

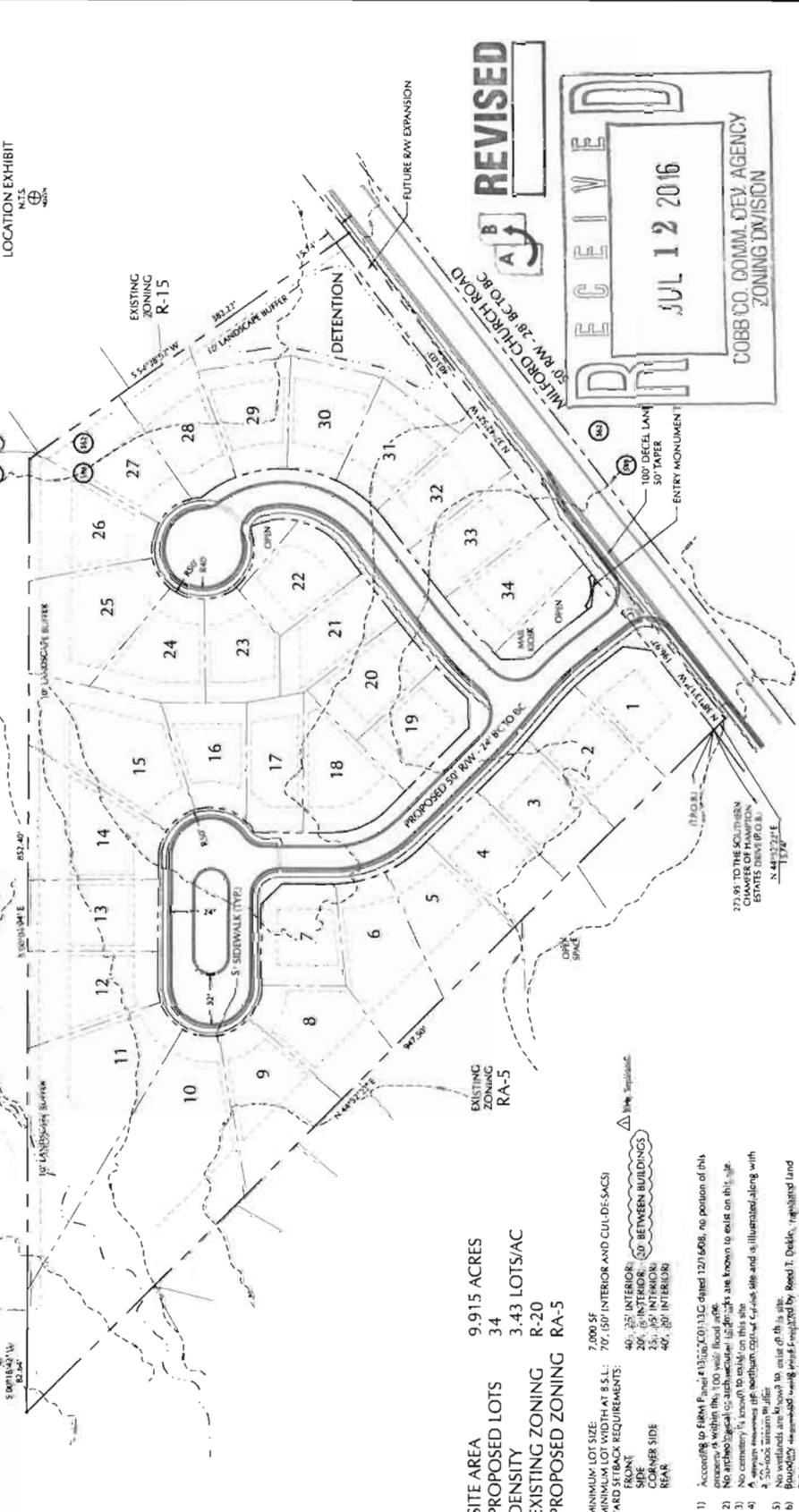
Z-62  
(2016)

NO.	DATE	BY	REVISIONS
1	7/12/16	...	...
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MILFORD CHURCH ROAD TRACT  
 COBB COUNTY, GEORGIA - 19th DISTRICT, 2nd SECTION, LAND LOTS 549 & 562  
 VENTURE HOMES, INC.  
 COBB COUNTY, GEORGIA

TITLE	ZONING PLAN
DATE	5/20/16
PERMITS	160152pw-1
CONTRACT	160152pw-1
DRAWN BY	TS
CHECKED BY	TS
SCALE	1" = 30'
SHEET	Z-1
	1 OF 1

Not Required For Construction



**REVISED**

**RECEIVED**

JUL 12 2016

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



SITE AREA 9.915 ACRES  
 PROPOSED LOTS 34  
 DENSITY 3.43 LOTS/AC  
 EXISTING ZONING R-20  
 PROPOSED ZONING RA-5

- MINIMUM LOT SIZE 7,000 SF  
 MINIMUM LOT WIDTH AT R.S.L. 70'-00" INTERIOR AND C.U.-DS-SACS  
 YARD SETBACK REQUIREMENTS:  
 FRONT 40'-00" INTERIOR;  
 SIDE 20'-00" INTERIOR;  
 CORNER SIDE 25'-00" INTERIOR;  
 REAR 40'-00" INTERIOR

- 1) According to FIRM Panel #1310a, COI-13C dated 12/1/08, no portion of this property is within the 100 year flood zone.
- 2) No archeological or architectural landmarks are known to exist on this site.
- 3) No cemetery is known to exist on this site.
- 4) A average easements are northern portion of site and is illuminated along with 4'-50-foot stream w. side.
- 5) No wetlands are known to exist on this site.
- 6) This site is zoned RA-5 and is zoned RA-5.
- 7) Topographic information is from Cobb County GIS

**APPLICANT:** Venture Homes  
**PHONE#:** 770-955-8300 **EMAIL:** \_\_\_\_\_  
**REPRESENTATIVE:** Robert C. White  
**PHONE#:** 770-955-8300 **EMAIL:** \_\_\_\_\_  
**TITLEHOLDER:** Ronald W. Mann & Marsha H. Mann

**PETITION NO:** Z-62  
**HEARING DATE (PC):** 08-02-16  
**HEARING DATE (BOC):** 08-16-16  
**PRESENT ZONING:** R-20  
**PROPOSED ZONING:** RA-5

**PROPERTY LOCATION:** On the easterly side of Milford Church Road, east of Powder Springs Road (1910 Milford Church Road)

**PROPOSED USE:** Single-family Subdivision

**ACCESS TO PROPERTY:** Milford Church Road

**SIZE OF TRACT:** 9.915 acres

**DISTRICT:** 19

**PHYSICAL CHARACTERISTICS TO SITE:** One story frame house with attendant buildings

**LAND LOT(S):** 549, 562

**PARCEL(S):** 13

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** RA-5/ South Hampton Estates  
**SOUTH:** R-20/ Rustic Village  
**EAST:** R-80/ Milford Farms  
**WEST:** R-20/ Single-family residences

*Adjacent Future Land Use:*  
 Northwest: Medium Density Residential (MDR)  
 East: Low Density Residential (LDR)  
 Southeast: Medium Density Residential (MDR)  
 Southwest: Low Density Residential (LDR)

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

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

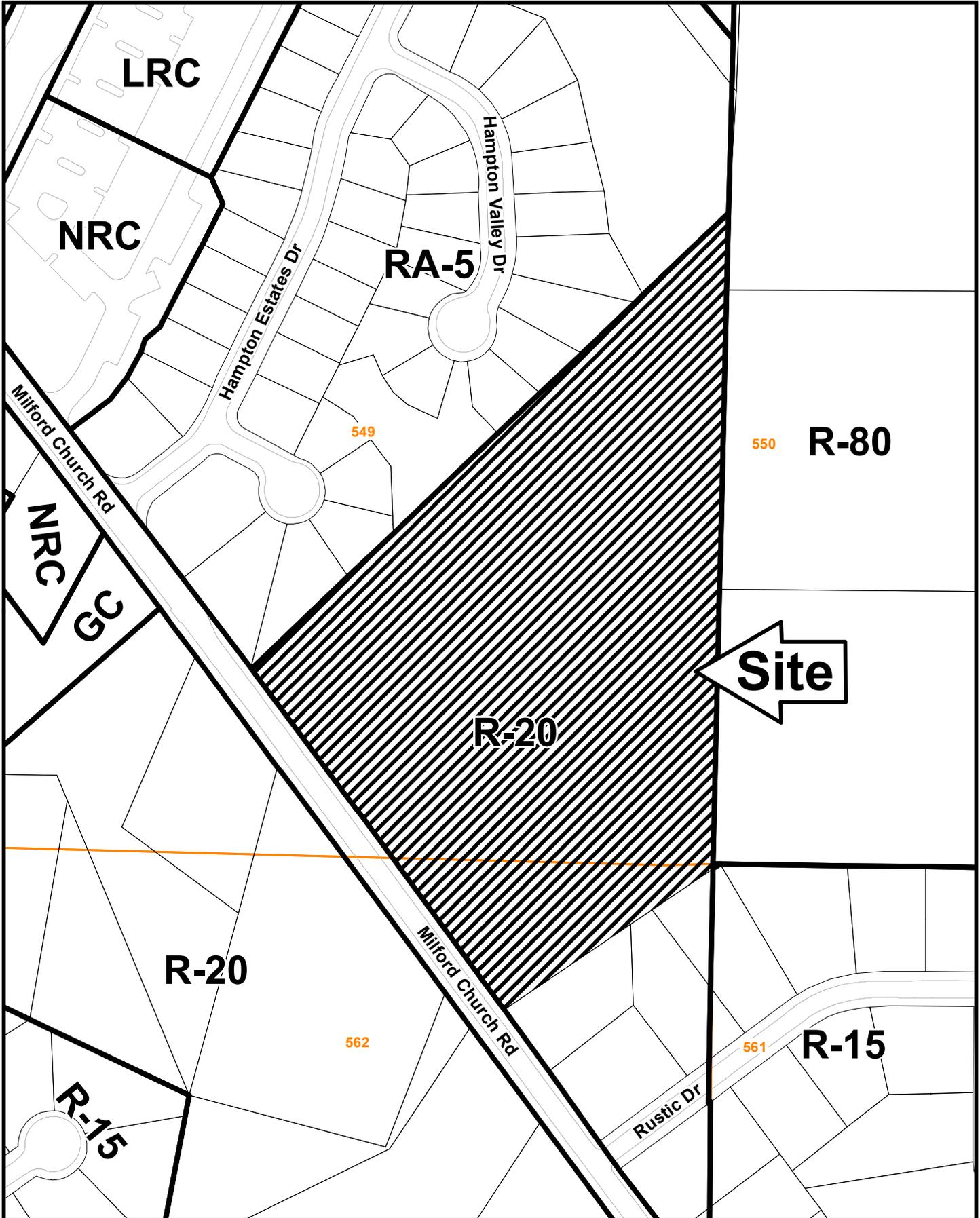
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_  
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_  
**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# Z-62-2016 GIS



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:** Venture Homes

**PETITION NO.:** Z-62

**PRESENT ZONING:** R-20

**PETITION FOR:** RA-5

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**ZONING COMMENTS:**

**Staff Member Responsible:** Terry Martin, MPA

**Land Use Plan Recommendation:** Medium Density Residential (2.5-5 units per acre)

**Proposed Number of Units:** 34                      **Overall Density:** 3.43                      **Units/Acre**

**Staff estimate for allowable # of units:** 17 Units\*                      **Increase of:** 17                      **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 proposing to rezone the currently R-20 singly-family residential district property to the RA-5 single-family residential district in order to develop the 9.9 acres into a 34 lot subdivision. As proposed, the subdivision will meet all requirements of the RA-5 district including setbacks and lot size. The applicant has indicated that the proposed homes will be 2,000 to 3,000 square feet in size and of craftsman/traditional architecture with proposed selling prices of \$200,000 to \$300,000.

**Cemetery Preservation:** No comment.

APPLICANT: Venture Homes

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: RA-5

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
Hollydale Elem	634	615	
Elementary Smitha	966	1023	
Middle Osborne	1967	2062	

**High**

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

**Additional Comments:**

Approval of this petition will not have a significant impact on the enrollment at these schools.

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**FIRE COMMENTS:**

Cobb County Fire Marshal’s Office recommendations:

- Guest Parking be implemented to facilitate clear roadways for emergency vehicle response

Modifications may be required to incorporate the Cobb County Fire Marshal’s Office comments.

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

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

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

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

GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided at a ratio of one-half space for each dwelling unit (1 space/ 2 units).

**APPLICANT: Venture Homes**  
**PRESENT ZONING: R-20**

**PETITION NO.: Z-62**  
**PETITION FOR: RA-5**

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to RA-5 for the purpose of a single-family subdivision. The 9.915 acre site is located on the easterly side of Milford Church Road, east of Powder Springs Road (1910 Milford Church Road).

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 Medium Density Residential (MDR) future land use category, with R-20 zoning designation. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing, between two and one-half (2.5) and five (5) 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:

Northwest: Medium Density Residential (MDR)  
East: Low Density Residential (LDR)  
Southeast: Medium Density Residential (MDR)  
Southwest: Low Density Residential (LDR)

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.

Is the property within an Enterprise Zone?  Yes  No

The Smyrna-Osborne 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.

**APPLICANT: Venture Homes**

**PRESENT ZONING: R-20**

**PETITION NO.: Z-62**

**PETITION FOR: RA-5**

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**PLANNING COMMENTS:**

CONT.

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

APPLICANT Venture Home

PETITION NO. Z-062

PRESENT ZONING R-20

PETITION FOR RA-5

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**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): 8" DI / E side of Milford Church Rd

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.

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**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: Milford Church Rd ROW

Estimated Waste Generation (in G.P.D.): A D F= 5,440 Peak= 13,600

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:

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: Venture Homes

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: RA-5

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley Creek FLOOD HAZARD INFO: Zone X

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

WETLANDS:  YES  NO  POSSIBLY, NOT VERIFIED

Location: in and adjacent to lake bed

- 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 and existing 24-inch RCP culvert at Rustic Drive..

APPLICANT: Venture Homes

PETITION NO.: Z-62

PRESENT ZONING: R-20

PETITION FOR: RA-5

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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. This parcel has an existing lake located onsite that has been recently drained. There may be wetlands associated the lake bed and stream buffers that may impact the site layout. Any required buffer variances or Corps of Engineers permitting of fill placement within wetlands or waters of the US must be obtained prior to permitting.
2. The majority of the site drains through the existing dam into and through the Rustic Village Subdivision to the south. A portion of the northeast corner of the site drains to the east through two estate-sized residential parcels before flowing into the Rustic Village Subdivision. Portions of Lots 10-14 will bypass proposed stormwater management facility, therefore all impervious runoff will be required to discharge to the street to limit offsite bypass.
3. There is an existing detention pond located just upstream of the site within the South Hampton Estates Subdivision. Adequate conveyance of this discharge must be provided through the site.
4. A downstream analysis at the Rustic Drive culvert will be required to verify no adverse impact or increase in headwater pool elevations. There are two existing residences whose lowest floors are located near or below the low point of Rustic Drive.

**APPLICANT:** Venture Homes

**PETITION NO.:** Z-62

**PRESENT ZONING:** R-20

**PETITION FOR:** RA-5

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Milford Church Road	6,520	Major Collector	35 mph	Cobb County	80'

*Based on 2013 traffic counting data taken by Cobb County DOT for Milford Church Road.*

**COMMENTS AND OBSERVATIONS**

Milford Church 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 to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Milford Church Road, a minimum of 40' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk along the Milford Church Road frontage.

Recommend no monument signs on the right-of-way.

As necessitated by this development, recommend Milford Church Road access include deceleration lane and left turn lane. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

Recommend a no access easement along the lots that border Milford Church Road.

## STAFF RECOMMENDATIONS

### **Z-62 VENTURE HOMES**

- 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. Located along Milford Church Road, a major collector roadway, the proposed subdivision is immediately adjacent to the south of the South Hampton Estates subdivision which is also zoned RA-5 and has a density of 3.37 units per acre (upa).
- 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. As mentioned, the proposal will be in keeping with the immediately adjacent RA-5 subdivision to the north while also providing for the Code-required 10 foot landscape buffer adjacent to those residential subdivisions of a more restrictive category to the east and south.
- 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 the property to be within a MDR medium density residential future land use area. This category forecasts residential development with a density ranging between 2.5 to 5 dwelling units per acre. The current proposal is for a subdivision with a density of 3.43 upa, within the MDR category's forecasted range.
- 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 proposal for a RA-5 single-family residential development is in keeping with other, immediately adjacent subdivisions while providing the Code-required buffering between nearby residential developments of a more restrictive zoning. Moreover, without any variances requested, the proposed subdivision falls easily within the density forecasted by its MDR medium density residential future land use category, it achieving a density of 3.43 upa which is within that category's 2.5-5 upa.

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

1. Revised site plan received by the Zoning Division on July 12, 2016, with the District Commissioner approving minor modifications;
2. Landscape plan to be reviewed and approved by the County Arborist;
3. Water and Sewer Division comments and recommendations;
4. Fire Department comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Department of Transportation comments and recommendations; 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.

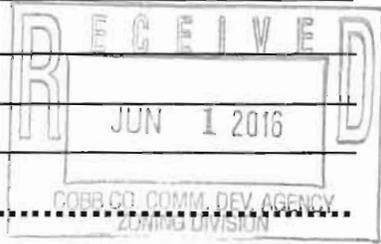
**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**

Aug. 2016

# Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): 2,000 - 3,000 sq. ft.
- b) Proposed building architecture: Craftsman Traditional
- c) Proposed selling prices(s): \$200K - \$300K
- d) List all requested variances: \_\_\_\_\_



.....  
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: \_\_\_\_\_

W/A

.....  
Part 3. Other Pertinent Information (List or attach additional information if needed)

W/A

\_\_\_\_\_  
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