



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-79

Public Hearing Dates:

PC: 12-04-18

BOC: 12-18-18

SITE BACKGROUND

Applicant: Portico Properties, Inc.

Phone: (770) 617-1009

Email: tlewis@porticocustomhomes.com

Representative Contact: J. Kevin Moore

Phone: (770) 429-1499

Email: jkm@mijs.com

Titleholder: Sheri C. Veal and Randy A. Veal

Property Location: Southeast side of Carson Lane
and on the east side of Wheeler Road

Address: 3617 Carson Lane

Access to Property: Carson Lane and Wheeler
Road

QUICK FACTS

Commission District: 2-Ott

Current Zoning: R-20 (Single-family Residential)

Current use of property: Single-family house

Proposed zoning: R-15 (Single-family Residential)

Proposed use: Two single-family houses

Future Land Use Designation: LDR (Low Density
Residential)

Site Acreage: 0.82 ac

District: 17

Land Lot: 698 and 699

Parcel #: 17069800440

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:

(Zoning staff member: Donald Wells)

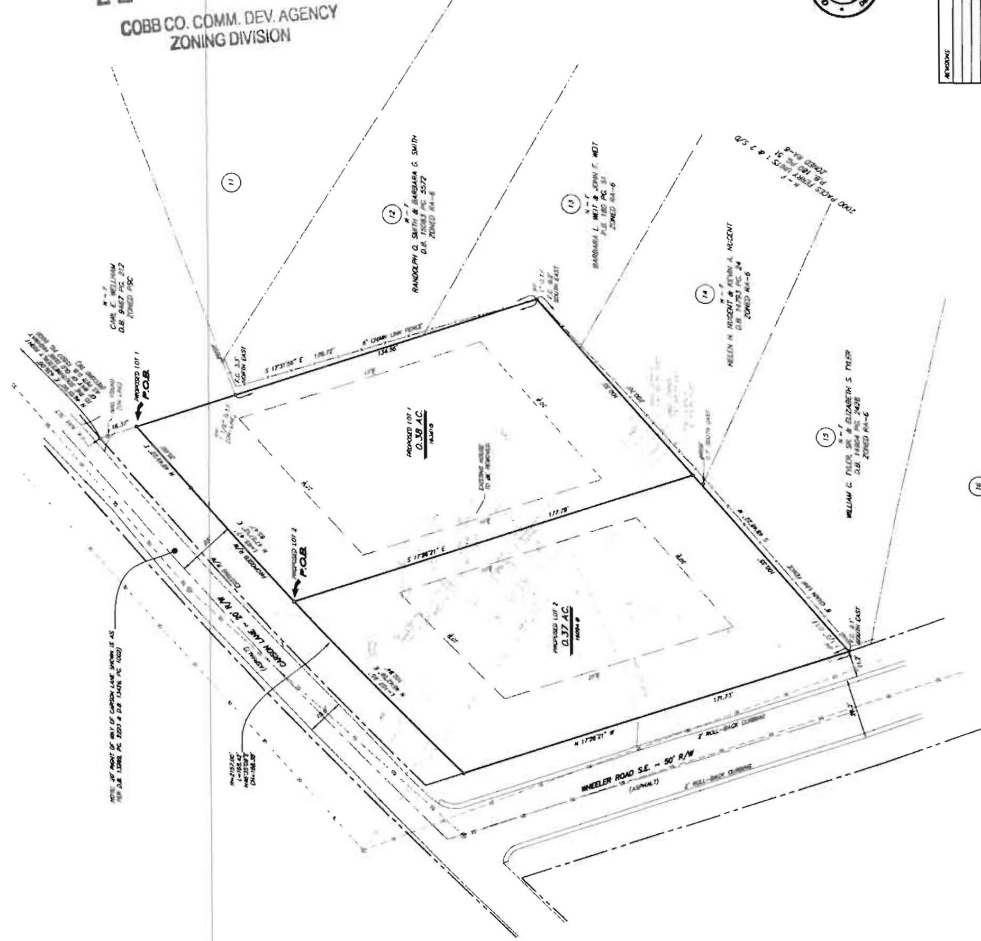
Based on the analysis of this case, Staff recommends **APPROVAL** subject to the following condition:

1. Stormwater Management Division comments and recommendations;
2. Water and Sewer Division comments and recommendations; and
3. Department of Transportation comments and recommendations.

Z-79
(2018)

LEGEND	
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RECEIVED
SEP 6 2018
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



- ZONING DATA
1. PROPERTY IS CURRENTLY ZONED P-COUB
 2. REQUESTING A-12 ZONING
 3. MINIMUM LOT SIZE: 16,000 SQ FT
 4. SETBACK REQUIREMENTS:
FRONT - 10 FEET
SIDE - 10 FEET
REAR - 10 FEET
 5. MINIMUM ROAD FRONTAGE - 75 FEET
 6. MAXIMUM BUILDING HEIGHT - 35 FEET
 7. MAXIMUM INTERFLOOR AREA - 10,000

APPROVED FOR RECORD BY
[Signature]
DATE: 09/06/2018

APPROVED FOR RECORD BY
[Signature]
DATE: 09/06/2018

SCALE: 1" = 20'
DATE: 09/06/2018

Gaskins
Professional Surveyors
1817 CARSON LANE
LOCATED IN LAND LOT 68B
17TH DISTRICT, COUNTY OF DEKALB
CITY OF ATLANTA, GA

ZONING
EXHIBIT
NOT FOR
RECORDING

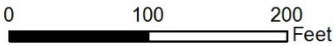
ONE NOTE:
1) PROPERTY IS NOT TO BE ZONED A-12 UNLESS THE CITY OF ATLANTA HAS APPROVED THE ZONING CHANGE. THE CITY OF ATLANTA HAS APPROVED THE ZONING CHANGE AND THE PROPERTY IS NOW ZONED A-12.

APPROVED FOR RECORD BY
[Signature]
DATE: 09/06/2018

Z-79 2018-Aerial Map



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

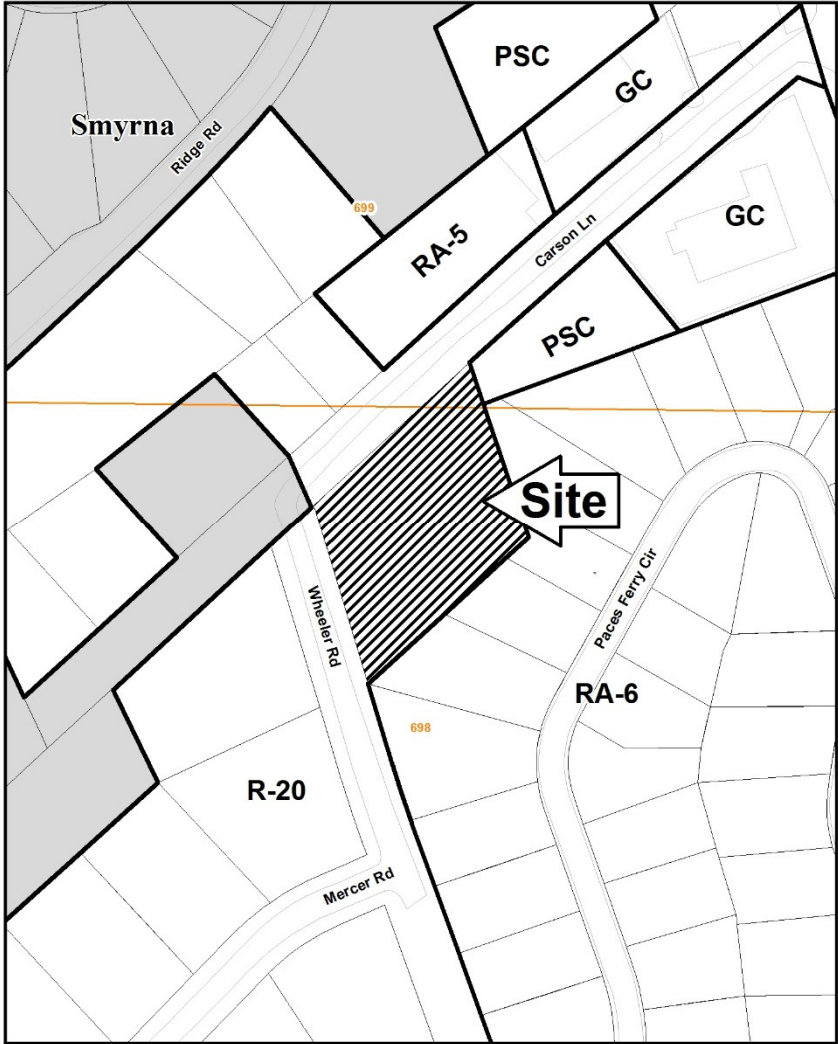


- Zoning Boundary
- City Boundary

North

Zoning: R-20 (Single Family Residential)
Future Land Use: LDR (Low Density Residential)

Z-79 2018-GIS



WEST

Zoning: R-20
(Single Family Residential)

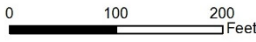
Future Land Use: LDR (Low Density Residential)

EAST

Zoning: RA-6
(Single-Family Detached Residential District)

Future Land Use: MDR (Medium Density Residential)

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



Zoning Boundary
 City Boundary

SOUTH

Zoning: RA-6 (Single-Family Detached Residential District)
Future Land Use: MDR (Medium Density Residential)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Requested zoning district for the property

The R-15 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-15 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Summary of the applicant's proposal

The applicant is requesting the R-15 zoning district to build two single family homes. The houses will be traditional and Craftsman architecture. The minimum house size will be 3000 square feet.

Residential criteria

Allowable units as zoned: 1

Proposed # of units: 2

Net density: 2.66

Increase of units: 1

Acres of floodplain/wetlands: 0

Impervious surface shown: Max is 35%

DEPARTMENT COMMENTS- Zoning Division (continued)

Are there any zoning variances?

No variances requested

DEPARTMENT COMMENTS- Fire Department

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.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comment.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

DEPARTMENT COMMENTS- School System

Approval of this petition will not have an impact on the enrollment of these schools.

DEPARTMENT COMMENTS- Stormwater Management

A drainage easement will be required at the rear of both lots to convey all site runoff to the road right-of-way to the west.

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within the Low Density Residential (LDR) future land use category. The purpose of the LDR category is to provide for areas that are suitable for low-density housing between one (1) and two and one-half (2.5) dwelling units per acre, and for non-supportive senior living housing that in certain circumstances may reach five (5) dwelling units per acre. Allowable residential density is dependent upon factors such as product type and mix, structure/building height, tract size, topographic conditions and the like, in order to provide compatibility with adjacent residential uses.

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Smyrna

Was the city notified? Yes No N/A

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study Yes No

Design guidelines area? Yes No

Does the proposal plan comply with the design requirements? Yes No N/A

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 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 investment)

Is the property eligible for the Façade Improvement Program? Yes No

(The Façade Improvement Program is an incentive for owners and tenants to enhance the appearance of buildings. The CDBG program provides the funding. Properties must be either on the current inventory of redevelopment sites or in a corridor study area, and be in a census tract with at least 51% low and moderate income. The program serves to improve the economic viability of these areas.)

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (Continued)

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)

Note: For more information on incentives, please call the Community Development Agency- Economic Development Division at 770-528-2018 or find information online at www.cobbcounty.org/econdev.

Special District

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

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone?

Yes No

Is the property within the Clear Zone (CZ)?

Yes No

Is the property within the Accident Potential Zone (APZ I)?

Yes No

Is the property within the Accident Potential Zone II (APZ II)?

Yes No

Is the property within the Noise Zone?

Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)?

Yes No

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.

DEPARTMENT COMMENTS- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 6" in Carson Lane

Additional water comments: Also 6" in Wheeler Road

Note: These comments only reflect what facilities were in existence at the time of this review. Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be addressed in the Plan Review process.

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: Carson Lane POW and Wheeler Rd ROW

Estimated waste generation (in G.P.D.): Average daily flow = +160

Peak flow = +400

Treatment plant: South Cobb WRF

Plant capacity: Yes NO

Line capacity: YES NO

Projected plant availability: 0-5 years 5-10 years over 10 years

Dry sewers required: YES NO

Off-site easement required: YES* NO

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 sewer comments:

*If off-site easements are required, the developer/owner must submit easements to the CCWS for review and 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/owner.

Note: The developer/owner will be responsible for connecting to the existing county water and sewer systems, installing and/or upgrading all outfalls & water mains, obtaining onsite and/or offsite easements, and dedication of onsite and/or offsite water and sewer to Cobb County as may be required. Rezoning does not guarantee water/sewer availability or capacity unless so stated in writing by the Cobb County Water System.

DEPARTMENT COMMENTS- Transportation

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Carson Lane	Local	25	Cobb County	50'
Wheeler Road	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Carson Lane	N/A	N/A	N/A
Wheeler Road	N/A	N/A	N/A

Comments and observations

Carson Lane is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Wheeler Road is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Recommendations

1. 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 Carson Lane, a minimum of 25' from the roadway centerline.
2. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
3. Recommend driveways be spaced a minimum of 50' apart and a minimum of 50' from the intersection of Carson Lane at Wheeler Road.
4. Recommend a 10' no access easement for the lot that borders Wheeler Road.

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; the answer is not bold):

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

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 proposal will replace the existing house with homes similar in size and style to the adjacent subdivision.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

It is Staff's opinion that the proposal will not have an adverse effect on the usability of adjacent or nearby property. The applicant's proposal will provide a reasonable transition in zoning intensity.

C. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

It is staff's opinion that the applicant's rezoning proposal will not result in a use that would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

D. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;

It is Staff's opinion that the applicant's rezoning proposal is not in full conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being in the Low Density Residential (LDR) future land use category. The LDR category provides for areas that are suitable for lower density housing between 1 to 2.5 units per acre; however, the lots meet all R-15 zoning criteria and would be consistent with the area.

STAFF ANALYSIS (Continued)

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give grounds for approving the applicant's rezoning proposal. The proposal would be consistent with, and compatible to, other single-family houses in the area. The proposal would provide a transition from the medium density area to the lower density area.

The staff analysis and recommendation 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-79 (2018)

Hearing Dates: PC: 12/04/2018
BOC: 12/18/2018

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): 3,000 square feet, and greater
- b) Proposed building architecture: Traditional and Craftsman
- c) List all requested variances: None known at this time.

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

- a) Proposed use(s): Not Applicable.
- b) Proposed building architecture: Not Applicable.
- c) Proposed hours/days of operation: Not Applicable.
- d) List all requested variances: Not Applicable.

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

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

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.

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

_____	_____
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Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____