

**FLOOD NOTE:**  
THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A./ F.I.R.M. MAP # 1306700042H DATED 03/04/2013

**ADDRESS:**  
4509 CANTON HIGHWAY, MARIETTA 30066

**RECEIVED**  
OCT - 6 2016  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

**SURVEY NOTES:**  
THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY BOTH PUBLIC AND PRIVATE. ALL MATTERS OF TITLE EXCEPTED, THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS BEEN RECHECKED AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 4900'S FEET. FOR FIELD MEASUREMENTS: EQUIPMENT USED 1502;  
LINEAR - ELECTRONIC DISTANCE METER;  
DRAWN - ELECTRONIC DISTANCE METER;  
ALL IRON PINS FOUND AND SET ARE 1/2" REBAR UNLESS OTHERWISE NOTED.  
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ANY RECORDS, DEEDS, PLATS, OR OTHER DOCUMENTS INCLUDING EASEMENTS WHETHER OR NOT SHOWN ON THIS PLAT. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON. EDITING OR REPRODUCTION WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

**WRITTEN DESCRIPTION:**  
All that Tract or Parcel of Land lying and being located in Land Lot 132 of the 16th District, 2nd Section of Cobb County, Georgia and being more particularly described as follows:  
To ascertain the Point of Beginning commence at a 1/2 inch diameter rebar located at the intersection of the west right of way of Canton Road, having a 95 foot right of way, and the South line of Land Lot 132; thence along the south line of Land Lot 132 North 89 Degrees 00 Minutes 00 Seconds West a distance of 300.00 feet to a 1/2 inch diameter rebar and the POINT OF BEGINNING; thence continuing along the south line of Land Lot 132 North 88 Degrees 48 Minutes 29 Seconds West a distance of 146.09 feet to a 1/2 inch diameter rebar; thence leaving said Land Lot North 06 Degrees 37 Minutes 55 Seconds East a distance of 190.02 feet to a 1/2 inch diameter rebar; thence South 89 Degrees 00 Minutes 24 Seconds East a distance of 141.62 feet to a 1/2 inch diameter rebar; thence South 05 Degrees 16 Minutes 28 Seconds West a distance of 190.13 feet to a 1/2 inch diameter rebar at the south line of Land Lot 132 and the POINT OF BEGINNING; described Tract or Parcel having an area of 27243 square feet or 0.625 acres, more or less

**LEGEND**

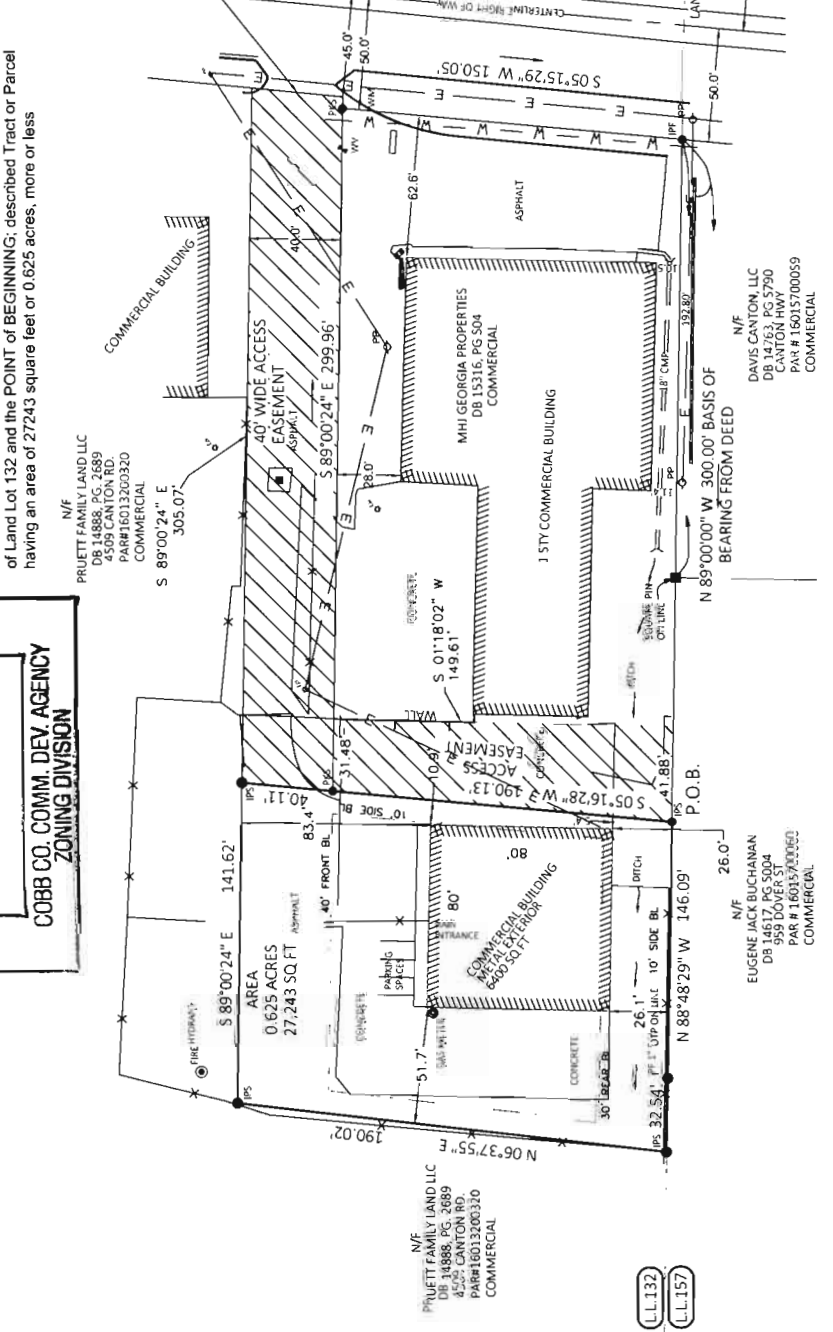
- PROPERTY CORNER WITHOUT MONUMENT
- MONUMENTED PROPERTY CORNER
- TYPICAL CURB OR SIDEWALK
- TYPICAL DRIVE OR WALK
- TYPICAL DEED BOOK
- TYPICAL PLAT BOOK
- TYPICAL PRESENT OR FORMER
- TYPICAL METRIC SCALE
- TYPICAL IRON PIN SET FUTURE
- TYPICAL IRON PIN FOUND
- TYPICAL LAND LOT
- TYPICAL SUBDIVISION
- TYPICAL POINT OF BEGINNING
- TYPICAL OVERHEAD POWER LINE
- TYPICAL DRAINAGE EASEMENT
- TYPICAL WATER LINE (MARKED ON GROUND)
- TYPICAL FENCE
- TYPICAL BUILDING LINE

THE SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE PROFESSIONAL BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS AMENDED BY THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

DAVID W. SHIRLEY, R.L.S.  
LAND SURVEYOR  
NO. 146270

MAY OPINION THIS PLAT DOES NOT CONSTITUTE AUTHORITY AND IS NOT SUBJECT TO GEORGIA CODE SECTION 15-6-67 (F 70)

- SURVEY NOTES:**
1. THE INTENDED USE OF THE BUILDING IS COMMERCIAL.
  2. THE MARKED PARKING SPACES ARE SHOWN ON THE MAP.
  3. THERE ARE NO LAKES OR STREAMS ON THE PROPERTY.
  4. THE UTILITY EASEMENTS ARE BLANKET IN DESCRIPTION AND UNABLE TO BE GRAPHICALLY SHOWN. THE PROPERTY HAS ACCESS TO ALL UTILITIES.
  5. THE PROPERTY DOES NOT LIE WITHIN AN AREA HAVING A 100 YEAR FLOOD HAZARD.
  6. THERE ARE NO APPARENT CEMETERIES ON THE PROPERTY.
  7. THERE ARE NO WETLANDS ON THE PROPERTY.
  8. ACCESS TO PROPERTY IS OVER A PRIVATE DRIVE TO THE RIGHT OF WAY OF CANTON ROAD. THE ACCESS IS BASED ON A 40' WIDE EASEMENT SHOWN ON MAP.
  9. THE PROPERTY DOES NOT LIE ADJACENT TO ANY STATE WATERS OR OTHER WATERS REQUIRING A BUFFER.
- ZONING NOTE:**
1. THE CURRENT ZONING IS GC (GENERAL COMMERCIAL). SETBACKS: FRONT 40 FEET, SIDE 10 FEET, REAR 30 FEET.
  2. THE PROPOSED ZONING IS CRC (COMMUNITY RETAIL COMMERCIAL). ZONING REQUIREMENTS: MIN LOT AREA: 20,000 SQ. FT. MIN FLOOR AREA: N/A MIN LOT WIDTH: 75 FT. MINIMUM FRONT YARD: 40 FT. MIN. SIDE YARD: 10 FT. MIN. REAR YARD: 30 FT. MAX. COVERAGE(S): N/A MAX. HEIGHT: 50 FT.



**BOUNDARY SURVEY FOR:**  
**MHJ GEORGIA PROPERTIES, LLC**  
LAND LOT 132, 16th DISTRICT, 2nd SECTION  
COBB COUNTY, GEORGIA  
DATE OF FIELDWORK: 09/23/2016 MAP DATE: 09/27/2016

REFERENCE: DB, 14888, PG 2687

**PREPARED BY:**  
**D & S LAND SURVEYING, INC.**  
DAVID W. SHIRLEY, R.L.S.  
160 NORTH STREET, SUITE 104  
CANTON, GA 30114  
770-720-4443  
LSF#000756

**AREA OF ACCESS EASEMENTS:**  
40' WIDE EASEMENT = 12,200 SQ.FT.  
OTHER ACCESS EASEMENT = 5488 SQ.FT.

**BOUNDARY AREA**  
0.625 ACRES

**AREA OF ACCESS EASEMENTS:**  
40' WIDE EASEMENT = 12,200 SQ.FT.  
OTHER ACCESS EASEMENT = 5488 SQ.FT.

**DRAWING SCALE:** 1" = 40'  
**GRAPHIC SCALE:** 0' 40' 80'

**JOB NUMBER:** 16-376

**APPLICANT:** Prime Collision Repair

**PHONE#:** 678-429-1449 **EMAIL:** mjackspad@hotmail.com

**REPRESENTATIVE:** Garvis L. Sams, Jr.

**PHONE#:** 770-422-7016 **EMAIL:** gsams@slhb-law.com

**TITLEHOLDER:** Pruett Family LP

**PROPERTY LOCATION:** Located off a private easement on the west side of Canton Road, north of Dover Street (western portion of 4515 Canton Road)

**ACCESS TO PROPERTY:** Canton Road

**PHYSICAL CHARACTERISTICS TO SITE:** Existing Metal building

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** GC/Pruett Construction
- SOUTH:** PSC & GC/Knotty Pine Subdivision, Advance Auto Parts
- EAST:** NS & LI/Our Pals Place, Marathon Electric Inc.
- WEST:** GC/Pruett Construction

**PETITION NO:** Z-105

**HEARING DATE (PC):** 12-06-16

**HEARING DATE (BOC):** 12-20-16

**PRESENT ZONING** GC

**PROPOSED ZONING:** CRC

**PROPOSED USE:** Automotive Paint and Body Repair Shop

**SIZE OF TRACT:** 0.625 acres

**DISTRICT:** 16

**LAND LOT(S):** 132

**PARCEL(S):** 6

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

**COMMISSION DISTRICT:** 3

*Adjacent Future Land Use:*  
North: Neighborhood Activity Center (NAC)  
East: Industrial Compatible (IC)  
South: Neighborhood Activity Center (NAC) and Low Density Residential (LDR)  
West: Neighborhood Activity Center (NAC)

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

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

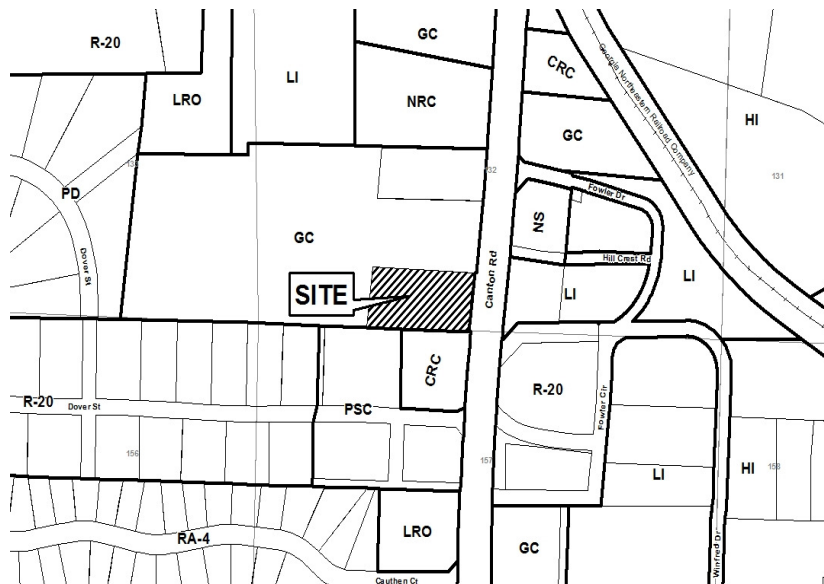
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

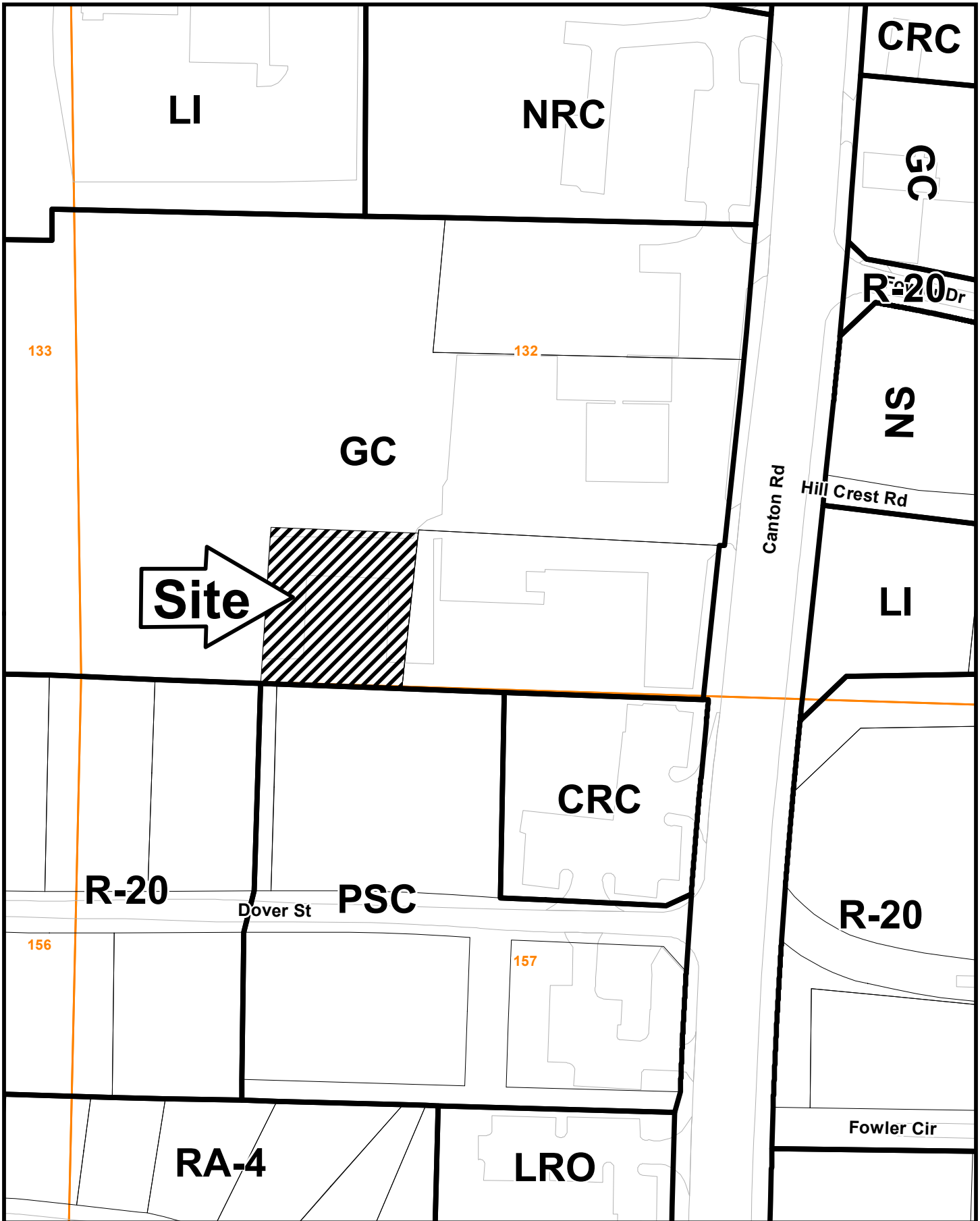
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

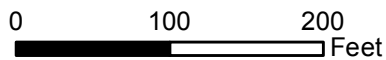
**STIPULATIONS:**



# Z-105-2016 GIS



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



- City Boundary
- Zoning Boundary

**APPLICANT:** Prime Collision Repair

**PETITION NO.:** Z-105

**PRESENT ZONING:** GC

**PETITION FOR:** CRC

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**ZONING COMMENTS:**

**Staff Member Responsible:** Kim Wakefield

**Land Use Plan Recommendation:** Neighborhood Activity Center

**Proposed Number of Buildings:** 1      **Total Square Footage of Development:** 6400

**F.A.R.:** 0.234      **Square Footage/Acre:** 10240

**Parking Spaces Required:** 6      **Parking Spaces Provided:** 4 (cross parking agreement)

The applicant is requesting rezoning from General Commercial (GC) to Community Retail Commercial (CRC) for the purpose of operating an automotive paint and body repair shop. The property was a legal non-conforming use; however, when the property remained vacant for over six months, the status was no longer valid. The applicant owns and operates his business out of the adjacent property and would like to utilize this building for his business. The current building will remain the same on the exterior with only interior renovations. The hours of operation will be Monday through Friday from 8 .m. until 5 p.m. The applicant has 12 employees for his current business that will also operate at this location.

The following contemporaneous variances will be required for this request as proposed:

1. Waive the required road frontage from 50 feet to zero to allow access off a private easement;
2. Waive the front setback from 50 feet to 5 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.

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APPLICANT: Prime Collision Repair

PETITION NO.: Z-105

PRESENT ZONING: GC

PETITION FOR: CRC

\*\*\*\*\*

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Elementary</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>Middle</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>High</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

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

**Additional Comments:** Approval of this petition will not have an impact on the enrollment at Cobb County schools.

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**FIRE COMMENTS:**

NO 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.

**SITE PLAN REVIEW SECTION COMMENTS:**

A Land Disturbance Permit must be obtained by the property owner in order to perform any site modifications and/or landscaping which may be required as a rezoning approval stipulation. Contact the Community Development Agency/Site Plan Review Section at 770-528-2147.

**APPLICANT: Prime Collision Repair**  
**PRESENT ZONING: GC**

**PETITION NO.: Z-105**  
**PETITION FOR: CRC**

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC to R-20 for the purpose of automotive paint and body repair shop. The 0.625 acre site is located off a private easement on the west side of Canton Road, north of Dover Street (western portion of 4515 Canton 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 Neighborhood Activity Center (NAC) future land use category, with GC 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: Industrial Compatible (IC)  
South: Neighborhood Activity Center (NAC) and Low Density Residential (LDR)  
West: Neighborhood Activity Center (NAC)

Master Plan/Corridor Study

The property is located within the boundary of a the Canton Road 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

If yes, design guidelines area Canton Road Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings  
 Yes  No  Not applicable
- Streetscape elements  
 Yes  No  Not applicable
- Building Frontage  
 Yes  No  Not applicable
- Parking Standard  
 Yes  No  Not applicable
- Architecture standard  
 Yes  No  Not applicable

**APPLICANT: Prime Collision Repair**

**PRESENT ZONING: GC**

**PETITION NO.: Z-105**

**PETITION FOR: CRC**

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**PLANNING COMMENTS:**

CONT.

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

APPLICANT Prime Collision Repair

PETITION NO. Z-105

PRESENT ZONING GC

PETITION FOR CRC

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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): 16" CI / W side of Canton Road

Additional Comments: Existing water customer

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: 60' N

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

Treatment Plant: Noontday

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 Existing sewer customer  
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: Prime Collision Repair

PETITION NO.: Z-105

PRESENT ZONING: GC

PETITION FOR: CRC

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Little Noonday 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: \_\_\_\_\_

- 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 may be 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

**APPLICANT: Prime Collision Repair**

**PETITION NO.: Z-105**

**PRESENT ZONING: GC**

**PETITION FOR: CRC**

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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 is an existing facility and no substantial site improvements are proposed in the near future. Stormwater management will be required upon redevelopment or substantial improvement of the site.
2. All repairs must be performed inside the building.

**APPLICANT:** Prime Collision Repair

**PETITION NO.:** Z-105

**PRESENT ZONING:** GC

**PETITION FOR:** CRC

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Canton Road	29,800	Arterial	45 mph	Cobb County	100'

*Based on 2016 traffic counting data taken by Cobb County DOT for Canton Road.*

**COMMENTS AND OBSERVATIONS**

Canton Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

**RECOMMENDATIONS**

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 west side of Canton Road, a minimum of 50' from the roadway centerline.

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

Recommend sidewalk along the frontage of Canton Road.

## STAFF RECOMMENDATIONS

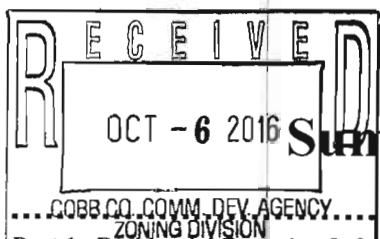
### **Z-105 PRIME COLLISION REPAIR**

- 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 building itself will not change. The applicant would like to utilize a vacant building located behind his current business.
- 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 adjacent property is an existing automotive paint and body shop repair that has been operating for years at this location.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being within a Neighborhood Activity Center (NAC) land use category. The requested Community Retail Commercial (CRC) zoning category is not compatible with the NAC.
- 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. This property is zoned General Commercial (GC) in a NAC, and has been vacant for over a year. Therefore, the property has lost its "grandfathered" status and must be rezoned in order to allow any use on the property. The property is hidden behind the existing building on the property and is mostly unseen from the road. The existing body shop appears to be kept in good condition on the exterior. This property would be an annex of the existing body shop.

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

1. Site plan received in Zoning on October 6, 2016, with the District Commissioner approving minor modifications;
2. Letter of agreeable conditions from Adam Rozen dated November 2, 2016;
3. All variances listed in the analysis;
4. Applicant to install a 20 foot landscape buffer along the southern property line;
5. No outside storage or outdoor display of merchandise;
6. Fire Department comments and recommendations;
7. Water and Sewer comments and recommendations;
8. Stormwater Management comments and recommendations;
9. Department of Transportation comments and recommendations; and
10. 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.**



# Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): N/A
  - b) Proposed building architecture: \_\_\_\_\_
  - c) Proposed selling prices(s): \_\_\_\_\_
  - d) List all requested variances: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

- a) Proposed use(s): Automotive paint and body repair shop
  - b) Proposed building architecture: As-built, with interior renovations
  - c) Proposed hours/days of operation: Monday - Friday, 8:00 a.m. - 5:00 p.m.
  - d) List all requested variances: As shown on the site plan.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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

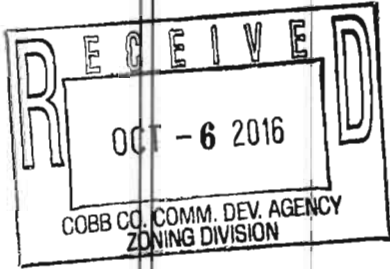
The subject property is located within the confines of a designated Activity Center under the Future Land Use Map.

\_\_\_\_\_

.....  
**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).** None known at this time.

\_\_\_\_\_

\* 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.



**ZONING IMPACT STATEMENT**  
**FOR THE REZONING APPLICATION**  
**OF PRIME COLLISION REPAIR**

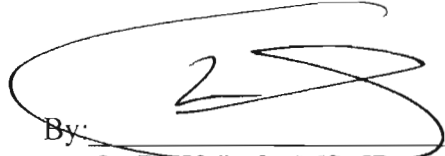
COMES NOW, PRIME COLLISION REPAIR, and pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this its Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of the Canton Road Corridor. The subject property is zoned GC and a preponderance of properties within this section of the Canton Road Corridor are zoned and utilized for Commercial and Industrial purposes, including non-conforming General Commercial zonings and uses.
- B. The zoning proposal will have no adverse effect or impact upon the exiting uses or usability of adjacent or nearby properties.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. The existing GC zoning classification is a significant economic detriment to the owner of the subject property.
- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.
- E. The property is located within a Neighborhood Activity Center (“NAC”) under and pursuant to Cobb County’s Future Land Use Map and Comprehensive Land Use Plan and the zoning proposal is adjacent to predominantly commercially and/or industrially zoned properties.

- F. There is no substantial relationship between the existing zoning classification of GC which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Canton Road Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 3<sup>rd</sup> day of Oct., 2016.

SAMS, LARKIN, HUFF & BALLI, LLP



By: \_\_\_\_\_  
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