



Cobb County Community Development Agency  
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-76

Public Hearing Dates:

PC: 12-04-18

BOC: 12-18-18

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**SITE BACKGROUND**

Applicant: Mohammed Vasigh

Phone: (404) 234-7414

Email: maxvasigh@yahoo.com

Representative Contact: Garvis L. Sams, Jr.

Phone: (770) 422-7016

Email: gsams@slhb-law.com

Titleholder: Mohammed Vasigh

Property Location: Southeast side of Paper Mill Road, east of Gateside Place

Address: 4650 Paper Mill Road

Access to Property: Paper Mill Road

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**QUICK FACTS**

Commission District: 2-Ott

Current Zoning: R-20 (Single-family Residential), and R-30 (Single-family Residential)

Current use of property: Single-family house

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

Proposed use: Single-family Residential Subdivision

Future Land Use Designation: VLDR (Very Low Density Residential)

Site Acreage: 3.464 ac

District: 1

Land Lots: 5, 6, 73, and 74

Parcel #: 01007400110

Taxes Paid: Yes

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FINAL ZONING STAFF RECOMMENDATION:  
(Zoning staff members: Hayley Todd & John Pederson)

Based on the included analysis, staff recommends **DENIAL**.

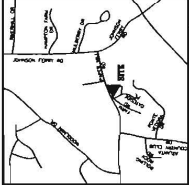
Z-76  
(2018)

AGC Engineering, Inc.  
4850 PAPER MILL ROAD  
MARETTA, OHIO 43040  
TEL: 614.234.1115  
WWW.AGCENGINEERING.COM

SITE PLAN  
FOR  
4850 PAPER MILL ROAD  
MARETTA, OHIO 43040  
COUNTY, OHIO  
SHEET NO. 1 OF 1

No.	Revisions/Drawn	Date
1	Initial	10/9/18
2	Comments	10/9/18

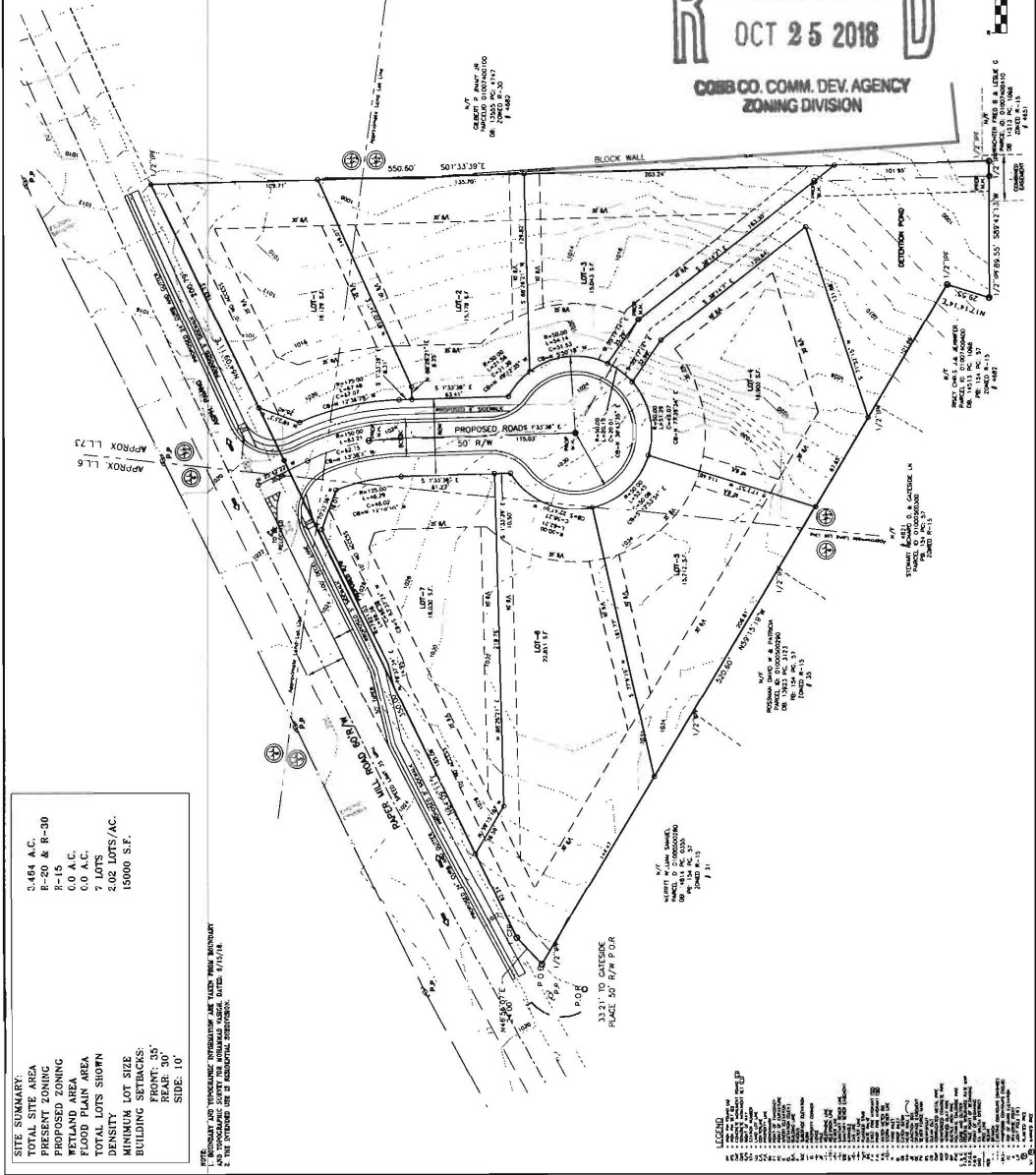
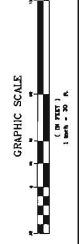
Scale	Notes
1" = 100'	
1" = 500'	
1" = 1000'	



7.16.1 COMMUNITY PLAN, NO. 100000131  
 IN ACCORDANCE WITH THE OHIO ZONING ACT, THE ZONING DIVISION HAS REVIEWED THE SUBMITTED ZONING APPLICATION AND HAS DETERMINED THAT THE PROPOSED USE IS PERMITTED UNDER THE APPLICABLE ZONING ORDINANCE.  
 MONROE, OHIO  
 MARETTA, OHIO 43040  
 (614) 234-1115

PROPERTY ADDRESS:  
 4850 PAPER MILL ROAD  
 MARETTA, OHIO 43040

**REVISED RECEIVED**  
 OCT 25 2018  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION



**SITE SUMMARY:**  
 TOTAL SITE AREA: 3.464 A.C.  
 PRESENT ZONING: R-20 & R-30  
 PROPOSED ZONING: R-15  
 WETLAND AREA: 0.0 A.C.  
 TOTAL LOT AREA: 0.0 A.C.  
 TOTAL LOTS SHOWN: 7 LOTS  
 DENSITY: 2.02 LOTS/AC.  
 MINIMUM LOT SIZE: 15000 S.F.  
 BUILDING SETBACKS:  
 FRONT: 35'  
 REAR: 30'  
 SIDE: 10'

**NOTE:**  
 1. THIS PLAN IS A PRELIMINARY DESIGN. THE USER SHALL BE RESPONSIBLE FOR VERIFYING ALL INFORMATION AND FOR OBTAINING ALL NECESSARY PERMITS.  
 2. THE USER SHALL BE RESPONSIBLE FOR VERIFYING ALL INFORMATION AND FOR OBTAINING ALL NECESSARY PERMITS.

**LEGEND**

---	Proposed Road
---	Proposed Road Right-of-Way
---	Proposed Lot
---	Proposed Lot Boundary
---	Proposed Setback
---	Proposed Utility
---	Proposed Structure
---	Proposed Fencing
---	Proposed Signage
---	Proposed Landscaping
---	Proposed Other

# Z-76 2018-Aerial Map



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

0 100 200 Feet

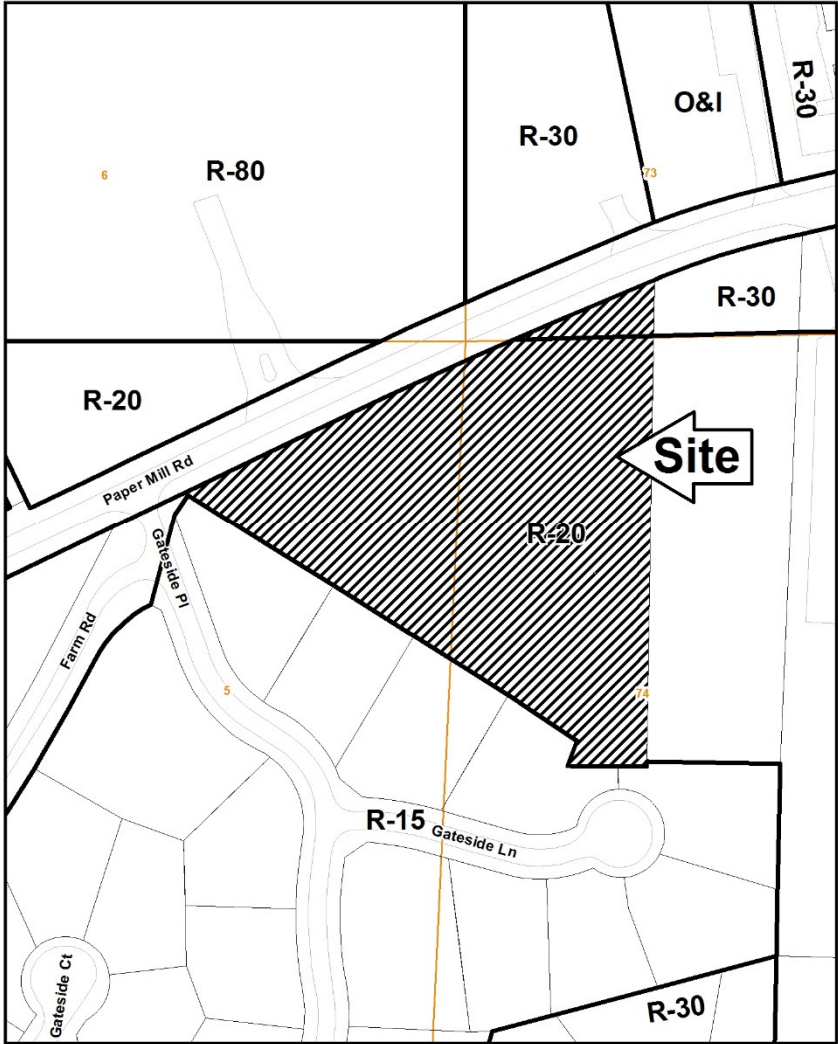
— Zoning Boundary  
— City Boundary

North

**Zoning:** R-80 (Single-family residential), R-30 (Single-family residential), O&I (Office and Institutional)

**Future Land Use:** PRC (Park/Recreation/Conservation), NAC (Neighborhood Activity Center)

**Z-76 2018-GIS**



WEST

**Zoning:**

R-20 (Single-family residential), R-15 (Single-family residential)

**Future Land Use:**

VLDR (Very Low Density Residential)

EAST

**Zoning:**

R-20 (Single-family residential), R-30 (Single-family residential)

**Future Land Use:**

VLDR (Very Low Density Residential), PI (Public Institutional)

SOUTH

**Zoning:** R-15 (Single-family residential), R-30 (Single-family residential)

**Future Land Use:** VLDR (Very Low Density Residential)

## DEPARTMENT COMMENTS- Zoning Division

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### **Current zoning districts 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.

The R-30 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-30 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 to rezone the property from the R-20 and R-30 zoning districts to the R-15 zoning district to develop a subdivision composed of single-family residences. As proposed, the community will consist of seven single-family homes ranging from 3,000 to 5,000 square feet in size. The homes would have traditional architecture.

### **Residential criteria**

Allowable units as zoned: 6

Proposed # of units: 7

Net density: 2.02 units per acre

Increase of units: 1

Acres of floodplain/wetlands: 0

Impervious surface shown: None shown; should meet code when the houses are permitted.

## **DEPARTMENT COMMENTS- Zoning Division (continued)**

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### **Are there any zoning variances?**

There are no variances proposed at this time.

## **DEPARTMENT COMMENTS- Fire Department**

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

### **Guest Parking**

Occupant parking shall be installed as required by zoning and additional guest parking shall be required as follows:

1. Where driveways to two car garages exceed 50 feet in length, no additional guest parking is required.
2. Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at .5 spaces per dwelling unit.
3. Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1 space per dwelling unit.
4. Where only single car garages are provided, additional parking shall be required at 2 spaces per dwelling unit.
5. Guest parking spaces must be evenly distributed throughout the project.

7 lots = 4 guest parking spaces

## **DEPARTMENT COMMENTS- Site Plan Review (County Arborist)**

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Per Cobb County Development Standards section 409.03.02, any detention facility proposed for the exterior boundary of a project which will abut an existing, residential property, or public right of way exterior to the development being constructed shall provide a 10-foot landscape buffer. The landscape buffer may not coincide with any underground or overhead public or private easement or line of sight easement. Pond access easements may not coincide with the buffer except that the buffer may be interrupted for an access easement perpendicular to the buffer. Stabilizing components of the detention pond may not encroach into the buffer. The required perimeter fencing must be located behind the landscape buffer.

## **DEPARTMENT COMMENTS- Cemetery Preservation**

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No comment.

## **DEPARTMENT COMMENTS- School System**

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

## **DEPARTMENT COMMENTS- Stormwater Management**

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1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Chattahoochee River
4. Wetlands: No
5. Streambank buffer zone: No
6. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
7. Minimize the effect of concentrated stormwater discharges onto adjacent properties.
8. Developer must secure drainage easement(s) to receive concentrated discharges where none naturally exist.
9. Stormwater discharges through an established residential neighborhood downstream.
10. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).

## DEPARTMENT COMMENTS- Planning Division

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**Cobb 2040 Comprehensive Plan:** The parcel is within the Very Low Density Residential (VLDR) future land use category. The purpose of the VLDR category is to provide for areas that are suitable for very low-density housing, particularly in locations that may not have basic services such as sewer, or where the existing or desired residential density is zero (0) to two (2) dwelling units per acre.

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

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)

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**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)*

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**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](http://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

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### 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

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### 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**

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**Water comments:**

Available at development:  YES  NO

Fire flow test required:  YES  NO

Size and location of existing water main(s): 12" in Paper Mill Road

Additional water comments:

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.

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**Sewer comments:**

In the drainage basin:  YES  NO

At development:  YES  NO

Approximate distance to nearest sewer: on site

Estimated waste generation (in G.P.D.): Average daily flow = 1,120

Peak flow = 2,800

Treatment plant: R.L. Sutton 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
Paper Mill Road	Minor Collector	35	Cobb County	60'

Roadway	Location	Average daily trips	Level of service
Paper Mill Road	East of Waterlilly Way	9,280	D

*Based on 2016 AADT counting data taken by GDOT, as published on their website, for Paper Mill 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

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

### Recommendations

1. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
2. Recommend a deceleration lane on Paper Mill Road for the entrance. Recommend final length and design be determined during plan review, subject to Cobb County DOT approval.
3. Recommend curb, gutter, and sidewalk along the frontage of Paper Mill Road.
4. Recommend curb and gutter along both sides and sidewalk along one side of proposed development roadway.
5. Recommend the driveways for lots 1 and 7 be a minimum tangent distance of 50 ft from Paper Mill Road.
6. Recommend a 10' no access easement for the lots that border Paper Mill Road.
7. Recommend a minimum driveway length of 20 ft between the right-of-way and garage.
8. Recommend any guest parking within the right-of-way be non-striped, parallel parking located a minimum of 50' from Paper Mill Road.

STAFF ANALYSIS

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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 this zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property if the density were below the constraints of the Future Land Use Map. The applicant's proposal is in an area that has single-family homes on properties zoned R-15, R-20 and R-30, all with densities below 2 units per acre. Additionally, there are institutional, recreational and commercial uses in the area.

**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 zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property. The applicant's proposal for a seven-lot subdivision is in line with the surrounding context, which consists primarily of low and very low-density subdivisions with single-family homes. Staff is concerned about increased run-off affecting other properties in this ecologically sensitive area.

**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 zoning proposal will not result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools. As it presently exists, the 3.4-acre site is mostly zoned R-20, and could be subdivided to create six lots without any zoning action. The proposal to rezone the site to R-15 would yield one additional lot for a total of seven lots.

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

It is staff's opinion that the zoning proposal is not in conformity with the policies and intent of the *Cobb County Comprehensive Plan*. The plan delineates this property as being within the Very Low-Density Residential (VLDR) future land use category, but the requested R-15 zoning district is considered an incompatible district for this future land use category. While the proposed zoning district is not supported by the comprehensive plan, neighboring developments within the same VLDR future land use designation are similar in density; the Column Gate development to the west of the site is zoned R-15 and has a net density of 1.85 units per acre.

STAFF ANALYSIS (Continued)

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**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 or changing conditions affecting the use and development of the property which give supporting grounds for denying the zoning proposal. The intended single-family use is appropriate since it is similar to other single-family houses in the area, however the density would be out of character with the surrounding area. Staff is concerned the proposal would encourage other applications not consistent with the density of the Paper Mill Road corridor.

**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.**



COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

Application No. Z-76

PC Hearing: Dec. 4, 2018  
BOC Hearing: Dec. 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 - 5,000 square feet and greater
- b) Proposed building architecture: Traditional - Renderings/elevations will be submitted under separate cover.
- 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): 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 contiguous to the Column Gate Subdivision which is zoned R-15 and which includes custom, quality-built homes.

.....  
**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.

**RECEIVED**  
OCT 25 2018

COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



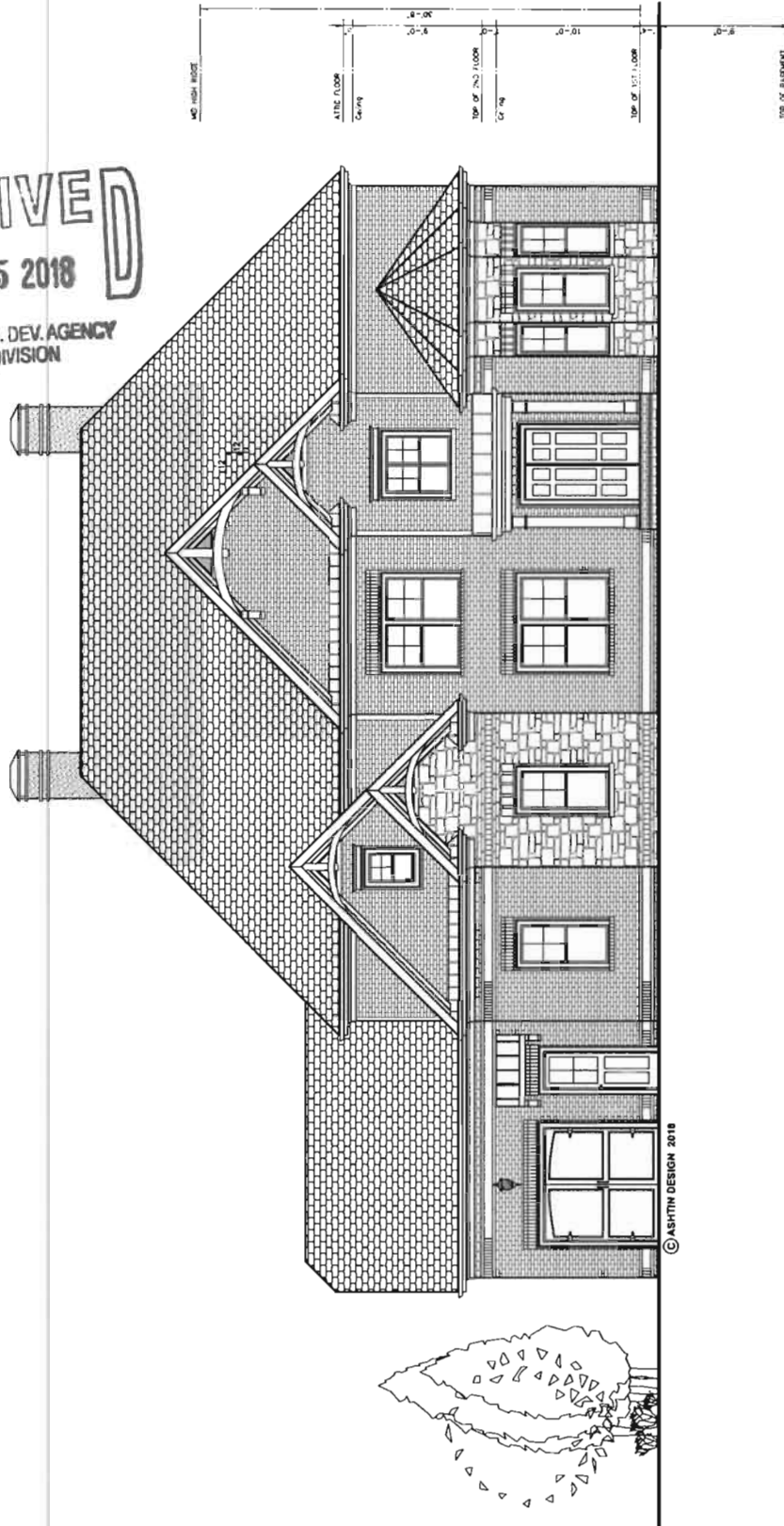
PROPOSED FRONT ELEVATION #1

Re: 10/02/18

**4650 Paper Mill Rd**

RECEIVED  
OCT 25 2018

CUBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



PROPOSED FRONT ELEVATION #2

Re: 10/02/18

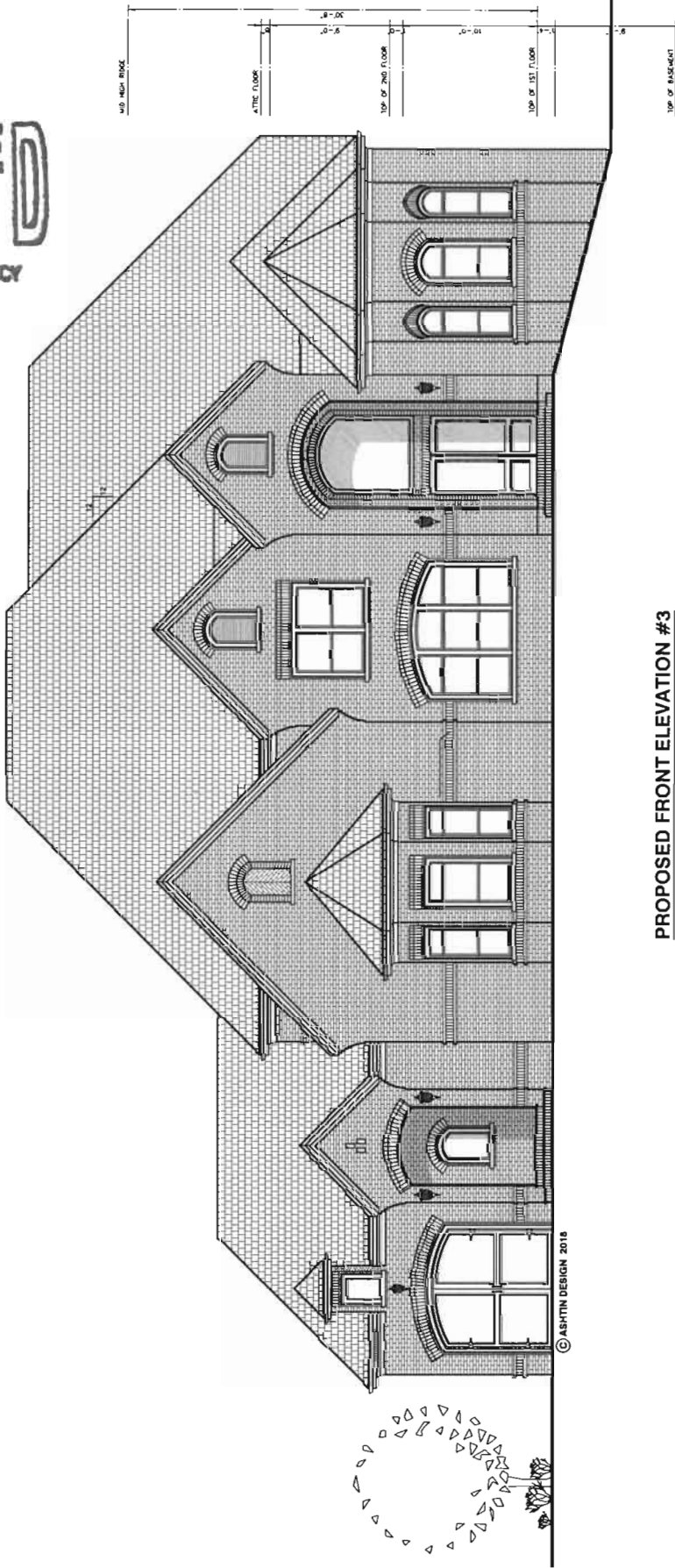
4650 Paper Mill Rd

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OCT 25 2018

CHAMBERS CO. COMM. DEV. AGENCY  
ZONING DIVISION



**PROPOSED FRONT ELEVATION #3**

Re: 10/02/18

**4650 Paper Mill Rd**

**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 \_\_\_\_\_