



# City of Smyrna

City of Smyrna  
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## Legislation Text

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File #: 2018-513, Version: 2

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**WARD:** 4

**COMMITTEE:** Community Development

**\$ IMPACT:** N/A

**Public Hearing** - Zoning Request Z18-018 - Rezoning from R-15 to R-15-Conditional for three residential lots - 1.136 Acres - Land Lot 335 - 572 North Thomas Lane - Kalpesh Patel

**ISSUE:** Kalpesh Patel is requesting a rezoning from R-15 to R-15-Conditional for the development of three (3) new single-family homes at a density of 2.64 units per acre. The proposed rezoning will result in the renovation of the existing single-family home on-site and the development of two new single-family homes on either side of the existing home.

**BACKGROUND:** The rezoning request was heard by the Planning and Zoning Board at the December 10, 2018 meeting and was recommended for **approval** with staff conditions by vote of 7-0.

**RECOMMENDATION/REQUESTED ACTION:** Community Development recommends **approval** of the zoning request from R-15 to R-15-Conditional for three (3) single-family units at a density of 2.64 units per acre with the following conditions:

### **Standard Conditions**

**Requirements #2, 4, 8, 9, 10, 12 and 17 from Section 1201 of the Zoning Code are 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. There shall be protective covenants with a mandatory homeowners association on all lots. These protective covenants shall be supplied to the City prior to the issuance of a building permit.
3. The detention 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 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
4. All utilities within the development shall be underground.
5. 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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.

6. No debris may be buried on any lot or common area.
7. 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.
8. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
9. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
10. 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, unless otherwise approved by the City's Arborist. 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.

## **al Conditions**

11. The development shall maintain the following setbacks:
  - Front - 35' (lots #1 & #3) and 28' (lot #2)
  - Street Side - 23'
  - Interior Side - 10'
  - Rear - 30'
12. The development shall be developed with a minimum lot size of 10,507 sq. ft. for lot #1 and 15,000 sq. ft. for lots #2 & #3.
13. Driveway - 22' minimum length from building face to edge of sidewalk. Each unit shall have a two-car garage with decorative garage doors.
14. The developer shall install a 5' sidewalk with a 2' grass buffer along both North Cooper Lake Road and North Thomas Lane for the length of the property.
15. The final plat for the development shall include a right-of-way dedication of 5' along North Thomas Lane. Setbacks shall be taken from the existing right-of-way.
16. The final plat for the development shall include a right-of-way dedication of 7' along North Cooper Lake Road. Setbacks shall be taken from the existing right-of-way.
17. No driveway locations shall be permitted on North Cooper Lake Road.
18. The driveway location for lot #1 shall be located on North Thomas Lane at least 50' from the intersection of North Thomas Lane and North Cooper Lake Road.
19. All trees within the limits of disturbance that are scheduled to be preserve shall be protected according to the City's Tree Ordinance. All other trees within the limits of disturbance shall be

removed.

20. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facility shall be solely located on the HOA's property and shall be maintained by the HOA.
21. Approval of the subject property for the R-15 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 11/9/2018 created by Paul Lee Consulting Engineering Associates, Inc..
22. The applicant shall be bound to the elevations submitted and dated 11/9/2018. Approval of any change to the elevations must be obtained from the Director of Community Development.