

Z-46
(2011)

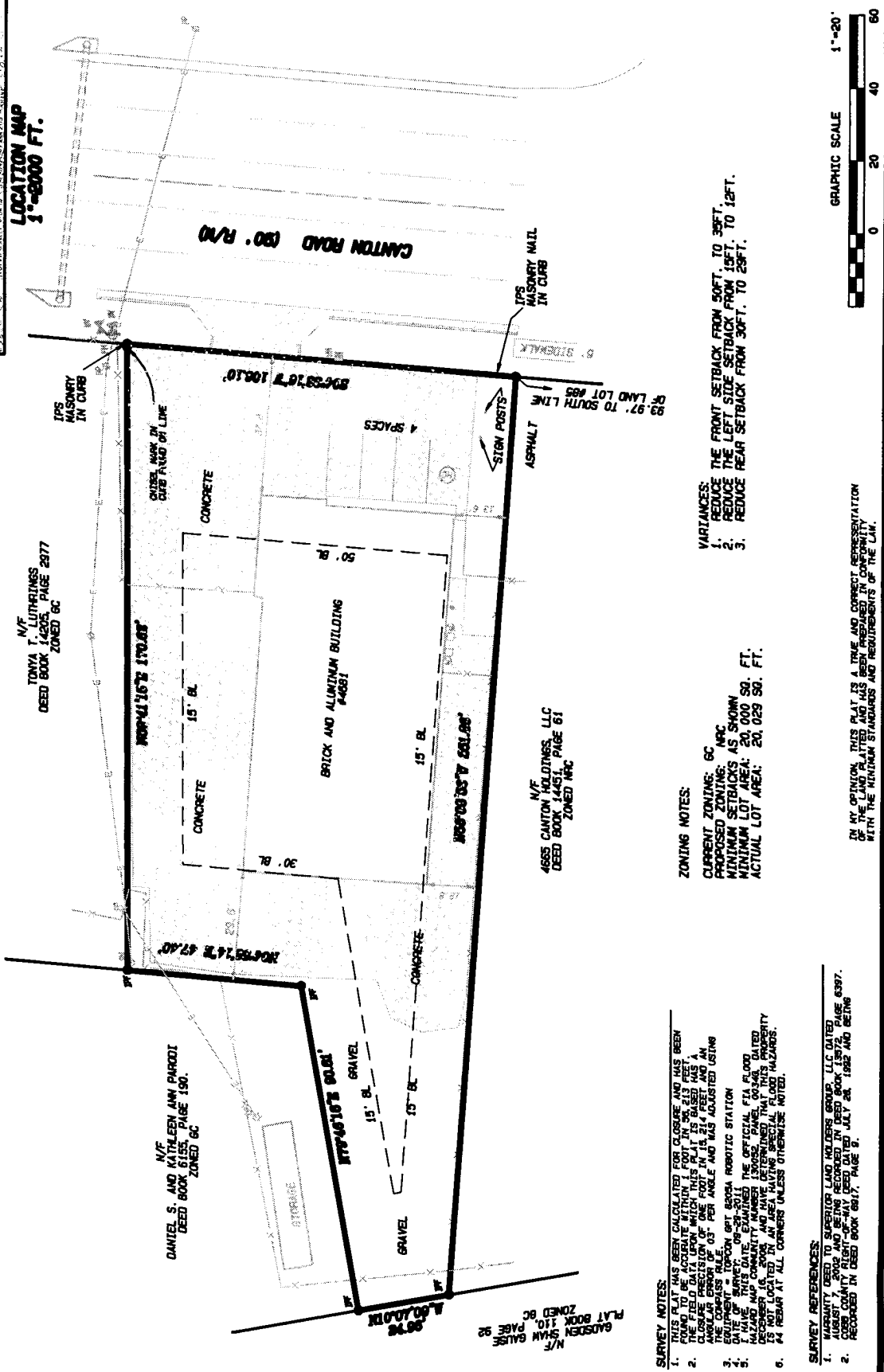
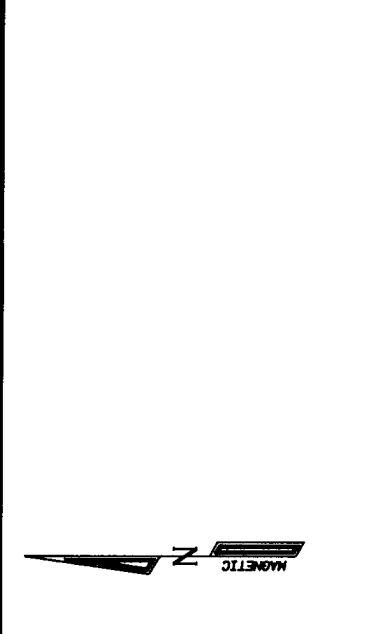
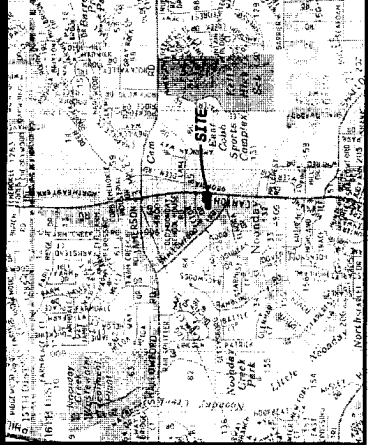


BRIERLION
LAND SURVEYING & PLANNING
SUBDIVISION & COMMERCIAL SITE DESIGN
320 WEST SANDTOWN ROAD
MARIETTA, GEORGIA 30064
(770) 483-0242

SURVEY TITLE
4681 CANTON ROAD
LAND LOT #2
8th DISTRICT, 9th SECTION
COBB COUNTY, GEORGIA
PREPARED FOR
JOEL DINERMAN

DATE: 10-04-2011
CURRENT BUILDING PROPERTY LINE
1 OF 1
DRAWN BY: J. H. WALKER
DATE: SEPTEMBER 30, 2011
SCALE: 1" = 20'
11128

SYMBOL LEGEND
Guy Wire
Fire Hydrant
Manhole
Water Valve
Power Pole
T.P.S.
Sanitary Sewer Manhole
Water Line
Sanitary Sewer Line
Overhead Power Line
Fence



ABBREVIATION LEGEND
B/L BUILDING
C/CP CORRUGATED METAL PIPE
F/R FUSED ROOFTOP UNIT
GUY WIRE
IRON PIN EOUND
INVERT ELEVATION
CHANGED LENGTH
LAND LOT LINE
CONC OR FORMBLY
PAGE
P.O.B.
R/N RIGHT-OF-WAY
RADIIUS
SSSM SANITARY SEWER MANHOLE
WH WATER METER

SYMBOL LEGEND
Guy Wire
Fire Hydrant
Manhole
Water Valve
Power Pole
T.P.S.
Sanitary Sewer Manhole
Water Line
Sanitary Sewer Line
Overhead Power Line
Fence

SURVEY NOTES:

- THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN THE FIELD ACCURATE WITHIN THE TOLERANCES SET FORTH IN THE GENERAL NOTES.
- CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGLE PRECISION OF 03" PER ANGLE AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
- DATE OF SURVEY: ON-SITE: THE OFFICIAL FTA FLOOD MAP AND COMMUNITY NUMBER 130000 PAVEL 00-048 (A) IS SHOWN AND HAS BEEN DETERMINED THAT THIS PROPERTY IS NOT IN A FLOOD HAZARD UNLESS OTHERWISE NOTED.
- REPAIR AT ALL CORNERS UNLESS OTHERWISE NOTED.

SURVEY REFERENCES:

- MARRIETTA TO SUPERIOR LAND HOLDERS GROUP, LLC (DATED 11/22/07) AND BEING RECORDED IN DEED BOOK 1512, PAGE 6397.
- RECORDED IN DEED BOOK 6817, PAGE 9.

TONKA T. WITHERINS
DEED BOOK 14263, PAGE 2977
ZONED GC

DANIEL S. AND KATHERINE ANN PARODI
DEED BOOK 6155, PAGE 190.
ZONED GC

N/F
4685 CANTON HOLDINGS, LLC
DEED BOOK 14451, PAGE 61
ZONED MFC

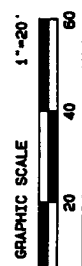
N/F
GARDNER SHAW BAISER
PLAT BOOK 110, PAGE 22
ZONED GC

VARIANCES:

- REDUCE THE FRONT SETBACK FROM 50FT. TO 39FT.
- REDUCE THE LEFT SIDE SETBACK FROM 19FT. TO 12FT.
- REDUCE REAR SETBACK FROM 30FT. TO 28FT.

ZONING NOTES:

CURRENT ZONING: GC MFC
PROPOSED ZONING: AS SHOWN
MINIMUM LOT AREA: 30,000 SQ. FT.
ACTUAL LOT AREA: 20,029 SQ. FT.



IN MY OPINION, THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE LAND AND HAS BEEN PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

APPLICANT: David Tribble
770-722-0545

REPRESENTATIVE: Same
Same

TITLEHOLDER: Superior Land Holders Group, LLC

PROPERTY LOCATION: On the west side of Canton Road, north
of Shallowford Road.

ACCESS TO PROPERTY: Canton Road

PHYSICAL CHARACTERISTICS TO SITE: Existing two-story
brick front commercial building

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/Developed auto import business
- SOUTH:** NRC/Developed auto repair business
- EAST:** HI/Developed industrial properties
- WEST:** GC/Developed business center (Ecton Center)

PETITION NO: Z-46

HEARING DATE (PC): 12-05-11

HEARING DATE (BOC): 12-13-11

PRESENT ZONING: GC

PROPOSED ZONING: NRC

PROPOSED USE: Light Auto Repair

SIZE OF TRACT: 0.46 acre

DISTRICT: 16

LAND LOT(S): 85

PARCEL(S): 18

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 3

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

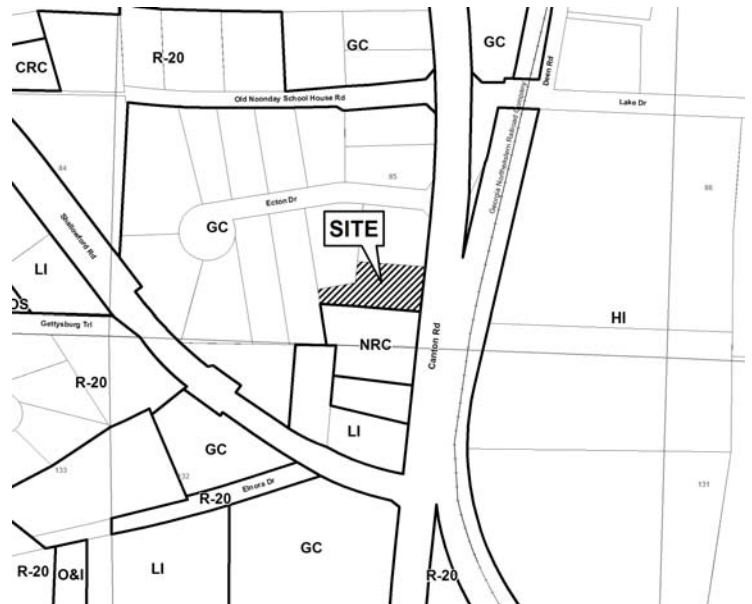
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

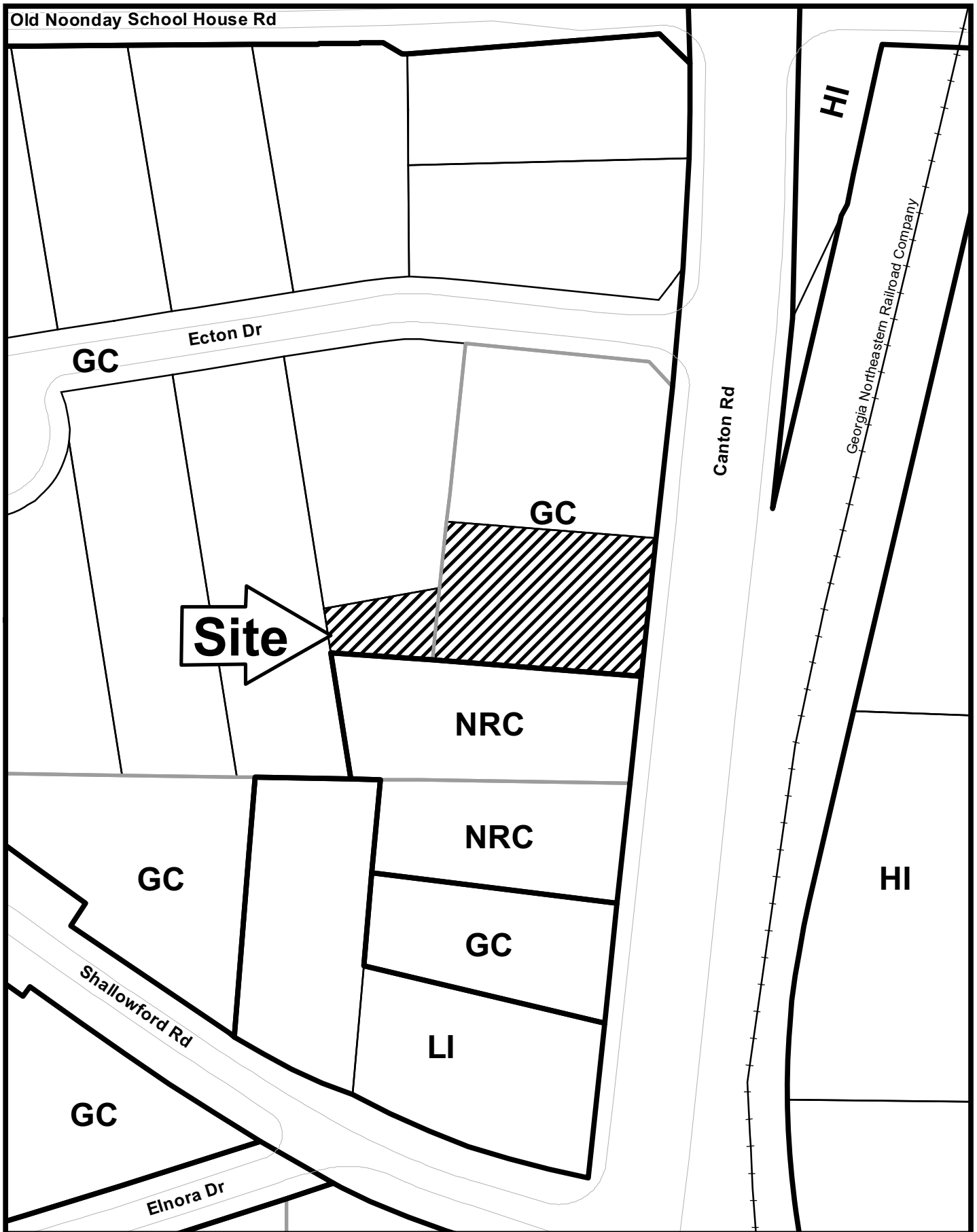
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

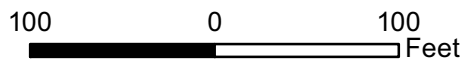
STIPULATIONS:





Z-46



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



-  City Boundary
-  Zoning Boundary

APPLICANT: David Tribble

PETITION NO.: Z-46

PRESENT ZONING: GC

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center

Proposed Number of Buildings: 1 (Existing) **Total Square Footage of Development:** 6,000

F.A.R.: 0.29 **Square Footage/Acre:** 13,129

Parking Spaces Required: 3/bay 1/employee **Parking Spaces Provided:** 4

Applicant is requesting the NRC zoning category in order to open a light auto repair business. The future land use designation of Neighborhood Activity Center (NAC), will not allow the existing zoning of GC to be used. Applicant is making the request in order to utilize the property in accordance with the land use plan and proper zoning category. The requested zoning category of Neighborhood Retail Commercial (NRC) is compatible with the NAC land use category and light auto repair is a permitted use under the NRC zoning category. According to information provided by the applicant, the business currently has seven employees and plans to grow to nine or 10. The hours of operation will be Monday through Friday from 8 a.m. to 6 p.m. and Saturday from 9 a.m. to 3 p.m. The 25-foot tall, 6,000 square-foot building has brick front facing.

The applicant will also require contemporaneous variances that include the following:

1. Reducing the front setback from the required 50 feet to 35 feet;
2. Reducing the left side setback from the required 15 feet to 12 feet;
3. Reducing the rear setback from the required 30 feet to 29 feet; and
4. Reducing the number of parking spaces from the possibly required 16 (based upon the additional number of employees and those required per bay).

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.

FIRE COMMENTS:

C/O: Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

APPLICANT David Tribble

PETITION NO. Z-046

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): **16" DI / W side Canton rd**

Additional Comments: Currently connected and active

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: **100' S with easement**

Estimated Waste Generation (in G.P.D.): **A D F= 500 Peak= 1250**

Treatment Plant: **Noonday**

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 Property is currently connected to sewer
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: David Tribble

PETITION NO.: Z-46

PRESENT ZONING: GC

PETITION FOR: NRC

DRAINAGE COMMENTS

This is an existing facility and there are no site improvements proposed at this time other than re-topping of pavement. Full stormwater management will be required upon redevelopment of any portion of the site. Auto repair operations are considered water quality “hot-spots” due to the potential for the discharge of contaminated stormwater runoff. Therefore, a written stormwater pollution prevention plan (SWPPP) must be developed for the site and submitted to the Stormwater Management Division prior to issuance of a Certificate of Occupancy.

APPLICANT: David Tribble **PETITION NO.: Z-46**

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
Canton Road	27900	Arterial	45 mph	Cobb County	100'

Based on 2010 traffic counting data taken by Georgia DOT (Canton Road)

COMMENTS AND OBSERVATIONS

Canton Road is classified as an arterial 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 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 west side of Canton Road, a minimum of 50' from the roadway centerline.

Recommend sidewalk along the Canton Road frontage.

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

STAFF RECOMMENDATIONS

Z-46 DAVID TRIBBLE

- 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. Nearby properties are similarly zoned with similar uses.
- 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. The property will have to be rezoned in order for it to be utilized and the proposed rezoning to the NRC zoning category and the proposed use will be similar to other zonings and uses on nearby properties.
- 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 the subject property to be within the Neighborhood Activity Center (NAC) land use category. The requested zoning category of Neighborhood Retail Commercial (NRC) is compatible with the land use plan and the proposed use is a permitted use under NRC.
- 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 proposed rezoning will make the property compliant with the *Cobb County Comprehensive Plan*. The current zoning of GC cannot be utilized under the current land use category of Neighborhood Activity Center.

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

- Site plan submitted to the Zoning Division last revised on October 4, 2011, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations; and
- 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-46

Dec. 2011

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): _____
b) Proposed building architecture: N/A
c) Proposed selling prices(s): _____
d) List all requested variances: _____

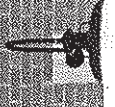
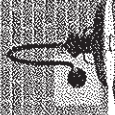
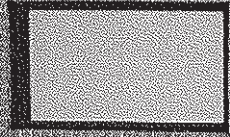
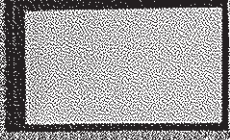
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Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): LIGHT AUTOMOTIVE AND SMALL TRUCKS
AND VANS . REPAIR AND MAINTENANCE
b) Proposed building architecture: BRICK FRONT-FACING WITH 25'
HIGH-6000 SQ FT. STRUCTURE BEHIND. SEE ATTACHED PHOTO
c) Proposed hours/days of operation: MONDAY THRU FRIDAY 8AM TO 6PM
SATURDAY - 9 AM TO 3 P.M.
d) List all requested variances: NONE REQUIRED OR REQUESTED.

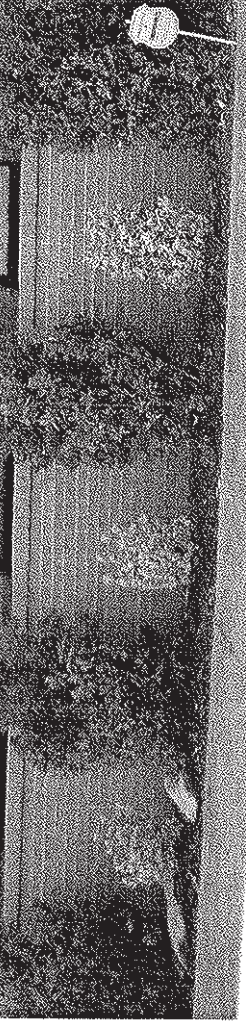
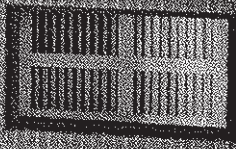
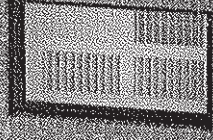
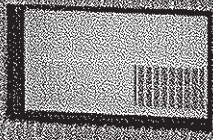
.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

ADDITIONAL INFORMATION FOLLOWING
BUILDING PHOTO PAGE.

-
**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



FOR
SALE OF LEASE
770-314-6873



SUMMARY of INTENT for REZONING

Current Number of Employees (if employment varies throughout the year, give present and average) We currently have 7 employees and plan to grow to 9 or 10 with this expansion.

Locations: Current location: 4362 Winfred Drive, Marietta, GA 30066.
Moving to: 4681 Canton Rd. Marietta, GA 30066

Type of Product/Service: Complete light automotive repair and servicing business.

Hours of Operation: Monday thru Friday - 8am to 6pm
Saturdays – 9am to 3pm

Geographic Market Area: Primarily East Cobb and Southern Woodstock, GA areas. However, we have clients from all around the metro-Atlanta area.

Major Past Accomplishments: Tribble Automotive has made three major location moves since it was first started in 1999 with \$9,000. Each move resulted in increased business, revenues and employees.

Future Plans for Growth Expansion: Our current plans call for a move into a larger, newer facility with much greater pass-by traffic visibility. The move will also enable us to attract fleet accounts for maintenance, which will also require hiring additional technicians and support personnel.

This newer, larger facility will increase our ability to service more vehicles, which in turn will necessitate the hiring of additional service techs. With a goal of increasing business by 30% based on increased visibility to stimulate drive-in business and the addition of fleet accounts, the expectation is to add 2 to 3 new employees very quickly.

Requirements for Rezoning Application

Page 2

4. A current legal description of the subject property. If the application consists of several tracts, a legal description of each tract is required. A separate legal description of each zoning classification is also required, as well as an overall description of all tracts and/or classifications combined. No legal description should include more property than what has been requested for rezoning.
5. ~~4~~ A copy of the paid tax receipt for the subject property or a statement signed by an official in the Tax Commissioner's Office or other official document issued by the Tax Commissioner's Office indicating the taxes have been paid.
6. ~~5~~ A copy of current site plan and current boundary survey drawn to scale by a registered engineer, architect, land planner, or land surveyor currently registered in accordance with applicable state laws. (**Plans must be stamped**). These plans must include: a) north arrow; b) land lot lines; c) district lines; d) lot lines; e) angles; f) bearing and distances; g) adjoining street with right-of-way (present and proposed); h) paving widths; i) the exact size and location of all buildings along with intended use; j) buffer areas; k) parking spaces; l) lakes and streams; m) utility easements; n) limits of the 100-year flood plain and acreage of flood plain; o) cemeteries; p) wetlands; q) access points; and r) stream buffers (minimum 50' buffer).

NOTE: Five (5) drawings shall be no larger than 36" x 48" and two (2) copies must be 8½" x 11".

7. If the property is or will be on septic tank, contact the Cobb County Health Department (770-435-7815). A site plan and soils analysis will be required for review by the Environmental Health District Project Manager. Approval by the Cobb County Health Department must be obtained prior to the filing of the application for Rezoning.
8. Zoning Application Disclosure forms attached hereto must be completed.
9. Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **YES**
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **NO**
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **YES**
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; **NO**
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and **YES**
- (f) Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

THE PROPOSED REZONING - IF APPROVED WILL BRING THIS PROPERTY INTO COMPLIANCE WITH EXISTING FUTURE LAND USE PLAN.