

Z-48
(2013)

LEGEND

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DEVELOPMENT
TOTAL SITE AREA:
EXISTING ZONING: R-3
PROPOSED ZONING: R-3
MINIMUM LOT WIDTH: 75' (AT SETBACK LINE) (AT ROAD FRONTAGE)
MINIMUM LOT AREA: 15,000 SF
SETBACKS:
FRONT: 35'
SIDE: 10'
REAR: 30'
MAXIMUM BUILDING HEIGHT: 35'
MINIMUM PARKING REQUIRED: 2 SPACES PER LOT (OFF STREET)

NOTE:
TO THE BEST OF MY KNOWLEDGE THE FOLLOWING ITEMS DO NOT APPLY TO THIS SITE:
* EXACT SIZE AND LOCATION OF ALL BUILDINGS ALONG WITH INTENDED JOE
* BUFFER AREAS
* PARKING SPACES
* LAKES AND STREAMS
* UTILITY BASEMENTS
* LIMITS OF 100 YEAR FLOOD PLAIN AND ACREAGE OF FLOOD PLAIN
* SETBACKS
* WETLANDS
* STREAM BUFFERS WITH REQUIRED WIDTHS



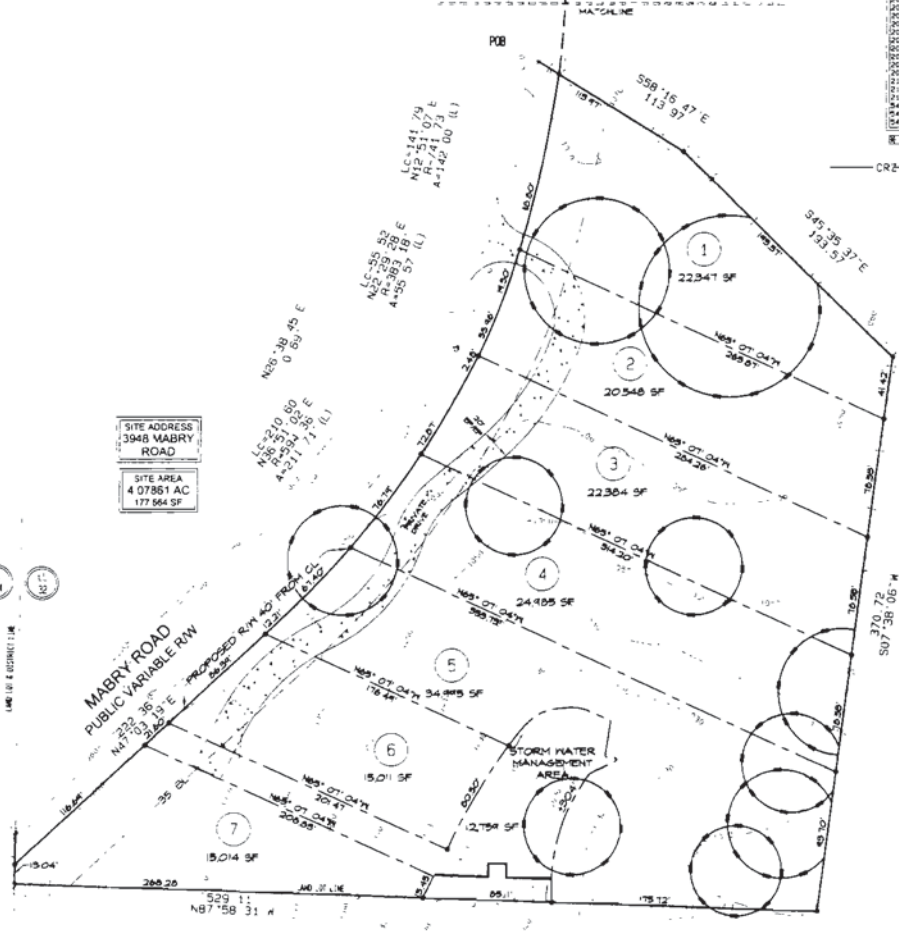
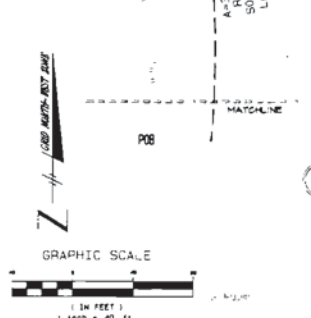
TREE SCHEDULE

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HEDGE SPARROW COURT
PUBLIC 50' RW

2013 JUN -6 PM 3:48

COBB COUNTY ZONING DIVISION



SCALE: 1" = 40'

SITE APPROVED: 09/18/13

SITE DRAFTED: N/A

REVISIONS: N/A

DATE: N/A

PROJECT: N/A

FIELD BOOK #: N/A

JOB NUMBER: 13002

FILE NUMBER: N/A

DATE: N/A

PROJECT: N/A

DATE: N/A

PROJECT: N/A

DATE: N/A

W&B

WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS

1180 BELLS FERRY ROAD
MARIETTA, GEORGIA 30068-6030

PHONE: 478-381-3131
FAX: 478-381-3131
WWW.WEBNER.COM
SF002429 - DEP000114

[Signature]
4/3/13

EXHIBIT FOR REZONING MABRY ROAD
FOR
LOT ONE HOMES
LOCATED IN
LAND LOT 32
1ST DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA

APPLICANT: Lot One Homes, Inc.
404-250-6502

REPRESENTATIVE: J. Kevin Moore 770-429-1499
Moore, Ingram, Johnson & Steele, LLP

TITLEHOLDER: The Estate of Sam R. Hubbard Sr., Sam R. Hubbard, Jr., Executor

PROPERTY LOCATION: Southeasterly side of Mabry Road, north of Huntridge Drive and south of Hedge Sparrow Court (3948 Mabry Road).

ACCESS TO PROPERTY: Mabry Road

PHYSICAL CHARACTERISTICS TO SITE: Wooded, undeveloped

PETITION NO: Z-48

HEARING DATE (PC): 08-06-13

HEARING DATE (BOC): 08-20-13

PRESENT ZONING: R-30

PROPOSED ZONING: R-15

PROPOSED USE: Single-Family Residential

SIZE OF TRACT: 4.078 acres

DISTRICT: 1

LAND LOT(S): 32

PARCEL(S): 1

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-15/ Hedgerow Subdivision
- SOUTH:** R-20/ Huntridge Estates
- EAST:** R-15/ Hedgerow Subdivision
- WEST:** PRD/ Garrison Oaks

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

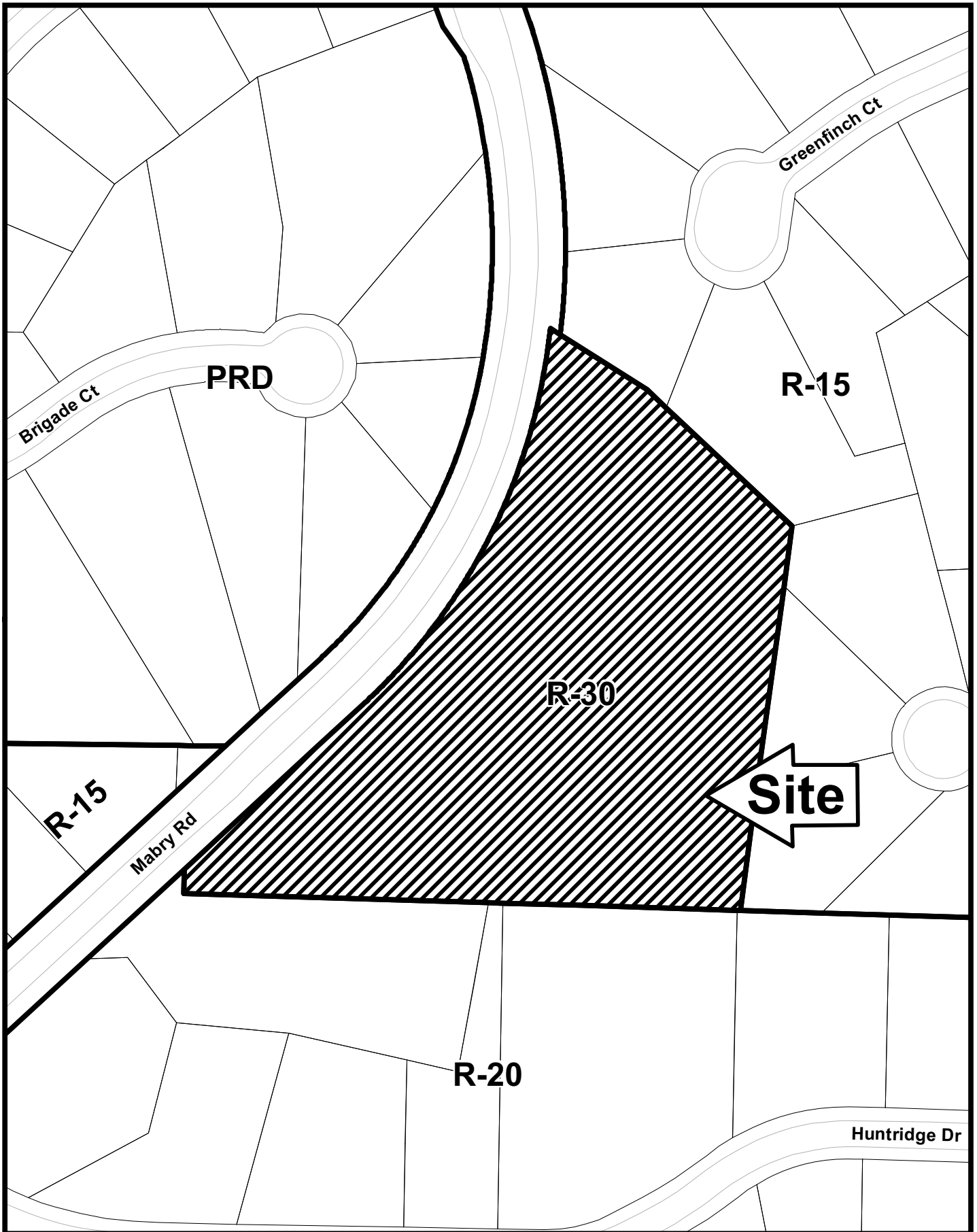
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

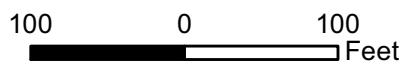
STIPULATIONS:



Z-48



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Lot One Homes, Inc.

PETITION NO.: Z-48

PRESENT ZONING: R-30

PETITION FOR: R-15

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

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

Proposed Number of Units: 7 **Overall Density:** 1.72 **Units/Acre**

Present Zoning Would Allow: 5 **Units** **Increase of:** 2 **Units/Lots**

The applicant is requesting a rezoning to the R-15 single-family residential district in order to develop a single-family detached residential subdivision. The minimum house size proposed is 2,500 square feet. The houses will be traditional in styling with exteriors consisting of brick, stone, stacked stone, cedar shake, or combinations thereof. Prices for the homes are anticipated to be in the \$500,000s.

Cemetery Preservation: No comment.

APPLICANT: Lot One Homes, Inc.

PETITION NO.: Z-48

PRESENT ZONING: R-30

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</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:

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8” supply lines to all hydrants.

APPLICANT: Lot One Homes, Inc.

PETITION NO.: Z-48

PRESENT ZONING: R-30

PETITION FOR: R-15

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-15 for purpose of a single-family residential subdivision. The 4.078 acre site is located on the southeasterly side of Mabry Road, north of Huntridge Drive and south of Hedge Sparrow Court.

Comprehensive Plan

The parcel is within a Low Density Residential (LDR) future land use category, with R-30 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 Lot One Homes, Inc.

PETITION NO. Z-048

PRESENT ZONING R-30

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): **6" DI / E side of Mabry Road**

Additional Comments: County meters to be set at public ROW

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: **150' SW in Mabry Road ROW**

Estimated Waste Generation (in G.P.D.): **A D F 1120 Peak= 2800**

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: First floors of lots must be served by gravity sewer. Contact Fulton County for treatment plant capacity

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: Lot One Homes, Inc.

PETITION NO.: Z-48

PRESENT ZONING: R-30

PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

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

- 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 receiving stream including existing culvert at Huntridge Drive.

APPLICANT: Lot One Homes, Inc.

PETITION NO.: Z-48

PRESENT ZONING: R-30

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 site is located to the east of Mabry Road and is bounded by Huntridge Estates Subdivision to the south and Hedgerow Subdivision to the north and east. The entire site is wooded except for a small cleared area from a former house pad. The majority of the site drains to the south into Huntridge Estates through a very well-defined channel. The Huntridge Estates plat does not show a drainage easement for this conveyance, but the presence of the channel and the existing 48-inch culvert under Huntridge Drive would indicate a prescriptive easement exists.
2. The proposed plan indicates that a poured-in-place wall will be utilized for the required detention pond. Due to its location adjacent to existing downstream properties, the wall should be decoratively faced and well-screened from the adjacent parcels to the south. The drainage easement for this pond will need to extend a minimum of 12 feet from the 100-year flood pool boundary to allow for adequate maintenance.

APPLICANT: Lot One Homes, Inc.

PETITION NO.: Z-48

PRESENT ZONING: R-30

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
Mabry Road	8 000	Major Collector	35 mph	Cobb County	80'

Based on 2009 traffic counting data taken by Cobb DOT (Mabry Road)

COMMENTS AND OBSERVATIONS

Mabry 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.

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 Mabry Road, a minimum of 40' from the roadway centerline.

Recommend applicant verify that minimum intersection sight distance is available for Mabry 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.

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STAFF RECOMMENDATIONS

Z-48 LOT ONE HOMES, INC.

- 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. The immediately adjacent Hedgerow Subdivision to the northeast which is similarly zoned the applicant's requested R-15 has a density of approximately 2.03 units per acre. Across Mabry Road, the Garrison Oaks Subdivision, which is zoned PRD, has a density of 1.88 units per acre while the Huntridge Estates Subdivision to the south is zoned R-20 and contains approximately 1.27 units per acre.
- 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 applicant's proposed density of 1.72 units per acre is in the middle of the range allowed by the LDR low density residential future land use category and it is lower than those existing adjacent subdivisions that are similarly zoned. The applicant's proposal results in a higher density than the Huntridge Estates Subdivision to the south by less than 0.5 but that subdivision is zoned R-20 compared to the applicant's current R-30 or requested R-15 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 in conformity with the policy and intent of the *Cobb County Comprehensive Plan* that delineates the subject property to be within the Low Density Residential future land use category. This category allows for densities ranging from one (1) to two and one half (2.5) units per acre. The applicant's proposal calls for a density of 1.72 units per acre, which is well within that range forecasted by the property's future land use designation. Also, as stated, adjacent subdivisions contain densities similar to or above that being requested.
- 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. Much of the surrounding properties have long since been zoned to higher density zoning districts (R-20, R-15, PRD) than the currently existing R-30 on the applicant's property. In fact, those subdivisions in the immediate area have existing densities near or above that which the applicant is proposing. Moreover, the proposed site plan indicates the ability to provide for a majority of the seven (7) lots to be over the minimum 15,000 sq. ft. allowed by the requested zoning; with five (5) lots ranging from 20,548 sq. ft. to 34,995 sq. ft. in size. Also, the applicant has not requested any variances as part of his proposal.

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

- Planning Division comments and recommendations;
- Fire Department comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Department of Transportation 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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COBLESKIP COUNTY GEORGIA
2013 JUL -6 PM 3:47
COUNTY ZONING DIVISION

Application No. z-48
Aug. (2013)

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): Minimum 2,500 square feet
b) Proposed building architecture: Traditional - Brick, Stone, Stacked Stone, Cedar Shake, or combinations
c) Proposed selling prices(s): \$500s
d) List all requested variances: None known at this time
- _____

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

- a) Proposed use(s): Not Applicable
b) Proposed building architecture: _____
c) Proposed hours/days of operation: _____
d) List all requested variances: _____
- _____

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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? (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). None known at this time
- _____

*Applicant specifically reserves the right to amend any information set forth within the Summary of Intent, or any other part of the Application for Rezoning, at any time during the rezoning process.