



Petition No. 201300928, 201300929, 201300930

HEARING & MEETING DATES			
Design Review Board Meeting 5/7/13	Neighborhood Meeting 5/16/13	Planning Commission Hearing 6/18/13	Mayor and City Council Hearing 7/8/13

APPLICANT/PETITIONER INFORMATION			
Property Owner John Wilson	Petitioner John Wilson	Representative Amy Brown	

PROPERTY INFORMATION	
Address, Land Lot, and District	10485 Woodstock Road; Land Lot 370; First District
Frontage and Area	249 feet on Woodstock Road; .994 acres
Existing Zoning and Use	R-1 (Single Family Residential), single family home
Overlay District	Citywide Design Guidelines
2030 Comprehensive Plan; Future Development Map	Suburban Residential
Proposed Zoning	C-2 (Neighborhood Commercial District)

INTENT
 The applicant is requesting a rezoning with a conditional use to allow for a four bedroom bed and breakfast inn. The applicant is also requesting several variances with the application.

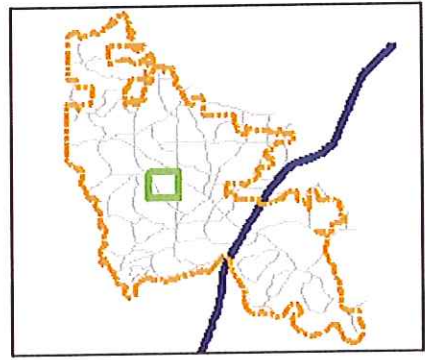
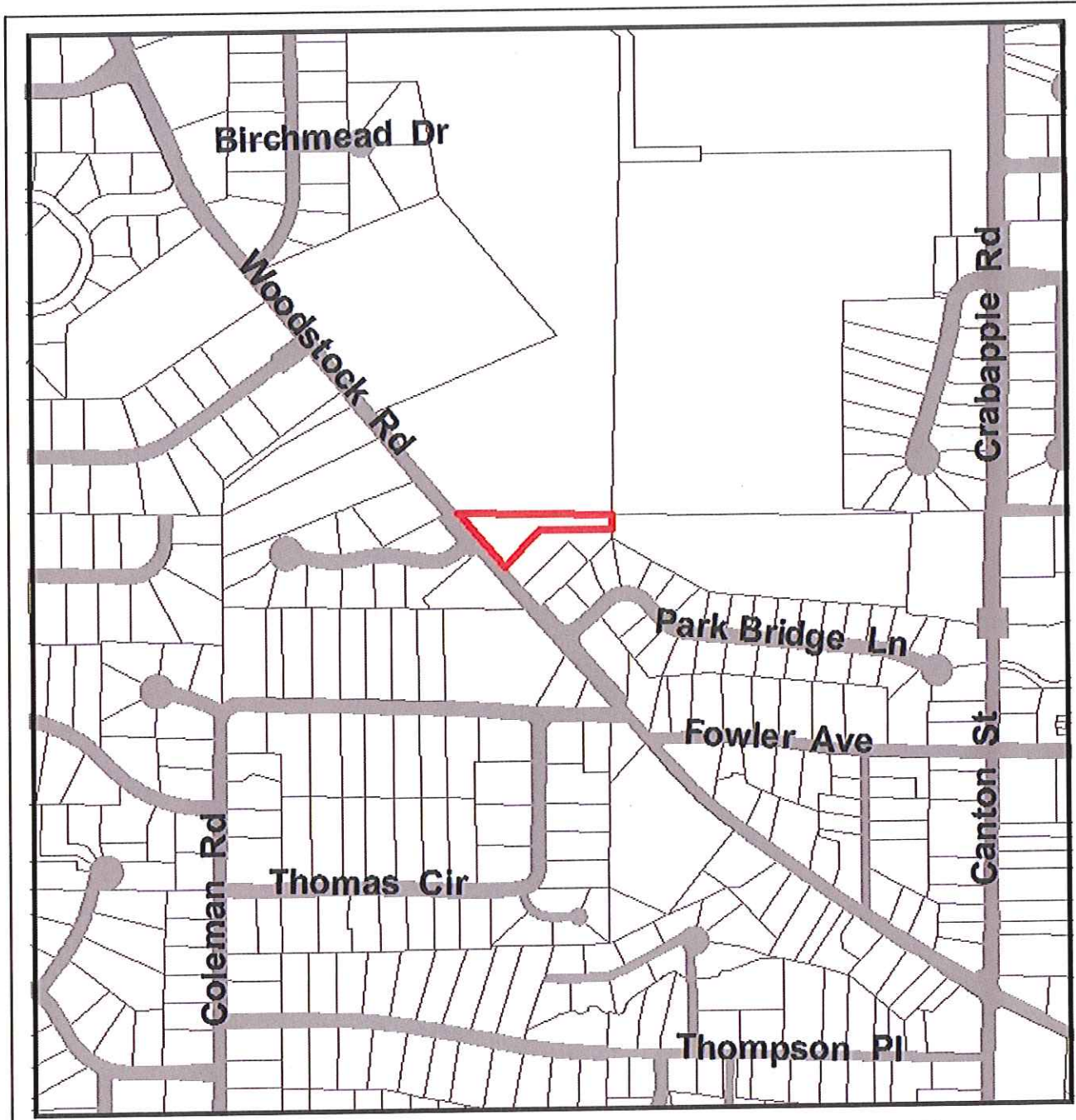
DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201300928, 201300929, and 201300930 - Denial

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the rezoning, conditional use and concurrent variances during their June 18, 2013 public hearing with the following conditions.

1. The property shall be rezoned to O-P (Office Professional).
2. The property shall be used only as a Bed and Breakfast.
3. The Bed and Breakfast shall only have overnight guests Thursday evening through Sunday evening.
4. The project shall be developed in accordance with the site plan stamped "Received April 2, 2013 City of Roswell Community Development Department."
5. The structure may not be expanded or enlarged.
6. The owner of the property to the south shall have a say in the design approval for the screening between the two properties.
7. The parking pad shall be expanded to allow for a turn-around so that vehicles are not forced to back into the driveway or Woodstock Road.



1 in = 500 ft

Location

10485 Woodstock Rd

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

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Prepared by the City of Roswell Department of Community Development for the Mayor and City Council Hearing on July 8, 2013.

STAFF RECOMMENDED CONDITIONS

The Community Development Department recommends denial of the rezoning request for the Bed and Breakfast. This includes the denial of the conditional use and the variance requests. The reasons for denial are as follows.

1. The C-2 zoning is an inappropriate zoning district for this location.
2. The intensification of the property will be an inappropriate use which is incompatible with the neighborhood.
3. It does not comply with the Future Development Map which was approved with the 2030 Comprehensive Plan.

If the Mayor and City Council approve this rezoning, conditional use and concurrent variance request, the rezoning shall be approved with the following conditions.

1. The project shall be developed in accordance with the site plan stamped "Received April 2, 2013 City of Roswell Community Development Department."
2. The structure may not be expanded or enlarged.

BACKGROUND

The property has always been zoned R-1 (Single Family Residential).

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY


SUBJECT PETITION 201300928	Requested Zoning	Proposed Use	Land Area (Acres)	Number of Units	Density (Square Footage per Acre)
	C-2	Bed and Breakfast Inn (4 bedrooms)	.994 acres	N/A	Existing

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	R-1	Roswell Area Park	79.6 acres	N/A	N/A
South	R-1	Single Family home	.85 acres	One home	1.1 upa
East	R-1	Roswell Area Park	79.6 acres	N/A	N/A
West	R-1	Single Family homes	.86 acres; .69 acres (Oak Ridge Run)	One home; One home	1.1 upa; 1.4 upa



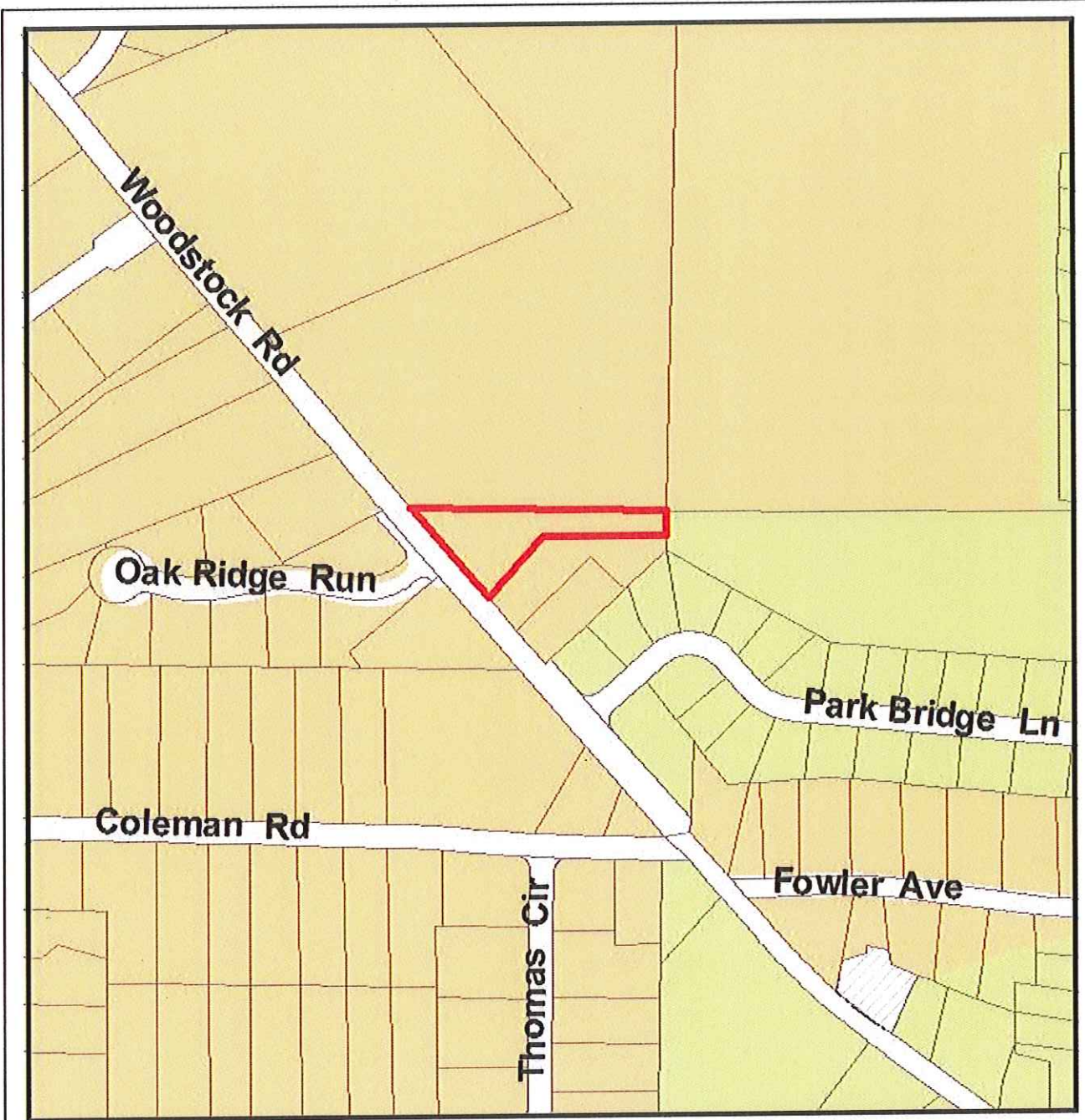
1 in = 100 ft

Aerial

 10485 Woodstock Rd

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





Aerial Date: February 2010



Zoning



1 in = 300 ft

-  10485 Woodstock Rd
-  H-R - Historic Roswell District
-  R-1 - Single-Family Residential District
-  R-2 - Single-Family Residential District

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

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1 in = 300 ft

Future Land Use

- 10485 Woodstock Rd
Future Land Use
- Suburban Residential

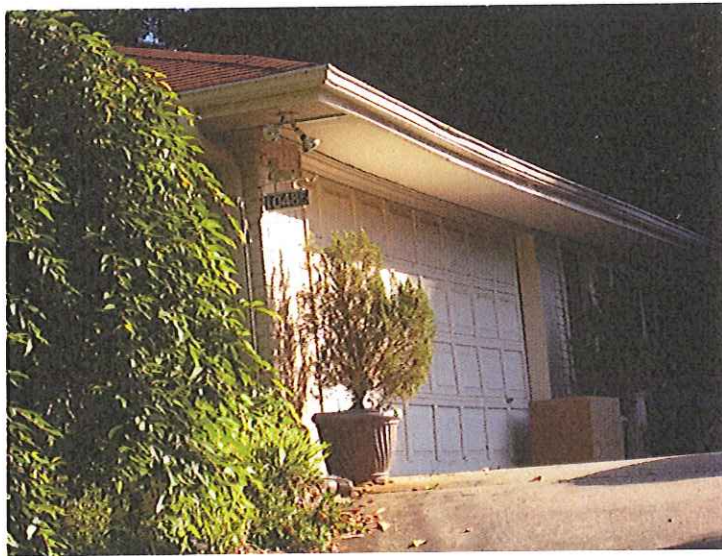
Map Source: City of Roswell GIS
Map Created by: Micah Stryker



View of the property



View of the property



View of the property



View of the property



View of property to the east and north



View of property to the west across Woodstock Rd



View of property to the west across Woodstock Rd



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: RZ 201300928, CV 201300930
& CU 201300929

Petitioner: John H. Wilson

Location: 10485 Woodstock Rd.

Land Lots: 370

Request: Change in zoning from R-1 (Single-Family Residential) to C-2 (Neighborhood Commercial with concurrent variances for setbacks / buffers and a conditional use for the purpose of establishing a Bed & Breakfast.

Public Hearings: Neighborhood Mtg. - May 16, 2013
(Room 220) 7:00 p.m.

Planning Commission - June 18, 2013
(Council Chamber) 7:00 p.m.

Mayor & City Council - July 8, 2013
(Council Chamber) 7:00 p.m.

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) 641-3774 or www.roswellgov.com

SITE PLAN ANALYSIS

The proposed site plan indicates a single family home requesting to change into Bed and Breakfast Inn with four bedrooms for guests. The existing 5,033 square foot house is one-story with a basement. The house contains 5 bedrooms and the request is to use four of the bedrooms for guests. The parking requirement for a Bed and Breakfast is one car per bedroom, plus two for the occupant for a total of 6 parking spaces for the site. There is an existing parking pad located to the left of the driveway which can park two cars. The existing garage can park two cars and the top end of the driveway can park two cars.

DRB/HPC comments and Design Guidelines

The applicant went to the Design Review Board for comments on May 7, 2013 for their bed and breakfast request. The board had the following comments:

1. The adjacent home is very close and there should be some kind of masonry wall for separation at the top end of the driveway.
2. The site plan does not show proper vehicular circulation.
3. The parking may be moved to another location on the site to help with circulation.
4. Use some of the area where the applicant wants to add a parking space and remove part of the driveway and add in some greenspace.
5. Add some screening and fencing in the driveway area at the top.

LANDSCAPE PLAN ANALYSIS

The total number of tree density units required on the site is 30 units. The existing site contains 115.5 tree density units. The existing site contains 25 Leyland Cypress across the front of the property along Woodstock Road. The site has a mixture of White Pine, Water Oak and Little Gem Magnolia.

VARIANCE CONSIDERATIONS

The applicant is requesting two variances with the rezoning request.

1. A variance to reduce the 50' setback requirement under the C-2 zoning when abutting an R-1 zoning. On the eastern side property line the existing structure is 26 feet from the side property line and along the western side property line abutting Roswell Area Park, the structure is 8.6 feet from the property line.
2. A variance to reduce the 40' buffer requirement under the C-2 zoning district when abutting an R-1 zoning. As stated in number one, the structure is 26' from the side property line on the eastern side abutting the home and 8.6 feet from the western side property line abutting the park.

DEPARTMENT COMMENTS

City of Roswell Environmental Department	<ul style="list-style-type: none">• For garbage service, if a dumpster is planned, there needs to be a dumpster pad which meets the City's standards. If no dumpster, "small commercial" service would apply (up to six cans, not to exceed 200 gallons in total volume).
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City of Roswell Engineering Division	<ul style="list-style-type: none">• no new impervious area added <ol style="list-style-type: none">1. Label the 50 foot Impervious Setback as such. It is not "pervious surface".2. There appears to be a conflict between the two parking spaces in the garage and the two parking spaces at the end of the driveway which will block access to one of the garage spaces. (Therefore recommend that only one garage space should be counted.3. Recommend that they provide onsite turn-around so that vehicles are not forced to back out onto Woodstock Road.3. The minimum width for a van space is 16 feet and only 14 feet is shown.
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Fiscal Impact	Not applicable
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Archaeological	Not applicable
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City of Roswell Fire Department	<ul style="list-style-type: none">• Prior to occupancy for the use as a Bed and Breakfast, plans must be submitted for review and approval for the change of occupancy from single family to Band B.
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City of Roswell Transportation Department	<ul style="list-style-type: none">• No comment
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Fulton County	<ul style="list-style-type: none">• Anticipated water demand - 270 gallons of water per day• located in the Big Creek Sewer Basin• Anticipated sewer demand - 243 gallons per day
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City of Roswell Arborist & Landscape Architect	<ul style="list-style-type: none">• Provide warranted tree save fence prior to any clearing or silt fence installation.
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CHRONOLOGICAL LISTING OF PLANS SUBMITTED

Plans submitted on April 2, 2013.

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 request for C-2 zoning for a Bed and Breakfast would not be a suitable use due to the surrounding area containing single family residential homes, except for the Roswell Area Park which abuts the site property on two sides.

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

The zoning proposal may adversely affect the existing use of the single family homes; however, it may not adversely affect the existing park.

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

The property is currently zoned R-1 (Single Family Residential) and it has a reasonable economic use as currently zoned.

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 Bed and Breakfast request may not cause an excessive burdensome use of the existing streets, transportation facilities, utilities or the schools.

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

The proposed rezoning to C-2 (Neighborhood Commercial) for a Bed and Breakfast does not comply with the intent of the 2030 Comprehensive Plan. The Future Development Map indicates the character area of Suburban Residential for this location.

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.

There are no existing conditions in this area that would support a Bed and Breakfast at this location. The closer commercial use is located.

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

The property is zoned R-1 (Single Family Residential) and is used as a home.

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.

An appraisal would have to be completed in order to determine the value of the property under the existing R-1 zoning. The applicant has indicated in the application that the assessed value of the property is \$205,500.00.

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

The subject property can be used in accordance with the R-1 zoning regulations.

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

An appraisal would have to be completed in order to determine whether the property value is diminished due to the existing zoning.

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

An appraisal would have to be completed in order to determine the value of the property under the proposed C-2 zoning.

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

A Bed and Breakfast is not allowed under the R-1 zoning district regulations.

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

A Bed and Breakfast is a conditional use in the C-2 zoning district since this district is considered the neighborhood commercial zoning district. A Bed and Breakfast is not suitable in this area.

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

The property contains a single family home and is not vacant.

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.

The owner plans to run the Bed and Breakfast at the existing home, so there have been no efforts to sell the property.

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

The proposed C-2 zoning will create an isolated zoning district.

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 character of the zoning district at this location is suburban residential as shown on the Future Development Map. This proposed rezoning would change the character of this area.

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.

In staff's opinion, a Bed and Breakfast surrounded by a park and single family residential would be a deterrent to the area.

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

The impact to the environment would be minimal with this proposed project.

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 of the area indicated residential, so the proposed request for a Bed and Breakfast at this location on Woodstock Road would not carry out the purpose of the zoning 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 proposed Bed and Breakfast is located on Woodstock Road which is a main arterial from Highway 92 into the downtown area of the city. Due to the existing location of the home, variances are being requested to meet the setback and buffer requirements under the C-2 zoning classification. The property is bounded by the Roswell Area Park, single family home and single family homes across Woodstock Road.

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.

There is no vacant C-2 zoning in the general vicinity.