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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2010-09      **LEGISTAR #:** 20100893

**LANDOWNERS:** Barbara Casteel  
779 Scott Lane  
Marietta, GA 30008

**APPLICANT:** Fred H. Moore  
P. O. Box 5198  
Marietta, GA 30061

**AGENT:** n/a

**PROPERTY ADDRESS:** 120 Mountain View Road

**PARCEL DESCRIPTION:** Land Lot 12240, District 16, parcel 0360

**AREA:** 0.57 acs.      **COUNCIL WARD:** 3

**EXISTING ZONING:** R-2 (Single Family Residential 2 units/acre)

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

**FUTURE LAND USE MAP  
RECOMMENDATION:** MDR (Medium Density Residential)

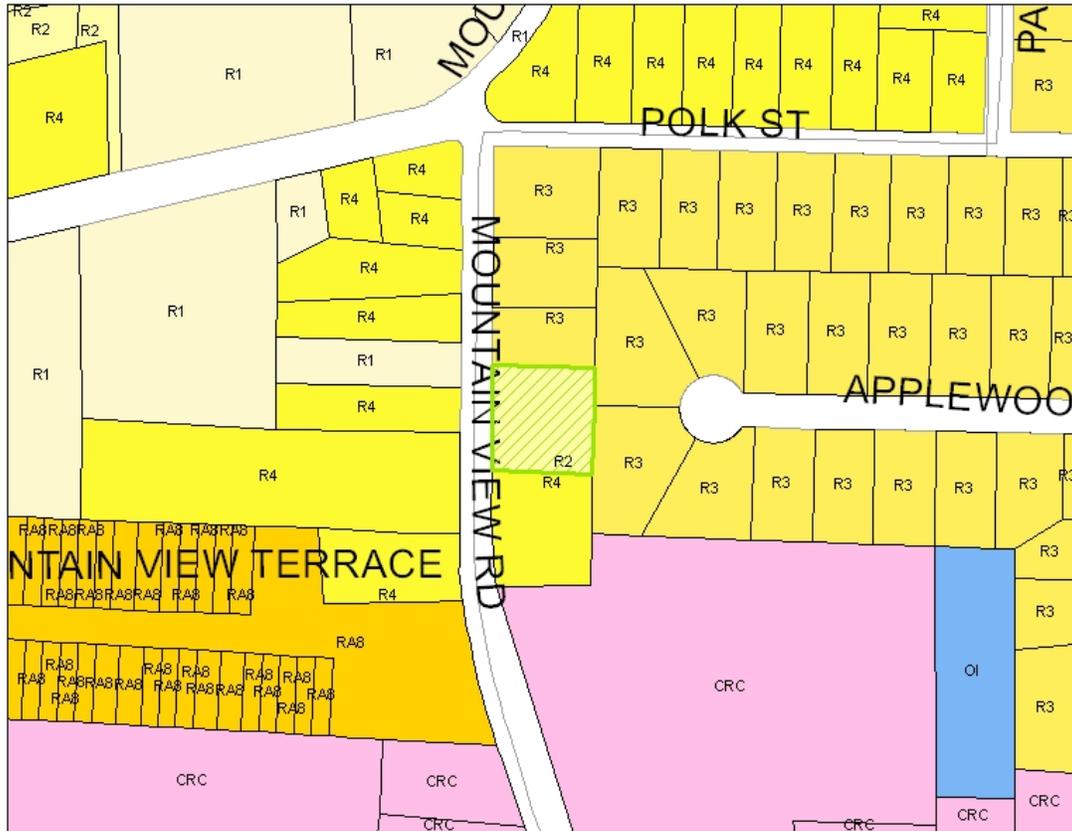
**REASON FOR REQUEST:** To subdivide the subject property into 2 parcels and rezone to R4 to therefore build a single family dwelling on each of the lots.

**PLANNING COMMISSION HEARING:** WEDNESDAY, Sept 1, 2010 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, Sept 15, 2010 – 7:00 p.m.

# MAP

## City of Marietta Area Zoning Map

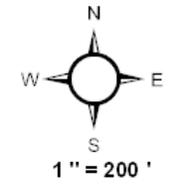


Zoning		District	Land Lot	Parcel	Zoning
<b>SINGLE FAMILY RESIDENTIAL</b> R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre <b>ATTACHED FAMILY RESIDENTIAL</b> RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park <b>MULTI FAMILY RESIDENTIAL</b> RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre R10R Residential High Rise PRD(MF) Planned Residential Dev.	<b>COMMERCIAL</b> 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. LRO 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	0360	12240	R2

Comments:  
**120 Mountain View Road**

Date: **4/5/10**

Planning & Zoning Department



### PICTURES OF PROPERTY



Looking northward at subject property from the southern part of the property. Currently, a house and carport occupy subject property.



Looking eastward at the northern part of the subject property.

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant, Fred H. Moore, petitioner for the owner, Barbara Casteel, is requesting to rezone property located at 120 Mountain View Road. The parcel is approximately 0.571 acres in size, and is currently zoned R2 [Single Family Residential (2 units per acre)]. The applicant is requesting the property be rezoned to R4 [Single Family Residential (4 units per acre)]. Mr. Moore then intends to subdivide the property into 2 parcels in order to build a single family dwelling on each parcel, one of which will be his own residence.

The properties to the north and east are zoned R3 [Single Family Residential (3 units per acre)] and are developed as residential units. The properties to the south and west are zoned R4 [Single Family Residential (4 units per acre)] and are also developed as residential units. There is one parcel of property to the west, 119 Mountain View Road, that is zoned R1, Single Family Residential. However, that property does not comply with the minimum lot size requirements for R1 (1 acre minimum), and is therefore a nonconforming lot

### *Use Potential and Impacts*

The applicant has stated that the purpose of this request is to subdivide the property into 2 parcels – he intends to construct a single family house for himself on one parcel, and will eventually build another house on the second parcel. Currently, there is a house and carport located on the southern half of the subject property. According to the submitted survey, proposed Lot 1 would be 0.283 acres and proposed Lot 2 would be 0.288 acres. The proposed parcels would meet the minimum lot size for R3, which is 10,000 sq.ft., but the R4 zoning would be necessary due to the density requirements. Each would meet the R4 *Bulk and Area Regulations in Section 708.04(H)*. Once the applicant is prepared to develop the subdivided properties, all sections of the City's Zoning Ordinance would have to be followed.

The FLU (Future Land Use) designation of the subject property is MDR (Medium Density Residential). The current FLU designation is compatible with the requested zoning. According to the Comprehensive Plan, compatible zoning categories for MDR (Medium Density Residential) are R4, RA-4, RA-6, PRD-SF, and PRD-MF.

### *Environmental Impacts*

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



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## STAFF ANALYSIS CONTINUED

### *Economic Functionality*

The subject property is currently developed a single family house and carport, but appears to be vacant, and which would be demolished if the rezoning request is successful. The applicant has proposed to subdivide the subject property and construct 2 single family houses - one on each property. Given the surrounding zonings and the Future Land Use, the R4 zoning category is a reasonable zoning classification.

### *Infrastructure*

The requested rezoning will not propose a significant impact on sewer, emergency, or schools system.

### *History of Property*

There is no history of variances, rezoning, or special land use permits on file in City records for the subject property.



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## ANALYSIS & CONCLUSION

The applicant, Mr. Fred H. Moore is requesting to rezone property located at 120 Mountain View Road, which is approximately 0.571 acres, and is currently zoned R2 [(Single Family Residential (2 units per acre)]. The applicant is requesting to rezone property to R4 [Single Family Residential (4 units per acre)].

Mr. Moore has stated that the purpose of this request is to subdivide the parcel into 2 parcels – he intends to construct a single family house for himself on one parcel, and will eventually build another house on the second parcel. Currently, there is a house and carport located more to the southern half of the subject property. According to the submitted survey, proposed Lot 1 would be 0.283 acres and proposed Lot 2 would be 0.288 acres. Each would meet the R4 *Bulk and Area Regulations in Section 708.04(H)*. Once the applicant is ready to develop the subdivided properties, all sections of the City’s Zoning Ordinance would need to be followed.

The FLU (Future Land Use) designation of the subject property is MDR (Medium Density Residential). The current FLU designation is compatible with the requested zoning. According to the Comprehensive Plan, compatible zoning categories for MDR (Medium Density Residential) are R4, RA-4, RA-6, PRD-SF, and PRD-MF.

**Prepared by:** \_\_\_\_\_

**Approved by:** \_\_\_\_\_



## DATA APPENDIX

### ***CITY OF MARIETTA - WATER***

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

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### ***CITY OF MARIETTA - SEWER***

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Is a sewer line adjacent to the property?	Yes
Is not, how far is the closest sewer line?	n/a
Size of the sewer line?	8 inch
Capacity of the sewer line?	Available
Estimated waste generated by proposed development?	A.D.F                      Peak 400 gpd additional
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

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## DATA APPENDIX CONTINUED

### *DRAINAGE AND ENVIRONMENTAL CONCERNS*

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Does flood plain exist on the property?	NO
What percentage of the property is in a floodplain?	---
What is the drainage basin for the property?	Ward Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	NO
If so, is the use compatible with the possible presence of wetlands?	---
Do stream bank buffers exist on the parcel?	NO
Are there other topographical concerns on the parcel?	Land is steeper from road on about 2/3 of tract
Are there storm water issues related to the application?	Drainage leaves the site currently as sheet flows
Potential presence of endangered species in the area?	NO

### *Transportation*

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What is the road affected by the proposed change?	Mountain View Road
What is the classification of the road?	Local
What is the traffic count for the road?	No Data
Estimated number of cars generated by the proposed development?	Insufficient Data
Estimated number of trips generated by the proposed development?	Insufficient Data
Do sidewalks exist in the area?	YES -- westside
Transportation improvements in the area?	NO
If yes, what are they?	---

- If more than 2 lots are planned, site plans will be required for construction, since the lots would be a “Common Development” per State Law and City Ordinance. Site plans would need to include parking, driveways, streets, stormwater management, stormwater quality, 10% downstream analysis, and any other applicable improvements required by City Code and Georgia Stormwater Management Manual. If required, additional comments would be made at time of site plan submittal. There can be no point discharge onto adjacent property which is not into a stream, defined drainageway, or storm sewer. Discharge will not be allowable at the property line. If easements are required for drainage through adjacent property, then the owner is to obtain. Public Works has concerns about concentrated flow at the eastern property line with development.
- A Quit Claim Deed is required to increase the right-of-way to 25’ from centerline on the property frontage, from the current 20’.
- A 5’ wide sidewalk with 2’ grass strip between curb and sidewalk is required along the entire frontage of Mountain View Road. The sidewalk ends are to be “feathered” to allow access at each end.
- As each house is planned for construction and permitting, the gutters / downspouts are to be such that concentrated flows do not exist. The downspouts are to be directed to a stone bed, with a clean out at each end of the pipe.

### **EMERGENCY SERVICES**

Nearest city or county fire station from the development?	53
Distance of the nearest station?	Less than 3/4 mile
Most likely station for 1 <sup>st</sup> response?	53
Service burdens at the nearest city fire station (under, at, or above capacity)?	No service burdens

The purpose of the request for rezoning is to change the above referenced from R2 to R4. The fire department has no further comments regarding the above referenced.



Department of Development Services  
205 Lawrence Street  
Marietta, Georgia 30060  
Brian Binzer, Director

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***MARIETTA POWER - ELECTRICAL***

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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: