

**FEBRUARY 19, 2013 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 1**

**ITEM # 6**

**PURPOSE**

To consider a zoning stipulation amendment for West Cobb Crossing, LLC regarding rezoning application #194 of 1988 (David J. Oliver), for property located on the south side of Dallas Highway, east of Barrett Parkway in Land Lot 27 of the 19<sup>th</sup> District.

**BACKGROUND**

The subject property was zoned General Commercial (GC) for “retail shopping use only” in 1988. The property currently has a one-story strip shopping center. The applicant would like to amend the zoning stipulations to allow a gold buying business to occupy one of the tenant spaces. Gold buying is a permitted use in the GC zoning district. If approved, all previous zoning stipulations would remain in effect.

**FUNDING**

N/A

**RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

**ATTACHMENTS**

Other Business application and zoning stipulations.

# Application for "Other Business" Cobb County, Georgia

COBB COUNTY GEORGIA  
FILED IN OFFICE

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 2013 JAN 15 PM 12:25 19-13

COBB COUNTY ZONING DIVISION

**Applicant:** West Cobb Crossing, LLC Phone #: \_\_\_\_\_  
(applicant's name printed)

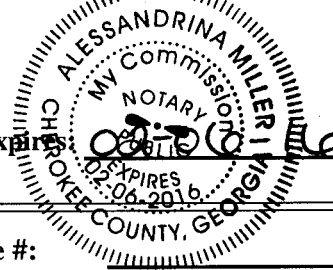
**Address:** 210 Sandy Springs Place, Atlanta, GA 30328 E-Mail: \_\_\_\_\_

Parks F. Huff, Esq. Address: 376 Powder Springs St., Ste. 100 Marietta, GA  
(representative's name, printed) 30064

[Signature] Phone #: (770) 422-7016 E-Mail: phuff@samlarkinhuff.com  
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires \_\_\_\_\_  
Notary Public



**Titleholder(s):** West Cobb Crossing, LLC Phone #: \_\_\_\_\_  
(property owner's name printed)

**Address:** 210 Sandy Springs Place, Atlanta, GA 30328 E-Mail: \_\_\_\_\_

[Signature]  
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires \_\_\_\_\_  
Notary Public



**Commission District:** 1 **Zoning Case:** 194 (1988)

**Date of Zoning Decision:** 12/10/1988 **Original Date of Hearing:** 09/20/1988

**Location:** 2475 Dallas Highway  
(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 27 **District(s):** 19

**State specifically the need or reason(s) for Other Business:** The original zoning included a stipulation that limited the use to retail shopping use. The Applicant wishes to amend this condition to add a gold buying business as a permitted use.

(List or attach additional information if needed)

# Application for Rezoning

## COBB COUNTY

COBB COUNTY GEORGIA  
FILED IN OFFICE (type or print clearly)

Application No. 194  
Hearing Date 9/20/88

2013 JAN 15 PM 12: 25

COBB COUNTY ZONING DIVISION

Applicant David J. Oliver Business Phone 256-2960 Home Phone 642-6128  
David J. Oliver Address 2557 Old Orchard Trail Marietta, Ga. 30062  
(representative's name, printed)  
David J. Oliver Business Phone 256-2960 Home Phone 642-6128  
(representative's signature)

Titleholder B. Bonnie W. McClure Business Phone \_\_\_\_\_ Home Phone 424-6755  
Signature Bonnie W. McClure Address 139 Atwood Drive Marietta, Georgia  
(attach additional signatures, if needed)

Zoning Request From PSC To GC  
(present zoning) (proposed zoning)  
For the Purpose of Retail Space Size of Tract .55 acre(s)  
(subdivision, restaurant, warehouse, apts., etc.)  
Location 2401 Dallas Highway Marietta, Ga.  
(street address, if applicable, nearest intersection, etc.)  
Land Lot(s) 27 District 19 Parcel 2

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are no  there are  such assets. If any, they are as follows:

David J. Oliver  
Applicant's Signature

### FOR OFFICIAL USE ONLY

Recommendation of Planning Commission Planning Commission recommended application be held for 30 days. (No show). Motion by McAfee, seconded by Vansant, carried 4-1, Christian opposed. 11-15-88, Planning Commission recommended application be rejected. motion by Wise, seconded by Christian; carried 3-1, Vansant opposed.

Henry A. Vansant Chairman

Board of Commissioners' Decision 11-22-88, Board of Commissioners approved application subject to the following staff recommendations and stipulations: 1. retail shopping use only; 2. proposed building to be constructed with brick and glass facade 3. proposed building to have no less than a 15 ft. rear property line (15 ft. building setback mentioned above

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[Signature] Chairman see sheet 2

COBB COUNTY GEORGIA  
FILED IN OFFICE

COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES  
2013 JAN 15 PM 12:25

COBB COUNTY PLANNING COMMISSION  
COBB COUNTY ZONING DIVISION

Date of Application 9-20-88 Date of Hearing 9-20-88

Applicant's Name David J. Oliver

Address \_\_\_\_\_

Recommendation of Planning Commission (Cont. from Page 1)

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Henry A. Bonser, Chairman

Final Decision of Board of Commissioners (Cont. from Page 1)

to be included within said buffer) 4. signage to be within code 5. no portable signs to be established on site 6. no billboard to be established on site 7. access to cemetery to be provided through this site 8. interparcel access for this site to be reviewed and studied upon approval of the plans. Motion by Paschal, seconded by Burton; carried 4-0-1, Powell abstained.

~~12-10-88~~ Board of Commissioners **approved** application subject to the following stipulations:

- 1) retail shopping use only; 2) proposed building to be constructed with brick and glass facade;
- 3) proposed building to have no less than a 15' rear yard setback; 4) 15' planted buffer along rear property line (15' building setback mentioned above to be included within said buffer); 5) signage to be within code; 6) no portable signs to be established on site; 7) no billboards to be established on site; 8) subject to stipulations and conditions dated December 20, 1988; 9) subject to the final approval on 15 ft. rear setback through the Plan Review process.

David J. Oliver, Chairman





# Cobb County Georgia Online Mapping



COBB COUNTY GEORGIA

FILED IN OFFICE

2013 JAN 15 PM 12: 25

COBB COUNTY ZONING DIVISION



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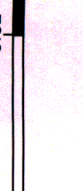
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WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Cobb County Georgia



1: 1,146

Map Notes:

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION