



**Petition No. CU 201400052**

**HEARING & MEETING DATES**

| Design Review<br>Board Meeting | Neighborhood Meeting | Planning Commission Hearing | Mayor and City<br>Council Hearing |
|--------------------------------|----------------------|-----------------------------|-----------------------------------|
| N/A                            | 2/27/14              | 3/18/14                     | 4/14/14                           |

**APPLICANT/PETITIONER INFORMATION**

| Property Owner   | Petitioner       | Representative |
|------------------|------------------|----------------|
| Canary Farm, LLC | Canary Farm, LLC | Don Rolader    |

**PROPERTY INFORMATION**

|  |   |
|--|---|
| Address, Land Lot,<br>and District                       | Ebenezer Road; Land Lots 1071 and 1090                          |
| Frontage and Area  | 1033.4 feet along Ebenezer Road; 19.0223 acres                  |
| Existing Zoning and<br>Use                               | FC-A (Fulton County-Annexed) - Agricultural/ UDC zoning - RS-30 |
| Overlay Design<br>District                               | Not applicable  |
| 2030<br>Comprehensive<br>Plan; Future<br>Development Map | Estate Residential  |
| Proposed Zoning  | Not applicable; request is for a conditional use                |

**INTENT**

The applicant intends to build an equestrian facility on the property.

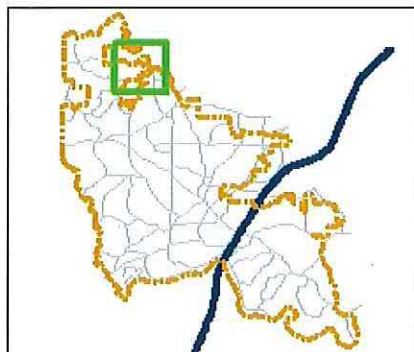
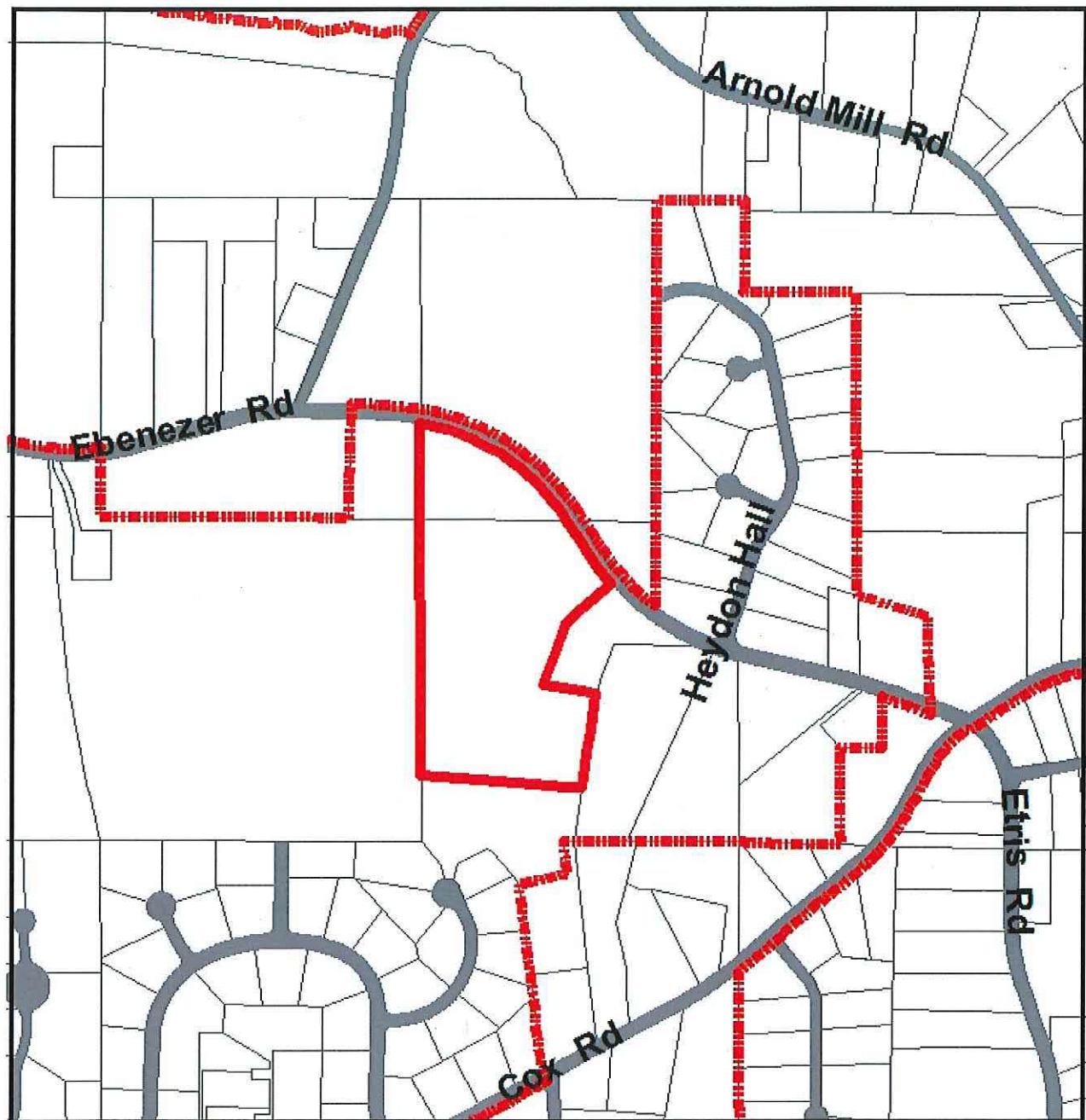
**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**CU 201400052 - Approval**

## PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval during their March 18, 2014 public hearing with the staff conditions.

1. The property shall be developed in accordance with the site plan stamped "Received January 7, 2014 City of Roswell Community Development Department."
2. A combination plat must be completed and recorded prior to the issuance of a Land Development Permit.
3. The existing gate shall be placed at a minimum of 40' from the property line. (This will allow any horse trailers to pull into the driveway and not remain in the travel lane.)
4. There shall be no more than 25 horses boarded on the property at any given time.



1 in = 600 ft

## Location



470 Ebenezer Road  
City Limits

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

Path: M:\Community Development\Micah\GIS\Micah\470 Ebenezer Rd\470 Ebenezer Rd Location Map.mxd

Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on April 14, 2014.

## STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends approval for an equestrian facility with a barn and living quarters on the property with the following conditions.

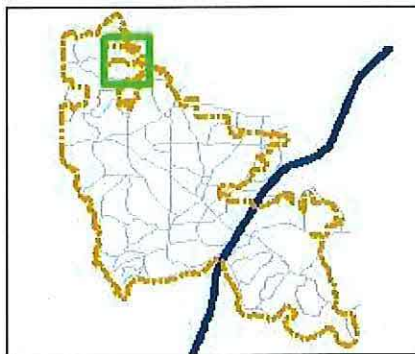
1. The property shall be developed in accordance with the site plan stamped "Received March 27, 2014 City of Roswell Community Development Department."
2. A combination plat must be completed and recorded prior to the issuance of a Land Development Permit.
3. The existing gate shall be placed at a minimum of 40' from the property line. (This will allow any horse trailers to pull into the driveway and not remain in the travel lane.)
4. There shall be no more than 25 horses boarded on the property at any given time.

**BACKGROUND**

The property was annexed into the City of Roswell in 2006.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**


| SUBJECT PETITION<br>201400052               | Requested<br>Zoning | Proposed Use                                 | Land<br>Area<br>(Acres)          | Number<br>of Units                            | Density<br>(Square<br>Footage per<br>Acre)    |
|---|---------------------|--|----------------------------------|---|---|
|   | N/A                 | Equestrian facility                          | 19.0223<br>acres                 | N/A   | N/A   |
| Location in relation to<br>subject property | Zoning              | Use  | Land<br>Area<br>(Acres)          | Square<br>Footage<br>or<br>Number<br>of Units | Density<br>(Square Feet or<br>Units Per Acre) |
| North                                       | AG-1                | City of Milton                               | 25 acres                         | N/A   | N/A   |
| South                                       | FC-A/               | HOA land owned by<br>Sweet Apple<br>Crossing | 4.5 acres                        | N/A   | N/A   |
| East  | FC-A/               | Single Family<br>homes                       | 2.1 acres<br>and 6.9<br>acres    | 1 home;<br>and 1<br>home                      | .44 upa; and<br>.15 upa                       |
| West  | FC-A/               | Single Family<br>homes                       | 2.7<br>acres;<br>and 45<br>acres | 1 home;<br>and 1<br>home                      | .37 upa; and<br>.02 upa                       |
|   |                     |  |                                  |   |   |
|   |                     |  |                                  |   |   |



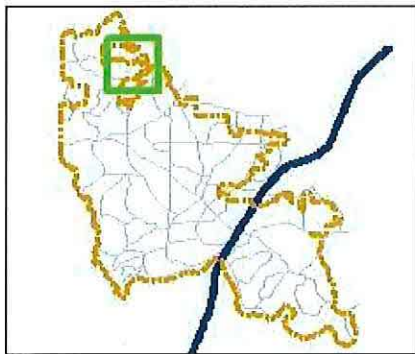
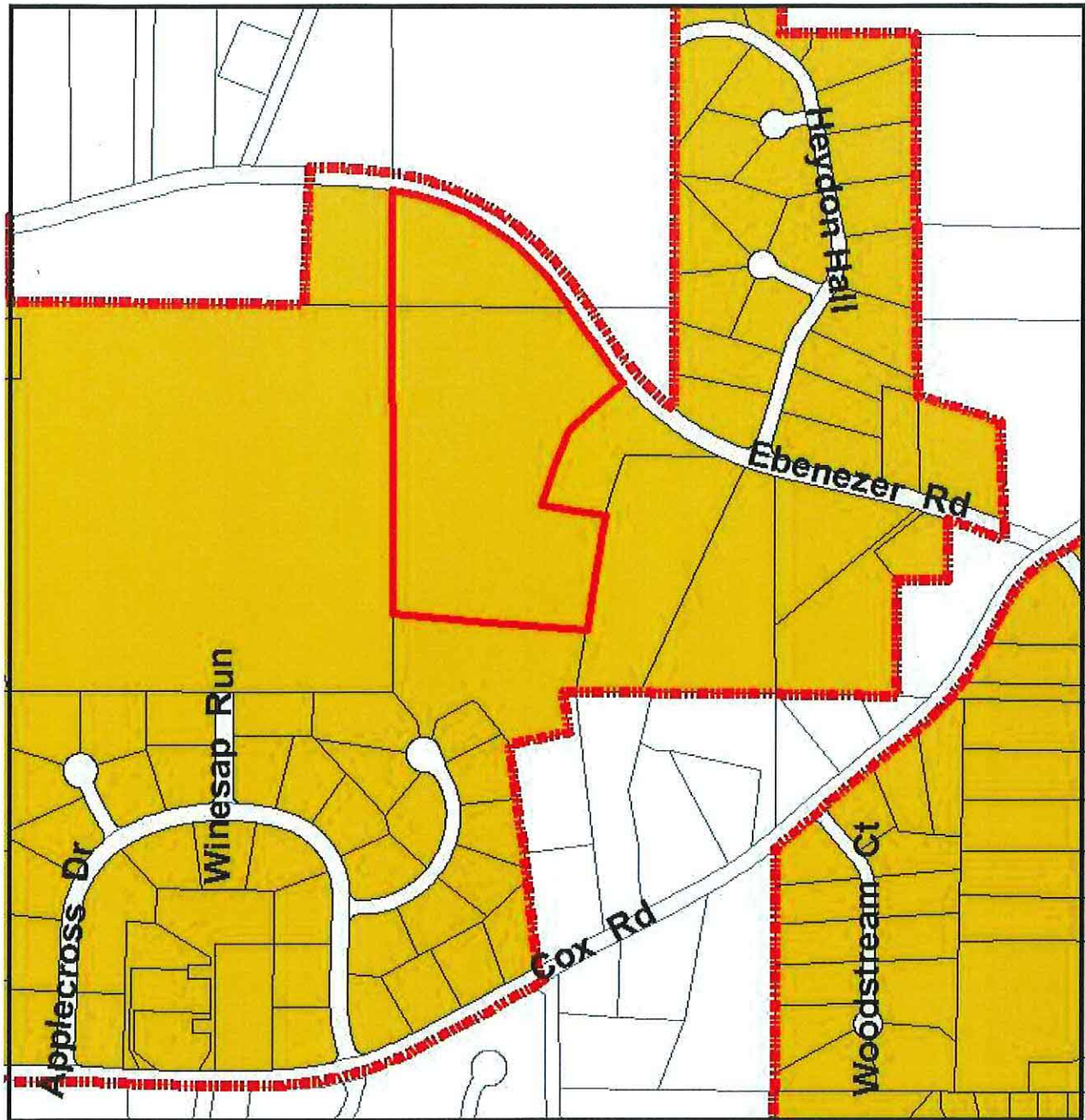
1 in = 250 ft

Aerial Date: February 2010

**Aerial**



 470 Ebenezer Road

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker

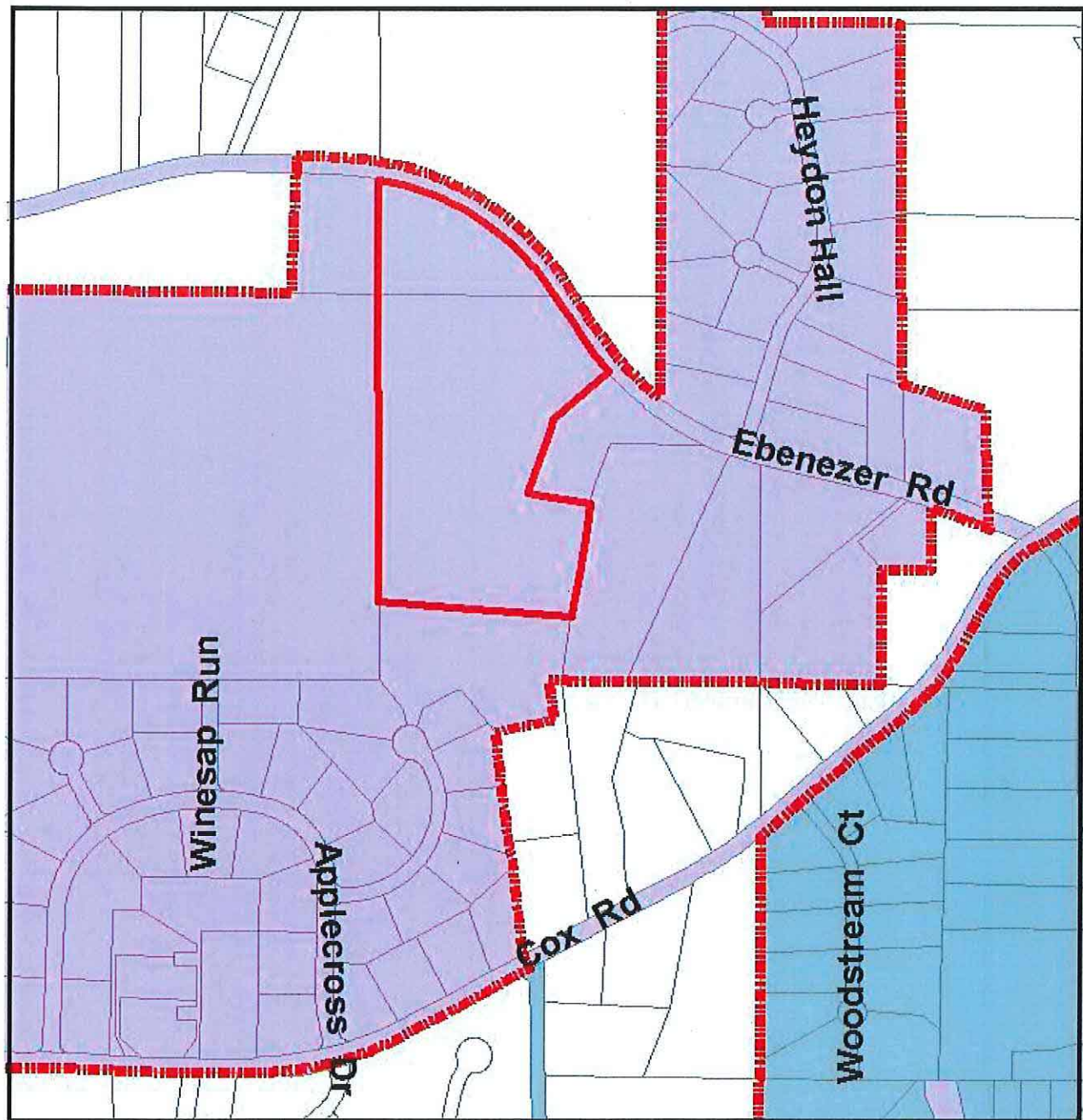


1 in = 500 ft

## Zoning

-  470 Ebenezer Road
-  (FC-A) - FULTON COUNTY - ANNEXED

Map Source: City of Roswell GIS  
Map Created by: Micah Stryker



1 in = 500 ft

## Future Land Use

- 470 Ebenezer Road
- Estate Residential
- Suburban Residential



View of the property



View of the property



View of the property



View of the property



View of property to the east



View of property to the north



View of property to the west



View of property to the south

View of the  
property



View of the property



View of the property



View of the property



## NOTICE OF PUBLIC HEARING

Case No: **Conditional Use 201400052**  
Petitioner: **Canary Farm**  
Location: **470 Ebenezer Rd.**  
Land Lots: **1090**  
Request: **A request for a Conditional Use for an Equestrian facility**

|                  |                                    |                            |
|------------------|------------------------------------|----------------------------|
| Public Hearings: | <b>Neighborhood Mtg. -</b>         | <b>February 27th, 2014</b> |
|                  | <b>(Room 220) 7:00 p.m.</b>        |                            |
|                  | <b>Planning Commission -</b>       | <b>Mar. 18, 2014</b>       |
|                  | <b>(Council Chamber) 7:00 p.m.</b> |                            |
|                  | <b>Mayor &amp; City Council -</b>  | <b>Apr. 14, 2014</b>       |
|                  | <b>(Council Chamber) 7:00 p.m.</b> |                            |

Location: **ROSWELL CITY HALL,  
38 HILL STREET, ROSWELL, GA**

For more information contact the Planning & Zoning Office, 38 Hill St., Ste. G-30, Roswell, GA (770) 641-3734 or [www.roswellgov.com](http://www.roswellgov.com)

#### **SITE PLAN ANALYSIS**

The site plan proposes a 9,000 square foot barn and living facility on the property and a 25,000 square foot covered riding ring. Chapter 10.7 of the Zoning Ordinance states that buildings and structures related to agriculture, farming, or the keeping of animals, when permitted, shall be setback a minimum of 100 feet from any property line. The minimum lot size for the keeping of livestock shall be two (2) acres. The plan indicates the required 100 foot buffer required for any structures. There is a gravel drive and six proposed parking spaces at the barn. The applicant intends to board horses at the barn and live in the facility. The facility will also offer riding lessons to the public.

#### **DRB/HPC comments and Design Guidelines**

Not applicable

#### **LANDSCAPE PLAN ANALYSIS**

Not applicable.

#### **VARIANCE CONSIDERATIONS**

Not applicable

## DEPARTMENT COMMENTS

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City of Roswell Environmental  
Department

- No comment
- 

City of Roswell Engineering  
Division

- Will there be horse trailer access and/or parking for this facility? If so, please revise and show it on the conditional use plan. How will the trailers turn around?
- If commercial use, the site should provide access for emergency vehicles.
- If commercial use, the facility should comply with ADA requirements for access. Show accessibility features on the site plan; e.g. ramps, parking, etc.
- Will there be any site lighting? If so, please provide a site lighting plan with photometrics that meets city code.

The following comments apply to the Land Disturbance Permit

- Application Plans as conditions to approval.
  - Gravel driveway shall be constructed with side channels to collect uphill runoff and be conveyed under the driveway via a culvert at the low point.
  - Driveway should be wide enough for two cars to pass or bypass pads added along the driveway.
  - Gravel parking should be delineated using curb stops or other approved method.
  - Provide room to back out of the parking spaces at the end of the parking pad.
  - Provide edging around the parking pad to discourage overflow parking on grassed areas.
  - A diversion channel should be designed to convey runoff around the riding ring.
  - Property should be maintained so as to prevent erosion from occurring in areas of trails or overuse.
  - Locate any manure stockpile(s) away from waterways, ditches and/or channels.
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Fiscal Impact

- Not applicable
- 

Archaeological

- Not applicable
-

|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>• If this is just a single family home and barn, please see below. If this will be a commercial use, there are many other requirements for fire department access and construction. I would recommend a meeting with the Fire Marshal and the Building Official. 770-641-3730.</li> </ul>  |
| City of Roswell Fire Department                | <ul style="list-style-type: none"> <li>• Section 8.3.24 - Water Supplies to Single-Family Dwellings.</li> <li>• Private property that is subdivided for more than one (1) single-family residence and is located more than one thousand (1,000) feet from the nearest fire hydrant shall be equipped with automatic fire sprinkler protection designed in accordance with the National Fire Protection Association Standard 13D as adopted by the State of Georgia.</li> <li>• Plans shall be submitted and approved by the fire marshal's office.</li> </ul> |
| City of Roswell Transportation Department      | <ul style="list-style-type: none"> <li>• No comments</li> </ul>   |
| Fulton County                                  | <ul style="list-style-type: none"> <li>• No comments</li> </ul>   |
| City of Roswell Arborist & Landscape Architect | <ul style="list-style-type: none"> <li>• If trees are to be removed as part of this project, a tree removal permit is required for any/all trees 3-inch diameter at breast height (dbh) or greater.</li> </ul>  |

## CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Original plans submitted - January 7, 2014.

Revised plan submitted - March 27, 2014.

## STANDARDS OF REVIEW

*1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

The proposed equestrian facility is a suitable use in view of the development of the adjacent properties.

*2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*

The proposed equestrian facility may not adversely affect the existing use of adjacent and nearby properties.

*3. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.*

The property can be used for residential uses. The property does have a reasonable economic use as currently zoned. This is not a rezoning of the property, it is a conditional use request.

*4. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

The proposed request will not cause an excessive or burdensome use on the schools or the existing streets and transportation facilities.

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*5. Whether the zoning proposal is in conformity with the policies and intent of the 2030 Comprehensive Plan.*

The 2030 Comprehensive Plan indicates this area as Estate Residential. The intent of this area is that homes in the area will continue to share an estate lot pattern and the low density character of the area will also preserve large acres of open space. An equestrian facility will contain the open space to help conform to the comprehensive plan for this area.

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*6. Whether there are existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

The property is located in the northwestern area of the city and is surrounded by properties on large lots and agricultural land located in the City of Milton.

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*7. Existing use(s) and zoning of subject property.*

The property is vacant and is zoned FC-A (Fulton County – Annexed)/ Agricultural. The UDC zoning on the property is RS-30.

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*8. Existing uses and zoning of nearby property. (See page 5).*

*9. An explanation of the existing value of the property under the existing zoning and/or overlay district classification.*

Not required for a conditional use.

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*10. Whether the property can be used in accordance with the existing regulations.*

Not required for a conditional use.

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*11. The extent to which the property value of the subject property is diminished by the existing zoning district and/or overlay district classification.*

Not required for a conditional use.

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*12. The value of the property under the proposed zoning district and/or overlay district classification.*

Not required for a conditional use.

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*13. Suitability of the subject property under the existing zoning district and/or overlay district classification for the proposed use.*

A conditional use is a “use that would not be appropriate generally or without restriction throughout the particular zoning district and is not automatically permitted by right within a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, maybe found to be compatible and approved by the governing body within a particular zoning district as provided in certain instances by this ordinance.”

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*14. The suitability of the subject property under the proposed zoning district and/or overlay district classification.*

Not required for a conditional use.

*15. The length of time the property has been vacant or unused as currently zoned.*

Not required for a conditional use.

*16. A description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district.*

Not required for a conditional use.

*17. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*

Not required for a conditional use.

*18. Possible effects of a change in zoning or overlay district map, or change in use, on the character of a zoning district or overlay district.*

The proposed request may not change the character of the zoning district. This area of the city is where the estate residential with large open spaces would be located.

*19. Whether the proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*

The proposed equestrian facility may be an improvement to the development of adjacent properties.

*20. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*

The proposed facility shall comply with all regulations on the site.

*21. The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will carry out the purposes of these zoning regulations.*

The overall zoning scheme for this area is Estate Residential which would include large open space areas.

The proposed equestrian facility would help to carry out these regulations.

*22. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.*

The 100 foot buffer around the property is shown on the plans. There are residential homes which abut and are adjacent to this property.

*23. The amount of undeveloped land in the general area affected which has the same zoning or overlay district classification as the map change requested.*

Not required for a conditional use.