
ZONING ANALYSIS

Planning Commission Public Hearing

April 5, 2011

Board of Commissioners' Public Hearing

April 19, 2011

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

Tim Lee, Chairman
Helen Goreham, District 1
Bob Ott, District 2
JoAnn Birrell, District 3
Woody Thompson, District 4

COUNTY MANAGER

David Hankerson

COBB COUNTY PLANNING COMMISSION

Murray Homan, Chairman
Bob Hovey
Mike Terry
Christi Trombetti
Judy Williams

COBB COUNTY ZONING DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

Robert Hosack, Director, Community Development
John Pederson, Manager, Zoning Division



Cobb County... Expect the Best!

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

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.

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

A G E N D A S

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

COBB COUNTY
ZONING HEARING AGENDA
Planning Commission – April 5, 2011

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.*

CONTINUED CASES

- Z-8** **STEVEN G. KOESELL** (Little Learners Academy of Marietta, LLC, owner) requesting Rezoning from **R-20** to **NRC** for the purpose of a Daycare in Land Lots 780 and 781 of the 19th District. Located on the south side of Amy Lane; and on the north side of Mimosa Drive, west of Austell Road. *(Previously continued by the Planning Commission from their March 1, 2011 hearing)*
- Z-9** **ATLAS GA I SPE, LLC** (owner) requesting Rezoning from **GC with Stipulations** to **GC with Stipulations** for the purpose of Retail in Land Lot 720 of the 16th District and Land Lots 172 and 209 of the 20th District. Located at the northwesterly intersection of Ernest Barrett Parkway, and Barrett Lakes Boulevard. *(Previously continued by the Planning Commission from their March 1, 2011 hearing)*
- LUP-4** **WILLIAM D. RAWLS** (owner) requesting a **Land Use Permit** for the purpose of Parking More Vehicles Than The Zoning Code Allows in Land Lot 310 of the 17th District. Located on the south side of Pretty View Lane, east of Kenland Road (436 Pretty View Lane). *(Previously continued by the Planning Commission from their March 1, 2011 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-10** **QUIKTRIP CORPORATION** (Ofer “Mike” Bar-Lev, Kofer Properties, Inc., and David Alan, owners) requesting Rezoning from **GC, NRC** and **R-20** to **NRC** for the purpose of a Convenience Store With Fuel Sales in Land Lots 14 and 59 of the 17th District. Located on the north side of Windy Hill Road, between Austell Road and Arkose Drive.

- Z-11** **BROOKS CHADWICK CAPITAL, LLC** (Freeman Capital Group, LLC, owner) requesting Rezoning from **R-30** to **R-20** for the purpose of a Subdivision in Land Lots 113 and 176 of the 16th District. Located at the northeasterly intersection of Sandy Plains Road and Mountain Road.
- Z-12** **CECIL G. MCLENDON, JR.** (owner) requesting Rezoning from **R-20** to **R-15** for the purpose of Two Houses in Land Lot 750 of the 17th District. Located on the north side of Park Avenue, east of Oakdale Road. **WITHDRAWN WITHOUT PREJUDICE**
- Z-13** **HOUSE RABBIT SOCIETY/NORTH GEORGIA CHAPTER, INC.** (Mark Sayeg and Edie Sayeg, owners) requesting Rezoning from **R-15** and **R-20** to **NRC** for the purpose of a Rabbit Rescue Shelter in Land Lots 310 and 339 of the 16th District. Located at the southwestern intersection of Shallowford Road and Shallow Court.
- Z-14** **NOBLE INVESTMENT GROUP, LLC** (First Citizens Bank and Trust Company, Inc., owner) requesting Rezoning from **RRC with Stipulations** to **RRC with Stipulations** for the purpose of Hotel, Retail And Restaurant in Land Lots 1013, 1014, 1027 and 1028 of the 17th District. Located at the northeasterly intersection of Cumberland Boulevard and Interstate 75.
- Z-15** **TARA GRACE** (William T. Thornton, owner) requesting Rezoning from **NS** to **LRO** for the purpose of a Daycare in Land Lot 79 of the 18th District. Located at the southeast intersection of Pisgah Road and Old Alabama Road.

Land Use Permits

- LUP-8** **DAVID ZACCARIA** (David D. Zaccaria, owner) requesting a **Land Use Permit** for the purpose of Teaching, Producing, And Record Engineering in Land Lot 159 of the 20th District. Located on the southern side of Brown Deer Trail, south of Brown Deer Lane (2435 Brown Deer Trail).

Special Land Use Permits

- SLUP-3** **SNAPPINGER PROPERTIES, LLC** (owner) requesting a **Special Land Use Permit** for the purpose of Operation Of Steel, Metal, And Iron Processing And Transfer Station in Land Lots 131 and 132 of the 16th District. Located on the west side of Lee Waters Road, south of Jamerson Road; and at the northeast intersection of Canton Road and Fowler Circle. *(Continued by Staff; therefore will not be considered at this hearing)*
- SLUP-4** **SHAHID LATIF** (S. Jeanne G. Workman F/K/A Shelly Jean Gause Freeman, owner) requesting a **Special Land Use Permit** for the purpose of Used Auto Sales And Service in Land Lots 220 and 285 of the 17th District. Located on the easterly side of South Cobb Drive, north of Carruth Drive.
- SLUP-5** **NOBLE INVESTMENT GROUP, LLC** (First Citizens Bank and Trust Company, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Suite Hotel in Land Lots 1013, 1014, 1027 and 1028 of the 17th District. Located at the northeasterly intersection of Cumberland Boulevard and Interstate 75.

HELD CASE

- Z-6** **MACK & ABE, INC.** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Carwash, Emissions Station and Convenience Store With Fuel Sales in Land Lot 470 of the 16th District. Located on the east side of Johnson Ferry Road, south of Shallowford Road. *(Previously held by the Planning Commission from their March 1, 2011 hearing)*

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.”**

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners – April 19, 2011

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

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-6** **MACK & ABE, INC.** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Carwash, Emissions Station and Convenience Store With Fuel Sales in Land Lot 470 of the 16th District. Located on the east side of Johnson Ferry Road, south of Shallowford Road. *(Previously held by the Planning Commission from their March 1, 2011 hearing)*
- Z-8** **STEVEN G. KOESELL** (Little Learners Academy of Marietta, LLC, owner) requesting Rezoning from **R-20** to **NRC** for the purpose of a Daycare in Land Lots 780 and 781 of the 19th District. Located on the south side of Amy Lane; and on the north side of Mimosa Drive, west of Austell Road. *(Previously continued by the Planning Commission from their March 1, 2011 hearing)*
- Z-9** **ATLAS GA I SPE, LLC** (owner) requesting Rezoning from **GC with Stipulations** to **GC with Stipulations** for the purpose of Retail in Land Lot 720 of the 16th District and Land Lots 172 and 209 of the 20th District. Located at the northwesterly intersection of Ernest Barrett Parkway, and Barrett Lakes Boulevard. *(Previously continued by the Planning Commission from their March 1, 2011 hearing)*
- Z-10** **QUIKTRIP CORPORATION** (Ofer “Mike” Bar-Lev, Kofer Properties, Inc., and David Alan, owners) requesting Rezoning from **GC, NRC** and **R-20** to **NRC** for the purpose of a Convenience Store With Fuel Sales in Land Lots 14 and 59 of the 17th District. Located on the north side of Windy Hill Road, between Austell Road and Arkose Drive.

- Z-11** **BROOKS CHADWICK CAPITAL, LLC** (Freeman Capital Group, LLC, owner) requesting Rezoning from **R-30** to **R-20** for the purpose of a Subdivision in Land Lots 113 and 176 of the 16th District. Located at the northeasterly intersection of Sandy Plains Road and Mountain Road.
- Z-12** **CECIL G. MCLENDON, JR.** (owner) requesting Rezoning from **R-20** to **R-15** for the purpose of Two Houses in Land Lot 750 of the 17th District. Located on the north side of Park Avenue, east of Oakdale Road. **WITHDRAWN WITHOUT PREJUDICE**
- Z-13** **HOUSE RABBIT SOCIETY/NORTH GEORGIA CHAPTER, INC.** (Mark Sayeg and Edie Sayeg, owners) requesting Rezoning from **R-15** and **R-20** to **NRC** for the purpose of a Rabbit Rescue Shelter in Land Lots 310 and 339 of the 16th District. Located at the southwestern intersection of Shallowford Road and Shallow Court.
- Z-14** **NOBLE INVESTMENT GROUP, LLC** (First Citizens Bank and Trust Company, Inc., owner) requesting Rezoning from **RRC with Stipulations** to **RRC with Stipulations** for the purpose of Hotel, Retail And Restaurant in Land Lots 1013, 1014, 1027 and 1028 of the 17th District. Located at the northeasterly intersection of Cumberland Boulevard and Interstate 75.
- Z-15** **TARA GRACE** (William T. Thornton, owner) requesting Rezoning from **NS** to **LRO** for the purpose of a Daycare in Land Lot 79 of the 18th District. Located at the southeast intersection of Pisgah Road and Old Alabama Road.

Land Use Permits

- LUP-4** **WILLIAM D. RAWLS** (owner) requesting a **Land Use Permit** for the purpose of Parking More Vehicles Than The Zoning Code Allows in Land Lot 310 of the 17th District. Located on the south side of Pretty View Lane, east of Kenland Road (436 Pretty View Lane). *(Previously continued by the Planning Commission from their March 1, 2011 hearing)*

LUP-8 **DAVID ZACCARIA** (David D. Zaccaria, owner) requesting a **Land Use Permit** for the purpose of Teaching, Producing, And Record Engineering in Land Lot 159 of the 20th District. Located on the southern side of Brown Deer Trail, south of Brown Deer Lane (2435 Brown Deer Trail).

Special Land Use Permits

SLUP-3 **SNAPPINGER PROPERTIES, LLC** (owner) requesting a **Special Land Use Permit** for the purpose of Operation Of Steel, Metal, And Iron Processing And Transfer Station in Land Lots 131 and 132 of the 16th District. Located on the west side of Lee Waters Road, south of Jamerson Road; and at the northeast intersection of Canton Road and Fowler Circle. *(Continued by Staff; therefore will not be considered at this hearing)*

SLUP-4 **SHAHID LATIF** (S. Jeanne G. Workman F/K/A Shelly Jean Gause Freeman, owner) requesting a **Special Land Use Permit** for the purpose of Used Auto Sales And Service in Land Lots 220 and 285 of the 17th District. Located on the easterly side of South Cobb Drive, north of Carruth Drive.

SLUP-5 **NOBLE INVESTMENT GROUP, LLC** (First Citizens Bank and Trust Company, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Suite Hotel in Land Lots 1013, 1014, 1027 and 1028 of the 17th District. Located at the northeasterly intersection of Cumberland Boulevard and Interstate 75.

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.”**