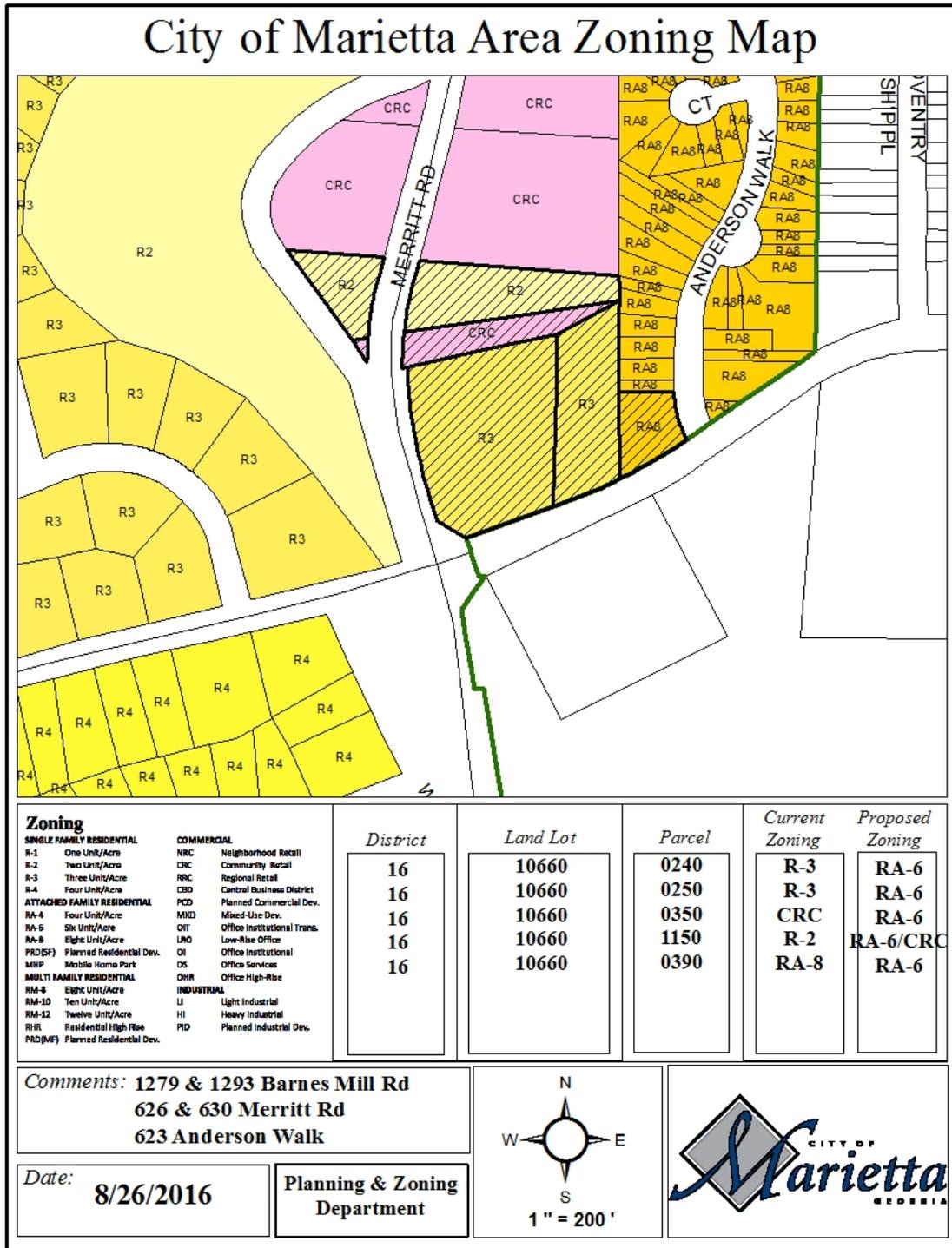
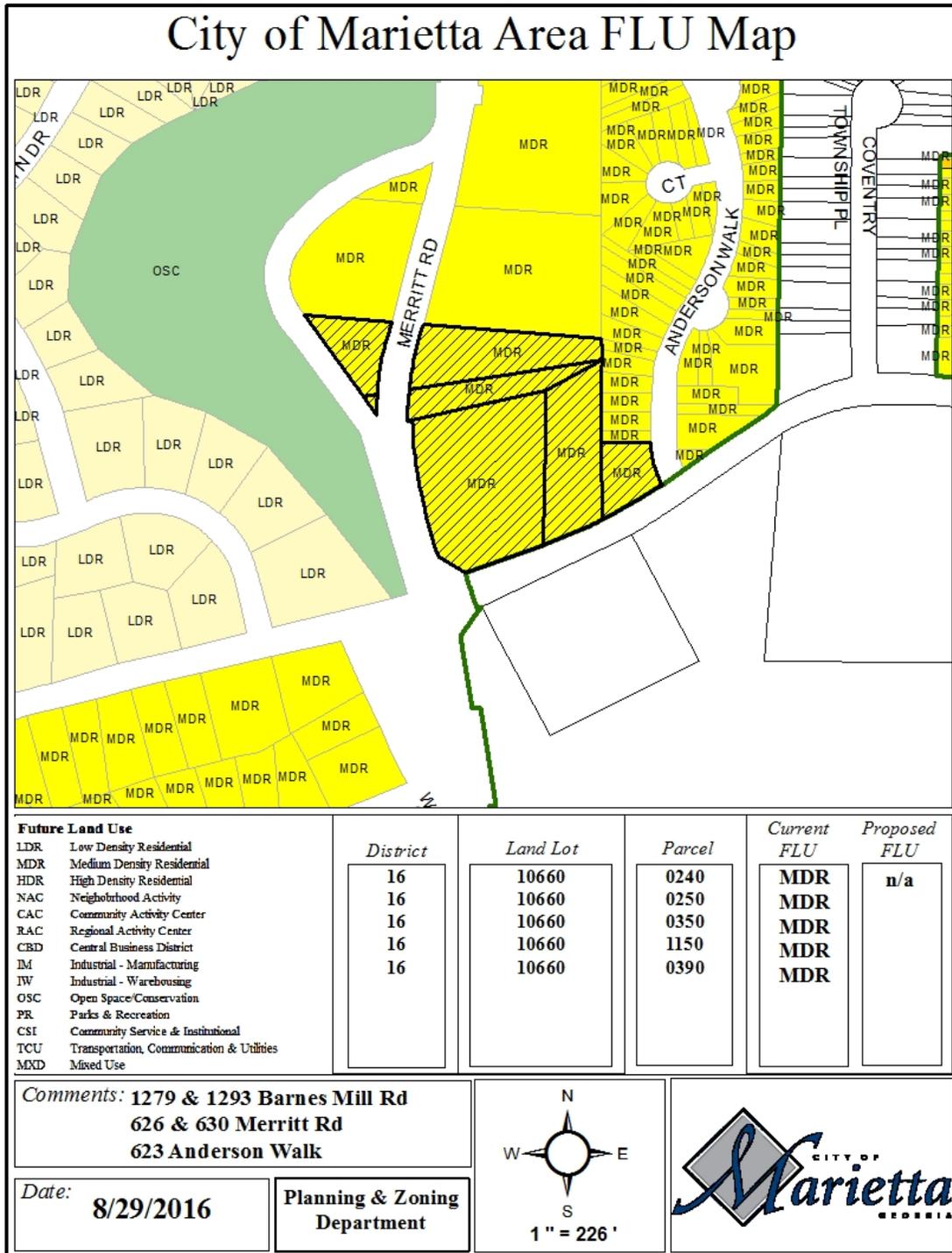




## MAP



## FLU MAP



**PICTURES OF PROPERTY**



**Barnes Mill Road frontage**



**Merritt Road frontage**



**Commercial Driveway on 630 Merritt Road**



**623 Anderson Walk frontage on Barnes Mill Road**

## STAFF ANALYSIS

### *Location Compatibility*

Tuley & Tuley, Inc. is requesting the rezoning of approximately 3.7 acres at the corner of Barnes Mill Road and Merritt Road for the construction of an eighteen (18) unit single family development. The subject property consists of 1279 & 1293 Barnes Mill Road, 626 & 630 Merritt Road, and a small portion of 623 Anderson Walk. The properties on Barnes Mill are zoned R-3 (Single Family Residential – 3 units/acre); the Merritt Road properties are zoned CRC (Community Retail Commercial) and R-2 (Single Family Residential – 2 units/acre); and the portion of L-1 in Anderson Mill Townhomes is zoned RA-8 (Single Family Residential Attached – 8 units/acre).

The property across Barnes Mill Road to the south is a single family residence zoned R-20 in Cobb County. Sope Creek is located on the parcel across Merritt Road to the west and Anderson Mill Townhomes, zoned RA-8, are located to the east. An automobile repair shop, zoned CRC, operates on the property to the north.

### *Use Potential and Impacts*

This proposal includes eighteen (18) single family residential units - a combination of both attached townhouses and detached single family homes - on a 3.03 acre tract for an overall density of 6 units/acre. Densities for nearby residential neighborhoods range from 3 units/acre to 8 units/acre making this proposal compatible with the surrounding area.

The plan shows most of the units facing a new interior road and cul-de-sac; the rest of the units would face either Merritt Road or Barnes Mill Road, and are accessed by way of a rear alley. As the low point of the site, the corner of Barnes Mill Road and Merritt road is identified as the location of the stormwater facility for the development.

The main issues with this proposal extend from the configuration of the subdivision, not the density or use. RA-6 is not a site-specific zoning classification like PRD-SF. As long as developers/builders meet adopted regulations, then the site design would not have to go through City Council for review and approval. However, the rezoning application included a request for multiple variances in order to implement the proposed design:

- Variance to increase the maximum impervious surface area from 50% to 75%
- Variance to reduce the minimum lot size from 4,000 sq. ft. to 3,000 sq. ft.
- Variance to reduce the required front yard setback for the units facing proposed new road (L3-L12) from 25' to 10.'
- Variance to reduce the required front yard setback for the units facing Barnes Mill Road and Merritt Road (L1, L2, L13-L-18) from 25' to 15.'
- Variance to reduce the required spacing between buildings from 20' to 10.'
- Variance to reduce the front yard setback for rear loaded lots to 5.'

- Variance to reduce the 30 ft. rear yard setback to 5' for L7; 2' for L8; 1' for L9; and 15' for L18 (measured from the original property line between 626 and 630 Merritt Rd).
- Variance to eliminate the required recreation area (1 acre for every 50 units or 15,682 square feet for 18 units)

(A variance request shown on the plans to increase the required minimum floor area of a unit is not required.)

The density calculations for the development do not take into consideration the possible right of way donation along Barnes Mill Road and Merritt Road or for the new road. Also, the setback reductions off of Barnes Mill and Merritt Roads also are measured from the existing right of way, not the proposed right of way.

Technically, single family detached homes are only permitted in RA-6 zoning districts as a "Temporary/Conditional Use Allowed by the Director", so the following additional variance would need to be added, if the rezoning is approved:

- Variance to allow single family residential units in RA-6 in accordance with the bulk and area regulations for RA-6.

The proposed site plan has an incorrect rear setback against the Anderson Mill Townhomes. RA-6 requires a thirty (30) foot rear setback; the plan shows twenty five (25) feet. The plan would either need to be corrected or an additional variance granted. Also, the plan does not show a rear setback on the rear loaded units.

- Variance to reduce the required buffer from 30 ft. to 25 ft.

It should be noted that the applicant has suggested adding a rear alley behind lots 1 - 7. This option would only be allowed if all requirements for private alleys are met.

The driveway serving the auto repair facility to the north crosses over a portion of 640 Merritt Road. This request would include the rezoning of the driveway area from R-2 to CRC to match the rest of the auto repair facility's property. If the rezoning request is approved, the property lines would be adjusted during the platting process.

Given the number of variances that would be necessary to accommodate this proposed development, as well as the fact that no architectural renderings of the proposed townhouses and single family homes have been provided; it would seem that a more appropriate zoning classification may be PRD-SF, which is a "site plan specific" category. The PRD-SF category would require a detailed plan to be submitted to City Council that would clarify the details of the development.

The future land use of these parcels is MDR (Medium Density Residential). MDR is intended for single family residential use (detached, attached, or cluster homes) ranging between three (3) and six (6) units per acre. The proposed zoning of RA-6 with a residential development of 6 units per acre is consistent with the Comprehensive Plan's future land use designation for this area.

### *Environmental Impacts*

The property is heavily wooded and will likely have to be cleared entirely in order to grade the site. There is no indication of any wetlands, streams, or endangered species existing on the property.

### *Economic Functionality*

The properties at 1279 and 1293 Barnes Mill Road contained single family detached homes that were demolished in 2011 after City Code Enforcement condemned the properties for multiple housing violations. The properties had been foreclosed on in 2010. Utilities on the homes have been inactive since 2005. Although the properties have not been occupied since the beginning of the economic downturn, the current strength of the residential housing market in Marietta makes these properties functional as zoned (R-3).

The property at 626 Merritt Road is an irregularly shaped lot and does not meet the minimum lot size for the CRC district. It is not functional as zoned.

### *Infrastructure*

This site has access to Marietta's water, sewer, and electric infrastructure system; and there should be no adverse impacts on those systems caused by this development.

Both Barnes Mill Road and Merritt Road currently contain sidewalks installed directly behind the curb. Marietta Public Works has asked for a 5' sidewalk with 2' grass strip in addition to a deceleration lane on Barnes Mill Road. The applicant has asked for variances from both of these requirements:

- Variance to be allowed to keep the existing sidewalks and to waive the requirement for a new 5' sidewalk and 2' grass strip.
- Variance to eliminate the deceleration lane along Barnes Mill Road.

The site plan provided by the applicant makes use of a rear alley to access nine units on the western side of the new road and cul-de-sac. Section 716.06 outlines the restrictions for private alleys and specifies that alleys may only be used as a secondary means of access to the units. The minimum easement width is 20'. If utilities are provided through the alley then 40' minimum width is required. Emergency services and sanitation trucks will not use alleys that do not meet local street standards; therefore, services would be provided at their respective frontages.

There appears to be enough right of way width to provide designated parallel spaces on the proposed new public road, but the only places shown on the plans for guest parking is within

the driveways or on the alleys and streets. As such, the applicant is also requesting the following variance:

- Variance from the guest parking requirements for townhomes.

Marietta City Schools anticipates that these eighteen (18) units will add approximately eight (8) school-aged children to the school system. Although the elementary, middle, and high schools are nearing capacity, eight additional students should not cause any adverse effects.

### *History of Property*

A variance was granted on April 29, 1996 to reduce the required 50 buffer between commercial and residential for the properties at 630 and 640 Merritt Road.

### *Other Issues*

The adjacent townhome community, Anderson Mill Townhomes, was rezoned in 1984 (Z-8403) and developed with 66 units in 8.67 acres (including right of way) for an overall density of 7.6 units/acre. The sale of 0.03 acres to the subject property should have an insignificant impact on the overall density of the Anderson Mill Townhomes. However, it is unclear from the plan as to why a portion of 623 Anderson Walk is necessary for the development under consideration, unless it is to achieve additional density.

RA-6 zoning allows duplexes as a permitted use. The submitted plan shows two side-by-side units of fee simple townhomes and should not be confused with duplexes, which are two units on the same tax parcel. RA-6 regulations specify that no more than 5% of the units in the proposed community may be renter occupied.

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## ANALYSIS & CONCLUSION

Tuley & Tuley, Inc. is requesting the rezoning of approximately 3.7 acres at the corner of Barnes Mill Road and Merritt Road for the construction of an 18 unit single family development. The subject property consists of 1279 & 1293 Barnes Mill Road, 626 & 630 Merritt Road, and a small portion of 623 Anderson Walk and are currently zoned R-3, CRC, R-2, and RA-8. Eighteen units on a 3.03 acre tract results in a density of 6 units/acre prior to any right of way donation.

The main issues with this proposal extend from the configuration of the subdivision, not the density or use. Densities for nearby residential neighborhoods range from 3 units/acre to 8 units/acre making this proposal compatible with the surrounding area. RA-6 is not a site-specific zoning classification, and as long as the developers/builders meet adopted regulations, then the site design would not necessarily have to go through City Council for review and approval. However, the rezoning application does include the following variance requests in order to implement the proposed design:

1. Variance to increase the maximum impervious surface area from 50% to 75%
2. Variance to reduce the minimum lot size from 4,000 sq. ft. to 3,000 sq. ft.
3. Variance to reduce the required front yard setback for the units facing proposed new road (L3-L12) from 25' to 10.'
4. Variance to reduce the required front yard setback for the units facing Barnes Mill Road and Merritt Road (L1, L2, L13-L-18) from 25' to 15.'
5. Variance to reduce the required spacing between buildings from 20' to 10.'
6. Variance to reduce the front yard setback for rear loaded lots to 5.'
7. Variance to allow the 30' rear yard setback to 5' for L7; to 2' for L8; to 1' for L9; and 15' for L18 (measured from the original property line between 626 and 630 Merritt Road).
8. Variance to eliminate the required recreation area (1 acre for every 50 units or 15,682 square feet for 18 units)
9. Variance to be allowed to keep the existing sidewalks and to waive the requirement for a new 5' sidewalk and 2' grass strip.
10. Variance to eliminate the deceleration lane along Barnes Mill Road.
11. Variance to remove the guest parking requirement (0.2 spaces per attached unit)
12. Variance to allow single family residential units in RA-6 in accordance with the bulk and area regulations for RA-6.
13. Variance to reduce the required buffer from 30' to 25'.
14. Variance from the guest parking requirements for townhomes.

Given the number of variances that would be necessary to accommodate this proposed development, as well as the fact that no architectural renderings of the proposed townhouses and single family homes have been provided; it would seem that a more appropriate zoning classification may be PRD-SF, which is a "site plan specific" category. The PRD-SF category would require a detailed plan to be submitted to City Council that would clarify the details of the development.

The future land use of these parcels is MDR (Medium Density Residential), which is intended for single family residential use ranging between three (3) and six (6) units per acre. The proposed zoning of RA-6 with a residential development of 6 units per acre is consistent with the Comprehensive Plan's future land use designation for this area.

Prepared by: SHELBY L WINKLES <sup>PK</sup>

Approved by: Rusty Rath



## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

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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?	10"
Capacity of water line?	Fire Flow Test may be required
Approximate water usage by proposed use?	N/A

### *CITY OF MARIETTA - SEWER*

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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"
Capacity of the sewer line Peak Capacity Available	A.D.F.
Estimated waste generated by proposed development?	N/A
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	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?	N/A
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?	N/A
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?	Barnes Mill Rd; Merritt Rd
What is the classification of the road?	Collector; collector
What is the traffic count for the road?	---
Estimated # of trips generated by the proposed development?	131 daily (AM + PM)
Estimated # of pass-by cars entering proposed development?	0
Do sidewalks exist in the area?	Yes
Transportation improvements in the area?	Yes; intersection improvement project
If yes, what are they?	N/A

1. Deceleration lane on Barnes Mill Rd is required.
2. As measured from back-of-curb along Barnes Mill and Merritt Rd frontages, a 2-ft wide grass strip and 5-ft wide concrete sidewalk are required.
3. Provide an SU-30 tracking exhibit.
4. Provide centerline radii for alley.
5. For cul-de-sacs, a minimum radius of 40-ft is required for travelways (excluding curb and gutter) and a minimum radius of 50-ft is required for rights-of-way.
6. Provide interior curb radius at cul-de-sac transition. Minimum radius of 25-ft required.
7. A 14-ft wide alley requires an access easement with a minimum width of 20-ft. If utilities are installed along an alley, an access/utility easement with a minimum width of 40-ft is required.

## DATA APPENDIX CONTINUED

### ***EMERGENCY SERVICES***

Nearest city or county fire station from the development?	Station 52
Distance of the nearest station?	2.20 miles
Most likely station for 1 <sup>st</sup> response?	Station 52
Service burdens at the nearest city fire station (under, at, or above capacity)?	None

The fire department has the following comments in regards to the proposed zoning request:

- The complex must comply with the Marietta Sprinkler ordinance
- Operable fire hydrants shall be installed to within 300 feet of any structure prior to construction
- Streets shall be accessible to fire equipment prior to construction
- Homes must be accessible from the addressed location, if fire department access is achieved from the one-way alley, the alley must meet road standards.
- The one way alley may be subject to fire lane designation and signage.
- Cul-de-sac offset must comply with applicable standards
- Radius exiting the cul-de-sac must be 35 degrees

### ***MARIETTA POWER - ELECTRICAL***

Does Marietta Power serve this site?      Yes  \_\_\_\_\_      No \_\_\_\_\_

If not, can this site be served?      Yes  \_\_\_\_\_      No \_\_\_\_\_

What special conditions would be involved in serving this site?

*Only currently serving 623 Anderson Walk.*



**DATA APPENDIX CONTINUED**

***MARIETTA CITY SCHOOLS***

**Marietta City Schools Impact Assessment:**

Elementary School System Servicing Development:	<b>Lockheed Elementary School</b>
Middle School Servicing Development:	<b>Marietta Middle School</b>
High School Servicing Development:	<b>Marietta High School</b>
Capacity at Elementary School:	<b>775 - 875</b>
Capacity at Middle School:	<b>1,300 - 1,400</b>
Capacity at Marietta Sixth Grade Academy:	<b>800 - 900</b>
Capacity at High School:	<b>2,400 - 2,500</b>
Current enrollment of Elementary School:	<b>824</b>
Current enrollment of Middle School:	<b>1,313</b>
Current enrollment of High School:	<b>2,365</b>
Number of students generated by present development:	<b>0</b>
Number of students projected from the proposed development:	<b>8</b>
New schools pending to serve this area:	<b>None</b>
<b><u>Comments:</u></b>	



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 #: 22016-28 Legistar #: 20160895 PZ #: 16-497  
 Planning Commission Hearing: 10-4-16 City Council Hearing: 10-13-16

Owner's Name Denis Reis Email Address: denisreisremodeling@live.com

Mailing Address 623 Anderson Walk Zip Code: 30062 Telephone Number \_\_\_\_\_

**COMPLETE ONLY IF APPLICANT IS NOT OWNER:**

Applicant: Tuley & Tuley, Inc

Mailing Address 3745 Cherokee St NW #605 Kennesaw Zip Code: 30144

Telephone Number 404.409.9455 Email Address: rick@tuleygroup.com

Address of property to be rezoned: 623 Anderson Walk

Land Lot (s) 10660 District 16 Parcel 0390 Acreage 0.03 Ward 6B Future Land Use: MDR

Present Zoning Classification: RA8 Proposed Zoning Classification: RA-6

**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.



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

B

## APPLICATION FOR REZONING

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

*For Office Use Only:*

Application #: 22016-28      Legistar #: 20160895      PZ #: 16-497  
 Planning Commission Hearing: 10-4-16      City Council Hearing: 10-13-16

Owner's Name: SGI Investments LLC      Email Address: SGHAI@GMAIL.COM  
494 Willow Springs Dr  
 Mailing Address: Marietta GA      Zip Code: 30068      Telephone Number: 404-886-5840

**COMPLETE ONLY IF APPLICANT IS NOT OWNER:**

Applicant: Tuley & Tuley, Inc.  
 Mailing Address: 3745 Cherokee St NW #605 Kennesaw GA      Zip Code: 30144  
 Telephone Number: 404-409-9455      Email Address: rick@tuleygroup.com

Address of property to be rezoned: 1293 Barnes Mill Rd, <sup>1279</sup> ~~1274~~ Barnes Mill Rd, 626 Merritt Rd  
 Land Lot (s) 10660 District 16 Parcel <sup>0240, 0250</sup> 0250 Acreage <sup>0.409, 0.6</sup> 0.409, 0.6 Ward 6B Future Land Use: MDR  
 Present Zoning Classification: CRC, R3      Proposed Zoning Classification: RA-6, CRG

**REQUIRED INFORMATION**

Applicant must submit the following information by 4:00 p.m. on or before the application deadline. Failure to submit at deadline will result in the application being rejected.

1. ALL comp appli	Prop Addr	Parcel	Acreage	Present zoning	etc. in Adobe Acrobat on signatures - Copies of the
2. Legal	<u>1293 Barnes Mill Rd</u>	<u>0250</u>	<u>.747</u>	<u>R3</u>	ta Tax Office stating that andscape architect or land be affixed to the site one (1) copy 11' x 17' or
3. Appl	<u>1279 Barnes Mill Rd</u>	<u>0240</u>	<u>1.601</u>	<u>R3</u>	
4. Copy	<u>626 Merritt Rd</u>	<u>0350</u>	<u>.37</u>	<u>CRC</u>	

- S
  - A
  - L
  - 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.



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 205 Lawrence Street  
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 Brian Binzer, AICP, Director

## APPLICATION FOR REZONING

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

*For Office Use Only:*

Application #: 22016-28 Registrar #: 20160895 PZ #: 16-497  
 Planning Commission Hearing: 10-4-16 City Council Hearing: 10-13-16

Owner's Name Ranmar Investment Email Address: brickcade@yahoo.com

Mailing Address 640 Merritt Rd Zip Code: 30062 Telephone Number \_\_\_\_\_

**COMPLETE ONLY IF APPLICANT IS NOT OWNER:**

Applicant: Tuley & Tuley Inc  
 Mailing Address 3745 Cherokee St NW #605 Kennesaw Zip Code: 30144  
 Telephone Number 404 409 9455 Email Address: rick@tuleygroup.com

Address of property to be rezoned: 630 Merritt Rd

Land Lot (s) 10660 District 16 Parcel 1150 Acreage 1.3 Ward 6B Future Land Use: MDR

Present Zoning Classification: R2 Proposed Zoning Classification: RA-6, CRC

**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.



August 23, 2016

Tuley & Tuley, Inc.  
3745 Cherokee St NW #605  
Kennesaw, GA 30144

RE: Application for Rezoning of 1293 Barnes Mill Rd, 1279 Barnes Mill Rd, 626 Merritt Rd, portion of 630 Merritt Rd, portion of 623 Anderson Walk to RA-6

Tuley & Tuley, Inc. seeks to zone a 3.03 acre parcel located in the City of Marietta to RA-6 with variances to construct a new residential neighborhood at the corner of Barnes Mill Rd and Merritt Rd. The properties that make up the combined subject property are currently zoned: R-3, CRC, and RA-8. The new proposed neighborhood is bounded by an auto repair facility on the north, zoned CRC, and a townhouse development to the east constructed in approximately 1986 which is zoned RA-8. With regard to the portion of 630 Merritt Rd that will remain after the applicants purchase of the property, it is intended that the entire remainder of this parcel will be rezoned CRC and be consolidated if necessary with RANMAR Investments neighboring property located at 640 Merritt Rd so as to avoid any nonconforming lots. The applicant also owns a small triangle of land across Merritt Rd. and it is the desire of the applicant to have this parcel consolidated into the adjacent CRC lot as well.

The new neighborhood seeks to draw on the historical legacy of the City of Marietta, and its architecture will demonstrate elements of traditional neighborhood design. The developer seeks to create a community with a sense of place, history, and front porch connectedness with a streetscape that is open and inviting to the nearby community. We envision homes along the perimeter of the development will have front porches that provide a welcoming facade to our neighbors and shall be accessed by rear entry garages that do not detract from the appearance. The developer seeks to preserve 2 long rows of crepe myrtles and some significant specimen trees to add to the sense of establishment.

The existing neighborhood where this subdivision will be consists of low, medium, and high residential. The applicants plan is at a lower density than the 2 contiguous parcels which are CRC and RA-8. The request for rezoning is also consistent with the future land use for this parcel as specified by the City of Marietta planning department. The RA-6 zoning category is described as an ideal for a transition between commercial or higher density residential uses and lower density uses. This seems appropriate for this proposed neighborhood considering the commercial and higher density townhouses bordering it and the larger tract residential and agricultural on the other side of Barnes Mill Rd.

The developer is requesting a mix of attached and detached units within the neighborhood. We feel the addition of the detached homes adds to the perceived economic value of the neighborhood. We also believe that this combination of attached and detached units will provide the greatest flexibility to utilize the site efficiently while preserving trees, minimizing grading, and providing the most appealing streetscape by providing a mix of building widths and facades. This mixture of attached and detached units also ensures the success and sustainability of the neighborhood as it can be attractive to purchasers in multiple stages of life from millennials to empty nesters. For this reason he is seeking a waiver of the 708.06 (C.3) which requires detached housing to follow the bulk regulations from in 708.04 (H). Instead the developer requests the variances as outlined on the attached plan.

**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: September 16, 2016**

### **PUBLIC NOTICE OF REZONINGS**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, October 4, 2016, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Thursday, October 13, 2016, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2016-28 [REZONING] TULEY & TULEY, INC.** is requesting the rezoning of 3.73 acres located in Land Lot 1066, District 16, Parcels 0240, 0250, 0350, 1150, and 0390, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as 1279 & 1293 Barnes Mill Road, 626 & 630 Merritt Road, and a portion of 623 Anderson Walk from R-3 (Single Family Residential – 3 units/acre), R-2 (Single Family Residential – 2 units/acre), and CRC (Community Retail Commercial) to RA-6 (Single Family Residential Attached – 6 units / acre) and CRC (Community Retail Commercial). Ward 6B.

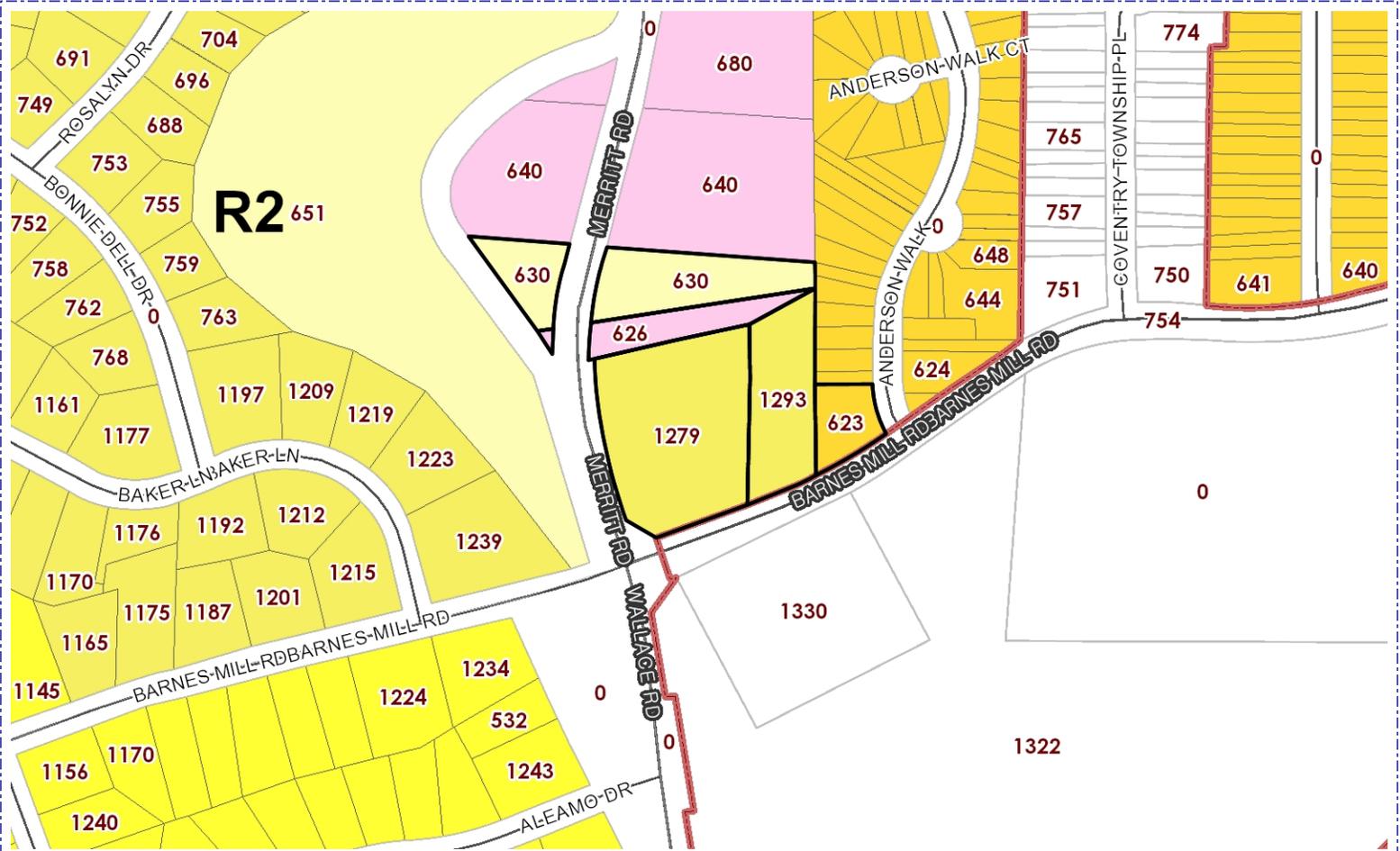
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

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
626 MERRITT RD	16106600350	0.37	6B	CRC	MDR
630 MERRITT RD	16106601150	0.983	6B	R2	MDR
623 ANDERSON WALK	16106600390	0.283	6B	RA8	MDR
1279 BARNES MILL RD	16106600240	1.601	6B	R3	
1293 BARNES MILL RD	16106600250	0.747	6B	R3	MDR

Property Owner: Denis Reis, SGI Investments & Ranmar Investments

Applicant: Tuley & Tuley, Inc.

Proposed Zoning: RA-6 & CRC

Agent:

Proposed Use:

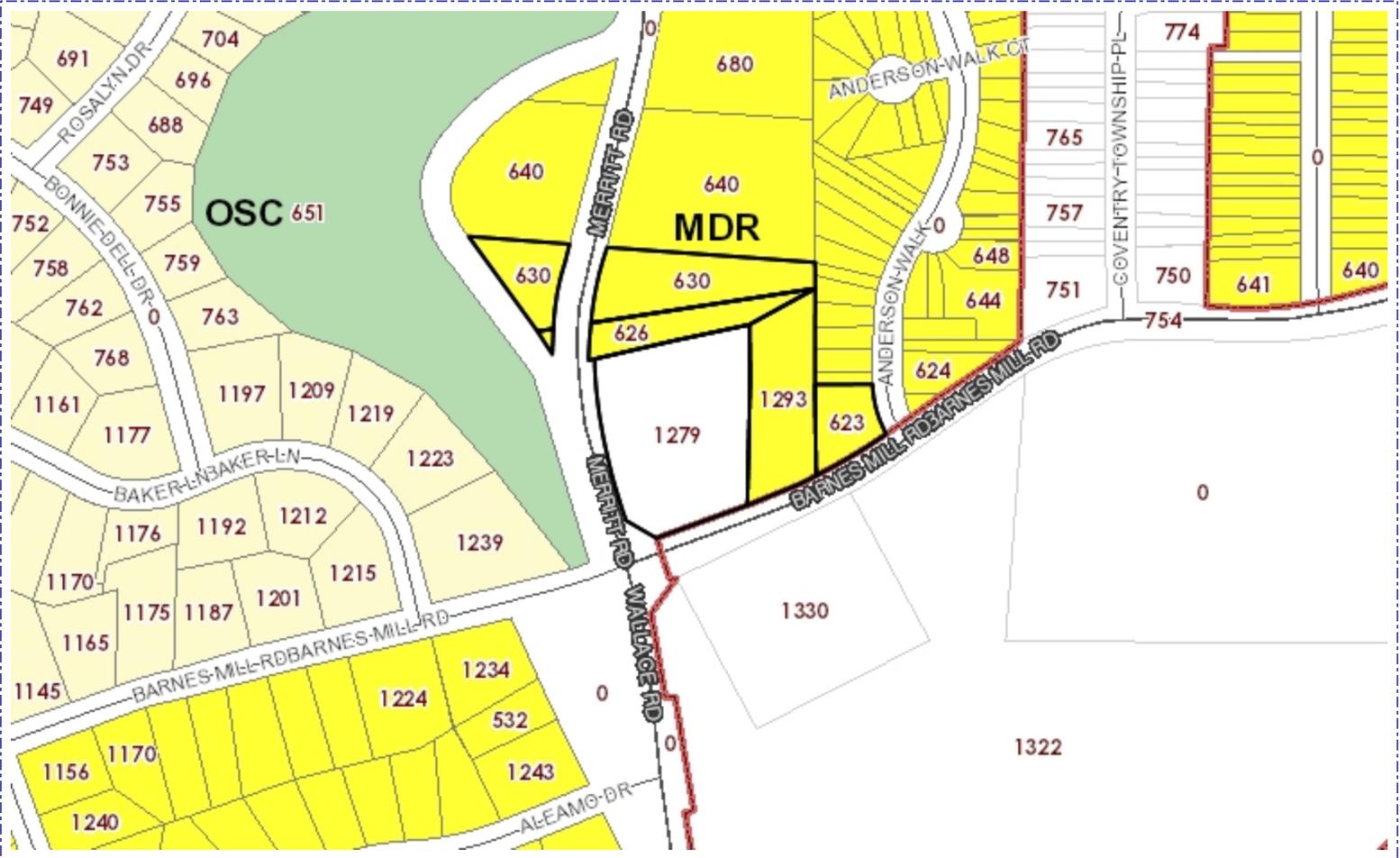
Planning Commission Date: 10/04/2016

City Council Hearing Date: 10/13/2016

Case Number: Z2016-28

**Zoning Symbols**

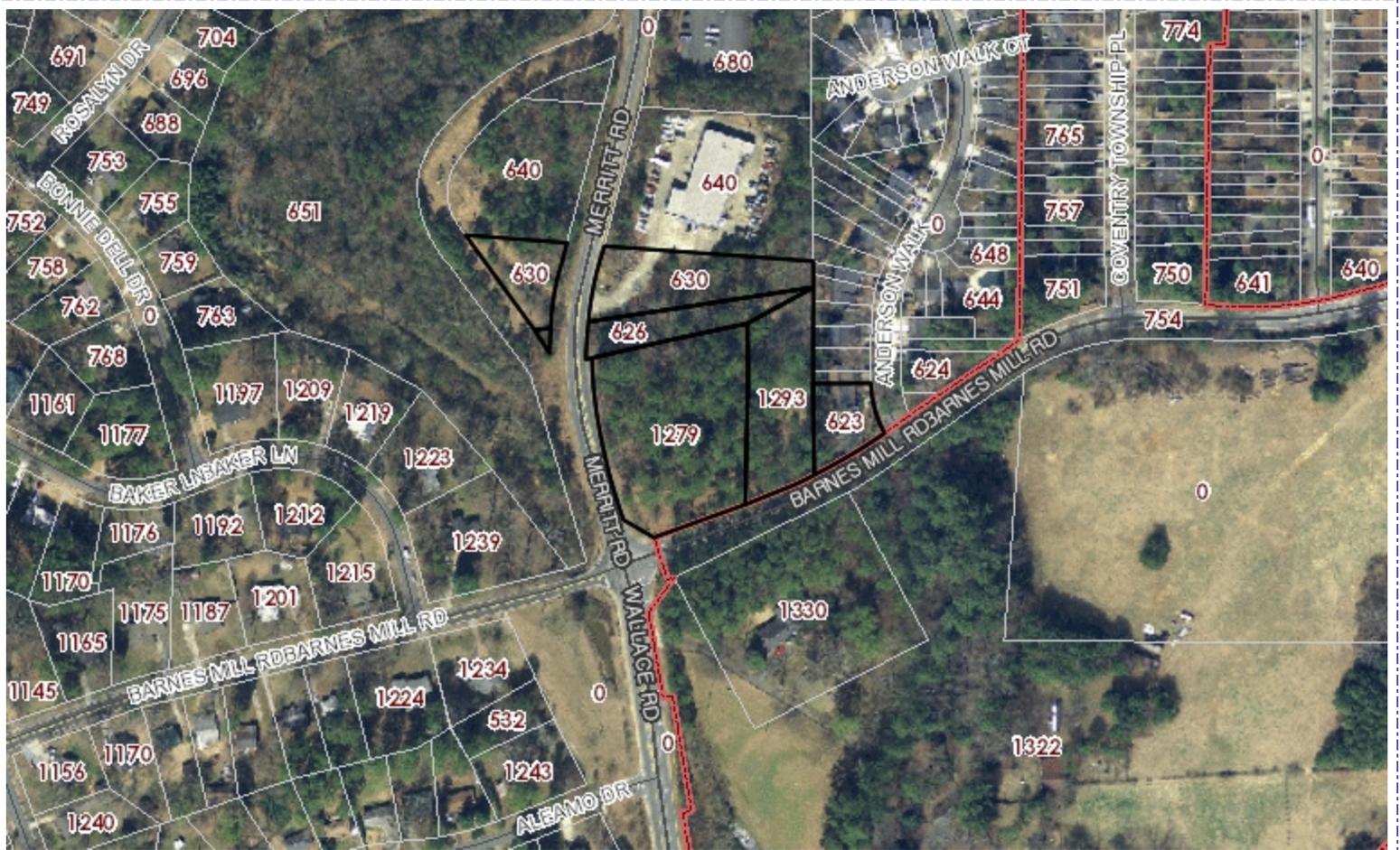
- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single 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



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1279 BARNES MILL RD	16106600240	1.601	6B	R3	MDR
1293 BARNES MILL RD	16106600250	0.747	6B	R3	MDR

Planning Commission Hearing Date:	10/04/2016
City Council Hearing Date:	10/13/2016
Future Land Use:	MDR
Case Number:	
Comments:	
<b>City of Marietta Planning &amp; Zoning</b>	

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

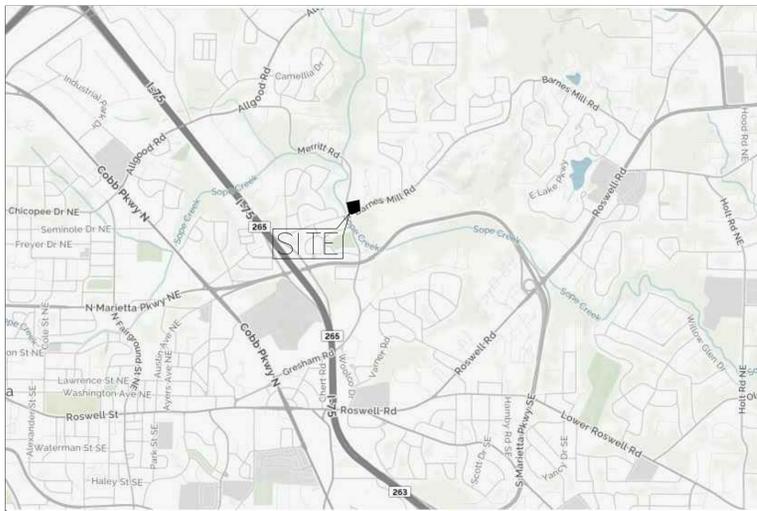


Address	Parcel Number	Acreage	Ward	Zoning	FLU
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Property Owner:	Denis Reis, SGI Investments & Ranmar Investments	
Applicant:	Tuley & Tuley, Inc.	
City Council Hearing Date:	10/13/2016	
Planning Commission Hearing Date:	10/04/2016	
BZA Hearing Date:	Case Number: Z2016-28	
Comments:		

**Legend**

- Railroads
- City Limits
- Cobb County Pockets



VICINITY MAP  
NTS

Curve #	Length	Delta	Radius	Chord Bearing	Chord
C1	140.03	15°03'13"	532.96	N8° 32' 59"W	139.62
C2	54.77	5°46'48"	542.96	N2° 50' 11"E	54.75
C3	117.86	7°15'36"	930.17	S66° 41' 53"W	117.79
C4	104.90	6°27'42"	930.17	S66° 17' 55"W	104.85
C5	12.96	0°47'55"	930.17	S69° 55' 43"W	12.96
C6	42.94	4°04'48"	602.96	S1° 51' 45"W	42.93
C7	107.94	10°15'26"	602.96	S9° 02' 44"W	107.80
C8	86.69	9°08'53"	542.96	N10° 18' 01"E	86.60
C9	6.05	20°25'10"	16.96	N75°26'02"E	6.01
C10	42.04	35°34'50"	67.70	N73°26'22"E	41.37
C11	17.36	1°49'56"	542.96	N6°38'33"E	17.36

Line #	Length	Direction/Delta
L1	14.06	N82°45'17"E
L2	47.98	N81°54'33"E
L3	15.86	S23°34'04"E
L4	19.29	N61°43'38"E
L5	52.39	N51°33'47"E
L6	50.10	N4°28'08"E
L7	187.14	S85°31'52"E
L8	42.11	S0°35'31"E

1279 BARNES MILL ROAD  
PARCEL ID: 16106600240  
LAND LOT: 1066  
DISTRICT: 16TH 2ND SECTION  
CITY OF MARIETTA  
COBB COUNTY, GEORGIA  
EX. ZONING: R3

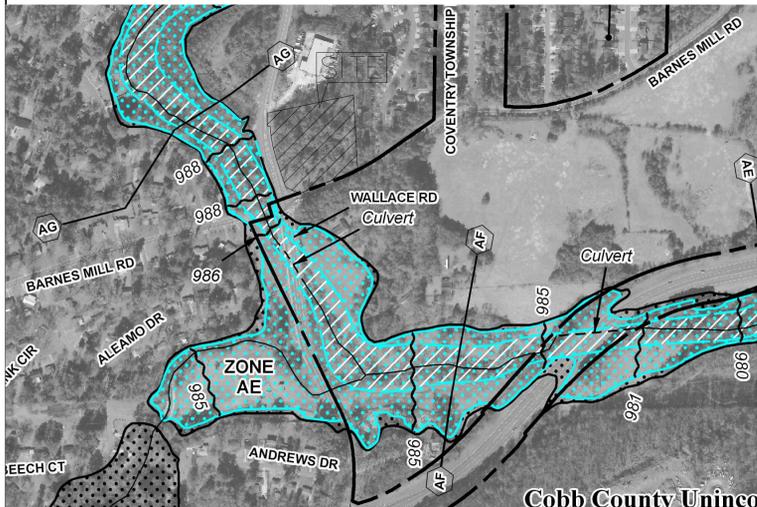
1293 BARNES MILL ROAD  
PARCEL ID: 16106600250  
LAND LOT: 1066  
DISTRICT: 16TH 2ND SECTION  
CITY OF MARIETTA  
COBB COUNTY, GEORGIA  
EX. ZONING: R3

626 MERRITT ROAD  
PARCEL ID: 16106600350  
LAND LOT: 1065  
DISTRICT: 16TH 2ND SECTION  
CITY OF MARIETTA  
COBB COUNTY, GEORGIA  
EX. ZONING: CRC

PART OF LOT 1 ANDERSON MILL  
PARCEL ID: 16106600390  
LAND LOT: 1066  
DISTRICT: 16TH 2ND SECTION  
CITY OF MARIETTA  
COBB COUNTY, GEORGIA  
EX. ZONING: RA-8

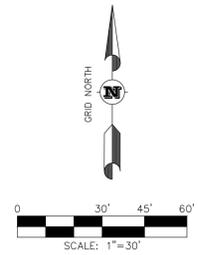
PART OF RANMAR INVESTMENTS, LLC  
PARCEL ID: 16106601150  
LAND LOT: 1066  
DISTRICT: 16TH 2ND SECTION  
CITY OF MARIETTA  
COBB COUNTY, GEORGIA  
EX. ZONING: CRC

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.  
MAP ID 13067C0109H EFFECTIVE DATE: NOVEMBER 2, 2012



Cobb County Uninc

SITE DEVELOPMENT PLAN FOR:  
**TULEY & TULEY INC.**  
COBB COUNTY, GEORGIA  
CITY OF MARIETTA  
24 HR CONTACT RICK TULEY 404-409-9456



Parcel Table		
Parcel #	Square Feet	Acres
1	7123 SF	0.16
2	4417 SF	0.10
3	4450 SF	0.10
4	4265 SF	0.10
5	4660 SF	0.11
6	7493 SF	0.17
7	8776 SF	0.20
8	10532 SF	0.24
9	7971 SF	0.18
10	5367 SF	0.12
11	3000 SF	0.07
12	4470 SF	0.10
13	6562 SF	0.15
14	3627 SF	0.08
15	3094 SF	0.07
16	3721 SF	0.09
17	3676 SF	0.08
18	8395 SF	0.19



**SITE DATA:**  
TOTAL ACRES 3.03  
PROPOSED ZONING RA-6 (CONDITIONAL) TOWNHOUSE UNITS ATTACHED & DETACHED  
PROPOSED UNIT DENSITY:  
6 UNITS PER ACRE  
3.03 AC x 6 UNITS = 18.18 UNITS PER ACRE  
PROPOSED UNITS TO BE 3 STORIES NOT TO EXCEED 35- FEET  
PROPOSED VARIANCES:  
MAXIMUM IMPERVIOUS AREA - 75%  
MINIMUM FLOOR AREA - 1,300 SF  
MINIMUM LOT AREA - 3,000 SF  
MAXIMUM IMPERVIOUS AREA - 75%  
REDUCTION OF THE FRONT INTERNAL BUILDING SETBACK FROM 25- FEET TO 10- FEET  
REDUCTION OF THE FRONT EXTERNAL BUILDING SETBACK FROM 25- FEET TO 15- FEET  
REDUCTION OF MINOR SIDE SETBACK OF 20- FOOT SPACING BETWEEN DETACHED BUILDINGS TO 10- FOOT  
FOR LOTS THAT CONTAIN REAR LOADING GARAGES FRONT SETBACK MAY BE REDUCED TO 5- FEET  
BUILDING SETBACK LINE BETWEEN PROPOSED DEVELOPMENT AND N/F RANMAR DEVELOPMENT TO BE ORIGINAL PROPERTY LINE  
REMOVAL OF DECELERATION LANE REQUIREMENT  
REMOVAL OF RECREATIONAL FEATURE REQUIREMENT  
REMOVAL OF 0.2 GUEST PARKING REQUIREMENT  
MANDATORY HOMEOWNERS ASSOCIATION SHALL BE CREATED THAT WILL BE RESPONSIBLE FOR THE UPKEEP AND MAINTENANCE OF ALL FRONT YARDS AND COMMON AREAS INCLUDING ALL FENCING, LANDSCAPING, AMENITIES AND BUFFERS, AND SHALL INCLUDE ARCHITECTURAL CONTROL OVERSIGHTS FOR THE DEVELOPMENT.  
"FOUR-SIDED ARCHITECTURE", SUCH THAT ARCHITECTURAL FEATURES AND MATERIALS SHALL BE USED IN A CONSISTENT MANNER ON ALL SIDES OF THE RESIDENTIAL UNITS. MATERIALS TO BE USED ON EXTERIOR FACADES OF ALL BUILDINGS SHALL INCLUDE BRICK, STONE, STUCCO (NOT EPS TYPE) OR FIBER-CEMENT SIDING, OR COMBINATIONS OF THOSE MATERIALS. NO VINYL, ALUMINUM OR METALLIC SIDING MAY BE USED.

REVISIONS:

PROJECT: BARNES MILL RD & MERRITT RD	
PROJECT ADDRESS: BARNES MILL RD & MERRITT RD	
PROJECT ADDRESS: MARIETTA, GA 30062	
CLIENT: TULEY & TULEY, INC.	
CLIENT ADDRESS: 3745 CHEROKEE STREET #605	
CLIENT ADDRESS: KENNESAW, GA 30144	
DATE: 08/23/16	DWG: PRJ2



**Civil Consulting Engineers, Inc.**  
122 CEDAR WOODS TRAIL  
CANTON, GA 30114  
678-462-4072  
CIVILCONSULTINGENGINEERS.NET

24-HOUR CONTACT: RICK TULEY (404) 409-9455

NOT FOR CONSTRUCTION