
ZONING ANALYSIS

Planning Commission Public Hearing

May 7, 2013

Board of Commissioners' Public Hearing

May 21, 2013

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
Lisa Cupid, District 4

COUNTY MANAGER

David Hankerson

COBB COUNTY PLANNING COMMISSION

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 – May 7, 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.*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-16** **SAMI NAFISI** (Sam’s Real Estate Holdings–Georgia, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Remodeling An Existing Convenience Store in Land Lot 310 of the 16th District. Located at the northeast intersection of Shallowford Road and Trickum Road (2375 Shallowford Road).
- Z-17** **CHUCK GWUDE** (Bennett Drew – Powder Springs, LLC, owner) requesting Rezoning from **LI** to **NRC** for the purpose of a Childcare Center in Land Lots 789 and 840 of the 19th District. Located on the east side of Old Anderson Farm Road, south of Powder Springs Road, between Powder Springs Road and Anderson Farm Road (3595 Anderson Farm Road).
- Z-18** **BABCOCK REALTY GROUP, LLC** (Babcock Realty Group, LLC and Stephens 100, LLC, owners) requesting Rezoning from **LRO With Stipulations** to **LRO With Stipulations** for the purpose of Additional Parking Spaces in Land Lots 525 and 526 of the 16th District. Located at the northwest intersection of Sandy Plains Road and Bryant Lane, and on the south side of Beaver Shop Road.
- Z-19** **FC LANDSCAPES, INC.** (F. Fernando Chavarria and Rosa Lillianna Chavarria, owners) requesting Rezoning from **R-20** to **GC** for the purpose of a Landscape Business in Land Lot 132, of the 16th District. Located on the south and west sides of Fowler Circle and on the north side of Hill Crest Road, east of Canton Road (1033 and 1037 Hill Crest Road).

- Z-20** **LENNAR GEORGIA, INC.** (The Estate of Thomas Alexander Ellis and the Estate of Mary Evelyn Ellis, owners) requesting Rezoning from **R-20** and **R-80** to **R-20 OSC** for the purpose of a Residential Neighborhood in Land Lots 29, 45, 46, 47 and 105 of the 19th District. Located on the south side of Old Dallas Road, south of Dallas Highway; and on the north side of Hickory Stick Lane. **(Continued by Staff until the June 4, 2013 Planning Commission hearing; therefore will not be considered at this hearing)**

Land Use Permits

- LUP-9** **DELORES HARRIS AND RICHARD HARRIS** (Richard L. Harris and Delores C. Harris, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Business On Residential Property in Land Lot 307 of the 20th District. Located on the southeast side of Holland Road, south of Nichols Road (783 Holland Road). **WITHDRAWN WITHOUT PREJUDICE**
- LUP-10** **PRAISE TABERNACLE CHURCH, INC.** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of Four Mobile Classrooms in Land Lots 956 and 957 of the 19th District. Located on the west side of Hiram Lithia Springs Road, north of Defoors Farm Drive (4052 Hiram Lithia Springs Road).
- LUP-12** **HEWETT CONSULTING** (Thomas C. Hewett and Brenda Hewett, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Business Service (Firearm Refinishing) in Land Lot 834 of the 16th District. Located on the west side of Bill Murdock Road, south of Sewell Mill Road, north of Old College Way (1625 Bill Murdock Road).
- LUP-13** **SARAH C. WELLS** (Ralph O. Wells and Sarah C. Wells, owners) requesting a **Land Use Permit** for the purpose of Allowing More Adults And More Vehicles Than County Code Permits in Land Lot 705 of the 19th District. Located on the south side of Pair Road, across from Byers Drive (1101Pair Road).

- LUP-14** **ROSE CATHERIN** (owner) requesting a **Land Use Permit** for the purpose of Allowing More Adults Than County Code Permits in Land Lot 1244 of the 16th District. Located on the east side of Hazelwood Drive, west of Yancey Drive (1947 Hazelwood Drive).
- LUP-15** **VIOLET CLARK** (Billy C. Clark and Violet J. Clark, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Beauty Shop in Land Lot 234 of the 17th District. Located on the east side of Gray Road, north of Diane Drive (2985 Gray Road).

Special Land Use Permits

- SLUP-2** **THE SAE SCHOOL** (Riverview Industries, L.P., owner) requesting a **Special Land Use Permit** for the purpose of a Private School (Pre-K through Eighth Grade) in Land Lots 175 and 176 of the 18th District. Located at the end of Armstrong Place, southwesterly of Nichols Drive (1648 and 1649 Armstrong Place).
- SLUP-3** **ST. BENEDICT’S EPISCOPAL CHURCH, LLC** (Irving C. Hoffman and Haynes Grading, Inc., owners) requesting a **Special Land Use Permit** for the purpose of a Day School in Land Lot 694 of the 17th District. Located on the northwesterly side of Cooper Lake Road, east of Weaver Street.

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 – May 21, 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-13 **MICHAEL MCMILLEN AND JUSTIN MCMILLEN** (owners) requesting Rezoning from **R-12** to **LRC** for the purpose of a Professional Office in Land Lot 743 of the 17th District. Located on the east side of Atlanta Road, south of Paces Ferry Road (3691 Atlanta Road). *(Previously continued by Staff from the April 16, 2013 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

Z-16 **SAMI NAFISI** (Sam's Real Estate Holdings–Georgia, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Remodeling An Existing Convenience Store in Land Lot 310 of the 16th District. Located at the northeast intersection of Shallowford Road and Trickum Road (2375 Shallowford Road).

Z-17 **CHUCK GWUDE** (Bennett Drew – Powder Springs, LLC, owner) requesting Rezoning from **LI** to **NRC** for the purpose of a Childcare Center in Land Lots 789 and 840 of the 19th District. Located on the east side of Old Anderson Farm Road, south of Powder Springs Road, between Powder Springs Road and Anderson Farm Road (3595 Anderson Farm Road).

Z-18 **BABCOCK REALTY GROUP, LLC** (Babcock Realty Group, LLC and Stephens 100, LLC, owners) requesting Rezoning from **LRO With Stipulations** to **LRO With Stipulations** for the purpose of Additional Parking Spaces in Land Lots 525 and 526 of the 16th District. Located at the northwest intersection of Sandy Plains Road and Bryant Lane, and on the south side of Beaver Shop Road.

- Z-19** **FC LANDSCAPES, INC.** (F. Fernando Chavarria and Rosa Lillianna Chavarria, owners) requesting Rezoning from **R-20** to **GC** for the purpose of a Landscape Business in Land Lot 132, of the 16th District. Located on the south and west sides of Fowler Circle and on the north side of Hill Crest Road, east of Canton Road (1033 and 1037 Hill Crest Road).
- Z-20** **LENNAR GEORGIA, INC.** (The Estate of Thomas Alexander Ellis and the Estate of Mary Evelyn Ellis, owners) requesting Rezoning from **R-20** and **R-80** to **R-20 OSC** for the purpose of a Residential Neighborhood in Land Lots 29, 45, 46, 47 and 105 of the 19th District. Located on the south side of Old Dallas Road, south of Dallas Highway; and on the north side of Hickory Stick Lane. *(Continued by Staff until the June 4, 2013 Planning Commission hearing; therefore will not be considered at this hearing)*

Land Use Permits

- LUP-9** **DELORES HARRIS AND RICHARD HARRIS** (Richard L. Harris and Delores C. Harris, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Business On Residential Property in Land Lot 307 of the 20th District. Located on the southeast side of Holland Road, south of Nichols Road (783 Holland Road).
WITHDRAWN WITHOUT PREJUDICE
- LUP-10** **PRAISE TABERNACLE CHURCH, INC.** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of Four Mobile Classrooms in Land Lots 956 and 957 of the 19th District. Located on the west side of Hiram Lithia Springs Road, north of Defoors Farm Drive (4052 Hiram Lithia Springs Road).
- LUP-12** **HEWETT CONSULTING** (Thomas C. Hewett and Brenda Hewett, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Business Service (Firearm Refinishing) in Land Lot 834 of the 16th District. Located on the west side of Bill Murdock Road, south of Sewell Mill Road, north of Old College Way (1625 Bill Murdock Road).

- LUP-13** **SARAH C. WELLS** (Ralph O. Wells and Sarah C. Wells, owners) requesting a **Land Use Permit** for the purpose of Allowing More Adults And More Vehicles Than County Code Permits in Land Lot 705 of the 19th District. Located on the south side of Pair Road, across from Byers Drive (1101Pair Road).
- LUP-14** **ROSE CATHERIN** (owner) requesting a **Land Use Permit** for the purpose of Allowing More Adults Than County Code Permits in Land Lot 1244 of the 16th District. Located on the east side of Hazelwood Drive, west of Yancey Drive (1947 Hazelwood Drive).
- LUP-15** **VIOLET CLARK** (Billy C. Clark and Violet J. Clark, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Beauty Shop in Land Lot 234 of the 17th District. Located on the east side of Gray Road, north of Diane Drive (2985 Gray Road).

Special Land Use Permits

- SLUP-2** **THE SAE SCHOOL** (Riverview Industries, L.P., owner) requesting a **Special Land Use Permit** for the purpose of a Private School (Pre-K through Eighth Grade) in Land Lots 175 and 176 of the 18th District. Located at the end of Armstrong Place, southwesterly of Nichols Drive (1648 and 1649 Armstrong Place).
- SLUP-3** **ST. BENEDICT'S EPISCOPAL CHURCH, LLC** (Irving C. Hoffman and Haynes Grading, Inc., owners) requesting a **Special Land Use Permit** for the purpose of a Day School in Land Lot 694 of the 17th District. Located on the northwesterly side of Cooper Lake Road, east of Weaver Street.

HELD CASES

Z-51^{'12} **ARROWHEAD REAL ESTATE PARTNERS, LLC** (Estate of Mary Annette Blackwell Farrell, deceased, and Farrell Realty Partners, LLLP, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of Single-Family Homes in Land Lots 961, 984 and 985 of the 16th 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 and February 5, 2013 hearings, previously held by the Planning Commission from their March 5, 2013 hearing and previously held by the Board of Commissioners from their April 16, 2013 hearing)*

Z-14 **RICHARD DUNCAN** (David Nunn and Jane Nunn, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Subdivision in Land Lots 256 and 321 of the 16th District. Located on the east side of Wesley Chapel Road, north of Bluffview Drive (3914 Wesley Chapel Road). *(Previously held by the Board of Commissioners from their April 16, 2013 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.”**