

APPLICANT: Mr. and Mrs. Charles Adedoyin
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REPRESENTATIVE: Garvis L. Sams, Jr.
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TITLEHOLDER: Olajumoke Adedoyin and Charles Adedoyin

PETITION NO: Z-27
HEARING DATE (PC): 04-01-16
HEARING DATE (BOC): 04-19-16
PRESENT ZONING: R-30
PROPOSED ZONING: R-20

PROPERTY LOCATION: On the west side of Corner Road, north of Echo Mill Drive
(No address given).

PROPOSED USE: Three Residential Lots

ACCESS TO PROPERTY: Corner Road

SIZE OF TRACT: 2.29 acres

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped, wooded.

DISTRICT: 19

LAND LOT(S): 289

PARCEL(S): 4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-30/ Undeveloped, wooded
SOUTH: R-30/ Single-family residence
EAST: R-30/ Single-family residence
WEST: PRD/ Echo Mill Subdivision

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)
 East: Very Low Density Residential (VLDR)
 South: Very Low Density Residential (VLDR)
 West: Very Low Density Residential (VLDR)

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

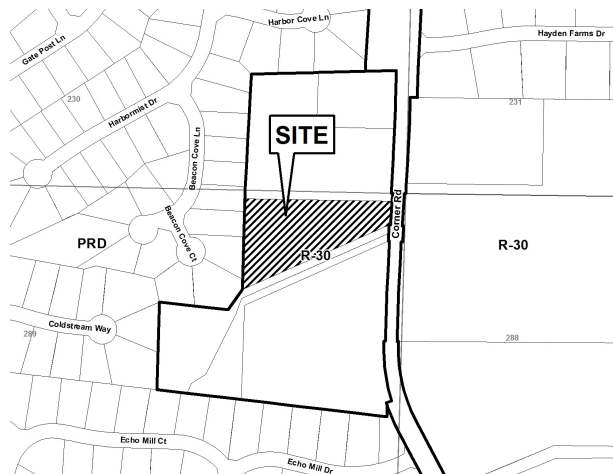
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **VOTE** _____

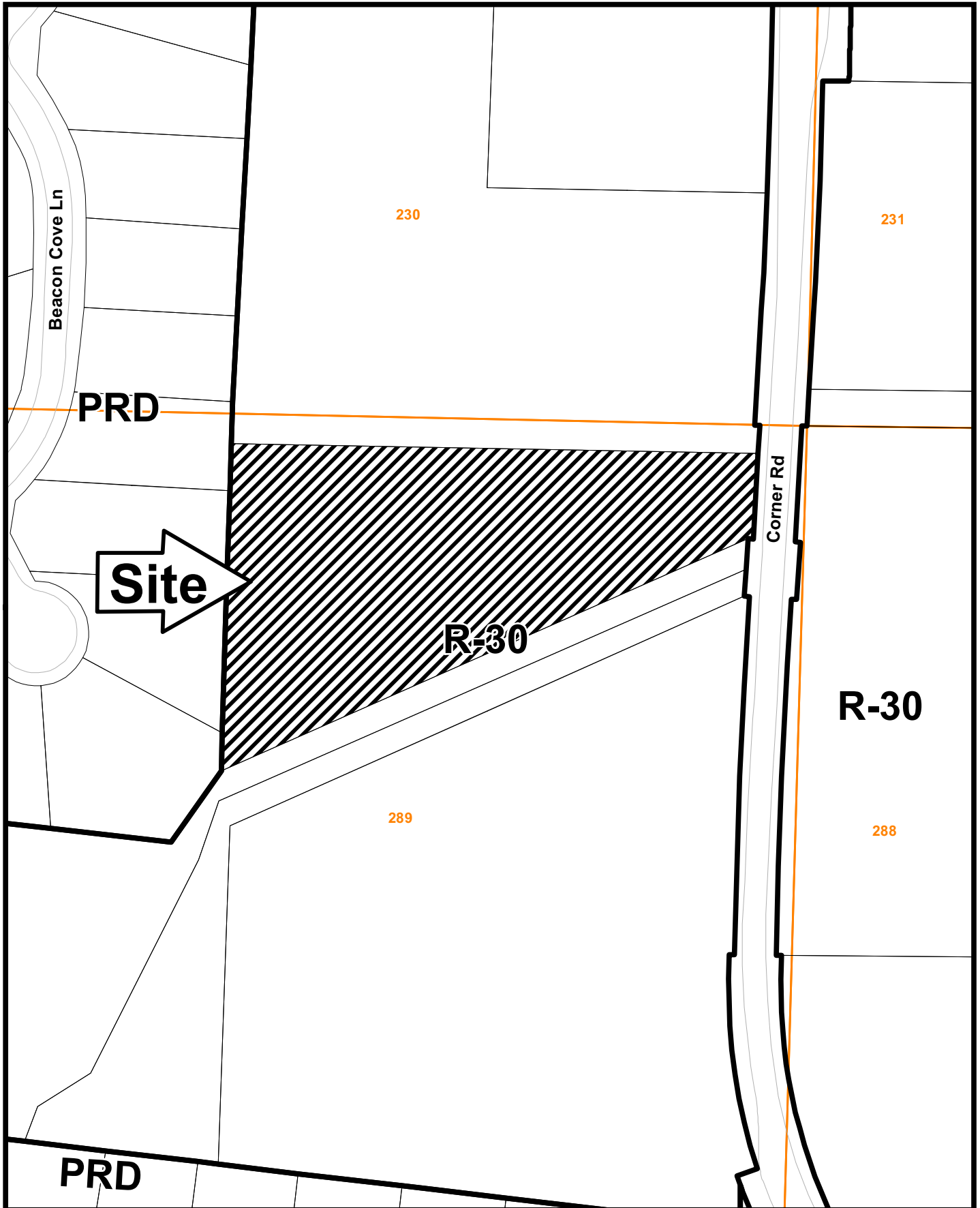
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **VOTE** _____

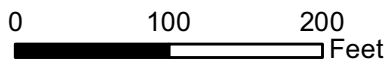
STIPULATIONS:





Z-27



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Mr. and Mrs. Charles Adedoyin

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PRESENT ZONING: R-30

PETITION FOR: R-20

ZONING COMMENTS:

Staff Member Responsible: Terry Martin MPA

Land Use Plan Recommendation: VLDR very low density residential

Proposed Number of Units: 3 **Overall Density:** 1.31 **Units/Acre**

Staff estimate for allowable # of units: 1 **Units*** **Increase of:** 2 **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.

The applicant is requesting a rezoning of the subject property from its current R-30 single-family residential district to the R-20 single-family residential district in order to develop three (3) homes. The proposed homes will be 4,000 square feet or greater in size, two story traditional in style with anticipated selling prices of \$620,000 to \$780,000 or greater. The lots' sizes will range from 22,178 square feet to 42,840 square feet and two (2) of the lots will be accessed by a private 25 foot easement from Corner Road with lot 1 having 66 feet of road frontage on same. Setbacks, as presented, are over and above the standards with the front shown as 45 feet (40 feet required) and sides 15 feet, 20 feet, and 40 feet as shown (10 feet required).

Since lot 1 only has only 66 feet of road frontage (under the 75 foot requirement) and two (2) of the three (3) lots have no public road frontage (accessed by easement) in addition to being under 80,000 square feet (26,119 sq. ft. and 42,840 sq. ft.), the request should be approved specific to the presented site plan to accommodate the required variances.

Cemetery Preservation: No comment.

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SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Kemp</u>	<u>982</u>	<u>Under</u>	<u> </u>
Elementary <u>Lost Mountain</u>	<u>1,064</u>	<u>Over</u>	<u> </u>
Middle <u>Hillgrove</u>	<u>2,404</u>	<u>Over</u>	<u> </u>

High

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

Additional Comments:

FIRE COMMENTS:

- Driveway must have a minimum 20' driving surface width with minimum 25' inside turning radius where serving 3 or more residence and 12' where serving 2 or less residence.
2. Fully developed landscaping shall be at least 7'0" from center of drive (14' clear width) and 13'6" vertical clearance. (Indicate on plan minimum setbacks).
 3. Maximum grade shall not exceed 18%.
 4. Driveway must extend within 150' of the most remote portion of the structure.
 5. Driveway is limited to 1000' maximum from roadway unless an approved turn-around is provided. (See note below.)
 6. Driveway must support 25 Tons (50,000 lbs.)
 7. Provide emergency access to all gates securing Fire Dept. access with a minimum 12'-0" clear width
 8. Hydrant within 500' of remote structure, minimum 6" main*
(Required Flow: 1000 gpm @ 20 psi)

* An alternate equivalency for the above hydrant/flow test requirements, subject to approval by the Cobb County Fire Marshal's Office is one of the following:

- 1.) NFPA 13D Sprinkler System
- 2.) Complete structure treated with a Class-A Fire Retardant spray meeting a flame spread of 25 or less and smoke development of 450 or less.
- 3.) Non-Combustible construction.

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PRESENT ZONING: R-30

PETITION FOR: R-20

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to R-20 for the purpose of three residential lots. The 2.29 acre site is located on the west side of Corner Road, north of Echo Mill 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 Very Low Density Residential (VLDR) future land use category, with R-30 zoning designation. The purpose of the Very Low Density Residential (VLDR) category is to provide for areas that are suitable for very low density housing, particularly in locations which may not have basic services such as sewer, or where the existing or desired residential development pattern is zero to two (2) dwelling units per acre.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)
East: Very Low Density Residential (VLDR)
South: Very Low Density Residential (VLDR)
West: Very Low Density Residential (VLDR)

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?

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PLANNING COMMENTS: (Continued)

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>.

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)

Bird / Wildlife Air Strike Hazard (BASH) area

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PRESENT ZONING R-30

PETITION FOR R-20

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): 10" DI / W side of Corner Rd

Additional Comments: Meters to be set at public ROW along property frontage

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: 185' W in Beacon Cove Court

Estimated Waste Generation (in G.P.D.): A D F= 480 Peak= 1200

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

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 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: Public sewer must be 8" minimum.

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.

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STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Florence Br (E), Mill Cr Trib #1 (W) FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITIONS

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving system within Echo Mill Subdivision.

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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. The existing site is wooded with a mixture of soft and hardwoods. Slopes range from an average of 5 to 15%. The triangular-shaped site has a slight ridge running through the middle such that approximately 2/3 of the site drains to the west into Echo Mill Subdivision via to existing drainage easements. The remaining 1/3 drains to the east to the Corner Road right-of-way.
2. The Stormwater Management Division is not in favor of utilizing underground detention for residential developments as shown. However, if the re-zoning is approved to R-20 there is sufficient area available to provide standard above-ground detention while maintaining the required minimum 20,000 sf lot sizes.

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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
Corner Road	4700	Major Collector	35 mph	Cobb County	80'

Based on 2006 traffic counting data taken by Cobb County DOT for Corner Road.

COMMENTS AND OBSERVATIONS

Corner Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

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

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 west side of Corner Road, a minimum of 40' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the Corner Road frontage.

STAFF RECOMMENDATIONS

Z-27 MR. AND MRS. CHARLES ADEDOYIN

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The request, if approved, would result in a density of 1.31 units per acre much less dense than the nearest adjoining neighborhood, Echo Mill, which has over 2 units per acre.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The request is to allow residential development that is in keeping with the existing development in the area.
- 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 or utilities. However, the school system does state two schools in this area are over capacity.
- 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*. The property is in an area delineated as VLDR very low density residential which forecasts residential development in the range of 0-2 units per acre. The proposed development, resulting in 1.31 units per acre, is well within the range set by the VLDR category.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The request is to allow residential development of the property that is in keeping with that development in the surrounding area. In fact, the proposed density of 1.31 units per acre is less than nearby Echo Mills subdivision (2.21 units per acre) and well within the range forecast by the property's VLDR future land use category (0-2 units per acre).

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

1. Site plan received by the Zoning Division on February 4, 2016 with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Stormwater Management Division comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Department of Transportation comments and recommendations;
6. Waiver of the required public road frontage for lot 1 from 75 feet to 66 feet and to zero feet for lots 2 and 3 and accompanying lot size reduction for lots 2 and 3 from the required 80,000 sq. ft. to 26,119 sq. ft. and 42,840 sq. ft., respectively; and
7. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application No. Z-27

PC Hearing: April 1, 2016
BOC Hearing: April 19, 2016

Summary of Intent for Rezoning *

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

- a) Proposed unit square-footage(s): 4,000 square feet or greater
- b) Proposed building architecture: Traditional 2-story (submitted under separate cover)
- c) Proposed selling prices(s): \$620,000 - \$780,000 or greater
- d) List all requested variances: 1) Waive the public road frontage to allow 3 homes to access off private easement; 2) Waive the minimum lot size from 80,000 square feet to 22,178 square feet (Lot No. 1), 26,119 square feet (Lot No. 2), and 42,840 square feet (Lot No. 3).

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

- a) Proposed use(s): N/A
- 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)

The subject property is presently zoned R-30 but is contiguous and to the east of a subdivision (Echo Mill Unit VIII) zoned PRD with lot sizes ranging from 11,360 square feet to 46,967 square feet and in an area on the Future Land Use Map which allows densities up to 2 units per acre.

.....
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). N/A

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