



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2016-33 **LEGISTAR:** 20161107

LANDOWNERS: Roger & Michele Wight
355 Wellons Street
Marietta, GA 30060

APPLICANT: Same as above

AGENT: N/A

PROPERTY ADDRESS: 355 Wellons St

PARCEL DESCRIPTION: 16 11440 0600

AREA: ~0.213 acres **COUNCIL WARD:** 5A

EXISTING ZONING: NRC (Neighborhood Retail Commercial)

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

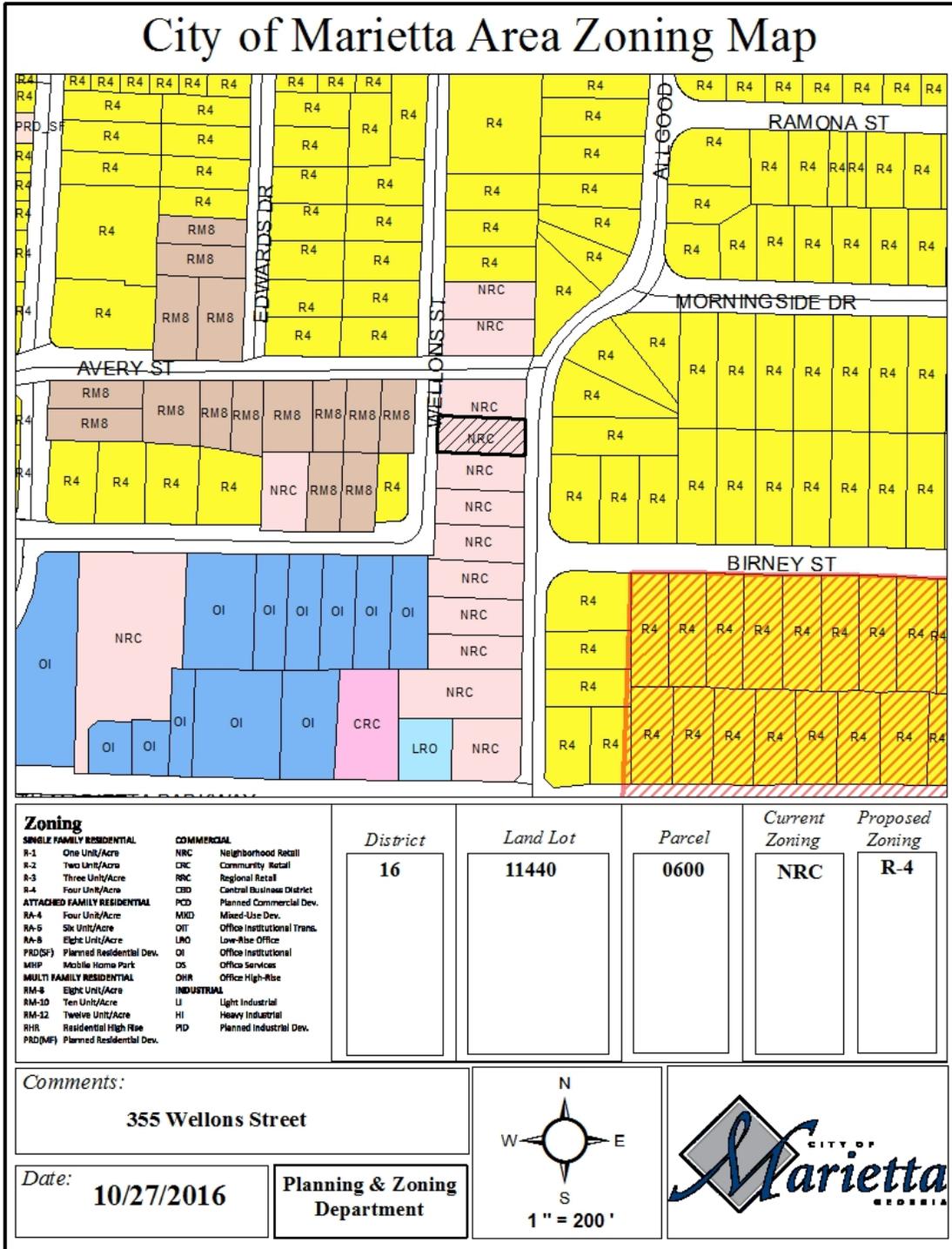
FUTURE LAND USE: MDR (Medium Density Residential)

REASON FOR REQUEST: The applicant is requesting residential zoning of this property in order to use the existing structure as a residence.

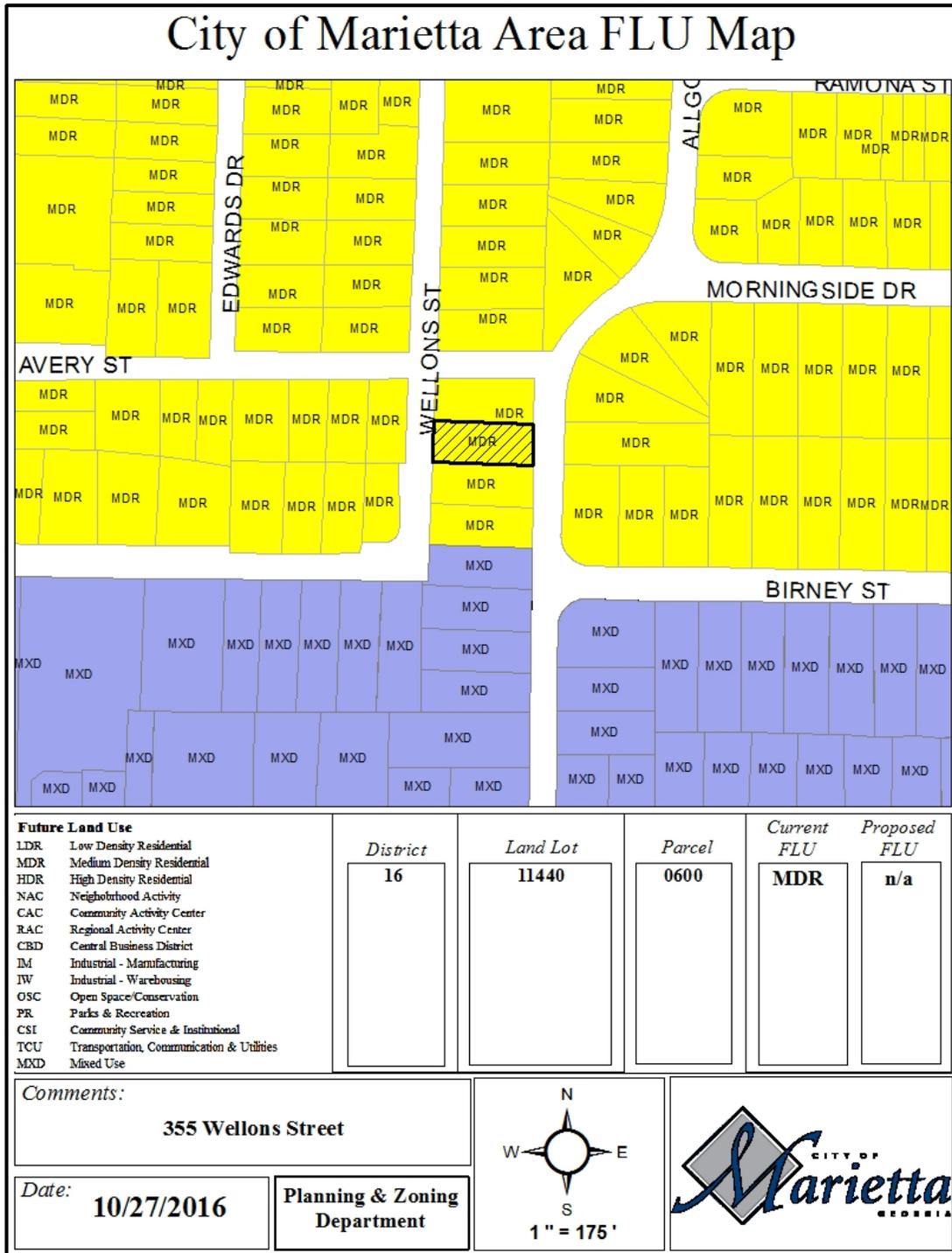
PLANNING COMMISSION HEARING: Tuesday, December 6th, 2016 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, December 14th, 2016 – 7:00 p.m.

MAP



FLU MAP



PICTURES OF PROPERTY



355 Wellons Street



Side of the property – facing north



Rear of the property – existing deck

STAFF ANALYSIS

Location Compatibility

The property owners, Roger and Michele Wight, are requesting the rezoning of the 0.21 acre parcel located at 355 Wellons Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential – 4 units / acre). The subject property was originally built as a residence and has been continuously used as a residence. However, previous occupants have operated home based businesses while living here since the early 2000s. Although the surrounding properties north and south are zoned NRC, only the property far south facing North Marietta Parkway is currently functioning commercially (neighborhood grocery). The property to the west – across Wellons Street is zoned RM-8 (Multi-Family Residential – 8 units/acre). Rear of the property – facing east – across Allgood Road is a residential neighborhood zoned R-4.

Use Potential and Impacts

The current owners recently purchased the subject property with the intent of it being their family home. However, upon requesting a building permit, they learned that they would be required to rezone the property to a residential classification in order to make such improvements. The owners stated that the zoning of the subject property was not disclosed upon purchasing the property. Their intent is to connect the principal structure to the garage by demolishing the chimney, and to build out a hallway for easy access for their elderly mother and their daughter whom has Trisomy 21 (Down's Syndrome).

Residential uses typically have less of an impact on adjacent uses because there is less traffic, noise, and general daytime activity. As a result, granting this request would have little impact on the surrounding properties and neighborhood.

The future land use for this property and the surrounding area is MDR (Medium Density Residential), which is appropriate for single family use ranging from three (3) to six (6) units per acre. This request is compatible with the MDR future land use category.

Environmental Impacts

The residential use of this property should have no adverse environmental impact on the surrounding area or city as a whole.

STAFF ANALYSIS CONTINUED

Economic Functionality

The subject property has been continuously used as a residence, although the occupants have had a home-based business license from 2000 until 2012. The subject property is paying residential utility rates but are receiving commercial sanitation service through the city.

The commercial building on the adjacent property to the north has recently been demolished; and the parcels south of the adjacent property to the south are also vacant. A neighborhood grocery store appears to continue to operate on a property to the south. Among the properties zoned NRC – all are either vacant or used residentially, except for the neighborhood grocery store. Therefore, the property as zoned is not functioning well with its current zoning.

Infrastructure

The use of the subject property as a residence should not have any adverse impact on available transportation, education, water, sewer, electricity, or other public infrastructure in the area.

History of Property

There is no history of any variances, rezonings, or Special Land Use Permits for either of these two properties.

Other Issues

The following aspects of the site do not appear to meet the R-4 standards and would need variances:

- Variance to reduce the side yard setbacks to allow only the existing structures to remain. [§708.04 (H)]
- Variance to allow an accessory structure in front of the principal building on a double frontage lot. [§708.04 (F.1)]
- Variance to allow an existing chain link fence to remain on the property. [§710.04]

According to the Fire Department's comments, the reclassification of the garage to residential occupancy may require compliance with the Marietta Sprinkler ordinance.

ANALYSIS & CONCLUSION

The property owners, Roger and Michele Wight, are requesting the rezoning of the 0.21 acre parcel located at 355 Wellons Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential – 4 units / acre). The subject property was originally built as a residence and has been continuously used as a residence. However, previous occupants have operated home based businesses while living here since the early 2000s. Although the surrounding properties north and south are zoned NRC, only the property far south facing North Marietta Parkway is functioning commercially (neighborhood grocery).

The current owners recently purchased the subject property with the intent of it being their family home. However, upon requesting a building permit, they learned that they would be required to rezone the property to a residential classification in order to make such improvements. The owners stated that the zoning of the subject property was not disclosed upon purchasing the property. Their intent is to connect the principal structure to the garage by demolishing the chimney, and to build out a hallway for easy access for their elderly mother and their daughter whom has Trisomy 21 (Down's Syndrome).

Residential uses typically have less of an impact on adjacent uses because there is less traffic, noise, and general daytime activity. As a result, granting this request would have little impact on the surrounding properties and neighborhood.

The following aspects of the site do not appear to meet the R-4 standards and would need variances:

1. Variance to reduce the side yard setbacks to allow only the existing structures to remain. [*§708.04 (H)*]
2. Variance to allow an accessory structure in front of the principal building on a double frontage lot. [*§708.04 (F.1)*]
3. Variance to allow an existing chain link fence to remain on the property. [*§710.04*]

According to the Fire Department's comments, the reclassification of the garage to residential occupancy may require compliance with the Marietta Sprinkler ordinance.

The future land use for this property and the surrounding area is MDR (Medium Density Residential), which is appropriate for single family use ranging from three (3) to six (6) units per acre. This request is compatible with the MDR future land use category.

Prepared by:



Approved by:





DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	6 inch
Capacity of the water line?	Fire flow test may be needed
Approximate water usage by proposed use?	Not provided

CITY OF MARIETTA - SEWER

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	6 inch
Capacity of the sewer line?	A.D.F. Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County



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?	NA
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?	NA
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?	Wellons Street
What is the classification of the road?	Local
What is the traffic count for the road?	NA
Estimated # of trips generated by the proposed development?	1
Estimated # of pass-by cars entering proposed development?	2
Do sidewalks exist in the area?	No
Transportation improvements in the area?	None
If yes, what are they?	



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	Station 51
Distance of the nearest station?	0.8 miles
Most likely station for 1 st response?	Station 51
Service burdens at the nearest city fire station (under, at, or above capacity)?	None

The reclassification from garage to a residence may require compliance with the Marietta Sprinkler Ordinance.

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:



DATA APPENDIX CONTINUED

MARIETTA CITY SCHOOLS

Marietta City Schools Impact Assessment:

Elementary School System Servicing Development:	Sawyer Road Elementary
Middle School Servicing Development:	Marietta Middle School
High School Servicing Development:	Marietta High School
Capacity at Elementary School:	700-800
Capacity at Middle School:	1300-1400
Capacity at Marietta Sixth Grade Academy:	800-900
Capacity at High School:	2400-2500
Current enrollment of Elementary School:	768
Current enrollment of Middle School:	1313
Current enrollment of High School:	2365
Number of students generated by present development:	0
Number of students projected from the proposed development:	2
New schools pending to serve this area:	None

Comments:

Currently two students in MCS schools (Park Street & MCAA)



Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Phone (770) 794-5440
Brian Binzer, AICP, Director

APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)

For Office Use Only:

Application #: 22016-33 Legistar #: 20161107 PZ #: 16-587
Planning Commission Hearing: City Council Hearing:

Owner's Name: ROGER & MICHELE WIGHT Email Address: THE_WIGHT_HOUSE@YAHOO.COM

Mailing Address: 355 WELLONS STREET Zip Code: 30060 Telephone Number: 770-485-7158

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant:
Mailing Address: Zip Code:
Telephone Number: Email Address:

Address of property to be rezoned: 355 WELLONS STREET, MARIETTA GA 30060

Land Lot (s) 11440 District 16 Parcel 0600 Acreage .213 Ward 5A Future Land Use: MDR

Present Zoning Classification: NRC Proposed Zoning Classification: R4

REQUIRED INFORMATION

Applicant must submit the following information by 4:00 p.m. on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

- 1. ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk. The original application must be submitted with ALL original signatures - Copies of the application or signature(s) will NOT be accepted.
2. Legal Description. Legal description must be in a WORD DOCUMENT.
3. Application fee (\$500)
4. Copy of the deed that reflects the current owner(s) of the property.
5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
3. Site plan/plat/survey prepared by an architect, engineer (P.E. or Civil Engineer), landscape architect or land surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey. Five (5) copies, drawn to scale and no larger than 24" x 36"; and one (1) copy 11' x 17' or smaller, must be submitted. The following information must be included:
- Specific use or uses proposed for the site
- Acreage, bearing and distances, other dimensions, and location of the tract(s)
- Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
- Detention/retention areas, and utility easements
- Public or private street(s) - right of way and roadway widths, approximate grades
- Location and size of parking area with proposed ingress and egress
- Specific types and dimensions of protective measures, such as buffers
- Landscaping
- Wetlands, stream buffers, and 100 year floodplain
4. A detailed written description of the proposed development/project must be submitted with the application.

Michele & Roger Wight
355 Wellons Street NE
Marietta GA 30060
The_Wight_House@yahoo.com

October 20, 2016

Department of Development Services
205 Lawrence Street
Marietta GA 30060

To Whom It May Concern:

This is a request for rezoning of address: 355 Wellons Street, Marietta GA 30060. It is currently zoned as Commercial and the zone requested is Residential.

This property was purchased to be a family home. My family consists of my husband and myself, my daughter Melyssande, who has Trisomy 21 (Down's Syndrome), my son and my elderly mother.

It was our intention to adjoin the garage to the main house so that we may have extra room for my mom to live with us and still maintain her privacy and independence and in time it would be a place for our daughter. It is also our intention to repair and restore this home to its former glory.

**Attached are the (possible) plans for our home.
Thank you for the opportunity for presenting our request.**

Regards,

Roger & Michele Wight

Build out a connecting hall between house and garage. Includes demolition of chimney which is no longer operational (Sealed off by previous owner)

Repairs and replacement of necessary siding. Remove a portion of interior wall to connect garage and living room.

Repair and possible replacement of portions of deck

Repair of front area to entrance of home as uneven and has no hand rails. Both my mother and daughter need assistance to enter. (Previous owner made it out of a pile of rocks).

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: November 18, 2016

**CITY OF MARIETTA
PUBLIC NOTICE OF REZONINGS AND SPECIAL LAND USE PERMIT**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, December 6, 2016, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, December 14, 2016, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2016-33 [REZONING] ROGER & MICHELE WIGHT is requesting the rezoning of approximately 0.2 acres located in Land Lot 1144, District 16, Parcel 0600, 2nd Section, Marietta, Cobb County, Georgia, and being known as 355 Wellons Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential – 4 units / acre). Ward 5A.

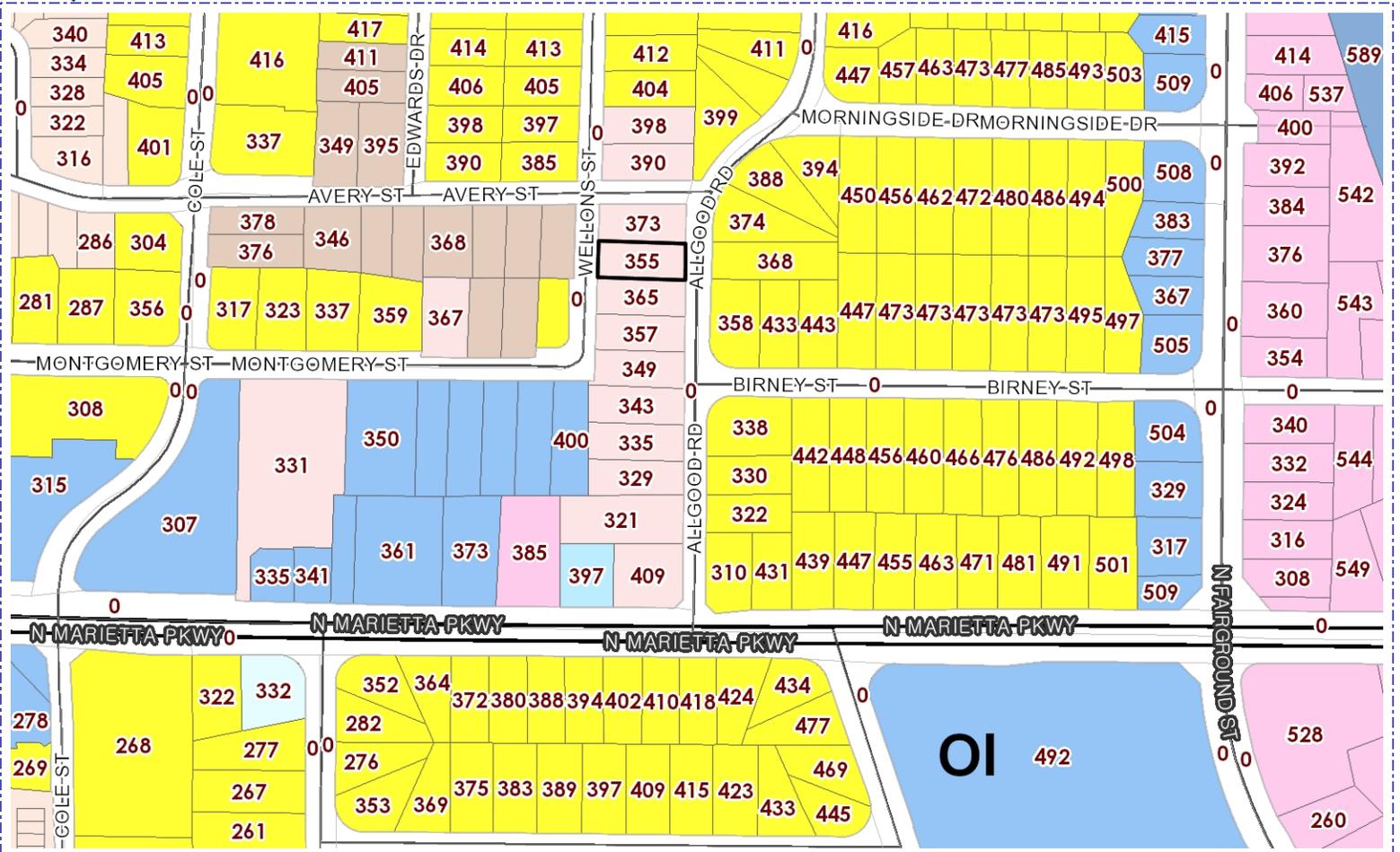
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

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
355 WELLONS ST	16114400600	0.213	5A	NRC	MDR

Property Owner:	Roger & Michele Wight		Zoning Symbols
Applicant:			
Proposed Zoning:	R4		
Agent:			
Proposed Use:			
Planning Commission Date:	12/06/2016		
City Council Hearing Date:	12/14/2016	Case Number: Z2016-33	
City of Marietta Planning & Zoning			



Future Land Use



Address	Parcel Number	Acreage	Ward	Zoning	FLU
355 WELLONS ST	16114400600	0.213	5A	NRC	MDR

Planning Commission Hearing Date:	12/06/2016
City Council Hearing Date:	12/14/2016
Future Land Use:	MDR
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

City of Marietta Planning & Zoning



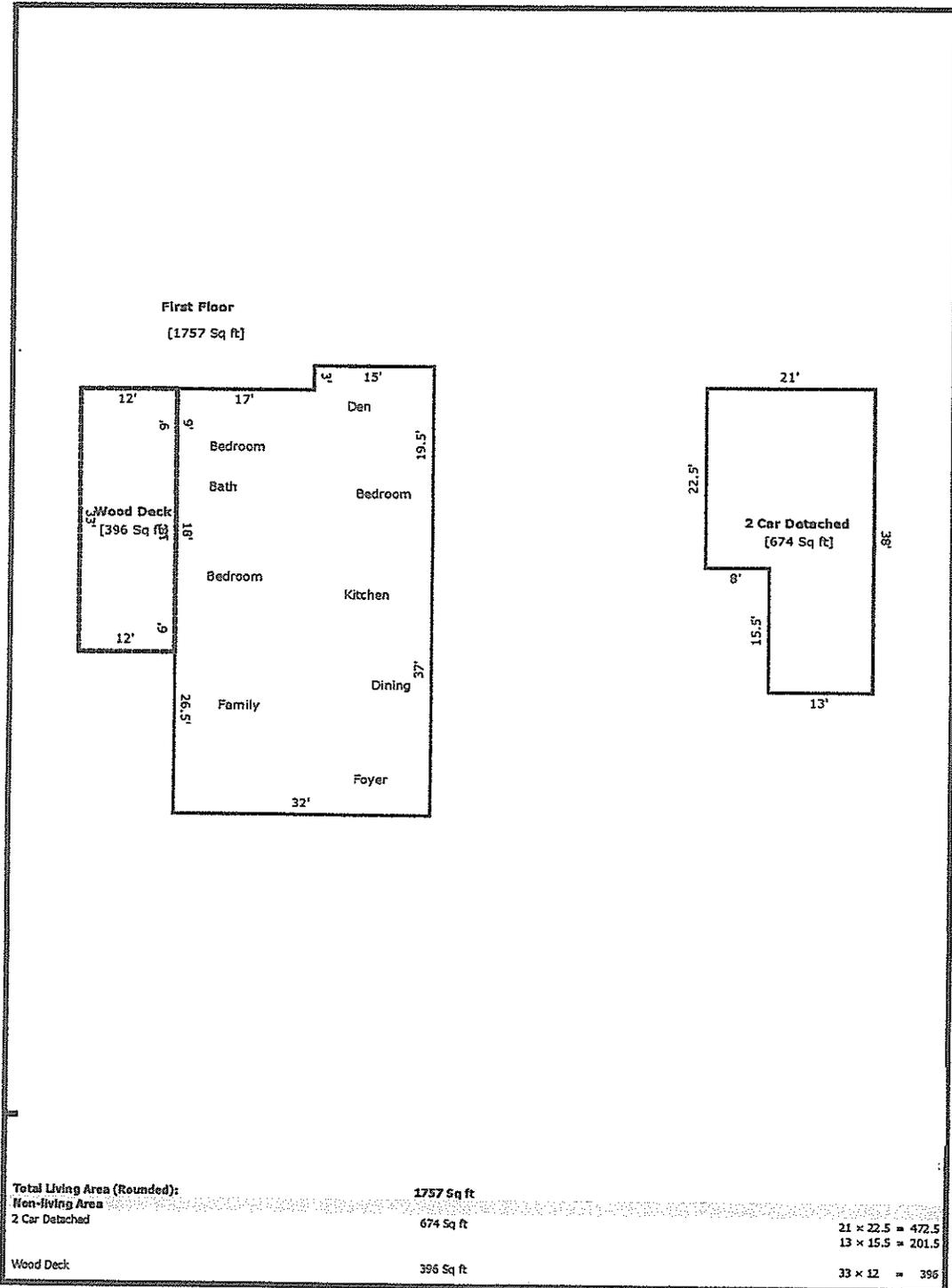
Address	Parcel Number	Acreage	Ward	Zoning	FLU
355 WELLONS ST	16114400600	0.213	5A	NRC	MDR

Property Owner:	Roger & Michele Wight
Applicant:	
City Council Hearing Date:	12/14/2016
Planning Commission Hearing Date:	12/06/2016
BZA Hearing Date:	Case Number: Z2016-33
Comments:	
City of Marietta Planning & Zoning	

Legend

- Railroads
- City Limits
- Cobb County Pockets

Property Address	355 Wellons St NE		
City	Marietta	County	COBB
		State	GA
		Zip Code	30080



Total Living Area (Rounded):	1757 Sq ft	
Non-living Area	674 Sq ft	$21 \times 22.5 = 472.5$
2 Car Detached		$13 \times 15.5 = 201.5$
Wood Deck	396 Sq ft	$33 \times 12 = 396$



WELLONS ST

ALLGOOD RD

373
ALLGOOD RD



355
WELLONS ST



365
ALLGOOD RD

