

Z-14
(2013)



WKS PROJ.: 3014 WEST
PROJ. ORIGIN DATE: 08/2013
DATE: 03/11/2013
DRAWN BY: RICHARD

REV. RECORDED
BY: DATE

PROJECT NAME
3014 WEST
SUBDI

OWNER OR C
RICHARD

PLAN KEY table with columns for color and line style



ZONING PLAN
DRAWING TITLE

DRAWING NUMBER
01

PLAT DATE: 3/11/2013

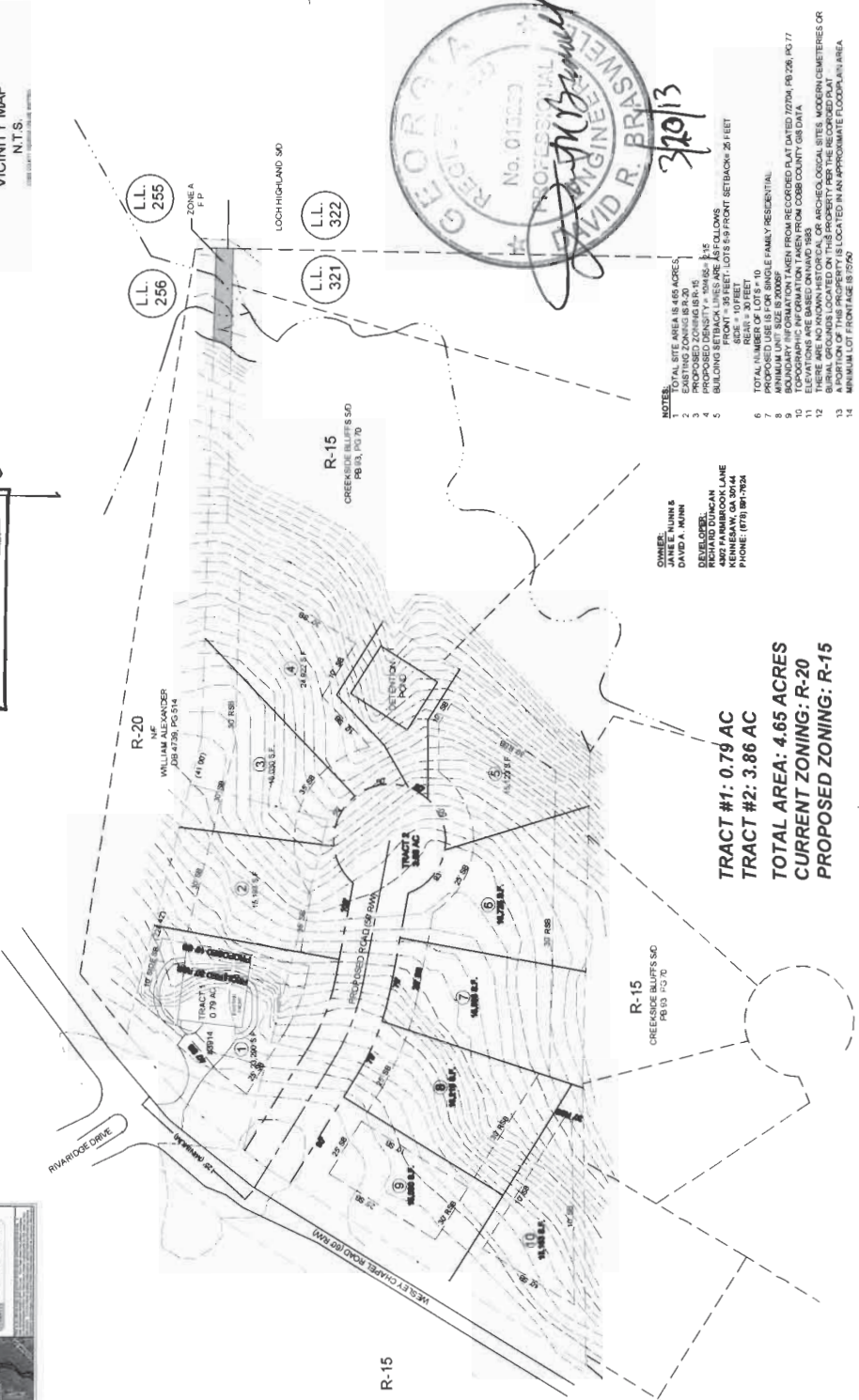
NOT FOR PUBLIC RELEASE OR CONSTRUCTION - DRAWING STATUS -



- NOTES: 1. TOTAL SITE AREA IS 4.65 ACRES. 2. PROPOSED ZONING IS R-20. 3. PROPOSED DENSITY IS 10 UNITS PER ACRE. 4. BUILDING SETBACKS ARE AS FOLLOWS: SIDE - 10 FEET, REAR - 10 FEET, FRONT - 20 FEET. 5. MINIMUM LOT FRONTAGE IS 10 FEET. 6. PROPOSED USE IS FOR SINGLE FAMILY RESIDENTIAL. 7. MINIMUM UNIT SIZE IS 2000 SF. 8. TOPOGRAPHIC INFORMATION TAKEN FROM COBB COUNTY GIS DATA. 9. ELEVATIONS ARE BASED ON NAD 83. 10. SURFACE ELEVATIONS ARE SHOWN IN FEET. 11. BURIAL GROUNDS LOCATED ON THIS PROPERTY FOR THE RECORDED PLAT. 12. A PORTION OF THIS PROPERTY IS LOCATED IN AN APPROXIMATE FLOODPLAIN AREA. 13. MINIMUM LOT FRONTAGE IS 10 FEET.

RECEIVED
MAR 20 2013
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

LAND LOTS 256 & 321
16TH DISTRICT, 2ND SECTION
COBB COUNTY, GA



TRACT #1: 0.79 AC
TRACT #2: 3.86 AC
TOTAL AREA: 4.65 ACRES
CURRENT ZONING: R-20
PROPOSED ZONING: R-15

WKS PROJ.: 3014 WEST 04/11

APPLICANT: Richard Duncan
(678) 591-7624

REPRESENTATIVE: Richard Duncan
(678) 591-7624

TITLEHOLDER: David Nunn and Jane Nunn

PROPERTY LOCATION: East side of Wesley Chapel Road, north of Bluffview Drive
(3914 Wesley Chapel Road).

ACCESS TO PROPERTY: Wesley Chapel Road

PHYSICAL CHARACTERISTICS TO SITE: Single-family house and dog kennel

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Single-family House
- SOUTH:** R-15/Creekside Bluffs Subdivision
- EAST:** R-15/Creekside Bluffs and Loch Highlands Subdivisions
- WEST:** R-15/Beacon Hill and Village North Highlands Subdivisions

PETITION NO: Z-14

HEARING DATE (PC): 04-02-13

HEARING DATE (BOC): 04-16-13

PRESENT ZONING: R-20

PROPOSED ZONING: R-15

PROPOSED USE: Subdivision

SIZE OF TRACT: 4.65 acres

DISTRICT: 16

LAND LOT(S): 256, 321

PARCEL(S): 2

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

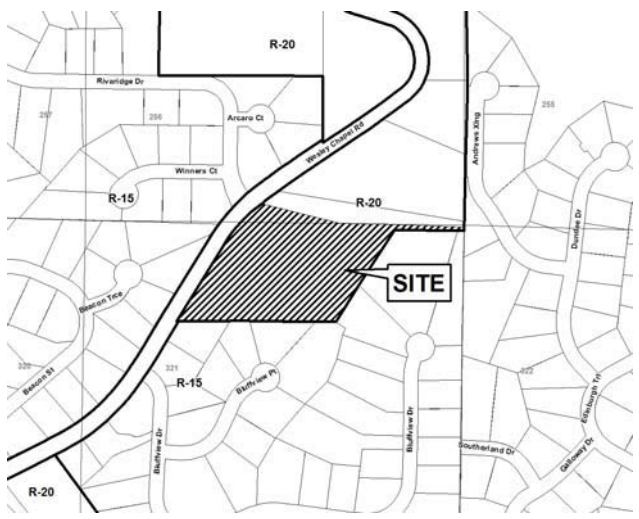
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

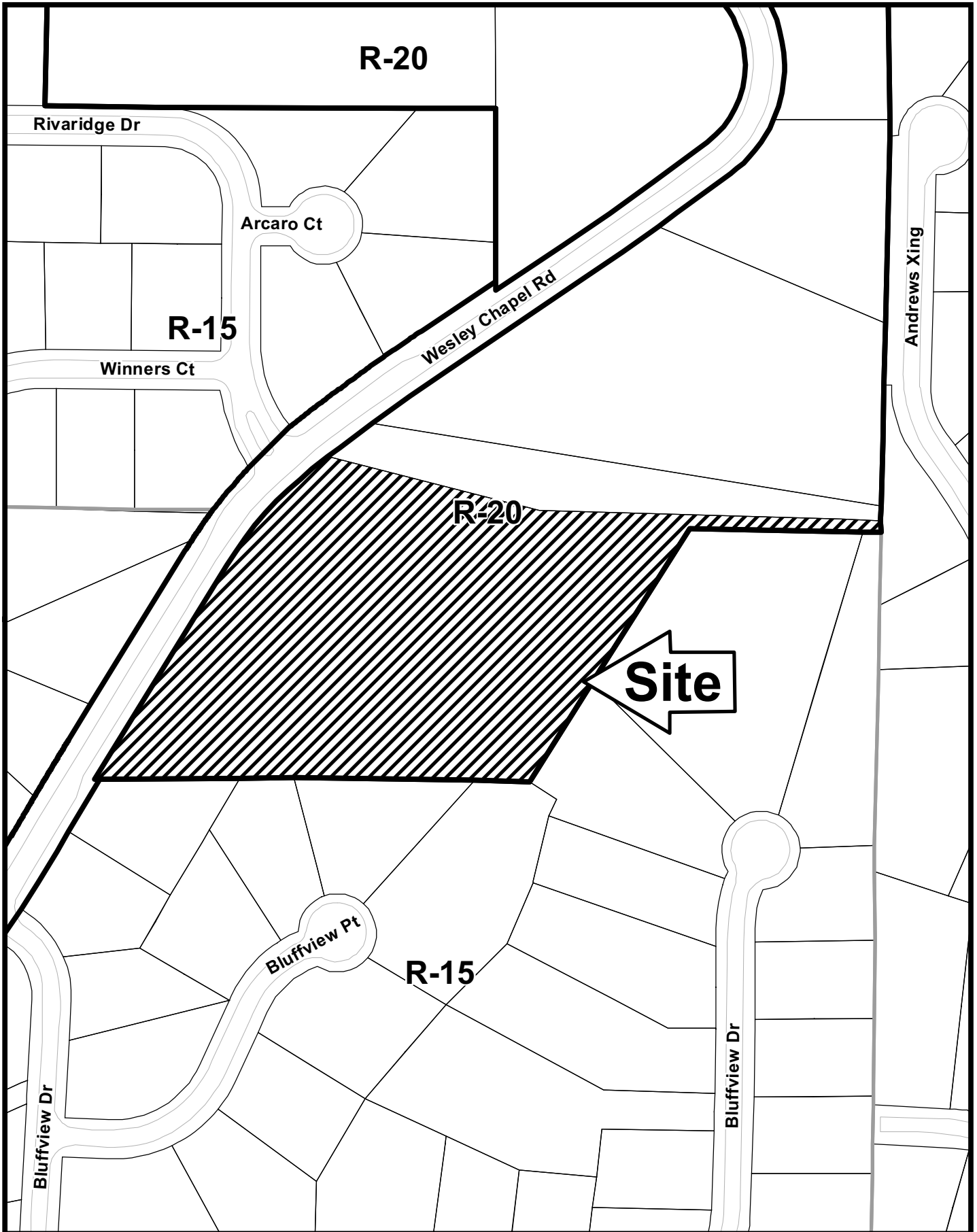
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

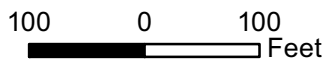
STIPULATIONS:





Z-14



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Richard Duncan

PETITION NO.: Z-14

PRESENT ZONING: R-20

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Low Density Residential (1-2.5 units per acre)

Proposed Number of Units: 10 Overall Density: 2.15 Units/Acre

Present Zoning Would Allow: 8 Units Increase of: 2 Units/Lots

Applicant is requesting the R-15 category in order to develop a 10-lot residential subdivision. The houses will be three sided brick with Hardy-plank and will be a minimum of 2,000 square feet. The houses will range in price from \$450,000 to \$650,000.

The applicant is requesting contemporaneous variances that include:

- 1. Waiving the rear setback for Lot 1 from the required 30 feet to 10 feet. This is needed due to the reconfiguration of the property for the existing house and the new lots being created; and
- 2. Waive the front setbacks for Lots 5-9 from the required 35 feet to 25 feet. In doing so, the applicant plans to move the houses forward on these lots and increase the rear setback an additional five feet to make it 35 feet.

Cemetery Preservation: No comment.

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to R-15 for purpose of residential subdivision. The 4.65 acre site is located at the east side of Wesley Chapel Road, north of Bluffview Drive.

Comprehensive Plan

The parcel is within the Low Density Residential (LDR) area future land use category, with R-20 zoning designation. The purpose of the Low Density Residential (**LDR**) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities.

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?

APPLICANT: Richard Duncan

PETITION NO.: Z-14

PRESENT ZONING: R-20

PETITION FOR: R-15

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Garrison Mill</u>	<u>694</u>	<u>Under</u>	<u> </u>
Elementary			
<u>Mabry</u>	<u>839</u>	<u>Under</u>	<u> </u>
Middle			
<u>Lassiter</u>	<u>1,980</u>	<u>Under</u>	<u> </u>

High

- School attendance zones are subject to revision at any time.

Additional Comments:

FIRE COMMENTS:

When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT Richard Duncan

PETITION NO. Z-014

PRESENT ZONING R-20

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): **12" DI / W side of Wesley Chapel Road**

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: 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: **35' west of property w/easement**

Estimated Waste Generation (in G.P.D.): **A D F 1440 Peak= 3600**

Treatment Plant: **Big Creek**

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: Building setback lines will be adjusted where applicable to reflect sewer easement setback requirements

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: Richard Duncan

PETITION NO.: Z-14

PRESENT ZONING: R-20

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sweat Mountain Creek FLOOD HAZARD INFO: Zone A

- 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 (**Upper Loch Highland Lake**)
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 receiving stream, downstream culvert at Andrews Xing and Loch Highland Lake.

APPLICANT: Richard Duncan

PETITION NO.: Z-14

PRESENT ZONING: R-20

PETITION FOR: R-15

STORMWATER MANAGEMENT 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 _____
- 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

1. This parcel drains to east into a tributary of Upper Loch Highland Lake which is located just downstream of the site. As indicated in the Downstream Conditions comment section, a pre- and post-development sediment survey will be required to document any sediment impacts. Also, due to the close proximity of the downstream lake elevated erosion control measures will be required. It is recommended that trees cleared from the site be mulched and used to provide a mulch berm along the eastern portion of the site during construction in addition to standard erosion control BMPs.
2. Due to the sensitive nature of the area, increased rear and decreased front setback are encouraged to limit site disturbance and impervious driveway coverage. Land disturbance on the steeper slopes at the rear of lot 5 should be limited by utilizing a drop foundation.
3. Drainage easements and adequate drainage swales must be provided at the rear of lots 4 and 5 to limit offsite runoff bypass.

APPLICANT: Richard Duncan

PETITION NO.: Z-14

PRESENT ZONING: R-20

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
Wesley Chapel Road	3500	Minor Collector	35 mph	Cobb County	60'

Based on 2011 traffic counting data taken by Cobb DOT (Wesley Chapel Road)

COMMENTS AND OBSERVATIONS

Wesley Chapel Road is classified as a minor collector 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 east side of Wesley Chapel Road, a minimum of 30' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the Wesley Chapel Road frontage.

Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway. The proposed sidewalk from the development should connect to the proposed sidewalk on Wesley Chapel Road.

Recommend removing and closing driveway aprons along Wesley Chapel Road frontage that development renders unnecessary.

Recommend development roadway either directly align or have an offset of a minimum of 125 feet from Rivaridge Drive per Development Standard 401.10.

Recommend applicant verify that minimum intersection sight distance is available for Wesley Chapel Road access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390 feet.

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

STAFF RECOMMENDATIONS

Z-14 RICHARD DUNCAN

- 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 also zoned R-15 for single-family subdivisions.
- 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 proposed development only creates two additional lots over what would be allowed under the property's current R-20 zoning. Most properties around the proposed development are also zoned R-15.
- 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 Low Density (LDR) land use category having densities ranging from 1-2.5 units per acre. The proposed density of 2.15 units per acre fits the range for LDR. The subject property abuts R-15 property to the south (Creekside Bluffs at 1.6 units per acre) and east (Loch Highland at 1.92 units per acre). The property to the west (Beacon Hill) is R-15 at 1.82 units per acre. Northwest across Wesley Chapel Road, Village North Highlands is zoned R-15 at 1.61 units per acre.
- 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. Applicant's proposal is consistent with the LDR land use category, showing a proposed density of 2.15 units per acre. Other properties around this property were zoned to R-15. The proposed subdivision proposes only two additional lots over what would be allowed under its current R-20 zoning.

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

- Revised site plan received by the Zoning Division on March 18, 2013, with the District Commissioner approving minor modifications;
- Water and Sewer 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.

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COBB COUNTY GEORGIA
FILED IN OFFICE

Application No. Z-14

2013 FEB -7 PM 3:08
COBB COUNTY ZONING DIVISION
Summary of Intent for Rezoning

Apr: 1
2013

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

- a) Proposed unit square-footage(s): 2,000
- b) Proposed building architecture: Brick 3 sides
- c) Proposed selling prices(s): 450-1150
- d) List all requested variances: ~~REAR~~ LOT 1

existing house. rear setback needs to be 10' instead of 35' because there is more road frontage on new road than on the existing rd., Wesley Chapel. Existing house will be facing the new road.

.....
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)

.....
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