



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2016-19

LEGISTAR: 20160526

LANDOWNERS: Kathy Gorrell
508 West Atlanta Street
Marietta, GA 30064

APPLICANT: Charlotte Evans
187 Kirkpatrick Drive
Marietta, GA 30060

AGENT: n/a

PROPERTY ADDRESS: 508 West Atlanta Street

PARCEL DESCRIPTION: 17 02880 0120

AREA: 0.3 acres

COUNCIL WARD: 1A

EXISTING ZONING: OI (Office Institutional)

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

FUTURE LAND USE: MXD (Mixed Use Development)

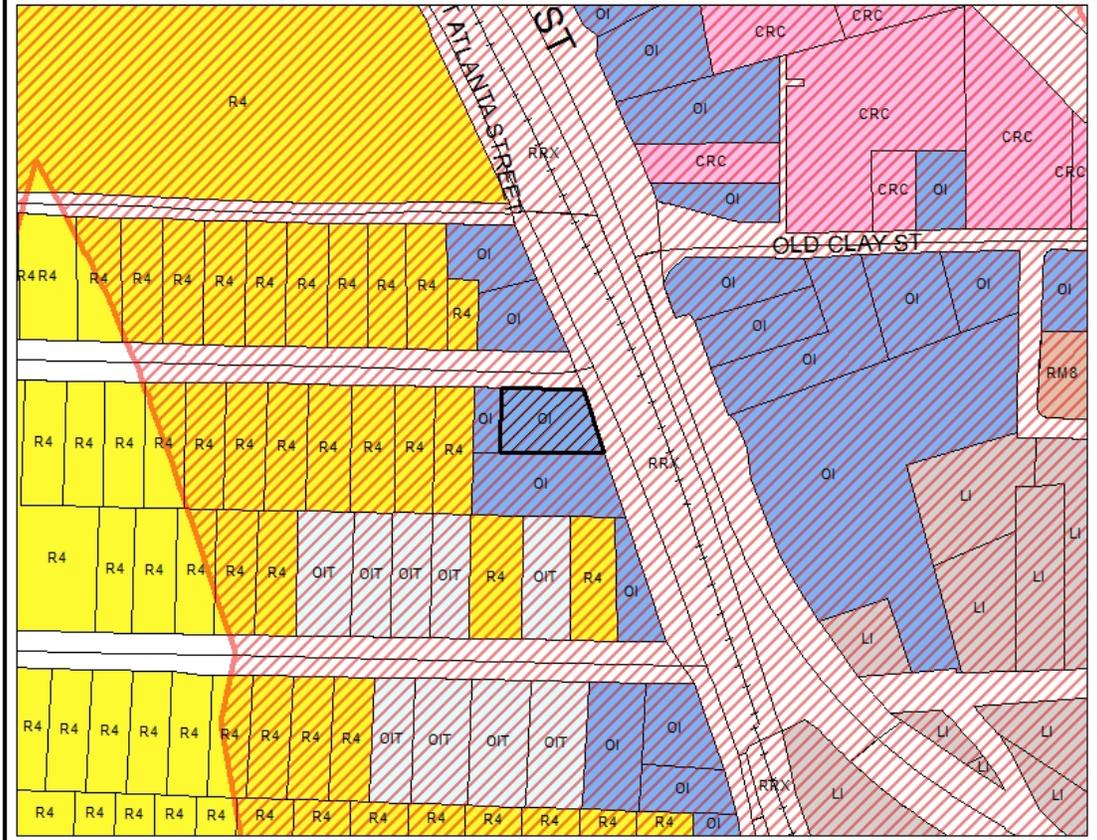
REASON FOR REQUEST: The owner/applicant is requesting the rezoning of the property so its use (residential) will correspond with its zoning and to allow the owner to refinance the property in order to continue making improvements.

PLANNING COMMISSION HEARING: Tuesday, July 5, 2016 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, July 13, 2016 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map

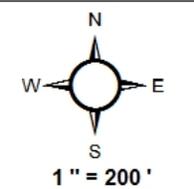


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Units/Acre R-3 Three Units/Acre R-4 Four Units/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-5 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RHR Residential High Rise PRD(MF) Planned Residential Dev.	COMMERCIAL NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MKD Mixed-Use Dev. OIT Office Institutional Trans. LNO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	02880	0120	OI	R-4

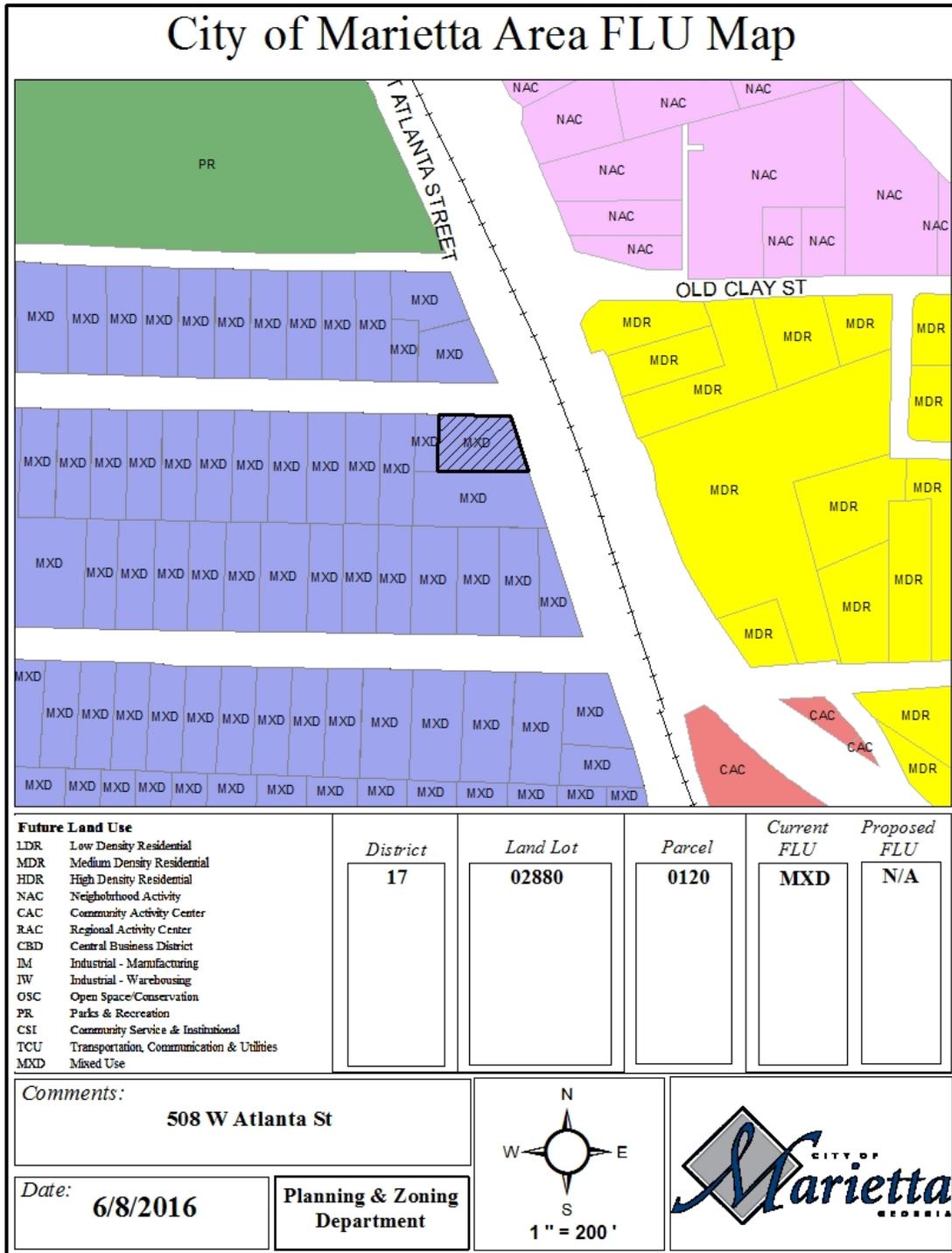
Comments:
508 W Atlanta St

Date: **6/8/2016**

Planning & Zoning Department




FLU MAP



PICTURES OF PROPERTY



508 W Atlanta St



508 W Atlanta St

STAFF ANALYSIS

Location Compatibility

Charlotte Evans, for the owner Kathy Gorrell, is requesting the rezoning of 0.3 acres at 508 West Atlanta Street from OI (Office Institutional) to R-4 (Single Family Residential – 4 units / acre). The subject property contains a residential structure and is located at the southwestern corner of the intersection of West Atlanta Street and Hedges Street. The vacant lot to the west is unbuildable (~4,000 square feet) and is zoned OI. The adjacent property to the south is also zoned OI and is operated by the Cobb County Gem & Mineral Society. The rest of the properties along Hedges are zoned R-4.

Use Potential and Impacts

The owner purchased this home in 2011 but was unable to obtain financing due to the Office Institutional zoning classification. In order to continue making improvements to the home, the applicant is trying to obtain a home equity loan but needs the property zoned to a residential classification to secure financing. The land use of the general area on the west side of the railroad tracks is mainly residential. Although many of the properties along West Atlanta Street are zoned OI, many appear to be used as residences. The limited access and low visibility do not make this corridor a prime office location.

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 the entire segment of the Gramling-Hedges area (between Powder Springs Street and West Atlanta Street) has been categorized as MXD (Mixed Use Development) in order to encourage redevelopment of the area. Although the requested zoning (R-4) is not ideal for this future land use, it is compatible with the current land use until the area transitions. MXD allows for both residential and non-residential uses. Therefore, this rezoning request is supported by the City's Comprehensive Plan.

Environmental Impacts

This rezoning should have no environmental impact, as there is no presence of wetlands, floodplains, creeks, or endangered species on the property.

Economic Functionality

Although many of the properties along West Atlanta Street are zoned OI, many appear to be used as residences. This property operated as a builder and attorney's office during the 1990s and early 2000s. Since then it appears to have functioned as a renter occupied residence until going into foreclosure in 2011, when the applicant purchased the home. The property has been functioning a number of years as a residence and, considering the general use of the area, would not function well as a commercial office. The limited access and low visibility do not make these prime office locations.

Infrastructure

Rezoning this property to R-4 to match its use would have no adverse impact on the transportation, education, water, sewer, electricity, or other public infrastructure in the area.

The property has been receiving residential electric, water, and sanitation rates.

History of Property

There is no history of any variances, rezonings, or Special Land Use Permits for this property.

ANALYSIS & CONCLUSION

Charlotte Evans, for the owner Kathy Gorrell, is requesting the rezoning of 0.3 acres at 508 West Atlanta Street from OI to R-. The subject property contains a residential structure and is located at the southwestern corner of the intersection of West Atlanta Street and Hedges Street. The land use of the general area on the west side of the railroad tracks is mainly residential. Although many of the properties along West Atlanta Street are zoned OI, many appear to be used as residences.

The owner purchased this home in 2011 but was unable to obtain financing due to the Office Institutional zoning classification. In order to continue making improvements to the home, the applicant is trying to obtain a home equity loan but needs the property zoned to a residential classification to secure financing. The limited access and low visibility do not make this corridor a prime office location.

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 the entire segment of the Gramling-Hedges area (between Powder Springs Street and West Atlanta Street) has been categorized as MXD in order to encourage redevelopment of the area. Although the requested zoning (R-4) is not ideal for this future land use, it is compatible with the current land use until the area transitions. MXD allows for both residential and non-residential uses. Therefore, this rezoning request is supported by the City's Comprehensive Plan.

Prepared by: Shelly Winsles

Approved by: Rusty Zott



DATA APPENDIX

CITY OF MARIETTA - WATER

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?	Olley 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

CITY OF MARIETTA - SEWER

What is the road effected by the proposed change?	W Atlanta St; Hedges St
What is the classification of the road?	Local; local
What is the traffic count for the road?	N/A
Estimated # of trips generated by the proposed development?	N/A
Estimated # of pass-by cars entering proposed development?	N/A
Do sidewalks exist in the area?	Yes; yes
Transportation improvements in the area?	No
If yes, what are they?	N/A



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?	Olley 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?	W Atlanta St; Hedges St
What is the classification of the road?	Local
What is the traffic count for the road?	N/A
Estimated # of trips generated by the proposed development?	N/A
Estimated # of pass-by cars entering proposed development?	N/A
Do sidewalks exist in the area?	Yes
Transportation improvements in the area?	No
If yes, what are they?	N/A



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:



DATA APPENDIX CONTINUED

MARIETTA CITY SCHOOLS

Marietta City Schools Impact Assessment:

Elementary School System Servicing Development:	Hickory Hills Elementary
Middle School Servicing Development:	Marietta Middle School
High School Servicing Development:	Marietta High School
Capacity at Elementary School:	375-475
Capacity at Middle School:	1300-1400
Capacity at Marietta Sixth Grade Academy:	800-900
Capacity at High School:	2500-2600
Current enrollment of Elementary School:	371
Current enrollment of Middle School:	1331
Current enrollment of High School:	2116
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
<u>Comments:</u>	



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 #: 22016-19 Registrar #: 20160526 PZ #: 16-294
 Planning Commission Hearing: 7-5-16 City Council Hearing: 7-13-16

Owner's Name Kathy Gorrell Email Address: Kathy.gorrelle@ Cobb County, GA
 Mailing Address 5061508 West Atlanta Street Zip Code: 30064 Telephone Number 770-360-9854

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Charlotte Evans
 Mailing Address 187 Kirkpatrick Dr, Marietta Zip Code: 30060
 Telephone Number 770-363-6193 Email Address: _____

Address of property to be rezoned: 5061508 West Atlanta Street
 Land Lot (s) 02889 288 District 17 Parcel 0120 Acreage .305 Ward 1A Future Land Use: MXD
 Present Zoning Classification: O/I Proposed Zoning Classification: R-1

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.

Rezoning of 506/508 West Atlanta Street, Marietta GA 30060

I purchased 506/508 West Atlanta Street a little over 4 years. I have been residing at this address since purchase. I purchased the home from Federal Home and was unaware of the zoning issues. Originally I attempted to get a mortgage with Wells Fargo and at the last minute they advised me that I could not get a mortgage due to the commercial zoning of the land. I later discovered that the property is actually zoned O/I. I could not get a mortgage from anyone and purchased the home with all of my savings and a home equity from USAA. The home was in very bad shape when I first purchased much like most of the homes on West Atlanta and all of the homes on Hedges. It was boarded up and abandoned. The home has 2 addresses however it is a single family home. In the past it must have been a duplex. I have made major improvements on the home through my home equity and have seen over the past few years, many of the homes on West Atlanta be purchased and renovated as residences. I like to think I started the movement. I now would like to make more improvements, new kitchen and bath but in order to apply for a "refinance" of my home equity and get a mortgage the property must be zoned Residential. Unfortunately I will be out of the country on July 5th therefore unable to attend the planning commission hearing. Charlotte Evans will attend as my representative and will be able to answer any question you may have.

Charlotte Evans 187 Kirkpatrick Dr. Marietta, GA 30064 (770-363-6193)

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: June 17, 2016

PUBLIC NOTICE OF REZONINGS, CODE AMENDMENT, AND VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, July 5, 2016, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, July 13, 2016, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2016-19 [REZONING] KATHY GORRELL (CHARLOTTE EVANS) is requesting the rezoning of 0.3 acres located in Land Lot 288, District 17, Parcel 0120, 2nd Section, Marietta, Cobb County, Georgia, and being known as 508 West Atlanta Street from OI (Office Institutional) to R-4 (Single Family Residential – 4 units / acre). Ward 1A.

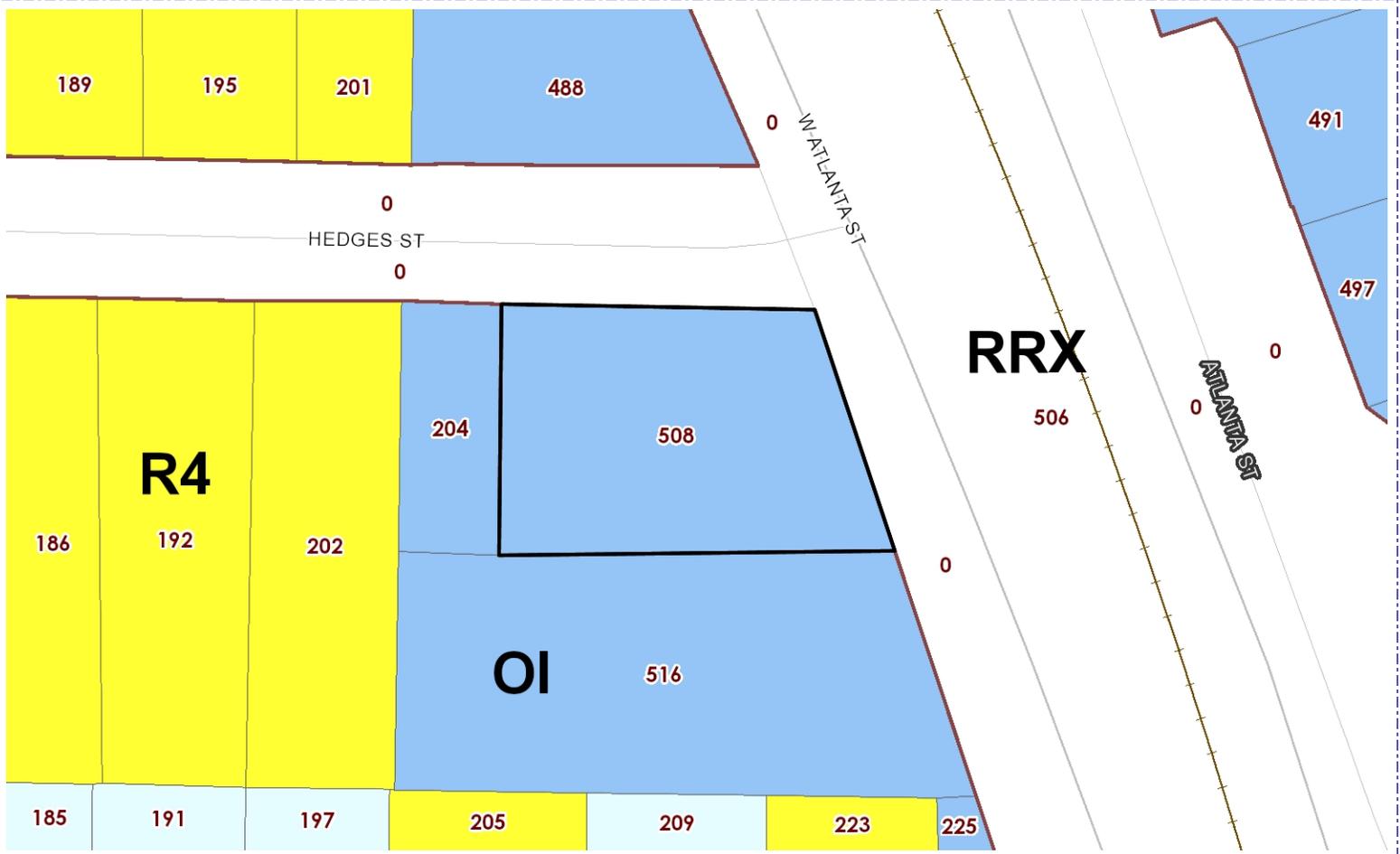
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

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

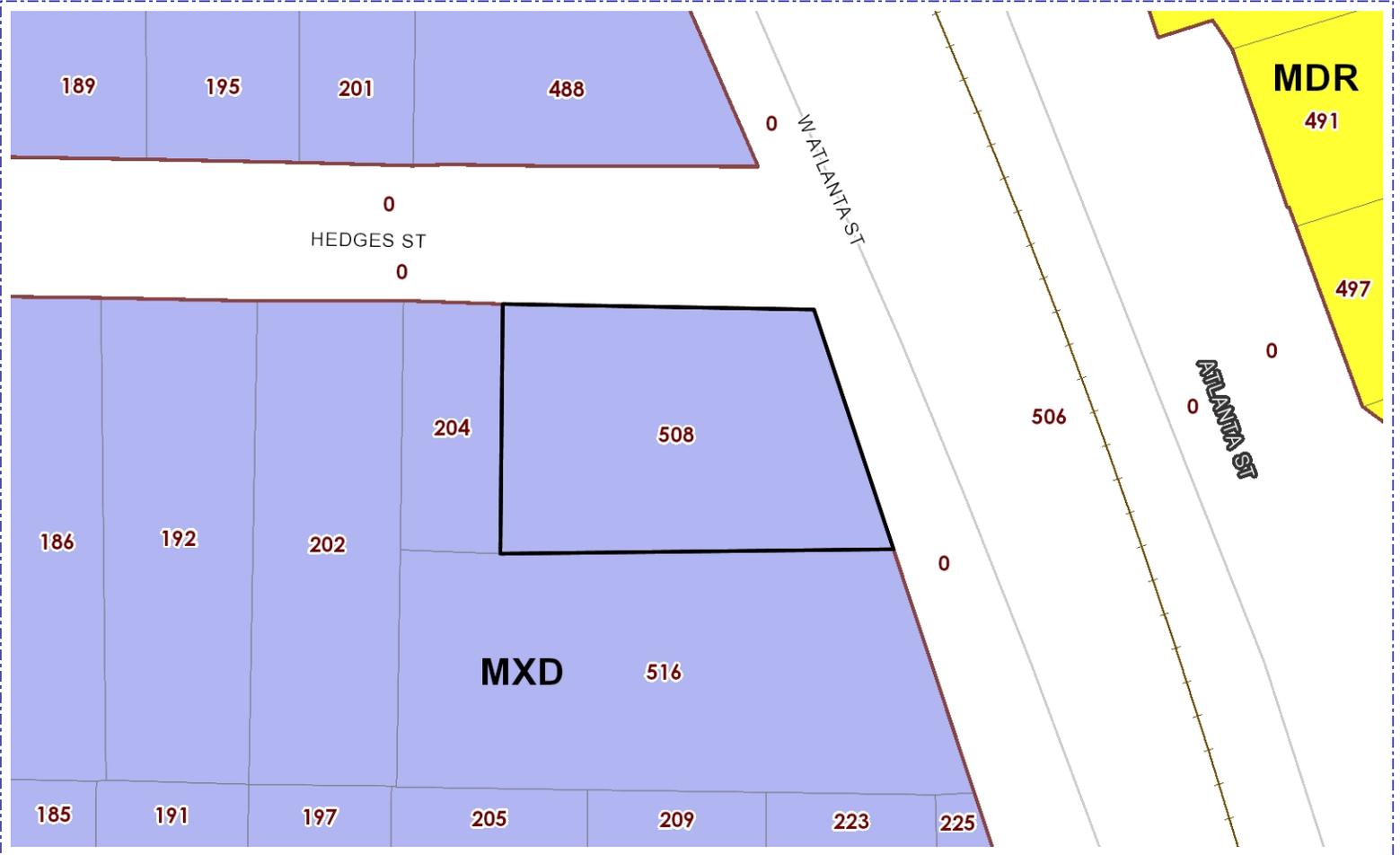


Address	Parcel Number	Acreage	Ward	Zoning	FLU
508 W ATLANTA ST	17028800120	0.305	1A	OI	MXD

Property Owner:	Kathy Gorrell	
Applicant:	Charlotte Evans	
Proposed Zoning:	R4	
Agent:		
Proposed Use:		
Planning Commission Date:	07/05/2016	
City Council Hearing Date:	07/13/2016	Case Number: Z2016-19
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



Address	Parcel Number	Acreage	Ward	Zoning	FLU
508 W ATLANTA ST	17028800120	0.305	1A	OI	MXD
Planning Commission Hearing Date:	07/05/2016	Future Land Use Symbols 			
City Council Hearing Date:	07/13/2016				
Future Land Use:	MXD				
Case Number:					
Comments:					
City of Marietta Planning & Zoning					



Address	Parcel Number	Acreage	Ward	Zoning	FLU
508 W ATLANTA ST	17028800120	0.305	1A	OI	MXD

Property Owner:	Kathy Gorrell
Applicant:	Charlotte Evans
City Council Hearing Date:	07/13/2016
Planning Commission Hearing Date:	07/05/2016
BZA Hearing Date:	Case Number: Z2016-19
Comments:	

Legend

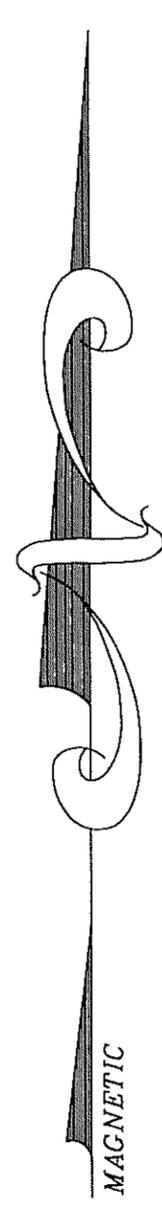
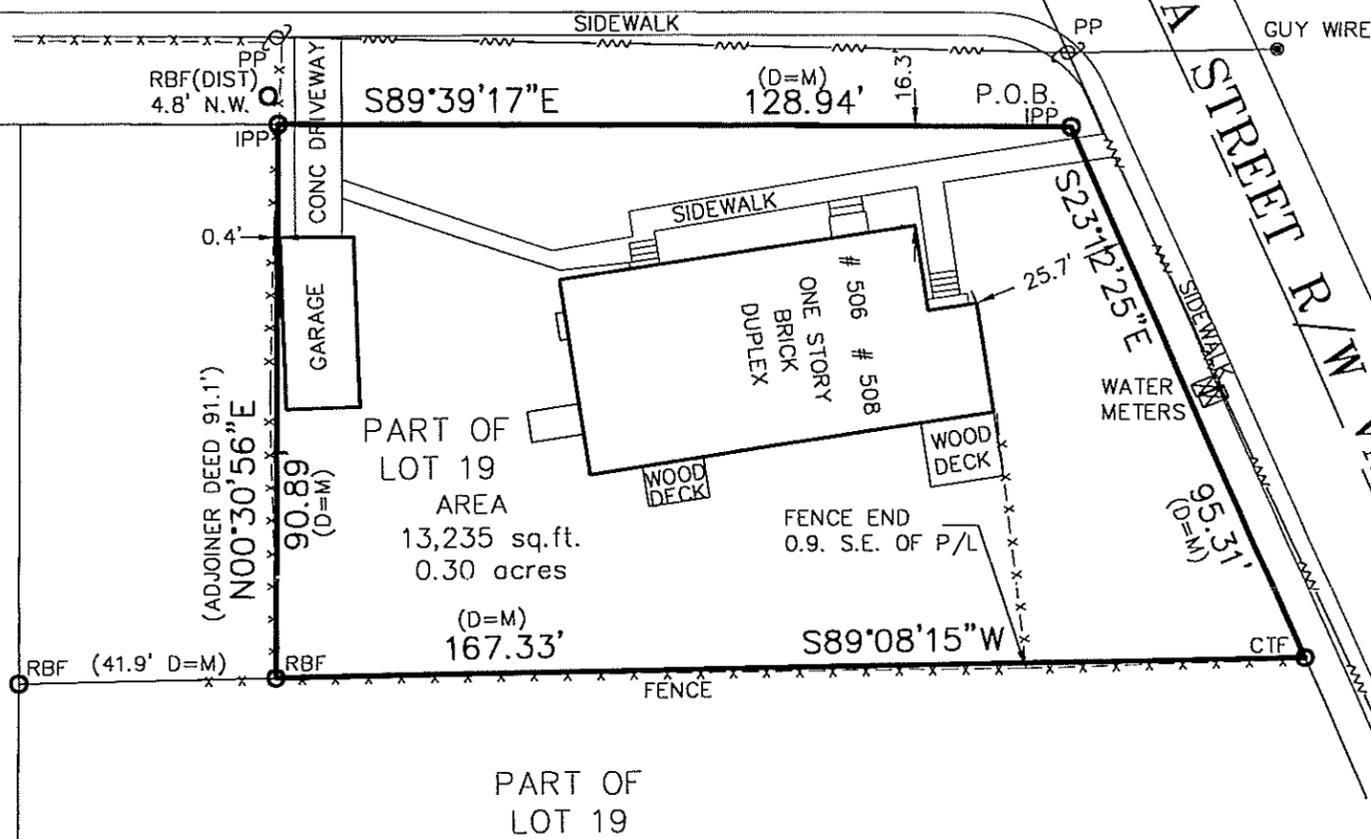
-  Railroads
-  City Limits
-  Cobb County Pockets

LEGEND

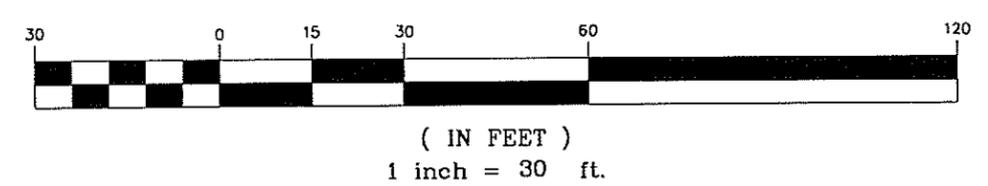
- CMP CORRUGATED METAL PIPE
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- BSL BUILDING SETBACK LINE
- RBF REBAR FOUND
- IPP IRON PIN PLACED
- IPF IRON PIN FOUND
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- RB REBAR
- CB CATCH BASIN
- JB JUNCTION BOX
- HW HEAD WALL
- POB POINT OF BEGINNING
- MH MAN HOLE
- R/W RIGHT-OF-WAY
- PP POWER POLE
- LL LAND LOT
- M MEASURED
- D DEED
- P PLAT

HEDGES STREET 60'R/W

ATLANTA STREET R/W VARIES



GRAPHIC SCALE



NOTE:
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

NOTICE: IF RECORDING IS REQUIRED, CONTACT THE SURVEYOR FOR PRODUCTION OF A PLAT MADE SUITABLE FOR RECORDING

PLAT CERTIFICATION NOTICE

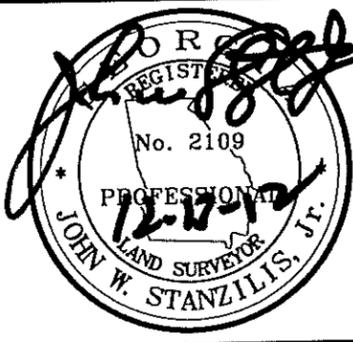
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OF SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AN ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

FIELD DATE 12/12/12

JOB NUMBER: 12-04531 	ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR: KATHY GORRELL	DATE 12/13/12
	OWNER / PURCHASER KATHY GORRELL	SCALE 1" = 30'
	LAND LOT 288 17th DISTRICT 2nd SECTION COBB COUNTY, GEORGIA	
	LOT PART OF LOT 19 BLOCK UNIT AREA OF LOT: 13,235 S.F.	
	SUBDIVISION GLOVERS GROVE	
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	SOLAR LAND SURVEYING COMPANY P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770)794-9052	
PLAT BOOK _____, PAGE _____ DEED BOOK 14908, PAGE 5525		