

12.6.12 Rec'd  
PATTI HART

# CITY of WOODSTOCK

## Application for Public Hearing

### Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Zoning Administrator in the Community Development Department at 770.592.6039 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: Parks F. Huff, Attorney for Applicant Phone: 770-422-7016

### Applicant's Information:

Name: Brock Built Homes, LLC

Address: 1110 Northchase Parkway Phone: (404) 214-2919

City, State, Zip: Marietta, GA 30067 Fax: \_\_\_\_\_

### Property Owner's Information:

same as above

Name: GDCI GA 4, L.P.

Address: 1110 Northchase Parkway Phone: (404) 214-2919

City, State, Zip: Marietta, GA 30067 Fax: \_\_\_\_\_

### Requested Public Hearing (check all that apply):

- Annexation  Comprehensive Plan Amendment
- Rezoning  Other:
- Variance

#### STAFF USE ONLY:

Case: Z #062-12

Received by: PATTI HART

Fee Paid: \$ 850.00

Date: 12.7.12

#### PUBLIC HEARING SCHEDULE:

Public Input Meeting: Jan. 2'13 Latest

Planning Commission: Feb 7 @ 7PM

Board of Appeals: \_\_\_\_\_

City Council: Feb 25 @ 7PM

Other: January 9 @ 2:00 PM

**Property Information:**

Location: The intersection of Neese Road and Grand Oaks Drive being the partially developed Oakhurst Subdivision

Parcel Identification Number(s) (PIN): See attached list. Total Agerage: \_\_\_\_\_

Existing Zoning of Property: R-2 Future Development Map Designation: Neighborhood Living

Adjacent Zonings: North R-1 and R-2 South R-2 and R-40 (County) East AG and R-20 West R-2 and R-1

Applicant's Request (Itemize the Proposal):

Brock Built Homes, LLC is acquiring the partially developed subdivision on Neese Road known as Oakhurst. The subdivision failed partly because it lacks product diversity, architectural theme, and a meaningful amenity package. Brock Built proposes to rezone the subdivision to R-3C to allow for design flexibility that will allow the development homes clustered around a pedestrian walkway known as a mews. The zoning will also allow for variation in the front setback that will accommodate side-entry garages and staggered fronts to enhance streetscape. The homes will support a greatly enhanced amenity package which will include a pool, clubhouse and trails developed within the greenspace area.

Proposed Use(s) of Property:

A residential subdivision.

**Infrastructure Information:**

Is water available to this site?  Yes  No Jurisdiction: Woodstock

How is sewage from this site to be managed?

Public sewage

Will this proposal result in an increase in school enrollment?  Yes  No 45 Additional Homes

If yes, what is the projected increase? 33 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	45	0.725	33
Multi Family (Attached) Home		0.287	

**Traffic Generation:**

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? 430 trips

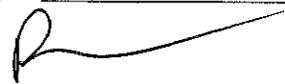
Code	Land Use(s)	# of units	Daily Trip Ends	Number of Trips
210	Single Family Home/Townhome	45	9.57	430
220	Apartment		6.63	

\* A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

**Authorization:**

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled dates, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, Parks F. Huff, Attorney for Applicant, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 6 day of December, 2012  
 Print Name 

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## **APPLICANT RESPONSE STATEMENT ANNEXATIONS AND REZONINGS**

As directed by the City of Woodstock, the Applicant responds to the following queries that the City of Woodstock has determined are relevant in balancing the interests in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

**1) Explain the intent of the requested zoning.**

The Applicant proposes to rezone the subject property from its existing category of R-2 to R-3C to allow for flexibility in the housing product and the subdivision layout. Specifically, the R-3C zoning category will allow for lots that face a mews.

**2) 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 R-3C zoning is compatible with the use of adjacent and nearby property. Along Neese Road, there are several neighborhoods that have developed and the proposed zoning change will allow for a residential neighborhood that is similar to and consistent with the existing subdivisions.

**3) How the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.**

The proposed zoning request will not adversely affect the use or usability of adjacent or nearby property.

**4) Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.**

As currently zoned, the neighborhood would not be able to feasibly support an amenity package and maintain the stormwater facility and greenspace that is included in this subdivision. The proposed zoning change will allow for the construction and maintenance of these common features.

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

The proposed zoning will not cause and excessive or burdensome use of streets or other public infrastructures. The applicant only proposes forty five (45) additional homes over the existing zoning category. This increase is minimal in relation to its impact on the public infrastructure.

6) **Whether the proposed zoning is in conformity with the policy and interest of the land use plan.**

The subject property is contained within the neighborhood living future development map and the proposal is consistent with that designation.

7) **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 proposed zoning.**

The partially completed subdivision will be able to be built out in a timely fashion with a mixture of product proposed by the applicant. This product needs flexibility allowed for in the R-3C zoning category. Additionally, the additional units proposed will allow for the construction of a meaningful amenity package and the maintenance of the common areas that are important to the vitality of this development.

This the 6 day of December, 2012.

By: Sams, Larkin & Huff, LLP

  
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PARKS F. HUFF, ESQ.