

# REGIONAL REVIEW FINDING

Atlanta Regional Commission • 229 Peachtree Street NE | Suite 100 | Atlanta, Georgia 30303 • ph: 404.463.3100 fax: 404.463.3205 • [atlantaregional.org](http://atlantaregional.org)

DATE: OCTOBER 21, 2024

TO: CHAIRWOMAN LISA CUPID, Cobb County Commission  
ATTN TO: ANDREW HEATH, PE, Cobb County  
FROM: Anna Roach, Executive Director, Atlanta Regional Commission



ARC has completed a regional review of the following proposal and made the below finding. ARC reviewed the proposed project's relationship to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies.

**Name of Proposal:** 390 Dogwood Trail RC-24-03CC

**Submitting Local Government:** Cobb County

**Date Opened:** September 26, 2024 , amended 10/14

**Date Closed:** October 21, 2024

**FINDING:** ARC staff have completed a review of an application for a MRPA Certificate for this proposed project in the Chattahoochee River Corridor. ARC's finding is that the project is consistent with the Chattahoochee River Corridor Plan.

**Additional Comments:**

## THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ATLANTA REGIONAL COMMISSION  
NATIONAL PARK SERVICE  
CITY OF ATLANTA

GEORGIA DEPARTMENT OF NATURAL RESOURCE  
GEORGIA CONSERVANCY  
CITY OF SANDY SPRINGS

CHATTAHOOCHEE RIVERKEEPER  
COBB COUNTY  
CITY OF MARIETTA

For questions, please contact Donald Shockey at (470) 378-1531 or [dshockey@atlantaregional.org](mailto:dshockey@atlantaregional.org). This finding will be published to the ARC website at <https://atlantaregional.org/plan-reviews>.

# APPLICATION FOR METROPOLITAN RIVER PROTECTION ACT CERTIFICATE

1. Name of Local Government: Cobb County
2. Owner(s) of Record of Property to be Reviewed:  
Name(s): Farnal + Enna Banai  
Mailing Address: 2180 Heathermoor Hill DR  
City: marietta State: GA Zip: 30062  
Contact Phone Numbers (w/Area Code):  
Daytime Phone: 678 523 4603 Fax: \_\_\_\_\_  
Other Numbers: 678 523 5132
3. Applicant(s) or Applicant's Agent(s):  
Name(s): Enna Banai  
Mailing Address: 2180 Heathermoor Hill DR  
City: marietta State: GA Zip: 30062  
Contact Phone Numbers (w/Area Code):  
Daytime Phone: 678 523 4603 Fax: \_\_\_\_\_  
Other Numbers: \_\_\_\_\_
4. Proposed Land or Water Use:  
Name of Development: maple Brook  
Description of Proposed Use: Residential
5. Property Description (Attach Legal Description and Vicinity Map):  
Land Lot(s), District, Section, County: 75 / 1st / 2nd  
Subdivision, Lot, Block, Street and Address, Distance to Nearest Intersection:  
Atlanta Country club 390 dogwood trl corner with maple Brook.  
Size of Development (Use as Applicable):  
Acres: Inside Corridor: \_\_\_\_\_  
Outside Corridor: \_\_\_\_\_  
Total: .75 acres  
Lots: Inside Corridor: \_\_\_\_\_  
Outside Corridor: \_\_\_\_\_  
Total: \_\_\_\_\_  
Units: Inside Corridor: \_\_\_\_\_  
Outside Corridor: \_\_\_\_\_  
Total: \_\_\_\_\_  
Other Size Descriptor (i.e., Length and Width of Easement):  
Inside Corridor: \_\_\_\_\_  
Outside Corridor: \_\_\_\_\_  
Total: \_\_\_\_\_

6. Related Chattahoochee Corridor Development:

A. Does the total development include additional land in the Chattahoochee Corridor that is not part of this application? NO

If "yes", describe the additional land and any development plans: \_\_\_\_\_

B. Has any part of the property in this application, or any right-of-way or easement bordering this land, previously received a certificate or any other Chattahoochee Corridor review approval? Yes

If "yes", please identify the use(s), the review identification number(s), and the date(s) of the review(s): The lot was reviewed for the construction of the original house in 1979 RC-79-1200 house at 390 Dogwood Trl

7. How Will Sewage from this Development be Treated?

A. Septic tank \_\_\_\_\_

Note: For proposals with septic tanks, the application must include the appropriate local government health department approval for the selected site.

B. Public sewer system \_\_\_\_\_

8. Summary of Vulnerability Analysis of Proposed Land or Water Use:

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Land Disturb. (Maximums Shown In Parentheses)	Percent Imperv. Surf. (Maximums Shown In Parentheses)
A	_____	_____	_____	(90)_____	(75)_____
B	_____	_____	_____	(80)_____	(60)_____
C	<u>24,059</u>	<u>18,935</u>	<u>10,660</u>	(70) <u>79</u>	(45) <u>44</u>
D	_____	_____	_____	(50)_____	(30)_____
E	<u>8790</u>	<u>1241</u>	<u>0</u>	(30) <u>15</u>	(15) <u>0</u>
F	_____	_____	_____	(10)_____	(2)_____
Total:	<u>32,849</u>	<u>20,176</u>	<u>10,660</u>	N/A	N/A

9. Is any of this Land within the 100-Year Floodplain of the Chattahoochee River? NO

If "yes", indicate the 100-year floodplain elevation: \_\_\_\_\_

**NOTE:** The 100-year river floodplain is defined as the natural land surface below the one hundred- (100) year flood elevations shown in the Flood Profiles of the most recent floodplain study for the Chattahoochee River approved by the United States Federal Emergency Management Agency for each Corridor jurisdiction.

**NOTE:** All river 100-year floodplain is assigned to the "E" Category; its allowable allocations can be combined with those of other "E" land in the review. Also, 100-year floodplain cannot be reanalyzed and cannot accept transfers.

10. Is any of this land within the 500-year floodplain of the Chattahoochee River? NO

If "yes", indicate the 500-year flood plain elevation: \_\_\_\_\_

**NOTE:** The 500-year floodplain is defined as the natural land surface below the five hundred- (500) year flood elevations shown in the Flood Profiles of the most recent floodplain study for the Chattahoochee River approved by the United States Federal Emergency Management Agency for each Corridor jurisdiction.

**NOTE:** Plan Standards include a 35-foot height limit above the pre-construction grade within the 500-year floodplain (includes the 100-year floodplain). Adherence to this standard must be noted on the submitted plans (see Part 2.B.(4) of the Chattahoochee Corridor Plan).

11. The following is a checklist of information required to be attached as part of the application. Individual items may be combined.

**FOR ALL APPLICATIONS:**

\_\_\_\_ Description of land in the application and any additional land in the project (attach legal description or surveyed boundaries).

☒ Name, address, and phone number(s) of owner(s) of record of the land in the application. (Space provided on this form)

☒ Written consent of all owners to this application. (Space provided on this form)

☒ Name, address, and phone number(s) of applicant or applicant's agent. (Space provided on this form)

☒ Description of proposed use(s). (Space provided on this form)

\_\_\_\_ Existing vegetation plan.

\_\_\_\_ Proposed grading plan.

\_\_\_\_ Certified as-builts of all existing land disturbance and impervious surfaces.

\_\_\_\_ Approved erosion control plan.

\_\_\_\_ Detailed table of land-disturbing activities. (Both on this form and on the plans)

\_\_\_\_ Plat-level plan showing (as applicable): lot boundaries; any other sub-areas; all easements and rights-of-way; 100- and 500-year river floodplains; vulnerability category boundaries; topography; any other information that will clarify the review.

\_\_\_\_ Documentation on adjustments, if any.

\_\_\_\_ Cashier's check or money order (for application fee).

**FOR SINGLE-STEP APPLICATIONS (NON-SUBDIVISION):**

\_\_\_\_ Site plan.

\_\_\_\_ Land-disturbance plan.

**FOR TWO-STEP SINGLE-FAMILY SUBDIVISION APPLICATIONS ONLY:**

\_\_\_\_ Concept plan.

\_\_\_\_ Lot-by-lot and non-lot allocation tables.

12. I (we), the undersigned, authorize and request review of this application for a certificate under the provisions of the Metropolitan River Protection Act: (use additional sheets as necessary)

Enna Banai Enna Banai 7/13/2024  
Fahad S. Banai Fahad S. Banai 7/13/2024

Signature(s) of Owner(s) of Record

Date

13. I (we), the undersigned, authorize and request review of this application for a certificate under the provisions of the Metropolitan River Protection Act:

Enna Banai Enna Banai 7/13/2024  
Fahad S. Banai Fahad S. Banai 7/13/2024

Signature(s) of Applicant(s) or Agent(s)

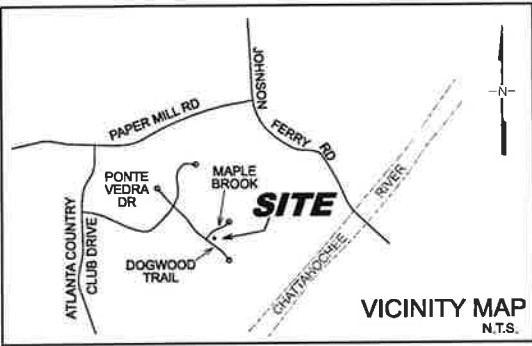
Date

14. The governing authority of Cobb County requests review by the Atlanta Regional Commission of the above-described use under the Provisions of the Metropolitan River Protection Act.

Andrew C. Heath  
Signature of Chief Elected Official or Official's Designee

9/19/2024  
Date





LOT AREA  
32,849 SF  
0.75 Ac

BULK AND AREA REGULATIONS FOR R-30 & R-20 (EX. ZONING, TO REMAIN):					
	EXISTING OVERALL	R-30 ZONED PORTION		R-20 ZONED PORTION	
		EXIST. PER 2022 REGS	REV. PER VARIANCE	EXIST. PER 2022 REGS	REV. PER VARIANCE
MAXIMUM BUILDING HEIGHT:	35	35	-	35	-
MINIMUM FLOOR AREA:	1,350 SF	1,350	-	1,200	-
MAXIMUM IMPERVIOUS SURFACE:	20%	35%	-	35%	-
FRONT SETBACK (LOCAL):	50	45	25	35	-
SIDE SETBACK (MAJOR):	50	25	20	25	-
SIDE SETBACK (MINOR):	N/A	12	-	10	-
REAR SETBACK:	N/A	40	-	35	-

PREPARED BY:  
**ROGER S. LEE & ASSOCIATES**  
PROFESSIONAL LAND SURVEYORS  
P.O. BOX 1145  
WOODSTOCK, GA 30188  
PHONE 770-653-9984  
Engineering Contact:  
FRANS VAN LEEUWEN  
404-277-3774

PREPARED FOR:  
[OWNER]  
**SEAN BANAI**  
390 DOGWOOD TRAIL  
MARIETTA, GA 30087

Stormwater Management Division  
Cobb County Water System

Approval signifies general plan conformance to the Cobb County Code. Design Professional and Developer remain solely responsible for design and for correcting any and all errors, problems and code violations (if any) exposed during construction AFTER authorization by Cobb County.

*Handwritten notes:*  
- Revise site plan to design & show Runoff Reduction (RR) for onsite impervious area.  
- Provide Photos to document RR Const.  
- Provide Proposed Floor Elev. w/ Contours  
- Confirm Stream Buffer Presence/width with Frank Gipsen in Erosion Control.

GENERAL NOTES

- REFERENCES:
- 1) FINAL PLAT OF THE COLUMNS S/DIV, UNIT FIVE PB 72, PG 101 (DEC 14, 1978)
  - 2) SURVEY FOR AMINI HOMES (LOT 43) BY REGISTERED LAND SURVEYORS, INC., DATED 10-29-2012
  - 3) WARRANTY DEED (DB 14854, PG 1063)

IF THE TOTAL DISTURBED AREA ON THIS LOT EQUALS ONE ACRE OR MORE AT ANY POINT IN TIME, A LAND DISTURBANCE PERMIT MUST BE OBTAINED THROUGH THE COBB COUNTY COMMUNITY DEVELOPMENT AGENCY. FOR QUESTIONS, CALL THE SITE PLAN REVIEW SECTION MANAGER.

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD PRONE AREA PER FIRM PANEL #: 13067 C 0133 J, DATED 03/04/2013.

PAVERS PROPOSED/INSTALLED ARE BEING CREDITED FOR 50% IMPERVIOUS IN CALCULATIONS.

ARC VULNERABILITY CATEGORIES

CAT	AREA	CLEARING				IMPERVIOUS			
		ALLOWED *		ACTUAL		ALLOWED		ACTUAL	
C	24059	18935	79%	18934	79%	10827	45%	10660	44%
E	8790	1241	30%	0	0%	1319	15%	0	0%
Totals >	32849	20176		18934		12146		10660	

\* Includes a transfer of 1396 SF of land disturbance from E to Cat 1 to 1.5 (1396 x 1.5 = 2094 SF) as per Part 2.A.3.c.(1) of the Chattahoochee Corridor Plan.



Lot 43 - Unit Five - The Columns

390 DOGWOOD TRAIL PROJECT ADDRESS 75 / 1st / 2nd LAND LOT / DISTRICT / SECTION COBB COUNTY, GEORGIA CITY, COUNTY, STATE	ARC AREAS SITE PLAN
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SIGNED / SEALED

DATE	REVISION	NO.	DESCRIPTION	SCALE	SHEET
01/13/22	1. VARIANCE SITE PLAN	1.	N/A	AS SHOWN	
03/18/22	2. COUNTY COMMENTS	2.	DESIGN		
06/25/24	3. SITE PLAN w/ ARC CALCULATIONS	3.	P.L. DRAWN		
07/22/24	4. SITE PLAN w/ UPDATED ARC CALCULATIONS	4.	RCS CHECKED		
			DATE		
			PROJECT No.		

C-01