

NOVEMBER 18, 2014 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3

ITEM OB-69

PURPOSE

To consider amending the site plan and the stipulations for the Georgia House Rabbit Society regarding zoning application Z-13 of 2011 (House Rabbit Society/ North Georgia Chapter, Inc.), for property located at the southwestern intersection of Shallowford Road and Shallow Court in Land Lots 310 and 339 of the 16th District.

BACKGROUND

The subject property was rezoned in 2011 for a house rabbit rescue shelter subject to many stipulations and the site plan. The applicant would like to amend the stipulations and the site plan in order to expand the shelter footprint by 2800 square feet, to increase the number of parking spaces from eight to twenty-two parking spaces and to increase the number of rabbit pens from thirty-five pens to sixty-eight pens. The interior and exterior of the existing structure will be completely remodeled (elevations attached). Additionally, the applicant will enhance the landscaping on the property. All rabbits will be maintained and kept on the inside of the structure. If approved, all previous zoning stipulations would remain in effect.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan and stipulation amendment.

STAFF COMMENTS

Water & Sewer Comments: If approved, the property must connect to public sewer, as the applicant has agreed (page 2 paragraph 6 of the letter submitted with the OB application).

Stormwater Management: The proposed improvements will exceed the threshold for providing on-site stormwater management. The applicant will be required to provide detention and water quality for all proposed improvements.

COBB DOT: DOT has a concern about the 2 angled parking spaces nearest Shallow Court. How do the vehicles turn around, will they have to back out across the driveway? This is off the ROW, but DOT does not want someone entering to have to stop on Shallowford Road because the driveway is blocked. Recommend DOT and the District Commissioner approve the final parking lot plan.

ATTACHMENTS

Other Business application and stipulations.

0B-69

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 11/18/14

Applicant: Georgia House Rabbit Society Phone #: 678-653-7175
(applicant's name printed)

Address: 2280 Shallowford Road, Marietta, GA 30066 E-Mail: bod@gahrs.com

Darren Friberg, GHRS Director Address: 1170 Ward Creek Dr. SW, Marietta, GA 30064

(representative's name printed)
Da Fri Phone #: 678-857-9177 E-Mail: dafriberger@comcast.net
(representative's signature)

Signed, sealed and delivered in presence of:

Katrina Michels
Notary Public



My commission expires: Dec 22 2017

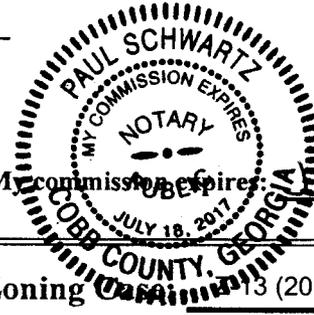
Titleholder(s): Edie Sayeg Phone #: 770-826-2732
(property owner's name printed)

Address: 962 Glenvarness Ave., Roswell, GA 30068 E-Mail: thebunnylady@att.net

Edie Sayeg
(Property owner's signature)

Signed, sealed and delivered in presence of:

Paul Schwartz
Notary Public



My commission expires: July 18, 2017

Commission District: 3, Northeast Cobb Zoning OS-13 (2011)

Date of Zoning Decision: April, 19, 2011 Original Date of Hearing: _____

Location: 2280 Shallowford Road, Marietta, GA 30066
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 310 & 339 District(s): 16th District

State specifically the need or reason(s) for Other Business: As stated in the Z-13 Zoning stipulations the GHRS requests a site plan amendment on the Other Business agenda to: a) expand the shelter foot print, b) expand the number of parking spaces, and c) increase the number of pens, all with the purpose to better serve our mission to rescue, rehabilitate, and re-home domestic house rabbits. Required details and the proposed concept are attached.

(List or attach additional information if needed)

Georgia House Rabbit Society

Site Plan Amendment, Other Business

BOC Hearing Date Requested: 11/18/2014

The Georgia House Rabbit Society (GHRS), per the stipulations of Zoning Z-13 (2011), requests a site plan amendment to better serve its constituents and fulfill its mission to rescue, rehabilitate, and re-home domestic house rabbits by renovating the existing shelter to:

- a) expand the shelter foot print,
- b) expand the number of parking spaces, and
- c) increase the number of animal pens.

Attached please find the required and supporting documentation:

1. Notarized original application
2. Seven (7) copies of the proposed site plan
3. Copy of original zoning stipulations and site plan
4. Artist's concept of the renovated building

Site Plan

The attached proposed Site Plan is per the Other Business application, and indicates the following as applicable:

- a. Drawn to scale
- b. Prepared by registered architect or surveyor
- c. Stamped plans
- d. North arrow
- e. Land lot lines
- f. District lines
- g. Lot lines
- h. Angles
- i. Bearing and distance
- j. Adjoining street right-of-way
- k. Paving widths
- l. Exact size and location of all buildings
- m. Intended use of buildings (Rabbit rescue shelter)
- n. Buffer areas
- o. Parking spaces
- p. Lakes and streams (not applicable)
- q. Utility easements (not applicable)
- r. Limits of 100-year flood plain (not applicable)
- s. Cemeteries (not applicable)
- t. Wetlands (not applicable)
- u. Access points
- v. Stream buffers (not applicable)

Georgia House Rabbit Society

Site Plan Amendment, Other Business

BOC Hearing Date Requested: 11/18/2014

Site Plan Description

The shelter expansion will be made with an addition adjoining the rear of the existing structure to allow room for additional pens and to make more efficient use of the space. The height is not being increased and will remain below the 35 foot maximum. The entire exterior of the shelter will be renovated to be of a consistent and harmonious style to compliment the surrounding neighborhood and maintain the residential look. An artist's proposed concept is shown below.

Parking spaces will be added to improve access and safety. Typical daily usage is 4 – 8 spaces for the volunteers. However, education classes are held monthly and board meetings are held quarterly. During these times parking across Shallowford road is used. To avoid requiring volunteers and customers to cross the busy Shallowford Road, the total proposed number of spaces is 22. The expanded parking is away from and not adjacent to the neighboring subdivision.

The number of pens will be increased to allow more domestic rabbits to be rescued, rehabilitated and rehomed. The adoptable rabbit pens will be increased to a total of 36 (from the current 22). The number of intake/isolation pens, for rescued animals who need to be rehabilitated prior to becoming adoptable, will be increased to a total of 12 (from the current 2). All housing will be indoors and consistent with applicable Department of Agriculture regulations.

The number of boarding pens will also be increased to a total of 20 (from the current 11). The fees from boarding our members' rabbits is a critical source of revenue for the GHRS and the expansion will allow the GHRS to better fund its mission. All housing will be indoors and consistent with applicable Department of Agriculture regulations.

Existing landscape buffer zones will be supplemented with new trees and shrubs. The sidewalk area will have improved landscaping. The views from neighboring residential properties would be improved with the screening and landscaping. The landscape plan will be submitted to the District Commissioner.

The shelter will connect to County sewer system, which is consistent with the expanded foot print and Health Department recommendations. The nearest sewer is on site in Shallow Court.

The expansion will have ADA compliant public access areas. Ramps will have a residential look and compliment the exterior of the building.

Georgia House Rabbit Society

Site Plan Amendment, Other Business

BOC Hearing Date Requested: 11/18/2014

Renovation and Expansion Renderings

The current shelter (right) is functional, but does not fully serve the vision of the Georgia House Rabbit Society.

The proposed expansion and renovation will not only better serve the community and allow the GHRS to rescue and re-home more domestic rabbits, but will also be designed to use the interior space efficiently and improve the exterior appearance. The exterior preserves the residential appearance.



Current GHRS Shelter, view from Shallowford Road.

The views below show the addition connected to the existing structure. The entire exterior will be renovated with like materials, including the roofing. The height is the same as existing structure.



*Artist's concept for GHRS Shelter. Front of building, view from Shallowford Road.
Building height is the same as existing structure.*

Georgia House Rabbit Society

Site Plan Amendment, Other Business

BOC Hearing Date Requested: 11/18/2014

The addition to the rear will house the rabbits for adoption as well the rabbit boarding pens. The interior of the existing building will be renovated and be used for the caretaker's quarters, office space, and the store.

Landscaping will be added and existing buffer zones will be supplemented with trees and shrubs to improve the aesthetics and screening from neighboring properties and those on Shallow Court.



Artist's concept showing exterior, view from parking lot. The residential look is preserved.



Concept of view from Shallow Court. Foreground landscaping and screening not shown for clarity.

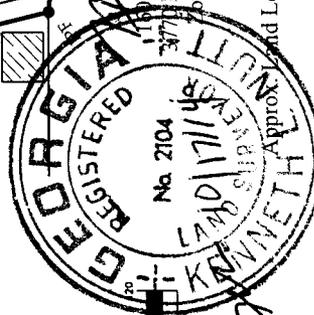
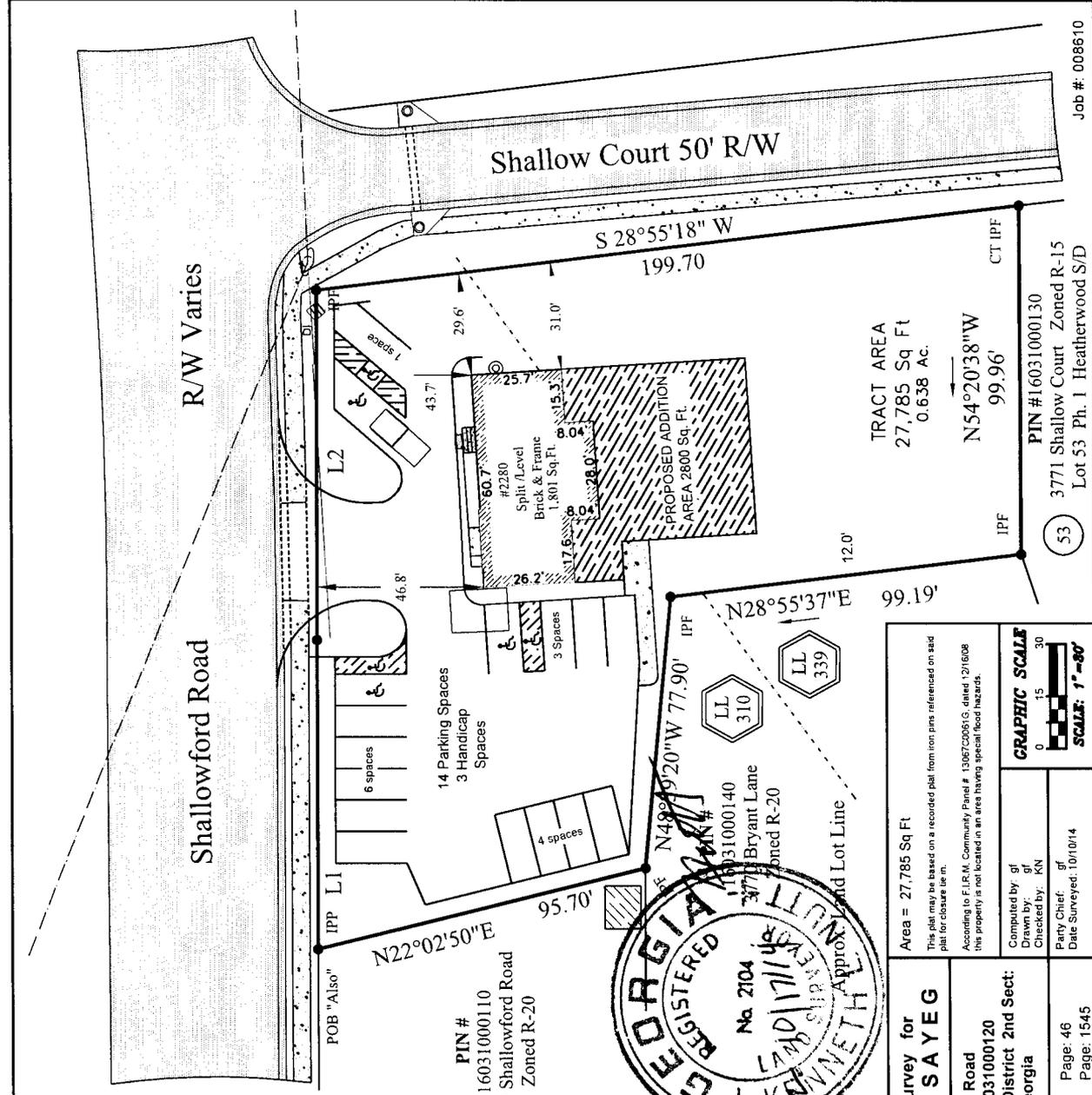
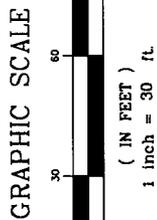
"PROPOSED PLAN" OB-69-2014

RECEIVED
OCT 20 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

REVISED

- LEGEND**
- x-x- Barbed Wire
 - SS Sanitary Sewer
 - FH Fire Hydrant
 - Power Pole
 - Iron Pin Placed
 - Iron Pin Found
 - Light Pole
 - Light Pole Found
 - EP Edge Pavement
 - POB = Point of Beginning
 - CTP = Chain Top Pin Found
 - B/C = Back of Curb
 - CL = Centerline
 - Chain Link Fence
 - SSMH = Sewer Manhole
 - SI = Drop Inlet
 - JB = Junction Box
 - Property Lines
 - CMR = Concrete Metal Pipe
 - RCP = Reinforced Conc. Pipe
 - DE = Drainage Easement
 - WV = Water Valve
 - WM = Water Meter
 - WW = Right of Way
 - Power Line

LINE	LENGTH	BEARING
L1	88.20	S54°03'52"E
L2	100.00	S54°03'52"E
L3	122.32	N56°21'09"E



Zoning Application Survey for
MARK & EDIE SAYEG

2280 Shallowford Road
PIN 16031000130 & 16031000120
Land Lots: 310 & 339 16th District 2nd Sect.
Cobb County, Georgia

Area = 27,785 Sq Ft

This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.

According to F.L.R.M. Community Parcel # 139670051G, dated 12/16/08 this property is not located in an area having special flood hazards.

Computed by: gf
Drawn by: KN
Checked by: KN
Party Chief: gf
Date Surveyed: 10/10/14

GRAPHIC SCALE
0 15 30
SCALE: 1" = 30'

Revised 10/13/14 Added proposed Addition

All iron pins as 1/2" Rubber rollers, otherwise noted.
- Easement shown as dashed line.
- The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 0.3 seconds per angle point, and was acquired using Compass Rule.
- This plat has been calculated for closure and it found accurate within one foot in 25,000 feet.
- This plat subject to all easements public and private.

Perimeter Surveying Co., Inc
1065 Sanddown Road, Marietta, GA 30008

Plat Book: 74 Page: 46
Deed Book: 14725 Page: 1545

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
APRIL 19, 2011
PAGE 10

REGULAR AGENDA CASES (Continued)

Z-12 CECIL G. MCLENDON, JR. (owner) requesting Rezoning from R-20 to R-15 for the purpose of Two Houses in Land Lot 750 of the 17th District. Located on the north side of Park Avenue, east of Oakdale Road. **WITHDRAWN WITHOUT PREJUDICE**



Z-13 HOUSE RABBIT SOCIETY/NORTH GEORGIA CHAPTER, INC. (Mark Sayeg and Edie Sayeg, owners) requesting Rezoning from R-15 and R-20 to NRC for the purpose of a Rabbit Rescue Shelter in Land Lots 310 and 339 of the 16th District. Located at the southwestern intersection of Shallowford Road and Shallow Court.

The public hearing was opened and Mr. Kevin Moore, Ms. Mildred Bobbitt and Mr. Larry Savage addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Ott, delete Rezoning to the LRO zoning district **subject to:**

- site plan received by the Zoning Division February 9, 2011, with District Commissioner approving minor modifications (attached and made a part of these minutes)
- approval is for this use *only* (any other user to be approved by the Board of Commissioners) and with any expansion to shelter to be approved by the Board of Commissioners
- letter of agreeable conditions from Mr. Kevin Moore dated April 19, 2011 with the following changes (attached and made a part of these minutes):
 - Item No. 6 – Add to end of paragraph: “... and will not increase number of pens to more than what is currently existing.”
 - Item No. 14 – Add to end of paragraph: “The plantings will be located out of the right-of-way and the landscape plan will be approved by the District Commissioner.”
- resident caretaker to be on site to ensure safety and security of animals and property
- sale of products directly related to care of rabbits *only*
- signage to comply with Cobb County Sign Ordinance
- Fire Department comments and recommendations
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- owner/developer to enter into a Development Agreement pursuant to §36-71-13 for dedication of system improvements to mitigate traffic concerns

VOTE: **ADOPTED** unanimously

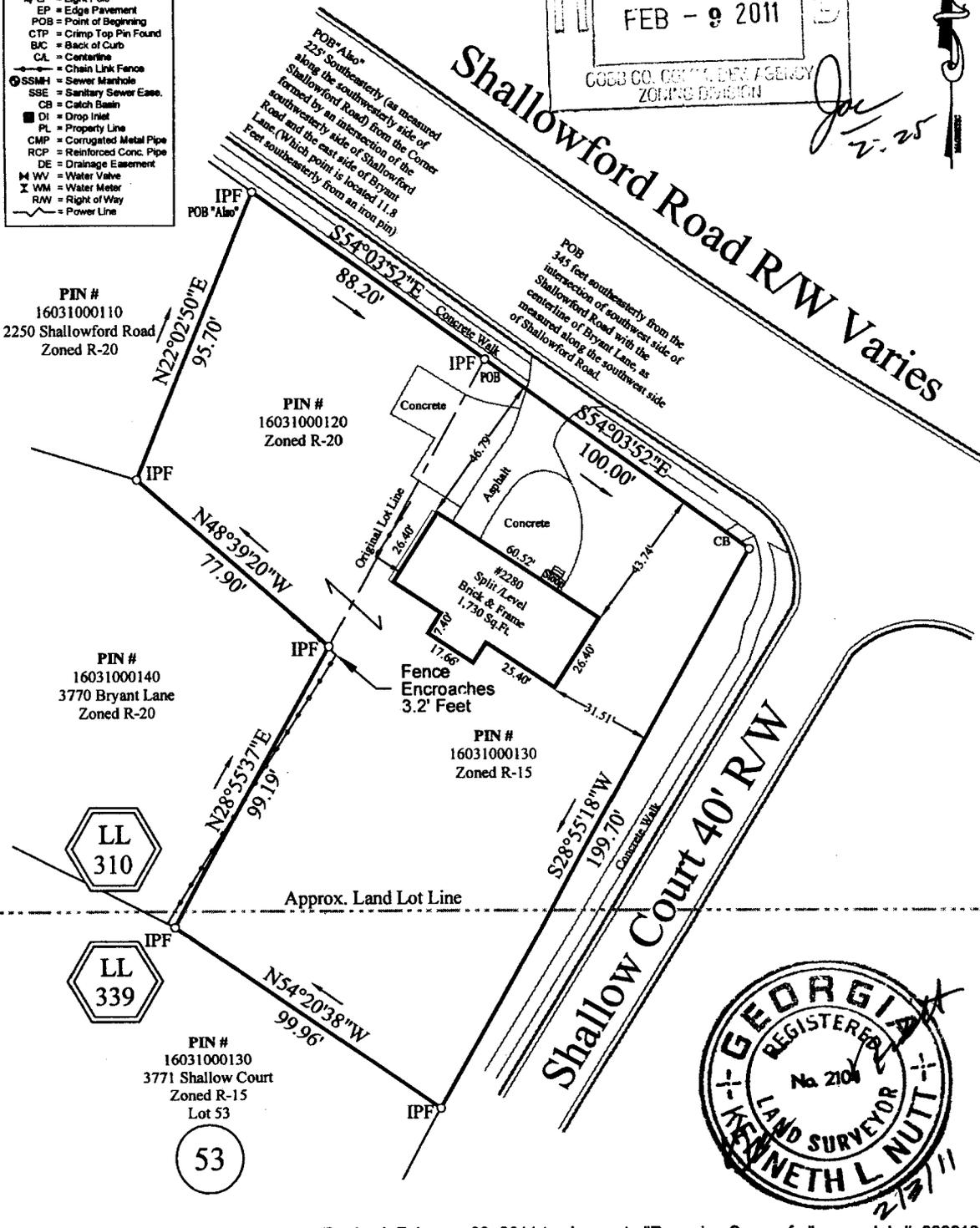
LEGEND

- X-X- = Barbed Wire
- SS = Sanitary Sewer
- FH = Fire Hydrant
- PP = Power Pole
- IPF = Iron Pin Placed
- IPF = Iron Pin Found
- MON = Monument Found
- LP = Light Pole
- EP = Edge Pavement
- POB = Point of Beginning
- CTP = Crimp Top Pin Found
- BC = Back of Curb
- CL = Centaline
- CL = Chain Link Fence
- SSMH = Sewer Manhole
- SSE = Sanitary Sewer Easement
- CB = Catch Basin
- DI = Drop Inlet
- PL = Property Line
- CMP = Corrugated Metal Pipe
- RCP = Reinforced Conc. Pipe
- DE = Drainage Easement
- WV = Water Valve
- WM = Water Meter
- RAW = Right of Way
- ~ ~ ~ = Power Line

REVISED

FEB - 9 2011

COBB CO. COMMUNITY DEVELOPMENT / ZONING DIVISION



Min. Blk. 63 Petition No. Z-13
 Doc. Type Site Plat
 Meeting Date 4/19/11



Revised: February 03, 2011 to change to "Rezoning Survey for". Job #: 008610

<ul style="list-style-type: none"> - All iron pins are 1/2" Rebar unless otherwise noted. - Equipment used: Topcon GTS Total Station - The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 03 seconds per angle point, and was adjusted using Compass Rule. - This plat has been calculated for closure and is found accurate within one foot in 150,000 feet. - This plat subject to all easements public and private. 	<p>Re-Zoning Survey for: Mark & Edie Sayeg</p> <p>2280 Shallowford Road PIN# 16031000130 & 16031000120 Land Lot(s) 310 & 339, 16th District, 2nd Sect: Cobb County, Georgia</p>	<p>Area = 0.63 Acres, 27,785 Sq.Ft.</p> <p>This plat may be based on a recorded plat from iron pins referenced on said plat for closure tie in.</p> <p>According to F.I.R.M. Community Panel # 13067C0001G, dated 12-16-2008 this property is not located in an area having special flood hazards.</p>
<p>Perimeter Surveying Co., Inc 1086 Sandown Road, Marietta, GA 30008 Phone: (770) 425-8824 Fax: (770) 425-8788</p>	<p>Plat Book: Deed Book:14725</p> <p>Page: 1545</p>	<p>Computed by: RSNutt Drawn by: KLNutt Checked by: KLNutt</p> <p>Party Chief: DBNMS Date Surveyed: 05/28/2010 Date Drawn: 06/01/2010</p> <div style="text-align: right;"> <p>GRAPHIC SCALE</p> <p>SCALE: 1" = 30'</p> </div>

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

JOHN H. MOORE
STEPHEN C. STEELE
WILLIAM R. JOHNSON†
ROBERT D. INGRAM†
J. BRIAN O'NEIL
G. PHILLIP BEGGS
ELDON L. BASHAM
MATTHEW J. HOWARD
JERE C. SMITH
CLAYTON O. CARMACK
KEVIN B. CARLOCK†
ALEXANDER T. GALLOWAY III†
J. KEVIN MOORE
RODNEY R. McCOLLOCH
SUSAN S. STUART
BRIAN D. SMITH
HARRY R. TEAR III
W. TROY HART†

JEFFREY A. DAXE
KIM A. ROPER
VICTOR P. VALMUS
T. SHANE MAYES
JOYCE W. HARPER
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NICHOLAS J. PETERSON*
JAMES D. WALKER III
CHRISTOPHER D. GUNNELS*
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COLE B. STINSON**
ANGELA D. TARTLINE
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EMERSON OVERLOOK
326 ROSWELL STREET
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499
TELECOPIER (770) 429-8631

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039
TELECOPIER (865) 692-9071

JACKSONVILLE, FLORIDA
AETNA BUILDING
841 PRUDENTIAL DRIVE
12TH FLOOR
JACKSONVILLE, FLORIDA 32207
TELEPHONE (904) 371-1953
TELECOPIER (904) 672-4236

NASHVILLE, TENNESSEE
3200 WEST END AVENUE
SUITE 500
NASHVILLE, TENNESSEE 37203
TELEPHONE (615) 425-7347
TELECOPIER (615) 783-1665

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PRESTON D. HOLLOWAY
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MARC E. SIROTKIN
BETH GEARHART****
S. NIKOL RICHARDSON*
JENNIFER L. LAFOUNTAINE*
TIMOTHY H. STALLINGS
WILMA R. BUSH
GREGORY H. FULLER*
VERONICA L. RICHARDSON
CALANIT HAYES
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ALEXANDER B. MORRISON†
DOUGLAS W. BUTLER, JR.

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AMY L. JETT*

OF COUNSEL:
JOHN L. SKELTON, JR.†

† ALSO ADMITTED IN TN
* ALSO ADMITTED IN FL
** ALSO ADMITTED IN NM
**** ALSO ADMITTED IN CA
= ALSO ADMITTED IN PA
‡ ADMITTED ONLY IN TN
◊ ADMITTED ONLY IN FL

April 19, 2011

Hand Delivered

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

Min. Bk. 63 Petition No. 2-13
Doc. Type letter of agree-
able conditions
Filing Date 4/19/11

RE: Application for Rezoning
Application No.: Z-13 (2011)
Applicant: House Rabbit Society/North Georgia
Chapter, Inc.
Property Owners: Mark Sayeg and Edie Sayeg
Property: 0.63 acres, more or less, located at
2280 Shallowford Road, Land Lots 310 and 339,
16th District, 2nd Section, Cobb County, Georgia

Dear Jason:

The undersigned and this firm represent House Rabbit Society/North Georgia Chapter, Inc., as Applicant (hereinafter referred to as "Applicant"), and Mark Sayeg and Edie Sayeg, the Property Owners (hereinafter collectively referred to as "Property Owners"), in their Application for Rezoning with respect to property located at 2280 Shallowford Road, being approximately 0.63 acres, in Land Lots 310 and 339, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the "Subject Property"). After meetings with planning and zoning staff and various Cobb County departmental representatives, the hearing before the Cobb County Planning Commission; continued discussions and meetings with area homeowner groups and homeowner representatives, and reviewing the staff comments and recommendations and the uses of

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 2 of 4
April 19, 2011

Application No. 2-13
Issuing Date 4/19/11
Approved

surrounding properties, we have been authorized by the Applicant and Property Owners to submit this revised letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This revised letter of agreeable stipulations and conditions shall supersede and replace in full all previously submitted stipulation letters. The revised stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.
- (2) Rezoning of the Subject Property shall be from the existing R-15 and R-20 zoning classifications to the Low Rise Office ("LRO") zoning classification, which is a deletion from the requested zoning category of Neighborhood Retail Commercial ("NRC").
- (3) The Subject Property shall be approved and permitted for use as a rabbit rescue shelter. Further, the Subject Property shall be approved "use specific" for a rabbit rescue shelter.
- (4) The Subject Property shall be site plan specific such that any expansion for the footprint of the existing structure or parking areas must be approved by the Board of Commissioners as a site plan amendment on its "Other Business" agenda.
- (5) Applicant shall be allowed the use of an on-site residential caretaker or manager.
- (6) Applicant agrees to operate the rabbit rescue shelter at all times consistent with the State of Georgia, Department of Agriculture, regulations and guidelines.
- (7) Applicant agrees that there shall be no more than two (2) commercial deliveries per month to the Subject Property.
- (8) Applicant shall be allowed to conduct retail sales directly related to the care, rescue, and adoption of rabbits.

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 3 of 4
April 19, 2011

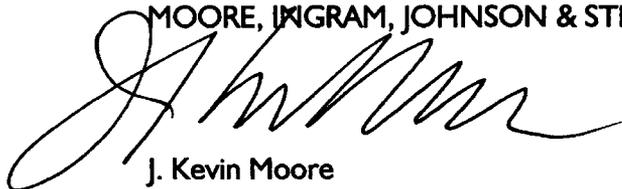
Petition No. 2-13
Meeting Date 4/19/11
Continued

- (9) Applicant agrees that signage shall be ground-based, monument-style signage consistent with applicable provisions of the Cobb County Sign Ordinance; excepting minor informational signage.
- (10) Applicant agrees that hours of operation (open to the public) for the rabbit rescue shelter shall not exceed the hours of 10:00 a.m. through 7:00 p.m., Monday through Saturday, and Sunday by appointment only.
- (11) Applicant agrees that upon the installation of "No Parking" signs along the right-of-way of Shallow Court adjacent to the Property, it shall reimburse Cobb County DOT for such cost.
- (12) Applicant agrees that all shelter rabbits shall be housed indoors.
- (13) All garbage and refuse shall be placed in designated enclosures and containers for pick-up.
- (14) Applicant agrees to install landscaping for purposes of providing screening along a portion of the Property's frontage on Shallow Court; which landscaping shall consist of evergreen trees and shrubs. Such landscaping shall be installed within one (1) year from the date of rezoning approval and shall extend from the rear property line along Shallow Court to a point approximately equal to the rear of the existing structure.

We believe the requested zoning, pursuant to the revised stipulations presented herein, is an appropriate use of the Subject Property while taking into consideration the surrounding properties and the uses therefor. Thank you for your consideration in this request.

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

MOORE INGRAM JOHNSON & STEELE

Mr. Jason A. Campbell
Planner III
Zoning Division
Cobb County Community Development Agency
Page 4 of 4
April 19, 2011

Petition No. 2-13
Meeting Date 4/19/11
Continued

- c: Cobb County Board of Commissioners:
 - Timothy D. Lee, Chairman
 - George W. (Woody) Thompson
 - Helen C. Goreham
 - Robert J. Ott
 - Joann Birrell

- Christi S. Trombetti
Cobb County Planning Commission

- Jill Flamm, President
East Cobb Civic Association, Inc.

- Carol Brown
Canton Road Neighbors, Inc.

- House Rabbit Society/North Georgia Chapter, Inc.
Mr. and Mrs. Mark Sayeg

APPLICANT: House Rabbit Society/North Georgia Chapter, Inc. PETITION NO.: Z-13

PRESENT ZONING: R-15 and R-20 PETITION FOR: NRC

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center and Low Density Residential

Proposed Number of Buildings: 1 (Existing) Total Square Footage of Development: 1,730

F.A.R.: 0.062 Square Footage/Acre: 2,746

Parking Spaces Required: 8 Parking Spaces Provided: Not striped out

Applicant is requesting the NRC zoning category in order to rezone the property for a rabbit rescue shelter and allowing one caretaker to live at the site. Previously, the applicant was granted a Temporary Land User Permit (LUP-27) in 2010 and the applicant wishes to rezone in order to not continuously seek an LUP each year. Per the attached minutes of that LUP, the Planning Division was directed to include the subject property in the year-end Comprehensive Land Use Plan/Map Amendments. The applicant was instructed, at that time, to apply for rezoning at the earliest convenience for appropriate rezoning. Applicant is now making the request pursuant to the minutes of LUP-27 of 2010. Applicant is proposing the continued use of a rabbit rescue shelter with a resident caretaker under the new zoning category instead of a land use permit. The house will remain traditional in appearance. The proposed hours of operation are Tuesday/Wednesday - 11 a.m. until 7 p.m.; Thursday/Friday - 11 a.m. until 3 p.m.; Saturday - 11 a.m. until 5 p.m.; and Sunday - by appointment. The applicant has submitted a zoning impact analysis, which is attached for review.

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 House Rabbit Society/North Georgia Chapter, Inc.

PETITION NO. Z-013

PRESENT ZONING R-15, R-20

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 S / side Shallowford Road

Additional Comments: Also 6" DI E / side Shallow Ct

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 Shallow Court

Estimated Waste Generation (in G.P.D.): ADF 400 **Peak= 1000**

Treatment Plant: **Noondav**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

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

Dry 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 firm any 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 for proposed use.
Connection to sewer may required based on Health Dept assessment.

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: House Rabbit Society/N GA Chapter, Inc.

PETITION NO.: Z-13

PRESENT ZONING: R-15, R-20

PETITION FOR: NRC

DRAINAGE COMMENTS

No comments.

APPLICANT: House Rabbit Society/ North Georgia Chapter, Inc.

PETITION NO.: Z-13

PRESENT ZONING: R-15, R-20

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
Shallowford Road	19000	Arterial	45 mph	Cobb County	100'
Shallow Court	N/A	Local	25 mph	Cobb County	50'

Based on 2006 traffic counting data taken by Cobb County DOT 10641104ford Road

COMMENTS AND OBSERVATIONS

Shallowford 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.

Shallow Court is classified as a local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Shallowford 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. 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 Shallowford Road, a minimum of 50' from the roadway centerline.

> Recommend no access to Shallow Court.

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