

FLOODPLAIN AREA
APPROXIMATE FLOODPLAIN AREA (2.27 ACRES)

Variances Requested

1. FRONT LOT SETBACK REQUIREMENT BE REDUCED FROM 25 TO 20'
2. MINIMUM LOT SIZE OF 7,000 SQUARE FEET FOR LOTS 34, 40, & 41 TO BE REDUCED TO 6,000 SF
3. MINIMUM LOT WIDTH AT FRONT SETBACK LINE FOR LOTS 32, 33, 34, & 35 TO BE REDUCED TO 5.5 FEET

Site Data

TOTAL SITE AREA = 17.78 ACRES
TOTAL LOT AREA = 17.78 ACRES
TOTAL LOT AREA = 17.78 ACRES
TOTAL LOT AREA = 17.78 ACRES

Preliminary Stormwater Requirements:

TOTAL SITE AREA = 17.78 ACRES
TOTAL LOT AREA = 17.78 ACRES
TOTAL LOT AREA = 17.78 ACRES
TOTAL LOT AREA = 17.78 ACRES

Parking Requirements:

1. MINIMUM OF TWO PARKING SPACES PER SINGLE-FAMILY DETACHED

Zoning Requirements:

PROPOSED ZONING: R-1.5 SINGLE-FAMILY ATTACHED/DETACHED RESIDENTIAL
SITE DENSITY: - 5 UNITS PER ACRE MAXIMUM ALLOWED
- 2.04 UNITS PER ACRE PROPOSED

MINIMUM LOT SIZE: 7,000 SQUARE FEET THE BOARD OF ZONING APPEALS
MINIMUM LOT WIDTH: 30 FEET THE BOARD OF ZONING APPEALS
MINIMUM LOT AREA: 10,000 SQUARE FEET THE BOARD OF ZONING APPEALS

MINIMUM LOT WIDTH AT FRONT SETBACK LINE: 70 FEET
MINIMUM LOT WIDTH AT REAR SETBACK LINE: 30 FEET
MINIMUM LOT AREA: 10,000 SQUARE FEET

MINIMUM PUBLIC ROAD FRONTAGE: 100 FEET
MINIMUM PUBLIC ROAD FRONTAGE: 100 FEET
MINIMUM PUBLIC ROAD FRONTAGE: 100 FEET

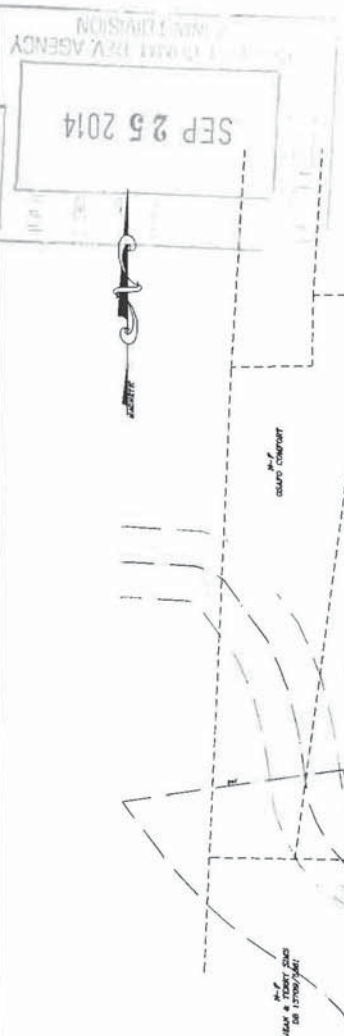
MINIMUM BUILDING SETBACK: 10 FEET
MINIMUM BUILDING SETBACK: 10 FEET
MINIMUM BUILDING SETBACK: 10 FEET

Site Notes:

1. THE SITE CONTAINS 17.78 ACRES
2. THE LOCATION, SITE LOCATION, AND THUNDERWOOD ROAD
3. THE NORTH ARROW AND SCALE ARE SHOWN ON THIS PLAN
4. SURVEY INFORMATION TAKEN FROM SURVEY PERFORMED BY SURVEY PLUS, INC. DATED OCTOBER 21, 2005
5. A PORTION OF THIS PROPERTY IS DESIGNATED AS A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP #130501214, DATED MARCH 4, 2011
6. THERE ARE WATERS OF THE STATE OF GEORGIA (LAKES OR STREAMS) WITHIN 200 FEET OF THE SITE
7. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO CONTIGUOUS, ADJACENT, OR ADJACENT LANDS ASSOCIATED WITH THE SITE
8. THERE ARE NO OTHER PROJECTS OR PROJECTS THAT HAVE BEEN PREVIOUSLY MARKED BY THE PROJECT OWNERS
9. THERE ARE NO OTHER PROJECTS OR PROJECTS THAT HAVE BEEN PREVIOUSLY MARKED BY THE PROJECT OWNERS
10. ALL ANNUAL UTILITY AGREEMENTS FOR THE SURVEY ARE SHOWN ON THIS PLAN
11. THERE IS ONE EXISTING ACCESS POINT WHICH WILL NOT BE CHANGED, AND WHICH WILL BE MAINTAINED DURING CONSTRUCTION
12. THE PROPOSED CONSTRUCTION OF THE PROJECT WILL BE IN ACCORDANCE WITH THE ZONING ORDINANCE OF COBB COUNTY, GEORGIA

Location Map

NTS



Z-86
(2014)



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APPLICANT: Zero One, LLC
PHONE#: (770) 851-6236 **EMAIL:** larry@idiarchitects.com
REPRESENTATIVE: Parks F. Huff
PHONE#: (770) 422-7016 **EMAIL:** phuff@slhb-law.com
TITLEHOLDER: Zero One, LLC

PROPERTY LOCATION: South side of Old Alabama Road, west of
South Glenn Forest Street, and at the western end of Angelia Drive.

ACCESS TO PROPERTY: Old Alabama Road

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Church and Dunn Hill Acres Subdivision and Single-family houses
SOUTH: R15/Mount Pisgah Estates Subdivision and R-20/Single-family house
EAST: R-20/Glenn Forest Subdivision and Church
WEST: R-20/Single-family houses

PETITION NO: Z-86
HEARING DATE (PC): 12-02-14
HEARING DATE (BOC): 12-16-14
PRESENT ZONING: R-15

PROPOSED ZONING: RA-5

PROPOSED USE: Single-Family Subdivision

SIZE OF TRACT: 17.789 acres

DISTRICT: 18

LAND LOT(S): 82, 151

PARCEL(S): 43

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

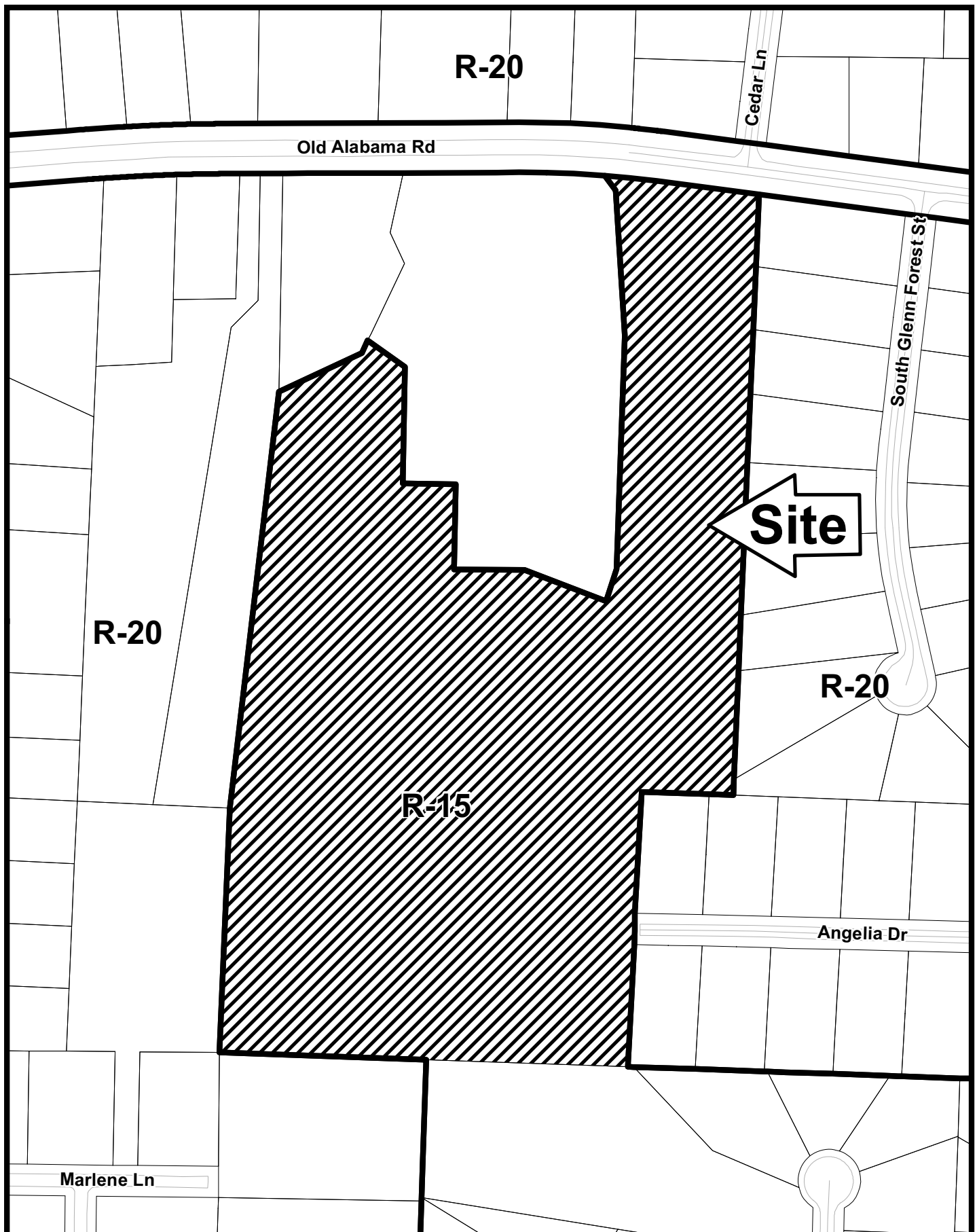
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-86



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

0 200 400 Feet



City Boundary
Zoning Boundary

APPLICANT: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

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: 47 **Overall Density:** 3.02 **Units/Acre**

Staff estimate for allowable # of units: 27 (per Z-187 of 2005) **Units*Increase of:** 20 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

Applicant is requesting the RA-5 zoning category for the development of a residential subdivision. The proposed houses will be traditional one- and two-story homes with partial brick and attached front loaded, two-car garages. The proposed minimum square footage for the homes is 1,800 square feet. The houses will range in price from \$180,000 to the low \$200,000s. The subject property was previously part of Z-187 of 2005 that included the church property and the entirety of those properties was deleted to R-20 (church) and R-15 for a residential subdivision (minutes attached).

The proposed site plan indicates the following contemporaneous variances:

1. Reduce the front setbacks from the required 25 feet to 20 feet;
2. Reduce the minimum lot size from 7,000 square feet for lots 39, 40, and 41 to 6,250 square feet; and
3. Reduce the minimum lot width at the front setback line for lots 32, 33, 34, and 35 to 53 feet.

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.

APPLICANT: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Mableton	965	Over	
Elementary Garrett	816	Under	
Middle Pebblebrook	2,148	Over	

High

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

Additional Comments: Approval of this petition could adversely affect the enrollment at Mableton Elementary School, which is over capacity at this time, but could **severely** and **adversely** affect the enrollment at Pebblebrook High School, which is **severely** over capacity at this time.

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: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-15 to RA-5 for purpose of single-family subdivision. The 17.78 acre site is located on the south side of Old Alabama Road, west of South Glenn Forest Street, and at the western end of Angelia Drive.

Comprehensive Plan

The parcel is within a Public Institution (PI) future land use category, with R-15 zoning designation. The purpose of the Public/Institutional (PI) category is to provide for certain state, federal or local government uses and institutional land uses such as government building complexes, police and fire stations, colleges, churches, hospitals, etc.

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?

Incentive Zones

Is the property within an Opportunity Zone? ☐ Yes ☒ No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? ☒ Yes ☐ No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? ☐ Yes ☒ No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

APPLICANT: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

PLANNING COMMENTS:

(Continued)

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

☐ Yes ☒ No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

☐ Yes ☒ No

APPLICANT Zero One, LLC

PETITION NO. Z-086

PRESENT ZONING R-15

PETITION FOR RA-5

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 / N side of Old Alabama Rd

Additional Comments: Secondary water feed will be required to 6" main in Angelia Drive

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: On site

Estimated Waste Generation (in G.P.D.): A D F= 7680 Peak= 19200

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: Sewer extension by developer required to uppermost property line (Old Alabama Rd). Sewer should be made available to church. Structures must be located so as to not encroach upon existing sewer easements and setbacks

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: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Pine Branch FLOOD HAZARD INFO: Zone AE

- ☒ 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 receiving stream and downstream culvert at Thunderwood Road.

APPLICANT: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

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 entire site discharges to the southwest into Pine Branch that traverses the southwest corner of the property. There is a small tributary to Pine Branch that crosses the southeast corner of the parcel. Both of these streams have 50-foot stream buffers and an additional 25-foot impervious setback.
2. The available building footprints for Lots 15-17 appear to be severely limited by the impervious setback buffer. Lots 24 & 25 do not appear buildable. A revised lot layout is needed to address these issues.
3. A 20-foot drainage easement will likely be required along the rear of lots 31-36 to limit offsite bypass of runoff. This will need to be taken into consideration if any perimeter landscape buffers are proposed.

APPLICANT: Zero One, LLC

PETITION NO.: Z-86

PRESENT ZONING: R-15

PETITION FOR: RA-5

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
Old Alabama Road	4300	Major Collector	45 mph	Cobb County	80'

Based on 2006 traffic counting data taken by Cobb County DOT (Old Alabama Road)

COMMENTS AND OBSERVATIONS

Old Alabama Road is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend curb, gutter, and sidewalk along Old Alabama Road frontage.

Recommend a deceleration lane for the Old Alabama Road access.

Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadways.

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

STAFF RECOMMENDATIONS

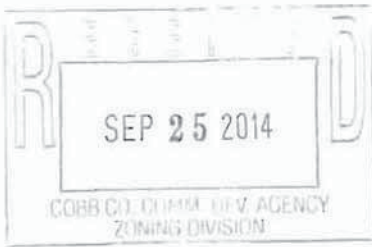
Z-86 ZERO ONE, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. The subject property is bordered by a church and R-20 developments that are at lower densities than what is being proposed in this application.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse affect on the usability of adjacent or nearby property. A previous request for 34 lots in the Conservation Subdivision zoning category was deleted to R-15 for 27 lots.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 not conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be in the Low Density Residential (LDR) land use category, having densities ranging from 1-2.5 units per acre. Other subdivision in the area are zoned R-15 and R-20 with lower densities and include: James Crossing (zoned R-20, 1.21 units per acre); Eddy Frances Estates (zoned R-20, 1.58 units per acre); Hank Floyd Subdivision (zoned R-20, approximately 1.61 units per acre); Landers Farm (zoned R-20, approximately 1.71 units per acre); James Acres (zoned R-20, approximately 1.71 units per acre); Dunn Hill Acres (zoned R-20, approximately 1.907 units per acre); Kristy Manor (zoned R-15 and R-20, 1.93 units per acre); and Bonner's Ridge (zoned R-20, 1.97 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 deleting the applicant's rezoning proposal. A previous request to rezone to CS for 34 lots was eventually deleted to R-15 for 27 lots as part of (Z-187 of 2005 – minutes attached). The proposed density is over the maximum of 2.5 units per acre allowed in the LDR land use category, and is also higher than several other subdivisions in the area.

Based on the above analysis, Staff recommends DELETING to R-15 subject to the following conditions:

- Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
- Maximum of 32 lots;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation 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 #: Z-86
PC Hearing Date: 12-2-14
BOC Hearing Date: 12-16-14

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): Estimated 1,800 sq. ft.
b) Proposed building architecture: Traditional 1 and 2 story homes; partial brick; attached two car garage.
c) Proposed selling prices(s): \$180,000 - Low \$200,000
d) List all requested variances: 1. Front lot setback requirement be reduce from 25' to 20';
2. Min. lot size of 7,000 sq.ft. for lots 39,40, & 41 to be reduced to 6,250sf. and 3. Minimum lot width at front setback line for lots 32, 33, 34, & 35 to be reduced to 53 feet

.....
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). _____

.....
Part 5. Is this application a result of a Code Enforcement action? No X ; Yes ____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: _____

Date: 9-25-14

Applicant name (printed): Parks F. Huff, Attorney for Applicant

ORIGINAL DATE OF APPLICATION: 11-15-05APPLICANTS NAME: INTEGRATED DESIGN INTERNATIONAL, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 02-21-06 ZONING HEARING:

INTEGRATED DESIGNS INTERNATIONAL, INC. (Glen Forest Baptist Church, Inc., owner) requesting Rezoning from **R-20** to **R-20** and **CS** for the purpose of a Church and Subdivision in Land Lot 151 of the 18th District. Located on the south side of Old Alabama Road, east of Thunderwood Road and at the western terminus of Angelia Drive.

MOTION: Motion by Lee, second by Goreham, as part of the Consent Agenda, to **delete** rezoning to the **R-20** and **R-15** zoning districts **subject to:**

- site plan received by the Zoning Division or dated January 26, 2006 (including church variances), with the District Commissioner approving minor modifications (copy attached and made a part of these minutes)
- letter of agreeable stipulations from Mr. Parks Huff dated February 9, 2006, *with stipulation regarding access point to supersede Cobb DOT comments and recommendations* (copy attached and made a part of these minutes)
- Plan Review comments and recommendations, with final site plan to be approved by the District Commissioner
- Fire Department comments
- 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 O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns

VOTE: **ADOPTED** unanimously

Meeting Date 2/21/06

SITE DATA PAGE 6 OF 6

-PRESENT ZONING: R-20
 -PROPOSED ZONING: R-15
 -PROPOSED NUMBER OF LOTS: 27
 -RETO MIN SETBACK: AS NOTED
 -PROPERTY SETBACKS:
 MIN FRONT: 30' (EXCEPT AS NOTED)
 MIN SIDE: 10', 20' BETWEEN BLDGS
 MIN REAR: 30' (EXCEPT AS NOTED)

VARIANCES:

-25' REAR SETBACK ON LOT # 18,20,21,22
 -20' FRONT SETBACK ON ALL LOTS
 -25% LOT SIZE REDUCTION ON LOT # 22,23,24,25,26

DENSITY/ AREA CALCULATIONS:

-TOTAL AREA: 22.789AC
 -DEDUCT 5.00AC FOR CHURCH
 -TOTAL PROPOSED PROJECT AREA: 17.789AC
 -100YR FLOOD AREA: 2.38AC
 -WETLANDS AREA: 0.25AC
 -TOTAL 100YR & WETLAND AREA: 2.61AC
 -PROPOSED DENSITY: 1.52 UPA

HOUSE SIZE & STYLE:

-TRADITIONAL STYLE
 -MIN HOUSE SIZE OF 1,800SQFT
 -MAX BLDG HT: 30'
 -85'X50' BUILDING PAD
 -STREET LIGHTS PER COUNTY STANDARD

NOTE:

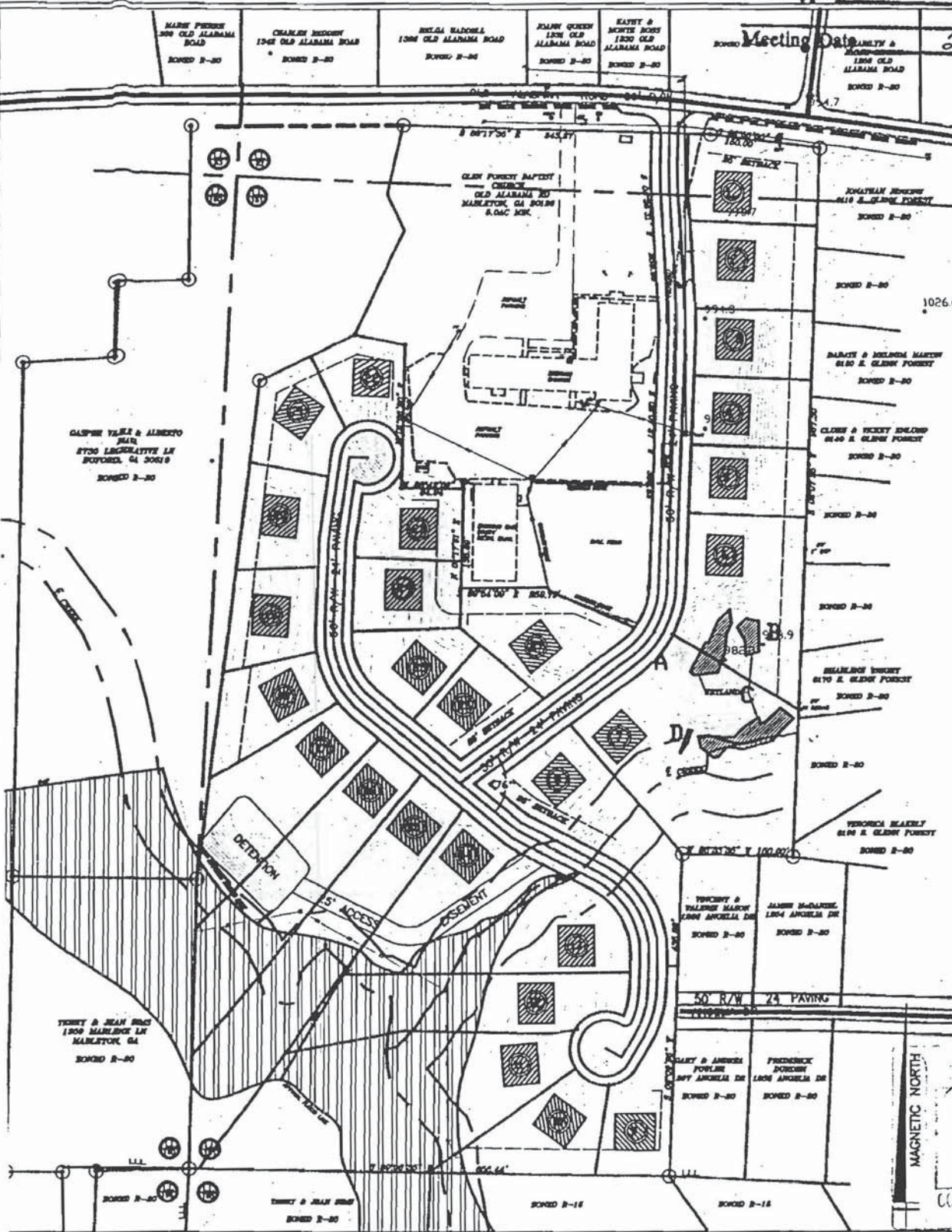
-NO OBSTACLES FOUND ON SITE
 -NO ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS FOUND ON SITE
 -INTERIOR STREETS TO BE 50' R/W WITH 24' BG TO BG WITH 20' PAVEMENT
 -WETLANDS DELINEATED BY ECOLOGICAL SOLUTIONS, INC DATED: 8-12-2005
 -TOPO TAKEN FROM COB COUNTY GIS MAPPING

A PORTION OF THIS UNIT IS WITHIN A 100YR FLOOD HAZARD AREA ACCORDING TO FEMA AUGUST 18, 1982 MAP # 1306700055 PANEL 85 OF 95

BOUNDARY INFORMATION TAKEN FROM PLAT OF SURVEY PREPARED BY SURVEYS PLUS DATED: 10.21.05

Revised
 JAN 26 2006
 1:47mc

MAGNETIC NORTH



<p>OLD ALABAMA RD CHURCH PROPERTY</p> <p>R-15</p> <p>LAND LOT: 151 & 82</p> <p>10TH DISTRICT</p>		<p>LEGEND</p> <p>100 YR. FLOOD PLAIN (FIELD RUN 10-21-05)</p>	
<p>1" = 100'</p> <p>GRAPHIC SCALE - FEET</p> <p>1" = 100'</p>		<p>INTEGRATED DESIGN ARCHITECTS</p> <p>4244 S. Highway 100</p> <p>Doyle, Georgia 30508</p> <p>(770) 435-0000 Fax (770) 435-0001</p>	

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARRIS F. HUFF
JAMES A. BALLI*
OF COUNSEL
DAVID P. HARTIN

*ALSO LICENSED TO PRACTICE
IN ALABAMA

Min. Bk. 39 Petition No. Z-18705
Doc. Type Letter of Agreeable
Stipulations
Meeting Date 2/21/06

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE
WWW.SAMSLARKINHUFF.COM

February 9, 2006

VIA HAND DELIVERY

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
191 Lawrence Street, Suite 300
Marietta, Georgia 30060-1661

Re: Application of Integrated Designs International, Inc. to Rezone a 22.789 Acre Tract of Land from R-20 to CS and R-20 located in Land Lots 151 and 82, 18th District, 2nd Section, Cobb County, Georgia. (Z-187)

Dear John:

On February 7, 2006, the Planning Commission recommended approval of the above-styled zoning application to the R-15 and R-20 zoning category and added the matter to the Board of Commissioners consent agenda for February 21, 2006. My client has revised the site plan as attached to place the proposed detention facility on an independent lot. My client is also revising numbered paragraph 9 of the stipulations to reflect an additional agreement with an adjoining property owner regarding plantings to update the density calculation by removing some property on the other side of the creek from the density calculation. The revised stipulations and the revised site plan will supersede all previous stipulations and site plans.

1. The rezoning request is revised to R-15 with 27 homes.
2. The homes shall have a minimum of 1,800 square feet of climate controlled living space.
3. All homes shall be single family detached homes with a minimum of a two car attached garage.

Petition No. Z-187²⁵
Meeting Date 2/21/06
Continued

Mr. John P. Pederson, Planner III
Cobb County Zoning Department
February 9, 2006
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4. In order to minimize the grading on the site, my client requests a front setback variance to reduce the front setback to 20 feet throughout the development.
5. The developer requests a contemporaneous variance on lots 19, 20, 21 and 22 to allow for a 25 foot rear setback.
6. A contemporaneous lot size variance on lots 22, 23, 24, 25 and 26. However, the average lot size in the development exceeds 28,000 square feet.
7. In order to accommodate the request of Vincent Mason who resides at 1266 Angelia Drive, the road has been shifted eastward to prevent backyards from facing Mr. Mason's property.
8. During the plan review process, the developer shall provide a sewer easement from Mr. Mason's property to a sewer manhole in the vicinity of the creek behind lots 7 and 8.
9. The developer shall install a six foot wooden privacy fence on the western property line of Mr. Mason and Mr. Fowler, who lives at 1267 Angelia Drive. The approximate length of this privacy fence is 435 linear feet. Mr. Mason has a patio that encroaches on the western property line of the subject property. The fence will be constructed so as to allow Mr. Mason physical access around the patio. A concurrent easement of access will be granted to Mr. Mason within the area beyond the fence. The developer shall provide landscaping along the privacy fence which will consist of Leland cypress and other evergreen trees and shrubs.
10. The homes on lots 1, 2 and 3 will have a brick wainscoting on 2 sides.
11. The facade of all homes shall be constructed with a minimum of 50% brick or stone, with hard-coat EIFS being used for accent purposes.

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12. All front yards shall be sodded and the utilities shall be underground.
13. There shall be a seating area located in the northern cul-de-sac.
14. There shall be a mandatory homeowner's association to manage any and all common greenspace including the landscaping and entrance monument. The subdivision shall have restrictive covenants which shall control architectural standards in the neighborhood and provide for an architectural control committee.
15. The applicant will install curb, gutters and sidewalks along the entire frontage of Old Alabama Road and tie into the existing sidewalks.
16. The applicant will dedicate sufficient right-of-way to create a 40 foot ROW from the centerline of Old Alabama Road.
17. The applicant will install a deceleration lane into the proposed subdivision and at the new church entrance. The applicant is requesting a waiver from the DOT recommendation of only one entrance so that the church and subdivision can have separate entrances.
18. The development will comply with the dual feed requirements of the Water System.
19. The applicant will comply with Stormwater Management Division's development criteria including the location of the proposed detention facility. However, the Stormwater Management Division requested an elevated first-flush water quality-best management requirement based upon the 37 lot proposal. Because the number of lots have dropped dramatically, the applicant requests that the Stormwater Management Division enforce the development criteria as applied to all projects.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-187⁰⁵
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20. The applicant requests contemporaneous variances related to the R-20 portion of the rezoning proposal to allow the existing church accessory structure to be 5 feet from the side and rear property lines and to allow the main church building a contemporaneous variance to allow a major side setback of 10 feet adjacent to the proposed new road. The contemporaneous variance from Cobb County Code §134-271(4) shall allow the main church structure and the accessory structure to remain in its present location as depicted in the site plan.

Please contact me if you need addition information regarding this request.

Sincerely,

SAMS, LARKIN & HUFF, LLP



Parks F. Huff

PFH/klk
Enclosure

cc: Cobb County Board of Commissioners – via hand delivery
Cobb County Planning Commission Members
Sandra Richardson, Deputy County Clerk – via hand delivery
Gail Huff, Assistant County Clerk – via hand delivery
Integrated Designs International, Inc.
Clarice Barbera-Page, SWAN – via facsimile (770-944-0363)

Petition No. Z-18705
Meeting Date 2/21/10
Continued Site Plan referenced in letter

PAGE 11 OF 11

SITE DATA:

- PRESENT ZONING: R-30
- PROPOSED ZONING: R-15
- PROPOSED NUMBER OF LOTS: 27
- RECD MIN. SETBACKS: AS NOTED

VARIANCES:

- 25' REAR SETBACK ON LOT # 18,20,21,22
- 20' FRONT SETBACK ON ALL LOTS
- 25% LOT SIZE REDUCTION ON LOT # 22,23,24,25,26

DENSITY/AREA CALCULATIONS:

- TOTAL AREA: 22.78AC
- DEDUCT 5.00AC FOR CHURCH
- DEDUCT 1.833AC
- TOTAL PROPOSED PROJECT AREA: 15.95AC
- 100YR FLOOD AREA: 1.00AC
- NETLANDS AREA: 0.25AC
- TOTAL 100YR & NETLANDS AREA: 1.25AC
- NET BUILDABLE AREA: 14.887AC
- PROPOSED DENSITY: 1.837U/PA

HOUSE SIZE & STYLE:

- TRADITIONAL STYLE
- MIN HOUSE SIZE OF 1,800SQFT
- MAX BLDG. HT: 35'
- 50'X50' BUILDING PAD
- STREET LIGHTS PER COUNTY STANDARD

NOTE:

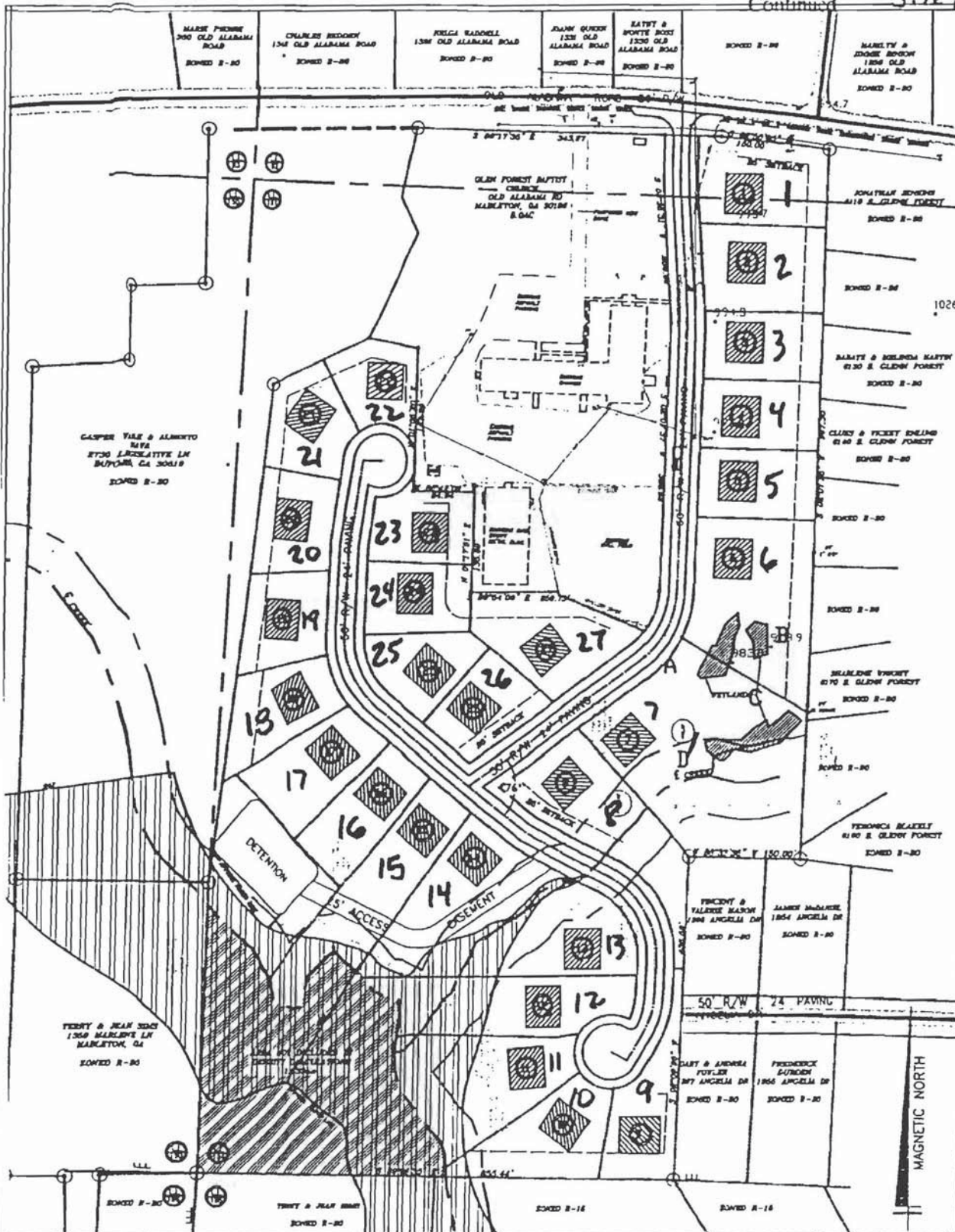
- NO CEOMETRIES FOUND ON SITE
- NO ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS FOUND ON SITE
- INTERIOR STREETS TO BE 50' R/W WITH 24' BC TO BC WITH 20' PAYMENT
- NETLANDS DELINEATED BY ECOLOGICAL SOLUTIONS, INC DATED: 8-12-2005
- TOPO TAKEN FROM COBB COUNTY GIS MAPING

A PORTION OF THIS UNIT IS WITHIN A 100YR FLOOD HAZARD AREA ACCORDING TO FEMA AUGUST 18, 1992 MAP # 1301700055 PANEL E5 OF B5

BOUNDARY INFORMATION TAKEN FROM PLAT OF SURVEY PREPARED BY SURVEYS PLUS DATED: 10/21/05

LEGEND

- 100 YR. FLOOD PLAIN (FIELD RUN 10-21-05)
- THIS AREA IS NOT USED IN DENSITY/BUILDABLE CALCULATIONS



OLD ALABAMA RD CHURCH PROPERTY

R-15

LAND LOT: 151 & B2
18TH DISTRICT



INTEGRATED
DESIGN
ARCHITECTS, INC.
4301 Peachtree Road
Suite 200, Georgia 30060
(770) 430-1234 Fax (770) 430-1235

PROJECT & PROPERTY - OLD ALABAMA CHURCH
1 SURVEY 1/20/06 BY: S/R/M
2009 BY: LARRY ELL
10 BY: BARRY ELL

REVISED 11-16-05

APPLICANT: Integrated Designs International, Inc.

PETITION NO.: Z-187

PRESENT ZONING: R-20

PETITION FOR: R-20, CS

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Skyview Elementary		Severe	9
Garrett		Severe	11
Middle Pebblebrook			0
High			

Additional Comments:

Approval of this density adjustment would adversely impact overcrowding at school levels. The only recourse available to the District would be to add more portable classrooms. The core facilities such as media centers and cafeterias are already well beyond capacity.

FIRE COMMENTS:

The applicant is responsible to ensure all Cobb County Fire and Emergency Services Code requirements are met related to this project. Plans will need to be submitted to the Cobb County Fire Marshall's Office, prior to any permits being issued.

Standard comments:

1. Provide 24-hour emergency phone number (offset in bold print on all sheets).
2. Provide access for Fire and Police Department through Cobb County. If access is outside the boundaries of Cobb County, then an intergovernmental agreement would be required prior to any permitting.
3. Fire apparatus access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor IFC 503.1 2003 Edition. All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20-feet, 25-foot inside turning radius, 50-foot outside turning radius and unobstructed vertical clearance of not less than 13-feet 6 inches. Dead-end access roads in excess of 150-feet shall be provided with a turn-around IFC 503.2.5 2003 Edition. Cul-de-sac with an island: minimum 60-foot radius to outside curb, measured to inside of curb. Minimum lane width = 24-feet. Residential cul-de-sac without island: 38-foot outside radius. Commercial cul-de-sac to have a 60-foot paved radius. Hammerhead turn-around: total of 110-feet needed (45-feet + 20-foot wide roadway + 45-feet).

Additional Comments:

APPLICANT Integrated Designs International, Inc

PETITION NO. Z-187

PRESENT ZONING R-20

PETITION FOR CS & R-20

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): 6" AC / N side Old Alabama Rd

Additional Comments: Dual feed required with 6" AC, S side Angelia

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: On site, S part

Estimated Waste Generation (in G.P.D.): A D F 13,600 Peak 34,000

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 extension by developer required to uppermost property line (Old Alabama Rd). Sewer should be made available to church. Structures must be located so as to not encroach upon existing san. sewer easements

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: Integrated Designs International, Inc.

PETITION NO.: Z-187

PRESENT ZONING: R-20

PETITION FOR: CS & R-20

DRAINAGE COMMENTS

Revised 11-21-05

FLOOD HAZARD: ☒ YES ☐ NO ☐ POSSIBLY, NOT VERIFIED

Pine Creek

2.75 acres ± in southwest quarter and running northeast

DRAINAGE BASIN: Sweetwater Creek FLOOD HAZARD INFO: up ravine toward South Glenn Forest

☒ 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: within Flood Hazard

☒ 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 stream bank 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 stormdrainage system.

APPLICANT: Integrated Designs International, Inc.

PETITION NO.: Z-187

PRESENT ZONING: R-20

PETITION FOR: CS & R-20

DRAINAGE COMMENTS CONTINUED

Revised 11-21-05

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 **into flood hazard, wetland, or stream buffer** 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/SUGGESTIONS

- 1) The tract is made up of two (2) plateaus. Upper plateau is inhabited by the existing church facility. Lower plateau is about one (1) acre in size located at the intersection of proposed streets. Around these plateaus are irregular ravine side slopes ranging from 9% to 40% proposed for development. With exception of the two (2) plateaus mentioned above the tract is wooded.
- 2) The proposed reduced front setback is supported if houses are required to be moved forward to that line to reduce driveway pavement and grading.
- 3) Without some control grading will be expanded to cover the entire surface area of each lot. To avoid this mass grading, recommend that all grading be limited to the roadways and building pads only. Accepted building pad would be house pad at reduced front setback, plus 10-feet outside, plus front yard.
- 4) The extensive tree stand and undergrowth in the development area now provides significant benefits to the community at large improving air/water quality, stabilizing soil, and mitigating storm flows. Project construction will eliminate these benefits and at same time increase the pollution generation. To compensate for lost benefits, recommend the First Flush Water Quality-Best Management Practice Requirements be elevated to the 1.5-inch rainfall and each larger storm release be restricted not to exceed the allowable flow of the next lower event (i.e.: 5-year storm release at 2-year rate; 10-year release at 5-year rate; etc., to 100-year release at 50-year rate).

APPLICANT: Integrated Designs International, Inc.

PETITION NO.: Z-187

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Revised 11-21-05

- 5) The County Buffer Map notes the presence of a stream buffer. Per Cobb County Code, Chapter 50-75, a permanent natural undisturbed buffer shall be recorded on all plats and revisions and / or property deeds and will also contain a restrictive covenant in favor of Cobb County for conservation uses. It is recommended that the applicant determine the exact area of the stream buffer and illustrate same on the final plat and approved construction plans. The Restrictive Covenant text must be recorded on the Final Plat and with the Cobb Superior Court.
- 6) Any stormwater controls / detention required for this project must be calculated based on the maximum impervious cover allowed in County Code / Regulations. For any commercial designation Cobb County supports the State Mandate for minimum 30% of tract as landscaping.
- 7) In order to protect the stream buffers and floodplain areas from damage during development recommend all lots be removed from there. The street crossing of the stream buffer must be created with minimal impact on the buffer.
- 8) Revised Plan presented at Staff Zoning Analysis Review of 11-18-05 showing increased density from 6 lots to 8 in northeast and eliminating southwest cul-de-sac with ensuring rearrangement of lots and detention. Lot count has increased from 34 to 37. Detention / Water Quality-Best Management Practice is now without access from public road and has been moved into the Open Space area.
 - 8.1) All previously made Drainage Comments remain in force.
 - 8.2) The relocation of the detention / Water Quality-Best Management Practice into an isolated area without public road access renders it unacceptable for Public / County perpetual maintenance. Recommend an operating manual be provided for County Review at Plan Review along with a funding arrangement.
 - 8.3) This new plan shows the Open Space area increasing, but, at same time the detention / Water Quality-Best Management Practice located therein encumbering some of the Open Space. Suggest the Open Space calculations be refined to be compatible with plan.
 - 8.4) The very small lots running against stream buffers and floodplain offer very little latitude for change in detail design. This must be considered a true conceptual plan subject to change. Therefore, Stormwater Management must reserve full right of review and comment for detail plans at Plan Review.

APPLICANT: Integrated Designs International, Inc.

PETITION NO.: Z-187

PRESENT ZONING: R-20

PETITION FOR: CS

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
Old Alabama Road	7924	Major Collector	80'

Based on 2003 estimated traffic counting data taken by Cobb County DOT.

Old Alabama 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.

As necessitated by this development for egress from Old Alabama Road, a minimum 150' deceleration lane and a left turn lane will be required.

Install sidewalk, curb and gutter along the road frontage.

Church access to be from the proposed road.

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 south side of Old Alabama Road, a minimum of 40' from the roadway centerline.

Recommend a minimum 150' deceleration lane and a left turn lane.

Recommend installing sidewalk, curb and gutter along the frontage.

Recommend the church access the proposed road.

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