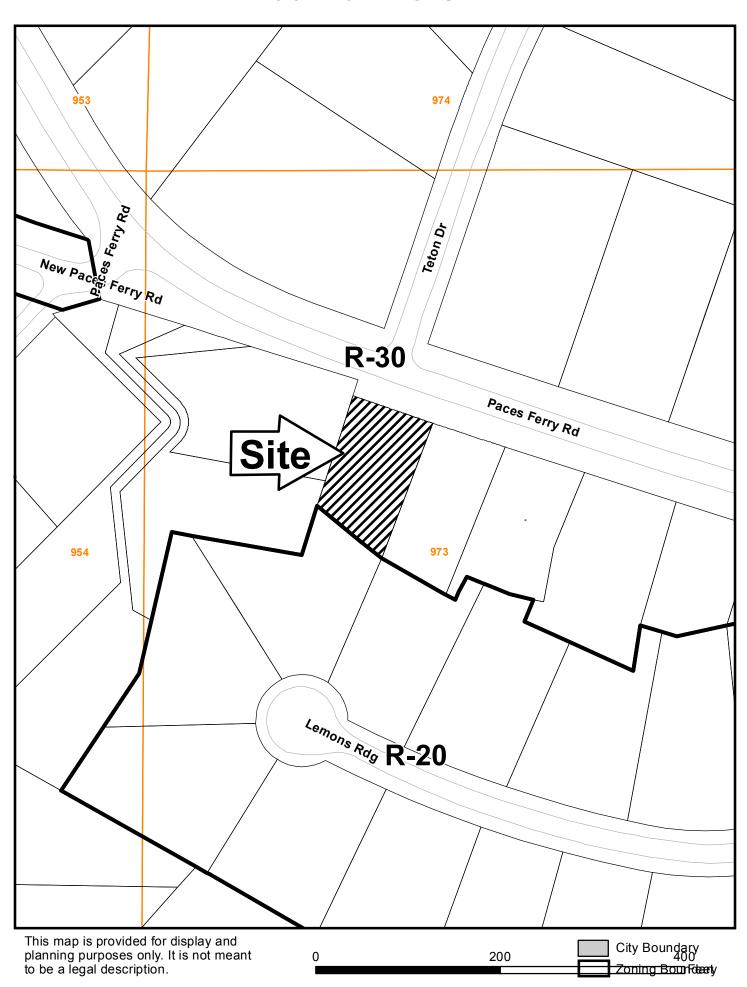


| APPLICAN' | T: Phyllis R. Johnson | PETITION NO: | Z-66 |
|--------------------------|---|--|---------------|
| | 678) 202-1257 EMAIL: phyl@familycapital.biz | | |
| | TATIVE: Monte C. Johnson | _ | |
| | 678) 202-202-1257 EMAIL: mcj@familycapital.biz | | |
| | DER: Phyllis R. Johnson | | |
| | | PROPOSED ZONING: | R-15 |
| PROPERTY | LOCATION: South side of Paces Ferry Road, east of | | |
| Randall Road | I | PROPOSED USE: Single- | family house |
| (4248 Paces I | Ferry Road) | | |
| ACCESS TO | PROPERTY: Paces Ferry Road | SIZE OF TRACT: | 0.29 acres |
| | | DISTRICT: | 17 |
| PHYSICAL | CHARACTERISTICS TO SITE: Single-family house | e LAND LOT(S): | 973 |
| | | PARCEL(S): | 12 |
| | | TAXES: PAID X D | |
| COMPLETIO | OUS ZONING/DEVELOPMENT | COMMISSION DISTRICT | Γ: 2 |
| SOUTH: EAST: WEST: | R-20/Lemon's Ridge Subdivision R-30/V.A. Robinson Subdivision R-30/Paces Oaks Subdivision | (VLDR) Southwest: Very Low Density (VLDR) Northwest: Very Low Density (VLDR) | |
| | ON: NO. OPPOSEDPETITION NO:SPOK COMMISSION RECOMMENDATION | ESMAN | |
| APPROVED | OMOTION BY\ | ggt of the state o | |
| REJECTED | SECONDED | 574 | |
| HELD | CARRIED | | |
| | | | |
| BOARD OF | COMMISSIONERS DECISION RM-8 | Now Pace Fent C | |
| | MOTION BY R30 | and the state of t | |
| | SECONDED | SITE | Cn8997 Pt |
| HELD | CARRIED | Pe Pe | aces Ferry Rd |
| STIPULATI | ONS: | R-20 | |

Z-66 2017-GIS



| APPLICANT: Phyllis R. Johnson | PETITION NO.: | Z-66 |
|---|-------------------------------|----------------------------|
| PRESENT ZONING: R-30 | PETITION FOR: | R-15 |
| ********** | * * * * * * * * * * * * * * | * * * * * * * * * * |
| ZONING COMMENTS: Staff Member Responsib | le: Jason A. Campbell | |
| | | |
| Land Use Plan Recommendation: Very Low Density F | Residential (0-2 units per ac | ere) |
| Proposed Number of Units: 1 Overall | Density: 3.44 Unit | s/Acre |
| | | ts/Lots |
| *Estimate could be higher or lower based on engineered plans taking into natural features such as creeks, wetlands, etc., and other unforeseen circum | | roperty, utilities, roadwa |

Applicant is requesting the R-15 zoning district for the purpose of a new single-family residence. The lot size is grandfathered at 12,429 square feet and the existing house was built in 1934, as was the establishment of the lot. The applicant is proposing a new 4,100 square-foot house. The architectural style will be English Cottage, consisting of stone, brick, slate, metal roof, substantially similar to the attached photographs. The proposed elevation and floor plans are also attached. The applicant has submitted consent forms from neighbors in the area of the property.

The applicant will require the following contemporaneous variances:

- 1. Waive the lot size to the existing 12,429 square feet; and
- 2. Waive the rear setback for the existing 227 square-foot shed from the proposed rear setback of 30 feet to the existing 4.1 feet (applicant wants to retain the shed as shown on the attached boundary survey).

<u>Cemetery Preservation</u>: No comment.

| APPLICANT: Phyllis R. Johnson | PETITION NO.: Z-66 |
|-------------------------------|--------------------|
| PRESENT ZONING: R-30 | PETITION FOR: R-15 |
| ********* | ******* |

SCHOOL COMMENTS:

| _ | | | Number of |
|------------------------|------------|----------|------------------|
| | | Capacity | Portable |
| Name of School | Enrollment | Status | Classrooms |
| Teasley | 888 | 771 | |
| Elementary Campbell | 1451 | 1203 | |
| Middle Campbell | 2788 | 2637 | |

High

• 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.

| APPLICANT: Phyllis R Johnson | PETITION NO.: Z-66 | | | |
|---|--------------------|--|--|--|
| PRESENT ZONING: R-30 | PETITION FOR: R-15 | | | |
| * | ********* | | | |
| 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.

| APPLICANT: Phylli | s R. Johnson | | TTON NO.: <u>Z</u> | |
|---|--|---|--|--|
| PRESENT ZONING | | | TION FOR: <u>F</u> | |
| ******** | ****** | * * * * * * * * * * * * * | ****** | ***** |
| PLANNING COMM | IENTS: | | | |
| | sting a rezoning from R-30 to cated on the south side of Pac | | _ | |
| • | within one half (1/2) mile of a been notified? | • | □ Yes □ Yes | ■ No ■ No / N/A |
| designation. The purper are suitable for very lo | Very Low Density Residentian ose of the Very Low Density with density housing, particular isting or desired residential desire | Residential (VLDR) of the locations which | category is to p may not have b | provide for areas that pasic services such as |
| single-family residenti Residential (VLDR) fu be kept in place and th use category and the su VLDR along Stillhouse | any future land use conflicts al neighborhoods that make use that currently exact any future development or arrounding low-density, single e Road, Paces Mill Road, New neighborhoods off these major | up Vinings, it is recommend in the majority of redevelopment be concernately neighborhoos we have Ferry Road, I | nmended that the of the residential mpatible with the description. | ne Very Low Density al areas of Vinings, the VLDR future land includes existing |
| Southeast: Southwest: | Use: Very Low Density Residentia Very Low Density Residentia Very Low Density Residentia Very Low Density Residentia | al (VLDR) al (VLDR) | | |
| Master Plan/Corridor The property is located | <u>Study</u> I within the boundary of a the | e Vinings Vision Plan | | |
| trench location maps, | us county historic resources so staff finds that no known sign r comment. No action by app | gnificant historic reso | ources appear to | • |
| If yes, design guideline | with Design Guidelines? es area lan comply with the design re | ☐ Yes | ■ No | |
| т т. | TITELY WIND GOODS IT | .1 | | |
| | an Opportunity Zone? is an incentive that provides This incentive is available fo | | job in eligible a | areas if two or more |

| APPLICANT: Phyllis R. Johnson | PE1111UN NU.: Z-00 |
|--|--|
| PRESENT ZONING: R-30 | PETITION FOR: R-15 |
| * | * |
| PLANNING COMMENTS: | CONT. |
| | |
| Is the property within an Enterprise Zone? ☐ You | es ■ No |
| The Enterprise Zone is an incentive that pro | ovides tax abatements and other economic |
| incentives for qualifying businesses locating or expanding investments. | g within designated areas for new jobs and capital |
| Is the property eligible for incentives through the Comme Program? ☐ Yes ■ No | * · |
| The Commercial and Industrial Property Rehabilitation P ad valorem property taxes for qualifying redevelopment is | - |
| For more information on incentives, please call the Comm 770.528.2018 or find information online at http://econom.net/but/lec | • • • • • |
| Special Districts Is this property within the Cumberland Special District #1 ☐ Yes ■ No | (hotel/motel fee)? |
| Is this property within the Cumberland Special District #2 ☐ Yes ■ No | 2 (ad valorem tax)? |
| Is this property within the Six Flags Special Service Distr ☐ Yes ■ No | ict? |
| Is the property within the: □ Dobbins Airfield Safety Zone? □ CZ (Clear Zone) □ APZ I (Accident Potential Zone I) □ APZ II (Accident Potential Zone II) □ Noise Zone | |
| ■ Bird / Wildlife Air Strike Hazard (BASH) area | |

| PRESENT ZONING $\underline{R-30}$ | | | | PET | FITION FOR $R-15$ |
|--|----------|-----------------------------|----------|---------|--|
| * | * * | * * * * * * * * * | * * | * * * | * * * * * * * * * * * * * * * |
| WATER COMMENTS: NOTE: Comments refl | lect o | only what facilities w | vere | in exi | stence 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/ | S side of Paces Fe | erry | Road | |
| Additional Comments: Existing water customer | • | | | | |
| Developer may be required to install/upgrade water mains, based on Review Process. | i fire f | low test results or Fire De | epartn | nent Co | de. This will be resolved in the Plan |
| * | * * * | * * * * * * * * * | * * * | * * * | ****** |
| SEWER COMMENTS: NOTE: Comments in | refle | ct only what facilitie | s we | re in e | existence at the time of this review. |
| In Drainage Basin: | ✓ | Yes | | | No |
| At Development: | ✓ | Yes | | | No |
| Approximate Distance to Nearest Sewer: Pac | es F | erry Road ROW | | | |
| Estimated Waste Generation (in G.P.D.): A | D F= | = 160 | | P | eak= 400 |
| Treatment Plant: | | Sutton | | | |
| Plant Capacity: | ✓ | Available | | Not . | Available |
| Line Capacity: | ✓ | Available | | Not . | Available |
| Projected Plant Availability: | ✓ | 0 - 5 years | | 5 - 1 | 0 years |
| Dry Sewers Required: | | Yes | ✓ | No | |
| Off-site Easements Required: | | Yes* | ~ | No | *If off-site easements are required, Developmust submit easements to CCWS for |
| Flow Test Required: | | Yes | ~ | No | review/approval as to form and stipulations prior to the execution of easements by the |
| Letter of Allocation issued: | | Yes | ~ | No | property owners. All easement acquisitions are the responsibility of the Developer |
| Septic Tank Recommended by this Department | : [| Yes | ~ | No | |
| Subject to Health Department Approval: | | Yes | ✓ | No | |
| Additional Public sewer easement extends t | o NV | W property line | | | |

PETITION NO. Z-066

APPLICANT Phyllis R. Johnson

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: Phyllis R. Johnson PETITION NO.: Z-66

PRESENT ZONING: R-30 PETITION FOR: R-15

STORMWATER MANAGEMENT COMMENTS

This parcel is located within the Chattahoochee River Corridor and is therefore subject to the provisions of the Metropolitan River Protection Act (MRPA). Approval is subject to the ARC MRPA Certificate review finding.

| APPLICANT: Phyllis | T: Phyllis R. JohnsonPETITION NO.: Z-66 | | Z-66 |
|---------------------------|---|---------------------------|-------------------|
| PRESENT ZONING: | R-30 | PETITION FOR: | R-15 |
| * * * * * * * * * * * * * | ********* | * * * * * * * * * * * * * | * * * * * * * * * |

TRANSPORTATION COMMENTS:

| ROADWAY | ROADWAY CLASSIFICATION | SPEED LIMIT | JURISDICTIONAL CONTROL | MIN. R.O.W. REQUIREMENTS |
|------------------|---------------------------|-------------|---------------------------|-----------------------------|
| Paces Ferry Road | Arterial | 35 mph | Cobb County | 100' |
| | | | | |

| ROADWAY | LOCATION | AVERAGE DAILY TRIPS | LEVEL OF SERVICE |
|------------------|----------------------------|------------------------|------------------|
| Paces Ferry Road | East of Lemons Ridge Drive | 9,420 | D |
| | | | |

Based on 2016AADT counting data taken by GDOT, as published on their website, for Paces Ferry Road.

Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.

LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

COMMENTS AND OBSERVATIONS

Paces Ferry 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 south side of Paces Ferry 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 curb, gutter, and sidewalk along the Paces Ferry Road frontage.

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STAFF RECOMMENDATIONS

Z-66 PHYLLIS R. JOHNSON

- 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, which are single family detached houses.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The property has been used for a single-family residence since 1934 and will continue to be used as single-family residential with the removal of the existing house and construction a new house.
- 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 the Very Low Density Residential (VLDR) land use category, having a density range of 0-2 units per acre. The subject property's lot size is grandfathered and the current house was built in 1934. Staff believes the existing use has not been in compliance with the VLDR land use designation because of the grandfathered size of the lot. Applicant is proposing to remove the existing house and build a new single-family house. One house on the reduced lot size yields a density over the VLDR range maximum of 2 units per acre. It should be noted that the Board of Commissioners, in making land use decisions, use the future land use map as a guide in the decision making process, but there are circumstances when decisions will be made that are contrary to this document based upon a change in market conditions, information unbeknownst to staff/community in the preparation of this document, or some other condition.
- 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 R-30. The property has been utilized for one single-family house since the 1930's and will continue to be used in that manner. Staff believes deleting the requested R-15 to R-30 will allow continuity in what has existed for decades and will allow for improvements to the property.

Based on the above analysis, Staff recommends DELETING the request to R-30, subject to the following conditions:

- 1. Site plan received by the Zoning Division on August 18, 2017, with the District Commissioner approving minor modifications;
- 2. Variances mentioned in the Zoning Comments section;
- 3. Applicant to meet setbacks for R-15;
- 4. Fire Department comments and recommendations;
- 5. Water and Sewer Division comments and recommendations;

Z-66 PHYLLIS R. JOHNSON (Continued)

- 6. Stormwater Management Division comments and recommendations;
- 7. Department of Transportation comments and recommendations; and
- 8. 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.

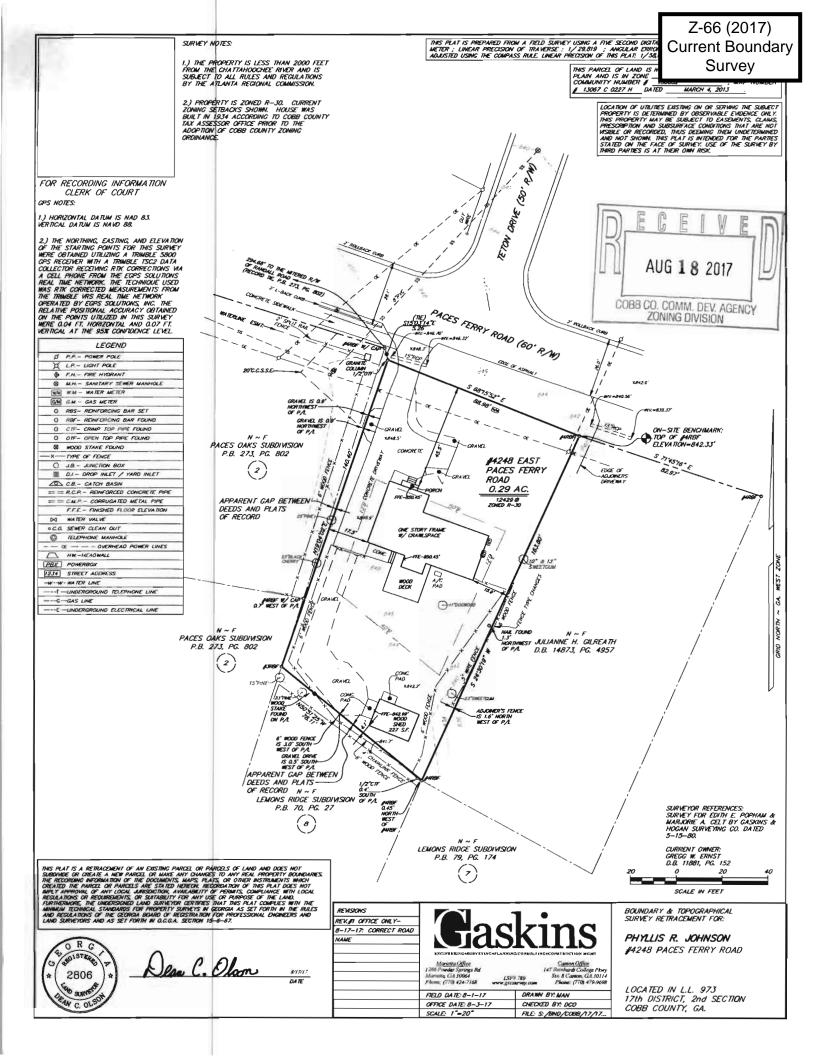


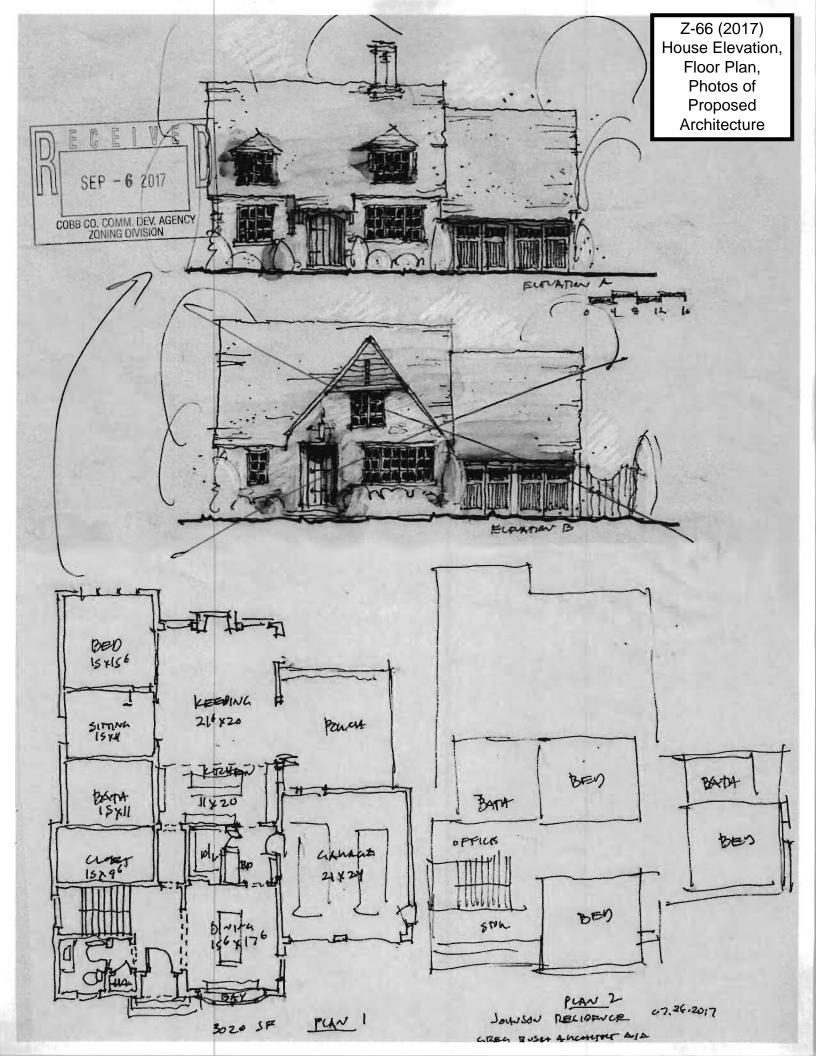
Application No. Z-LL

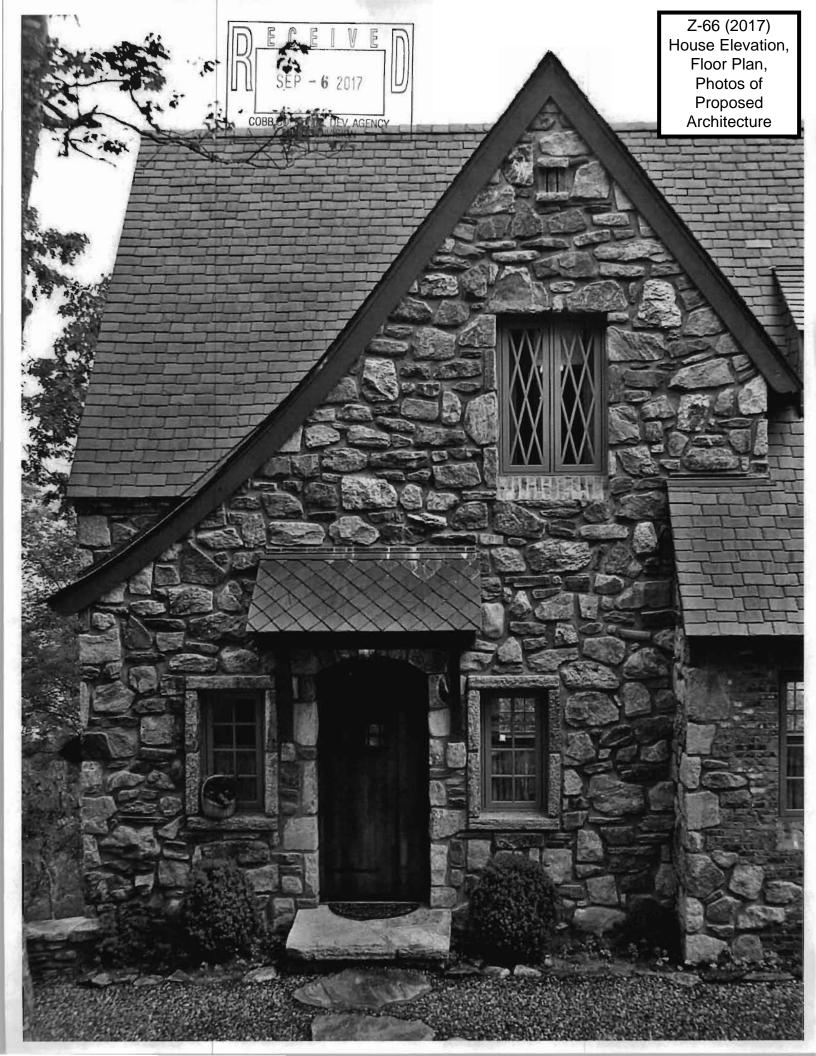
Oct 2017

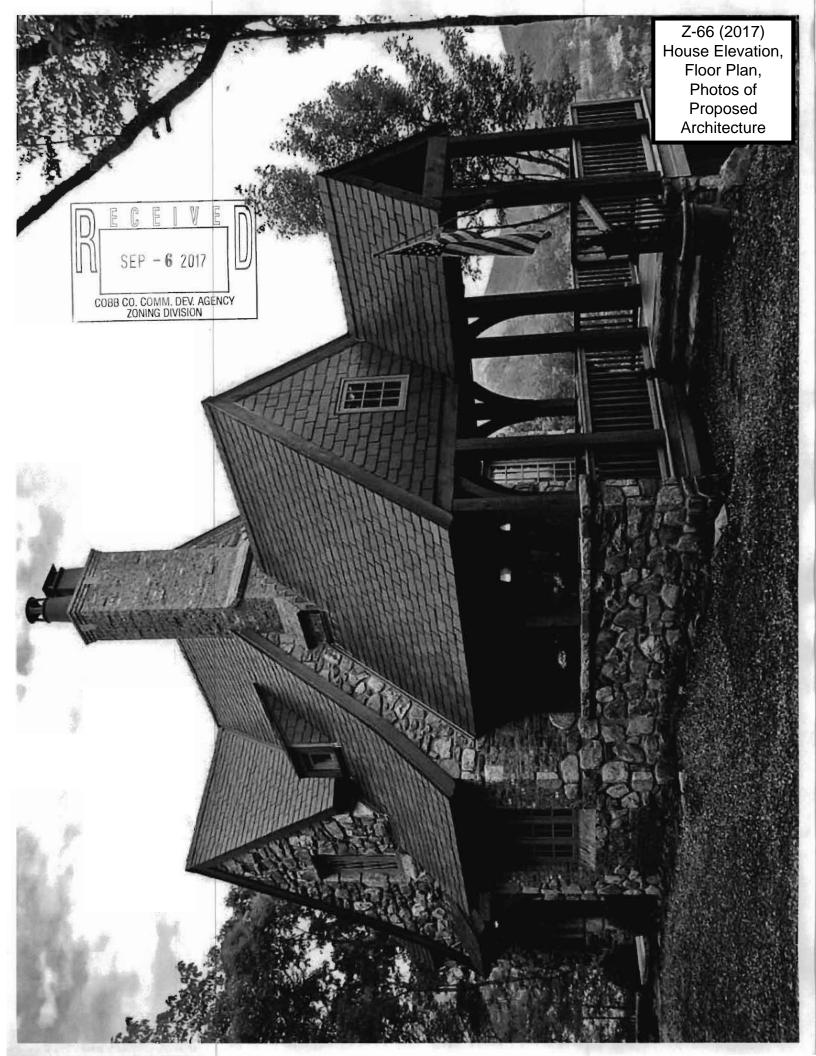
Summary of Intent for Rezoning

| Part 1. | Reside | ntial Rezon | ing Information (attach a | dditional information if needed) |
|---------|------------|----------------|--------------------------------|--|
| | a) | Proposed | unit square-footage(s): _ | 4,100 sq/ft - 3,090 on 1st floor and 1,010 2nd floor |
| | b) | Proposed | building architecture: _ | English Cottage - Stone, Brick, Slate and Metal Roof |
| | c) | List all re | equested variances: 1. 1 | 10' setback on each side of the lot; 30' setback on the back |
| | of the | lot; and 35 | setback on the front; all of | which conform to R-15 - see the attached stamped drawing! |
| | 2. R- | 15 lot size - | zoning allows for 25 % var | riance on lot size - R-15 is 15,000 sq/ft and our lot is approximately |
| | 12,42 | 29 sq/ft (.29 | acres) 3. We want to retain | in shed on the back of the property - see survey. |
| art 2. | Non-re | sidential Re | ezoning Information (atta | ch additional information if needed) |
| | a) | Proposed | use(s): | |
| | b) | Proposed | building architecture: | |
| | <u>c)</u> | Proposed | hours/days of operation: | |
| | d) | List all re | equested variances: | |
| | | | | |
| | | 1 | | |
| Part 3 | 3. Othe | r Pertinent | Information (List or attac | ch additional information if needed) |
| | Curren | tly the lot is | a "legal non-conforming lo | ot" that was established in 1934. The home was built 1934, |
| | | | | arrent R-30 front setback and the lot itself, being 12,429 sq/ft. |
| | (See t | the current a | ttached survey.) | |
| 'art 4. | Is any | of the prop | perty included on the prop | posed site plan owned by the Local, State, or Federal Governme |
| | (Please | list all Rig | <u>ght-of-Ways, Government</u> | owned lots, County owned parcels and/or remnants, etc., and a |
| | plat cle | early showi | ng where these properties | are located). |
| | NO | | | |
| | | - | | |











REGIONAL REVIEW NOTIFICATION

Atlanta Regional Commission • 229 Peachtree Street NE | Suite 100 | Atlanta, Georgia 30303 • ph: 404.463.3100 fax: 404.463.3205 • atlantaregional.org

DATE: SEPTEMBER 5, 2017

ARC REVIEW CODE: V1708241

TO:

CHAIRMAN MIKE BOYCE, Cobb County

ATTN TO: FROM:

DAVID BREADEN, SENIOR STORMWATER ENGINEER
Douglas R. Hooker, Executive Director, ARC

Digital signature Original on file

The Atlanta Regional Commission (ARC) has completed regional review of the following proposal. Below is the ARC finding. The Atlanta Regional Commission reviewed the proposed project with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies.

Name of Proposal: RC-17-08CC 4248 Paces Ferry Road Submitting Local Government: Cobb County

Review Type: Metro River

Date Opened: August 24, 2017

Date Closed: September 5, 2017

<u>FINDING:</u> ARC staff has completed the review of the application for a MRPA Certificate for this proposed project in the Chattahoochee River Corridor. ARC's finding is that the proposed project is consistent with the Chattahoochee Corridor Plan.

Additional Comments:

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC COMMUNITY DEVELOPMENT CHATTAHOOCHEE RIVERKEEPR CITY OF ATLANTA ARC NATURAL RESOURCES
GEORGIA CONSERVANCY

GEORGIA DEPARTMENT OF NATURAL RESOURCES
NATIONAL PARK SERVICE/CRNRA

If you have any questions regarding this review, please contact Andrew Smith at (470) 378-1645. This finding will be published to the ARC website at: http://www.atlantaregional.org/landuse.

