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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2014-14

**LEGISTAR #:** 20150205

**PROPERTY OWNERS:**

**William C. Hagemann Profit Sharing Plan  
P. O. Box 4322  
Marietta, GA 30061**

**PROPERTY ADDRESS:**

**180 Locust Street**

**PARCEL DESCRIPTION:**

**16 11580 1240 (a portion of)**

**AREA:** 0.028 ac

**COUNCIL WARD:** 3A

**EXISTING ZONING:**

**OI (Office Institutional)**

**REQUEST:**

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

**FUTURE LAND USE:**

**MDR (Medium Density Residential)**

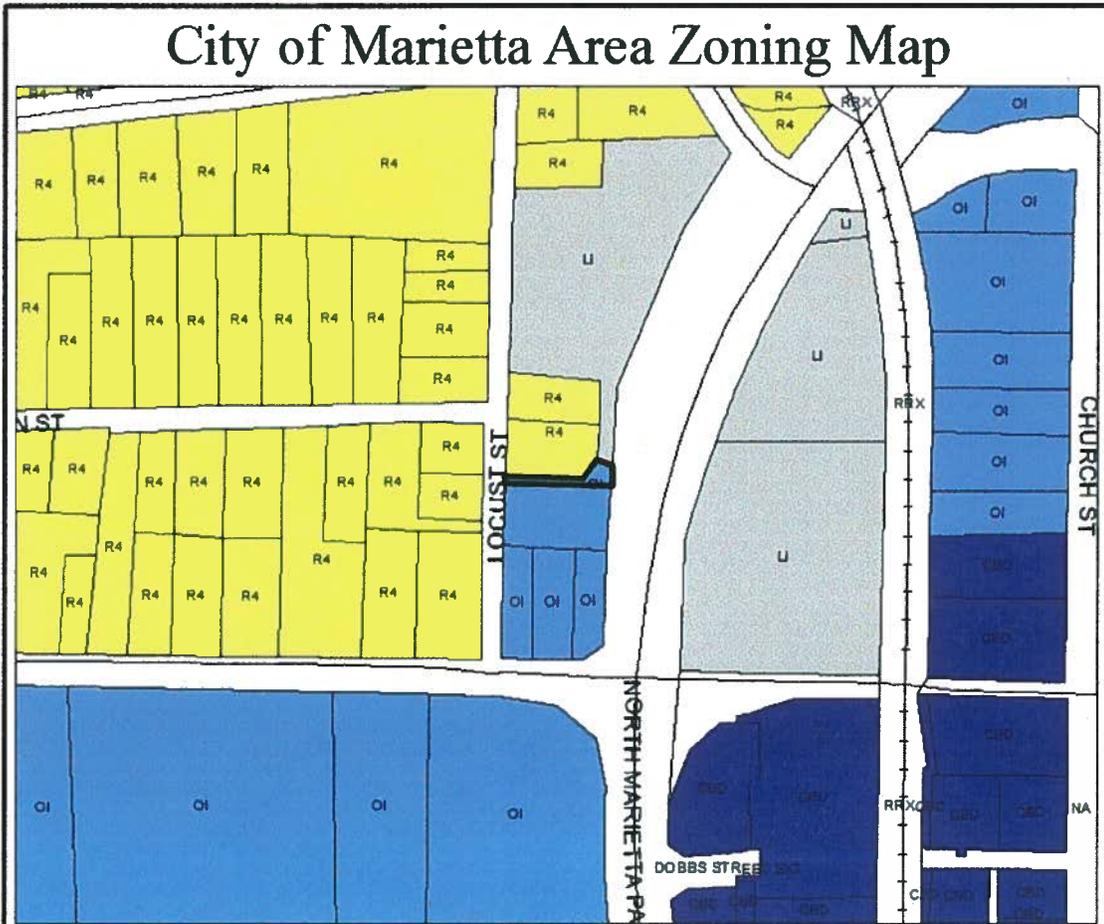
**REASON FOR REQUEST:** The applicant is requesting to rezone a portion of the property - currently part of 180 Locust Street - in order to have more yard area to build one single family detached residence at 194 Locust Street.

**PLANNING COMMISSION HEARING:** Wednesday, April 1, 2015 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, April 8, 2015 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map

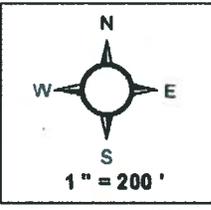


Zoning	District	Land Lot	Parcel	Current Zoning	Proposed Zoning
<b>SINGLE FAMILY RESIDENTIAL</b> R-1 One Unit/Acre R-2 Two Units/Acre R-3 Three Units/Parcel R-4 Four Units/Acre <b>ATTACHED FAMILY RESIDENTIAL</b> RA-4 Four Units/Acre RA-6 Six Units/Acre RA-8 Eight Units/Acre PRD(P) Planned Residential Dev. MHP Middle Home Park <b>MULTI FAMILY RESIDENTIAL</b> RM-6 Eight Units/Acre RM-10 Ten Units/Acre RM-12 Twelve Units/Parcel RM Residential High Rise PRD(MF) Planned Residential Dev.	<b>COMMERCIAL</b> MRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MID Mixed-Use Dev. OIT Office Institutional Trans. LAO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise <b>INDUSTRIAL</b> LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	16	11580	1240	OI R-4

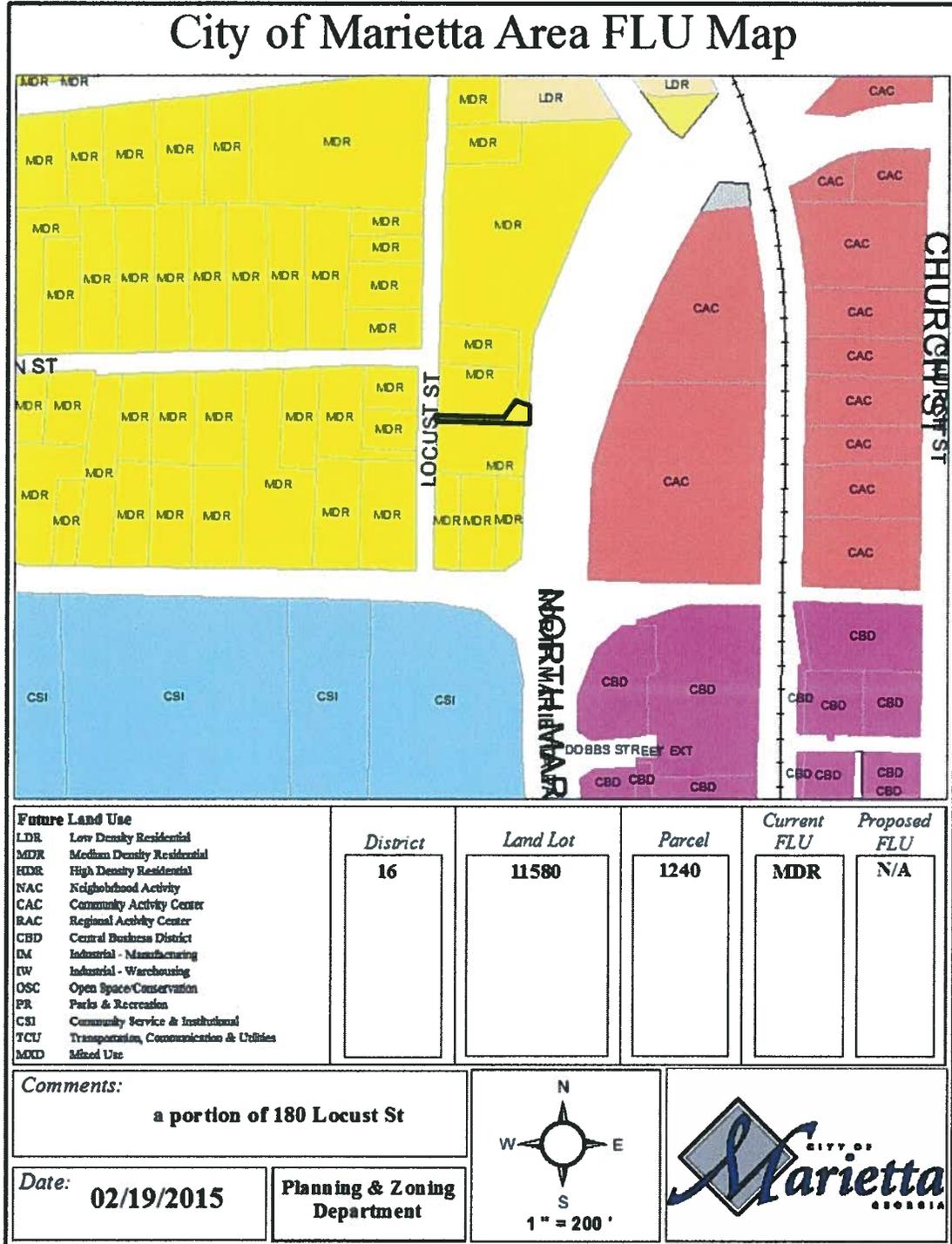
**Comments:**  
 a portion of 180 Locust St

**Date:** 02/19/2015

**Planning & Zoning Department**




## FLU MAP



**PICTURES OF PROPERTY**



**View of 180 Locust Street from Moon Street**



**View of 180 Locust Street from southwest**

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant and owner, William Hagemann, is requesting to rezone 0.028 acres – a portion of the 0.376 acre property – located at 180 Locust Street from OI (Official Institutional) to R-4 (Single Family Residential 4 units/acre). The applicant is requesting to rezone this portion of the property, which will be combined with the adjacent property at 194 Locust Street, in order to build a new single family detached residence.

A variety of zoning districts surround this area. The adjacent property to the north is zoned R-4 (194 Locust Street was rezoned in September per Z2014-15); and the adjacent property to the south is zoned OI (Office Institutional). The neighborhood to the west, across Locust Street, is zoned R-4. The properties across North Marietta Parkway, which abuts the property to the east, are zoned LI, Light Industrial and CBD (Central Business District).

### *Use Potential and Impacts*

The subject property is on the edge of a single family residential district where several zoning categories and uses intermingle, but most adjacent uses are single family homes. The applicant has a contract on the property from someone who intends to build an owner occupied residence on the property at 194 Locust Street, but would like to have a slightly larger yard. The applicant and owner understand that an exemption plat will have to be submitted, approved and recorded to move the current property line. There will be no change to the use of the property that would adversely affect the surrounding properties.

OI zoned property is required to have a minimum lot size of 20,000 square feet. Currently, the property at 180 Locust Street contains approximately 16,378.56 square feet of property, and this request would reduce the size of the property by 1,219.68 square feet to 15,158.88 square feet. Because the property is already nonconforming in regards to minimum lot size, the following variance would be necessary if this rezoning was approved:

- Reduction of the required minimum lot size from 20,000 s.f. to 15,158.88 s.f.

The City of Marietta Comprehensive Plan and the Future Land Use map designates this property and all surrounding areas as Medium Density Residential (MDR). Medium Density Residential Districts are relatively compact areas within larger neighborhoods and should be located around or near more intensively developed areas. The zoning request to rezone this small amount of property to R-4 to develop this property to a single family residence is consistent with the current designation.

### *Environmental Impacts*



There is no indication of any streams, wetlands, endangered species, or topographical issues on the property.

## STAFF ANALYSIS CONTINUED

### *Economic Functionality*

The property is currently vacant. The adjacent property to the north is already zoned R-4 and the adjacent property to the south is zoned OI. The character of the neighborhood is single family residences. The current zoning of light industrial has no reasonable economic use. The majority of the surrounding properties are already zoned R-4.

### *Infrastructure*

The property is entirely within city limits and will be used for residential purposes and will continue utilizing the water, sewer and electric services. There will be minimal impact to the traffic and transportation.

The applicant indicated that they will be building a single family detached residence that will exceed the minimum square footage requirement for the R-4 zoning.

### *History of Property*

There are no variances, special land use permits or rezoning for this property.

### *Other Issues*

The remaining portion of the property will continue to be zoned OI, Office Institutional, but under current zoning regulations will not be required to provide a landscaped buffer, should the rezoning to R-4 be approved. Section 710.05(H) states that: "No buffer shall be required in circumstances in which the rezoning of a parcel or parcels of property creates a condition in which a buffer would be required along the boundary of an adjacent property or properties, where no buffer had previously been required."





**DATA APPENDIX**

**DRAINAGE & ENVIRONMENTAL CONCERNS**

No comments.

**MARIETTA POWER – ELECTRICAL**

Does Marietta Power serve this site?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If not, can this site be served?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
What special conditions would be involved in serving this site?		
Additional Comments:		

**MARIETTA FIRE – EMERGENCY SERVICES**

Nearest city or county fire station from the development?	Station 51
Distance to the nearest station?	0.5 miles
Most likely station for 1 <sup>ST</sup> response?	Station 51
Service burdens at the nearest city fire station (under, at, or above capacity)?	None
<p>Other than the questions above, please comment on any issues you might have concerning this request for rezoning or variance.</p> <p><b><u>Comments:</u></b></p> <p>*Comply with all state and local codes for occupancy classification including but not limited to sprinkler system, fire alarm system, and protection of hazards.</p>	



**DATA APPENDIX CONTINUED**

**MARIETTA BOARD OF LIGHTS & WATER**

**WATER –**

Is there a water line adjacent to the property?	Yes
If not, how far is the closest water line?	n/a
Size of water line?	6-inch
Capacity of water line?	Available
Approximate water usage by proposed use?	1 single family

**WASTEWATER –**

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	n/a
Size of sewer line?	8-inch
Capacity of the sewer line	Available
Estimated waste generated by proposed development?	1 – Single family
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
	Cobb County



**DATA APPENDIX CONTINUED**

**MARIETTA CITY SCHOOLS**

Elementary School System Servicing Development	West Side
Middle School Servicing Development	Marietta Middle
High School Servicing Development	Marietta High
Capacity at Elementary School	350-450
Capacity at Middle School	1300-1400
Capacity at High School	2500-2600
Current enrollment of Elementary School	526
Current enrollment of Middle School	1376
Current enrollment of High School	2073
Number of students generated by present development	-0-
Number of students projected from the proposed development	-0-
New schools pending to serve this area	None
<b><u>Comments:</u></b>	

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: March 13, 2014**

**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 rezonings and special land use permit by the Planning Commission on **Wednesday, April 1, 2015, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, April 8, 2015, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2015-14 [REZONING] WILLIAM C. HAGEMANN PROFIT SHARING PLAN** requests rezoning for property located in Land Lot 1158, District 16, Parcel 1240, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia and being known as a portion of 180 Locust Street from OI (Office Institutional) to R-4 (Single Family Residential – 4 units / acre). Ward 3.

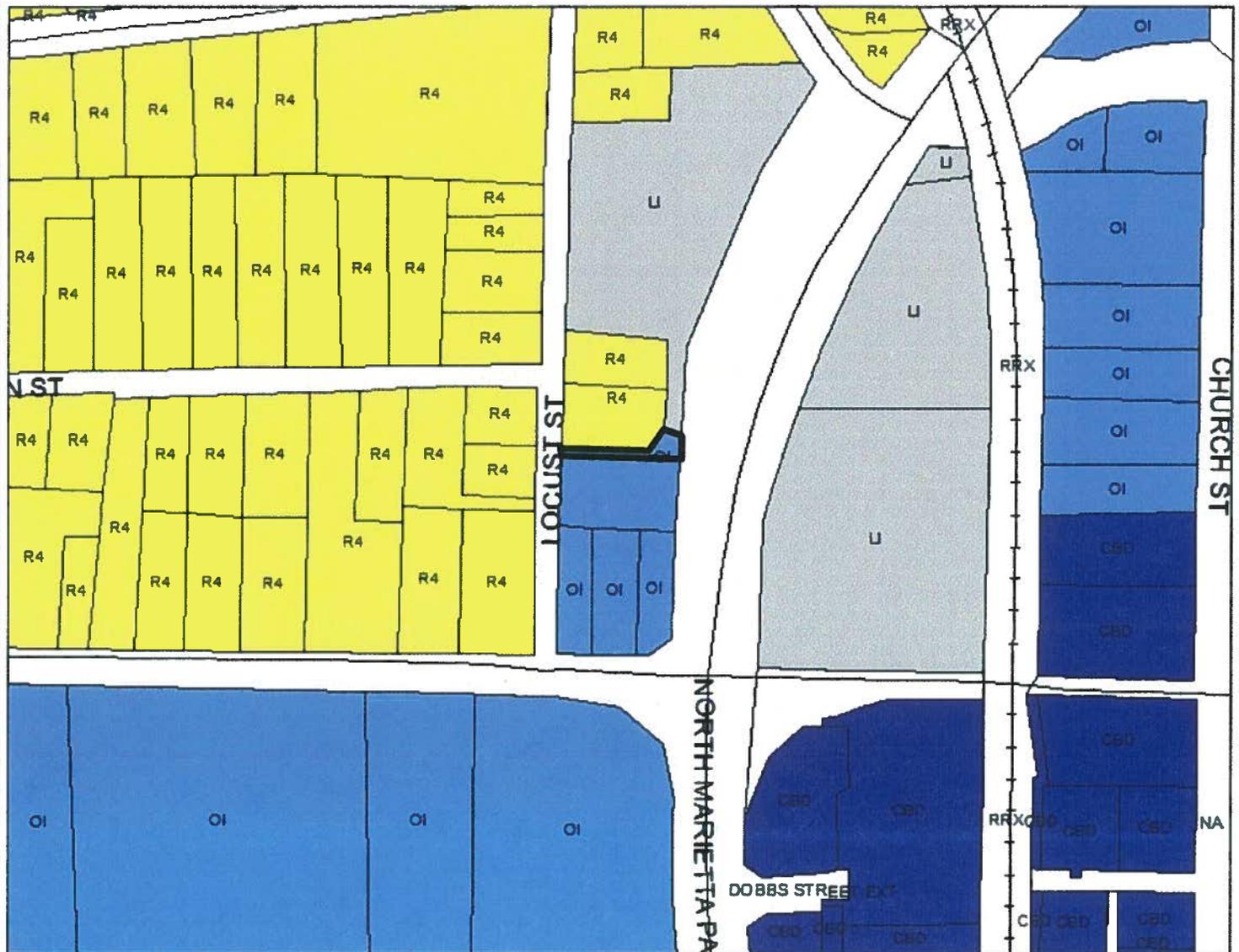
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

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

# City of Marietta Area Zoning Map

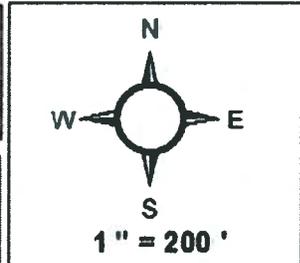


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
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<b>COMMERCIAL</b> NBC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MID Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office CI Office Institutional OS Office Services OHR Office High-Rise <b>INDUSTRIAL</b> LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.						

**Comments:**  
a portion of 180 Locust St

**Date:** 02/19/2015

**Planning & Zoning Department**



LEGEND	
⊕	P.P. - POWER POLE
⊕	L.P. - LIGHT POLE
⊕	F.H. - FIRE HYDRANT
⊕	S.A. - SANITARY SEWER MANHOLE
⊕	W.M. - WATER METER
⊕	G.M. - GAS METER
⊕	R.B.S. - REINFORCING BAR SET
⊕	R.F.F. - REINFORCING BAR FOUND
⊕	C.T.P. - CRIMP TOP PIPE FOUND
⊕	O.T.P. - OPEN TOP PIPE FOUND
⊕	R/W MON. - RIGHT-OF-WAY MONUMENT
---	TYPE OF FENCE
⊕	J.B. - JUNCTION BOX
⊕	D.I. - DROP INLET / YARD INLET
⊕	C.B. - CATCH BASIN
⊕	R.C.P. - REINFORCED CONCRETE PIPE
⊕	C.M.P. - CORRUGATED METAL PIPE
⊕	F.F.E. - FINISHED FLOOR ELEVATION
⊕	W.V. - WATER VALVE
⊕	TELEPHONE MANHOLE
⊕	OVERHEAD POWER LINES
⊕	H.W. - HEADWALL
⊕	POWERBOX
⊕	STREET ADDRESS
---	WATER LINE
---	UNDERGROUND TELEPHONE LINE
---	GAS LINE
---	UNDERGROUND ELECTRICAL LINE

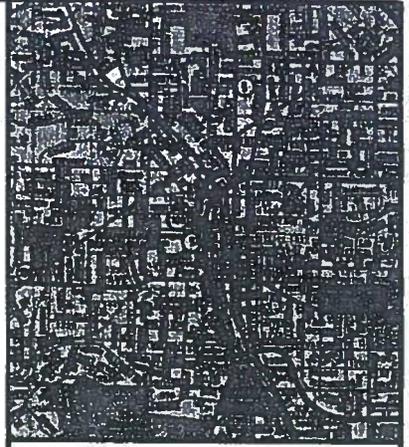
#180 LOCUST STREET	#194 LOCUST STREET
TOTAL AREA = 0.38 ACRES	TOTAL AREA = 0.28 ACRES
FENCED PERIMETER = 0.81	FENCED PERIMETER = 0.81
MIN. LOT WIDTH = 75'	MIN. LOT WIDTH = 75'
MAXIMUM BLDG HEIGHT = 30'	MAXIMUM BLDG HEIGHT = 30'
MIN. LOT DEPTH = 100.00 S.F.	MIN. LOT DEPTH = 100.00 S.F.
MAX. FRR = 0.75	MAX. FRR = 0.75
MINIMUM FLOOR AREA = 1,500 S.F.	MINIMUM FLOOR AREA = 1,500 S.F.
MINIMUM LANDSCAPED AREA = 100 S.F.	MINIMUM BLDG COVER = 300 S.F.
REAR SETBACK = 30'	REAR SETBACK = 30'
FRONT SETBACK = 30' (LOCAL)	FRONT SETBACK = 30' (LOCAL)
SIDE SETBACK = 10' (MINOR)	SIDE SETBACK = 10' (MINOR)

**OWNER:**  
 WILLIAM C. HAGEMANN  
 PROFIT SHARING PLAN  
 P.O. BOX 4322  
 MARIETTA, GA 30061  
 24-HOUR CONTACT:  
 BILL HAGEMANN  
 (770) 653-0064

**ENGINEER/SURVEYOR:**  
 GASKINS  
 1286 POWDER SPRINGS ROAD  
 MARIETTA, GA 30064  
 CONTACT INFO:  
 SURVEYOR- CHRIS EVANS  
 OFFICE- SALLY JORDAN  
 (770) 424-7168

**EXEMPTION PLAT NOTES:**  
 THE PURPOSE OF THIS EXEMPTION PLAT IS TO REVISE THE COMMON PROPERTY LINE BETWEEN #180 LOCUST STREET (TAX ID# 18-11580-1240) AND #194 LOCUST STREET (TAX ID# 18-11580-0850).

**ZONING PLAT NOTES:**  
 THE PURPOSE OF THIS ZONING PLAT IS TO CHANGE THE ZONING OF A PORTION OF #180 LOCUST STREET FROM O&1 TO R4 CONTAINING 0.028 ACRES (1,200 S.F.).



LOCATION MAP 1" = 2000'

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION OF THE ORIGINAL.

CHRISTOPHER A. EVANS, GA. R.L.S. 2784 DATE

THE OWNER OF LAND ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO AND WHO IN PERSON OR BY A FULLY AUTHORIZED AGENT ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES THE USE TO THE PUBLIC FOREVER OF ALL STREETS OR OTHER PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN.

OWNER: WILLIAM C. HAGEMANN, as Trustee of WILLIAM C. HAGEMANN PROFIT SHARING TRUST DATE

THIS PLAT HAS BEEN APPROVED BY THE MAYOR AND COUNCIL OF MARIETTA, GEORGIA. FURTHERMORE, THE MAYOR AND COUNCIL ACCEPT ALL DESIGNATED RIGHT-OF-WAY, PUBLIC STREETS, PUBLIC PLACES AND PUBLIC UTILITY EASEMENTS FOR MAINTENANCE.

MAYOR DATE

THE UNDERSIGNED, AS PUBLIC WORKS DIRECTOR OF THE CITY OF MARIETTA, GEORGIA, HEREBY APPROVES THIS PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF COBB COUNTY.

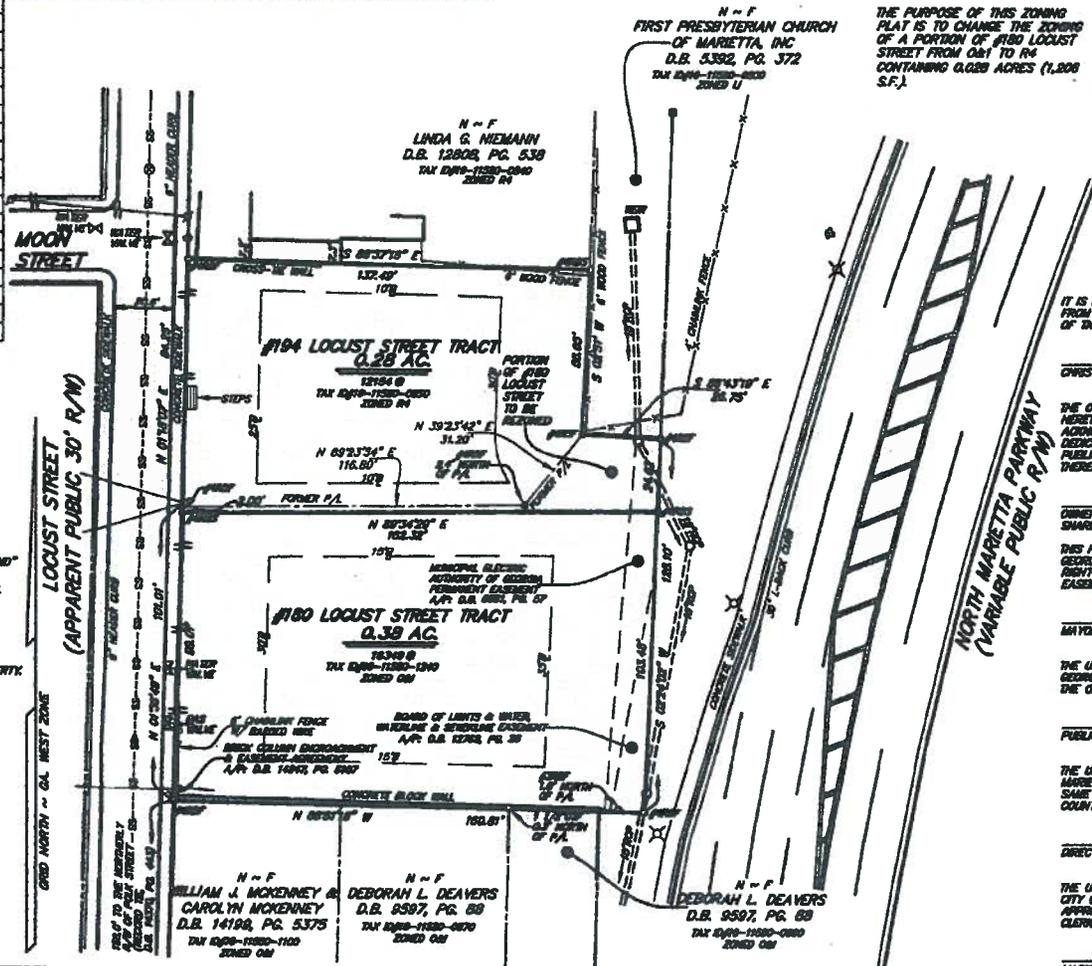
PUBLIC WORKS DIRECTOR DATE

THE UNDERSIGNED, AS DIRECTOR OF DEVELOPMENT SERVICES OF THE CITY OF MARIETTA, GEORGIA, HEREBY APPROVES THIS PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF COBB COUNTY.

DIRECTOR OF THE DEPARTMENT OF DEVELOPMENT SERVICES DATE

THE UNDERSIGNED, AS ENGINEERING MANAGER FOR MARIETTA, MEMBER OF THE CITY OF MARIETTA, GEORGIA, HEREBY APPROVES THIS PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF COBB COUNTY.

MARIETTA WATER: ENGINEERING MANAGER DATE



**CURRENT OWNER:**  
 #180 LOCUST STREET  
 OWNER: WILLIAM C. HAGEMANN as Trustee of WILLIAM C. HAGEMANN PROFIT SHARING PLAN D.B. 14374, PG. 442

#194 LOCUST STREET  
 OWNER: WILLIAM C. HAGEMANN, as Trustee of WILLIAM C. HAGEMANN PROFIT SHARING PLAN D.B. 14388, PG. 5384

**SURVEY NOTES:**  
 1.) ALL DISTANCES ON SURVEY ARE HORIZONTAL DISTANCES.  
 2.) ALL DISTANCES ON SURVEY ARE SHOWN AS "ROUND" DISTANCES.  
 3.) ALL DISTANCES ON SURVEY ARE EXPRESSED IN U.S. SURVEY FEET.  
 4.) ALL ANGULAR DIRECTIONS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS. IF MINUTES AND SECONDS ARE NOT SHOWN, IT IS TO BE UNDERSTOOD THAT MINUTES ARE 00 AND SECONDS ARE 00.  
 5.) NO CORRECTIONS OBSERVED WHILE SURVEYING PROPERTY.

**GPS NOTES:**  
 1.) HORIZONTAL DATUM IS NAD 83. VERTICAL DATUM IS NAVD 88.  
 2.) THE NORTHING, EASTING, AND ELEVATION OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED UTILIZING A TRIMBLE 5800 GPS RECEIVER WITH A TRIMBLE 1732X DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIMBLE WIS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X, ACCORDING TO FEMA (F.L.A.) COMMUNITY NUMBER 122000. MAP NUMBER 12-13287-G-000-3 DATED MARCH 3, 2003

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER. LINEAR PRECISION OF TRAVERSE: 1/10,000; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMBINED RULE. LINEAR PRECISION OF THIS PLAT: 1/14,049. MATTERS OF TITLE ARE EXCEPTED.



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNIQUE STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



REVISIONS	
1	FIELD DATE: 3-9-08
2	OFFICE DATE: 3-13-08
3	RECONSTRUCT COMMON PROPERTY LINE & RECORDING



**Head Office:**  
 1286 Powder Springs Rd  
 Marietta, Georgia 30066  
 Phone: (770) 424-7168

**Costa Office:**  
 1281 Marietta Highway  
 Canton, Georgia 30114  
 Phone: (770) 479-9699

FIELD DATE: 3-09-08  
 OFFICE DATE: 3-09-08  
 SCALE: 1"=30'

**EXEMPTION AND ZONING PLAT FOR:**  
**SOUTHERN FARM & FOREST, LLC**  
 #180 & #194 LOCUST STREET  
 LOCATED IN LL 1158  
 18th DISTRICT, 2nd SECTION  
 CITY OF MARIETTA  
 COBB COUNTY, GA.