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# ZONING ANALYSIS

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## Planning Commission Public Hearing

February 5, 2013

## Board of Commissioners' Public Hearing

February 19, 2013

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

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***COBB COUNTY ZONING DIVISION***  
***COMMUNITY DEVELOPMENT DEPARTMENT***

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



*Cobb County... Expect the Best!*

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**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.

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**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Planning Commission – February 5, 2013**

**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-50<sup>'12</sup>**      **ARROWHEAD REAL ESTATE PARTNERS, LLC** (Rosemary C. Eckert and The Salvation Army, a Georgia Corporation, Trustee of the Richard B. Eckert and Rosemary C. Eckert Charitable Remainder Unitrust DTD 4/7/2004, owners) requesting Rezoning from **R-80** to **RM-12** for the purpose of Townhomes in Land Lots 949 and 950 of the 17<sup>th</sup> District. Located on the west side of Stillhouse Lane, south of Cumberland Boulevard (3150 Stillhouse Lane). *(Previously continued by the Planning Commission from their December 4, 2012 hearing)*

**Z-51<sup>'12</sup>**      **ARROWHEAD REAL ESTATE PARTNERS, LLC** (Estate of Mary Annette Blackwell Farrell, deceased, and Farrell Realty Partners, LLLP, owners) requesting Rezoning from **R-20** to **RSL** and **RA-5** for the purpose of a Residential Senior Living Facility And Single Family Homes in Land Lots 961, 984 and 985 of the 16<sup>th</sup> District. Located on the north side of Roswell Road, west of Robert Lane (2671 Roswell Road). *(Previously continued by the Planning Commission from their December 4, 2012 hearing)*

**Z-52<sup>'12</sup>**      **MAXINE LONG MINCHEW REVOCABLE LIVING TRUST** (owner) requesting Rezoning from **R-30** to **R-15** for the purpose of a Subdivision in Land Lot 817 of the 16<sup>th</sup> District. Located on the southwest side of Shelley Court, west of Old Canton Road (1788 Shelley Court). *(Previously continued by the Planning Commission from their December 4, 2012 hearing)*

**Z-53<sup>'12</sup>**      **NEW LIFE MISSIONARY BAPTIST CHURCH** (New Life Missionary Baptist Church of Mableton, Inc., owner) requesting Rezoning from **RA-5** to **O&I** for the purpose of Church Activities And LED Sign in Land Lot 189 of the 18<sup>th</sup> District. Located on the southeast corner of Mableton Parkway and Community Road (371 Community Road). *(Previously continued by the Planning Commission from their December 4, 2012 hearing)*



## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

- Z-1**      **ASHLEY AND DAVID STAPLES** (David A. Staples and Ashley Staples, owners) requesting Rezoning from **MHP** and **R-30** to **R-30** for the purpose of Residential And Farm Use in Land Lots 11, 12, 105, 106 and 127 of the 18<sup>th</sup> District. Located on the east side of Holloman Road, on the northeast side of Stout Parkway, and on the northwest side of Sullivan Road (5925 Holloman Road).
- Z-2**      **GARRISON RIDGE SHOPPING CENTER MARIETTA, GA, L.P.** (owner) requesting Rezoning from **NRC** to **CRC** for the purpose of Allowing a Rental Car Office in Land Lot 330 of the 20<sup>th</sup> District. Located at the northeast intersection of Dallas Highway and Garrison Commons (2650 Dallas Highway).
- Z-3**      **RETREAT AT LOST MOUNTAIN HOMEOWNERS ASSOCIATION, INC.** (Due to assemblage of properties, list of titleholders may be found in file) requesting Rezoning from **CS with Stipulations** to **CS with Stipulations** for the purpose of Amending The Zoning Conditions Of Existing Residential Subdivision in Land Lots 384 and 431 of the 19<sup>th</sup> District. Located on the southerly side of Lost Mountain Road and on the north side of Macland Road.
- Z-4**      **TRATON HOMES, LLC** (Estate of Fanny B. McClure, owner) requesting Rezoning from **R-30** to **R-20** for the purpose of Single-Family Residential in Land Lot 146 of the 20<sup>th</sup> District. Located on the easterly side of Mars Hill Church Road, northeasterly of the intersection of Giles Road and Mars Hill Church Road.
- Z-5**      **LILY ESTATES, LLC** (Larry H. Summerour and Martha Sue Summerour, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of Single-Family Residential in Land Lot 967 of the 16<sup>th</sup> District. Located on the south side of Robinson Road, south of Roswell Road (3706 Robinson Road).

- Z-6**        **BROOKS CHADWICK CAPITAL, LLC** (Frances E. Perkins, Kathy Metzger and Linda Perkins a/k/a Linda Frances Perkins, owners) requesting Rezoning from **R-20** and **RM-12** to **RM-8** for the purpose of a Residential Subdivision in Land Lot 84 of the 1<sup>st</sup> District. Located on the east side of Johnson Ferry Road, north of Riverhill Road (542 Johnson Ferry Road).

### Land Use Permits

- LUP-1**        **MICHAEL H. O'ROURKE** (owner) requesting a **Land Use Permit** for the purpose of Allowing Two Unrelated Adults in Land Lot 771 of the 17<sup>th</sup> District. Located on the northeasterly side of Vinings Cove, east of Vinings Walk (2267 Vinings Cove).
- LUP-2**        **NEFTAH GOMEZ** (Tirso Garcia-Ponce, owner) requesting a **Land Use Permit** for the purpose of Allowing Two Adults And A Family in Land Lot 704 of the 19<sup>th</sup> District. Located on the southwesterly side of Frontier Trail, west of Chisholm Trail (993 Frontier Trail).
- LUP-3**        **SHILOH HILLS CHRISTIAN SCHOOL** (Shiloh Hills Baptist Church of Cobb County, Inc., owner) requesting a **Land Use Permit (Renewal)** for the purpose of Educational Programs in Land Lot 211 of the 16<sup>th</sup> District. Located on the south side of Hawkins Store Road, west and north of Interstate 575 (260 Hawkins Store Road).
- LUP-4**        **TRANSFIGURATION CATHOLIC CHURCH PRESCHOOL** (Archbishop of the Roman Catholic Archdiocese of Atlanta, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Pre-School in Land Lots 306, 307, 342, and 343 of the 16<sup>th</sup> District. Located on the north side of Blackwell Road, east of Tulip Tree Road and west of Carter Valley Drive, across from Knight Road (1815 Blackwell Road).
- LUP-5**        **STILL FAMILY FARM, LLC** (Glenn C. Still and Sarah Still Matin, owners) requesting a **Land Use Permit** for the purpose of a Corn Maze In The Fall in Land Lot 439 of the 19<sup>th</sup> District. Located on the north side of Macland Road, west of Corner Road (5630 Macland Road).

**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**  
**Board of Commissioners – February 19, 2013**

*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 CASE**

**Z-47<sup>'12</sup>**     **LINFORD D. MEADOR** (owner) requesting Rezoning from **R-20** to **HI** for the purpose of Parking Equipment And Two Trucks in Land Lot 67 of the 20<sup>th</sup> District. Located on the south side of New McEver Road, west of Old McEver Road (3661 New McEver Road). *(Previously continued by Staff from the December 18, 2012 Board of Commissioners hearing)*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

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