

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *SUMMARY* AGENDA
JULY 17, 2012**

CONSENT CASES

**Z-27 NEWPORT DEVELOPMENT, LLC
LUP-16 ERIN O'DRISCOLL
LUP-18 JOHN LISMORE**

REGULAR CASE

LUP-17 TOP OF THE LINE

Motion to Rescind

To consider a motion to rescind, consider a new motion, and consider a new vote for the previous action taken June 19, 2012 regarding LUP-14 (Jeffery C. Smith) for the purpose of produce sales for property located on the northeast side of Austell Powder Springs Road, southeast of Furr Avenue in Land Lot 1054 of the 19th District.

WITHDRAWN CASE

SLUP-2 SELMA, LLC *(Previously continued by the Planning Commission from their June 5, 2012 hearing) – WITHDRAWN WITH PREJUDICE*

HELD OR CONTINUED CASES BY STAFF, THE PLANNING COMMISSION OR THE BOARD OF COMMISSIONERS

Z-21 CHAD MCMILLEN *(Continued by the Planning Commission from their June 5, 2012 hearing until their August 7, 2012 hearing; therefore will not be considered at this hearing)*

OTHER BUSINESS

ITEM #1

To consider a site plan approval for Dr. William B. Walker, D.V.M. regarding rezoning application #231 (Willoughby & Sewell Development Company, Inc.) of 1986, for property located at the northwest intersection of Brookstone Drive and Hedge Brooke Drive, in Land Lots 194 and 225 of the 20th District.

ITEM #2

To consider amending the Temporary Land Use Permit stipulations. regarding application LUP-21 (Word of Faith Family Worship Center, Inc.) of 2011, for property located at the northwest intersection of The Bluffs and Riverside Parkway, in Land Lots 697 and 698 of the 18th District.

ITEM #3

To consider amending the site plan and stipulations for Ray Diodati regarding rezoning application Z-17 (Ray L. Diodati) of 2011, for property located on the southeast side of Cobb Place Boulevard, southeast of Vaughn Road, in Land Lot 173 of the 20th District.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
JULY 17, 2012

Rezoning

Z-27 **NEWPORT DEVELOPMENT, LLC, a Georgia Limited Liability Company** (Overton Park Land Company, LLC and 3360 Mountain Drive Associates, L.L.C., owners) requesting Rezoning from **RRC with Stipulations** to **RRC with Stipulations** for the purpose of Residential Units in Land Lots 1012 and 1013 of the 17th District. Located on the southwest corner of Akers Mill Road and Cumberland Boulevard, east of I-75. The Planning Commission recommended **approval** of Rezoning to the **RRC with Stipulations** zoning district, **subject to:**

- letter of agreeable conditions from Mr. John Moore dated June 27, 2012 including attached site plan and elevations with District Commissioner to approve minor modifications (attached and made a part of these minutes) *and with the following changes:*
 - Item No. 7 – revise to read: *“Additionally, parking for residents of the proposed residential community shall be within a maximum six-story, above-ground parking garage, which has styling and architecture compatible with the residential buildings and surface parking. Parking shall meet Cobb County Code at a minimum of 1.75 parking spaces per unit.”*
- Fire Department comments and recommendations
- Water and Sewer Division comments and recommendation
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- inclusion on the Consent Agenda for the Board of Commissioners’ zoning hearing of July 17, 2012

Land Use Permits

LUP-16 **ERIN O’DRISCOLL** (Erin L. O’Driscoll Hunt a/k/a Erin L. O’Driscoll, owner) requesting a **Land Use Permit (Renewal)** for the purpose of Child Care in Land Lot 258 of the 20th District. Located on the north side of Wyntuck Circle, north of Wyntuck Drive (3753 Wyntuck Circle). The Planning Commission recommended **approval** of Land Use Permit for **24 months subject to:**

LUP-16 ERIN O'DRISCOLL (Continued)

- maximum of 12 children
- no employees
- no signs
- no on-street parking
- inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of July 17, 2012

LUP-18 JOHN LISMORE (Carol L. Wright and John W. Lismore, owners) requesting a **Land Use Permit** for the purpose of Catering in Land Lot 379 of the 18th District. Located on the west side of Malvin Drive, south of Kell Drive (6689 Malvin Drive). The Planning Commission recommended approval of Land Use Permit for **12 months**, subject to:

- inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of July 17, 2012

COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners – July 17, 2012

***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-21 **CHAD MCMILLEN** (Bobby McMillen and Chad J. McMillen, owners) requesting Rezoning from **LRO** to **UVC** for the purpose of Living/Physic Readings in Land Lot 109 of the 16th District. Located on the northeast side of Woodstock Road, east of York Place (4624 Woodstock Road). *(Continued by the Planning Commission from their June 5, 2012 hearing until their August 7, 2012 hearing; therefore will not be considered at this hearing)*

Z-27 **NEWPORT DEVELOPMENT, LLC, a Georgia Limited Liability Company** (Overton Park Land Company, LLC and 3360 Mountain Drive Associates, L.L.C., owners) requesting Rezoning from **RRC with Stipulations** to **RRC with Stipulations** for the purpose of Residential Units in Land Lots 1012 and 1013 of the 17th District. Located on the southwest corner of Akers Mill Road and Cumberland Boulevard, east of I-75.

Land Use Permits

LUP-16 **ERIN O'DRISCOLL** (Erin L. O'Driscoll Hunt a/k/a Erin L. O'Driscoll, owner) requesting a **Land Use Permit (Renewal)** for the purpose of Child Care in Land Lot 258 of the 20th District. Located on the north side of Wyntuck Circle, north of Wyntuck Drive (3753 Wyntuck Circle).

LUP-17 **TOP OF THE LINE** (Glenn H. Bond and Frances J. Bond, owners) requesting a **Land Use Permit** for the purpose of a Group Home in Land Lots 1097 and 1124 of the 19th District. Located on the south side of Meadows Road, southeasterly of Lewis Road (4712 Meadows Road).

LUP-18 JOHN LISMORE (Carol L. Wright and John W. Lismore, owners) requesting a **Land Use Permit** for the purpose of Catering in Land Lot 379 of the 18th District. Located on the west side of Malvin Drive, south of Kell Drive (6689 Malvin Drive).

Special Land Use Permit

SLUP-2 SELMA, LLC (owner) requesting a **Special Land Use Permit** for the purpose of Salvage and Recycling and Sale of Auto Parts in Land Lot 824 of the 19th District. Located on the southwest side of Huddleston Drive, southwest of Powder Springs Dallas Road (4995 Powder Springs Dallas Road). *(Previously continued by the Planning Commission from their June 5, 2012 hearing)* **WITHDRAWN WITH PREJUDICE**

Motion to Rescind

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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.”