
ZONING ANALYSIS

Planning Commission Public Hearing

October 6, 2009

Board of Commissioners' Public Hearing

October 20, 2009

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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Cobb County... Expect the Best!

Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent property or nearby property;
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; and
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
- (f) 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.

A G E N D A S

COBB COUNTY
ZONING HEARING AGENDA
Planning Commission – October 6, 2009

NOTE: The applicant/property owner(s), prior to hearing date, may withdraw petitions contained in this agenda; therefore, the Planning Commission will not consider those cases.

OTHER BUSINESS:

Item #1:

Planning Commission consider making a recommendation to the Board of Commissioners regarding the Austell Road Access Management Plan.

CONTINUED CASES

Z-5 **HARRY BOONE and BILL HUFF** (John Stephens, Janet Goethe and Jane L. Wootton, owners) requesting Rezoning from **LI, OI** and **R-20** to **CCRC** for the purpose of a Retirement Community in Land Lots 584, 585, 586, 611 and 612 of the 18th District. Located on the north side of Factory Shoals Road, southwesterly of Hartman Road and on the south side of Interstate 20, east of Thornton Road. *(Continued by Staff beginning with the February 3, 2009 Planning Commission hearing; therefore will not be considered at this hearing)*

REGULAR CASES --- NEW BUSINESS

Rezonings

Z-29 **JAMES TURNER** (James L. Turner, Virginia Turner and Georgia Power Company, owners) requesting Rezoning from **GC** and **LI** to **LI** for the purpose of a Warehouse in Land Lot 296 of the 17th District. Located on the east side of New Street and the west side of Atlanta Road, south of Bingham Street.

Z-30 **S & D PROPERTY HOLDINGS, LLC** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of Light Automotive Repair in Land Lots 85 and 132 of the 16th District. Located on the west side of Canton Road, south of Jamerson Road.

Land Use Permits

LUP-24 **HOLY FAMILY CATHOLIC CHURCH** (Roman Catholic Archdiocese of Atlanta, owner) requesting a **Land Use Permit (renewal)** for the purpose of a Preschool in Land Lot 1196 of the 16th District. Located on the north side of Lower Roswell Road, east of Pinehurst Lane and on the east side of Pinehurst Lane, north of Lower Roswell Road (3401 Lower Roswell Road).

LUP-25 **DELANO R. DRYDEN AND KOLU VEZELE** (owners) requesting a **Land Use Permit** for the purpose of a Salon in Land Lot 897 of the 19th District. Located on the northerly side of Heritage Crossing Drive, east of Finch Road (4962 Heritage Crossing Drive).

Special Land Use Permits

SLUP-12 **T-MOBILE SOUTH, LLC** (LN Gordon Road, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Telecommunications Tower and Related Equipment in Land Lots 77 and 156 of the 18th District. Located on the east side of Mableton Parkway, north of Lynne Circle and on the south side of Gresham Road, west of Mableton Parkway.

NOTE: **“Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”**

COBB COUNTY
ZONING HEARING AGENDA
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NOTE: Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission may hold or continue some cases at their public hearing, and some cases may be withdrawn by the applicant/owner

CONTINUED CASES

Z-28 **COOPER LAKE CHEVRON, INC.** (Ramona M. Rimmer, owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Full Service Gas Station in Land Lots 604 and 621 of the 17th District. Located at the southwesterly intersection of South Cobb Drive and Cooper Lake Road. *(Previously continued by the Board of Commissioners from their September 15, 2009 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

Z-29 **JAMES TURNER** (James L. Turner, Virginia Turner and Georgia Power Company, owners) requesting Rezoning from **GC** and **LI** to **LI** for the purpose of a Warehouse in Land Lot 296 of the 17th District. Located on the east side of New Street and the west side of Atlanta Road, south of Bingham Street.

Z-30 **S & D PROPERTY HOLDINGS, LLC** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of Light Automotive Repair in Land Lots 85 and 132 of the 16th District. Located on the west side of Canton Road, south of Jamerson Road.

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OTHER BUSINESS

ITEM #1

To consider a Settlement of Litigation regarding Z-164 (JOHNSON FERRY BAPTIST CHURCH, INC. AND WELLSTAR HEALTH SYSTEM, INC.) of November 21, 2006 for Rezoning from R-20, TS, GC and HI to OI, NRC, LRO and R-20 for the purpose of Mixed Use Development in Land Lots 36 and 37 of the 20th District. Located on the east side of U.S. Highway 41, north of Awtrey Church Road and on the north side of Awtrey Church Road, east of U.S. Highway 41.

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