



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2015-06 **LEGISTAR:** 20150106

LANDOWNERS: Kevin Knox
5017 Colchester Ct
Smyrna, GA 30080

APPLICANT: Same as above

AGENT: N/A

PROPERTY ADDRESS: A portion of 380 Cherokee Street

PARCEL DESCRIPTION: District 16 Land Lot 11460 Parcel 0820

AREA: 0.007 acres **COUNCIL WARD:** 5A

EXISTING ZONING: R-3 (Single Family Residential – 3 units/acre)

REQUEST: R-4 (Single Family Residential – 4 units/acre)

FUTURE LAND USE: LDR (Low Density Residential)

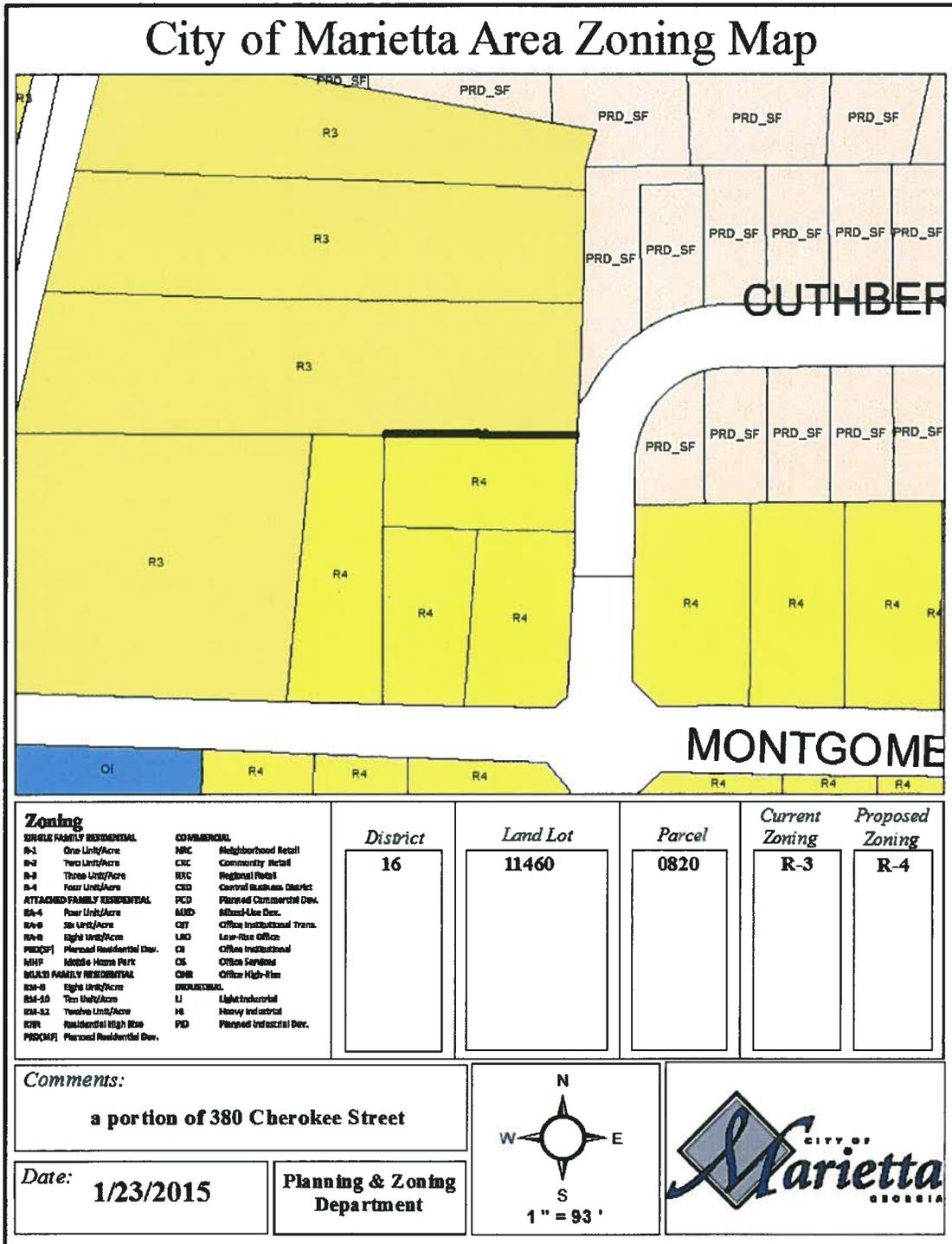
REASON FOR REQUEST: The applicant is requesting the rezoning of 305 square feet of land between 380 Cherokee Street and 87 Harold Street so it may be combined with the owner’s property at 87 Harold Street.

PLANNING COMMISSION HEARING: Tuesday, March 3, 2015 – 6:00 p.m.

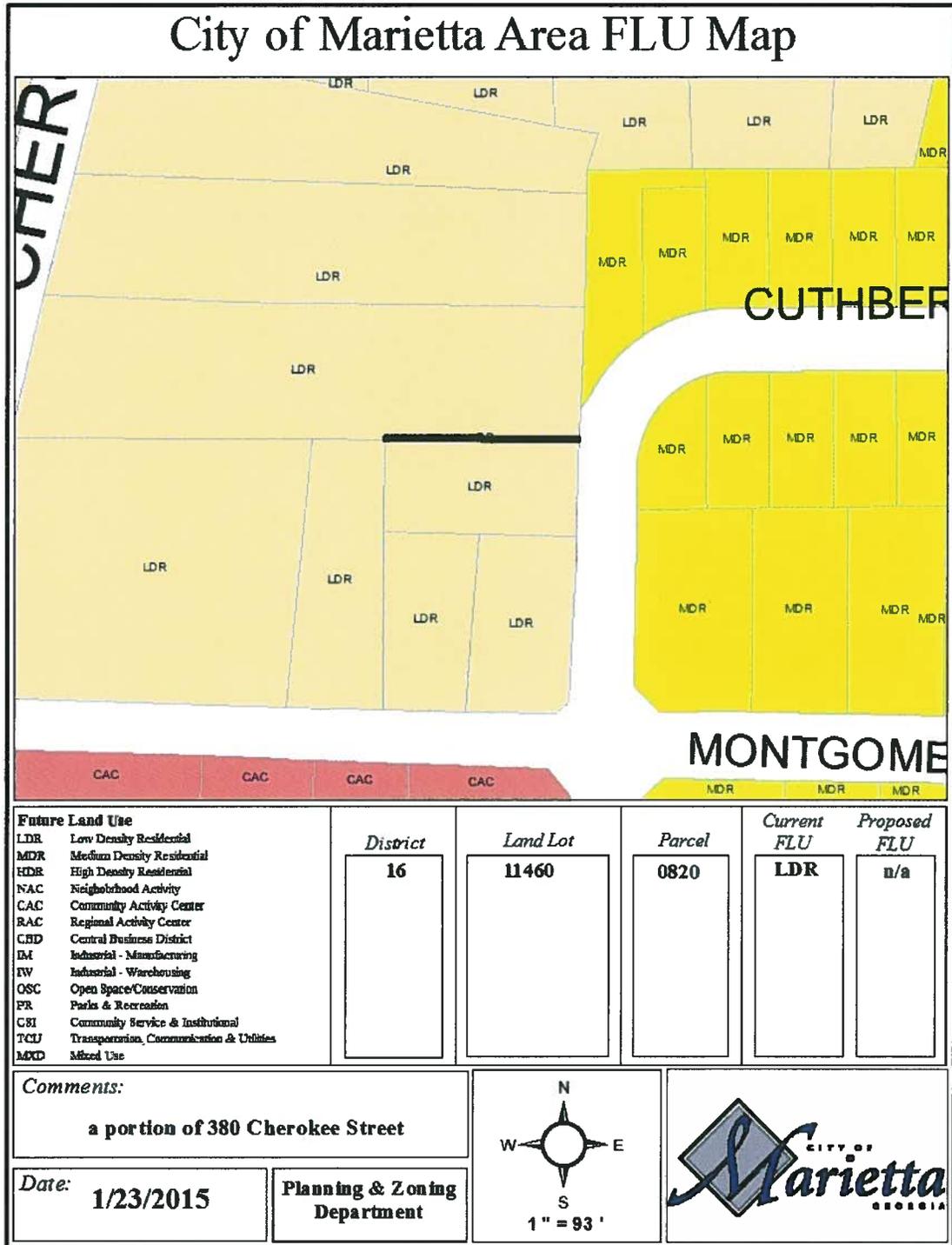
CITY COUNCIL HEARING: Wednesday, March 11, 2015 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map



FLU MAP



PICTURES OF PROPERTY



Area between 380 Cherokee St and 87 Harold Street



87 Harold Street

STAFF ANALYSIS

Location Compatibility

The applicant and owner, Kevin Knox, is requesting the rezoning of approximately 305 square feet between 87 Harold Street and 380 Cherokee Street. Kevin Knox, the owner of 87 Harold Street, purchased this piece of land from the owner of 380 Cherokee Street for the purpose of combining it with 87 Harold Street. However, 87 Harold Street is zoned R-4 (Single Family Residential – 4 units per acre) while 380 Cherokee Street is zoned R-3 (Single Family Residential – 3 units per acre). Properties of one zoning classification cannot be combined with properties of another zoning classification.

Use Potential and Impacts

Kevin Knox purchased this small piece of land from the owner of 380 Cherokee Street in order to combine it with 87 Harold Street for the purpose of increasing the pervious surface when building the new home on the lot. Shifting property lines is usually a simple process done with an exemption plat. However, because the two properties have different zoning classifications, the subject property would have to be rezoned first.

This rezoning will only allow ~305 square feet be combined with an adjacent parcel. It will not increase density or cause any visible change in the area that could cause a negative impact on the neighborhood. It will also not add enough square footage that 87 Harold Street could be further subdivided, due to density restraints.

The future land use of both properties is LDR, which is appropriate for single family homes up to 3 units per acre. Although R-4 is not listed as a compatible zoning for the LDR future land use category, this rezoning will not increase the allowable density to what is already allowed.

Environmental Impacts

There is no indication that any streams, floodplains, wetlands, or endangered species exist on this property.



Economic Functionality

This property has functioned as part of the back/side yard of 380 Cherokee Street. If the property is rezoned and combined as requested, it will remain an unimproved back/side yard for 87 Harold Street. The piece is not large enough to function as an independent parcel and would have to be combined with an adjacent parcel.

Infrastructure

This rezoning should have no impact on transportation, education, water, sewer, electricity, or other public infrastructure in the area

History of Property

There is no history of any variances, Special Land Use Permits, or rezonings specific to this piece of property. However, 87 Harold Street was rezoned from R-3 to R-4 in 2011 and is Lot 4 of the Montgomery Near the Square. This rezoning (Z2011-09) included numerous variances and stipulations. Also, an administrative variance (AV2014-12) was granted to reduce the side yard setback and increase the allowable impervious surface in March 2014.

ANALYSIS & CONCLUSION

Kevin Knox, owner of 87 Harold Street, is requesting the rezoning of approximately 305 square feet between 87 Harold Street and 380 Cherokee Street. Mr. Knox purchased this piece of land from the owner of 380 Cherokee Street for the purpose of combining it with 87 Harold Street. However, 87 Harold Street is zoned R-4 while 380 Cherokee Street is zoned R-3. Properties of one zoning classification cannot be combined with properties of another zoning classification.

Kevin Knox purchased this small piece of land for the purpose of increasing the pervious surface when building his home on 87 Harold Street. Shifting property lines is usually a simple process done with an exemption plat. However, because the two properties have different zoning classifications, the subject property would have to be rezoned first.

This rezoning will only allow ~305 square feet be combined with an adjacent parcel. It will not increase density or cause any visible change in the area that could cause a negative impact on the neighborhood. It will also not add enough square footage that 87 Harold Street could be further subdivided, due to density restraints. If this rezoning request is approved, the following stipulation is suggested:

- Subject parcel must be combined with 87 Harold Street through the exemption plat process within 90 days of rezoning.

Once this property is included in 87 Harold Street, it will be subject to the same conditions adopted under the original zoning for Montgomery Near the Square (Z2011-09).

The future land use of both properties is LDR, which is appropriate for single family homes up to 3 units per acre. Although R-4 is not listed as a compatible zoning for the LDR future land use category, this rezoning will not increase the allowable density to what is already allowed.

Prepared by: _____

Approved by: _____



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?

If not, how far is the closest water line?

Size of the water line?

Capacity of the water line?

Approximate water usage by proposed use?

CITY OF MARIETTA - SEWER

Is a sewer line adjacent to the property?

If not, how far is the closest sewer line?

Size of the sewer line?

Capacity of the sewer line?

Estimated waste generated by proposed development?

A.D.F Peak

Treatment Plant Name?

Treatment Plant Capacity?

Future Plant Availability?



DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	NO
What percentage of the property is in the flood plain?	---
What is the drainage basin for the property?	Sope Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	NO
If so, is the use compatible with the possible presence of wetlands?	---
Do stream bank buffers exist on the parcel?	NO
Are there other topographical concerns on the parcel?	NO
Are there storm water issues related to the application?	NO
Potential presence of endangered species in the area?	NO

Transportation

What is the road effected by the proposed change?	Montgomery Avenue Harold Street
What is the classification of the road?	Local
What is the traffic count for the road?	No Data Available
Estimated # of cars generated by the proposed development?	---
Estimated # of trips generated by the proposed development?	---
Do sidewalks exist in the area?	YES
Transportation improvements in the area?	NO
If yes, what are they?	---

- Additional Right-Of-Way is required to be donated by Quit Claim Deed to the City for the 2.55' strip along Harold Street, to align with the current frontage. In the future, if an opportunity exists to obtain additional R.O.W. along the frontage for #380 Cherokee Street, it will be required of that owner.
- The sidewalk must be extended through this 2.55' strip.



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?

Distance of the nearest station?

Most likely station for 1st response?

Service burdens at the nearest city fire station (under, at, or above capacity)?

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes X No

If not, can this site be served? Yes No

What special conditions would be involved in serving this site?

Additional comments:

PUBLIC NOTICE OF REZONINGS, FUTURE LAND USE, AND CODE AMENDMENTS

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following rezonings, future land use assignments, and code amendments will be considered by the Planning Commission on **Tuesday, March 3, 2015, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, March 11, 2015, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2015-06 [REZONING] KEVIN KNOX requests rezoning for a portion of property located in Land Lot 11450, District 16, Parcel 0820, 2nd Section, Marietta, Cobb County, Georgia and being known as a portion of 380 Cherokee Street from R-3 (Single Family Residential – 3 units / acre) to R-4 (Single Family Residential – 4 units / acre). Ward 5.

A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

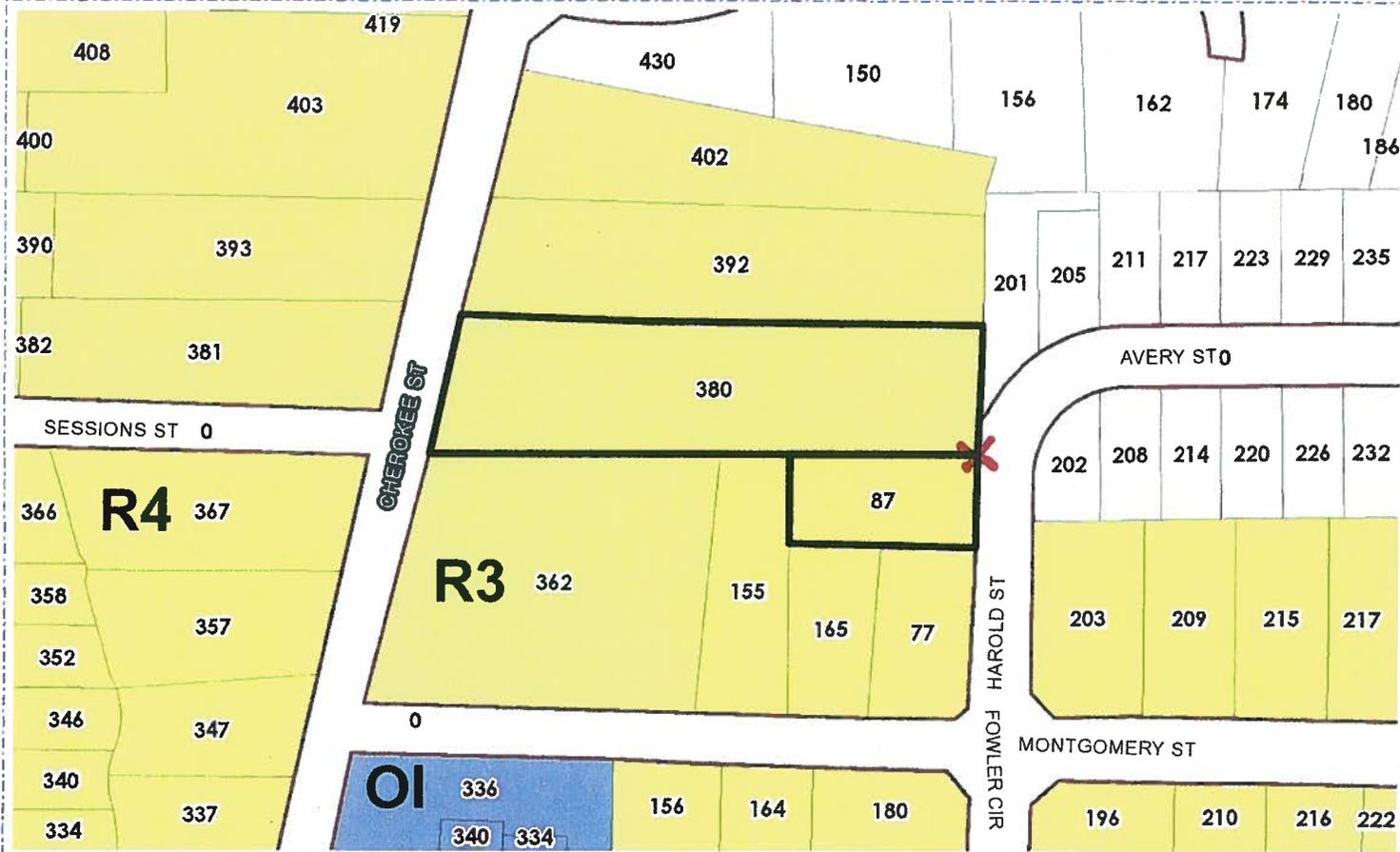
For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060



Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
362 CHEROKEE ST	16114502580	1.212	5A	R3	LDR
155 MONTGOMERY ST	16114502630	0.324	5A	R4	LDR
380 CHEROKEE ST	16114600820	1.085	5A	R3	LDR

Property Owner: Kevin Knox

Applicant:

Proposed Zoning: R3-R4

Agent:

Proposed Use:

Planning Commission Date: 3/3/15

City Council Hearing Date: 3/11/15 Case Number: Z2015-06

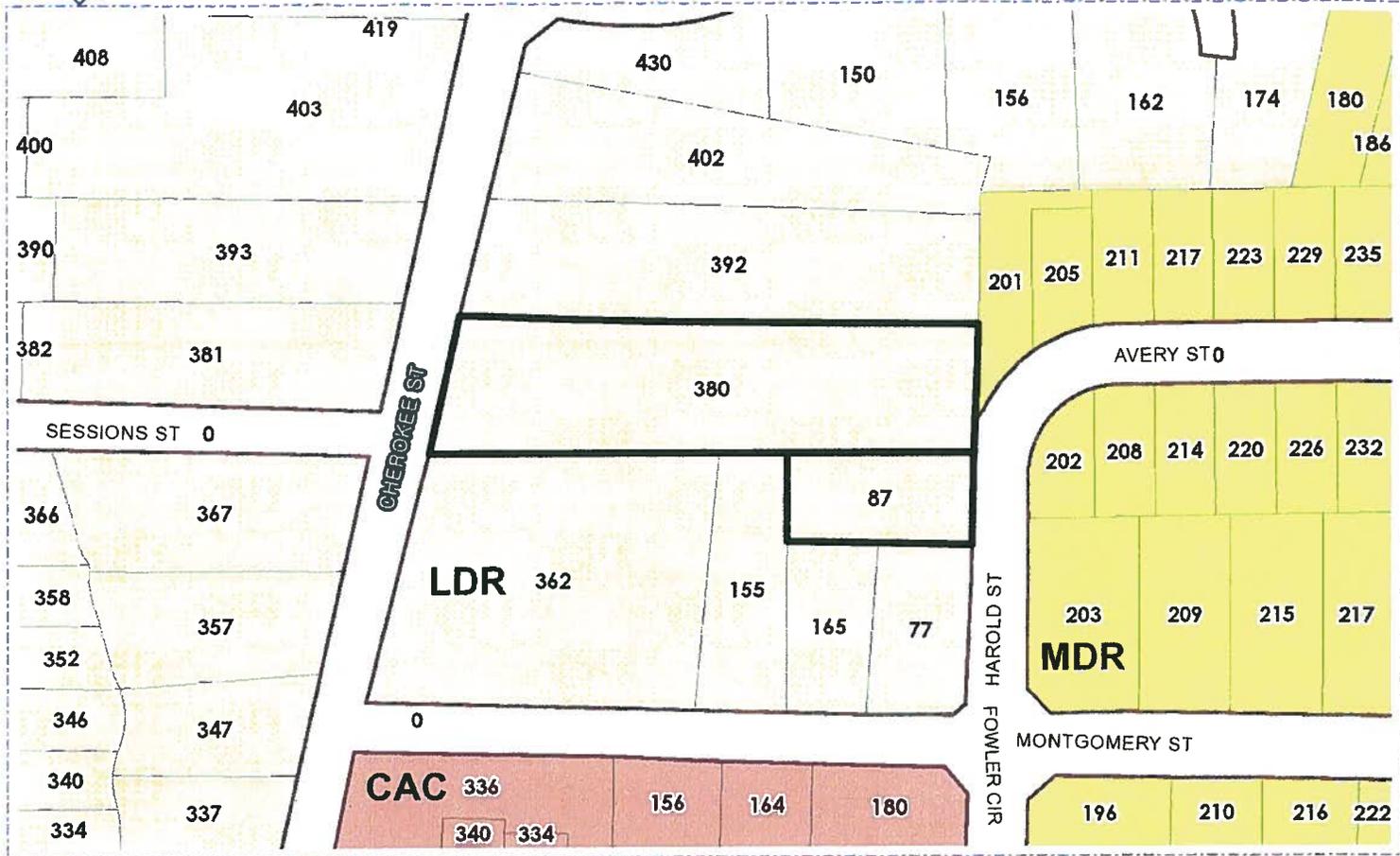
City of Marietta Planning & Zoning

Zoning Symbols

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional/Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise



Future Land Use



Address	Parcel Number	Acreage	Ward	Zoning	FLU
362 CHEROKEE ST	16114502580	1.212	5A	R3	LDR
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380 CHEROKEE ST	16114600820	1.085	5A	R3	LDR

Planning Commission
Hearing Date: 3/3/15

City Council Hearing Date: 3/11/15

Future Land Use: LDR

Case Number:

Comments:

Future Land Use Symbols

- Railroads
- City Limits
- Cobb County Pockets
- RAC - Regional Activity Center
- CAC - Community Activity Center
- NAC - Neighborhood Activity Center
- CBD - Central Business District
- MXD - Mixed Use Development
- CSI - Community Service and Institutional
- HDR - High Density Residential
- MDR - Medium Density Residential
- LDR - Low Density Residential
- OSC - Open Space / Conservation
- PR - Parks / Recreation
- IW - Industrial Warehousing
- IM - Industrial Manufacturing
- TCU - Transportation and Utilities

Aerial Map



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380 CHEROKEE ST	16114600820	1.085	5A	R3	LDR

Property Owner: Kevin Knox

Applicant:

City Council Hearing Date: 3/11/15

Planning Commission Hearing Date: 3/3/15

BZA Hearing Date: **Case Number:** Z2015-06

Comments:

City of Marietta Planning & Zoning

Legend

-  Railroads
-  City Limits
-  Cobb County Pockets

