



RZ # 2014 02667 CV # 2014 02668 CU # 2014 02669

UDC ZONING APPLICATION

TYPE OF REQUEST :

- ☒ Rezoning
☒ Concurrent Variance
☒ Conditional Use
☐ Text Amendment
☐ Other (Explain)

Present Zoning

OP - Office Park

Requested Zoning

OR- Office Residential

Proposed Use

Live/Work TH and Stacked Flats

Total Acreage

.92 Acres

PROJECT

Parkside

Name of Project
1243 and 1247 Canton Street

Property Address/Location

410 and 640 111

1st District

Suite/Apt. #

2nd Section

City

State

Zip Code

12-189304110310 and 12-189304100329

Land Lot

District

Section

Property ID

APPLICANT/OWNER

Matt Dahlhauser

Applicant

Dahlhauser Group, LLC

Company

171 Village Parkway

8A

Marietta

GA

30068

Mailing Address

770-693-2390

404-567-0859

Suite/Apt. #

404-963-0961

City

State

Zip Code

matt@dahlhausergroup.com

Phone

Cell Phone

Fax Phone

E-mail

REPRESENTATIVE

Same as above

Contact Name and Company (Owner's Agent or Attorney)

Contact Mailing Address

Suite/Apt. #

City

State

Zip Code

Phone

Cell Phone

Fax Phone

E-mail

I hereby certify that all information provided herein is true and correct

Date: 07 / 01 / 2014

Applicant Signature: Property Owner or Owner's Representative

OFFICE USE

Fee: \$

☐ Cash

☐ Check #

☐ CC - Visa/ MC

Date: / /

☐ Approved

☐ Denied By:

Date: / /

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Analysis Requirements

REZONING APPLICATIONS: Applicants are required to respond to criteria 1 through 10 pursuant to the Unified Development Code, section 13.4.7, letter B.

CONCURRENT VARIANCE APPLICATIONS: Please Complete the Concurrent Variance Justification, questions 1 – 8 pursuant to the Unified Development Code, section 13.4.8.

CONDITIONAL USE APPLICATIONS: Applicants are required to respond to the 5 questions listed specifically for a Conditional Use, pursuant to the Unified Development Code, section 13.4.7, letter C.

CONDITIONAL USE FOR ADDITIONAL HEIGHT: Applicants are required to respond to the 2 questions specifically listed for the request for additional height, pursuant to the Unified Development Code, letter D.

REZONING QUESTIONS

1. The zoning map corrects an error of meets the challenge of some changing condition, trend or fact.
Yes the new zoning would help with the changing needs of Canton Street by creating a more walkable community environment with live/work and multifamily units. This project is not large scale/dense product but a easily absorbed infill product for a growing market like Historic Roswell.
2. The zoning map amendment substantially conforms with the Comprehensive Plan.
Yes the zoning map amendment substantially conforms with the Comprehensive Plan of the City. The Comprehensive plan was established to allow for an infill type product in an already developed market.
3. The zoning map amendment substantially conforms with the stated purpose and intent of this UDC.
Yes it conforms with the stated purpose and intent of the UDC. The current property is not serving the city for any of its current needs. One buildings on the property has been vacant for many years.
4. The zoning map amendment will reinforce the existing or planned character of the area.
Yes it keeps with the existing and planned character of the area.





5. The subject property is appropriate for the development allowed in the proposed district.

Yes the subject property is appropriate for the development allowed in the proposed district.

6. There are substantial reasons why the property cannot be used according to the existing zoning.

Yes the current zoning is very restrictive for this area in that it only allows a single use commercial building, a general building, and/or a civic building. None of which would be good for Canton street or creating a walkable environment.

7. There is a need for the proposed use at the proposed location.

Yes as Historic Roswell and Canton Street continue to grow having more residential within a close proximity to canton street is needed to create a live/work/play environment.

8. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

Yes we've taken the communities requirements into consideration when planning / designing this project.

9. The zoning map amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.

The current site is overgrown, rundown, and unkempt. We plan to address each area above with great thought and planning.

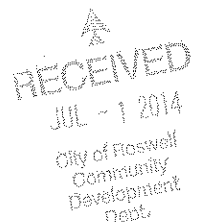
10. The zoning map amendment will not have a significant adverse impact on property in the vicinity of the subject property.

No the development will not have an adverse impact on the neighboring properties. We have spoken to the property owners in the area and we feel this will be a great infill product for Roswell, Canton Street, and the community.

CONDITIONAL USE QUESTIONS

1. The use is allowed as a conditional use in the respective zoning district (see Articles 3 through 7).

Yes stacked flats are allowed in the OR zoning.





2. The use complies with the applicable specific use standard listed in Article 9, if any, without the granting of any variance.

Yes but we are requesting one variance for side yard reduction.

3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation, and operating characteristics.

Yes the building fits with the intent of the UDC, Roswell, and Canton Street.

4. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.

There are no adverse impacts.

5. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

We have addressed the city's and the public's needs when designing the project. There are current site issues that will be mitigated with the new zoning and new development. Therefore, we feel our project will be an improvement to the current zoning/use.

CONDITIONAL USE FOR ADDITIONAL HEIGHT QUESTIONS

1. The project design is superior to that permitted under the base regulations.

Yes it will allow for a more desired open floor plan with 9' and 10' ceilings throughout. The new zoning allows 3.5 stories and 45 feet but it is very difficult to build a 3.5 story building that is under 45ft. In order to have a 10ft ceiling you need to have a total floor height of 12ft.

2. Additional public benefits that mitigate the increased height have been offered.

No additional benefits have been offered at this time.

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RCon Concurrent Variance Justification If Required

An applicant requesting consideration of a Concurrent Variance to any provision of the Unified Development Code shall provide written justification that there are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape, topography that are not applicable to other lands or structures in the same district. In making this determination, the City Council shall consider all of the following criteria:

1. A literal interpretation of the provisions of this UDC would effectively deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which this property is located.
2. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the property is located.
3. The requested variance will be in harmony with the purpose of the intent of this UDC and will not be injurious to the neighborhood or to the general welfare.
4. The special circumstances are not the result of the actions of the applicant.
5. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure.
6. The variance does not permit a use of land, buildings, or structures, which is not permitted by right in the zoning district.
7. The variance does not reduce the lot size below the minimum lot size allowed in the zoning district.
8. The variance does not increase the maximum allocation of sign area or the maximum area of an allowed sign.





Application Signature Page

Please complete this Property Owner Signature Page for ALL applications. **READ CAREFULLY BEFORE SIGNING.**

- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Unified Development Code will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.
- I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My signed Campaign Disclosure Statement is included with this Application (required for rezoning only).
- I understand that due to a sewer allocation system controlled by Fulton County, sewerage capacity may not be available. I agree to arrange sewer service separately from this application. The method of sewage disposal that is planned for this property is:

Check one:

☒ Sanitary Sewer

☐ Septic Tank

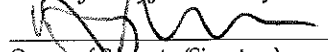
I respectfully petition that this property be considered as described in this application

From Use District: OP - Office Park To Use District: OR-Office Residential

Wherefore, applicant prays that the procedures incident to the presentation of this petition be taken, and the property be considered accordingly. Additionally, applicant further acknowledges and fully understands all above statements made by the City of Roswell.

PROPERTY OWNER SIGNATURE (REQUIRED FOR ALL APPLICATIONS)

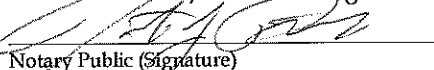
I hereby certify that all information provided herein is true and correct.


Owner of Property (Signature)
171 Village Parkway, 8A, Marietta, Ga 30068
Street Address, City, State, Zip

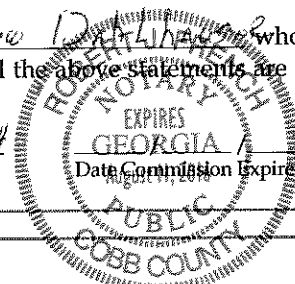
07/03/2014
Date
404-567-0859
Phone

NOTARY

Personally appeared before me the above Owner named Matthew D. Williams who on oath says that he/she is the Applicant for the foregoing, and that all the above statements are true to the best of his/her knowledge.


Notary Public (Signature)

07/03/2014
Date



ATTORNEY/ AGENT (IF APPLICABLE)

Attorney/ Agent (Signature)

Street Address, City, State, Zip

____/____/____
Date

Phone

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Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a **Rezoning, Concurrent Variance, or Conditional Use.**

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 - 2000 State of Georgia.

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APPLICANT CAMPAIGN DISCLOSURE STATEMENT

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Roswell City Council or a member of the City of Roswell Planning Commission?

☐ YES

☒ NO

Matt Dahlhauser

07 / 01 / 2014

Applicant/Owner of Property (Signature)

Date

171 Village Parkway, Building 8A, Marietta, GA 30068

Street Address, City, State, Zip

If the answer is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

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Planning & Zoning Director Acceptance Stamp

☒ Rezoning

☒ Concurrent Variance

☒ Conditional Use

RECEIVED BY THE CITY OF ROSWELL
ZONING OFFICE July 1, 2014
Date

APPROVED FOR INITIATION OF A ZONING
AMENDMENT TO THE ROWELL ZONING
ORDINANCE AND ZONING MAP BY THE
ZONING DIRECTOR

Buckford P. Townsend
Zoning Director

TIME: 11:51am DATE: 7/11/14

THIS APPLICATION SHALL BE CONSIDERED
AND MAY BE REFERRED TO AS REZONING
PETITION NUMBER _____

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