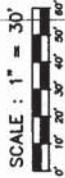
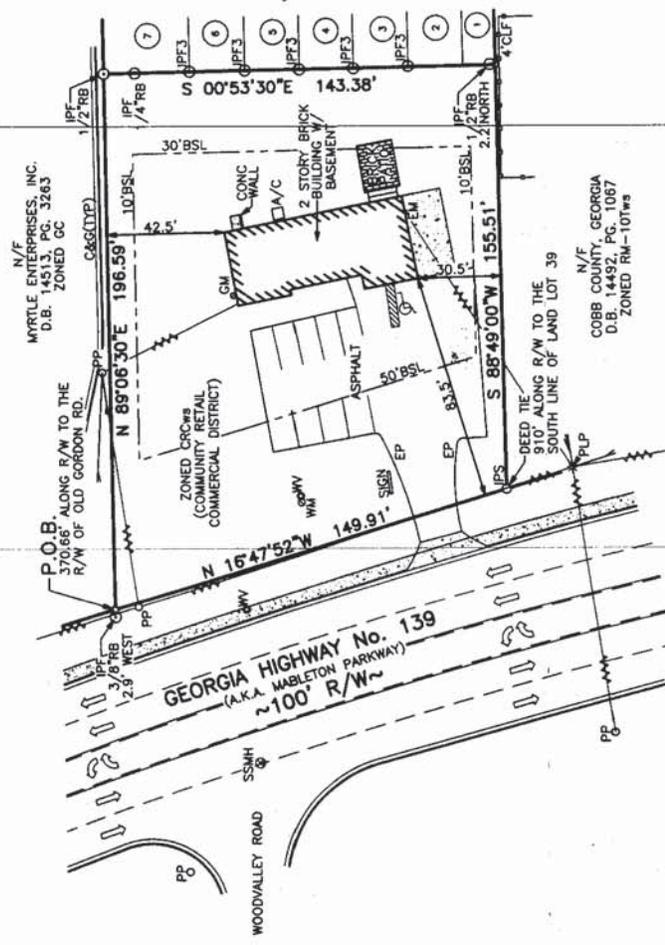


Z-44
(2012)



LEGEND

- R/W RIGHT OF WAY
- N/F NAD 83
- SHRUBS
- CONCRETE
- C&G CURB AND GUTTER
- EM ELECTRIC METER
- GM GAS METER
- IPF 1/2" REBAR SET
- IPF3 3/8" REBAR FOUND
- LP LIGHT POLE
- MON. MONUMENT
- PIF PIPE
- D.B. DEED BOOK
- P.C. PAGE
- P.O.B. POINT OF BEGINNING
- PVC POLY-VINYL CHLORIDE PIPE
- PWR POWER TRANSFORMER
- RB&H REBAR
- T&W TYPICAL
- WV WATER VALVE
- WW OVERHEAD POWER LINE



RECEIVED
 AUG 16 2012
 COMM. DIVISION AREA
 25-228-59- FEET
 0.581 ACRES

FLOOD STATEMENT:
 THIS PROPERTY DOES NOT LIE WITHIN
 A FEDERAL FLOOD HAZARD AREA AS
 PER PANEL NO. 13067C0204G
 DATED: 12/16/2008

IN MY OPINION THIS PLAT IS A CORRECT
 REPRESENTATION OF THE LAND PLATTED
 AND HAS BEEN PREPARED IN CONFORMITY
 WITH THE MINIMUM STANDARDS AND
 REQUIREMENTS OF THE LAW.

DATE:	07/11/13
BY:	DNA
FIELD:	07/10/12
BY:	AMB
SCALE:	1"=30'
SHEET:	1 OF 1
12097	



ADAM & LEE LAND SURVEYING
 5640 GA. HWY. 20 S.
 LOGANVILLE, GA. 30052 (770)554-8985
 www.adamandlee.com

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE,
 CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES
 AND STRUCTURES IS SHOWN HEREON, THERE IS NO CERTAINTY
 OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE
 CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING.
 THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES
 AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND
 UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED.
 THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND HIS
 CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE
 SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR
 SUFFICIENCY OF THIS INFORMATION SHOWN HEREON.

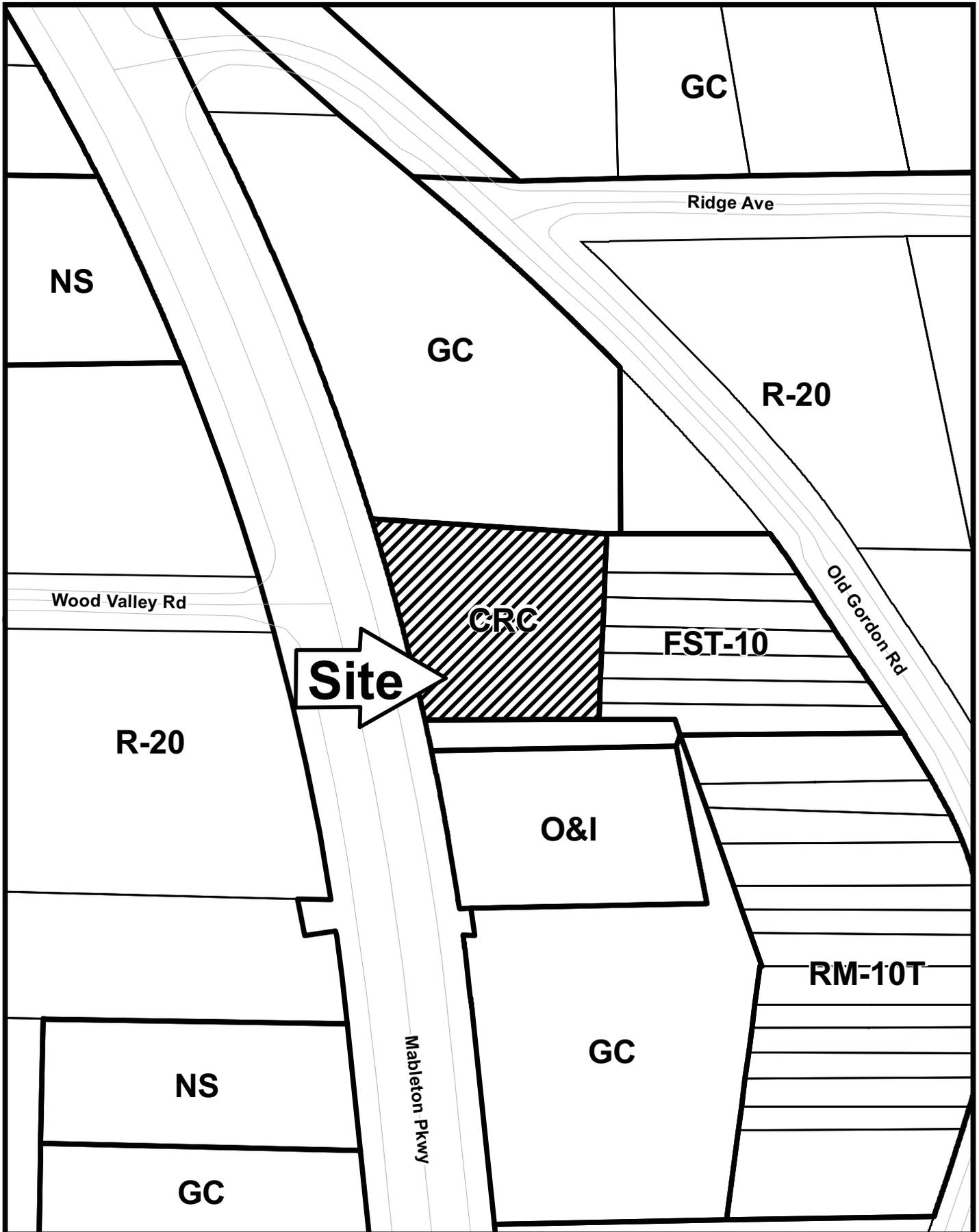
ALL ISSUES OF TITLE ARE
 LEFT TO THE SURVEYOR
 UNLESS NOTED AS NO TITLE
 REPORT HAS BEEN PROVIDED

THIS SURVEY HAS BEEN PREPARED FOR THE
 EXCLUSIVE USE OF PERSONS OR ENTITIES NAMED
 HEREON. NO EXPRESS OR IMPLIED WARRANTIES
 WITH RESPECT TO THE INFORMATION SHOWN
 HEREON IS TO BE EXTENDED TO ANY PERSONS
 OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

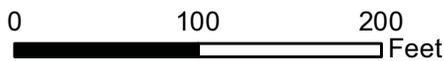
NOTES:
 FIELD INFORMATION FOR THIS SURVEY WAS
 OBTAINED WITH A 5 SECOND THEODOLITE
 AND AN ELECTRONIC DISTANCE METER.
 THE FIELD DATA UPON WHICH THIS MAP
 OR PLAT IS BASED IS TO A CLOSEST FEET
 AND AN ANGULAR ERROR OF 0.01 SECOND
 PER ANGLE POINT AND WAS ADJUSTED BY
 LEAST SQUARES.
 THIS MAP OR PLAT HAS BEEN CALCULATED
 FOR CLOSURES AND IS FOUND TO BE
 ACCURATE WITHIN ONE FOOT IN 220,396 FEET.

PROJECT DESCRIPTION:	SURVEY FOR:
MAHMOUD ABDIRAHMAN	
5743 MABLETON PARKWAY	
COUNTY: COBB	DISTRICT: 18TH
LAND LOT: 39	SECTION: 2ND
	D.B. 14535, PG. 1072
REVISIONS	

Z-44



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



- City Boundary
- Zoning Boundary

APPLICANT: Mahmoud A. Abdirahman

PETITION NO.: Z-44

PRESENT ZONING: CRC with Stipulations

PETITION FOR: CRC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center (CAC)

Proposed Number of Buildings: 1 (Existing) **Total Square Footage of Development:** 1,795

F.A.R.: .07 **Square Footage/Acre:** 3,089

Parking Spaces Required: If retail, 8 **Parking Spaces Provided:** 9 Existing
 If office, 6

Applicant is requesting to rezone the property to the Community Retail Commercial (CRC) zoning district for the purpose of removing stipulation previously approved as part of Z-114 of 2003 that limited the use of the property specifically for a beauty parlor (minutes attached). Applicant intends to have retail and/or office tenants. No improvements are planned and the existing building will be utilized. The hours of operation for the businesses will be Monday – Saturday from 8 a.m. until 6 p.m.

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:

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

APPLICANT: Mahmoud A. Abdirahman

PETITION NO.: Z-44

PRESENT ZONING: CRC with Stipulations

PETITION FOR: CRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from CRC with stipulations to CRC for purposes of office and retail. The 0.581 acre site is located on the west side of Mableton Parkway, at Woodvalley Road (5743 Mableton Parkway).

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category with a CRC with stipulations zoning designation. The purpose of the CAC category is for areas that can meet the immediate needs of several neighborhoods or communities.

Master Plan/Corridor Study

Not applicable.

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?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable
- Architecture standard
 Yes No Not applicable

APPLICANT Mahmoud A. Abdirahman

PETITION NO. Z-044

PRESENT ZONING CRC w/stips

PETITION FOR CRC

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): **12" DI E / side of Mableton Parkway**

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: **In Mableton Parkway ROW**

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

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: Health Dept approval required for continued use of existing septic system. If improvements to septic system are necessary, site must connect to sanitary sewer

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: Mahmoud A. Abdirahman

PETITION NO.: Z-44

PRESENT ZONING: CRC w/ stips

PETITION FOR: CRC w/ stips

STORMWATER MANAGEMENT COMMENTS

No site improvements are proposed for this existing facility, therefore no stormwater management measures will be required at this time. Any future improvements must be submitted to Plan Review and subject to current Stormwater Management requirements.

APPLICANT: Mahmoud A. Abdirahman

PETITION NO.: Z-44

PRESENT ZONING: CRC with Stipulations

PETITION FOR: CRC

COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

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
Mableton Parkway	25,390	Arterial	45 mph	Georgia DOT	100'

Based on 2011 traffic counting data taken by Georgia DOT (Mableton Parkway)

COMMENTS AND OBSERVATIONS

Mableton Parkway 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 GDOT permits for all work that encroaches upon State right-of-way.

Recommend reconstructing the driveway to meet the commercial standard.

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

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STAFF RECOMMENDATIONS

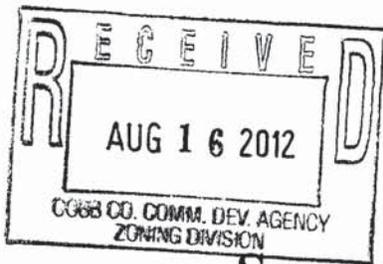
Z-44 MAHMOUD A. ABDIRAHMAN

- 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. Other properties on this section of Mableton Parkway have houses that have been converted to retail and office 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. Applicant's proposal for retail and/or office uses will be similar to the uses on other properties on this part of Mableton Parkway.
- 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 this property to be within the Community Activity Center (CAC) land use category. The Community Retail Commercial (CRC) zoning category is compatible with the CAC land use category. Applicant proposes to use the existing structure and parking for retail and/or office uses, both of which are permitted uses in the CRC zoning category.
- 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 previous zoning on the subject property limited the use to a "beauty parlor" only. Applicant's proposed retail and/or office uses will be compatible with other properties along this portion of Mableton Parkway that have converted houses the commercial uses.

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

- Site plan received by the Zoning Division on August 16, with the District Commissioner approving minor modifications;
- Continue to meet parking standards of one space per 200 net square feet of retail space or one space per 285 net square feet of office space;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- DOT 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. z- 44

November 2012

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): Retail and/or Office
 - b) Proposed building architecture: As presently built
 - c) Proposed hours/days of operation: 8:00 a.m. - 6:00 p.m. Monday - Saturday
 - d) List all requested variances: None
- _____
- _____
- _____

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

The subject property is located within a Community Activity Center (CAC)
under the County's Future Land Use Map. The property was rezoned in 2003
(Z-114) to the CRC classification; however it was rezoned specifically for*

.....
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).

*PART 3 Continued: purposes of a beauty parlor which significantly limits the viability and flexibility of the Subject Property.

** The applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

**ZONING IMPACT STATEMENT FOR THE
REZONING APPLICATION OF MAHMOUD A. ABDIRAHMAN**



COMES NOW, MAHMOUD A. ABDIRAHMAN, and pursuant to

Section 134-121(a)(7) of the Cobb County Zoning Ordinance, files this its Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property that is suitable in the context of the development and existing zonings along this section of the Mableton Parkway Corridor. The subject property is on the east side of Mableton Parkway across from its intersection with Wood Valley Road and is within a Community Activity Center (CAC). The predominant zonings and developments along the Mableton Parkway Corridor are commercial developments that serve the surrounding communities.
- B. The zoning proposal will have no adverse effect or impact upon the exiting uses or usability of adjacent or nearby properties. A preponderance of adjacent properties are zoned Commercially and the proposed development does not conflict with the land use designations.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned to one use only in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility.

- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools. The proposed use will serve the traffic that travels this transportation corridor.

- E. The zoning proposal is consistent Cobb County's Comprehensive Land Use Plan and Future Land Use Map which reflect that the subject property is within a Community Activity Center.

- F. There is no substantial relationship between the existing zoning classification of Conditional CRC that limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of Mableton Parkway, there is no established land use planning principles or political consideration which would vitiate the zoning proposal.

Respectfully submitted, this 15th day of August, 2012.

SAMS, LARKIN & HUFF, LLP

By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950

ORIGINAL DATE OF APPLICATION: 08-19-03APPLICANTS NAME: ALETHA MICHELLE FREEMANTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 08-19-03 ZONING HEARING:**

ALETHA MICHELLE FREEMAN (Terry K. Nestle, owner) for Rezoning from **R-20** to **CRC** for the purpose of a Beauty Parlor in Land Lot 39 of the 18th District. Located on the east side of Mableton Parkway at Wood Valley Road.

The public hearing was opened and Mr. Nick O'Connor addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by W. Thompson, second by Olens, to **approve** rezoning to the **CRC** zoning district **subject to:**

- **beauty parlor use only**
- **removal of pylon sign on site within thirty (30) days after approval of rezoning request by the Board of Commissioners**
- **signage to comply with ordinance requirements**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**

VOTE: **ADOPTED** unanimously

APPLICANT Aletha M Freeman

PETITION NO.

PRESENT ZONING R-20

PETITION FOR CRC

NOTE: Comments reflect only what facilities were in existence at the time of this review.

WATER COMMENTS:

- Available at Development? Yes No
- Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s): 12" DI / E side Mableton Pkwy

Additional Comments:

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: Across Mableton Pkwy

Estimated Waste Generation (in G.P.D.): **A D F** 250 **Peak** 625

Treatment Plant: S Cobb

- Plant Capacity Available? Yes No
- Line Capacity Available? Yes No
- Projected Plant Availability: 0 - 5 year 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 Recommended by this Department? Yes No
- Subject to Health Department Approval? 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 easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Sewer possibly too high for connection; Health Dept OK's existing septic system for existing building

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 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: Aletha Michelle Freeman

PETITION NO.: Z-1

PRESENT ZONING: R-20

PETITION FOR: CRC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Queen Creek of Nickajack System FLOOD HAZARD INFO: None

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream _____

APPLICANT: Aletha Michelle Freeman

PETITION NO.: Z

PRESENT ZONING: R-20

PETITION FOR: CRC

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown **must be addressed at Plan Review**
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS/SUGGESTIONS

1. Site slopes down to north, down a slope, and into an adjacent parking lot. Character of site is not residential now.
2. Recommend a hydrologist/engineer evaluate the effect of the substantial runoff now existing and recommend mitigation as necessary to maintain a stable ground slope.

APPLICANT: Aletha Michelle Freeman

PETITION NO.: Z-114

Z-44 (2012)
Previous Minutes

PRESENT ZONING: R-20

PETITION FOR: CRC

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	CLASSIFICATION	MIN. R.O.W. REQUIREMENTS
Mableton Parkway	29504	Arterial	100'

Based on 2001 estimated traffic counting data taken by GDOT.

Mableton Parkway is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Upgrade driveway to comply with commercial standards.

GADOT permit.

RECOMMENDATIONS

Recommend a standard commercial driveway.

GADOT permits will be required for any work that encroaches upon State right-of-way.

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