



# City of Smyrna

City of Smyrna  
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## Legislation Details (With Text)

**File #:** 2019-94      **Version:** 5      **Name:** Zoning Request - Z19-005  
**Type:** Authorization      **Status:** Passed  
**File created:** 3/6/2019      **In control:** City Council  
**On agenda:** 6/17/2019      **Final action:** 6/17/2019  
**Title:** Public Hearing - Zoning Request Z19-005 - Rezoning from R-15 to R-10 Conditional for four single family homes at a density of 3.72 units per acre - 1.17 acres - Land Lot 561 - 1420 and 1430 Roswell Street - M. Junger Homes LLC.  
**Sponsors:** Maryline Blackburn

**Indexes:**

**Code sections:**

**Attachments:** 1. Issue Sheet, 2. Z19-005\_V.3\_StaffMemo.pdf, 3. Zoning Vicinity Map\_Z19-005.pdf, 4. Land Use Vicinity Map\_Z19-005.pdf, 5. Rezoning Application\_Z19-005.pdf, 6. Existing Survey\_Z19-005.pdf, 7. Site Plan\_V.3\_Z19-005.pdf, 8. Building Elevations\_Z19-005.pdf, 9. Legal Ad\_V.2\_Z19-005.doc.pdf

Date	Ver.	Action By	Action	Result
6/17/2019	5	City Council	Approved Item	Pass
6/3/2019	4	City Council	tabled	Pass
5/20/2019	3	City Council	tabled	Pass
4/15/2019	2	City Council	tabled	Pass
3/11/2019	1	Planning and Zoning Commission	Approved with Condition(s)	Pass

**WARD:** 3

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request Z19-005 - Rezoning from R-15 to R-10 Conditional for four single family homes at a density of 3.72 units per acre - 1.17 acres - Land Lot 561 - 1420 and 1430 Roswell Street - M. Junger Homes LLC.

**ISSUE:** M. Junger Homes LLC is requesting rezoning from R-15 to R-10-Conditional for a property at 1420 and 1430 Roswell Street for the construction of four new single-family residences at a density of 3.72 units per acre. All homes will be accessed from Roswell Street via rear entry-garages. The applicant has submitted building elevations and floor plans for the residences in the rezoning application. The submitted elevations reflect a more traditional style home with a mixture of exterior façade materials and architectural elements.

**BACKGROUND:** The Planning and Zoning Board recommended to **approve** the request by a vote of 7-0. The Mayor and City Council heard the zoning request at the April 15, 2019 meeting and tabled the request to the May 20, 2019 meeting to provide additional time for Matt Junger Homes, LLC to work with the Williams Park neighborhood to resolve the issue with the decorative wall along Roswell Street.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the rezoning R-15 to R-10-Conditional for the development of four single-family units at a density of 3.72 units per acre under the following conditions (Community Development is proposing changes to the initial conditions to address the retention of the wall and those changes are highlighted in yellow):

**Standard Conditions**

**Requirement #2, 3, 4, 8, 9, 10, and 12 from Section 1201 of the Zoning Code is not applicable)**

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. The retention pond shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a ten percent reduction in a 100-year storm event. The city engineer shall approve all plans.
3. All utilities within the development shall be underground.
4. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.
5. No debris may be buried on any lot or common area.
6. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
9. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

**Additional Conditions**

10. The development shall maintain the following setbacks:
  - Front - 20'
  - Exterior Side - 10'
  - Interior Side - 7.5' (with a minimum of 10' between buildings)

Rear - 15'

11. Driveway - 22' minimum length from garage face to private driveway.
12. The development shall be developed with a minimum lot size of 10,000 square feet.
13. The lots shall be developed with a minimum lot width at the setback line of 50'.
14. The homes shall have a minimum floor area of 1,500 sq. ft.
15. The developer shall provide a 5' sidewalk with a 2' grass buffer along Roswell Street for the length of the development.
16. The developer shall provide a 15' stormwater easement along the northern shared property line.
17. The developer shall provide a 5' Right-of-Way dedication along Roswell Street.
18. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
19. The maximum allowable lot coverage for the property shall be limited to 35%.
20. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the Public Works Director.
21. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.
22. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.
23. The location of the shared drive shall be relocated south of the proposed location on the submitted site plan (3/6/2019) to preserve as much of the wall as possible. The location of the shared drive shall be reviewed and approved by the City Engineer. If the new location of the shared drive requires the removal of a portion of the wall, the developer shall be permitted to remove the said portion to provide adequate clearance and sight line along Roswell Road.
24. The individual homes shall provide access to the public sidewalk. If the existing wall should preclude access to the public sidewalk, the developer shall be allowed to provide access through the wall if need be. The access through the wall shall be reviewed and approved by the City Engineer.
25. Approval of the subject property for the R-10 Conditional (R-10 Conditional) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 3/6/2019 created by Crescent View Engineering LLC and all zoning stipulations above.
26. The applicant shall be build the homes in substantial compliance with the building elevations submitted and dated 2/8/2019. Approval of any change to the elevations must be obtained from the Director of Community Development.

