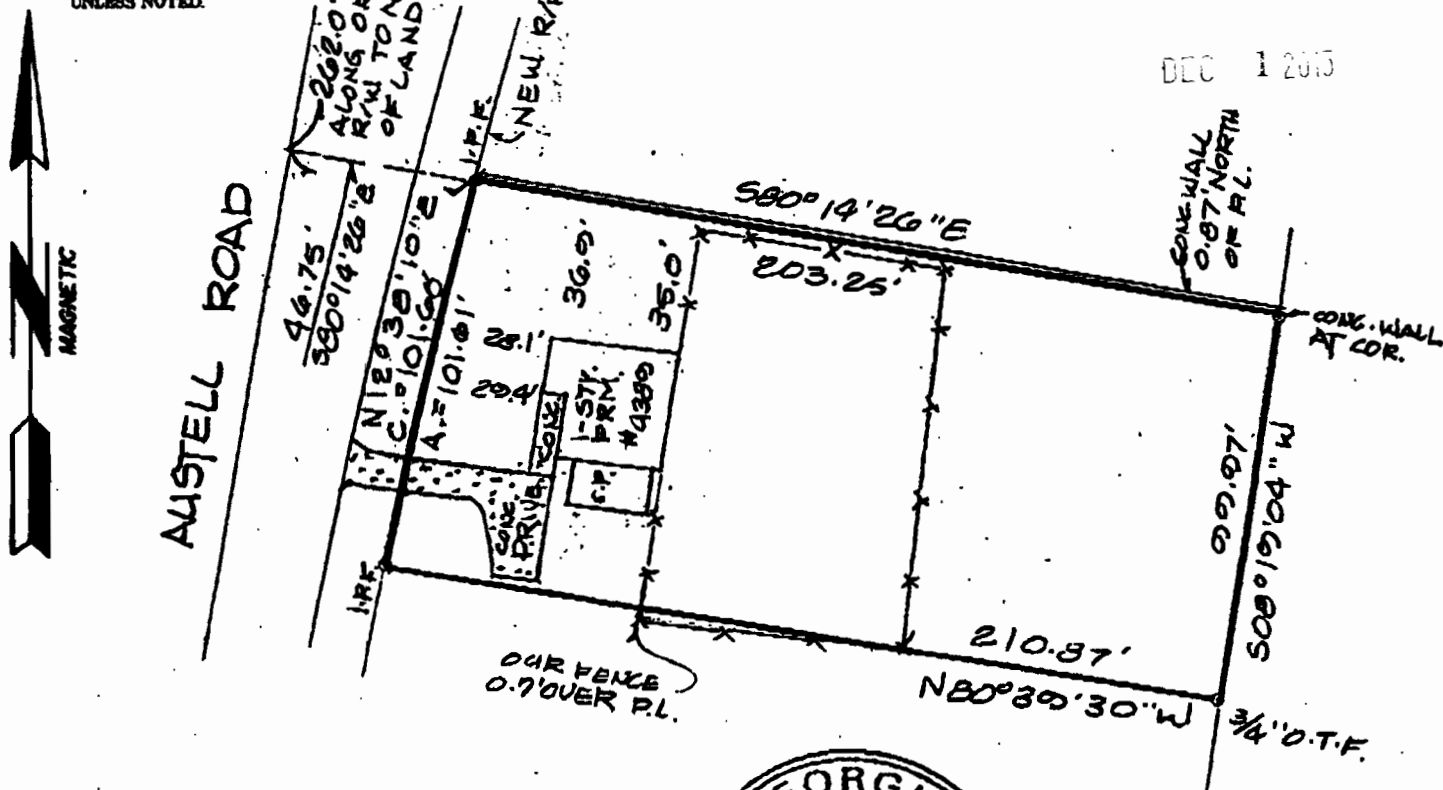


573436

LEGEND

IFF - IRON PIN FOUND
 IPS - IRON PIN SET
 R/W - RIGHT OF WAY
 B.L. - BUILDING LINE
 C - CENTERLINE
 LL - LAND LOT
 LLL - LAND LOT LINE
 D.E. - DRAINAGE EASEMENT
 S.E. - SANITARY SEWER EASEMENT

ALL CORNERS ARE 1/2" REBAR
UNLESS NOTED.



I HAVE THIS DATE, EXAMINED THE
FIA OFFICIAL FLOOD HAZARD MAP
AND FOUND REFERENCED HOUSE (NOT)
IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

0.480 ACRE

GRAPHIC SCALE

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF SECONDS PER ANGULAR POINT, AND WAS ADJUSTED USING CRANDALL RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 50,000 FEET.

**EQUIPMENT USED :
TOPCON GTS-2(B) & TRANSIT W/200' STEEL TAPE.**

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

BUSBEE SURVEYING CO., INC.
LAND SURVEYING
DULUTH, GEORGIA
PH. 497-9866
FAX 497-9881

SURVEY FOR :

AMANDA LISTUR,
WALTER LISTUR,
FERNANDO DELGADO
ROSALBA DELGADO

LOT	REVISIONS
DEED BK. 3810, PG. 230	
LAND LOT 1006	
10th DISTRICT, 2nd SECTION	CC WR.
COBB COUNTY, GEORGIA	DRAWN BY CHAD BJB
DATE: 1-11-06 SCALE: 1" = 50'	JOB # 5489

CHALKER

APPLICANT: Jessica Lozano Montiel
PHONE#: (678) 760-2024 **EMAIL:** jessicalozano@yahoo.com
REPRESENTATIVE: Carlos Nausda or Jessica Lozano
PHONE#: (678) 760-2024 **EMAIL:** jessicalozano@yahoo.com
TITLEHOLDER: Walter Listur and Amanda Listur

PROPERTY LOCATION: East side of Austell Road, north of
Elmwood Drive
(4389 Austell Road).

ACCESS TO PROPERTY: Austell Road

PHYSICAL CHARACTERISTICS TO SITE: One Story Single
Family Home

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: NRC/ Single Family Home
SOUTH: NRC/ Single Family Home
EAST: NRC/ Single Family Home
WEST: CRC/ Racetrac

Adjacent Future Land Use:

North: Neighborhood Activity Center (NAC)
East: Neighborhood Activity Center (NAC)
South: Neighborhood Activity Center (NAC)
and Low Density Residential (LDR)
West: Neighborhood Activity Center (NAC)

PETITION NO: Z-9

HEARING DATE (PC): 02-02-16

HEARING DATE (BOC): 02-16-16

PRESENT ZONING NS

PROPOSED ZONING: CRC

PROPOSED USE: Auto Broker's Office

SIZE OF TRACT: 0.48 acre

DISTRICT: 19

LAND LOT(S): 1006

PARCEL(S): 3

TAXES: PAID X **DUE**

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED **MOTION BY**

REJECTED **SECONDED**

HELD **CARRIED**

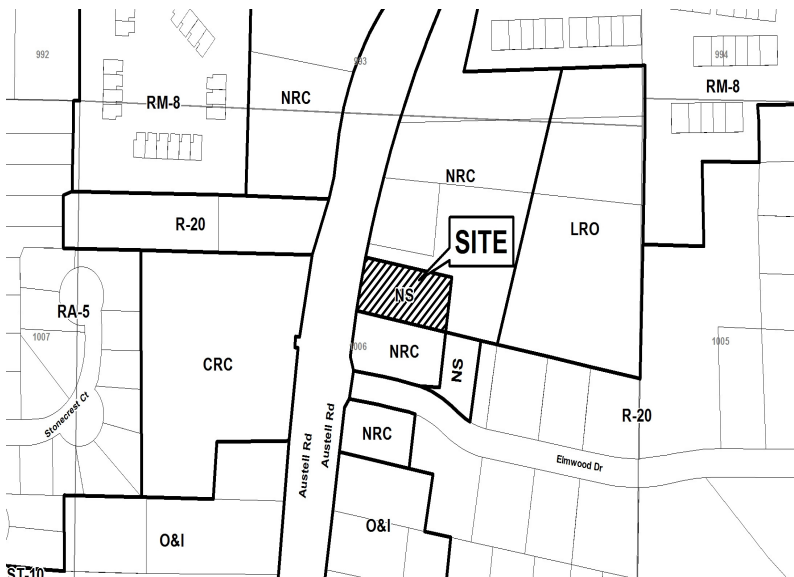
BOARD OF COMMISSIONERS DECISION

APPROVED **MOTION BY**

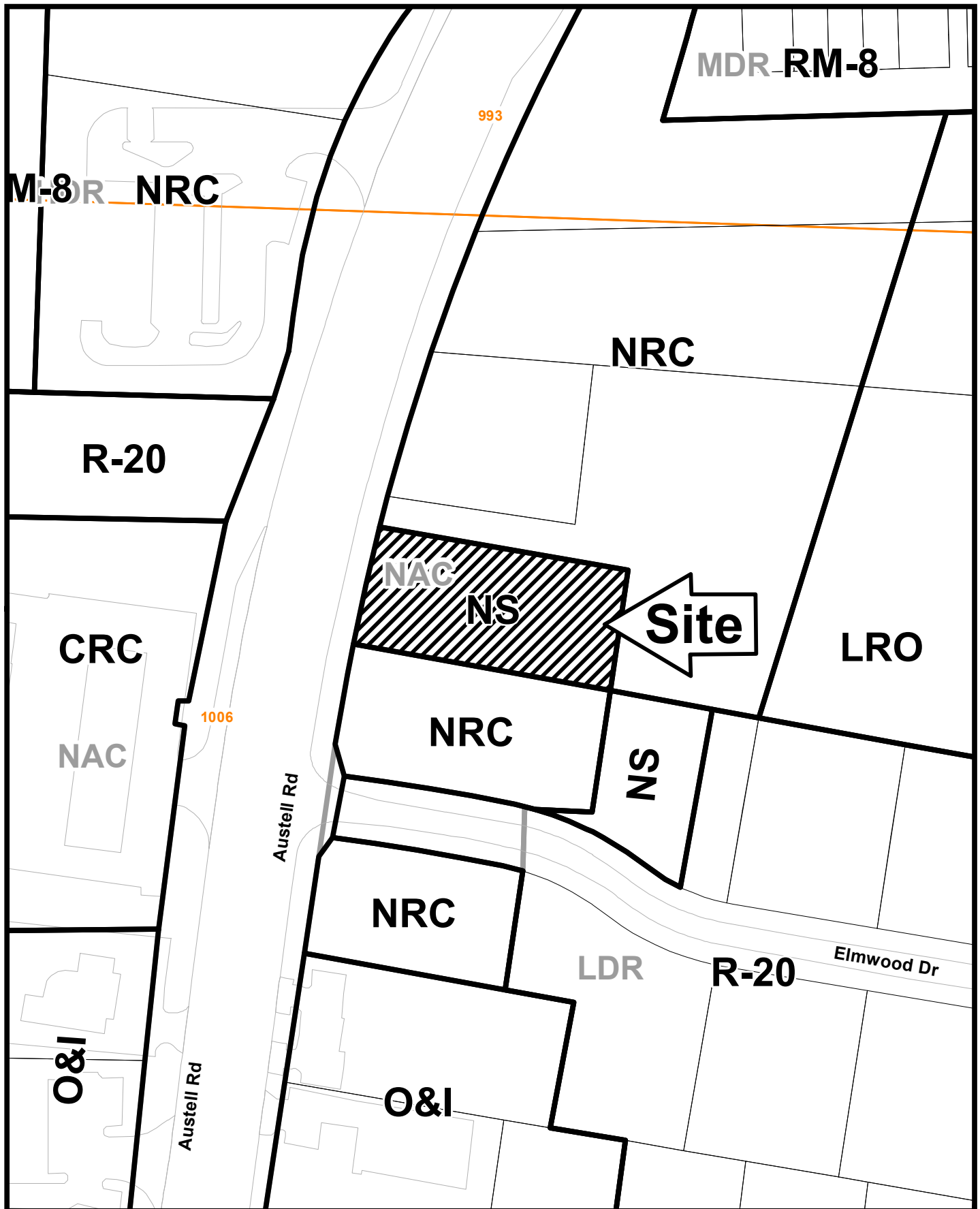
REJECTED **SECONDED**

HELD **CARRIED**

STIPULATIONS:



Z-9



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

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Jessica Lozano Montiel

PETITION NO.: Z-9

PRESENT ZONING: NS

PETITION FOR: CRC

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1 Total Square Footage of Development: 926

F.A.R.: 0.4 Square Footage/Acre: 1,929

Parking Spaces Required: 4 Parking Spaces Provided: 0

The applicant is requesting the CRC zoning category in order to bring the property into compliance with the Cobb County Comprehensive Plan. The building is a one story single family home that has been vacant for a number of months. The applicant would like to use the building as professional or administrative office. The applicant intends to initially use the office for an auto broker’s office that will operate Monday through Sunday between 9:00 AM and 8:00 PM.

The applicant is requesting the following contemporaneous variances;

- 1. Waive the minimum parking from 4 space to 0 spaces;
- 2. Waive the front setback from 50 feet to 28.1 feet and;
- 3. Waive the required 8 foot landscape strip along the road.

Cemetery Preservation: No comment.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Jessica Lozano Montiel

PETITION NO.: Z-9

PRESENT ZONING: NS

PETITION FOR: CRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from NS to CRC for the purpose of an auto broker's office. The .48 acre site is located on the East side of Austell Road, north of Elmwood Drive.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? ☐ Yes ☒ No
If yes, has the city of _____ been notified? ☐ Yes ☒ No / N/A

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with R-20 zoning designation. The purpose of the Neighborhood Activity Center (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Neighborhood Activity Center (NAC)
East: Neighborhood Activity Center (NAC)
South: Neighborhood Activity Center (NAC) and Low Density Residential (LDR)
West: Neighborhood Activity Center (NAC)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

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.

Planning comments continued on next page

APPLICANT: Jessica Lozano Montiel

PETITION NO.: Z-9

PRESENT ZONING: NS

PETITION FOR: CRC

PLANNING COMMENTS: (Continued)

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

The South Cobb 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>.

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

Is this property within the Six Flags Special Service District?

☐ Yes ☒ No

Is the property within the Dobbins Airfield Safety Zone?

☐ Yes ☒ No

If so, which particular safety zone is this property within?

☐ CZ (Clear Zone) ☐ APZ I (Accident Potential Zone I)

☐ APZ II (Accident Potential Zone II)

APPLICANT Jessica Lozano Montiel

PETITION NO. Z-009

PRESENT ZONING NS

PETITION FOR CRC

WATER COMMENTS:

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

Available at Development: ☒ Yes ☐ No

Fire Flow Test Required: ☐ Yes ☒ No

Size / Location of Existing Water Main(s): 6" DI / E side of Austell Road

Additional Comments:

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

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

In Drainage Basin: ☒ Yes ☐ No

At Development: ☐ Yes ☒ No

Approximate Distance to Nearest Sewer: 1,370' E at Elmwood/Pair Valley Dr.

Estimated Waste Generation (in G.P.D.): A D F= 160 Peak= 400

Treatment Plant: South Cobb

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

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

Drw Sewers Required: ☐ Yes ☒ No

Off-site Easements Required: ☒ Yes* ☐ No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: ☐ Yes ☒ No

Letter of Allocation issued: ☐ Yes ☒ No

Septic Tank Recommended by this Department: ☒ Yes ☐ No

Subject to Health Department Approval: ☒ Yes ☐ No

Additional Health Dept approval required for continued use of existing septic system. No site changes
Comments: proposed.

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: Jessica Lozano Montiel

PETITION NO.: Z-9

PRESENT ZONING: NS

PETITION FOR: CRC

STORMWATER MANAGEMENT COMMENTS

The applicant intends to use the existing structure, however it appears that there is not adequate parking or access provided. Any increase in impervious coverage over the 5000 square foot threshold or redevelopment must meet full stormwater management requirements

APPLICANT: Jessica Lozano Montiel

PETITION NO.: Z-9

PRESENT ZONING: NS

PETITION FOR: CRC

TRANSPORTATION COMMENTS

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

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Austell Road	34,500	Arterial	45 mph	Georgia DOT	100'

Based on 2013 traffic counting data taken by Cobb County DOT for Austell Road.

COMMENTS AND OBSERVATIONS

Austell Road is classified as a state route, an arterial and according to the available information the existing right-of-way may meet the minimum requirements for this classification.

RECOMMENDATIONS

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

GDOT permits will be required for all work that encroaches upon State right-of-way.

Recommend replacing disturbed curb, gutter, and sidewalk along the Austell Road frontage.

Recommend replacing existing residential driveway with a commercial driveway.

STAFF RECOMMENDATIONS

Z-9 JESSICA LOZANO MONTIEL

- 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. This area contains mostly commercial zoned development along Austell Rd.
- 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 property has been used commercially for many years without negatively affecting nearby residential properties.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Neighborhood Activity Center. Typical land uses for these areas include small offices, limited retail and grocery stores.
- 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 to LRO. The Austell Road corridor is mostly commercial including many offices that have transitioned from single family homes to small offices. The applicant's proposal is consistent with the Cobb County Comprehensive Plan.

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

1. Applicant to submit a parking lot plan that meets county standards prior to any new business using this property, to be approved by the District Commissioner after review from Zoning Staff;
2. Professional and Administrative offices only;
3. Auto Broker's office will not have any cars on the property, nor will any title work on site
4. Water and Sewer Division comments and recommendations;
5. 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.

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 926 SF DEC 1 2015
b) Proposed building architecture: 1 story / AVEV
c) Proposed selling prices(s): _____
d) List all requested variances: (is) Single family home to a commercial
zoning CRC corporate or administrative
office for any permitted used

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

- a) Proposed use(s): commercial Auto Broker office
corporate or administrative office for any permitted used
b) Proposed building architecture: 1 story
c) Proposed hours/days of operation: Mon - Sun 9:00 AM to 8:00 PM
d) List all requested variances: (is) Single family to a commercial
office, corporate or administrative office for
any permitted used

.....
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).