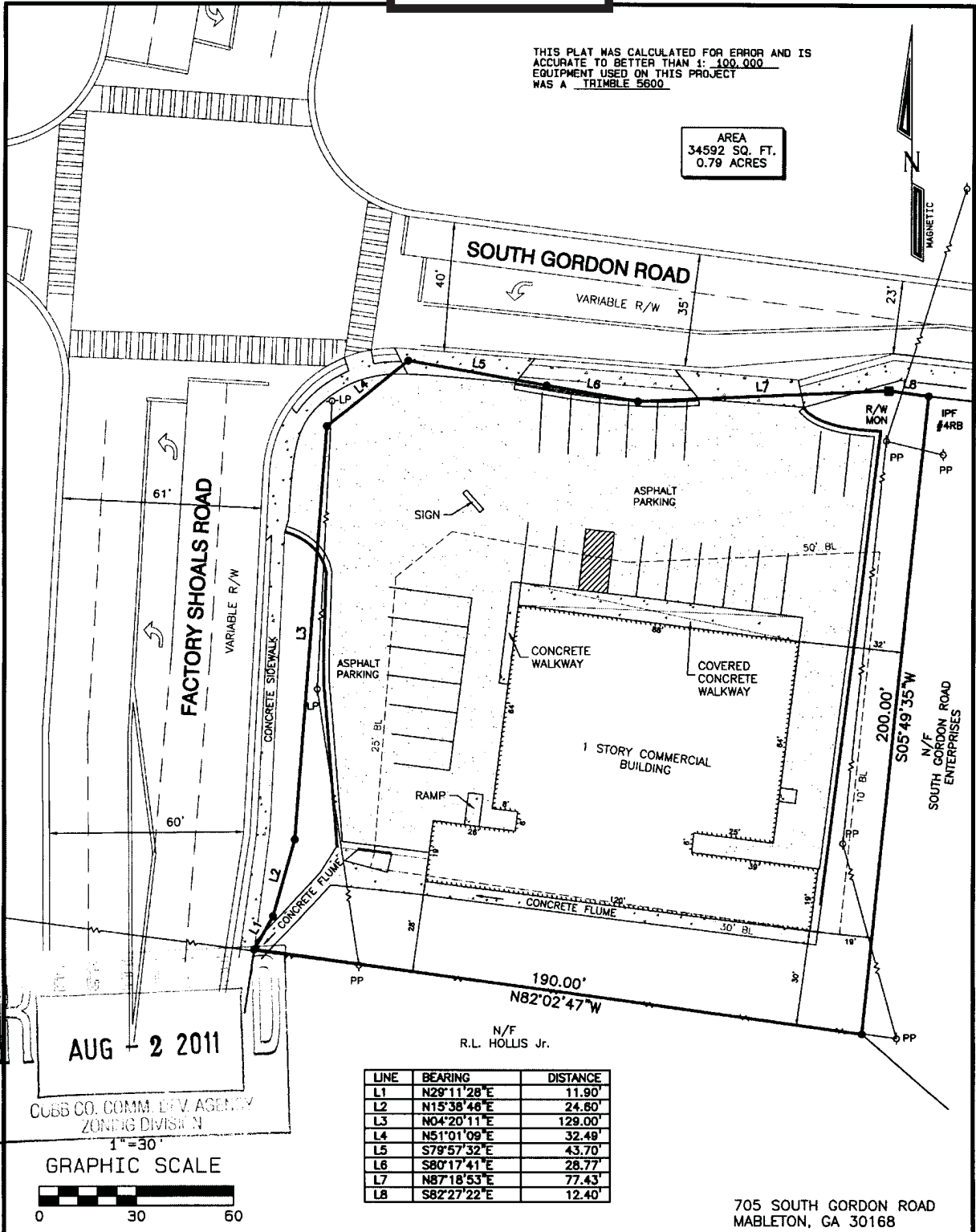


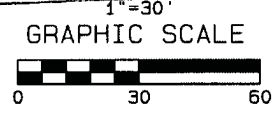
**Z-36  
(2011)**

THIS PLAT WAS CALCULATED FOR ERROR AND IS ACCURATE TO BETTER THAN 1: 100,000. EQUIPMENT USED ON THIS PROJECT WAS A TRIMBLE 5600.

AREA  
34592 SQ. FT.  
0.79 ACRES



AUG - 2 2011  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N28°11'28"E | 11.90'   |
| L2   | N15°38'46"E | 24.60'   |
| L3   | N04°20'11"E | 129.00'  |
| L4   | N51°01'09"E | 32.48'   |
| L5   | S79°57'32"E | 43.70'   |
| L6   | S80°17'41"E | 28.77'   |
| L7   | N87°18'53"E | 77.43'   |
| L8   | S82°27'22"E | 12.40'   |

N/F  
R.L. HOLLIS Jr.

705 SOUTH GORDON ROAD  
MABLETON, GA 30168

SOUTHERN SURVEYING & MAPPING CO., INC.  
4076 EBENEZER ROAD, N.E.  
MARIETTA, GEORGIA 30066  
PHONE (770) 926-7759

\*F.I.A. OFFICIAL FLOOD HAZARD MAP\* COMMUNITY NUMBER 130052 PAGE 2126, DATED 12/16/2008 SHOWS THIS PROPERTY NOT TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

REFERENCE PLAT:  
BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

ALL MATTERS OF TITLE ARE EXCEPTED.

SURVEY FOR:

**A'ZOE ENTERPRISES, INC.**

|                 |                |
|-----------------|----------------|
| LAND LOT- 413   |                |
| DISTRICT- 18    | SECTION- 2     |
| COUNTY- COBB    | STATE- GEORGIA |
| DATE- 7/28/2011 | SCALE 1" = 30' |
| REVISED-        | B KR33-11      |

APPLICANT: A'Zoe Enterprises, Inc. (Shirley J. Batchelor)  
770-745-7422

REPRESENTATIVE: Shirley J. Batchelor  
770-745-7422

TITLEHOLDER: A'Zoe Enterprises, Inc.

PROPERTY LOCATION: At the southeast intersection of South Gordon Road and Factory Shoals Road

ACCESS TO PROPERTY: South Gordon Road

PHYSICAL CHARACTERISTICS TO SITE: existing  
one story commercial building

PETITION NO: Z-36

HEARING DATE (PC): 10-04-2011

HEARING DATE (BOC): 10-18-2011

PRESENT ZONING: GC

PROPOSED ZONING: NRC

PROPOSED USE: Bakery/Office Space

SIZE OF TRACT: 0.79 acre

DISTRICT: 18

LAND LOT(S): 413

PARCEL(S): 29

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

COMMISSION DISTRICT: 4

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** GC/One story multi-tenant shopping center
- SOUTH:** PSC/Commercially zoned residential homes
- EAST:** R-20/Grandfathered commercial property
- WEST:** PSC/Undeveloped commercial property

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

**BOARD OF COMMISSIONERS DECISION**

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

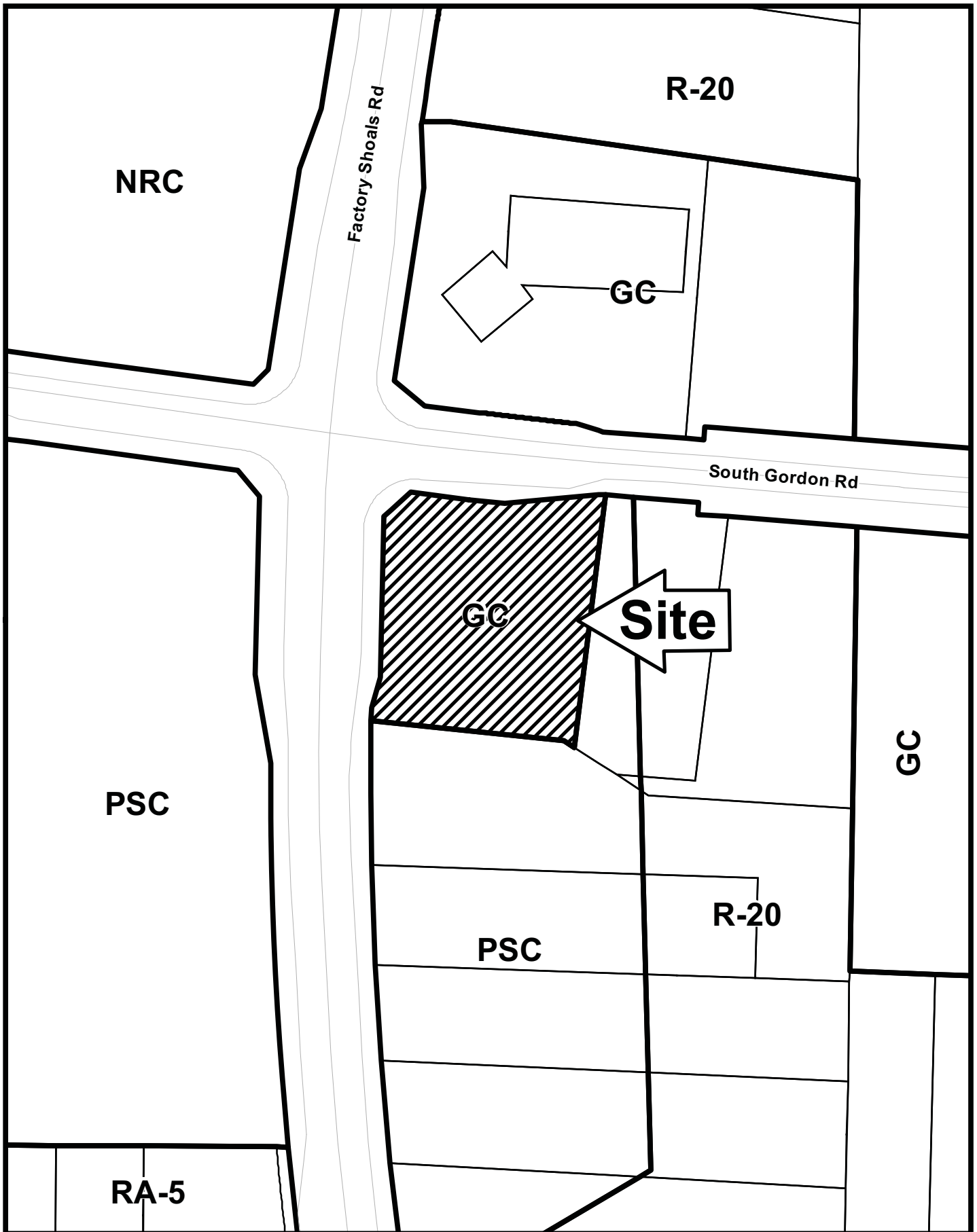
REJECTED \_\_\_ SECONDED \_\_\_\_\_

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

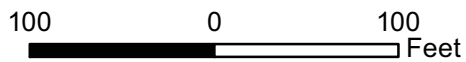
STIPULATIONS:





# Z-36



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



-  City Boundary
-  Zoning Boundary

APPLICANT: A'Zoe Enterprises, Inc. (Shirley J. Batchelor) PETITION NO.: Z-36

PRESENT ZONING: GC PETITION FOR: NRC

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Terry Martin, MPA

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

**Proposed Number of Buildings:** 1 **Total Square Footage of Development:** 8,297 sq. ft.

**F.A.R.:** .24 **Square Footage/Acre:** 10,503

**Parking Spaces Required:** 42 **Parking Spaces Provided:** 20

The applicant is requesting a rezoning of the vacant property from GC general commercial district to NRC neighborhood retail commercial district in order to utilize the property as a bakery to manufacture frozen cornbread batter as well as a variety of baked and cooked foods. The rezoning is necessary as the property, once grandfathered as GC in a NAC neighborhood activity center, had gone vacant for some time in the recent past. The applicant also proposed to lease space within the existing building to other office tenants. The applicant also proposes to offer an outreach program to “disadvantaged youth” of the community, offering free programs including dance, basketball camps, Spanish classes, etc.

The exiting one story commercial building will be utilized with no proposed additions. While it is calculated that 42 parking spaces may be required for retail tenants taking the gross building square footage as shown by the County tax assessor’s information, the actual net calculations may be much less once those numbers are ascertained. Nevertheless, this property has been used by many commercial tenants in the past and no increase in building size is anticipated.

**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:** 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.

\*\*\*\*\*

**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 A'Zoe Enterprises

PETITION NO. Z-036

PRESENT ZONING GC

PETITION FOR NRC

\*\*\*\*\*

**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 Factory Shoals Rd**

Additional Comments: Records show property as currently served by 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: **At site in South Gordon Road**

Estimated Waste Generation (in G.P.D.): **A D F= +0 new\* Peak= +0 new\***

Treatment Plant: **S Cobb**

Plant Capacity:  Available  Not Available

Line Capacity:  Available  Not Available

Projected Plant Availability:  0 - 5 years  5 - 10 years  over 10 years

Drv 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: May be subject to Grease Trap Code. \*Subject to additional SDF if any space is converted to seated food service.

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: A'Zoe Enterprises, Inc.**

**PETITION NO.: Z-36**

**PRESENT ZONING: GC**

**PETITION FOR: NRC**

\*\*\*\*\*

|                          |
|--------------------------|
| <b>DRAINAGE COMMENTS</b> |
|--------------------------|

This site is an existing facility and there are no site improvements proposed at this time. Upon redevelopment, the site must meet full stormwater management requirements.

**APPLICANT: A'Zoe Enterprises, Inc. (Shirley J. Batchelor)**

**PETITION NO.: Z-36**

**PRESENT ZONING: GC**

**PETITION FOR: NRC**

\*\*\*\*\*

**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 |
|-------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| South Gordon Rd   | 7200                | Major Collector        | 40 mph      | Cobb County            | 80'                      |
| Factory Shoals Rd | 14700               | Arterial               | 40 mph      | Cobb County            | 100'                     |

*Based on 2004 traffic counting data taken by Cobb County DOT (South Gordon Road)  
Based on 2011 traffic counting data taken by Cobb County DOT (Factory Shoals Road)*

**COMMENTS AND OBSERVATIONS**

South Gordon Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Factory Shoals Road is classified as an arterial 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 south side of South Gordon Road, a minimum of 40' from the roadway centerline.

Recommend no access to Factory Shoals Road.

Recommend one access on South Gordon Road.

Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the proposed sidewalk project along South Gordon Road.

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

## STAFF RECOMMENDATIONS

### **Z-36 A'Zoe Enterprises, Inc. (Shirley J. Batchelor)**

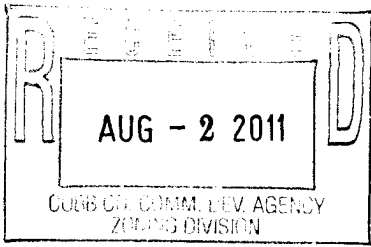
- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Located at the intersection of a Major Collector road (South Gordon) and an Arterial road (Factory Shoals), this property is situated amongst other commercial properties.
- 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. In fact, the requested rezoning will allow the return to commerce of this property that has lost its "grandfathered" status.
- 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*. Located within a NAC neighborhood activity center, the request is supported by the *Plan's* objectives for such areas of encouraging low scale retail and office uses that serve the needs of surrounding residential areas.
- 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 rezoning, if approved, will allow the applicant to bring back into commerce an existing, vacant commercial property that had fallen out of use because of its loss of "grandfathered" status.

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

- Site plan submitted to the Zoning Division on August 2, 2011 with District Commissioner approving minor modifications;
- Water and Sewer comments;
- Stormwater Management comments;
- DOT comments; and
- Recommend applicant consider entering into a development agreement pursuant of 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-36

Oct.  
2011

## Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): \_\_\_\_\_
- b) Proposed building architecture: \_\_\_\_\_
- c) Proposed selling prices(s): \_\_\_\_\_
- d) List all requested variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- a) Proposed use(s): Bakery/Manufacturing
- b) Proposed building architecture: Same as existing
- c) Proposed hours/days of operation: 7:00am - 5:00pm
- d) List all requested variances: NRC  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

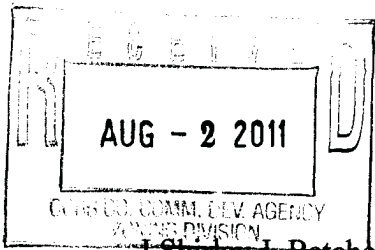
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\_\_\_\_\_  
\_\_\_\_\_

.....  
**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).

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



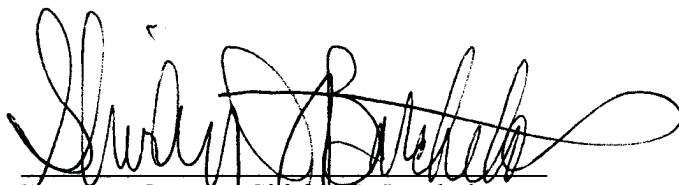
Z-36  
(2011)

Attachment A

I Shirley J. Batchelor, Owner, and President of A'Zoe Enterprises' hereby request that the property located at 705 South Gordon Road, Mableton, Georgia be rezoned as a commercial property functioning as a Bakery and commercial rental of various office spaces. The purpose for the Bakery is to manufacture and sell a frozen cornbread batter in addition to a variety of baked and cooked food items.

- a.) The proposed zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. We will be providing delicious food and service for the community. The manufacturing of our delicious high quality products will generate income and offer employment to local resident.
- b.) The zoning will not adversely affect the existing use or usability of adjacent or usability of adjacent or nearby property. With the smell of our delicious product the aroma will increase traffic and potential customers thereby increasing the probability of more sells for the adjacent property due to the increase traffic flow drawn by our business which is non-competitive with the current businesses.
- c.) The property to be affected by the zoning proposal has no economic use at this time due to the fact that the previous zoning expired. Zoning expired because the building has been closed for over a year.
- d.) The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The business in a small family owned business providing limited services that requires no excess use or would be burdensome to the existing streets, transportation facilities, utilities or schools.
- e.) The zoning proposal is in conformity with the policy and intent of the land use plan in addition with added benefits. The sole purpose for our business is to be an asset to the community. We will sell bread for the natural body to provide spiritual bread to disadvantaged youth. We will be providing free programs for disadvantaged kids, such as ballet, tap dancing, modern dance, Spanish, basketball camps, etc. All our programs will be free of cost to low income families with parents consent and approval that their child be taught classes using the Word of God as our foundation.
- f.) There are no other existing or changing condition affecting the use and development of the property that would give supporting grounds for either approval or disapproval of the zoning proposal.

Thank you for your timely consideration.

  
Property Owner: Shirley J. Batchelor

