

APPLICANT: James	es H. Groome, Jr.	PETITION NO:	Z-35
	-818-4197	_ HEARING DATE (PC):	09-06-12
REPRESENTATIV	E: James H. Groome, Jr.	_ HEARING DATE (BOC): _	09-18-12
	770-818-4197	PRESENT ZONING:	R-30
TITLEHOLDER: _1	Barbara A. Shaw		
		_ PROPOSED ZONING:	R-20
PROPERTY LOCA	ATION: At the southerly intersection of Paces		
Ferry Road and New	Paces Ferry Road	PROPOSED USE:	Subdivision
(4258 and 4252 Pace	s Ferry Road).		
ACCESS TO PROF	PERTY: Paces Ferry Road	_ SIZE OF TRACT:	2.37 acres
		_ DISTRICT:	17
PHYSICAL CHAR	ACTERISTICS TO SITE: Two (2) existing,	_ LAND LOT(S):	954, 973
aged single-family he	omes	_ PARCEL(S):	14, <i>16</i>
		_ TAXES: PAID X D	UE
CONTIGUOUS ZO	ONING/DEVELOPMENT	COMMISSION DISTRICT	:_2
NORTH:	R-30/single-family residences		
SOUTH:	R-30/Brandy Station subdivision		
EAST:	R-30, R-20/V.A. Robinson, Lemons Ridge subd	ivision	

OPPOSITION: NO. OPPOSED___PETITION NO:____SPOKESMAN ____

R-30/single-family residences

PLANNING COMMISSION RECOMMENDATION

APPROVED____MOTION BY_____ REJECTED___SECONDED____

HELD____CARRIED____

WEST:

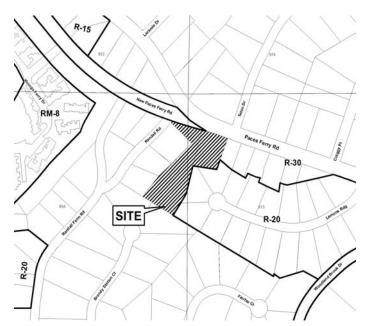
BOARD OF COMMISSIONERS DECISION

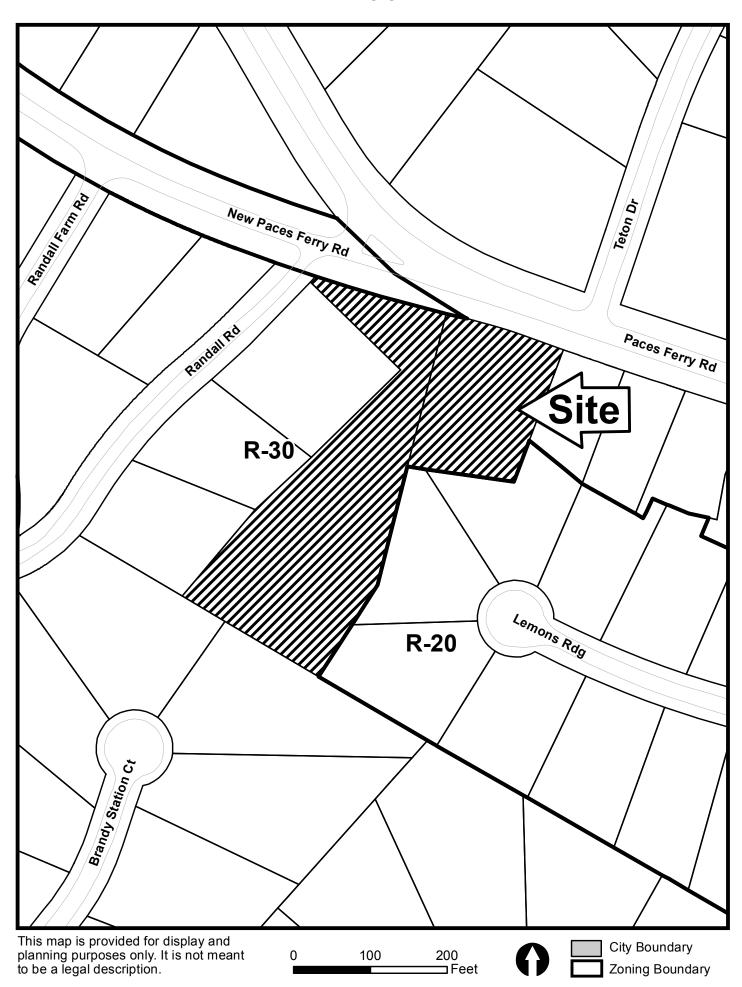
APPROVED____MOTION BY_____

REJECTED__SECONDED____

HELD___CARRIED____

STIPULATIONS:





APPLICANT: James H. Gro	oome, Jr.	PETITION NO	Z -35
PRESENT ZONING: R-	-30	PETITION FO	R: R-20
**********	* * * * * * * * * * * * * * * * *	* * * * * * * * * * *	*****
ZONING COMMENTS:	Staff Member Responsible:_	Terry Martin, MP	Α
Land Use Plan Recommendati	ion: VLDR Very Low Densi	ty Residential	
Proposed Number of Units: 4	Overall Dea	nsity: 1.69 U	Jnits/Acre
Present Zoning Would Allow:	1.18 Units Increase of:	<u>.51 Un</u> i	ts/Lots
The applicant is requesting a rez necessary for the R-20 district deproposed lots will meet the requirements but will be accessed by site plan specific to accommodate inward to better space from the eincreasing the side setbacks (effect applicant proposes for the commute homes. The traditional styles size and sale for \$1,200,000.	esignation as the lots will range to ired 75 ft. of public road frontagy a shared access easement. The te the proposed variances on settlexisting surrounding homes by rectively switching the designated nunity a Homeowners' Association	from 20,098 sq. ft. to e on Paces Ferry Ro request, if approve backs on lots 1 and be educing the front and d "front" of these two on that will include	to 35,542 sq. ft. The bad and Randall Road ed, should be approved 2 which have been faced and rear setbacks but to (2) lots). The architectural controls for
Cemetery Preservation: No co	omment.		
PLANNING COMMENTS:			
The applicant is requesting a rez located at the southerly intersect		*	
Comprehensive Plan The parcel is within a Very Low purpose of the (VLDR) categor acre.			
Master Plan/Corridor Study Not applicable.			
Historic Preservation After consulting various county trench location maps, staff find application. No further commen	s that no known significant hist	toric resources appe	
Design Guidelines Is the parcel in an area with Design	ign Guidelines? □ Yes	■ No	
If yes, design guidelines area			
Does the current site plan compl ☐ Yes ☐ No ■ Not	y with the design requirements? applicable		

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PRESENT ZONI	ING: R-30 PETITION FOR:	R-20
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SCHOOL COM	MENTS:	
		Number of

			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
Teasley	711	Over	
Elementary Campbell	985	Under	
Middle Campbell	2,280	Under	

High

Additional Comments: Teasley Elementary School is currently severely over-crowded; therefore, approval of this zoning could adversely impact enrollment at Teasley Elementary School.

^{*}School attendance zones are subject to revision at any time.

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PRESENT ZONING: R-30	PETITION FOR: R-20
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FIRE COMMENTS:	

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

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

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

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

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8" supply lines to all hydrants.

GATE: Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access (Knox Switch). Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office. (Cobb County Development Standards 401.08.02.1)

GUEST PARKING: When projects contemplate less than 20 foot separation between units, guest parking shall be provided or the streets shall be labeled as a fire lane.

APPLICANT James H Groome, J.

PETITION NO. Z-035
PETITION FOR R-20

WATER COMMENTS: NOTE: Comment	ts reflect o	nly what facilitie	s were in existence at the time of this review.
Available at Development:	✓	Yes	□ No
Fire Flow Test Required:	V	Yes	□ No
Size / Location of Existing Water Main(s):	12" DI /	S side of Pace	s Ferry Road
Additional Comments: Water meters to be	set at edg	e of public R-C	<u>)-W</u>
Developer may be required to install/upgrade water main the Plan Review Process.	ns, based o	n fire flow test resi	ults or Fire Department Code. This will be resolved
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SEWER COMMENTS: NOTE: Comm	ents reflec	et only what faci	ities were in existence at the time of this review.
In Drainage Basin:	✓	Yes	□ No
At Development:		Yes	✓ No
Approximate Distance to Nearest Sewer:	200' S i	n Brandy Stati	on Court
Estimated Waste Generation (in G.P.D.):	A D F	640	Peak= 1600
Treatment Plant:		Sut	ton
Plant Capacity:	✓	Available	☐ Not Available
Line Capacity:	✓	Available	☐ Not Available
Proiected Plant Availability:	✓	0 - 5 vears	\Box 5 - 10 years \Box over 10 years
Drv Sewers Required:		Yes	☑ No
Off-site Easements Required:	✓	Yes*	No *If off-site easements are required, Develop
Flow Test Required:		Yes	must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes	Property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Departs	ment:	Yes	☑ No
Subject to Health Department Approval:		Yes	✓ No
Additional Sewer also 180' E in Lemon Comments:	s Ridge (with easement	s) if elevations allow

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.

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PRESENT ZONING: <u>R-30</u>	PETITION FOR: R-20
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STORMWATER MANAGEMENT COMMENTS	
	-
FLOOD HAZARD: YES NO POSSIBLY	Y, NOT VERIFIED
DRAINAGE BASIN: Chattahoochee River ☐ FEMA Designated 100 year Floodplain Flood. ☐ Flood Damage Prevention Ordinance DESIGNATED ☐ Project subject to the Cobb County Flood Damage Pr ☐ Dam Breach zone from (upstream) (onsite) lake - nee	revention Ordinance Requirements.
<u>WETLANDS:</u> ☐ YES ☐ NO ☐ POSSIBLY, NO	OT VERIFIED
Location:	
☐ The Owner/Developer is responsible for obtaining an of Engineer.	ay required wetland permits from the U.S. Army Corps
STREAMBANK BUFFER ZONE: ☐ YES ☒ NO	☐ POSSIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 2000' or buffer each side of waterway). Chattahoochee River Corridor Tributary Area - Coun Georgia Erosion-Sediment Control Law and County G Georgia DNR Variance may be required to work in 2 County Buffer Ordinance: 50', 75', 100' or 200' each 	Ordinance - County Review/State Review. 5 foot streambank buffers.
DOWNSTREAM CONDITION	
 □ Potential or Known drainage problems exist for devel □ Stormwater discharges must be controlled not to exdrainage system. □ Minimize runoff into public roads. □ Minimize the effect of concentrated stormwater disch □ Developer must secure any R.O.W required to receive □ Existing Lake Downstream □ Additional BMP's for erosion sediment controls will be a lake Study needed to document sediment levels. 	arges onto adjacent properties. e concentrated discharges where none exist naturally
Stormwater discharges through an established residen	ntial neighborhood downstream. ed volume of runoff generated by the proposed project

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STORM	WATER MANAGEMENT COMMENTS – Continue	d
SPECIAL SITE	CONDITIONS	
Submit all pr Any spring a Structural fil engineer (PE Existing facil Project must Water Qualit Water Quali conditions in	lity. comply with the Water Quality requirements of the CV	chnical engineer (PE). fied registered Georgia geotechnical VA-NPDES-NPS Permit and County
	n; reduce pavement area to reduce runoff and pollution.	
INSUFFICIENT	<u> INFORMATION</u>	
Copy of survexposed.	ter controls shown vey is not current – Additional comments may be forthcorovements showing on exhibit.	ming when current site conditions are

ADDITIONAL COMMENTS

- 1. A portion of this parcel is located within the ARC Chattahoochee River Corridor and is therefore subject to the provisions of the Metropolitan River Protection Act. An ARC review will be required to obtain a development certificate.
- 2. In order to limit offsite runoff and to minimize the impacts of any concentrated stormwater discharges from the site the following stormwater management measures will be implemented: a) pervious pavement will be utilized for all driveways. b) Flo-wells will be installed on all roof downspouts. c) bioretention/rain gardens will be installed at the rear of each lot as part of the landscaping with private drainage easements established for perpetual maintenance to included in the HOA covenant documents.

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COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Paces Ferry Road	8200	Arterial	35 mph	Cobb County	60'
New Paces Ferry Road	1900	Minor Collector	25 mph	Cobb County	50'

Based on 2011 traffic counting data taken by Cobb County DOT (Paces Ferry Road)
Based on 2005 traffic counting data taken by Cobb County DOT (New Paces Ferry Road)

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.

New Paces Ferry 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

Recommend applicant consider entering into a development agreement pursuant of 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 curb, gutter, and sidewalk along Paces Ferry Road frontage.

Recommend driveway be located a minimum of 100 feet from intersection of Paces Ferry Road and New Paces Ferry Road.

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

STAFF RECOMMENDATIONS

Z-35 JAMES H. GROOME, JR.

- 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 property is within a residential area that is surrounded by similarly zoned properties. The proposal will not increase the otherwise allowed density but by a little over a half-unit per acre under the Very Low Density Residential future land use category.
- 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. With proper accommodations such as the proposed shared access drive to eliminate the additional curb cuts onto Paces Ferry Road and the proposed increased rear setback on lots 3 and 4, any adverse effects may be negated.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. The parcel that is subject of this request is located within a VLDR very low density residential future land use category, which allows densities ranging from 0-2 units per acre. The proposed density is 1.69 units per acre. The current request supports the *Plan's* goals of protecting a rural/estate character by means of lots accessed not by the main road but a shared access easement.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The request stays within the goals of the VLDR very low density residential future land use category of up to two (2) units per acres at a proposed density of 1.69 units per acre. Also, it can be argued, that with the reduction of access off of Paces Ferry Road by means of the shared access easement, the proposal reduces potential negative effects and somewhat strives to preserve a rural/estate character to the development.

Based on the above analysis, Staff recommends DELETING the request to R-20 and R-30 subject to the following conditions:

- Site plan received by the Zoning Division on August 22, 2012, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Department of Transportation comments and recommendations;
- 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.





July 30, 2012

Community Development Agency Zoning Division Attn.: Mr. Jason Campbell P. O. Box 649 Marietta, GA 30061



Re: Stipulations Letter – Shaw Property

Dear Jason:

As requested and to further my application for the rezoning of the proposed 2.36 acres at 4258 and 4252 Paces Ferry Rd., Vinings, I met with the adjoining property owners and the Board of Trustees of the Vinings Village Homeowners Association and have agreed to the following stipulations which are to be included in the rezoning application regarding the development of a four (4) lot subdivision.

It is my belief and understanding that with this Agreement all will be supportive of the rezoning request and proposed site plan.

Stipulations are as follows:

- 1. A minimum 60 ft. setback for properties adjacent to Brandy Station Court homes (current homeowners Schaefer and Naryka)
- A dense natural landscape buffer between Lot #3 on attached site plan dated 7-9-2012 and 3819
 Brandy Station Court (current homeowner Naryka)
- 3. Sewer line (as required by County) shall tap into the manhole at Brandy Station Court cul de sac and shall be a bored, underground connection originating from within the "Shaw property".
- 4. A professionally designed and densely landscaped buffer will be placed along Paces Ferry Road in order to screen the visual impact of the home on Lot #1. The setback including the landscape buffer between Lot #1 and Paces Ferry Road shall be no less than 35' from the edge of the public R/W to the edge of the house structure and 25' for the driveway.
- 5. The undeveloped area comprised of the frontage of Lots #3 & #4 along New Paces Ferry Road shall be professionally landscaped and professionally maintained by the HOA.
- 6. Best effort to provide access through the property to Paces Ferry Road from the adjoining properties will be made available.
- 7. Reasonable efforts will be taken such that each lot will contain on-site stormwater retention. In the event that a "community" retention facility is required, the retention facility shall not be placed within the property setback lines, the perimeter of the retention facility will be professionally landscaped so as to screen the facility from view of all surrounding homeowners, and the facility will be maintained by the to-be-formed "Shaw Property" HOA.

Z-35 (2012) Stipulation Letter

Mr. Jason Campbell Stipulations Letter – Shaw Property Page Two

Please allow this stipulations letter to be considered as part of the rezoning request and my commitment to incorporate all of the above stipulations into the development.

Thank you for your consideration.

Sincerely,

Chip Groome

Cc: Glenn Dyke, President, VVHA Board of Trustees

Steve Goodsell, VVHA Board of Trustees Lorene Schaefer, VVHA Board of Trustees

Application No. Z-35 Sept. 2012.

Summary of Intent for Rezoning

a)	Proposed unit square-footage(s): 3500 - 4000 sf/home
b)	Proposed building architecture: traditional
c)	Proposed selling prices(s): \$1,200,000
d)	List all requested variances:
1	FRUNT & REDRE SET BLOCKS LOT #2
	REDE SOTRACK LOT # 1
	residential Rezoning Information (attach additional information if needed)
a)	Proposed use(s):
b)	Proposed building architecture:
~,	- ralanas Amanin manusanta.
c)	Proposed hours/days of operation:
74	
d)	List all requested variances:
n/	
1	
	ner Pertinent Information (List or attach additional information if needed)
3. Otl	
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4. Is an	y of the property included on the proposed site plan owned by the Local, State, or Federal Government
1. Is an	y of the property included on the proposed site plan owned by the Local, State, or Federal Government's se list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attallearly showing where these properties are located).