

## Memo

TO: Planning Commission

FROM: Curtis Hindman, Interim Community Development Director

DATE: April 18, 2023

RE: 354 Seavy Street

### **Rezone from R40 to RH**

**Staff recommends a minimum rear setback of 20 feet and applicant must submit a storm pipe relocation plan for approval by the City Engineer prior to pulling a permit for building a new house upon the vacant lot.**

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## Background

The applicant requests to amend the Zoning Map for the property located at 354 Seavy Street from Residential (R-40) to Residential (RH).

R40 – Front – 40 feet, Side – 20 feet, and Rear -40 feet

RH – Front – 15 feet, Side – 20 feet, and Rear – zero

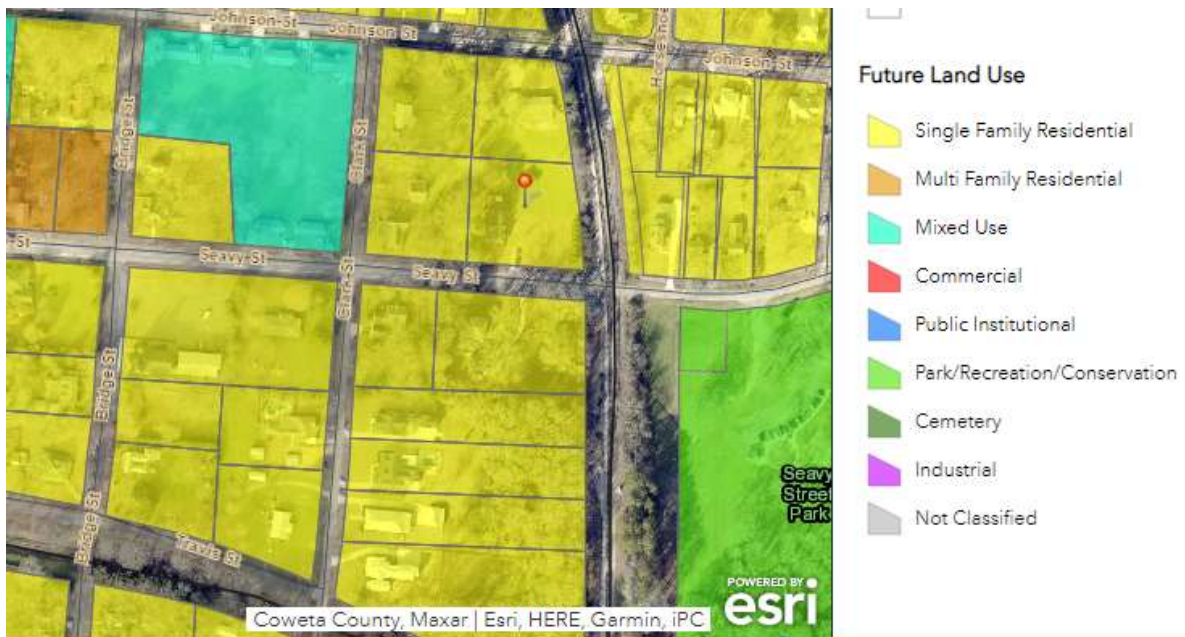
Below is an aerial showing the lot today. The applicant is seeking to split the lot into two lots keeping one with the existing house and creating a new lot adjacent to the railroad to sell or build upon. If rezoned to RH the setbacks will be met for both lots with no variances needed.



Zoned R40:

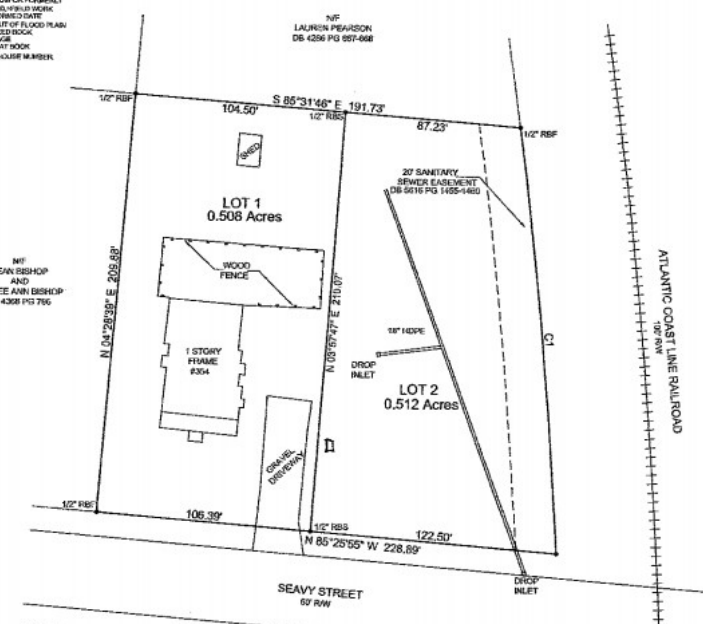


According to the Comprehensive Plan amended and adopted in 2021 this property has been shown in the “Future Land Use Plan” as Single Family Residential.



SECTION  
REVISION FOUND  
REVISION DATE  
REVISION BY  
L.L. - LARGEST LOT LINE  
C - PROPERTY LINE  
D - DRIVE/STREET ENTRANCE  
E - EDGE OF FENCE  
F - EDGE OF FENCE  
G - EDGE OF FENCE  
H - WOOD FENCE  
I - WOOD FENCE  
J - WOOD FENCE  
K - WOOD FENCE  
L - WOOD FENCE  
M - WOOD FENCE  
N - WOOD FENCE  
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T - WOOD FENCE  
U - WOOD FENCE  
V - WOOD FENCE  
W - WOOD FENCE  
X - WOOD FENCE  
Y - WOOD FENCE  
Z - WOOD FENCE

**SURVEYORS CERTIFICATION**  
AS REQUIRED BY SECTION 14-2-1 OF O.C.G.A. SECTION 14-2-1, THE SURVEYOR CERTIFIES THAT THIS MAP, PLAN OR PLAN HAS BEEN APPROVED FOR FILING BY THE PLANNING COMMISSION OF MUNICIPAL COUNTY OR MUNICIPAL COUNTY AUTHORITY OR THAT SUCH GOVERNMENTAL AGENCIES HAVE AFFIRMED BY WRITING THAT APPROVAL IS NOT REQUIRED.  
FURTHER SURVEYORS CERTIFICATION  
THE SURVEYOR CERTIFIES THAT THIS PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MEASUREMENTS ARE ACCURATELY MADE ON AND BETWEEN POINTS OF THIS PLAN AND THESE LOCALITY, TYPE, AND MATERIAL ARE COMPLETELY SHOWN THIS PLAN CORRESPOND TO ALL PREVIOUS SURVEYS OF THE SECTION PLAN ACT (O.C.G.A. SECTION 14-2-1).  
BY: **BRENDA A. CHOBRE, S.** GEORGIA REGISTERED LAND SURVEYOR NO. 1102  
DATE: 04/22/2022



CURVE DATA: LENGTH (METERS) RADIUS (METERS) DELTA ANGLE (GRADE BEARING) CHORD (LENGTH) CHORD BEARING (GRADE BEARING)

ob No. 23-010  
rev. No. 1  
dated 02/25/22  
rev. Date 02/25/22  
W.P.D. 02/25/22  
HOURS  
DATE



Prepared For:  
**ADAM WADSWORTH AND MATTHEW STUDDARD**

**354 Seavy Street**  
Land Lot 279 of The 1st Lane District  
Coweta County, Georgia

**S.A. GASKINS & ASSOCIATES, LLC**  
Surveyors/Planners/Development Consultants  
861 CAMPBELL ROAD GREEFTON, GA 30223  
(770) 271-2604  
nsaskins@aol.com

**CLOSURE STATEMENT**  
THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSED PROCISION OF ONE FOOT IN ONE FOOT AND AN ANGULAR ERROR OF 60" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE CLOSEST SQUARE METHOD.  
THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN ONE THOUSAND FEET.  
ADJUSTMENT LINEAR MEASUREMENTS WERE OBTAINED USING A LEICA RTS 307 TOTAL STATION.  
**FLOOD STATEMENT**  
ACCORDING TO FEDERAL FLOOD INSURANCE POLICY SURVEYOR'S REPORT NO. 105679-0, DATED FEBRUARY 6, 2013, THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

## Administrator's Report

In consideration of the requested zoning change, the Planning Commission should consider the zoning ordinance, section 74-46, which lists the following twelve standards governing the exercise of the zoning power of the City of Senoia.

1. The existing land uses and zoning classification of nearby property.  
*The subject property is currently zoned R40 and located within the city limits and lies within the historic downtown overlay district.*
2. The suitability of the subject property for the zoned purpose.  
*The land is suitable for residential use as proposed.*
3. The extent to which the property values of the subject property are diminished by the zoning restrictions.  
*There is no reduction in value of the land due to the existing or proposed residential zoning.*
4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.  
*The application represents no gain to the public. There is no recognized hardship for the property owner.*
5. Whether the subject property has a reasonable economic use as currently zoned.  
*The subject property does have a reasonable economic use for residential use as currently zoned but will need more variances in R40 due to setbacks and the shape of the lot.*
6. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.  
*The proposed zoning and use as residential are both suitable and similar to the existing uses adjacent to the subject property.*
7. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.  
*The zoning of RH will not negatively impact the adjacent properties existing use or usability. The setbacks in RH are smaller than in R40 but remain adequate for the intended use and lot size.*  
  
*The ordinance allows a rear setback of zero and **staff recommend that a minimum rear setback of 20 feet** be imposed as a condition of the rezoning request.*

8. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan.

*The future character map shows this property as Residential.*

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

*No excessive use or burden is recognized in this application.*

10. Whether there are other 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 is none.*

11. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.

*There is none.*

12. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.

*The development is not big enough to qualify.*

### **Action by Planning Commission**

The planning commission may recommend approval or denial of the application or may recommend changes to the applicants request which would reduce the land for which the application is made, change the district from that requested to another district, or recommend conditions of zoning which may be deemed advisable so that the purpose of the ordinance is served, and the health, public safety and general welfare of the City of Senoia is secured.

The Planning Commission must make a recommendation to the City Council within 30 days of the public hearing.